

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79712

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

DEC 08 2014

An application for transfer must be prepared in accordance with the minimum requirements listed below to be accepted for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) DEER CREEK RANCH, INC.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) DEER CREEK RANCH, INC., ATTN JOHN FLYNN Phone 949-720-3400Mailing address PO BOX 3090, NEWPORT BEACH, CA 92658 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative PAUL L. ARRINGTON Phone 208-733-0700Mailing address 195 RIVER VISTA PLACE, SUITE 204, TWIN FALLS, ID 83301 Email PLA@IDAHOWATERS.COM

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

John Flynn
Signature of Applicant or Authorized Representative

JOHN FLYNN, EVP
Print Name and Title if applicable

12/05/2014
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other CREATE PPU
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

~~APPLICANT SEEKS TO CREATE PPU TO MATCH CURRENT IRRIGATION PRACTICES. APPLICANT SEEKS TO ADD 2 POINTS OF DIVERSION TO WATER RIGHT 37-11329.~~

Correct POP and POU to match current use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	37-11325	0.04 CFS	STOCKWATER	1/1 to 12/31	GROUNDWATER
☐ ☐		0.06 CFS	DOMESTIC	1/1 to 12/31	GROUNDWATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.06 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NE	SE	SW	30	3N	18E	BLAINE	GROUNDWATER	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	30												D	S*				
		31					D												
Total Acres (for irrigation use)																			

STOCKWATER POU IS NOT CHANGING *

* See attached email dated 1/23/2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

WATER DIVERTED FROM WELL AND PIPED TO MAIN RESIDENCE FOR IN HOME USE AND LANDSCAPE IRRIGATION

- b. Who owns the property at the point(s) of diversion? DEER CREEK RANCH, INC.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

THIS TRANSFER WILL MATCH THE WATER RIGHT WITH CURRENT PRACTICES

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

IRRIGATION PPU FOR WATER RIGHTS 37-466 AND 37-11329 ALSO COVERS A PORTION OF THIS AREA.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 37-11325

Current Owner: DEER CREEK RANCH INC

Priority Date: 6/24/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.04 CFS	
DOMESTIC	1/01 to 12/31	0.06 CFS	
	<u>Total Diversion</u>	0.06 CFS	

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4NE1/4

Sec. 30, Twp 03N, Rge 18E B.M.

BLAINE County

Place of Use

STOCKWATER Within BLAINE County

T03N R18E S30 SENE

DOMESTIC Within BLAINE County

T03N R18E S30 SENE

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. PARCEL NO. 03N18030589AA STOCKWATER, 50 BEEF CATTLE
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 1/5/2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments.

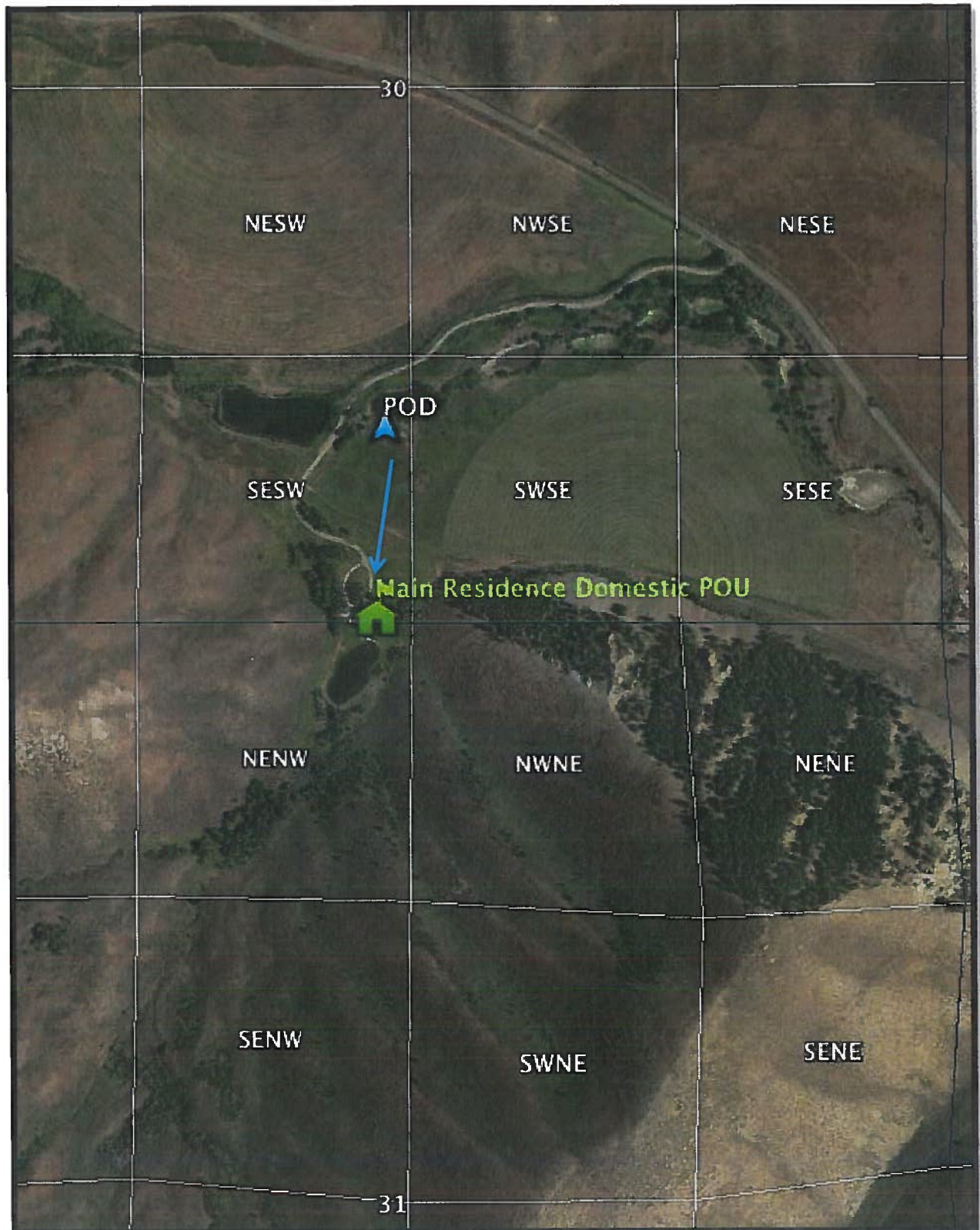
Received by DM Date 12.8.2014 Preliminary check by _____ Date _____

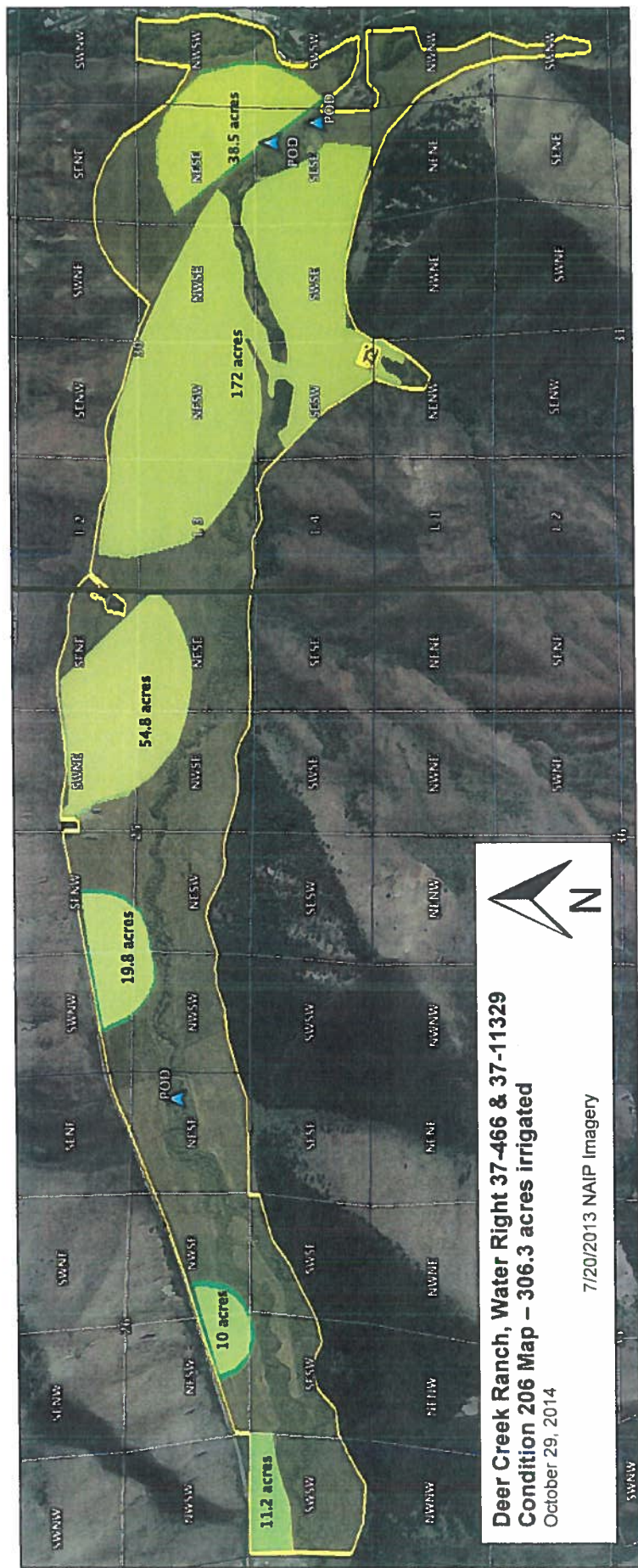
Fee paid \$200 - Date 12.8.2014 Received by Dm Receipt # S034437

Add'l fee paid	Date	Received by	Receipt #
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Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ & W-9 ☐ (originals to state office)

**Deer Creek Ranch Water Rights
Domestic Right 37-11325
Township 3N, Range 18E**





Please note the acres depicted in blue, in the map following are sub-irrigated and cut for a hay crop when there's adequate precipitation. These acres may appear to be irrigated, but are not.



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**DEPT. OF WATER RESOURCES
 SOUTHERN REGION**



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 29, 2015

DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH, CA 92658

RE: Transfer No. 79711
Water Right No(s). 37-11329, 37-466

RE: Transfer No. 79712
Water Right No(s). 37-11325

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 2/4/2015 and 2/11/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 23, 2015**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

BARKER ROSHOLT & SIMPSON LLP
PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 29, 2015 12:58 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notice being submitted for publication on February 4th & 11th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 29, 2015

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 79711
Water Right No(s): 37-11329, 37-466

RE: Transfer No. 79712
Water Right No(s): 37-11325

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79711**

DEER CREEK RANCH INC, ATTN JOHN FLYNN, PO BOX 3090, NEWPORT BEACH, CA 92658; has filed Application No. 79711 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11329, 37-466. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer seeks to add two wells currently authorized to divert ground water under water right 37-466 (9.77 cfs) to right 37-11329 (2.48 cfs) and create a 714.9 permissible place of use (PPU) for both rights. When combined both rights are limited to a diversion rate of 9.78 cfs. Place of use and points of diversion are located approximately 3.9 to 5.1 miles north and 2.3 to 7.4 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79712**

DEER CREEK RANCH INC, ATTN JOHN FLYNN, PO BOX 3090, NEWPORT BEACH, CA 92658; has filed Application No. 79712 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11325. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer seeks to update an existing domestic and stockwater water right (0.06 cfs) to reflect the current point of diversion (POD) and domestic place of use (POU). Proposed POU and POD are located approximately 4.3 miles north and 3.3 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 4th & 11th, 2015

Mills, William

From: Paul Arrington [pla@idahowaters.com]
Sent: Friday, January 23, 2015 11:33 AM
To: Mills, William
Cc: Paul Arrington
Subject: RE: Deer Creek Ranch Domestic/Stockwater Transfer WR 37-11325

Bill:

Thank you for catching that! Yes, it was a typographical error. The POU should not change from the water right.

Thanks,

Paul L. Arrington

Barker Rosholt & Simpson, LLP

208-733-0700 – Office

208-404-9436 – Cell

208-735-2444 – Fax

From: Mills, William [<mailto:William.Mills@idwr.idaho.gov>]
Sent: Tuesday, January 20, 2015 3:55 PM
To: Paul Arrington
Subject: Deer Creek Ranch Domestic/Stockwater Transfer WR 37-11325

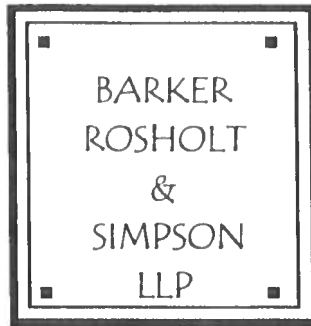
Paul,

On the stockwater portion of this transfer you state in the cover letter and on the transfer application that the stockwater place of use will remain unchanged, but on Part 1, B. 4. on the transfer application you list the NESE of Sec 30, Twp 03N, Rge 18E as the POU when it is listed as the SENE of Sec. 30 on the water right. I'm assuming this is a typo, but could you please send me an email for the transfer file indicating that it either is or is not a typo and where the correct stockwater POU is located?

Thanks,
Bill Mills

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington*
Scott A. Magnuson*

** Licensed in Idaho & Washington*



195 River Vista Place, Suite 204
Twin Falls, Idaho 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 West Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Paul L. Arrington
pla@idahowaters.com

December 8, 2014

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DEC 08 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave. W., Suite 500
Twin Falls, ID 83301

*RE: Two Applications for Transfer of Water Rights
(Deer Creek Ranch, Inc.)*

To Whom it May Concern:

Attached, please find two Applications for Transfer of Water Rights, filed by Deer Creek Ranch, Inc. Also attached, please find a check for \$1,420 – representing the filing fee associated with the transfer applications.

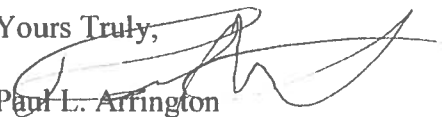
The first Transfer Application seeks to create a PPU out of Water Rights 37-466 and 37-11329. These rights have combined diversion limitations, but their places of use are not the same. This PPU will better reflect the actual use of the water rights. Attachment 7a includes several aerial photos of the proposed PPU, including an aerial photo identifying the acreage to be irrigated under these water rights. This map is consistent with the Condition 206 Map that is generally required on PPU transfers.

For your information, concurrently with the filing of the PPU transfer application, Deer Creek has filed an application to lease portions of water rights 37-466 and 37-11329 to the Water Supply Bank. Although the rights authorize the irrigation of up to 489 acres, Deer Creek is currently only irrigating 306.3 acres. The remaining 182.7 acres will be placed in the Water Bank.

The second Transfer Applications seeks to correct the place of use and point of diversion on a domestic right owned by Deer Creek. The place of use for the stockwater use under that right will remain unchanged.

If there are any questions, please don't hesitate to give me a call.

Yours Truly,


Paul L. Arrington

pla/JN

Encs.

cc: Client (via email)