

RECEIVED

JUN 27 2014

DEPT. OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No.

79429

MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable 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 <http://www.idwr.idaho.gov/>.

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 #1-9.**

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/water/rights/>.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: \_\_\_\_\_

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of  
**RECEIVED**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

JUN 27 2014

DEPT. OF WATER RESOURCES  
SOUTHERN REGION**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**Name of Applicant(s) SV Ranch LLC Phone 425-460-2542Mailing address PO Box 1607 Bellevue, WA 98009 Email \_\_\_\_\_

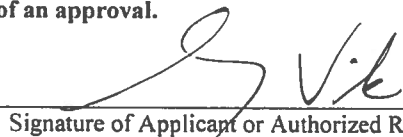
- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the 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 Greg Sullivan of Brockway Engineering Phone 208-736-8543Mailing address 2016 North Washington Street, Suite 4 Twin Falls Idaho 83301 Email greg.sullivan@brockwayeng.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.


  
Signature of Applicant or Authorized Representative

GREG VUK, ITS PRESIDENT  
Print Name and Title if applicable

6/19/14  
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 \_\_\_\_\_
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**. Create a 131.6 acre POU for new pivot. Existing wells will be connected to the proposed pivot.

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.

| I.                                                           | Right Number | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|--------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part                                                  |              |                       |               |               |                    |
| <input type="checkbox"/> <input checked="" type="checkbox"/> | 37-7408      | 0.22/33.3             | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/> | 37-22790     | 2.35/353.0            | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/> | 37-22771     | 0.03/8.4              | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to            |                    |

Total authorized under rights 30.0 cfs and/or 5385.9 ac-ft

2. Total amount of water proposed to be transferred or changed 2.6 cubic feet per second and/or 364.7 acre-feet per annum.

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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | SE | SW | 27  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   | NE | SE | 27  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   | SW | SE | 22  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   |    |    |     |     |     |        |              |                     |
|       |     |   |    |    |     |     |     |        |              |                     |

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 |             |
| 01S | 13E | 28  |      |    | 0.7 | 0.6 |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |             |

Total Acres (for irrigation use) 131.3

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 37-7408      | 0.22/33.3             | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 37-22790     | 2.35/353.0            | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 37-22771     | 0.03/8.4              | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 30.0 cfs and/or 5385.9 ac-ft

2. Total amount of water proposed to be transferred or changed 2.6 cubic feet per second and/or 364.7 acre-feet per annum.

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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | SE | SW | 27  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   | NE | SE | 27  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   | SW | SE | 22  | 01S | 13E | Camas  | Ground Water |                     |
|       |     |   |    |    |     |     |     |        |              |                     |
|       |     |   |    |    |     |     |     |        |              |                     |

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   |             |
| 01S | 13E | 28  |      |    | 0.7 | 0.6 |      |    |    |    |      |    |    |    | 32.8 | 34.4 | 32.5 | 30.3 | 131.6       |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |
|     |     |     |      |    |     |     |      |    |    |    |      |    |    |    |      |      |      |      |             |

Total Acres (for irrigation use) 131.6

131.3

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: Existing wells. Mainlines and pivot will be installed after the transfer is approved

- b. Who owns the property at the point(s) of diversion? SV Ranch LLC

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: N/A

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: \_\_\_\_\_  
The land currently covered by the water rights to be transferred will no longer be irrigated.

- e. 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: N/A

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

Yes No

- |                                     |                                     |                                                                                               |
|-------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: Water right 37-22790 has a 97.0 acre portion that is leased to the Water Supply Bank and will be withdrawn from the Water Supply Bank after this transfer is approved.

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

**Current Water Right No.:** 37-7408

**Current Owner:** SOUTH COVE VENTURES LLC  
**Priority Date:** 11/18/1974  
**Origin:** Water Right  
**Status:** Active  
**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 11/01         | 8.35 CFS                     | 1252.5 AF                   |
|                              | <b>Total Diversion</b> | 8.35 CFS                     | 1252.5 AF                   |

**Location of Point(s) of Diversion**

|              |                 |          |          |              |
|--------------|-----------------|----------|----------|--------------|
| GROUND WATER | NE1/4NE1/4NE1/4 | Sec. 14, | Twp 01S, | Rge 14E B.M. |
| CAMAS County |                 |          |          |              |
| GROUND WATER | SE1/4SE1/4NE1/4 | Sec. 14, | Twp 01S, | Rge 14E B.M. |
| CAMAS County |                 |          |          |              |
| GROUND WATER | SE1/4SE1/4SE1/4 | Sec. 13, | Twp 01S, | Rge 14E B.M. |
| CAMAS County |                 |          |          |              |

**Place of Use**

**IRRIGATION Within CAMAS County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R14E S13 | NENW | 31.10 | T01S R14E S13 | NWNW | 24.10 |
| T01S R14E S13 | SWNW | 31.10 | T01S R14E S13 | SENW | 31.10 |
| T01S R14E S13 | NESW | 31.10 | T01S R14E S13 | NWSW | 39.00 |
| T01S R14E S13 | SWSW | 38.00 | T01S R14E S13 | SESW | 38.00 |
| T01S R14E S13 | NESE | 39.00 | T01S R14E S13 | NWSE | 40.00 |
| T01S R14E S13 | SWSE | 39.00 | T01S R14E S13 | SESE | 36.00 |

Total Acres: 417.5

**Conditions of Approval:**

1. 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.
2. X35 Rights 37-7393 and 37-7408 when combined shall not exceed a total diversion rate of 10.4 cfs.

Decreed Date: 9/24/2010

|                                  |      |
|----------------------------------|------|
| Total Acres (for irrigation use) | 11.1 |
|----------------------------------|------|

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

**Current Water Right No.:** 37-22771

**Current Owner:** BLACK BUTTE HILLS LLC

**Priority Date:** 10/30/1974

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 05/01 to 10/01                | 9.34 CFS                     | 2312.4 AF                   |
| DIVERSION TO STORAGE         | 1 /1 to 12/31                 | 0.2 CFS                      |                             |
| STOCKWATER STORAGE           | 1 /1 to 12/31                 |                              | 34.5 AF                     |
| WILDLIFE STORAGE             | 1 /1 to 12/31                 |                              | 34.5 AF                     |
|                              | <b><u>Total Diversion</u></b> | 9.54 CFS                     | 2346.9 AF                   |

**Location of Point(s) of Diversion**

|               |            |          |          |              |
|---------------|------------|----------|----------|--------------|
| GROUND WATER  | SW1/4NW1/4 | Sec. 1,  | Twp 02S, | Rge 17E B.M. |
| BLAINE County |            |          |          |              |
| GROUND WATER  | SW1/4SE1/4 | Sec. 11, | Twp 02S, | Rge 17E B.M. |
| CAMAS County  |            |          |          |              |

**Place of Use**

IRRIGATION Within BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T02S R17E S1  | SWNW | 9.00  | T02S R17E S1  | NWSW | 30.00 |
| T02S R17E S1  | SWSW | 39.00 | T02S R17E S2  | SENE | 0.40  |
| T02S R17E S2  | SWSW | 1.50  | T02S R17E S2  | SESW | 29.30 |
| T02S R17E S2  | NESE | 33.00 | T02S R17E S2  | NWSE | 1.60  |
| T02S R17E S2  | SWSE | 34.00 | T02S R17E S2  | SESE | 39.00 |
| T02S R17E S11 | NENE | 40.00 | T02S R17E S11 | NWNE | 34.00 |
| T02S R17E S11 | SWNE | 28.00 | T02S R17E S11 | SENE | 33.00 |
| T02S R17E S11 | NENW | 34.00 | T02S R17E S11 | SENW | 15.00 |
| T02S R17E S11 | NESE | 20.00 | T02S R17E S11 | NWSE | 12.00 |
| T02S R17E S11 | SWSE | 19.00 | T02S R17E S11 | SESE | 27.00 |
| T02S R17E S12 | SWNE | 20.00 | T02S R17E S12 | NENW | 15.00 |
| T02S R17E S12 | NWNW | 40.00 | T02S R17E S12 | NWNW | 40.00 |
| T02S R17E S12 | SENW | 36.00 | T02S R17E S12 | NESW | 38.00 |
| T02S R17E S12 | NWSW | 40.00 | T02S R17E S12 | SWSW | 28.00 |
| T02S R17E S12 | SESW | 11.00 | T02S R17E S12 | NWSE | 24.00 |

Total Acres: 770.8

STOCKWATER STORAGE Within CAMAS County

|               |      |               |      |
|---------------|------|---------------|------|
| T02S R17E S11 | NESE | T02S R17E S11 | NWSE |
| T02S R17E S11 | SESE | T02S R17E S12 | NWSW |
| T02S R17E S12 | SWSW | T02S R17E S12 | SESW |

WILDLIFE STORAGE Within CAMAS County

|               |      |               |      |
|---------------|------|---------------|------|
| T02S R17E S11 | NESE | T02S R17E S11 | NWSE |
| T02S R17E S11 | SESE | T02S R17E S12 | NWSW |
| T02S R17E S12 | SWSW | T02S R17E S12 | SESW |

Place of Use: DIVERSION TO STORAGE same as IRRIGATION

Conditions of Approval:

1. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 220 The ponds established by the storage of water under rights 37-21301 and 37-22771 shall not exceed a total capacity of 81.6 acre-feet or a total surface area of 18.99 acres.
5. X35 Rights 37-2211, 37-11989, and 37-22771 when combined shall not exceed the irrigation of 770.8 acres.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
8. 220 The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
9. 219 Right 37-22771 authorizes the diversion of an annual total of 34.5 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under right 37-21301.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Decreed Date: 2/3/2010

Total Acres (for irrigation use) 2.5

Total Acres (for irrigation use) 2.8

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

**Current Water Right No.:** 37-22790

**Current Owner:** SV RANCH LLC

**Priority Date:** 6/21/1968

**Origin:** Water Right

**Status:** Water Supply Bank      Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/31                | 12.14 CFS                    | 1821 AF                     |
|                              | <b><u>Total Diversion</u></b> | 12.14 CFS                    | 1821 AF                     |

**Location of Point(s) of Diversion**

|                              |                 |                                |
|------------------------------|-----------------|--------------------------------|
| GROUND WATER<br>CAMAS County | NW1/4NW1/4NW1/4 | Sec. 35, Twp 01S, Rge 13E B.M. |
| GROUND WATER<br>CAMAS County | SW1/4NW1/4NW1/4 | Sec. 35, Twp 01S, Rge 13E B.M. |
| GROUND WATER<br>CAMAS County | NE1/4NE1/4SW1/4 | Sec. 15, Twp 01S, Rge 13E B.M. |
| GROUND WATER<br>CAMAS County | SW1/4SW1/4SE1/4 | Sec. 22, Twp 01S, Rge 13E B.M. |
| GROUND WATER<br>CAMAS County | NE1/4NE1/4SE1/4 | Sec. 27, Twp 01S, Rge 13E B.M. |
| GROUND WATER<br>CAMAS County | NE1/4SE1/4SW1/4 | Sec. 27, Twp 01S, Rge 13E B.M. |

**Place of Use**

IRRIGATION Within CAMAS County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R13E S35 | SESW | 0.40  | T01S R13E S35 | SWSE | 6.70  |
| T01S R13E S35 | SESE | 0.10  | T02S R13E S1  | NWNE | 26.00 |
| T02S R13E S1  | SWNE | 17.80 | T02S R13E S1  | SENE | 0.80  |
| T02S R13E S1  | NENW | 30.00 | T02S R13E S1  | NWNW | 8.00  |
| T02S R13E S1  | SWNW | 10.00 | T02S R13E S1  | SENE | 40.00 |
| T02S R13E S1  | NESW | 39.00 | T02S R13E S1  | NWSW | 39.00 |
| T02S R13E S1  | SWSW | 10.00 | T02S R13E S1  | SESW | 26.00 |
| T02S R13E S1  | NESE | 19.00 | T02S R13E S1  | NWSE | 39.00 |
| T02S R13E S1  | SWSE | 25.00 | T02S R13E S1  | SESE | 5.40  |
| T02S R13E S2  | NENE | 24.00 | T02S R13E S2  | NWNE | 39.00 |
| T02S R13E S2  | SWNE | 32.00 | T02S R13E S2  | SENE | 33.00 |
| T02S R13E S2  | NENW | 22.00 | T02S R13E S2  | SENE | 28.00 |
| T02S R13E S2  | NESW | 3.40  | T02S R13E S2  | NESE | 39.00 |
| T02S R13E S2  | NWSE | 28.00 | T02S R13E S2  | SWSE | 2.60  |
| T02S R13E S2  | SESE | 14.00 |               |      |       |

Total Acres: 607.2

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of transfer 78153 is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by transfer 78153 within one year of the date of its approval.
3. X35 Rights 37-7028, 37-7029, 37-22788, 37-22790 and 37-22791 when combined shall not exceed a total diversion rate of 22.29 cfs.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 214 Prior to the diversion and use of water under Transfer approval 78153, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. X35 Rights 37-7028, 37-7029, 37-20560, 37-22788, 37-22790, 37-22791, 37-22816, 37-22817, 37-22818, 37-22819 and 37-22820 when combined shall not exceed a total diversion rate of 23.75 cfs.

Decreed Date: 6/12/2008

|                                  |       |
|----------------------------------|-------|
| Total Acres (for irrigation use) | 117.7 |
|----------------------------------|-------|

## 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.

### 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**.

1. 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.:

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by DM Date 6-27-2014 Prelim. Check by \_\_\_\_\_ Date \_\_\_\_\_

Fee Paid \$8600 - Date 6-27-2014 Received by DM Receipt # S034112

| Add'l Fee Paid | Date | Received by | Receipt # |
|----------------|------|-------------|-----------|
|----------------|------|-------------|-----------|

| No. <b>W 19047</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Due no later than Apr 30, 2014<br/>Annual Report Form</b>                                                                                                                                                                          |                             | 2. Registered Agent and Office<br><b>(NOT A P.O. BOX)</b><br>NATIONAL REGISTERED AGENTS INC<br>921 S ORCHARD ST STE G<br>BOISE ID 83705 USA |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
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| Return to:<br>SECRETARY OF STATE<br>450 N 4th STREET<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE<br/>DATE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1. Mailing Address: Correct in this box if needed.<br>SV RANCH LLC<br>C/O SC&B SERVICES INC<br>999 3RD AVE STE 3000<br>SEATTLE WA 98104                                                                                               |                             | 3. <u>New</u> Registered Agent Signature.                                                                                                   |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| 4. Limited Liability Companies: Enter Names and Addresses of Managers OR Members. See Instructions.<br><table border="1"> <thead> <tr> <th>Manager or Member</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>Manager <input checked="" type="checkbox"/> Member <input type="checkbox"/></td> <td>Investments Manager LLC,</td> <td>999 3rd Avenue, Suite 3000,</td> <td>Seattle</td> <td>WA</td> <td>USA</td> <td>98104</td> </tr> <tr> <td>Manager <input type="checkbox"/> Member <input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Manager <input type="checkbox"/> Member <input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Manager <input type="checkbox"/> Member <input type="checkbox"/></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> |                                                                                                                                                                                                                                       |                             |                                                                                                                                             | Manager or Member | Name    | Street or PO Address | City | State | Country | Postal Code | Manager <input checked="" type="checkbox"/> Member <input type="checkbox"/> | Investments Manager LLC, | 999 3rd Avenue, Suite 3000, | Seattle | WA | USA | 98104 | Manager <input type="checkbox"/> Member <input type="checkbox"/> |  |  |  |  |  |  | Manager <input type="checkbox"/> Member <input type="checkbox"/> |  |  |  |  |  |  | Manager <input type="checkbox"/> Member <input type="checkbox"/> |  |  |  |  |  |  |
| Manager or Member                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Name                                                                                                                                                                                                                                  | Street or PO Address        | City                                                                                                                                        | State             | Country | Postal Code          |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input checked="" type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Investments Manager LLC,                                                                                                                                                                                                              | 999 3rd Avenue, Suite 3000, | Seattle                                                                                                                                     | WA                | USA     | 98104                |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                       |                             |                                                                                                                                             |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                       |                             |                                                                                                                                             |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                       |                             |                                                                                                                                             |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| 5. Organized Under the Laws of:<br><br><b>WASHINGTON<br/>W 19047</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 6. Signature: <br>Date: <u>2/21/14</u><br>Name (type or print):<br>Investments Manager LLC, Manager, by Greg Vik, its Manager<br>Title:<br>Manager |                             |                                                                                                                                             |                   |         |                      |      |       |         |             |                                                                             |                          |                             |         |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |

Issued 02/14/2014 by KAH

129784

## INSTRUCTIONS FOR THE IDAHO ANNUAL REPORT FORM

|                                                                                                                                                        |                                                                                                                                                           |                                                                           |                                                                                   |       |                  |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------|------------------|-------------|
| No. <b>W 36007</b>                                                                                                                                     | <b>Due no later than Jan 31, 2014</b>                                                                                                                     |                                                                           | <b>2. Registered Agent and Address<br/>(NO PO BOX)</b>                            |       |                  |             |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br><b>NO FILING FEE IF<br/>RECEIVED BY DUE DATE</b> | <b>Annual Report Form</b>                                                                                                                                 |                                                                           | NATIONAL REGISTERED AGENTS INC<br>921 S ORCHARD ST STE G<br>BOISE ID 83705<br>USA |       |                  |             |
|                                                                                                                                                        | <b>1. Mailing Address: Correct in this box if needed.</b><br><br>BLACK BUTTE HILLS LLC<br>SC & B SERVICES INC<br>999 3RD AVE STE 3000<br>SEATTLE WA 98104 |                                                                           | <b>3. <u>New</u> Registered Agent Signature:*</b><br><br>                         |       |                  |             |
| <b>4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.</b>                                                    |                                                                                                                                                           |                                                                           |                                                                                   |       |                  |             |
| Office Held                                                                                                                                            | Name                                                                                                                                                      | Street or PO Address                                                      | City                                                                              | State | Country          | Postal Code |
| MANAGER                                                                                                                                                | INVESTMENTS MANAGER LLC                                                                                                                                   | 999 3RD AVE STE 3000                                                      | SEATTLE                                                                           | WA    | USA              | 98104       |
| <b>5. Organized Under the Laws of:</b>                                                                                                                 |                                                                                                                                                           | <b>6. Annual Report must be signed.*</b>                                  |                                                                                   |       |                  |             |
| <b>WA<br/>W 36007</b>                                                                                                                                  |                                                                                                                                                           | Signature: Investments Manager LLC, Manager by Greg Vik                   |                                                                                   |       | Date: 12/31/2013 |             |
|                                                                                                                                                        |                                                                                                                                                           | Name (type or print): Investments Manager LLC, Manager by Greg Vik        |                                                                                   |       | Title: Manager   |             |
| Processed 12/31/2013                                                                                                                                   |                                                                                                                                                           | * Electronically provided signatures are accepted as original signatures. |                                                                                   |       |                  |             |

TRANSFER 79429

| No. <b>W 19046</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Due no later than <b>Apr 30, 2014</b><br>Annual Report Form                                                                                                                              |                             | 2. Registered Agent and Office<br>(NOT A P.O. BOX)<br>NATIONAL REGISTERED AGENTS INC<br>921 S ORCHARD ST STE G<br>BOISE ID 83705 USA |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
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| Manager or Member                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Name                                                                                                                                                                                     | Street or PO Address        | City                                                                                                                                 | State             | Country | Postal Code          |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input checked="" type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Investments Manager LLC,                                                                                                                                                                 | 999 3rd Avenue, Suite 3000, | Seattle,                                                                                                                             | WA                | USA     | 98104                |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                          |                             |                                                                                                                                      |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                          |                             |                                                                                                                                      |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Manager <input type="checkbox"/> Member <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                          |                             |                                                                                                                                      |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| 5. Organized Under the Laws of:<br><br><b>WASHINGTON</b><br><b>W 19046</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 6. Signature: <br>Name (type or print):<br>Investments Manager LLC, Manager, by Greg Vik, its Manager |                             | Date: <u>2/21/14</u><br>Title: <u>Manager</u>                                                                                        |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |
| Issued 02/14/2014 by KAH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          | 115914                      |                                                                                                                                      |                   |         |                      |      |       |         |             |                                                                             |                          |                             |          |    |     |       |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |                                                                  |  |  |  |  |  |  |

## INSTRUCTIONS FOR THE IDAHO ANNUAL REPORT FORM

## ADMINISTRATOR'S MEMORANDUM

Multiple Programs Memo No. 2

To: Regional Offices  
Water Allocation Bureau

From: Gary Spackman 

Re: **FORFEITURE REVIEW PERIOD**

Date: March 5, 2012

Idaho Code § 42-222(2) provides that all rights to the use of water shall be lost and forfeited by a failure for the term of five years to apply it to the beneficial use for which it was appropriated. Idaho Code § 42-222(3&4) provides that the Department may grant an extension for an additional five years for good cause shown if an application for extension is made before the end of the five year period. Idaho Code § 42-223 provides for exceptions or defenses to forfeiture. Experience in the Snake River Basin Adjudication (SRBA) and other court cases have provided additional guidance on the subject of forfeiture. In general, forfeiture is not favored; however, the Department has a responsibility to review water rights to determine if forfeiture has occurred prior to approving (or denying) certain applications affecting existing water rights.

In 1999, the SRBA court issued a decision tolling the forfeiture period for a water right during the time period that a claim is pending in the adjudication. The Department has presumed that water rights are not forfeited for non-use during the five-year period following issuance of a partial decree. For many water rights decreed in the SRBA, the initial five-year period has ended or will end soon, and Department employees are increasingly faced with questions regarding a cut-off date to determine if forfeiture has occurred and when action must be taken to protect a water right from forfeiture. For example, if a partial decree is issued during the middle of the irrigation season, is it appropriate to assume that five full irrigation seasons of non-use (in addition to the first partial season) must pass before the right is considered to be forfeited? If so, would the right holder need to initiate some action to protect the right from forfeiture prior to the end of the five full seasons, or prior to the beginning of the sixth irrigation season, or some other time? In the past, the Department has presumed that resumption at the beginning of the sixth season would prevent forfeiture on the basis that junior irrigation rights would not have had opportunity to establish some reliance on the unused water during the non-irrigation season. What if the need for irrigation water is further delayed in the sixth season due to a wet spring?

The purpose of this memo is to address the timing questions that arise during forfeiture review by providing Department employees with a simple and uniform forfeiture review period. This memo applies to forfeiture review associated with applications to lease a water right to the Water Supply Bank, applications for extension of time to avoid forfeiture, and applications for transfer of a water right. This memo applies to both irrigation and non-irrigation water rights.

TRANSFER 79429

The Department will presume that beneficial use under a water right during a portion of a calendar year or any defense or protection from forfeiture applicable during a portion of a calendar year will apply to the entire calendar year. For example, if an irrigation right is used to establish a cover crop at the beginning of an irrigation season and is not used during the remainder of the irrigation season; the right will be considered protected from forfeiture through December 31 of that calendar year. Likewise, if an irrigation right is decreed at the beginning of a calendar year (prior to the beginning of the irrigation season) and is not used at any time during the irrigation season, the right will still be considered protected from forfeiture for that entire calendar year.

The Department will also presume that resumption of beneficial use under a water right for a portion of a calendar year or any defense or protection initiated during a calendar year will apply to the entire calendar year. For example, if an irrigation right is used to establish a fall crop at the end of an irrigation season, even if the right was not used earlier during the irrigation season, the right will be considered protected from forfeiture for that calendar year. Likewise, if an application for lease to the Water Supply Bank is submitted before the end of a calendar year and eventually approved and the right is not used at any time during that calendar year, the right will be considered protected from forfeiture for that calendar year.

Strict application of Idaho Code § 42-222(4) would require an application for extension of time to avoid forfeiture to be submitted prior to the end of the fifth unprotected year of non-use. However, the Department wishes to avoid questions and conflicts surrounding the timing of resumption during an irrigation season and to maintain simple and uniform guidance to Department employees. Therefore, the Department will presume that resumption of beneficial use or any defense or protection, including filing an extension of time to avoid forfeiture, initiated before the end of the sixth calendar year will prevent a finding of forfeiture by the Department.

As an example, if an irrigation right is decreed in the SRBA in January, 2004 and water is not used during 2004, 2005, 2006, 2007, 2008 and 2009, then resumption or action initiating a defense or protection from forfeiture must occur prior to the end of the calendar year in 2010. The 2004 calendar year is considered protected since the decree was issued during that year. The years 2005 through 2009 represent the five year period of non-use. The Department would not find forfeiture if use resumed before the end of calendar year 2010. An application to lease the water right to the Water Supply Bank or other action initiating a defense or protection from forfeiture would apply similarly<sup>1</sup>.

As another example, if an extension of time to avoid forfeiture is granted for five years, the Department will presume that resumption of beneficial use or any defense or protection initiated before the end of the sixth calendar year will prevent a finding of forfeiture by the Department. Continuing with the example above, if an application for extension of time to avoid forfeiture was submitted in 2010 and the Department granted an extension for the years 2010, 2011, 2012, 2013 and 2014, then resumption or other action initiating a defense or protection from forfeiture must occur prior to the end of calendar year 2015. Note that, pursuant to Idaho Code § 42-222(4), the Department would still be required to provide notice at least 60 days prior to the end of 2014 that resumption and a report is due by December 31, 2014. However, the Department would not find forfeiture if resumption of beneficial use or

<sup>1</sup> Filing an application for transfer does not toll the statutory period for forfeiture of a water right due to non-use.

other action initiating a defense or protection from forfeiture occurred prior to the end of calendar year 2015.

This memo does not change Department policy on partial forfeiture. Forfeiture of a portion of a water right may occur if beneficial use is reduced for the statutory period as applied under the guidance of this memo. When discussing forfeiture issues, Department employees and water users should be mindful that any Department decision or action where forfeiture may be an issue can be contested and certain facts may lead to a different conclusion in an administrative hearing, or judicial review.

## QUITCLAIM DEED

For value received, Black Butte Hills LLC, as grantor hereby quitclaims unto SV Ranch LLC C/O Greg Vik, the grantee whose current address is PO Box 1607 Bellevue, WA 98009, all of the grantor's right, title, and interest in and to the following described water rights or portions of water rights situated in Camas County, Idaho, on record with the Idaho Department of Water Resources:

**A portion of water right 37-22771, priority date 10/30/1974, equal to 0.03 cubic feet per second, 8.4 acre feet annually and capable of irrigation of 2.8 acres.**

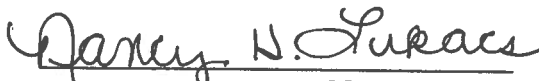
Grantor has caused this quitclaim deed to be executed this 19<sup>th</sup> day of JUNE, 2014.

By:   
Greg Vik C/O Black Butte Hills LLC

State of WA )  
 ) S.S.  
County of KING )

On this 19<sup>th</sup> day of JUNE, in the year of 2014, before me, a Notary Public, personally appeared GREG VIK, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



  
Notary Public  
In and for said State and County

NANCY H LUKACS  
My Commission Expires on 4/29/16

S  
E  
A  
L

## QUITCLAIM DEED

For value received, South Cove Ventures LLC, as grantor hereby quitclaims unto SV Ranch LLC C/O Greg Vik, the grantee whose current address is PO Box 1607 Bellevue, WA 98009, all of the grantor's right, title, and interest in and to the following described water rights or portions of water rights situated in Camas County, Idaho, on record with the Idaho Department of Water Resources:

**A portion of water right 37-7408, priority date 11/18/1974, equal to 0.22 cubic feet per second, 33.3 acre feet annually and capable of irrigation of 11.1 acres.**

Grantor has caused this quitclaim deed to be executed this 6<sup>th</sup> day of JUNE, 2014.

By: Greg Vik, its President  
Greg Vik C/O South Cove Ventures LLC

State of WA )  
County of KING ) S.S.

On this 6<sup>th</sup> day of JUNE, in the year of 2014, before me, a Notary Public, personally appeared GREG VIK, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



Nancy H. Lukacs  
Notary Public  
In and for said State and County

4/29/16  
My Commission Expires on

S  
E  
A  
L

RECEIVED

OCT 23 2014

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## WARRANTY DEED

FOR VALUE RECEIVED, Sand Springs Ranch & Company, an Idaho general partnership, the "Grantor," hereby GRANTS, BARGAINS, SELLS AND CONVEYS to SV Ranch LLC, the "Grantee," whose current address is P.O. Box 1607, Bellevue, Washington 98009, the following described real property situated in the County of Camas, State of Idaho, to-wit:

All of that certain real property more particularly described on Exhibit A attached hereto and by this reference made a part hereof, together with all mineral and water rights appurtenant thereto.

## SUBJECT TO:

All easements and rights-of-way of record as of the date hereof, taxes for the year of sale, and other exceptions as noted on that certain Commitment for Title Insurance dated August 2, 2000, Order No. C-990034 issued by First American Title Insurance Company/Camas County Title, and itemized on Schedule B-Section 2 thereof as item Nos. 8 through 18 inclusive and item Nos. 21 through 34 inclusive.

To have and to hold the said premises with their appurtenances unto the said Grantees, their successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantees that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, except as noted herein, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 22nd day of August, 2000.

GRANTOR:

SAND SPRINGS RANCH &amp; COMPANY

By *Tom N. Ambrose*  
Tom N. Ambrose, General Partner

74111  
Recorded at the Request of  
Camas County Title  
at 3:10 P.M.  
September 22, 2000  
In Book 32 Page 206  
of Deeds  
ROLLIE BENNETT  
CAMAS COUNTY RECORDER  
By *Rollie Bennett*  
Fees \$ 18.00

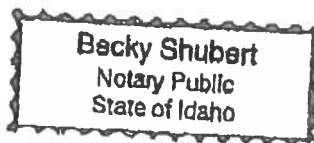
WARRANTY DEED - 1

TRANSFER 79429

STATE OF Idaho )  
 ) ss.  
County of Gooding )

On this ~~22nd~~ <sup>September</sup> day of ~~August~~ 2000, before me, a notary public, personally appeared Tom N. Ambrose, known or identified to me to be a general partner of Sand Springs Ranch & Company, the general partnership that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said general partnership, and acknowledged to me that such general partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



*Becky Shubert*  
Notary Public for Idaho  
Residing at Wendell, ID  
Commission Expires: 02-23-05

RECEIVED

OCT 23 2014

DEPT OF WATER RESOURCES  
SOUTHERN REGION

**EXHIBIT A**  
**C990034**  
**Page 1 of 4 Pages**

**PARCEL NO. 1:**

**Township 1 South, Range 13 East of the Boise Meridian, Camas County, Idaho**

- Section 15:** South one-half.
- Section 16:** Southeast Quarter; North one-half, EXCEPT the North 40 feet thereof.
- Section 21:** North one-half; Southeast Quarter.
- Section 22:** North one-half; Southeast Quarter.
- Section 26:** Southwest Quarter.
- Section 27:** East one-half; Southeast Quarter of the Southwest Quarter.
- Section 28:** Southwest Quarter.
- Section 29:** East one-half of the Southwest Quarter; South one-half of the Southeast Quarter, EXCEPT the North 5 acres.
- Section 32:** East one-half; East one-half of the Southwest Quarter.
- Section 33:** Northwest Quarter; South one-half of the Northeast Quarter; South one-half.
- Section 34:** Northeast Quarter of the Northwest Quarter; South one-half of the Northwest Quarter; Northeast Quarter; South one-half.
- Section 35:** All.

**Township 2 South, Range 13 East of the Boise Meridian, Camas County, Idaho**

- Section 1:** All.
- Section 2:** All.

continued

**EXHIBIT A**  
**C990034-CONTINUED**  
**Page 2 of 4 Pages**

- Section 3: Lots 1, 2, 3, and 4; South one-half of the Northeast Quarter; Northwest Quarter of the Southwest Quarter; Southwest Quarter of the Northwest Quarter.
- Section 4: Lots 1, 2, 3, and 4; South one-half of the North one-half; Northeast Quarter of the Southeast Quarter; Northwest Quarter of the Southwest Quarter.
- Section 5: Lots 1, 2; South one-half of the Northeast Quarter; Southeast Quarter.
- Section 11: North one-half of the North one-half.
- Section 12: Northwest Quarter of the Northeast Quarter; North one-half of the Northwest Quarter.

Township 1 South, Range 14 East of the Boise Meridian, Camas County, Idaho

- Section 31: Lots 2, 3, and 4; Southeast Quarter of the Northwest Quarter; East one-half of the Southwest Quarter.

Township 2 South, Range 14 East of the Boise Meridian, Camas County, Idaho

- Section 6: Lots 3, 4, 5, 6 and 7; Southeast Quarter of the Northwest Quarter; East one-half of the Southwest Quarter.

**PARCEL NO. 1:**

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

- Section 31: Lots 3 and 4; East one-half of the Southwest Quarter; East one-half.

- Section 32: West one-half of the Southwest Quarter.

continued

**EXHIBIT A**

RECEIVED

OCT 23 2014

**C990034-CONTINUED**

**Page 3 of 4 Pages**

DEPT OF WATER RESOURCES  
SOUTHERN REGION

**Township 2 South, Range 15 East of the Boise Meridian, Camas County, Idaho**

**Section 5: Lot 4.**

**Section 6: Lots 1, 2 and 3; South one-half of the Northeast Quarter; North one-half of the Southeast Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter.**

**PARCEL NO. 3:**

**Township 2 South, Range 13 East of the Boise Meridian, Camas County, Idaho**

**Section 3: Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter; South one-half of the Southwest Quarter; Southeast Quarter.**

**Section 10: North one-half, Southwest Quarter; West one-half of the Southeast Quarter.**

**Section 14: Northwest Quarter of the Northeast Quarter; North one-half Northwest Quarter; South one-half of the North one-half; South one-half.**

**Section 15: Southeast Quarter of the Northeast Quarter; West one-half of the Northeast Quarter; West one-half.**

**Section 16: East one-half of the Northwest Quarter; Northeast Quarter of Southwest Quarter.**

**Section 23: Lots 1, 2 and 3; South one-half of the Northeast Quarter; Southeast Quarter of the Northwest Quarter; East one-half Southwest Quarter; Southeast Quarter.**

**EXHIBIT A**  
**C990034-CONTINUED**

Page 4 of 4 Pages

**PARCEL NO. 4:**

Township 1 South, Range 13 East of the Boise Meridian, Camas County, Idaho

Section 27: Southwest Quarter of the Southwest Quarter, EXCEPT a parcel of land described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Southwest Quarter and running North along the West boundary line of Section 27, 850 feet to the TRUE POINT OF BEGINNING;

Thence East and parallel with the South boundary line of Section 27, 500 feet;  
Thence North and parallel with the West boundary line of Section 27, 250 feet;  
Thence West and parallel with the South boundary line of Section 27, 500 feet;  
Thence South along the West boundary line of Section 27, 250 feet to the TRUE POINT OF BEGINNING.

Section 34: Northwest Quarter of the Northwest Quarter.

Township 1 South, Range 13 East of the Boise Meridian, Camas County, Idaho

Section 33: North one-half of the Northeast Quarter.

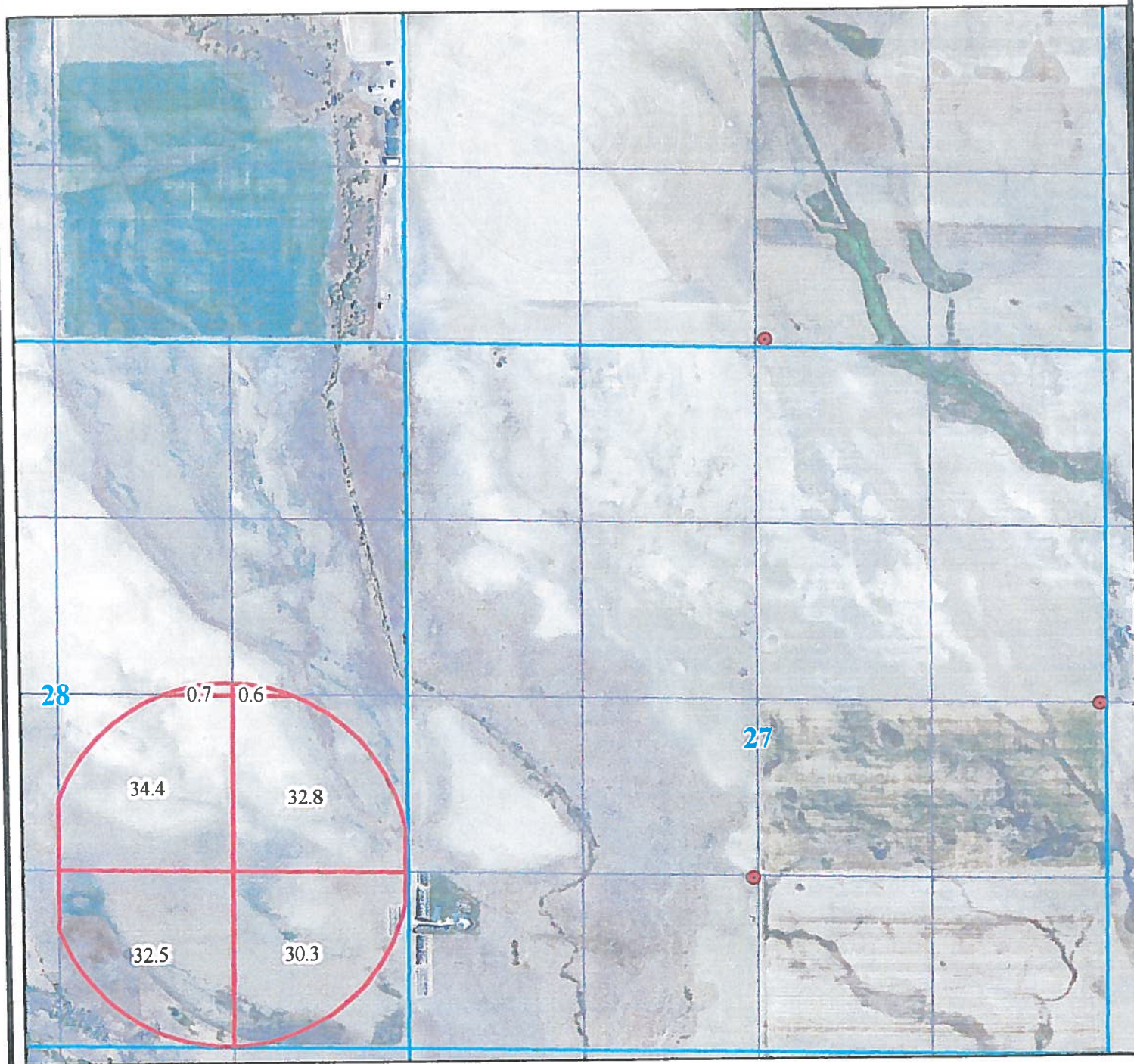
**PARCEL NO. 5:**

Township 1 South, Range 13 East of the Boise Meridian, Camas County, Idaho

Section 27: That part of the Southwest Quarter of the Southwest Quarter, described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Southwest Quarter and running North along the West boundary line of Section 27, 850 feet to the TRUE POINT OF BEGINNING;

Thence East and parallel with the South boundary line of Section 27, 500 feet;  
Thence North and parallel with the West boundary line of Section 27, 250 feet;  
Thence West and parallel with the South boundary line of Section 27, 500 feet;  
Thence South along the West boundary line of Section 27, 250 feet to the TRUE POINT OF BEGINNING.



0 400 800 1,600 Feet

**SOUTH COVE VENTURES  
TRANSFER TO PIVOT SE SEC 28, 2014  
NAIP 2013 AERIAL**

**Legend**

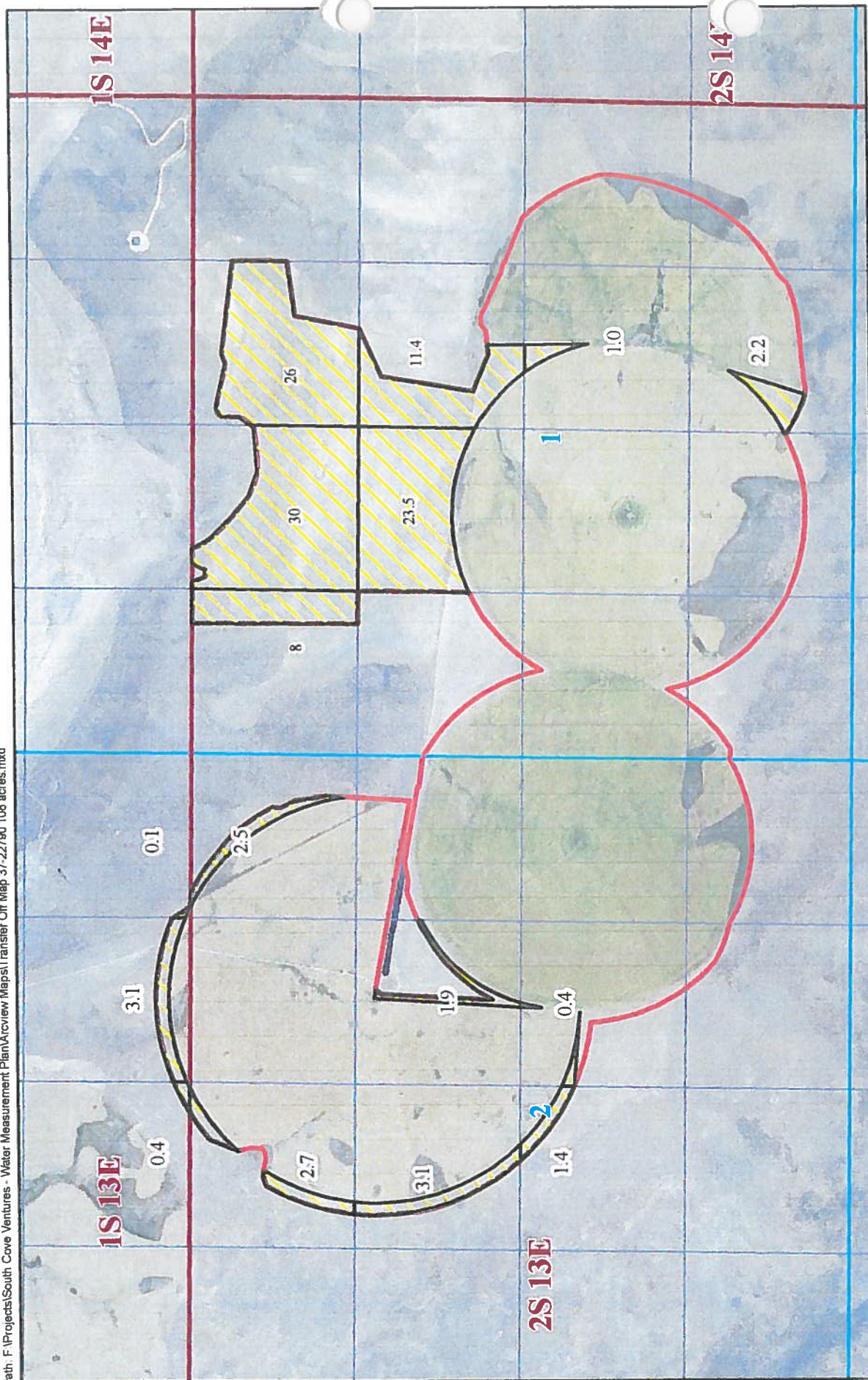
- Points of Diversion
- Proposed\_Pivot\_SE\_Sec\_26
- twrshp
- Sections
- lades



BROCKWAY ENGINEERING, PLLC.  
ALR - Date: 4/29/2014

**ATTACHMENT #7B**

**TRANSFER 79429**



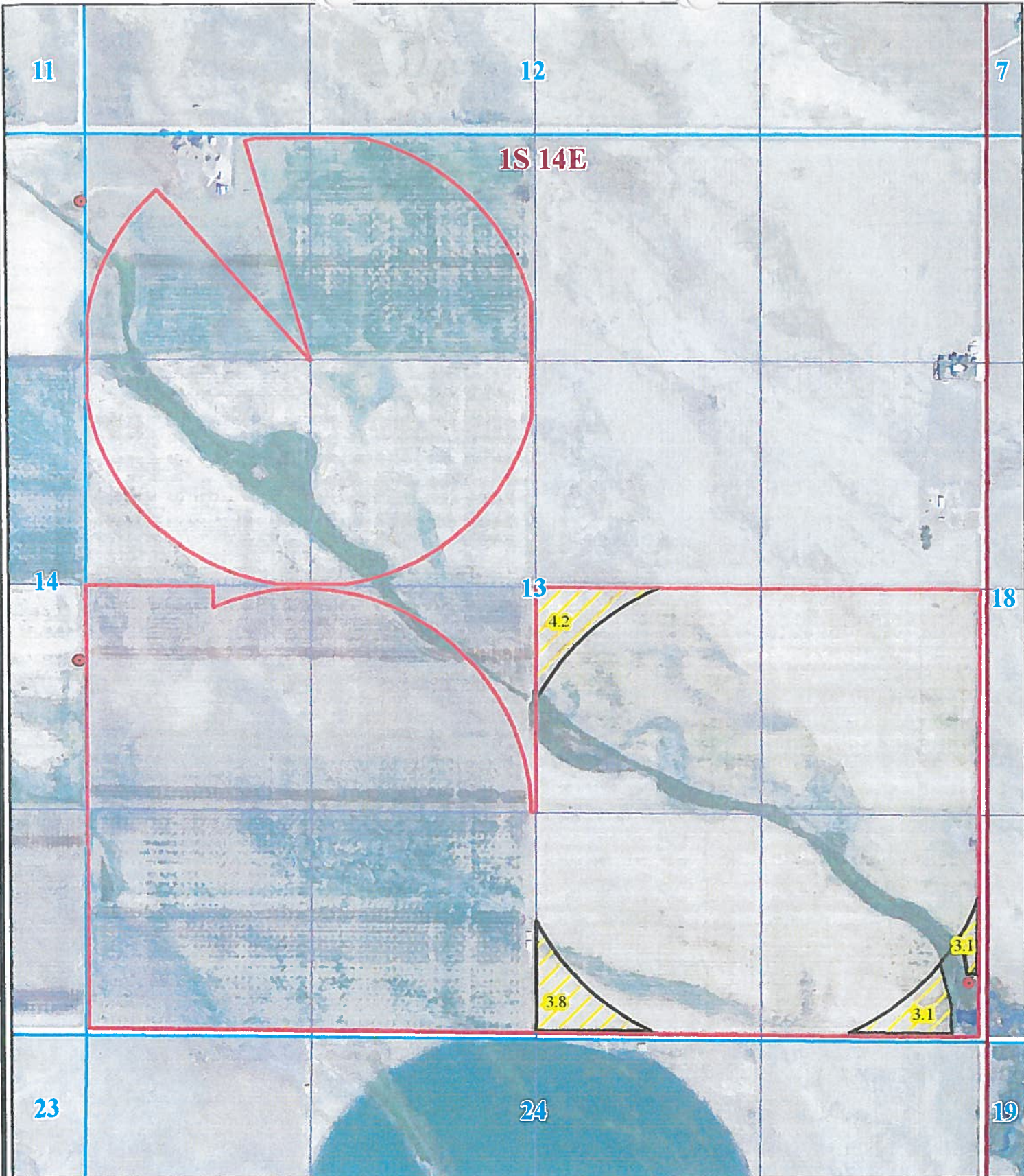
**SV RANCH LLC**  
**TRANSFER OFF 37-22790, 117.7 Acres**  
**NAIP 2013 AERIAL**

**Legend**

- 37-22790
- Transfer\_off\_37-22790, 117.7 Ac.
- 37-22790\_pou
- township
- Sections
- ladesec

0 550 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.  
ALR - Date: 6/11/2014



0 300 600 1,200 Feet

**SOUTH COVE VENTURES  
ACRES TRANSFERING FROM 37-7408  
NAIP 2013 AERIAL**

BROCKWAY ENGINEERING, PLLC.  
ALR Date: 4/29/2014

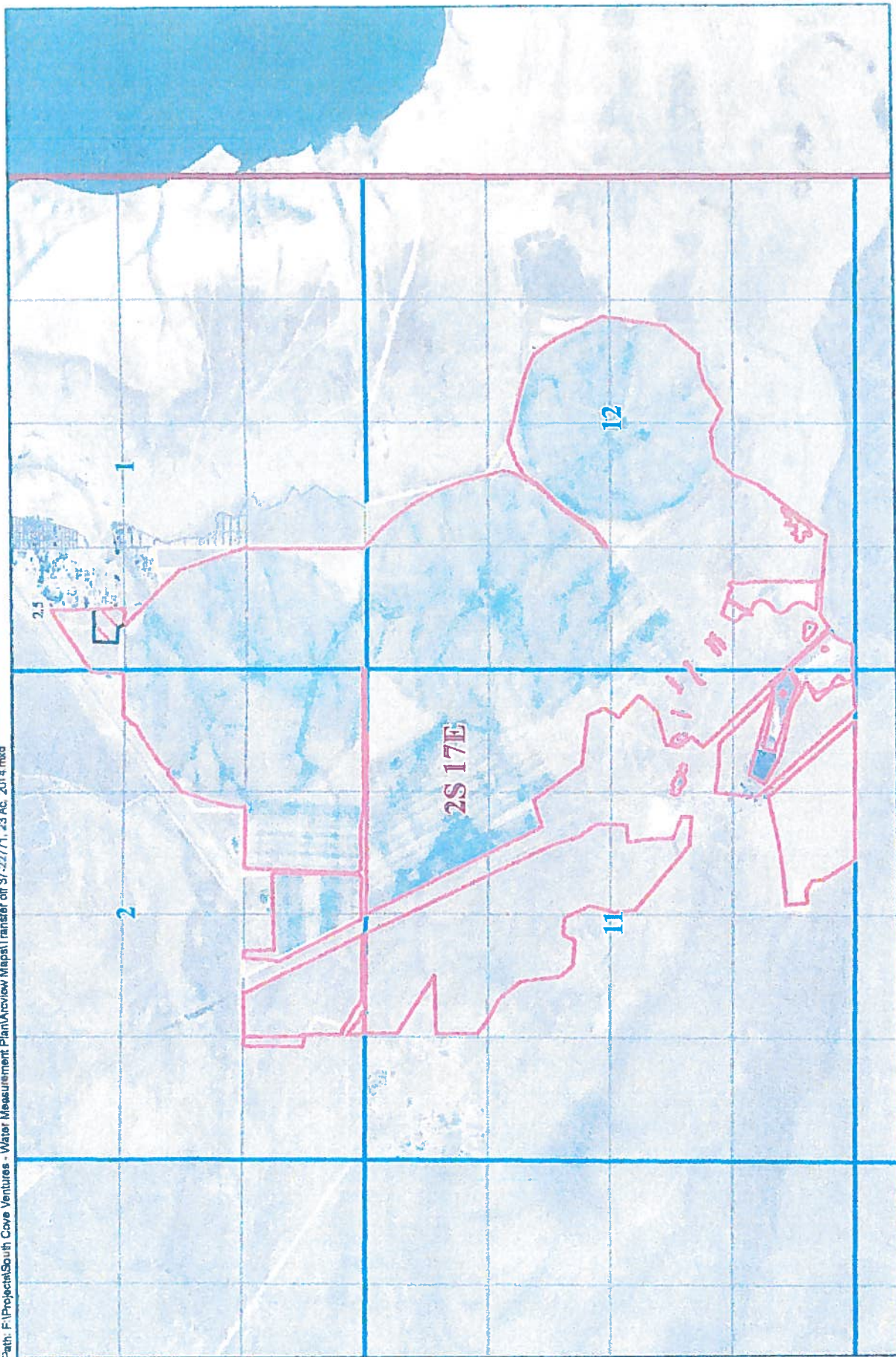
**Legend**

- 37, 7408,
- WR\_37-7408\_POU
- Transfer off 37-7408
- twrshp
- Sections
- ladesec



**TRANSFER 79429**

Path: F:\Projects\South Cove Ventures - Water Measurement\Plan\Aerial\Mapa\Transfer off 37-22771, 23 Ac, 2014.mxd



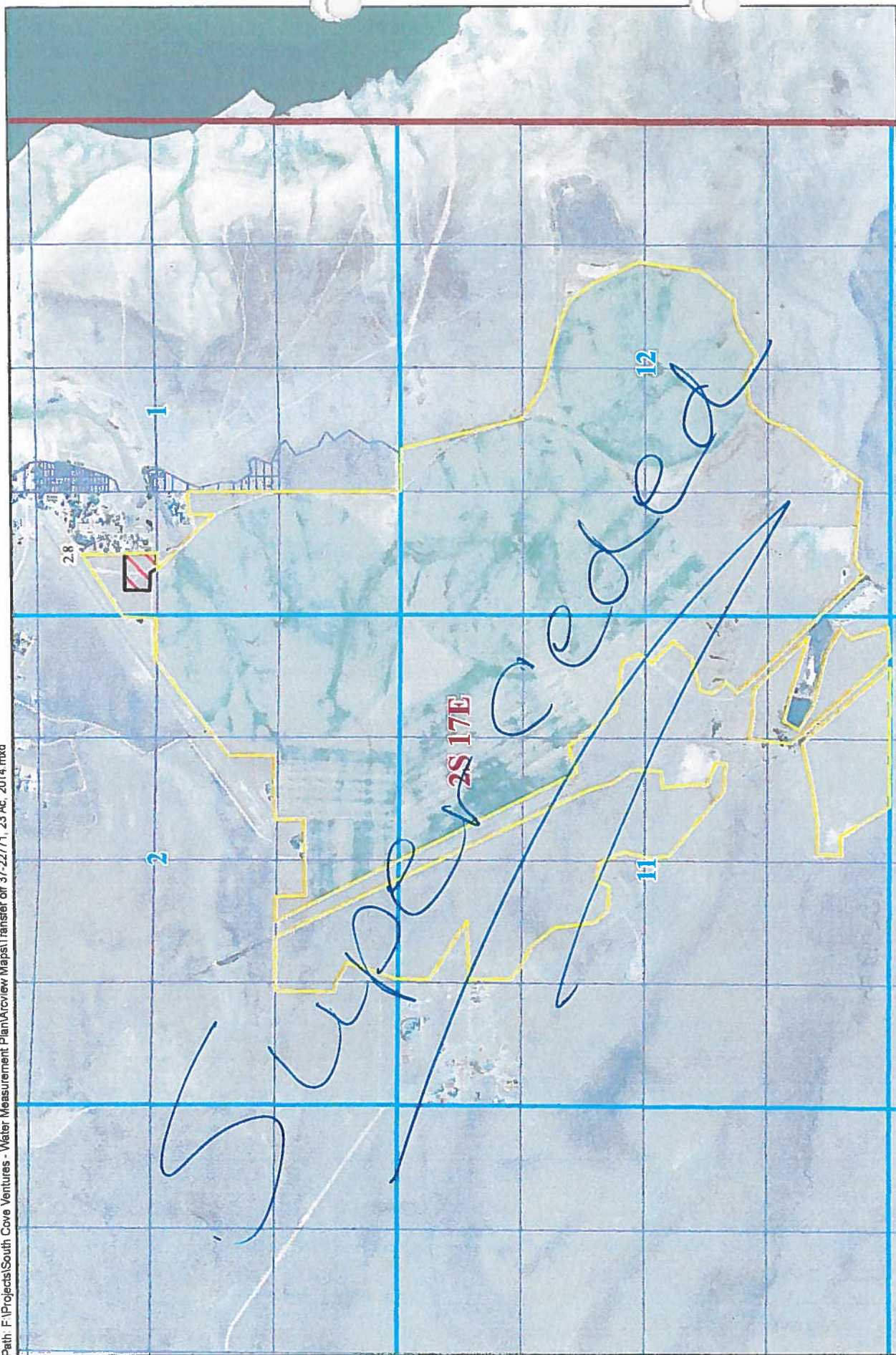
Legend

- IDWR 37-22771
- WATER RIGHT POI
- Transfer off 37-22771, 2.5 Ac
- byship
- Sections
- la desc

0 600 1,200 2,400 Feet

BLACK BUTTE HILLS LLC - MAGIC RANCH  
TRANSFER OFF 37-22771, 2.5 AC. - 2014  
NAIP 2013 AERIAL

BROCKWAY ENGINEERING, PLLC.  
ALR -Date: 10/21/2014



- Legend
- WATER RIGHT POB
  - Transfer off 37-22771, 2.8 Ac
  - Township
  - Sections
  - lades

**BLACK BUTTE HILLS LLC - MAGIC RANCH**  
**TRANSFER OFF 37-22771, 2.8 AC. - 2014**  
**NAIP 2013 AERIAL**

Feet  
0 600 1,200 2,400

BROCKWAY ENGINEERING, PLLC.  
ALR - Date: 6/11/2014



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 31, 2014

SV RANCH LLC  
C/O GREGORY VIK  
PO BOX 1607  
BELLEVUE, WA 98009

RE: Transfer No. 79429  
Water Right No(s). 37-22771, 37-22790, 37-7408

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** and **CAMAS COURIER** on **11/5/2014** and **11/12/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**November 24, 2014**).

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:

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 N WASHINGTON ST STE 4  
TWIN FALLS, ID 83301

SPECK & AANESTAD  
JAMES P SPECK  
PO BOX 987  
KETCHUM, ID 83340



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 31, 2014

KEVIN LAKEY  
WATER DISTRICT #37  
107 W 1<sup>ST</sup>  
SHOSHONE, ID 83352

RE: Transfer No. 79334  
Water Right No(s). 37-4440

RE: Transfer No. 79429  
Water Right No(s). 37-22771, 37-22790, 37-7408

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 31, 2014

RUSTY KRAMER  
WATER DISTRICT #37-B  
PO BOX 591  
FAIRFIELD, ID 83327

RE: Transfer No. 79429  
Water Right No(s). 37-22771, 37-22790, 37-7408

Dear Mr. Kramer:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Thursday, October 30, 2014 4:12 PM  
**To:** Idaho Mountain Express  
**Subject:** LEGAL NOTICE  
**Attachments:** Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on November 5<sup>th</sup> & 12<sup>th</sup>, 2014. 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  
Idaho Dept of Water Resources  
Administrative Assistant, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto: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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 30, 2014

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

RE: Transfer No. 79334  
Water Right No(s): 37-4440

RE: Transfer No. 79429  
Water Right No(s): 37-22771, 37-22790, 37-7408

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 November 24, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79334**

SWEET POTATO RANCH LLC, C/O JOE CLARK, AVIATION PARTNERS, 7299 PERIMETER RD S, SEATTLE, WA 98108; has filed Application No. 79334 for changes to the following water rights within BLAINE County(s): Right No(s). 37-4440; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an existing well as an authorized point of diversion to a 0.47 cfs irrigation, stockwater and recreation storage ground water right. The well to be added is located approximately 1.6 miles west and 1.1 miles south of the intersection of Bullion St. and Hwy 75 in Hailey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79429**

SV RANCH LLC, C/O GREGORY VIK, PO BOX 1607, BELLEVUE, WA 98009; has filed Application No. 79429 for changes to the following water rights within BLAINE, CAMAS County(s): Right No(s). 37-22771, 37-22790, 37-7408; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving portions of three ground water rights from existing farms for irrigation of a new pivot system located 2.5-3.0 mi. south and 6.0-6.5 mi. west of Fairfield. The application proposes to transfer 131.3 acres from three existing farms at these listed locations: a 11.1 acre portion (0.22 cfs) from a farm located 2.0-3.0 east of Fairfield on the south side of HWY 20; a 2.5 acre portion (0.03 cfs) from a farm located 19.25-19.5 mi. east and 4.7-5.0 mi. south of Fairfield; and a 117.7 acre portion (2.35 cfs) from a farm located 3.8-4.8 mi. south and 3.1-4.6 mi. west of Fairfield. In total three existing wells will divert up to 2.6 cfs and 393.8 AF for the irrigation of 131.3 acres under the new pivot. Published in Idaho Mountain Express & Camas Courier on November 5<sup>th</sup> & 12<sup>th</sup>, 2014.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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 November 24, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on November 5<sup>th</sup> & 12<sup>th</sup>, 2014

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, October 30, 2014 4:11 PM  
**To:** Camas Courier  
**Subject:** LEGAL NOTICE  
**Attachments:** Camas Courier Cover Letter.docx; Camas Courier Ad.doc

Attached please find (1) legal notice being submitted for publication on November 5<sup>th</sup> & 12<sup>th</sup>, 2014. 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  
Idaho Dept of Water Resources  
Administrative Assistant, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 736-3033  
[denise.maline@idwr.idaho.gov](mailto: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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 30, 2014

**LEGAL NOTICE DEPARTMENT**  
CAMAS COURIER  
PO BOX 339  
FAIRFIELD, ID 83327

RE: Transfer No. 79429  
Water Right No(s): 37-22771, 37-22790, 37-7408

RE: Application For Permit No.(s): 37-22903

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 November 24, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**37-22903**

DEAN M ISAAC

DEANNA R ISAAC

28098 VAUGHT RD

BRUNEAU, ID 83604

Point of Diversion SWNE S17 T01S R16E CAMAS County Source GROUND WATER Tributary

Use: STOCKWATER 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 10/15/2014

Place Of Use: STOCKWATER

T01S R16E S17 NE(ALL) NENW NWNW SENW

Application proposes appropriating 0.06 cfs of water for stock water use from an existing well located approximately 10.5 miles east and 0.3 miles south of the U.S. Highway 20 and Soldier Road intersection in Fairfield. Stockwater use will occur on property located approximately 10.0 - 10.9 miles east and 0.0 - 0.5 miles south of the U.S. Highway 20 and Soldier Road intersection in Fairfield.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79429**

SV RANCH LLC, C/O GREGORY VIK, PO BOX 1607, BELLEVUE, WA 98009; has filed Application No. 79429 for changes to the following water rights within BLAINE, CAMAS County(s): Right No(s). 37-22771, 37-22790, 37-7408; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving portions of three ground water rights from existing farms for irrigation of a new pivot system located 2.5-3.0 mi. south and 6.0-6.5 mi. west of Fairfield. The application proposes to transfer 131.3 acres from three existing farms at these listed locations: a 11.1 acre portion (0.22 cfs) from a farm located 2.0-3.0 east of Fairfield on the south side of HWY 20; a 2.5 acre portion (0.03 cfs) from a farm located 19.25-19.5 mi. east and 4.7-5.0 mi. south of Fairfield; and a 117.7 acre portion (2.35 cfs) from a farm located 3.8-4.8 mi. south and 3.1-4.6 mi. west of Fairfield. In total three existing wells will divert up to 2.6 cfs and 393.8 AF for the irrigation of 131.3 acres under the new pivot. Published in Idaho Mountain Express & Camas Courier on November 5<sup>th</sup> & 12<sup>th</sup>, 2014.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please visit our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov) and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 November 24, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 5<sup>th</sup> & 12<sup>th</sup>, 2014

## Reeder, Jana

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**From:** Greg Sullivan [greg.sullivan@brockwayeng.com]  
**Sent:** Thursday, October 23, 2014 2:18 PM  
**To:** Reeder, Jana  
**Subject:** RE: Transfer 79429  
**Attachments:** doc01177920141023140415.pdf

Jana,

See attached warranty deed.

Rod Gonsales is trying to get the neighbors to sign the agreement. Should have it next week.

Greg Sullivan  
Brockway Engineering  
2016 N. Washington St. Suite 4  
Twin Falls, Id 83301  
208-736-8543

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**From:** Reeder, Jana [<mailto:Jana.Reeder@idwr.idaho.gov>]  
**Sent:** Tuesday, October 21, 2014 3:56 PM  
**To:** Greg Sullivan  
**Subject:** Transfer 79429

Greg,

I am moving forward with advertising for Transfer 79429. In looking through the file I noticed the deed for the new pivot's place of use has not been submitted. We will need the ownership deed for the new place of use and the Agreement Letter from Thornton Farms, LLC before final approval of the transfer.

Thank you,  
Jana

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No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.2247 / Virus Database: 4031/7926 - Release Date: 10/21/14

## Reeder, Jana

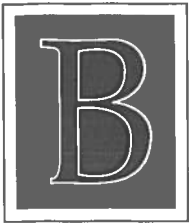
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**From:** Reeder, Jana  
**Sent:** Tuesday, October 21, 2014 3:56 PM  
**To:** 'Greg Sullivan'  
**Subject:** Transfer 79429

Greg,

I am moving forward with advertising for Transfer 79429. In looking through the file I noticed the deed for the new pivot's place of use has not been submitted. We will need the ownership deed for the new place of use and the Agreement Letter from Thornton Farms, LLC before final approval of the transfer.

Thank you,  
Jana



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED  
JUN 27 2014  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

June 24, 2014

Allan Merritt  
Idaho Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83301-3380

Re: Irrigation Transfers

Dear Mr. Merritt:

SV Ranch LLC, South Cove Ventures LLC are submitting four transfer applications at this time for water rights 37-7408, 37-22790, 37-22771, and 37-7393.

SV Ranch LLC is constructing a new 131.8 acre pivot that will utilize irrigation water from water rights 37-7408, 37-22790 and 37-22771. This transfer is identified as Transfer #4 and as a transfer processing fee of \$860.00. A Water Supply Bank request to release a water right from the bank for 37-22790 has been submitted to the Water Supply Bank and 37-22790 has been withdrawn from the Water Supply Bank.

There are existing wells identified as the PODs for Transfer #4. The beneficial use and period of use will not be changing. Black Butte Hills LLC has Quitclaimed 2.8 acres of 37-22771 to SV Ranch LLC. South Cove Ventures LLC has Quitclaimed 11.1 acres of 37-7408 to SV Ranch LLC.

Water right 37-22790 was decreed 6/12/2008. Based on the Administrator's Memorandum regarding Forfeiture Review Period, this transfer is being submitted before the end of the 6<sup>th</sup> calendar year since 37-22790 was partially decreed by the Snake River Basin Adjudication. Therefore, forfeiture and none use of areas not Leased to the Water Supply Bank and not irrigated since 2008 are protected from forfeiture.

Water right 37-20373 is a surface water right from Corral Creek and has a place of use identified at the same location identified for the new 131.8 acre pivot under Transfer #4. Water right 37-20373 has been leased into the Water Supply Bank.

South Cove Ventures LLC desires to create a 317.7 acre permissible place of use with a 274.3 acre place of use. This transfer is identified as Transfer #5

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

and has a transfer processing fee of \$600.00. Pivot designs from Farmore of Idaho have provided a calculated acreage to be irrigated under the new pivots. Black Butte Hills LLC has Quitclaimed 19.8 acres of 37-22771 to South Cove Ventures LLC. The two wells identified in this transfer are pre-existing. The beneficial use and period of use of the water rights involved in the transfer will not be changing.

South Cove Ventures LLC proposes to update the place of use of water right 37-7408. This transfer is identified as Transfer #6 and has a transfer processing fee of \$200.00. The ownership, PODs, period of use and beneficial use will not be changing with this transfer. Adjustments to the POU are necessary to due to the installation of three pivots on the property.

SV Ranch LLC is updated the place of use of 489.5 acres under 37-22790. This transfer is identified as Transfer #7 and has a transfer processing fee of \$200.00. The ownership, PODs, period of use and beneficial use will not be changing with this transfer. A Water Supply Bank request to release a water right from the bank for 37-22790 has been submitted to the Water Supply Bank and 37-22790 has been withdrawn from the Water Supply Bank.

Please copy our office on all correspondence regarding these applications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Sullivan', written in a cursive style.

Greg Sullivan, M.S., Engineer

Cc: Greg Vik, Rod Gonsales, Jim Speck

Enc: Four Transfer Applications, Aerial Maps, Annual Report for SV Ranch LLC, Black Butte Hills LLC, South Cove Ventures LLC, Brockway Engineering Check # 12079 for \$1,860.00