

RECEIVED**APR 18 2014**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79270DEPT. OF WATER RESOURCES
SOUTHERN REGION**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. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79270

APR 18 2014

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1DEPT. OF WATER RESOURCES
SOUTHERN REGIONName of Applicant(s) Six S Ranch LLCPhone (208) 654-2564Mailing address 1354 E Six S Ranch Rd., Declo, Idaho 83323

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 Travis L. Thompson (attorney)Phone (208) 733-0700Mailing address 195 River Vista Place, Suite 204, Twin Falls, Idaho 83301-3029Email tlt@idahowaters.com☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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


Signature of Applicant or Authorized Representative

Don Skaggs, Member

Print Name and Title if applicable

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. Add 2 Points of Diversion**. The two new points of diversion should be limited to 2.23 cfs total.
- _____
- _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	45-2625	2.39 cfs	Irrigation	3/15 to 11/15	Groundwater
☒ ☐	45-7021	1.55 cfs	Irrigation	3/15 to 11/15	Groundwater
☒ ☐	45-14376	3.39 cfs	Irrigation	3/15 to 11/15	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 7.33 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 7.33 cubic feet per second and/or _____ 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 #
yes		SW	SW	SW	27	10S	25E	CASSIA	GROUNDWATER	
yes		SW	SW	SW	27	10S	25E	CASSIA	GROUNDWATER	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) _____

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:

Two new wells and pumps to be installed in same 10-acre subdivision. No rediversions proposed.

- b. Who owns the property at the point(s) of diversion? Applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

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

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

N/A

- 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:

Applicant owns existing surface and ground water rights for irrigation on the same lands. See Transfer No. 77648 for a complete list.

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

Yes No

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

If yes, describe:

Total Acres (for irrigation use) _____

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

Current Water Right No.: 45-2625

Current Owner: SIX S RANCH LLC

Priority Date: 9/29/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.39 CFS	880 AF
	<u>Total Diversion</u>	2.39 CFS	880 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			

Place of Use

IRRIGATION Within CASSIA County

T10S R25E S22	NESW	31.00	T10S R25E S22	NWSW	9.50
T10S R25E S22	SWSW	20.00	T10S R25E S22	SESW	40.00
T10S R25E S22	NWSE	11.00	T10S R25E S22	SWSE	28.00
T10S R25E S22	SESE	1.40	T10S R25E S27	NENE	25.00
T10S R25E S27	NWNE	40.00	T10S R25E S27	SWNE	39.00
T10S R25E S27	SENE	14.00	T10S R25E S27	NENW	40.00
T10S R25E S27	NWNW	38.00	T10S R25E S27	SWNW	40.00
T10S R25E S27	SENW	40.00	T10S R25E S27	NESW	40.00
T10S R25E S27	NWSW	40.00	T10S R25E S27	SWSW	40.00
T10S R25E S27	SESW	29.00	T10S R25E S27	NESE	3.80

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T10S R25E S27		NWSE	40.00	T10S R25E S27		SWSE	34.00
T10S R25E S28		NENE	9.40	T10S R25E S28		NWNE	18.00
T10S R25E S28		SWNE	40.00	T10S R25E S28		SENE	40.00
T10S R25E S28		NENW	12.00	T10S R25E S28		SWNW	1.20
T10S R25E S28		SENE	36.00	T10S R25E S28		NESW	40.00
T10S R25E S28		NWSW	33.00	T10S R25E S28		SWSW	31.00
T10S R25E S28		SESW	40.00	T10S R25E S28		NESE	40.00
T10S R25E S28		NWSE	40.00	T10S R25E S28		SWSE	40.00
T10S R25E S28		SESE	40.00	T10S R25E S33		NENE	40.00
T10S R25E S33		NWNE	40.00	T10S R25E S33		SWNE	40.00
T10S R25E S33		SENE	40.00	T10S R25E S33		NENW	18.00
T10S R25E S33		SENE	23.00	T10S R25E S33		NESW	3.30
T10S R25E S33		NESE	35.00	T10S R25E S33		NWSE	20.00
T10S R25E S33		SESE	2.10	T10S R25E S34		NENE	21.00
T10S R25E S34		NWNE	40.00	T10S R25E S34		SWNE	40.00
T10S R25E S34		SENE	40.00	T10S R25E S34		NENW	39.00
T10S R25E S34		NWNW	40.00	T10S R25E S34		SWNW	40.00
T10S R25E S34		SENE	40.00	T10S R25E S34		NESW	40.00
T10S R25E S34		NWSW	40.00	T10S R25E S34		SWSW	8.20
T10S R25E S34		SESW	19.00	T10S R25E S34		NESE	40.00
T10S R25E S34		NWSE	40.00	T10S R25E S34		SWSE	40.00
T10S R25E S34		SESE	40.00	T10S R25E S35		NWNW	0.50
T10S R25E S35		SWNW	13.00	T10S R25E S35		NWSW	21.00
T10S R25E S35		SWSW	33.00	T11S R25E S2	Lot 4	NWNW	37.00
T11S R25E S2		SWNW	21.00	T11S R25E S2		NWSW	27.00
T11S R25E S2		SWSW	20.00	T11S R25E S2	Lot 2	SESW	3.70
T11S R25E S3	Lot 1	NENE	22.00	T11S R25E S3		NWNE	29.00
T11S R25E S3		SWNE	20.00	T11S R25E S3		SENE	34.00
T11S R25E S3	Lot 3	NENW	11.00	T11S R25E S3		SENE	9.80
T11S R25E S3		NESW	11.00	T11S R25E S3		SESW	2.40
T11S R25E S3		NESE	40.00	T11S R25E S3		NWSE	34.00
T11S R25E S3		SWSE	26.00	T11S R25E S3		SESE	40.00
T11S R25E S10		NENE	35.00	T11S R25E S10		NWNE	0.60
T11S R25E S10		SENE	26.00	T11S R25E S10		NESE	17.00
T11S R25E S10		SWSE	3.30	T11S R25E S10		SESE	29.00
T11S R25E S11		NENW	34.00	T11S R25E S11		NWNW	34.00
T11S R25E S11		SWNW	14.00	T11S R25E S11		SENE	0.40
T11S R25E S11		NWSW	11.00	T11S R25E S11		SWSW	2.20
T11S R25E S15		NENE	26.00	T11S R25E S15		NWNE	9.50
T11S R25E S15		SWNE	21.00	T11S R25E S15		SENE	11.00
T11S R25E S15		NESE	0.60	T11S R25E S15		NWSE	6.60

Total Acres: 2669.5

Conditions of Approval:

1. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8.0 acres within the 2669.5 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2669.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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 watermasters suitable control of the diversions, injection, and rediversions.
7. 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.
8. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.
9. X27 This right is limited to the irrigation of 220.0 acres within the authorized place of use in a single irrigation season.
10. 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.
11. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the irrigation of 2115.8 acres.

Decreed Date: 7/5/2005

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

Current Water Right No.: 45-7021

Current Owner: SIX S RANCH LLC

Priority Date: 12/1/1967

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/01	1.55 CFS	624 AF
	<u>Total Diversion</u>	1.55 CFS	624 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			

Place of UseIRRIGATION Within CASSIA County

T10S R25E S22	NESW	31.00	T10S R25E S22	NWSW	9.50
T10S R25E S22	SWSW	20.00	T10S R25E S22	SESW	40.00
T10S R25E S22	NWSE	11.00	T10S R25E S22	SWSE	28.00
T10S R25E S22	SESE	1.40	T10S R25E S27	NENE	25.00
T10S R25E S27	NWNE	40.00	T10S R25E S27	SWNE	39.00
T10S R25E S27	SENE	14.00	T10S R25E S27	NENW	40.00
T10S R25E S27	NWNW	38.00	T10S R25E S27	SWNW	40.00
T10S R25E S27	SENW	40.00	T10S R25E S27	NESW	40.00
T10S R25E S27	NWSW	40.00	T10S R25E S27	SWSW	40.00
T10S R25E S27	SESW	29.00	T10S R25E S27	NESE	3.80

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T10S R25E S27	NWSE	40.00	T10S R25E S27	SWSE	34.00
T10S R25E S28	NENE	9.40	T10S R25E S28	NWNE	18.00
T10S R25E S28	SWNE	40.00	T10S R25E S28	SENE	40.00
T10S R25E S28	NENW	12.00	T10S R25E S28	SWNW	1.20
T10S R25E S28	SENW	36.00	T10S R25E S28	NESW	40.00
T10S R25E S28	NWSW	33.00	T10S R25E S28	SWSW	31.00
T10S R25E S28	SESW	40.00	T10S R25E S28	NESE	40.00
T10S R25E S28	NWSE	40.00	T10S R25E S28	SWSE	40.00
T10S R25E S28	SESE	40.00	T10S R25E S33	NENE	40.00
T10S R25E S33	NWNE	40.00	T10S R25E S33	SWNE	40.00
T10S R25E S33	SENE	40.00	T10S R25E S33	NENW	18.00
T10S R25E S33	SENW	23.00	T10S R25E S33	NESW	3.30
T10S R25E S33	NESE	35.00	T10S R25E S33	NWSE	20.00
T10S R25E S33	SESE	2.10	T10S R25E S34	NENE	21.00
T10S R25E S34	NWNE	40.00	T10S R25E S34	SWNE	40.00
T10S R25E S34	SENE	40.00	T10S R25E S34	NENW	39.00
T10S R25E S34	NWNW	40.00	T10S R25E S34	SWNW	40.00
T10S R25E S34	SENW	40.00	T10S R25E S34	NESW	40.00
T10S R25E S34	NWSW	40.00	T10S R25E S34	SWSW	8.20
T10S R25E S34	SESW	19.00	T10S R25E S34	NESE	40.00
T10S R25E S34	NWSE	40.00	T10S R25E S34	SWSE	40.00
T10S R25E S34	SESE	40.00	T10S R25E S35	NWNW	0.50
T10S R25E S35	SWNW	13.00	T10S R25E S35	NWSW	21.00
T10S R25E S35	SWSW	33.00	T11S R25E S2	Lot 4 NWNW	37.00
T11S R25E S2	SWNW	21.00	T11S R25E S2	NWSW	27.00
T11S R25E S2	SWSW	20.00	T11S R25E S2	SESW	3.70
T11S R25E S3	Lot 1 NENE	22.00	T11S R25E S3	Lot 2 NWNE	29.00
T11S R25E S3	SWNE	20.00	T11S R25E S3	SENE	34.00
T11S R25E S3	Lot 3 NENW	11.00	T11S R25E S3	SENW	9.80
T11S R25E S3	NESW	11.00	T11S R25E S3	SESW	2.40
T11S R25E S3	NESE	40.00	T11S R25E S3	NWSE	34.00
T11S R25E S3	SWSE	26.00	T11S R25E S3	SESE	40.00
T11S R25E S10	NENE	35.00	T11S R25E S10	NWNE	0.60
T11S R25E S10	SENE	26.00	T11S R25E S10	NESE	17.00
T11S R25E S10	SWSE	3.30	T11S R25E S10	SESE	29.00
T11S R25E S11	NENW	34.00	T11S R25E S11	NWNW	34.00
T11S R25E S11	SWNW	14.00	T11S R25E S11	SENW	0.40
T11S R25E S11	NWSW	11.00	T11S R25E S11	SWSW	2.20
T11S R25E S15	NENE	26.00	T11S R25E S15	NWNE	9.50
T11S R25E S15	SWNE	21.00	T11S R25E S15	SENE	11.00
T11S R25E S15	NESE	0.60	T11S R25E S15	NWSE	6.60

Total Acres: 2669.5

Conditions of Approval:

1. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the irrigation of 2115.8 acres.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.
5. 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.
6. X35 Rights 45-7021 and 45-14376 when combined shall not exceed a total diversion rate of 4.94 cfs, a total annual maximum diversion volume of 2203.2 af at the field headgate, and the irrigation of 550.8 acres.
7. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8 acres within the 2669.5 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2669.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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 watermasters suitable control of the diversions, injection, and rediversions.
9. X27 This right is limited to the irrigation of 156.0 acres within the authorized place of use in a single irrigation season.
10. X35 Rights 45-7021 and 7031 when combined shall not exceed a total diversion rate of 12.07 cfs, a total annual maximum diversion volume of 2372.0 af at the field headgate, and the irrigation of 593.0 acres.
11. 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.
12. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 5, 2005.
13. X35 Rights 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, 45-14132, and 45-7021 when combined shall not exceed the irrigation of 1928.1 acres.
14. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
15. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Page 11 of 16

Decreed Date: 7/5/2005

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

Current Water Right No.: 45-14376

Current Owner: SIX S RANCH LLC

Priority Date: 8/25/1969

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/01	3.39 CFS	1656 AF
	<u>Total Diversion</u>	3.39 CFS	1656 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County		(Rediversion)		
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County		(Rediversion)		
GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County		(Injection)		

Place of UseIRRIGATION Within CASSIA County

T10S R25E S22	NESW	31.00	T10S R25E S22	NWSW	9.50
T10S R25E S22	SWSW	20.00	T10S R25E S22	SESW	40.00
T10S R25E S22	NWSE	11.00	T10S R25E S22	SWSE	28.00
T10S R25E S22	SESE	1.40	T10S R25E S27	NENE	25.00
T10S R25E S27	NWNE	40.00	T10S R25E S27	SWNE	39.00
T10S R25E S27	SENE	14.00	T10S R25E S27	NENW	40.00
T10S R25E S27	NWNW	38.00	T10S R25E S27	SWNW	40.00
T10S R25E S27	SENW	40.00	T10S R25E S27	NESW	40.00
T10S R25E S27	NWSW	40.00	T10S R25E S27	SWSW	40.00
T10S R25E S27	SESW	29.00	T10S R25E S27	NESE	3.80

T10S R25E S27	NWSE	40.00	T10S R25E S27	SWSE	34.00
T10S R25E S28	NENE	9.40	T10S R25E S28	NWNE	18.00
T10S R25E S28	SWNE	40.00	T10S R25E S28	SENE	40.00
T10S R25E S28	NENW	12.00	T10S R25E S28	SWNW	1.20
T10S R25E S28	SENE	36.00	T10S R25E S28	NESW	40.00
T10S R25E S28	NWSW	33.00	T10S R25E S28	SWSW	31.00
T10S R25E S28	SESW	40.00	T10S R25E S28	NESE	40.00
T10S R25E S28	NWSE	40.00	T10S R25E S28	SWSE	40.00
T10S R25E S28	SESE	40.00	T10S R25E S33	NENE	40.00
T10S R25E S33	NWNE	40.00	T10S R25E S33	SWNE	40.00
T10S R25E S33	SENE	40.00	T10S R25E S33	NENW	18.00
T10S R25E S33	SENE	23.00	T10S R25E S33	NESW	3.30
T10S R25E S33	NESE	35.00	T10S R25E S33	NWSE	20.00
T10S R25E S33	SESE	2.10	T10S R25E S34	NENE	21.00
T10S R25E S34	NWNE	40.00	T10S R25E S34	SWNE	40.00
T10S R25E S34	SENE	40.00	T10S R25E S34	NENW	39.00
T10S R25E S34	NWNW	40.00	T10S R25E S34	SWNW	40.00
T10S R25E S34	SENE	40.00	T10S R25E S34	NESW	40.00
T10S R25E S34	NWSW	40.00	T10S R25E S34	SWSW	8.20
T10S R25E S34	SESW	19.00	T10S R25E S34	NESE	40.00
T10S R25E S34	NWSE	40.00	T10S R25E S34	SWSE	40.00
T10S R25E S34	SESE	40.00	T10S R25E S35	NWNW	0.50
T10S R25E S35	SWNW	13.00	T10S R25E S35	NWSW	21.00
T10S R25E S35	SWSW	33.00	T11S R25E S2	NWNW	37.00
T11S R25E S2	SWNW	21.00	T11S R25E S2	NWSW	27.00
T11S R25E S2	SWSW	20.00	T11S R25E S2	SESW	3.70
T11S R25E S3	NENE	22.00	T11S R25E S3	NWNE	29.00
T11S R25E S3	SWNE	20.00	T11S R25E S3	SENE	34.00
T11S R25E S3	NENW	11.00	T11S R25E S3	SENE	9.80
T11S R25E S3	NESW	11.00	T11S R25E S3	SESW	2.40
T11S R25E S3	NESE	40.00	T11S R25E S3	NWSE	34.00
T11S R25E S3	SWSE	26.00	T11S R25E S3	SESE	40.00
T11S R25E S10	NENE	35.00	T11S R25E S10	NWNE	0.60
T11S R25E S10	SENE	26.00	T11S R25E S10	NESE	17.00
T11S R25E S10	SWSE	3.30	T11S R25E S10	SESE	29.00
T11S R25E S11	NENW	34.00	T11S R25E S11	NWNW	34.00
T11S R25E S11	SWNW	14.00	T11S R25E S11	SENE	0.40
T11S R25E S11	NWSW	11.00	T11S R25E S11	SWSW	2.20
T11S R25E S15	NENE	26.00	T11S R25E S15	NWNE	9.50
T11S R25E S15	SWNE	21.00	T11S R25E S15	SENE	11.00
T11S R25E S15	NESE	0.60	T11S R25E S15	NWSE	6.60

Total Acres: 2669.5

Conditions of Approval:

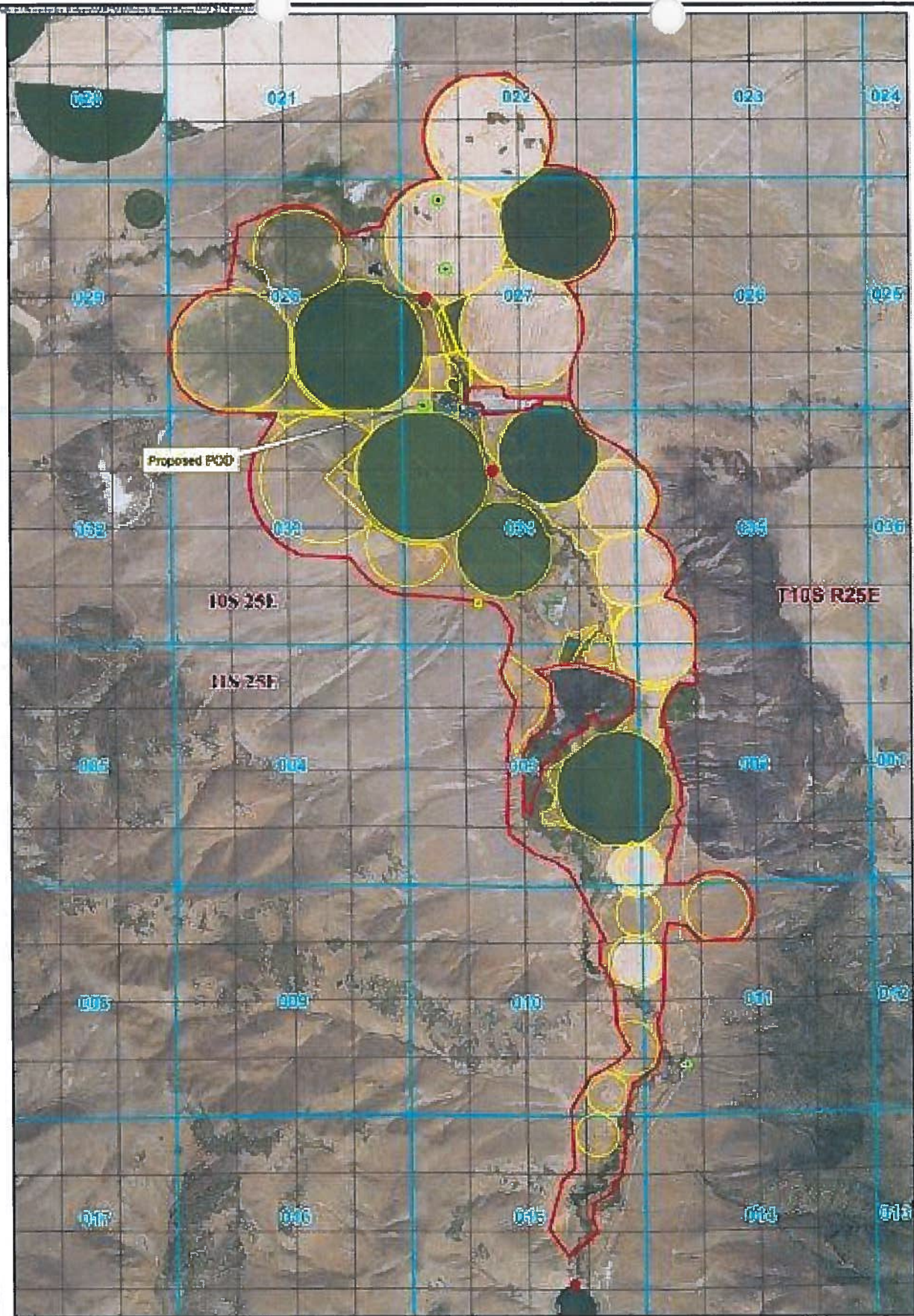
1. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermasters suitable control of the diversions, injection, and rediversions.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8 acres within the 2669.5 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2669.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.
5. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the irrigation of 2115.8 acres.
6. X27 This right is limited to the irrigation of 451.8 acres within the authorized place of use in a single irrigation season.
7. 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.
8. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 5, 2005.
9. X35 Rights 45-7021 and 45-14376 when combined shall not exceed a total diversion rate of 4.94 cfs, a total annual maximum diversion volume of 2203.2 af at the field headgate, and the irrigation of 550.8 acres.
10. X35 Rights 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, 45-14132, and 45-14376 when combined shall not exceed the irrigation of 2045.9 acres.
11. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
14. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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Decreed Date: 7/5/2005

Received by <u>A. SKINNER</u>	Date <u>4/18/2014</u>	Prelim. Check by <u>A. SKINNER</u>	Date <u>4/18/2014</u>
Fee Paid <u>\$660.00</u>	Date <u>4/18/2014</u>	Received by <u>A. SKINNER</u>	Receipt # <u>5033963</u>
Add'l Fee Paid	Date	Received by	Receipt #

ATTACHMENT #7a



**SIX S RANCH LLC
TRANSFER MAP - ADD POD 2014
NAIP 2013 AERIAL**

Legend

Points of Interest

- existing water
- water crossing
- fence corner stake
- Point of location
- 2014_RPL_PODPOD

Proposed, Impervious 3,324 sq
feet (1045 sq ft)
300 units





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 24, 2014

SIX S RANCH LLC
1354 E SIX S RANCH RD
DECLO, ID 83323

RE: Transfer No. 79270
Water Right No(s). 45-14376, 45-2625, 45-7021

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 **TIMES NEWS** on **5/1/2014** and **5/8/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 19, 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: TRAVIS L THOMPSON
BARKER RSHOLT & SIMPSON LLP
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 24, 2014 9:59 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on May 1st & 8th, 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



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 24, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 45-14456

RE: Transfer No. 79202

Water Right No(s): 36-8478

RE: Transfer No. 79270

Water Right No(s): 45-14376, 45-2625, 45-7021

RE: Transfer No. 79190

Water Right No(s): 37-415, 37-416

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 May 19, 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:

45-14456

ALBION 12 INVESTMENTS LLC
7595 EAST MCDONALD DR #130
SCOTTSDALE, AZ 85250

Point of Diversion SWSNW S21 T12S R25E CASSIA County Source HOWELL CREEK Tributary MARSH CREEK

Use: GROUND WATER RECHARGE

01/01 to 12/31 2 CFS

Total Diversion: 2 CFS

Date Filed: 4/7/2014

Place Of Use: GROUND WATER RECHARGE

T12S R25E S21 SWNW SENW

Application intends to divert 2.00 cfs from Howell Creek for the purpose of groundwater recharge from a point of diversion located approximately 1.7 miles east and 3.27 miles south of Albion, Idaho. The water will be diverted into constructed recharge basins located approximately 1.4 to 1.83 miles east, and 3.2 to 3.28 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79202

TSK ENTERPRISES LLC, C/O GARY FUNDERBERG, 255 BLUE LAKES BLVD PMB 617, TWIN FALLS, ID 83301; has filed Application No. 79202 for changes to the following water rights within JEROME County(s): Right No(s). 36-8478. The purpose of the transfer is to change a portion of the above rights as follows: This application intends to change the place of use, period of use, point of diversion, and nature of use for a 0.06 cfs portion of water right 36-8478. The right is currently used for year round stockwater and commercial use at a dairy, located approximately 3.0 to 3.5 miles south and 2.5 to 3.0 miles west of the center of Jerome. The application proposes changing the use to irrigation (period of use from 3/15 to 11/15) with a proposed place of use and new point of diversion (an existing well) located approximately 4.0 miles south and 1.3 miles west of the center of Jerome.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79270

SIX S RANCH LLC, 1354 E SIX S RANCH RD, DECLO, ID 83323; has filed Application No. 79270 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14376, 45-2625, 45-7021. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding two new points of diversion to three groundwater rights used to irrigate up to 770.8 acres on the main Six S Ranch property located east of Declo. The new points of diversion will consist of two new wells to be drilled with both of the wells being located approximately 5.1 miles east of the 100 South and Highway 77 intersection in Declo. The application indicates that no more than 2.23 cfs will be diverted from the two new wells.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79190

SUN VALLEY CO, A WYOMING CORP, PO BOX 10, SUN VALLEY, ID 83353; has filed Application No. 79190 for changes to the following water rights within BLAINE County(s): Right No(s). 37-415, 37-416. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the place of use for irrigation use of water rights 37-415 and 37-416 from subdivided and developed lands of the original farm and resort to new irrigation of recent golf course development on the ridge west of Trail Creek. The rights were decreed for 22.2 cfs and 516.3 acres of irrigation along with 9.3 cfs of water for aesthetic and wildlife use within a 628.6 acre area that included Sun Valley Resort lands and some or all of approximately 17 subdivisions, including but not limited to the various Fairway, Prospector, Trail Creek, East Lake Subdivisions and New Villager, Dollar Meadows and Cottonwood Condominiums. The proposed 516.3 acre irrigation place of use are part of Sun Valley Resort, northeast of Ketchum along Trail Creek, but also include some of the above subdivisions and additional other lots, condominium areas and subdivisions. Published in the Idaho Mountain Express on April 30th & May 7th; and the Times News, Idaho Statesman, Post Register and Lewiston Tribune on May 1st & 8th, 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 rights &/or proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) 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 May 19, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 1st & 8th, 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 24, 2014

DONALD GUNDERSON
WATER DISTRICT #45-F
1047 E 1000 S
ALBION, ID 83311

RE: Application For Permit No.(s): 45-14456

RE: Transfer No. 79270
Water Right No(s). 45-14376, 45-2625, 45-7021

Dear Mr. Gunderson:

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 24, 2014

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

RE: Transfer No. 79270
Water Right No(s). 45-14376, 45-2625, 45-7021

Dear Mr. Higgs:

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)

Skinner, Corey

From: Travis Thompson [tlt@idahowaters.com]
Sent: Wednesday, April 23, 2014 1:05 PM
To: Skinner, Corey
Subject: RE: Six S Transfer

Corey,

Thanks for correcting the Part 2s. To address your question Six S just proposes to add two wells in the location identified for a total diversion rate limited to 2.23 at those wells. No other changes to the water rights are being proposed. Please advise if you need anything else.

Thanks,

Travis

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Wednesday, April 23, 2014 11:32 AM
To: Travis Thompson
Subject: Six S Transfer

Travis,

I spoke with Sharon yesterday regarding the recently filed Six S transfer. The "Part 2s", summary of rights as recorded (before the transfer), looked to be copies of versions from several transfers ago. They did not have current point of diversion and place of use descriptions that reflected approved transfers from the last couple of years. With Sharon's permission, I went ahead and replaced these sections of the application with computer generated "Part 2s" that reflect the three rights as currently recorded (correct PODs, POUs, conditions, etc.). I have attached a copy of the transfer as it currently exists with the new "Part 2" sections.

On another note, it seems like all the applicant is wanting to do is to add two new wells as authorized points of diversion to the three rights. The rights each currently have seven authorized points of diversion (including points of injection and rediversion) and when it is all said and done, it appears that the applicant wants nine total on all three rights. Could you shoot me a quick e-mail, that I can place in the file, that confirms that this is indeed the intent of the transfer (going from seven to nine diversions for each of the rights)?

Thanks,

Corey

MEMORANDUM

Date: April 23, 2014
To: Transfer 79270 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes adding two new points of diversion to three groundwater rights (45-2625, 45-7021, and 45-14376) used to irrigate up to 770.8 acres on the main Six S Ranch property located east of Declo. The new points of diversion will consist of two new wells to be drilled with both of the wells being located approximately 5.1 miles east of the 100 South and Highway 77 intersection in Declo (note that both wells will be located in the same 10 acre tract). The application indicates that no more than 2.23 cfs will be diverted from the two new wells so a condition limiting the diversion rate from these two wells will have to be incorporated into the approval. The three rights involved in this transfer are used in a 2,669.5 acre permissible place of use (see Transfer # 78902 approved 2/7/2014) along with other groundwater and surface water rights. The three rights involved with this transfer are located within Water District 140 and allow for the injection and redirection of water into Marsh Creek (Water District 45F) so water master comments will be solicited.

- **Authority to File:**
The applicant is listed as the current owner of the rights according to IDWR records.
- **Water Right Validity:**
Rights involved with this transfer were decreed in the SRBA in the summer of 2005. Review of aerial photography appears to support the recent use of the rights involved with this transfer. Also note that the rights involved with this transfer were subject to Transfer # 77648 (approved 3/12/2012), Transfer # 78301 (approved 2/22/2013), Transfer # 78551 (approved 8/22/2013), and Transfer # 78902 (approved 2/7/2014).
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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



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brs@idahowaters.com

Travis L. Thompson
tlt@idahowaters.com

April 18, 2014

VIA HAND DELIVERY

Mr. Corey Skinner
IDWR - Southern Region
650 Addison Ave. W, Suite 500
Twin Falls, Idaho 83301-5858

RECEIVED

APR 18 2014

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

Re: Application for Transfer (Six S Ranch LLC)

Dear Corey:

Please find enclosed the following documents for filing:

- 1) Transfer Application
- 2) Attachment #7a (Map – Identifying Points of Diversion / Injection / Rediversion)

I have also enclosed a check for the filing fees (\$660) associated with the diversion rate limit at the two new points of diversion (2.23 cfs). Please call me at 733-0700 if you have any questions or need any additional information.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

Travis L. Thompson

Enc.

cc: Pat McCammon (w/o enclosures)