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FEB 14 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79130**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: _____

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Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79130

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Big Creek Ranch LLC Phone (208) 720-7082

Mailing address P.O. Box 5987, Ketchum, ID 83340-5987 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 Representative

Name of Representative Roxanne Brown, SPF Water Engineering LLC Phone (208) 383-4140

Mailing address 300 E. Mallard Drive, Suite 350, Boise, ID 83706 Email rbrown@spfwater.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

Michael Page, Managing Member
Print Name and Title if applicable

2/9/14
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**. The proposed transfer seeks to correct the legal description of a point of diversion from Big Creek. The actual location of the point of diversion is approximately 40' southeast of the location described on the water rights. The location of the point of diversion has been confirmed by land survey and the use of GPS technology.

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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 ☒ ☐	<u>73-12181</u>	<u>2.62 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>10/31</u>	<u>Big Creek/Pahsimeroi River</u>
☒ ☐	<u>73-12183</u>	<u>2.10 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>10/31</u>	<u>Big Creek/Pahsimeroi River</u>
☒ ☐	<u>73-12185</u>	<u>4.20 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>10/31</u>	<u>Big Creek/Pahsimeroi River</u>
☒ ☐	<u>73-12187</u>	<u>2.80 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>10/31</u>	<u>Big Creek/Pahsimeroi River</u>
☒ ☐	<u>73-12189</u>	<u>4.20 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>10/31</u>	<u>Big Creek/Pahsimeroi River</u>
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 15.92 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 15.92 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 #
		NE	NE	NW	13	13N	23E	Lemhi	Big Creek	

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: Headgates and measuring devices have been installed to comply with the requirements of IDWR and Water District 73.

- b. Who owns the property at the point(s) of diversion? USDI-Bureau of Land Management (BLM)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The applicant does not seek to move the existing point of diversion. The application merely corrects the legal description of the existing point of diversion. BLM will submit a letter of permission allowing the transfer as described.

- 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: The described land is not subject to any liens, deeds of trust, mortgages, or contracts.

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:
No change to the current place of use or purpose of use is proposed.

- 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:
73-12190, 73-12216, 73-12182, 73-12212, 73-12184, 73-12213, 73-12186, 73-12214, 73-12188, 73-12215. These rights are owned by BLM, and share a common point of diversion.

- 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: _____

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

Current Water Right No.: 73-12181

Current Owner: BIG CREEK RANCH LLC

Priority Date: 5/1/1917

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

2.62 CFS

2.62 CFS

Annual Volume

Location of Point(s) of Diversion

BIG CREEK

LEMHI County

SE1/4SW1/4

Sec. 12, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within LEMHI County

T13N R23E S2	Lot 4	NWNE	35.00	T13N R23E S2	Lot 5	SWNE	2.90
T13N R23E S2	Lot 1	NENW	33.00	T13N R23E S2	Lot 2	NWNW	37.00
T13N R23E S2		SWNW	31.00	T13N R23E S2		SENE	36.00
T13N R23E S2		NWSE	29.00	T13N R23E S2		SWSE	34.00
T13N R23E S2		SESE	34.30	T13N R23E S11		NENE	40.00
T13N R23E S11		SENE	40.00	T13N R23E S12	Lot 2	SWNW	32.00
T13N R23E S12		NWSW	34.00	T13N R23E S12		SWSW	1.70
T13N R23E S12		SESW	20.00	T14N R23E S34		SESE	29.00
T14N R23E S35		SWSW	37.00	T14N R23E S35		SESW	32.00
T14N R23E S35		SWSE	35.00				

Total Acres: 572.9

Conditions of Approval:

1. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 when combined shall not exceed a total diversion rate of 17.24 cfs and the irrigation of 469.5 acres.
4. 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).
5. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. X27 This right is limited to the irrigation of 175.0 acres within the authorized place of use in a single irrigation season.
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. 73.
8. 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.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. 206 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 are limited to the irrigation of a specific 469.5 acres within the 572.9 acre place of use authorized by this right in a single irrigation season. The specific 469.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 469.5 acres to be irrigated within the 572.9 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.
11. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 when combined shall not exceed a total diversion rate of 15.92 cfs and the irrigation of 433.5 acres.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 12/30/2011

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

Current Water Right No.: 73-12183

Current Owner: BIG CREEK RANCH LLC
Priority Date: 5/1/1917
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

2.1 CFS

2.1 CFS

Annual Volume

Location of Point(s) of Diversion

BIG CREEK

LEMHI County

SE1/4SW1/4

Sec. 12, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within LEMHI County

T13N R23E S2	Lot 4	NVNE	35.00	T13N R23E S2	Lot 5	SWNE	2.90
T13N R23E S2	Lot 1	NENW	33.00	T13N R23E S2	Lot 2	NWNW	37.00
T13N R23E S2		SWNW	31.00	T13N R23E S2		SENE	36.00
T13N R23E S2		NWSE	29.00	T13N R23E S2		SWSE	34.00
T13N R23E S2		SESE	34.30	T13N R23E S11		NENE	40.00
T13N R23E S11		SENE	40.00	T13N R23E S12	Lot 2	SWNW	32.00
T13N R23E S12		NWSW	34.00	T13N R23E S12		SWSW	1.70
T13N R23E S12		SESW	20.00	T14N R23E S34		SESE	29.00
T14N R23E S35		SWSW	37.00	T14N R23E S35		SESW	32.00
T14N R23E S35		SWSE	35.00				

Total Acres: 572.9

Conditions of Approval:

1. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 when combined shall not exceed a total diversion rate of 17.24 cfs and the irrigation of 469.5 acres.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. 004 This right does not grant any right-of-way or easement across the land of another.
4. 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. 73.
5. 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).
6. 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.
7. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 when combined shall not exceed a total diversion rate of 15.92 cfs and the irrigation of 433.5 acres.
8. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. X27 This right is limited to the irrigation of 140.0 acres within the authorized place of use in a single irrigation season.
11. 206 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 are limited to the irrigation of a specific 469.5 acres within the 572.9 acre place of use authorized by this right in a single irrigation season. The specific 469.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 469.5 acres to be irrigated within the 572.9 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.
12. 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.

Decreed Date: 12/30/2011

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

Current Water Right No.: 73-12185

Current Owner: BIG CREEK RANCH LLC

Priority Date: 11/20/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

4.2 CFS

4.2 CFS

Annual Volume

Location of Point(s) of Diversion

BIG CREEK

LEMHI County

SE1/4SW1/4

Sec. 12, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within LEMHI County

T13N R23E S2	Lot 4	NWNE	35.00	T13N R23E S2	Lot 5	SWNE	2.90
T13N R23E S2	Lot 1	NENW	33.00	T13N R23E S2	Lot 2	NWNW	37.00
T13N R23E S2		SWNW	31.00	T13N R23E S2		SENW	36.00
T13N R23E S2		NWSE	29.00	T13N R23E S2		SWSE	34.00
T13N R23E S2		SESE	34.30	T13N R23E S11		NENE	40.00
T13N R23E S11		SENE	40.00	T13N R23E S12	Lot 2	SWNW	32.00
T13N R23E S12		NWSW	34.00	T13N R23E S12		SWSW	1.70
T13N R23E S12		SESW	20.00	T14N R23E S34		SESE	29.00
T14N R23E S35		SWSW	37.00	T14N R23E S35		SESW	32.00
T14N R23E S35		SWSE	35.00				

Total Acres: 572.9

Conditions of Approval:

1. 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. 73.
2. 206 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 are limited to the irrigation of a specific 469.5 acres within the 572.9 acre place of use authorized by this right in a single irrigation season. The specific 469.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 469.5 acres to be irrigated within the 572.9 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.
3. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. X27 This right is limited to the irrigation of 210.0 acres within the authorized place of use in a single irrigation season.
5. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 when combined shall not exceed a total diversion rate of 17.24 cfs and the irrigation of 469.5 acres.
6. 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.
7. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 when combined shall not exceed a total diversion rate of 15.92 cfs and the irrigation of 433.5 acres.
8. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. 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.
10. 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).
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 004 This right does not grant any right-of-way or easement across the land of another.

Decreed Date: 12/30/2011

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

Current Water Right No.: 73-12187

Current Owner: BIG CREEK RANCH LLC
Priority Date: 3/27/1888
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

2.8 CFS

2.8 CFS

Annual Volume

Location of Point(s) of Diversion

BIG CREEK

LEMHI County

SE1/4SW1/4

Sec. 12, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within LEMHI County

T13N R23E S2	Lot 4	NWNE	35.00	T13N R23E S2	Lot 5	SWNE	2.90
T13N R23E S2	Lot 1	NENW	33.00	T13N R23E S2	Lot 2	NWNW	37.00
T13N R23E S2		SWNW	31.00	T13N R23E S2		SENE	36.00
T13N R23E S2		NWSE	29.00	T13N R23E S2		SWSE	34.00
T13N R23E S2		SESE	34.30	T13N R23E S11		NENE	40.00
T13N R23E S11		SENE	40.00	T13N R23E S12	Lot 2	SWNW	32.00
T13N R23E S12		NWSW	34.00	T13N R23E S12		SWSW	1.70
T13N R23E S12		SESW	20.00	T14N R23E S34		SESE	29.00
T14N R23E S35		SWSW	37.00	T14N R23E S35		SESW	32.00
T14N R23E S35		SWSE	35.00				

Total Acres: 572.9

Conditions of Approval:

1. 004 This right does not grant any right-of-way or easement across the land of another.
2. 206 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 are limited to the irrigation of a specific 469.5 acres within the 572.9 acre place of use authorized by this right in a single irrigation season. The specific 469.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 469.5 acres to be irrigated within the 572.9 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.
3. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. 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.
5. X27 This right is limited to the irrigation of 140.0 acres within the authorized place of use in a single irrigation season.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
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 watermaster suitable control of the diversion(s).
9. 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.
10. 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. 73.
11. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 when combined shall not exceed a total diversion rate of 15.92 cfs and the irrigation of 433.5 acres.
12. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 when combined shall not exceed a total diversion rate of 17.24 cfs and the irrigation of 469.5 acres.

Decreed Date: 12/30/2011

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

Current Water Right No.: 73-12189

Current Owner: BIG CREEK RANCH LLC

Priority Date: 3/1/1890

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion**Diversion Rate**

4.2 CFS

4.2 CFS

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

BIG CREEK

LEMHI County

SE1/4SW1/4

Sec. 12, Twp 13N, Rge 23E B.M.

Place of Use**IRRIGATION Within LEMHI County**

T13N R23E S2	Lot 4	NVNE	35.00	T13N R23E S2	Lot 5	SWNE	2.90
T13N R23E S2	Lot 1	NENW	33.00	T13N R23E S2	Lot 2	NWNW	37.00
T13N R23E S2		SWNW	31.00	T13N R23E S2		SENW	36.00
T13N R23E S2		NWSE	29.00	T13N R23E S2		SWSE	34.00
T13N R23E S2		SESE	34.30	T13N R23E S11		NENE	40.00
T13N R23E S11		SENE	40.00	T13N R23E S12	Lot 2	SWNW	32.00
T13N R23E S12		NWSW	34.00	T13N R23E S12		SWSW	1.70
T13N R23E S12		SESW	20.00	T14N R23E S34		SESE	29.00
T14N R23E S35		SWSW	37.00	T14N R23E S35		SESW	32.00
T14N R23E S35		SWSE	35.00				

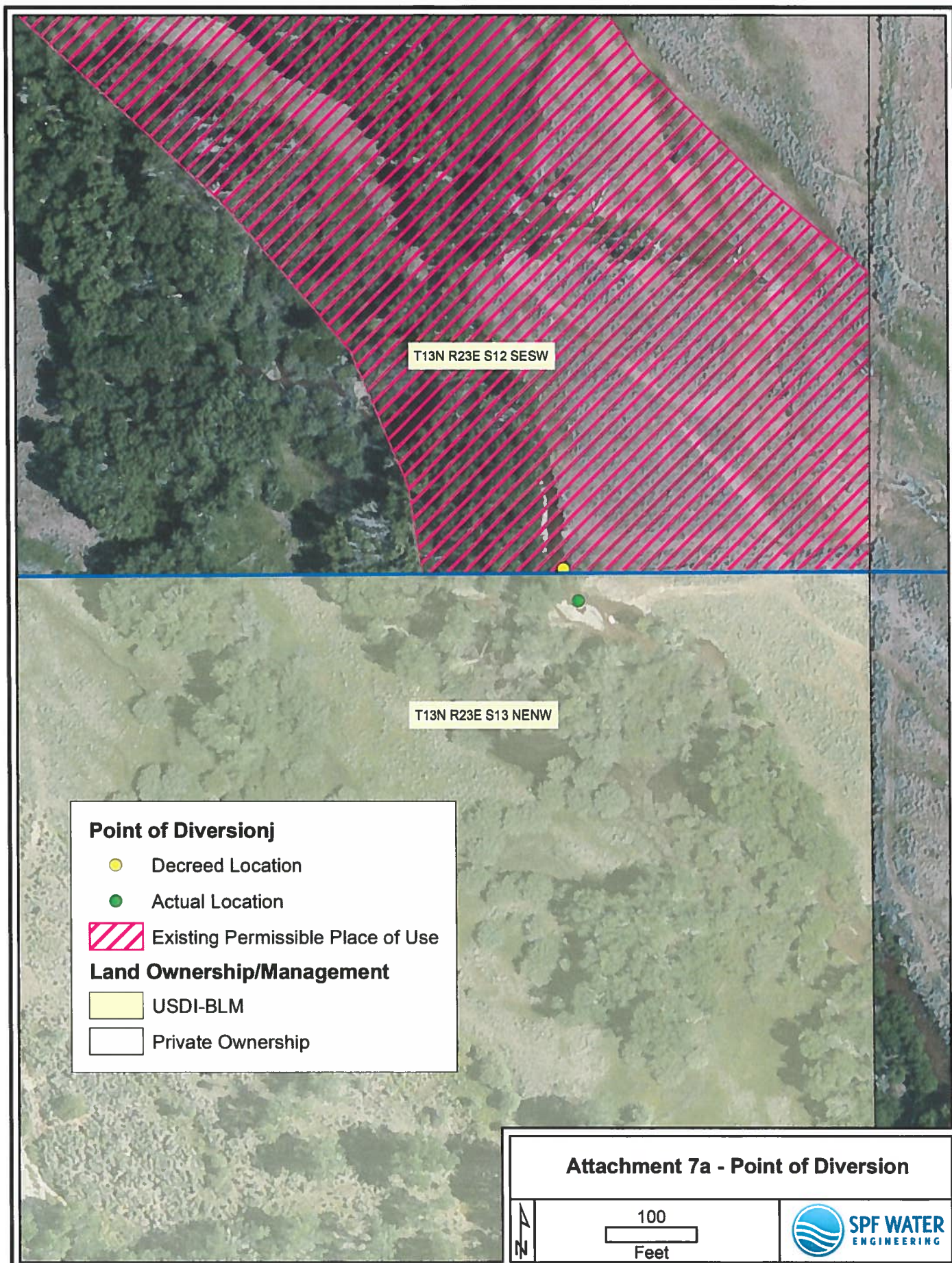
Total Acres: 572.9

Conditions of Approval:

1. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, and 73-12191 when combined shall not exceed a total diversion rate of 15.92 cfs and the irrigation of 433.5 acres.
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. 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. 73.
4. X27 This right is limited to the irrigation of 210.0 acres within the authorized place of use in a single irrigation season.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. X35 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 when combined shall not exceed a total diversion rate of 17.24 cfs and the irrigation of 469.5 acres.
10. X35 Rights 73-12189 and 73-12191 when combined shall not exceed a total diversion rate of 4.2 cfs and the irrigation of 210.0 acres.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. 206 Rights 73-12181, 73-12183, 73-12185, 73-12187, 73-12189, 73-12191, 73-12212, 73-12213, 73-12214, 73-12215, 73-12216 and 73-12217 are limited to the irrigation of a specific 469.5 acres within the 572.9 acre place of use authorized by this right in a single irrigation season. The specific 469.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 469.5 acres to be irrigated within the 572.9 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.
13. 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).

Decreed Date: 12/30/2011

Attachment 7a



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