

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78432**

Amended

This is to certify that: SWEET POTATO RANCH LLC  
C/O JOE CLARK, AVIATION PARTNERS  
7299 PERIMETER RD S  
SEATTLE, WA 98108

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>                           |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|-----------------------------------------|
| 37-1222            | WR/DECREED          | 6/9/1911             | 0.400 cfs             | N/A                     | 108.9             | 253.0              | DEMOCRAT GULCH CREEK                    |
| 37-12396           | WR/DECREED          | 8/23/1957            | 10.000 cfs            | 647.5 af                | 185.0             | 253.0              | DEMOCRAT GULCH CREEK, LAMBS GULCH CREEK |
| 37-2142            | WR/DECREED          | 6/24/1909            | 1.500 cfs             | N/A                     | 75.0              | 253.0              | HOT SPRINGS GULCH                       |
| 37-4138            | WR/DECREED          | 12/31/1948           | 0.150 cfs             | N/A                     | 65.4              | 253.0              | HAILEY HOT SPRINGS                      |
| 37-548             | WR/DECREED          | 6/1/1880             | 3.600 cfs             | N/A                     | 180.0             | 253.0              | DEMOCRAT GULCH CREEK, LAMBS GULCH CREEK |
| 37-549             | WR/DECREED          | 6/30/1882            | 3.110 cfs             | N/A                     | 95.5              | 253.0              | CROY CREEK                              |
| 37-8670            | WR/LICENSE          | 8/13/1990            | 0.080 cfs             | 37.7 af                 | N/A               | N/A                | HAILEY HOT SPRINGS                      |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-1222               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-12396              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-2142               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-4138               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-548                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-549                | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 37-8670               | NO           | NO         | YES        | YES            | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-1222               | 37-1222                          | 0.400 cfs            | N/A                    | 108.9             | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-12396              | 37-12396                         | 10.000 cfs           | 647.5 af               | 185.0             | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-2142               | 37-2142                          | 1.500 cfs            | N/A                    | 75.0              | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-4138               | 37-4138                          | 0.150 cfs            | N/A                    | 65.4              | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-548                | 37-548                           | 3.600 cfs            | N/A                    | 180.0             | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-549                | 37-549                           | 3.110 cfs            | N/A                    | 95.5              | 253.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-8670               | 37-8670                          | 0.080 cfs            | 37.7 af                | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 78432

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78432

COMBINED TOTALS      18.840 cfs    685.2 af      198.5    253.0                      N/A      N/A      N/A      N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20<sup>th</sup> day of August, 2013.



Southern Region Manager



Transfer No. 78432

**WATER RIGHT NO. 37-548**  
**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

5. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440, and 37-22250 when combined shall not exceed the irrigation of 185 acres.
6. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250, and 37-22251 are limited to the irrigation of a specific 198.5 acres within the 253 acre place of use authorized by this right in a single irrigation season. The specific 198.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 198.5 acres to be irrigated within the 253 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.
7. 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 when applied via a sprinkler irrigation system.
8. 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.
9. 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).
10. Place of use does not include federal public lands.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

**WATER RIGHT NO. 37-12396****As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-12396 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
7299 PERIMETER RD S  
SEATTLE, WA 98108

**Priority Date:** 8/23/1957

**Source:** LAMBS GULCH CREEK **Tributary:** DEMOCRAT GULCH CREEK  
**Source:** DEMOCRAT GULCH CREEK **Tributary:** CROY CREEK

| <b>BENEFICIAL USE</b>   | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-------------------------|-------------|-----------|-----------------------|-------------------------|
| DIVERSION TO STORAGE    | 01/01       | to 12/31  | 10.000 cfs            |                         |
| IRRIGATION FROM STORAGE | 04/15       | to 10/31  |                       | 647.5 af                |
| IRRIGATION STORAGE      | 01/01       | to 12/31  |                       | 29.6 af                 |
| RECREATION STORAGE      | 01/01       | to 12/31  |                       | 29.6 af                 |
| STOCKWATER              | 01/01       | to 12/31  | 0.030 cfs             |                         |
|                         |             |           | 10.000 cfs            | 647.5 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|                      |             |                        |               |     |
|----------------------|-------------|------------------------|---------------|-----|
| LAMBS GULCH CREEK    | SWNENW      | Sec 18 Twp 02N Rge 18E | BLAINE County |     |
| LAMBS GULCH CREEK    | L2 (NESWNW) | Sec 18 Twp 02N Rge 18E | BLAINE County | (R) |
| LAMBS GULCH CREEK    | L2 (SWNW)   | Sec 18 Twp 02N Rge 18E | BLAINE County | (I) |
| DEMOCRAT GULCH CREEK | L2 (SWNW)   | Sec 18 Twp 02N Rge 18E | BLAINE County |     |
| DEMOCRAT GULCH CREEK | L5 (SESE)   | Sec 18 Twp 02N Rge 18E | BLAINE County | (R) |
| DEMOCRAT GULCH CREEK | NWSE        | Sec 18 Twp 02N Rge 18E | BLAINE County | (R) |
| LAMBS GULCH CREEK    | NWSE        | Sec 18 Twp 02N Rge 18E | BLAINE County | (R) |

**PLACE OF USE: IRRIGATION FROM STORAGE**

|     |     |     | NE |    |      |    | NW  |     |     |      | SW   |      |     |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|------|----|-----|-----|-----|------|------|------|-----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW   | SE | NE  | NW  | SW  | SE   | NE   | NW   | SW  | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |      |    |     |     | 2.3 | 21.0 | 34.0 | 35.0 |     |    |    |    |    |     | 92.3   |
|     |     |     |    |    |      |    |     |     | L 3 | L 4  |      |      |     |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | 15.0 |    | 1.4 | 0.2 | 2.7 | 32   | 0.3  |      | 1.1 | 12 | 31 | 19 | 21 | 25  | 160.7  |
|     |     |     |    |    |      |    |     | L 1 | L 2 |      |      |      |     |    |    |    |    | L 5 |        |

Right Acre Limit: 180.0

POU Total Acres: 253.0

**PLACE OF USE: IRRIGATION STORAGE**

|     |     |     | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 18  |    |    |    |    |    | X   | X   |    |    |    |    |    | X  |    |    | X   | 0.0    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    | L 5 |        |

**WATER RIGHT NO. 37-12396**  
**As Modified by Transfer No. 78432**

**PLACE OF USE: RECREATION STORAGE**

|     |     |     | NE |    |    |    | NW |     |     |    | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 18  |    |    |    |    |    | X   | X   |    |    |    |    |    | X  |    |    | X   | 0.0    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |    |    |    |    |    |    |    |    | L 5 |        |

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |     |     |     | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|----|-----|-----|-----|----|----|----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW  | SW  | SE  | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |    |    |    |     | X   | X   | X  | X  |    |    |    |    |    |     | 0.0    |
|     |     |     |    |    |    |    |    |     | L 3 | L 4 |    |    |    |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | X  |    | X  | X   | X   | X   |    |    | X  | X  | X  | X  | X  | X   | 0.0    |
|     |     |     |    |    |    |    |    | L 1 | L 2 |     |    |    |    |    |    |    |    | L 5 |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 185 acres within the authorized place of use in a single irrigation season.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. Place of use does not include federal public lands.
5. The 10 cfs flow rate represents diversion from the west channel of Lambs Gulch to the upper reservoir located in T02N, R18E W1/2 NW1/4 located on Democrat Gulch.
6. The point of diversion described as T02N R18E S18 SWNENW is located on the west channel of Lambs Gulch.
7. 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. 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. 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 when applied via a sprinkler irrigation system.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

**WATER RIGHT NO. 37-12396**  
**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.



**WATER RIGHT NO. 37-8670****As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-8670 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
7299 PERIMETER RD S  
SEATTLE, WA 98108

**Priority Date:** 8/13/1990

**Source:** HAILEY HOT SPRINGS

**Tributary:** DEMOCRAT GULCH CREEK

**BENEFICIAL USE**

|            | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|------------|-------------|-----------|-----------------------|-------------------------|
| HEATING    | 01/01       | to 12/31  | 0.070 cfs             | 37.5 af                 |
| RECREATION | 01/01       | to 12/31  | 0.010 cfs             | 0.2 af                  |
| WILDLIFE   | 01/01       | to 12/31  | 0.080 cfs             | 37.7 af                 |
|            |             |           | 0.080 cfs             | 37.7 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|                    |        |                        |               |               |
|--------------------|--------|------------------------|---------------|---------------|
| HAILEY HOT SPRINGS | NWNWSE | Sec 18 Twp 02N Rge 18E | BLAINE County |               |
| HAILEY HOT SPRINGS | NWSE   | Sec 18 Twp 02N Rge 18E | BLAINE County | (Injection)   |
| HAILEY HOT SPRINGS | NWSE   | Sec 18 Twp 02N Rge 18E | BLAINE County | (Rediversion) |

**PLACE OF USE: HEATING**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 18  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0.0    |

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 18  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    | X  | 0.0    |

**PLACE OF USE: WILDLIFE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 18  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    | X   | 0.0    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | L 5 |        |

**CONDITIONS OF APPROVAL**

1. Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.

Transfer No. 78432

**WATER RIGHT NO. 37-8670**  
**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

2. Use of water under this right shall be non-consumptive.
3. 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).
4. 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.
5. Low temperature geothermal water diverted under this right shall not be used for wildlife purposes unless it is first used for heating and recreation purposes.
6. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

# **WATER RIGHT NO. 37-549** **As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-549 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
 7299 PERIMETER RD S  
 SEATTLE, WA 98108

**Priority Date:** 6/30/1882

**Source:** CROY CREEK

**Tributary:** BIG WOOD RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
 3.110 cfs  
 3.110 cfs

## **LOCATION OF POINT(S) OF DIVERSION**

CROY CREEK L5 (SESE) Sec 18 Twp 02N Rge 18E BLAINE County

## **PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW  |     |     |     | SW  |    |     |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|-----|-----|-----|----|-----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE  | NW  | SW  | SE  | NE  | NW | SW  | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |    |    |     |     | 2.3 | 21  | 34  | 35 |     |    |    |    |    |     | 92.3   |
|     |     |     |    |    |    |    |     |     | L 3 | L 4 |     |    |     |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | 15 |    | 1.4 | 0.2 | 2.7 | 32  | 0.3 |    | 1.1 | 12 | 31 | 19 | 21 | 25  | 160.7  |
|     |     |     |    |    |    |    |     |     |     |     |     |    |     |    |    |    |    | L 5 |        |

POU Total Acres: 253.0

## **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 95.5 acres within the authorized place of use in a single irrigation season.
2. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250 and 37-22251 when combined shall not exceed a total diversion rate of 9.23 cfs and the irrigation of 198.5 acres.
3. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-22250, and 37-22251 when combined shall not exceed a total diversion rate of 9.08 cfs and the irrigation of 198.5 acres..
4. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440 and 37-22250 when combined shall not exceed a total diversion rate of 9.08 cfs.
5. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440, and 37-22250 when combined shall not exceed the irrigation of 185 acres.

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**WATER RIGHT NO. 37-549**  
**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

6. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250, and 37-22251 are limited to the irrigation of a specific 198.5 acres within the 253 acre place of use authorized by this right in a single irrigation season. The specific 198.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 198.5 acres to be irrigated within the 253 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.
7. 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 when applied via a sprinkler irrigation system.
8. 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.
9. 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).
10. Place of use does not include federal public lands.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

**WATER RIGHT NO. 37-1222****As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-1222 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
7299 PERIMETER RD S  
SEATTLE, WA 98108

**Priority Date:** 6/9/1911

**Source:** DEMOCRAT GULCH CREEK **Tributary:** CROY CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
0.400 cfs  
0.400 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|                                  |                        |               |
|----------------------------------|------------------------|---------------|
| DEMOCRAT GULCH CREEK L2 (NESWNW) | Sec 18 Twp 02N Rge 18E | BLAINE County |
| DEMOCRAT GULCH CREEK NESWSE      | Sec 18 Twp 02N Rge 18E | BLAINE County |
| DEMOCRAT GULCH CREEK L5 (NWSESE) | Sec 18 Twp 02N Rge 18E | BLAINE County |
| DEMOCRAT GULCH CREEK NWSE        | Sec 18 Twp 02N Rge 18E | BLAINE County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |      |    | NW  |     |     |     | SW  |    |     |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|------|----|-----|-----|-----|-----|-----|----|-----|----|----|----|----|-----|--------|
|     |     |     | NE | NW | SW   | SE | NE  | NW  | SW  | SE  | NE  | NW | SW  | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |      |    |     |     | 2.3 | 21  | 34  | 35 |     |    |    |    |    |     | 92.3   |
|     |     |     |    |    |      |    |     |     | L 3 | L 4 |     |    |     |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | 15.0 |    | 1.4 | 0.2 | 2.7 | 32  | 0.3 |    | 1.1 | 12 | 31 | 19 | 21 | 25  | 160.7  |
|     |     |     |    |    |      |    |     |     |     |     |     |    |     |    |    |    |    | L 5 |        |

Right Acre Limit: 95.5  
POU Total Acres: 253.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 108.9 acres within the authorized place of use in a single irrigation season.
2. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250 and 37-22251 when combined shall not exceed a total diversion rate of 9.23 cfs and the irrigation of 198.5 acres.
3. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-22250, and 37-22251 when combined shall not exceed a total diversion rate of 9.08 cfs and the irrigation of 198.5 acres.
4. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440 and 37-22250 when combined shall not exceed a total diversion rate of 9.08 cfs.

**WATER RIGHT NO. 37-1222**  
**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

5. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440, and 37-22250 when combined shall not exceed the irrigation of 185 acres.
6. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250, and 37-22251 are limited to the irrigation of a specific 198.5 acres within the 253 acre place of use authorized by this right in a single irrigation season. The specific 198.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 198.5 acres to be irrigated within the 253 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.
7. 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 when applied via a sprinkler irrigation system.
8. 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. 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.
10. Place of use does not include federal public lands.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

**WATER RIGHT NO. 37-2142****As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-2142 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
7299 PERIMETER RD S  
SEATTLE, WA 98108

**Priority Date:** 6/24/1909

**Source:** HOT SPRINGS GULCH

**Tributary:** CROY CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/15

**To**

to 10/31

**Diversion Rate**

1,500 cfs

1,500 cfs

**LOCATION OF POINT(S) OF DIVERSION**

HOT SPRINGS GULCH

L4 (SWSW)

Sec 18 Twp 02N Rge 18E BLAINE County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW  |     |     |     | SW  |    |     |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|-----|-----|-----|----|-----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE  | NW  | SW  | SE  | NE  | NW | SW  | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |    |    |     |     | 2.3 | 21  | 34  | 35 |     |    |    |    |    |     | 92.3   |
|     |     |     |    |    |    |    |     |     | L 3 | L 4 |     |    |     |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | 15 |    | 1.4 | 0.2 | 2.7 | 32  | 0.3 |    | 1.1 | 12 | 31 | 19 | 21 | 25  | 160.7  |
|     |     |     |    |    |    |    |     |     |     |     |     |    |     |    |    |    |    | L 5 |        |

Right Acre Limit: 108.9

POU Total Acres: 253.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 75 acres within the authorized place of use in a single irrigation season.
2. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250 and 37-22251 when combined shall not exceed a total diversion rate of 9.23 cfs and the irrigation of 198.5 acres.
3. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-22250, and 37-22251 when combined shall not exceed a total diversion rate of 9.08 cfs and the irrigation of 198.5 acres.
4. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440 and 37-22250 when combined shall not exceed a total diversion rate of 9.08 cfs.
5. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440, and 37-22250 when combined shall not exceed the irrigation of 185 acres.

Transfer No. 78432

**WATER RIGHT NO. 37-2142**

**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

6. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250, and 37-22251 are limited to the irrigation of a specific 198.5 acres within the 253 acre place of use authorized by this right in a single irrigation season. The specific 198.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 198.5 acres to be irrigated within the 253 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.
7. 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 when applied via a sprinkler irrigation system.
8. 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. 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.
10. Place of use does not include federal public lands.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

**WATER RIGHT NO. 37-4138****As Modified by Transfer No. 78432**

In accordance with the approval of Transfer No. 78432, Water Right No. 37-4138 is now described as follows:

**Right Holder:** SWEET POTATO RANCH LLC  
7299 PERIMETER RD S  
SEATTLE, WA 98108

**Priority Date:** 12/31/1948

**Source:** HAILEY HOT SPRINGS **Tributary:** DEMOCRAT GULCH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/15

to 10/31

**To****Diversion Rate**

0.150 cfs

0.150 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|                    |             |                        |               |     |
|--------------------|-------------|------------------------|---------------|-----|
| HAILEY HOT SPRINGS | L5 (NWSESE) | Sec 18 Twp 02N Rge 18E | BLAINE County | (R) |
| HAILEY HOT SPRINGS | NWNWSE      | Sec 18 Twp 02N Rge 18E | BLAINE County | (I) |
| HAILEY HOT SPRINGS | NWNWSE      | Sec 18 Twp 02N Rge 18E | BLAINE County |     |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |      |    | NW  |     |     |     | SW  |    |     |    | SE |    |    |     | Totals |
|-----|-----|-----|----|----|------|----|-----|-----|-----|-----|-----|----|-----|----|----|----|----|-----|--------|
| Twp | Rng | Sec | NE | NW | SW   | SE | NE  | NW  | SW  | SE  | NE  | NW | SW  | SE | NE | NW | SW | SE  |        |
| 02N | 18E | 17  |    |    |      |    |     |     | 2.3 | 21  | 34  | 35 |     |    |    |    |    |     | 92.3   |
|     |     |     |    |    |      |    |     |     | L 3 | L 4 |     |    |     |    |    |    |    |     |        |
| 02N | 18E | 18  |    |    | 15.0 |    | 1.4 | 0.2 | 2.7 | 32  | 0.3 |    | 1.1 | 12 | 31 | 19 | 21 | 25  | 160.7  |
|     |     |     |    |    |      |    |     |     |     |     |     |    |     |    |    |    |    | L 5 |        |

Right Acre Limit: 75.0

POU Total Acres: 253.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 65.4 acres within the authorized place of use in a single irrigation season.
2. Rights 37-4138 and 37-4139 when combined shall not exceed a total diversion rate of 0.15 cfs.
3. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250 and 37-22251 when combined shall not exceed a total diversion rate of 9.23 cfs and the irrigation of 198.5 acres.
4. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440, and 37-22250 when combined shall not exceed the irrigation of 185 acres.

**WATER RIGHT NO. 37-4138**

**As Modified by Transfer No. 78432**

**CONDITIONS OF APPROVAL**

5. Rights 37-548, 37-549, 37-1222, 37-2142, 37-4440, 37-4138, 37-22250, and 37-22251 are limited to the irrigation of a specific 198.5 acres within the 253 acre place of use authorized by this right in a single irrigation season. The specific 198.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 198.5 acres to be irrigated within the 253 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.
6. 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 when applied via a sprinkler irrigation system.
7. 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).
8. 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.
9. Place of use does not include federal public lands.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.