

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CORRECTED

CORRECTED

TRANSFER OF WATER RIGHT
TRANSFER NO. 78284

This is to certify that: JOHN SHORT
4799 BALSAM DR
PARK CITY, UT 87098

LOON CREEK LAND CO LLC
4377 BALSAM DR
PARK CITY, UT 84098

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>
77-14285	WR/DECREED	1/1/1900	0.680 cfs	N/A	N/A	44.0	DEER CREEK, TRAIL CREEK
77-14286	WR/DECREED	1/1/1900	0.140 cfs	N/A	N/A	N/A	DEER CREEK, TRAIL CREEK

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>
77-14285	NO	YES	NO	NO	NO	NO
77-14286	NO	YES	NO	NO	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>
77-14285	77-14285	0.680 cfs	N/A	N/A	44.0	N/A	N/A	N/A	N/A	N/A
77-14286	77-14286	0.140 cfs	N/A	N/A	7.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.820 cfs	N/A	N/A	51.0		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 11 day of June, 2013.

SUPPORT DATA

IN FILE # 77-14285


Western Regional Manager

Transfer No. 78284

WATER RIGHT NO. 77-14286**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78284, Water Right No. 77-14286 is now described as follows:

Right Holder: JOHN H SHORT REVOCABLE TRUST U/A/D
4377 BALSAM DR
PARK CITY, UT 84098

Priority Date: 1/1/1900

Source: TRAIL CREEK
Source: DEER CREEK

Tributary: LOON CREEK
Tributary: LOON CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/01

Diversion Rate

0.140 cfs

0.140 cfs

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK	NWNW	Sec 22 Twp 14N Rge 13E CUSTER County
TRAIL CREEK	NENW	Sec 22 Twp 14N Rge 13E CUSTER County
DEER CREEK	NWNE	Sec 15 Twp 14N Rge 13E CUSTER County
DEER CREEK	SWNE	Sec 15 Twp 14N Rge 13E CUSTER 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	
14N	13E	15				7.0													7.0

POU Total Acres: 7.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 78284

WATER RIGHT NO. 77-14286
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. This right does not grant any right-of-way or easement across the land of another.
6. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/8/2007.
7. The following rights are diverted through point(s) of diversion described above: 77-14285 and 77-14286.
8. Place of use does not include any National Forest System land.

WATER RIGHT NO. 77-14285
As Modified by Transfer No.

In accordance with the approval of Transfer No. 78284, Water Right No. 77-14285 is now described as follows:

Right Holder: LOON CREEK LAND CO. LLC
C/O JOHN SHORT
4799 BALSAM DR
PARK CITY, UT 84098

Priority Date: 1/1/1900

Source: TRAIL CREEK
Source: DEER CREEK

Tributary: LOON CREEK
Tributary: LOON CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/01

Diversion Rate

0.680 cfs

0.680 cfs

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK	NWNW	Sec 22 Twp 14N Rge 13E CUSTER County
TRAIL CREEK	NENW	Sec 22 Twp 14N Rge 13E CUSTER County
DEER CREEK	NWNE	Sec 15 Twp 14N Rge 13E CUSTER County
DEER CREEK	SWNE	Sec 15 Twp 14N Rge 13E CUSTER 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	
14N	13E	14							1.0				2.0						3.0
14N	13E	15												8.0	1.0	16.0	16.0		41.0

POU Total Acres: 44.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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.

Transfer No. 78284

WATER RIGHT NO. 77-14285
As Modified by Transfer No.

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. This right is limited to the irrigation of 34 acres within the authorized place of use in a single irrigation season.
7. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/8/2007.
8. The following rights are diverted through points of diversion described above: 77-14285 and 77-14286.
9. Place of use does not include any National Forest System Land.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 78284 IN THE NAME OF)
JOHN SHORT AND LOON CREEK LAND)
CO LLC)
_____)**

**TRANSFER CORRECTION
ORDER**

FINDINGS OF FACT

1. On May 1, 2013, the Idaho Department of Water Resources (IDWR) issued a preliminary order for approval of Transfer #78284 in the name of John Short and Loon Creek Land Co LLC.

2. On June 7, 2013, a final review of the approval data entry was made by Department staff. It was found a creek source name under water rights nos. 77-14285 and 77-14286 was data entered in error:

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK SWNE Sec 15 Twp 14N 13E CUSTER County

The creek source should be Deer Creek, and therefore should read:

DEER CREEK SWNE Sec 15 Twp 14N 13E CUSTER County

CONCLUSIONS

1. The data entry made by the Department was in error and should be corrected. Water rights records should accurately reflect all sources and elements.

ORDER

IT IS HEREBY ORDERED that Transfer Approval #78284 and water right nos. 77-14285 and 77-14286 in the name of John Short and Loon Creek Land Co. LLC shall be **CORRECTED** from reading:

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK SWNE Sec 15 Twp 14N 13E CUSTER County

TO NOW READ:

LOCATION OF POINT(S) OF DIVERSION

DEER CREEK SWNE Sec 15 Twp 14N 13E CUSTER County

Dated this 11 day of June, 2013



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12TH day of June, 2013, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid mail, and properly addressed to persons listed below:

RE: Transfer No. 78284
Water Right No's: 77-14285, 77-14286

Documents Served: Transfer Correction Order
Corrected Transfer
Explanatory Information to Accompany a Preliminary Order

LOON CREEK LAND CO LLC
4377 BALSAM DR
PARK CITY UT 84098

JOHN SHORT
4799 BALSAM DR
PARK CITY UT 84098


Rachel Sommer
Administrative Assistant