

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76738

This is to certify that: SV RANCH LLC
 C/O GREGORY VIK
 PO BOX 1607
 BELLEVUE WA 98009
 (425)460-2542

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-2100A	WR/Decreed	07/15/1952	2.8 cfs	630 af	140.0	477.0	SNAKE RIVER
2-7086	WR/Decreed	07/28/1971	4.64 cfs	1044 af	232.0	477.0	SNAKE RIVER
2-10470	WR/Decreed	07/30/1969	0.68 cfs	153.5 af		34.1	SNAKE RIVER

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>
2-2100A	NO	YES	YES	NO	NO	NO
2-7086	NO	YES	YES	NO	NO	NO
2-10470	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

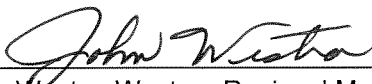
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-2100A	2-2100A	2.8 cfs	630 af	140.0	508.4		N/A	N/A		N/A
2-7086	2-7086	4.64 cfs	1044 af	232.0	508.4		N/A	N/A		N/A
2-10470	2-10470	0.68 cfs	153.5 af	34.1	508.4		N/A	N/A		N/A
COMBINED TOTALS		8.12 cfs		406.1	508.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 20 11

SUPPORT DATA

IN FILE # 2-2100A


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-2100A
As Modified by Transfer No. 76738

In accordance with the approval of Transfer No. 76738, Water Right No. 2-2100A is now described as follows.

Right Holder: SV RANCH LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

Priority Date: July 15, 1952

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	630.0 AF
			2.80 CFS	630.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER	L7 (NESE)	Sec. 35 Twp 03S Rge 01E OWYHEE County
SNAKE RIVER	L8 (NWSE)	Sec. 35 Twp 03S Rge 01E OWYHEE County
SNAKE RIVER	L7 (NWSE)	Sec. 36 Twp 03S Rge 01E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03S	01E	35									1.1	38.3	40.0	40.0	40.0	27.0	29.0	40.0	39.0	294.4
											L 4	L 9				L 7	L 8			
03S	01E	36										34.5	32.1	40.0	24.0	15.0	34.4	24.0	10.0	214.0
												L 6	L 5			L 8	L 7			

Total Acres: 508.4

CONDITIONS OF APPROVAL

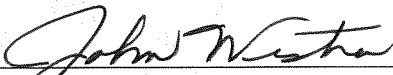
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), 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.

WATER RIGHT NO. 2-2100A
As Modified by Transfer No. 76738

4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/9/2009.
7. Rights 2-2100A and 2-7086 when combined shall not exceed the irrigation of 372 acres in a single season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through points of diversion described above: 2-2100A, 2-7086 and 2-10470.

This water right 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.

Dated this 20th day of September, 20 11



John Westra, Western Regional Manager

WATER RIGHT NO. 2-7086
As Modified by Transfer No. 76738

In accordance with the approval of Transfer No. 76738, Water Right No. 2-7086 is now described as follows.

Right Holder: SV RANCH LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

Priority Date: July 28, 1971

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.64 CFS	1,044.0 AF
			4.64 CFS	1,044.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER	L7 (NESE)	Sec. 35 Twp 03S	Rge 01E	OWYHEE County
SNAKE RIVER	L8 (NWSE)	Sec. 35 Twp 03S	Rge 01E	OWYHEE County
SNAKE RIVER	L7 (NWSE)	Sec. 36 Twp 03S	Rge 01E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03S	01E	35									1.1	38.3	40.0	40.0	40.0	27.0	29.0	40.0	39.0	294.4
											L 4	L 9				L 7	L 8			
03S	01E	36										34.5	32.1	40.0	24.0	15.0	34.4	24.0	10.0	214.0
												L 6	L 5			L 8	L 7			

Total Acres: 508.4

CONDITIONS OF APPROVAL

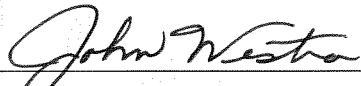
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), 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.

WATER RIGHT NO. 2-7086
As Modified by Transfer No. 76738

4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right is limited to the irrigation of 232 acres within the place of use described above in a single irrigation season.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/9/2009.
7. Rights 2-2100A and 2-7086 when combined shall not exceed the irrigation of 372 acres in a single season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through points of diversion described above: 2-2100A, 2-7086 and 2-10470.

This water right 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.

Dated this 20th day of September, 20 11



John Westra, Western Regional Manager

WATER RIGHT NO. 2-10470
As Modified by Transfer No. 76738

In accordance with the approval of Transfer No. 76738, Water Right No. 2-10470 is now described as follows.

Right Holder: SV RANCH LLC
 C/O GREGORY VIK
 PO BOX 1607
 BELLEVUE WA 98009

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	0.68 CFS	153.5 AF
			0.68 CFS	153.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER	L7 (NESE)	Sec. 35 Twp 03S Rge 01E OWYHEE County
SNAKE RIVER	L8 (NWSE)	Sec. 35 Twp 03S Rge 01E OWYHEE County
SNAKE RIVER	L7 (NWSE)	Sec. 36 Twp 03S Rge 01E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03S	01E	35									1.1	38.3	40.0	40.0	40.0	27.0	29.0	40.0	39.0	294.4
											L 4	L 9				L 7	L 8			
03S	01E	36										34.5	32.1	40.0	24.0	15.0	34.4	24.0	10.0	214.0
												L 6	L 5			L 8	L 7			

Total Acres: 508.4

CONDITIONS OF APPROVAL

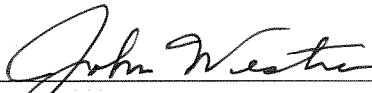
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), 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.

WATER RIGHT NO. 2-10470
As Modified by Transfer No. 76738

4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right is limited to the irrigation of 34.1 acres within the place of use described above in a single irrigation season.
6. Rights 2-10422, 2-10423, 2-10469, 2-10470, 57-11708, 57-11709, 57-11710 and 57-11666 when combined shall not exceed a total diversion rate of 42.52 cfs, and the irrigation of 2126 acres.
7. Rights 2-7046E, 2-10422, 2-10423, 2-10235, 2-10244, 2-10469 and 2-10470 when combined shall not exceed a total diversion rate of 32 cfs.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through points of diversion described above: 2-2100A, 2-7086 and 2-10470.

This water right 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.

Dated this 20th day of September, 20 11



John Westra, Western Regional Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 21, 2011

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

RE: Transfer No.: 76738
Water Right No(s): 2-2100A 2-7086 2-10470

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

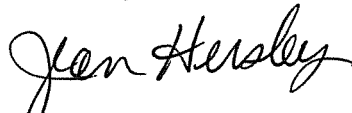
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-334-2190.

Sincerely,


for John Westra
Western Regional Manager

Enclosure(s)

cc: BROCKWAY ENGINEERING PLLC

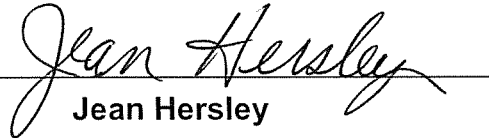
CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2011 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 76738
WATER RIGHTS NOS. 2-2100A 2-7086 2-10470

**BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWN FALLS ID 83301**

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



Jean Hersley
Office Specialist II

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

SEP 07 2011

I, Robert E. Aman, being first duly sworn, depose and say

WATER RESOURCES
WESTERN REGION

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the president of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in TWO (2)
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

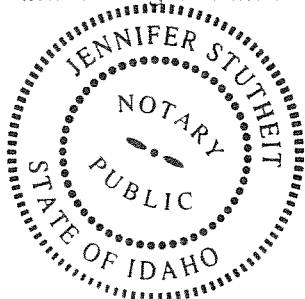
AUGUST 3, 10, 2011

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 6 day of Sept in the year of 2011 before me, a

Notary Public, personally appeared ROBERT E. AMAN
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jennifer Stutheit
Notary Public of Idaho

Residing at HOMEDALE, IDAHO
My commission expires: JANUARY 3, 2015

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

2-10452 SV RANCH LLC ✓
C/O GREGORY VIK, PO BOX 1607, BELLEVUE, WA 98009

Point of Diversion L7(NESE)
S35 T03S R01E OWYHEE
County Source SNAKE RIVER
Tributary COLUMBIA RIVER

Use: DIVERSION TO
STORAGE 01/01 to 12/31 0.9 CFS

Use: WILDLIFE STORAGE
01/01 to 12/31 3.0 AF

Total Diversion: 0.9 CFS

Date Filed: 8/9/2010

Place Of Use: WILDLIFE STORAGE

T04S R01E S11 SWSE

PROPOSED CHANGE OF WATER RIGHTS ✓

SV Ranch LLC, c/o Gregory Vik, PO Box 1607, Bellevue, WA, 98009, filed Application No. 76738 to transfer three water rights with 1952 through 1971 priority dates from the Snake River totaling 8.12 cfs. The purpose of the transfer is to modify an existing permissible place of use and correct the location of a pump station which has been moved to the east of the original location within the same 40-acre tract. Water will be used at the current place of use on the south side of the Snake River, northwest of Castle Butte at Henderson Flats.

See Reverse →
For remainder
of ad.

✓ OK DB 9/8/2011

**PROPOSED CHANGE OF
WATER RIGHTS**

SV Ranch LLC, c/o Gregory Vik, PO Box 1607, Bellevue, WA, 98009, filed Application No. 76739 to transfer eight water rights with 1962 through 1969 priority dates from the Snake River totaling 40.07 cfs. The purpose of the transfer is to change the point of diversion to a new pumping station, create a permissible place of use to reflect actual irrigation practices, and convert a portion of one water right from irrigation to a wildlife wetland. Three acres of irrigation will be dried up to mitigate for the wildlife use. Water will be used at the current place of use on the south side of the Snake River, west of Castle Butte and north of Highway 78 in Owyhee County.

Published in the Owyhee Avalanche on August 3rd & 10th, 2011, and the Idaho Statesman, Times News, Post Register, and Lewiston Tribune on August 4th & 11th, 2011.

For a full description of the rights &/or proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Permits will be subject to all prior water rights. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before August 22, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim
Director
8/3,10/11

✓ OK DB 9/8/2011

MEMORANDUM

TO: Transfer No. 76738

FROM: Kay Walker

DATE: June 9, 2011

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes a change in one point of diversion to a location just east of the current location, within the same 40 acre tract description. The other two points of diversion will remain unchanged. This application also proposes to enlarge the permissible place of use (ppu) to include 34.1 acres of Rt. 02-10332 which has been previously located on the south area of this ranch.

The site is located on the south side of the Snake River, northwest of Castle Butte at Henderson Flats.

Contact person for the applicant is Charles G. Brockway, P.E., 2016 Washington St. North, No. 4, Twin Falls, ID 83301. He can be reached at (208)736-8543

Summary of Information Submitted

The transfer application is in good form. There are no identified deviations from an acceptable transfer application. There are a couple of places in the application that the basin number is shown as 37 instead of 02 but that is just clerical error. Mr. Brockway attached a memo to the transfer application that explains each of the applications submitted. We did find an error that had to be addressed in order to proceed. After review of the proposed ppu and government lot plats it was determined that this proposal only encompassed 508.4 acres, rather than 512.1. This correction does not need to be made to the application form for us to proceed with advertisement of the application.

Authority to File:

The applicant is the current water right holder of record.

Water Right Validity:

Rights are presumed to be valid because the partial decrees were issued within the past five year period, all during 2009.

Injury to Other Water Rights:

There should be no injury to other rights. The point of diversion change, for one of the points, only involves the rights included in the transfer application and an application for permit that was submitted for a wildlife pond. No other water rights should be impacted by the change in the one point of diversion to a location just east of the original point of diversion. As mentioned previously, the other two points of diversion, as decreed, will not be changed.

Enlargement of Use:

No enlargement should occur. An increase in the number of acres to be irrigated within the proposed ppu is covered under a portion of Rt. 02-10332 which is proposed to be split and transferred to the land known as the north area of this ranch along with the proportionate amount of water needed to irrigate the 34.1 acres.

Local Public Interest:

It is within the public interest to allow a property owner to change their water use to more efficient and economical systems.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Discussion

Data entry affected the correct records which were partially decreed in 2009 and have been migrated into the water right data base.

Overlapping rights at existing &/or proposed POD &/or POU consist of the rights involved in this transfer application. There are no other rights diverted or utilized on these lands except the rights involved herein.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.