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October 6, 2006

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Cory Skinner
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RECEIVED
OCT 10 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

**Re: Spring Canyon Ranch, LLC
Proposed PPU and POD Change**

Dear Mr. Skinner:

Please find the enclosed Application for Transfer of Water Right submitted on behalf of Spring Canyon Ranch, LLC c/o Croy Canyon, LLC ("Ranch"). The ranch is proposing to transfer these water rights in order to create a permissible place of use ("PPU") to more effectively manage the water resources on the property. The ranch is proposing that the system be converted to a sprinkler irrigation system and will be updating their irrigation system.

However, the Ranch is also proposing to update the POD's for water rights 37-549 and 37-2142. The old ditch that used to deliver water from Croy Creek (37-549) is no longer in working order. Therefore, we are proposing to install a new concrete pump box at the new POD (02N18ESWSESE) for these rights. A booster pump will then be installed in order to divert the water into the irrigation system. The water from 37-2142 would then be allowed to flow downstream into Croy Creek and be diverted from the proposed diversion in addition to its current POD that will continue to be used for flood irrigation.

The transfer is proposing to create a large PPU for the entire 1587.3 acres owned by the ranch. The ranch may want to develop the ranch at a later date and would like to potentially irrigate any land on the ranch. However, the ranch will still be limited to a total irrigatable area of 190 acres per irrigation season. The transfer is proposing that only the places of use for the rights be changed. The point of diversions and natures of use for each individual right will not be altered, excluding 37-549 and 37-2142 as mentioned above (see attached Table 1: Part 1B: Water Right Spreadsheet). This will enable any right on the property to irrigate anywhere within the ranches boundaries as long as they are diverted from the POD (source) associated with the said right and keep within their diversion rate/volume limits. In addition, water rights 37-4440 and 37-12396

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also have other natures of use other than irrigation that we still retain the features of the water right associated with these uses.

The irrigation system at the ranch will be updated in order to create a hydraulically connected system. The system will be elaborated further as development continues at the property. However, the ranch will still be limited to only 190 total irrigatable acres with the described PPU.

There currently are no limits on the diversion rates associated with the ranch. Since it is unknown if limits will be put on these rights it was assumed that 13.75 cfs would be used. This value assumes that the ground water rights on the property are supplemental and that all of the surface water rights are additive. However, most of the surface water rights will only flow during the early spring. Therefore, the ranch will never be able to obtain this assumed diversion rate on a year round basis. The soils at the property are very permeable so the standard of 1 in/acre (0.02 cfs/acre) would not be able to sustain a crop at the property. Therefore, a rate of approximately 3.5 in/acre would not be unreasonable for these soils. If the rate is too large the water would just be recharged back into the aquifer.

I have also included a Warranty Deed, and a check for a total of \$770.00 to cover the costs of the transfer fee. If you or the agent processing this transaction has any questions regarding the transfer, please feel free to give Chuck Brockway of Brockway Engineering a call at (208) 736-8543 or call this office at (208) 387-4214.

Very truly yours,

Kevin J. Beaton

KJB:ww
Enclosures

cc: Paul Fay
Brockway Engineering, PLLC