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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 75838

**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant Spring Creek Idaho Ranch LLC Phone 208-726-6560Post Office address P.O. Box 4380 Ketchum ID 83340**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes Applicant seeks to add beneficial uses to an existing irrigation water right, convert acres for accompanying application for permit, and to create permissible place of use.

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MAR 12 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-1207¹</u>	<u>6/01/1881</u>	<u>4.66/</u>	<u>Irrigation</u>	<u>4/15 to 10/31</u>
<u>37-1207²</u>	<u>6/01/1881</u>	<u>0.14/</u>	<u>W, R, J</u>	<u>4/15 to 10/31</u>

2. Total amount of water being transferred 4.80 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Crystal Creek, Willow Creek tributary to Big Wood River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NE	SW	15	01s	18E	Blaine	Black Slough
	NE	SW	SE	15	01S	18E	Blaine	Crystal Creek
	NW	SW	NW	22	01S	18E	Blaine	Willow Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	18E	15																	54.2
01S	18E	22																	58.1
01S	18E	26																	116.6
01S	18E	27			40.4	40.4			40.0	40.0	40.2	40.2			40.4	40.5	40.3		362.4
01S	18E	28	39.7			39.9													79.6
01S	18E	15																	
01S	18E	22																	

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*Irrigation within proposed ~~627.7~~ 623.5 acre PPU will be limited to 143.8 acres with transfer approval.Total acres 627.7623.5

*Changes approved
CZD 3/31/2010*

PART 1**6. General Information:**

a. Description of diversion system Land is irrigated by means of gravity (flood) irrigation, and by sprinklers.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

None.

d. Remarks: Transfer seeks to change the nature of use for a portion of the existing water right to uses listed in the concurrent application for permit. Number of authorized irrigated acres will be reduced with approval of this transfer application. See accompanying water right transfers filed by Spring Creek Idaho Ranch LLC.

¹ Irrigation diversion rate/volume will continue to be diverted for irrigation use. Some irrigated area will be dried up for W,R,J uses associated with the concurrent permit.

² Individual water right diversion rate/volume to be converted to W,R,J uses listed on the accompanying permit application.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20____.

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

Current Water Right No.: 37-1207

Current Owner: SPRING CREEK IDAHO RANCH LLC

Priority Date: 6/1/1981

Origin: Adjudication Recommendation

Status: Active

Basis: Decreed

Source		Tributary	
BLACK SLOUGH		BIG WOOD RIVER	
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/15 to 10/31	4.8 CFS	
	Total Diversion	4.8 CFS	
Location of Point(s) of Diversion			
BLACK SLOUGH		SW1/4NE1/4SW1/4	Sec. 15, Twp 01S, Rge 18E B.M.
BLAINE County			
WILLOW CREEK		NW1/4SW1/4NW1/4	Sec. 22, Twp 01S, Rge 18E B.M.
BLAINE County			
CRYSTAL CREEK		NE1/4SW1/4SE1/4	Sec. 15, Twp 01S, Rge 18E B.M.
BLAINE County			

Place of Use

IRRIGATION within BLAINE County

T01S R18E S15	SWSW	18.00	T01S R18E S15	SESW	40.00
T01S R18E S22	NWNW	11.00	T01S R18E S26	SWNW	33.00
T01S R18E S26	NWSW	33.00	T01S R18E S27	SWNE	33.00
T01S R18E S27	SENE	33.00	T01S R18E S27	SWNW	33.00
T01S R18E S27	SENW	33.00	T01S R18E S27	NESW	33.00
T01S R18E S27	NWSW	33.00	T01S R18E S27	NESE	33.00
T01S R18E S27	NWSE	33.00	T01S R18E S28	SENE	2.00

Total Acres: 401

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(c), Idaho Code.
2. K06 This right is limited to the irrigation of 79 acres within Sections 26 and 27 and a total of 148 acres in the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 332 acres within Sections 26, 27 and 28 in a single irrigation season. Combined Right Nos. 37-180, 37-181, 37-310A, 37-233, 37-1207, 37-19831 and 37-231A.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.14 for Irrigation purposes from 4/15 to 10/31
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NE	SW	15	01s	18E	Blaine	Black Slough
	NE	SW	SE	15	01S	18E	Blaine	Crystal Creek
	NW	SW	NW	22	01S	18E	Blaine	Willow Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	18E	15											18.0	40					58.0
01S	18E	22						11.0											11.0
01S	18E	26							33.0			33.0							66.0
01S	18E	27			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
01S	18E	28				2.0													2.0

*Irrigation will be reduced by 4.2 within POU acres after water right transfer approval.

Total acres 401.0*

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 4.66/ for Irrigation purposes from 4/15 to 10/31
(cfs/ac-ft)

2. Point(s) of Diversion:

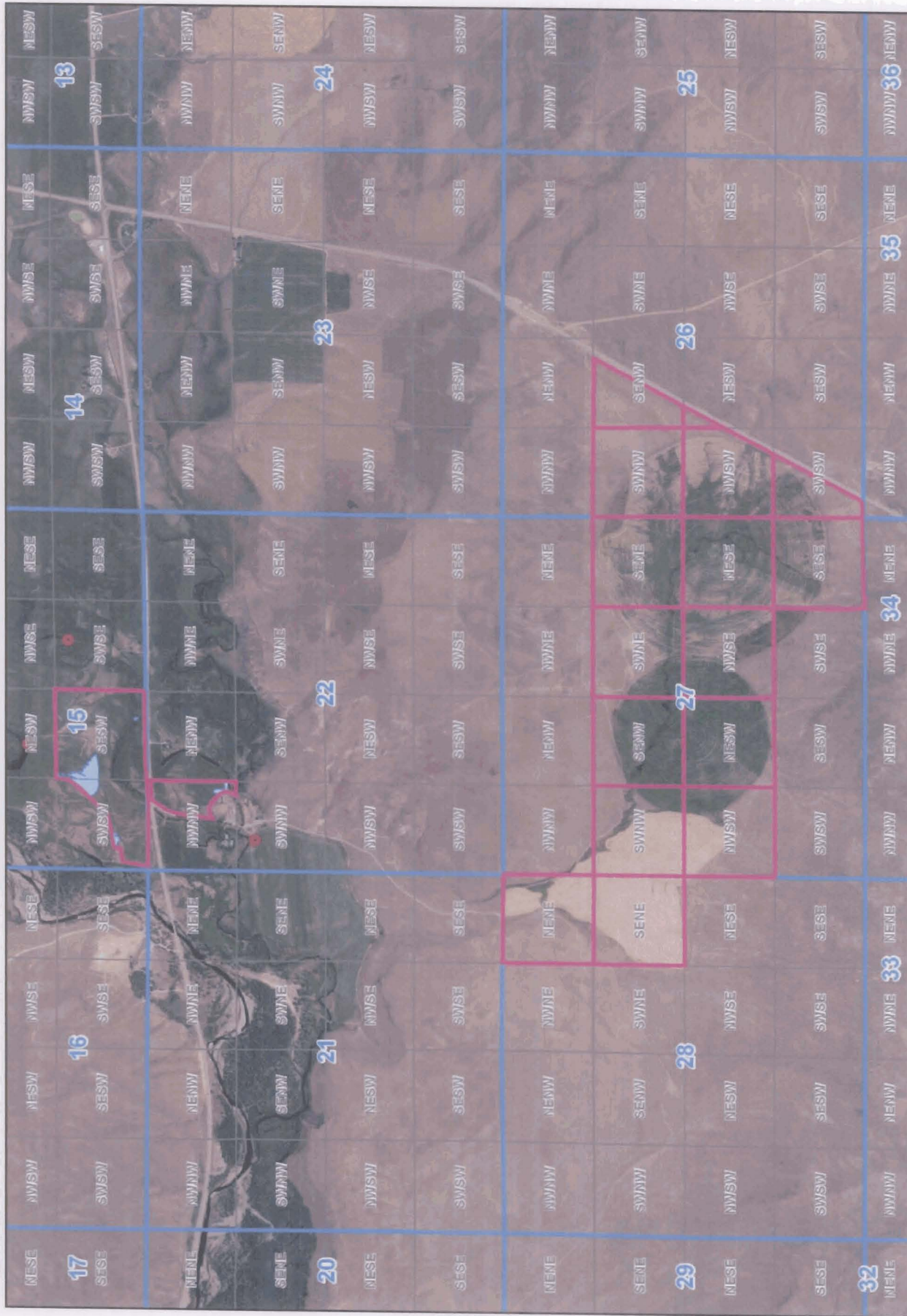
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NE	SW	15	01s	18E	Blaine	Black Slough
	NE	SW	SE	15	01S	18E	Blaine	Crystal Creek
	NW	SW	NW	22	01S	18E	Blaine	Willow Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	18E	15											18.0	40					58.0
01S	18E	22						11.0											11.0
01S	18E	26							33.0			33.0							66.0
01S	18E	27			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
01S	18E	28				2.0													2.0

*Irrigation will be reduced by 4.2 acres within POU after water right transfer approval.

Total acres 401.0*



1 inch equals 2,000.0 feet

**SPRING CREEK IDAHO RANCH LLC
WATER RIGHT TRANSFER 75838
WATER RIGHT 37-1207
NAIP 2004 AERIAL PHOTO**

Area to be Dried Up for Permit
SECTIONS
101s18e
Proposed PPU = 627.7 ac.
Points of Diversion

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	Wildlife	0.14/	24/200/	4/15 to 10/31
	Recreation	0.14/	24/200/	4/15 to 10/31
	Aesthetics	0.14/	24/200/	4/15 to 10/31
				to

2. Quantity and quality of return flows and location of discharge:

None.

3. Describe the effects on other water uses resulting from the proposed change:

None.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this



11th

day of

March

, 20 10.

Signature- George Kirk, Managing Member of Spring Creek Idaho Ranch LLC

A handwritten signature of Sheila D. Daniels.

(Notary Public)

My commission expires

Aug. 6, 2013

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____

Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ Approval ☐ Denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

SPRING CREEK IDAHO RANCH LLC**WATER RIGHT 37-1207**

BROCKWAY ENGINEERING PLLC

ACRES TO BE DRIED UP FOR NEW PERMIT = 4.2 Acres
TOTAL COMBINED ACRES = 148.0 Acres
PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT = 2.9%

Existing Water Rights:

RIGHT #	37-1207
SOURCE	BLACK SLOUGH AND WILLOW CREEK
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	06/01/1881
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	4.80 CFS
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	4.80 CFS
Total Volume Limit	N/A
Acre LIMIT	148.0 Acres
Combined Acre LIMIT	148.0 Acres
Combined Acre LIMIT	148.0 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-1207
SOURCE	BLACK SLOUGH AND WILLOW CREEK
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	06/01/1881
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.14 CFS
Total Volume Limit	N/A
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	0.14 CFS
Acre LIMIT	4.23 Acres
Combined Acre LIMIT	4.2 Acres
Combined Acre LIMIT	4.2 Acres

Remaining Water Rights

RIGHT #	37-1207
SOURCE	BLACK SLOUGH AND WILLOW CREEK
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	06/01/1881
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion Rate	4.66 CFS
Remaining Total Volume Limit	N/A
Remaining Total Diversion Rate	4.66 CFS
Remaining Acre Limit	143.8 Acres
Combined Acre LIMIT	143.8 Acres
Combined Acre LIMIT	143.8 Acres