

Page _____ of _____

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, mitigate (dry up) acres for accompanying application for permit, and to create permissible place of use.

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 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>4.63/</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| <u>37-1207²</u> | <u>6/01/1881</u> | <u>0.17/</u> | <u>W,R,J</u> | <u>4/15</u> to <u>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											18.3	39.8					58.1
01S	18E	22						11.0											11.0
01S	18E	26							39.8	20.1	2.2	36.8	17.7						116.6
01S	18E	27			40.4	40.4		~~4.1~~	40.0	40.0	40.2	40.2			40.4	40.5		40.3	366.5
01S	18E	28	39.7			39.9		~~4.1~~											79.6
01S	18E	15													W, P, J	W, P, J			
01S	18E	22						W, P, J											

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*Irrigation within 631.8 acre PPU will be limited to 142.7 acres with transfer approval.

Total acres 631.8

627.7
 CJB

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 mitigate for concurrent application for permit. Number of authorized irrigated acres will be reduced with approval of this transfer application. See accompanying water right transfers and narrative 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 to mitigate for W,R,J uses associated with the concurrent permit (see below).

² Diversion rate/volume to be used for mitigation and converted for 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

BLACK SLOUGH

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

4.9 CFS

Annual VolumeTotal Diversion
4.9 CFS**Location of Point(s) of Diversion**

BLACK SLOUGH

SW1/4NE1/4SW1/4

Sec. 15

Twp. 01S

Rge. 19E B.M.

BLAINE County

WILLOW CREEK

NW1/4SW1/4NW1/4

Sec. 22

Twp. 01S

Rge. 19E B.M.

BLAINE County

CRYSTAL CREEK

NE1/4SW1/4SE1/4

Sec. 15

Twp. 01S

Rge. 19E B.M.

BLAINE County

Place of UseIRRIGATION Within BLAINE County

T01S R18E S15	SWSW	18.00	T01S R18E S15	SESW	40.00
T01S R18E S22	NWNW	11.00	T01S R18E S22	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	SENE	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 S27	SENE	2.00

Total Acres: 331

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 40-4-4, 2016 Idaho Code.
2. K06: This right is limited to the irrigation of 70 acres within Sections 26 and 27 and a total of 146 acres in the place of use described above in a single irrigation season.
3. E55: 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.: 37-160, 37-191, 37-310A, 37-242, 37-1207, 37-15821 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 0.17 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											18.3	39.8					58.1
01S	18E	22						11.0											11.0
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01S	18E	27			40.4	40.4		4.1	40.0	40.0	40.2	40.2			40.4	40.5		40.3	366.5
01S	18E	28	39.7			39.9													79.6

*Irrigation will be reduced by 5.3 within proposed PPU acres after water right transfer approval.

Total acres 631.8*

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

1. Amount 4.63/ 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											18.3	39.8					58.1
01S	18E	22						11.0											11.0
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01S	18E	28	39.7			39.9													79.6

*Irrigation will be reduced by 5.3 acres within proposed PPU after water right transfer approval.

Total acres 631.8*



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	0.17/	24/200/	4/15 to 10/31
Recreation	0.17/	24/200/	4/15 to 10/31
Aesthetics	0.17/	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 13th day of August, 2009.

My commission expires 10/16/2010

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

Mary Baldwin
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted 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 _____