

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75839RECEIVED
JUN 15 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Spring Creek Idaho Ranch LLC Phone 208-726-6560
Post 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 create permissible place of use.

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
- | | | | | |
|----------|-----------|-------|------------|---------------|
| 37-310A | 3/24/1883 | 0.34/ | Irrigation | 4/15 to 10/31 |
| 37-19831 | 3/24/1883 | 1.02/ | Irrigation | 4/15 to 10/31 |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 1.36 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water 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
	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	26							39.8	20.1	2.2	36.8	17.7						116.6
01S	18E	27			40.4	40.4		~~40.1~~	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

PART 1

6. General Information:

a. Description of diversion system Land is irrigated 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 application only seeks to modify existing place of use, irrigated acreage
will not change following transfer approval.

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.: 37-310A

Current Owner: SPRING CREEK IDAHO RANCH LLC

Priority Date: 3/24/1883

Origin: Adjudication Recommendation

Status: Active

Basis: Decreed

Source	Tributary		
WILLOW CREEK	BIG WOOD RIVER		
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/15 to 10/31	0.34 CFS	
	Total Diversion	0.34 CFS	
Location of Point(s) of Diversion			
WILLOW CREEK		NW1/4SW1/4NW1/4	Sec. 22, Twp 01S, Rge 18E B.M.
BLAINE County			

Place of Use

IRRIGATION Within BLAINE County

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	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 S28	SENE	2.00			
Total Acres: 332					

Conditions of Approval:

1. K06 This right is limited to the irrigation of 68 acres within the place of use described above in a single irrigation season.
2. E55 Right Nos. 37-310A and 37-19831 are limited to the irrigation of a combined total of 68 acres in a single irrigation season.
3. 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(6), Idaho Code.
4. 192 To mitigate for injury to other water users caused by the diversion and use of water under this right, a river loss of 15% is assessed, the watermaster shall only deliver 0.34 cfs of this right at the point of diversion leaving 0.06 cfs in the river.

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JUN 15 2009

Page _____ of _____

PART 2

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer No. _____

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 _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

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	

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

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	

Total acres _____

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

Current Water Right No.: 37-19831

Current Owner: SPRING CREEK IDAHO RANCH LLC

Priority Date: 3/24/1883

Origin: Adjudication Recommendation

Status: Active

Basis: Decreed

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

Place of Use

IRRIGATION Within BLAINE County

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	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 S28	SENE	2.00			

Total Acres: 332

Conditions of Approval:

1. E55 Right Nos. 37-310A and 37-19831 are limited to the irrigation of a combined total of 68 acres in a single irrigation season.
2. 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(6), Idaho Code.
3. K06 This right is limited to the irrigation of 68 acres within the place of use described above in a single irrigation season.
4. 192 To mitigate for injury to other water users caused by the diversion and use of water under this right, a river loss of 15% is assessed, the watermaster shall only deliver 1.02 cfs of this right at the point of diversion leaving 0.18 cfs in the river.

JUN 15 09

Page _____ of _____

PART 2DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer No. _____

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 _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

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	

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

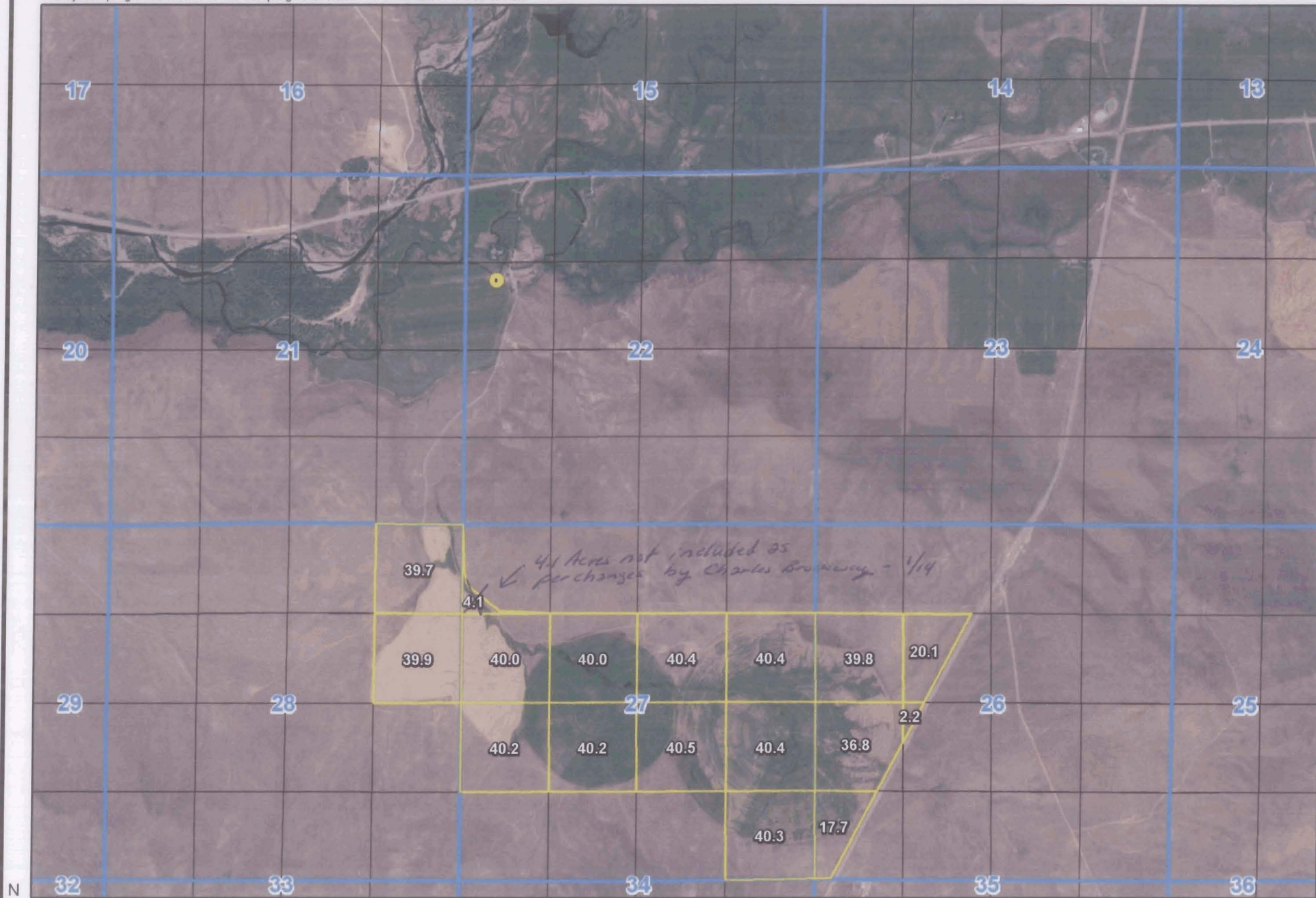
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

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	

Total acres _____



**SPRING CREEK IDAHO RANCH LLC
PROPOSED PPU CONFIGURATION
37-310A AND 37-19831
NAIP 2004 AERIAL PHOTO**

1 inch equals 2,000 feet

BROCKWAY ENGINEERING, PLLC.
ZL- 5/27/09

Legend

- 37-19831
- 37-310 A
- Proposed PPU = 562.7 ac.
- SECTIONS
- t01s18e

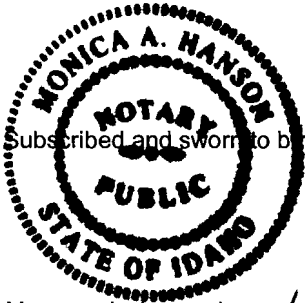
PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
N/A.			to _____ 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.



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

Subscribed and sworn to before me this 10th day of June, 2009.

Monica A. Hanson
(Notary Public)

My commission expires 11/29/2012

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 _____