

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 758562nd

**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 _____
2. Describe the reason for the proposed changes Applicant seeks to add beneficial uses to an existing irrigation water right, and to convert acres for accompanying application for permit.

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>37-2597¹</u> | <u>7/09/1957</u> | <u>1.23/322.9</u> | <u>Irrigation</u> | <u>4/15 to 10/31</u> |
| <u>37-2597²</u> | <u>7/09/1957</u> | <u>0.13/34.1</u> | <u>W, R, J</u> | <u>4/15 to 10/31</u> |
| <u>37-2597</u> | <u>7/09/1957</u> | <u>0.04/</u> | <u>Domestic</u> | <u>01/01 to 12/31</u> |
| <u>37-2764¹</u> | <u>11/19/1963</u> | <u>1.86/471.8</u> | <u>Irrigation</u> | <u>5/1 ~~4/15~~ to ~~10/31~~ 10/1</u> |
| <u>37-2764²</u> | <u>11/19/1963</u> | <u>0.12/29.2</u> | <u>W, R, J</u> | <u>5/1 ~~4/15~~ to ~~10/31~~ 10/1</u> |
| <u>37-2764</u> | <u>11/19/1963</u> | <u>0.04/</u> | <u>Domestic</u> | <u>01/01 to 12/31</u> |
2. Total amount of water being transferred 3.34 cubic feet per second and/or 858.0 acre-feet per annum.
3. Source of water Ground Water tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	SW	SE	15	01S	18E	BLAINE	WELL

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													29.5	4.4	25.0	36.2	95.1
01S	18E	22	15.0	25.0			26.0			5.0					32.0	5.1	26.0	39.0	104.1
01S	18E	15													W, R, JW, R, JW, R, JW, R, J				
01S	18E	15																D	
01S	18E	22	W, R, JW, R, JW, R, JW, R, J				W, R, J												

*Under 37-2597, Irrigation within 175.1 acre POU will be limited to 92.3 acres with transfer approval.

*Under 37-2764, Irrigation within 175.1 acre POU will be limited to 157.3 acres with transfer approval.

Total acres

166.1
175.1

*Changes approved
CWB 3/31/2010*

2

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount 0.12/29.2 for Irrigation purposes from 5/1 ~~4/15~~ to 10/1 ~~10/31~~
 (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
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	SW	SE	15	01S	18E	BLAINE	WELL

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													32.0	5.1	28.0	39.0	104.1
01S	18E	22	15.0	25.0			26.0			5.0									71.0

*Irrigation will be reduced by 9.7 acres after water right transfer approval.

Total acres 175.1***C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. Amount 1.86/471.8 for Irrigation purposes from 5/1 ~~4/15~~ to 10/1 ~~10/31~~
 (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
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	SW	SE	15	01S	18E	BLAINE	WELL

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													32.0	5.1	28.0	39.0	104.1
01S	18E	22	15.0	25.0			26.0			5.0									71.0

*Irrigation will be reduced by 9.7 acres after water right transfer approval.

Total acres 175.1*

3

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 0.13/34.1 for Irrigation purposes from 4/15 to 10/31
(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
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	SW	SE	15	01S	18E	BLAINE	WELL

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													32.0	5.1	28.0	39.0	104.1
01S	18E	22	15.0	25.0			26.0			5.0									71.0

*Irrigation will be reduced by 9.7 acres after water right transfer approval.

Total acres 175.1*

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

1. Amount 1.23/322.9 for Irrigation purposes from 4/15 to 10/31
(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
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	NE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	NE	SE	15	01S	18E	BLAINE	WELL
	SE	SW	SE	15	01S	18E	BLAINE	WELL

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													32.0	5.1	28.0	39.0	104.1
01S	18E	22	15.0	25.0			26.0			5.0									71.0

*Irrigation will be reduced by 9.7 acres after water right transfer approval.

Total acres 175.1*

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

Current Water Right No.: 37-2764

Current Owner: SPRING CREEK IDAHO RANCH LLC
Priority Date: 11/19/1963
Origin: Adjudication Recommendation
Status: Active
Basis: License

Source	Tributary				
GROUND WATER					
Beneficial Use	From	To	Diversion Rate	Annual Volume	
IRRIGATION	05:01	10:01	1.98 CFS	501 AF	
DOMESTIC	01:01	12:31	0.04 CFS		
	Total Diversion		1.98 CFS	501 AF	
Location of Point(s) of Diversion					
GROUND WATER	NE1/4NE1/4SE1/4		Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County					
GROUND WATER	SE1/4SW1/4SE1/4		Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County					
GROUND WATER	NE1/4NE1/4SE1/4		Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County					
GROUND WATER	SE1/4NE1/4SE1/4		Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County					

Place of Use

IRRIGATION Within BLAINE County

T01S R18E S15	NESE	32.00	T01S R18E S15	NWSE	5.10
T01S R18E S15	SWSE	28.00	T01S R18E S15	SESE	39.00
T01S R18E S22	NENE	15.00	T01S R18E S22	NWNE	25.00
T01S R18E S22	NENW	26.00	T01S R18E S22	SENW	5.00
Total Acres: 175.1					

DOMESTIC Within BLAINE County

T01S R18E S15	SWSE
---------------	------

Conditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. S37 The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. E55 Right Nos. 37-2597 and 37-2764 are limited to the irrigation of a combined total of 175.1 acres in a single irrigation season.
5. 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 42-14 (2)(b), Idaho Code.
6. E53 Right Nos. 37-2597 and 37-2764 are limited to a total combined annual diversion volume of 576 AF.
7. K06 This right is limited to the irrigation of 157 acres within the place of use described above in a single irrigation season.

PART 1

6. General Information:

a. **Description of diversion system** Property is irrigated using an extensive system of diversion ditches and laterals to gravity (flood) irrigate.

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:
Irrigated acreage will be reduced after transfer approval.

d. Remarks:

Transfer seeks to change the nature of use for portions of the existing water rights 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.: 37-2597

Current Owner: SPRING CREEK IDAHO RANCH LLC

Priority Date: 7/9/1957

Origin: Adjudication Recommendation

Status: Active

Basis: License

Source	Tributary			
GROUND WATER				
Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04:15	10:31	1.36 CFS	357 AF
DOMESTIC	01:01	12:31	0.04 CFS	
	Total Diversion		1.36 CFS	357 AF
Location of Point(s) of Diversion				
GROUND WATER	SE 1/4 NE 1/4 SE 1/4	Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NE 1/4 NE 1/4 SE 1/4	Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County				
GROUND WATER	NE 1/4 NE 1/4 SE 1/4	Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County				
GROUND WATER	SE 1/4 SW 1/4 SE 1/4	Sec. 15,	Twp 01S,	Rge 18E B.M.
BLAINE County				

Place of Use

IRRIGATION within BLAINE County

T01S R18E S15	NESE	32.00	T01S R18E S15	NWSE	5.10
T01S R18E S15	SWSE	28.00	T01S R18E S15	SESE	39.00
T01S R18E S22	NENE	15.00	T01S R18E S22	NWNE	25.00
T01S R18E S22	NENW	26.00	T01S R18E S22	SENW	5.00
Total Acres: 175.1					

DOMESTIC within BLAINE County

T01S R18E S15	SWSE
---------------	------

Conditions of Approval:

- 1 E55 Right Nos. 37-2597 and 37-2764 are limited to the irrigation of a combined total of 175.1 acres in a single irrigation season.
- 2 K06 This right is limited to the irrigation of 102 acres within the place of use described above in a single irrigation season.
- 3 N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
- 4 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.
- 5 N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.



- SECTIONS**
- 101s18e
 - Points of Diversion
 - Proposed Water Right Place of Use
 - Area to be Dried Up for Permit

**SPRING CREEK IDAHO RANCH LLC
WATER RIGHT TRANSFER 75856
WATER RIGHTS 37-2597 37-2764
NAIP 2004 AERIAL PHOTO**

1 inch equals 1,320 feet

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>
	<u>Wildlife</u>	<u>0.25/63.3</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Aesthetics</u>	<u>0.25/63.3</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Recreation</u>	<u>0.25/63.3</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>

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

N/A.

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

None. See accompanying narrative.

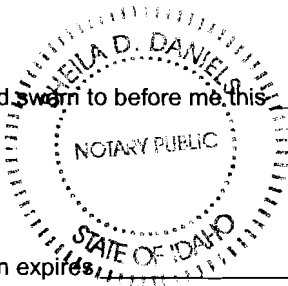
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

My commission expires

Aug. 6, 2013

(Applicant- George Kirk, Managing Member of Sun Valley Ranch LLC)

Sheila D. Daniel
(Notary Public)**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 3 attachmentsReceived by [Signature] Date 4/1/10

Protest filed by _____

Prelim. check by [Signature] Fee \$250.00 5031042Receipted by [Signature] Date 8/14/09

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 37-2597

BROCKWAY ENGINEERING PLLC

ACRES TO BE DRIED UP FOR NEW PERMIT =

9.7 Acres

TOTAL COMBINED ACRES =

102.0 Acres

PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT =

9.6%

Existing Water Rights:

RIGHT #	37-2597
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	7/9/1957
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	1.36 CFS
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	1.36 CFS
Total Volume Limit	357.0 AFA
Acre LIMIT	102.0 Acres
Combined Acre LIMIT	102.0 Acres
Combined Acre LIMIT	102.0 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-2597
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	7/9/1957
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.13 CFS
Total Volume Limit	34.1 AFA
Combined Diversion LIMIT	34.1 AFA
Total Diversion LIMIT	0.13 CFS
Acre LIMIT	9.75 Acres
Combined Acre LIMIT	9.7 Acres
Combined Acre LIMIT	9.7 Acres

Remaining Water Rights

RIGHT #	37-2597
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	7/9/1957
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion Rate	1.23 CFS
Remaining Total Volume Limit	322.9 AFA
Remaining Total Diversion Rate	1.23 CFS
Remaining Acre Limit	92.3 Acres
Combined Acre LIMIT	92.3 Acres
Combined Acre LIMIT	92.3 Acres

SPRING CREEK IDAHO RANCH LLC

WATER RIGHT 37-2764

BROCKWAY ENGINEERING PLLC

ACRES TO BE DRIED UP FOR NEW PERMIT =

9.7 Acres

TOTAL COMBINED ACRES =

167.0 Acres

PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT =

5.8%

Existing Water Rights:

RIGHT #	37-2764
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	11/19/1963
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	1.98 CFS
Combined Diversion	
LIMIT	N/A
Total Diversion LIMIT	1.98 CFS
Total Volume Limit	501.0 AFA
Acre LIMIT	167.0 Acres
Combined Acre LIMIT	167.0 Acres
Combined Acre LIMIT	167.0 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-2764
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	11/19/1963
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.12 CFS
Total Volume Limit	29.2 AFA
Combined Diversion	
LIMIT	29.2 AFA
Total Diversion LIMIT	0.12 CFS
Acre LIMIT	9.7 Acres
Combined Acre LIMIT	9.7 Acres
Combined Acre LIMIT	9.7 Acres

Remaining Water Rights

RIGHT #	37-2764
SOURCE	GROUND WATER
CURRENT OWNER	SPRING CREEK IDAHO RANCH LLC
PRIORITY DATE	11/19/1963
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion	
Rate	1.86 CFS
Remaining Total Volume	
Limit	471.8 AFA
Remaining Total	
Diversion Rate	1.86 CFS
Remaining Acre Limit	157.3 Acres
Combined Acre LIMIT	157.3 Acres
Combined Acre LIMIT	157.3 Acres