

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 758541st **AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant Spring Creek Idaho Ranch LLC Phone 208-726-1780Post Office address P.O. Box 4380 Ketchum, ID 83340**RECEIVED****AUG 13 2009****DEPT. OF WATER RESOURCES
SOUTHERN REGION****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 mitigate (dry up) 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>37-139¹</u> | <u>6/01/1883</u> | <u>2.65/</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| <u>37-139²</u> | <u>6/01/1883</u> | <u>0.35/</u> | <u>W,R,J</u> | <u>4/15</u> to <u>10/31</u> |
2. Total amount of water being transferred 3.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Crystal Creek tributary to Willow Creek
4. Point(s) of Diversion:

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

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													40.0			40.0	80.0
01S	18E	22	16.0																16.0
01S	18E	15													W, R, J			W, R, J	
01S	18E	22	W, R, J																

*Irrigation within 96.0 acre POU will be limited to 84.7 acres with transfer approval.

Total acres 96.0*

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 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.: 37-139

Priority Date: 6/1/1883

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source

CRYSTAL CREEK

Tributary

WILLOW CREEK

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Total Diversion

Diversion Rate

3.0 CFS

3.0 CFS

Annual Volume

Location of Point(s) of Diversion

CRYSTAL CREEK

NW 1/4 NE 1/4 SE 1/4

Sec. 15, Twp 01S, Rge 19E S.M.

BLAINE County

Place of Use

IRRIGATION WITHIN BLAINE County

				NE				NW				SW				SE					
Twp	Rge	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
01S	19E	15														40			40	90	
01S	19E	22 16																		16	

Total Acres: 96

Conditions of Approval:

1. P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER

2. C18 This part of 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)

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount 0.35/ 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
	NW	NE	SE	15	01S	18E	BLAINE	

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													40.0			40.0	80.0
01S	18E	22	16.0																16.0

*Irrigation will be reduced by 11.3 acres after water right transfer approval.

Total acres 96.0***C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. Amount 2.65/ 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
	NW	NE	SE	15	01S	18E	BLAINE	

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													40.0			40.0	80.0
01S	18E	22	16.0																16.0

*Irrigation will be reduced by 11.3 acres after water right transfer approval.

Total acres 96.0*



1 inch equals 1,320 feet

**SPRING CREEK IDAHO RANCH LLC
WATER RIGHT TRANSFER 37-139
NAIP 2004 AERIAL PHOTO**

- Legend**
- Area to be dried up for Permit
 - 37-139_REC_POD
 - 37-139_IDWR_REC_POU
 - Area to be Dried Up & POU for Permit



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>0.35/</u>	<u>24/200</u>	<u>4/15 to 10/31</u>
	<u>Aesthetics</u>	<u>0.35/</u>	<u>24/200</u>	<u>4/15 to 10/31</u>
	<u>Recreation</u>	<u>0.35/</u>	<u>24/200</u>	<u>4/15 to 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

13th

day of

August, 20 09.(Applicant- George Kirk, Managing Member of Sun Valley Ranch LLC)Mary Baldwin
(Notary Public)

My commission expires

10/16/2010**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachmentsReceived by MB Date 8/13/09

Protest filed by _____

Prelim. check by JR Fee \$250.00Receipted by JR Date 8/14/09 5031042

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 _____