

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75854APPLICATION 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

A. PURPOSE OF TRANSFER

AUG 06 2009

1. ☐ Change point of diversion ☐ Add diversion point ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
- | | | | | |
|---------------------|-----------|-------|------------|---------------|
| 37-139 ¹ | 6/01/1883 | 2.65/ | I, W, R, J | 4/15 to 10/31 |
| 37-139 ² | 6/01/1883 | 0.35/ | W, R, J | 4/15 to 10/31 |
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 portions of 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 concurrently by Sun Valley Ranch LLC.
¹ Existing recommended irrigation diversion rate/volume will continue to be diverted for irrigation and for mitigation of open water evaporation. Some irrigated area will be dried up to mitigate for additional open water evaporation associated with the permit application for W,R,J.
² Diversion rate/volume to be 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	From To	Diversion Rate	Annual Volume
IRRIGATION	04/15 to 10/31	3 CFS	
	Total Diversion	3 CFS	

Location of Point(s) of Diversion

CRYSTAL CREEK

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

Sec. 15, Twp 01S, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	15													40			40	80
01S	18E	22 16																	16

Total Acres: 96

Conditions of Approval:

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

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 42-14 (2)(6), Idaho Code.

4

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit parts 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 9.7 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:

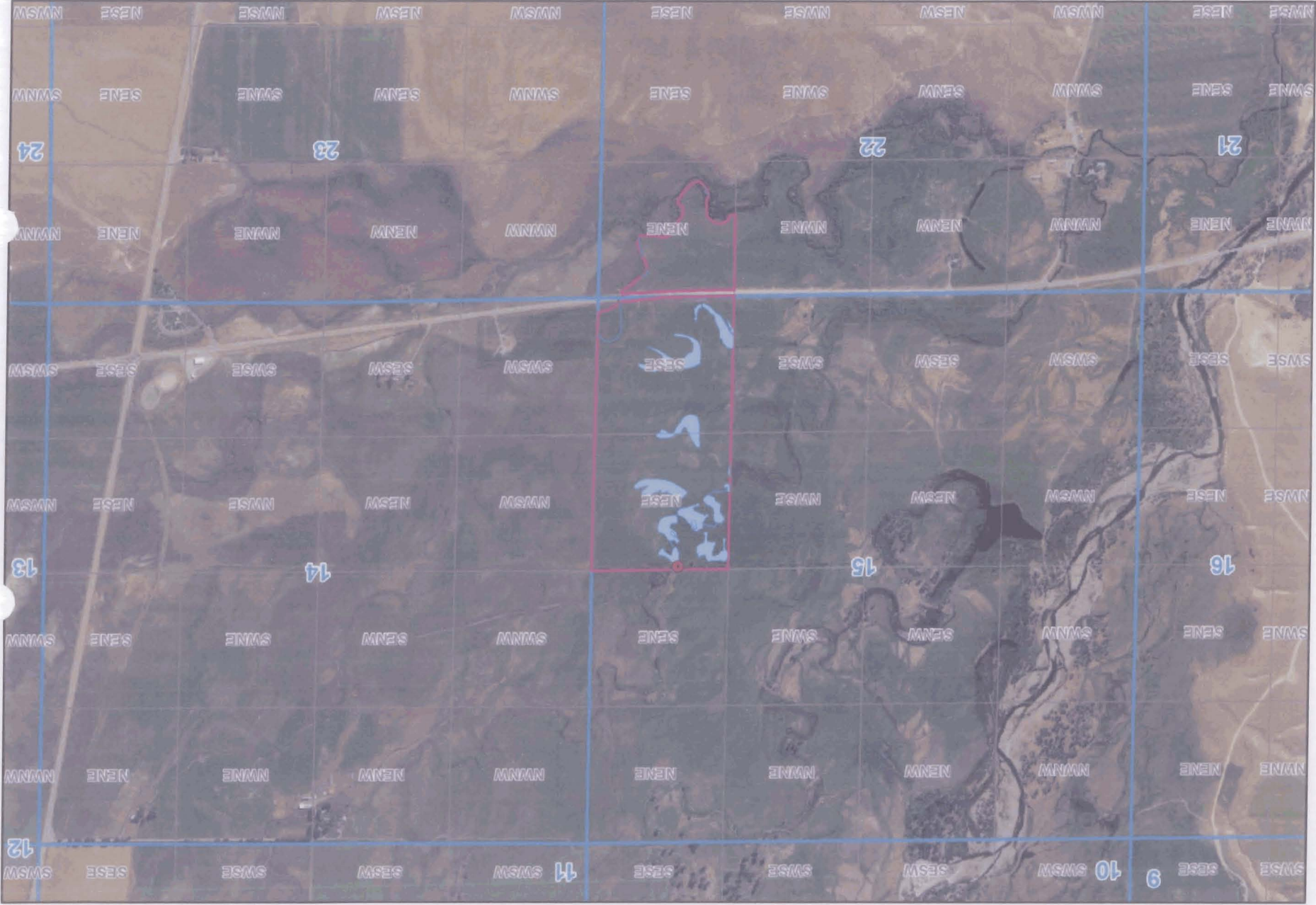
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NE	SE	15	01S	18E	BLAINE	

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*



SPRING CREEK IDAHO RANCH LLC
TRANSFER #1 - 37-139 PERMIT STORAGE AREAS
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>3.00/</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Aesthetics</u>	<u>3.00/</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Recreation</u>	<u>3.00/</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.

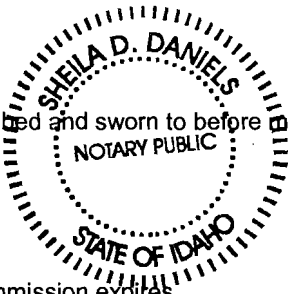
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

6th

day of

August, 20 09.

Chas & Brockway
for (Applicant- George Kirk, Managing Member of Sun Valley Ranch LLC)

Sheila D. Daniels
(Notary Public)

My commission expires

Aug. 6, 2013**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by [initials] Date 8/6/09

Protest filed by _____

Prelim. check by [initials] Fee \$250.00 SD31042Receipted by [initials] 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 _____