

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 758511st. **AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant Sun Valley Ranch LLC Phone 208-726-1780Post 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, add beneficial uses to a portion of existing irrigation rights to mitigate (dry up) for accompanying application for permit.

RECEIVED
AUG 13 2009
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
- 37-2538¹ 6/20/1953 1.35/235.7 Irrigation 4/15 to 10/31
- 37-2538² 6/20/1953 0.30/53.4 W, R, J 4/15 to 10/31
2. Total amount of water being transferred 1.65 cubic feet per second and/or 289.1 acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NE	NW	13	01S	18E	BLAINE	WELL
	NE	NE	NW	13	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	13					W, R, J	W, R, J	W, R, J	W, R, J									
01S	18E	14	W, R, J			W, R, J													
01s	18E	13					40.2	40	40	40.2									160.4
01S	18E	14	4.4			11.1													15.5

*Irrigation within proposed 175.9 acre PPU will be limited to 67.3 acres with transfer approval

Total acres 175.9*

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 create a permissible place of use, and 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 Sun Valley 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.: 37-2538

Current Owner: SUN VALLEY RANCH LLC
 Priority Date: 6/20/1953
 Origin: Adjudication Recommendation
 Status: Active
 Basis: License

Source	Tributary					
GROUND WATER						
Beneficial Use	From	To	Diversion Rate	Annual Volume		
IRRIGATION	04/15 to 10/31		1.65 CFS	289.1 AF		
	Total Diversion		1.65 CFS	289.1 AF		
Location of Point(s) of Diversion						
GROUND WATER			NE1/4NE1/4NW1/4	Sec. 13,	Twp 01S,	Rge 18E B.M.
BLAINE County						
GROUND WATER			NE1/4NE1/4NW1/4	Sec. 13,	Twp 01S,	Rge 18E B.M.
BLAINE County						
Place of Use						
<u>IRRIGATION Within BLAINE County</u>						
T01S R18E S13	NENW	30.00	T01S R18E S13	NWNW	18.00	
T01S R18E S13	SWNW	7.20	T01S R18E S13	SENW	27.00	
T01S R18E S14	NENE	0.30				
Total Acres: 92.5						

Conditions of Approval:

- 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(a), Idaho Code).
- C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
- E51 Right Nos. 37-2538 and 37-22052 are limited to a total combined diversion rate of 1.65 cfs.
- C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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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 0.30/53.4 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	NW	13	01S	18E	BLAINE	WELL
	NE	NE	NW	13	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	13					33.0	11.0	8.2	30.0									82.2
01S	18E	14	0.4																0.4

*Irrigation will be reduced by 15.3 acres after water right transfer approval.

Total acres 82.6*

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

1. Amount 1.35/235.7 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:

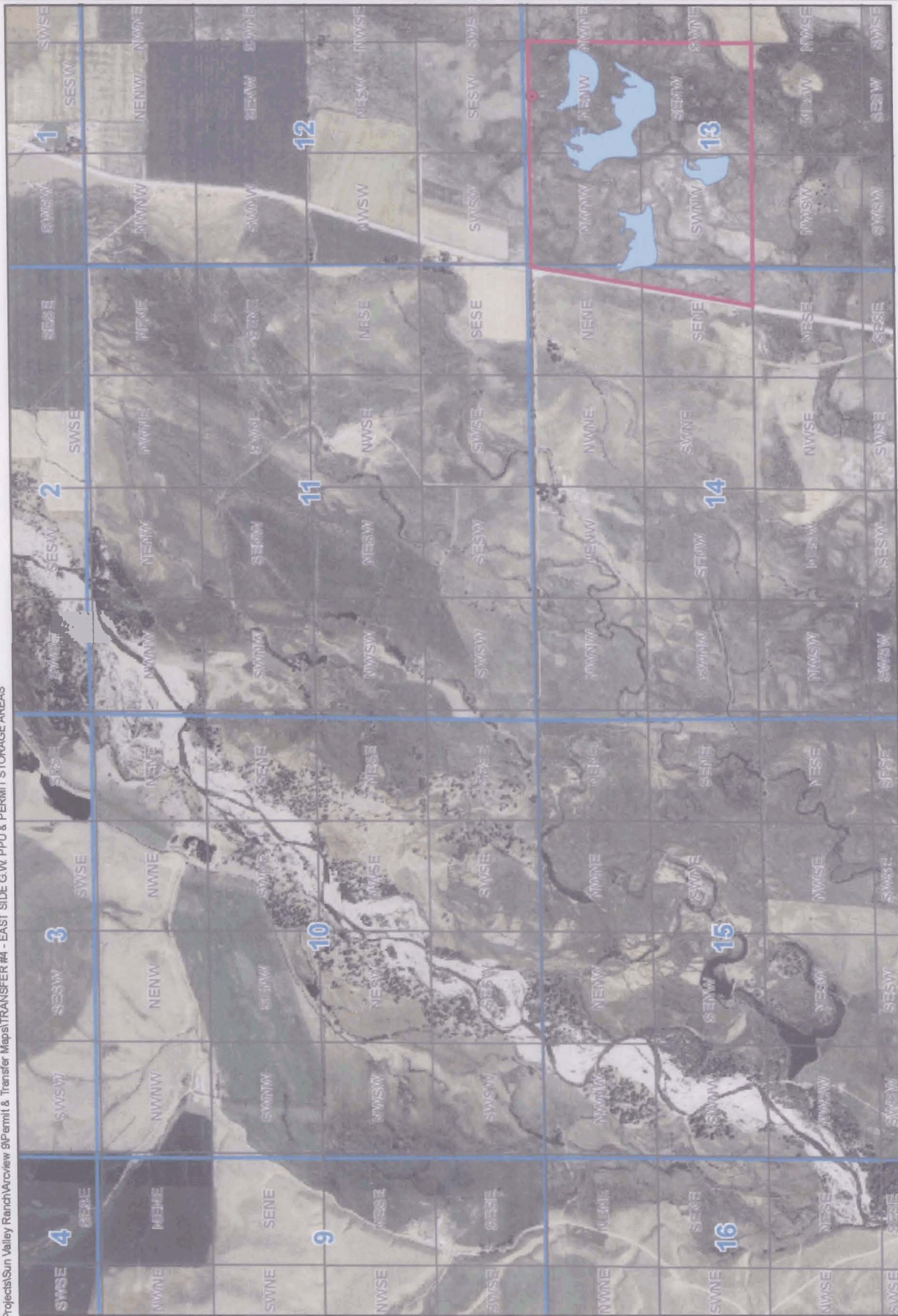
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NE	NW	13	01S	18E	BLAINE	WELL
	NE	NE	NW	13	01S	18E	BLAINE	WELL

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	13					33.0	11.0	8.2	30.0									82.2
01S	18E	14	0.4																0.4

*Irrigation will be reduced by 15.3 acres after water right transfer approval.

Total acres 82.6*



1 inch equals 1,600 feet

Legend

- Proposed PPU for 37-2538
- Area to be Dried Up & POU for Permit
- sections
- 101s18e
- Points of Diversion

SUN VALLEY RANCH- 37-2538

TRANSFER #4 - EAST SIDE G.W. PPU & PERMIT STORAGE AREAS

T.01S R.18E SEC. 13, 14

2006 NAIP AERIAL PHOTO

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

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	Wildlife	0.30/53.4	24/200/	4/15 to 10/31
	Aesthetics	0.30/53.4	24/200/	4/15 to 10/31
	Recreation	0.30/53.4	24/200/	4/15 to 10/31

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

N/A.

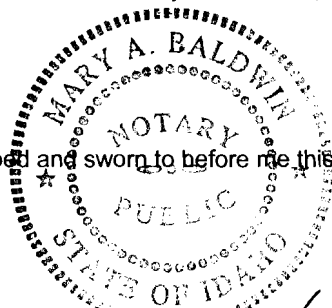
3. Describe the effects on other water uses resulting from the proposed change:

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 [Signature] Fee \$290.00 5031041Receipted 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 _____

SUN VALLEY RANCH LLC
EAST SIDE GROUND WATER TRANSFER CALCULATIONS

BROCKWAY ENGINEERING PLLC

8/6/2009

ACRES TO BE DRIED UP FOR NEW PERMIT =

15.3 Acres

TOTAL COMBINED ACRES =

82.6 Acres

PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT =

18.5%

Existing Water Rights:

RIGHT #	37-2538
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	6/20/1953
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	1.65 CFS
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	1.65 CFS
Total Volume Limit	289.1 AFA
Acre LIMIT	82.6 Acres
Combined Acre LIMIT	82.6 Acres
Combined Acre LIMIT	82.6 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-2538
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	6/20/1953
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.30 CFS
Total Volume Limit	53.4 AFA
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	0.30 CFS
Acre LIMIT	15.27 Acres
Combined Acre LIMIT	15.3 Acres
Combined Acre LIMIT	15.3 Acres

Remaining Water Rights

RIGHT #	37-2538
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	6/20/1953
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion Rate	1.35 CFS
Remaining Total Volume Limit	235.7 AFA
Remaining Total Diversion Rate	1.35 CFS
Remaining Acre Limit	67.3 Acres
Combined Acre LIMIT	67.3 Acres
Combined Acre LIMIT	67.3 Acres