

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75851APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Sun Valley Ranch LLC Phone 208-726-1780
Post Office address P.O. Box 4380 Ketchum, ID 83340

RECEIVED

AUG 06 2009

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use ☒ Other Create PPU
- ☒ Change nature of use ☐ Change period of use
2. Describe the reason for the proposed changes Applicant seeks to create permissible place of use, add beneficial uses to an existing irrigation water right, and to mitigate (dry up) acres for accompanying application for permit.

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 1.35/202.3 I, W, R, J 4/15 to 10/31
- 37-2538² 6/20/1953 0.30/86.8 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

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 change the nature of use for portions of existing water rights 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 _____.

Transfer No. 75851
 Receipt No. 5031041

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

Current Water Right No. 37-2538

Priority Date: 06/20/1953

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.65 CFS	289.1 AFA	
Total Diversion			1.65 CFS	289.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENW 01S 18E 13 BLAINE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 18E 13					33.0	11.0	8.2	30.0									82.2
01S 18E 14	.4																.4

Total Acres: 82.6

Conditions/Remarks:

1. 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.
2. Right Nos. 37-2538 and 37-22052 are limited to a total combined diversion rate of 1.65 cfs.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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

Transfer No. 75851
Receipt No. 5031041

Current Water Right No. 37-2538

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO.

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NONE.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO.

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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

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

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*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75851

A. Draw a map or attach a

USGS map indicating the new

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAP.

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>1.65/289.1</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Aesthetics</u>	<u>1.65/289.1</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Recreation</u>	<u>1.65/289.1</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.

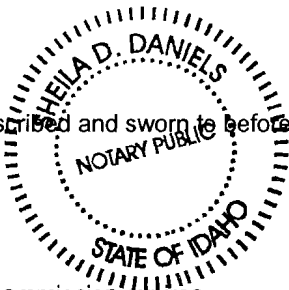
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

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

Sheila D. Daniels
(Notary Public)

My commission expires

Aug 16, 2013**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 0 attachmentsReceived by [Signature] Date 8/6/09

Protest filed by _____

Prelim. check by [Signature] Fee \$290.00 S031041Receipted 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 _____