

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75852**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of applicant Sun Valley Ranch LLC Phone 208-726-1780
Post 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
existing irrigation water right, and to mitigate (dry up) acres 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
<u>37-22050¹</u>	<u>4/15/1950</u>	<u>2.27/396.5</u>	<u>Irrigation</u>	<u>4/15 to 10/31</u>
<u>37-22050²</u>	<u>4/15/1950</u>	<u>0.83/146.0</u>	<u>W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-22050</u>	<u>4/15/1950</u>	<u>0.04/</u>	<u>Stockwater</u>	<u>1/01 to 12/31</u>

2. Total amount of water being transferred 3.10 cubic feet per second and/or 542.5 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
	NW	SE	NE	11	01S	18E	BLAINE	WELL
	NW	NW	NW	12	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	11	13.0		10.0	40					5.3			27.0	41.0	33.0			169.3
01S	18E	12						0.80	14.0										14.8
01S	18E	14		34.0	8.7		35.0	40.0	40.0	38.0									195.7
01S	18E	15	6.50			20.0													26.5
01S	18E	11	W, R, J		W, R, J	W, R, J					W, R, J			W, R, J	W, R, J	W, R, J			
01S	18E	12						W, R, J	W, R, J										
01S	18E	14		W, R, J	W, R, J		W, R, J	W, R, J	W, R, J	W, R, J									
01S	18E	15	W, R, J			W, R, J													
01S	18E	11	S		S	S					S			S	S	S			
01S	18E	12						S	S										
01S	18E	14		S	S		S	S	S	S									
01S	18E	15	S			S													

*Irrigation within 406.3 acre POU will be limited to 113.3 acres with transfer approval

Total acres 406.3*

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 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 2

Current Water Right No. 37-22050

Priority Date: 04/15/1950

Origin: Adjudication Recommendation

Basis: Beneficial Use

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	3.10 CFS	542.5 AFA	
STOCKWATER	01/01 12/31	0.04 CFS		
Total Diversion		3.10 CFS	542.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSENE 01S 18E 11 BLAINE

GROUND WATER NWNWNW 01S 18E 12 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 11	13.0		10.0	40.0					5.3			27.0	41.0	33.0			169.3
01S 18E 12					.8	14.0											14.8
01S 18E 14		34.0	8.7		35.0	40.0	40.0	38.0									195.7
01S 18E 15	6.5			20.0													26.5

Total Acres: 406.3

PLACE OF USE: STOCKWATER

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 11	X		X	X					X			X	X	X			
01S 18E 12						X	X										
01S 18E 14		X	X		X	X	X	X									
01S 18E 15	X			X													

Conditions/Remarks:

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

Current Water Right No. 37-22050

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. The rights listed below are limited to the irrigation of a combined total of 1084.1 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ and 37-22050.
3. This right is limited to the irrigation of 155 acres within the place of use described above in a single irrigation season.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The rights listed below are limited to the irrigation of a combined total of 1168.5 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ, 37-2492 and 37-22050.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(if the water right is to be changed by the applicant, omit B and C)

1. Amount 0.83/146.0 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	SE	NE	11	01S	18E	BLAINE	WELL
	NW	NW	NW	12	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	11	13.0		10.0	40					5.3			27.0	41.0	33.0			169.3
01S	18E	12						0.80	14.0										14.8
01s	18E	14		34.0	8.7		35.0	40.0	40.0	38.0									195.7
01S	18E	15	6.50			20.0													26.5

Irrigation will be reduced by 41.7 acres after water right transfer approval. Total acres 406.3

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

1. Amount 2.27/396.5 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)

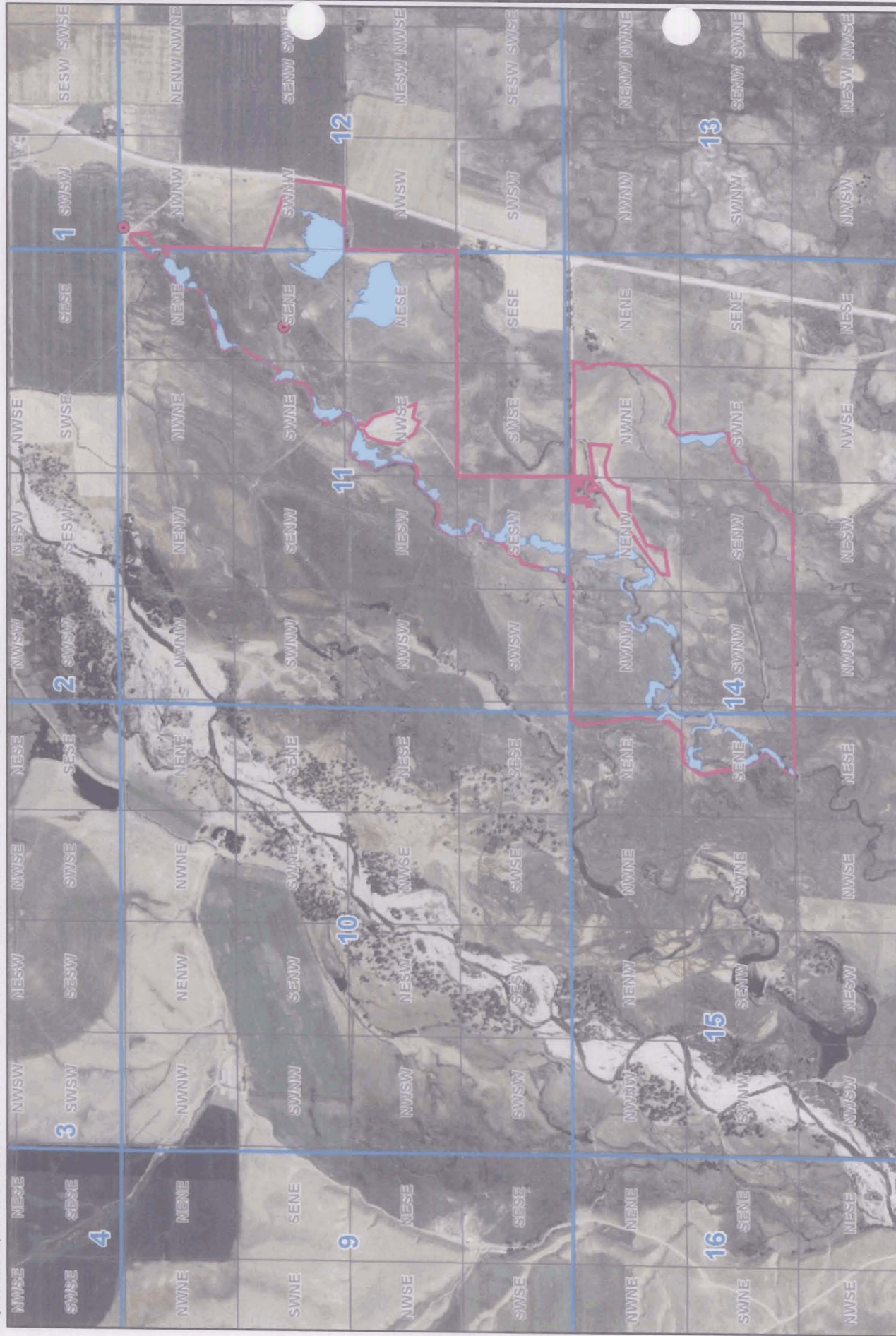
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	11	01S	18E	BLAINE	WELL
	NW	NW	NW	12	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	11	13.0		10.0	40					5.3			27.0	41.0	33.0			169.3
01S	18E	12						0.80	14.0										14.8
01s	18E	14		34.0	8.7		35.0	40.0	40.0	38.0									195.7
01S	18E	15	6.50			20.0													26.5

Irrigation in 406.3 acre POU will be reduced by 41.7 acres after water right transfer approval. Total acres 406.3



1 inch equals 1,600 feet

Legend

- Areas to Be Dried Up for Permit
- Rec. POU for 37-22050 = 408.3 Acres
- ID1s18e
- sections
- REC_POD_37-22050

SUN VALLEY RANCH- 37-22050

Transfer #6 - GW A1 & A2, NEW PERMIT STORAGE AREAS

2006 NAIP AERIAL PHOTO

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

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Wildlife	0.83/146.0	24/200	4/15 to 10/31
	Aesthetics	0.83/146.0	24/200	4/15 to 10/31
	Recreation	0.83/146.0	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.

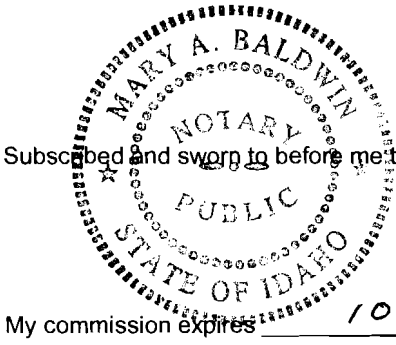
Subscribed and sworn to before me this

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 7 pages and 2 attachmentsReceived by MB Date 8/13/09

Protest filed by _____

Prelim. check by [initials] Fee \$250.00Receipted by [initials] Date 8/13/09 SO31041

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
MIDDLE RANCH GROUND WATER TRANSFER CALCULATIONS
 BROCKWAY ENGINEERING PLLC
 8/6/2009

ACRES TO BE DRIED UP FOR NEW PERMIT = **41.7 Acres**
 TOTAL COMBINED ACRES = **155.0 Acres**
 PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT = **26.9%**

Existing Water Rights:

RIGHT #	37-22050
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	4/15/1950
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Total Diversion LIMIT	3.10 CFS
Total Volume Limit	542.5 AFA
Acre LIMIT	155.0 Acres
Combined Acre LIMIT	155.0 Acres
Combined Acre LIMIT	155.0 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-22050
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	4/15/1950
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.83 CFS
Diversion Volume	146.0 AFA
Acre LIMIT	41.72 Acres
Combined Acre LIMIT	41.7 Acres
Combined Acre LIMIT	41.7 Acres

Remaining Water Rights

RIGHT #	37-22050
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	4/15/1950
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion Rate	2.27 CFS
Remaining Total Diversion Rate	396.5 AFA
Remaining Acre Limit	113.3 Acres
Combined Acre LIMIT	113.3 Acres
Combined Acre LIMIT	113.3 Acres