

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 758531st. **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**RECEIVED****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 _____

AUG 13 2009**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
- | | | | | |
|----------------------------|------------------|-------------------|-------------------|----------------------|
| <u>37-2492¹</u> | <u>9/16/1948</u> | <u>2.31/404.6</u> | <u>Irrigation</u> | <u>4/15 to 10/31</u> |
| <u>37-2492²</u> | <u>9/16/1948</u> | <u>0.06/10.2</u> | <u>W, R, J</u> | <u>4/15 to 10/31</u> |
2. Total amount of water being transferred 2.37 cubic feet per second and/or 414.8 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	NE	14	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	14	W, R, J	W, R, J	W, R, J	W, R, J	W, R, J			W, R, J									
01S	18E	14	31.0	14.0	40.0	20.0	0.50			13.0									118.5

*Irrigation within proposed 118.5 acre POU will be limited to 115.6 acres with transfer approval.

Total acres 118.5*

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:**
A portion of irrigated acreage considered supplemental 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. 37-2492

Priority Date: 09/16/1948

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	2.37 CFS	414.8 AFA	
Total Diversion		2.37 CFS	414.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENE 01S 18E 14 BLAINE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01S 18E 14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	118.5
	31.0	14.0	40.0	20.0	.5			13.0									

Total Acres: 118.5

Conditions/Remarks:

1. 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 and 37-2492.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. 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.
4. This right is supplemental to surface water on 34.1 acres.
5. 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.
6. Right Nos. 37-2492 and 37-22051 are limited to a total combined diversion rate of 2.37 cfs.

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

Current Water Right No. 37-2492

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

- Amount 0.06/10.2 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)

- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NE	NE	14	01S	18E	BLAINE	WELL

- 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	14	31.0	14.0	40.0	20.0	0.50			13.0									118.5

*Irrigation will be reduced by 2.9 acres (within supplemental portion) after water right transfer approval.

Total acres 118.5★

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

- Amount 2.31/404.6 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)

- Point(s) of Diversion:

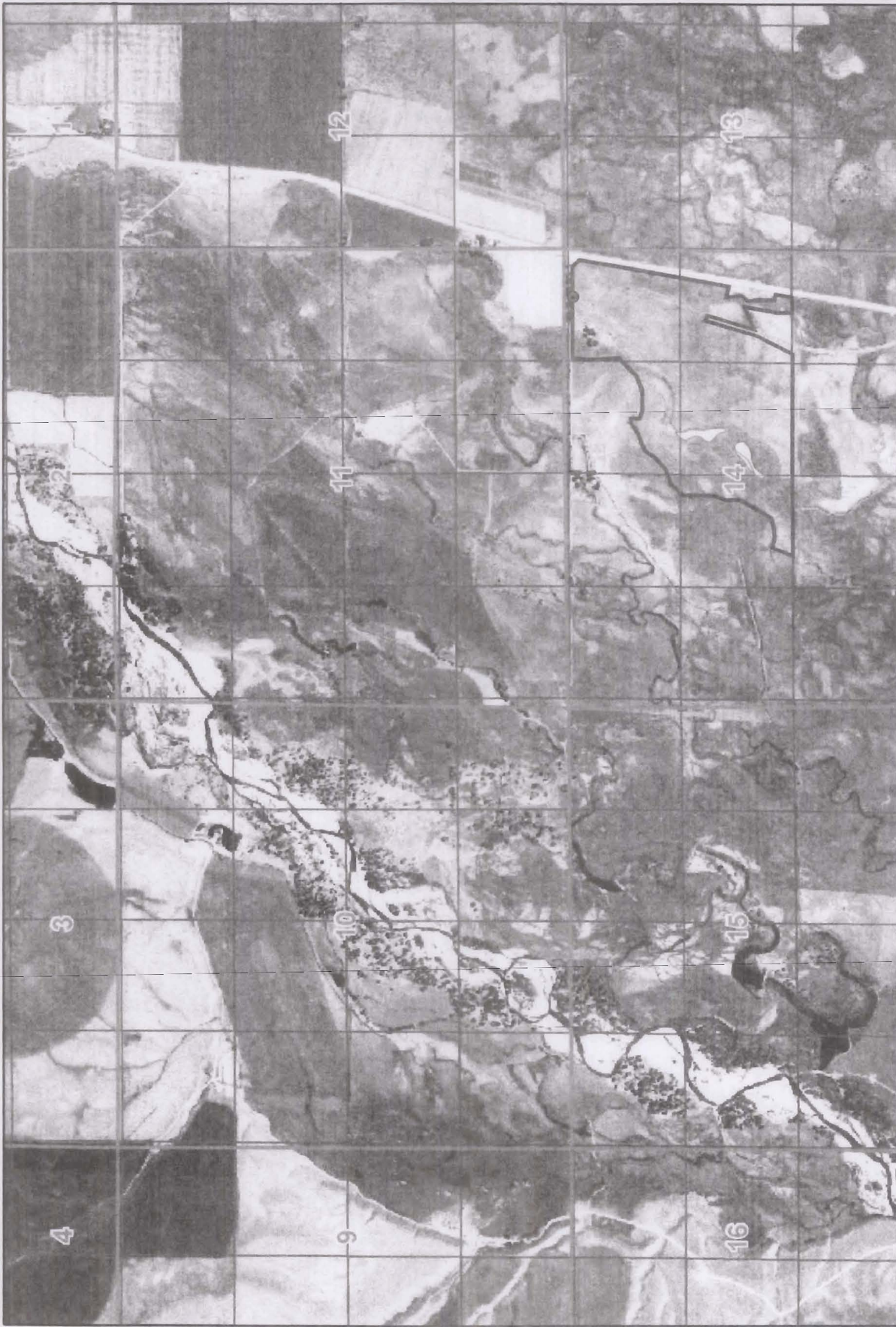
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NE	NE	14	01S	18E	BLAINE	WELL

- 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	14	31.0	14.0	40.0	20.0	0.50			13.0									118.5

*Irrigation will be reduced by 2.9 acres (within supplemental portion) after water right transfer approval.

Total acres 118.5★



1 inch equals 1,600 feet

Legend

-  Areas to be Dried Up for Permit
-  Rec. POU for 37-2492 = 118.5 acres
-  D/Is 18e
-  sections
-  Points of Diversion

SUN VALLEY RANCH - 37-2492
Transfer #5 - GROUND WATER PPU & PERMIT STORAGE AREAS.mxd
T.01S R.18E SEC. 14
2006 NAIP AERIAL PHOTO

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>0.06/10.2</u>	<u>24/200/</u>	<u>4/15 to 10/31</u>
	<u>Aesthetics</u>	<u>0.06/10.2</u>	<u>24/200/</u>	<u>4/15 to 10/31</u>
	<u>Recreation</u>	<u>0.06/10.2</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.

Charles George Kirk, Managing Member of Sun Valley Ranch LLC
(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 JR Fee \$100.00 5031041Receipted by JR 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 = 2.9 Acres
TOTAL COMBINED ACRES = 118.5 Acres
PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT = 2.5%

Existing Water Rights:

RIGHT #	37-2492
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	9/16/1948
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	2.37 CFS
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	2.37 CFS
Total Volume Limit	414.8 AFA
Acre LIMIT	118.5 Acres
Combined Acre LIMIT	118.5 Acres
Combined Acre LIMIT	118.5 Acres

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-2492
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	9/16/1948
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Diversion Rate	0.06 CFS
Total Volume Limit	10.2 AFA
Combined Diversion LIMIT	N/A
Total Diversion LIMIT	0.06 CFS
Acre LIMIT	2.92 Acres
Combined Acre LIMIT	2.9 Acres
Combined Acre LIMIT	2.9 Acres

Remaining Water Rights

RIGHT #	37-2492
SOURCE	GROUND WATER
CURRENT OWNER	SUN VALLEY RANCH LLC
PRIORITY DATE	9/16/1948
BASIS	RECOMMENDED IN SRBA
USE	IRRIGATION
Remaining Diversion Rate	2.31 CFS
Remaining Total Volume Limit	404.6 AFA
Remaining Total Diversion Rate	2.31 CFS
Remaining Acre Limit	115.6 Acres
Combined Acre LIMIT	115.6 Acres
Combined Acre LIMIT	115.6 Acres