

Page 1 of 13STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 758502nd **AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1Name of applicant Sun Valley Ranch LLC Phone 208-726-6560Post Office address P.O. Box 4380 Ketchum, ID 83348

RECEIVED

APR 11 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

MAR 12 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION**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 rights and to convert 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
37-69B ¹	10/26/1886	2.79/	Irrigation	4/15 to 10/31
37-69B ²	10/26/1886	0.21/	W,R,J	4/15 to 10/31
37-70 ¹	05/15/1887	1.86/	Irrigation	4/15 to 10/31
37-70 ²	05/15/1887	0.14/	W,R,J	4/15 to 10/31
37-71B ¹	05/01/1892	0.46/	Irrigation	4/15 to 10/31
37-71B ²	05/01/1892	0.04/	W,R,J	4/15 to 10/31

2. Total amount of water being transferred 5.50 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Big Wood River tributary to Malad River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	SW	NE	10	01S	18E	BLAINE	FLOOD #64

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	10									W, R, J	W, R, J	W, R, J	W, R, J					
01S	18E	15					W, R, J	W, R, J	W, R, J										
01S	18E	16	W, R, J		W, R, J														
01S	18E	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15					18.5	20.0	12.0										30.5
01S	18E	16	15.6		25.2														40.8

*Irrigation within ~~184.2~~ acre POU will decrease by 13.0 acres after transfer approval.Total acres ~~184.2~~

171.5

171.5

Changes approved
CEB 3/31/2010

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 but the place of use will remain the same.

d. Remarks: Transfer seeks to change the nature of use for a portion of the existing water rights to uses listed in the concurrent application for permit. Number of authorized irrigated acres will be reduced with approval of this transfer application. See accompanying water right transfers filed by Spring Creek Idaho Ranch LLC.

¹ Irrigation diversion rate/volume will continue to be diverted for irrigation use. Some irrigated area will be dried up for W,R,J uses associated with the concurrent permit.

² Individual water right diversion rate/volume to be converted to 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. 75850
Receipt No. SD31041

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

Current Water Right No. 37-69B

Priority Date: 10/26/1886
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<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	3.00 CFS		
	Total Diversion	3.00 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER NESWNE 01S 18E 10 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 10									19.0	40.0	39.0	2.2					100.2
01S 18E 15						20.0	12.0										32.0
01S 18E 16	23.0			29.0													52.0

Total Acres: 184.2

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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.
3. The rights listed below are limited to the irrigation of a combined total of 184.2 acres in a single irrigation season. Combined Right Nos.: 37-69B, 37-70 and 37-71B.

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Page 2

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

Transfer No. 75850

Receipt No. 5031041

Current Water Right No. 37-69B

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 entire right is to be changed by the applicant, omit part B and C)*

1. Amount 0.26/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 13.0 acres after water right transfer approval.

Total acres 184.2***C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. Amount 2.74/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 13.0 acres after water right transfer approval, total POU acreage will not change.

Total acres 184.2*

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

Current Water Right No. 37-70

Priority Date: 05/15/1887
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER **Tributary to:** MALAD RIVER

<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	2.00 CFS		
	Total Diversion	2.00 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER NESWNE 01S 18E 10 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 10									19.0	40.0	39.0	2.2					100.2
01S 18E 15						20.0	12.0										32.0
01S 18E 16	23.0			29.0													52.0

Total Acres: 184.2

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. The rights listed below are limited to the irrigation of a combined total of 184.2 acres in a single irrigation season. Combined Right Nos.: 37-69B, 37-70 and 37-71B.
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. 75850
Receipt No. SD31041

Current Water Right No. 37-70

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 0.17/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 13.0 acres after water right transfer approval.

Total acres 184.2***C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. Amount 1.83/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 13.0 acres after water right transfer approval, total POU acreage will not change.

Total acres 184.2*

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

Receipt No. 5031041

Current Water Right No. 37-71B

Priority Date: 05/01/1892

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: BIG WOOD RIVER

Tributary to: MALAD RIVER

<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	0.50 CFS		
Total Diversion		0.50 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER NESWNE 01S 18E 10 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 10									19.0	40.0	39.0	2.2					100.2
01S 18E 15						20.0	12.0										32.0
01S 18E 16	23.0			29.0													52.0

Total Acres: 184.2

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. The rights listed below are limited to the irrigation of a combined total of 184.2 acres in a single irrigation season. Combined Right Nos.: 37-69B, 37-70 and 37-71B.
3. 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.
4. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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

Transfer No. 75850
Receipt No. 5031041

Current Water Right No. 37-71B

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 0.04/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 2.8 acres after water right transfer approval.

Total acres 184.2*

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

1. Amount 0.46/ 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	SW	NE	10	01S	18E	BLAINE	FLOOD 64

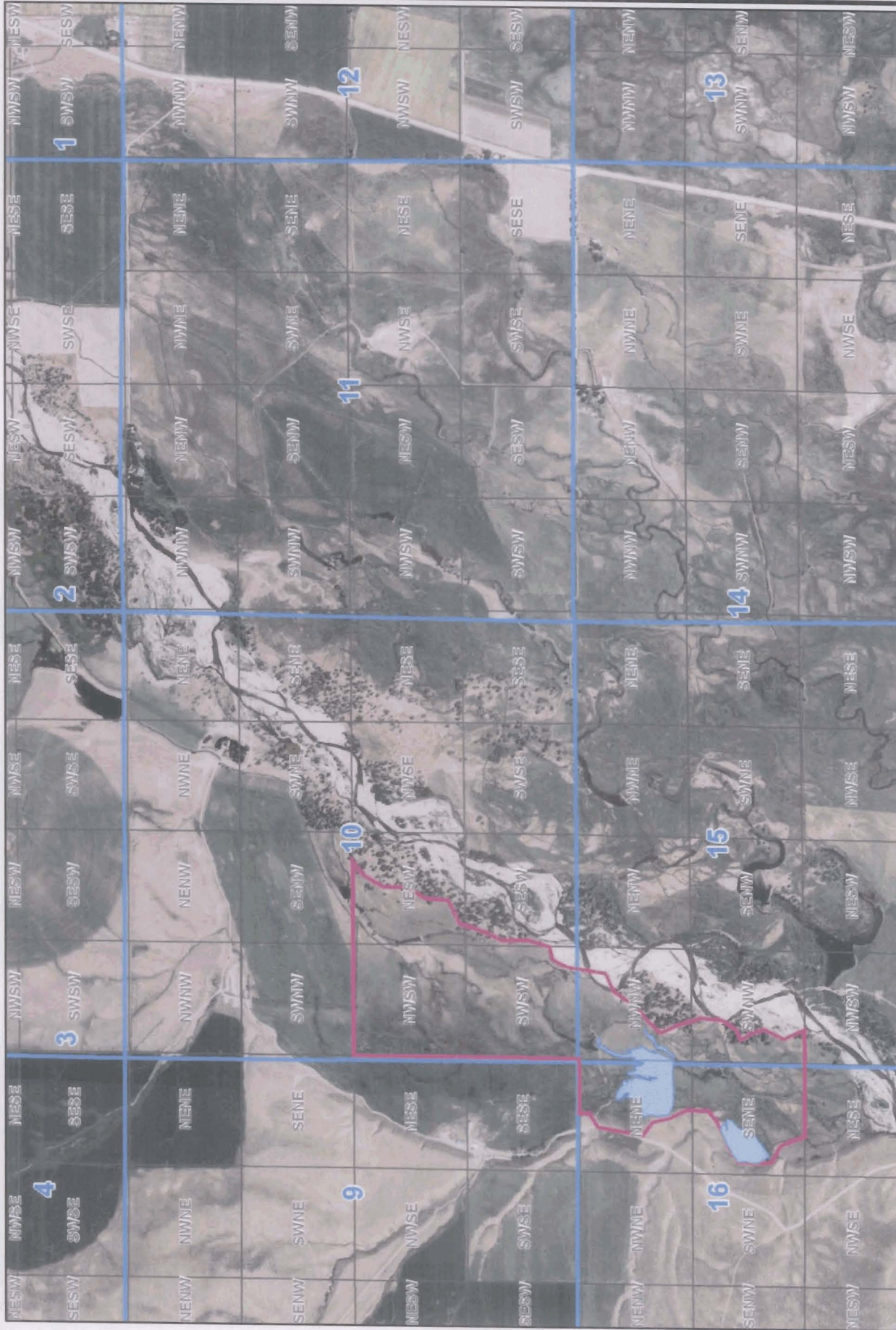
3. Lands irrigated or place of use:

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	10									19.0	40.0	39.0	2.2					100.2
01S	18E	15						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation will be reduced by 2.8 acres after water right transfer approval, total POU acreage will not change.

Total acres 184.2*

F:\Projects\Sun Valley Ranch\Arcview 9\Permit & Transfers\Transfer #3 Surface Water & New Permit Storage Areas.mxd



1 inch equals 1,600 feet

Legend

- Area to be Dried Up for Permit
- Proposed POU for 37-69B, 37-70, 37-71B
- Sections
- 10's 18e
- Points of Diversion

SUN VALLEY RANCH LLC
WATER RIGHTS TRANSFER 75850
WATER RIGHTS 37-69B, 37-70, 37-71B
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>0.39 cfs</u>	<u>24/200/</u>	<u>4/15</u> to <u>10/31</u>
	<u>Aesthetics</u>	<u>0.39 cfs</u>	<u>24/200/</u>	<u>4/15</u> to <u>10/31</u>
	<u>Recreation</u>	<u>0.39 cfs</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.

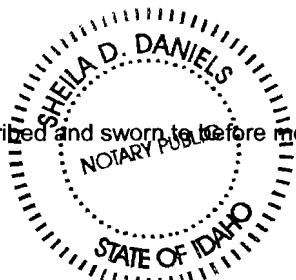
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Subscribed and sworn to before me this

10th

day of

March, 2010

(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 13 pages and 2 attachmentsReceived by [initials] Date 4/1/10

Protest filed by

Prelim. check by [initials] Fee \$250.00 5031041Receipted 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

SUN VALLEY RANCH LLC**TRANSFER # 75850**

BROCKWAY ENGINEERING PLLC

3/5/2010

ACRES TO BE DRIED UP FOR NEW PERMIT =**13.0 Acres****TOTAL COMBINED ACRES =****184.2 Acres****PERCENTAGE OF ACRES TO BE DRIED UP FOR NEW PERMIT =****7.1%****Existing Water Rights:**

RIGHT #	37-69B	37-70	37-71B
SOURCE	SURFACE WATER	SURFACE WATER	SURFACE WATER
CURRENT OWNER	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC
PRIORITY DATE	10/26/1886	5/15/1887	5/1/1892
BASIS	DECREED	DECREED	DECREED
USE	IRRIGATION	IRRIGATION	IRRIGATION
Diversion Rate	3.00 CFS	2.00 CFS	0.50 CFS
Combined Diversion LIMIT	N/A	N/A	N/A
Total Diversion LIMIT	3.00 CFS	2.00 CFS	0.50 CFS
Acre LIMIT	184 Acres	184.2 Acres	40.0 Acres
Combined Acre LIMIT	184.2 Acres		
Combined Acre LIMIT	184.2 Acres		

Portions of Water Rights No Longer Irrigated:

RIGHT #	37-69B	37-70	37-71B
SOURCE	SURFACE WATER	SURFACE WATER	SURFACE WATER
CURRENT OWNER	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC
PRIORITY DATE	10/26/1886	5/15/1887	5/1/1892
BASIS	DECREED	DECREED	DECREED
USE	IRRIGATION	IRRIGATION	IRRIGATION
Diversion Rate	0.21 CFS	0.14 CFS	0.04 CFS
Combined Diversion LIMIT	N/A		
Total Diversion LIMIT	0.21 CFS	0.14 CFS	0.04 CFS
Acre LIMIT	13.03 Acres	13.03 Acres	2.83 Acres
Combined Acre LIMIT	13.0 Acres		
Combined Acre LIMIT	13.0 Acres		

Remaining Irrigation Water Rights

RIGHT #	37-69B	37-70	37-71B
SOURCE	SURFACE WATER	SURFACE WATER	SURFACE WATER
CURRENT OWNER	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC	SUN VALLEY RANCH LLC
PRIORITY DATE	10/26/1886	5/15/1887	5/1/1892
BASIS	DECREED	DECREED	DECREED
USE	IRRIGATION	IRRIGATION	IRRIGATION
Remaining Diversion Rate	2.79 CFS	1.86 CFS	0.46 CFS
Combined Diversion LIMIT	N/A	N/A	N/A
Remaining Total Diversion Rate	2.79 CFS	1.86 CFS	0.46 CFS
Remaining Acre Limit	171.2 Acres	171.2 Acres	37.2 Acres
Combined Acre LIMIT	171.2 Acres		
Combined Acre LIMIT	171.2 Acres		