

Page 1 of 13STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 7585DAPPLICATION 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 06 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

2. Describe the reason for the proposed changes Applicant seeks to add beneficial uses to existing irrigation water rights 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>37-69B¹</u>	<u>10/26/1886</u>	<u>2.74/</u>	<u>I, W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-69B²</u>	<u>10/26/1886</u>	<u>0.26/</u>	<u>W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-70¹</u>	<u>05/15/1887</u>	<u>1.83/</u>	<u>I, W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-70²</u>	<u>05/15/1887</u>	<u>0.17/</u>	<u>W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-71B¹</u>	<u>05/01/1892</u>	<u>0.46/</u>	<u>I, W, R, J</u>	<u>4/15 to 10/31</u>
<u>37-71B²</u>	<u>05/01/1892</u>	<u>0.04/</u>	<u>W, R, J</u>	<u>4/15 to 10/31</u>

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										
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						20.0	12.0										32.0
01S	18E	16	23.0		29.0														52.0

*Irrigation within PPU will decrease by 15.9 acres after transfer approval.

Total acres 184.2*

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 see accompanying water right transfers filed by Sun Valley Ranch LLC.

- 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 _____.

**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.

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

Transfer No. 75850
Receipt No. 503104

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 15.9 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 15.9 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. 5031041

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 15.9 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 15.9 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. 75850**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

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.

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 15.9 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 15.9 acres after water right transfer approval, total POU acreage will not change.

Total acres 184.2*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75850

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>5.50 cfs</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Aesthetics</u>	<u>5.50 cfs</u>	<u>24/200</u>	<u>4/15</u> to <u>10/31</u>
	<u>Recreation</u>	<u>5.50 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.

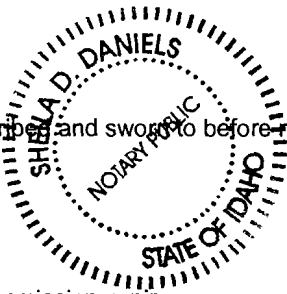
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Subscribed and sworn to before me this

6th

day of

August, 2009.

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

Sheila D. Daniels
 (Notary Public)

My commission expires

Aug. 6, 2013**FOR DEPARTMENT USE ONLY**Transfer contains 13 pages and 0 attachmentsReceived by JR Date 8/6/09 Protest filed by _____Prelim. check by J Fee \$250.00Receipted by J SD31041 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 _____