

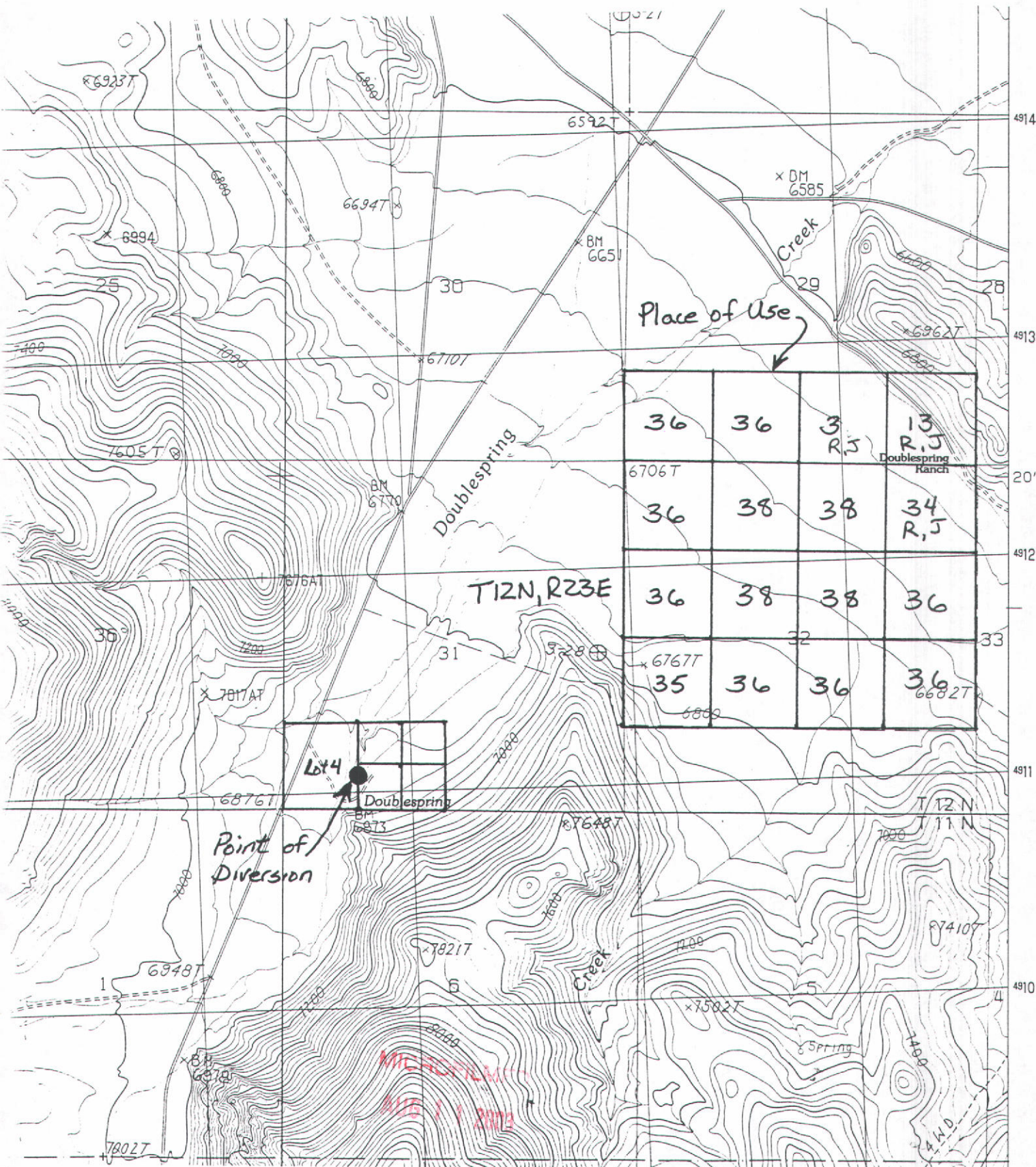
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69880

This is to certify that: DOUBLE SPRINGS RANCH LLC

C/O FRANK R TUNNEY JR
PO BOX 3873
KETCHUM ID 83340
(714) 246-4658

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Basis	Priority	Rate	Volume	Acres	Total	Source
73-175	AJC/Decreed	04/27/1897	3.2 cfs	N/A af	159.0		DOUBLESRING CREEK
73-176	AJC/Decreed	11/14/1903	3.2 cfs	N/A af	154.0		DOUBLESRING CREEK
73-7044	AJC/Permit	12/20/1979	3 cfs	N/A af	165.8		DOUBLESRING CREEK
73-7076	AJC/License	03/10/1983	0.93 cfs	139.5 af	46.5	46.5	DOUBLESRING CREEK
73-7093	AJC/License	07/18/1984	0.8 cfs	120 af	40.0	40.0	DOUBLESRING CREEK
73-2002	AJC/License	03/03/1904	1.49 cfs	N/A af	74.0		DOUBLESRING CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
73-175	NO	NO	YES	NO	NO	NO
73-176	NO	NO	YES	NO	NO	NO
73-7044	NO	NO	YES	NO	NO	NO
73-7076	NO	NO	YES	NO	NO	NO
73-7093	NO	NO	YES	NO	YES	YES
73-2002	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
73-175	73-175	3.2 cfs	556.5 af	159.0	557.0		N/A	N/A		N/A
73-176	73-176	3.2 cfs	539 af	154.0	557.0		N/A	N/A		N/A
73-7044	73-7044	3 cfs	497.4 af	165.8	557.0		N/A	N/A		N/A
73-7076	73-7076	0.93 cfs	162.8 af	46.5	557.0		N/A	N/A		N/A
73-7093	73-7093	0.8 cfs	170.1 af	32.5	557.0		N/A	N/A		N/A
73-2002	73-2002	1.49 cfs	261.1 af	74.6	557.0		N/A	N/A		N/A
TOTALS		12.62cfs	2002 af	557	557		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of August, 2002

MICROFILMED

AUG 13 2002

J. Glen Saxton
Chief, Water Allocation Bureau

WATER RIGHT NO. 73-175
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-175 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 04/27/1897

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.20 CFS	556.5 AF
			3.20 CFS	556.5 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

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	
12N 23E 29									36.0	36.0			35.0	13.0			120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 159 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED
 AUG 11 2003

WATER RIGHT NO. 73-176
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-176 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 11/14/1903

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.20 CFS	539.0 AF
			3.20 CFS	539.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

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	
12N 23E 29									36.0	36.0					35.0	13.0	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

J. Blum Saxton
 Chief, Water Allocation Bureau

MICROFILMED

AUG 1 1 2003

WATER RIGHT NO. 73-2002
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-2002 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 03/03/1904

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.49 CFS	261.1 AF
			1.49 CFS	261.1 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

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	
12N 23E 29									36.0		36.0				35.0	13.0	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 74.6 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____, 20____

19th day of August, 2002

[Signature]

Chief, Water Allocation Bureau

MICROFILMED

AUG 11 2003

WATER RIGHT NO. 73-7044
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7044 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 12/20/1979

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.00 CFS	497.4 AF
			3.00 CFS	497.4 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
12N	23E	29									36.0	36.0			35.0	13.0	120.0		
12N	23E	32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0	437.0		

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 165.8 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED

AUG 1 1 2003

WATER RIGHT NO. 73-7076
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7076 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 03/10/1983

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.93 CFS	162.8 AF
			0.93 CFS	162.8 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

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	
12N 23E 29									36.0	36.0			35.0	13.0			120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 46.5 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED

JUL 11 2003

WATER RIGHT NO. 73-7093
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7093 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 07/18/1984

Source: DOUBLESRING CREEK **Tributary:** SINKS

BENEFICIAL USE	From	To	Diversion Rate	Volume
DIVERSION TO STORAGE	01/01	12/31	0.15 CFS	
IRRIGATION	04/01	10/31	0.65 CFS	113.8 AF
RECREATION	01/01	12/31	0.15 CFS	26.3 AF
RECREATION STORAGE	01/01	12/31	0.80 CFS	30.0 AF
				170.1 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER County

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	
12N 23E 29											36.0	36.0			35.0	13.0	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 23E 29															X	X	
12N 23E 32	X																

PLACE OF USE: RECREATION STORAGE, same as Recreation

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

APPROVED
 AUG 11 2003

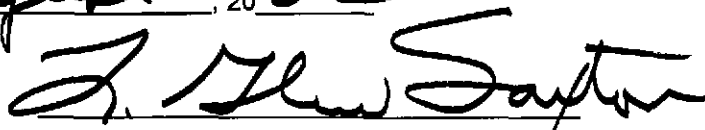
WATER RIGHT NO. 73-7093
As Modified by Transfer No. 69880

CONDITIONS OF APPROVAL

6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to recreation and aesthetic storage uses, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.
9. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 26.3 af associated with the 7.5 acres no longer irrigated.
10. Recreation and aesthetic storage is for swimming and fishing ponds.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

AUG 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69880APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Double Springs Ranch LLC Phone 208-726-2588
Post Office address c/o Frank Tunney, P.O. Box 3873, Ketchum, ID 83340

RECEIVED

JUN 24 2002

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use Department of Water Resources
☒ Change nature of use ☒ Change period of use ☒ Other correct POD for 73-2002

2. Describe the reason for the proposed changes Applicant diverts all water rights through a common ditch and pipeline system to place of use. Applicant proposes a permissible place of use for irrigation purposes. The nature of use for a 7.5-acre portion of the irrigation water right will be changed to recreation and aesthetic for use in constructed ponds totaling 5 acres area and 30 acre feet volume.

3. 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
		See Attached List		to
				to
				to
				to

2. Total amount of water being transferred 12.62 cubic feet per second and/or 30 acre-feet per annum.

3. Source of water Double Springs Creek tributary to sinks

4. Point(s) of Diversion: Double Springs

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	SW	31	12N	23E	Custer	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	23E	29											36	36			35	13	120
		29															RJ	RJ	
		32	34	38	38	36	38	36	36	38	36	35			36	36			437
		32	RJ																

065.5-75-057

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JUN 11 2002

Total Acres 557

6. General Information:

- a. Description of diversion system Delivery ditch and buried pipelines to place of use.
Center pivot sprinklers, handlines, and solid set for irrigation. Pipe to
ponds.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X 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. FARM CREDIT SERVICES
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will be removed from irrigation. Most of the land will be dry pivot
corners. Approximately 5 acres will be converted to ponds. Total
irrigated area will decrease by 7.5 acres. The 7.5-acre reduction will
mitigate consumptive use from 5 acres of pond surface.
- d. Remarks:
Average pond depth will be 6 feet. Applicant will dry up 10 acres for
first year to account for pond fill. The ponds will be lined to
minimize seepage loss. Also see companion application for permit.
Point of diversion change for 73-2002 corrects an apparent licensing error.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20____

For the Director

MICROFILMED
 AUG 11 2003

769880

Part B.1. Description of Rights(s) or Portion Thereof After The Requested Change

Water Right Number	Priority Date	Amount	Nature of Use	Period of Use
73-175	4/27/1897	3.20 cfs	irrigation	April 1 to November 1
73-176	11/14/1903	3.20 cfs	irrigation	April 1 to November 1
73-2002	03/03/1904	1.49 cfs	irrigation	April 1 to November 1
73-7044	12/20/1979	3.00 cfs / 497.4 afa	irrigation	April 1 to November 1
73-7076	03/10/1983	0.93 cfs / 139.5 afa	irrigation	April 1 to November 1
73-7093	07/18/1984	0.65 cfs / 97.5 afa	irrigation	April 1 to November 1
		0.15 cfs / 22.5 afa	recreation	April 1 to November 1
		(.30 af	recreation storage	January 1 to December 31)

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AUG 11 2002

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

Current Water Right No. 73-175

Priority Date: 04/27/1897

Origin: Adjudication Claim

Basis: Decreed

Status: Active

Source: DOUBLESPRING CREEK

Trib

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	3.20 CFS		
	Total Diversion	3.20 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
DOUBLESPRING CREEK	12N	23E	31	SWSESW		CUSTER

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
12N	23E	32	39.0	40.0	40.0	40.0													159.0

Total Acres: 159

Conditions/Remarks:

1. P/D LOCATION NOT GIVEN IN DECREE P/U IRRIGATED ACREAGE NOT SPECIFIED IN DECREE PERIOD OF USE NOT SPECIFIED IN DECREE

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?

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

See Part 1.6.c

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

No

MICHAEL

AUG 11 2003

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

Current Water Right No. 73-176

Priority Date: 11/14/1903

Origin: Adjudication Claim

Basis: Decreed

Status: Active

Source: DOUBLESRING CREEK

Trib

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	3.20 CFS		
	Total Diversion	3.20 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
DOUBLESRING CREEK	12N	23E	31	SWSESW		CUSTER

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	
12N 23E 32							40.0	40.0	40.0	34.0							154.0

Total Acres: 154

Conditions/Remarks:

1. P/D LOCATION NOT GIVEN IN DECREE P/U IRRIGATED ACREAGE NOT SPECIFIED IN DECREE PERIOD OF USE NOT SPECIFIED IN DECREE

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?

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

See Part 1.6.c.

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

No

MICROFILMED

APR 11 2003

769880

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

Current Water Right No. 73-2002

Priority Date: 03/03/1904

Origin: Water Right

Basis: License

Status: Active

Source: DOUBLESRING CREEK
Tributary to: PAHSIMEROI
RIVER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/ /	1.49 CFS		
DOMESTIC	/ /	1.49 CFS		
Total Diversion		1.49 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Two</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
DOUBLESRING CREEK	12N	22E	25	NESW		CUSTER

PLACE OF USE: IRRIGATION

Two Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 23E 32									39.0	35.0							74.0

Total Acres: 74

Conditions/Remarks:

1. AC. IRR.=74.6.

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?

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

See Part 1.6.c

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

No

MICROFILMED

AUG 1 2003

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

Current Water Right No. 73-7044

Priority Date: 12/20/1979

Origin: Adjudication Claim

Basis: Permit

Status: Active

Source: DOUBLESRING CREEK

Trib

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	3.00 CFS	497.4 AFA	
Total Diversion		3.00 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
DOUBLESRING CREEK	12N	23E	31	SWSESW		CUSTER

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	
12N 23E 29																10.0	10.0
12N 23E 32					40.0	40.0			.8				35.0	40.0			155.8

Total Acres: 165.8

Conditions/Remarks:

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.

MICROFILMED

2000 11 13

TL69880

Page 8 of 12

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

Current Water Right No. 73-7044

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?

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

See Part 1.6.c.

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

No

MICROFILMED
FEB 1 1993

769880

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

Current Water Right No. 73-7076

Priority Date: 03/10/1983

Origin: Adjudication Claim

Basis: License

Status: Active

Source: DOUBLESRING CREEK

Trib

Tributary to: SINKS

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 11/01	0.93 CFS	139.5 AFA	
Total Diversion		0.93 CFS	139.5 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
DOUBLESRING CREEK	12N	23E	31	SESW		CUSTER

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
12N	23E	29	NE	NW	SW	SE	39.5 7.0 46.5

Total Acres: 46.5

Conditions/Remarks:

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?

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

See Part 1.6.c

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

No

MICROFILMED

SEP 7 1983

769880

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

Current Water Right No. 73-7093

Priority Date: 07/18/1984

Origin: Adjudication Claim

Basis: License

Status: Active

Source: DOUBLESRING CREEK

Trib

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	0.80 CFS	120.0 AFA	
Total Diversion		0.80 CFS	120.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
DOUBLESRING CREEK	12N	23E	31	SESW		CUSTER

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	
12N 23E 29												40.0					40.0

Total Acres: 40

Conditions/Remarks:

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?

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

See Part 1.6.c

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

No

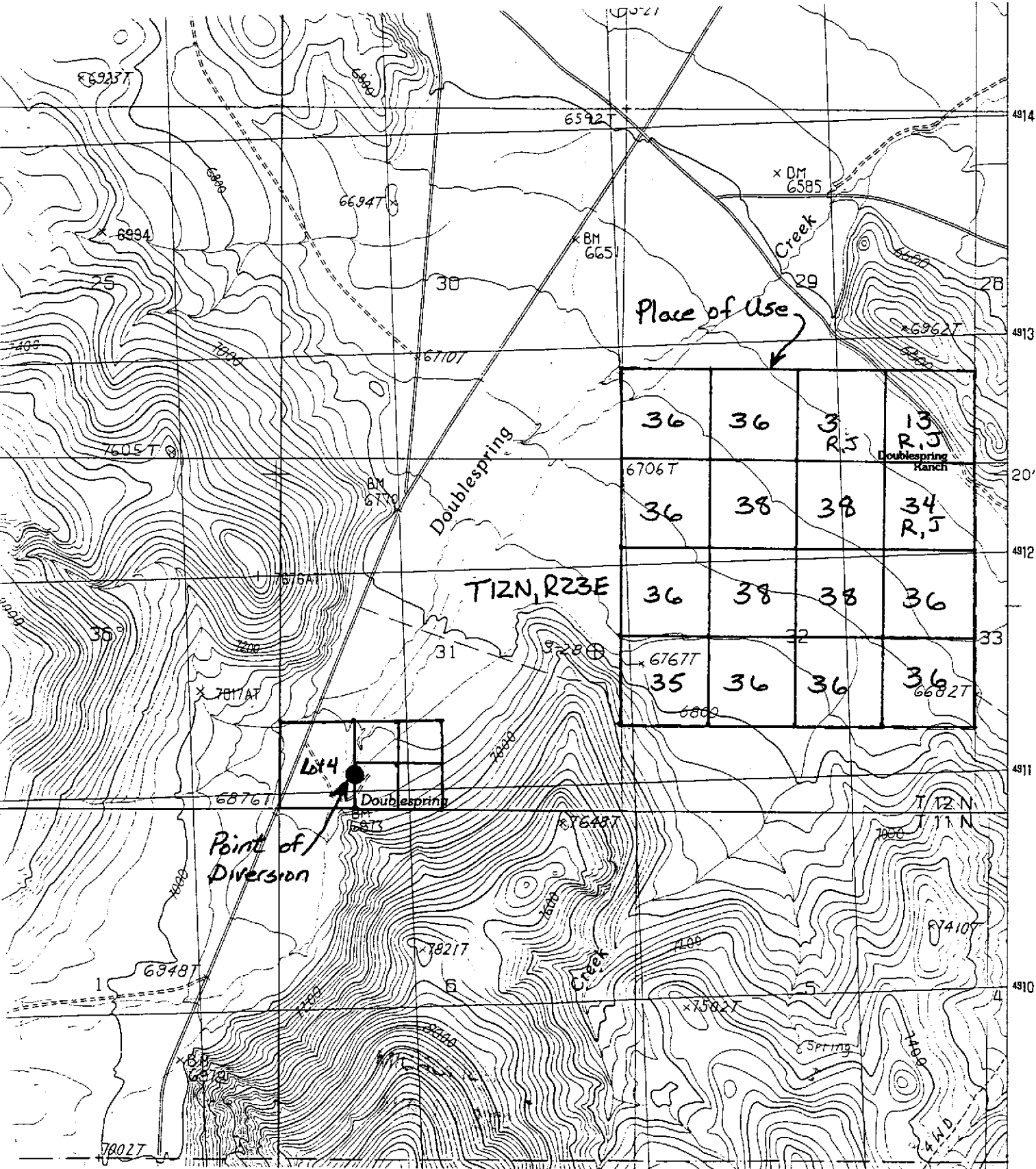
MICHAEL

AUG 1, 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3

1. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
	recreation/aesthetic	0.15/22.5	variable	4/1 to 11/1
	recreation storage	30 af	365 days	1/1 to 12/31

2. Quantity and quality of return flows and location of discharge:
Any return flow will sink to aquifer as before. No change in quality.

3. Describe effects on other water uses resulting from the proposed change:
Irrigated area will decrease by 7.5 acres.

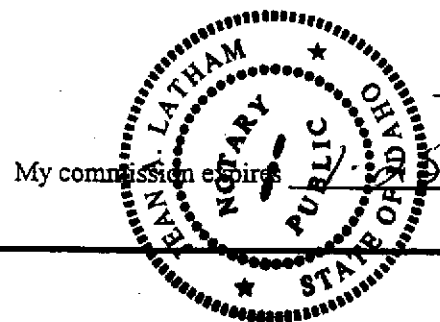
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Double Springs Ranch LLC

By: Frank R. Tunney, Manager
 (Signature of Applicant)

Subscribed and sworn to before me this 16th day of April, 2002



Jean A. Latham
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 4 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$730.00

Receipted by HWT #EC27693 Date _____

Published in Challis Messenger, Arco Advertiser, Post Register Copies of protest forwarded by _____

Pub. Dates May 16 & 23, 2002 Times News Idaho Statesman, Lewis Fork Tribune Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder _____

MICROFILMED
 AUG 1 1 2002

3

File - 437

73-K

SECOND DIVISION

JAMES McMILLAN, Commissioner

Twin Falls, Idaho

1910.

DECREED WATER RIGHTS

Pahsimeroi River, Custer County

JUDGMENT BY THE COURT, APRIL 1, 1910

DECREE

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL
DISTRICT OF THE STATE OF IDAHO, IN
AND FOR CUSTER COUNTY.

Lorenzo Falls and Edward O'Neil, Partners,
et al.,

Plaintiffs,

vs.

Uriah Wells, et al.,

Defendants.

AMENDED ON
DECEMBER 28, 1910

This cause came on regularly for trial before Hon. G. F. Hansbrough, sitting as special Judge, who by consent of all the parties to this action, and by order of the Court was appointed special Judge to try the same, and the same coming on regularly for trial before the said special Judge sitting without a jury, on the 18th day of June, 1909, at May, Idaho, Clark & Budge and John W. Jones, Esq., appearing as counsel for the plaintiffs, and W. H. Holden, F. J. Cowen, W. J. Lamme, George E. Keyes, L. E. Glennon, and each of them appearing for certain defendants;

JUL 30 1996

MICROFILMED

2008 11 2008

73 0175✓

William A. Kirkwood from Double Springs Creek 160 inches or 3 2/10 cubic feet per second of time from APRIL 27, 1897, appurtenant to the northeast quarter of Section 32 in Township 12 North, Range 23 East Boise Meridian in the State of Idaho.

73 0176✓

C. E. Wells from Double Springs Creek 160 inches or 3 2/10 cubic feet per second of time from NOVEMBER 14, 1903, appurtenant to the south half of the northwest quarter, and the north half of the southwest quarter of Section 32 in Township 12 North, Range 23 East Boise Meridian, in the State of Idaho.

73 0177✓

T-777

Edward Popejoy from Pahsimeroi River 320 inches or 6 4/10 cubic feet per second of time from NOVEMBER 19, 1903, appurtenant to the southeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter, and the west half of the southeast quarter, and the east half of the southwest quarter of Section 29, and the northeast quarter of the northwest quart__, and the northwest quarter of the northwest quarter of Section 32, Township 11 North, Range 24 East Boise Meridian, in the State of Idaho.

73 0178✓

Cora Jones from or the entire flow of Donkey or Jackass Creek.

73 0179✓

Cora Jones from Pahsimeroi River 240 inches or 4 8/10 cubic feet per second of time less the flow of Donkey or Jackass Creek from OCTOBER 21, 1908, putenant to the north half of the southwest quarter of Section 21; the north half of the southeast quarter, and the southwest quarter of the southeast quarter of Section 28 in Township 12 North, Range 24 East Boise Meridian, in the State of Idaho.

73 0180✓

A. S. Gotter from Big Creek 50 inches or 1 cubic foot per second of time from OCTOBER 19, 1903, appurtenant to the southwest quarter of the northwest quarter, and the north half of the southwest quarter of Section 18, Township 14 North, Range 23 East Boise Meridian in the State of Idaho.

JUL 30 1996

MICROFILMED

AUG 1 1 2003

finetly fixed by this decree, the points of diversion and measurement of the several parties to this action shall be the point where the water was diverted by the said several parties on the 18th day of JUNE, 1909, the time of trial of this action.

IX.

It is further adjudged and decreed that each of the parties to this action shall pay his or her proportionate share of all the costs of this action.

X.

That each and every of the parties to this suit plaintiff and defendant, their agents, servants, attorneys and employees and each and every and all persons acting in and for any of the parties to this suit are hereby, forever restrained from in any manner interfering with or diverting or using the waters of Pahsimeroi River or its tributaries or creeks, and springs herein mentioned, except in accordance with the terms and provisions of this decree.

Done dated and signed this 1st day of April, 1910.

G. F. HANSBROUGH
Special Judge.

(Endorsed) Filed April 6, 1910. Entered April 6, 1910.

C. M. HENDERSON, Clerk

JUL 30 1936

MICROFILMED

AUG 1 1937



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2002

DOUBLE SPRINGS RANCH LLC
C/O FRANK R TUNNEY JR
PO BOX 3873
KETCHUM ID 83340

RE: Transfer No.: 69880 - Water Rights 73-175, 73-2002, 73-7076, 73-176, 73-7044
73-7093 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

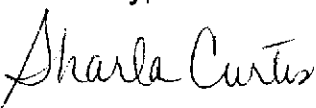
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

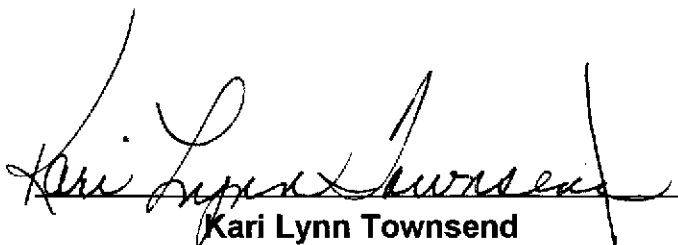
MICROFILMED
AUG 19 2003

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69880 - WATER RIGHTS 73-175, 73-2002, 73-7076, 73-176
73-7044, 73-7093

DOUBLE SPRINGS RANCH LLC
C/O FRANK R TUNNEY JR
PO BOX 3873
KETCHUM ID 83340


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 17 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JUN 11 2003

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 8/14/02

Trans # 69880 WR No(s) 73-175 176 2002 7044 7076 7093

Name: Resulting Splits
Double Springs Ranch Correct Fee Pd N/A Ad ok

statewide adv. ok

AREA OF CONCERN: No/Yes

S/C & Wilderness
GWMA
TRUST/NON-TRUST

XFER TYPE: B - Change p/d
C - Add p/d
D - Change p/u
E - Change use
F - Change use period
G - Other
H - Change p/d & add p/d
I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:

DRILLING PERMIT

All wells - 046

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

SURFACE WATER:

WD - R04 (WD#)

≤ 0.20 cfs/others - R02, 01P or No MD

> 0.20 cfs - R43

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LowGeo - 058 (<85 GW)

Mitigation - 121

Trust - R55 (consumptive uses)

Non-Trust - 048 (cons uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

USES:

POWER - 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)

27A (Payette River)

>1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T09 - on-going Snake River Basin Adjudication

T17 - measure all p/d's (used with WB4)

W51 - 2+ yrs to develop

W54 - forfeited ac/rate (used rarely)

W55 - (transfer shrinks total water to less ac)

W57 - no right-of-way

W58 - pending claim (statutory or AJ b/u claim)

W59 - measure p/d's (source changed to original trib)

W61 - extended irr season

WB4 - + p/ds, cfs & afa (used with T17)

WD5 - remaining right (only if specifically requested, i.e. protest)

WD6 - measure & report

WD7 - irr ac removed

WD8 - land application of waste water

T18 - Special T17 & R43 combined - multiple pds in WD

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

W62 - replaces N05/08/09-14

W63 - replaces C12

T19 - replaces C18

(Before Director's Report, go back to T09)

Protested - 020-W19

Multiple pd's per 1/4 - W32

Non-consumptive - 027

Water Quality - 106-R07

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

Use definitions - W02 ie - S/50 range

Single p/d intended - 076

Zoning ord. (dairys only) - 082

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRRIGATION VOLUME/AC 3.5

OTHER CONDITIONS/REMARKS

COMMENTS

lien holder approves offer

T files created/updated ✓

Approval form printed ✓

Transfer Memo N/A

Post approval update ✓

566.3 ac.

- 7.5

558.8

557.0K

2.5 af/ac cons. use

✓ ok ownership

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

4-29-02

T#69880

INITIAL REVIEW BY: HWT

RECEIVED

JUN 24 2002

1. Right number 73-175 et al Applicant Double Springs Ranch

2. Type of right: ☐ Decree ☐ License ☒ Claim ☐ SRBA Recommendation

Department of Water Resources
Department of Water Resources

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s)

☐ Change place of use ☒ Other Create ppu

Change nature of use for ponds

4. Check:

a. ☒ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use

b. ☐ Description of original point of diversion.

c. ☐ Description of original place of use.

* Statewide Advertising

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☐ Check proof of ownership of right &/or land from which water is transferred. — Requested 5-6-02

i. ☒ Check for expansion in use of right. Comments

Received 5/13/02

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s)

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? Double Springs Creek does not reach Pahsimeroi River

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By BDC Date 6/16/02

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated MAY 16, 2002
and ending with the issue dated

MAY 23, 2002
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 23rd day of May
in the year of 2002, before me, a Notary Public,

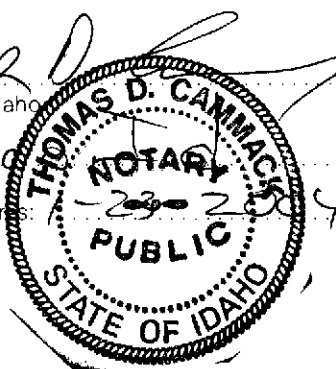
personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Cammack
Notary Public for Idaho

Residing at Arco

My commission expires: 2-23-2004



RECEIVED

JUN 06 2002

Department of Water Resources
Eastern Region

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 69880

DOUBLESPPRINGS RANCH LC, FRANY
TUNNEY JR, PO BOX 3873, KETCHUM ID
83340, has filed Application No. 69880 for
changes to the following water rights within
CUSTER County:

Right No. 73-175

Priority 4/27/1897

Source DOUBLESPPRING CREEK

Use IRRIGATION (169 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904

Source DOUBLESPPRING CREEK

Use IRRIGATION (74 acres) 1.49 CFS

Total Amount 1.49 CFS

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983

Source DOUBLESPPRING CREEK

Use IRRIGATION (46.5 acres) 0.93 CFS

139.5 AFA

Total Amount 0.93 CFS 39.5 AFA

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use S29 T12N R23E

Right No. 73-176

Priority 11/14/1903

Source DOUBLESPPRING CREEK

Use IRRIGATION (154 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979

Source DOUBLESPPRING CREEK

Use IRRIGATION (165.8 acres) 3.00 CFS

Total Amount 3.00 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use S29 T12N R23E

S32 T12N R23E

Right No. 73-7093

Priority 7/18/1984

Source DOUBLESPPRING CREEK

Use IRRIGATION (40 acres) 0.80 CFS

120.0 AFA

Total Amount 0.80 CFS 120.0 AFA

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use S29 T12N R23E

The purpose of the transfer is to change
a portion of the above rights as follows:

The applicant is creating one permis-
sible place of use for all high rights totaling
567 irrigated acres in SEC 29 and 32. Also
7.5 acres will be dried up to allow for 5
acres of ponds to be constructed.

Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change
must be filed with the Department of Water
Resources, Eastern Region, 900 N Skyline
Dr Ste A, Idaho Falls ID 83402, together
with a protest fee of \$25.00 for each appli-
cation on or before June 03, 2002. The
protestant must also send a copy of the
protest to the applicant.

KARL J. DREHER, Director

Published on May 16 and 23, 2002

RECEIVED
JUN 06 2002
Department of Water Resources
Eastern Region

MICROFILMED

AUG 11 2002

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

RECEIVED

MAY 31 2002

Department of Water Resources
Eastern Region

Date 05/23/2002

INVOICE NO. 294888

Account No. 446600

Description 294888NOTICE OF PROPOS

Times 2

Lines 60

**LEGAL ADVERTISING
INVOICE**

Tab. Lines _____

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE DR, STE A
IDAHO FALL ID 83402

\$ 193.20

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

294888

TRANSFER NO. 69880
DOUBLE SPRINGS RANCH LLC, FRANK TUNNEY JR, PO BOX
3873, KETCHUM ID 83340, has filed Application No. 69880 for chang
es to the following water rights within CUSTER County:

Right No. 73-175

Priority 4/27/1897

Source DOUBLESRING CREEK

Use IRRIGATION (159 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904

Source DOUBLESRING CREEK

Use IRRIGATION (74 acres) 1.49 CFS

Total Amount 1.49 CFS

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983

Source DOUBLESRING CREEK

Use IRRIGATION (46.5 acres) 0.93 CFS 139.5 AFA

Total Amount 0.93 CFS 139.5 AFA

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S29 T12N R23E

Right No. 73-176

Priority 11/14/1903

Source DOUBLESRING CREEK

Use IRRIGATION (154 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979

Source DOUBLESRING CREEK

Use IRRIGATION (165.8 acres) 3.00 CFS

Total Amount 3.00 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S29 T12N R23E

S32 T12N R23E

Right No. 73-7093

Priority 7/18/1984

Source DOUBLESRING CREEK

Use IRRIGATION (40 acres) 0.80 CFS 120.0 AFA

Total Amount 0.80 CFS 120.0 AFA

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S29 T12N R23E

The purpose of the transfer is to change a portion of the above rights
as follows:

The applicant is creating one permissible place of use for all his rights
totaling 557 irrigated acres in SEC 29 and 32. Also 7.5 acres will be
dried up to allow for 5 acres of ponds to be constructed.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Cede.
Any protest against the proposed change must be filed with the De-
partment of Water Resources, Eastern Region, 900 N Skyline Dr Ste
A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each
application on or before June 03, 2002. The protestant must also send
a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 16 and 23, 2002

AFFIDAVIT OF PUBLICATION

Karen Lewis, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho,
publishers of the LEWISTON MORNING TRIBUNE, a news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 21
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 294888NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
05/16, or once a WEEK
for 2 consecutive WEEK,
the first publication thereof being on the 05/16/2002,
and the last publication thereof being on the 05/23/2002,
and said 294888NOTICE OF was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

Karen J Lewis
MICROFILMED

State of Idaho

S.S.

County of Nez Perce

AUG 1 1 2003

On this 29th day of May in the year
of 2002, before me, a Notary Public, personally
appeared Karen J Lewis, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.

Sheryl M. Lentz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT TRANSFER NO. 69880**

RECEIVED

MAY 30 2002

Department of Water Resources
Eastern Region

No 44050

DOUBLE SPRINGS RANCH LLC, FRANK TUNNEY JR., PO BOX 3873, KETCHUM, ID 83340, has filed Application No. 69880 for changes to the following water rights within CUSTER County:

Right No. 73-175

Priority 4/27/1897
Source DOUBLESRING CREEK
Use IRRIGATION (159 acres) 3.20 CFS
Total Amount 3.20 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904
Source DOUBLESRING CREEK
Use IRRIGATION (74 acres) 1.49 CFS
Total Amount 1.49 CFS
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983
Source DOUBLESRING CREEK
Use IRRIGATION (46.5 acres) 0.93 CFS
Total Amount 0.93 CFS
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S29 T12N R23E

Right No. 73-176

Priority 11/14/1903
Source DOUBLESRING CREEK
Use IRRIGATION (154 acres) 3.20 CFS
Total Amount 3.20 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979
Source DOUBLESRING CREEK
Use IRRIGATION (165.8 acres) 3.00 CFS
Total Amount 3.00 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S29 T12N R23E
S32 T12N R23E

Right No. 73-7093

Priority 7/18/1984
Source DOUBLESRING CREEK
Use IRRIGATION (40 acres) 0.80 CFS
Total Amount 0.80 CFS
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S29 T12N R23E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is creating one permissible place of use for all his rights totaling 557 irrigated acres in SEC 29 and 32. Also 7.5 acres will be dried up to allow for 5 acres of ponds to be constructed.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr., Ste A, Idaho Falls, ID 83402 together with a protest fee of \$25.00 for each application on or before June 03, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

PUBLISH: May 16 and 23, 2002

Notice of Publication

OF IDAHO
OF TWIN FALLS } SS.

by Amyderbeide being first duly sworn upon oath, depose
I am principal clerk of the TIMES-NEWS, published daily at
Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
as published in the regular and entire issue of said newspaper, and not in any supplement

two consecutive week
g with the issue dated May 16, 2002
with the issue dated May 23, 2002

do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
y, both of which newspapers prior to consolidation had been published under said names in said city and
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
said newspaper began daily publication under said name in said city and county continuously and unin-

further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
of, Thursday is announced as the day on which said legal notices will be published.

IDAHO
TWIN FALLS

07th day of May in the year 2002, before me,
I, personally appeared Ruby Ruydberide
identified to me to be the person whose name subscribed to the within instrument, and being by me first
declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5-19-03

MICROFILMED

AUG 1 1 2000

OF TWIN FALLS, STATE OF IDAHO
IN THE RIVERSIDE AT

RECEIVED
MAY 30 2002

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Eastern Region

No 44050

I, Ruby Oydenbreide being first duly sworn upon oath, depose
and say that I am principal clerk of the TIMES-NEWS, published daily at,
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
attached, was published in the regular and entire issue of said newspaper, and not in any supplement
thereof, for two consecutive weeks,
commencing with the issue dated May 16, 2002,
and ending with the issue dated May 23, 2002.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-
terruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 27th day of May in the year 2002, before me,
a Notary Public, personally appeared Ruby Oydenbreide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5-19-05

MICROFILMED
AUG 1 1 2003

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 69880**

DOUBLE SPRINGS RANCH LLC,
FRANK TUNNEY JR, PO BOX 3873,
KETCHUM ID 83340, has filed Appli-
cation No. 69880 for changes to the
following water rights within
CUSTER County:

Right No. 73-175

Priority 4/27/1897

Source DOUBLESRING CREEK

Use IRRIGATION (159 acres)

3.20 CFS

Total Amount

3.20 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use

S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904

Source DOUBLESRING CREEK

Use IRRIGATION (74 acres)

1.49 CFS

Total Amount

1.49 CFS

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use

S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983

Source DOUBLESRING CREEK

Use IRRIGATION (46.5 acres)

0.93 CFS 139.5 AFA

Total Amount

0.93 CFS 139.5 AFA

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use

S29 T12N R23E

Right No. 73-176

Priority 11/14/1903

Source DOUBLESRING CREEK

Use IRRIGATION (154 acres)

3.20 CFS

Total Amount

3.20 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use

S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979

Source DOUBLESRING CREEK

Use IRRIGATION (165.8 acres)

3.00 CFS

Total Amount

3.00 CFS

Point(s) of Diversion

SWSESW S31 T12N R23E

Place of Use

S29 T12N R23E

S32 T12N R23E

Right No. 73-7093

Priority 7/18/1984

Source DOUBLESRING CREEK

Use IRRIGATION (40 acres)

0.80 CFS 120.0 AFA

Total Amount

0.80 CFS 120.0 AFA

Point(s) of Diversion

SESW S31 T12N R23E

Place of Use

S29 T12N R23E

The purpose of the transfer is to
change a portion of the above rights
as follows:

The applicant is creating one per-
missible place of use for all his rights
totaling 557 irrigated acres in SEC
29 and 32. Also 7.5 acres will be
dried up to allow for 5 acres of
ponds to be constructed.

Protests may be submitted based on
the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed
change must be filed with the
Department of Water Resources,
Eastern Region, 900 N Skyline Dr
Ste A, Idaho Falls ID 83402 together
with a protest fee of \$25.00 for each
application on or before June 03,
2002. The protestant must also send
a copy of the protest to the
applicant.

KARL J DREHER, Director
Published: May 16, 23, 2002

MICROFILMED

APR 1 1 2000

Proof of Publication

The Post Register

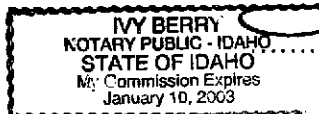
State of Idaho
County of Bonneville

I, ~~Lynn Winter~~ or Danae Jacobsen, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 16TH day of MAY 2002, last publication having been made on the 23RD day of MAY 2002 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.



Subscribed and sworn to before me, this 29TH day of MAY 2002




Notary Public

My commission expires January 10, 2003

MICROFILMED

AUG 11 2003

The Idaho Statesman

RECEIVED

P.O. Box 40, Boise, Idaho 83707-0040

MAY 28 2002

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Department of Water Resources Eastern Region
100564	660081	NOTICE OF PROPOSED CHANGE	\$269.00
Attention:	P.O. #	Run Dates	
SHARLA COX		MAY 16, 23, 2002	
IDAHO DEPT. WATER RESOURCES EAST 900 N. SKYLINE DR., SUITE A IDAHO FALLS, ID 83402-1718			Number of Lines 76 X 2
			Affidavit 1
			Legal # 13435

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69880

DOUBLE SPRINGS RANCH LLC, FRANK TUNNEY JR., PO BOX 3873, KETCHUM ID 83340, has filed Application No. 69880 for changes to the following water rights within CUSTER County:

Right No. 73-175
Priority 4/27/1897
Source DOUBLESRING CREEK
Use IRRIGATION (159 acres) 3.20 CFS
Total Amount 3.20 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S32 T12N R23E

Right No. 73-2002
Priority 3/3/1904
Source DOUBLESRING CREEK
Use IRRIGATION (74 acres) 1.49 CFS
Total Amount 1.49 CFS
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S32 T12N R22E

Right No. 73-7076
Priority 3/10/1983
Source DOUBLESRING CREEK
Use IRRIGATION (46.5 acres) 0.93 CFS 139.5 AFA
Total Amount 0.93 CFS 139.5 AFA
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S29 T12N R23E

Right No. 73-176
Priority 11/14/1903
Source DOUBLESRING CREEK
Use IRRIGATION (154 acres) 3.20 CFS
Total Amount 3.20 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S32 T12N R23E

Right No. 73-7044
Priority 12/20/1979
Source DOUBLESRING CREEK
Use IRRIGATION (165.8 acres) 3.00 CFS
Total Amount 3.00 CFS
Point(s) of Diversion SWSESW S31 T12N R23E
Place of Use S29 T12N R23E
S32 T12N R23E

Right No. 73-7093
Priority 7/18/1984
Source DOUBLESRING CREEK
Use IRRIGATION (40 acres) 0.80 CFS 120.0 AFA
Total Amount 0.80 CFS 120.0 AFA
Point(s) of Diversion SESW S31 T12N R23E
Place of Use S29 T12N R23E

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant is creating one permissible place of use for all his rights totaling 55.7 irrigated acres in SEC 29 and 32. Also 7.5 acres will be dried up to allow for 5 acres of ponds to be constructed.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.
Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before June 03, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER
Director

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: MAY 16, 2002

ending issue of: MAY 23, 2002

Janice Hildreth

STATE OF IDAHO)
SS

COUNTY OF ADA)

On this 23 day of MAY in the year of 2002
before me, a Notary Public, personally appeared before me
Janice Hildreth known or identified to me to be the person
whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at Boise, Idaho
My Commission expires:

02/28/08

MICROFILMED

AUG 1 2002

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

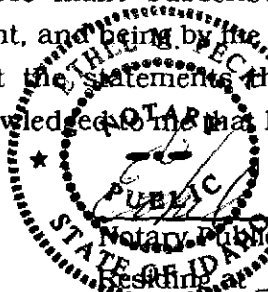
I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated May 16 2002 and ending with the issue dated May 23 2002.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 23rd day of May in the year of 2002 before me, a Notary Public, personally appeared Ruth E. Burchill known or identified to me to be the person whose name subscribed to the within instrument, and being by the first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



My commission expires: 3-19-2004

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69880

DOUBLE SPRINGS RANCH
LLC, FRANK TUNNEY JR, PO
BOX 3873, KETCHUM ID
83340, has filed Application No.
69880 for changes to the follow-
ing water rights within CUSTER
County:

Right No. 73-175

Priority 4/27/1897
Source DOUBLESRING
CREEK

Use IRRIGATION (159
acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion SWSESW
S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904
Source DOUBLESRING
CREEK

Use IRRIGATION (74 acres) 1.49
CFS

Total Amount 1.49 CFS

Point(s) of Diversion SESW S31
T12N R23E

Place of Use S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983
Source DOUBLESRING
CREEK

Use IRRIGATION (46.5 acres)
0.93 CFS 139.5 AFA

Total Amount 0.93 CFS 139.5
AFA

Point(s) of Diversion SESW S31
T12N R23E

Place of Use S29 T12N R23E

Right No. 73-176

Priority 11/14/1903
Source DOUBLESRING
CREEK

Use IRRIGATION (154 acres)
3.20 CFS
Total Amount 3.20 CFS
Point(s) of Diversion SWSESW
S31 T12N R23E
Place of Use S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979
Source DOUBLESRING
CREEK

Use IRRIGATION (165.8
acres) 3.00 CFS

Total Amount 3.00 CFS

Point(s) of Diversion SWSESW
S31 T12N R23E

Place of Use S29 T12N R23E
S32 T12N R23E

Right No. 73-7093

Priority 7/18/1984
Source DOUBLESRING
CREEK

Use IRRIGATION (40 acres) 0.80
CFS 120.0 AFA

Total Amount 0.80 CFS 120.0
AFA

Point(s) of Diversion SESW S31
T12N R23E

Place of Use S29 T12N R23E
The purpose of the transfer is to
change a portion of the above
rights as follows:

The applicant is creating one
permissible place of use for all his
rights totaling 557 irrigated acres
in SEC 29 and 32. Also 7.5 acres
will be dried up to allow for 5 acres
of ponds to be constructed.

Protests may be submitted
based on the criteria of Sec. 42-
222, Idaho Code.

Any protest against the pro-
posed change must be filed with
the Department of Water Resour-
ces, Eastern Region, 900 N. Skyline
Dr. Ste. A, Idaho Falls ID 83402
together with a protest fee of \$25
for each application on or before
June 3, 2002. The protestant
must also send a copy of the
protest to the applicant.

KARL J DREHER, Director
Pub: May 16 & 23, 2002

MICHAEL
J. DREHER

5/24/02

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

MAY 13 2002

Department of Water Resources
Eastern Region

May 8, 2002

Harold Jones
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

Subject: Applications for Transfer and Permit – Double Springs Ranch LLC

Dear Harold:

Enclosed is copy of the warranty deed for the Double Springs Ranch. Note that the deed was signed in May of 2001. I have also requested a copy of the tax notice for the property, and will forward it to you as soon as it is received.

Sincerely,



Terry M. Scanlan

Cc: Jim Speck
Frank Tunney

MICROFILMED

MAY 14 2002

MAY-08-2002 WED 12:22 PM SPECK & AANESTAD
JUL-12-2001 THU 03:15 PM WINTOOTH TITLE CO

FAX NO. 12087260752
FAX NO. 728

P. 03
P. 07/08

② 27902

0222811

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P.O. Box 987
Ketchum, Idaho 83340

Custer County Rec. off.
Santosh K. Little
Time 3:25 PM Date 5/8/02
Rahel M. Peck, Clerk
Deputy

(Space above line for Recorder's use)

WARRANTY DEED

A. M.

FOR VALUE RECEIVED, RONALD REMBELSKI and MURIEL REMBELSKI, husband and wife, whose address is HC 62 Box 2170, May, Idaho 83253 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto DOUBLE SPRINGS RANCH, LLC, an Idaho limited liability corporation, whose address is c/o Francis R. Tunney, Jr., Post Office Box 3873, Ketchum, Idaho 83340 ("Grantee", whether one or more), that certain real property situated in Custer County, Idaho and more particularly described as follows:

Township 12 N., Range 23 E., Boise Meridian, Custer County, Idaho:

Section 29: S1/2S1/2

Section 32: N1/2 and the N1/2S1/2

TOGETHER WITH all water rights appurtenant thereto including, but not limited to, the following:

- A. Water Right No. 73-00175 claimed in the SRBA as A73-00175;
- B. Water Right No. 73-00176 claimed in the SRBA as A73-00176;
- C. Water Right No. 73-07044 claimed in the SRBA as A73-07044;
- D. Water Right No. 73-07076 claimed in the SRBA as A73-07076;
- E. Water Right No. 73-07093 claimed in the SRBA as A73-07093; and
- F. Water Right No. 73-10013 pursuant to the Partial Decree issued in the SRBA on July 7, 2000.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

MICROFILMED

AUG 1 1 2003

This Warranty Deed may be executed in one or more counterparts, all of which together shall constitute one and the same Warranty Deed.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

"GRANTOR"

Date: 5/28/01

Ronald A. Rembelski
RONALD REMBELSKI

A.

Date: 5-28-01

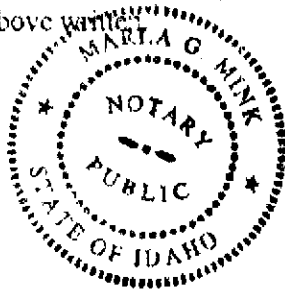
Muriel M. Rembelski
MURIEL REMBELSKI

M.

STATE OF IDAHO)
) ss.
County of _____)

On this 28th day of May, 2001, before me, the undersigned notary public in and for said state, personally appeared RONALD REMBELSKI and MURIEL REMBELSKI, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written



Maria G. Mink
Notary Public for Idaho
Residing at: Bellevue
Comm. Expires: 10/01/2003

RECORDED

AUG 1 1 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
May 08, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DOUBLE SPRINGS RANCH LLC
FRANK TUNNEY JR
PO BOX 3873
KETCHUM ID 83340

RE: Application for Transfer No 69880
Water Right No(s) 73-175 73-2002 73-7076 73-176 73-7044 73-7093

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Challis Messenger, Arco Advertiser, Post Register, Times News, Lewiston Tribune and the Idaho Statesman on May 16 and 23, 2002. Submittal of protests to this application will be allowed for a period ending ten days (June 3, 2002) after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

MAY 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
ARCO ADVERTISER
PO BOX C
ARCO ID 83213

RE: Transfer No. 69877 and 69880

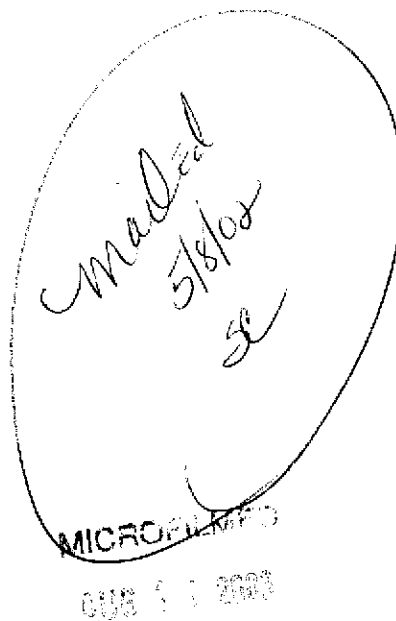
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303

RE: Transfer No. 69880
Water Right No(s). 73-175 73-2002 73-7076 73-176 73-7044 73-7093

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

MICROFILMED

AUG 11 2003

*Mailed
5/8/02
SC*



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
POST-REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

RE: Transfer No. 69880

Water Right No(s). 73-175 73-2002 73-7076 73-176 73-7044 73-7093

Dear CATHY VON BORSTEL:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
5/8/02
SC*

MAIL ROOM

MAY 10 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Transfer No. 69880
Water Right No(s). 73-175 73-2002 73-7076 73-176 73-7044 73-7093

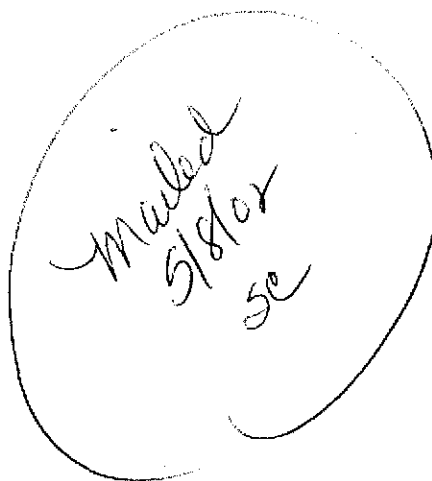
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

AUG 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No. 69880

Water Right No(s). 73-175 73-2002 73-7076 73-176 73-7044 73-7093

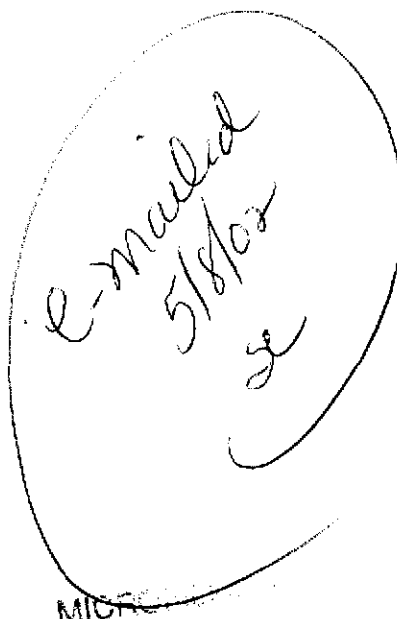
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED
AUG 14 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
May 08, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department

Challis Messenger

PO Box 405

Challis ID 83226

RE: Transfer No. 69880

Water Right No(s). 73-175 73-2002 73-7076 73-176 73-7044 73-7093

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
5/8/02
SC*

MICROFILMED

2002 5 10 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69880

DOUBLE SPRINGS RANCH LLC, FRANK TUNNEY JR, PO BOX 3873, KETCHUM ID 83340, has filed Application No. 69880 for changes to the following water rights within CUSTER County:

Right No. 73-175

Priority 4/27/1897

Source DOUBLESPRING CREEK

Use IRRIGATION (159 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-2002

Priority 3/3/1904

Source DOUBLESPRING CREEK

Use IRRIGATION (74 acres) 1.49 CFS

Total Amount 1.49 CFS

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S32 T12N R22E

Right No. 73-7076

Priority 3/10/1983

Source DOUBLESPRING CREEK

Use IRRIGATION (46.5 acres) 0.93 CFS 139.5 AFA

Total Amount 0.93 CFS 139.5 AFA

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S29 T12N R23E

Right No. 73-176

Priority 11/14/1903

Source DOUBLESPRING CREEK

Use IRRIGATION (154 acres) 3.20 CFS

Total Amount 3.20 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S32 T12N R23E

Right No. 73-7044

Priority 12/20/1979

Source DOUBLESPRING CREEK

Use IRRIGATION (165.8 acres) 3.00 CFS

Total Amount 3.00 CFS

Point(s) of Diversion SWSESW S31 T12N R23E

Place of Use S29 T12N R23E
S32 T12N R23E

MICROFILMED

APR 4 1988

Right No. 73-7093

Priority 7/18/1984

Source DOUBLESPRING CREEK

Use IRRIGATION (40 acres) 0.80 CFS 120.0 AFA

Total Amount 0.80 CFS 120.0 AFA

Point(s) of Diversion SESW S31 T12N R23E

Place of Use S29 T12N R23E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is creating one permissible place of use for all his rights totaling 557 irrigated acres in SEC 29 and 32. Also 7.5 acres will be dried up to allow for 5 acres of ponds to be constructed.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before June 03, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 16 and 23, 2002

MICROFILMED

AUG 1 1 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

April 25, 2002

RECEIVED
APR 29 2002
Department of Water Resources
Eastern Region

Mr. Harold Jones
Water Resource Supervisor
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Subject: Water Right Applications for Recreation Ponds – Double Springs Ranch LLC

Dear Harold:

On behalf of Double Springs Ranch, LLC, Scanlan Engineering is pleased to submit the following Application for Transfer of Water Right and Application for Permit.

- The transfer application proposes (1) a permissible place of use for all of the irrigation water rights appurtenant to the Double Springs Ranch and (2) changing the nature of use for a 0.15 cfs portion (7.5 acres) of license 73-7093 from irrigation to recreation and recreation storage in a series of ponds totaling 5 surface acres.
- The application for permit seeks a maximum diversion rate of 5.0 cfs for recreation and aesthetic uses in the pond. Season of use is year-around. Diversion during the irrigation season (at rates greater than the 0.15 cfs requested in the transfer) will occur to the extent that water is available.

Additional explanation regarding the applications is provided below.

Irrigation Water Rights

Irrigation water rights appurtenant to the Double Springs Ranch are listed below. The water source for all of the water rights is Double Springs Creek.

Water Right Number	Priority Date	Diversion Rate	Irrigated Area
73-175	4/27/1897	3.20 cfs	159 acres
73-176	11/14/1903	3.20 cfs	154 acres
73-2002	3/3/1904	1.49 cfs	74.6 acres
73-7044	12/20/1979	3.00 cfs	165.8 acres
73-7076	3/10/1983	0.93 cfs	46.5 acres
73-7093	7/18/1984	0.80 cfs	40 acres

T 69880
ATTACHMENT 2 OF 4

MICROFILMED

600 East River Park Lane, Suite 105
Boise, Idaho 83706

AUG 1 1 2003

Telephone (208) 383-4140
Facsimile (208) 383-4156



2225 W. Broadway, Suite A
Idaho Falls, Idaho 83402
(208) 552-2300 / Fax (208) 552-2305

April 22, 2002

State of Idaho
Department of Water Resources

RE: Double Springs Ranch
C/o Frank Tunney
Our Loan No. 43499-441

To Whom It May Concern:

This letter is in regards to the application for a Transfer of Water Right for the customer referenced above. Northwest Farm Credit Services, FLCA does hereby agree to this application for the use for a 7.5 acre portion of the irrigation water right to be changed to recreation and aesthetic, for use in constructed ponds totaling 5 acres area and 30 acre feet volume.

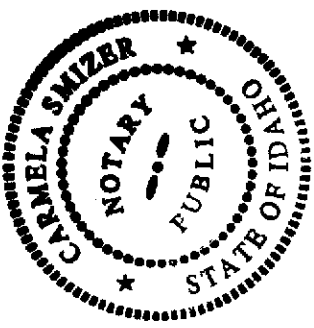
If you have any questions please contact me at 208-552-2315.

Sincerely,

Richard G. Hill
Authorized Agent

STATE OF Idaho)
)ss.
County of Bonneville)

On this 22nd day of April 2002, before me personally appeared Richard G. Hill known to me to be an authorized agent of the Northwest Farm Credit Services, FLCA that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute said instrument.



Carmela Smizer
Notary Public for the State of Idaho
Residing at Idaho Falls
My commission expires 8-1-2002

MICROFILMED
AUG 11 2003

ATTACHMENT T 69880
1 OF 4

Jones, Harold (Skip)

From: Jim Speck [jimspeck@cox-internet.com]
Sent: Saturday, May 04, 2002 10:14 PM
To: TMSANLAN@aol.com; hjones@idwr.state.id.us
Subject: RE: Tunney Transfer/Permit Applications

Terry and Harold -

* The sole member of Double Springs Ranch, LLC is Francis R. Tunney, Jr., Trustee of the Tunney Family Trust u/a dated November 6, 1989, as amended. Frank (Francis R. Tunney, Jr.) is the manager and it is a manager-managed LLC, so he has the authority to sign everything for the LLC.

Jim
James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com <mailto:jimspeck@cox-internet.com>

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you. <?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

-----Original Message-----

From: TMSANLAN@aol.com
Sent: Friday, May 03, 2002 10:01 AM
To: jimspeck@cox-internet.com
Cc: hjones@idwr.state.id.us

Jim -

Harold Jones needs the following information regarding the transfer and permit applications for Double Springs Ranch LLC.

1. Who are the members(?) of the LLC.
2. Does Frank Tunney have signature authority for the LLC.

Terry

MICROFILMED

APR 11 2003

Documents in the license files for 73-7044, 73-7076, and 73-7093 suggest an irrigated area under all water rights totaling 559.5 acres in 1984. The SRBA claims (not including 73-2002) total 565.3 acres. For purposes of the enclosed water right applications, we have assumed irrigation water rights for approximately 565 acres.

Delivery System

Water is diverted from Double Springs Creek to the ranch through an open ditch for a short distance, and then through approximately one-mile of steel pipe to the ranch. Upon entering the ranch, the pipeline branches into smaller diameter steel and PVC pipelines. An open ditch parallels the pipeline. Water may flow down the open ditch to the ranch during high flow periods or when water use from the pipeline is reduced.

Irrigation System

Prior to 2001, irrigation of the ranch was accomplished through a combination of wheel line sprinklers, hand line sprinklers, and flood irrigation on 565 acres. In 2001, four center pivot sprinklers were installed. Each pivot has a 1332-foot radius with a 100-foot end gun reach. The pivot sprinklers cover an estimated area of approximately 500 acres. The ranch will probably develop some additional irrigation in pivot corner areas over the next few years.

Since all of the water rights are delivered through the same pipe system, a permissible place of use is appropriate to allow maximum flexibility to utilize all water rights throughout the irrigated area.

Proposed Recreation Ponds

Four ponds totaling approximately 4.75 acres are currently proposed. Assuming an average depth of 6 feet, the ponds will have a capacity of approximately 30 acre feet. A compacted soil liner will be used to minimize seepage loss from the ponds.

Water will be delivered to the ponds through the existing irrigation delivery system. A buried pipe has been installed that extends from Pivot No. 1 (northeast pivot) to a discharge point above the uppermost of the four proposed ponds. Water will flow from the pipe into the first pond, and then through subsequent ponds. A pump located at the discharge point of the lowermost pond might be utilized to recirculate water through the pond system if necessary.

Water Right Applications

Double Springs Ranch proposes that water rights for the ponds be established by (1) transfer of a portion of the irrigation water right to recreation use at the ponds and (2) appropriation of a new water right for flow through the ponds (for recreation and aesthetic purposes). Retirement of irrigated acres as part of the transfer will mitigate any consumptive use associated with evaporation from the surface of the ponds. The new water right will authorize year-around diversion to the ponds of any water that is not being used for irrigation. Additional details are provided below.

MICROFILMED

AUG 14 2002

T 69880
ATTACHMENT 3 OF 4

Transfer Application. The water right transfer application proposes to make the following changes to the irrigation water rights.

- (1) Create a 557-acre permissible place of use for all of the irrigation water rights.
- (2) Change the nature of use from irrigation to recreation (for use in the ponds) of a 7.5-acre portion (0.15 cfs) of one of the water rights (73-7093). A 7.5-acre reduction in irrigated area will mitigate evaporation losses from pond surface. We understand that a 5-acre reduction would probably be adequate for evaporation losses. Thus, the 7.5-acre reduction will more than mitigate any consumptive use associated with the ponds.
- (3) Add 30 af of recreation storage as a component of water right 73-7093. The 30 af volume is based on 5 acres of pond with an average water depth of 6 feet. We assume that a one-year dry-up of 10 acres will offset the water volume needed for the initial filling of the recreation ponds.

Application for Permit. The application for permit seeks a maximum of 5 cfs (2,245 gpm) for year-around water flow through the ponds. Average flow rate through the ponds will be less than 5 cfs. Any consumptive use associated with pond evaporation will be mitigated by the acreage reduction proposed in the companion transfer described above. Water diverted through the pond system will exit the lowermost pond and sink into the same aquifer as before. Therefore, no adverse impacts on aquifer recharge are anticipated.

Impact of Proposed Transfer and Permit. Double Springs Ranch holds all irrigation water rights on Double Springs Creek. Although the Double Springs Creek watershed is within the Pahsimeroi River basin, the creek sinks before reaching the river. Therefore, no impacts to other water right holders are anticipated.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Cc: Frank Tunney
Jim Speck

MICROFILMED

AUG 11 2003

ATTACHMENT T 69880
4 OF 4