

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 88848**RECEIVED**

MAR 05 2024

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable to the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Tin Cup Ranch LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Tin Cup Ranch LLC Phone 208-219-1193
Mailing address 82 West 152 Lane South, Rupert, ID 83350 Email caryham@gmail.com

- ☒ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Bearcountry Pkts LLC by Ryan Pae
Signature of Applicant or Authorized Representative

Ryan Pae Manager
Print Name and Title if applicable

3-5-24
Date

Tin Cup Ranch LLC by Cary Hamilton
Signature of Applicant or Authorized Representative

Manager CARY HAMILTON
Print Name and Title if applicable

3-5-24
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

We propose to change the nature of use for a 5-acre portion of right 24-4074A from irrigation to stockwater storage and flood control storage for multiple ponds (total surface area = 1.0 acres) on an Unnamed Stream on our property to prevent erosion. Most of the ponds (up to five) will be constructed on the stream. We will also create one pond off the stream.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	24-4074A	0.16 cfs	Diversion to Storage	04/15 to 10/31	Unnamed Stream
☐ ☐		6.5 af	Stockwater Storage	01/01 to 12/31	
☐ ☐		6.5 af	Flood Control Storage	01/01 to 12/31	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.16 cfs and/or 6.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.16 cubic feet per second and/or 6.5 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NE	SW	5	05S	46E	Caribou	Unnamed Stream	
Y			NE	SW	5	05S	46E	Caribou	Unnamed Stream	
Y			SE	NW	5	05S	46E	Caribou	Unnamed Stream	
Y			SW	NW	5	05S	46E	Caribou	Unnamed Stream	
Y			SW	NW	5	05S	46E	Caribou	Unnamed Stream	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	5							S	S	S	5	S						
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
We've already built one dam/pond directly on the unnamed stream to prevent erosion. It captures water in the early summer during the snowmelt period. Then the creek dries up and the pond evaporates. Water is occasionally captured during the non-irrigation season during rain or snow events.
- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: We will check with the current owner, Back Country Pilots, to see whether its property is covered by a mortgage or lien.
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The 5 acres involved in this transfer will be dried up. Ponds will hold approximately 4.0 acre-feet. 1.0 acre feet will be lost to evaporation when water is in the pond (March-June). 0.4 acre-feet will be lost to seepage during this same time period. Total water use at the ponds will be 6.5 acre-feet.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None. Springs in the area provide stockwater.
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
If yes, describe:
To the best of our knowledge all of the flow in the Unnamed Stream has been captured in the original ditch and has irrigated and benefited the original place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/26/2024

Water Right 24-4074A

Owner Type **Name and Address**
Current Owner CARIBOU RANCH LLC
 PO BOX 21
 AUBURN, WY 83111-0021

Priority Date: 8/1/1890
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	HADERLIE CREEK
TINCUP CREEK	SALT RIVER
HADERLIE CREEK	TINCUP CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.250 CFS	
STOCKWATER	01/01	12/31	0.010 CFS	
	<u>Total Diversion</u>		0.250 CFS	

Source and Point(s) of Diversion:

UNNAMED STREAM	NWSESW	Sec. 5, Twp 05S, Rge 46E, CARIBOU County
TINCUP CREEK	SESWSE	Sec. 6, Twp 05S, Rge 46E, CARIBOU County
HADERLIE CREEK	SWSESE	Sec. 6, Twp 05S, Rge 46E, CARIBOU County

Place Of Use:

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	46E	5												1.9			6.0		7.9
05S	46E	8		0.1															0.1

POU Total Acres: 8.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. X02 Stockwater use is for 10 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/26/2024

4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$450.00 Date 3/5/24 Received by C.H. Receipt # E049854

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Application for Transfer
Tin Cup Ranch LLC
Water Right 24-4074A



2021 Aerial Imagery

- Township/Range
- Sections
- QQ

0 375 750 1,500 Feet



Seepage Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.

FILE NUMBER	24-4074A
REVIEWER	J Cefalo
DATE	2/23/2024

User Input
Calculated value
Formula Explanations

INPUTS

Pond Surface Area (AC.)	1	AC.
-------------------------	---	-----

Pond Surface Area (SQ. FT.)	43560	SQ. FT.
-----------------------------	-------	---------

I used the following method to obtain my Soil Classification information:	NRCS Web Soil Survey	
My Soil Classification is	CL	
Suggested Seepage Rate (FT./DAY)	0.0030	FT./DAY

Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss
--

**** Seepage only calculated for March - June (period when water will be in ponds)**

Convert to GPD	977	GPD
----------------	-----	-----

Total Seepage Loss (AFA)	0.4	AFA
--------------------------	-----	-----

Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."

Suggested Seepage Rates for Different Soil Types:
GW, GP, GM, GC, SW, SP and SM (silty sand, sand silt mixtures and gravel mixtures) = 0.2 ft per day
OL and ML (inorganic silts - very fine sands, silty, or clayey fine sands) = 0.02 ft per day
SC (clayey sands, sand clay mixtures) = 0.007 ft per day
CL (Low to medium plasticity clays) = 0.003 ft per day
MH, OH, PT and CH (high plasticity clays) = 0.0003 ft per day
LINED PONDS (liners can be chemical, fabric, or bentonite) = 0 ft per day
Ponds Intercepting Groundwater (excavated ponds filled by ground water) = 0 ft per day

PLEASE NOTE: The initial basis for the Suggested Seepage Rates in the table above is found on Page 16 of Seepage from Fish Ponds, Bulletin 599, August 1989 Alabama Agricultural experiment Station, Auburn University, Auburn University Alabama. If you don't know the soil type, please refer to the map provided at the NRCS Web Soil Survey (Tab #1), an ArcMap Soil Classification Map (Tab #1.1), or published NRCS Soil Survey (Tab #1.2). Use "0" if the pond fill relies on the water table.

Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	24-4074A
REVIEWER	J Cefalo
DATE	2/23/2024

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:

P = Precipitation
ET= Evapotranspiration
P _d = Precipitation deficit
P _d =ET-P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at X:/Spatial/Climate/ETIdahostations.shp.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: <http://data.kimberly.uidaho.edu/ETIdaho/>

Precipitation Deficit

Station: Twin Falls 2 NNE (NWS -- 109294)

Month	mm/day ¹	Days per month	mm/Month
Jan	-0.81	31	0.00
Feb	-0.54	28	0.00
March	-0.16	31	0.00
April	0.40	30	12.00
May	0.56	31	17.36
June	2.06	30	61.80
July	3.14	31	97.34
August	2.61	31	80.91
September	1.27	30	38.10
October	0.08	31	2.48
November	-0.49	30	0.00
December	-0.85	31	0.00

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 309.99

$[(\text{mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$

(309.99 ÷ 304.8) X 1.00 = 1.0 AFA

Total Storage Calculations

FILE NUMBER	24-4074A
REVIEWER	J Cefalo
DATE	2/23/2024

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	1	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	4	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	4	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. <i>Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.</i>
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	1	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). <i>Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.</i>
Estimated Seepage Loss (AF)	0.4	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	1.0	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	6.4	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.



0005408022

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005408022

Date Filed: 9/21/2023 2:11:16 PM

B0840-1559 09/21/2023 2:11 PM Received by Office of the Idaho Secretary of State

Entity Name and Mailing Address:

Entity Name: Tincup Ranch L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0004390026
Address: CARY
82 W 152 LN S
RUPERT, ID 83350-9689

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: Cary B Hamilton
Registered Agent
Physical Address
82 W 152 LN S
RUPERT, ID 83350
Mailing Address
82 W 152 LN S
CARY
RUPERT, ID 83350-9689

Limited Liability Company Managers and Members

Name	Title	Business Address
Cary B Hamilton	Manager	CARY 82 W 152 LN S RUPERT, ID 83350

The annual report must be signed by an authorized signer of the entity.

Job Title: manager

cary hamilton

Sign Here

09/21/2023

Date



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 3, 2024

TINCUP RANCH LLC
82 W 152 LN S
RUPERT, ID 83350-9689

RE: Transfer No. 88848
Water Right No(s). 24-4074A

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATE JOURNAL on 4/10/2024 and 4/17/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 3, 2024 2:52 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Idaho State Journal
Attachments: 88806, 88808, 88848 Idaho State Journal.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO, ID 83204-0431

RE: Transfer No. 88806, 88808, 88848
Water Right No(s). 13-743, 13-744, 13-7999, 13-8000, 13-8008, 13-8011, 13-8019, 13-7999, 13-8000, 13-8009, 13-8012, 13-8013, 24-4074A

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 4/29/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88806

DOUGLAS E FLAGG and SHERIE ANN FLAGG, 2253 LAGO LIBERTY RD, GRACE, ID 83241-5330 has filed Application No. 88806 for changes to the following water rights within CARIBOU County(s): Right No(s). 13-743, 13-744, 13-7999, 13-8000, 13-8008, 13-8011, 13-8019; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in SESW Sec 15 T11S R41E (Sorensen Ditch) for 2.20 cfs from Middle Fork Trout Creek. Proposed place of use is in SENE and NESE Sec 20, and NESW and NWSW Sec 21, T11S R41E for 110 acres.

TRANSFER NO. 88808

DOUGLAS E FLAGG and SHERIE ANN FLAGG, 2253 LAGO LIBERTY RD, GRACE, ID 83241-5330 has filed Application No. 88808 for changes to the following water rights within CARIBOU County(s): Right No(s). 13-7999, 13-8000, 13-8009, 13-8012, 13-8013; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in SESW Sec 15 T11S R41E (Sorensen Ditch) for 1.35 cfs from Middle Fork Trout Creek. Proposed place of use is in NENE and NWNE Sec 20, and SESE Sec 17, T11S R41E for 68 acres.

TRANSFER NO. 88848

TINCUP RANCH LLC, 82 W 152 LN S, RUPERT, ID 83350-9689 has filed Application No. 88848 for changes to the following water rights within CARIBOU County(s): Right No(s). 24-4074A; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add points of diversion, and change points of diversion, place of use, nature of use and period of use. Proposed points of diversion are in NESW, NESW, SENW, SWNW and SWNW Sec 5 T05S R46E to divert 0.16 cfs to storage from an unnamed stream tributary to Haderlie Creek. Proposed volume is 6.5 AF of stockwater storage and flood control storage from 1/1 to 12/31. Proposed place of use for storage is in SWNW, SENW, NESW, NWSW and SWSW Sec 5 T05S R46E. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. 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 83402-1718 together with a protest fee of \$25.00 for each application on or before 4/29/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 4/10/2024 and 4/17/2024

Holliday, Michael

From: Cary Hamilton <caryham@gmail.com>
Sent: Friday, March 22, 2024 10:02 AM
To: Holliday, Michael
Subject: Re: Tin Cup Ranch water right transfer application

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael

We're not intending to change the ownership right now

There is no mortgage holders on the property

The water just been running out into a field. It's got hay/Pasture in it right now.

If you have any other questions, please let me know. Thank you.

On Fri, Mar 22, 2024 at 9:44 AM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Cary,

Were you intending to update the ownership of the water right in this transfer? If so, we will need \$100 and chain of title (copies of the conveyance documents) from Caribou Ranch LLC to Tincup Ranch LLC.

Have you found out if there is a lien or mortgage on the current water right place of use? If so, we will need correspondence from the lienholder on official letterhead giving assent to the transfer.

Also, what has historically been irrigated on the Back Country Pilots land? Is it pasture or something else?

Thanks for the info.

Michael

From: Cary Hamilton <caryham@gmail.com>
Sent: Thursday, March 21, 2024 12:08 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: Re: Tin Cup Ranch water right transfer application

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Micheal yes, that looks OK. Thank you.

On Thu, Mar 21, 2024 at 12:00 PM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Cary,

While reviewing the transfer you recently filed, I found a couple of minor errors in a couple legal descriptions on the application. Attached are the pages that need attention with the changes marked in red. Please review these changes and let me know if these changes are acceptable. If so, we will forge ahead with processing. Feel free to call if you have any questions. Thanks.



Michael Holliday | Water Rights Supervisor

900 N Skyline Dr, Ste A, Idaho Falls, ID 83402

(208) 525-7161 | www.idwr.idaho.gov