

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84908**RECEIVED**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

MAR 25 2021

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A report 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) Loy Pehrson, Byron Pehrson

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 idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #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 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: Additional description for Part 1 B.5.f

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Loy Pehrson, Byron Pehrson Phone 208-588-3380
Mailing address 3820 W 3580 N Darlington, ID 83255 Email _____
3624 W 3700 N

- ☐ 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 Rocky Mountain Environmental Associates, Inc. Phone 208-524-2353
Mailing address 482 Constitution Way Ste 303, Idaho Falls ID 83402 Email kristin.rmea@gmail.com

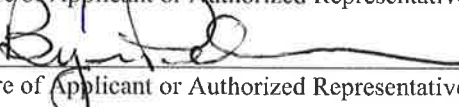
- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ 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.


Signature of Applicant or Authorized Representative

Loy Pehrson
Print Name and Title if applicable

3-25-21
Date


Signature of Applicant or Authorized Representative

Byron Pehrson
Print Name and Title if applicable

3-25-21
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.O.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**.
The purpose of this transfer is to move portions of five ground water rights to become supplemental to an existing center pivot which will continue to have primary underlying surface-water rights. A new well will be needed. The remaining portions of the rights (as reduced by this transfer) will continue from existing PODs on existing POUs.

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 ☐ ☒	34-2304	0.12/21.4	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	34-4010	0.43/75.6	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	34-7025	0.21/24.9	Irrigation	04/01 to 11/01	Ground Water
☐ ☒	34-12378	0.13/30.1	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	34-13829	0.45/78.1	Irrigation	04/15 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.09 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.09 cubic feet per second and/or _____ 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 #
Yes		NE	NW	SE	32	07N	25E	Custer	Ground Water	(not yet assigned)

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	
07N	25E	32									34					25.6			59.6
Total Acres (for irrigation use)																			59.6

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:

Water will be diverted from a new well, pumped to an existing mainline and center pivot that will continue to also be connected to the surface-water source.

- b. Who owns the property at the point(s) of diversion? Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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: None

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: Transferred portions of non-supplement rights 34-2304 and 34-7025 will not be irrigated. Transferred portions of supplemental rights 34-4010, 34-12378 and 34-13929 will not be irrigated with groundwater, within the combined-use limitations.

- 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: Part 1 B.5.f narrative is included in Attachment #10.

- 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:

The portions to be transferred are currently enrolled in Water Supply Bank contracts 958, 959 and 964 as described in Attachment #9 (Attachment WSB).

Transfer # _____ Part 2A

Page 5

Part 2A. Pre-transfer Water Right Printouts

Loy Pehrson, Byron Pehrson

Five water-right printouts are attached.



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to [call ahead for an appointment](#).

WATER RIGHT REPORT

2/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-2304

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON PEHRSON 3624 W 3700 N DARLINGTON, ID 83255-8779 2085883380
Current Owner	TERRI PEHRSON 3820 W 3580 N DARLINGTON, ID 83231 2085883101
Directors Report Owner	DELVIN A HALE RT 1 MACKAY, ID 83251 2085882610
Original Owner	AETNA CASUALTY & SURETY CO ATTN: ED BUCKLEY 242 TRUMBULL HARTFORD, CT 06156
Original Owner	DONALD H BIRNEY ATTN: ED BUCKLEY 242 TRUMBULL GROUSE, ID 83242
Original Owner	DEWAIN CLARK ATTN: ED BUCKLEY 242 TRUMBULL SHOSHONE, ID 83352

Priority Date: 05/18/1953

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	7.18 CFS	
Total Diversion			7.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESWNW	Sec. 04	Township 06N	Range 25E	CUSTER County
GROUND WATER	NWSESW	Sec. 04	Township 06N	Range 25E	CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	4		SWNE	25		SENE	27						
				SWNW	30		SENE	40						
				NESW	40		NWSW	40		SWSW	2		SESW	22
				NESE	30		NWSE	20		SWSE	23		SESE	40
				NENE	20									
		9												

Total Acres: 359

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHT NO. 34-07025 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.48 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1456 AF.
- USE OF THIS RIGHT WITH RIGHT NO. 34-07025 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 416 ACRES IN A SINGLE IRRIGATION SEASON.
- M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
- 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.
- RIGHT NO. 34-07025 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 07/10/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 416

Combined Volume Limit: 1456

Combined Rate Limit: 12.48

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): BYRON PEHRSON

Lease Status: Active

Lease Amount: 98

Rental Availability: 98

Date Received: 5/13/2014

Lease Begin Date: 5/13/2014

Expiration Date: 12/31/2018



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WATER RIGHT REPORT

2/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-4010

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON PEHRSON 3624 W 3700 N DARLINGTON, ID 83255-8779 2085883380
Current Owner	LOY PEHRSON 3624 W 3700 N MOORE, ID 83255-8779 2085883380

Priority Date: 08/01/1961

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.41 CFS	600.6 AFA
Total Diversion			3.41 CFS	600.6 AFA

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 25	Township 06N	Range 25E	CUSTER County
GROUND WATER	NWNWSE	Sec. 25	Township 06N	Range 25E	CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	25		SWSW	20		SESW	19.6						
				NESE	35		NWSE	40		SWSE	25		SESE	32

Total Acres: 171.6

Conditions of Approval:

1. 186 Diversion of water from the additional well authorized under Transfer 77006 located in SWSW, Sec. 25, T06N, R25E shall not exceed a maximum diversion rate of 0.74 cfs.
2. X35 Rights 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-4010, 34-7056, and 34-14209 when combined shall not exceed a total diversion rate of 17.08 cfs and the irrigation of 645 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 77006, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. R63 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 place of use.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 205 The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 645

Combined Volume Limit:

Combined Rate Limit: 17.08

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): BYRON PEHRSON
LOY PEHRSON

Lease Status: Active

Lease Amount: 75.6

Rental Availability: 75.6

Date Received: 5/13/2014

Lease Begin Date: 5/13/2014

Expiration Date: 12/31/2018



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WATER RIGHT REPORT

2/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7025

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON PEHRSON 3624 W 3700 N DARLINGTON, ID 83255-8779 2085883380
Current Owner	TERRI PEHRSON 3820 W 3580 N DARLINGTON, ID 83231 2085883101
Directors Report Owner	DELVIN A HALE RT 1 MACKAY, ID 83251 2085882610
Original Owner	AETNA CASUALTY & SURETY CO ATTN: ED BUCKLEY 242 TRUMBULL HARTFORD, CT 06156
Original Owner	DONALD H BIRNEY ATTN: ED BUCKLEY 242 TRUMBULL GROUSE, ID 83242
Original Owner	FIRST CONTINENTAL CORP ATTN JOHN PARKER PO BOX 31775 BILLINGS, MT 59107

Priority Date: 05/05/1972

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	5.62 CFS	
Total Diversion			5.62 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESWNW	Sec. 04	Township 06N	Range 25E	CUSTER County
GROUND WATER	NWSESW	Sec. 04	Township 06N	Range 25E	CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	4		SWNE	34		SENE	20						
				SWNW	39		SENE	40						
				NESW	40		NWSW	39		SESW	22			
				NESE	39		NWSE	40		SWSE	39		SESE	39
				NENE	20		NWNE	5						
		9												

Total Acres: 416

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-02304 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.48 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1456 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-02304 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 416 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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.
4. RIGHT NO. 34-02304 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 07/10/2002

Permit Proof Due Date: 5/1/1978

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 5/17/1972

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 416

Combined Volume Limit: 1456

Combined Rate Limit: 12.48

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): BYRON PEHRSON

Lease Status: Active

Lease Amount: 46.6

Rental Availability: 46.6

Date Received: 5/13/2014

Lease Begin Date: 5/13/2014

Expiration Date: 12/31/2018



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WATER RIGHT REPORT

2/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-12378

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON PEHRSON 3624 W 3700 N DARLINGTON, ID 83255-8779 2085883380
Current Owner	LANA PEHRSON
Current Owner	LOY PEHRSON
Current Owner	TERRI PEHRSON 3340 W 2800 N MOORE, ID 83255 2085883381

Priority Date: 06/09/1966

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.03 CFS	245 AFA
Total Diversion			1.03 CFS	245 AFA

Location of Point(s) of Diversion:

GROUND WATER|SWNE|Sec. 36|Township 06N|Range 25E|BUTTE County

GROUND WATER|SESW|Sec. 31|Township 06N|Range 26E|BUTTE County

IRRIGATION Use:

Acre Limit: 70

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	36		NENE	38		NWNE	38		SWNE	35		SENE	40
				NENW	18		SENE	8						
				NESE	20		NWSE	2						
	26E	31		SWSW	15		SESW	38						

Total Acres: 252

Conditions of Approval:

1. 186 Diversion of water from the additional well(s) authorized under Transfer 76639 located in SESW, Sec. 31, T06N, R26E shall not exceed a total combined maximum diversion rate of .77 cfs.
2. K09 This right is for an enlargement of 70.0 acres within the place of use described for this right.
3. X35 Rights 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 3.64 cfs and the irrigation of 252.0 acres.
4. X35 Rights 34-28G, 34-131B, 34-132B, 34-191, 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 5.98 cfs and the irrigation of 252.0 acres.
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 214 Prior to the diversion and use of water under Transfer approval 76639, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R63 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.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

11. K02 This right is based upon an enlargement of Right No. 34-13829 pursuant to Section 42-1426, Idaho Code.
12. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 252

Combined Volume Limit: 637

Combined Rate Limit: 3.64

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): LOY PEHRSON

Lease Status: Active

Lease Amount: 30.1

Rental Availability: 30.1

Date Received: 5/13/2014

Lease Begin Date: 5/13/2014

Expiration Date: 12/31/2018



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

2/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-13829

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BYRON PEHRSON 3624 W 3700 N DARLINGTON, ID 83255-8779 2085883380
Current Owner	LANA PEHRSON
Current Owner	LOY PEHRSON
Current Owner	TERRI PEHRSON 3340 W 2800 N MOORE, ID 83255 2085883381
Attorney	PETER C MONSON US DEPT OF JUSTICE INDIAN RES SEC LAND & NATURAL RESOURCE 1961 STOUT ST 8TH FL DENVER, CO 80294 3038441353
Original Owner	JOHN E MC AFFEE 570 NORVIN AVE IDAHO FALLS, ID 83401 2085893223

Priority Date: 09/02/1961

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	3.64 CFS	637 AFA
Total Diversion			3.64 CFS	637 AFA

Location of Point(s) of Diversion:

GROUND WATER | SWNE | Sec. 36 | Township 06N | Range 25E | BUTTE County

GROUND WATER | SESW | Sec. 31 | Township 06N | Range 26E | BUTTE County

IRRIGATION Use:

Acre Limit: 182

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	25E	36		NENE	38		NWNE	38		SWNE	35		SENE	40
				NENW	18		SENW	8						
				NESE	20		NWSE	2						
	26E	31		SWSW	15		SESW	38						

Total Acres: 252

Conditions of Approval:

- 186 Diversion of water from the additional well(s) authorized under Transfer 76639 located in SESW, Sec. 31, T06N, R26E shall not exceed a total combined maximum diversion rate of .77 cfs.
- X27 This right is limited to the irrigation of 182.0 acres within the authorized place of use in a single irrigation season.
- X35 Rights 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 3.64 cfs and the irrigation of 252.0 acres.
- X35 Rights 34-28G, 34-131B, 34-132B, 34-191, 34-12378 and 34-13829 when combined shall not exceed a total diversion rate of 5.98 cfs and the irrigation of 252.0 acres.
- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
- R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

7. 214 Prior to the diversion and use of water under Transfer approval 76639, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R63 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.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. K01 Right No. 34-12378 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 252

Combined Volume Limit: 637

Combined Rate Limit: 3.64

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): LOY PEHRSON

Lease Status: Active

Lease Amount: 78.1

Rental Availability: 78.1

Date Received: 5/13/2014

Lease Begin Date: 5/13/2014

Expiration Date: 12/31/2018

Transfer # _____ Part 2B

Page 26

Part 2B. Pre-transfer Water Right Printouts

Loy Pehrson, Byron Pehrson

Five Application for Transfer Part 2B are attached.

84908

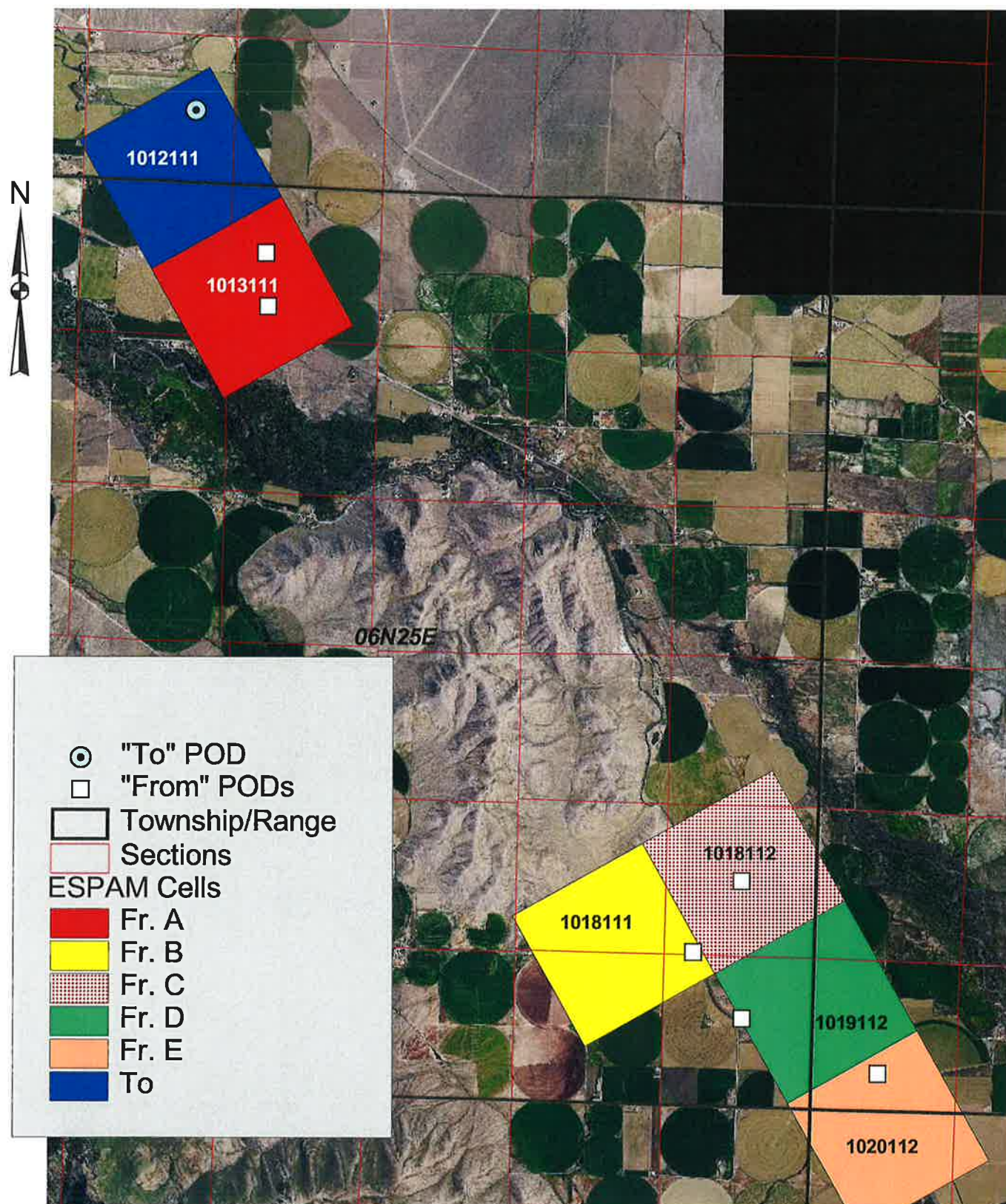
Attachment #5. ESPA Modeling Loy Pehrson, Byron Pehrson

The transfer proposes to move groundwater diversion volume from six existing points of diversion under five water rights to a new well to be drilled. Table 1 provides details of the Model Cell and Point of Diversion locations shown in Figure 1 for Attachment #5. Well groups are identified by Water Supply Bank Lease numbers as these account for rights linked by shared POU's and/or PODs. Cell ID designations for modeling started with "FR. A" as the "From" cell nearest the "To" cells, and proceeded to more distant cells.

Table 1. Detail of Model Cell and Point of Diversion Locations

Water Right & WSB Lease Identification	Model Row	Model Column	Cell ID for Transfer Modeling
Proposed New POD	12	111	To
WSB Lease 964 WR 34-2304 & 34-7025	13	111	FR. A
WSB Lease 959 WR 34-4010	18	111	FR. B
	18	112	FR. C
WSB Lease 958 WR 34-12378 & 34-13829	19	112	FR. D
	20	112	FR. E

To simplify the modeling, three runs of the ETRAN 3.3 transfer tool were run, one for each related group of water rights. It is acknowledged that the work could have been done in two runs by splitting one group of related rights. To allow summation of runs, all started in the spring trimester of 1953. No group of related rights had wells in non-adjacent cells and it seemed speculative at best to construct a synthetic history of partition between wells in any one group. Therefore, transferred pumping volumes were uniformly distributed between the two model cells in each group that had wells in more than one cell. Where a group of related water rights had combined-use limitations, the senior of the pair received its full volume starting with its priority date, and the remaining volume under the combined-use limitation was applied to the junior right commencing with its priority date. Given the distance from the Snake River, seasonality is not a concern so pumping was represented as uniformly distributed through the year.



482 Constitution Way, Idaho Falls, ID 83402
208-524-2353

Figure 1 For Attachment #5 - Modeling Map

Loy Pehrson, Byron Pehrson Transfer Application

Table 2 summarizes the input volumes applied. The exact formula calculations from Table 2 were used in ETRAN 3.3, though the cell formatting does not allow this to be seen in the screenshots and the spreadsheet formatting is locked. In all cases, the "without transfer" pumping equaled the "with transfer" pumping. Starting in the spring of 2021 the "To" well pumping equaled the sum of the "From" well pumping without transfer and the "From" well pumping with transfer was set to zero.

Table 2. Input Volumes Applied in ETRAN 3.3 Modeling

Group	Period	From Well 1 Acre Feet/ Trimester	From Well 2 Acre Feet/ Trimester
FR. A	Spring 1953 - Winter 1971	(21.4/3) ~ 7.13	N/A
	Spring 1971 - Winter 2020	(24.9/3) ~ 8.30	N/A
	Spring 2021 - Winter 2102	(24.9/3) ~ 8.30	N/A
FR. B and FR. C	Spring 1953 - Winter 1960	zero	zero
	Spring 1961 - Winter 2020	$[(75.6/3)/2] \sim 19.83$	$[(76.6/3)/2] \sim 19.83$
	Spring 2021 - Winter 2102	$[(75.6/3)/2] \sim 19.83$	$[(75.6/3)/2] \sim 19.83$
FR. D and FR. E	Spring 1953 - Summer 1961	zero	zero
	Summer 1961 - Spring 1966	$[(78.1/3)/2] \sim 13.02$	$[(78.1/3)/2] \sim 13.02$
	Summer 1966 - Winter 2020	$[(108.2/3)/2] \sim 18.03$	$[(108.2/3)/2] \sim 18.03$
	Spring 2020 - Winter 2102	$[(108.2/3)/2] \sim 18.03$	$[(108.2/3)/2] \sim 18.03$

Screenshots of the data-entry pages for each of the three model runs follow, and then the individual transient graphs. After the individual transient graphs is a screenshot of the Mitigation Analysis Tool (MAT) summary and analysis table.

Microsoft Excel interface showing the "ENHANCED GROUND-WATER RIGHTS TRANS" spreadsheet. The formula bar displays $=+(21.4+3.5)/3$ in cell B242.

SECURITY WARNING Macros have been disabled. [Enable Content](#)

ENHANCED GROUND-WATER RIGHTS TRANS
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: Pehrson 21
YEAR: 1953
SEASON: SPRING

TRANSFER NAME: FR A

UPDATE DATES **RUN MODEL** **GET OUTPUT**

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	12	13	0	0
COLUMN	111	111	0	0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
218 WIN 2018	0	8	8	0	0	0	0
219 SPR 2019	0	8	8	0	0	0	0
220 SUM 2019	0	8	8	0	0	0	0
221 WIN 2019	0	8	8	0	0	0	0
222 SPR 2020	0	8	8	0	0	0	0
223 SUM 2020	0	8	8	0	0	0	0
224 WIN 2020	0	8	8	0	0	0	0
225 SPR 2021	8	0	8	0	0	0	0
226 SUM 2021	8	0	8	0	0	0	0
227 WIN 2021	8	0	8	0	0	0	0
228 SPR 2022	8	0	8	0	0	0	0
229 SUM 2022	8	0	8	0	0	0	0
230 WIN 2022	8	0	8	0	0	0	0
231 SPR 2023	8	0	8	0	0	0	0
232 SUM 2023	8	0	8	0	0	0	0
233 WIN 2023	8	0	8	0	0	0	0

Microsoft Excel interface showing the "ENHANCED GROUND-WATER RIGHTS TRANSFER" model setup. The ribbon includes FILE, HOME, INSERT, PAGE LAYOUT, FORMULAS, DATA, REVIEW, VIEW, and ACROBAT. The formula bar shows "A13" and "ENTER CELL LOCATIONS:". The spreadsheet contains the following data:

ENHANCED GROUND-WATER RIGHTS TRANSFER							
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPT OF AGRICULTURE							
Cells this color are set up for user entries				UPDATE DATES		RUN MODEL	
ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON				GET OUTPUT			
TRANSFER NO: Pehrson 21				CALCULATE EFFECTS			
YEAR: 1953							
SEASON: SPRING				TRANSFER NAME: FR. B and FR. C			
ENTER CELL LOCATIONS:							
	TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL			
ROW	12	18	18	0			
COLUMN	111	111	112	0			
TRIMESTER OF ACTIVITY	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
211 SUM 2016	0	13	13	13	13	0	0
212 WIN 2016	0	13	13	13	13	0	0
213 SPR 2017	0	13	13	13	13	0	0
214 SUM 2017	0	13	13	13	13	0	0
215 WIN 2017	0	13	13	13	13	0	0
216 SPR 2018	0	13	13	13	13	0	0
217 SUM 2018	0	13	13	13	13	0	0
218 WIN 2018	0	13	13	13	13	0	0
219 SPR 2019	0	13	13	13	13	0	0
220 SUM 2019	0	13	13	13	13	0	0
221 WIN 2019	0	13	13	13	13	0	0
222 SPR 2020	0	13	13	13	13	0	0
223 SUM 2020	0	13	13	13	13	0	0
224 WIN 2020	0	13	13	13	13	0	0
225 SPR 2021	25	0	13	0	13	0	0
226 SUM 2021	25	0	13	0	13	0	0
227 WIN 2021	25	0	13	0	13	0	0
228 SPR 2022	25	0	13	0	13	0	0
229 SUM 2022	25	0	13	0	13	0	0
230 WIN 2022	25	0	13	0	13	0	0
231 SPR 2023	25	0	13	0	13	0	0
232 SUM 2023	25	0	13	0	13	0	0
233 WIN 2023	25	0	13	0	13	0	0
234 SPR 2024	25	0	13	0	13	0	0
235 SUM 2024	25	0	13	0	13	0	0
236 WIN 2024	25	0	13	0	13	0	0
237 SPR 2025	25	0	13	0	13	0	0
238 SUM 2025	25	0	13	0	13	0	0
239 WIN 2025	25	0	13	0	13	0	0

Microsoft Excel interface showing a spreadsheet titled "ENHANCED GROUND-WATER RIGHTS TRANS". The spreadsheet is divided into sections for user input and simulation results.

Header Section:

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

User Input Section:

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: Pehrson 21

YEAR: 1953

SEASON: SPRING

TRANSFER NAME: FR. D & FR. E

Simulation Controls:

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

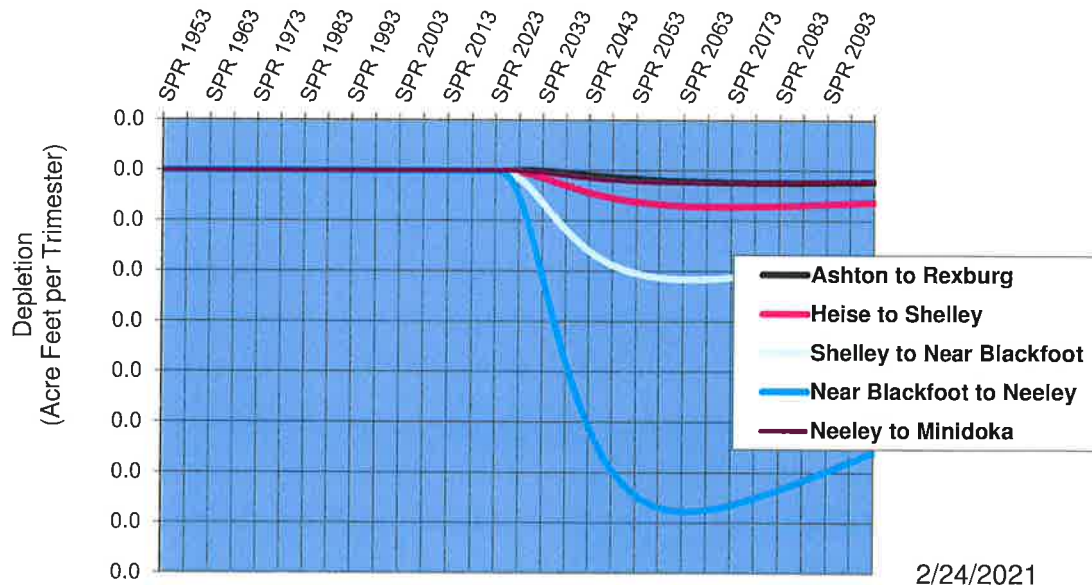
ENTER CELL LOCATIONS:

	TO' CELL	FROM1' CELL	FROM2' CELL	FROM3' CELL
ROW	12	19	20	0
COLUMN	111	112	112	0

Simulation Results Table:

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
215 WIN 2017	0	18	18	18	18	0	0
216 SPR 2018	0	18	18	18	18	0	0
217 SUM 2018	0	18	18	18	18	0	0
218 WIN 2018	0	18	18	18	18	0	0
219 SPR 2019	0	18	18	18	18	0	0
220 SUM 2019	0	18	18	18	18	0	0
221 WIN 2019	0	18	18	18	18	0	0
222 SPR 2020	0	18	18	18	18	0	0
223 SUM 2020	0	18	18	18	18	0	0
224 WIN 2020	0	18	18	18	18	0	0
225 SPR 2021	36	0	18	0	18	0	0
226 SUM 2021	36	0	18	0	18	0	0
227 WIN 2021	36	0	18	0	18	0	0
228 SPR 2022	36	0	18	0	18	0	0
229 SUM 2022	36	0	18	0	18	0	0
230 WIN 2022	36	0	18	0	18	0	0
231 SPR 2023	36	0	18	0	18	0	0
232 SUM 2023	36	0	18	0	18	0	0
233 WIN 2023	36	0	18	0	18	0	0
234 SPR 2024	36	0	18	0	18	0	0
235 SUM 2024	36	0	18	0	18	0	0

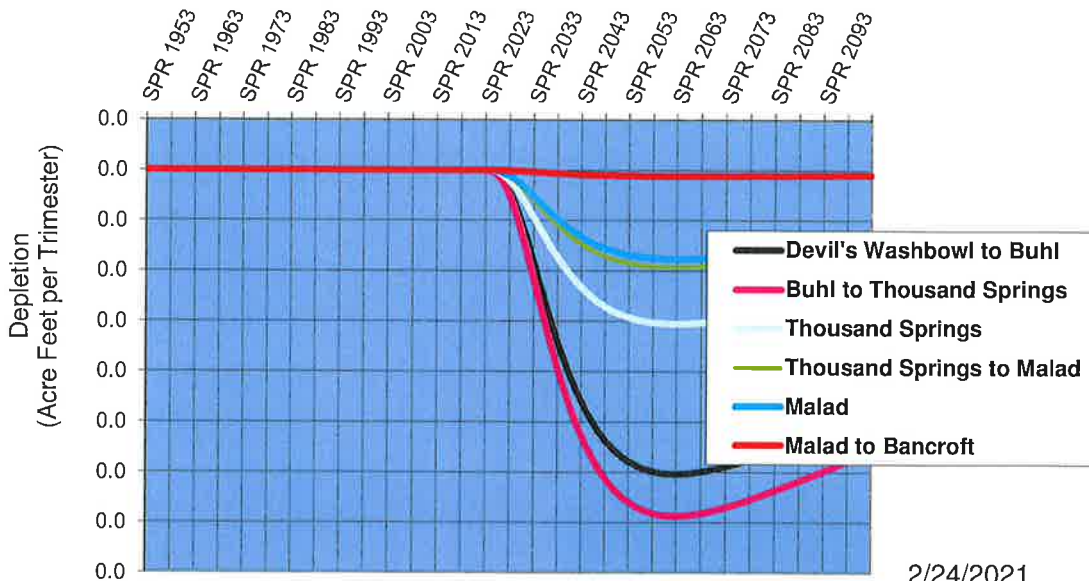
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: FR A

Transfer No: Pehrso

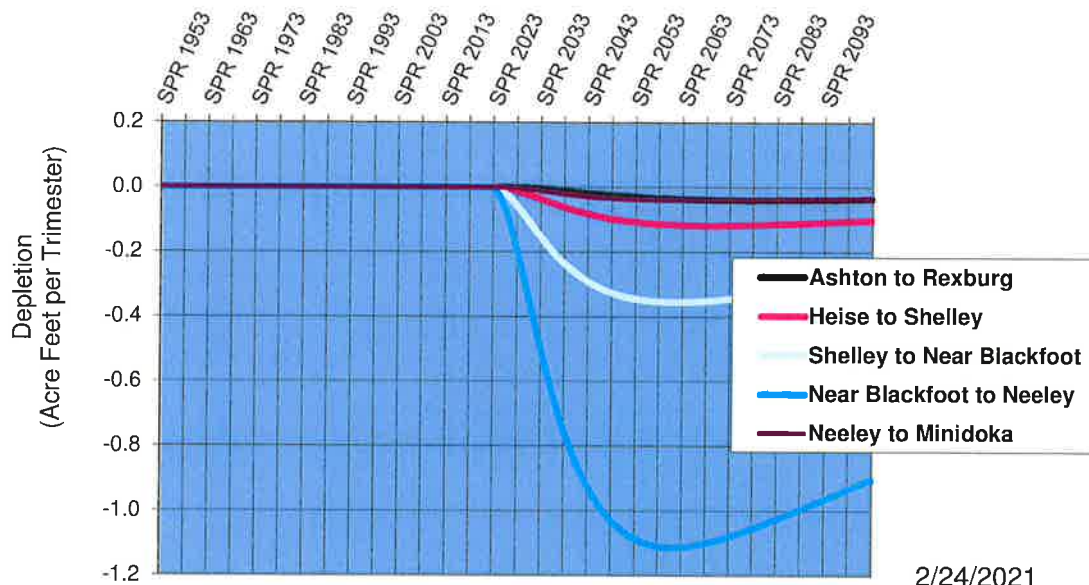
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: FR A

Transfer No: Pehrso

Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)

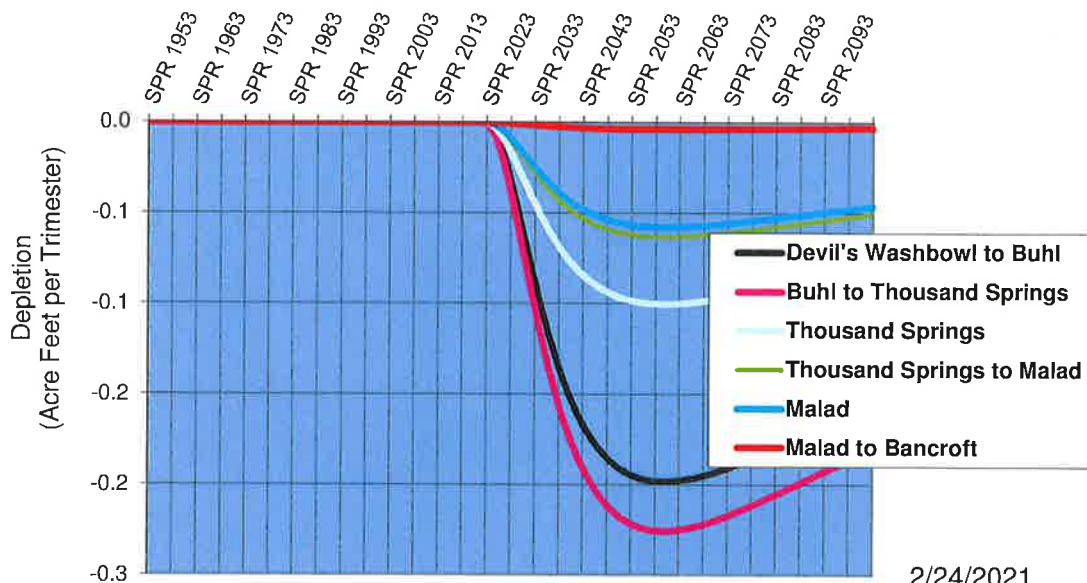


2/24/2021
Version 3.3

Customer Name: FR. B and FR. C

Transfer No: Pehrso

Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

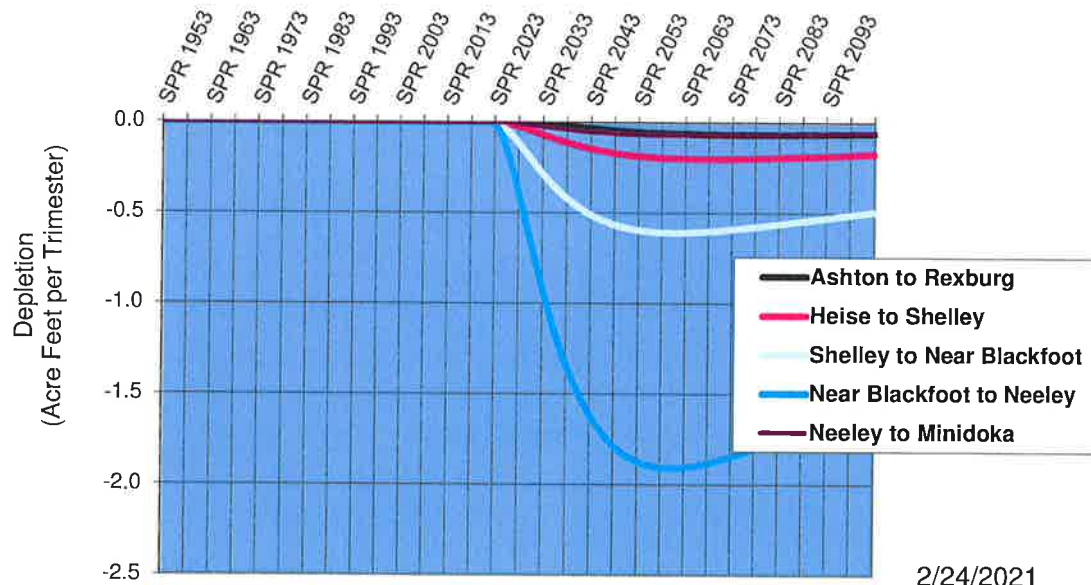


2/24/2021
Version 3.3

Customer Name: FR. B and FR. C

Transfer No: Pehrso

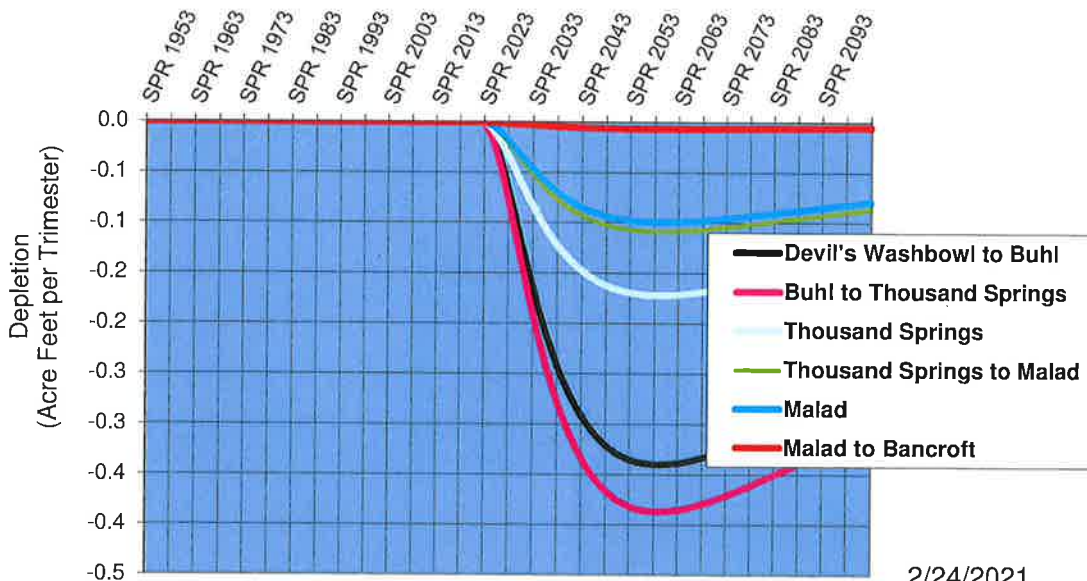
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: FR. D & FR. E

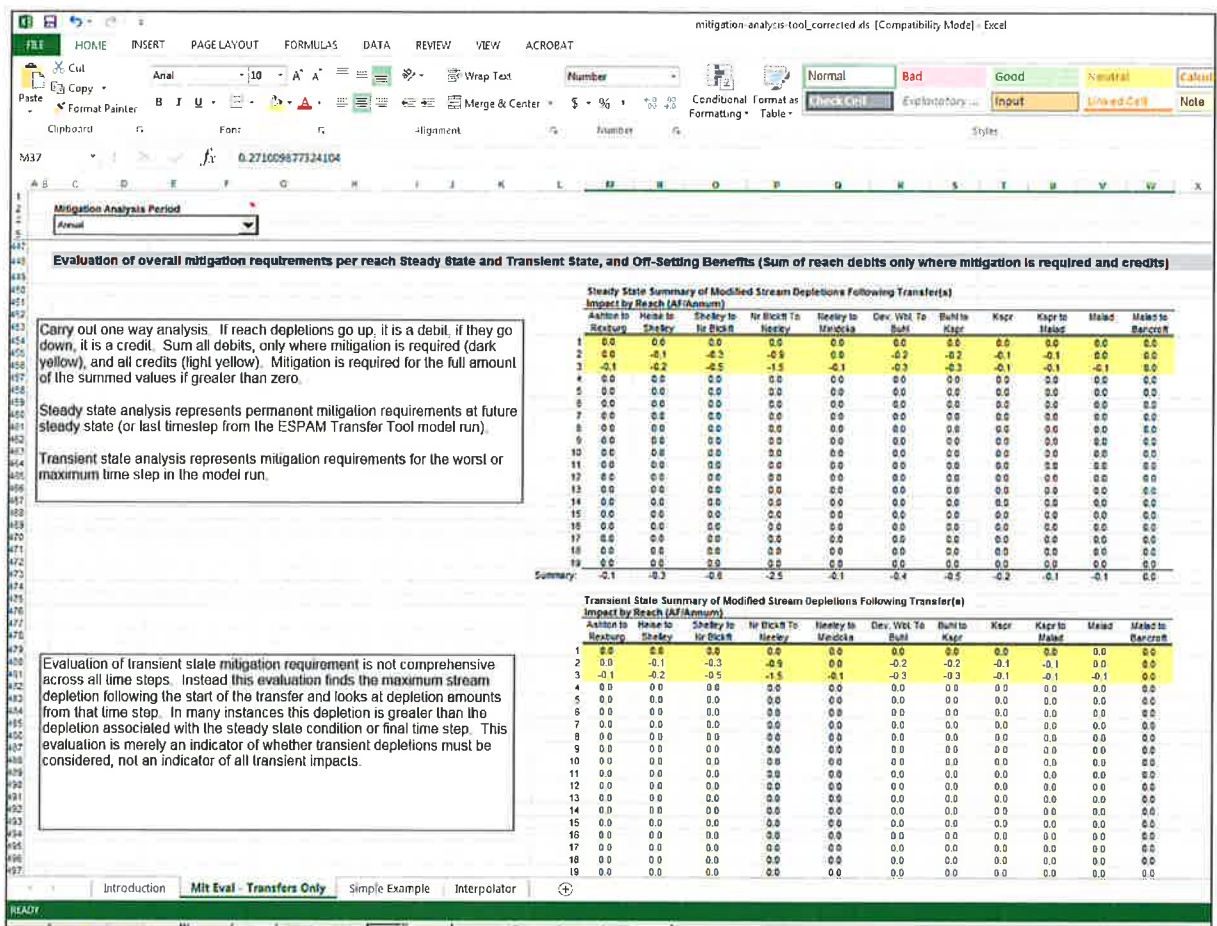
Transfer No: Pehrso

Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

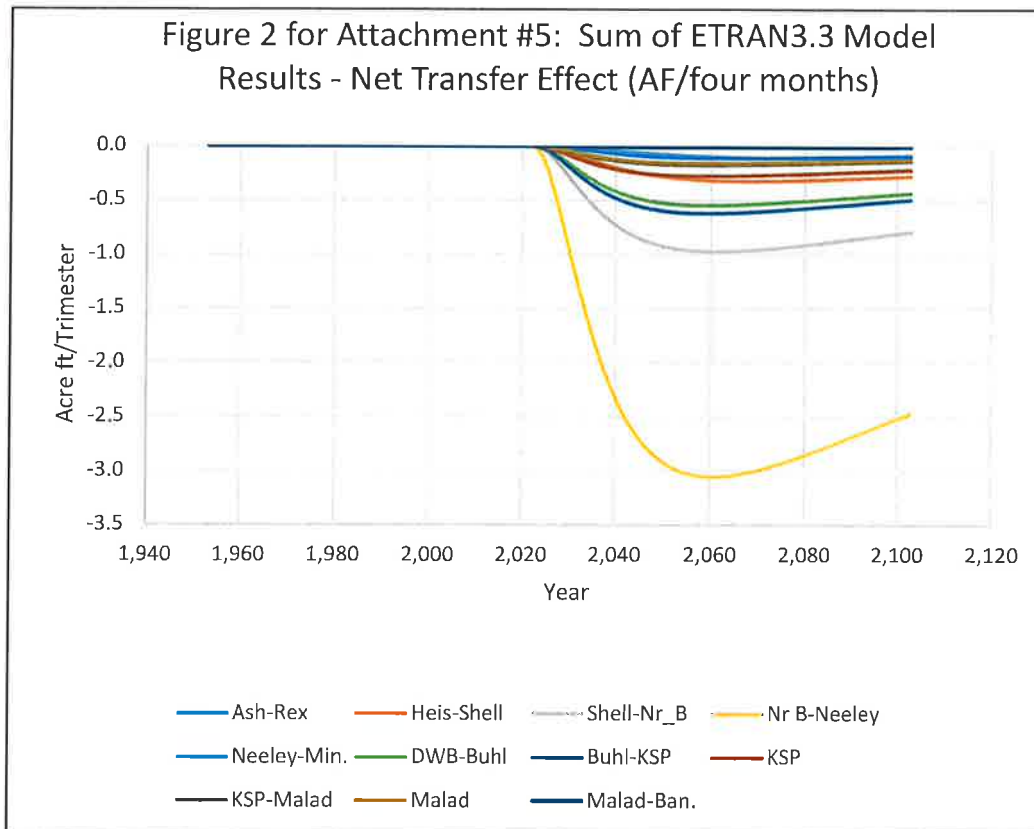


Customer Name: FR. D & FR. E

Transfer No: Pehrso



The MAT documentation indicates that "Evaluation of transient state mitigation requirement is not comprehensive across all time steps.... [MAT output] is merely an indicator of whether transient depletions must be considered, not an indicator of all transient impacts." For this reason, the "CalculatedEffects" worksheets were exported from each of the model runs and summed in a separate spreadsheet. Figure 2 For Attachment #5 provides the sum of the net effects of the three model runs, which gives the combined effect for the transfer as a whole. By the sign convention of the ETRAN 3.3. tool, negative numbers represent benefit to the corresponding spring and river reaches. Figure 2 indicates that for all trimesters within the 150-year modeling framework of the tool, the combined effect is beneficial for all reaches. This makes sense for a transfer that moves pumping away from the river.



Given the distance of the PODs in this transfer from the Snake River and associated springs, the model does not approach steady state at the end of the model run. Therefore, steady-state response fractions for the cells in question were compared. The steady-state response fraction is the part of pumping (or recharge) at a given location that the model indicates eventually would accrue to the reach of interest. The fractions can be multiplied by an annual number acre feet of pumping (or recharge) to obtain the annual effect on each reach. The following screenshots show the fractions for the five modeled cells, identified in column "XFR_ID." Starting with column E, the header indicates the shorthand name for the modeled reach. For instance, "A-R" indicates "Ashton to Rexburg" and "BF01_20007" indicates a particular modelled spring cell or group of cells in the Thousand Springs reach. "H_M" indicates Heise to Menan, "M-S" is Menan to Shelley, "N_M" is Neeley to Minidoka, "NB-N" is near Blackfoot to Neeley and "S-NB" is Shelley to near Blackfoot. Though the screenshots do not show all 109 modeled reaches or cells, all indicate identical steady-state response fractions for the "To" cell and all the "From" cells. This means that the steady-state effect of the transfer is neutral to all spring and river reaches, within the accuracy and precision of the model.

Steady_State_Analysis.xls [Compatibility Mode] - Excel

FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW ACROBAT

Normal Page Break Preview Page Custom Views Gridlines Headings Zoom 100% Zoom to Selection New Window Arrange All Freeze Panes Hide View Side by Side Synchronous Scrolling Switch Windows Macros

Workbook Views Show Zoom Window Macros

A9

1	XFR ID	ROW_ID	COL_ID	CELL	INTGR	A R	BF01_20007	BF02_22006	BF03_23006	BF04_BANCR	B
2	TO	12	111	1012111		-0.0160	0.0000	0.0000	0.0000	0.0000	
3	FR. A	13	111	1013111		-0.0160	0.0000	0.0000	0.0000	0.0000	
4	FR. B	18	111	1018111		-0.0160	0.0000	0.0000	0.0000	0.0000	
5	FR. C	18	112	1018112		-0.0160	0.0000	0.0000	0.0000	0.0000	
6	FR. D	19	112	1019112		-0.0160	0.0000	0.0000	0.0000	0.0000	
7	FR. E	20	112	1020112		-0.0160	0.0000	0.0000	0.0000	0.0000	
8											
9											
10											
11											
12											
13											

Steady_State_Analysis.xls [Compatibility Mode] - Excel

FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW ACROBAT

Normal Page Break Preview Page Custom Views Gridlines Headings Zoom 100% Zoom to Selection New Window Arrange All Freeze Panes Hide View Side by Side Synchronous Scrolling Switch Windows Macros

Workbook Views Show Zoom Window Macros

BG6 -0.025

1	XFR ID	ROW_ID	COL_ID	CELL	INTGR	H M	BG	BH	BI	BJ	BK
2	TO	12	111	1012111		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
3	FR. A	13	111	1013111		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
4	FR. B	18	111	1018111		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
5	FR. C	18	112	1018112		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
6	FR. D	19	112	1019112		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
7	FR. E	20	112	1020112		-0.0250	0.0000	-0.0320	-0.5030	-0.1220	
8											
9											
10											
11											
12											
13											

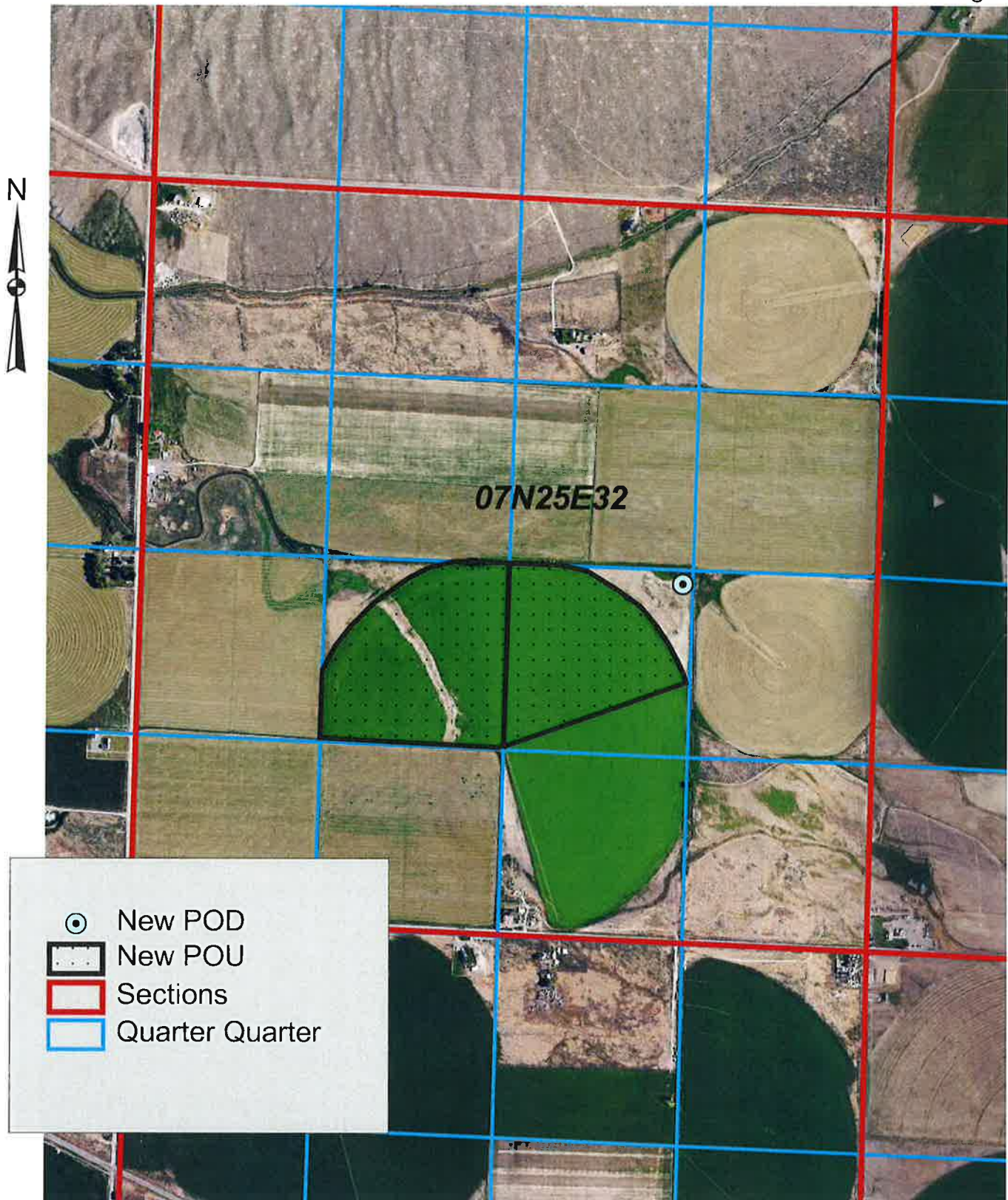
Transfer # _____ Attachment #7a

Page 46

Attachment #7a. Proposed POD and POU

Loy Pehrson, Byron Pehrson

One map attached



482 Constitution Way, Idaho Falls, ID 83402
208-524-2353

Figure 1 For Attachment #7a - New POU & POD

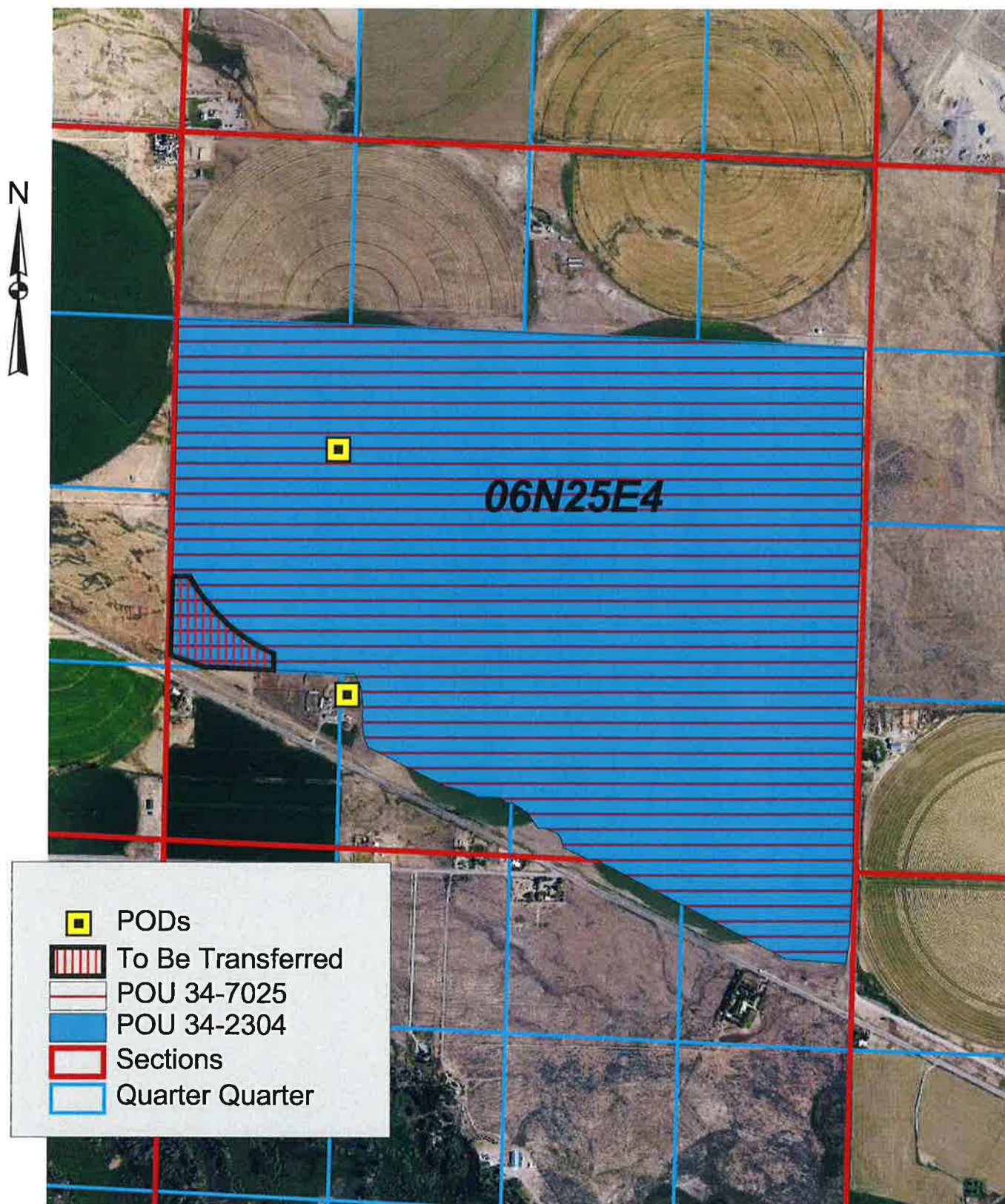
Loy Pehrson, Byron Pehrson Transfer Application

84908

Attachment #7b. Pre-transfer d POD and POU

Loy Pehrson, Byron Pehrson

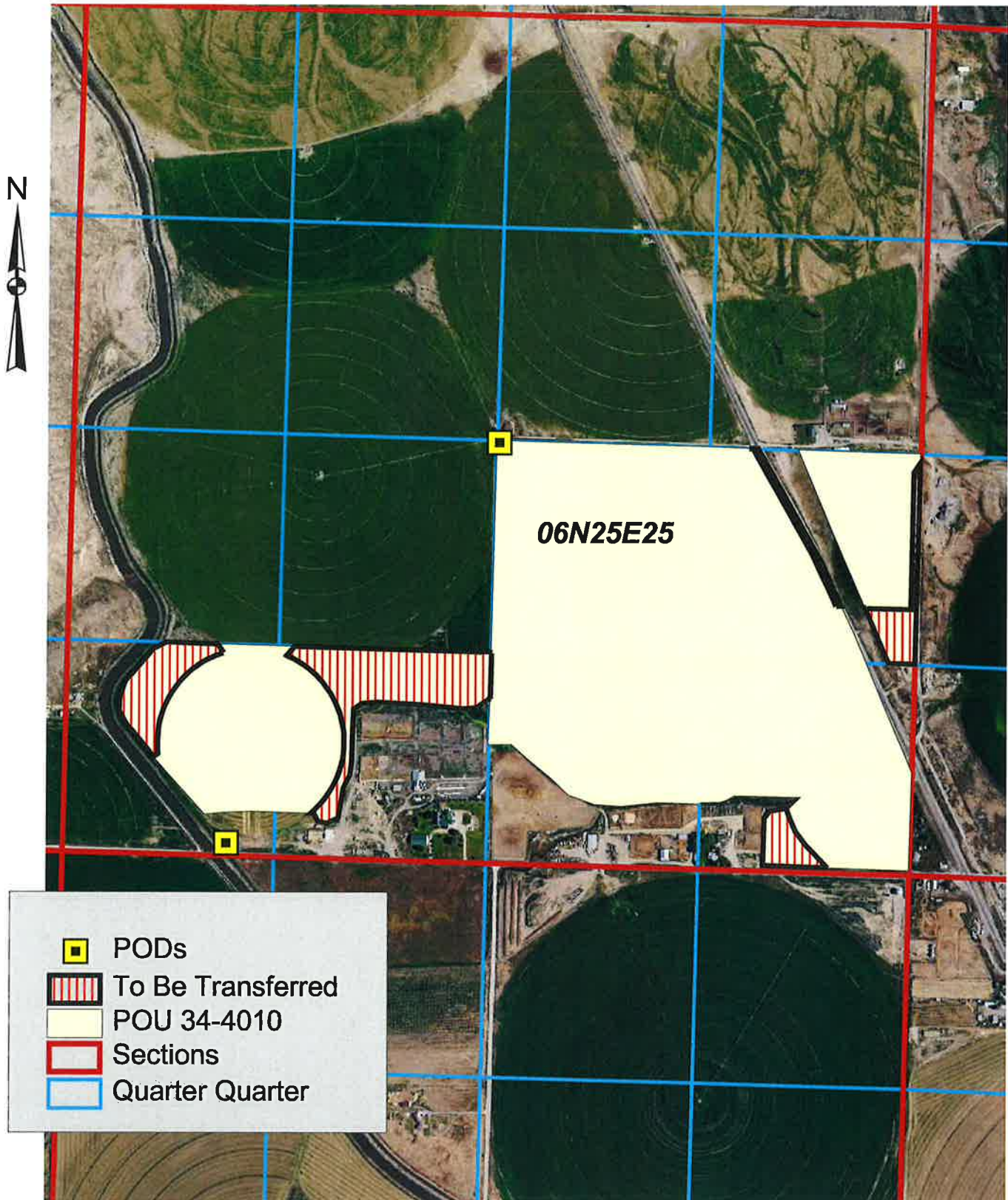
The three attached maps show the pre-transfer PODs and POUs of the portions of the rights proposed to be transferred. Because all the proposed transferred portions are currently enrolled in the Water Supply Bank, all groundwater use at the proposed POU (mapped in Attachment #7a) will forego irrigation until the leases expire or the rights are withdrawn.



482 Constitution Way, Idaho Falls, ID 83402
208-524-2353

Figure 1 For Attachment #7b - Pre-Transfer (1 of 3)

Loy Pehrson, Byron Pehrson Transfer Application

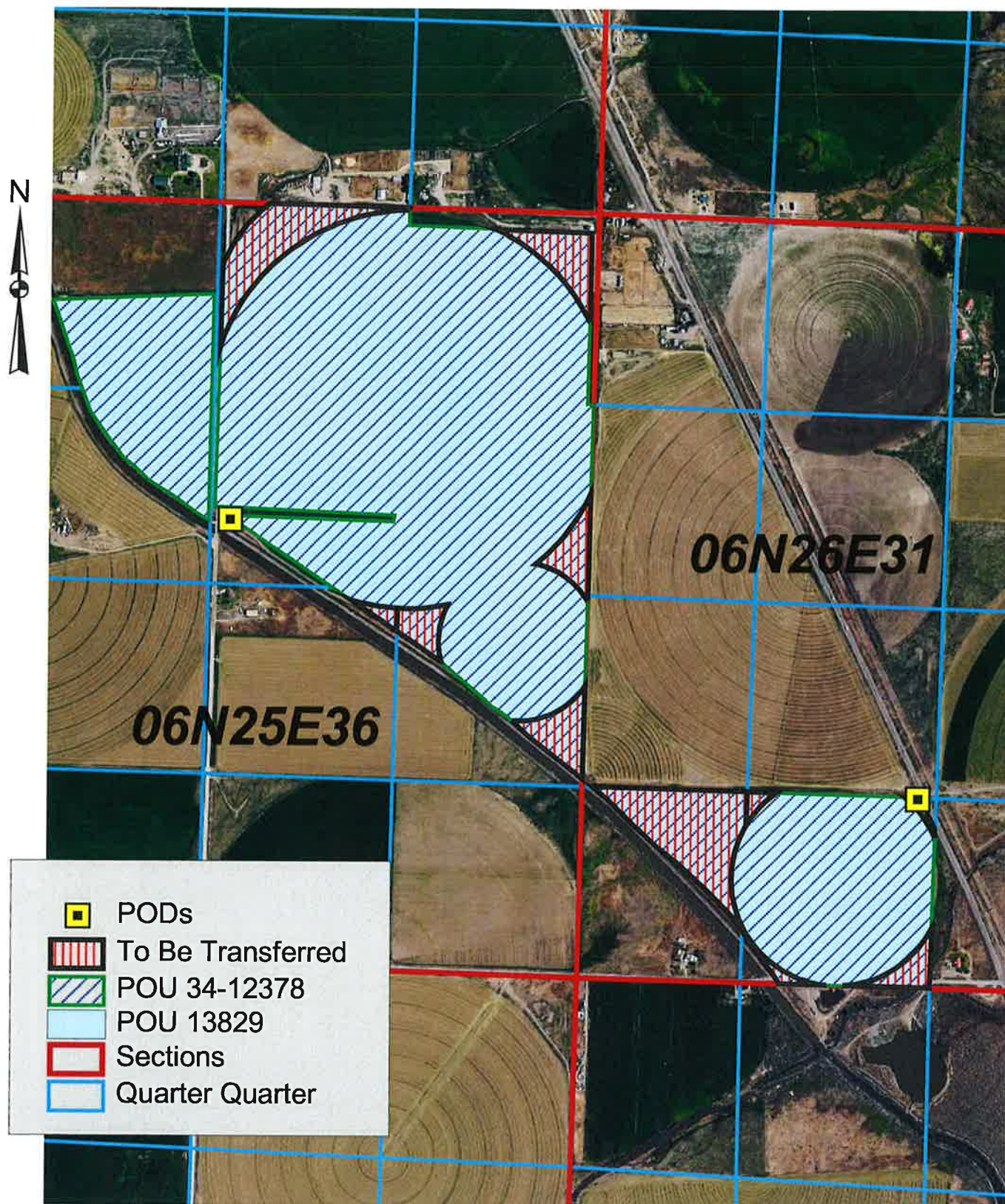


482 Constitution Way, Idaho Falls, ID 83402
208-524-2353

Figure 2 For Attachment #7b - Pre-Transfer (2 of 3)

Loy Pehrson, Byron Pehrson Transfer Application

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208-524-2353

Figure 3 For Attachment #7b - Pre-Transfer (3 of 3)

Loy Pehrson, Byron Pehrson Transfer Application

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Attachment #8b. Supplemental Use Loy Pehrson, Byron Pehrson

All the rights to be transferred overlap the service area of the Big Lost River Irrigation District, as does the proposed Place of Use. The transfer will not change the relationship between the rights to be transferred and the Irrigation District service area.

Some of the rights to be transferred currently overlap surface-water rights owned by the applicants and some do not. For the rights that do overlap applicants' surface water, surface water has historically been used first to the extent of availability and then groundwater has been used as needed. The portions of groundwater rights not overlapping applicants' surface-water rights have historically been used as a sole source. After the transfer, all the transferred portions will overlap applicants' surface-water rights. Surface water will be used first to the extent of availability and then groundwater will be used. The effect of the transfer will be a net reduction in the acres of groundwater irrigation not overlapped by Applicants' surface-water rights.

Figure 1 for Attachment #8b shows three basic conditions for the historical use of the groundwater rights:

- 1) The southern portion of groundwater rights under Water Supply Bank Contract #958 have not overlapped applicants' surface water, while the northern portions have overlapped a group of applicants' surface-water rights identified as "Group 2" in Figure 1 for Attachment #8b.
- 2) The groundwater rights under Water Supply Bank Contract #959 have overlapped a group of applicants' surface-water rights identified as "Group 1" in Figure 1 for Attachment #8b.
- 3) The groundwater rights under Water Supply Bank Contract #964 have not overlapped Applicants' surface-water rights.

After the transfer, all the transferred portions of groundwater rights will overlap Applicants' Group 1 surface-water rights.

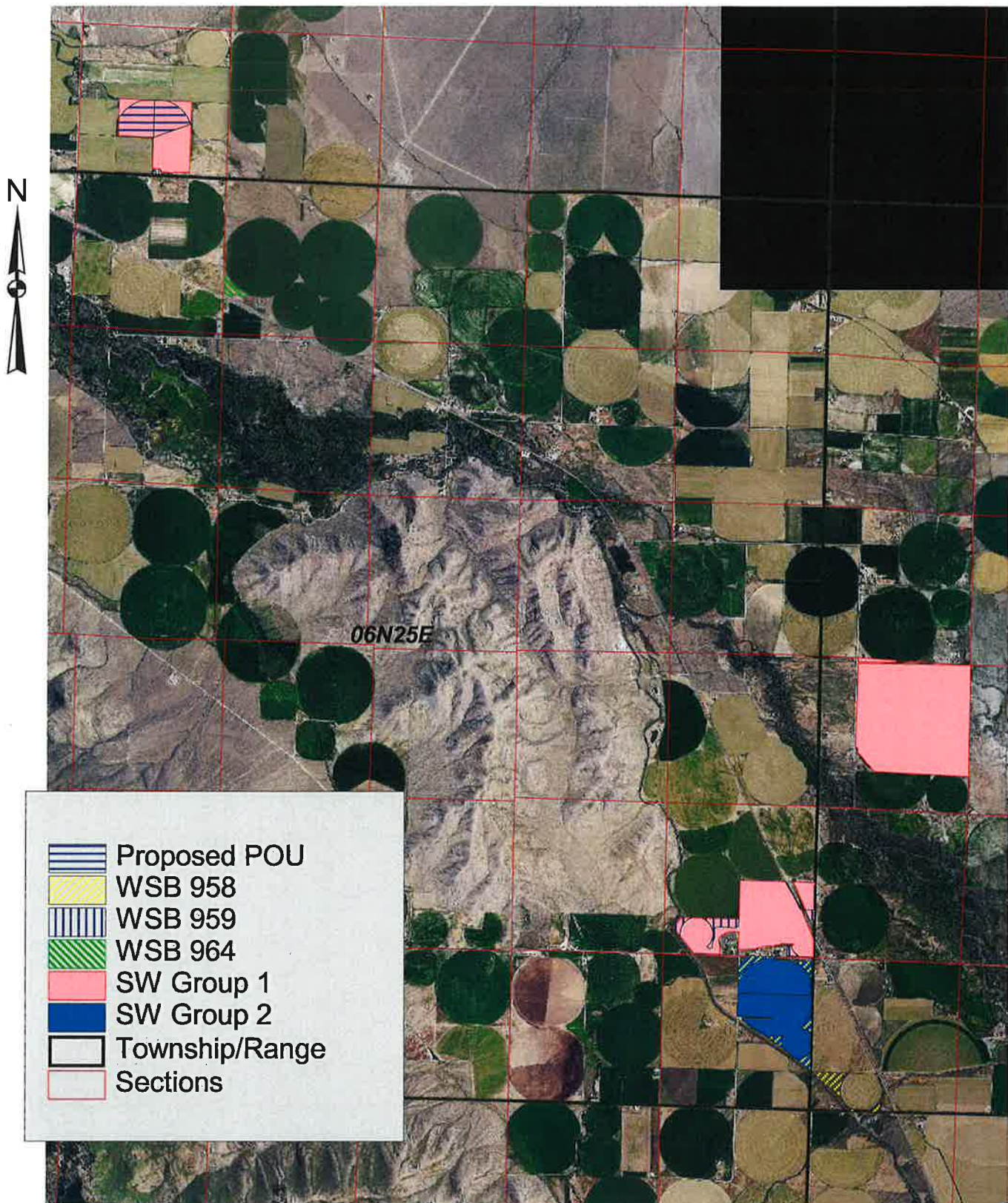
Table 1 #8b shows that the two groups of surface-water rights have comparable but not identical priority hierarchies. At the 1884 priority Group 2 has a better cumulative fraction of total cfs, but at 1888 Group 1 is superior and at 1897 they are equal.

Table 1 #8b: Priority Hierarchy of Surface-water Right Groups

Group	WR Number	Priority Date	CFS	Cumulative Fraction of Group Total CFS
Group 1	34-14191	18840422	1.92	0.14
	34-14189	18850601	1.54	0.25
	34-14207	18850630	3.08	0.48
	34-14209	18860914	2.31	0.65

Group	WR Number	Priority Date	CFS	Cumulative Fraction of Group Total CFS
	34-14203	18870601	1.46	0.76
	34-14193	18880601	0.77	0.82
	34-14197	18880601	0.15	0.83
	34-14205	18940310	1.73	0.96
	34-14199	18960901	0.06	0.96
	34-14195	18970510	0.48	0.99
	34-14201	18970510	0.07	1.00
	34-14191	18840422	1.92	0.14
Group 2	34-28G	18840831	0.8	0.25
	34-131B	18880601	0.5	0.41
	34-132B	18970510	1.6	0.92
	34-191	18970510	0.24	1.00

Any minor differences in the underlying surface-water priority hierarchy are offset by moving some groundwater to a supplemental status.



482 Constitution Way, Idaho Falls, ID 83402
208-524-2353

Figure 1 For Attachment #8b - Overlap Map

Loy Pehrson, Byron Pehrson Transfer Application

84908

Attachment #9. Water Supply Bank Information

Loy Pehrson, Byron Pehrson

IDWR form Application for Transfer of a Water Right Attachment WSB attached.

APPLICATION FOR TRANSFER OF WATER RIGHT

ATTACHMENT WSB:

TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an Application to Lease a Water Right to the Water Supply Bank form, or they can request early termination of their lease contracts by completing a Request to Release a Water Right from the Water Supply Bank form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
34-2304	Dec 31, 2023	0.12	21.4	6.1	Attached? ☒ or No Change ☐
34-4010	Dec 31, 2023	0.43	75.6	21.6	Attached? ☒ or No Change ☐
34-7025	Dec 31, 2023	0.21	24.9	7.1	Attached? ☒ or No Change ☐
34-12378	Dec 31, 2023	0.13	30.1	8.6	Attached? ☒ or No Change ☐
34-13829	Dec 31, 2023	0.45	78.1	22.6	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
- ☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

Additional Information:

Water Supply Bank Contract 958 affects 34-12378 and 34-13829 w/ combined limits of 0.45 cfs, 108.2 afa and 30.9 acres.

Water Supply Bank Contract 959 affects 34-4010

Water Supply Bank Contract 964 affects 34-2304 and 34-7025 w/ combined limits of 0.21 cfs, 24.9 afa and 7.1 acres

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment #10. Other Descriptions Loy Pehrson, Byron Pehrson

Part 1 5.B.f

Relationships to other water rights.

Water Rights 34-2304 and 34-7025 share Place of Use and Points of Diversion. These two rights are limited 12.48 cfs combined diversion rate, 1456 acre feet combined annual diversion volume and irrigation of 416 acres in a single season.

Water Right 34-4010 shares Place of Use and a combined limitation of 17.08 cfs and irrigation of 645 acres with the following surface-water rights:

34-7056
34-14189
34-14191
34-14193
34-14195
34-14197
34-14199
34-14201
34-14203
34-14205
34-14207
34-14209

Water Rights 34-12378 and 34-13829 share Place of Use and a combined limitation of 3.64 cfs and irrigation of 252 acres. When combined with the following surface-water rights they share a combined limitation of 5.98 cfs and irrigation of 252 acres:

34-28G
34-131B
34-191

Combined Limitation of Transferred Portions of Rights

The combined limitations for the portions of the rights to be transferred are obtained from Water Supply Bank contracts 958, 959 and 964. Table 1 of Attachment #10 provides these limitations and Table 2 of Attachment #10 shows how these limitations combine to yield the proposed authorized rate, volume and acreage at the new location. Rights are presented in the order of appearance in the contracts, which is not necessarily numerical order. Only the groundwater portion of Water Supply Bank contract 959 is shown as only the groundwater portion is proposed to be transferred.

Table 1 of Attachment #10. Combined Use Limitations from Water Supply Bank Contracts

Contract	Right	cfs	Acre feet per Annum	Acres
958	34-13829	0.45	78.1	22.6
	34-12378	0.13	30.1	8.6
	Combined Limit	0.45	108.2	30.9
959	34-4010	0.43	75.6	21.6
	Combined Limit	0.43	75.6	21.6
964	34-2304	0.12	21.4	6.1
	34-7025	0.21	24.9	7.1
	Combined Limit	0.21	24.9	7.1

Table 2 of Attachment #10. Contribution of Combined Limits to Proposed Place of Use

Contract	cfs	Acre feet per Annum	Acres
958	0.45	108.2	30.9
959	0.43	75.6	21.6
964	0.21	24.9	7.1
Total	1.09	208.7	59.6

POU Descriptions and GIS Shapefiles

Place of Use descriptions do not always match the GIS shapefiles representing these water rights. Therefore, in some cases, portions to be transferred were determined by first identifying the active irrigation and determining the portion NOT being currently used. These are the same portions that have been enrolled in the Water Supply Bank.



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 28, 2021

LOY PEHRSON
BYRON PEHRSON
3624 W 3700 N
DARLINGTON, ID 83255-8779

RE: Transfer No. 84908
Water Right No(s). 34-12378, 34-13829, 34-2304, 34-4010, 34-7025

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 ARCO ADVERTISER and CHALLIS MESSENGER on 5/6/2021 and 5/13/2021. 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

CC:
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
C/O KRISTIN MOORE
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 28, 2021 2:29 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Challis Messenger
Attachments: 84908 Arco Advertiser, Challis Messenger.docx

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 84908
Water Right No(s). 34-12378, 34-13829, 34-2304, 34-4010, 34-7025

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 5/24/2021. Your cooperation is appreciated.

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 28, 2021 2:29 PM
To: 'arcoadv@aol.com'
Subject: Legal Notice for Arco Advertiser
Attachments: 84908 Arco Advertiser, Challis Messenger.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 84908
Water Right No(s). 34-12378, 34-13829, 34-2304, 34-4010, 34-7025

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 5/24/2021. Your cooperation is appreciated.

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84908**

LOY PEHRSON, 3624 W 3700 N, MOORE, ID 83255-8779; BYRON PEHRSON, 3624 W 3700 N, DARLINGTON, ID 83255-8779;
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC, C/O KRISTIN MOORE

482 CONSTITUTION WAY STE 303, IDAHO FALLS, ID 83402-3552 has filed Application No. 84908 for changes to the following
water rights within BUTTE, CUSTER County(s): Right No(s). 34-12378, 34-13829, 34-2304, 34-4010, 34-7025; 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. The proposed point of diversion is in NENWSE Sec 32 T07N R25E for
1.09 cfs from Ground Water. The proposed place of use is in NESW and NWSE Sec 32 T07N R25E for 59.6 acres.

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 5/24/2021. The protestant must also send a copy of the protest to the
applicant.

GARY SPACKMAN, Director

Published on 5/6/2021 and 5/13/2021