

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

RECEIVED
OCT 23 2018
Department of Water Resources
Palm Springs Region

Name of Applicant(s) Jefferson Farms LLCPhone 602 684 2147Mailing address 3916 E June St Mesa AZ 85205Email johndb1943@aol.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.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. 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**.
3. 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**.

3725 ~~328~~ acre PPU for three rights, 329 acres irrigated, remainder covered by Palisades water shares. New groundwater POD for 3.0 cfs, to be pumped from North Pond. Erroneous ownership changes in past. I own all land covered by the three water rights as decreed, undo ownership splits and make rights whole again.

AMENDED

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 ☒ ☐	35-7744	6.58	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	1-2077	2.00	Irrigation	04/01 to 11/01	Snake River
☒ ☐	1-2078	1.54	Irrigation	04/01 to 11/01	Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 10.12 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.00 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 #
No	5		SW	SW	3	04N	37E	Jefferson	Groundwater	Little Pond
			NW	SE	4	04N	37E	Jefferson	Groundwater	Big Pond
No			NE	SW	14	04N	37E	Jefferson	Snake River	Pump on River

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	
04N	37E	4	40	40	40	40					39	3.5		24	34	38	40	40	378.5
			37			37													
Total Acres (for irrigation use)																			378.5

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:
Two ponds, each with a pump in them. One pump on the river. One new well, which will be limited to a diversion rate of 3.0 cfs. Four pivots and various handlines to water corners.

- b. Who owns the property at the point(s) of diversion? Applicant owns additional POD
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:

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:

- 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:
Palisades water shares cover the remaining irrigated acres in the PPU not covered by the decreed rights.

- 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2018

Water Right 1-2077

Owner Type **Name and Address**
 Current Owner JEFFERSON FARMS LLC
 3916 E JUNE ST
 MESA, AZ 85205
 (502) 684-2147

Priority Date: 5/24/1949

Basis: Decreed

Status: Active

Source
 SNAKE RIVER

Tributary
 COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.900 CFS	
	<u>Total Diversion</u>		1.900 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON 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	
04N	37E	4	40.0	40.0	40.0	40.0										30.0	19.5		209.5

POU Total Acres: 209.5

Conditions of Approval:

1. 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.
2. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. 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.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
5. E55 Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 209.5 acres in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 307.5 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744.
7. F01 Water is delivered through Tomchak B pump #1.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2018

Water Right 1-2078

Owner Type **Name and Address**
Current Owner JEFFERSON FARMS LLC
3916 E JUNE ST
MESA, AZ 85205
(502) 684-2147

Priority Date: 6/10/1949

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.470 CFS	
	<u>Total Diversion</u>		1.470 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	4	40.0	40.0	40.0	40.0										30.0	19.5		209.5

POU Total Acres: 209.5

Conditions of Approval:

1. 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.
2. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. 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.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
5. E55 Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 209.5 acres in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 307.5 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744.
7. F01 Water is delivered through Tomchak B pump #1.

11/7/2018

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/7/2018

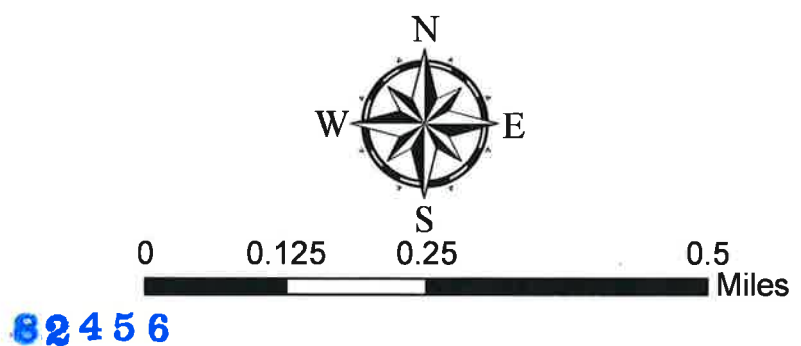
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 01 RIGHTS.

This aerial photograph displays a land survey grid with various section labels. A white boundary line highlights a specific area in the lower-left portion of the image. The labels include:

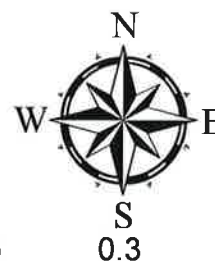
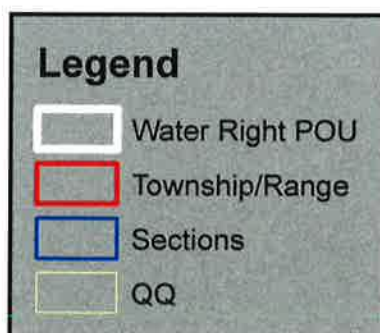
- Top Left:** 33, 04N37E, SWSW, SESW
- Top Center:** SWSE, SESE
- Top Right:** SWSW, 34
- Middle Left:** NWNW 4, NENW 3, SWNW, SENW
- Middle Center:** NWNE 2, NENE 1, SWNE, SENE
- Middle Right:** NWNW 10, SWSW
- Bottom Left:** 4, 04N37E, NWSW, NESW, SWSW, SESW
- Bottom Center:** NWSE, NESE, SWSE, SESE
- Bottom Right:** 3, NWSW, SWSW 5, SWSW, NWNW, NWNW 8, 10, NWNE, NENE

The highlighted area is bounded by a white line that starts near the intersection of the 4 and 04N37E labels, extends east, then south, then east again, and finally north to the intersection of the 10 and NENE labels.

The USDA-PSA Aerial Photography Field office asks to be credited in derived products.

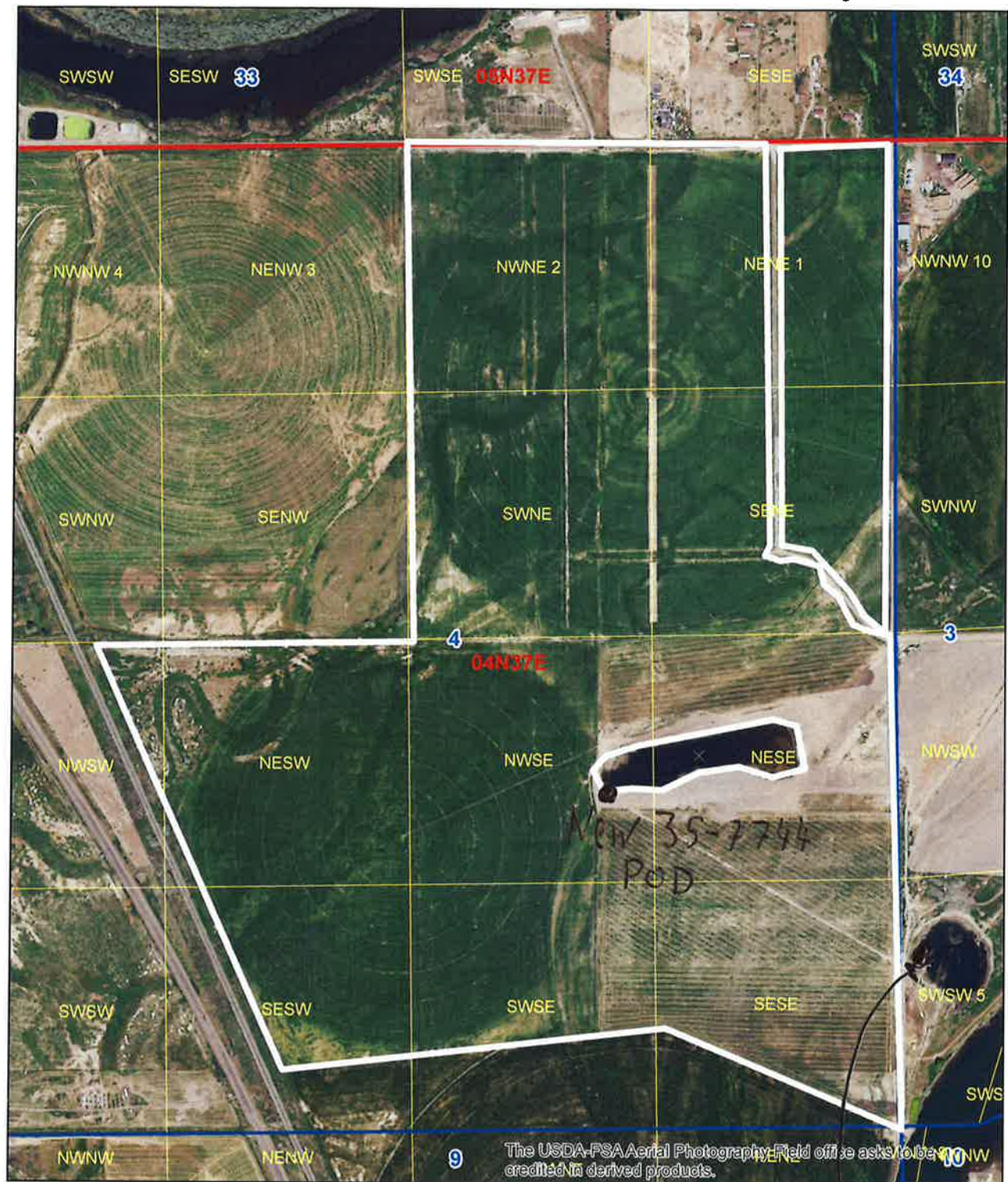


1-2077 Place of Use at Transfer Submittal



82456

Jefferson Farms, LLC, Post-Transfer Permissible Place of Use Boundary



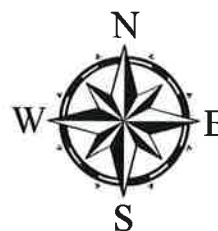
The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

2015 Imagery

Existing 35-7744
PoD

Legend

- Post-Transfer_PPU_Boundary
- Township/Range
- Sections
- QQ

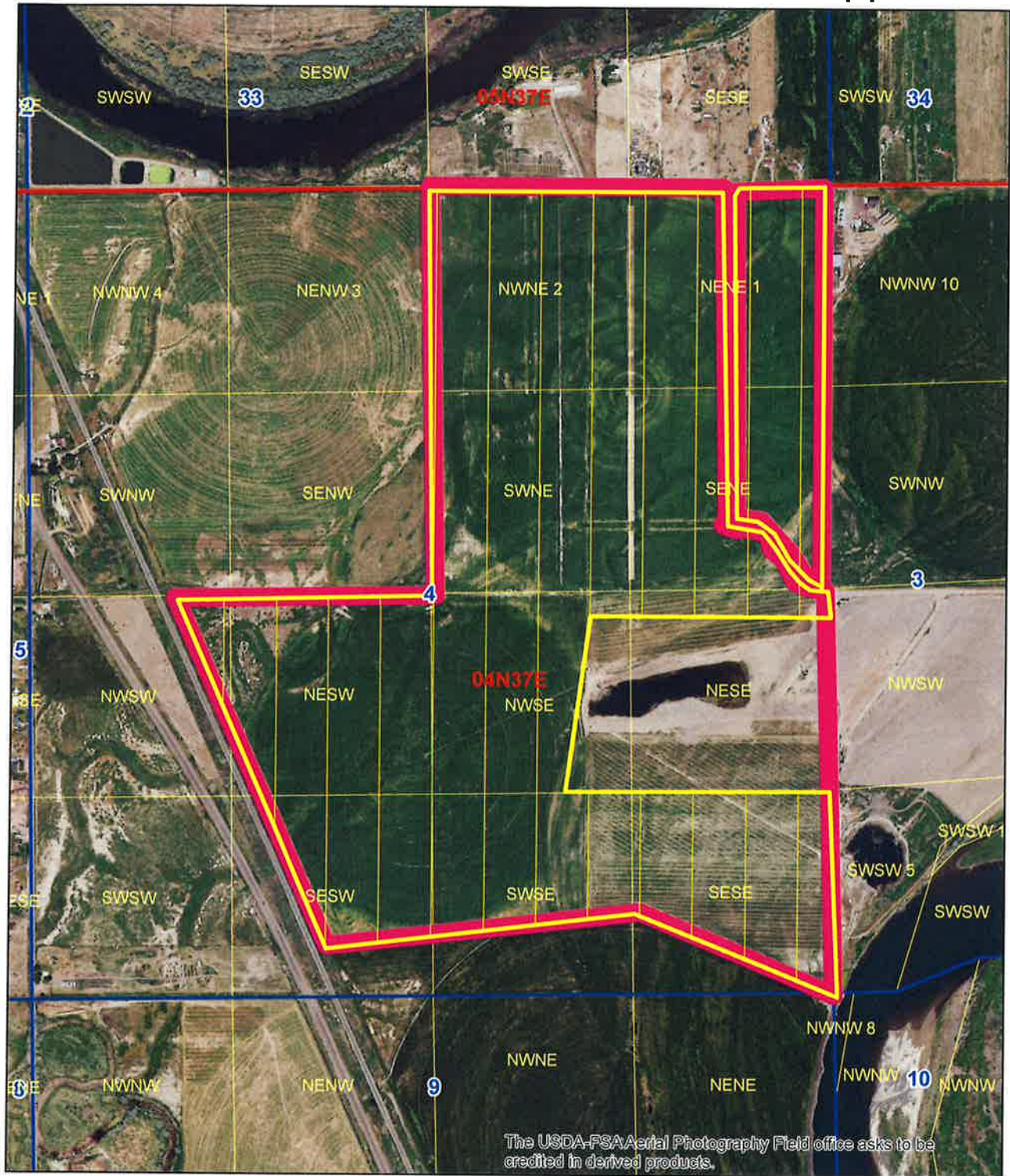


0 0.125 0.25 0.5 Miles

82456

Post-Transfer PPU

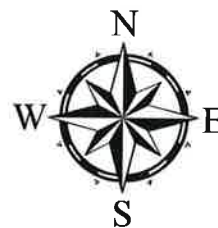
Actual POU Defined in PPU at Transfer Approval



2015 Imagery

Legend

- POU Defined within PPU
- Post-Transfer_PPU_Boundary
- Township/Range
- Sections
- QQ



0 0.15 0.3 0.6 Miles

82456