

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81992
RECEIVED
NOV 02 2017
Department of Water Resources
Eastern Region

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 for processing by 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 www.idwr.idaho.gov.

Name of Applicant(s) Jeff and Chana Duffin

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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☐ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 02 2017

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Jeff and Chana Duffin Phone 208-221-1115
Mailing address PO BOX 525 ABERDEEN, ID 83210 Email _____

- ☐ 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 Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.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.

Robert L. Harris
Signature of Applicant or Authorized Representative

Robert L. Harris, Attorney
Print Name and Title if applicable

Nov. 1, 2017
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. 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.2**.

This transfer proposed to move the entire amount of water right 35-12912 to an existing pivot and PODs.

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 ☒ ☐	35-12912	1.36/312	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.36 cfs and/or 312 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.36 cubic feet per second and/or 312 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 #
			SW	NW	20	06S	29E	Power	Ground Water	
			NE	NE	30	06S	29E	Power	Ground Water	

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	
06S	29E	8													31.3	31.2	15.5		78.0
		19																	
Total Acres (for irrigation use)																			78.0

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:

Existing PODs, mainlines and delivery system.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Agreement with Mr. Funk.

- 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:
Land now irrigated will no longer be irrigated by 35-12912.

- 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:
Water rights 35-7632A, 35-14442 and 35-14443

- 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-12912

Current Owner: JEFFREY DUFFIN
CHANA DUFFIN

Priority Date: 4/1/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.36 CFS	312 AF
	<u>Total Diversion</u>	1.36 CFS	312 AF

Location of Point(s) of Diversion

GROUND WATER
BINGHAM County

NE1/4SW1/4SW1/4 Sec. 15, Twp 06S, Rge 30E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T06S R30E S15	NWSE	39.00	T06S R30E S15	SWSE	39.00
Total Acres: 78					

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. RIGHT NO. 35-02485 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

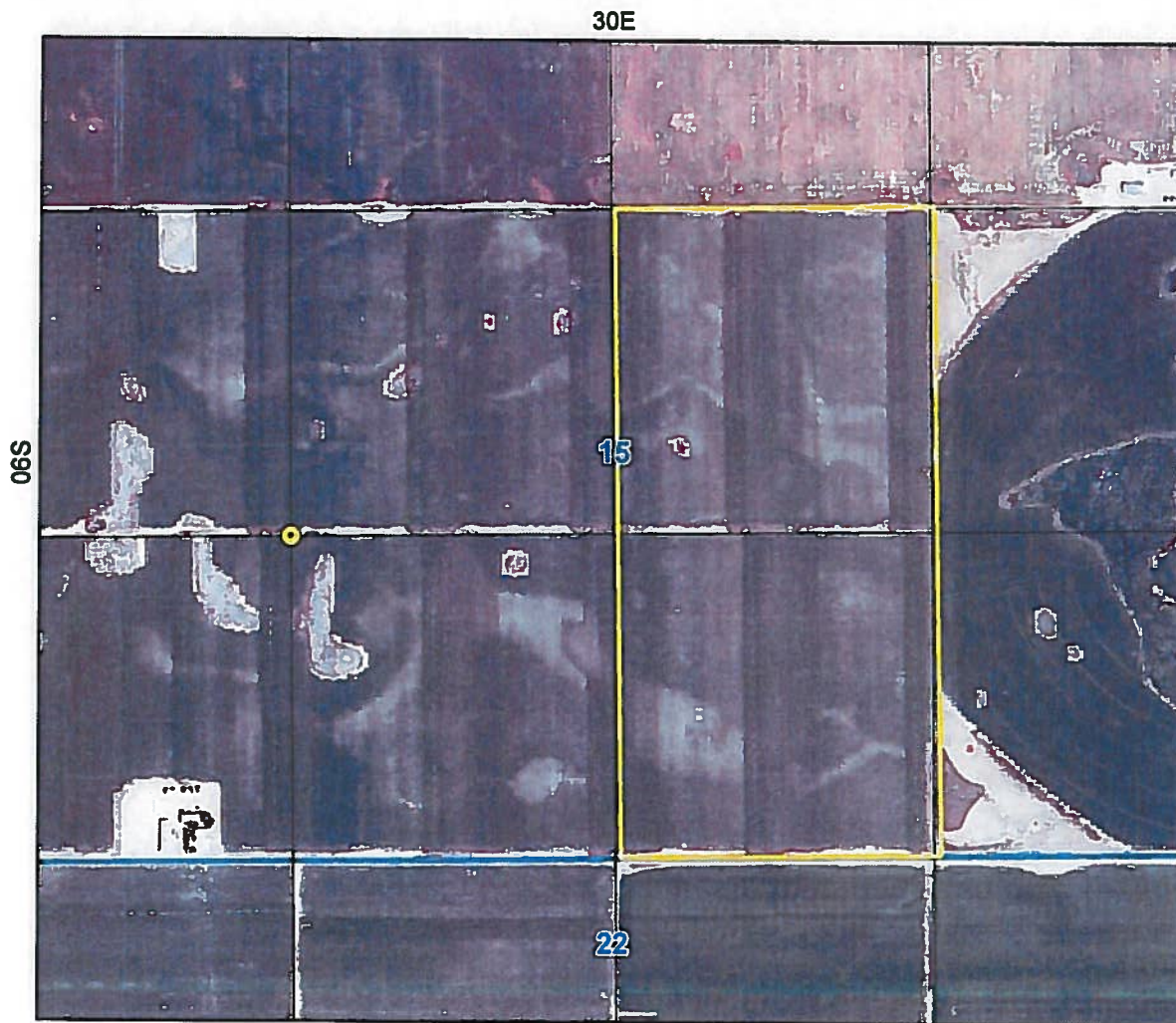
Decreed Date: 1/31/2002

State of Idaho
Department of Water Resources

Water Right
35-12912

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



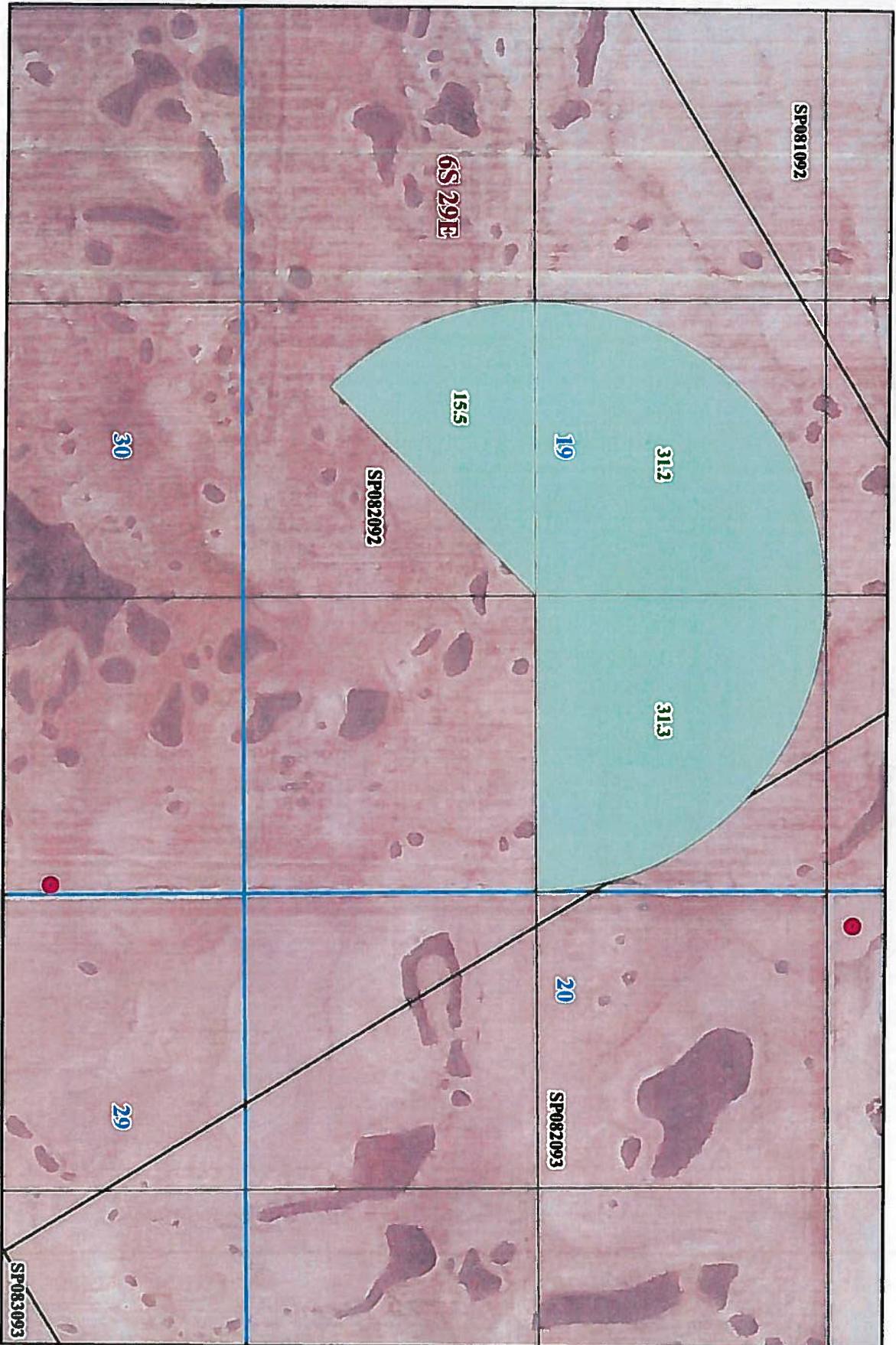
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



Map produced on October 19, 2017

81992



0 187.5 375 750 Feet

JEFF AND CHANA DUFFIN

35-12912 TRANSFER
2015 NAIP AERIAL

Legend
35-12912 Transfer
modelgrnd_trimmed

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/19/2017

Transfer: 1 2 Transfer)
Annual AFIT

Total Reach Depletion Impacts

AFIT:	-0.1	-0.1	-0.4	-1.52	0.1	0.7	0.8	0.4	0.2	0.2	0.0
-------	------	------	------	-------	-----	-----	-----	-----	-----	-----	-----

One-Way Analysis of Independent Transfers

Transfer 1: Transfer of 78.0 Acres to Winters Road Project

100.0% Pre-85 312.0 AFA 78.0 Acres
100.0% Post-85 312.0 AFA 78.0 Acres

WR No.	Div. Rate (CF8)	Con. Vol. (AFA)	No. of Tr Acres	Priority Date	POD Location	Dedicated Vol. AFA/AFT	Model Node
--------	-----------------	-----------------	-----------------	---------------	--------------	------------------------	------------

Transfer 1: Proposed Steady State Impacts following Transfer

Transfer: Worst Case Transient State Impacts following Transfer

Impact by Reach (AFIT/Transfer)

1/1/2010	1.58	4.68	14.20	45.68	1.11	3.09	3.51	1.58	0.98	0.00	0.00
12/31/2010	1.50	4.49	13.68	43.75	1.23	3.83	4.38	1.93	1.22	1.12	0.07
1/1/2011	1.58	4.68	14.20	45.68	1.11	3.09	3.51	1.58	0.98	0.00	0.00
12/31/2011	1.50	4.52	13.88	44.17	1.23	3.83	4.38	1.93	1.22	1.12	0.07

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-3.5%	-3.7%	-3.5%	-4.2%	16.2%	24.8%	24.8%	24.8%	24.8%	24.8%
	Mitigation Check 2 - >2 AFIT	-0.1	-0.2	-0.5	-1.5	0.1	0.74	0.8	0.4	0.2	0.0
	Mitigation Check 3 - >10% of Total:	1.8%	6.6%	17.7%	58.7%	1.8%	6.0%	5.8%	2.5%	1.6%	0.1%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	-0.1	-0.2	-0.5	-1.5	0.1	0.74	0.8	0.4	0.2	0.0

Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-3.5%	-3.1%	-2.6%	-3.3%	19.2%	24.8%	24.8%	24.8%	24.8%	24.8%
	Mitigation Check 2 - >2 AFIT	-0.1	-0.1	-0.4	-1.5	0.11	0.74	0.8	0.4	0.2	0.0
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	-0.1	-0.1	-0.4	-1.5	0.11	0.74	0.8	0.4	0.2	0.0

Transfer 2:

WR No.	Div. Rate (CF8)	Con. Vol. (AFA)	No. of Tr Acres	Priority Date	POD Location	Dedicated Vol. AFA/AFT	Model Node
--------	-----------------	-----------------	-----------------	---------------	--------------	------------------------	------------

Transfer: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

Impact by Reach (AFIT/Transfer)

1/1/10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12/31/10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1/1/11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12/31/11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis	Mitigation Check 1 - >10% of Historical:	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Mitigation Check 2 - >2 AFIT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH

TRANSFER NO:

"UPDATE DATES" BUTTON

YEAR

1990

TRANSFER NAME:

SEASON

SPRING

ENTER CELL LOCATIONS:

'TO' CELL

'FROM1' CELL

'FROM2' CELL

'FROM3' CELL

35-12912

78

234.0

ROW COLUMN

82

85

0

0

93

100

0

0

TRIMESTER OF ACTIVITY

Protected 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

SPR 1990

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1990

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1990

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1991

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1991

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1991

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1992

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1992

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1992

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1993

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1993

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1993

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1994

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1994

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1994

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1995

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1995

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1995

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1996

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1996

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1996

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1997

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1997

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1997

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1998

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1998

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1998

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 1999

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 1999

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1999

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 2000

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SUM 2000

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 2000

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SPR 2001

0.0

0.0

0.0

0.0

C:\Users\jsullivan\BROCKWAY\Desktop\ESPA Model 3.21\Duffin to Middle Winters Road

[illegible]

