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SEP 13 2017

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81903MINIMUM 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) Whitnah Ranches, INCCheck 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: _____

81903

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Whitnah Ranches, INC Phone (208)221-2158

Mailing address 3145 Center Pleasant Valley RD American Falls, ID 83211 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 Douglas Whitnah Phone 208 221-2158
Mailing address 3145 Center Pleasant Valley Rd Am. Falls Email dt.ccw.2@gmail.com
83211

- ☐ 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.

Douglas Whitnah Pres.
Signature of Applicant or Authorized Representative

Douglas Whitnah Pres.
Print Name and Title if applicable

Sept. 12-17
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 proposes to move and combine water rights 35-13654 and 35-13656 with water rights 35-7467 and 35-13261 to create a 231 acre combine place of use. This transfer is being filed in response to an unauthorized water use letter sent on 8/16/2017.

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 ☒ ☐	35-7467	2.26/836.0	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13261	0.11/44.0	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13654	0.16/41.2	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13656	0.01/2.8	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.42 cfs and/or 924.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.29 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 #
			NW	NW	33	07S	30E	Power	Ground Water	A0006003

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	
07S	30E	28											38.0	35.0					73.0
07S	30E	29															8.0	39.0	47.0
07S	30E	32	33.5	4.0	0.5	18.0													56.0
07S	30E	33					21.0	30.0	4.0										55.0
Total Acres (for irrigation use)																			231.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

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:

Divert 11 Acre of water from 536 T7S R29E to
532 T7S R30E, + 533 T7S ~~R29E~~ R30E.
No measuring device to be installed.

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

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

- 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: No Douglas Whitlock

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:

It will no longer be irrigated

- 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:

35-7457, 35-13654 and 35-13656 are diverted out of the same existing points of diversion.

- 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:

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/30/2017

WATER RIGHT NO. 35-7467

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WHITNAH RANCHES INC C/O ROGER WHITNAH PRES 2954 S WHITNAH RD AMERICAN FALLS, ID 83211 2082262760

Priority Date: 01/13/1975

Basis: Decreed

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	4/01	11/01	2.26 CFS	
Total Diversion			2.26 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNWNW|Sec. 33|Township 07S|Range 30E|POWER County

IRRIGATION Use:

Acre Limit: 209

81903

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER 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>
07S	30E	28		SWSW	39		SESW	35						
		29		SWSE	8		SESE	39						
		32		NENE	33		NWNE	4		SENE	6			
		33		NENW	21		NWNW	31		SWNW	4			

Total Acres: 220

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. USE OF THIS RIGHT WITH RIGHT NO. 35-13261 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.26 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 880 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-13261 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 209 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 35-13261 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-13261 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

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:

81903

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 220

Combined Volume Limit: 880

Combined Rate Limit: 2.26

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

81903

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/30/2017

WATER RIGHT NO. 35-13261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WHITNAH RANCHES INC C/O ROGER WHITNAH PRES 2954 S WHITNAH RD AMERICAN FALLS, ID 83211 2082262760

Priority Date: 01/13/1975

Basis: Decreed

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	4/01	10/31	0.11 CFS	
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNWNW|Sec. 33|Township 07S|Range 30E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

81903

<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>
07S	30E	28		SWSW	39		SESW	35						
		29		SWSE	8		SESE	39						
		32		NENE	33		NWNE	4		SENE	6			
		33		NENW	21		NWNW	31		SWNW	4			

Total Acres: 220

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. USE OF THIS RIGHT WITH RIGHT NO. 35-07467 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.26 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 880 AF.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-07467 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07467 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NO. 35-07467 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 11 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

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

81903

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 220

Combined Volume Limit: 880

Combined Rate Limit: 2.26

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

81903

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/30/2017

WATER RIGHT NO. 35-13654

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WHITNAH RANCHES INC C/O ROGER WHITNAH PRES 2954 S WHITNAH RD AMERICAN FALLS, ID 83211 2082262760

Priority Date: 12/19/1975

Basis: Decreed

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	0.16 CFS	41.2 AFA
Total Diversion			0.16 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNESW|Sec. 36|Township 07S|Range 29E|POWER County
GROUND WATER|SWNESE|Sec. 36|Township 07S|Range 29E|POWER County

IRRIGATION Use:

Acre Limit: 10.3

81903

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08S	29E	1		NENE	11									

Total Acres: 11

Conditions of Approval:

1. X27 This right is limited to the irrigation of 10.3 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-13654, and 35-13656 when combined shall not exceed a total diversion rate of 0.16 cfs, a total annual maximum diversion volume of 44 af at the field headgate, and the irrigation of 11 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. 120
4. 131 Prior to the diversion and use of water under Transfer approval 74238, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
5. 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.
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. K01 Right No. 35-13656 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. X36 Right 35-13656 is also diverted through the points of diversion described above.
9. 004 This right does not grant any right-of-way or easement across the land of another.
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:

81903

Decreed Date: 03/04/2002
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: 120
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 4
Combined Acres Limit: 11
Combined Volume Limit: 44
Combined Rate Limit: 0.16
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

Close

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Water Right Report

8/30/2017

WATER RIGHT NO. 35-13656

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WHITNAH RANCHES INC C/O ROGER WHITNAH PRES 2954 S WHITNAH RD AMERICAN FALLS, ID 83211 2082262760

Priority Date: 04/01/1987

Basis: Decreed

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	01/01	12/31	0.01 CFS	2.8 AFA
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNESW	Sec. 36	Township 07S	Range 29E	POWER County
GROUND WATER	SWNESE	Sec. 36	Township 07S	Range 29E	POWER County

IRRIGATION Use:

Acre Limit: 0.7

81903

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER 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>
08S	29E	1		NENE	11									

Total Acres: 11

Conditions of Approval:

1. K09 This right is for an enlargement of 0.7 acres within the place of use described for this right. Rights 35-13654, and 35-13656 when combined shall not exceed a total diversion rate of 0.16
2. X35 cfs, a total annual maximum diversion volume of 44 af at the field headgate, and the irrigation of 11 acres.
3. K02 This right is based upon an enlargement of Right No. 35-13654 pursuant to Section 42-1426, Idaho Code.
4. 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.
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. 120
6. 131 Prior to the diversion and use of water under Transfer approval 74238, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
7. 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.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. X36 Right 35-13654 is also diverted through the points of diversion described above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. 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.

81903

Dates:

Licensed Date:

Decreed Date: 03/04/2002

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:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 11

Combined Volume Limit: 44

Combined Rate Limit: 0.16

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

[Close](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

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

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

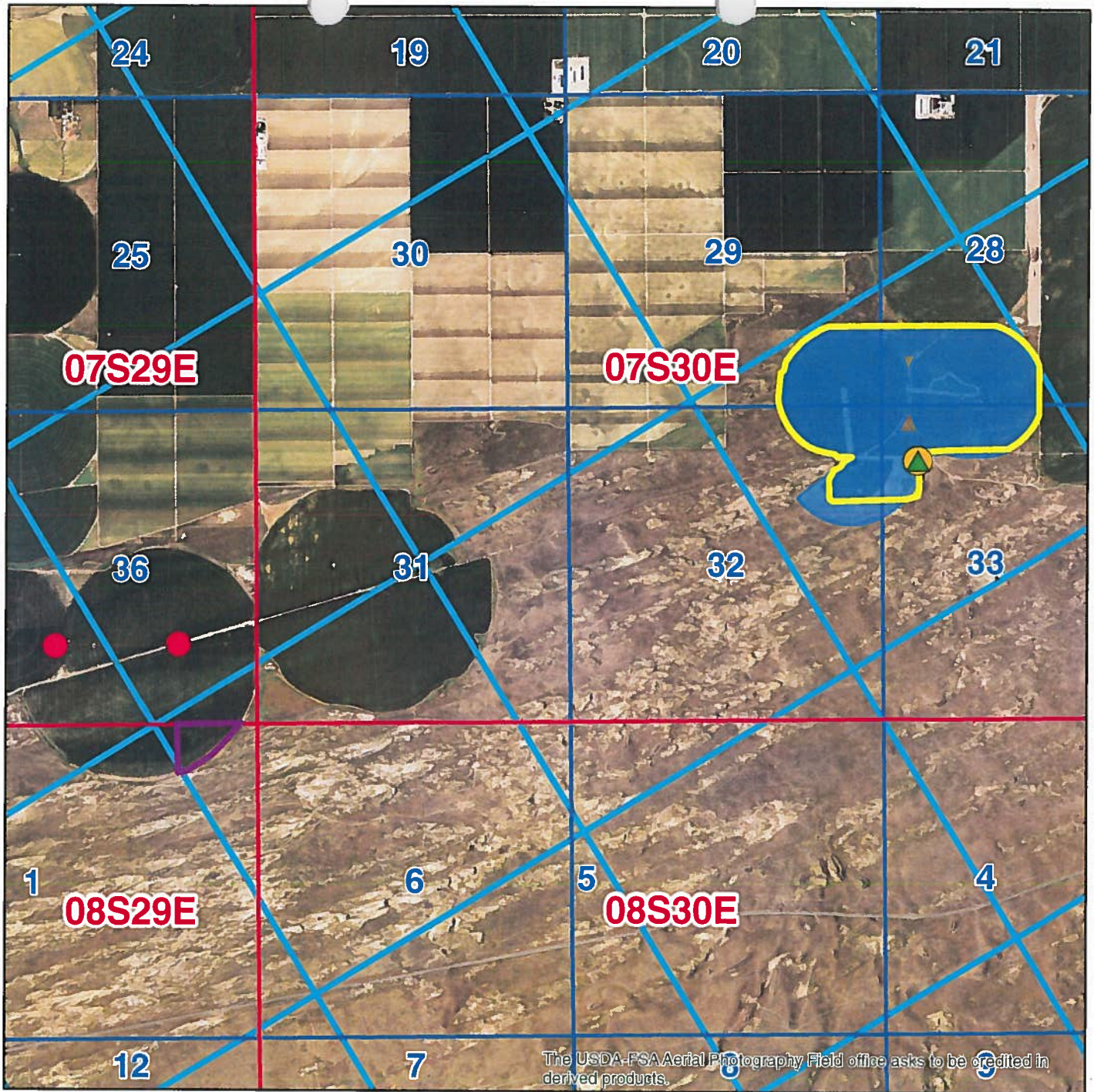
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 500.00 Date 9-13-2017 Received by 16 Receipt # E043373

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

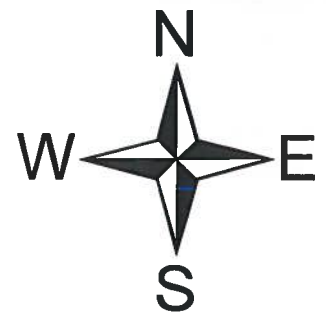
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

81903



Legend

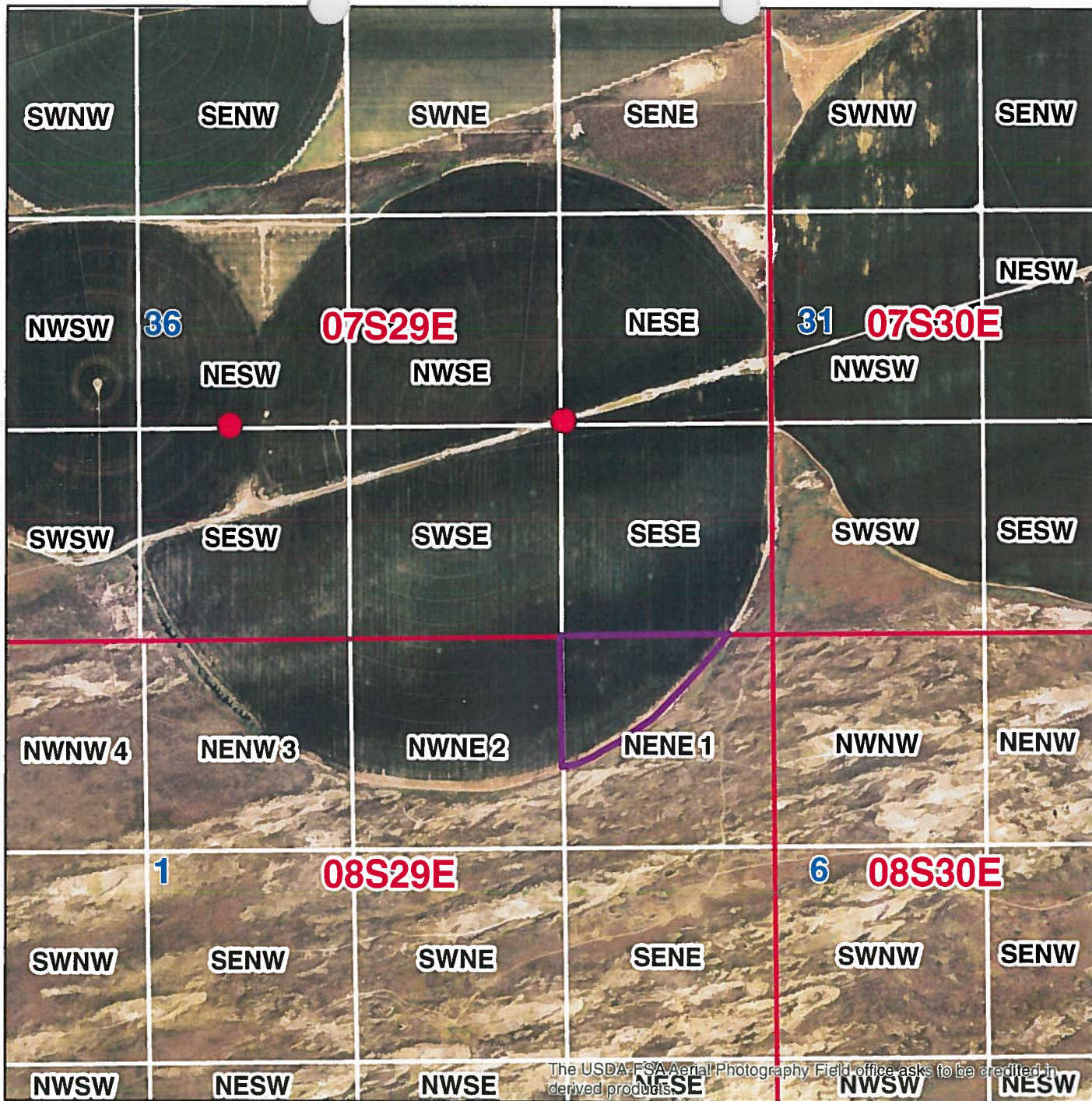
- Proposed Point of Diversion
- Current_Point_of_Diversion_35-13261_35-7467
- Current_Point_of_Diversion_35-13654_35-13656
- Current_Place_of_Use_35-7467_35-13261
- Proposed Place of Use
- Current_Place_of_Use_35-13654_35-13656
- Township/Range
- Sections



0 0.3 0.6 1.2 Miles

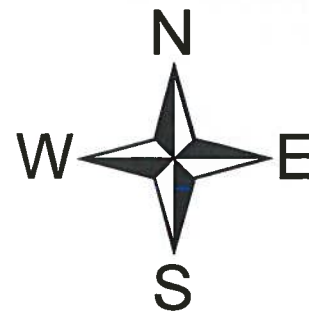
1 inch = 2,494 feet

81903



Legend

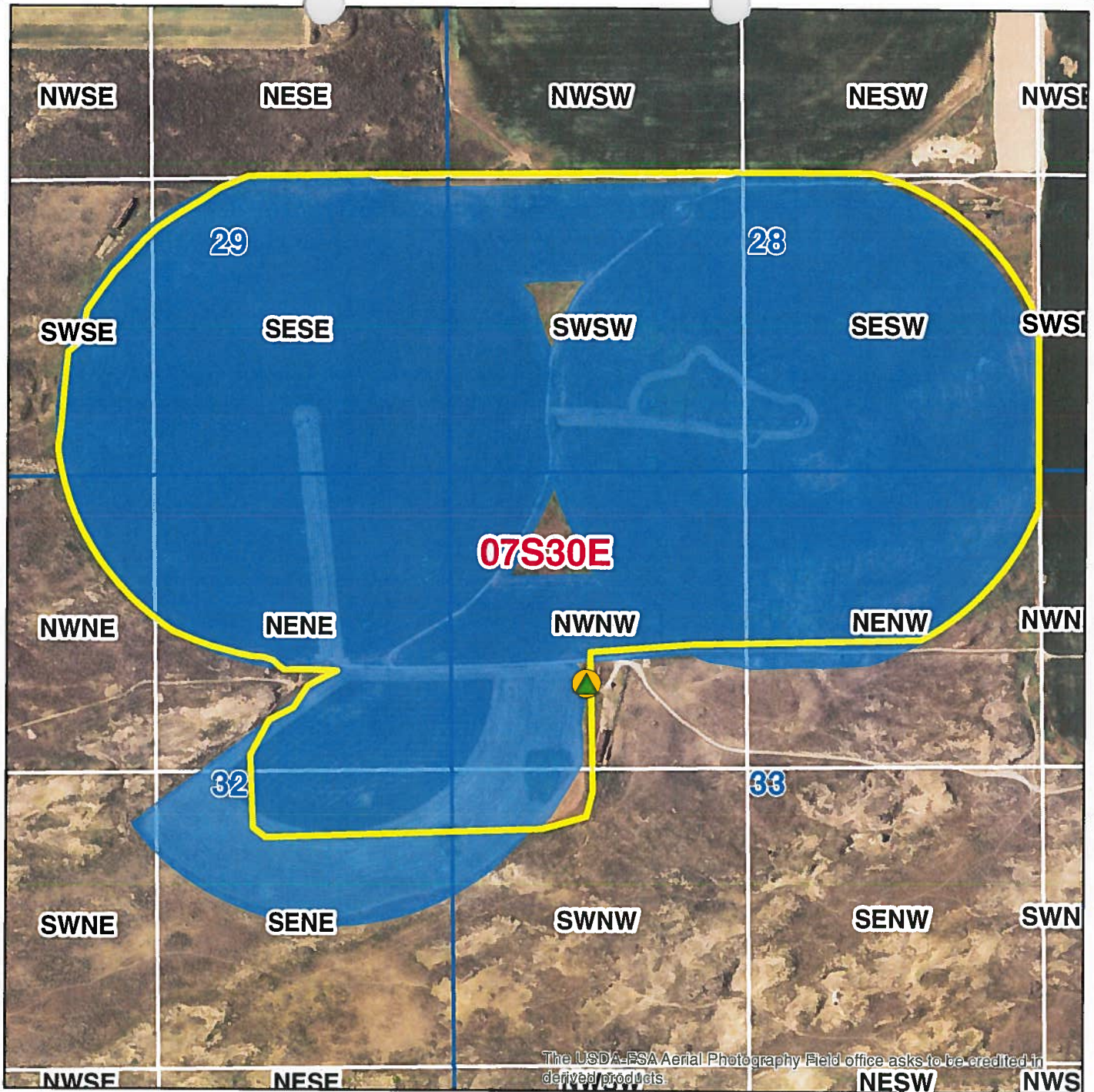
- Current_Point_of_Diversion_35-13654_35-13656
- Current_Place_of_Use_35-13654_35-13656
- Township/Range
- Sections
- QQ



0 0.1 0.2 0.4 Miles

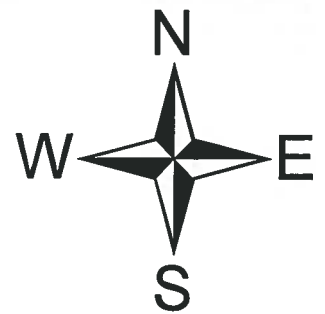
81903

1 inch = 933 feet



Legend

- Proposed Point of Diversion
- Current Point of Diversion_35-13261_35-7467
- Current Place of Use_35-7467_35-13261
- Proposed Place of Use
- Township/Range
- Sections
- QQ



0 0.075 0.15 0.3 Miles

81903

1 inch = 659 feet

No. C 43456	Due no later than Mar 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. WHITNAH RANCHES, INC. DOUGLAS T WHITNAH 3145 CENTER PLEASANT VALLEY RD AMERICAN FALLS ID 83211		DOUGLAS T WHITNAH 3145 CENTER PLEASANT VALLEY RD AMERICAN FALLS ID 83211			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	DOUGLAS T WHITNAH	3145 CENTER PLEASANT VALLEY RD	AMERICAN FALLS	ID	USA	83211-5322
5. Organized Under the Laws of: ID C 43456		6. Annual Report must be signed.* Signature: Douglas T. Whitnah Name (type or print): Douglas T. Whitnah Date: 03/12/2017 Title: President				
Processed 03/12/2017		* Electronically provided signatures are accepted as original signatures.				

81903

ENHANCED GROUND-WATER RIGHTS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

Cells this color are
set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH

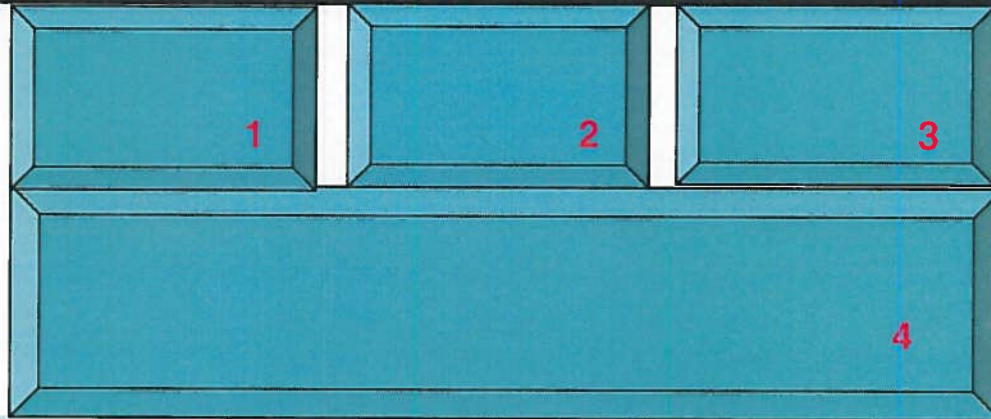
UPDATE DATES" BUTTON

YEAR 1975

SEASON WINTER

TRANSFER NO:

TRANSFER NAME:



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	92	91		
COLUMN	95	92		

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
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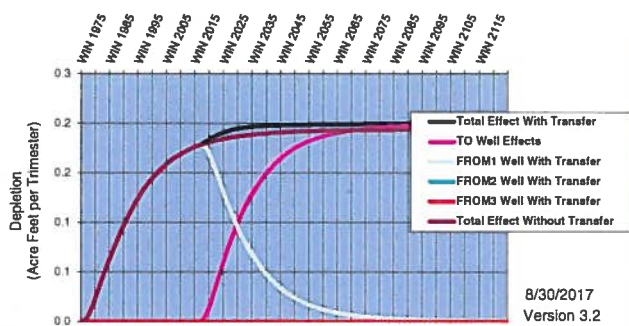
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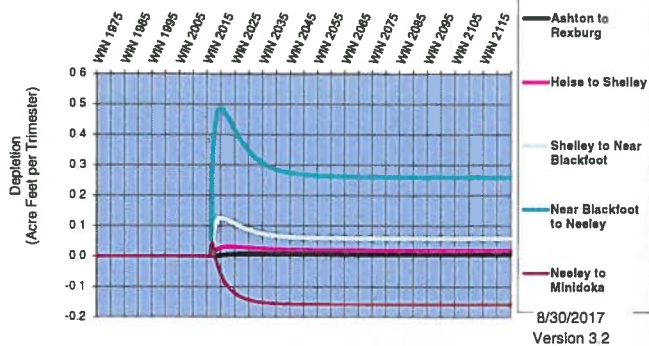
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Hydrologic Response--Ashton to Rexburg
Customer Name: Transfer No:



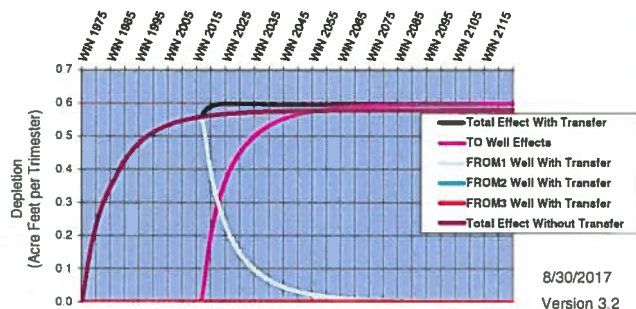
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



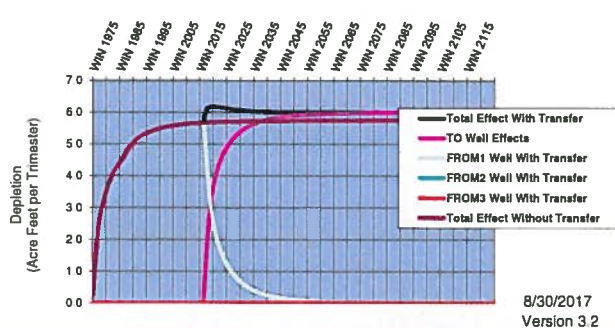
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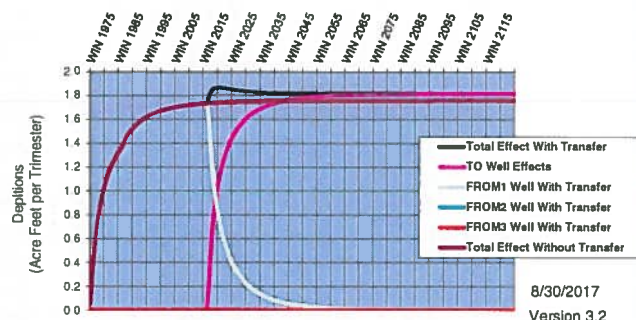
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Customer Name: Transfer No:



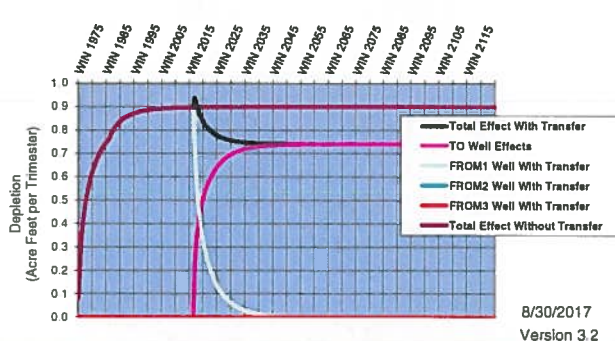
Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: Transfer No:



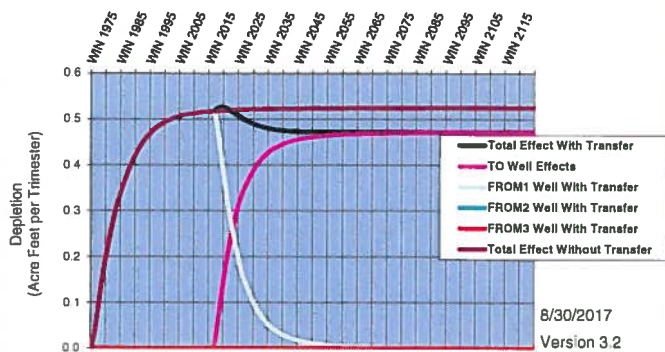
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Customer Name: Transfer No:



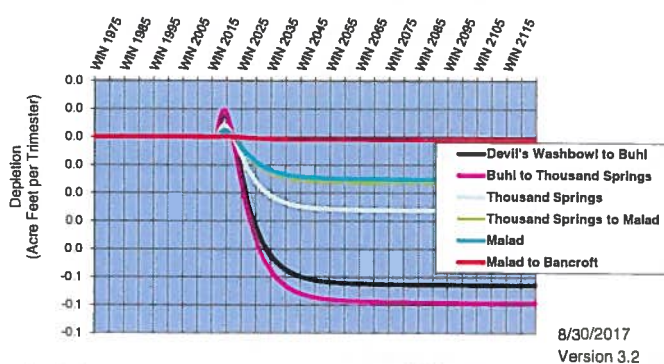
Hydrologic Response-- Neeley to Minidoka
Customer Name: Transfer No:



Hydrologic Response—Devil's Washbowl to Buhl
Customer Name: Transfer No:



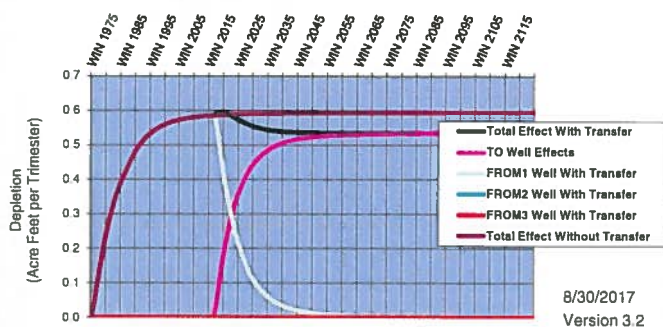
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



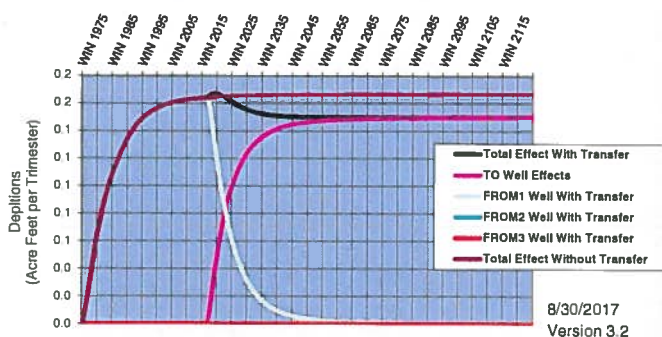
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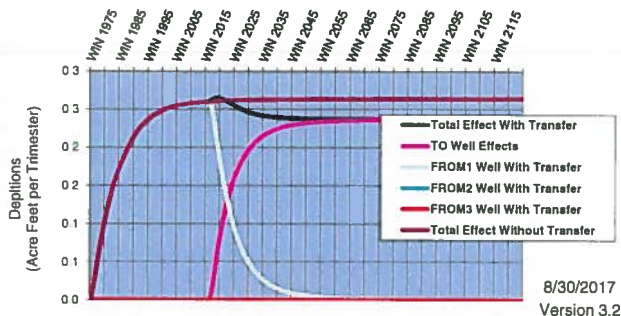
Hydrologic Response—Buhl to Thousand Springs
Customer Name: Transfer No:



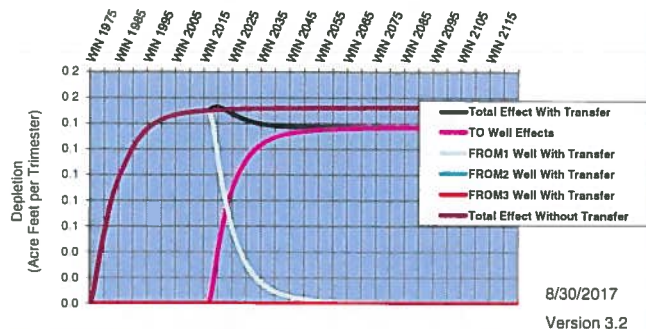
Hydrologic Response—Thousand Springs to Malad
Customer Name: Transfer No:



Hydrologic Response—Thousand Springs
Customer Name: Transfer No:



Hydrologic Response—Malad
Customer Name: Transfer No:



Hydrologic Response—Malad to Bancroft
Customer Name: Transfer No:

