

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79403**

This is to certify that: **CV RANCHES
960 KELLY TOPONCE RD
BANCROFT, ID 83217**

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-12B	WR/DECREED	4/15/1913	1.990 cfs	N/A	99.5	246.1	PORTNEUF RIVER
29-2435	WR/DECREED	11/27/1960	1.220 cfs	517.8 af	N/A	246.1	GROUND WATER
29-94C	WR/DECREED	6/2/1905	3.940 cfs	N/A	146.6	246.1	TOPONCE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-12B	NO	YES	YES	NO	NO	NO
29-2435	NO	NO	YES	NO	NO	NO
29-94C	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-12B	29-12B	1.990 cfs	N/A	99.5	246.1	N/A	N/A	N/A	N/A	N/A
29-2435	29-2435	1.220 cfs	517.8 af	N/A	246.1	N/A	N/A	N/A	N/A	N/A
29-94C	29-94C	3.940 cfs	N/A	146.6	246.1	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.930 cfs	N/A	246.1	246.1		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 6th day of July, 2017.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 79403

IN FILE # 29-12B

WATER RIGHT NO. 29-2435**As Modified by Transfer No. 79403**

In accordance with the approval of Transfer No. 79403, Water Right No. 29-2435 is now described as follows:

Right Holder: CV CATTLE CO
3124 NIPPER RD
BANCROFT, ID 83217

Priority Date: 11/27/1960

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
1.220 cfs
1.220 cfs

Diversion Volume
517.8 af
517.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESESW Sec 29 Twp 06S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	29			30.0					33.2	39.2		28.0	33.0		38.4	34.3		236.1
06S	39E	30																10.0	10.0

POU Total Acres: 246.1

CONDITIONS OF APPROVAL

1. Rights 29-12B, 29-94C and 29-2435 when combined shall not exceed a total diversion rate of 5.93 cfs and the irrigation of 246.1 acres.
2. 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.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The diversion and use of water described in Transfer 79403 may be subject to additional conditions and limitations agreed to by the right holder and Portneuf-Marsh Valley Canal Company under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

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WATER RIGHT NO. 29-2435

As Modified by Transfer No. 79403

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 29-12B**As Modified by Transfer No. 79403**

In accordance with the approval of Transfer No. 79403, Water Right No. 29-12B is now described as follows:

Right Holder: CV CATTLE CO
3124 NIPPER RD
BANCROFT, ID 83217

Priority Date: 4/15/1913

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
1.990 cfs
1.990 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER L2 (SWNW) Sec 30 Twp 06S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	29			30.0					33.2	39.2		28.0	33.0		38.4	34.3		236.1
06S	39E	30																10.0	10.0

Right Acre Limit: 99.5

POU Total Acres: 246.1

CONDITIONS OF APPROVAL

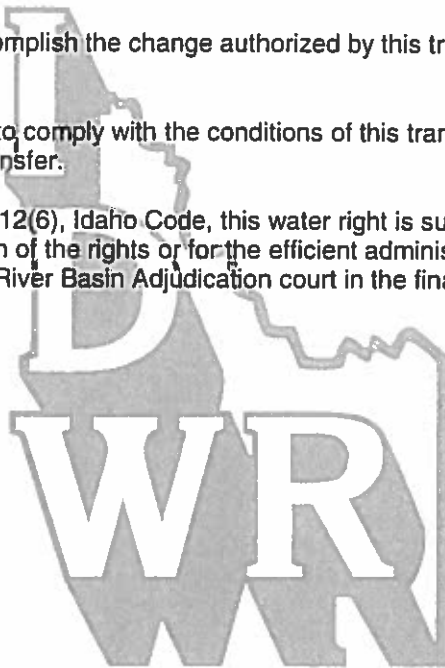
1. This right is limited to the irrigation of 99.5 acres within the authorized place of use in a single irrigation season.
2. Rights 29-12B, 29-94C and 29-2435 when combined shall not exceed a total diversion rate of 5.93 cfs and the irrigation of 246.1 acres.
3. This right when combined with all other 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.
4. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 20, 2004.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

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WATER RIGHT NO. 29-12B
As Modified by Transfer No. 79403

CONDITIONS OF APPROVAL

6. The diversion and use of water described in Transfer 79403 may be subject to additional conditions and limitations agreed to by the right holder and Portneuf-Marsh Valley Canal Company under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 29-94C**As Modified by Transfer No. 79403**

In accordance with the approval of Transfer No. 79403, Water Right No. 29-94C is now described as follows:

Right Holder: CV CATTLE CO
3124 NIPPER RD
BANCROFT, ID 83217

Priority Date: 6/2/1905

Source: TOPONCE CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
3.940 cfs
3.940 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	29			30.0					38.2	39.2		28.0	33.0		38.4	34.3		236.1
06S	39E	30																10.0	10.0

Right Acre Limit: 146.6

POU Total Acres: 246.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 146.6 acres within the authorized place of use in a single irrigation season.
2. Rights 29-12B, 29-94C and 29-2435 when combined shall not exceed a total diversion rate of 5.93 cfs and the irrigation of 246.1 acres.
3. 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.
4. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than March 22, 2004.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

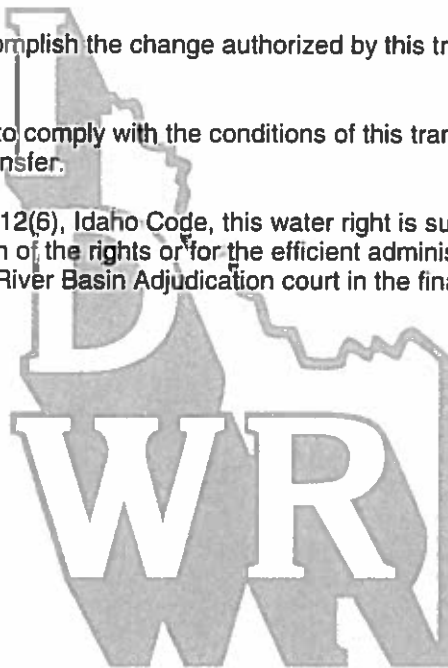
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WATER RIGHT NO. 29-94C

As Modified by Transfer No. 79403

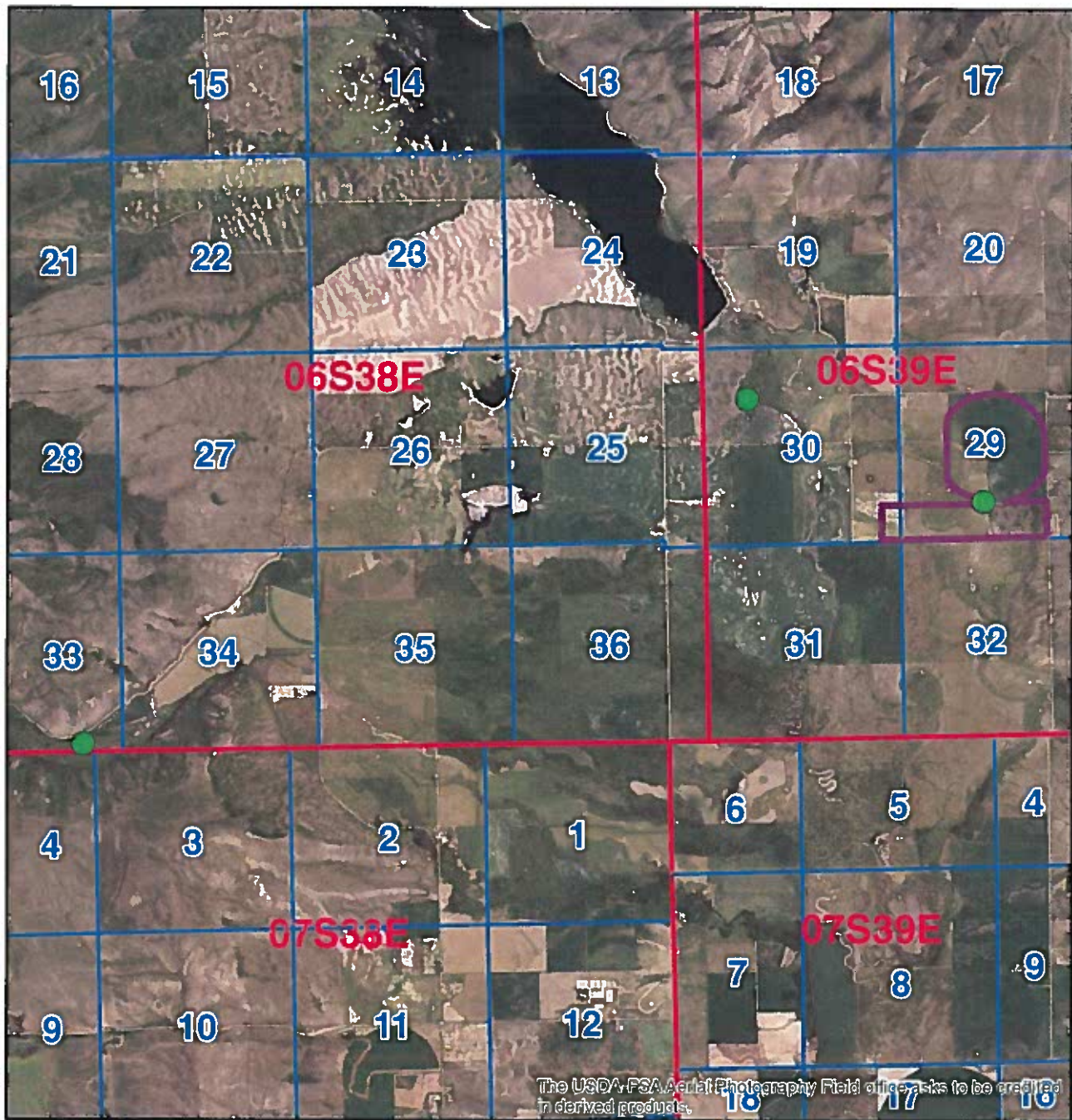
CONDITIONS OF APPROVAL

6. The diversion and use of water described in Transfer 79403 may be subject to additional conditions and limitations agreed to by the right holder and Portneuf-Marsh Valley Canal Company under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



Transfer Approval 79403

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 1,950 3,900 7,800 Feet

1 inch = 4,316 feet

