

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 07 2016
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Webber Creek Ranch, LLC Phone _____
Mailing address PO Box 50 Swan Valley ID 83449 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 _____ 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.

Clayton R. Hamilton
Signature of Applicant or Authorized Representative

Clayton R. Hamilton
Print Name and Title if applicable

9-6-16
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**.
Drying up 6.7 irrigated acres of rights 32-13268, 32-13270, and 32-13272 in order to develop a new feed lot. We will turn nozzles at the end of the southern pivot off to dry the land. We have grown alfalfa for the past five years, using 2.03 AF/acre (see attached). We will water 1400 head of cattle from 9/15 - 5/15.

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 ☐ ☒	32-13268	0.07	Stockwater	09/15 to 05/15	Groundwater
☐ ☒	32-13270	0.06	Stockwater	09/15 to 05/15	Groundwater
☐ ☒	32-13272	0.01	Stockwater	09/15 to 05/15	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.09 cfs and/or 13.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.09 cubic feet per second and/or 13.6 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 #
			SE	SE	29	10N	34E	Clark	Groundwater	

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	
10N	34E	29															S		
10N	34E	32		S															
Total Acres (for irrigation use)																			

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 domestic well to new feed lot

- b. Who owns the property at the point(s) of diversion? Webber Creek Ranch

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:

It will be dried up

- 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:

- 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:

9/7/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBBER CREEK RANCH LLC PO BOX 50 SWAN VALLEY, ID 83449

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.610 CFS	456.0 AF
	Total Diversion		2.610 CFS	456.0 AF

Sec. 29, Twp 10N, Rge 34E, CLARK 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
10N	34E	28						9.1	18.2			19.0	34.0						80.3
10N	34E	29	17.2			33.2									10.0				60.4
10N	34E	32	33.0	1.0	2.0	36.0									0.6				72.6
10N	34E	33						26.0	29.0			0.2							55.2

POU Total Acres: 268.5

1.	X27	This right is limited to the irrigation of 130.3 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 32-13268, 32-13270 and 32-13272 when combined shall not exceed a total diversion rate of 3.53 cfs.
3.	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.
4.	067	The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5.		Rights 32-13267, 32-13269, 32-13270, 32-13271 and 32-13272 are also diverted through the point of diversion described above.
6.	K01	Right 32-13272 is based upon an enlargement of Rights 32-13268 and 32-13270 pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/7/2016

7. 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.
8. 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.

Comments:

1. erushing 12/17/2007 Ownership Change
Split from 32-7030 into 32-13267 (May Ranch) and 32-13268 (Rose Creek Crossing).
2. erushing 12/17/2007 POD
Updated shape
3. erushing 12/17/2007 POU
Updated Shape
4. bjordan 9/18/2014 Updated Shape
Updated POUShape
5. scox 10/28/2014 Transferred Right
This is now an approved transfer. Transfer Number = 79568

Dates and Other Information

Decreed Date: 10/27/2000
State or Federal: S
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.090		
32-13268 ,32-13270 ,32-13272		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

9/7/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBBER CREEK RANCH LLC PO BOX 50 SWAN VALLEY, ID 83449

Status: Active

Tributary

Sec. 29, Twp 10N, Rge 34E, CLARK 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	
10N	34E	28						9.1	18.2			19.0	34.0						80.3
10N	34E	29	17.2			33.2									10.0				60.4
10N	34E	32	33.0	1.0	2.0	36.0									0.6				72.6
10N	34E	33						26.0	29.0			0.2							55.2

POU Total Acres: 268.5

1.	X27	This right is limited to the irrigation of 110.6 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 32-13268, 32-13270 and 32-13272 when combined shall not exceed a total diversion rate of 3.53 cfs.
3.	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.
4.	067	The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5.		Rights 32-13267, 32-13268, 32-13269, 32-13271 and 32-13272 are also diverted through the point of diversion described above.
6.	K01	Right 32-13272 is based upon an enlargement of Rights 32-13268 and 32-13270 pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/7/2016

7. 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.
8. 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.

Comments:

1. erushing 12/17/2007 Ownership Change
Split from 32-7083 into 32-13269 (May Ranch) and 32-13270 (Rose Creek Crossing).
2. erushing 12/17/2007 POD
Updated shape
3. erushing 12/17/2007 POU
Updated Shape
4. scox 10/28/2014 Transferred Right
This is now an approved transfer. Transfer Number = 79568

Dates and Other Information

Decreed Date: 10/27/2000
State or Federal: S
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.090		
32-13268 ,32-13270 ,32-13272		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a Part 2A report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 32-13270

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

9/7/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBBER CREEK RANCH LLC PO BOX 50 SWAN VALLEY, ID 83449

Status: Active

GROUND WATER

96.7 AF

Sec. 29, Twp 10N, Rge 34E, CLARK 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	
10N	34E	28						9.1	18.2			19.0	34.0						80.3
10N	34E	29	17.2			33.2									10.0				60.4
10N	34E	32	33.0	1.0	2.0	36.0									0.6				72.6
10N	34E	33						26.0	29.0			0.2							55.2

POU Total Acres: 268.5

1.	K09	This right is for an enlargement of 27.6 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 32-13268, 32-13270 and 32-13272 when combined shall not exceed a total diversion rate of 3.53 cfs.
3.	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.
4.	067	The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5.	K02	Right 32-13272 is based upon an enlargement of Rights 32-13268 and 32-13270 pursuant to Section 42-1426, Idaho Code.
6.	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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/7/2016

As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

7. Rights 32-13267, 32-13268, 32-13269, 32-13270 and 32-13271 are also diverted through the point of diversion described above.
8. 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.
9. 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.

Comments:

1. erushing 12/17/2007 Ownership change
Split from 32-11249 into 32-13271 (May Ranch) and 32-13272 (Rose Creek Crossing).
2. erushing 12/17/2007 POD
Updated shape
3. erushing 12/17/2007 POU
Updated Shape
4. scox 10/28/2014 Transferred Right
This is now an approved transfer. Transfer Number = 79568

Dates and Other Information

Decreed Date: 9/17/2002
Enlargement Statute Priority Date: 4/12/1994
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.090		
32-13268	32-13270	32-13272

Verification Log

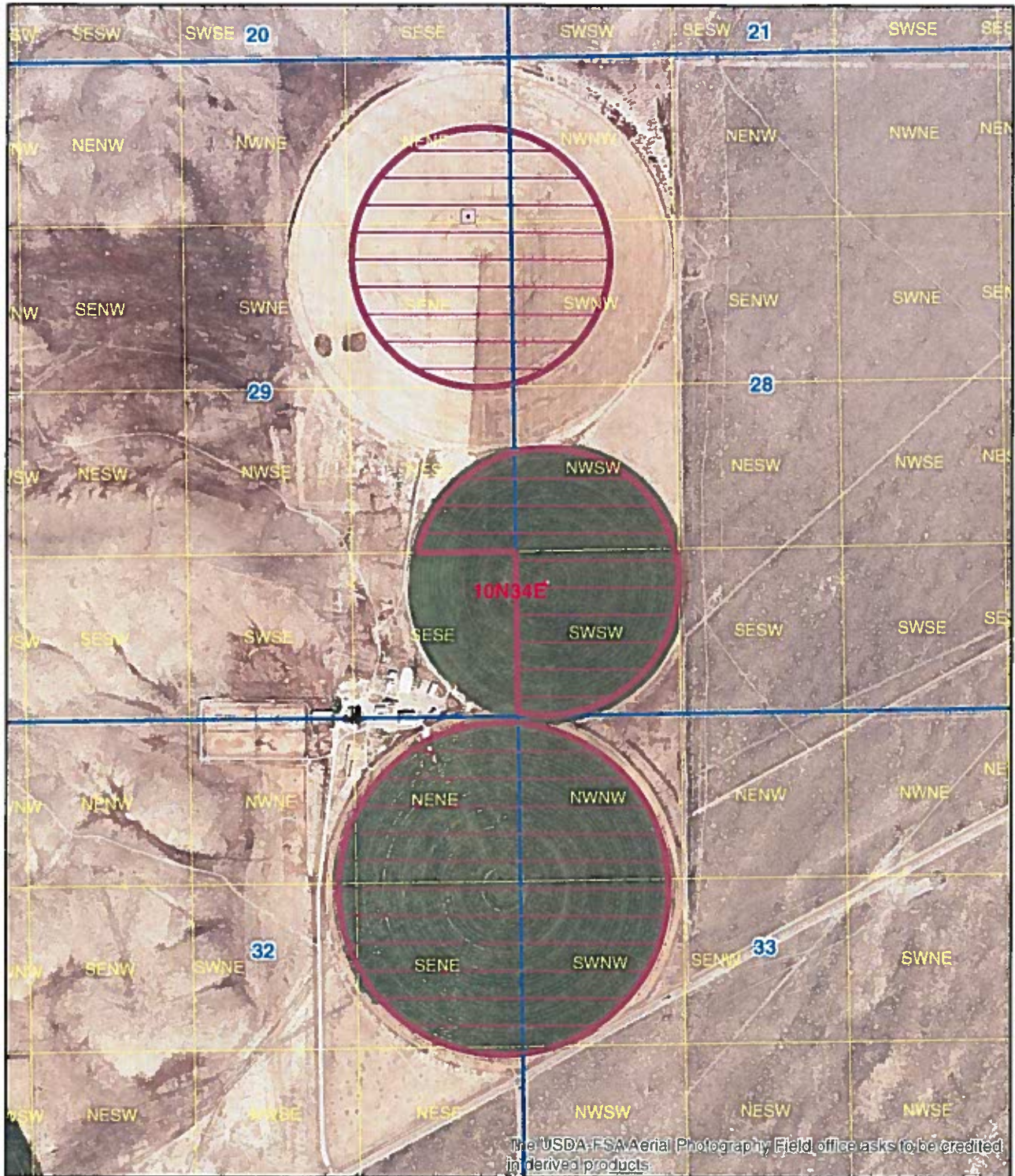
SubCase:

N/A

Water Supply Bank:

N/A

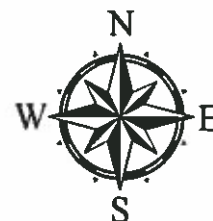
Pre-Transfer POD and POU Rights 32-13268, 32-13270, and 32-13272



2015 Imagery

Legend

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



8 12 61

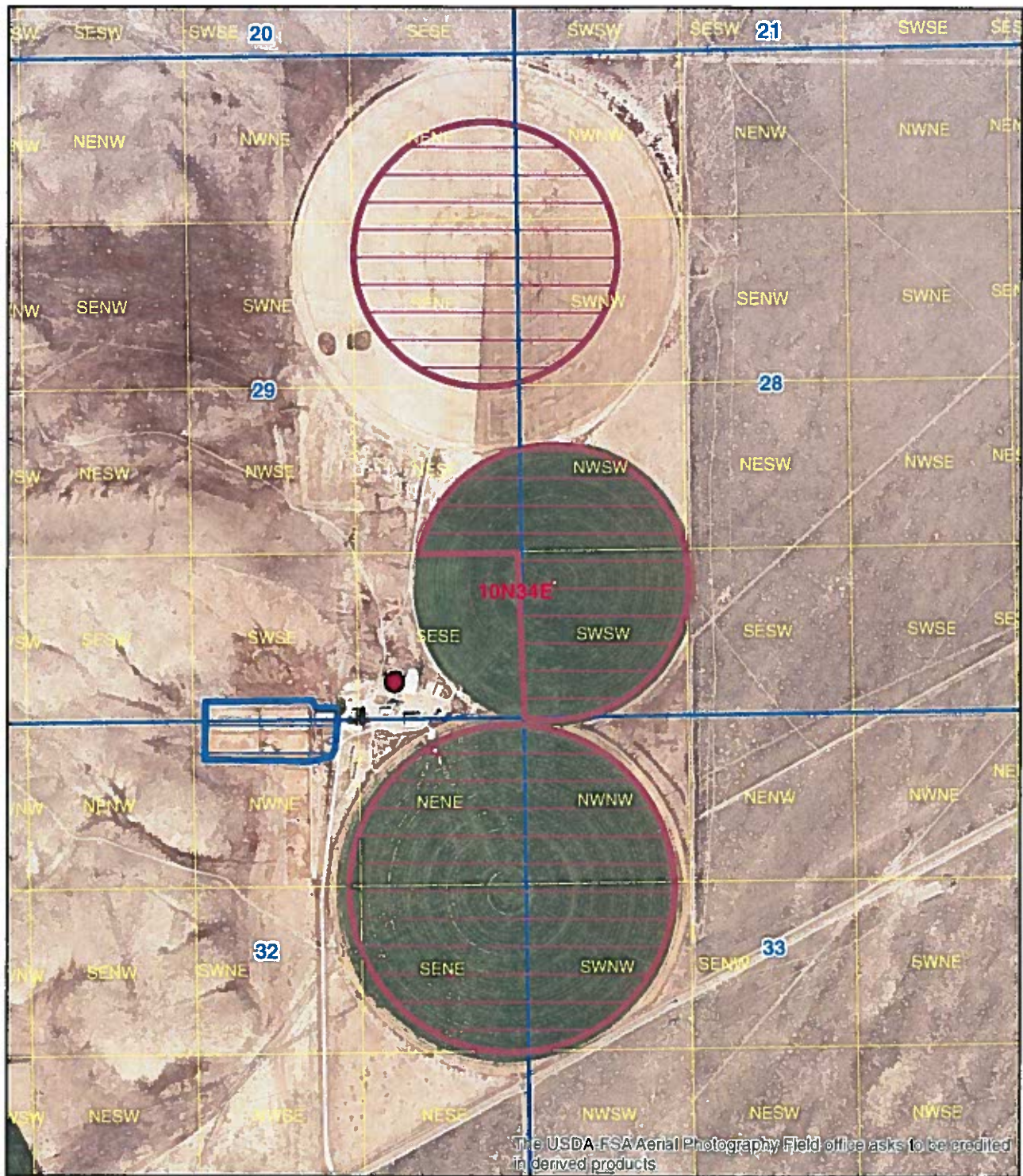
0.15

0.3

0.6

Miles

Post-Transfer Irrigation and Stockwater Place of Use

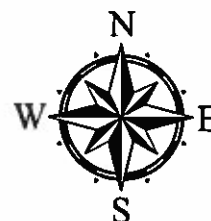


Legend

- Post-Transfer Stockwater Point of Diversion
- Post-Transfer Irrigation Place of Use
- Post-Transfer Stockwater Place of Use
- Township/Range
- Sections
- QQ

8 12 61

2015 Imagery



0 0.15 0.3 0.6 Miles

ET_{Idaho} 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Dubois Experiment Station (NWS -- 102707)

Statistics based on thirty year normal spans 1977 to 2010 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - frequent cuttings															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^c	-0.24	-0.13	0.10	0.22	2.60	4.62	4.88	4.13	2.70	0.94	-0.31	-0.35	619	-32	588
15-Day Moving Average ^d	-0.27	-0.22	0.11	0.10	2.66	4.86	4.97	4.03	2.69	1.02	-0.38	-0.31			
7-Day Moving Average ^e	-0.24	-0.18	0.10	0.17	2.62	4.76	4.94	4.10	2.71	0.96	-0.38	-0.32			
3-Day Moving Average ^f	-0.24	-0.14	0.10	0.21	2.60	4.66	4.91	4.12	2.71	0.94	-0.33	-0.34			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.40	0.31	0.20	0.55	2.15	1.11	1.34	1.19	0.61	1.14	0.37	0.52	96	24	95
15-Day Moving Average ^d	0.41	0.47	0.29	0.71	1.87	1.59	1.55	1.41	1.00	1.08	0.53	0.48			
7-Day Moving Average ^e	0.58	0.69	0.52	1.07	2.36	2.23	1.89	1.75	1.49	1.50	0.81	0.68			
3-Day Moving Average ^f	0.80	0.95	0.89	1.55	3.04	3.05	2.29	2.17	2.07	1.96	1.22	1.01			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.02	0.12	0.22	0.43	3.73	5.36	5.64	4.95	3.04	1.34	-0.08	-0.04	687	-15	652
15-Day Moving Average ^d	0.17	0.33	0.59	0.81	5.46	6.85	6.96	6.07	4.12	2.41	0.34	0.23			
7-Day Moving Average ^e	0.42	0.56	1.18	2.26	6.71	7.84	7.64	6.76	5.26	3.17	0.84	0.43			

3-Day Moving Average ^f	0.52	0.80	1.93	3.35	7.16	8.43	8.04	7.23	5.92	3.80	1.23	0.58			
80% Exceedance^m	mm/day												mm		
Monthly ^c	-0.56	-0.50	-0.02	-0.03	1.35	3.63	4.02	3.33	2.20	0.20	-0.63	-0.69	519	-58	506
15-Day Moving Average ^d	-1.11	-1.01	-0.53	-0.69	-0.51	2.30	2.59	1.65	1.02	-0.70	-1.43	-1.20			
7-Day Moving Average ^e	-1.80	-1.69	-1.28	-1.57	-1.92	-0.48	1.54	0.88	-0.66	-2.47	-2.33	-2.25			
3-Day Moving Average ^f	-3.06	-3.53	-2.73	-3.83	-6.40	-5.07	-0.37	-2.31	-3.66	-5.35	-4.46	-4.45			
Ave Highest P_{def}	mm/day												--		
15-Day Moving Average ^g	0.11	0.17	0.46	0.68	4.08	6.09	6.08	5.19	3.72	1.83	0.19	0.11			
7-Day Moving Average ^h	0.30	0.48	0.91	1.56	5.19	7.19	7.05	6.15	4.69	2.44	0.60	0.28			
3-Day Moving Average ⁱ	0.45	0.68	1.44	2.64	6.11	7.97	7.64	6.78	5.37	3.03	0.96	0.45			
Ave Lowest P_{def}	mm/day												--		
15-Day Moving Average ^g	-0.56	-0.47	-0.25	-0.45	1.14	3.42	3.66	2.83	1.73	0.12	-0.83	-0.72			
7-Day Moving Average ^h	-1.06	-1.00	-0.80	-1.25	-0.41	1.20	2.27	1.72	0.56	-1.10	-1.48	-1.39			
3-Day Moving Average ⁱ	-1.94	-2.04	-1.93	-2.69	-3.30	-2.02	0.67	0.08	-1.51	-2.99	-2.94	-2.89			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.17	-0.76	-0.18	1.39	0.17	-0.61	-0.25	-0.12	1.17	0.20	-0.86	-0.38	0.41	0.03	0.26
Kurtosis ^o	0.51	2.50	0.63	7.64	0.76	3.33	0.76	0.74	4.04	0.91	4.46	0.94	2.85	2.27	2.53

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

^k This value represents the *standard deviation* for the parameter for the month over the 'normal' period.

^l This value represents the *value* for the parameter that has a 20% chance of being exceeded that month during any particular year. Conversely, there is an 80% chance that the parameter value will be less than the *value* shown.

^m This value represents the *value* for the parameter that has a 80% chance of being exceeded that month during any particular year. Conversely, there is an 20% chance that the parameter value will be less than the *value* shown.

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

^o This value represents the *kurtosis* of the parameter value distribution for the month (year) over the 'normal' period. Kurtosis is a measurement of the height to width ratio of the probability distribution, or the *peakedness (slenderness)*. A normal (Gaussian) distribution has a kurtosis of 3. A high kurtosis distribution has a sharper peak and longer tails, while a low kurtosis distribution has a more rounded peak and shorter tails.

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