

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 09 2016

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Enterprize Canal Co Ltd Phone 208-538-7861

Mailing address PO Box 583, Ririe, ID 83443 Email utonagarcia@hotmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Harold R. Jones
Signature of Applicant or Authorized Representative

Harold Jones, President
Print Name and Title if applicable

2/25/2016
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**.
 Company seeks to correct the company service area to include about 80 acres with appurtenant canal shares. The land should have been included in the SRBA decree, but acreage to the west of the area being changed was added instead. This transfer will correct the boundary to include the proper acreage.

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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 ☒ ☐	1-59	120 cfs	Irrigation	4/1 to 10/31	Snake River/Columbia R.
☒ ☐	1-60	68 cfs	Irrigation	4/1 to 10/31	Snake River/Columbia R.
☒ ☐	1-233	62 cfs	Irrigation	4/1 to 10/31	Snake River/Columbia R.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 250 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.68 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 #

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	
LAND ADDED TO SERVICE AREA																			
4N	40E	35			X	X									X	X			
LAND REMOVED FROM SERVICE AREA																			
4N	40E	35					X	X	X	X									

Total Acres (for irrigation use) **5436**

NO OTHER CHANGES PROPOSED TO
EXISTING SERVICE AREA

STATE OF IDAHO
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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:

Lockable headgate on Snake River currently regulated by Water District 1.

- 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: _____

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:

The 80 acres covered by the previous boundary has always been irrigated by another canal company. Should have no effect because total number of acres irrigated will not change.

- 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:

Farmers Friend Canal water.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/25/2016

Water Right 1-59

Owner Type **Name**
Current Owner ENTERPRIZE CANAL CO LTD
Priority Date: 3/22/1895
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	120.000 CFS	
	Total Diversion		120.000 CFS	

Source and Point(s) of Diversion
SNAKE RIVER NESWSE Sec. 36, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use
IRRIGATION within BONNEVILLE, JEFFERSON Counties

Large POU not displayed
Total Acres = 5,436.0

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. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 129 Place of use is within the area served by Enterprize Canal Company.
4. F01 Water is delivered through Enterprize Canal.

Dates and Other Information

Decreed Date: 10/6/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/25/2016

Water Right 1-60

Owner Type **Name**
Current Owner ENTERPRIZE CANAL CO LTD
Priority Date: 4/15/1898
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	68.000 CFS	
	Total Diversion		68.000 CFS	

Source and Point(s) of Diversion
SNAKE RIVER NESWSE Sec. 36, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use
IRRIGATION within BONNEVILLE, JEFFERSON Counties
Large POU not displayed
Total Acres = 5,436.0

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. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 129 Place of use is within the area served by Enterprize Canal Company.
4. F01 Water is delivered through Enterprize Canal.

Dates and Other Information

Decreed Date: 10/6/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/25/2016

Water Right 1-233

Owner Type **Name**
Current Owner ENTERPRIZE CANAL CO LTD
Priority Date: 1/22/1916
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	62.000 CFS	
	Total Diversion		62.000 CFS	

Source and Point(s) of Diversion
SNAKE RIVER NESWSE Sec. 36, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use
IRRIGATION within BONNEVILLE, JEFFERSON Counties
Large POU not displayed
Total Acres = 5,436.0

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. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. 129 Place of use is within the area served by Enterprize Canal Company.
5. F01 Water is delivered through Enterprize Canal.

Dates and Other Information

Decreed Date: 10/6/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Mitigation Plan: False

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:

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

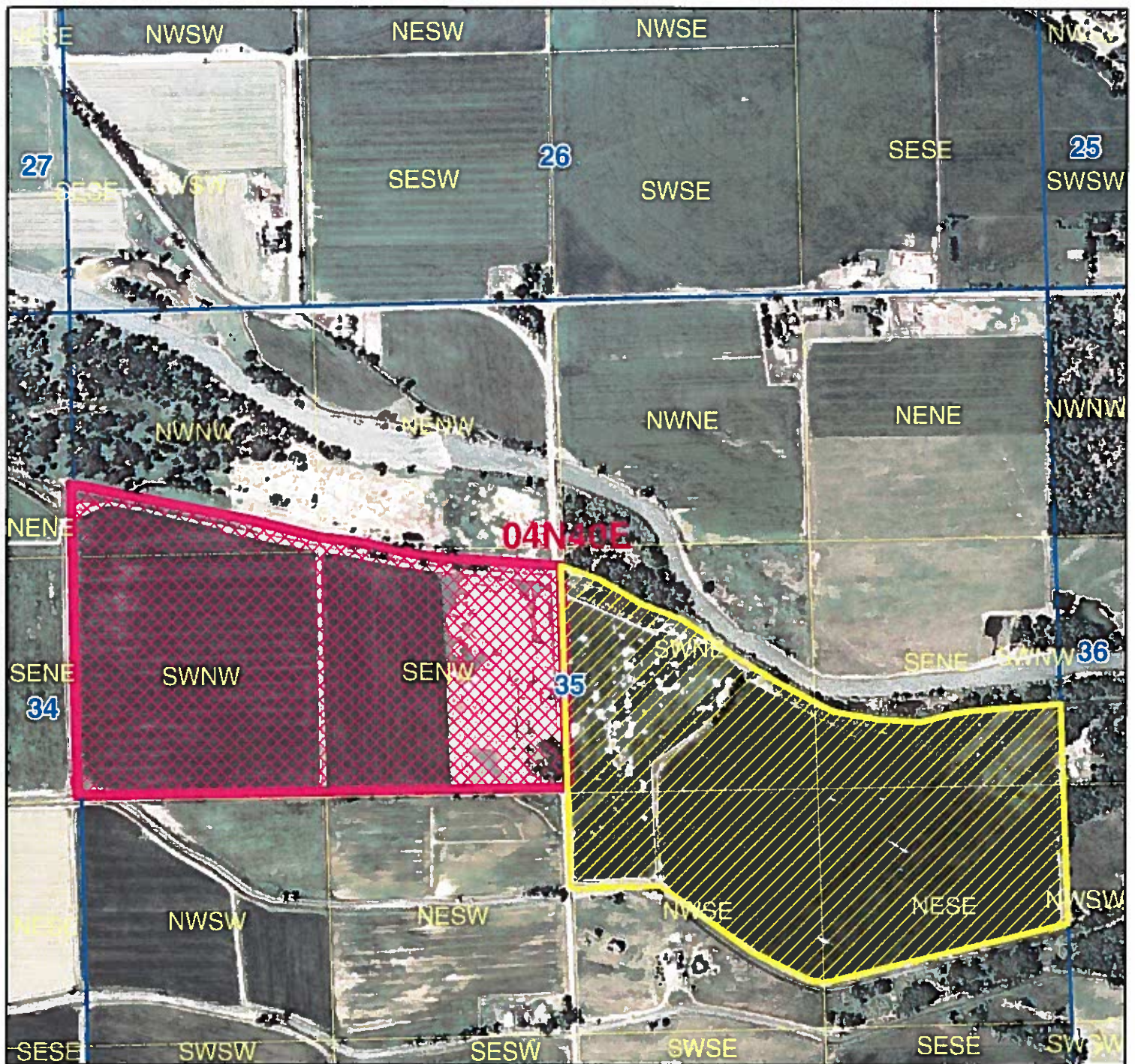
Received by MA Date 3/9/16 Preliminary check by MA Date 4/6/16

Fee paid 740.07 Date 3-9-16 Received by u Receipt # E041899

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

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

State of Idaho
Department of Water Resources
Enterprize Canal Co POU Transfer



Legend

- Land added to boundary
- Land removed from boundary
- Township/Range
- Sections
- QQ

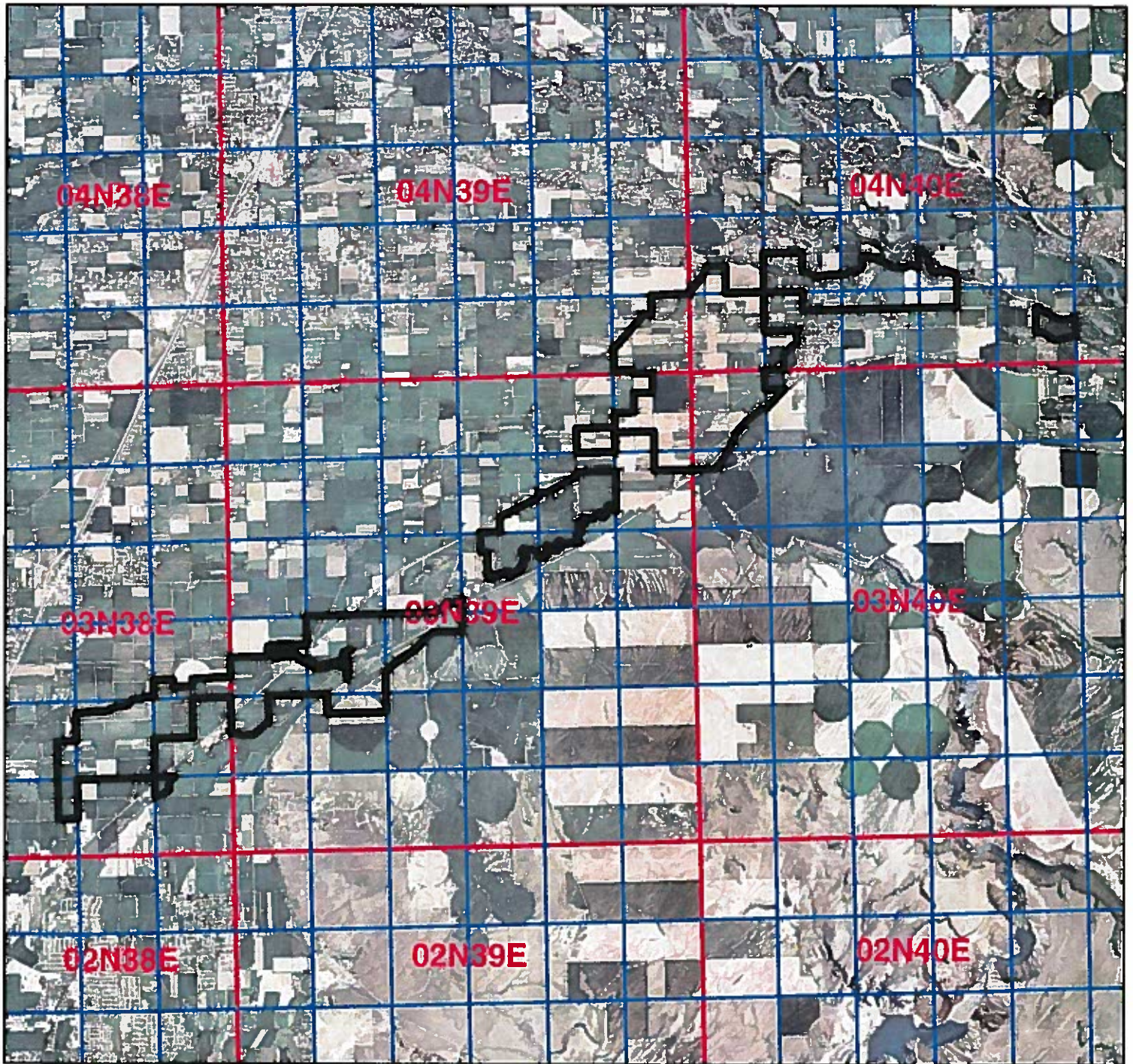
0 0.125 0.25 0.5 Miles



8 0 8 0 4

Map prepared by Michael Holliday

State of Idaho
Department of Water Resources
Enterprise Canal POU Transfer



0 2 4 8 Miles

Legend

-  Proposed Service Area
-  Township/Range
-  Sections



80804

Map prepared by Michael Holliday

No. C 6917	Due no later than May 31, 2015 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.		UTONA E GARCIA 266 2ND WEST RIRIE 83443			
	ENTERPRIZE CANAL COMPANY, LTD. (THE) UTONA E GARCIA PO BOX 583 RIRIE ID 83443		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
DIRECTOR	VAL G COOPER	6179 E RIRIE HIGHWAT	IDAHO FALLS	ID	USA	83401
DIRECTOR	STEVEN L CAMPBELL	6720 E RIRIE HIGHWAY	IDAHO FALLS	ID	USA	83401
DIRECTOR	DARREL KER	4861 N 44TH E	IDAHO FALLS	ID	USA	83401
DIRECTOR	JEFFREY SUTTON	4465 E COUNTY LINE ROAD	RIGBY	ID	USA	83442
SECRETARY	UTONA E GARCIA	P.O. BOX 583	RIRIE	ID	USA	83443
PRESIDENT	HAROLD JONES	11020 N 95 E	IDAHO FALLS	ID	USA	83401
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID C 6917		Signature: Utona E Garcia			Date: 03/23/2015	
		Name (type or print): Utona E Garcia			Title: Sec./Treas	
Processed 03/23/2015		* Electronically provided signatures are accepted as original signatures.				

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