

Rev 07/13

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 18 2014

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern Region

79272

Name of Applicant(s) C V Cattle IncPhone (208) 648-7863Mailing address 3124 Nipper RD Bancroft, ID 83217

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.

[Signature]
Signature of Applicant or Authorized Representative

Print Name and Title if applicable _____

April 18 14
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.
- Applicant has built a reservoir that has a storage capacity of 270 acre-feet. This transfer application proposes to dry up 46 acres from water right 29-123 and 54 acres from water right 29-125, for a total of 100 acres, in order to covert the nature of use to irrigation storage and irrigation from storage.

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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 ☒ ☐	29-125	1.08 cfs	Diversion to Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☒ ☐	29-125	145.8 ac-ft	Irrigation Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☒ ☐	29-125	145.8 ac-ft	Irrigation from Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☐ ☒	29-123	0.92 cfs	Diversion to Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☐ ☒	29-123	124.2 ac-ft	Irrigation Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☐ ☒	29-123	124.2 ac-ft	Irrigation from Storage	4/15 to 9/15	Toponce Creek/Portneuf River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.0 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.0 cubic feet per second and/or _____ acre-feet per annum.

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	
06S	38E	25						A	A										
06S	38E	26	A			A													
06S	38E	25							29		36	37	33	40	6.5	39	35	4	259.5
06S	38E	26				29								37				12	78
Total Acres (for irrigation use)																			337.5

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:

It is a screw headgate that can be locked and the water can be measured.

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

Dowsey Canal Co.

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

I have permission from Dowsey Canal Co. to use their right of way to regulate headgate

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? *Gate*

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:

NA

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

100 acres of the land that is currently being irrigated will be dried up; 46 acres from water right 29-123 and 54 acres from water right 29-125, in order to change the nature of the use to irrigation storage and irrigation from storage.

- e. 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:

N/A

- f. 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

4/18/2014

Water Right 29-123

Owner Type **Name and Address**
Current Owner C V CATTLE INC
 RHONDO PERKINS
 PRESIDENT
 3124 NIPPER RD
 BANCROFT, ID 83217
 (208)648-7863

Priority Date: 7/1/1903

Basis: Decreed

Status: Active

Source
TOPONCE CREEK

Tributary
PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	1.100 CFS	
	<u>Total Diversion</u>		1.100 CFS	

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CARIBOU County

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	38E	25						40.0	39.0		36.0	37.0	33.0	40.0	6.5	39.0	35.0	4.0	309.5
															L19			L20	
06S	38E	26	40.0			39.0									37.0			12.0	128.0

Right Acre Limit: 55.0

POU Total Acres: 437.5

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. S35 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 THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/18/2014

4. C03 COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
7. K01 RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
29-121 ,29-122 ,29-123 ,29-125 ,29-13499 ,29-10320		437.5
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.690		437.5
29-121 ,29-10320 V1,29-122 ,29-123 ,29-125 ,29-13499		

SubCase:

N/A

Water Supply Bank:

N/A

4/18/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C V CATTLE INC RHONDO PERKINS PRESIDENT 3124 NIPPER RD BANCROFT, ID 83217 (208)648-7863

Status: Active

Tributary
PORTNEUF RIVER

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

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
06S	38E	25						40.0	39.0			36.0	37.0	33.0	40.0	6.5	39.0	35.0	4.0	309.5
																L19			L20	
06S	38E	26	40.0			39.0									37.0				12.0	128.0

POU Total Acres: 437.5

1.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	S35	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 THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/18/2014

5. K01 RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499
7. 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.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.690		437.5
29-121 ,29-10320 V1,29-122 ,29-123 ,29-125 ,29-13499		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		437.5
29-121 ,29-122 ,29-123 ,29-125 ,29-13499 ,29-10320		

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

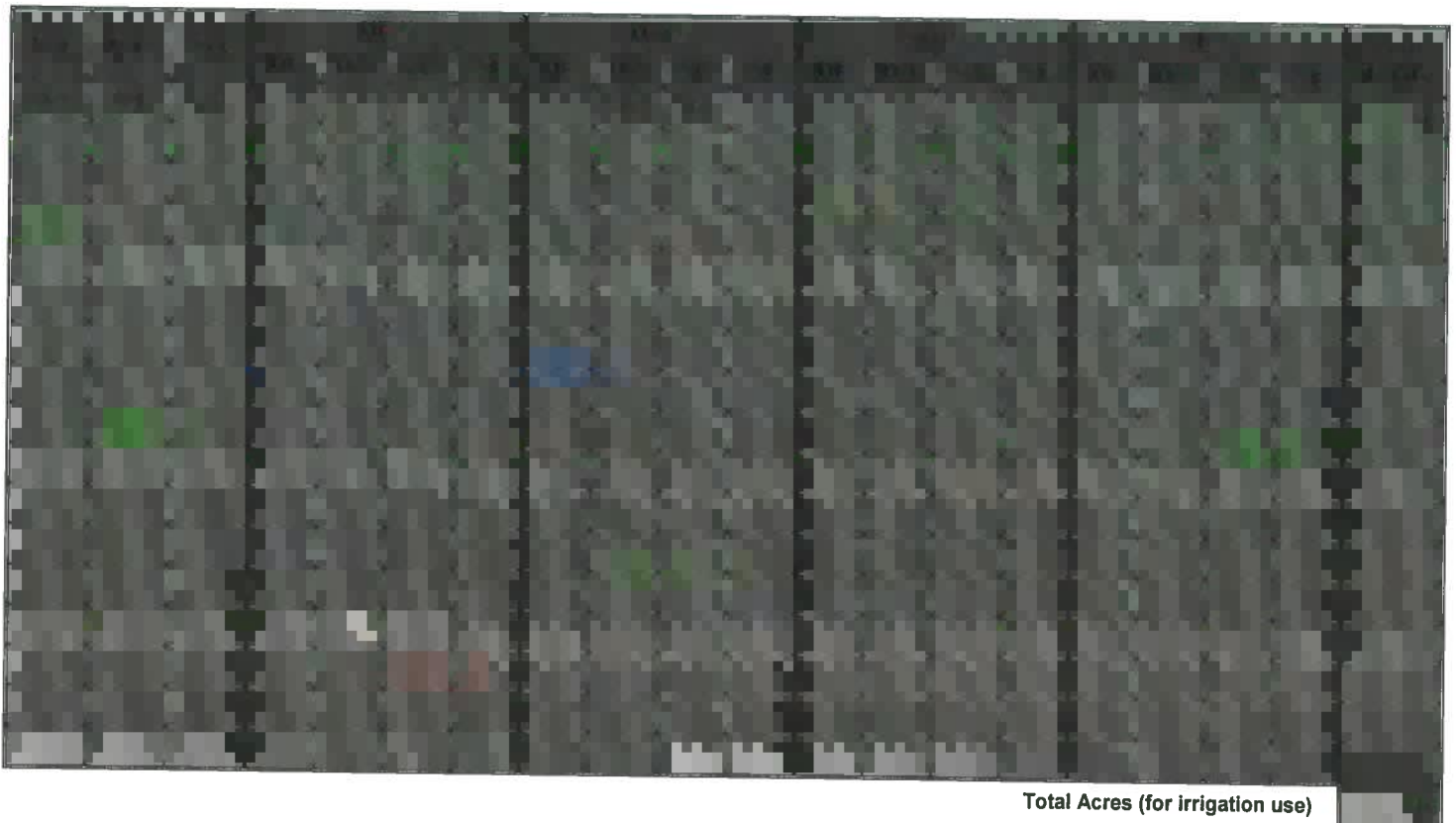
For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

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: 29-123

1. amount 0.92 cfs (cfs/ac-ft) for Irrigation purposes from 4/15 to 9/15
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)



Total Acres (for irrigation use)

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

- ### B. CHANGES IN NATURE OF USE (Water Balance)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- 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:

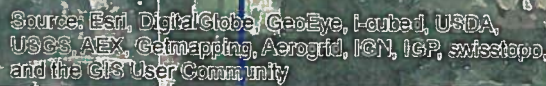
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer contains _____ pages and _____ attachments.

Received by KR Date 4/18/2014 Preliminary check by _____ Date _____

Fee paid \$ 830 Date 4/21/2014 Received by KR Receipt # E039740

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



Legend



POD



reservoir



Perkins

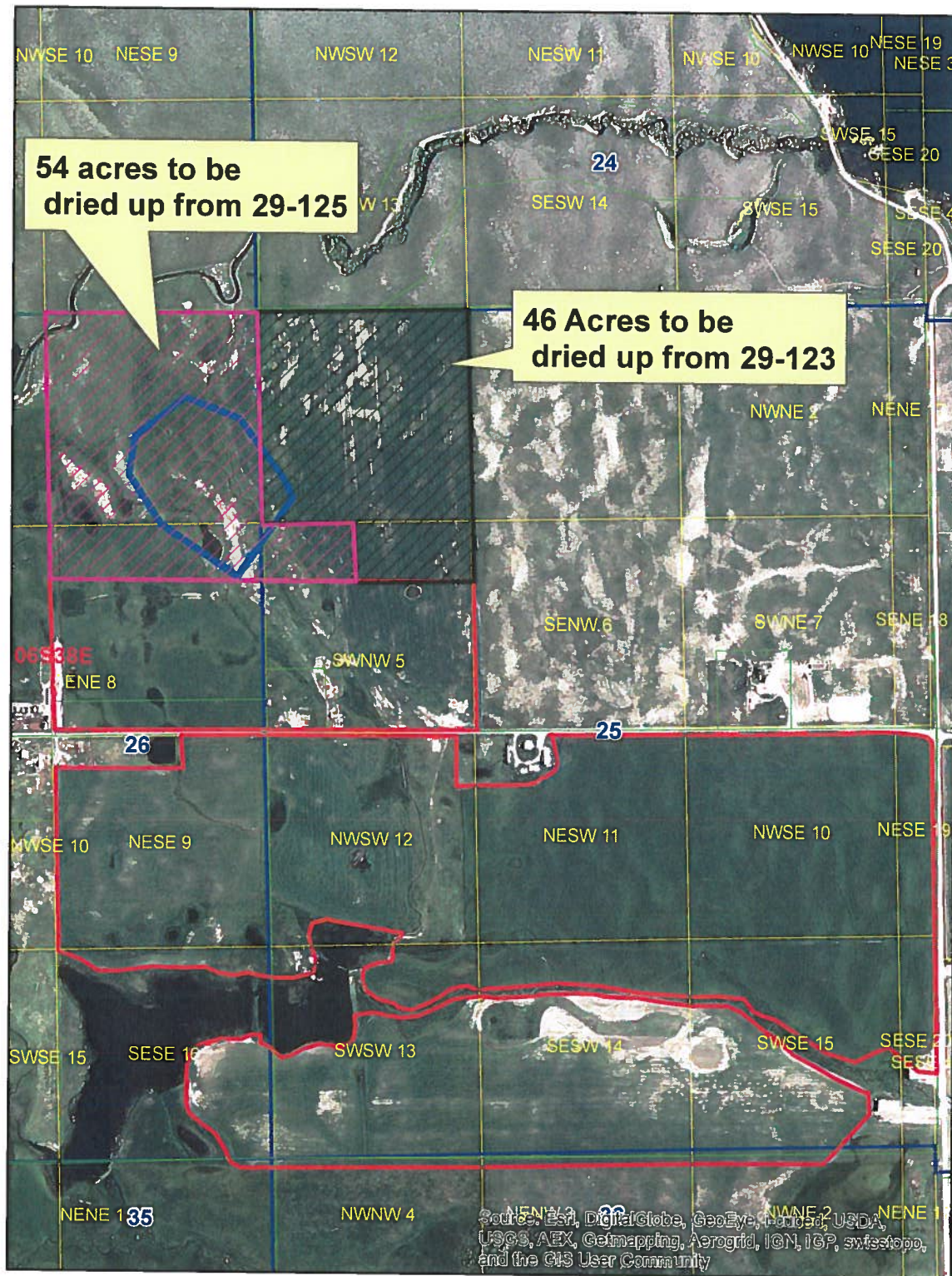


Sections

79 27 2

1 inch = 2,917 feet

Perkins Transfer



Legend

- reservoir
- Perkins
- Taxlots
- Township/Range
- Sections
- QQ



1 inch = 1,000 feet

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Using information from the ETidaho website it was determined that 100 acres need to be dried up in order to be able to store 270 acre-feet in the reservoir. The following information was used:

The McCammon station was selected because it is the closest station to the place of use for this transfer. This station is located in Bannock County at an Elevation of 4770 MLS.

The applicant stated that the acres that will be dried up have historically been planted in Alfalfa and they were cut 3 times per year. The Alfalfa-frequent cuttings data is appropriate for this use.

Using the precipitation deficit information for Alfalfa-frequent cuttings at the MacCammon station the following was determined:

$$826 \text{ mm} \times 0.00328 \frac{\text{feet}}{\text{mm}} \times 1 \text{ acre} = 2.7 \text{ acre} - \text{feet per acre}$$

Where:	826 mm:	The mean for the growing season
	.00328 feet/mm:	Conversion factor

$$\frac{270 \text{ acre} - \text{feet}}{2.7 \frac{\text{acre} - \text{feet}}{\text{acre}}} = 100 \text{ acres to be dried up}$$

Where:	270 acre-feet:	Reservoir storage capacity
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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.

McCammon (NWS -- 105716)

Statistics based on thirty year normal spans 1950 to 2007 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
Mean ^j	mm/day												mm	
Monthly ^c	-0.66	-0.16	0.15	1.10	4.32	5.05	6.06	5.06	3.65	1.83	-0.28	-0.56	826	-44
15-Day Moving Average ^d	-0.76	-0.21	0.20	1.03	4.47	5.05	6.46	5.32	3.58	1.75	-0.42	-0.52		
7-Day Moving Average ^e	-0.68	-0.20	0.16	1.05	4.40	5.00	6.23	5.22	3.62	1.76	-0.34	-0.54		
3-Day Moving Average ^f	-0.65	-0.17	0.15	1.06	4.33	5.01	6.09	5.09	3.64	1.81	-0.32	-0.55		
Standard Deviation ^k	mm/day												mm	
Monthly ^c	0.98	0.55	0.40	0.87	2.07	1.08	0.92	1.24	0.94	1.03	0.59	0.76	96	31
15-Day Moving Average ^d	1.10	0.68	0.53	1.12	1.92	1.54	1.48	1.53	1.49	1.44	0.89	0.83		
7-Day Moving Average ^e	1.43	1.06	0.88	1.48	2.52	2.39	2.23	2.02	1.88	2.07	1.26	1.19		
3-Day Moving Average ^f	1.81	1.53	1.48	2.06	3.35	3.11	2.73	2.63	2.54	2.62	1.75	1.70		
20% Exceedance ^l	mm/day												mm	
Monthly ^c	-0.14	0.31	0.39	1.84	5.28	5.81	6.60	5.84	4.39	2.31	0.04	-0.03	910	-18
15-Day Moving Average ^d	0.34	0.75	1.12	2.96	7.10	7.80	8.79	7.34	5.73	4.28	0.85	0.43		
7-Day Moving Average ^e	0.87	1.23	1.86	4.21	8.01	8.90	9.38	8.27	6.56	5.43	1.61	0.81		
3-Day Moving Average ^f	1.08	1.78	3.09	5.69	8.96	9.75	10.24	8.62	7.43	6.28	2.24	1.05		
80% Exceedance ^m	mm/day												mm	
Monthly ^c	-1.41	-0.95	0.00	0.30	2.62	3.84	5.63	3.99	2.56	1.01	-0.70	-1.18	746	-68
15-Day Moving Average ^d	-2.17	-1.65	-0.72	-0.44	0.88	2.75	3.64	2.10	1.16	-0.77	-1.54	-1.94		
7-Day Moving Average ^e	-4.07	-2.54	-2.08	-1.47	-1.81	-0.02	2.09	0.76	-0.40	-3.49	-3.23	-3.61		
3-Day Moving Average ^f	-6.74	-4.87	-5.45	-5.13	-6.79	-4.82	-0.19	-2.99	-5.82	-7.06	-5.90	-7.63		
Ave Highest P _{def}	mm/day												--	
15-Day Moving Average ^g	0.22	0.42	0.78	1.97	5.89	6.68	8.01	6.60	4.66	3.33	0.48	0.23		
7-Day Moving Average ^h	0.65	0.96	1.46	3.14	7.08	8.10	8.82	7.50	5.84	4.52	1.16	0.57		
3-Day Moving Average ⁱ	0.90	1.38	2.34	4.38	8.10	9.12	9.53	8.25	6.63	5.40	1.78	0.85		
Ave Lowest P _{def}	mm/day												--	
15-Day Moving Average ^g	-1.51	-0.67	-0.36	0.25	2.79	3.43	4.51	3.65	2.48	0.32	-1.04	-1.13		
7-Day Moving Average ^h	-2.67	-1.54	-1.22	-0.62	0.88	1.52	2.49	1.98	1.30	-0.94	-2.11	-2.24		
3-Day Moving Average ⁱ	-4.56	-3.41	-2.91	-2.59	-2.45	-0.82	0.91	-0.22	-1.18	-3.29	-4.24	-4.77		
Special normal distribution parameters for monthly, seasonal, and annual intervals														
Skew ^m	-0.40	-0.39	-0.45	0.60	-0.08	-1.26	-0.29	-0.25	0.04	0.07	-1.32	-0.05	-0.25	-0.28
Kurtosis ^o	0.99	1.85	1.23	2.74	0.59	4.04	1.08	0.68	2.43	0.65	7.49	0.55	2.55	2.87

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