

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79083

MINIMUM 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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) CEMMRM PARTNERS LLC

Check 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 #1-9.

- ☒ ☐ #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 transfer 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).
- ☒ ☐ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☐ #6 **N/A** 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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

02/10/2014 09:09 FAX

PURDY'S
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
FEB 11 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant CEMMRM PARTNERS LLCPhone 510 653-5600Mailing Address C/O DON J MCGRATH
3300 POWER ST. EMERYVILLE CA 94608Email CEMMRM@Adl.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 RepresentativeName of Representative NICK PURDYPhone 208-788-5150Mailing Address PICABO IDAHO

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 of Applicant or Authorized Representative

DON MCGRATH
MANAGING PARTNER
Print Name and Title if applicable
CEMMRM PARTNERS

Date

2/10/2014

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-448C	No	No	No	Yes	No	No

PURDY'S DOUBLE R FISHING CLUB**P.O. Box 688, Picabo, Idaho 83348 Phone: (208) 788-3536 Fax 788-0214**

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Transfer No. 79083

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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**

Application for transfer proposes to add a point of diversion (POD) on Silver Creek for irrigation right
37-448C, which is currently authorized to divert from Loving Creek at the Gillihan Ditch.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-448C	1.350 cfs	N/A	N/A	60.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	1.350 cfs	N/A	N/A	60.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 1.35 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

CERTIFICATE OF AUTHORITY

I, Mark T. Weaver, hereby certify and declare the following:

1. I am licensed to practice law in the State of California, and I am an attorney at the law firm of Farella Braun + Martel LLP.
2. The Articles of Organization forming CEMMRM PARTNERS, LLC, a California limited liability company (the "Company"), were filed with the office of the Secretary of State for the State of California on April 1, 2011.
3. Pursuant to the Limited Liability Company Operating Agreement of the Company dated April 1, 2011 (the "Agreement"), DON J. McGRATH is the sole Manager of the Company.
4. DON J. McGRATH, as Manager of the Company, has the authority to act on behalf of the Company in all matters affecting the day-to-day management and supervision of the operations of the Company and its business affairs, including the exclusive authority to act for or bind the Company with respect to any matter, including, without limitation, the acquisition and disposition of assets of the Company and all decisions with respect thereto, and all contracts with, loans from and obligations and commitments to third parties.
5. The Agreement has not been modified or amended in any way that would cause the representations in this Certificate of Authority to be incorrect.

I have executed this Certificate of Authority on February 5, 2013, at San Francisco, California.



MARK T. WEAVER

TRANSFER 79083

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-448C

Current Water Right Owner
CEMMRM PARTNERS
LLC
C/O DON J MCGRATH
3300 ~~POWER~~ ST **Powell**
EMERYVILLE, CA 94608

Priority Date: 6/15/1887

Origin: Water Right

Basis: Decreed

Status Active

Source: LOVING CREEK **Tributary:** SILVER CREEK
Source: SILVER CREEK **Tributary:** LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.350 CFS	
Total Diversion			1.350 CFS	

Source and Point(s) of Diversion:

LOVING CREEK	NESENW	Sec. 24 Twp 01S Rge 19E BLAINE County
SILVER CREEK	NESW	Sec. 20 Twp 01S Rge 20E BLAINE 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	
01S	20E	20		21.0			39.0												60.0

POU Total Acres: 60.0

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

diversion system is pumps at POD with lockable controls and
water meters on Delivery system.

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

Lessee, PICARD Livestock CO.

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

lessor has access to property

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

No, ☒ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-448C

Current Water Right Owner

CEMMRM PARTNERS
LLC
C/O DON J MCGRATH
3300 ~~POWER~~ ST **Powell**
EMERYVILLE, CA 94608

Priority Date: 6/15/1887

Origin: Water Right

Basis: Decreed

Status: Active

Source: LOVING CREEK **Tributary:** SILVER CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	1.350 CFS	
Total Diversion			1.350 CFS	

Source and Point(s) of Diversion:

LOVING CREEK NESENW Sec. 24 Twp 01S Rge 19E BLAINE County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20		21.0			39.0												60.0

POU Total Acres: 60.0

Conditions/Remarks:

1. 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. The rights listed below are limited to the irrigation of a combined total of 60 acres in a single irrigation season. Combined Right Nos.: 37-448C and 37-2739.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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 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**.

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

1. 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 are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

Received By <u>J. Cooper</u>	Date <u>2/11/2014</u>	Prelim. Check By _____	Date _____
Fee Paid <u>\$580.00</u>	Date <u>2/11/2014</u>	Received By <u>J. Cooper</u>	Receipt # <u>5033809</u>
Add'l Fee Paid _____	Date _____	Received By _____	Receipt # _____

Maline, Denise

From: Maline, Denise
Sent: Friday, February 28, 2014 9:50 AM
To: Kevin Lakey (Water Dist. 37)
Subject: Comment Letter for Transfer 79083
Attachments: Comment Letter.pdf; Transfer 79083.pdf

Dear Kevin,

Attached please find a cover letter, recommendation form, and copy of Transfer 79083. Please review the attached information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 28, 2014

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

Via E-mail

RE: Transfer No. 79083
Water Right No(s): 37-448C

Dear Mr. Lakey:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 28, 2014

IDAHO DEPT OF FISH & GAME
324 S 417 E, STE 1
JEROME, ID 83338

RE: Transfer No. 79083
Water Right No(s). 37-448C

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline
Southern Region

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 27, 2014

CEMMRM PARTNERS LLC
C/O DON J MCGRATH
3300 POWELL ST
EMERYVILLE, CA 94608

RE: Transfer No. 79083
Water Right No(s). 37-448C

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 3/5/2014 and 3/12/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 24, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 27, 2014 2:59 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.docx

Attached please find (1) legal notice being submitted for publication on March 5th & 12th, 2014. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 27, 2014

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 79083
Water Right No(s): 37-448C

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 24, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79083**

CEMMRM PARTNERS LLC, C/O DON J MCGRATH, 3300 POWELL ST, EMERYVILLE, CA 94608; has filed Application No. 79083 for changes to the following water rights within BLAINE County(s): Right No(s). 37-448C. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion (POD) on Silver Creek for irrigation right 37-448C, which is currently authorized to divert 1.35 CFS (60 acres) from Loving Creek at the Gillihan Ditch, located approximately 1.3 mi. N & 4.0 mi. W of Picabo. The proposed Silver Creek POD will be located downstream of the Gillihan Ditch diversion, closer to the applicant's property, approximately 1.1 mi. N & 2.1 mi. W of Picabo. Applicant also proposes to leave 0.04 CFS in the Gillihan Ditch when taking water at the proposed POD to cover conveyance loss.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before March 24, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 5th & 12th, 2014

Cooper, Jeff

To: Cooper, Jeff
Subject: FW: Gillihan Ditch Analysis Results

From: Don McGrath [<mailto:donmcgrath@diamondbearpartners.com>]
Sent: Monday, February 24, 2014 5:27 PM
To: Nick Purdy; Cooper, Jeff
Subject: Re: Gillihan Ditch Analysis Results

Mr Cooper

Thanks for your thoughts and I would like to proceed on the attached in the method you suggest

Thanks for your assistance

Don McGrath

Sent from my iPhone

On Feb 24, 2014, at 5:29 PM, "Nick Purdy" <nick@purdyent.com> wrote:

Don??

From: Cooper, Jeff [<mailto:Jeff.Cooper@idwr.idaho.gov>]
Sent: Monday, February 24, 2014 3:26 PM
To: Nick Purdy
Subject: Gillihan Ditch Analysis Results

Nick-

I finally got a chance to run the analysis for the CEMMRM right on the Gilliam Ditch. Using the same method we used for your transfer, my results indicate CEMMRM would need to leave 0.04 CFS (2 inches) of water in the Gilliam ditch to make up for conveyance loss when they are taking water from the proposed (new) point of diversion. I've attached a copy of the analysis for your records. This will mostly likely be addressed in a condition on the rights during the transfer approval process. Mr. McGrath could also propose leaving this amount (or any other amount he sees fit) and have it included in the application. If he does wish to do that, can you have him send me an e-mail indicating what he would like to do. Thank you and please let me know if you have any additional questions. Thank you.

-Jeff C.

Jeffrey S. Cooper
Sr. Water Agent - IDWR Southern Regional Office
650 Addison Ave West, Suite 500
Twin Falls, ID 83301-5858
email: jeff.cooper@idwr.idaho.gov
ph: (208) 736-3033

<CEMMRM Gillihan Ditch Analysis.pdf>

Gillman Ditch Loss Analysis

Water Rights	Owner	Priority	CFS	Highest Delivered Flow (CFS)	Reach	Length (ft & mi)	Distance from PCD (ft & mi)	Width (ft)	Reach Flow (CFS)	Seepage Rate (ft/day)	Worstell Loss (CFS)	Delivery (CFS)	Delivery Left (CFS)	CEMRRM Share (CFS)
37-1082E	Loving Springs Ranch/Woods	7	8	1884	0.01	1.57	1	1422	1422	0.27	0.51	0.059	1.57	19.69
37-448D	Loving Springs Ranch/Woods	6	15	1887	1.47	0.27	0.27	7	21.26	0.51	0.059	1.57	19.69	0.00
37-2255S	Loving Springs Ranch/Woods	6	15	1887	0.014									
37-137C	Loving Springs Ranch/Woods	4	1	1889	0.06									
37-207C	Loving Springs Ranch/Woods	5	15	1890	0.02									
37-130C	Loving Springs Ranch/Woods	6	30	1885	0.40	0.40	2	778	19.69	0.51	0.032	0.40	19.29	0.00
37-630B	Ken Worthington	3	15	1883	0.23	6.97	3	4356	19.29	0.51	0.180	6.97	12.32	0.01
37-706E	Bashaw Trust	7	8	1884	0.38									
37-22557	Bashaw Trust	4	1	1887	0.21	0.83	1.24							
37-426E	Bashaw Trust	6	1	1889	0.28									
37-22391	Bashaw Trust	6	1	1889	0.38									
37-22549	Bashaw Trust	6	1	1889	0.07									
37-22588	Bashaw Trust	4	1	1890	1.68									
37-22553	Bashaw Trust	5	15	1890	0.43									
37-22393	Bashaw Trust	5	15	1890	0.56									
37-22551	Bashaw Trust	5	15	1890	0.1									
37-22589	Bashaw Trust	5	29	1893	0.21									
37-95G	Bashaw Trust	6	3	1897	0.25									
37-633G	Bashaw Trust	6	1	1889	0.02	0.05	4	1440	12.32	0.51	0.060	0.05	12.27	0.01
37-21440*	Phyllis Baldwin Trust	5	15	1890	0.09									
37-21422	Phyllis Baldwin Trust	3	31	1877	4	10.92	5	4083	12.27	0.51	0.169	10.92	1.35	0.02
37-215D	Picabo Livestock	9	1	1883	19.69	0.77	2.29	7	12.27	0.51	0.169	10.92	1.35	0.02
37-20609	Picabo Livestock	4	1	1885	1.6									
37-213	Picabo Livestock	7	1	1886	0.4									
37-186	Picabo Livestock	4	1	1887	3.3									
37-11892	Picabo Livestock	6	1	1887	1.54									
37-11898	Picabo Livestock	9	1	1887	5.6									
37-21	Picabo Livestock	11	1	1889	1.6									
37-333	Picabo Livestock	4	1	1890	14									
37-11900	Picabo Livestock	11	1	1892	1.6									
37-187	Picabo Livestock	6	1	1893	2.8									
37-11803	Picabo Livestock	4	1	1899	1.8									
37-189	Picabo Livestock	6	1	1886	0.25									
37-351A	Picabo Livestock	6	15	1887	0.6									
37-352A	Picabo Livestock	4	1	1888	0.8									
37-372	Picabo Livestock	6	15	1888	2									
37-378	Picabo Livestock	4	1	1889	1.2									
37-695	Picabo Livestock	8	1	1917	5									
37-942	Picabo Livestock	2	9	1920	4									
37-2405	Picabo Livestock	6	17	1899	1									
37-22	State of Idaho	4	1	1887	1.05									
37-425B	CEMRRM Partners LLC	6	15	1887	1.35	1.35	5	4083	12079	7	1.35	0.51	0.168707	1.35
37-448C														

0.04

*Watermaster has delivered 0.16, which greater than the decrees