

TC-37-59

RECEIVED

JUL 3 1 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

*(To change point of diversion, place of use, or purpose of use of a water right upon declaration of a drought emergency in accordance with Section 42-222A, Idaho Code.)*Name of Applicant P & C Irrigation Assn Inc Phone 208.539.4122Mailing Address 80 Laidlaw Park Rd, Carey ID 83320 Email _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and explain the reason(s) they are needed. _____
move water from approx 36 acres of barley to finish 36 acres hay

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|-----------------------|-------------------|-----------------------------|
| <u>37-2740</u> | <u>7/11/1966</u> | <u>0.44</u> | <u>irrigation</u> | <u>4/01</u> to <u>11/01</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |

2. Total amount of water being transferred 0.44 cubic feet per second and/or 126 acre-feet per annum.

3. Source of water ground water tributary to _____.

4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
01S	22E	16		NW	NW	SW	Blaine	ground water	A0004608 Big Well
01S	22E	4		SE	NE	SW	Blaine	ground water	A0004609 Little Well

5. Lands irrigated or place of use:

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	
01S	22E	17				36													36

Total Acres 36

6. General Information:

- a. Who owns the water right to be changed? applicant
- b. Describe the arrangement allowing use of the right. applicant is leasing land water is being moved to
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
36 acres in NESE and SESE Sec 17 will no longer be irrigated
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. barley crop is finished
- e. Absent the changes, how would the right be used for the remainder of the year? right would not be used
- f. Describe other water rights used for the same purpose. Fish Creek reservoir shares
- g. Remarks: Fish Creek reservoir shares are used both on from the to lands. Both wells may be used via a pipeline which also delivers fish creek water. Wells are measured and monitored by WD130.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

C. E. Maynard Pugh
Signature of Applicant

7/31/2012
Date

FOR DEPARTMENT USE ONLY

Received by Cy Date 7/31/12 \$50 fee received by Cy Receipt No. 5032703
Recommend: ☒ approve ☐ deny Watermaster recommendation OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

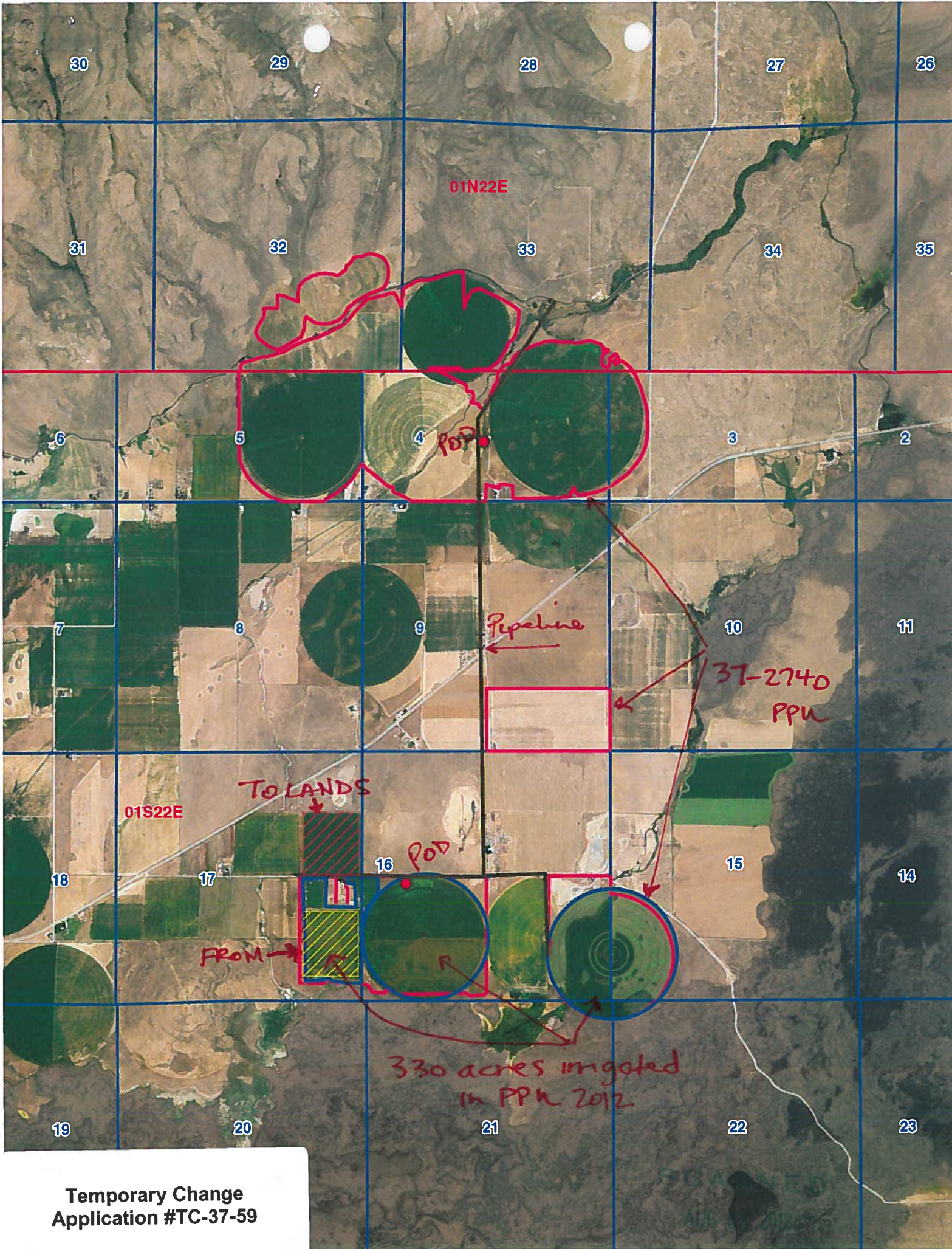
This is to certify that I have examined Temporary Change Application No. TC-37-59, and said application is hereby approved, subject to the following limitations and conditions:

See attached order dated 8/1/12

Temporary Change Expiration Date 11/1/12

Signed this 1st day of August, 2012

[Signature]
For the Director



Temporary Change
Application #TC-37-59

SCANNED
AUG 11 2012

MEMORANDUM OF LEASE

Linda Pepcorn, Lesser, and C.E. Molyneux, Lessee, have entered into an annual lease agreement regarding Farm No. 625 Tract No. _____ USDA-FSA-CCC. The legal description for the property is:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho

Section 17, SE1/4 NE1/4

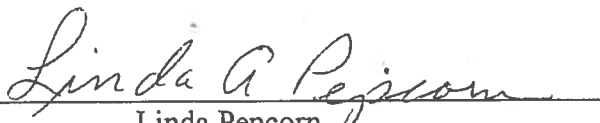
The lessee agrees to pay any and all irrigation water fees assessed for the 2012 irrigation season, and is entitled to the use of the entire amount of water assessed, but may in his sole discretion only, allow lesser to the use of some water. The lessee agrees to maintain the existing sprinkler system in normal operating condition during the period of this lease. Lessee will receive any and all government payments on the entire 40.61 acres covered by this lease agreement, during the lease period; however, Lessee will only farm the area east of the underground mainline, consisting of approximately 34 acres.

Said Lease is a cash lease paid semi-annually, effective for the year 2012 only. The parties agree that the lease payment shall be due on or before May 1, 2012 in the amount of \$552.50 and on or before December 1, 2010 in the amount of \$552.50.

Dated this 3/10 2012



C.E. Molyneux



Linda Pepcorn

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2740

WATER RIGHT NUMBER: 37-2740

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	P & C IRRIGATION ASSN INC C/O JAMES P SPECK HOGUE SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 07/11/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	4.060 CFS	1,155.00 AF
	<u>Total Diversion:</u>	4.060 CFS	1,155.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SW1/4	Sec. 16, Twp 01S, Rge 22E, B.M.
BLAINE County		
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 4, Twp 01S, Rge 22E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	22E	32									10.0				26.0	17.0	35.0	38.0	126.0
01N	22E	33									6.0	16.0	40.0	34.0			17.0	8.0	121.0
01S	22E	3									24.0	34.0							58.0
01S	22E	4									33.0	43.0	33.0	38.0	43.0	35.0	30.0	37.0	292.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2740

01S 22E 5						43.0	43.0	33.0	33.0		152.0
						L 1	L 2				
01S 22E 9								38.5	39.0		77.5
01S 22E 15					37.0	1.0					38.0
01S 22E 16					39.0	39.0	30.5	37.0	39.0	38.5	223.0
01S 22E 17							31.5		25.0		56.5
01S 22E 21		8.5									8.5
		L 1									
01S 22E 22			3.5								3.5
			L 4								

Total Acres: 1156

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. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 330 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. S07 USE OF THIS RIGHT IS COMBINED WITH WATER FROM CAREY VALLEY RESERVOIR CO.
4. PURSUANT TO APPROVED TRANSFER NO. 4213:
 1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
 2. THE RIGHT HOLDER SHALL INSTALL A TOTALIZING MEASURING DEVICE ACCEPTABLE TO THE DEPARTMENT AT ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION AND TOTAL DIVERSION VOLUME.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2740

Dates and Other Information:

Licensed Date:
Decreed Date: 5/9/2003
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: