

FEBRUARY 21, 2020

CUB RIVER  
IRRIGATION EFFICIENCIES IMPROVEMENT  
PROJECT

Applicant: Franklin Cub River Pumping Company

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# Technical Proposal

## Executive Summary

**Date:** February 28, 2020

**Applicant:** Cub River Pumping Company

**City/County/State:** Preston, Franklin, Idaho

**Project Manager:** Lyla Dettmer

### **Project Description:**

The expected benefits and outcomes of implementing the proposed project are that the Cub River Pumping Company, that has been existence since 1882, can continue to deliver the appropriated water that will provide agricultural, municipality, and recreational uses.

An ongoing maintenance plan did not prevent the unusual deterioration of the Cub River structure. Speculation exists that recent earthquakes that have been centered at the top of our Wasatch Mountains near Soda Springs ID, 58 miles to the north, have had an impact. In addition, the Company's current method of control is boards placed manually in the 3 cells that cross the Cub River. High spring flows in the Cub River at the time necessary to install the board create a safety issue for the company's staff. As the season progresses the man power necessary to change the boards severely limits the changes thus having a direct impact on the water management controls of the entire water right consisting of 25.91 cfs.

This project will improve the water control structure and install headgates in the 3 cells across the river. A "cat walk" made from metal grating will allow for safe access to the cells even in the high spring runoff. The controls will allow water management throughout the system to be easily regulated. The entire water right will be put to its beneficial use. No longer will excess water enter the irrigation system and be lost due to on-farm water management and requirements.

The funding provided by this opportunity will help the irrigation company with the costs of improving a water control structure, new controls/headgate, installation, construction engineering, and administrative tasks needed to implement the project.

**Timeline:** 2 Years from award, estimated completion date September 30, 2022

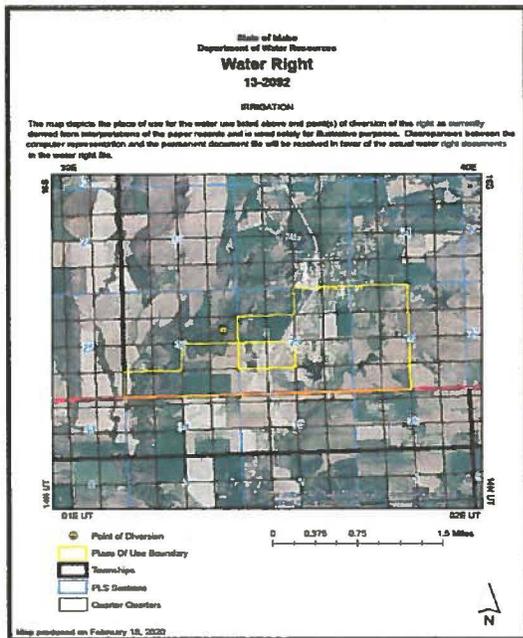
**Federal Facility:** Project is not located on a Federal Facility

## Background Data

When the settlers first came to this area in the late 1800's the first projects they begun were irrigation. They knew that our arid climate would not generate productive farmland without irrigation. Irrigation companies continue what the settlers began. Their goals have always been to effectively use the water available without waste or abuse to promote the desired crop response. This is vital to the continuation of the agricultural community during drought periods that are becoming more common in our arid west.

Major crops grown are small grains, pasture, alfalfa, field corn, and safflower. Specifics associated with the crops irrigated along the Bear River are: Potatoes 2%, Alfalfa 35%, Meadow hay 4%, Pasture 18%, Spring wheat 6%, Winter wheat 15%, Spring barley 12%, Sugar beets 1%, Field corn 6%, Other 1%. (Hill, 1989)

During the average growing season, May-September, limited precipitation is available for crop production. Direct use of ground water by the crops is an integral part of the present consumptive use. Within this service area, the Soil Conservation Service (SCS) estimated that 25-50 percent of the crop's needs come from precipitation and ground water. (Taylor, 1980) Thus irrigation and irrigation water storage is necessary for the crops in this system.



The applicant's water delivery system includes river diversion, pumps, screens, and pipelines. The main conveyance system travels through pipelines to the place of use. The system does not have any water storage capabilities. A unique water banking contract exists between the company and Travell Enterprises Inc Rental water is used in legacy lake, a recreational storage pond that has been in existence since 2014.

This project focuses on improving the Cub River water control structure, and new controls/headgate.

The Franklin Cub River Pumping Company has six users The Idaho State Water Right has 25.16 cubic feet per second (CFS) Irrigation and Domestic uses from the Cub River and .75 CFS irrigation from ground water as follows.<sup>1</sup> This water irrigates 1,505 acres.

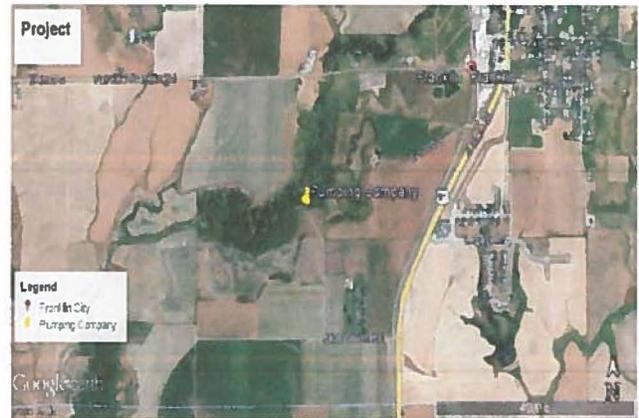
Water right #	Priority date	Diversion rate	Place of Use
13-4	4-1-1882	5 cfs	
13-2092	11-28-1919	20 cfs	1005 Acres
13-2134	7-23-1936	.75 cfs	500 Acres
13-2179	6-1-1954	.16 cfs	1005 Acres

<sup>1</sup> Idaho Department of Water Resources. *Water Right and Adjudication Search*. n.d. Web. 18 february 2020

None of the users have any past working relationship with Reclamation. Since 1999 the project manager Lyla Dettmer has been involved in multiple Reclamation, WaterSMART projects with Consolidated Irrigation Company (CIC), Water District #11, and Winder Lateral. These projects were all ditch to pipe conversion except a project with CIC that included a small 500 watt Hydro facility.

### Project Location

The proposed project is located in Franklin County in Southeastern Idaho. The HUC 10 Cub River Watershed, is a tributary to the HUC 8 Middle Bear River Watershed. This watershed is one of six watersheds within the Bear River Basin which covers Utah, Wyoming and Idaho. The largest nearby city is Franklin, Idaho located to the northeast of the project.



The project latitude is 42°00'26.74"N and longitude is (111°49'11.31"W)

### Project Description and Milestones

#### Problems and Needs:



The maintenance plan includes maintaining fences and railing to prevent unauthorized human and livestock entry, posting warning signs, removing accumulated debris in a timely manner, eliminating causes of settlement in the earthen sections, and inspecting for worn and damaged components. This ongoing maintenance plan did not prevent the unusual deterioration of the Cub River structure. The above photos taken fall 2019 detail the current condition of the structure. Speculation exists that the recent earthquakes that have been centered at the top of our Wasatch Mountains near Soda Springs ID, 58 miles to the north, have had an impact.

In addition, the Company's current method of water control is boards placed manually in the 3 cells that cross the Cub River. "Cub River flows at the USFS boundary from 1944 to 1953 averaged 88 cfs with a low of 14 cfs and a spring peak flow of 691 cfs. Over the same period, discharge at a site above Maple Creek near Franklin, Idaho averaged 95 cfs, ranging between 19

cfs to 396 cfs.” (UACD 2002)<sup>2</sup> These high flows at the time necessary to install the board create a safety issue for the company’s staff. As the season progresses the man power necessary to change the boards severely limits the changes thus having a direct impact on the water management controls of the entire water right.

**Project addresses the problem and needs:**

This project will improve the water control structure and install headgates in the 3 cells across the river. A “cat walk” made from metal grating will allow for safe access to the cells even in the high spring runoff. The controls will allow water management throughout the system to be easily regulated. The entire water right will be put to its beneficial use. No longer will excess water enter the irrigation system and be lost due to on-farm water management and requirements.

**Expected outcomes and schedule:** The major tasks that will provide the outcome that address the problems and needs are as follows:

**Preliminary Budgeting and Engineering:** On February 24, 2020 a site review was held. The information obtained was used to compile estimates. In addition, this provides a beginning framework from which final design and construction budgets can be completed. Included are the following: -preliminary GPS survey, -establishment of final design criteria, -construction planning, -institutional issues, -construction cost estimates, and -life-cycle cost analysis. Alternatives will address economics, ecological concerns, and acceptable risks for design criteria as it relates to hazards to life or property.

**Final Design & Survey:** The final design plans and specification package will contain the construction drawings, specification, and operations manual. This report shall specify the location, grades, quantities, dimensions, materials, and hydraulic and structural requirements for the structure and new controls. The existing fish and wildlife passage will not be changed. This report will be provided to Reclamation for input

**Construction:** The Company is committed to constructing a concrete structure that will convey the allocated water right, control the direction or rate of flow, maintain a desired water surface elevation and measure the water. This will stabilize the deterioration of the Cub River water control structure. Stream flow controls will be placed in the existing 3 cells that cross the river. The construction, even though planned in the low water, will take into account the need to dewater the Cub River. The proposed headgates are 96” x 48” x 144”. This size will move out of the way in the non-irrigation season and allow the ice and winter flow through the cells. The “Catwalk” will be constructed of metal grating and will allow access to all 3 cells that can be regulated separately.

**Construction Inspection:** The construction will include construction engineering for unforeseen conditions, inspection, and quality control. The technician will do on-site construction inspection. The company will be on-site the majority of the time. The duties associated with this task include: Coordinate and supervise all subcontractors, construction and scheduling of work. Oversee all ordering and receiving of construction materials. Function as

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<sup>2</sup> IDEQ, Cub River Watershed Agricultural TMDL Implementation Plan. Page 10 November 30, 2006  
[https://www.deq.idaho.gov/media/995013-cub\\_river\\_watershed\\_ag\\_imp\\_plan.pdf](https://www.deq.idaho.gov/media/995013-cub_river_watershed_ag_imp_plan.pdf)

coordinator and liaison to property owners and stockholders regarding all construction activities and services to be provided by the irrigation company. Review and approve all invoices; assist with monitoring of project budget and bookkeeping. A report of these activities will be provided to reclamation for review and input.

**Operation and Maintenance:** A properly operated and maintained structures are an asset. This irrigation pipeline is designed and installed to transmit water to place of use. The estimated life span of this project is at least 25-50 years. The life of this pipeline can be assured and usually increased by developing and carrying out a good operation and maintenance program.

**Project Management and reporting:** Franklin Soil & Water Conservation District (FSWCD) has administered all of the previous BoR grants. Lyla Dettmer, Project Manager was the FSWCD staff assigned to these Reclamation projects and is familiar with the federal forms and the ASAP financial reimbursement process. Lyla Dettmer will do the Program Performance Reports and the Fiscal reporting. Regular meetings with the Company will be held. During the annual meeting a report will be provided to the stockholders and waterusers.

Permits for accessing the diversion point in the way of Notice of Intent to modify or Improve an existing diversion will be acquired by submitting a Joint Application to IDWR and Army Corp

No new policies will be required to implement the proposed project.

The environmental compliance estimate of 3% was developed using our knowledge of past WaterSMART projects. We have allowed time in our schedule so that upon request the Provo field office will be able to help with the environmental compliance. On September 17, 2019 we received an email from Scott Blake, BoR. He states “3% should be fine for your estimating. Most budgets come in at 1-2% unless there are circumstances that warrant going higher like cultural or environmental concerns”

**Table 1-Schedule**

Major Tasks	Milestones	Responsibility	Date
Project Management	Financial Assistance Review	BOR, Company,	1-3 months after award
	Budget Adjustment	Company	Fall 2020
	Agreements w/ Partners	Company	Summer 2020
	Reporting & Coordination	Project Manager	As required
Environmental Compliance	Category exclusion probably or /FONSI/ROD	BOR, Company, Project Manager	Prior to Construction
Engineering	Preliminary Screening	FSWCD	Spring 2020
	Survey	Surveyor	Summer 2020 if needed
	Design	Engineer, Technician	Summer 2020
	Permits	Company, Project Manager	Summer 2020
	Construction Inspections	Technician	During Installation

Construction	Procurement	Company, Project Manager	Summer 2020
	Installation	Company	Fall 2020 or Fall 2021
	Testing	Company	Upon Completion
Finalization	Performance Measures	Company, FSWCD	fall 2021/Spring 2022
	Project acceptance	Company	Spring 2022
	Final Report	Company, Project manager	90 days after grant end

## Evaluation Criteria

### A. Project Benefits

The expected benefits and outcomes of implementing the proposed project are that the Cub River Pumping Company, that has been existence since 1882, can continue to provide the appropriated water that will provide agricultural, municipality, and recreational uses. The Cub River water control structure is vital.

The efficiency of the conveyance system has been updated to pressurized pipe. From this piping system various on-farm systems now provide efficient water to sprinklers, wheel lines, and pivots on over 1,000 acres that is located just north of the Utah-Idaho state line.

Franklin City’s waste water supplements the agricultural acreage. A stockholder combines Cub River Pumping shares with the wastewater to adequately water agricultural lands. This removes the need to inject the high nutrient wastewater into the Cub River. The wastewater alone is not adequate to provide the necessary crop requirements of the acreage.

In addition another municipality, The Franklin City Cemetery District located on the west side of section29 is a shareholder in this company. Water is used to maintain the cemetery grass and future plot sites.

The Morrison Reservoir, an on-farm regulating reservoir was included in the original place of use. Morrison Reservoir is now called Legacy Lake, a recreational storage pond under rights 13-43, 13-44, 14-45, and 13-46. On March 5, 2019 in the memorandum for application #1356 it states that “the pond is expanding in size and additional water is needed to compensate for evaporation and seepage loss. Development of roads and homes will also decrease in land for irrigation by 29 acres. This portion, 29 acres, of Cub River Pumping Company rights will be leased into the Idaho Water Resources board water bank from 2019 to 2023”<sup>3</sup>.

The Cub River is a tributary is the Middle Bear River. Public informational meetings to discuss a proposal to adjudicate the water rights in the Bear River Basin were held on November 12 and 13, 2014. If commenced, the adjudication will include both surface water and groundwater rights in those portions of Bannock, Bear Lake, Caribou, Cassia, Franklin, Oneida, and Power Counties within the Bear River Basin. Currently the Bear River adjudication is making it way through the Idaho 2020 legislature under House Bill 382 with sponsor District 32 Senator Mark Harris. “With the massive growth occurring in northern Utah, they are poking around, they want water

<sup>3</sup> Dagleish,A, IDWR. Memorandum for Application #1356. May 24, 2019

and they are looking at the Bear River and Bear Lake,” Harris said. ”The Bear River is the largest tributary to the Great Salt Lake. He said environmental groups are also concerned about brine shrimp in the Great Salt Lake – which some contend is too low – and “they are looking at Bear River water to help fill that up.”<sup>4</sup>

Diversions such as this project will be analyzed during this process.

Mark Matthews, President Last Chance Canal Co./ Bear River Waterusers Assoc stated the

Candidly, there are some burdens associated with an adjudication which we have carefully weighed. An adjudication will require commitments of time and effort from water users and the State of Idaho, and in some instances, there will be conflict as lawful water rights are sorted out. Yet, based on years of experience during the recently concluded Snake River Basin Adjudication and ongoing North Idaho Adjudication, we believe that the many benefits significantly outweigh small burdens for water users in the Bear River Basin.

One key benefit is the opportunity to correct errors and accurately define existing water rights. The Bear River and its tributaries in Idaho were last adjudicated in 1920 in what is commonly called the “Dietrich Decree.” The Dietrich Decree did not define water rights with the level of detail the Idaho Department of Water Resources (IDWR) now uses. Water right ownership, points of diversion, and places of use have in many instances changed over the past 100 years, without the records of the IDWR being updated. Consequently, many water rights in the Bear River Basin are not accurately or clearly defined. This has led to confusion and makes it increasingly difficult for IDWR to properly distribute water. It also frequently creates problems for landowners, lenders, and prospective buyers when land and water rights change hands or when a water user seeks to change how their rights are used. A general adjudication will help solve these problems by establishing a complete and accurate catalog of all water rights.

A second major benefit is the opportunity to take advantage of three statutes that enable water users update and correct water rights to accurately reflect current irrigation practices. The “accomplished transfer” statute (Idaho Code § 42-1425) allows water users to claim their current place of use, point of diversion, purpose of use, and period of use even though it differs from what was previously decreed, without having to file a

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<sup>4</sup> Harris, Mark, Idaho State Senator accessed February 29, 2020. <https://www.idahofb.org/News-Media/2020/02/bear-river-adjudication-bill-moving>

transfer application with IDWR. The "enlargement" statute (Idaho Code § 42-1426) allows water users to claim additional acres than were previously decreed under certain circumstances. The "ambiguous decree" statute (Idaho Code § 42-1427) allows water to claim water right elements that were not defined in prior decrees. These statutes only apply in a general adjudication. They were enacted in connection with the Snake River Basin Adjudication, were extended to include the North Idaho Adjudication and will be extended to the Bear River Adjudication as a part of the legislation package.

A third benefit is the opportunity to take advantage of the experience and wisdom that presently exist in the water court and the IDWR. The State of Idaho completed a few years ago adjudication of some 157,000 water right claims in the Snake River Basin Adjudication (SRBA), and is presently nearing completion in adjudicating water rights in northern Idaho. As a result of these adjudications the legal disputes were all resolved establishing clear legal precedent that will readily apply to the facts pertaining sorting out existing water rights and confirming actual diversions and beneficial use. These adjudications are carried out by a special water court, with assistance from the IDWR, both of which have developed specialized expertise and technology for the task. While the SRBA took many years to complete, the vast majority of the claims were uncontested and resolved efficiently. Further, many complicated legal issues involving ground water rights, surface water rights, tribal rights, and Federal rights were resolved during the SRBA, establishing precedent that should not need repeating in the Bear River Basin.

With the SRBA complete and the expertise of the IDWR and the water court in place the time is now ripe to begin an adjudication of the Bear River Basin. Legislation to start the Bear River adjudication was presented back in 2016, but tabled for a two year period at the request of a few users to allow more time for the water user community to become better educated and prepared. It is now the right time to move forward which I am convinced will provide long-term economic benefits to the region as well a protect Idaho water rights in the Bear River basin.<sup>5</sup>

To increase collaboration and information sharing this information will be presented to the Cub River Water District, providing them with the information so that they can continue to make effective water management decisions watershed wide and assist in a future adjudication of the Bear River.

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<sup>5</sup> Matthews, Mark, February 5, 2020 Accessed February 29, 2020 [https://www.hjnews.com/montpelier/support-bear-river-adjudication/article\\_6ac00800-f269-5914-88b4-95138caae2c6.html](https://www.hjnews.com/montpelier/support-bear-river-adjudication/article_6ac00800-f269-5914-88b4-95138caae2c6.html)

### *Supply Reliability*

Supply reliability is dependent on the company's ability to divert the appropriated water from the surface stream and then convey water over long distances until taken by water users. Positive impacts to local agriculture economies will be expected as the project will increase water reliability to farmers served, helping maintain better crop yields and economic stability. An overall community benefit in well-being of the residents will happen in this rural or economically disadvantaged community.

This project will alleviate the future need for intervention by IDWR and will address the ongoing conflict between agriculture and the subdivision while still protecting the agriculture customs and water rights.

### *Complementing on-Farm Irrigation Improvements*

This proposal has complementing on-farm irrigation improvements. The local office of the USDA-Natural Resources Conservation Services has submitted the attached letter of support. They have participated with various on farm systems both owners and operators from the conveyance line and these irrigation systems and any future applications are reliant on the Cub River water control structure to divert their irrigation shares.

### *B. Planning Efforts*

The Franklin Soil & Water Conservation District Five Year Resource Conservation Plan is a plan that covers all of Franklin County Idaho. It is issued under Idaho state Law, Title 22, Chapter 27. Conservation District are charged with facilitation cooperation and agreements between agencies, landowners, and others. The 5 year plan identifies local conservation objectives; develops plans with clear measurable goals; establishes actions to ensure implementation; and monitors programs and projects effectiveness. On page 17 water resources surface supply and demand are addressed. The flow of streams which produce the supply of water that was stored as snow does not coincide with the total irrigation season. This pattern creates problems with irrigated agriculture such as over irrigation and inefficient delivery.<sup>6</sup>

This project involves surface water delivery without a reservoir facility. It will have a direct positive impact on inefficient delivery of irrigation water. On January 8, 2020 this project was given strong support when presented to the board of supervisors.

### *C. Project Implementation*

To verify and document that the proposed water conservation project achieves the estimated water savings we will finalize and execute a plan that clearly defines the goal, encourages the use of appropriate analysis, takes into consideration cost-benefit, and increases the efficient use of management resources.

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<sup>6</sup> Franklin Soil & Water Conservation District (March 2019) *Annual Plan: Five-Year Resource Conservation Plan*. Preston ID

We propose that in order to quantify the actual benefits of this project the following methods will be used:

1. The structure will be installed using applicable standards, completed, and inspected.
2. As required by Idaho order a measuring device and lockable headgates will be installed at the diversion point.
3. Using installed and existing measuring devices at the on-farm locations, stream flows, and water transfers will be recorded and documented.

Idaho Department of Water Resources completed a comprehensive study of the reliability of meters. This compared various types and manufacturers. They have endorsed magnetic meters as the best method of measuring in a pipeline. Magnetic meter will be installed at Company diversions. The meters are vital to getting a quantifiable use of Cub River water rights.

Reclamation WaterSMART grants have produced many irrigation efficiency improvements in Franklin County. We are proceeding in a way that this project can add to those success stories and demonstrate the overall effectiveness of WaterSMART grants.

This project will be highlighted when possible with the state legislators, county commissioners, county fair, water districts meetings, and other agriculture attended events.

*3. Readiness to Proceed:* The implementation of the proposed project will include five major tasks that include: Project Management, Environmental Compliance, Engineering, Construction, and Finalization. These major tasks will begin Fall 2020 and be completed by Sept. 30, 2022.

#### D. Nexus to Reclamation Project Activities

The Reclamation Project known as the Preston Bench Project contract no Ir-1520 dated August 31, 1948 and contract NO 4-07-40-R0070 dated September 27, 1994 is located in Franklin County. This is within the planning area. This Reclamation project was for the Preston Mink Creek Irrigation Company who combined with the Preston Whitney Irrigation Company and is now known as Consolidated Irrigation Company.

Preston Whitney's water source is the Cub River. The combined company Consolidated is a large shareholder in the Water District 13a-Cub River. This project's location on the Maple Creek, and its tributaries, has a direct impact on the water available in the Cub River. Maple Creek is a tributary to Cub River.

In recent months the Upper Colorado Office, located in Provo Utah, has provided increased technical staff assistance to CIC. This interest, support, and commitment of resources both technical and financial demonstrates to us the desire to continue a relationship beneficial to both parties that began in 1948.

#### E. Department of Interior Priorities

1. *Creating a conservation stewardship legacy:* The Cub River Watershed is located at the top of the Cache Valley. This is an area approximately 237 square miles of which 82,367 acres is in Idaho<sup>7</sup> and includes the valley floor, the benches, and the flanks of the Wasatch Mountains. The Cache Valley is experiencing rapid suburban and second-home development. With this urbanization several problems have emerged. Suburban sprawl being the most concerning. This low-density, non-contiguous development consumes relatively large amounts of farmland and natural areas. Cache Valley 2030-The Future Explored study included the Cub River Watershed. The conclusion drawn was that alternative futures need to be pursued so that “the region will become strong enough to determine its own destiny rather than being subject to external forces”<sup>8</sup> The Cub River is a tributary of the Bear River that ends in the Great Salt Lake. Any benefits and savings to water travels down river. The heavily populated Wasatch Front is below us. Water savings from here have an ultimate impact of the water quantity and quality.
2. *Utilizing our natural resources:* This project will benefit agricultural land.
3. *Restoring trust with local communities:* The ongoing conflicts of the Company and the subdivision will be able to continue through the water bank thus improving the trust in this local community, especially the non-agricultural users.
4. *Striking a regulatory balance:* We are hopeful that improvements to the stream diversion on the Cub River will have a benefit to the Bonneville Cutthroat Trout thus helping keep this candidate species off the endangered list which would add regulatory burdens to our landusers.
5. *Modernize our infrastructure:* This project is an infrastructure project. Maintenance both cyclical and deferred could not have prevented the deterioration of this structure.

#### F. Reclamation Priorities

This project leverages meters and water controls to improve water supply reliability to agriculture, municipality and recreation.

This project addresses the ongoing drought that southeast Idaho because as Senator Mark Harris said “his main concern is securing unchallengeable water rights for the irrigation water that is the lifeblood of farms and ranches in the basin. The land is worthless without water and everybody knows that,” Harris said. “If your crops don’t have anything to drink, they don’t grow. That’s the livelihood of a lot of people in the Bear River Basin.” This same mentality should be applied to drought, without efficient irrigation the drought is harder to withstand.

The project is located in a rural community as authorized by the USDA- Rural Development.

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<sup>7</sup> IDEQ, *Cub River Watershed Agricultural TMDL Implementation Plan*. Page 4 November 30, 2006  
[https://www.deq.idaho.gov/media/995013-cub\\_river\\_watershed\\_ag\\_imp\\_plan.pdf](https://www.deq.idaho.gov/media/995013-cub_river_watershed_ag_imp_plan.pdf)

<sup>8</sup> Toth, R.E., Braddy, K., Guth, J.D., Leydsman, E.I., Price, J.T., Slade, L.M., and Taro, B.S. (2006) Cache Valley 2030-The Future Explored. Final Project Report No. 2006-1, College of Natural Resources, Utah State University, Logan Utah 84322-5200

## Project Budget

### Funding Plan

Cost-effectiveness in conserving water and the economic impacts solutions will have on the farmer required to make the change are important considerations because they affect the acceptability of the project. Various methods benefit the water resource and society, but often do not provide an economic benefit to the landowner who installs and maintains them. This is why cost sharing financial incentives are critical for promoting implementation of water conservation and management improvements.

As presented in the budget section of this proposal the estimate total project cost is \$106,907.10. We have considered several factors such as ensuring the expenses are allowable, allocable, and reasonable. We propose to fund the non-Reclamation project costs by using a combination of cash reserves, future assessment on capital stock, loans, and other appropriate sources. The Project manager has experienced the specific matching requirements associated with federal funds. This past involvement will ensure that a cost-effective, environmentally sound product is provided

We are confident in our financial strength and stability. The Company shareholders have owned and operated agricultural operations for decades. Our users include various corporation's and the owners of business entities in Franklin County and Cache County Utah.

Additional financial and technical assistance will be provided by nonfederal entities. The Natural Resources Conservation Service will provide technical assistance in an oversight role with a MOA between them and the Franklin SWCD ensuring compliance to NRCS standards & specifications. They will provide guidance on addressing the environmental and regulatory compliance. This is a federal agency thus no time, materials, etc have been included in the construction project budget. This interagency involvement will guarantee an overall quality product is generated.

Non-Federal share of project costs will be the responsibility of the Franklin Cub River Pumping Company. Idaho Soil & Water Conservation Commission has the ability to contribute in-kind funding with engineering staff for project design. Engineering staff time is allocated on an annual basis and cannot commit staff time at this moment. Historically requests for engineering staff time have been approved.

If the in-kind contribution from ISWCC is not available or the Company chooses a different contract engineer, the Franklin Cub River Pumping Company will cover the associated costs by shareholder assessment.

Please see attached official resolution from the Cub River Pumping Company as commitment to funding. Non-Federal share of project costs will be the responsibility of water users.

**A. Additional Non-Federal Funding**

Additional Non-Federal Funding include Company for construction, environmental, engineering, and administration, and Franklin SWCD for information and education. If engineering assistance is provided at a later date we will update. The Idaho Soil & Water Conservation Commission has an elaborate planning methods for technical assistance. Thus they cannot commit this far in advance.

Non-Federal Funding \$ 53,740.55 Federal Funding \$53,453.55  
Total Project cost \$106,907.10

**B. Letters of Commitment**

On January 8, 2020, in a regular meeting, the Franklin SWCD board of supervisors made an official motion that they would assist the Franklin Cub River Pumping Company to pursue a funding request to the Bureau of Reclamation and contribute \$287.00 in office supplies and travel cost. Upon approval of funds, they will execute a cooperative agreement with the water company to detail their commitment in the information and education components where state legislators and, county commissioners are notified of this successful project.

**Budget Proposal**

**Table 2---Total Project Cost Table**

<b>SOURCE</b>	<b>AMOUNT</b>
Costs to be Reimbursed with the requested Federal funding	\$ 53,453.55
Costs to be paid by the Applicant	\$ 53,166.55
Value of Third party Contributions	\$ 287.00
<b>TOTAL PROJECT COST</b>	<b>\$ 106,907.10</b>

**Table 3---Budget Proposal**

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BUDGET ITEM DESCRIPTION		COMPUTATION		QUANTITY TYPE	TOTAL COST
		\$/Unit	Quantity		
Salaries & Wages					
	Project Manager	35.56	110	Hours	\$ 3,911.60
	Technician	24.44	50	Hours	\$ 1,222.00
Fringe Benefits					\$
	included above				
Travel					
3rd	Vehicle Mileage(2020 rate)	0.575	150	Miles	\$ 86.25
Equipment					
	Headgate	11,963.34	3	Each	\$35,890.02
	metal grate	10600	1	Each	\$10,600.00
Supplies & Materials					
3rd	Postage	0.44	100	Roll	\$ 44.00
3rd	Office Supplies				\$ 156.75
Contractual/ Construction					
	structure excavation	5340	1	Each	\$ 5,340.00
	Structure framing/cement	8500	1	Each	\$ 8,500.00
	Structure compaction/backfill	1800	1	each	\$ 1,800.00
	Stream dewatering	500	1	each	\$ 5,000.00
	Headgate installation	12000	1	each	\$12,000.00
	Seametric magnetic meter 12"	3434	1	each	\$ 3,434.00
	Engineering	7%	\$82,764.77		\$ 5,793.53
Other					
	Financial Review-2yrs	1.00%	\$93,778.15		\$ 937.78
	Environmental costs	3%	\$93,778.15		\$ 2,813.34
<b>Total Direct Costs</b>					<b>\$97,528.45</b>
Indirect Costs					
	De minimis MTDC	10%	\$93,778.15		\$ 9,377.82
<b>Total Estimated Project Costs</b>					<b>\$106,907.10</b>
Third-Party Contributions					\$ (287.00)

Budget Narrative

Salaries and Wages

Lyla Dettmer, Project manager or staff she directs, with confirmation of the Franklin Cub River Pumping Company will complete fiscal reporting responsibilities and Program Performance Reports. Project dedicated salaries including rates and hours are included for Lyla Dettmer, Project Manager. Lyla has worked for the Franklin SWCD since 1998. She has attended formal trainings and is certified in various natural resources. She has created the administration and financial procedures and policies that help ensure these federal grants meet all the requirements and simplifies the auditing process. The use of these policies substantially reduces the engineering cost because the engineer firm is not paying his administration employees and marking this wage up before billing us.

Unnamed, technician will provide construction inspection. Using the ASCE guideline we estimated construction engineering at 50% of the design fee or 3.5% of construction. He will work closely with the engineer, installer, and company to ensure adherence to engineering practices.

Unnamed, field superintendent will oversee the field operations on a daily basis and will be compensated for the portion of his activities that are above and beyond his normal duties or specific to this project.

Please see the following wage calculations showing the wage and how it is calculated.

Lyla FTE 2080 hrs				rate	Luke FTE 2080 hrs				rate
hourly rate				\$ 25.00	hourly rate			\$ 15.00	
FICA	0.062			\$ 1.55	FICA	0.062		\$ 0.93	
Med	0.0145			\$ 0.36	Med	0.0145		\$ 0.01	
unemployr	0.01275			\$ 0.32	unemployr	0.01275		\$ 0.01	
workers cc	0.0025			\$ 0.06	workers cc	0.0144		\$ 0.01	
liability	0.0057			\$ 0.14	liability	0.0057		\$ 0.01	
annual lea	120 hrs an	\$ 250.00	\$ 3,000.00	\$ 1.45	annual lea	40 hrs ann	1.54	\$ 0.29	
sick leave	72 hrs ann	\$ 150.00	\$ 1,800.00	\$ 0.87	sick leave	72 hrs ann	1.54	\$ 0.29	
health insu	month	\$ 250.00		\$ 1.45	health insu	month	250	\$ 1.56	
retirement		\$ 250.00		\$ 1.45	holiday	10 @ 8 hrs	3.08	\$ 0.58	
holiday	10 @ 8 hrs	\$ 166.67	\$ 2,000.00	\$ 0.96	retirement		250	\$ 1.56	
rent	380 month	\$ 190.00		\$ 1.19	rent	380 month	190	\$ 1.19	
cell/phone	123 month	\$ 123.00		\$ 0.77	vehicle	5040 annu.	420	\$ 2.63	
indirect					phone	75 month	75	\$ 0.47	
				<b>\$ 35.56</b>				<b>\$ 24.54</b>	

Fringe Benefits

Fringe Benefits are included in our burdened or billable hourly rate. This is detailed on the above breakdown of wages and how they are calculated

Travel

Travel cost associated with construction inspection includes 2020 Idaho State approved mileage rate at 57.5 cents/mile.

### Equipment

All purchases such as pipe, fittings, and measuring will be procured using a competitive bid process. The installation using public works contractors will also be selected using sealed complete bids.

To estimate our application budget we based these prices on previous projects similar in size that have been completed in the last 3-5 years. Because cement cost change a lot we placed calls to the local dealers (Valley Implement and Circle B Irrigation) and ask for an estimate. Our experience has been that when placed in a competitive bid situation the final accepted price is a little lower.

### Supplies and Materials

This category includes project specific supplies necessary for implementation of this project. These may be but are not limited to office expenses, postage etc. The majority of these supplies will be utilized for reporting and education.

### Contractual and Construction

Construction will be accomplished with the Company as the general contractor and specific tasks allocated to job specific contractors such as cement installers. Installation costs were obtained by comparing a recent competitive bid to the project conditions. This again was based on our prior knowledge of similar sized construction projects. If the Company does the installation as cost share, it must meet applicable standards per the construction inspections.

Internet accessed Instrumart provided the cost of the magnetic meter. A 12" will provide measurements

All design engineering will be on a contractual basis using a ASCE guidelines for an average complexity rate of 7% the construction budget.

### Third-Party Contributions

Franklin SWCD will provide \$200.00 for office supplies and \$87.00 for 150 miles @.58 travel to project site

### Other

Accounting fees based on our experience with similar projects were calculated as 1% of construction.

3% of construction was included for environmental review. As directed in the Funding opportunity we contacted Reclamation staff and received an email dated September 17, 2019 from Scott Blake, Provo Area office stating that "3% should work for your estimating. Most

budgets come in at 1-2% unless there are circumstances that would warrant going higher like cultural or environmental concerns.”

### Indirect

Cub River Pumping Company does not have a negotiated indirect cost. The budget includes a *de minimis* rate of 10 percent. The Modified Total Direct Rates(MTDC) is proposed. MTDC consists of salaries and wages, fringe benefits, materials and supplies, services, travel, and subgrants and subcontracts up to the first \$25,000.00 of each. We understand this rate will apply for the life of the award and cannot be changed even if we do establish an approved rate.

### Environmental and Cultural Resources Compliance

The following questions have been answered to the best of our knowledge.

• *Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.*

During construction soil and vegetation will be disturbed. Care will be taken to ensure that disturbance is minimized and no sediment is transported from the construction site into waterways using such methods as dewatering or silt fences etc.

• *Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? Would they be affected by any activities associated with the proposed project?*

Using NRCS Threatened and Endangered Species GIS data sets No species of concern were found within the project area, and will not be affected by this project.

• *Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as “Waters of the United States?” If so, please describe and estimate any impacts the proposed project may have.*

Using NRCS wetland data There are no known wetlands or surface waters within the project area that fall under CWA jurisdiction. Cub River is a perennial stream that will be categorized as a Waters of the United States. No negative impacts are anticipated. Necessary precautions will be taken to comply with all permits and reduce any impacts of project construction.

• *When was the water delivery system constructed?*

The conveyance system, pump and screen were constructed Summer/Fall 2000. The structure has been maintained annually.

• *Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were*

*constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.*

The proposed project will not be modifying any individual irrigation system features.

*• Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.*

No buildings, structures, or features in the irrigation district are known to be listed by the National Register of Historic Places. (National Park Services, U.S. Department of the Interior, 2016)

*• Are there any known archeological sites in the proposed project area?*

There are no known archeological sites in the proposed project area. Final determination of this will be made by Idaho State Historical Preservation Office (SHPO) prior to construction.

*• Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?*

The proposed project will not have a disproportionately high or adverse effect on low income or minority populations. We project a benefit to these populations.

*• Will the proposed project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?*

The proposed project will have no impact on tribal lands. No lands are located near the project site.

*• Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?*

This project is not anticipated to contribute to the introduction, continued existence, or spread of noxious weeds or invasive species in the area. All excavated and disturbed areas will be revegetated so that the area will be less susceptible to weed invasion.

### Required Permits or Approvals

Based on the court case (Talent Irrigation) irrigation ditches and canals are being considered waters of the U.S. and subject to regulations by the U.S. Corp of Engineers. Diversion points have been given the ability to maintain without a permit This project has an impact on waters of the U.S. at the diversion point. We will make an NOI application and fulfill all necessary requirements associated with this permitting process. All available exemptions have been investigated and based on recommendation from our local U.S. Corp of Engineer representative this project will proceed as an activity with minor impacts.

IDWR stream alteration permit or notice of intent may be needed. This permit is the joint §404 permit with the U. S. Corp of Engineers.

During the preliminary planning/final engineering process all permits, easements, or approvals will be identified. It is the responsibility of the irrigation companies to negotiate and obtain the

necessary easements and agreements with Water District 13a-Cub River. These are only necessary when an existing historical right of way is not available. No funds will be used to purchase easements.

#### Letters of Project Support

NRCS submits the attached letter in support of this application.

#### Official Resolution

On February 15, 20-20, the Franklin Cub River Pumping Company in the annual meeting met and authorized Chris Allen, President to write and sign the resolution. They reviewed the funding plan and voted to submit the required resolution (attached)

#### Unique Entity Identifier & SAM

Authorized a 3<sup>rd</sup> party via letter to become registered in the System Award Management (SAM). The unique entity identifier is: yet to be determined but will be provided within 30 days per the directions. We agree to maintain an active SAM Registration with current information at all times.

#### References

Dalgleish, Alex, (May 24, 2019) *IDWR Memorandum for Application #1356*. Boise Idaho

Franklin Soil & Water Conservation District (March 2019) *Annual Plan: Five-Year Resource Conservation Plan*. Preston ID

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Hill, R. W. (1989). *Duty of Water Under the Bear River Compact: Field Verification of Empirical Methods for Estimating Depletion*. Research Report 125.

Idaho Department of Water Resources.(Feb. 2020) *Water Right and Adjudication Search*. n.d. Web. 5

IDEQ, Smith, Steven (Sept. 2006) *Cub River Watershed Agricultural TMDL Implementation Plan*, Preston Idaho

Matthews, Mark, February 5, 2020 Accessed February 29, 2020 [https://www.hjnews.com/montpelier/support-bear-river-adjudication/article\\_6ac00800-f269-5914-88b4-95138caae2c6.html](https://www.hjnews.com/montpelier/support-bear-river-adjudication/article_6ac00800-f269-5914-88b4-95138caae2c6.html)

Taylor, L. P. (1980). *Feasibility Study North Cache Water Development Project*, Preston Idaho. CH2M Hill, Boise Idaho.

Toth, R.E., Braddy, K., Guth, J.D., Leydsman, E.I., Price, J.T., Slade, L.M., and Taro, B.S. (2006) *Cache Valley 2030- The Future Explored. Final Project Report No. 2006-1*, College of Natural Resources, Utah State University, Logan Utah 84322-5200

Appendix

Letters of support: NRCS,

Letters of commitment: Franklin SWCD

Construction Estimates: Valley Implement

State of Idaho Department of Water Resources Water Right 13-2092 Place of Use

Resolution Franklin Cub River Pumping Company

United States Department of Agriculture



Natural Resources Conservation Service  
98 East 800 North, Suite # 3  
Preston, Idaho 83263

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February 21, 2020

Franklin Cub River Pumping Company  
P. O. Box 311  
Preston, ID 83263  
Attn: Chris Allen, President

Dear Franklin Cub River Pumping Company,

The Preston Field Office of the Natural Resources Conservation Service (NRCS) supports your proposed project because it furthers the mission of NRCS in Franklin County. The mission of the NRCS is to provide leadership in a partnership effort to help people conserve, maintain and improve our natural resources and environment. This is done primarily on private lands. This project would address Insufficient Water: Inefficient Use of Irrigation Water. This resource concern has been identified as high priority resource concern for Franklin County by NRCS and the Franklin Soil and Water Conservation District.

Your proposed project will reduce current water losses in the delivery of water to farms operated by Franklin Cub River Pumping Company water users. It will also address hazards to streambanks and riparian buffers downstream from the company's point of diversion. In the past the Preston NRCS office has worked with owners of land to improve on-farm irrigation systems within Franklin Cub River Pumping Company.

Sincerely,

A handwritten signature in blue ink that reads "Boyd A. Bradford".

Boyd A. Bradford  
District Conservationist



**Franklin Soil & Water Conservation District**

98 East 800 North Suite #5

Preston ID 83263

(208) 852-0562 Ext. 5 email: [Lyla.Dettmer@franklinSWCD.net](mailto:Lyla.Dettmer@franklinSWCD.net)

January 15, 2020

Franklin Cub River Pumping Company  
P.O. Box 311  
Preston ID 83263

Dear Mr. Allen,

On January 8, 2020, the board of supervisors met and discussed your proposed Reclamation Project. The Franklin SWCD is in full support of the grant opportunities with the Bureau of Reclamation Small-Scale Water Efficiency Grant. The function of the conservation district is to take available technical, financial, and educational resources whatever their source, and focus or coordinate them so that they meet the needs of the local landuser for conservation of soil, water, and related resources. We feel that this grant will help us in reaching that goal.

The Franklin Soil & Water Conservation District will provide \$200.75 in office supplies and we calculate 150 miles @.57.5 a mile is \$86.25 for a total of \$287.00 towards the implementation of this grant.

Sincerely

A handwritten signature in black ink that reads "Lyla Dettmer". The signature is written in a cursive, flowing style.

Lyla Dettmer  
District Manager



# ValleyImplement

213 W 8th N  
Preston, ID 83263  
208-852-0430

515 W 2500 N  
North Logan, UT  
84341  
435-787-1586

PO Box 305  
Grace, ID 83241  
208-425-3031



Date 2/26/2020

Quote Unit Number \_\_\_\_\_

Chris Allen

PO# \_\_\_\_\_

Customer Name 435-760-1203

Qty	Size	Description	Unit Price	Amount
		<b>New Headwall and Headgate Structure</b>		-
		<b>New Wall Reclamation</b>		-
1		Excavation of Wall, Cutting of Wall and Wall Removal	5,340.00	5,340.00
1		Framing and pouring new cement wall	8,500.00	8,500.00
1		Compaction and backfill	1,800.00	1,800.00
			\$15,640.00	-
		<b>New Headgates and Installation</b>		-
1		3 Aluminum headgates 96"x48"x144" Tall Frame	35,890.00	35,890.00
1		Metal grating for walkway	10,600.00	10,600.00
1		Installation	12,000.00	12,000.00
			\$58,490.00	-
		<b>Dewatering</b>		-
1		Dewatering	5,000.00	5,000.00
			\$5,000.00	-

Total Sales Price 79,130.00

Sales Tax

Cash Price 79,130.00

Down Payment

Trade In

Balance Due Dealer 79,130.00

### Bill of Sale For Property Taken In Trade

For Value I/we Hereby bargain and sell, grant and deliver to DEALER named below

Description	Serial No	Amount

Equipment Sold As is; No Warranty

Accepted By \_\_\_\_\_

**X**

Purchaser Signature \_\_\_\_\_

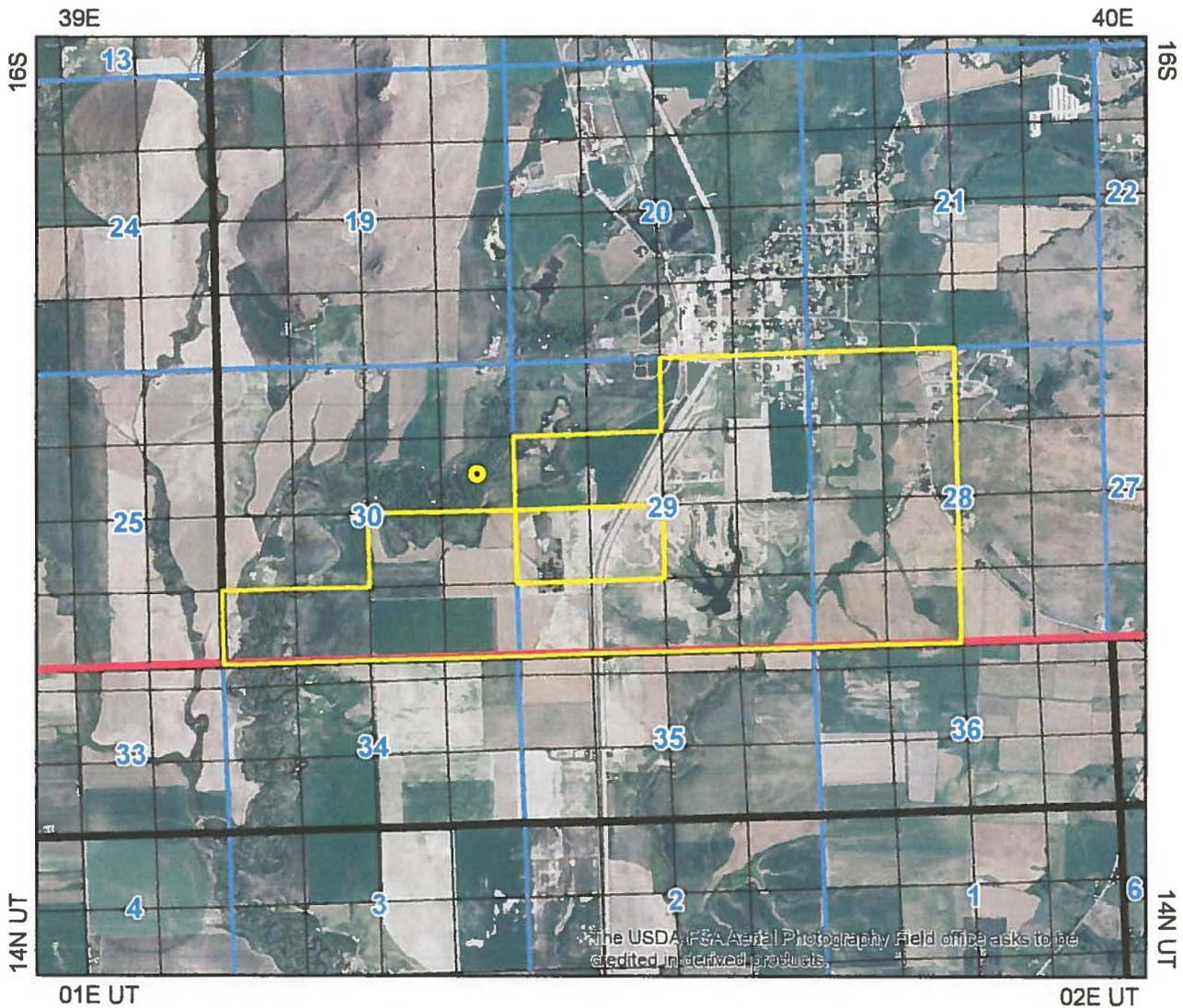
I certify that the property which I have here purchased will be used by me directly and primarily in the process of producing Tangible personal property by mining, manufacturing Processing, fabricating or farming or as a repair part of equipment used primarily as described above. This tax exemption statement qualifies if this statement is signed by the purchaser and the name, address, and nature of business of the purchaser is shown on the invoice. Any person who signs this certification with the intention of evading payment of tax is guilty of a misdemeanor.

State of Idaho  
Department of Water Resources

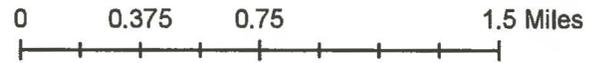
# Water Right 13-2092

## IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Franklin Cub River Pump Company

PO Box 311

Preston, Idaho 83263

2/22/2020

To the Bureau of Reclamation,

On Behalf of Franklin Cub River Pump Company, I, Chris Allen (President), am submitting this official resolution, authorized by the Franklin Cub River Pump Company board of directors, to commit to the financial and legal obligations associated with the receipt of a WaterSMART grant financial assistance if the application is accepted by the Bureau of Reclamation.

Thank You for your time and effort in providing assistance in improving water management and infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to read "C Allen", written over a light blue horizontal line.

Franklin Cub River Pump Company

Chris Allen (President)