

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT AMENDED
PART 1 Continued**

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	34-2323C	0.28 cfs	Irrigation	4/01 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.28 cfs cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.28 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SE	NW	28	5N	26E	Butte	Ground water	
N			SE	NW	28	5N	26E	Butte	Ground water	
N			SE	NW	28	5N	26E	Butte	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

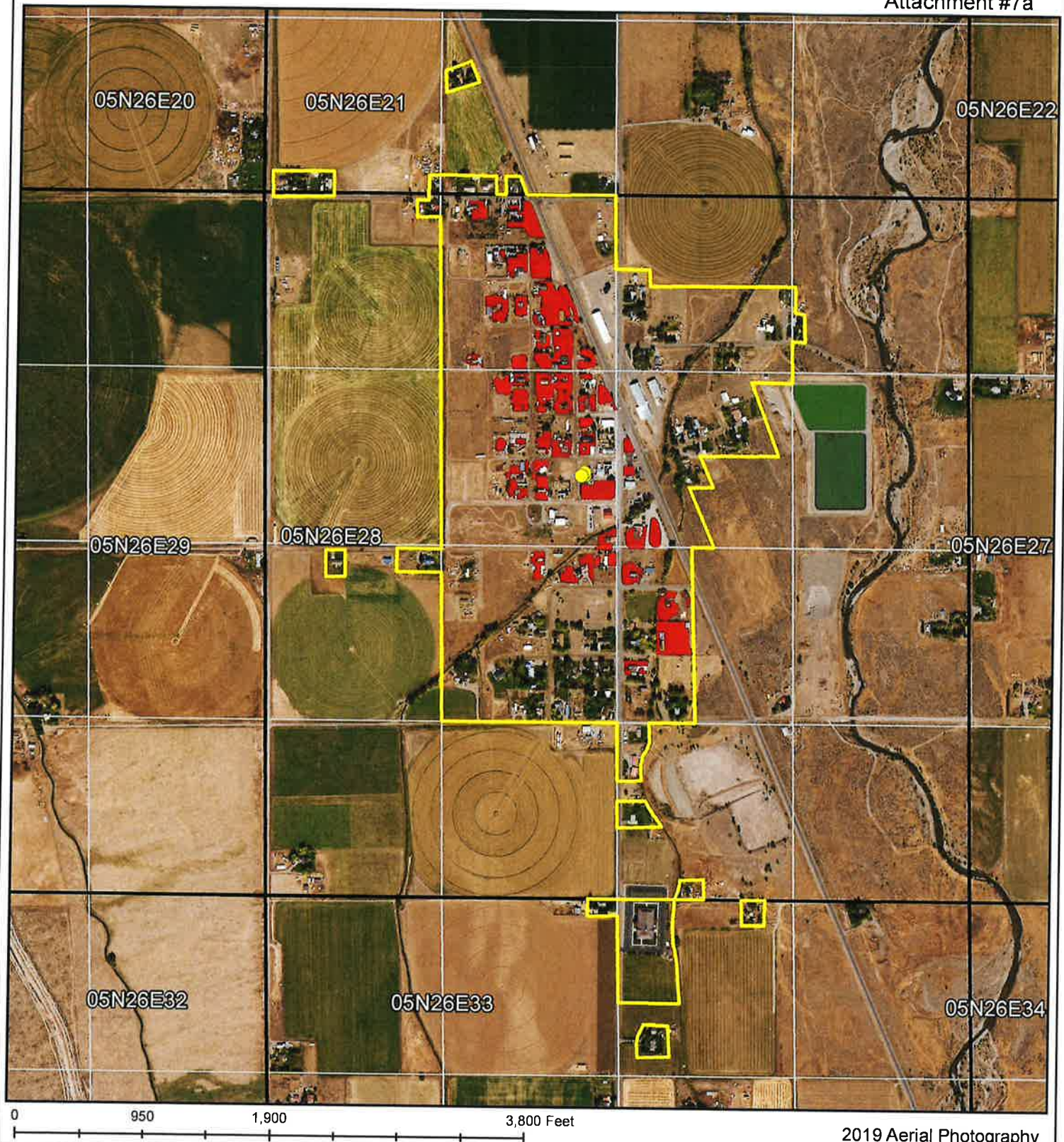
- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	26E	21											2	3					5
		28	1	20	27		40	1		40	40	2				17	4		192
		33		10			1												11
Total Acres (for irrigation use)																			208

Acre Limit: 17.8

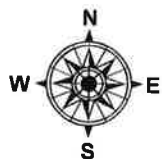
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Legend

- Proposed POD
- Proposed Irrigated Acres
- Proposed PPU
- Twp & Rng
- Section
- QQ



Proposed Water Right Location

City of Moore

RMEA #18-0104

by: KM

Date: 4/8/2021





Instrument # 257809

CHALLIS, CUSTER, IDAHO

03-23-2020

03:34:11

No. of Pages: 2

Recorded for: ALLIANCE TITLE - SALMON OFFICE

Lura H. Baker

Fee: \$15.00

Ex-Officio Recorder Deputy: TV

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:472939

FOR VALUE RECEIVED

Bank of Idaho Trustee Leslie A. Ball, IRA

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

The Robert L. Bagley Living Trust

whose current address is

PO Box 569

Mackay, ID 83251

the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

**Lot 8 of Hintze/Ball Subdivision, according to the official plat thereof, recorded
June 26, 2006 as Instrument No. 234329, records of Custer County, Idaho.**

No water rights are given with property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: February 18, 2020


Bank of Idaho Trustee Leslie A. Ball, IRA

By _____

Instrument # 259559

CHALLIS, CUSTER, IDAHO

12-24-2020 09:07:48

No. of Pages: 2

Recorded for: ALLIANCE TITLE - REXBURG OFFICE

Lura H. Baker Fee: \$15.00

Ex-Officio Recorder Deputy: LB



BEING RECORDED TO CORRECT INSTRUMENT NO. 258431 to show no water rights

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:491807

FOR VALUE RECEIVED

Bank of Idaho as Trustee of Leslie A. Ball IRA

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Derek A. Nichols and Chole Nichols, husband and wife

whose current address is

**PO Box 606
Moore, ID 83255**

the grantee(s), the following described premises, in Custer County, Idaho, TO WIT:

Lot 6 of Hintze/Ball Subdivision, according to the official plat thereof, recorded June 26, 2006 as Instrument No. 234329, records of Custer County, Idaho.

Lot 6 in Block 1 of Cedar Creek Sites, according to the official plat thereof, recorded January 1, 2001 as Instrument No. 223320, records of Custer County, Idaho.

No water rights are given with the property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 22, 2020

**Bank of Idaho, as Trustee of
Leslie A. Ball IRA**

By: Jeanna Nance, Trust Officer

AMENDED Narrative of Application for Transfer

City of Moore

It is proposed to transfer 17.8 acres of water right 34-2323C to the City of Moore municipal water system, operated by the Moore Water & Sewer Association to satisfy immediate irrigation demands within the City of Moore. Applicant is contracted to purchase a portion of the water right from the Bank of Idaho, c/o Trustee Leslie A Ball IRA.

Water Right 347-2323C was decreed for "Irrigation" purposes. This transfer originally proposed to change the nature of use of the transferred portions to "Municipal," since they will be distributed within a municipal water delivery system. However, due to changes in policy within IDWR, the applicant desires to maintain the water right for irrigation purposes within a permissible place of use. The Permissible Place of Use is described as the existing municipal service area. The specific 17.8 acres to which the transferred water right will pertain beginning in the 2021 irrigation season are identified on Attachment #7a.