

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84164**

This is to certify that: **MORAN TRUST**
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21228	WR/DECREED	10/25/1978	0.090 cfs	17.5 af	N/A	5.0	GROUND WATER
37-21230	WR/DECREED	6/1/1885	0.070 cfs	N/A	N/A	5.0	BIG WOOD RIVER
37-21232	WR/DECREED	6/1/1886	0.080 cfs	N/A	N/A	5.0	BIG WOOD RIVER
37-21234	WR/DECREED	8/15/1902	0.110 cfs	N/A	N/A	5.0	BIG WOOD RIVER
37-21236	WR/DECREED	8/15/1902	0.030 cfs	N/A	N/A	5.0	BIG WOOD RIVER
37-21238	WR/DECREED	6/10/1880	0.030 cfs	N/A	N/A	5.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-21228	YES	YES	YES	NO	NO	NO
37-21230	YES	YES	YES	NO	NO	NO
37-21232	YES	YES	YES	NO	NO	NO
37-21234	YES	YES	YES	NO	NO	NO
37-21236	YES	YES	YES	NO	NO	NO
37-21238	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-21228	37-23233	0.020 cfs	3.5 af	N/A	1.0	37-21228	0.070 cfs	14.0 af	N/A	4.0
37-21230	37-23234	0.010 cfs	N/A	N/A	1.0	37-21230	0.060 cfs	N/A	N/A	4.0
37-21232	37-23235	0.010 cfs	N/A	N/A	1.0	37-21232	0.070 cfs	N/A	N/A	4.0
37-21234	37-23236	0.020 cfs	N/A	N/A	1.0	37-21234	0.090 cfs	N/A	N/A	4.0
37-21236	37-23237	0.010 cfs	N/A	N/A	1.0	37-21236	0.020 cfs	N/A	N/A	4.0
37-21238	37-23238	0.010 cfs	N/A	N/A	1.0	37-21238	0.020 cfs	N/A	N/A	4.0
COMBINED TOTALS		0.080 cfs	3.5 af	N/A	1.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 37-21228

Transfer No. 84164

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84164

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 27th day of July, 2020


Southern Region Manager



WATER RIGHT NO. 37-21228**As Modified by Transfer No. 84164**

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21228 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 10/25/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.070 cfs	14.0 af
			0.070 cfs	14.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (NENENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

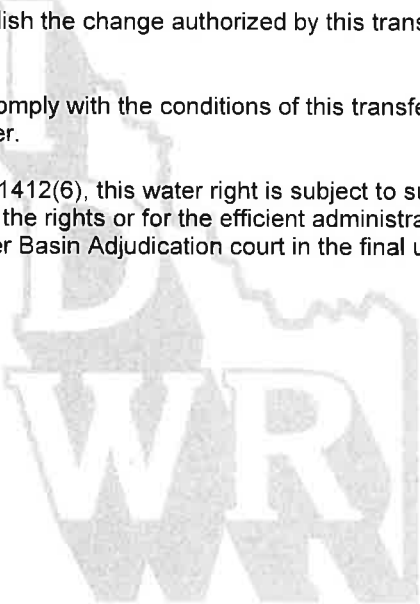
1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Transfer No. 84164

WATER RIGHT NO. 37-21228

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
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WATER RIGHT NO. 37-23233**As Modified by Transfer No. 84164**

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23233 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 10/25/1978

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

3.5 af

3.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (SENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 84164

WATER RIGHT NO. 37-23233

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-21230

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21230 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/1/1885

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (NWNENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84164

WATER RIGHT NO. 37-21230

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-23234

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23234 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/1/1885

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **to** 10/31

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (SENESE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84164

WATER RIGHT NO. 37-23234

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-21232

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21232 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/1/1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 to **To** 10/31

Diversion Rate
0.070 cfs
0.070 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (NWNENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84164

WATER RIGHT NO. 37-21232

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-23235

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23235 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/1/1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.010 cfs

0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (SENESE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84164

WATER RIGHT NO. 37-23235

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-21234

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21234 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 8/15/1902

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 to **To** 10/31

Diversion Rate
0.090 cfs
0.090 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (NWNENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84164

WATER RIGHT NO. 37-21234

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-23236

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23236 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 8/15/1902

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **to** 10/31

Diversion Rate
0.020 cfs
0.020 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (SENESE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84164

WATER RIGHT NO. 37-23236

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-21236

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21236 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 8/15/1902

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to

To

10/31

Diversion Rate

0.020 cfs

0.020 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER

L1 (NWNENE)

Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84164

WATER RIGHT NO. 37-21236

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-23237

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23237 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 8/15/1902

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (SENESE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84164

WATER RIGHT NO. 37-23237

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-21238

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-21238 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/10/1880

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

to

To

10/31

Diversion Rate

0.020 cfs

0.020 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (NWNENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	4.0																4.0
			L 1																

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed a total annual maximum diversion volume of 14.0 af at the field headgate.
2. Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 4.0 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84164

WATER RIGHT NO. 37-21238

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-23238

As Modified by Transfer No. 84164

In accordance with the approval of Transfer No. 84164, Water Right No. 37-23238 is now described as follows:

Right Holder: MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON, UT 84096-6453

Priority Date: 6/10/1880

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER L1 (SENE) Sec 2 Twp 01N Rge 18E 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	
01N	18E	2	1.0																1.0
			L 1																

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 37-23233, 37-23234, 37-23235, 37-23236, 37-23237 and 37-23238 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 3.5 af at the field headgate, and the irrigation of 1 acre.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands below.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84164

WATER RIGHT NO. 37-23238

As Modified by Transfer No. 84164

CONDITIONS OF APPROVAL






6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 84164
37-23233

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources






Attachment to Transfer # 84164

37-23234, 37-23235, 37-23236, 37-23237, and 37-23238

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

18E



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

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Attachment to Transfer # 84164

37-21228, 37-21230, 37-21232, 37-21234, 37-21236, and 37-21238

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 27, 2020

MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON UT 84096-6453

Re: Transfer No: 84164

Water Right No(s): 37-21228, 37-21230, 37-21232, 37-21234, 37-21236, 37-21238

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

C:

JAMES P SPECK
SPECK & AANESTAD PC
PO BOX 987
KETCHUM ID 83340-0998

MATTHEW E MORAN, TRUSTEE
112 LOWER BROADFORD RD
BELLEVUE ID 83313

VERONICA D MORAN, TRUSTEE
13979 S HAYSTACK PEAK CIR
RIVERTON UT 84096-6453

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

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84164

Water Right No(s): 37-21228, 37-21230, 37-21232, 37-21234, 37-21236, 37-21238

MORAN TRUST
13979 S HAYSTACK PEAK CIR
RIVERTON UT 84096-6453

JAMES P SPECK
SPECK & AANESTAD PC
PO BOX 987
KETCHUM ID 83340-0998

MATTHEW E MORAN, TRUSTEE
112 LOWER BROADFORD RD
BELLEVUE ID 83313

VERONICA D MORAN, TRUSTEE
13979 S HAYSTACK PEAK CIR
RIVERTON UT 84096-6453

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



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: July 22, 2020
To: Transfer 84164 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes moving a one acre (0.82 cfs) portion of one ground water right and five Big Wood River rights (currently diverted from the Broadford Slough) from property located approximately 0.5 to 0.6 miles west and 0.8 to 0.9 miles south of the center of Bellevue to a neighboring property located 0.1 mile south. The application proposes a change in place of use and changes in points of diversion (moving to a proposed new pump downstream on the Broadford Slough for the Big Wood River rights and moving to an existing well for the ground water right).

The water rights are all stacked in a 5 acre place of use and are currently limited to 17.5 af and the irrigation of 5.0 acres when combined.

Proposed splits are as follows:

37-21228 - 0.09 cfs ground water; 17.5 af; irrigation of 5 acres
Split: 0.018 cfs; 3.5 af; irrigation of 1 acre
Parent after split: 0.072 cfs; 14.0 af; irrigation of 4 acres

37-21230 – 0.07 cfs Big Wood River water; irrigation of 5 acres
Split: 0.014 cfs; irrigation of 1 acre
Parent after split: 0.056 cfs; irrigation of 4 acres

37-21232 – 0.08 cfs Big Wood River water; irrigation of 5 acres
Split: 0.016 cfs; irrigation of 1 acre
Parent after split: 0.064 cfs; irrigation of 4 acres

37-21234 – 0.11 cfs Big Wood River water; irrigation of 5 acres
Split: 0.022 cfs; irrigation of 1 acre
Parent after split: 0.088 cfs; irrigation of 4 acres

37-21236 – 0.03 cfs Big Wood River water; irrigation of 5 acres
Split: 0.022 cfs; irrigation of 1 acre
Parent after split: 0.088 cfs; irrigation of 4 acres

37-21238 - 0.03 cfs Big Wood River water; irrigation of 5 acres
Split: 0.022 cfs; irrigation of 1 acre
Parent after split: 0.088 cfs; irrigation of 4 acres

Water rights do not overlap with other irrigation water rights within the current or proposed POU's or PODs. All PODs and POU's are within Water District 37. Watermaster comments were solicited and the Watermaster did not respond with comments for this application.

- **Authority to File:**
Applicant owns all water rights in the transfer and per IDWR records owns all properties associated with this transfer application.
- **Water Right Validity:**
All water rights in this transfer were decreed in the SRBA on 9/24/2010. Recent aerial imagery indicates grounds associated with the water rights appear irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED

JUL 13 2020

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

PAM MORRIS

DEPT OF WATER RESOURCES
SOUTHERN REGION

sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

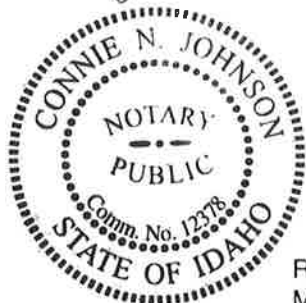
publication of said advertisement was on the 1st day of

July, 20 20, and the date of the last publication was on the 8th day of July, 20 20

Subscribed and sworn to before me this 8 day of

July, 20 20.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2024

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340

COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 56

Number of Insertions 2

56 Lines tabular at \$51.52 9.0 cents/pica

56 Lines straight at \$45.08 8.0 cents/pica

56 Subsequent lines at \$96.60 7.0 cents/pica

TOTAL COST \$96.60

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 84164**

MORAN TRUST, 112 LOWER BROADFORD RD, BELLEVUE, ID 83313-5058 has filed Application No. 84164 for changes to the following water rights within BLAINE County(s): Right No(s). 37-21228, 37-21230, 37-21232, 37-21234, 37-21236, 37-21238; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a one acre (0.82 cfs) portion of one ground water right and five Big Wood River rights (currently diverted from the Broadford Slough) from property located approximately 0.5 to 0.6 miles west and 0.8 to 0.9 miles south of the center of Bellevue to a neighboring property located 0.1 mile south. The application proposes a change in place of use and changes in points of diversion (moving to a proposed new pump downstream on the Broadford Slough for the Big Wood River rights and moving to an existing well for the ground water right).

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 83301-5858 together with a protest fee of \$25.00 for each application on or before **July 20, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1 & 8, 2020**

✓ OK
DM
7-17-2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Return Services Requested

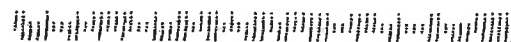
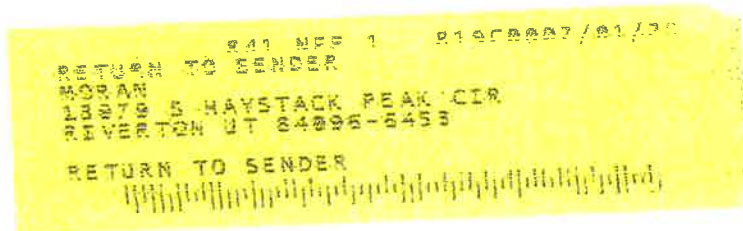
RECEIVED

JUL 06 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION



MORAN TRUST
112 LOWER BROADFORD RD
BELLEVUE ID 83313-5058



Moran Trust: Transfer #84164 37-21228, etc.

13979 S Haystack Peak Cir, Riverton, UT 84096-6453

Advertising acknowledgement letter sent 6/25/2020.

Also sent to Trustee Veronica Moran at the address above.

Database updated for Moran Trust 7/7/2020.

A handwritten signature in blue ink, appearing to be "W".

Maline, Denise

From: Conley, Keats <keats.conley@idfg.idaho.gov>
Sent: Tuesday, June 30, 2020 8:47 AM
To: Maline, Denise
Subject: RE: Comment Letter for Transfer 84164 - Moran Trust

Denise,

Thank you for the opportunity to review the Application for Transfer of Water Right No. 84164, which proposes to change the POD on the Broadford Slough and POU for irrigation. The Idaho Department of Fish and Game (IDFG) offers the following comments for your consideration:

- The pump intake should be screened to meet IDFG requirements. Please call 208-756-6022 for screen specifications.
- Pumping should occur at a location away from potential fish refugia (streambanks with overhanging vegetation, large accumulations of woody debris, etc.) to avoid entraining fish.

Best regards,

Keats

Keats Conley
Environmental Staff Biologist
Idaho Department of Fish and Game – Magic Valley Region
324 South 417 East, Suite 1
Jerome, ID 83338
Office: (208) 644-6310
Cell: (208) 484-9099*



<https://idfg.idaho.gov>

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Thursday, June 25, 2020 11:22 AM
To: Conley, Keats <keats.conley@idfg.idaho.gov>
Subject: Comment Letter for Transfer 84164 - Moran Trust

Hi Keats,

Attached is an application for transfer currently being processed by Dept of Water Resources. Please review the application, complete the attached recommendation forms, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can also be found on our website.

Please feel free to contact this office if you have any questions.

Thank you,

Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects
DATED this 15th day of JUNE, 2020

VALLEY SELF STORE

By _____
Lien Claimant

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JUNE 24 & JULY 1, 2020**

**IN THE DISTRICT COURT OF THE
FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE
MAGISTRATE DIVISION**

In the Matter of the Estate
of BECKY ANN BROWN, aka BECKY
A. BROWN, aka BECKY BROWN,
Deceased.

**Case No. CV07-20-285
NOTICE TO CREDITORS
I.C. 15-3-801**

NOTICE IS HEREBY GIVEN that Betty Brooks and B. Alan Brooks have been appointed co-personal representatives of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four (4) months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated and filed with the Clerk of the Court.

STEPHAN, KVANVIG, STONE & TRAINOR

By /s/ Jeremy C. Vaughn
Attorneys for Personal
Representative
P. O. Box 83
Twin Falls, Idaho 83303-0083
Telephone: 208-733-2721

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JUNE 24, JULY 1 & 8, 2020**

**WEST MAGIC FIRE DISTRICT
960 WEST MAGIC ROAD #56
WEST MAGIC, IDAHO 83352**

**LEGAL NOTICE OR
PUBLIC MEETING**

There will be a public hearing at 5:30 p.m., on Tuesday, July 7, 2020 at WMFD Station 2 (West Magic Road). A copy of the proposed budget is available for inspection at Station 2.

**Proposed Budget for
WEST MAGIC FIRE DISTRICT
For the Fiscal Year 2020-2021**

Estimated Revenue \$16,676.00
Estimated Expenditures

Major Equipment, Replacement/Repairs	2000.00
Clothing, New/Replacement	498.00
Fire Building Maintenance	1200.00
Grounds Maintenance	1000.00
Office Supplies/Subscriptions	500.00
Legal Publications	600.00
Utilities	3000.00
Fire Truck Fuel/Maintenance	3700.00
Fire Hydrant Maintenance/Install	400.00
Insurance	1605.00
Training	600.00
Wages	500.00
Small Tools & Miscellaneous	1000.00
Radios	2073.00
Total	\$18,676.00

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 2020**

INVITATION TO BID

Blaine County Recreation District
Hailey, Idaho

For: Seal coating of sections of the Wood River Trail – 2020

Notice is hereby given that sealed bids will be received at the office of the Blaine County Recreation District, 1050 Fox Acres Road Room #107, Hailey, Idaho, 83333 and opened at 10:00 a.m. on Wed, July 15, 2020, for furnishing all labor, materials,

equipment and skill required for work described.

Proposal forms are on file at the office of the BCRD or available electronically by emailing jconners@bcd.org.

No bid will be considered unless sealed and filed with the BCRD before the stated bid time and accompanied by a Bidder's Bond or Certified Check made payable without recourse to the Blaine County Recreation District in an amount equal to 5% of the base bid. A performance bond and a labor and material payment bond in the full amount of the contract sum will be required of the successful bidder.

No bid may be withdrawn for a period of forty-five (45) calendar days after bids are opened. The Board reserves the right to reject any or all bids and to waive irregularities and formalities in order to award the contract in the best interests of the Blaine County Recreation District.

Eric Rector, Trails & Facilities Director
Blaine County Recreation District
1050 Fox Acres Road, Room #107
Hailey, Idaho 83333
208-578-2273

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1 & 8, 2020**

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 84164**

MORAN TRUST, 112 LOWER BROADFORD RD, BELLEVUE, ID 83313-5058 has filed Application No. 84164 for changes to the following water rights within BLAINE County(s): Right No(s) 37-21228, 37-21230, 37-21232, 37-21234, 37-21236, 37-21238; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/water/rights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a one acre (0.82 cfs) portion of one ground water right and five Big Wood River rights (currently diverted from the Broadford Slough) from property located approximately 0.5 to 0.6 miles west and 0.8 to 0.9 miles south of the center of Bellevue to a neighboring property located 0.1 mile south. The application proposes a change in place of use and changes in points of diversion (moving to a proposed new pump downstream on the Broadford Slough for the Big Wood River rights and moving to an existing well for the ground water right).

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 83301-5858 together with a protest fee of \$25.00 for each application on or before July 20, 2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1 & 8, 2020**

**LEGAL NOTICE
BLAINE COUNTY HEARING
EXAMINER
JULY 16, 2020 AT 6:30 P.M.**

On Thursday, July 16, 2020, the Blaine County Hearing Examiner will hold a public meeting beginning at 6:30 p.m. which may only be attended remotely. Public comment will be taken and entered into the record for the public hearing on the following:

ACTION ITEM: 105 BAY HORSE-ACCESSORY DWELLING UNIT CONDITIONAL USE PERMIT: A public hearing and consideration of an application by property owner Kyle Ward Rose for a conditional use permit for an Accessory Dwelling Unit. The 4.9 acre is Lot 2 in Muldoon Ranch Sub. It is zoned Residential/Agricultural District(R-5) with no over-

lay or hazard districts.

This meeting is open to the public and ATTENDEES MAY ONLY ATTEND BY WEB ACCESS. NO ONE MAY ATTEND IN PERSON. The meeting agenda will be posted to the Blaine County website at <https://www.co.blaine.id.us/AgendaCenter> by the Tuesday prior to the hearing. PLEASE CHECK THE MEETING AGENDA FOR FURTHER INSTRUCTIONS FOR DIGITAL WEB ACCESS.

The materials associated with this hearing are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at www.blainecounty.org. To receive adequate consideration, written comment in excess of one page should be forwarded to Blaine County at least 4 days prior to public hearing by mail, email to pzcounter@co.blaine.id.us, or by fax to (208) 788-5576.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 2020**

**LEGAL NOTICE
BLAINE COUNTY BOARD OF
COUNTY COMMISSIONERS
JULY 21, 2020**

On Tuesday, July 21, 2020, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Its agenda includes the following:

1:30 PM ACTION ITEM: Tax Lot 7342 and Lot 18 Flying Heart Ranch Subdivision No. II - Plat Amendment. A public hearing and consideration of a request by Melissa York and Jannick Investment Trust to amend Tax Lot 7342, at 1500 Treasure Lane (5.93 acres), by adding a 17.5' strip of land purchased from Lot 18, Flying Heart Ranch Subdivision No. II, at 130 Aspen Lakes Dr (2.12 acres). The properties are zoned Low Density Residential (R-1).

This meeting is open to the public but attendees are STRONGLY ENCOURAGED to attend by web access rather than in person. The meeting agenda will be posted to the Blaine County website at <https://www.co.blaine.id.us/AgendaCenter> by the Thursday prior to the hearing. Please check the meeting agenda for further instructions for digital web access.

The materials associated with this meeting are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at www.blainecounty.org. To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to pzcounter@co.blaine.id.us, or by fax to (208) 788-5576.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 2020**

**LEGAL NOTICE ADVERTISEMENT
FOR BLAINE COUNTY AMENDED
REQUEST FOR BIDS:**

In accordance with Idaho Code, Title 67-2806(2), this Amended Request for Bid shall be made pursuant to an open competitive sealed bid process with the procurement to be made from the qualified bidder submitting the lowest bid price complying with bidding procedures and meeting the specifications for the goods to be procured.

Sealed proposals will be received by the Blaine County Clerk's Office located at 206 South First Avenue, Suite 200; Hailey, ID 83333, until 5:00 pm, local time, on Thursday, July 16, 2020 for the purchase of an ambulance meeting the specifications as noted in Exhibit A of the amended bid document. Emailed proposals will not be accepted. All envelopes containing bids are to be clearly marked: "Sealed Ambulance Bid" on the face of the envelopes. Bids will be opened

and read during The Blaine County Ambulance Service District Board Meeting on Tuesday, July 21, 2020. The bid is expected to be awarded on Tuesday, July 28, 2020.

Email all questions to adminservices@co.blaine.id.us; verbal questions will NOT be accepted. To obtain the Amended Bid Request document submit your request via email at the address below. The Amended Request for Bid document is also available for download in "Request for Proposals" on the County's website: <http://www.blainecounty.org>. Locate the Doing Business tab on the homepage and navigate to Bid Opportunities to view the Amended Request for Bid package.

Lyn Drewien
Administrative Services Department
Blaine County Old Courthouse
206 South First Avenue, Suite 306
Hailey, ID 83333
208 788 5586
adminservices@co.blaine.id.us

The Blaine County Ambulance Service District Board reserves the right to accept or reject any and/or all bids, portions thereof, and waive any formally, which is deemed to be in the best interest of Blaine County.

Amended Timeline:

June 17, 2020 - First published notice
June 24, 2020 - Second published notice

July 01, 2020 - Amended published notice

July 13, 2020 - Last day to submit questions - 5:00 p.m. Mountain Standard Time

July 16, 2020 - Last day to submit Bids - 5:00 p.m. Mountain Standard Time
July 21, 2020 - Bid submissions opened by Ambulance Service District Board
July 28, 2020 - Bid awarded by Ambulance Service District Board

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 2020**

**NOTICE OF PUBLIC HEARING
HAILEY PLANNING AND ZONING
COMMISSION
MONDAY, JULY 20, 2020
5:30 P.M.**

PUBLIC NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission will hold a Public Meeting at 5:30 p.m. on Monday, July 20, 2020, to be held virtually pursuant to Governor Little's Proclamation of March 18, 2020 related to the conduct of remote telecommunication meetings and in compliance with the Open Meetings Law. The phone number to call in for the meeting will be posted on the agenda on the city website by July 17, 2020. The telephonic Public Hearing will be conducted on the following item(s):

- Consideration of a Design Review application by Pioneer, LLC represented by Andrew Bick for Pioneer Storage Phase 2, a storage facility consisting of five (5) single-level storage buildings totaling 16,760 square feet and related parking, to be located at 1291 and 1311 Citation Way (Lots 1A and 1B, Airport West Subdivision #2) in the SCI-SO Zone District.

Any and all interested persons are invited to attend this public hearing using telecommunication devices or submit written comments or direct questions to the Community Development Assistant at 115 South Main Street, Hailey, Idaho 83333, or planning@haileycityhall.org. For special accommodations or to participate in the noticed meeting, please contact the City Clerk 208.788.4221.

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 2020**

**IN THE DISTRICT COURT OF THE
FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE**

IN THE MATTER OF THE ESTATE
OF MARY LUHN,
Deceased.

**CASE NO. CV07-20-00302
NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court.

DATED this 24th day of June, 2020.

/s/ Andrew Luhn
c/o Lee P. Ritau
Luboviski, Wygle, Fallowfield &
Ritau, P.A.
P.O. Box 1172
Ketchum, ID 83340

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 8 & 15, 2020**

**IN THE DISTRICT COURT OF THE
FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE**

IN THE MATTER OF THE ESTATE OF
ROGER DONN OLSON,
Deceased.

**CASE NO. CV07-20-00298
NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated, and filed with the Clerk of the Court.

DATED this 18th day of June, 2020.

/s/ Sandra J. Sunday
c/o Lee P. Ritau
Luboviski, Wygle, Fallowfield &
Ritau, P.A.
P.O. Box 1172
Ketchum, ID 83340
208-726-8219

**PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 1, 8 & 15, 2020**

**SUMMARY OF HAILEY
ORDINANCE NO. 1257**

The Following is a summary of the principal provisions of Ordinance No. 1257 of the City of Hailey, Idaho, duly passed and adopted June 22, 2020, by the City Council and Mayor of the City of Hailey:

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING CHAPTER 5.32 OF THE HAILEY MUNICIPAL CODE WHICH AUTHORIZES THE IMPOSITION OF CERTAIN NON-PROPERTY TAXES, TO-WIT: A FOUR PERCENT (4%) TAX ON RENTAL VEHICLE AND ON HOTEL-MOTEL OCCUPANCY CHARGES, A TWO PERCENT (2%) TAX ON RETAIL SALE OF LIQUOR BY-THEDRINK, AND A ONE PERCENT (1%) TAX ON THE SALE OF RESTAURANT FOOD, TO PROVIDE FOR A THIRTY YEAR DURATION OF THE NON-PROPERTY TAXES EFFECTIVE ON JULY 1, 2020; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE.

Hailey Ordinance No. 1257 Amends Hailey Municipal Code as follows:

Section 1 amends Section 5.32.040 of City of Hailey Code by extending the duration of the non-property taxed therein authorized for a term of thirty (30) years commencing from the effective date of the ordinance.

Section 2 amends Section 5.32.050 of City of Hailey Code only limits use of one percent (1%) of the non-property tax collected from rental cars and Hotel-Motel Occupancy, to maintaining