

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84164
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

JUN 22 2020

DEPT. OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Moran Trust

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 22 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Moran Trust Phone (208) 309-5184
Mailing address 112 Lower Broadford Rd., Bellevue, ID 83313 Email sunnyday3@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative James P. Speck Phone 208-726-4421
Mailing address Speck & Aanestad, PO Box 987, Ketchum, ID 83340 Email jim@speckandaanestad.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Veronica D. Moran
Signature of Applicant or Authorized Representative

Trustee
Print Name and Title if applicable

6/17/2020
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant desires to move a one (1) acre portion of her stacked water rights irrigating five (5) acres on the lot at 9 Townsend Gulch Rd. to one of her other lots at 112 Lower Broadford Rd.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
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 <input type="checkbox"/> <input checked="" type="checkbox"/>	37-21228	.018cfs/3.5AF	irrigation	Apr 1 to Nov 1	ground water
<input type="checkbox"/> <input checked="" type="checkbox"/>	37-21230	0.014 cfs	irrigation	Apr 15 to Oct 31	Big Wood River/Malad R
<input type="checkbox"/> <input checked="" type="checkbox"/>	37-21232	0.016 cfs	irrigation	Apr 15 to Oct 31	Big Wood River/Malad R
<input type="checkbox"/> <input checked="" type="checkbox"/>	37-21234	0.022 cfs	irrigation	Apr 15 to Oct 31	Big Wood River/Malad R
<input type="checkbox"/> <input checked="" type="checkbox"/>	37-21236	0.006 cfs	irrigation	Apr 15 to Oct 31	Big Wood River/Malad R
<input type="checkbox"/> <input checked="" type="checkbox"/>	37-21238	0.006 cfs	irrigation	Apr 15 to Oct 31	Big Wood River/Malad R
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 0.082 cfs and/or 3.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.082 cubic feet per second and/or 3.5 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 #
yes	1	SE	NE	NE	2	1N	18E	Blaine	ground water	
yes	1	SE	NE	NE	2	1N	18E	Blaine	Big Wood River	

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	
1N	18E	2	1.0																1.0
Total Acres (for irrigation use)																			1.0

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well and pump in slough to sprinkler irrigation system

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

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

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

One (1) less acre will be irrigated by the stacked water rights on the lot at 9 Broadford Rd.

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

None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21228

Current Owner: MORAN TRUST
Priority Date: 10/25/1978
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.09 CFS	17.5 AF
	<u>Total Diversion</u>	0.09 CFS	17.5 AF

Location of Point(s) of Diversion

GROUND WATER L1(NE1/4NE1/4NE1/4) Sec. 2, Twp 01N, Rge 18E B.M.
BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00
Total Acres: 5

Conditions of Approval:

1. R59 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.
2. 104 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.
3. E54 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 17.5 af at the field headgate.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.
7. 065 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.
8. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 9/24/2010

STATE OF IDAHO

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 37-21230

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	1.0
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21230

Current Owner: MORAN TRUST
Priority Date: 6/1/1885
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.07 CFS

Annual Volume

Total Diversion

0.07 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

L1(NW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00

Total Acres: 5

Conditions of Approval:

1. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. E54 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 17.5 af at the field headgate.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. R59 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.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 9/24/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 37-21232

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use) 1.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21232

Current Owner: MORAN TRUST
Priority Date: 6/1/1886
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.08 CFS

Annual Volume

Total Diversion

0.08 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

L1(NW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00

Total Acres: 5

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. R59 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. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. E54 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 17.5 af at the field headgate.
6. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.

Decreed Date: 9/24/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 37-21234

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	1.0
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21234

Current Owner: MORAN TRUST
Priority Date: 8/15/1902
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.11 CFS

Annual Volume

Total Diversion

0.11 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

L1(NW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00

Total Acres: 5

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. R59 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.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. E52 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 17.5 af at the field headgate.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.

Decreed Date: 9/24/2010

STATE OF IDAHO

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 37-21236

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 1.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21236

Current Owner: MORAN TRUST
Priority Date: 8/15/1902
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.03 CFS

Annual Volume

Total Diversion

0.03 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

L1(NW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00

Total Acres: 5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. R59 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.
6. E54 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 17.5 af at the field headgate.

Decreed Date: 9/24/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 37-21238

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 1.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-21238

Current Owner: MORAN TRUST
Priority Date: 6/10/1880
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.03 CFS

Annual Volume

Total Diversion

0.03 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER

L1(NW1/4NE1/4NE1/4)

Sec. 2, Twp 01N, Rge 18E B.M.

BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T01N R18E S2 Lot 1 NENE 5.00

Total Acres: 5

Conditions of Approval:

1. R59 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.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. E54 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 17.5 af at the field headgate.
6. E56 Rights 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238 when combined shall not exceed the irrigation of 5.0 acres.

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ATTACHMENT 7.A & 7.B
 MORAN TRUST
 APPLICATION FOR TRANSFER OF PORTIONS OF WATER RIGHTS
 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 & 37-21238

0 130 meters

TRANSFER 84164





Brad Little
Governor

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

Gary Spackman
Director

June 25, 2020

MORAN TRUST
112 LOWER BROADFORD RD
BELLEVUE, ID 83313-5058

RE: Transfer No. 84164
Water Right No(s). 37-21228, 37-21230, 37-21232, 37-21234, 37-21236, 37-21238

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **7/1/2020** and **7/8/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 20, 2020**.

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

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

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

c: James P Speck, attorney
Veronica D Moran, Trustee

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 25, 2020 11:20 AM
To: Kevin Lakey (WD37); Cyndi WD37
Subject: Comment Letter for Transfer 84164 - Moran Trust
Attachments: Comment Letter to WD37 for 84164.docx; Transfer 84164 (Moran Trust).pdf

Hi Kevin,

Attached is an application for transfer currently being processed within your Water District. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions regarding this application.

Thank you,

Denise

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Brad Little
Governor

Gary Spackman
Director

June 25, 2020

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

RE: Transfer No. 84164 (Moran Trust)

Dear Kevin:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 25, 2020 11:22 AM
To: Keats Conley
Subject: Comment Letter for Transfer 84164 - Moran Trust
Attachments: Comment Letter to F&G for 84164.docx; Transfer 84164 (Moran Trust).pdf

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,

Denise Maline, IDWR Twin Falls

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 293-9908

denise.maline@idwr.idaho.gov



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

Brad Little
Governor

Gary Spackman
Director

June 25, 2020

IDAHO DEPT OF FISH & GAME
KEATS CONLEY
324 S 417 E STE 1
JEROME ID 83338-6206

RE: Transfer No(s). 84164 (Moran Trust)
Water Right No(s).: 37-21228, etc.

Dear Keats:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before July 20, 2020**).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 25, 2020 10:43 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Attached please find **(1)** legal notice being submitted for publication on July 1st & 8th, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



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

Brad Little
Governor

Gary Spackman
Director

June 25, 2020

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

RE: Transfer No. 84164

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

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 20, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**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
Published on July 1st & 8th, 2020

MEMORANDUM

Date: June 23, 2020
To: Transfer 84164 File
From: Bill Mills
Re: Transfer Proposal

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: 0.006 cfs; irrigation of 1 acre
Parent after split: 0.024 cfs; irrigation of 4 acres

37-21238 - 0.03 cfs Big Wood River water; irrigation of 5 acres
Split: 0.006 cfs; irrigation of 1 acre
Parent after split: 0.024 cfs; irrigation of 4 acres

Water rights do not overlap with other irrigation water rights within the current or proposed place of use (POU) or points of diversion (PODs). All PODs and POUs are within Water District 37 and Watermaster comments will be solicited.

MEMORANDUM

Date: June 23, 2020
To: Transfer 84164
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84164 were based on the on the current transfer fee schedule and included \$200.00 for the 0.082 cfs being transferred in the application (Receipt No.S037997).

Mills, Bill

From: James Speck <jim@speckandaanestad.com>
Sent: Tuesday, June 23, 2020 8:50 AM
To: Mills, Bill
Subject: Re: Moran Trust Transfer Application

Hi Bill,

It's an existing well and a new pump station for the slough water rights.

Jim

From Jim's iPhone

From: Mills, Bill <William.Mills@idwr.idaho.gov>
Sent: Tuesday, June 23, 2020 7:17:38 AM
To: James Speck <jim@speckandaanestad.com>
Subject: Moran Trust Transfer Application

Jim,

I'm currently processing the application you submitted for Moran Trust and I have a question. Is the new point of diversion for the 1 acre portions that are being split from the parent rights a proposed well or an existing well?

Thanks,

Bill

RECEIVED

JUN 22 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION
TELEPHONE

(208)726-4421

FACSIMILE

(208)726-0752

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

June 17, 2020

Corey Skinner
Idaho Department of Water Resources
650 Addison Street, Suite 500
Twin Falls, ID 83301-5858

Re: **Moran Trust - Application for Transfer of Water Rights**

Dear Corey:

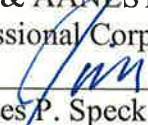
Enclosed you will find the original and a copy of an Application for Transfer of Water Right in the name of my client, Moran Trust. The Application seeks to move that portion of six (6) stacked water rights which currently irrigates five (5) acres on one of her lots at 9 Townsend Gulch Road for the irrigation of one acre on another of her lots at 112 Lower Broadford Road. This means moving twenty percent (20%) of each of the water rights to the new location. I have also enclosed our firm's check to cover the filing fee of \$200.00.

The completion of this transfer is an integral part of the sale of the property at 112 Lower Broadford Road to a third party. Any expedited attention you can give this Application in these difficult times will be greatly appreciated.

Please receipt date -stamp the copy of the Application and return it to me in the postage prepaid, self-addressed envelope I have included with this mailing. Please give me a call should you have any questions or concerns about the Application. The best number is 208-720-4423.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation
By: 
James P. Speck

Enclosures

cc: Veronica Moran (via email w/enclosure)
Doug Niedrich (via email w/enclosure)