

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 81112  
81075

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED  
JUL 29 2016

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 [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Name of Applicant(s) Moreland Water and Sewer District

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 [www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).
- ☐ ☐ #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

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

Name of Applicant(s) Moreland Water & Sewer District Phone 208.419.6400

Mailing address Drawer G, Moreland, ID 83256 Email \_\_\_\_\_

- ☐ 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 Bryan Phinney, Keller Associates, Inc. Phone 208.238.2146

Mailing address 305 N 3rd Ave, Ste A, Pocatello, ID 83201 Email BPhinney@kellerassociates.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.

Roscoe D. May  
Signature of Applicant or Authorized Representative

Roscoe May, Chairman  
Print Name and Title if applicable

7/28/14  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other OWNERSHIP CHANGE
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.2.  
This transfer will combine Moreland Water and Sewer Company's three rights into a single place of use with two  
points of diversion.

STATE OF IDAHO  
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**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<br>(cfs/ac-ft) | Nature of Use | Period of Use  | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|----------------|--------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 35-14217     | 0.17/15.4             | Commercial    | 01/01 to 12/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 35-8146      | 0.56 /112             | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              | 0.41/34.8             | Domestic      | 01/01 to 12/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 35-10977     | 0.16/32.0             | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              | 0.18/9.6              | Domestic      | 01/01 to 12/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to             |                    |
| <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 1.48 cfs and/or 203.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.48 cubic feet per second and/or 203.8 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<br>7 | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County  | Source       | Local name or tag # |
|----------|-----|---|----|----|-----|-----|-----|---------|--------------|---------------------|
| No       |     |   | NW | NW | 25  | 02S | 34E | Bingham | Ground Water |                     |
| No       |     |   | NE | NW | 25  | 02S | 34E | Bingham | Ground Water |                     |
|          |     |   |    |    |     |     |     |         |              |                     |
|          |     |   |    |    |     |     |     |         |              |                     |
|          |     |   |    |    |     |     |     |         |              |                     |

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

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

| Twp                              | Rge | Sec | NE ¼  |    |    |    | NW ¼ |      |    |    | SW ¼ |    |    |     | SE ¼ |    |    |    | Acre<br>Totals |
|----------------------------------|-----|-----|-------|----|----|----|------|------|----|----|------|----|----|-----|------|----|----|----|----------------|
|                                  |     |     | NE    | NW | SW | SE | NE   | NW   | SW | SE | NE   | NW | SW | SE  | NE   | NW | SW | SE |                |
| 02S                              | 34E | 25  | C(L1) | C  |    |    | C/D  | D    |    |    |      |    |    |     |      |    |    |    |                |
| 02S                              | 34E | 24  |       |    |    |    |      |      |    |    |      |    |    | D   |      |    |    |    |                |
| 02S                              | 34E | 25  |       |    |    |    | 4.0  | 28.0 |    |    |      |    |    |     |      |    |    |    | 32.0           |
| 02S                              | 34E | 24  |       |    |    |    |      |      |    |    |      |    |    | 4.0 |      |    |    |    | 4.0            |
|                                  |     |     |       |    |    |    |      |      |    |    |      |    |    |     |      |    |    |    |                |
|                                  |     |     |       |    |    |    |      |      |    |    |      |    |    |     |      |    |    |    |                |
|                                  |     |     |       |    |    |    |      |      |    |    |      |    |    |     |      |    |    |    |                |
| Total Acres (for irrigation use) |     |     |       |    |    |    |      |      |    |    |      |    |    |     |      |    |    |    | 36.0           |

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:

1- MAIN WELL + 1 Backup tied TOGETHER. SERVING 81 PATRONS  
COMMERCIAL ZONE TRANSITION WHERE TRAILER COURT IS NOW  
LOCATED.

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

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:

- 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:

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

Yes No

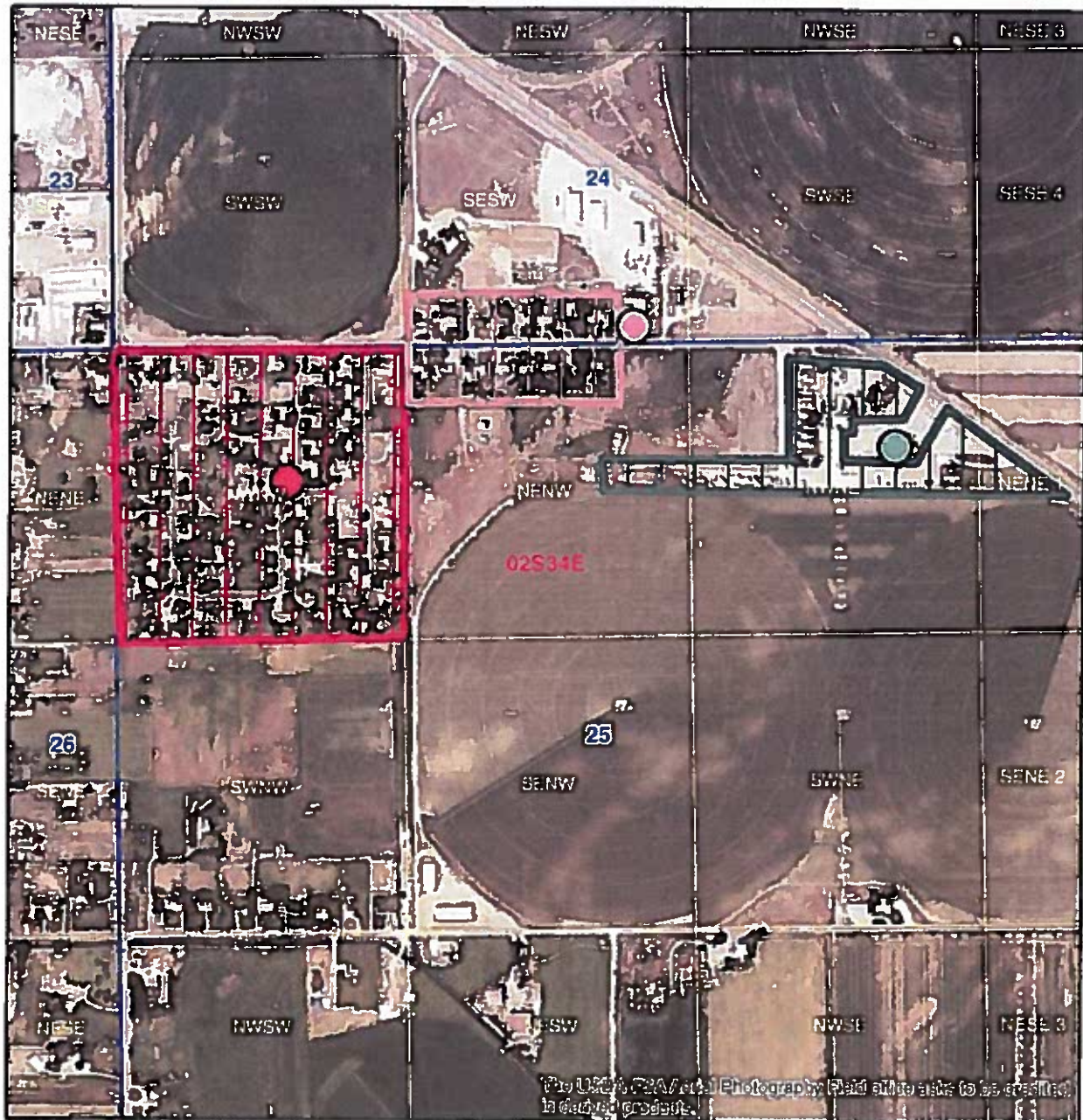
- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently leased to the Water Supply Bank,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:





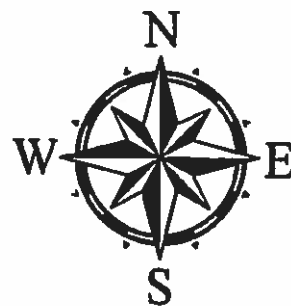
# Moreland Water & Sewer Company Pre-Transfer



2015 Imagery

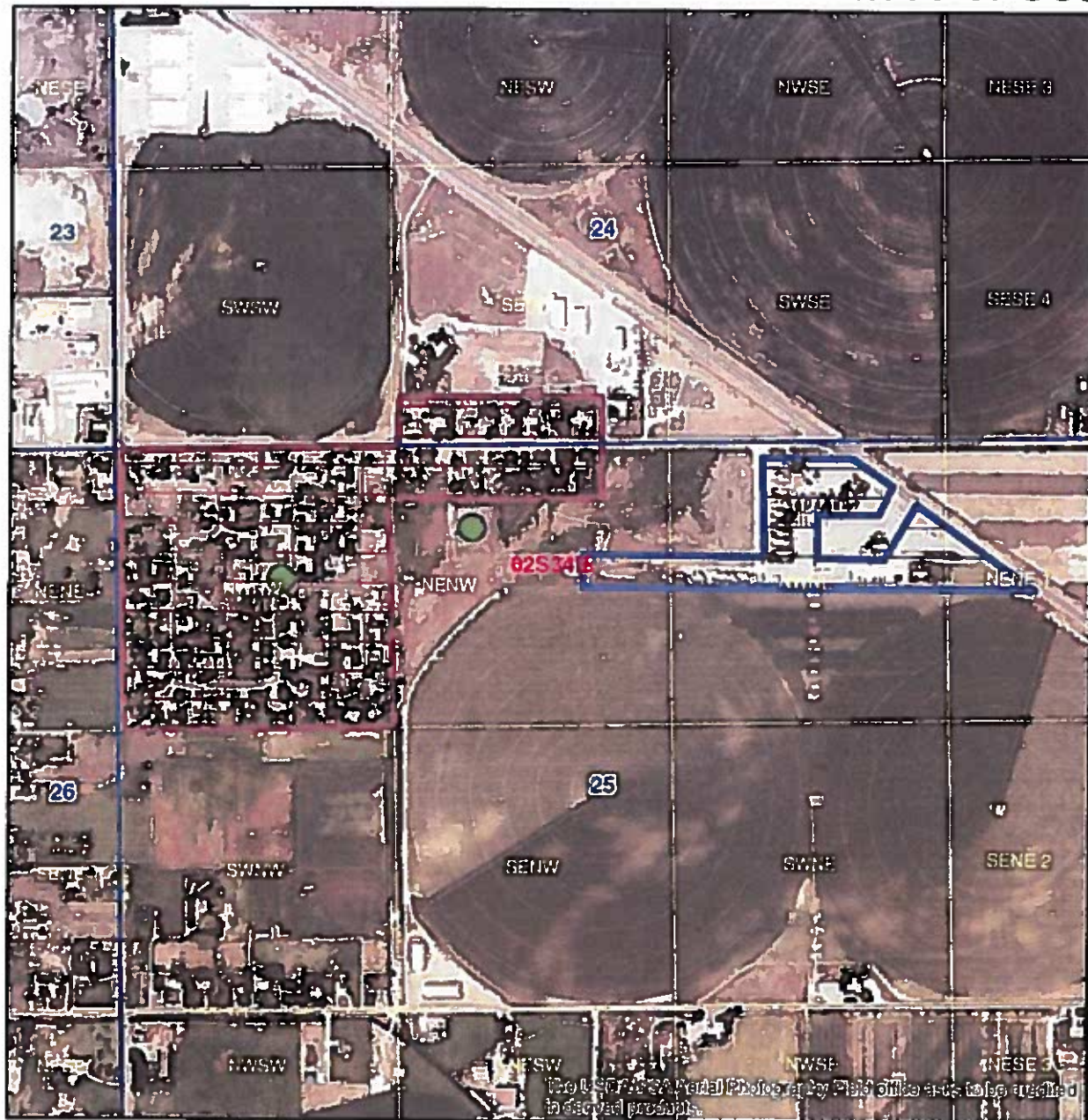
## Legend

- Pre-Transfer 35-10977 POD
- Pre-Transfer 35-14217 POD
- Pre-Transfer 35-8146 POD
- Pre-Transfer 35-14217 Place of Use
- Pre-Transfer 34-10977 Place of Use
- Pre-Transfer 35-8146 Place of Use
- Township/Range
- Sections
- QQ

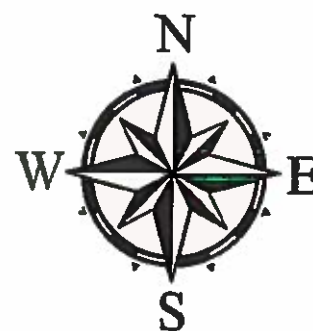
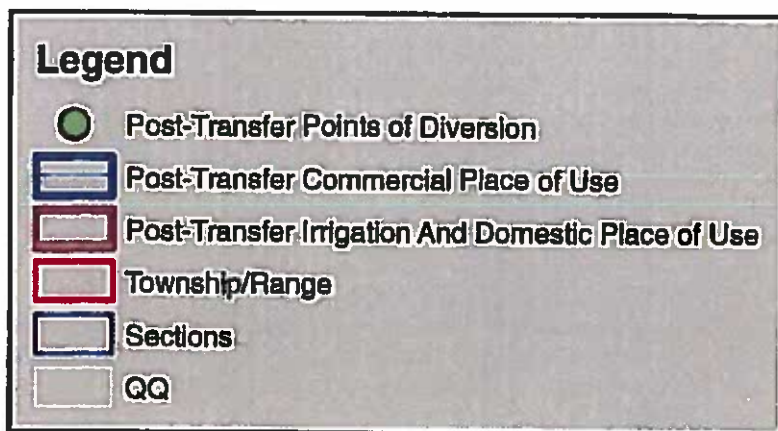


0 0.1 0.2 0.4 Miles

# Post-Transfer Points of Diversion and Places of Use



2015 Imagery



0 0.075 0.15 0.3 Miles

## 7/22/2016

| <u>Owner Type</u> | <u>Name and Address</u>                                           |
|-------------------|-------------------------------------------------------------------|
| Current Owner     | MORELAND WATER & SEWER DISTRICT<br>DRAWER G<br>MORELAND, ID 83257 |

**Status:** Active

### Tributary

Sec. 25, Twp 02S, Rge 34E, BINGHAM County

|     |     |     | NE |    |    |    | NW |      |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 02S | 34E | 25  |    |    |    |    |    | 28.0 |    |    |    |    |    |    |    |    |    |    | 28.0   |

POU Total Acres: 28.0

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 02S | 34E | 25  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

8 1 1 1 2

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/22/2016

**Comments:**

1.      AJU10-DS                      7/16/1998      AJU10 CONDITION UPDATE  
      CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
  
2.      segbert                      12/28/2010      POD  
      PODID 248219 correlated from SpatialDataID 234184 to SpatialDataID 426206
  
3.      bjordan                      2/24/2016      POD  
      PODID 248219 correlated from SpatialDataID 426206 to SpatialDataID 296343

**Dates and Other Information**

Decreed Date: 1/19/1999  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 120  
Mitigation Plan: False

**Combined Use Limits**

N/A

**Verification Log**

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## IDAHO DEPARTMENT OF WATER RESOURCES

7/22/2016

## Proof Report

## Water Right 35-14217

**Owner Type**      **Name and Address**  
 Current Owner      BS&T LAND & CATTLE  
                              619 W HWY 26  
                              BLACKFOOT, ID 83221

**Priority Date:** 5/26/1989**Basis:** License**Status:** Active**Source**

GROUND WATER

**Tributary****Beneficial Use**

IRRIGATION

COMMERCIAL

**From**

04/01

**To**

10/31

**Diversion Rate**

0.140 CFS

**Volume**

28.0 AF

01/01      12/31

0.170 CFS

15.4 AF

**Total Diversion**

0.310 CFS

43.4 AF

**Source and Point(s) of Diversion**

GROUND WATER

NWNE

Sec. 25, Twp 02S, Rge 34E, BINGHAM County

**Place Of Use**

IRRIGATION within BINGHAM County

|     |     |     | NE  |     |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|-----|-----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE  | NW  | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02S | 34E | 25  | 1.0 | 5.0 |    |    | 1.0 |    |    |    |    |    |    |    |    |    |    |    | 7.0    |

POU Total Acres: 7.0

COMMERCIAL Same as IRRIGATION

**Conditions of Approval:**

- Three points of diversion are located in NWNE, S25, T2S, R34E.  
Commercial use is for 17 units in trailer court and a beauty salon.
- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

**Comments:**

- jbarg      12/16/2011      Change of Ownership  
Split from Water Right 35-8842
- jbarg      12/16/2011      Change of Ownership

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

7/22/2016

Updated the place of use to match the map supplied with the application. Place of use is for irrigation and commercial.

3. j barg 12/16/2011 POD  
Updated Shape

4. j barg 12/16/2011 POU  
Updated Shape

5. HBohac 2/25/2015 POD  
PODID 820314 correlated from SpatialDataID 290725 to SpatialDataID 495019

6. HBohac 2/25/2015 POD  
PODID 820314 correlated from SpatialDataID 495019 to SpatialDataID 234538

7. HBohac 2/25/2015 POD  
PODID 820314 correlated from SpatialDataID 234538 to SpatialDataID 495019

**Dates and Other Information**

Licensed Date: 2/2/1998

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

**Combined Use Limits**

N/A

**Verification Log**

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## 7/22/2016

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | EAST MORELAND WATER CO<br>671 W 200 N<br>BLACKFOOT, ID 83221<br>(208)684-3120 |

**Status:** Active

### Tributary

**Sec. 24, Twp 02S, Rge 34E, BINGHAM County**

## POU Total Acres: 80

|    |     |                                                                                                                                                                                                                                                                                                                        |
|----|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. |     | POINT OF DIVERSION IS LOCATED WITHIN BLOCK 4, EAST MORELAND SUBDIVISION, BINGHAM COUNTY.                                                                                                                                                                                                                               |
| 2. |     | PLACE OF USE IS ALSO KNOWN AS BLOCK 1, 2, 3, AND 4 OF EAST MORELAND SUBDIVISION, BINGHAM COUNTY.                                                                                                                                                                                                                       |
| 3. | C12 | THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/22/2016

RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE  
NONE ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

**Comments:**

1. AJU10-DS 7/16/1998 AJU10 CONDITION UPDATE  
CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

2. jcefalo 2/11/2016 POU  
Updated Shape

**Dates and Other Information**

Decreed Date: 1/19/1999  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 120  
Mitigation Plan: False

**Combined Use Limits**

N/A

**Verification Log**

**SubCase:**

N/A

**Water Supply Bank:**

N/A

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 35-10977              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: East Moreland Water Company

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Moreland Water and sewer District

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☐ and/or

Drawer G

Moreland

ID

83256

Mailing address

City

State

ZIP

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.

☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 2003

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following REQUIRED items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
  - \$25 per undivided water right.
  - \$100 per split water right.
  - No fee is required for pending adjudication claims.

8. Signature: Kosko D. May

Signature of new owner/claimant

Chairman

Title, if applicable

7/28/12

Date

Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

**For IDWR Office Use Only:**

Received by \_\_\_\_\_

Date \_\_\_\_\_

Receipt No. \_\_\_\_\_

Receipt Amt. \_\_\_\_\_

Approved by \_\_\_\_\_

Processed by \_\_\_\_\_

Date \_\_\_\_\_

The below signees agree to transfer the water right from the East Moreland Water Company's old well to the Moreland Water and Sewer District so the District may continue to deliver water to their home. The water right number to be transferred is 35-10977. The signees are property owners and members of the East Moreland Water Company and have been receiving their water from and paying their water bills to the Moreland Water and Sewer District for the past 10 years.

| Name                                        | Address     | Phone                | Signature                                           |
|---------------------------------------------|-------------|----------------------|-----------------------------------------------------|
| Bahr, Gerald/Ruth                           | 665 W 200 N | 643-0715             | <i>Gerald D. Bahr</i>                               |
| Bailey, Laneet/Amy<br>JOHNSON, WILL/CASSI   | 673 W 200 N | 821-0863             | <i>Katie Johnson</i>                                |
| Bell, Dwayne/Sheryl                         | 672 W 200 N | 684-5042<br>680-2327 | <i>Sheryl Bell</i>                                  |
| Brewer, Wes/Adelyn                          | 671 W 200 N | 684-3120             |                                                     |
| Hendricks, Brent/Vanita                     | 664 W 200 N | 684-5513             | <i>Brent Hendricks</i>                              |
| Martin, Ed/ <del>Emma</del><br>KATIE SEXTON | 668 W 200 N | 604-2677             | <i>Katie Sexton</i>                                 |
| Jex, Bradley/Rose                           | 658 W 200 N | 684-4910             | <i>Bradley Jex per phone 7/11/16 8:25 pm R. May</i> |
| Laurel Lopez                                | 662 W 200 N | 680-3991             | <i>Laurel Lopez</i>                                 |
| Rosco May                                   | 666 W 200 N | 684-5362             | <i>Rosco May</i>                                    |
| Tim Murphy                                  | 660 W 200 N | 684-9329             | <i>Tim Murphy</i>                                   |
| Joe Osborn                                  | 661 W 200 N |                      | <i>Joe Osborn</i>                                   |
| Peace, Paul/Racheal                         | 674 W 200 N | 852-6960             | <i>Paul Allen Peace</i>                             |
| Roberto Ramirez                             | 663 W 200 N | 681-1746             | <i>Oralia Salinas</i>                               |
| Scott Scherbinske                           | 659 W 200 N | 684-4831             |                                                     |
| Thomas, Richard/Sue                         | 669 W 200 N | 709-6006<br>680-0068 | <i>Sue Thomas</i>                                   |
| Jodi Werner                                 | 667 W 200 N | 684-3345             | <i>Jodi S. Werner</i>                               |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

RECEIVED

JUL 8 2016

Department of Water Resources  
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

| Water Right/Claim No.    | Split?                                  | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|--------------------------|-----------------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 35-14217 (comm. portion) | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 0.17 cfs                 | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                          | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                          | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                          | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: BS&T Land & Cattle - Kenneth Law,  
Name of current water right holder/claimant Kenneth R. Law
3. New Owner(s)/Claimant(s): Moreland Water and Sewer  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- Drawer G Moreland ID 83256  
Mailing address City State ZIP
- Telephone \_\_\_\_\_ Email \_\_\_\_\_
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 2003
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
  - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
  - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
  - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
  - Filing fee (see instructions for further explanation):
    - \$25 per *undivided* water right.
    - \$100 per *split* water right.
    - No fee is required for pending adjudication claims.

8. Signature: Rosco D May Chairman 6/23/16  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date July 8, 2016 Receipt No. E042260 Receipt Amt. \$100.00  
 Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_



**KELLER**  
associates

305 North 3rd Avenue, Suite A • Pocatello, ID 83201  
208 238 2146 phone • 208 238 2162 fax • [www.kellerassociates.com](http://www.kellerassociates.com)

6/27/2016

Water Right Split and Transfer  
35-14217

To Whom It May Concern:

BS&T Land & Cattle desires to split the commercial portion of water right 35-14217 with a diversion rate of 0.17 CFS and transfer said portion to the Moreland Water and Sewer District.

Current Registered Agent of BS&T Land & Cattle

  
Kenneth Law

7/6/16  
Date

This document was prepared by Bryan R. Phinney, PE, of Keller Associates, Inc.

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81112



## IDAHO SECRETARY OF STATE Viewing Business Entity

Lawrence Denney, Secretary of State

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[ [Get a certificate of existence for BS&T LAND & CATTLE, LLC](#) ]  
[ [Monitor BS&T LAND & CATTLE, LLC business filings](#) ]

### BS&T LAND & CATTLE, LLC

619 W HIGHWAY 26  
BLACKFOOT, ID 83221

**Type of Business:** LIMITED LIABILITY COMPANY

**Status:** EXISTING

**State of Origin:** IDAHO

**Date of** 13 Apr 2011

**Origination/Authorization:**

**Current Registered Agent:** KENNETH LAW  
619 W HIGHWAY 26  
BLACKFOOT, ID 83221

**File Number:** W102393

**Date of Last Annual Report:** 22 Feb 2016

**Annual Report Due:** Apr 2017

#### Original Filing:

**Filed 13 Apr 2011** CERTIFICATE OF  
ORGANIZATION

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#### Amendments:

**Amendment Filed 14 Jun 2012** OTHER - ADD  
MBR/MGR

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\(TIFF format\)](#)

#### Annual Reports:

**Report for year 2016** ANNUAL REPORT  
**Report for year 2015** ANNUAL REPORT  
**Report for year 2014** ANNUAL REPORT  
**Report for year 2013** ANNUAL REPORT  
**Report for year 2012** ANNUAL REPORT

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Comments, questions or suggestions can be emailed to: [sosinfo@sos.idaho.gov](mailto:sosinfo@sos.idaho.gov)

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Water Right Report

4/6/2016

WATER RIGHT NO. 35-14217

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | BS&T LAND & CATTLE<br>619 W HWY 26<br>BLACKFOOT, ID 83221<br>(208)684-3522 |
| Original Owner    | L DEAN JOHNSON<br>617 W HWY 26<br>BLACKFOOT, ID 83221<br>(208)684-3964     |

Priority Date: 05/26/1989

Basis: License

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.14 CFS              | 28 AFA        |
| COMMERCIAL            | 01/01       | 12/31     | 0.17 CFS              | 15.4 AFA      |
| Total Diversion       |             |           | 0.31 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|NWNE|Sec. 25|Township 02S|Range 34E|BINGHAM County

Licensed Diversion Capacity: 0.46

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 02S      | 34E   | 25      |     | NENE  | 1     |     | NWNE  | 5     |     |       |       |     |       |       |
|          |       |         |     | NENW  | 1     |     |       |       |     |       |       |     |       |       |

Place of Use Legal Description: COMMERCIAL same as IRRIGATION

Total Acres: 7

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. Three points of diversion are located in NWNE, S25, T2S, R34E. Commercial use is for 17 units in trailer court and a beauty salon.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Dates:

Licensed Date: 02/02/1998

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 120  
Generic Max Rate per Acre: 0.02  
Generic Max Volume per Acre: 4  
Civil Case Number:  
Old Case Number:  
Decree Plaintiff:  
Decree Defendant:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False

Close



**MINUTES  
OF THE  
BOARD  
OF THE  
MORELAND WATER AND SEWER DISTRICT**

**June 26, 2013**

**Attending: Rosco May  
Laurel Orr  
Marketa Cornwall  
Richard David Thomas  
LuJean Warnick  
Ray Arens  
Shauna Fisher  
Mike Gallegos**

**The meeting was called to order at 7:01 P.M.**

**The minutes from the previous meeting were read and approved.**

**Kevin Chappel has now paid \$300.00 on his outstanding bill.**

**Bills approved for payment were as follows:**

|                                           |                   |
|-------------------------------------------|-------------------|
| <b>Groveland Water and Sewer District</b> | <b>\$ 2398.50</b> |
| <b>Idaho Power</b>                        | <b>\$ 969.15</b>  |
| <b>Ray Arens</b>                          | <b>\$ 350.00</b>  |
| <b>Shauna Fisher</b>                      | <b>\$ 366.39</b>  |
| <b>Rosco May</b>                          | <b>\$ 100.00</b>  |
| <b>Richard David Thomas</b>               | <b>\$ 100.00</b>  |
| <b>Marketa Cornwall</b>                   | <b>\$ 100.00</b>  |
| <b>Laurel Orr</b>                         | <b>\$ 100.00</b>  |
| <b>Lujean Warnick</b>                     | <b>\$ 100.00</b>  |
| <b>Ray Arens</b>                          | <b>\$ 30.26</b>   |
| <b>Earl Pogge</b>                         | <b>\$ 735.00</b>  |

**No account information was available.**

**Weeds, with their potential fire hazard, have become a major problem at the various above ground facilities of the Moreland Water and Sewer District. Pending the approval of the Idaho State Department of Environmental Quality, the district will solve the problem by spreading rock salt in the effected areas. Rosco May will check on the feasibility and legality of this plan.**

A discussion regarding the updating of the patron list was held.

Armondo Martinez has moved into Jeff Clark's house.

The discussion about a possible replacement for AAA Consulting for water sampling and testing was held. Dustin \_\_\_\_\_ does this work for a neighboring water system, and he will be invited to a future meeting of the Moreland Water and Sewer District Board.

The paving job, that was bid for by Earl Pogge, was actually partially completed by the county. An adjusted amount will need to be worked out with him before he can be paid for the work.

Mike Gallegos dropped in to discuss his options for paying his water bill, in the event that he is called to work in North Dakota for an extended amount of time. He will likely pay six months in advance and settle the difference upon his return.

Pump Tech is rebuilding the fire pump. The motor is fine. There is a delay due to ordering the wrong parts.

Alpine, under the direction of Ken Law, is making many changes to their facility. Concern was raised about the extent to which these changes will effect the district.

Markita Cornwall received some keys from Robert Baker, but not all of them. Bob needs to surrender all relevant papers as well as keys for the safe deposit box, the post office box, etc. Rosco May will work with Bob on completion of his transition out of office.

Elections were held within the board and the following members were elected for the following positions:

Rosco May–Board Chair  
Laurel Orr–Board Vice Chair  
Richard David Thomas–Board Secretary

Even though none of the women were elected, a discussion was held regarding the importance of respecting their viewpoints and needs.

LuJean Warnick pointed out that her name needs to be spelled with an upper case "J".

Laurel Orr is working on obtaining a half dozen "candle stick" caution markers for possible use in an emergency. LuJean Warnick will check to see where Wada's got the markers that they use.

The meeting was adjourned at 8:08 P.M.