

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 25 2014

Department of Water Resources
Eastern Region

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

Name of Applicant(s) Brian Stanger Phone 208-648-0822Mailing address 2769 Chesterfield Rd Bancroft Idaho 83217 Email brian@stangerangus.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 _____ Phone _____

Mailing address _____ Email _____

- ☐ 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.

Brian D. Stanger
Signature of Applicant or Authorized Representative

Brian D. Stanger
Print Name and Title if applicable

8/22/2014
Date

Michelle L. Stanger
Signature of Applicant or Authorized Representative

Michelle L. Stanger
Print Name and Title if applicable

8/22/2014
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 _____
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**.

A new well location closer to power for right 29-14005 will necessitate a point of diversion addition, and the installation of a center pivot using water from rights 29-14005 and 29-2009 A will necessitate a POU rearrangement for both rights.
The map attached is the pivot's shape. The corners remaining covered by the water right will be irrigated by handlines.

AMENDED

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 ☒ ☐	29-2009A	2.42	Irrigation	04/01 to 10/31	Eighteenmile Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.42 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.05 cubic feet per second and/or _____ acre-feet per annum.

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 #

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	
07S	39E	15					37.0	30.0	27.4	26.6									121.0
Total Acres (for irrigation use)																		121.0	

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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 (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	29-14005	2.42	Irrigation	04/01 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.42 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.42 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SE	NW	15	07S	39E	Caribou	Groundwater	
Y			NW	NW	15	07S	39E	Caribou	Groundwater	

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	
07S	39E	15					37.0	30.0	27.4	26.6									121.0
Total Acres (for irrigation use)																			121.0

**STATE OF IDAHO
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**APPLICATION FOR TRANSFER OF WATER RIGHT
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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:
new center pivot. has lockable controlling device.

- 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The corner will be dried

- e. 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:

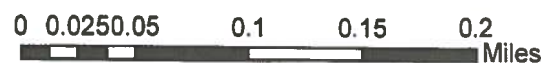
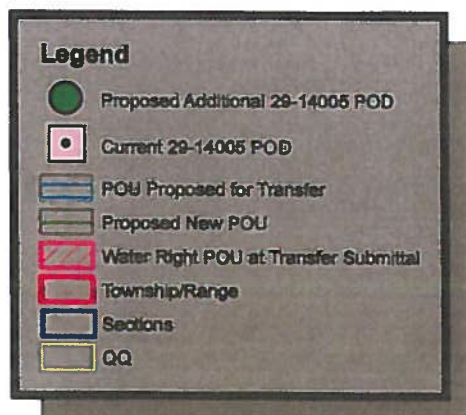
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

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:

Stanger Application for Transfer Demonstrating Proposed Pivot



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/18/2014

Water Right 29-14005

Owner Type **Name and Address**
Current Owner MICHELLE STANGER
2769 CHESTERFIELD RD
BANCROFT, ID 83217
(208)648-0822

Current Owner BRIAN STANGER
2769 CHESTERFIELD RD
BANCROFT, ID 83217
(208)221-9406

Priority Date: 10/25/1961

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.420 CFS	423.5 AF
	<u>Total Diversion</u>		2.420 CFS	423.5 AF

Source and Point(s) of Diversion

GROUND WATER SENW Sec. 15, Twp 07S, Rge 39E, CARIBOU County

Place Of Use

IRRIGATION within CARIBOU 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	
07S	39E	15					37.0	30.0	30.0	24.0									121.0

POU Total Acres: 121.0

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. E51 Right Nos. 29-2009A and 29-14005 are limited to a total combined diversion rate of 2.42 cfs.
3. E55 Right Nos. 29-2009A and 29-14005 are limited to the irrigation of a combined total of 121 acres in a single irrigation season.
4. PIN Parcel Nos. RL25630 and RL2535A

Comments:

1. sclellan 11/7/2013 Proof of beneficial use
Contacted Claimant for additional documentation to verify the use and extent of the well

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Proof Report

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development.

Dates and Other Information

Decreed Date: 6/18/2014
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

Combined Use Limits

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/18/2013	sclellan			Closed
Summary	12/18/2013	sclellan	12/18/2013	sclellan	Closed

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

8/18/2014

Proof Report

Water Right 29-2009A

Owner Type **Name and Address**
 Current Owner MICHELLE STANGER
 2769 CHESTERFIELD RD
 BANCROFT, ID 83217
 (208)648-0822

Current Owner BRIAN STANGER
 2769 CHESTERFIELD RD
 BANCROFT, ID 83217
 (208)221-9406

Priority Date: 10/1/1903

Basis: Decreed

Status: Active

Source
 EIGHTEENMILE CREEK

Tributary
 SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.420 CFS	
	<u>Total Diversion</u>		2.420 CFS	

Source and Point(s) of Diversion

EIGHTEENMILE CREEK NESW Sec. 15, Twp 07S, Rge 39E, CARIBOU County

Place Of Use

IRRIGATION within CARIBOU 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	
07S	39E	15					37.0	30.0	30.0	24.0									121.0

POU Total Acres: 121.0

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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. E51 Right Nos. 29-2009A and 29-14005 are limited to a total combined diversion rate of 2.42 cfs.
4. E55 Right Nos. 29-2009A and 29-14005 are limited to the irrigation of a combined total of 121 acres in a single irrigation season.
5. PIN Parcel Nos. RL25630 and RL2535A

Comments:

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1. sclellan 12/18/2013 POU acres
although the claim was for 113.6 acres the original license listed 76 acres in the E1/2NW. That
would allow this right to match the same acres as claimed in 29-14005. These two rights appear
to represent a common irrigation system and should have matching POUs and acres.

Dates and Other Information

Decreed Date: 6/18/2014
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A