

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73714

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Glenn P. and/or Merri Moradian Phone 208-552-2018

Post Office address 5080 Long Cove Drive, Idaho Falls, ID 83404

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 the reason for the proposed changes We are developing a subdivision on our property and need to provide a fire protection pond.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>22-13580</u>	<u>1/08/1991</u>	<u>0.02 cfs</u>	<u>Diversion to Storage</u>	<u>4/15</u> to <u>10/15</u>
				to
				to
		<u>1.82 af</u>	<u>Storage for Fire Protection</u>	<u>1/1</u> to <u>12/31</u>

2. Total amount of water being transferred 0.02 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	5	5N	4SE	Teton	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals										
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE											
5N	4SE	5		F			WITHDRAWN																						
				L-2																									
										</																			

WITHDRAWN

RECEIVED

JUL 06 2007

Department of Water Resources
Eastern Region

SCANNED

Total Acres AUG 27 2007

73714

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Post Office address 5080 Long Cove Drive, Idaho Falls, ID 83404

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<u> </u>	<u> </u>	<u> </u>	<u>Storage</u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u>1.32 af</u>	<u>Storage for</u>	<u>1/1</u> to <u>12/31</u>
<u> </u>	<u> </u>	<u> </u>	<u>Fire Protection</u>	<u> </u>

2. Total amount of water being transferred 0.02 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Department of Water Resources
Eastern Region

Total Acres

PART 1

6. General Information:

a. Description of diversion system Well, pump and mainline to lined fire pond.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
We are just putting a fire pond on an area previously irrigated.

d. Remarks:
The remaining water right may be sold to specific lot holders in the subdivision or sold outright. Lot owners will drill their own wells for domestic use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/14/2007

WATER RIGHT NO. 22-13580

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLENN P MORADIAN
Current Owner	MERRI MORADIAN 5080 LONG COVE DR IDAHO FALLS, ID 83404 (208) 552-2018
Original Owner	JAMES E HATCH PO BOX 2 DRIGGS, ID 83422 (208)354-8248
Original Owner	STANFORD HUFF PO BOX 483 DRIGGS, ID 83422 (208)354-2333

Priority Date: 01/08/1991
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	04/15	10/15	0.48 CFS	
Total Diversion			0.48 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNE Sec. 05|Township 05N|Range 45E|TETON County

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 Licensed Diversion Capacity: 2.74

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Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	45E	5	2	NWNE 11										
			3	NENW 14										

Total Acres: 25

Conditions of Approval:

1. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 87.5 af for the lands above.
2. 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.
3. 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.

Dates:

Licensed Date: 06/30/1995

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: And

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

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PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.02 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	5	5N	45E	Teton	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	45E	5		1															1
				L-2															

Total Acres 1

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.46 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	5	5N	45E	Teton	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	45E	5		10															24
				L-2															

Total Acres 24

73714

Please dry up the suggested
area drawn below for my
transfer.

Jonathan
8/24/07

Sussex
Rural

NENW

NWNE

N
N
N

900 5

5N 45E

PART 3

CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

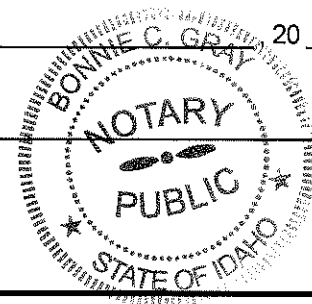
I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature] Cheri Moradian
(Signature of Applicant)

Subscribed and sworn to before me this 10th day of July 20 07.

Bonnie C Gray
(Notary Public)

My commission expires 9/1/12



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee 100

Received by je Date 7/6/07 E038078

Published in Teton Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

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Mitigation Plan
for
Glenn & Merri Moradian

Dear IDWR Representative,

This property will be converted into a subdivision and the local requirements are that a fire protection pond be on site. The surface area of the pond is 0.33 acres and the average depth is 3 feet. The calculation (0.33 acres X 3 feet deep) yields 0.99 acre feet. The CIR from the Allen & Brockway Consumptive use chart for Driggs, ID is 1.89 afa for alfalfa which was dominant on this property according to Glenn Moradian.

Dividing the 0.99 acre feet by the 1.89 afa CIR yields a 0.52 acre requirement that should be dried up as mitigation. Using a 1:1 requirement on the 0.33 surface area of the pond for evaporation yields another 0.33 acres needed.

This total mitigation needed is then 0.52 acres plus 0.33 acres or 1 acre mol.

If there are any questions please contact Harold Jones at 523-7240 or 589-6145 (cell).

State of Idaho
Department of Water Resources

RECEIVED
JUL 07 1995

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

WATER RIGHT NO. 22-07690

Priority: January 8, 1991

Maximum Diversion Rate:

2.74 CFS

This is to certify, that CATHERINE CORREIA
14845 GROVE ST
HEALDSBURG CA 95448

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 8, 1991; and has submitted Proof of Beneficial Use on June 14, 1993. An examination indicates that the works have a diversion capacity of 2.740 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	2.74 CFS	

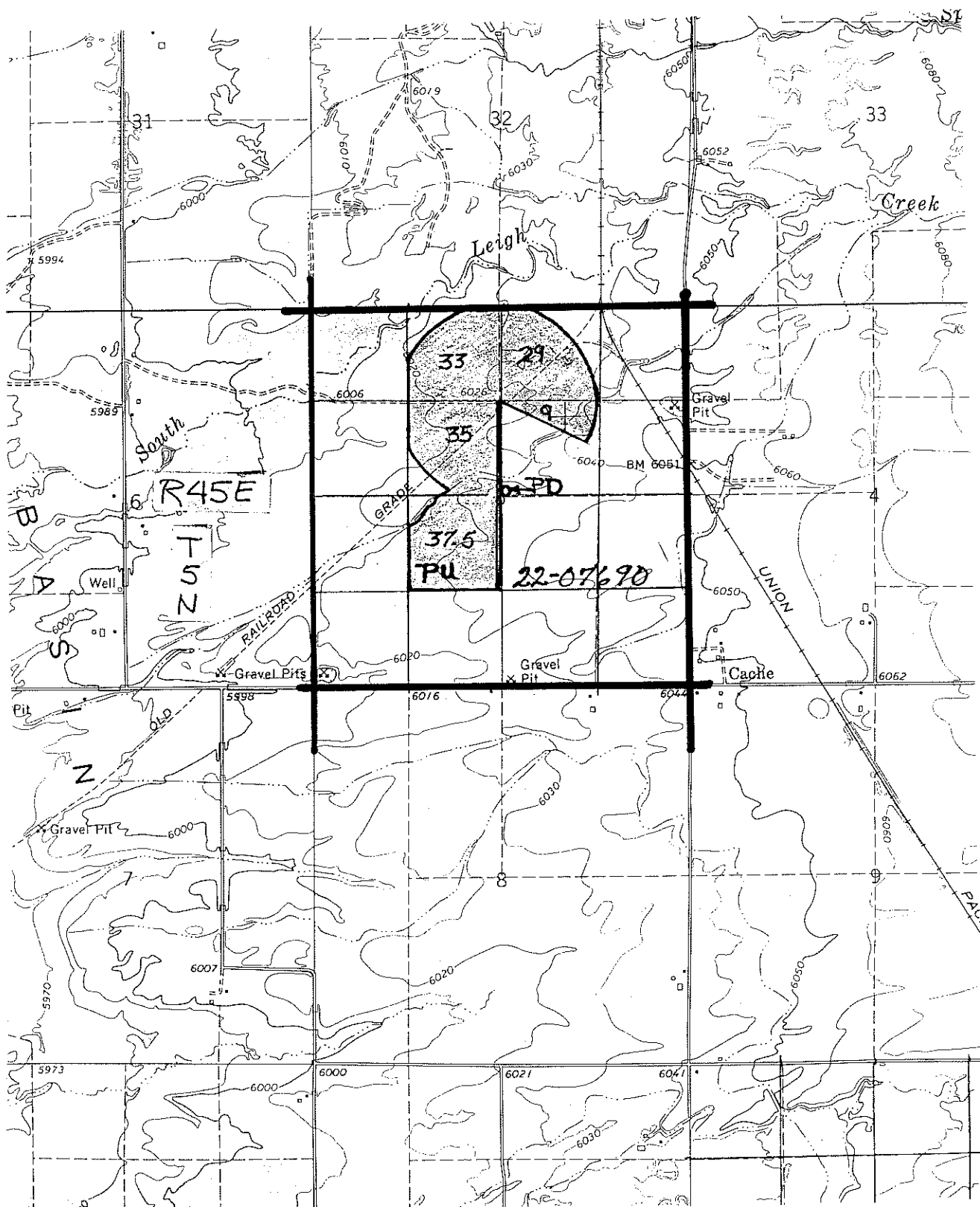
LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 5, Township 05N, Range 45E
TETON County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>				
05N	45E	5	Lot 2 (NWNE) 29	SWNE 9	Lot 3 (NENW) 33	
			SENW 35	NESW 37.5		143.5
Total number of acres irrigated:						143.5

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 502.2 af for the lands ab

ATTACHMENT T 73714
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T 73714
ATTACHMENT 3 OF 5

22-7690



June 29, 2007

Dr. Glenn P. & Merri Moradian
5080 Long Cove Dr.
Idaho Falls, Idaho 83404

Re: Water Rights Allotments for Proposed Grand Teton Ranch Development, Teton County, Idaho.

The information contained herein was developed utilizing information contained in the conceptual (preliminary) plat for the proposed development and Water Rights report 22-13580 of the Idaho Department of Water Resources.

Water right .02 cfs per acre not to exceed 87.5 acre-feet. Area involved - 25 acres located in Section 5, Township 5 North, Range 45 East of the Boise Meridian.

11 acres located in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

14 acres located in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

Based upon preliminary information from the conceptual plat the following land will not be subject to irrigation after the development has been completed.

Northwest $\frac{1}{4}$, Northeast $\frac{1}{4}$

Roadway (public and private)	2.68 acres
Building Footprints @ 2500 sq. ft/lot x 8 =	0.46 acres
Firewater Pond (surface area) 93 x 153 =	<u>0.33 acres</u>
Total non-irrigated	3.47 acres

Northeast $\frac{1}{4}$, Northwest $\frac{1}{4}$

Roadway	2.02 acres
Building Footprints @ 2500 sq. ft/lot x 7 =	<u>0.40 acres</u>
Total non-irrigated	2.42 acres

Total area to be non-irrigated =	5.89 acres
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Ellsworth & Associates, PLLC

253 1st Street P.O. Box 1822
Idaho Falls, Idaho 83403
(208) 522 5414 Fax (208) 523 2614

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ATTACHMENT 4 OF 5

Water availability for fire system and/or other water feature uses.

$87.5 \text{ acre feet} \div 25 = 3.5 \text{ acre-feet/acre}$

$5.89 \text{ acres} \times 3.5 \text{ acre feet} = 20.6 \text{ acre-feet available.}$

Fire Pond Requirements:

Average evaporation rate (365 days) $\frac{1}{4}$ "/day = 7.6 feet/year.

Based on USDA Zone Designations.

Allowable seepage rate (365 days) $\frac{1}{8}$ "/day = 3.8 feet/year.

Based on state regulations for lined sewage treatment ponds.

Total potential loss = 11.4 feet

Pond area = $141 \times 81/43,560 = 0.26 \text{ acres.}$

Total volume loss $11.4 \times 0.26 = 3 \text{ acre-feet } \pm.$

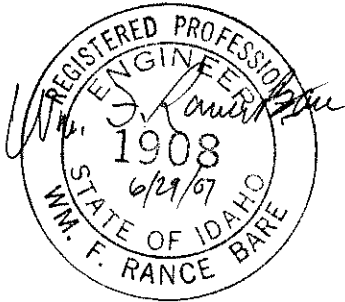
There is a surplus of 17.6 acre-feet of available water for water features or other water items based on the conception plat layout.

If there should be any questions please do not hesitate to call.

Yours Truly,



Rance Bare



Ellsworth & Associates, PLLC

253 1st Street P.O. Box 1822

Idaho Falls, Idaho 83403

(208) 522 5414 Fax (208) 523 2614

T 73714
ATTACHMENT 5 OF 5