

STATE OF IDAHO
WATER RESOURCE BOARD

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FEB 15 2023

Department of Water Resources

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANKDesignated Applicant Moran Trust, Veronica D. Moran Water Right No. 37-21232
(Select one owner - see item 1.A on the application) Trustee (One water right per application)

Is this application being submitted with a rental application as a lease/rental package?

Yes ☒ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Applications that do not meet the minimum requirements will not be processed and may be returned or denied.

MINIMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

Yes

☒ Completed Application to Sell or Lease a Water Right to the Water Supply Bank.☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.☒ Confirmation this form has been printed single sided, per requirement of the Water Supply Bank.

Attachment N/A Yes

1A ☒ ☐ Signatures and contact information for *all owners* of the water right to be leased or sold on this application.1B ☒ ☐ An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.1C ☒ ☐ Notice of Change in Water Right Ownership form (accessible from www.idwr.idaho.gov).1D ☒ ☐ Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.2 ☐ ☒ Description of a water right portion offered to the Water Supply Bank.3 ☐ ☒ A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.4A ☒ ☐ Written consent from irrigation district or water delivery company.4G ☐ ☒ Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount \$

Received By:

Date Received:

Receipt #

W-9 received? Yes ☐ No ☐

(Route W-9 to Fiscal)

Name on W-9:

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SUPPORT DATA

IN FILE # 37-21232

withdrawn

COPY

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

- A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Moran Trust, Veronica D. Moran, Trustee

Mailing Address 14306 S. Prairie Dawn Ln. Herriman UT 84096
Street City State Zip Code

Email Address Veronica.moran@protonmail.com Phone Number (208)309-5184

☒ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☒
If no, complete the form and attach to this application (Attachment 1B).

- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

- D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☒
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☒ A part of the water right is being offered to the Bank.

If a portion of the water right is being offered, complete Attachment 2.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

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APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

- A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).
If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to [Section 42-108, Idaho Code](#) and [IDAPA WSB Rule 37.02.03.25.02e](#).
- B. Please provide a description of the current water diversion and delivery system.
Owned pump house
- C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 and 37-21238
- D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☒ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.
- E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☒
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.
- F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Annual Volume = 3.5 acre-feet per year
- G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☒
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See [Section 42-223, Idaho Code](#) for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.
- H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? Yes ☐ No ☒
If yes, describe.

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APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

- A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?
If lease, specify the years when the use of water will be suspended: 2023 to 2025 (maximum lease period 5 calendar years).
(Year) (Year)
- B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
\$500 amount is to recover the fee application

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Moran Trust,
Veronica D. Moran, Trustee
Signature of Designated Applicant

Moran Trust,
Veronica D. Moran, Trustee
Printed Name

2/7/2023
Date

Signature of Authorized Representative

Printed Name

Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

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Department of Water Resources

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. <u>Water Right Number</u>	<u>Nature of Use</u>	<u>Leased Rate</u> (cfs)	<u>Leased Volume</u> (af)	<u>Leased Acres</u> (ac)
37-21232	Irrigation	0.035	7 AF	2
	Total Amounts:			

2. Source of water Big Wood River tributary to Malad River

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
01N	18E	2	1	NW	NE	NE	Blaine

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11/1/14
doug
(858) 777-1111

CERTIFICATE OF TRUST

The undersigned trustees hereby certify the following:

1. This Certificate of Trust relates to the **MORAN TRUST** DATED JULY 28, 2014 (the "trust") created by trust agreement (the "trust agreement").
2. The names of the settlors are MATTHEW EMMET MORAN and VERONICA DALILA MORAN.
3. The names of each original trustee are MATTHEW EMMET MORAN and VERONICA DALILA MORAN. This authority is provided by the following provision in the Declaration of Trust:

"We hereby designate ourselves as the primary trustees of this trust. As long as both of us are alive, either or both of us may exercise dominion and control over any and all of the trust assets EXCEPT the assets specifically categorized as separate property of either of us by community property agreement. Each individual spouse shall have the sole right of dominion and control over any and all of the trust assets classified as separate property of that spouse by community property agreement. Upon the death of one of us, except as otherwise limited under Article Two of this living trust, the survivor of us shall act as primary trustee of this trust with full power and authority to deal with any and all assets of this trust, including community assets or individual assets of either of us, in any manner that said survivor sees fit."

4. The name and address of each trustee empowered to act under the trust agreement at the time of the execution of this Certificate of Trust are:

Primary Trustee: MATTHEW EMMET MORAN
11024 Fallcrest Way
San Diego, California 92126

Primary Trustee: **VERONICA DALILA MORAN**
11024 Fallcrest Way
San Diego, California 92126

Successor Trustee: KARLA J. ROJO
11024 Fallcrest Way
San Diego, California 92126

First Alternate: RUBY ROJO DE DIAZ
13979 Haystack Peak Cir.
Riverton, Utah 84096-6453

Authority of the successor trustee(s) is provided by the following provisions in the Declaration of Trust:
"We designate KARLA J. ROJO as the successor trustee of this trust. Our successor trustee is to assume the duties as trustee hereunder upon the resignation of both of us or the survivor of us, the death of the

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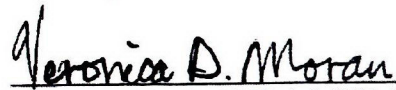
AUG 10 2023

survivor of us, the disappearance of both of us or the survivor of us, or if both of us or the survivor of us is certified in writing to be incompetent as provided under Article Five of this Declaration of Trust. Except as otherwise specified within the provisions of this Declaration of Trust, in the event of the incompetency or resignation of both of us or the survivor of us, our successor trustee is to use the income and assets of this trust exclusively for our health, education, support, and maintenance, and the health, education, support, and maintenance of our dependents.

If KARLA J. ROJO is unable or unwilling to act as successor trustee, we designate RUBY ROJO DE DIAZ as successor trustee to serve with all rights and responsibilities given to the original successor trustee."

5. The trustee(s) are authorized by the trust agreement to have all the rights, powers and authority to deal with and manage the assets of this trust that an individual owner would have if there were no trust and the trustee(s) were acting as legally competent individual(s) dealing with their own property. This includes, but is by no means limited to the right to borrow against or pledge any of the trust assets, including the right to mortgage real estate and margin stocks or other securities owned by the trust. This includes all powers now or hereafter conferred upon trustee(s) by applicable state law, and also those powers appropriate to the orderly and effective administration of the trust.
6. The undersigned hereby represent that the statements contained in this Certificate of Trust are true and correct, and that there are no other provisions in the trust agreement or amendments to it that limit the powers of the trustee(s) to sell, convey, pledge, mortgage, lease, manage, operate, control, transfer title, divide, convert, allot, or sell upon deferred payments trust property, including real and personal property, that would create liability for any third party relying on this document as authorization for trustee(s)' authority.
7. This trust has not been revoked, modified, or amended in any manner which would cause the representations in this certification of trust to be incorrect. This Certificate of Trust is being signed by all currently acting trustees of the trust.


MATTHEW EMMET MORAN


VERONICA DALILA MORAN

SUBMITTED
AUG 10 2023

State of California
County of San Diego

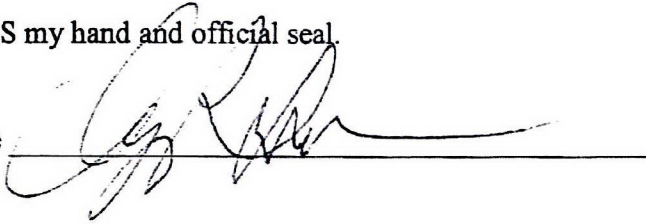
)
)

On July 28, 2014 before me, Douglas R. Irwin, Notary Public, personally appeared MATTHEW EMMET MORAN and VERONICA DALILA MORAN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

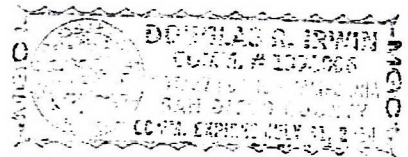
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

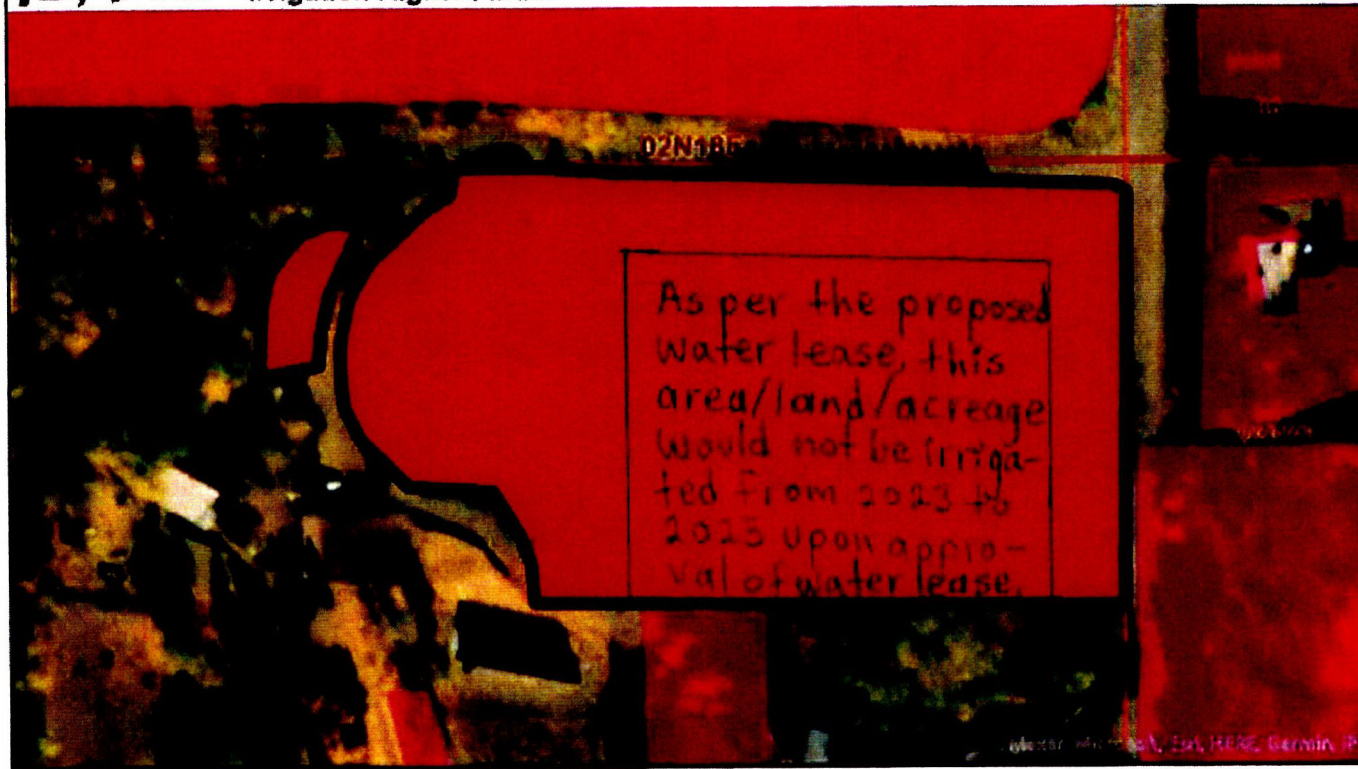


This instrument was drafted by
Douglas R. Irwin, Attorney-at-Law
12520 High Bluff Drive Suite 220, San Diego, California 92130

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Attachment 3

IDAHO Department of Water Resources
Irrigation Rights Finder



Legend

- Water Right Place of Use
- Recommendation Place of Use
- Water Permit Place of Use
- Irrigation Company

Search type: Identify



State of Idaho
Department of
Water Resources
322 East Front Street
Boise, Idaho 83720-0098
Phone: (208) 28-4800
Fax: (208) 287-6700


Scale: 1" = 110 feet

Search Results

Water Right Number	Process	Owner
37-21238	Water Right	MORAN TRUST
37-21228	Water Right	MORAN TRUST
37-21230	Water Right	MORAN TRUST
37-21232	Water Right	MORAN TRUST
37-21234	Water Right	MORAN TRUST
37-21236	Water Right	MORAN TRUST

The black border on the map marks the boundary of irrigation right 37-21238

Disclaimer: Shapes represent an approximation of the water right extent. Please review each water right of interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800).

AUG 10 2023



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 30, 2023

VERONICA D MORAN
14306 S PRAIRIE DAWN LN
HERRIMAN UT 84096

RE: WITHDRAWAL OF APPLICATION #2598 TO RENT WATER FROM THE WATER SUPPLY BANK AND APPLICATION(S) TO LEASE WATER RIGHT NOS. 37-21228, 37-21230, 37-21232, 37-21234, 37-21236 & 37-21238 TO THE WATER SUPPLY BANK

Dear Applicant:

Per your written request via email on May 23rd, 2023, the Department of Water Resources (Department) acknowledges your intent to withdraw your Application to Rent Water from the Water Supply Bank and your Application to Lease Water to the Water Supply Bank. Therefore, the department is returning your applications.

Please note the forfeiture period is not tolled unless a right is accepted into the Bank, or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. If forfeiture is a concern, you may consider filing an Application for Extension of Time to Avoid Forfeiture of a Water Right form. This and other water right forms are available from the Department's web site at www.idwr.idaho.gov.

If you wish to lease or rent water in the future, please reapply using new forms from the Department's website at www.idwr.idaho.gov. If you have any questions regarding this matter, please contact me at (208) 287-4822.

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosure: Rental Applications #2598
Lease Application #2599

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