

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Randy + Jill Wanner

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 <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☐ #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

RECEIVED

AUG 26 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Randy + Jill Wanner Phone 208-851-0670
Mailing address 1008 E 4800 S, Preston, ID 83263 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 Parker Hariland Phone 435-609-9970
Mailing address 2610 W 2000 S, Lewiston, UT 84320 Email parker@teberoncarroll.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.

Randy Wanner
Signature of Applicant or Authorized Representative

Randy Wanner
Print Name and Title if applicable

8-21-24
Date

Jill Wanner
Signature of Applicant or Authorized Representative

Jill Wanner
Print Name and Title if applicable

8-21-24
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
☐ Add diversion point(s)
☐ Change period of use
☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

reallocating water (acres) on ground to accommodate pivot

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
☒ ☒	13-2161	2.78/437.50	Irrigation	4/1 to 11/1	Woam Creek
☒ ☐	13-314	97 Ac-Ft	Irrigation Storage	1/1 to 12/31	Woam Creek
☒ ☐	13-314	97 Ac-Ft	Irrigation from Storage	4/1 to 11/1	Woam Creek
☒ ☐	13-227	0.56/214 Ac	Irrigation	4/1 to 11/1	Unnamed drain
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.50 cfs and/or 748.50 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.16 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

$$58 \text{ Acres} \div 125 \times 2.5$$

- ☐ 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	2S		8	38		20		12	28	7					12			125
Total Acres (for irrigation use)																			125

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:

monitored by water master. meter can be installed upon request

- b. Who owns the property at the point(s) of diversion? Randy + Jill Wanner

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:

Removing water on existing ground & placing on neighboring plot to utilize pivot & water efficiency

- 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:

non-Applicable because the property is not within Cub River Irrigation Company

- 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:

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

- Right Number: _____

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

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/26/2024

Water Right 13-227

Owner Type **Name and Address**
Current Owner RANDY WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Current Owner JILL WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Priority Date: 4/1/1943

Basis: Decreed

Status: Active

Source
UNNAMED DRAIN

Tributary
WORM CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.500 CFS	214.0 AF
	<u>Total Diversion</u>		0.500 CFS	214.0 AF

Source and Point(s) of Diversion:

UNNAMED DRAIN SENW Sec. 25, Twp 16S, Rge 39E, FRANKLIN County

Place of Use:

IRRIGATION within FRANKLIN 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
16S	39E	25					35.5	30.0	16.0	33.0	10.5								125.0

POU Total Acres: 125.0

Conditions of Approval:

1. X35 Rights 13-227 and 13-2161 when combined shall not exceed a total diversion rate of 2.50 cfs.
2. X35 Rights 13-227, 13-314 and 13-2161 when combined shall not exceed the irrigation of 125 acres.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

IDAHO DEPARTMENT OF WATER RESOURCES

8/26/2024

Proof Report

5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/26/2024

Water Right 13-314

Owner Type **Name and Address**
Current Owner RANDY WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Current Owner JILL WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Priority Date: 3/9/1965

Basis: Decreed

Status: Active

Source
WORM CREEK

Tributary
CUB RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	1 /01	12/31		97.0 AF
IRRIGATION FROM STORAGE	4 /01	11/01		97.0 AF
	<u>Total Diversion</u>			97.0 AF

Source and Point(s) of Diversion:
WORM CREEK SWNW Sec. 25, Twp 16S, Rge 39E, FRANKLIN County

Place of Use:
IRRIGATION STORAGE within FRANKLIN 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
16S	39E	25					X	X	X	X									

IRRIGATION FROM STORAGE within FRANKLIN 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
16S	39E	25					35.5	30.0	16.0	33.0	10.5								125.0

POU Total Acres: 125.0

Conditions of Approval:

1. X35 Rights 13-227, 13-314 and 13-2161 when combined shall not exceed the irrigation of 125 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/26/2024

2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

8/26/2024

Proof Report

Water Right 13-2161

Owner Type **Name and Address**
 Current Owner RANDY WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Current Owner JILL WANNER
 1008 E 4800 S
 PRESTON, ID 83263-5672

Priority Date: 3/7/1952

Basis: Decreed

Status: Active

Source
 WORM CREEK

Tributary
 CUB RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.180 CFS	437.5 AF
	Total Diversion		2.180 CFS	437.5 AF

Source and Point(s) of Diversion:

WORM CREEK SENW Sec. 25, Twp 16S, Rge 39E, FRANKLIN County

Place of Use:

IRRIGATION within FRANKLIN 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	
16S	39E	25					35.5	30.0	16.0	33.0	10.5								125.0
																			POU Total Acres: 125.0

Conditions of Approval:

1. X35 Rights 13-227 and 13-2161 when combined shall not exceed a total diversion rate of 2.50 cfs.
2. X35 Rights 13-227, 13-314 and 13-2161 when combined shall not exceed the irrigation of 125 acres.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

IDAHO DEPARTMENT OF WATER RESOURCES

8/26/2024

Proof Report

5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SESE 23 SESW 24 SWSE SESE

NENE NWNW NENW NWNE NENE

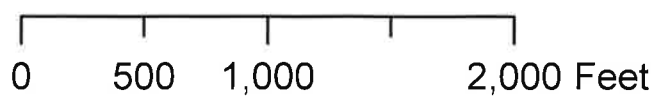
26 SENE SWNW 25 SWNE SENE

NESE NWSW NESW NWSE NESE

16S39E

The USDA-FSA Aerial Photography Field office asks to be credited in derived products

 Proopsed Place of Use
 Water Right POU
 Township/Range
 Sections
 QQ



September 3, 2024

Re: Water Transfer of Place of Use Water Right # 13-2161, 13-314, 13-227

To Whom it May Concern:

This is to confirm that Parker and Alexis Haviland are aware and in support of the application to change the place of use as outlined in the application of transfer for Randy and Jill Wanner to accommodate an irrigation pivot.

Sincerely,

A handwritten signature in black ink, appearing to read 'Parker Haviland', with a stylized, cursive script.

Parker Haviland

A handwritten signature in black ink, appearing to read 'Alexis Haviland', with a stylized, cursive script.

Alexis Haviland