

BURLEY IRRIGATION DISTRICT

Helping You Grow Since 1918

246 E 100 S
Burley, ID 83318
Office: (208) 678-2511

Intra-District Water Transfer Policy and Authorization

The Burley Irrigation District Board of Directors authorizes limited intra-district transfers of annual water allotments between assessed lands within the District. All transfers are subject to the conditions, limitations, and approval of the District as set forth below.

Transfer Policy

1. Common Ownership

A landowner may distribute (“pool”) their annual water allotment among lands they own within the Burley Irrigation District, provided:

- All lands are assessed by the District.
- The total annual water allotment for all owned lands is not exceeded.
- The lands receiving the transferred water are eligible to receive irrigation water under District policy.
- No authorization form is required for transfers between lands under the same ownership.

2. Rented Property

A renter may transfer water between property they rent and property they own or rent within the District only when:

- The owner of the land from which the water is being transferred provides written authorization.
- Both the landowner(s) and renter(s) personally sign this authorization.
- No proxy, agent, representative, or power of attorney signatures will be accepted.
- The total annual water allotment is not exceeded.
- The transfer is approved by Burley Irrigation District.

If the total allotment is exceeded, the landowner of record shall be responsible for all excess water charges.

Eligibility Requirements

To qualify for an intra-district water transfer:

- Water may only be transferred from land that is currently irrigated or capable of being irrigated and has an active annual water allotment.
- Water transfers are subject to the physical limitations of the District and canals.
- Water generally may not be transferred from lands that are not presently being irrigated or are devoted to non-irrigated uses. Such transfers may be allowed occasionally at the discretion of the board.
- Examples of ineligible lands include, but are not limited to:
 - Feedlots
 - Gravel pits
 - Roads and rights-of-way
 - Building sites
 - Equipment yards
 - Industrial or commercial sites
 - Any other lands not actively irrigated

Owners of these types of properties may use the annual water allotment associated with those parcels **only on irrigated lands they personally own within the Burley Irrigation District that are held in the same ownership name**. Such allotments shall not be transferred to rented property, leased property, or lands owned by another individual, partnership, corporation, or legal entity.

Subleased Property

Water allotments associated with **subleased, sub-rented, or otherwise reassigned rental property are not eligible** for transfer under this policy. Only the record landowner and the direct renter identified in the lease agreement with the landowner may participate in an authorized transfer.

Signatures Required

All requests must bear the original signatures of:

- Owner of the property from which the water is being transferred.
- Every renter involved in the transfer.

No proxy signatures, agent signatures, electronic authorizations, or powers of attorney will be accepted unless specifically authorized by the Burley Irrigation District Board of Directors.

District Authority

Approval of an intra-district water transfer is a privilege granted at the discretion of the Burley Irrigation District Board of Directors and is not a vested right.

The Burley Irrigation District reserves the right to approve, deny, modify, or revoke any transfer request that it determines is inconsistent with District policy, Idaho law, sound water management practices, or the equitable administration of water within the District.

Approval of any transfer request shall not establish a precedent or create an entitlement for future transfer requests. The length of time each transfer will be allowed is subject to the discretion of the board.

The Board of Directors may require additional documentation to verify ownership, tenancy, eligibility of lands, or any other information deemed necessary before approving a transfer.

Acknowledgement

We, the undersigned, certify that the information provided herein is true and correct and acknowledge that we have read, understand, and agree to comply with all Burley Irrigation District policies governing intra-district water transfers.

I (We), _____, as owner(s) of land assessed by Burley Irrigation District,

hereby authorize

_____, as renter(s) of our property,

to transfer _____ acre-feet of irrigation water

from Serial No.(s): _____

to Serial No.(s): _____

for the _____ irrigation season.

I understand and agree that if my total annual water allotment is exceeded, I, as the landowner of record, shall be solely responsible for all excess water charges assessed by Burley Irrigation District and agree to pay all such charges in accordance with District policy.

LANDOWNER(S)

Printed Name(s): _____

Signature(s): _____

Date: _____

RENTER(S)

Printed Name(s): _____

Signature(s): _____

Date: _____

BURLEY IRRIGATION DISTRICT

Approved By: _____

Title: _____

Board Approval Date (if applicable): _____

Date Approved: _____