

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A22-02217**
Date Received: 5/28/1991
Receipt No: E016117
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF NEWDALE 208-458-4389
Address: P.O. BOX 70
NEWDALE ID 83436

2. Date of Priority: DEC 9, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	41E	4		NE	NE		FREMONT

5. Description of diverting works:
2 WELLS PIPED TO HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.780		

7. Total Quantity Appropriated is:
1.780 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use
----------	-------	---------	--------	--------	-----	-----

Acres

11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A22-07269

14. Remarks:
TRANS. 2226.
P/U WITHIN CITY LIMITS OF NEWDALE & VICINITY.
TRANS. 4204 / CHANGE P.O.D. 2/8/95 SC

15. Basis of Claim: LICENSE

Water Right Number: 30327

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Water Right Number - 22-02217

Prefix Translation:

WATER RIGHT

Old (D) Number - 30327

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF NEWDALE

1 - PO BOX 70
2 -
3 -
City- NEWDALE
Phone - 208-458-4389

State- ID Zip- 83436

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/09/1961 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
06N	41E	4	NE NE			(65) MADISON		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
40 - MUNICIPAL		01/01	12/31	1.780	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.780

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
Place of use is located within the city limits of Newdale and the surrounding service area.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

NOV 06 1994

RECEIVED

Water right number - 22-02217

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 12/28/1993 User Id: SKAGGS Subject: TRANSFER NO. 4204
Transfer No. 4204 was filed to change the point of diversion from two wells to a single well in a new location under Right No.
22-02217.

+ - - Audit Fields - 03/26/85 05/22/88 CONVERT 08/18/93 SKAGGS 12/28/93 SKAGGS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 03/26/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - E018992	Water District -
Licensed Date - 04/14/1967	Appl Received - 00/00/0000	Transfer/Amended - B
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag - N
Presumption Flag -		

NOV 06 1994

WR0743NP

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02217
Date Received: 5/16/1991
Receipt No: E016117
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF NEWDALE
Address: P.O. BOX 70
NEWDALE, ID

208-458-4389

83436

2. Date of Priority: DEC 9, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	34		SE	SE		FREMONT
		36		SW	SE		FREMONT

5. Description of diverting works:
2 WELLS PIPED TO HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.780		

7. Total Quantity Appropriated is:
1.780 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

A2202217

13. Other Water Rights Used:
A22-07269

14. Remarks:
TRANS. 2226.
P/U WITHIN CITY LIMITS OF NEWDALE & VICINITY.

15. Basis of Claim: LICENSE

Water Right Number: 30327

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Mayer of
City of Newdale Title
Organization, that I have signed the foregoing
document in the space below as Mayer of
City of Newdale Title
Organization and that the statements contained in the
foregoing document are true and correct.

Raymond V. Bunker
Signature of Authorized Agent

Mayer of Newdale
Title and Organization

24 May 1991
Date

State of Idaho)
County of Fremont) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of May 19 91

Susan Lott
Notary Public

-Seal

Residing at Newdick, ID

My Commission Expires 3-94

FEBRUARY 8, 1995

CITY OF NEWDALE
PO BOX 70
NEWDALE ID 83436

RE: TRANSFER

Dear Mr. Mayor

Our office has received notice of your approved transfer #4204 of water right #22-02217. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Sincerely,

Allen B Ruberry
Sr Water Resource Agent
Adjudications Bureau

ABR:sc

Enclosure: Notice of Claim to a Water Right

RECEIVED
NOV 06 1995

- ☒ PULL ORIGINAL ADJUDICATION CLAIM
- ☒ MAKE COPY ORIGINAL TRANSFER APPLICATION
- ☒ GET COPY OF APPROVED TRANSFER
- ☒ PROOF REPORT OF WATER RIGHT FROM "WR"
- ☐ SPLIT RIGHT (YES ☐ NO ☒)
- ☐ NEED CHANGE OF OWNERSHIP (YES ☐ NO ☒)
- ☒ GIVE TO AGENT
- ☒ CHECKED AND DATA ENTERED
- ☒ RECEIVED BACK FROM AGENT
- ☒ SEND LETTER TO CLAIMANT
- ☐ FILE IN "P" FILE 2/8/95

T# 4204

22-02217

RECEIVED

NOV 06 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4204
WATER RIGHT NO. 22-02217

Region Adjud
RECEIVED
JAN 20 1994

This is to certify that: **CITY OF NEWDALE**
PO BOX 70
NEWDALE ID 83436

Department of Water Resources
Eastern District Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	1.78 CFS

SOURCE

GROUNDWATER

Priority: 12/09/1961

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 4, Township 06N, Range 41E
MADISON County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Place of use is located within the city limits of Newdale and the surrounding service area.

Dated this 4th day of

January, 1994

[Signature]
Chief, Water Alloc. Bureau

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4204

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant City of Newdale Phone (208)458-4389

Post Office address P.O. Box 70, Newdale, ID 83436

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes City wishes to take two old wells off line and replace them with one new well.
* Two PDS LISTED. ONLY ONE WILL BE CHOSEN. LOCATION WILL NOT BE KNOWN UNTIL
DELLING COMMENCES. DEN 8-4-93 AS PER ATTACHED LETTER.

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>A22-02217</u>	<u>Dec. 9, 1961</u>	<u>1.780 cfs</u>	<u>Municipal</u>	<u>Jan. 1</u> to <u>Dec. 31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.780 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~~	~~SW~~	~~NW~~	~~34~~	~~7N~~	~~41E~~	~~Fremont~~		
~~NW~~	~~NW~~	~~SE~~	~~33~~	~~7N~~	~~41E~~	~~Fremont~~		
		NE	NE	4	6N	41E	MADISON	AS PER CONVERSATION WITH MARK MUCKAY 8-16-93 1600 HRS PRM

5. Lands irrigated or place of use: City of Newdale, Fremont County, Idaho

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	41E	34													M	M	M	M	
															</				

Total acres _____

PART 1**6. General Information:**a. Description of diversion system 100 hp pump, 8-inch main lineb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

Place of use not changed.

d. Remarks:

City of Newdale, under order from EPA, is seeking a new water source.Florid content in City drinking water does not meet current EPA standards.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

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

Witness my hand this _____ day of _____, 19____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. A22-02217 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Adjudication Notice

3. Source of water Groundwater tributary to _____

4. Date or priority Dec. 9, 1961

5. Water is used for the following purpose:

amount approx. 1.3 cfs for Municipal purposes from Jan. 1 to Dec. 31
(cfs/ac-ft) 1.78 cfs DM
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 1.780 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	34	7N	41E	Fremont	Main St. Well
		SW	SE	36	7N	41E	Fremont	Storage Tank Well

8. Lands irrigated or place of use: City of Newdale, Fremont County, Idaho

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	41E	34													M	M	M	M	

Total acres _____

9. Describe any other water rights used for the same purpose as described above A22-07269 1.52 cfs, groundwater

T7N, R41E Sec. 34, SE, SE, Fremont County

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

yes If yes, describe storage tank well has not been used for more than 10 years.

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 _____ for _____ purposes from _____ to _____
 (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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

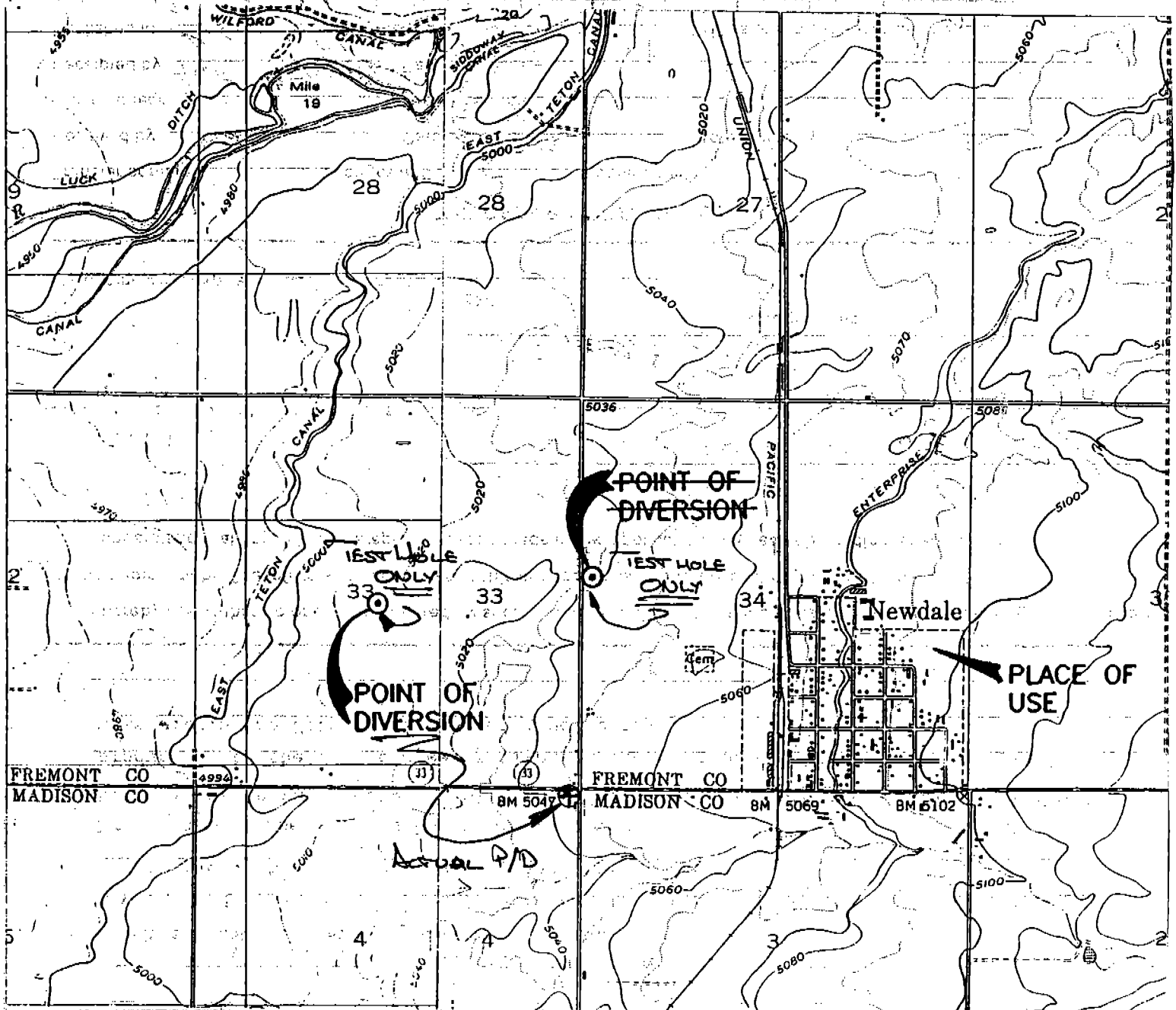
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Municipal</u>	<u>1.780 cfs</u>	<u>12/365/year</u>	<u>Jan. 1 to Dec. 31</u>
				to _____

2. Quantity and quality of return flows and location of discharge:

New well will discharge directly into City water system for municipal use. There is no return flow. Quantity and quality will not change.

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

City wishes to take two wells of line and replace them with one new well which will produce up to the 1.78 cfs water right on record with the State of Idaho. Water uses within the City of Newdale will not 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.

Shayne Hanson
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of July, 19 93.

Susan Latt
(Notary Public)

My commission expires March 1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by RB Date 8-3-93 Protest filed by _____

Prelim. check by _____ Fee \$50^{xx}

Received by #WJ #E08992 Date 8-3-93

Published in Rexburg Standard Journal Copies of protest forwarded by _____

Pub. dates August 26; September 2, 1993 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. by _____

Copy of transfer sent to lien holder _____

FROM G.J. Taylor

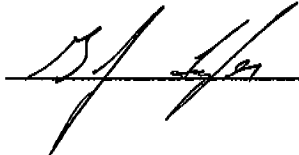
DATE 5-16-91

TO

SUBJECT City of Newdale claims #A22-02217 & A22-07269: Newdale did not receive 1st Round Service according to ML3.

MICROFILMED

OCT 29 1992


SIGNATURE