

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85949

RECEIVED

MAR 28 2022

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) CITY OF OAKLEY

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

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DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant CITY OF OAKLEY Phone (208) 862-3313
 Mailing Address 200 W MAIN
PO BOX 266, OAKLEY ID 83346 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**.

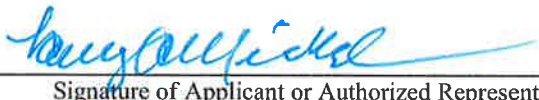
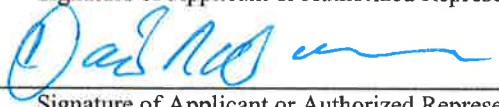
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative David R. Waldron Phone 208-650-5085
 Mailing Address 2438 Raven Ave, Burley ID 83318 Email drwengineering1@outlook.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.

	<u>Larry Mickelsen, Mayor City of Oakley</u>	<u>03/23/2022</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	<u>David R. Waldron, P.E.</u>	<u>03/23/2022</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2659	No	No	No	Yes	No	No
	45-10802	No	No	No	Yes	No	No
	45-10803	No	No	No	Yes	No	No
	45-10804	No	No	No	Yes	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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.2**

Application proposes adding a new well to four municipal water rights in transfer application and adding
1 existing well to 1 water right, so that there will be a total of three wells on all four water rights.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-10802	0.670 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
45-10804	0.440 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
45-2659	0.560 cfs	405.5 af	N/A	N/A		N/A	N/A	N/A	N/A
45-10803	0.450 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

2.120 cfs N/A N/A N/A N/A N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 2.12 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☐ As shown in Part 1.
- ☒ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-10802

Current Water Right Owner
CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 10/27/1904

Origin: Water Right

Basis: Decreed

Status Active

Source: SPRING **Tributary:** SINKS

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	0.670 CFS	
Total Diversion			0.670 CFS	

Source and Point(s) of Diversion:

SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	NESENE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SESE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	SWSESE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
GROUND WATER	SWNE	Sec. 4 Twp 14S Rge 22E CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	NENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENW	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NESE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NWNW	Sec. 14 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 15 Twp 15S Rge 22E CASSIA County
SPRING	NWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SENW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESWNW	Sec. 3 Twp 15S Rge 22E CASSIA County (I)
SPRING	NWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SENENE	Sec. 9 Twp 15S Rge 22E CASSIA County (I)

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 45-2659

Current Water Right Owner
CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 6/23/1961

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	0.560 CFS	405.5 AFA	
Total Diversion			0.560 CFS	405.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 4 Twp 14S Rge 22E	CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E	CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E	CASSIA County

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-10803

Current Water Right Owner
CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 1/1/1930

Origin: Water Right

Basis: Decreed

Status Active

Source: SPRING **Tributary:** SINKS

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	0.450 CFS	
Total Diversion			0.450 CFS	

Source and Point(s) of Diversion:

SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	NESENE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SESE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	SWSESE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
GROUND WATER	SWNE	Sec. 4 Twp 14S Rge 22E CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
GROUND WATER	NWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	NENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NESE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NWNW	Sec. 14 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 15 Twp 15S Rge 22E CASSIA County
SPRING	NWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESWNW	Sec. 3 Twp 15S Rge 22E CASSIA County (I)
SPRING	NWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 9 Twp 15S Rge 22E CASSIA County (I)

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

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
16" casing and well 600 feet deep, pumped through an 8" flow meter and chlorine added. The well will be
in a lockable well house inside of a chain link fence with lockable gate that will be tied into system
with two existing wells.
- b. Who owns the property at the point(s) of diversion
City of Oakley (new well location) BLM (existing well locations)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The City has a long term lease for the points of diversion on BLM property
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A
- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
- f. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 45-10802

Current Water Right Owner

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 10/27/1904

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Source: SPRING Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	0.670 CFS	
Total Diversion			0.670 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SENWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	SESE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	NWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESWNW	Sec. 3 Twp 15S Rge 22E CASSIA County (I)
SPRING	NESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SENENE	Sec. 9 Twp 15S Rge 22E CASSIA County (I)
SPRING	NENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENW	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NWNW	Sec. 14 Twp 15S Rge 22E CASSIA County
GROUND WATER	SENWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	NESENE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SWSESE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SENW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NESE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 15 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.
2. Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

IDaho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. The right holder shall use the full allotment of his surface water right, to the extent it is available, before groundwater is diverted pursuant to this right. The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.
6. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.
10. Place of use is within the service area of the City of Oakley municipal water supply system as provided for under Idaho Law.
11. Approval of transfer 5592 does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 45-10804

Current Water Right Owner
CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 4/1/1895

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRING Tributary: SINKS

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	0.440 CFS	
Total Diversion			0.440 CFS	

Source and Point(s) of Diversion:

SPRING	NENE	Sec. 15 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	NWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 10 Twp 15S Rge 22E CASSIA County
GROUND WATER	SENWSE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	NESENE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SWSESE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SENESE	Sec. 9 Twp 15S Rge 22E CASSIA County (I)
SPRING	SESE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	SENW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENW	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NESE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	NWNW	Sec. 14 Twp 15S Rge 22E CASSIA County
SPRING	NESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESWNW	Sec. 3 Twp 15S Rge 22E CASSIA County (I)
GROUND WATER	SENWSE	Sec. 9 Twp 14S Rge 22E CASSIA County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

IDaho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

3. The right holder shall use the full allotment of his surface water right, to the extent it is available, before groundwater is diverted pursuant to this right. The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.
4. Approval of transfer 5592 does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Place of use is within the service area of the City of Oakley municipal water supply system as provided for under Idaho Law.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.
8. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
9. USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.
10. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
11. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 45-2659

Current Water Right Owner

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 6/23/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	0.560 CFS	405.5 AFA	
Total Diversion			0.560 CFS	405.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SEWNSE

Sec. 9 Twp 14S Rge 22E CASSIA County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Place of use is within the service area of the City of Oakley municipal water supply system as provided for under Idaho Law.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 45-10803

Current Water Right Owner
CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

Priority Date: 1/1/1930

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRING Tributary: SINKS

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	0.450 CFS	
Total Diversion			0.450 CFS	

Source and Point(s) of Diversion:

SPRING	SWSESE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)
SPRING	SENE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NWNW	Sec. 14 Twp 15S Rge 22E CASSIA County
SPRING	SWSW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 10 Twp 15S Rge 22E CASSIA County
GROUND WATER	SENE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	SENE	Sec. 9 Twp 15S Rge 22E CASSIA County (I)
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 10 Twp 15S Rge 22E CASSIA County
SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	SESE	Sec. 33 Twp 14S Rge 22E CASSIA County
SPRING	NWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SWNE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	SESW	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NWSE	Sec. 3 Twp 15S Rge 22E CASSIA County
SPRING	NENE	Sec. 15 Twp 15S Rge 22E CASSIA County
SPRING	SESWNW	Sec. 3 Twp 15S Rge 22E CASSIA County (I)
GROUND WATER	SENE	Sec. 9 Twp 14S Rge 22E CASSIA County
SPRING	SENE	Sec. 33 Twp 14S Rge 22E CASSIA County (R)

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. Place of use is within the service area of the City of Oakley municipal water supply system as provided for under Idaho Law.
2. The right holder shall use the full allotment of his surface water right, to the extent it is available, before groundwater is diverted pursuant to this right. The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

3. USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.
4. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
5. Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of transfer 5592 does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

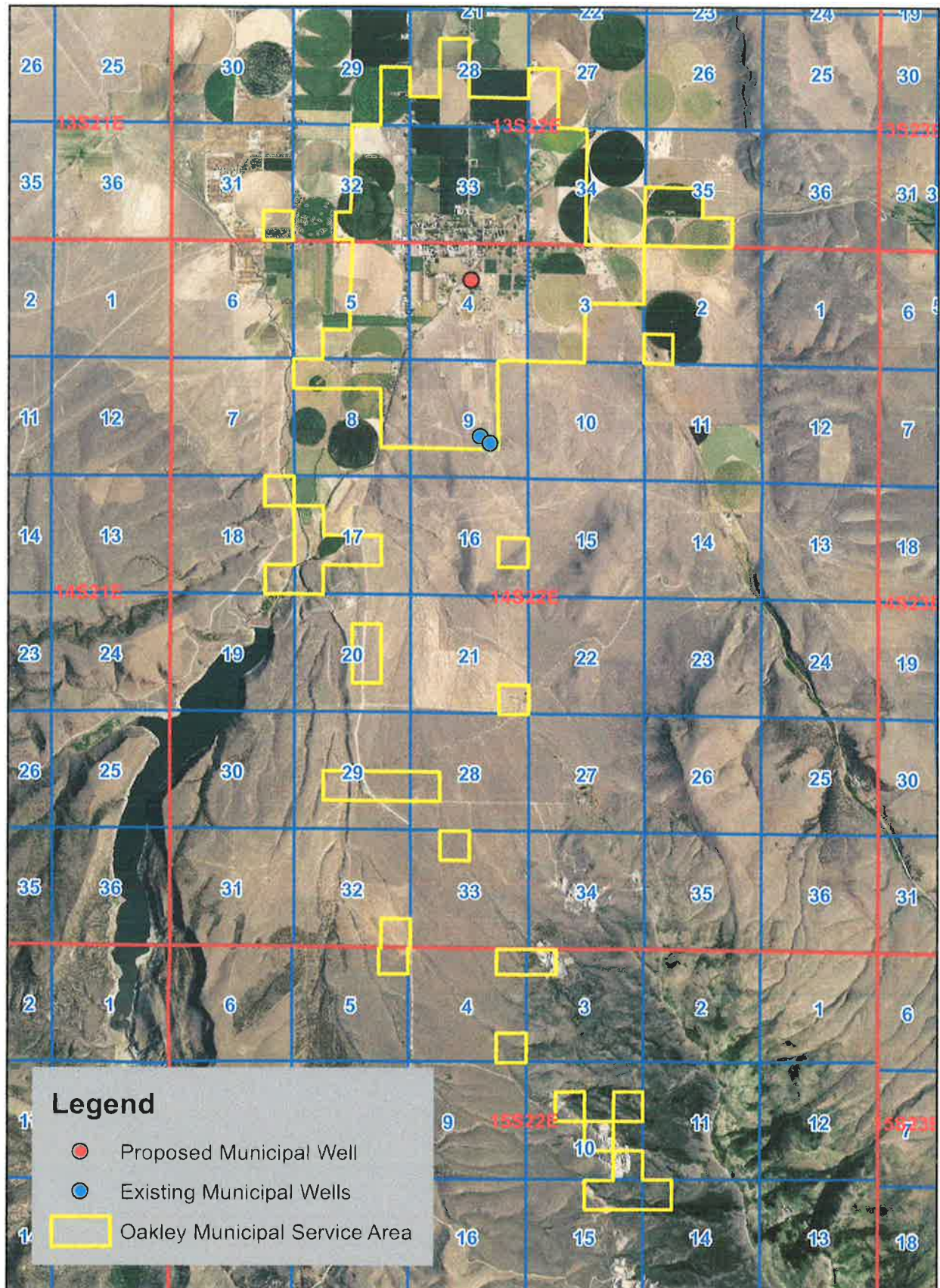
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**

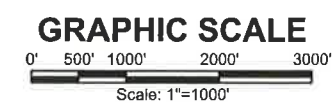
1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

Transfer Contains 16 pages and 3 attachments.
 Received By _____ Date _____ Prelim. Check By _____ Date _____
 Fee Paid \$600.00 Date 3/21/2022 Received By SG Receipt # S039135
 Add'l Fee Paid \$600.00 Date 3/28/22 Received By SG Receipt # S039143

Attachment 7A: POU, Existing & Proposed Wells





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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 21 2022

DEPT. OF WATER RESOURCES
DIVISION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of Oakley Phone 208-431-6090
 2. **MAILING ADDRESS** PO Box 266 City Oakley
 State Idaho Zip 83346 Email oakleypublicworks@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** all of 45-2659 and 0.3313 cfs from 45-10804

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.8913 cubic feet per second and/or 645.35 acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☒ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y		NW	SW	NE	4	14S	22E	Cassia	Groundwater	New Oakley Well
N		SW	NW	SE	9	14S	22E	Cassia	Groundwater	Big Well
N		SE	NW	SE	9	14S	22E	Cassia	Groundwater	Little Well

MAR 21 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

6. 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:

16" casing and well 600 feet deep, pumped through an 8" flow meter and chlorine added. The well will be in a lockable well house inside of a chain link fence with lockable gate

- b. Who owns the property at the point(s) of diversion? City of Burley

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.

☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
 (Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Larry Mickelsen
Signature of applicant or authorized agent

Larry A Mickelsen, Mayor
Print name and title if applicable

10 March 2022
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by SG

Date 3/21/22

Fee paid \$600.00 Date 3/21/22

Received by SG

Receipt # 5039135

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Question 3, Attach copy of water rights
Water Right Number 45-2659

45-02659

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29855/45-2659 Priority June 23, 1961 Amount 0.56 cfs
(gpm)

THIS IS TO CERTIFY, that the Village of Oakley
of Oakley, Idaho, has complied with the terms and conditions of Permit
No. 29855/45-2659 issued pursuant to Application for Permit dated June 23, 1961,
and has submitted proof to the Department of Water Administration on June 20, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.56 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary to _____, is hereby confirmed in the following amounts:
Amount 0.56 cfs for municipal from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
subject, however, to the condition that no more than 0.56 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 Sec. 9, Twp. 14 S, Rge. 22 E, B. M.

in the county of Cassia; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 405.5 acre feet per year ~~or~~

~~XXXXXXXXXXXX~~

Description and location of place of use: Village of Oakley and vicinity.

TWP	RANGE	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 number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of

January, 19 72.


Director

45 2659

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

45-2659

Partial Assignment:
North Oakley Water Co. - 1 c.f.s.
CANCELLED on Jan. 29, 1971

Application No. G- 37869
Permit No. G- 29855
District No.

Partial Assignment
Village of Oakley 3.0
North Oakley Water Co.
Partial Assignment 1.0
Cancelled 4/26/67

1. Name of Applicant: Village of Oakley
Postoffice address: Oakley County: Cassia State: Idaho
2. Quantity of water claimed: 4.0 cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the NW 1/4, SW 1/4, SE 1/4 of the NW 1/4 of the SE 1/4 of Section 9
Twp. 14 S , Rge. 22 E , B.M., County of Cassia
5. Water is to be used for: Municipal Use
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the Village of Oakley and Vicinity
1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Wells, pumps and pipe
8. Estimated cost of works: \$ 12,000
9. (a) Is reservoir to be used? yes
(b) Capacity of reservoir: 100,000 gallons
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Various Rights on water from springs
(a) 4.0 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

A S S I G N M E N T
For Portion of Water Permit

FOR VALUE RECEIVED, the VILLAGE OF OAKLEY, a municipal corporation, situated in Cassia County, Idaho, hereinafter called the Assignor and in consideration of the drought conditions existing, does hereby assign to the North Oakley Water Company, Inc., of Oakley, Cassia County, Idaho, its successors and assigns, hereinafter called the Assignees:

ONE SECOND FOOT of water applied for by the Assignor under and by the provisions of Permit No. G-29855 with the understanding that the said Assignee will be permitted to file upon and make proof of beneficial use of the water of One Second Foot included in said Permit.

The Assignor does hereby relinquish all its interest in and to One Second Foot of water of said Permit.

Authority for this assignment was given by the unanimous resolution of the Village of Oakley Board at a special meeting lawfully held on August 11, 1966.

IN WITNESS WHEREOF, the Chairman of the Board and the Clerk of the Board of the Village of Oakley of Cassia County, Idaho, have hereby set their hands and the seal of the Village of Oakley this 14th day of September, 1966.

VILLAGE OF OAKLEY, A municipal corporation

By /s/ ARTHUR C. BERGENER

Attest:

/s/ WALLACE A. HALE, Clerk

State of Idaho)
) ss
County of Cassia)

On this 14th day of September, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared Arthur Burgener and Wallace A. Hale, known to me to be the Chairman and Clerk respectively of the Village Board of the Village of Oakley, Cassia County, Idaho, a political subdivision of the State of Idaho, that executed the foregoing instrument and acknowledged to me that such Village of Oakley executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

/s/ A.H. NIELSON
Attorney at Law
Notary Public in and for Idaho
Residing at Burley, Idaho

My commission expires: February 20, 1970

AMENDMENT TO POINT OF DIVERSION

Comes now North Oakley Water Company and represents to the State Reclamation Engineer of the State of Idaho that it is the owner (partial) and holder of Permit to appropriate the Public Waters of the State of Idaho, No., G-29855. That the points of diversion is described in said Permit as being located: NW¹/₄NE¹/₄, SW¹/₄NE¹/₄, NW¹/₄SE¹/₄, Sec. 9, T 14 S., R 22 E., B.M. That it now requests that the points of diversion be changed to a points located: The same as listed above plus SW¹/₄SW¹/₄, Section 2, T 14 S., R 22 E., B.M. That the reason for desiring to make such change is as follows: The Village of Oakley ~~Village of Oakley~~ Cassia county, Idaho has assigned to the North Oakley Water Co., 1 c.f.s. of the permit and the North Oakley Water Company desires to drill its own well.

That no one will be injured by such change and that such change will be made at Permit Holder's own risk.
Signed at Burley, Idaho this 27th day of September, 1966.

NORTH OAKLEY WATER COMPANY
/s/ BY RAYMOND DAHLQUIST, President

Date of Receipt at Department of Reclamation: 9-28-66.

APPROVAL OF STATE RECLAMATION ENGINEER OF THE STATE OF IDAHO.

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29855. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
/s/ STATE RECLAMATION ENGINEER

Recorded in book 105 of permits at page G-29855, September 29, 1966.

AMENDMENT TO LAND LIST

Comes now North Oakley Water Company, and represents to the State Reclamation Engineer of the State of Idaho That it is the partial owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29855, and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows: Municipal type use for the owners and users of the North Oakley Water Company under its distribution system. Water for the municipal system is used for culinary purposes to households located within the following described property: Section 2, T 14 S., R 22 E., B.M., T 13 S., R 22 E., B.M., Sections 34, 35, 27, 28, 21, 16, and 9, T 12 S., R 22, Section 27, 33, 34. The village of Oakley has heretofore assigned to the North Oakley Water Company a portion of its above mentioned permit and the North Oakley Water Company wishes to drill its own well and use water in its own system and make its own proof as soon as the water has been put to beneficial use. That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 27th day of September, 1966.

/s/ NORTH OAKLEY WATER COMPANY
By Raymond Dahlquist, President

Date of Receipt at Department of Reclamation: September 28, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for permit to appropriate the Public Waters of the State of Idaho, No. G-29855. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: September 29, 1966.

LICENSE ISSUED FOR 256 SEC. FT.
LICENSE P43 MC.

January 12, 1972

Re: Permit No. 29855/45-2659

C
Village of Oakley
Oakley,
Idaho 83346

Gentlemen:

C
Enclosed herewith is the Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 8663 in the amount of \$5.00 covering the fee.

Sincerely,

P
BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: License
Receipt #8663

45 2659

January 5, 1972

Village of Oakley
Oakley,
Idaho 83346

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 29855/45-2659 and has found the following:

(part)
Quantity of water diverted: 0.56 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.56 c.f.s.

The maximum quantity of water diverted shall not exceed 405.5 acre feet per season.

Beneficial Use: Municipal purposes within the Village of Oakley and vicinity.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 14S, Rge. 22E, B.M.

The priority date established is : June 23, 1961

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

45 2659

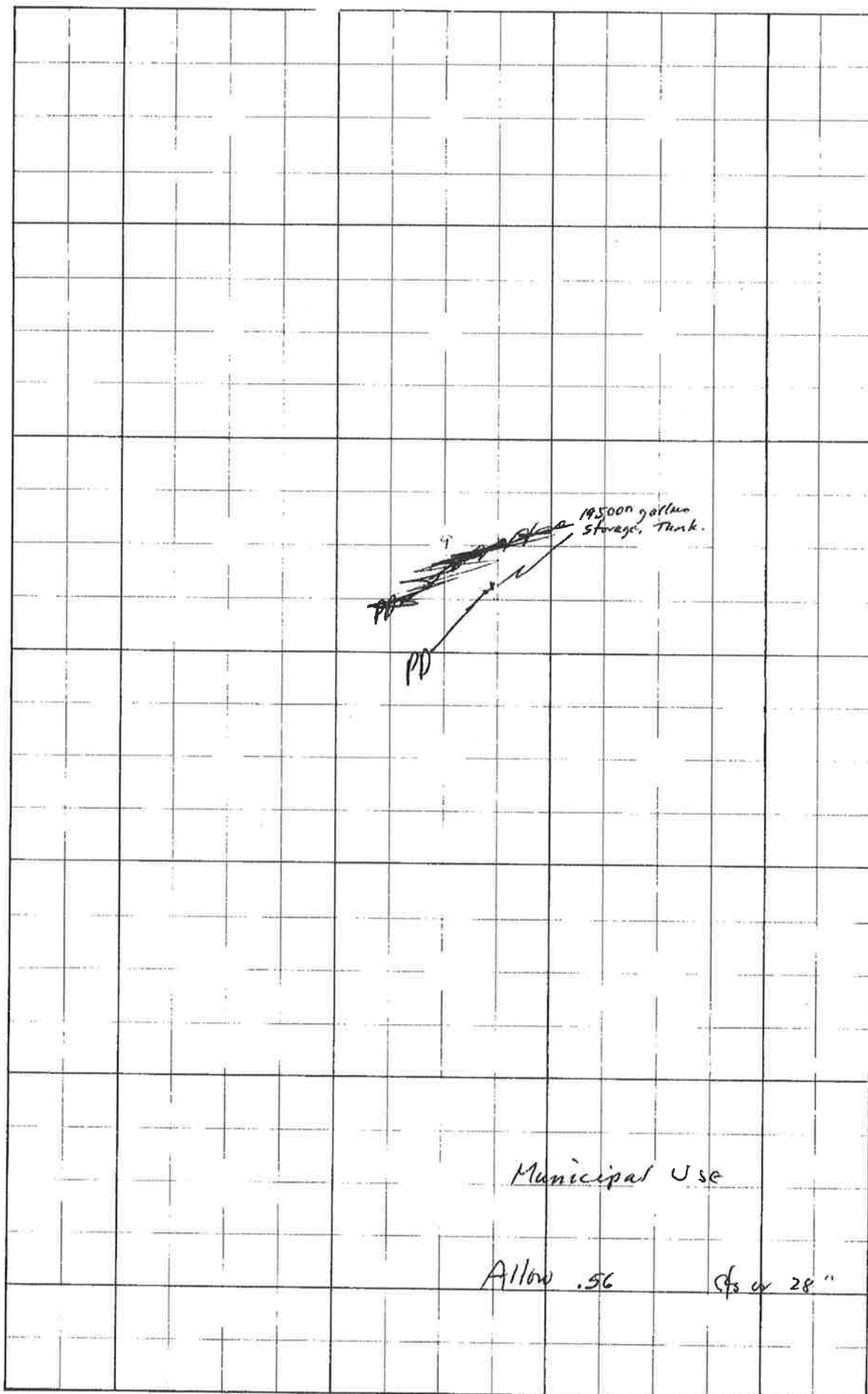
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29855

REPORT ON PROOF OF Completion of Works & Beneficial Use

45 2659



Municipal Use

Allow .56

45 or 28"

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29855 — PART (see assignment to North Oakley Water Co.)

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Arthur C. Bergener Mayor, Village of Oakley

2. Source of water supply: 3 wells

3. Location of point of diversion: Is in the ~~NW~~ ~~SW~~ ~~SE~~ of Section 9

T. 14 S. R. 22 E. B. M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 30 IP US Hallschaft Motor #3140436, Layne & Bowler Pump #28787 (8CL) (270 GPM @ 400' c. 1760 RPM.), 6" discharge 150' into a 195,000 gallon storage tank

5. Water is used for: Municipal use

6. State whether or not water has been turned into works of diversion: 4.25

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Municipal use in Village of Oakley and Vicinity

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: M. R. S. Harper, City Employee along

(Part was assigned to North Oakley Water Co. 2nd Part to be privately later)

Measured over 1' c. up wire = 30' = .56 c. ft.

This examination was made on the 15 day of September, 1966

(Signed) *Eugene Johnson & Jack Barnett*
Examiner.

Arthur C. Bergener, Mayor *OK*
Oakley, Idaho *390' x 10'*
R 3-5-8'
Permit No. G-29855 *(Mississippi)*

Examination for Completion of Works & Beneficial Use

County Cassia
Quantity: 4.0 c.f.s. *Sec. 9 T. 14S R. 22 E., B.M.*

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Source: 3 wells

P.D.: NW¹/₄NE¹/₄, SW¹/₄NE¹/₄, NW¹/₄SE¹/₄, Sec. 9,
T. 14 S., R. 22 E., B.M.

Use: Municipal

Extension:

Protest:

Completion of Works:

Other Rights: Various rights from springs

Filed: June 23, 1961

Due: June 29, 1966
Made: June 20, 1966

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. G-29855/45-2659 part)
IN THE NAME OF NORTH OAKLEY WATER CO.)
_____)

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to submit proof of completion of
works and beneficial use of water due on or before June 29, 1966; and,

WHEREAS, on January 10, 1967, notice was sent to the holder of said
permit to appear before the Director of the Department of Water Administration
on or before March 11, 1967, to show cause why said permit should not be
cancelled; and,

WHEREAS, the holder of said permit has failed to comply with the require-
ments of said permit and has not shown adequate cause why such permit should not
be cancelled;

IT IS THEREFORE ORDERED and Permit G-29855/45-2659 is hereby CANCELLED.

(part)
Dated this 29th day of January, 19 71.


R. KEITH HIGGINSON
Director

45 2659

April 25, 1967

Re: Permit No. G-29855

C
North Oakley Water Co.
Raymond Dahlquist, Pres.
Oakley, Idaho

Gentlemen:

O
Reference is made to Permit No. G-29855 of which 1 c.f.s. was assigned to the North Oakley Water Company from the Village of Oakley in September, 1966. It was pointed out to you at that time that we had forwarded to the Village of Oakley notice that the proof of completion and beneficial use of water was due and also that the Village of Oakley had made proof on that portion of the total 4 c.f.s. which it had developed.

P
Y
By a letter, dated January 10, 1967, you were notified that your portion of Permit No. G-29855 was held for cancellation because you had not made proof. You were given 60 days in which to show cause why such cancellation should not be made. Since we received no notice of intent to make proof or any other information within the 60 day period, we have no choice but to cancel the 1 c.f.s. which was assigned to you. Some other arrangement must now be made by the North Oakley Water Company to cover diversion and use of water from the new well.

If we can be of any assistance to you in this matter please let us know.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

cc Nielson & Nielson
Attorneys at Law
Burley, Idaho

29855

INSTRUCTIONS TO DELIVERING EMPLOYEE		
☐ Show to whom and when delivered	☐ Show to whom, when, and address where delivered	☐ Deliver ONLY to addressee
(Additional charges required for these services)		

RECEIPT

Received the numbered article described below.

REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 17191	1 North Oakley Water Co
IN J NO.	2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Ray A. Dahlquist
DATE DELIVERED 1-12-66	SHOW WHERE DELIVERED (only if requested) 29855

29855

655-10-71649-8 GPO

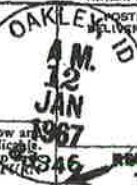
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$750

3811 Oct. 1965

Post Form 3811 Oct. 1965

JAN 13 1967



INSTRUCTIONS: Below are
instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to
of article. Print on front of article RETURN
RECEIPT REQUESTED.

NAME OF SENDER

Ida. Dept of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Barre, Idaho

TO

29855

September 29, 1966

RE: Permit G-29855
Village of Oakley

Nielson and Nielson
Attorney at Law
Burley, Idaho

Gentlemen:

Enclosed are the amendments to land list and point of diversion plus an assignment on the above referenced permit.

Also enclosed is departmental receipt No. G-10899, in the amount of \$2.50 which covers the recording fees for the same.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendments (2)
Assignment
Receipt

29855

\$1.00 received

Application for Amendment

POINT OF DIVERSION

Permit No. *G-29855*

RECEIVED
SEP 28 1966

Department of Reclamation

Comes now North Oakley Water Company and
represents to the State Reclamation Engineer of the State of Idaho:
it is partial

That ~~he is~~ (are) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29855.

That the points of diversion is described in said Permit as being located:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 14 S., Rge 22, E.B.M.

That ~~he~~ ^{it} now requests that the points of diversion be changed to a points
located: The same as listed above plus SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 14 S., Rge. 22 E.B.M.

That the reason for desiring to make such change is as follows: The Village of
Oakley, Cassia County, Idaho, has assigned to the North Oakley Water Company
1 c.f.s. of the permit and the North Oakley Water Company desires to drill its
own well.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Burley, Idaho, this 27th day of Sept. 19 66

NORTH OAKLEY WATER COMPANY

By Raymond Dahlquist Pres.

Date of Receipt at Department Of Reclamation: September 28, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~XXXXXXXXXXXX~~ State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29855. This approval constitutes a new
permit and is issued as an amendment to the original permit, to which it refers and of
which it becomes a part, and said application is approved only insofar as the rights of
others will not be adversely affected thereby.

Recorded in Book 105 of
Permits, at Page G-29855
September 29, 1966

R. Keith Higgins
State Reclamation Engineer

29855

Application for Amendment

LAND LIST

Permit No. G-29855

RECEIVED
SEP 28 1966
Department of Reclamation

Comes now North Oakley Water Company, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That ~~the~~ ^{it} ~~is~~ ^{partial} owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho, No. G-29855, and requests that the list of lands to be irrigated,

as described in said permit, be changed to read as follows: Municipal type use
for the owners and users of the North Oakley Water Company under its distribution
system. Water for the municipal system is used for culinary purpose to households
located within the following described property: Section 2, Twp. 14 S. Rge 22, E.B.M.
Twp 13 S, Rge 22, E.B.M. Sections 34, 35, 27, 28, 21, 22, 16 and 9. Twp. 12 S.,
Rge. 22, Sections 27, 33, 34.

The Village of Oakley has heretofore assigned to the North Oakley Water Company
a portion of its above mentioned permit and the North Oakley Water Company wishes to
drill its own well and use the water in its own system and make its own proof
as soon as the water has been put to beneficial use.

, making a total of xxxxxxxxxxxxxxxxxx

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at Burley, Idaho this 27th day of September, 1966

NORTH OAKLEY WATER COMPANY

By Raymond Oakley Pres

Date of receipt at office of Department of Reclamation September 28, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29855. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

R. Keith Higgins
State Reclamation Engineer

Recorded: September 29, 1966.

29 855

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

September 27, 1966

TELEPHONE
678-5574

RECEIVED
SEP 28 1966

Department of Reclamation

Mr. M. Russell Bosch
Office Manager
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit G-29855, Village of Oakley

Dear Mr. Bosch:

In the above matter we are sending, which we hope have been properly filled out, the Application for Amendment, Point of Diversion and the Application for Amendment, Land List, together with our check for \$2.50, and together with the assignment from the Village of Oakley acknowledged by me.

We hope these are now all in order.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb
Encl.

29855

7-29855

September 20, 1966

RE: Permit G-29855
Village of Oakley

A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Returned herewith is your application for permit in connection with the North Oakley Water Company.

Since we have an assignment from the Village of Oakley for part of their permit, G-29855, the application is not required. Also, no new permits can be granted in this area. The North Oakley Water Company will have to amend their share of the permit changing the point of diversion and also the land list. We have partially completed both amendment forms and they should be completed and returned with a \$2.00 fee (\$1.00 each amendment for recording).

The assignment form was not notarized and there is a \$.50 recording fee for this also.

Enclosed is your \$5.00 check. Please complete the two amendment forms, notarize the assignment and return your check in the amount of \$2.50.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw
Encl: Assignment
Amendment forms (2)

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

September 16, 1966

RECEIVED
SEP 19 1966

Department of Reclamation

State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Gentlemen:

At the request of the North Oakley Water Company, we are sending application for permit together with our check for \$5.00 for filing fee.

You will remember that this is the organization that met with you some time ago in our conference room here at our office and, at which time, you suggested that there be an assignment made from the Village of Oakley. This assignment has been made after a special meeting called for that purpose and the original assignment is enclosed.

If there is any additional information you need before you pass on the application, would you please let us know.

Very truly yours,

NIELSON & NIELSON



A. H. Nielson

AHN:nb
Encl.

RECEIVED
SEP 19 1966
Department of Reclamation

September 16, 1966

State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Gentlemen:

At the request of the North Oakley Water Company, we are sending application for permit together with our check for \$5.00 for filing fee.

You will remember that this is the organization that met with you some time ago in our conference room here at our office and, at which time, you suggested that there be an assignment made from the Village of Oakley. This assignment has been made after a special meeting called for that purpose and the original assignment is enclosed.

If there is any additional information you need before you pass on the application, would you please let us know.

Very truly yours,

NIELSON & NIELSON

A. H. Nielson

AHN:nb
Encl.

Department of Reclamation

RECEIVED
SEP 19 1966

ASSIGNMENT OF PORTION OF WATER PERMIT

FOR VALUE RECEIVED, the VILLAGE OF OAKLEY, a municipal corporation, situated in Cassia County, Idaho, hereinafter called the Assignor and in consideration of the drought conditions existing, does hereby assign to the NORTH OAKLEY WATER COMPANY, INC., of Oakley, Cassia County, Idaho, its successors and assigns, hereinafter called the Assignee:

ONE SECOND FOOT of water applied for by the Assignor under and by the provisions of Permit No. G-29855 with the understanding that the said Assignee will be permitted to file upon and make proof of beneficial use of the water of One Second Foot included in said permit.

The Assignor does hereby relinquish all its interest in and to One Second Foot of water of said permit.

Authority for this assignment was given by the unanimous resolution of the Village of Oakley Board at a special meeting lawfully held on August 11, 1966.

IN WITNESS WHEREOF, the Chairman of the Board and the Clerk of Board of the Village of Oakley of Cassia County, Idaho, have hereby set their hands and the seal of the Village of Oakley this 14th day of September, 1966.

VILLAGE OF OAKLEY, a municipal corporation

ATTEST:

Wallace A. Hale
Clerk

By Arthur B. Burgener
Chairman

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 14th day of September, 1966, before me, the undersigned, a Notary Public in and for said State, personall appeared Arthur Burgener and Wallace A. Hale, known to me to be the Chairman and Clerk respectively of the Village Board of the Village of Oakley, Cassia County, Idaho, a political subdivision of the State of Idaho that executed the foregoing instrument and acknowledged to me that such Village of Oakley executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission Expires
Feb 20, 1970

A. Nielson
Notary Public in and for Idaho
Residing At: Burley, Idaho

NIELSON & NIELSON
ATTORNEYS AT LAW
P. O. Box 367
BURLEY, IDAHO

29855

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

[illegible]

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Village of Oakley
Address Oakley Idaho

Owner's Permit No. 629855

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

12 1/2" Diam. from 1 ft. to 340 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.

Thickness of casing: 250 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of perforator used:

Size of perforations: " by "
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

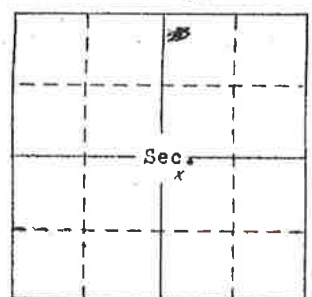
CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☐ No ☐ To what depth? ft. Material used in seal:

Did any strata contain unusable water? Yes ☐
No ☒ Type of water:
Depth of strata ft. Method of sealing strata off:

Surface casing used? Yes ☒ No ☐

Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County Blaine
NW 1/4 Sec. 9 T. 14 N. R. 22 E.

Size of drilled hole: 12" Total depth of well: 415 Standing water level below ground: 358 Temp. Fahr. ° Test delivery: gpm or cfs Pump? ☐ Bail ☐ Size of pump and motor used to make test: No test made at last time drilled the well Length of time of test: Hrs. Min. Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure: Controlled by: Valve ☐ Cap ☐ Plug ☐ No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH	MATERIAL	WATER YES OR NO
FROM	TO	
FEET	FEET	
0	3	Dirt NO
3	28	Boulders + clay
28	70	Clay
70	93	Boulders
93	130	Clay + rocks
130	281	Gravel + clay
281	310	Gravel
310	365	Clay
365	371	Brown sandstone, rock chips + clay
371	383	Red sandstone
383	415	Red chertite YES

Work started:
Work finished:
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge
Name: Boley Henry W. Leach
Address: Mustang Idaho
Signed by: Boley Henry W. Leach
License No. 86 Date: 14 Aug 1967

Use other side for additional remarks

29855

Re: Permit No. G-29855

July 6, 1966

Arthur C. Bergener, Mayor
Village of Oakley
Oakley, Idaho

Dear Mr. Bergener:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Burley Herald Bulletin~~ all submitted in proof of completion of works and beneficial use on Permit No. G-29855.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Deputy State Reclamation Engineer

RKH:mr

29855

JUN 22 1986

BURLEY, IDAHO

) SS:

Total Cost

29855

RECEIVED
JUN 22 1966

Department of Reclamation

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schraam, being first
duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing
with the issue dated April 11, 1966, and
ending with the issue dated May 12, 1966.

Subscribed and sworn to before me this

11th day of May, 1966

Notary Public

Cost of Publication

Notary fee

Total Cost

LEGAL NOTICES

66-123

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June 1966, at Oakley, County of Cassia, State of Idaho, before Wallace A. Hale, Notary Public, at Oakley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-20825, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is Village of Oakley, Oakley, Cassia County, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 cubic feet per second.

3. The use to which said water has been applied is Municipal Use purposes and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is NW 1/4 NE 1/4 SW 1/4 NE 1/4 of Sec. 9, Twp. 14 S., Rge. 22 E.B.M.

5. The place where said water is used is Village of Oakley and vicinity.

6. The date of priority which said user is prepared to establish is June 23rd 1961.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin April 18, 25, May 2, 9, 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29855

RECEIVED
JUN 22 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Arthur C. Bergener, Oakley, Farmer, Oakley, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Village of Oakley, Mayor

Ques. 3. State number, approval date of permit, and date of priority: Application #37869 G

Permit G-29855 June 29, 1961, June 23, 1961.

Ques. 4. State source of water supply: Subterranean

Give location of point of diversion, showing subdivision, section, township and range

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 14 South, Range 22 E.B.M. (Cassia County)

Ques. 5. Describe your works of diversion: Storage Tank, Wells, Pump and Pipes

Oakley Village Water System, _____; state amount of water they are capable of conveying from point of diversion to place of use: 4.0 Cfs _____; Give name of canal or ditch

or other works by which water is conducted to such place of use: Oakley Water System

_____; if a well, state depth of well 415 feet _____; depth and size of

casing 390 feet 10 inch _____; depth to water 358 _____; if pump is used,

state discharge of pump: _____; tell how it was measured or determined volume

by time _____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Municipal Use

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Arthur C. Bergener

29855

D

State nature of all improvements which have been made as a direct result of said use:

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Belev. Henry and Weesh, Murtaugh, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Permit Map #29855 of June 29, 1961

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Election

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June, 1961 - Time used since first use:

Each year - less in winter months

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Spring water

VILLAGE OF OAKLEY

(sign) Arthur L. Bergener
Chairman of Board

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Oakley, County of Cassia
State of Idaho, on this 20th day of June, A. D. 1966.

My commission expires: May 12th 1968

Notary Public Residing at Oakley, Idaho
My Commission Expires May 12, 1968

29855

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 29855

* * * * *

RECEIVED
JUN 22 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

R. Golden Harper, 58, Oakley, City Marshal, Oakley, Idaho

Ques. 2 Are you acquainted with Village of Oakley, the holder of
Permit No. G 29855 ? How long have you known him and where does he reside?

Ques. 3. Have you read or heard said Permit No. G 29855 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW1/4, SW1/4 and NW1/4 of Section 9, Township 14 South, Range 22 E.B.M. (Cassia County)

Describe works for conveying water to place of use:

Storage Tank, Wells, Pump and Pipes

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.0 Cfs How much water have you seen being so
conveyed? 200 Inches

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

for municipal use

29855

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

for municipal use

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? Water Superintendent for Village & Water user

Ques. 10. When did you first see this water used? June, 1961

Other times you have seen such use: Each year since 1961

(Signed):

R. Edward Thompson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Oakley

_____, County of Cassia, State of Idaho, on this 26th day of June, A. D. 1966

Wallace A. Hale

Notary Public for the State of Idaho

Residing Oakley

My commission expires May 12th 1968

29855

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G29855

RECEIVED
JAN 22 1966
Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Raddden Layton, 61, Oakley, Elevator Manager, Oakley, Idaho

Ques. 2 Are you acquainted with Village of Oakley, the holder of
Permit No. G 29855 ? How long have you known him and where does he reside?

Ques. 3. Have you read or heard said Permit No. G 29855 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

NW1/4, SW1/4 and NW1/4 of Section 9, Township 14 South, Range 22 E.B.M. (Cassia County)

Describe works for conveying water to place of use:

Storage Tank, Wells, Pump and Pipes

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.0 Cfs. How much water have you seen being so
conveyed? 200 inches

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

For Municipal Use

29855

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

for municipal use

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? Village board member & water user

Ques. 10. When did you first see this water used? June, 1961.

Other times you have seen such use: Each year since 1961

(Signed):

Laddow Lipton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Oakley, County of Cassia, State of Idaho, on this 20th day of June, A. D. 1966

Wallace A. Hale

Notary Public for the State of Idaho

Residing

Oakley

My commission expires May 12th 1968

29855

LEGAL NOTICES

66-129

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of June 1966, at Oakley, County of Cassia, State of Idaho before Wallace A. Hale, Notary Public, at Oakley, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29835, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Village of Oakley, Oakley, Cassia County, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 cubic feet per second.

3. The use to which said water has been applied is Municipal Use purposes and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is NW 1/4, NE 1/4, SW 1/4, NW 1/4 of Sec. 6, Twp. 14 S., Rgc. 2 E., B.M.

5. The place where said water is used is Village of Oakley and Vicinity.

6. The date of priority which said user is prepared to establish is June 23rd 1961.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin April 18, 25, May 2, 9, 1966.

Re: Permit No. **G-29855**
Village of Oakley

April 11, 1966

Wallace A. Hale
Clerk, Village of Oakley
Oakley, Idaho

Dear Mr. Hale:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-29855**, in the name of **Village of Oakley**. Final Proof is to be made before you, as Notary on the **20th** day of **June**, 19 **66**, at **xxxxxx** o'clock **xxxxx**, at **Oakley, Idaho**, Idaho.

As of this date, we have mailed the Notice to the **Burley Herald Bulletin**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

XXXXXXXXXXXXXXXXXXXX
JOHN L. EDNA P. ROLE
XXXXXXXXXXXX
Chief Clerk
M. Russell Bosch
Office Manager

Encl.
EPR:pmk
cc: Applicant

29855

Re: Permit No. G-298⁵⁵~~5~~

April 11, 1966

**Herald-Bulletin
Burley, Idaho**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 20, 1966. The expense of the publication is to be paid by Village of Oakley of _____ to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29855

RECEIVED
APR 11 1966
8:00 A.M.
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 10 A.M.~~ on the 20th day of June, 1966, at Oakley, County of Cassia, State of Idaho before Wallace A. Hale, Notary Public, at (address) Oakley Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29855, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Village of Oakley Oakley Idaho
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 cubic feet per second.
3. The use to which said water has been applied is Municipal Use, purposes and the amount applied to beneficial use is 4.0 cubic feet per second. NW 1/4 NE 1/4 SW 1/4 NE 1/4
4. The point of diversion of said water is NW 1/4 of SE 1/4 of Sec 9 Twp. 14S. Rge 22E B.M.
5. The place where said water is used is Village of Oakley and Vicinity
6. The date of priority which said user is prepared to establish is June 23rd 1961

State Reclamation Engineer
29855

D

RECEIVED
APR 11 1966
8:00 A.M.
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 8th 1966
(P. O.) Oakley Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Herald-Bulletin of
Burley Cassia Co Idaho Published in
the county in which the works are situated.

Village of Oakley
by Wallace A Hale
Clerk

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

29855

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

April 4, 1966

Re: Permit No. G -29855

Village of Oakley
Oakley, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-29855 are due not later than June 29, 1966

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29855

February 1, 1963

RE: Permit No. G-29855
Village of Oakley

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is departmental receipt No. G-7690 in the amount of
\$2.75 covering the fee for making the copies of the above
numbered permit which were previously mailed to you.

Very truly yours,

GEN. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

29855

January 29, 1963

RE: Permit No. G-29855

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are two copies, one certified, of Permit No. G-29855
which you requested.

The fee for making the copies is \$2.75 which you may remit
to this office.

Very truly yours,

G. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EMR:mr

Enc. copies of permit

29855

July 10, 1961

Re: Permit No. G-29855

Village of Oakley,
Oakley, Idaho.

Gentlemen:

We enclose Permit No. G-29855 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-6101, which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit, was given to you at the time you were in the office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

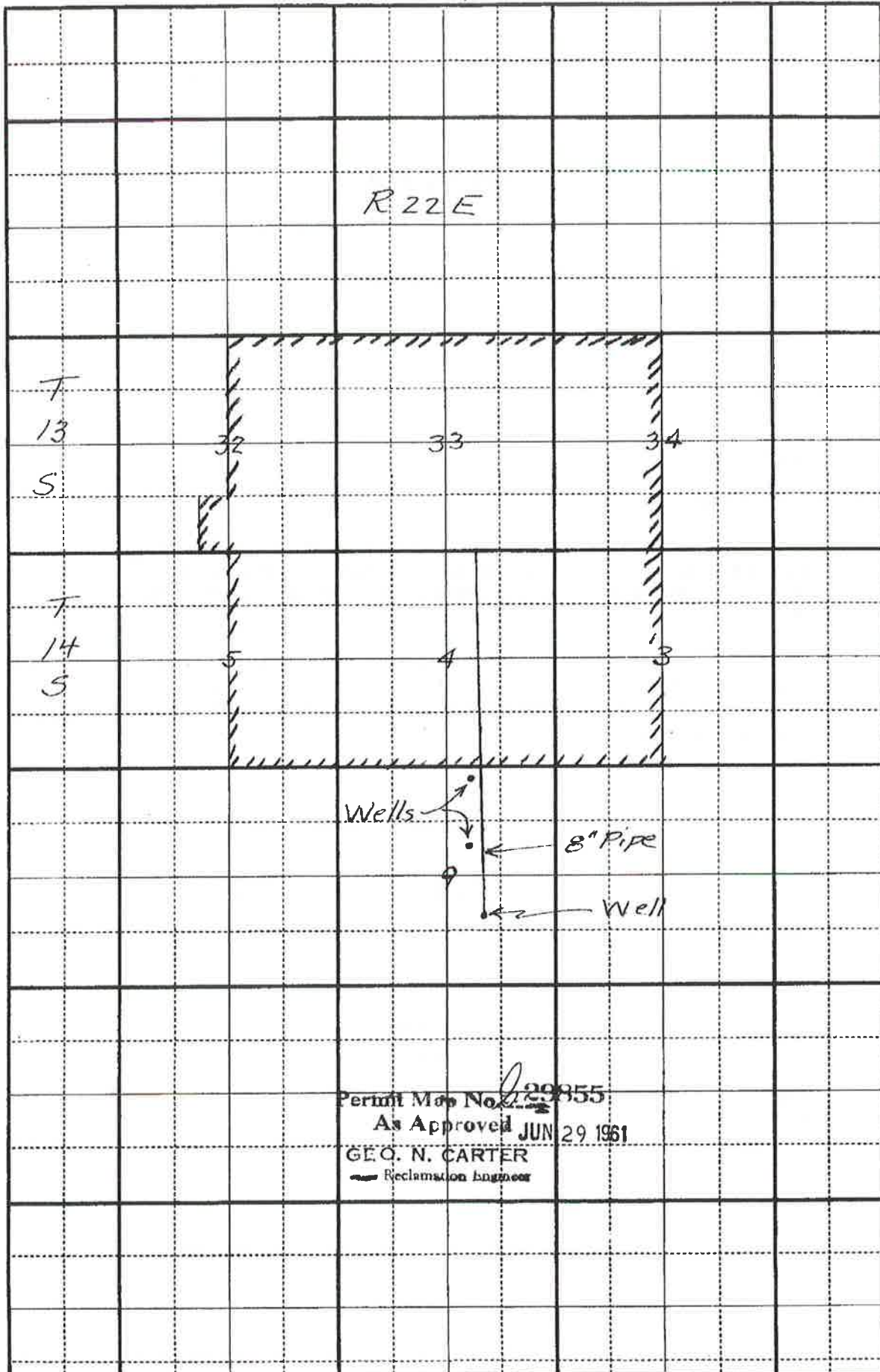
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

29855

NAME OF APPLICANT Vine of Oakley

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

29855

Question 3, Attach copy of water rights
Water Right Number 45-10804

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 45-10804
Date Received: 5/24/1989
Receipt No: M003691
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY ID USA 83346

Phone: (208)862-3313

2. Date of Priority: 03/17/1925

3. Source: SPRING , SPRING , SPRING , SPRING , SPRING , GROUND WATER , SPRING ,
SPRING , SPRING , SPRING , SPRING , SPRING , SPRING , SPRING , SPRING ,
SPRING , SPRING , SPRING , SPRING , SPRING , SPRING , GROUND WATER Trib. to: SINKS
, SINKS , SINKS , SINKS , SINKS , , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS ,
SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
15S	22E	15	NE	NE		CASSIA	
14S	22E	33	SE	NE		CASSIA	
15S	22E	3	NW	NE		CASSIA	
15S	22E	3	SW	NE		CASSIA	
15S	22E	10	SW	NE		CASSIA	
14S	22E	9	SE	NW	SE	CASSIA	
14S	22E	33	NE	SE	NE	CASSIA	R
14S	22E	33	SW	SE	SE	CASSIA	R
15S	22E	9	SE	NE	NE	CASSIA	I
14S	22E	33	SE	SE		CASSIA	
15S	22E	3	SE	NW		CASSIA	
15S	22E	3	SW	SW		CASSIA	
15S	22E	3	SE	SW		CASSIA	
15S	22E	3	NW	SE		CASSIA	

15S	22E	3	SW	SE	CASSIA	
15S	22E	10	NE	NE	CASSIA	
15S	22E	10	SE	NE	CASSIA	
15S	22E	10	SE	NW	CASSIA	
15S	22E	10	NE	SE	CASSIA	
15S	22E	14	NW	NW	CASSIA	
15S	22E	3	NE	SW	CASSIA	
15S	22E	3	SE	SW	NW	CASSIA I
14S	22E	9	SE	NW	SE	CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	1/01	12/31	0.44	

7. Total Quantity Appropriated is:
0.44 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER APPROVED TRANSFER # 5592.

TWO (WELLS) POINTS OF DIVERSION LOCATED IN T14S, R22E, S9, SENWSE.

Place of use within service area of the City of Oakley, Idaho.

The combined rate of diversion from the well and the springs shall not exceed a total of 1.56 cfs of water with as much water as available being first diverted from the springs. The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.

Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.

Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5592
WATER RIGHT NO(S). 45-10802/45-10803/45-10804

RECEIVED

JUL 05 2000

Department of Water Resources
Southern Region

This is to certify that: CITY OF OAKLEY
CITY HALL
OAKLEY ID 83346

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>
Right No. 45-10802 :		
MUNICIPAL	01/01 to 12/31	0.67 CFS
Priority: 03/10/1917		
Right No. 45-10803 :		
MUNICIPAL	01/01 to 12/31	0.45 CFS
Priority: 01/01/1930		
Right No. 45-10804 :		
MUNICIPAL	01/01 to 12/31	0.44 CFS
Priority: 03/17/1925		
TOTAL:		1.56 CFS

SOURCE

SPRINGS
GROUNDWATER

TRIBUTARY OF

SINKS

LOCATION OF POINT(S) OF DIVERSION:

SENWSE , Sec. 9, Township 14S, Range 22E ✓
SENE , Sec. 33, Township 14S, Range 22E ✓
SESE , Sec. 33, Township 14S, Range 22E ✓
NWNE , Sec. 3, Township 15S, Range 22E ✓
SWNE , Sec. 3, Township 15S, Range 22E ✓
SENW , Sec. 3, Township 15S, Range 22E ✓
NESW , Sec. 3, Township 15S, Range 22E ✓
SWSW , Sec. 3, Township 15S, Range 22E ✓
SESW , Sec. 3, Township 15S, Range 22E ✓
NWSE , Sec. 3, Township 15S, Range 22E ✓
SWSE , Sec. 3, Township 15S, Range 22E ✓
NENE , Sec. 10, Township 15S, Range 22E ✓
SWNE , Sec. 10, Township 15S, Range 22E ✓
SENE , Sec. 10, Township 15S, Range 22E ✓
SENW , Sec. 10, Township 15S, Range 22E ✓

TRANSFER NO. 5592
WATER RIGHT NO(S). 45-10802/45-10803/45-10804

LOCATION OF POINT(S) OF DIVERSION:

	NESE , Sec. 10, Township 15S, Range 22E ✓
	NWNW , Sec. 14, Township 15S, Range 22E ✓
	NENE , Sec. 15, Township 15S, Range 22E ✓
Injection	SESWNW , Sec. 3, Township 15S, Range 22E ✓
Injection	SENE , Sec. 9, Township 15S, Range 22E ✓
Rediversion	NESENE , Sec. 33, Township 14S, Range 22E ✓
Rediversion	SWSSE , Sec. 33, Township 14S, Range 22E ✓

CASSIA County

PLACE OF USE: Within service area of the City of Oakley, Idaho.

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7. The combined rate of diversion from the well and the springs shall not exceed a total of 1.56 cfs of water with as much water as available being first diverted from the springs. The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.
8. Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.
9. Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 29th day of June, 2000.

J. M. Saylor
Chief, Water Allocation Bureau

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: **A45-10804**
Date Received: 5/24/1989
Receipt No: M003691
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF OAKLEY 208-862-3313
Address: CITY HALL
OAKLEY ID 83346

2. Date of Priority: APR 1, 1895

3. Source: SPRINGS Trib. to: SINKS
GROUNDWATER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	22E	9	SE	NW	SE		CASSIA
15S	22E	14		NW	NW		CASSIA
		15		NE	NE		CASSIA

5. Description of diverting works:
GRAVITY PIPELINES FROM 8 SPRINGS AND SPRINGBOXES, 1 WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		
STOCKWATER	01/01	12/31	0.440		
DOMESTIC	01/01	12/31	0.250		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL/ CITY OF OAKLEY;DOMESTIC/30 HOMES;STOCKWATER/4000 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	27	NW		SW		STOCK	
			NW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
		28	SE		NW		DOMEST	
			NE		SW		STOCK	
			NE		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			SW		SE		DOMEST	
			SW		SE		STOCK	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		29	NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		31	SW		SW		STOCK	
			SE		SW		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		32	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		33	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	34	NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
14S	22E	3	NW		NE	2	STOCK	
			NW		NE	2	DOMEST	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
		4	NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		5	NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		STOCK	
			SE		SW		DOMEST	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		6	NE		NE		STOCK	
			NW		NE		STOCK	
			NE		NW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	22E	6	NW		NW		STOCK	
		8	NE		NE		STOCK	
			NE		NE		DOMEST	
			NW		NE		STOCK	
			NW		NE		DOMEST	
			SE		NE		STOCK	
			SE		NE		DOMEST	
			NE		NW		STOCK	
			NW		NW		STOCK	
			NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		9	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			NW		SW		STOCK	
		16	NE		SE		STOCK	
		17	SW		NW		STOCK	
			SW		NW		DOMEST	
			NW		SW		STOCK	
			NW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
		18	NE		NE		STOCK	
			NE		NE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		20	SW		NE		STOCK	
			NW		SE		STOCK	
		21	SE		SE		STOCK	
			SE		SE		DOMEST	
		28	NW		SW		STOCK	
		29	NE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
		32	SE		SE		STOCK	
		33	NE		SW		STOCK	
15S	22E	3	NW		NW	4	DOMEST	
		4	NE		NE	1	STOCK	
			SE		SE		STOCK	
		5	NE		NE	1	STOCK	
		10	SE		NE		STOCK	
			SE		NW		STOCK	
			SE		NW		DOMEST	
			NW		SE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15S	22E	10	SE	SE		DOMEST	
		14	NW	NW		STOCK	
			NW	NW		DOMEST	
		15	NE	NE		STOCK	
			NE	NE		DOMEST	
			NW	NE		DOMEST	
		22	NW	SE		DOMEST	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A45-04184A, A45-10802, A45-10803

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE SPRING WATER WHICH SERVICES THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED IS FOR THE ENTIRE SYSTEM. THESE SPRINGS ARE HIGHEST UPSTREAM AND CAN SUPPLY WATER BY GRAVITY TO THE ENTIRE PIPELINE NETWORK. BENEFICIAL USE RIGHTS A45-04184A, A45-10802 AND A45-10803 ALSO CONTRIBUTE WATER TO THE SYSTEM BUT SINCE THEY FLOW INTO THE SYSTEM BY GRAVITY ALSO AND THEIR CONNECTIONS TO THE SYSTEM ARE LOWER IN ELEVATION THEY CAN ONLY SERVE PORTIONS OF THE SYSTEM.

CLAIM AMENDED TO DELETE THREE 40 ACRE TRACTS ALL WITHIN 14S 22E SEC 9 (STOCKWATER USE) BLM INDICATED THAT NO STOCKWATER TANKS ACTUALLY EXIST WITHIN THOSE TRACTS. KKC 8-31-99

15. Basis of Claim: BENEFICIAL USE

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 Foreman Title of
City of Oakley Organization, that I have signed the foregoing
document in the space below as Foreman Title of
City of Oakley Organization and that the statements contained in the
foregoing document are true and correct.

Daniel N. Bullitt
Signature of Authorized Agent

Foreman / City of Oakley
Title and Organization

8/31/99
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of Aug 19 99

Kelly L. Christensen
Notary Public

Seal

Residing at Twin Falls ID

My Commission Expires 3-11-04

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: A45-10804
Date Received: 5/24/1989
Receipt No: M003691
Received By: ADM

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF OAKLEY 208-862-3313
Address: CITY HALL
OAKLEY ID 83346

2. Date of Priority: APR 1, 1895

3. Source: SPRINGS Trib. to: SINKS
GROUNDWATER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	22E	9	SE	NW	SE		CASSIA
15S	22E	14		NW	NW		CASSIA
		15		NE	NE		CASSIA

5. Description of diverting works:
GRAVITY PIPELINES FROM 8 SPRINGS AND SPRINGBOXES, 1 WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		
STOCKWATER	01/01	12/31	0.440		
DOMESTIC	01/01	12/31	0.250		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL/ CITY OF OAKLEY; DOMESTIC/30 HOMES; STOCKWATER/4000 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	27	NW		SW		STOCK	
			NW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
		28	SE		NW		DOMEST	
			NE		SW		STOCK	
			NE		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			SW		SE		DOMEST	
			SW		SE		STOCK	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		29	NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		31	SW		SW		STOCK	
			SE		SW		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		32	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		33	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		34	NE		NW		MUNI	

MICROFILMED
OCT 28 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
13S	22E	34	NW		NW		MUNI		
			SW		NW		MUNI		
			SE		NW		MUNI		
			NE		SW		MUNI		
			NW		SW		MUNI		
			SW		SW		MUNI		
			SE		SW		MUNI		
14S	22E	3	NW		NE	2	STOCK		
			NW		NE	2	DOMEST		
			NE		NW	3	MUNI		
			NW		NW	4	MUNI		
			SW		NW		MUNI		
			SE		NW		MUNI		
			NE		SW		MUNI		
			NW		SW		MUNI		
			SW		SW		MUNI		
			SE		SW		MUNI		
			4	NE		NE	1	MUNI	
				NW		NE	2	MUNI	
		SW			NE		MUNI		
		SE			NE		MUNI		
		NE			NW	3	MUNI		
		NW			NW	4	MUNI		
		SW			NW		MUNI		
		SE			NW		MUNI		
		NE			SW		MUNI		
		NW			SW		MUNI		
		SW			SW		MUNI		
		SE			SW		MUNI		
		5	NE		SE		MUNI		
			NW		SE		MUNI		
			SW		SE		MUNI		
			SE		SE		MUNI		
			NE		NE	1	MUNI		
			NW		NE	2	MUNI		
			SW		NE		MUNI		
			SE		NE		MUNI		
			SE		SW		STOCK		
			SE		SW		DOMEST		
			NE		SE		MUNI		
NW			SE		MUNI				
6	SW		SE		MUNI				
	SE		SE		MUNI				
	NE		NE		STOCK				
	NW		NE		STOCK				
8	NE		NW		STOCK				
	NW		NW		STOCK				
	NE		NE		STOCK				
	NE		NE		STOCK				

MICROFILMED
OCT 28 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	22E	8	NE		NE		DOMEST	
			NW		NE		STOCK	
			NW		NE		DOMEST	
			SE		NE		STOCK	
			SE		NE		DOMEST	
			NE		NW		STOCK	
			NW		NW		STOCK	
			NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		9	NW		NE		STOCK	
			SW		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
		16	NE		SE		STOCK	
		17	SW		NW		STOCK	
			SW		NW		DOMEST	
			NW		SW		STOCK	
			NW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SW		SW		DOMEST	
		18	NE		NE		STOCK	
			NE		NE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		20	SW		NE		STOCK	
			NW		SE		STOCK	
		21	SE		SE		STOCK	
			SE		SE		DOMEST	
		28	NW		SW		STOCK	
		29	NE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SE		SE		STOCK	
		32	NE		SW		STOCK	
		33	NE		SW		STOCK	
15S	22E	3	NW		NW	4	DOMEST	
		4	NE		NE	1	STOCK	
			SE		SE		STOCK	
		5	NE		NE	1	STOCK	
		10	SE		NE		STOCK	
			SE		NW		STOCK	
			SE		NW		DOMEST	
			NW		SE		DOMEST	

MICROFILMED
 OCT 28 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	22E	10	SE	SE		DOMEST	
		14	NW	NW		STOCK	
		15	NW	NW		DOMEST	
			NE	NE		STOCK	
			NE	NE		DOMEST	
			NW	NE		DOMEST	
		22	NW	SE		DOMEST	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A45-04184A, A45-10802, A45-10803

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE SPRING WATER WHICH SERVICES THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED IS FOR THE ENTIRE SYSTEM. THESE SPRINGS ARE HIGHEST UPSTREAM AND CAN SUPPLY WATER BY GRAVITY TO THE ENTIRE PIPELINE NETWORK. BENEFICIAL USE RIGHTS A45-04184A, A45-10802 AND A45-10803 ALSO CONTRIBUTE WATER TO THE SYSTEM BUT SINCE THEY FLOW INTO THE SYSTEM BY GRAVITY ALSO AND THEIR CONNECTIONS TO THE SYSTEM ARE LOWER IN ELEVATION THEY CAN ONLY SERVE PORTIONS OF THE SYSTEM.

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED

OCT 28 1994

Transfer No. 3819

PART 1

JUN 10 1991

HT
APPROVED

Name of applicant City of Oakley Department of Water Resources 826-3313/862-9225
Post Office address Attn: David Babbitt, P.O. Box 266, Oakley, ID, 83346

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add point of diversion from groundwater to spring water claims
2. Describe the reason for the proposed changes _____

2. Describe the reason for the proposed changes _____
The springs which supply water to the City of Oakley have significantly decreased in flow due to drought conditions of recent years. It is the intent of this transfer to allow the drilling of a new well to replenish the historically enjoyed flow rate from the springs.

1. Right Number	Priority	Amount (cfs/acre-ft)	Nature of Use	Period of Use
A45-10802	03/10/1917	0.67	Municipal/Dom/Stock	1/1 to 12/31
A45-10803	01/01/1930	0.45	"	" to "
~~A45-10804~~	03/17/1925	0.44	"	" to "
				to

2. Total amount of water being transferred 1.56 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Springs tributary to Sinks

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	SE	9	14S	22E	Cassia	(Proposed Well)
								Plus numerous springs as claimed with no change in these locations. (See Original Proof Report Attached)

5. Lands irrigated or place of use: (No Change)

[illegible]

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Existing pipeline network connected to numerous springs and one well (A45-04184A) delivers water to City of Oakley and some houses & stock outside city limits. Approval of this transfer would allow the addition of another well without an increase in the
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:

N/A

d. Remarks:

Proposed well is between 700' to 2200' in elevation below the springs supplying water to these rights. The well would be drilled into the same aquifer basin in which the springs are located.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

A45-10802/10803/10804

This is to certify that I have examined Application for Transfer of Water Rights No. Statutory Claim No. 45-4184

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

See attached sheet for conditions of approval.

Witness my hand this

4th

day of

June

, 19 91

J. Blum Saxton

Chief, Water Allocation Bureau

MICROFILMED

MAR 10 1993

historical use rate.

CONDITIONS OF APPROVAL

Transfer of Water Right Nos. A45-10802/10803/10804
on
Statutory Claim No. 45-4184
Transfer No. 3819

1. This transfer allows an alternative source of supply to replace water usually available to the city from springs which have been affected by a series of low runoff years. No additional use development is authorized by this transfer and the combined rate of diversion from the well and springs shall not exceed a total of 1.56 cfs of water with as much water as available being first diverted from the springs.
2. The priority date for any portion of the claimed rights in which groundwater is diverted from the new well shall be advanced to January 23, 1991. Any portion of the claimed rights filled by diversion of water from the springs shall retain the original claimed dates or the priority dates affixed by the court in the Snake River Basin Adjudication.
3. The Director of IDWR retains jurisdiction of the claimed rights to require reconstruction of the well or other action needed to protect other groundwater rights.
4. The City of Oakley shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Approval of this transfer in no way confirms the right(s) claimed.
7. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
8. 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.
9. 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.

Dated this 4th day of June, 1991.


L. GLEN SAXTON

Chief, Water Allocation Bureau

MICROFILMED

MAR 10 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESA45-10802
A45-10803
A45-10804

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. _____ 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 _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ 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

8. Lands irrigated or place of use:

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	

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MAR 10 1993

Total acres _____

9. Describe any other water rights used for the same purpose as described above A45-04184A is
connected to the same system. This is from a well with limited

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ 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 _____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

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MAR 10 1993

Total acres _____

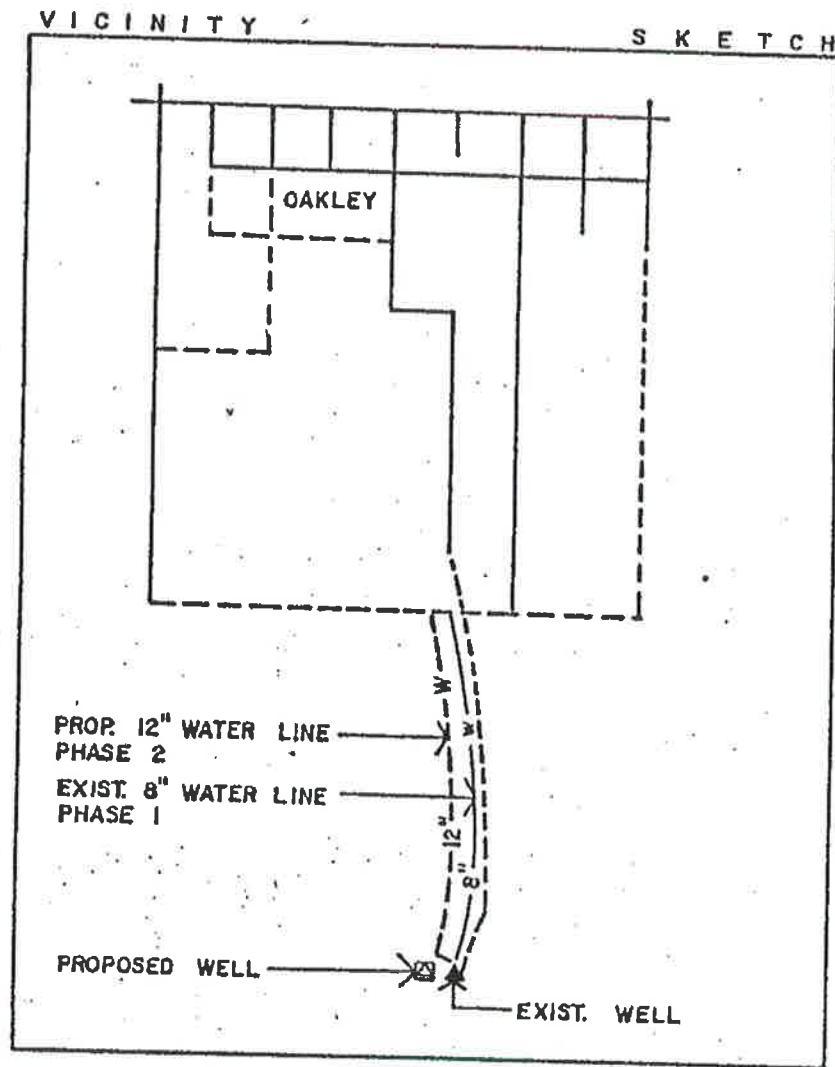
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.

(See
Attached Map)

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MAR 1 11 1993



RECEIVED

FEB - 4 1991

MICROFILMED

MAR 10 1993

Department of Water Resources
Southern Region Office

A45-10802, 10803, 10804

T#

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Subscribed and sworn to before me this 15 day of January, 19 91.
George F. Tomblay
(Signature of Applicant)
Marothy Robinson
(Notary Public)

My commission expires May 9 - 1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments
Received by SLH Date 1/23/91 Protest filed by _____
Prelim. check by _____ Fee 50.00
Receipted by SLH Date 1/23/91 5012972
Published in South Idaho Press Copies of protest forwarded by _____
Pub. dates 3/22 + 3/29/91 Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial
_____ rec'd. _____ by SLH 6-3-91
Copy of transfer sent to lien holder _____

MICROFILMED

MAR 10 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-10804
CITY OF OAKLEY
CITY HALL
OAKLEY

ID 83346

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

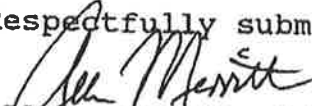
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by April 1, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 10 1993

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.

RECEIVED

JAN 23 1991

CIVIL CASE NUMBER: 39576

Ident. Number: A45-10804

Date Received: 5/24/1989

Receipt No: M003691

Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF OAKLEY
Address: CITY HALL
OAKLEY, ID

208-862-3313

83346

2. Date of Priority: MAR 17, 1925

3. Source: SPRINGS

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	22E	14	NW	NW			CASSIA
		15	NE	NE			CASSIA

5. Description of diverting works:
GRAVITY PIPELINES FROM 8 SPRINGS AND SPRINGBOXES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		
STOCKWATER	01/01	12/31	0.440		
DOMESTIC	01/01	12/31	0.250		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

MUNICIPAL/ CITY OF OAKLEY; DOMESTIC/30 HOMES; STOCKWATER/4000 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	22E	27	NW	SW		STOCK	

A45-10804

Page 1

Date: 11/29/90

MICROFILMED

MAR 10 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	27	NW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
		28	SE		NW		DOMEST	
			NE		SW		STOCK	
			NE		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			SW		SE		DOMEST	
			SW		SE		STOCK	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		29	NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		32	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		33	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		34	NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	34	SW		SW		MUNI	
			SE		SW		MUNI	
14S	22E	3	NW		NE	2	STOCK	
			NW		NE	2	DOMEST	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
		4	SE		SW		MUNI	
			NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
		5	SE		SE		MUNI	
			NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		STOCK	
			SE		SW		DOMEST	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
		8	SE		SE		MUNI	
			NE		NE		STOCK	
			NE		NE		DOMEST	
			NW		NE		STOCK	
			NW		NE		DOMEST	
			SE		NE		STOCK	
			SE		NE		DOMEST	
			NE		NW		STOCK	
		9	NW		NW		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	22E	9	NE	NW		STOCK	
			NW	NW		STOCK	
			SE	NW		STOCK	
		16	NE	SE		STOCK	
		17	SW	NW		STOCK	
			SW	NW		DOMEST	
			NW	SW		STOCK	
			NW	SW		DOMEST	
			SW	SW		STOCK	
			SW	SW		DOMEST	
		18	NE	NE		STOCK	
			NE	NE		DOMEST	
			SE	SE		STOCK	
			SE	SE		DOMEST	
		20	SW	NE		STOCK	
			NW	SE		STOCK	
		21	SE	SE		STOCK	
			SE	SE		DOMEST	
		28	NW	SW		STOCK	
		29	NE	SW		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	
		32	SE	SE		STOCK	
		33	NE	SW		STOCK	
15S	22E	3	NW	NW	4	DOMEST	
		4	NE	NE	1	STOCK	
			SE	SE		STOCK	
		5	NE	NE	1	STOCK	
		10	SE	NE		STOCK	
			SE	NW		STOCK	
			SE	NW		DOMEST	
			NW	SE		DOMEST	
			SE	SE		DOMEST	
		14	NW	NW		STOCK	
			NW	NW		DOMEST	
		15	NE	NE		STOCK	
			NE	NE		DOMEST	
			NW	NE		DOMEST	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A45-04184A, A45-10802, A45-10803

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE SPRING WATER WHICH SERVICES

A45-10804

Page

4

Date: 11/29/90

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MAR 10 1993

14. Remarks: Continued

THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED IS FOR THE ENTIRE SYSTEM. THESE SPRINGS ARE HIGHEST UPSTREAM AND CAN SUPPLY WATER BY GRAVITY TO THE ENTIRE PIPELINE NETWORK. BENEFICIAL USE RIGHTS A45-04184A, A45-10802 AND A45-10803 ALSO CONTRIBUTE WATER TO THE SYSTEM BUT SINCE THEY FLOW INTO THE SYSTEM BY GRAVITY ALSO AND THEIR CONNECTIONS TO THE SYSTEM ARE LOWER IN ELEVATION THEY CAN ONLY SERVE PORTIONS OF THE SYSTEM.

15. Basis of Claim: BENEFICIAL USE

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 Mayor of _____ Title

City of Oakley Organization, that I have signed the foregoing document in the space below as Mayor Title of

City of Oakley Organization and that the statements contained in the foregoing document are true and correct.

George F. Trombley
Signature of Authorized Agent

Mayor City of Oakley
Title and Organization

1/15/91
Date

State of Idaho

County of

Cassia

) SS.
)

Subscribed and sworn (or affirmed) before me this 15 day

of January 19 91

Seal

Dorothy Robinson
Notary Public

Residing at

Cabley

My Commission Expires

May 9 - 1992

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: A45-10804
Date Received: 5/24/1989
Receipt No: M003691
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF OAKLEY
Address: CITY HALL
OAKLEY, ID

83346

2. Date of Priority: MAR 17, 1925

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	22E	14	NW	NW			CASSIA
		15	NE	NE			CASSIA

5. Description of diverting works:
GRAVITY PIPELINES FROM 8 SPRINGS AND SPRINGBOXES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		

7. Total Quantity Appropriated is:
0.440 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
15S	22E	14	NE	NE		COWHER	

11. Place of use in counties: CASSIA

A45-10804

MICROFILMED

MAR 10 1993

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A45-04184A, A45-10802 , A45-10803

14. Remarks:

P/U = CITY OF OAKLEY THIS CLAIM IS BASED ON BENEFICIAL USE RIGHT S ON SPRINGS ORIGINALLY CLAIMED IN LICENSE #45-04184 AND IS NOT AN EXPANSION OF THAT LICENSE. THIS CLAIM AND A45-02141 HAVE CONBI NED WATER SOURCES AN DELIVERY SYSTEMS AS AGREED UPON BY THE PICKETT RANCH AND SHEEP CO. INC. AND THE CITY OF OAKLEY WHICH IS IN THE CASSIA COUNTY RECORDERS OFFICE. THIS WATER IS COMBINED AND USED AT THE POINTS OF DIVERSION AND PLACES OF USE AS DESCRIBED IN THE AFOREMENTION WATER RIGHTS. PLACES OF USE, WITH THE EXCEPTION OF THE CITY SHOP, YARD, HALL AN D PARK, ARE OWNED BY CITIZENS OF THE MUNICIPALITY.

15. Basis of Claim: BENEFICIAL USE

A45-10804

MICROFILMED

MAR 10 1993

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): City of Oakley Date: _____
by David Balluff Date: 9/19/89

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Sept. 19 89
Robert W. Fehleman
Notary Public

Seal

Residing at Oakley, Id
My Commission Expires 8-15-91

A45-10804

MICROFILMED

MAR 10 1993

CLAIMANT'S NAME:

City of Oakley

EMPLOYEE:

Bruce A. Schull

DATE:

6/23/89

RE:

I n the beginning of the interview with the City's representative David R. Babbitt it was indicated that a licence #45-04184 needed to be split to reflect four different delivery systems and places of use. Therefore the splits A45-04184A, A45-04184B, A45-04184C & A45-04184D were created. During the ~~middle~~ later portion of the interview, additional points of diversion (springs) were discussed and evidenced by an agreement with the Pickett Ranch and Sheep Co. The springs in use were clearly not claimed in the original license but had been put to beneficial use by the City and general population for domestic purposes in the 1920's. Therefore these sources and quantities of water appropriate have are now claimed under Beneficial Use.

Results: The WR Nos. A45-04184B, A45-04184C and A45-04184D have been changed to A45-10802, A45-10803 and A45-10804 respectively. Furthermore, A45-04184A has been amended to reflect the new Adjudication Claim Numbers in "Other Rights".

Like-wise Receipt # M003691 has been changed to reflect these numbers.

MICROFILMED

MAR 10 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Department of Water Resources
Southern Region Office

February 22, 1990

City of Oakley
C/O David Babbitt
P. O. Box 266
Oakley, ID 83346

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW

Adjudication Bureau Chief

DBS:alw

A45-04184B

04184A

10802

10803

04184

04184C

04184D

MICROFILMED

MAR 10 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 214E 4th Ave Eos. Twin Falls Idaho 83304 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

AUGUST 16, 1989

CITY OF OAKLEY
ATTN: DAVID N. BABBITT
CITY HALL
OAKLEY, ID 83346

A45-10804

DEAR MR. BABBITT,

PLEASE FIND ENCLOSED TWO COPIES OF YOUR ADJUDICATION CLAIM
A45-10804. ONE COPY IS FOR YOUR RECORDS THE OTHER NEEDS TO BE
SIGNED, NOTARIZED, AND RETURNED TO OUR OFFICE IN TWIN FALLS.

THIS CLAIM WAS APPARENTLY MISSED DURING YOUR MEETING WITH BRUCE
SCHULD IN MAY.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT OUR OFFICE IN TWIN
FALLS.

SINCERELY,


STEVE CLELLAND
WATER RESOURCE AGENT

ENC:

MICROFILMED

MAR 10 1993

4/5/81

Allen:

Re: app for TR - City of
Oakley

A 45-10802

A 45-10803

~~A 45-10804~~

This app is protested.
Suggestions on way
to flag your data
base of the protest?

Shf

MB

Tr245 # 3819

MICROFILMED

MAR 10 1993

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: A45-04184D
Date Received: 5/24/1989
Receipt No: M003691
Received By: RAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF OAKLEY
Address: CITY HALL
OAKLEY, ID

83346

2. Date of Priority: MAR 17, 1925

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	22E	14	NW	NW			CASSIA
		15	NE	NE			CASSIA

5. Description of diverting works:
GRAVITY PIPELINES FROM 8 SPRINGS AND SPRINGBOXES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		

7. Total Quantity Appropriated is:
0.440 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
15S	22E	14	NE	NE		COMMER	

11. Place of use in counties: CASSIA

A45-04184D

MICROFILMED

MAR 18 1993

12. Do you own the property listed above as place of use? NO
13. Other Water Rights Used:
A45-04184A, A45-04184B, A45-04184C
14. Remarks:
P/U = CITY OF OAKLEY THIS CLAIM IS BASED ON BENEFICIAL USE RIGHTS ON SPRINGS ORIGINALLY CLAIMED IN LICENSE #45-04184 AND IS NOT AN EXPANSION OF THAT LICENSE. THIS CLAIM AND A45-02141 HAVE COMBINED WATER SOURCES AND DELIVERY SYSTEMS AS AGREED UPON BY THE PICKETT RANCH AND SHEEP CO. INC. AND THE CITY OF OAKLEY WHICH IS IN THE CASSIA COUNTY RECORDERS OFFICE. THIS WATER IS COMBINED AND USED AT THE POINTS OF DIVERSION AND PLACES OF USE AS DESCRIBED IN THE AFOREMENTIONED WATER RIGHTS.
PLACES OF USE, WITH THE EXCEPTION OF THE CITY SHOP, YARD, HALL AND PARK, ARE OWNED BY CITIZENS OF THE MUNICIPALITY.
15. Basis of Claim: BENEFICIAL USE

A45-04184D

Page

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MAR 08 1993

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: 0

For Organizations:

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

+ David M. Ballant
Signature of Authorized Agent

City of Oakley
Title and Organization

24 May 1989
Date

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of May 19 89

Seal

Bruce A. Schulz
Notary Public

Residing at BRUCE A. SCHULZ, NOTARY PUBLIC

My Commission Expires RESIDING AT BRUCE, IDAHO
EXPIRES EXTENDED APRIL 11, 1991

A45-04184D

Page

MICROFILMED

MAR 08 1993



DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 29, 1989

RECEIVED

JUL 17 1989

Department of Water Resources
Southern Region Office

Mr. David N. Babbitt
City Engineer/Formal
City Hall
Oakley, Idaho 83346

RE: Snake River Basin Adjudication
A45-04184, A45-10804, A45-10803, A45-10802
Cassia County

Dear Mr. Babbitt:

During your claims work at our Mobile Adjudications Unit in Burley the City of Oakley's claims were inadvertently assigned improper water rights numbers. The files have been updated and we have attached copies of the City of Oakley's claims for your files. Please remove and destroy your copies with the old numbers as these may cause you some confusion in the future.

Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:BAS:mcc:south

Enclosures:

Claims #A45-04184A/#A45-10802/#A45-10803/#A45-10804

MICROFILMED

MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1990

City of Oakley
C/O David Babbitt
P. O. Box 266
Oakley, ID 83346

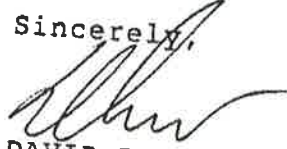
Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,


DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A45-04184B

04184A

10802

10803

10804

04184

04184C

MICROFILMED

MAR 18 1993

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-10804
NAME AND ADDRESS: CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY ID 83346

SOURCE: GROUND WATER
SPRING
TRIBUTARY:
TRIBUTARY: SINKS

QUANTITY: 0.440 CFS

USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.

PRIORITY DATE: 04/01/1895

POINT OF DIVERSION:

T14S R22E S9 SENWSE Within CASSIA County
T14S R22E S9 SENWSE Within CASSIA County
T14S R22E S33 SENE Within CASSIA County
T14S R22E S33 NESENE Rediversion Within CASSIA County
T14S R22E S33 SESE Within CASSIA County
T14S R22E S33 SWSESE Rediversion Within CASSIA County
T15S R22E S3 NWNE Within CASSIA County
T15S R22E S3 SWNE Within CASSIA County
T15S R22E S3 SESWNW Injection Within CASSIA County
T15S R22E S3 SENW Within CASSIA County
T15S R22E S3 NESW Within CASSIA County
T15S R22E S3 SWSW Within CASSIA County
T15S R22E S3 SESW Within CASSIA County
T15S R22E S3 NWSE Within CASSIA County
T15S R22E S3 SWSE Within CASSIA County
T15S R22E S9 SENENE Injection Within CASSIA County
T15S R22E S10 NENE Within CASSIA County
T15S R22E S10 SWNE Within CASSIA County
T15S R22E S10 SENE Within CASSIA County
T15S R22E S10 SENW Within CASSIA County
T15S R22E S10 NESE Within CASSIA County
T15S R22E S14 NWNW Within CASSIA County
T15S R22E S15 NENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	0.440 CFS

PLACE OF USE:

Place of use within service area of the City of Oakley, Idaho.

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Failure of the right holder to comply with the conditions of transfer 5592 is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under approved transfer 5592, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall use the full allotment of his surface water right, to the extent it is available, before groundwater is diverted pursuant to this right.

The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.

Approval of transfer 5592 does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.

Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-10804
NAME AND ADDRESS: CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY ID 83346

SOURCE: GROUND WATER SPRING
TRIBUTARY: SINKS

QUANTITY: 0.440 CFS

USE OF RIGHT NOS. 45-10802, 45-10803 & 45-10804 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE FROM ALL SOURCES OF 1.56 CFS.

PRIORITY DATE: 04/01/1895

POINT OF DIVERSION:

T14S R22E S9 SENWSE Within CASSIA County
T14S R22E S9 SENWSE Within CASSIA County
T14S R22E S33 SENE Within CASSIA County
T14S R22E S33 NESENE Rediversion Within CASSIA County
T14S R22E S33 SESE Within CASSIA County
T14S R22E S33 SWSESE Rediversion Within CASSIA County
T15S R22E S3 NWNE Within CASSIA County
T15S R22E S3 SWNE Within CASSIA County
T15S R22E S3 SESWNW Injection Within CASSIA County
T15S R22E S3 SENW Within CASSIA County
T15S R22E S3 NESW Within CASSIA County
T15S R22E S3 SWSW Within CASSIA County
T15S R22E S3 SESW Within CASSIA County
T15S R22E S3 NWSE Within CASSIA County
T15S R22E S3 SWSE Within CASSIA County
T15S R22E S9 SENENE Injection Within CASSIA County
T15S R22E S10 NENE Within CASSIA County
T15S R22E S10 SWNE Within CASSIA County
T15S R22E S10 SENE Within CASSIA County
T15S R22E S10 SENW Within CASSIA County
T15S R22E S10 NESE Within CASSIA County
T15S R22E S14 NWNW Within CASSIA County
T15S R22E S15 NENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	0.440 CFS

PLACE OF USE:

Place of use within service area of the City of Oakley, Idaho.

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

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The priority date for any portion of the claimed rights in which groundwater is diverted shall be advanced to January 23, 1991.

Approval of transfer 5592 does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

Approval of Transfer 5592 does not confirm Claimed Rights 45-10802, 45-10803 and 45-10804.

Approval of Transfer 5592 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2004

Ted Booth
Arkoosh Law Offices
PO Box 32
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
Claims for City of Oakley
Nos: 45-2323B, 45-10802, 45-10803, 45-10804,
45-4184A & 45-2659

Dear Ted,

Enclosed please find copies of my Preliminary Recommendations for the following rights in the name of City of Oakley. Please review these proposed recommendations and let me know of any concerns or corrections you may have.

Recommendations for claims 45-10802, 45-10803 & 45-10804 are based upon Transfer No. 5592, approved by IDWR June 29, 2000. A copy of the transfer is included for your convenience.

45-2323B, a ground water right purchased by the City of Oakley from North Oakley Water Company in 1999, requires a transfer pursuant to IC 42-222 to change the place of use from the service area of the *North Oakley Water Company* to the *City of Oakley*.

I received your Notice of Appearance but have not yet received a signed Notice of Claim for 45-2659 based upon a license, which we determined would replace 45-4184A based upon a statutory claim. If you have questions regarding the elements as they appear on the claim, or require another copy of the Notice of Claim, please let me know. I appreciate your attention to this matter.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

Christensen, Kelly

Subject: CITY OF OAKLEY A45-10802, 10803, 10804, AND 04184A
Entry Type: Meeting
Contact: DAVID BABBITT
Company: CITY OF OAKLEY

Start: Tue 8/31/99 12:00 AM
End: Tue 8/31/99 12:00 AM
Duration: 0 hours

He met first with Allen Merritt and myself where we discussed the physical operation of the City system, the North Oakley system, and the Marrian system. After much discussion it appears that the most viable option would be for the three organizations to merge into one entity and then file a transfer creating a ppu of the three systems. This would appear to give them the best option for system flexibility. He is going to pursue this option before filing any transfers to add the 40 acre tracts that have been identified as currently part of the system but not part of any claims.

We then moved to my office where I generated amended claims to delete 3 40 acres tracts for stockwater from 14s 22e sec 9.

All 4 claims were amended.

Nick Spencer stopped by and we discussed the system again and Nick offered a legal perspective concerning the City rights.

We anticipate meeting again this fall to further discuss the rights after he has an opportunity to meet with the principals of the three organizations.

Points of usage to remove from all four filings:

A45-10802, A45-10803, A45-10804, A45-04184A

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
14S	22 E	9	SW		NW	STOCK
			SE		NW	STOCK
			SW		SW	STOCK

*P/U entries deleted
8-31-99
K KC*

Points to add to filings A45-10803, A45-10804

*P/U identified as being
Part of system but
not on claim.
Anticipate that a
transfer would be the
proper tool to add these P/U's
to the rights. Claimant is going
to present the possibility of a transfer
to the city & other entities
Rising to acting on this de la
K KC 8-31-99*

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
14S	22 E	9	NW		NE	STOCK add COMMERCIAL
		31	SW		SE	Stock
			SE		NE	Stock
	22E	9	SW		NW	~~Stock~~
		8	SW		SW	Stock
		9	(ALL)			Stock
		7	NW		NE	Stock
		6	NW		NE	Stock

@95

Points to add to filing A45-10804

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
15S	22 E	15	NW		NE	Domestic
		22	NW		NE	Domestic
		23	NE		NW	Domestic

@93

FROM: Allen Merritt

DATE: October 19, 1994

TO: File A45-10802, A45-10803, A45-10804, A45-04184A

SUBJECT: Response to letter from City of Oakley and discussions regarding future plans.

On 10/17/94 we received the attached letter. On 10/18/94 I phoned Mr. Babbitt and we discussed what his letter was all about. Apparently the City of Oakley for health reasons is being required to modify the spring boxes which divert water into their pipeline network. I believe for economic reasons they are proposing only to treat two of the spring diversions and propose to continue diverting water from the upstream springs yet before the pipeline reaches the lower two springs they propose the discharge the pipeline on to the ground where it will sink and thru natural filtration be cleaned and then they will pick this same water up in the lower springs.

Mr. Babbitt indicated that the pipeline was operated in this manner in 1988 when the upper springs were contaminated. Mr. Babbitt faxed a copy of a quad showing the location of the springs and also I noted on this map where the pipe will be cut and where the lower springs are located. Mr. Babbitt indicated that the map locations for the springs were determined using a GPS.

In response to the city's letter I wrote my 10/18/94 letter which i mailed & faxed 10/19/94.

DEC 03 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 18, 1994

David Babbitt
CWP-City of Oakley
PO Box 266
Oakley, ID 83346

RE: City of Oakley Water Rights
A45-10802, A45-10803, A45-10804 & A45-04184A

Dear Mr. Babbitt:

In response to your October 12, 1994 letter and our subsequent phone conversations this day I offer the following comments regarding the City of Oakley's water rights and proposal.

Our records indicate that you have filed four (4) claims in the Snake River Basin Adjudication (SRBA) which have been numbered as referenced above. These claims are subject to review of the validity of these uses in the ongoing SRBA. Additionally our records indicate that three of these rights (the 10000 series numbers) were included on approved transfer 3819 which allowed for the addition of a well to these water rights which were originally developed from numerous springs diverted south of the city. The approved transfer did not increase the historical diversion rate to the city nor did it provide for the addition of new uses but it did allow the city the flexibility of providing the historically used water from a well instead of the old springs. One note worth mentioning is that the amount diverted from the new well has a priority date of January 23, 1991 instead of the historical priority date. (Please review the conditions of approval of transfer 3819)

As you know the City of Oakley is located in the Oakley-Kenyon Critical Groundwater Area initially established January 19, 1962. As such the department cannot issue new water right permits for development of additional consumptive use water rights from groundwater in this area. Additionally the City of Oakley is also within the Eastern Snake River Plain Moratorium Area initially established May 15, 1992. As such the department cannot process new water right permits for development of additional consumptive use water rights from surface waters within this area until the moratorium is lifted. The department will; however, consider applications for transfer of existing rights pursuant to § 42-222 of the Idaho Code for both groundwater and surface water rights in this area or may consider applications for permit or applications for transfer consistent with § 42-105 or § 42-4201A of the Idaho

DEC 03 1996

Page 2
10/18/94
Letter to City of Oakley

Code.

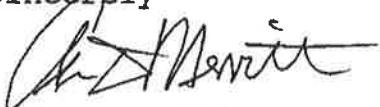
In review of your proposal to change the way you divert and use the springs it appears to me that you need to file with the department an application for either a transfer or permit which is consistent with the previously described statutes of the Idaho Code. Since I cannot give you legal advice I leave this up to you and your attorney as to which process would be best to initiate. To do nothing and merely make the change I believe puts your water rights in jeopardy.

If the city requires more water for their existing and future uses it appears the only alternative is to purchase an existing water right from someone and modify the right pursuant to § 42-222 of the Idaho Code to suit the city's needs.

To specifically address your question about abandonment or sale of your water right consider the following. If the right is abandoned the water is left in the natural source and goes to fill the next right in priority. If you sell your water right (I don't know why you would do this) it would then belong to someone else for them to either use as recorded, be modified pursuant to § 42-222 or to be lost by them through forfeiture or abandonment.

I hope this letter addresses your concerns. If you need further explanation please feel free to contact our office.

Sincerely



Allen Merritt
Acting Southern Region Manager

DEC 03 1996

CITY OF OAKLEY

201 Blaine
Oakley, ID 83346
Phone (208) 862-3313

5 0 1 5 1 1

October 12, 1994

State of Idaho
Dept. of Water Resources
222 Shoshone St. East
Twin Falls ID 83301

OCT 17 1994

Department of Water Resources
Southern Region Office

Dear Mr. Holmes,

The City of Oakley needs to insure their water rights and alter the present method of collection to be in compliance with the Surface Treatment Ruling of the Clean Drinking Water Act. We have been working with EHM Engineers and the DEQ to come to a solution to our dilemma. The Surface Treatment Water Ruling affects many of the springs we are currently using. Over the last few years we have been doing some testing on the springs and their relationships with each other. Our findings on the testing over the last two years show the springs in Range 22 E, Township 14 S, Section 33 to be under less influence from surface water than the remaining springs in our water rights.

We have a well as an additional point of diversion to each of our spring water rights. The springs are directly related to each other, and the number of springs and the total volume of water coming off the total water right are indirectly related to each other. Because the water from the lower springs and water from the wells are the same water as the springs higher on the mountain, the majority of the water comes from the two springs in section 33. We want the balance of the spring water to percolate back into the aquifer on the hill above the two springs located in section 33.

Idaho code 42-105 allows the use of natural channels to convey water. We need to do the paper work that will allow the surface influenced springs to use the natural channel of the aquifer to convey the water to the lower points of diversion.

Currently the City of Oakley's water rights are tied together between the springs and the well. We may have already established the conveyance path and no further paper work needs to be done. However, we do not want any party or organization to assume we have abandoned the spring or springs by allowing them to percolate into the aquifer and be conveyed to other points of diversion.

DEC 03 1996

CITY OF OAKLEY

201 Blaine
Oakley, ID 83346
Phone (208) 862-3313

We are going to be applying for a Community development Block Grant through the Department of Commerce to help pay for the changes necessary to comply with the regulations. Please let us know what steps, if any, are needed to make sure the water that is percolated back into the ground is protected under our current water rights. Following are a few additional questions we would like to have answered in a letter. I know we have discussed them in person, but would you please answer them in writing.

What would happen to our water rights if we abandon our water, or sold it?

Would obtaining another well permit and water right be a possibility here in Oakley? Would drilling another well be a better option as far as the water rights are concerned?

Would you make recommendations and help us find the solution to our problem as described on the first page of this letter?

We need a response to this letter by the October 21, 1994, in order to have time to finish our application. Thank you very much for your time and consideration in this matter.

Sincerely,



David N. Babbitt
FWD-City of Oakley

DEC 03 1996

Lower
div.
Spring continental



1. $\mathbb{R}^n$ is a vector space over $\mathbb{R}$.

29A
1

17

STATE OF IDAHO

AFFIDAVIT

STATE OF IDAHO)
 ss.
County of Cassia)

David N. Babbitt, being first duly sworn on oath,
deposes and states:

I have talked to individuals who have worked on the water system as it was being installed for the City of Oakley. I have also seen evidence of the work preformed by the Work Project Act (WPA) in the 1930's and early 1940's for the City of Oakley. The City of Oakley and the Village of Oakley are the same municipality, the name being changed in 1968.

The WPA improved the springs the City of Oakley purchased. This water was used for beneficial use by the previous owners. This water was put to beneficial use in the late 1800's and the early 1900's, as the valley was first settled. The Village enclosed the springs and piped the water into Oakley for the municipality. The water has been used by the city since that time.

The Lite-Air Water Company, composed of a few individuals, piped the warm springs water into Oakley with the intentions of making a hot pool in the third block on N. Blaine St. The water was ice cold when the water finally reached Oakley, so the pool was abandoned. The same few individuals decided they would plumb this water into their homes. Others bought into this wonderful idea. The Lite Air Water Company became known or was purchased by the Warm Springs Water Company. Until this time everyone had their own backyard well from a purged water table. Some of these wells went dry on dryer years.

Water was not sampled during this period of time. The Warm Springs water was extremely high in fluoride, causing most of the people who drank the water to have discolored teeth. (this was similar to nicotine stains) The Warm Springs Water Company was purchased by the Village of Oakley on the 15th of May 1925 #77153 in the county records. The Village council realized the warm springs water would be insufficient to supply the needs of the whole village. The Village purchased the water from Columbus M. Carpenter on the 13 of November 1925. This is recorded in the county records #180059 or #80059. These springs were piped into the system. Included in the papers is an affidavit making the purchase date of November 22, 1909 when the springs were deeded. Beneficial use was previous to that point. Also included is a copy of decree #78608 giving Columbus M. Carpenter full ownership of this water. This group of springs is known by Department of Water Resources as file number A45-10802.

As the springs were developed in Section 33, Township 14 S. Range 22 E., the Springs in Section 28 dried up. The springs in Section 3, T 14 S., R 22 E. were developed adding some more water to the three lower Carpenter Springs. The two upper springs are close enough together that they are normally referred to as one spring. The middle one has flowed very little water after the springs have been developed in section 3.

The rest of the water filings for the Village of Oakley come from the springs that used to make the Wild Cat and the Choke Cherry Creek. These two groupings of springs were combined in ownership because William Severe bought this water from Leonora Severe and H. H. Severe November 27 1925. Record #78966 in county records.

Before the water was sold to the Village of Oakley on the 17th of March 1941. #139969 of the county records, William Severe was issued a decree on the water rights on the 13th of February 1941. This is #137904 in the county records. These water rights are #A45-10803 and #A45-10804 with the Department of Water Resources for the City of Oakley.

The last filing for the City of Oakley with the Department of Water Resources # A45-10804 was challenged in court in 1938 on the 11th of July. A Decree #129737 was given to the Village of Oakley for the full water right with a priority date of 1 April 1895.

The WPA helped to install these springs in the 1940's. As the Village was installing the pipes, the water rights were challenged in court. And a judgement and a decree was made in favor of the Village of Oakley giving all water rights to the Village.

Each of the canyons, where the springs are, had old homesteads at the base of the mountain. All of the springs were put to beneficial use between 1980 and 1990. All original owners have sold their water rights to the Village of Oakley.

Some of the springs that come to the surface on the mountain, in the City of Oakley's water fillings, are surface impacted and are not suitable to drink. Consequently, the water is left to percolate back into the ground. The water is a contributory to another spring lower on the mountain where the water comes to a point of diversion after the water has been cleaned being purified through the gravel.

The WPA developed all the springs of significant quantity in Section 33, T 14 S., R 22 EBM., and sections 3, 10, 14, and 15, Township 15 S., Range 22 EBM. Other springs that were dependant on these springs dried up. As the number of springs were eventually increased in the system, the total volume of the water did not improve in time on the macro level. The springs are in a direct relationship to each other, one spring feeds the next spring in succession on the mountain.

The number of springs and the amount of water produced have an indirect relationship with each other. The upper springs will feed the springs lower on the mountain. Eg. If the springs higher on the hill are developed and put into a pipe, the lower springs, being feed by them, will reduce in volume in relationship to the amount of water the upper springs use to feed to them. The lower springs will also increase in volume if the upper springs are again allowed to return to the surface of the ground and allowed to percolate.

I started working for the City of Oakley in 1980. We have just been through the worst drought and the wettest years on record. I have witnessed what the people have told me who installed the original pipes.

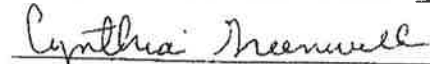
Over the years on the mountain, everyone except Pickett Ranch and Sheep Company has acknowledged the city's right to the water. Each has been sent a bill and everyone has paid the bills as the bills have come due. Pickett Ranch and Sheep Company claims mutual ownership in some of the city's springs. These claims are recorded.

The Village councils of the past had a gentleman's agreement with Picketts not to bill them for the water. The agreement was worked in an agreement in 1982 and filed with in the court house. This could be a debatable issue because Severes deeded to Picketts "any water that did not flow into the pipeline of the Oakley Canal Company." This I believe should have read "of the Village of Oakley", since the city not the canal company had a pipe line. For this reason along with others mentioned in the agreement, the Village Fathers for many years have felt that to have an agreement where both win is much better than to have a battle. The agreement, which is also included, has worked out well for both parties.

DATED this 26 day of February 1993.


DAVID N. BABBITT

SUBSCRIBED AND SWORN to and before me this 26 day of February, 1993.


NOTARY PUBLIC FOR IDAHO
Residing at: 1195 Day - Oakley, Idaho
My Commission Expires: Sept. 1, 1998

#139969 COMPARE

(\$1.10 revenue

amps attached.)

THIS INDENTURE, Made this 17th day of March, in the year of our Lord one thousand nine hundred and forty-one, between William J. Severe and Lillian Severe, of Oakley, County of Cassia, State of Idaho, the parties of the first part, and Village of Oakley, a municipal corporation, organized and existing under and by virtue of the laws of the State of Idaho, having its principal office at Oakley, County of Cassia, State of Idaho, the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Seven Hundred & No/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do of grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors, heirs and assigns forever, all the following described real estate, situated in the County of Cassia, State of Idaho, to-wit:

All of the waters of the following described springs, which said springs are tributary to Wild Cat Creek, to-wit;

One spring at or near the South quarter corner of Section 3; X
 One spring in the Southeast quarter of the Northwest quarter (SE 1/4) of Section 10; X
 One spring in the Southwest quarter of the Northeast quarter (SW 1/4) of Section 10; X
 One spring in the Northeast quarter of the Southeast quarter (NE 1/4) of Section 10; X
 One spring at or near the East quarter corner of Section 10; X
 One spring near the Section corner common to Sections 10 and 11, 14 and 15; X
 And the water of any and all other springs that rise in said Section 10, all of the above described sections are in Township 15 South, Range 22 East Boise Meridian.

*located
of
"Wild cat"
springs*

This deed is made subject to all taxes, levies and assessments, taxed, levied and assessed against said property for the year 1941.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to its successors, heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors, heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in ~~the~~ Presence of

William J. Severe (SEAL)

Lillian Severe (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

COUNTY OF Cassia

On this 17th

day of March

, in the year 1941, before me,

a Notary Public in and for said State, personally appeared

S. T. Lowe
 William J. Severe and Lillian Severe, his wife,
 known to me (

to be the person s whose names are

subscribed to)

the within instrument, and acknowledged to me

that

~~XXXXXX~~

they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

S. T. Lowe
 Notary Public for the State of Idaho,
 Residing at _____, Idaho.

STATE OF IDAHO,
 COUNTY OF Cassia,

I hereby certify that this instrument was filed for record at the request of S. T. Lowe at 11 minutes past 11 o'clock A.M., this 20th day of September

A. D. 1941

#159970
THIS INDENTURE, this 19th day of September (\$1.10 revenue stamps attached.)
Lord one thousand nine hundred and forty-one, in the year of our
his wife, between William J. Severe and Lillian Severe,
of Oakley, County of Cassia, State of Idaho
the parties of the first part, and Eugene Pickett, (whose wife's name is Emma Pickett)
of Oakley, County of Cassia, State of Idaho
the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Seven Hundred & No/100- - -
lawful money of the United States of America, to them in hand paid by the said party of the second
part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey
and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate,
situated in the County of Cassia, State of Idaho, to-wit:

South half of the Northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$);
Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$);
East half of the Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$);
Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section
four (4), Township fifteen (15) South, Range twenty-two (22)
East Boise Meridian, (together with one spring in the Northwest
quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 14, Twp.
15 S.R. 22 E.B.M., and the water from any and all other springs
appurtenant to the above described real estate that will not
flow by gravity unto the pipe line of the Oakley Canal Company;

← Location of
"Chokecherry
Spring"

EXCEPTING AND RESERVING unto the parties of the first part,
all of the waters of the following described springs, which said
springs are tributary to Wild Cat Creek, to-wit:
One spring at or near the South quarter corner of Section 3;
One spring in the Southeast quarter of the Northwest quarter of
Section 10; one spring in the Southwest quarter of the Northeast
quarter of Section 10; One spring in the Northeast quarter of
the Southeast quarter (NE $\frac{1}{4}$ E $\frac{1}{4}$) of Section 10; One spring at or
near the East quarter corner of Section 10; One spring near the
Section corner common to Sections 10 and 11, 14 and 15; and
the water of any and all other springs that rise in said Section
10, all in Township 15 South, Range 22 East, Boise Meridian,

This deed is made subject to all taxes, levies and assessments taxed, levied or assessed
against said real estate for the year 1941 and all subsequent years.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the
reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property,
as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the
party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs,
the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said
parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the
same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and
year first above written.

Signed, Sealed and Delivered in Presence of

S. T. Lowe.

William J. Severe (SEAL)

Lillian Severe (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Cassia

ss.

On this 19th

day of September

, in the year 1941, before me,

S. T. Lowe
William J. Severe and Lillian Severe, his wife
known to me (

, a Notary Public in and for said State, personally appeared

to be the persons whose names are

subscribed to

) the within instrument, and acknowledged to me

that

they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

S. T. Lowe
Notary Public for the State of Idaho,
Residing at Burley, Idaho.

STATE OF IDAHO,

County of Cassia, ss.

I hereby certify that this instrument was filed for record at the request of
at 12 minutes past 11 o'clock A. M., this 20th
in my office, and duly recorded in Book 46 of Deeds

S. T. Lowe
day of September
at page 541

, A. D. 1941,

thereof for irrigation, stock and domestic purposes and the said Village of Oakley is now the owner of the use and the right to the use of all of the water of Choke Cherry Springs or Choke Cherry Creek for domestic, irrigation and fire protection purposes.

7.

That on or about the 13th day of September, 1934, the Village of Oakley in order to better conserve the water of the said springs for domestic and fire protection use within the said Village entered into and upon the Northwest quarter of the Northeast quarter (NW1/4) of Section 14, Township 10 South, Range 22 West 10th Meridian and constructed a concrete collecting box about 3 feet wide and 5 feet long; and laid pipes from each of the springs into the said collecting box. That from this collecting box it laid a pipe line to the Village of Oakley, a distance of approximately 8 miles. That the said pipe lines were laid in trenches, that the trenches have been refilled with the material taken out of the same and the surface of the ground restored to its natural condition. The collecting box is equipped with a lid and entirely enclosed. The pipe line leading from the collecting box to the Village is laid over a barren, rocky hillside. That no earth or other material has been removed from the said homestead. That the land included in said homestead can only be used for grazing purposes, and the excavations made for said collecting box and the laying of said pipes do not in any manner damage the said land, or interfere with the use of the same for grazing purposes. That in order for the Village of Oakley to use the said water within the said Village for domestic and fire protection it is necessary that the same be piped and the pipe be laid over, upon and across the Northwest quarter of the Northeast quarter (NW1/4) of the said Section 14.

8.

That all of the water from said springs is now being diverted into said pipe line and used by the Village of Oakley for domestic and fire protection purposes within the said Village and the use of the same and the whole thereof is necessary in order to supply sufficient water to meet the domestic requirements of the citizens and residents of the said Village. That if the said Village be deprived of the use of said water it would not have a sufficient supply of water to meet the domestic water requirements of the said Village.

9.

The plaintiff, Lowell S. Dunning, has no right, title, claim or interest of, in or to the water of Choke Cherry Springs or Choke Cherry Creek or any part thereof or any right to the use of the same or any part thereof.

10.

That the plaintiff has never submitted final proof of residence or the expenditure of any money upon the said homestead. That in order to prevent the annihilation of the said homestead entry, he procured an extension of time in which to submit final proof. That under and by virtue of the extension of time he had until the 10th day of January, 1935, in which to submit final proof of compliance with the terms and conditions of said Homestead law.

11.

That the defendant has not required an easement by prescription or otherwise over, upon or across the said land for the purpose of laying and maintaining its pipe line and constructing and maintaining its collecting box.

12.

That the plaintiff should have known and is now chargeable with knowledge of the construction of the said collecting box and the laying of the said pipe lines at the time the same were constructed and laid. That it could not be inequitable and unconscionable to enjoin or restrain the said defendant from using or maintaining the said collecting box and pipe lines.

That the plaintiff has a full, speedy and adequate remedy at law to recover any damage or damages which he claims to have sustained by reason of the construction of the collecting box and laying of the pipe lines upon said premises.

CONCLUSIONS OF LAW

As Conclusions of Law from the foregoing Findings of Fact the Court concludes:

1.

That the defendant is the owner of the use and the right to the use of all of the waters of Choke Cherry Springs or Choke Cherry Creek for irrigation and domestic purposes and is entitled to convey the same from said springs to said Village through pipes, and to use the same and the whole thereof in said Village for domestic and fire protection purposes.

2.

That the defendant is entitled to a judgment and decree of this Court quieting its title to all of the water of Choke Cherry Springs or Choke Cherry Creek, and enjoining and restraining the plaintiff from using, diverting or in any other manner interfering with the use of the said water, and from in any manner interfering with, disturbing or molesting the collecting box or pipe lines of the defendant and cross-complainant or any part or parcel thereof.

3.

That the plaintiff has a speedy and adequate remedy at law and is not entitled to a judgment or decree of this Court to quiet his title to the land described in his complaint as against the defendant; and thereby enjoin and restrain the said defendant from maintaining its pipe lines and collecting box upon the said Northwest quarter of the Northwest quarter (NW1/4) of said Section 14; but that the said plaintiff still be

remitted to an action at law for any damage or injury that he has or may sustain by reason of the said defendant entering into and upon the said premises, laying the said pipes and constructing the collecting box described in the Findings of Fact herein.

4.

That the defendant and cross-complainant is entitled to a judgment and decree of this Court dismissing the amended complaint of the plaintiff and discharging and relieving it therefrom.

5.

That each of the parties hereto shall pay their own costs.

DATED This 17th day of December, 1938.

T. Dudley Lee
District Judge

Filed for record at request of Office at 3:10 P.M., December 17th, 1938.

Paul E.

George A. Smith, Jr., County Recorder.

1189738

378

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA.

B8 JDG

Lowell G. Gumsline,
Plaintiff.

Village of Oakley,
Defendant.

DOCKING.

Case # 3582

This cause came regularly on for hearing before the Court on the 11th day of July, 1938 on the amended complaint of the plaintiff, the answer and cross-complaint of the defendant and cross-complainant and the answer of the plaintiff to the cross complaint of the cross defendant. The Plaintiff appeared in person and by E. E. Toile, his attorney, and the defendant appeared by A. T. Lare, its attorney. Thereupon witnesses on behalf of the plaintiff were sworn, examined and cross examined and documentary evidence introduced and the plaintiff rested. Witnesses on behalf of the defendant and cross-complainant were sworn, examined and cross examined and documentary evidence introduced and the defendant rested. The evidence being closed, the cause was taken under advisement by the Court and each party given time in which to file briefs.

The Court having duly considered all of the evidence and being fully advised in the premises and having made and filed herein its findings of fact and conclusions of law and having found and concluded: (1) That the plaintiff has a speedy and adequate remedy at law, and is not entitled to a judgment or decree of this Court quieting his title as against the defendant, and enjoining and restraining the defendant from keeping and maintaining its collecting box and pipe lines upon and across the Northwest quarter of the Northeast quarter (NW1/4) of Section (14) (2) That the defendant and cross-complainant is entitled to a judgment and decree of this Court, dissolving the amended complaint of the plaintiff, and quieting its title to the use of all of the waters of Choke Cherry Springs or Choke Cherry Creek and enjoining and restraining the plaintiff and cross defendant from interfering with the use of the said water or the collecting box or pipe lines;

HOT, THEREFORE, by virtue of the law and by reason of the premises aforesaid, it is hereby ordered, adjudged and decreed:

1.

That the plaintiff has a full, complete, speedy and adequate remedy at law, and by reason thereof is not entitled to equitable relief herein. That the amended complaint of this plaintiff be and the same is hereby dismissed and the defendant wholly discharged and relieved therefrom. That the plaintiff be and he is hereby remitted to his action at law for the recovery of any damage that he has or may sustain by reason of the defendant entering into and upon the Northwest quarter of the Northeast quarter (NW1/4) of Section (14) in Township 18 South, Range 28 East Boise Meridian and constructing a collecting box thereon, and laying pipe leading from the springs thereon to the collecting box and from the collecting box to the Village of Oakley.

2.

That the defendant and cross-complainant, the Village of Oakley is the owner of the use and right to the use of all of the water of Choke Cherry Springs or Choke Cherry Creek and is entitled to use the same and the whole thereof for stock, irrigation and domestic purposes on the following described real estate in the County of Cassia, State of Idaho, to-wit:

Southwest quarter of the Northeast quarter (SW1/4) Southwest quarter and the Southwest quarter of the Southeast quarter (SW1/4) (SW3/4) of Section (29) Township 14 South, Range 28, East Boise Meridian;

or within the Village of Oakley for domestic, culinary and fire protection purposes, free and clear of any claims, demands, or pretensions of the said plaintiff or any person claiming through or under him, his heirs, executors, administrators and assigns, and its

right thereto is hereby adjudged, decreed and established. That the said plaintiff, Lowell E. Dumaine, his heirs, executors, administrators and assigns, agents, servants, or employees, and all persons acting for him or in aid or assistance of him, be and they are and each of them is hereby perpetually enjoined, restrained and stopped from making, asserting or maintaining any right, title, claim or interest of, in, or to the said water or any part or parcel thereof; or from using, diverting, or attempting to use, divert, pollute the said or any part thereof, or in any other manner interfering with the use of the said water; and from removing, obstructing, damaging or interfering with the pipe lines leading from the said springs to the collecting box, the collecting box, and the pipe line leading from said collecting box to the Village of Oakley.

3.

That each of the parties to this action shall pay his and its own costs.
DATED This 17th day of December, 1936.

F. Bailey Lee
District Judge

Filed for record at request of office at 3:11 P.M., December 17th, 1936.

Fee: \$.

George E. Booth, Jr., County Recorder

A45-10804

See File A45-10802 For evidence of
Priority as submitted by David Babbitt
for the City of Oakley.

Question 5, ESPA Analysis

ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: 1 PREPARED BY: David R. Weirton, P.E.
 TRANSFER NAME: Oakley Well DATE: 3/5/2022
 Transfer Tool Version Version 3.4

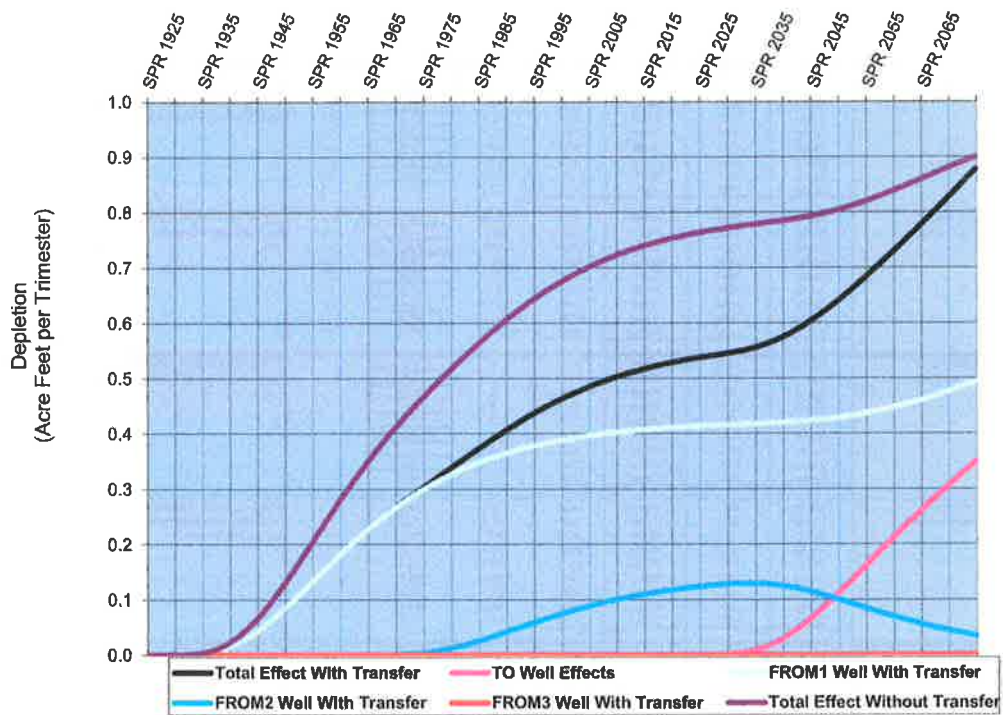
Group 1 Transfer Rights		Group 2 Additional Mitigation Rights	
Right No.	Priority Date	Right No.	Priority Date
45-2659	6/23/1961		
45-10804	3/17/1925		

HISTORIC BENEFICIAL USE:			
Transfer Rights (Group 1)	Acres to Dry Up (ac)	Beneficial Use (af/yr)	Total (af/yr)
		44.39	44.39
		200.56	200.56

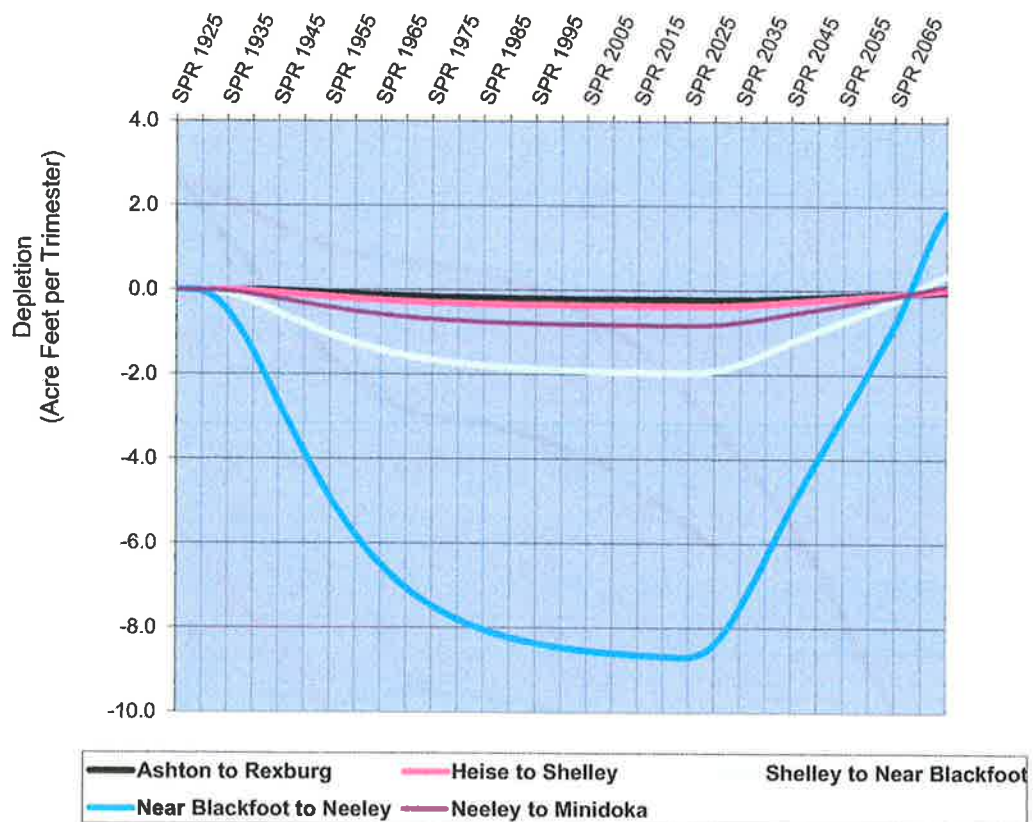
MODEL CELL LOCATIONS:				
	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	100	101	101	0
COLUMN	30	36	30	0

	Start Date		End Date		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Annual (af/yr)	Transfer (af/transfer)		
TO Well (Projected Use)	Spring	2022	Winter	2026	117.6	39.2	0.0	Water growth 1% per year, End 2062 Max out water rights Spring 2063 to Winter 2066 no growth in water usage
	Spring	2027	Winter	2031	123.8	41.2	0.0	
	Spring	2032	Winter	2036	129.9	43.3	0.0	
	Spring	2037	Winter	2041	136.5	46.5	0.0	
	Spring	2042	Winter	2046	143.5	47.8	0.0	
	Spring	2047	Winter	2051	150.6	50.3	0.0	
	Spring	2052	Winter	2056	158.5	52.8	0.0	
	Spring	2057	Winter	2061	171.6	57.2	0.0	
FROM1 Well (With Transfer)	Spring	2022	Winter	2026	132.3	44.1	0.0	Well 1 is the Big Well. Only 0.33 cfs is transferred from this well, only years going forward from this change application are shown here.
	Spring	2027	Winter	2031	139	46.3	0.0	
	Spring	2032	Winter	2036	146.1	48.7	0.0	
	Spring	2037	Winter	2041	153.6	51.2	0.0	
	Spring	2042	Winter	2046	161.4	53.8	0.0	
	Spring	2047	Winter	2051	169.6	56.5	0.0	
	Spring	2052	Winter	2056	178.3	59.4	0.0	
	Spring	2057	Winter	2061	187.4	62.5	0.0	
FROM1 Well (Without Transfer)	Spring	2022	Winter	2026	204.6	66.2	0.0	In 2047 this water right is maximized No added growth is shown from this well.
	Spring	2027	Winter	2031	215	71.7	0.0	
	Spring	2032	Winter	2036	226	75.3	0.0	
	Spring	2037	Winter	2041	237.5	79.2	0.0	
	Spring	2042	Winter	2046	241.9	80.6	0.0	
	Spring	2047	Winter	2051	241.9	80.6	0.0	
	Spring	2052	Winter	2056	241.9	80.6	0.0	
	Spring	2057	Winter	2061	241.9	80.6	0.0	
FROM2 Well (With Transfer)	Spring	2022	Winter	2026	0	0.0	0.0	This is the Little Well. When this is transferred, this well is closed
	Spring	2027	Winter	2031	0	0.0	0.0	
	Spring	2032	Winter	2036	0	0.0	0.0	
	Spring	2037	Winter	2041	0	0.0	0.0	
	Spring	2042	Winter	2046	0	0.0	0.0	
	Spring	2047	Winter	2051	0	0.0	0.0	
	Spring	2052	Winter	2056	0	0.0	0.0	
	Spring	2057	Winter	2061	0	0.0	0.0	
FROM2 Well (Without Transfer)	Spring	2022	Winter	2026	45.3	15.1	0.0	This projects the growth of demand in the little well assuming the drought did not shut it down
	Spring	2027	Winter	2031	47.6	15.9	0.0	
	Spring	2032	Winter	2036	50.1	16.7	0.0	
	Spring	2037	Winter	2041	52.6	17.5	0.0	
	Spring	2042	Winter	2046	55.3	18.4	0.0	
	Spring	2047	Winter	2051	58.1	19.4	0.0	
	Spring	2052	Winter	2056	61.1	20.4	0.0	
	Spring	2057	Winter	2061	64.2	21.4	0.0	
FROM3 Well (With Transfer)	Spring	2022	Winter	2026	67.4	22.5	0.0	
	Spring	2027	Winter	2031				
	Spring	2032	Winter	2036				
	Spring	2037	Winter	2041				
	Spring	2042	Winter	2046				
	Spring	2047	Winter	2051				
	Spring	2052	Winter	2056				
	Spring	2057	Winter	2061				
FROM3 Well (Without Transfer)	Spring	2022	Winter	2026				
	Spring	2027	Winter	2031				
	Spring	2032	Winter	2036				
	Spring	2037	Winter	2041				
	Spring	2042	Winter	2046				
	Spring	2047	Winter	2051				
	Spring	2052	Winter	2056				
	Spring	2057	Winter	2061				

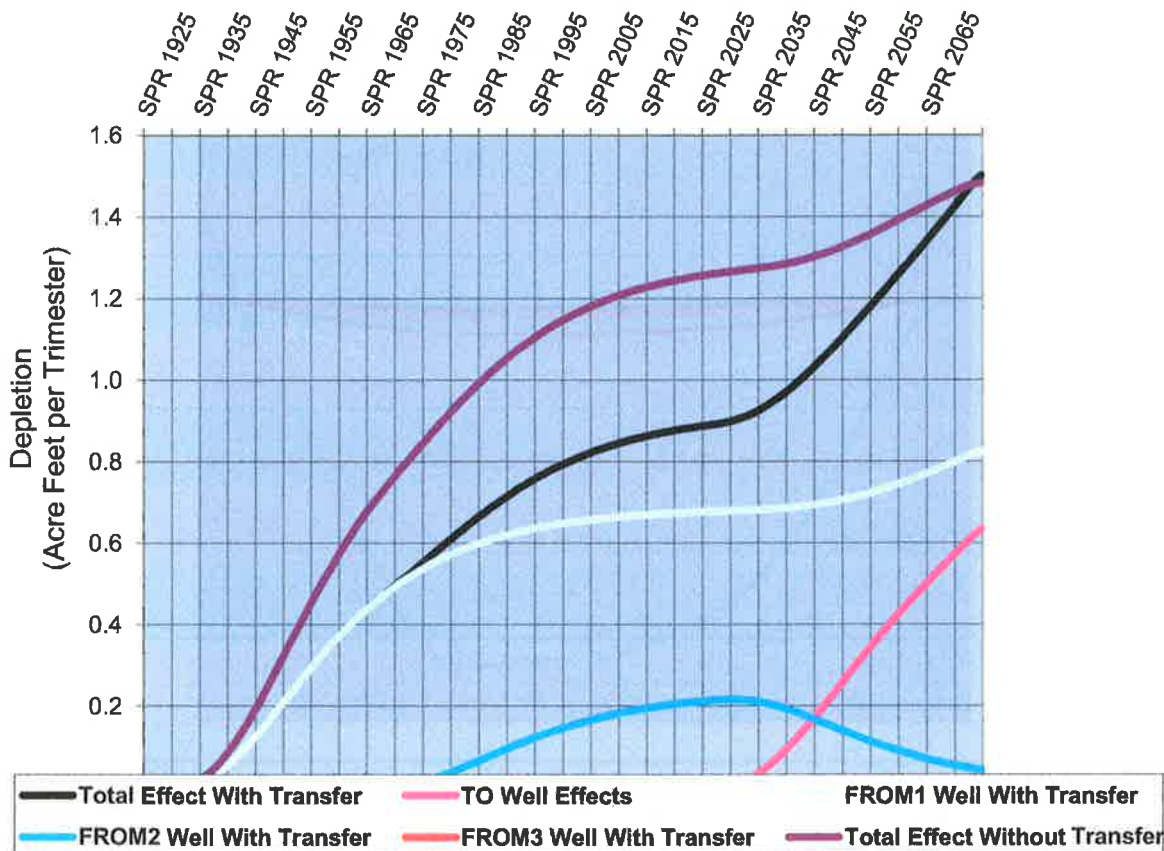
Hydrologic Response--Ashton to Rexburg
Customer Name: City Of Oakley **Transfer No:**



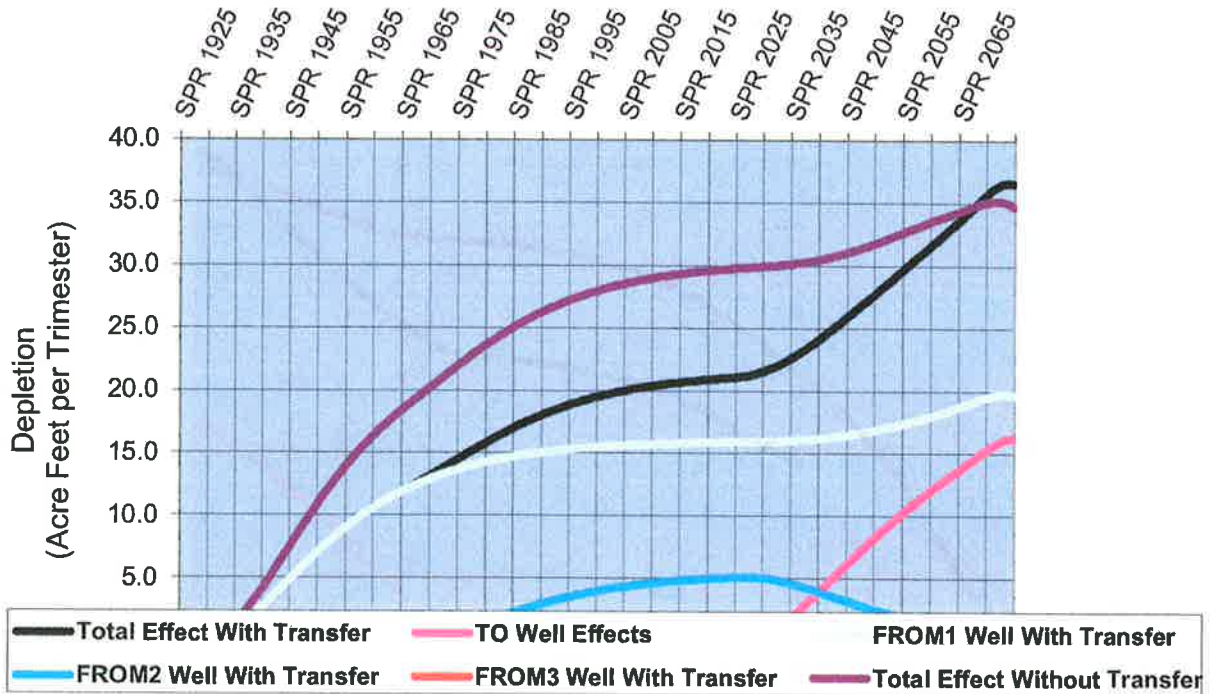
Net Transfer Effect Above Milner **(Total Effect With Transfer - Total Effect Without Transfer)**



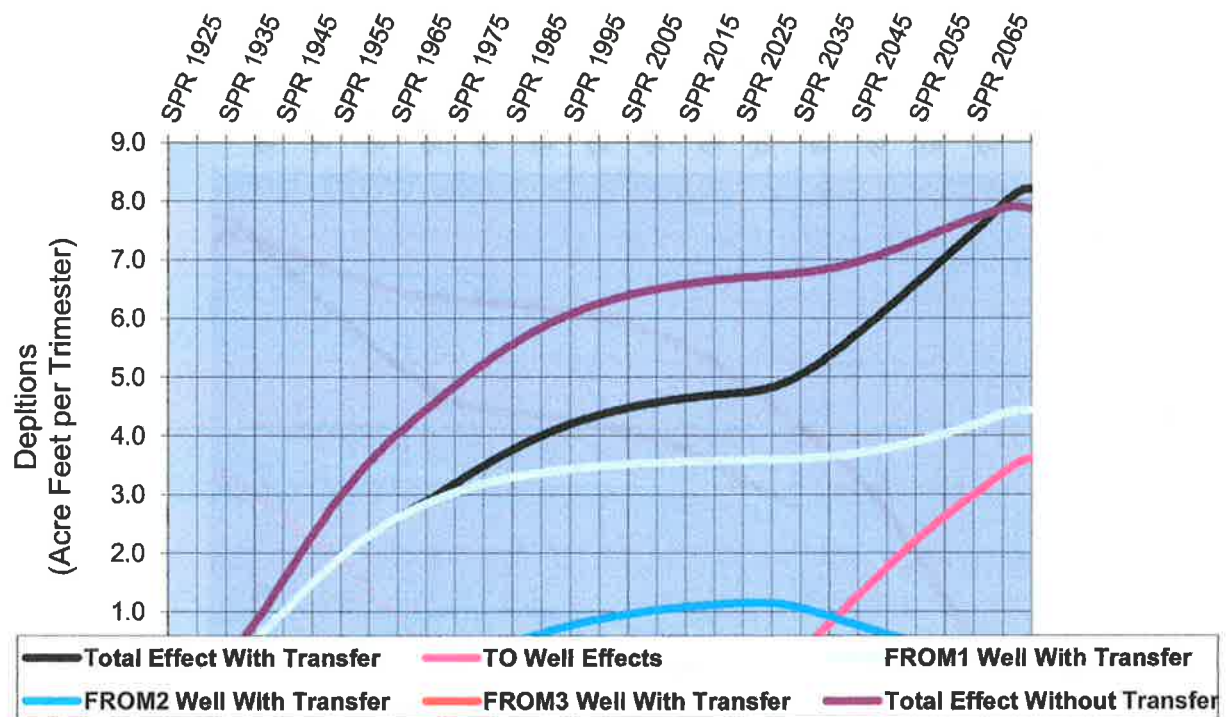
Hydrologic Response--Heise to Shelley
Customer Name: **Transfer No:**



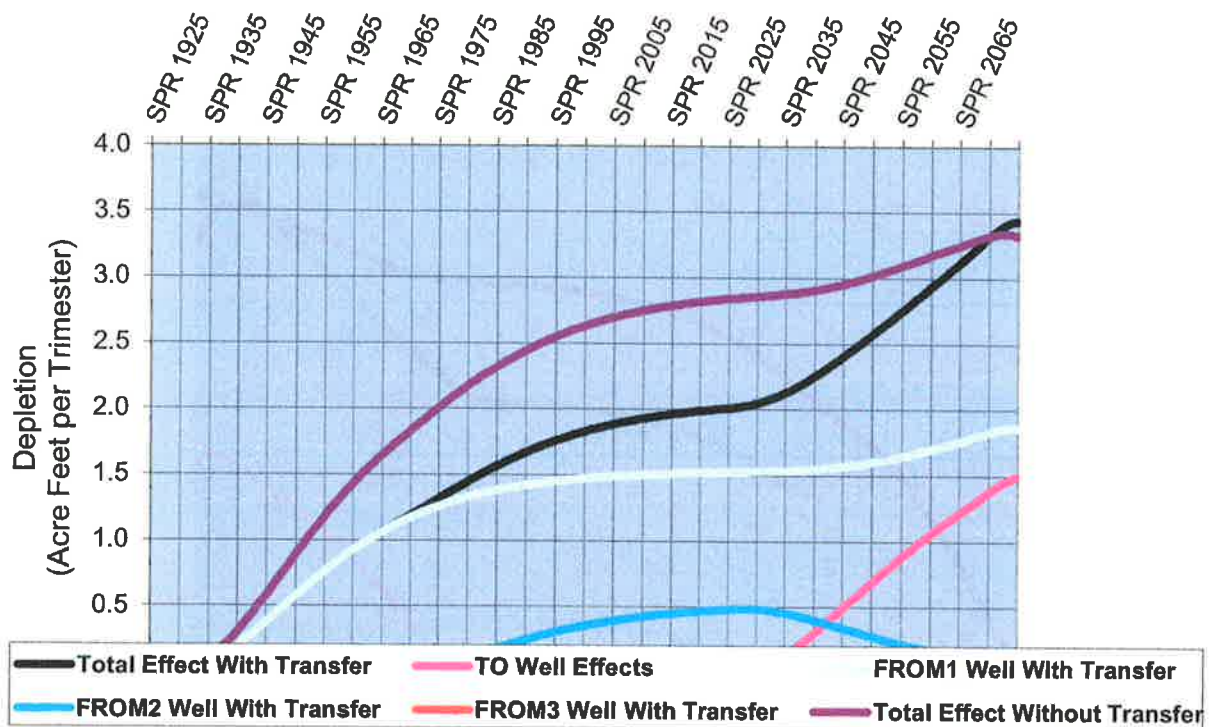
Hydrologic Response-- Near Blackfoot to Neeley Customer Name: Transfer No:



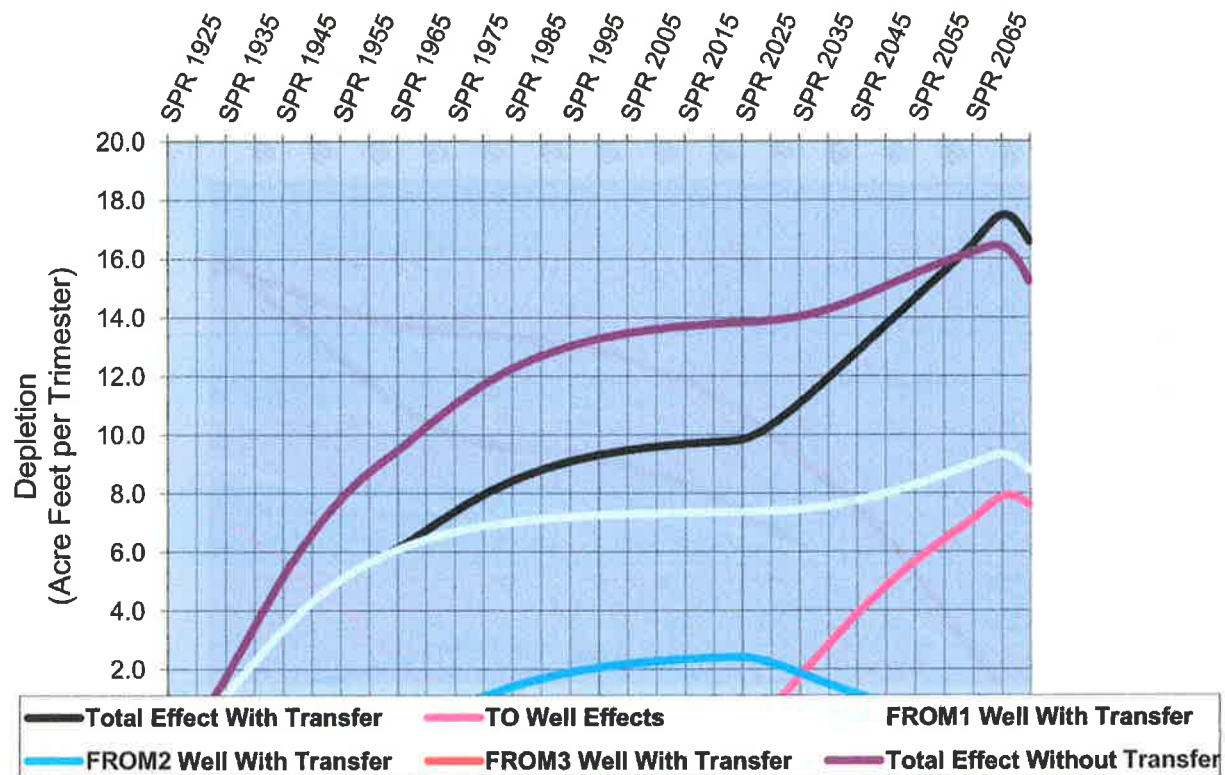
Hydrologic Response--Shelley to Near Blackfoot **Customer Name:** **Transfer No:**



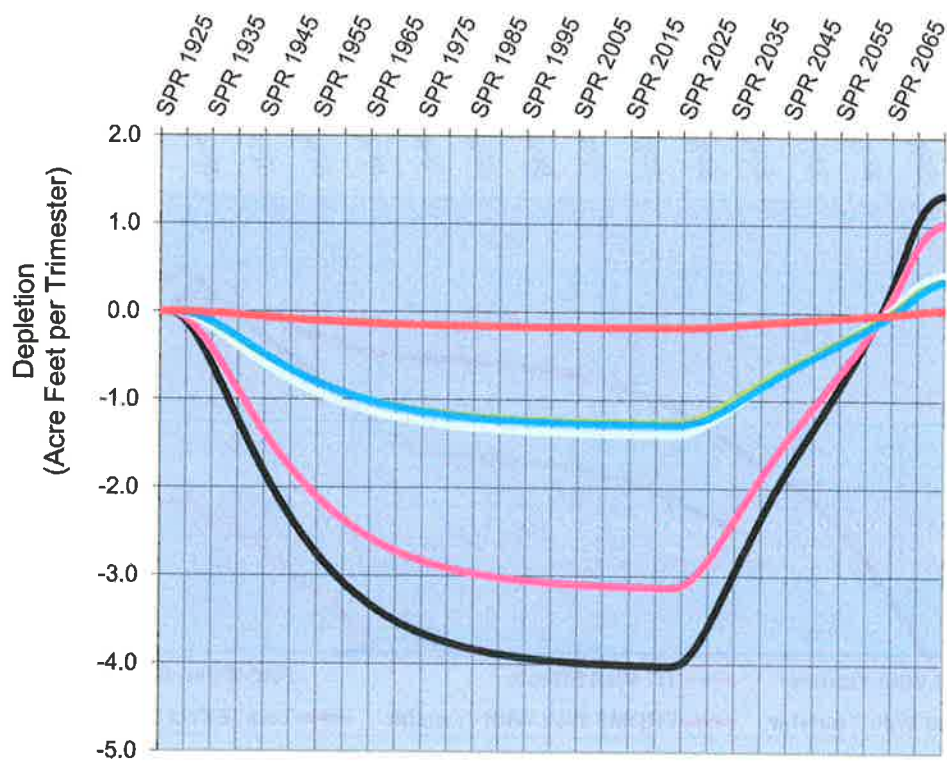
Hydrologic Response-- Neeley to Minidoka Customer Name: Transfer No:



Hydrologic Response--Devil's Washbowl to Buhl **Customer Name:** **Transfer No:**

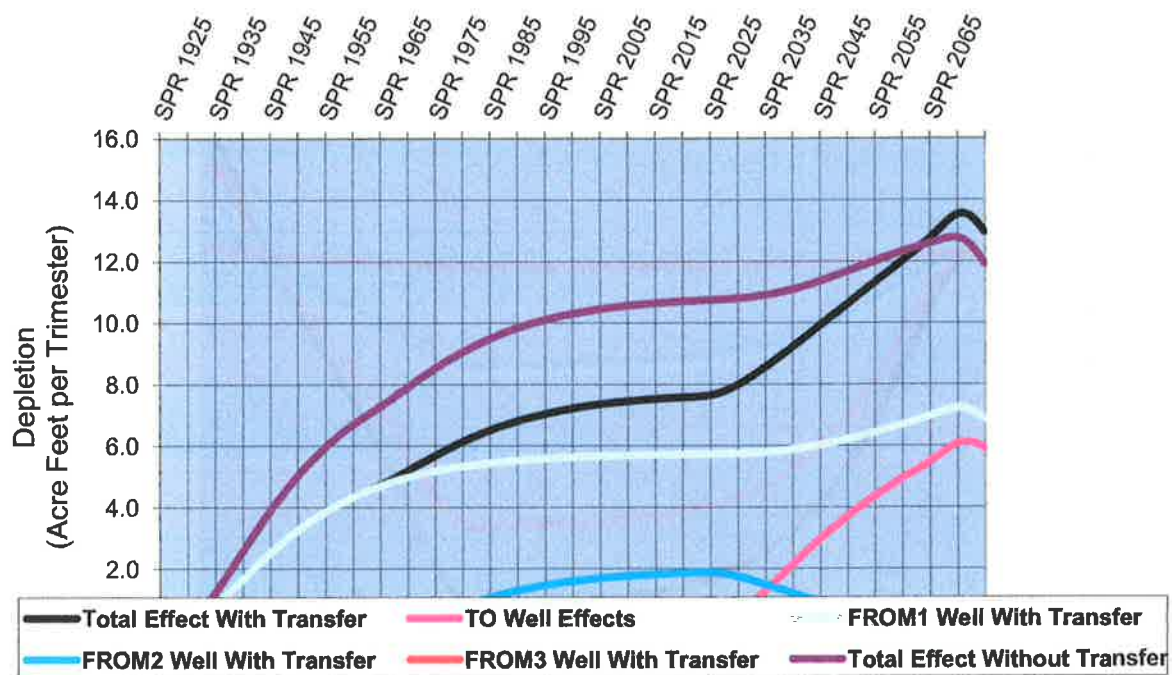


Net Transfer Effect Below Milner *(Total Effect With Transfer - Total Effect Without Transfer)*

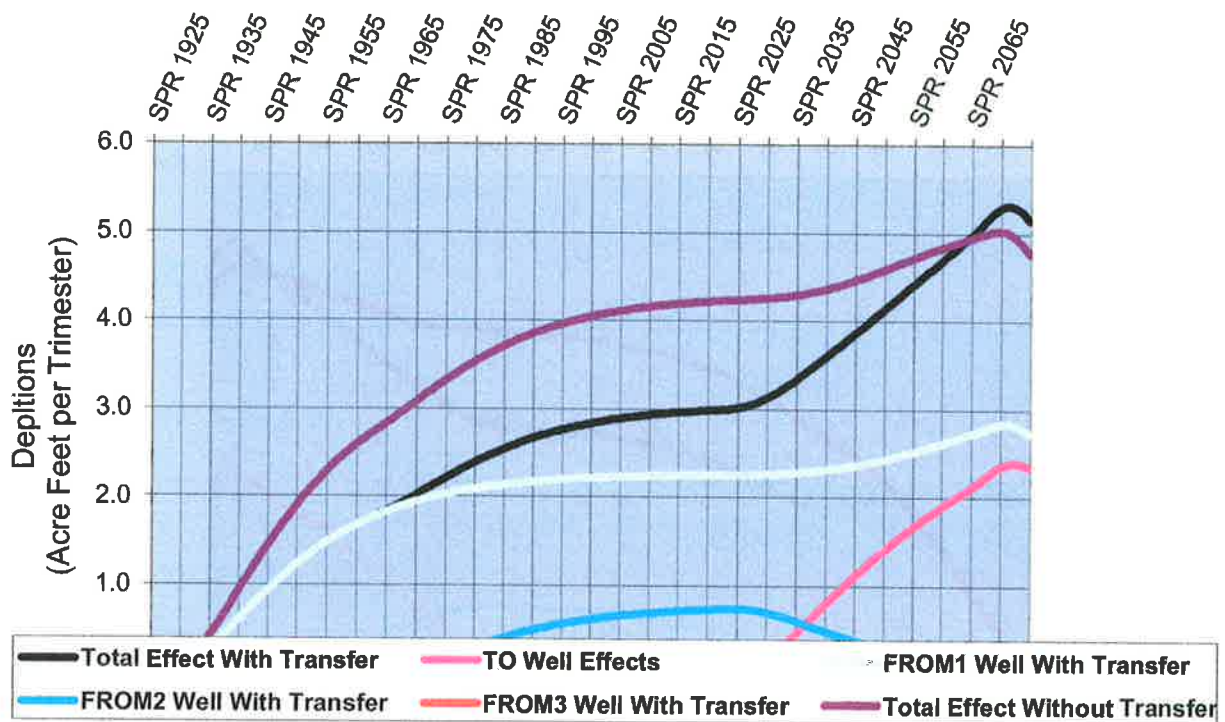


— Devil's Washbowl to Buhl	— Buhl to Thousand Springs	Thousand Springs
— Thousand Springs to Malad	— Malad	— Malad to Bancroft

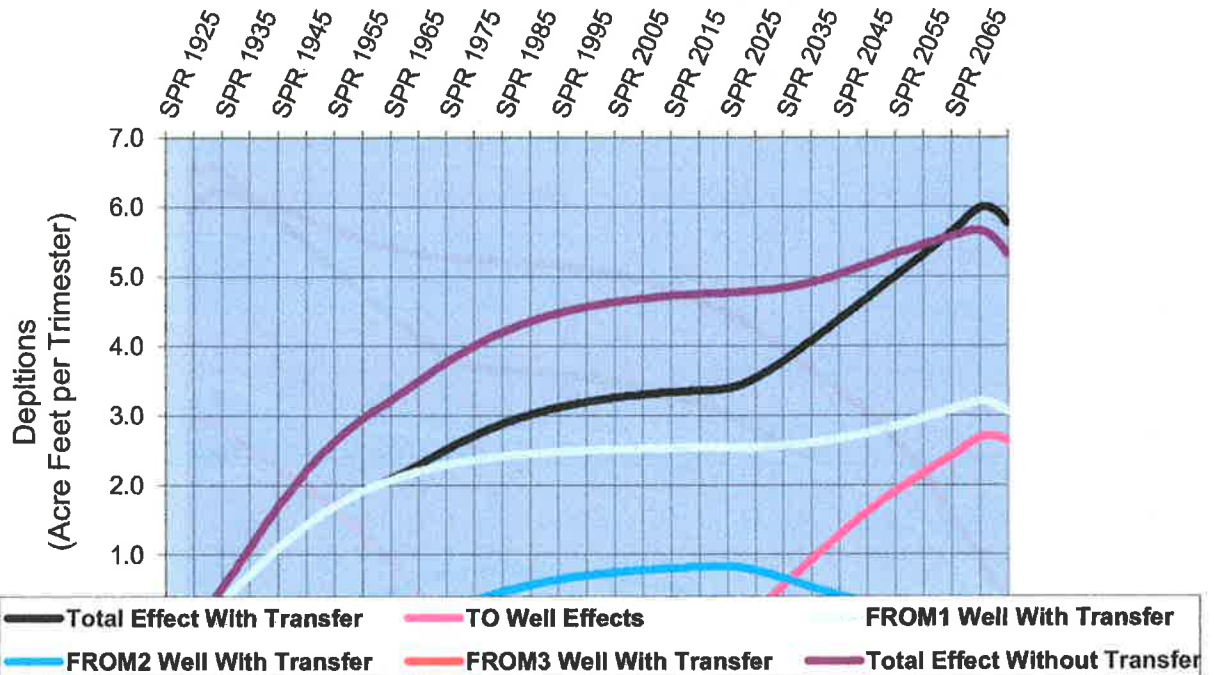
Hydrologic Response--Buhl to Thousand Springs
Customer Name: _____ **Transfer No:** _____



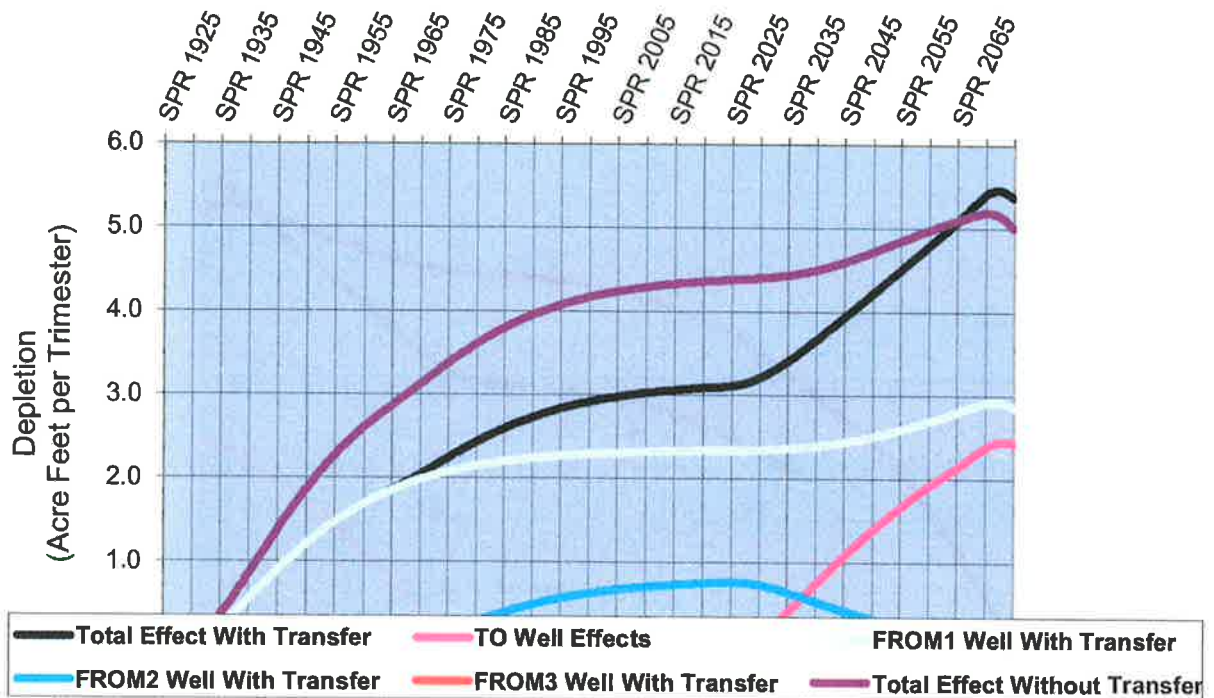
Hydrologic Response--Thousand Springs to Malad Customer Name: Transfer No:



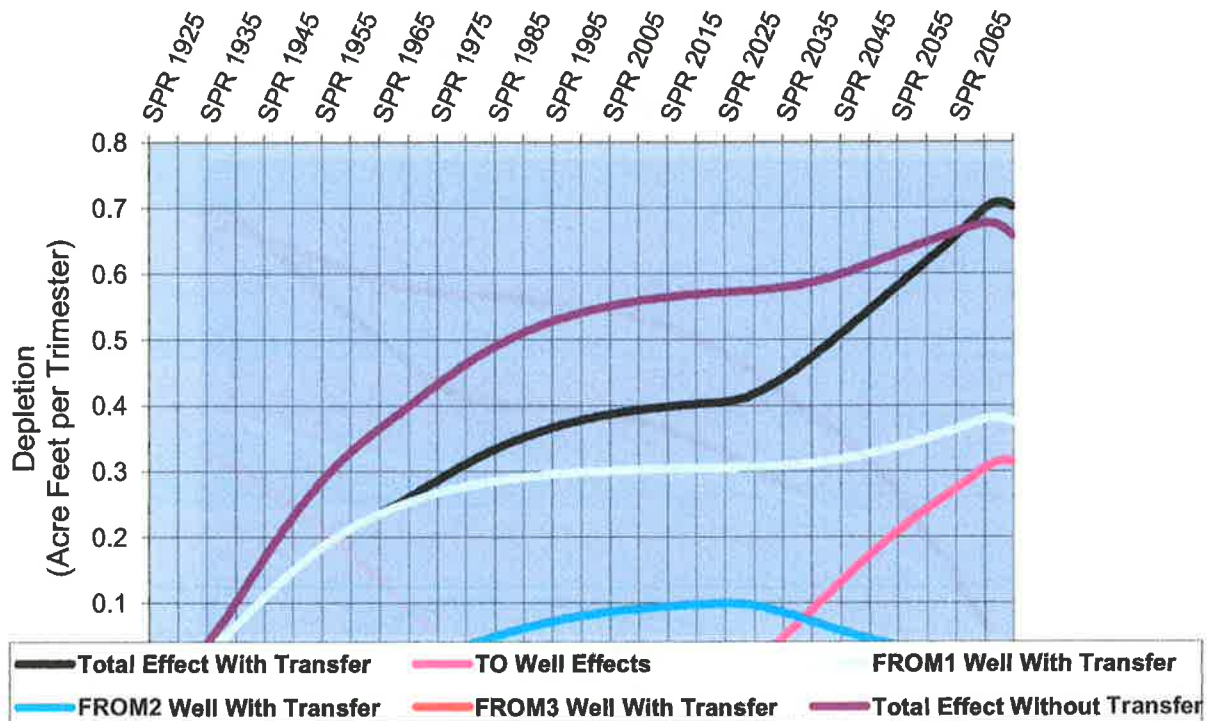
Hydrologic Response--Thousand Springs **Customer Name:** **Transfer No:**



Hydrologic Response-- Malad **Customer Name:** **Transfer No:**



Hydrologic Response-- Malad to Bancroft **Customer Name:** **Transfer No:**



Ratio

Trimester

Asht to Rexburg

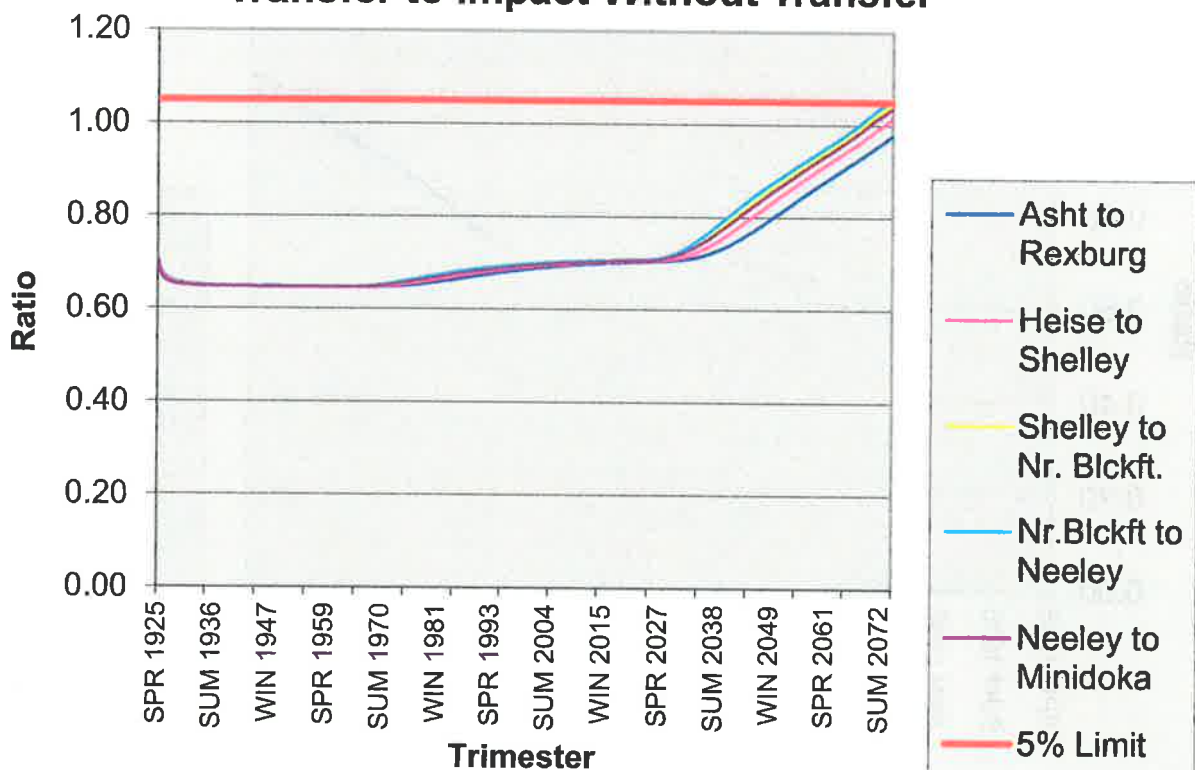
Heise to Shelley

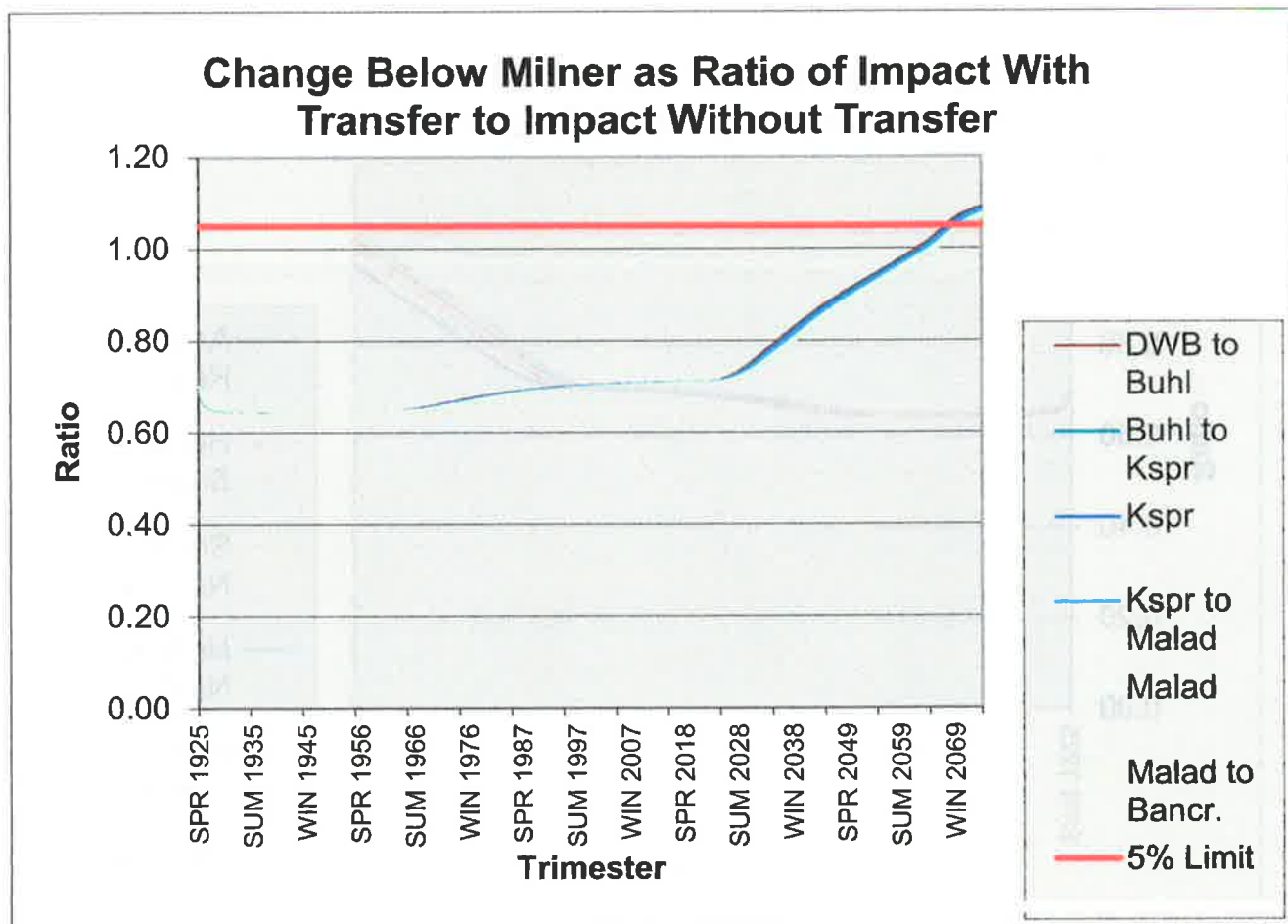
Shelley to Nr. Bickft.

Nr. Bickft to Neeley

Neeley to Minidoka

5% Limit





Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.90	1.48	7.85	34.72	3.32	15.22	11.94	5.32	4.77	5.01	0.66
0.88	1.50	8.21	36.57	3.44	16.57	12.96	5.77	5.15	5.37	0.70
0.90	1.48	7.91	35.16	3.34	16.44	12.77	5.66	5.03	5.19	0.68
0.88	1.50	8.21	36.61	3.44	17.48	13.55	6.00	5.32	5.47	0.71

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-2.4%	1.2%	4.5%	5.3%	3.4%	8.8%	8.6%	8.4%	8.0%	7.3%	6.5%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.4	1.8	0.1	1.3	1.0	0.4	0.4	0.4	0.0
	Mitigation Check 3 - >10% of Total:	0.9%	1.5%	8.5%	37.7%	3.5%	17.1%	13.3%	5.9%	5.3%	5.5%	0.7%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.4	1.8	0.1	1.3	1.0	0.4	0.4	0.4	0.0

Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-2.4%	1.2%	3.8%	4.1%	2.9%	6.3%	6.1%	5.9%	5.7%	5.3%	4.7%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	0.3	1.4	0.1	1.0	0.8	0.3	0.3	0.3	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.3	1.4	0.1	1.0	0.8	0.3	0.3	0.3	0.0

Question 7, Maps
VACINITY MAP
PROPOSED WELL SITE
EXISTING DISTRIBUTION SYSTEM
PROPOSED WELL CONNECTION



NO.	REVISIONS	BY	DATE	QA	BR

ATTENTION
LINE IS 2 INCHES
AT FULL SIZE
(IF NOT 2" SCALE ACCORDINGLY)



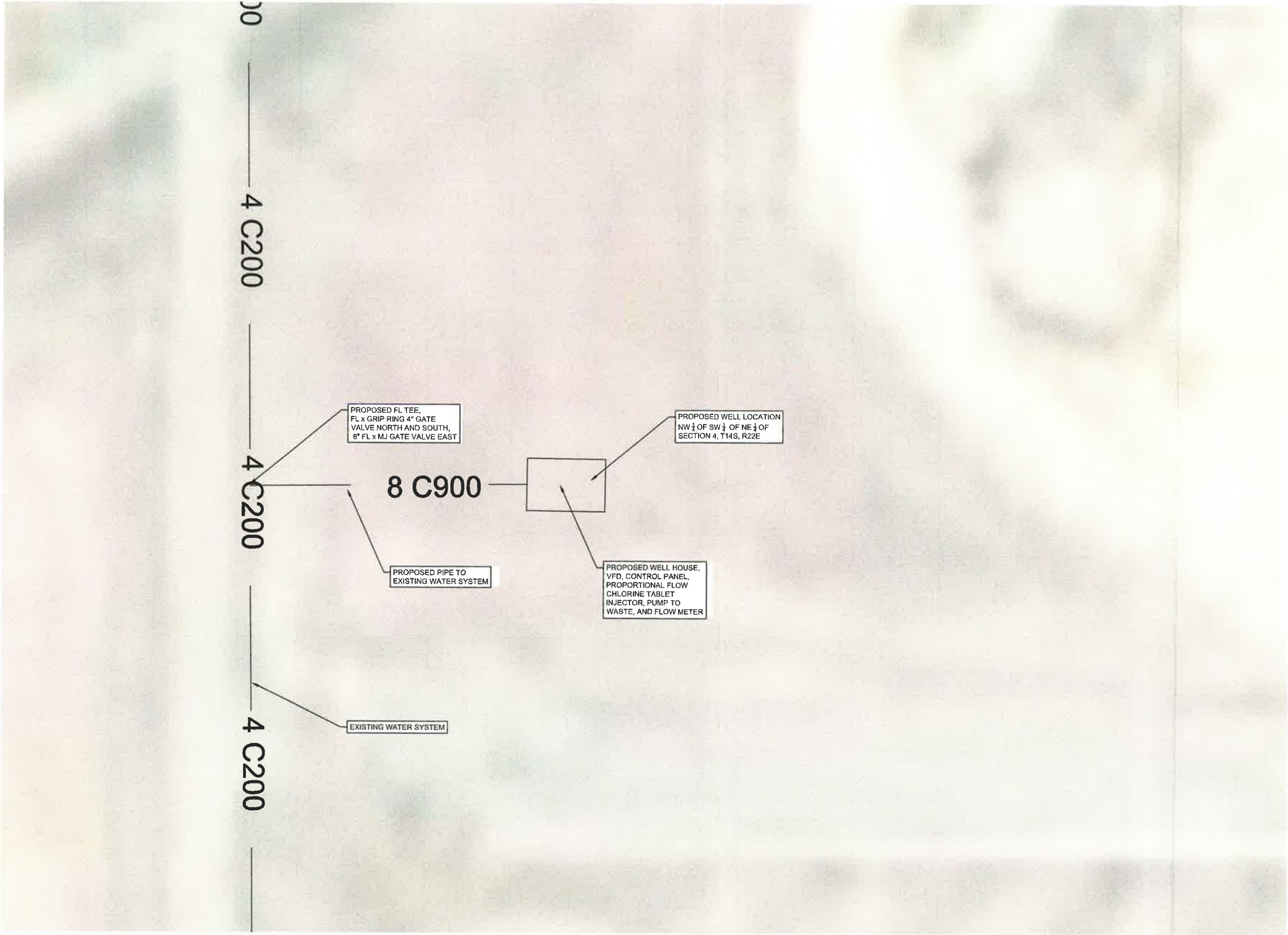
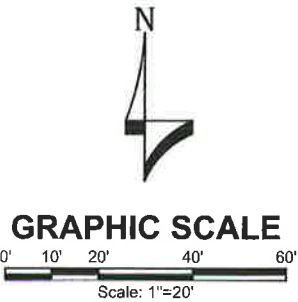
CITY OF OAKLEY, IDAHO
200 WEST MAIN STREET
OAKLEY, IDAHO 83346
PHONE (208) 431-6090

WATER PROJECT



WATER WELL
VICINITY MAP

PROJECT NO:
22-01
SHEET NO:
CS-100
DATE:
02/19/2022



NO	REVISIONS	BY	DATE

DRAWN	DRW
DESIGNED	DRW
APPROVED	BR
QA	BR

ATTENTION
LINE IS 2 INCHES
AT FULL SIZE
(IF NOT 2" SCALE ACCORDINGLY)



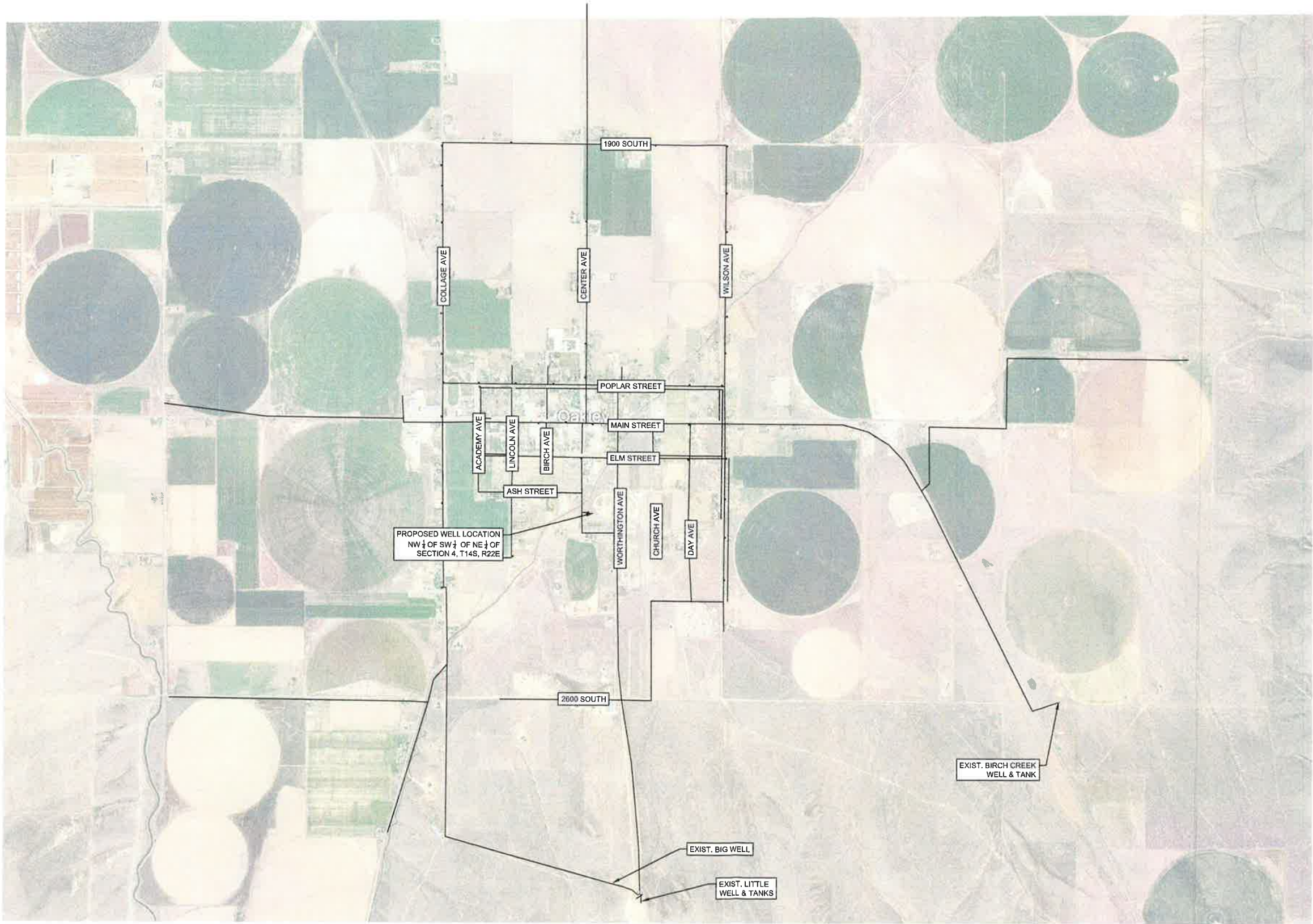
CITY OF OAKLEY, IDAHO
200 WEST MAIN STREET
OAKLEY, IDAHO 83346
PHONE (208) 431-6090

WATER PROJECT



WATER WELL
PROPOSED WELL CONNECTION

PROJECT NO:	22-01
SHEET NO:	CS-103
DATE:	02/19/2022



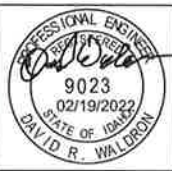
GRAPHIC SCALE

0' 500' 1000' 2000' 3000'

Scale: 1"=1000'

NO.	REVISIONS	BY	DATE	DRAWN	DRW
				DESIGNED	DRW
				APPROVED	BR
				QA	BR

ATTENTION
LINE IS 2 INCHES
AT FULL SIZE
(IF NOT 2" SCALE ACCORDINGLY)



CITY OF OAKLEY, IDAHO
200 WEST MAIN STREET
OAKLEY, IDAHO 83346
PHONE (208) 431-6090

WATER PROJECT



WATER WELL
EXISTING DISTRIBUTION SYSTEM

PROJECT NO:
22-01
SHEET NO:
CS-102
DATE:
02/19/2022

Maline, Denise

From: Maline, Denise
Sent: Friday, April 1, 2022 5:13 PM
To: Adam Mc Coy (WD140)
Subject: Comment Letter for Transfer No. 85949 - City of Oakley
Attachments: Transfer No. 85949 City of Oakley.pdf; Comment letter to WD140 for 85949.docx

Hi Adam,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact our office.

Thank you in advance,

Denise @ IDWR

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 31, 2022

WATER DISTRICT 140
ADAM MC COY
355 W 500 S
BURLEY ID 83318-5229

RE: Transfer No. 85949 (City of Oakley)

Dear Adam:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 126199

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	281.08
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	281.08
Fax			
Section	Legals	Start/End Dates	04/07/2022 - 04/14/2022
SubSection		Insertions	2
Category	50 Legal	Size	187
Ad Key	126199-1	Salesperson(s)	Legal Notices
Keywords	NTC/TRANSFER REQUESTS	Taken By	Seana Chapman
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17206

JEROME SCHOOL DISTRICT #261
125 4TH AVE W
JEROME, ID 83338
Point of Diversion NESENE S19 T08S R17E JEROME County Source
GROUND WATER Tributary
Use: COOLING 01/01 to 12/31 0.37 CFS
Use: HEATING 01/01 to 12/31 0.37 CFS
Total Diversion: 0.37 CFS
Date Filed: 02-23-2022
Place Of Use: COOLING, HEATING
T08S R17E S19 SENE
Application proposes diversion of up to 0.37 cfs for year-round non-consumptive heating and cooling uses associated with a new elementary school located approximately 0.8 mile east and 0.3 mile south of the intersection of Main Street and Lincoln Avenue in Jerome. A new well is proposed and water will be diverted, used, and re-injected into a separate well at the site. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

47-17751

BRIAN TUBBS
MICHELLE TUBBS
3469 E 3100 N
KIMBERLY, ID 83341-5251
Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County
Source SPRING Tributary COTTONWOOD CREEK
Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County
Source SPRING Tributary COTTONWOOD CREEK
Use: DOMESTIC 01/01 to 12/31 0.02 CFS
Use: DOMESTIC STORAGE 01/01 to 12/31 0.1 AF
Total Diversion: 0.02 CFS
Date Filed: 12-28-2021
Place Of Use: DOMESTIC, DOMESTIC STORAGE
T11S R18E S29 NWNE
Application proposes to appropriate water from a spring for domestic uses, including a small pond, on property located approximately 6.0 miles south and 0.5 miles west of the center of Kimberly. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85686

HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431; SHEILA K CATMULL and MICHAEL H SCHODDE and JON T SCHODDE, C/O HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431 has filed Application No. 85686 for changes to the following water rights within MINIDOKA County(s): Right No(s). 1-229. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add a point of diversion (POD) to a Snake River irrigation water right, with a flow rate of 2.00 cfs. The additional POD will be an existing pump station on the Snake River located approximately 3.9 miles west and 1.0 mile north of the intersection of Main Street and Overland Avenue in Burley. The transfer also proposes to modify the

**Proof of legal notice received
from Times News 4/1/2022**

(2 pgs)



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 126199

POU, located adjacent to the proposed additional POD, to reflect changes to the irrigation system.

TRANSFER NO. 85921

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 85921 for changes to the following water rights within JEROME County(s): Right No(s). 36-17180. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion and place of use for a 0.12 cfs, 20 acre-foot portion of a commercial & stockwater groundwater right that is currently diverted from 4 wells at a calf rearing facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul. The application proposes moving the right to a new place of use and diverting it from two existing wells at a CAFO facility located approximately 9.6 to 9.8 miles west and 4.4 to 4.6 miles south of Paul.

TRANSFER NO. 85949

CITY OF OAKLEY, 200 W MAIN, PO BOX 266, OAKLEY, ID 83346 has filed Application No. 85949 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10802, 45-10803, 45-10804, 45-2659. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding points of diversion to four municipal ground water rights (2.12 cfs total). A new well to be drilled will be added to the four rights and an existing well will be added to one of the rights so that there will be a total of three wells on all four municipal water rights. The two existing wells are located approximately 1.6 miles south and 0.1 mile east of the intersection of Center St. and Main St. in Oakley. The proposed well will be located approximately 0.6 miles south of the intersection of Center St. and Main St. in Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 25, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 7th & 14th, 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 31, 2022

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

RE: Transfer No. 85949
Water Right No(s). 45-10802, 45-10803, 45-10804, 45-2659

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/7/2022 and 4/14/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **April 25, 2022**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: David R Waldron, DW Engineering

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 31, 2022 2:15 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on April 7th & 14th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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Governor Brad Little

Director Gary Spackman

March 31, 2022

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 36-17206, 47-17751

RE: Transfer No. 85686
Water Right No(s). 1-229

RE: Transfer No. 85921
Water Right No(s). 36-17180

RE: Transfer No. 85949
Water Right No(s). 45-10802, 45-10803, 45-10804, 45-2659

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 25, 2022. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17206

JEROME SCHOOL DISTRICT #261

125 4TH AVE W

JEROME, ID 83338

Point of Diversion NESENE S19 T08S R17E JEROME County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.37 CFS

Use: HEATING 01/01 to 12/31 0.37 CFS

Total Diversion: 0.37 CFS

Date Filed: 02-23-2022

Place Of Use: COOLING, HEATING

T08S R17E S19 SENE

Application proposes diversion of up to 0.37 cfs for year-round non-consumptive heating and cooling uses associated with a new elementary school located approximately 0.8 mile east and 0.3 mile south of the intersection of Main Street and Lincoln Avenue in Jerome. A new well is proposed and water will be diverted, used, and re-injected into a separate well at the site. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

47-17751

BRIAN TUBBS

MICHELLE TUBBS

3469 E 3100 N

KIMBERLY, ID 83341-5251

Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County Source SPRING Tributary COTTONWOOD CREEK

Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County Source SPRING Tributary COTTONWOOD CREEK

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Use: DOMESTIC STORAGE 01/01 to 12/31 0.1 AF

Total Diversion: 0.02 CFS

Date Filed: 12-28-2021

Place Of Use: DOMESTIC, DOMESTIC STORAGE

T11S R18E S29 NWNE

Application proposes to appropriate water from a spring for domestic uses, including a small pond, on property located approximately 6.0 miles south and 0.5 miles west of the center of Kimberly. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85686

HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431; SHEILA K CATMULL and MICHAEL H SCHODDE and JON T SCHODDE, C/O HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431 has filed Application No. 85686 for changes to the following water rights within MINIDOKA County(s): Right No(s). 1-229. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add a point of diversion (POD) to a Snake River irrigation water right, with a flow rate of 2.00 cfs. The additional POD will be an existing pump station on the Snake River located approximately 3.9 miles west and 1.0 mile north of the intersection of Main Street and Overland Avenue in Burley. The transfer also proposes to modify the POU, located adjacent to the proposed additional POD, to reflect changes to the irrigation system.

TRANSFER NO. 85921

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 85921 for changes to the following water rights within JEROME County(s): Right No(s). 36-17180. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion and place of use for a 0.12 cfs, 20 acre-foot portion of a commercial & stockwater groundwater right that is currently diverted from 4 wells at a calf rearing facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul. The application proposes moving the right to a new place of use and diverting it from two existing wells at a CAFO facility located approximately 9.6 to 9.8 miles west and 4.4 to 4.6 miles south of Paul.

TRANSFER NO. 85949

CITY OF OAKLEY, 200 W MAIN, PO BOX 266, OAKLEY, ID 83346 has filed Application No. 85949 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10802, 45-10803, 45-10804, 45-2659.

The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding points of diversion to four municipal ground water rights (2.12 cfs total). A new well to be drilled will be added to the four rights and an existing well will be added to one of the rights so that there will be a total of three wells on all four municipal water rights. The two existing wells are located approximately 1.6 miles south and 0.1 mile east of the intersection of Center St. and Main St. in Oakley. The proposed well will be located approximately 0.6 miles south of the intersection of Center St. and Main St. in Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 25, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 7th & 14th, 2022

M E M O R A N D U M

Date: March 29, 2022
To: Transfer 85949 File
From: William Mills
Re: Transfer Proposal

Application for transfer proposes adding points of diversion to four municipal ground water rights (2.12 cfs total). A new well to be drilled will be added to the four rights and an existing well will be added to one of the rights so that there will be a total of three wells on all four municipal water rights. The two existing wells are located approximately 1.6 miles south and 0.1 mile east of the intersection of Center St. and Main St. in Oakley. The proposed well will be located approximately 0.6 miles south of the intersection of Center St. and Main St. in Oakley.

Points of diversion (PODs) are located in Water District 140 and Watermaster comments will be solicited. PODs are also located in the Eastern Snake Plain Aquifer. No modeling is required as the proposed well is located in a model cell adjacent to the model cell where the existing wells are located. PODs are also located in the Oakley Kenyon Critical Ground Water Management Area.

MEMORANDUM

Date: March 29, 2022
To: Transfer 85949 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #85949 are based on the on the current transfer fee schedule. \$660.00 was paid for the 2.12 cfs requested to be transferred (Receipt Nos.S039135 & S039143).

RECEIVED

MAR 28 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION



CITY OF OAKLEY

200 W. Main - P.O. Box 266
Oakley, ID 83346 Phone (208) 862-3313

March 23, 2022

Idaho Department of Water Resources
650 Addison Ave West
Twin Falls ID 83301

Please find a check for \$60.00 and an application for point of diversion. An application dated March 10 was previously submitted. Please replace that application with the attached application form.

Respectfully yours

A handwritten signature in blue ink, appearing to read 'David R. Waldron', with a long horizontal flourish extending to the right.

David R. Waldron, P.E