

4204

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4204
WATER RIGHT NO. 22-02217

RECEIVED
JAN 2 0 1994

Department of Water Resources
Eastern District Office

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

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

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

SOURCE

GROUNDWATER

Priority: 12/09/1961

LOCATION OF POINT(S) OF DIVERSION:

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

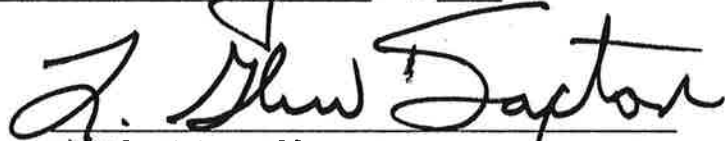
PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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

Dated this 4th day of

January, 1994


Chief, Water Alloc. Bureau

S.O. 12-10-93

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4204APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant City of Newdale Phone (208)458-4389Post Office address P.O. Box 70, Newdale, ID 83436

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes City wishes to take two old wells off line and replace them with one new well.

* Two PD's LISTED. ONLY ONE WILL BE CHOSEN. LOCATION WILL NOT BE KNOWN UNTIL DRILLING COMMENCES. DEM 8-11-93 AS PER ATTACHED LETTER.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number A22-02217 Priority Dec. 9, 1961 Amount 1.780 cfs Nature of Use Municipal Period of Use Jan. 1 to Dec. 31
2. Total amount of water being transferred 1.780 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~SW~~	~~SW~~	~~NW~~	~~34~~	~~7N~~	~~41E~~	~~Fremont~~		
~~NW~~	~~NW~~	~~SE~~	~~33~~	~~7N~~	~~41E~~	~~Fremont~~		
		NE	NE	4	6N	41E	MADISON	AS PER CONVERSATION WITH MARK MULKAY 8-16-93 1600 HRS PRM

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

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	34													M	M	M	M	

Total acres _____

PART 1**6. General Information:**

a. Description of diversion system 100 hp pump, 8-inch main line

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Place of use not changed.

d. Remarks:

City of Newdale, under order from EPA, is seeking a new water source.

Florid content in City drinking water does not meet current EPA standards.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☒ Other Adjudication Notice

3. Source of water Groundwater tributary to _____

4. Date or priority Dec. 9, 1961

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	34	7N	41E	Fremont	Main St. Well
		SW	SE	36	7N	41E	Fremont	Storage Tank Well

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

Twp.	Rge.	Sec.	NE 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	
7N	41E	34													M	M	M	M	

Total acres _____

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

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
yes If yes, describe storage tank well has not been used for more than 10 years.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

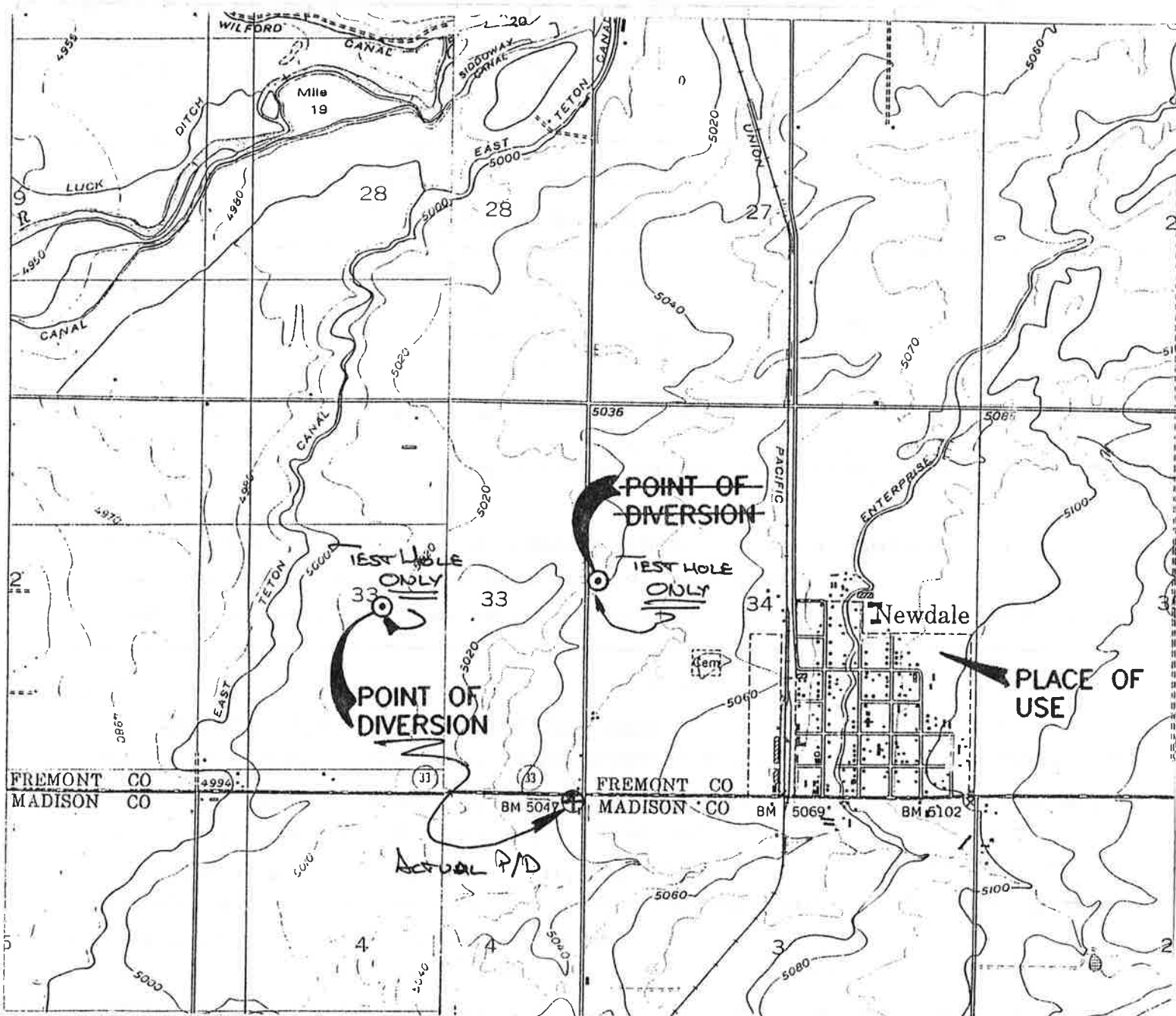
3. Lands irrigated or place of use:

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

Total acres _____

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

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

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

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

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

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Shayne Hanson
(Signature of Applicant)

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

Susan Latt
(Notary Public)

My commission expires March 1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

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

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

Receipted by HWT #E08992 Date 8-3-93 _____

Published in Rexburg Standard Journal Copies of protest forwarded by _____

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

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____