

T4550 CITY OF SODA SPRINGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4550
WATER RIGHT NO(S). 11-02091/11-02156/11-02161

RECORDED

MAY 24 1990

Department of Water Resources
Eastern District Office

This is to certify that: CITY OF SODA SPRINGS
9 W 2ND S
SODA SPRINGS ID 832760000

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. 11-02091 :			
POWER	01/01 to 12/31	50.00 CFS	
Right No. 11-02156 :			
POWER STORAGE	01/01 to 12/31		240.0 AF
POWER FROM STORAGE	01/01 to 12/31		240.0 AF
Right No. 11-02161 :			
POWER	01/01 to 12/31	40.00 CFS	
	TOTAL:	<u>90.00 CFS</u>	<u>240.0 AF</u>

DATE OF PRIORITY:

Right No. 11-02091 : 06/05/1930
Right No. 11-02156 : 07/23/1936
Right No. 11-02161 : 11/27/1954

SOURCE

SODA CREEK

TRIBUTARY OF

BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 36, Township 08S, Range 41E
CARIBOU County

PLACE OF USE: POWER

TWN RGE SEC

08S 42E 31 Lot 4(SWSW)

CONDITIONS/REMARKS:

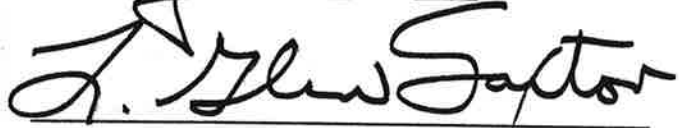
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.

TRANSFER NO. 4550
WATER RIGHT NO(S). 11-02091/11-02156/11-02161

CONDITIONS/REMARKS:

2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. The storage of water under Right No. 11-02156 is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. Place of use is Powerplant No. 4.

Dated this 18th day of May, 1995



Chief, Water Alloc. Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 4550

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
JAN 26 1995

Department of Water Resources

Name of applicant City of Soda Springs Phone (208) 547-2600
Post Office address 9 West 2ND south, Soda Springs ID 83276

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 No Split
2. Describe the reason for the proposed changes This transfer is being filed to change the water rights to reflect actual current use. These rights are used at Power Plant No. 4 and the former site, Power Plant 3, has been demolished. These rights are diverted through New Kackley Ditch.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-----------------------------|--|-------------------------------------|---|
| <u>11-02091</u> | <u>06-05-1930</u> | <u>50.00 cfs</u> | <u>Power</u> | <u>01-01</u> to <u>12-31</u> |
| <u>11-02156</u> | <u>07-23-1936</u> | <u>240.0 af</u> | <u>Power Storage</u> | <u>01-01</u> to <u>12-31</u> |
| <u> </u> | <u> </u> | <u>240.0 af</u> | <u>Power from Storage</u> | <u>01-01</u> to <u>12-31</u> |
| <u>11-02161</u> | <u>11-27-1954</u> | <u>40.00 cfs</u> | <u>Power</u> | <u>01-01</u> to <u>12-31</u> |
| 2. Total amount of water being transferred | | <u>90.00</u> | cubic feet per second <u>and/or</u> | <u>240.0</u> acre-feet per annum <u>STORAGE</u> |
| 3. Source of water | | <u>Soda Creek</u> tributary to <u>Bear River</u> | | |
| 4. Point(s) of Diversion: <u>No Change</u> | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Diversion structure near base of Soda Dam, earthen & concrete-lined canal approximately 5,600 feet long, intake structure, penstock to Power House No. 4 adjacent to Soda Creek, discharged to 100 foot channel to Soda Creek.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ 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:

NA

d. Remarks:

Right Nos. 11-02091 & 11-02156 originally developed to serve power plant no. 3.
Right No. 11-02161 was developed to serve both power plant no. 3 & new plant no. 4,
although a specific place of use was not identified on the license.
Transfer will change & clarify use of these rights.

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 _____.

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 11-02091

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
POWER	to	50.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SODA CREEK	BEAR RIVER

Priority: 06/05/1930

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 36, Township 08S, Range 41E
CARIBOU County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. P/U NOT SHOWN ON LIC.

A.9. Describe any other water rights used for the same purpose as described above 11-02156 & 11-02161

A.10. To you knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 11-02156

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
POWER STORAGE	to		240.0 AF
POWER FROM STORAGE	to		240.0 AF
	Totals		240.0 AF

SOURCETRIBUTARY OF

SODA CREEK

BEAR RIVER

Priority: 07/23/1936

LOCATION OF POINT(S) OF DIVERSION:NWE , Sec. 36, Township 08S, Range 41E
CARIBOU CountyPLACE OF USE: POWER STORAGETWN RGE SEC

08S 41E 36 SESE

PLACE OF USE: POWER FROM STORAGE, same as POWER STORAGE usCONDITIONS/REMARKS:

A.9. Describe any other water rights used for the same purpose as described above 11-02091 & 11-02161

A.10. To you knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 11-02161

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
POWER	to	40.00 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
SODA CREEK		BEAR RIVER

Priority: 11/27/1954

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 36, Township 08S, Range 41E
CARIBOU County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. P/U WITHIN CITY LIMITS OF SODA SPRINGS.

A.9. Describe any other water rights used for the same purpose as described above 11-02091 & 11-02156

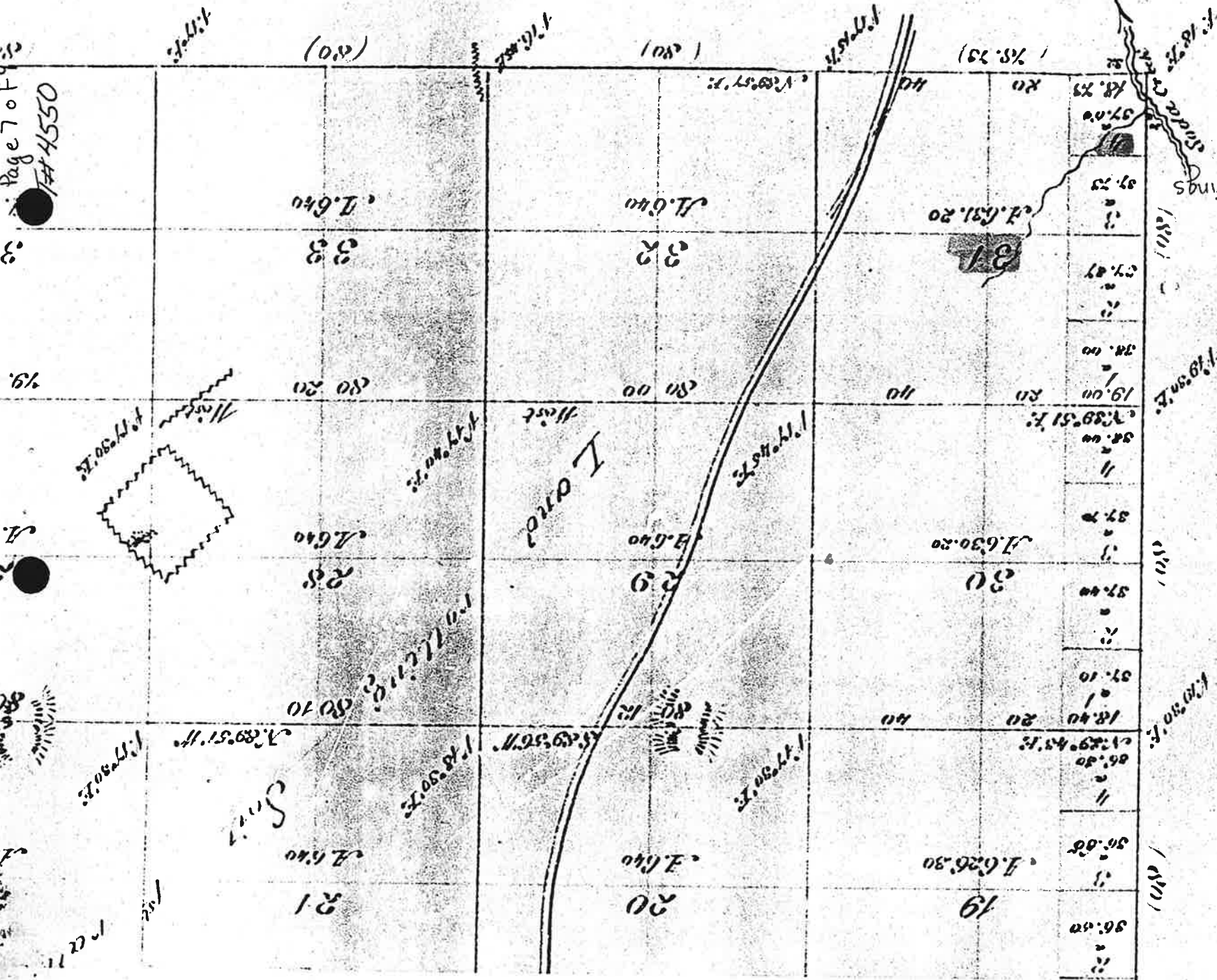
A.10. To you knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe

WR# 11-02091
11-02156
11-02161

City of Soda Springs

T 08 S
R 42 E

Plat of Survey
Filed at Surveyors
Office of the County Clerk
of the State of Idaho
This Survey was made and
the plat hereon is a true and
correct copy of the original
survey made and filed in the
office of the County Clerk
of the State of Idaho



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#4550

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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

Figure A-2
& Plat

PART 3

B. CHANGES IN NATURE OF USE NA

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.

Hilk R. Hansen

(Signature of Applicant)

Subscribed and sworn to before me this 24th day of January, 19 95.Brenda L. Erickson

(Notary Public)

My commission expires June 26, 1995

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and attachmentsReceived by JW Date 1-26-95 Protest filed by Prelim. check by Fee \$100.00/C032055Receipted by JW Date 1-26-95Published in News Examiner & Statewide Copies of protest forwarded by Pub. dates February 16 and 23, 1995 Hearing held by Date Watermaster recommendation requested on Recommended for ☐ approval ☐ denial rec'd. by Copy of transfer sent to lien holder