

T5787

CITY OF BLACKFOOT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

Eastern
RECEIVED

OCT 06 2000

Department of Water Resources
Eastern Region

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/A27-11706

This is to certify that: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

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>	<u>ANNUAL VOLUME</u>
Right No. 27-02142 : MUNICIPAL Priority: 04/12/1965	01/01 to 12/31	1.95 CFS	1411.0 AF
Right No. 27-04084 : MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	5.57 CFS	
Right No. 27-04086 : MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	5.57 CFS	
Right No. 27-04087 : MUNICIPAL Priority: 04/01/1954	01/01 to 12/31	2.23 CFS	
Right No. 27-04088 : MUNICIPAL Priority: 03/01/1953	01/01 to 12/31	4.46 CFS	
Right No. 27-04106 : MUNICIPAL Priority: 01/01/1900	01/01 to 12/31	2.23 CFS	
Right No. 27-04165 : MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	4.45 CFS	
Right No. 27-07329 : MUNICIPAL Priority: 10/19/1982	01/01 to 12/31	3.99 CFS	
Right No. 27-11706 : MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	4.45 CFS	
TOTAL:		34.90 CFS *	

TRANSFER NO. 5787

WATER RIGHT NO(S) . 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 30, Township 02S, Range 35E
NWNW , Sec. 2, Township 03S, Range 35E
SWNE , Sec. 3, Township 03S, Range 35E
NESE , Sec. 3, Township 03S, Range 35E
NWNW , Sec. 4, Township 03S, Range 35E
NESW , Sec. 4, Township 03S, Range 35E
NWSE , Sec. 4, Township 03S, Range 35E
SWNE , Sec. 10, Township 03S, Range 35E
NWNW , Sec. 10, Township 03S, Range 35E

BINGHAM County

PLACE OF USE: See Remarks **

CONDITIONS OF APPROVAL AND REMARKS

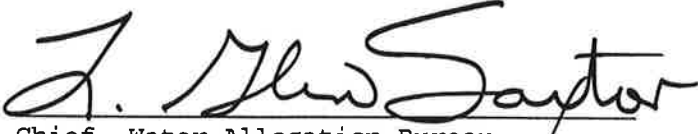
1. Approval of Transfer 5787 does not confirm Claimed Rights 27-04084, 27-04086, 27-04087, 27-04088, 27-04106, 27-04165 and A27-11706.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5787 shall not exceed 34.90 cfs.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
- ** 8. Place of use is within the City of Blackfoot and the surrounding service area.

TRANSFER NO. 5787
WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706

CONDITIONS OF APPROVAL AND REMARKS

9. Approval of Transfer 5787 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Consumptive use of water under Right 27-07329 shall not exceed 2.0 acre feet per day.

Dated this 3rd day of October, 2000.



Chief, Water Allocation Bureau

SO 8/23/00

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant City of Blackfoot Phone 208 785 8600
 Post Office address 157 North Broadway, Blackfoot, Idaho 83221

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 To provide better service to the current service area. To restore the systems capacity. To provide service to the growth areas surrounding the city that have poor water quality. To provide fire protection and service to existing areas with no fire protection and poor water quality.

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
See attached page _____ to _____
 _____ to _____
 _____ to _____
 _____ to _____

2. Total amount of water being transferred 34.90 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
		SE	SW	30	2S	35E	Bingham	Well #11 (New)
		SW	NE	10	3S	35E	Bingham	Well #10 (New)
<u>See attached page for additional Points of Diversion</u>								

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							<u>Within the City limits of Blackfoot and</u>												
<u>2S</u>	<u>35E</u>	<u>29</u>											<u>M</u>						
		<u>30</u>									<u>M</u>			<u>M</u>		<u>M</u>	<u>M</u>	<u>M</u>	
		<u>31</u>	<u>M</u>	<u>M</u>			<u>M</u>	<u>M</u>											
		<u>32</u>		<u>M</u>	<u>M</u>	<u>M</u>	<u>M</u>	<u>M</u>		<u>M</u>									
		<u>33</u>									<u>M</u>	<u>M</u>	<u>M</u>	<u>M</u>					
		<u>34</u>	<u>M</u>	<u>M</u>		<u>M</u>									<u>M</u>				
		<u>35</u>															<u>M</u>	<u>M</u>	
<u>3S</u>	<u>35E</u>	<u>2</u>	<u>M</u>	<u>M</u>															

Total Acres _____

Rights After Transfer

Right Number	Priority	Amount (CFS)	Nature of Use	Period of Use
27-02142	04/12/1965	1.95	Municipal	01/01 to 12/31
27-04084	09/27/1921	5.57	Municipal	01/01 to 12/31
27-04086	09/27/1921	5.57	Municipal	01/01 to 12/31
27-04087	04/01/1954	2.23	Municipal	01/01 to 12/31
27-04088	03/01/1953	4.46	Municipal	01/01 to 12/31
27-04106	01/01/1900	2.23	Municipal	01/01 to 12/31
35-04251*	04/25/1960	4.45	Municipal	01/01 to 12/31
27-07329	10/19/1982	3.99	Municipal	01/01 to 12/31
A27-11706	04/25/1960	4.45	Municipal	01/01 to 12/31

* 35-04251 renumbered to A27-04165

Points of Diversion

NESW, Sec 4, T 3 S, R 35 E, Bingham Co.	Well 6
NWNE, Sec 4, T 3 S, R 35 E, Bingham Co.	Well 8
SWNE, Sec 3, T 3 S, R 35 E., Bingham Co.	Well 7
NWNW, Sec 2, T 3 S, R 35 E, Bingham Co.	Well 5
NWNW, Sec 10, T 3 S, R 35 E, Bingham Co	Well 4
NESE, Sec 3, T 3 S, R 35 E, Bingham Co.	Well 3
NWSE, Sec 4, T 3 S, R 35 E, Bingham Co.	Lansing Street Well

6. General Information:

a. Description of diversion system Wells and pump to municipal system
serving Blackfoot and surrounding service area

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:

N.A.

d. Remarks:

Right # 35-04251 renumbered to A27-04165

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____.

For the Director

PART 2

TRANS NO. 5787

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-02142

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	1.95 CFS	1411.0 AF

SOURCE

GROUNDWATER

Priority: 04/12/1965

LOCATION OF POINT(S) OF DIVERSION:NESW , Sec. 4, Township 03S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. P/U WITHIN CITY LIMITS OF BLACKFOOT.

Describe any other water rights used for the same purpose as described above:

_____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:

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 _____

PART 2

TRANS NO. 5787

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-04084

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	5.57 CFS

SOURCE

GROUNDWATER

Priority: 09/27/1921

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 4, Township 03S, Range 35E
BINGHAM County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT
TRANS. 2787.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-04086

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	5.57 CFS

SOURCE

GROUNDWATER

Priority: 09/27/1921

LOCATION OF POINT(S) OF DIVERSION:SWNE , Sec. 3, Township 03S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. MUNICIPAL CORPORATION WELL #7
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT

Describe any other water rights used for the same purpose as described above:

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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-04087

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	2.23 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1954

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 2, Township 03S, Range 35E
BINGHAM County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. MUNICIPAL CORPORATION WELL #5
PLACE OF USE IS WITHIN THE CITY LIMITS OF BLACKFOOT

Describe any other water rights used for the same purpose as described above:

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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-04088

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION</u> <u>RATE</u>
MUNICIPAL	01/01 to 12/31	4.46 CFS

SOURCE

GROUNDWATER

Priority: 03/01/1953

LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 10, Township 03S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. MUNICIPAL CORPORATION WELL #4
PLACE OF USE IS WITHIN THE CITY LIMITS OF BLACKFOOT

Describe any other water rights used for the same purpose as described above:

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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-04106

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	2.23 CFS

SOURCE

GROUNDWATER

Priority: 01/01/1900

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 3, Township 03S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. MUNICIPAL CORP. WELL #3,
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO

Describe any other water rights used for the same purpose as described above:

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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-04251

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	4.45 CFS

SOURCE

GROUNDWATER

Priority: 04/25/1960

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 4, Township 02S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO

Describe any other water rights used for the same purpose as described above:

_____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:

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-07329

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	3.99 CFS

SOURCE

GROUNDWATER

Priority: 10/19/1982

LOCATION OF POINT(S) OF DIVERSION:SWNE , Sec. 4, Township 03S, Range 35E
BINGHAM CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. Consumptive use of water under this right shall not exceed 2.0 acre feet per day.
2. Place of use is within the city limits of Blackfoot.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

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 as 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. A27-11706 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach 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 Groundwater tributary to _____4. Date or priority 04/25/1960

5. Water is used for the following purposes:

amount 4.45 for Municipal purposes from 01/01 to 12/31
(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 4.45 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
				<u>NE 4</u>	<u>33</u>	<u>35E</u>	<u>Bingham</u>	<u>Lawson Street Well</u>

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
			within the city limits and service area for the City of Blackfoot																	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above A27-02142, -04084-04086-04087-
04088-04106-04165-07329

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

NO 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	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-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.

X R. Scott Boose
 (Signature of Applicant)

Subscribed and sworn to before me this 29th day of June, 20 00

Aust J. Mason
 (Notary Public)

My commission expires 2-7-04

FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and 2 attachments
 Received by Dennis Dunn Date 29 June 2000 Protest filed by _____
 Prelim. Check by _____ Fee _____
 Receipted by EN Date 29 June 2000 E025949-100⁰⁰
 Published in Statewide Copies of protest forwarded by _____
 Pub. Dates 7-20 & 7-27-00 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____