

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 25 2016
Department of Water Resources
Eastern Region

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.

WITHDRAWN

Check all that apply:

- ☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** City of Pocatello Phone (208) 234-6174
2. **MAILING ADDRESS** 911 N. 7th Ave, PO Box 4169 City Pocatello
State Idaho Zip 83205 Email jarmstrong@pocatello.us

- ☒ 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)** 29-02274, 29-02338, 29-07375

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

4. **TOTAL AMOUNT OF WATER** transferred is 21.45 cubic feet per second and/or _____ 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 www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SE	10	6S	33E	Power	Groundwater	Well 35
X		SW	SW	SE	10	6S	33E	Power	Groundwater	Replacement Well 39
	12		NW	SW	15	6S	34E	Bannock	Groundwater	Well 8
			NE	NW	26	6S	34E	Bannock	Groundwater	Well 10
			NW	SE	27	6S	34E	Bannock	Groundwater	Well 9
			SE	NE	35	6S	34E	Bannock	Groundwater	Well 12
	10		NW	SE	35	6S	34E	Bannock	Groundwater	Well 4,6 & 7
			SE	SE	1	7S	34E	Bannock	Groundwater	Well 13
			SW	SW	16	7S	35E	Bannock	Groundwater	Well 44

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/9/2016

WATER RIGHT NO. 29-2274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF POCA TELLO 911 N 7TH AVE PO BOX 4169 POCA TELLO, ID 83205
Attorney	WHITE & JANKOWSKI LLP ATTN SARAH A KLAHN 511 16TH ST STE 500 DENVER, CO 80202 (303)595-9441
Attorney	BEEMAN & ASSOC PC ATTN JOSEPHINE BEEMAN 1019 N 17TH ST BOISE, ID 83702-3304 (208)331-0950

Priority Date: 06/15/1948
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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MUNICIPAL 01/01 12/31 9.69 CFS

Total Diversion 9.69 CFS

Location of Point(s) of Diversion:

GROUND WATER NESE Sec. 10 Township 06S Range 33E POWER County
GROUND WATER NESE Sec. 12 Township 06S Range 33E POWER County
GROUND WATER SWNE Sec. 15 Township 06S Range 33E POWER County
GROUND WATER NWSW Sec. 15 Township 06S Range 34E BANNOCK County
GROUND WATER NENW Sec. 26 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 27 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SESE Sec. 01 Township 07S Range 34E BANNOCK County
GROUND WATER SWSW Sec. 16 Township 07S Range 35E BANNOCK County

Place(s) of use: [Large POU Info](#)

Conditions of Approval:

1. 081 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.
Prior to diversion of water under this approval, the right holder shall provide a means of
2. T17 measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
This partial decree is subject to such general provisions necessary for the definition of
3. C18 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.
4. 124 Place of use is within the service area of the City of Pocatello municipal water supply system as provided for under Idaho Law.
5. 067 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.

Dates:

Licensed Date:

Decreed Date: 04/26/2012

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/9/2016

WATER RIGHT NO. 29-2338

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF POCA TELLO 911 N 7TH AVE PO BOX 4169 POCA TELLO, ID 83205
Attorney	WHITE & JANKOWSKI LLP ATTN SARAH A KLAHN 511 16TH ST STE 500 DENVER, CO 80202 (303)595-9441
Attorney	BEEMAN & ASSOC PC ATTN JOSEPHINE BEEMAN 1019 N 17TH ST BOISE, ID 83702-3304 (208)331-0950

Priority Date: 09/01/1953
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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MUNICIPAL 01/01 12/31 9.53 CFS

Total Diversion 9.53 CFS

Location of Point(s) of Diversion:

GROUND WATER NESE Sec. 10 Township 06S Range 33E POWER County
GROUND WATER NESE Sec. 12 Township 06S Range 33E POWER County
GROUND WATER SWNE Sec. 15 Township 06S Range 33E POWER County
GROUND WATER NWSW Sec. 15 Township 06S Range 34E BANNOCK County
GROUND WATER NENW Sec. 26 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 27 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SESE Sec. 01 Township 07S Range 34E BANNOCK County
GROUND WATER SWSW Sec. 16 Township 07S Range 35E BANNOCK County

Place(s) of use: [Large POU Info](#)

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Pocatello municipal water supply system as provided for under Idaho Law.
2. 081 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.
3. 067 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.
Prior to diversion of water under this approval, the right holder shall provide a means of
4. T17 measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
This partial decree is subject to such general provisions necessary for the definition of
5. C18 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.

Dates:

Licensed Date:

Decreed Date: 04/26/2012

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/9/2016

WATER RIGHT NO. 29-7375

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF POCA TELLO 911 N 7TH AVE PO BOX 4169 POCA TELLO, ID 83205
Attorney	WHITE & JANKOWSKI LLP ATTN SARAH A KLAHN 511 16TH ST STE 500 DENVER, CO 80202 (303)595-9441
Attorney	BEEMAN & ASSOC PC ATTN JOSEPHINE BEEMAN 1019 N 17TH ST BOISE, ID 83702-3304 (208)331-0950

Priority Date: 02/24/1977
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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81155

MUNICIPAL 01/01 12/31 2.23 CFS

Total Diversion 2.23 CFS

Location of Point(s) of Diversion:

GROUND WATER NESE Sec. 10 Township 06S Range 33E POWER County
GROUND WATER NESE Sec. 12 Township 06S Range 33E POWER County
GROUND WATER SWNE Sec. 15 Township 06S Range 33E POWER County
GROUND WATER NWSW Sec. 15 Township 06S Range 34E BANNOCK County
GROUND WATER NENW Sec. 26 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 27 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SENE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER NWSE Sec. 35 Township 06S Range 34E BANNOCK County
GROUND WATER SESE Sec. 01 Township 07S Range 34E BANNOCK County
GROUND WATER SWSW Sec. 16 Township 07S Range 35E BANNOCK County

Place(s) of use: [Large POU Info](#)

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Pocatello municipal water supply system as provided for under Idaho Law.
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. C18
3. 067 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. 081 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.
Prior to diversion of water under this approval, the right holder shall provide a means of
5. T17 measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Dates:

Licensed Date:

Decreed Date: 04/26/2012

Permit Proof Due Date: 3/1/1982

Permit Proof Made Date:

Permit Approved Date: 3/29/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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:

Several deep wells, equipped with vertical turbine pumps, motors and control valves are located within lockable buildings. Flow meters are in a secure underground vaults.

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

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)?

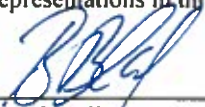
If yes, describe:

- 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. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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.


Signature of applicant or authorized agent

Brian Blad, Mayor
Print name and title if applicable

7/14/16
Date


Signature of applicant or authorized agent

Justin Armstrong, Water Superintendent
Print name and title if applicable

7-7-16
Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 2 pages of attachments.

Received by se

Date 7/25/16

Fee paid \$2100 Date 7/25/16

Received by se

Receipt # E042299

Preliminary review by _____

Date _____

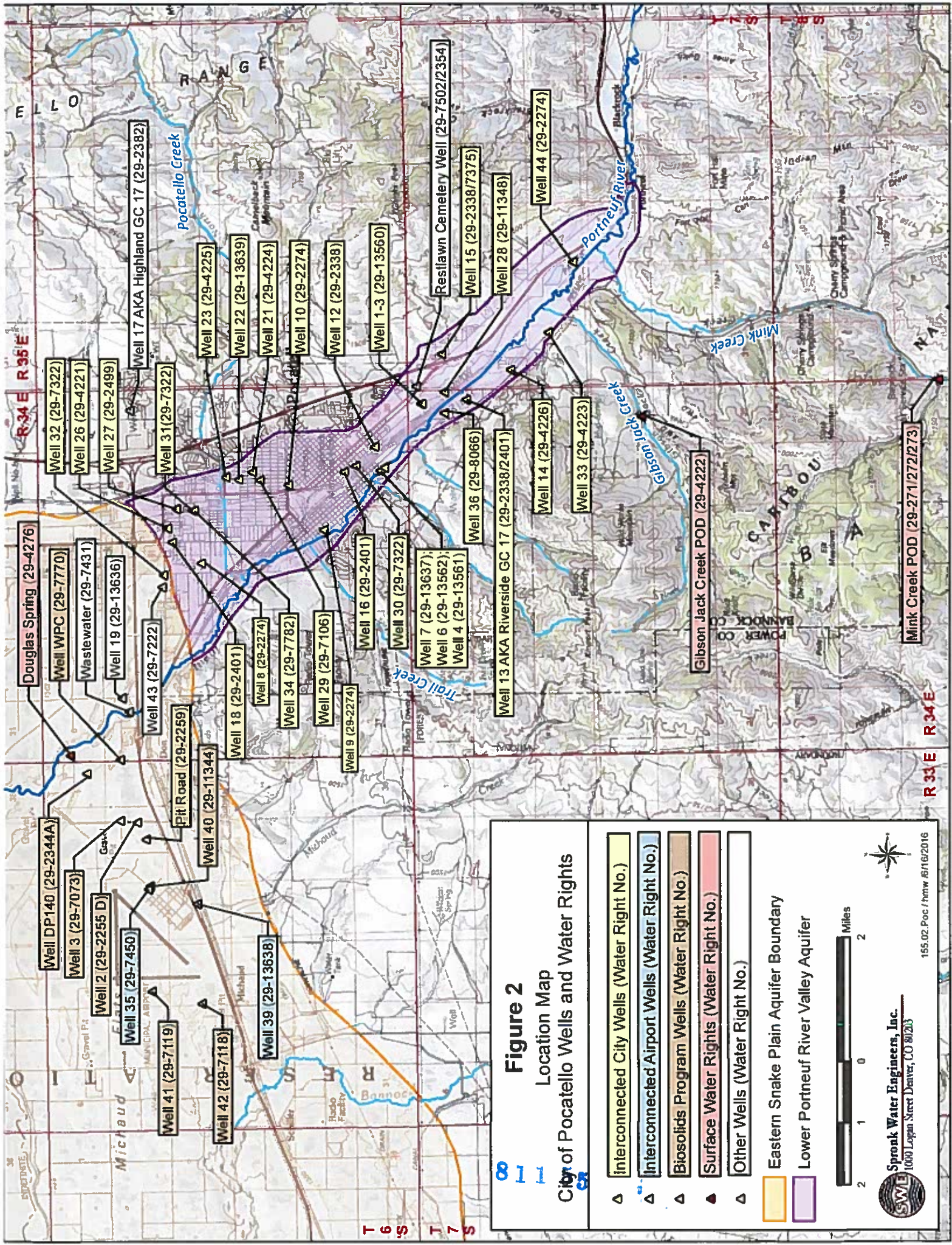
Active in the Water Supply Bank? Yes ☐ No ☐

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)



Proposed Changes to Water Right 29-02274, 29-02338, 29-07375

