

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80630**

This is to certify that: **CITY OF MIDDLETON**
PO BOX 487
MIDDLETON, ID 83644

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-22363	WR/DECREED	3/3/1936	1.420 cfs	N/A	N/A	N/A	GROUND WATER
63-32182	WR/LICENSE	8/15/2005	2.840 cfs	N/A	N/A	N/A	GROUND WATER
63-3398	WR/DECREED	1/8/1964	1.110 cfs	N/A	N/A	N/A	GROUND WATER
63-8310	WR/DECREED	7/21/1976	0.670 cfs	N/A	N/A	N/A	GROUND WATER
63-8704	WR/DECREED	4/18/1977	5.000 cfs	N/A	N/A	N/A	GROUND WATER
63-9128	WR/DECREED	3/29/1978	1.240 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-22363	NO	NO	NO	YES	NO	NO
63-32182	NO	NO	NO	YES	NO	NO
63-3398	NO	NO	NO	YES	NO	NO
63-8310	NO	NO	NO	YES	NO	NO
63-8704	NO	NO	NO	YES	NO	NO
63-9128	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-22363	63-22363	1.420 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-32182	63-32182	2.840 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-3398	63-3398	1.110 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-8310	63-8310	0.670 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-8704	63-8704	5.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-9128	63-9128	1.240 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.440 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80630

IN FILE # 63-3398

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80630

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of March, 2016.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 63-3398
As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-3398 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 1/8/1964

Source: GROUND WATER

BENEFICIAL USE
MUNICIPAL

From 01/01 **To** 12/31

Diversion Rate
1.110 cfs
1.110 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44 cfs.

Transfer No. 80630

WATER RIGHT NO. 63-3398
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use or where the use of surface water was replaced by the use of water diverted in connection with this right before the approval of Transfer 80630. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. 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.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
10. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 5-11-2009.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.

WATER RIGHT NO. 63-8310
As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-8310 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 7/21/1976

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

1/01

To

to 12/31

Diversion Rate

0.670 cfs

0.670 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44 cfs.

WATER RIGHT NO. 63-8310
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. 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.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
10. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 5-11-2009.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.

WATER RIGHT NO. 63-8704

As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-8704 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 4/18/1977

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

1/01

To

to 12/31

Diversion Rate

5,000 cfs

5,000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44 cfs.

WATER RIGHT NO. 63-8704
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. 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.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
10. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 5-11-2009.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.

WATER RIGHT NO. 63-9128

As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-9128 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 3/29/1978

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

1/01

To

to 12/31

Diversion Rate

1.240 cfs

1.240 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44 cfs.

WATER RIGHT NO. 63-9128
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. 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.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
10. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 5-11-2009.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.

WATER RIGHT NO. 63-22363

As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-22363 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 3/3/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.420 cfs
			1.420 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SEW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44 cfs.

WATER RIGHT NO. 63-22363
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. 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.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
10. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 4-29-2009.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.

WATER RIGHT NO. 63-32182
As Modified by Transfer No. 80630

In accordance with the approval of Transfer No. 80630, Water Right No. 63-32182 is now described as follows:

Right Holder: CITY OF MIDDLETON
PO BOX 487
MIDDLETON, ID 83644

Priority Date: 8/15/2005

Source: GROUND WATER

BENEFICIAL USE

MUNICIPAL

From

01/01

To

to 12/31

Diversion Rate

2.840 cfs

2.840 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 17 Twp 04N Rge 02W CANYON County
GROUND WATER	NWNE	Sec 18 Twp 04N Rge 02W CANYON County
GROUND WATER	L2 (NWNE)	Sec 5 Twp 04N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6 Twp 04N Rge 02W CANYON County
GROUND WATER	NENW	Sec 8 Twp 04N Rge 02W CANYON County
GROUND WATER	SWNW	Sec 1 Twp 04N Rge 03W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 02W CANYON County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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. Place of use is within the service area of the City of Middleton municipal water supply system as provided for under Idaho Law.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
5. Rights 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182 when combined shall not exceed a total diversion rate of 9.44.
6. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

Transfer No. 80630

WATER RIGHT NO. 63-32182
As Modified by Transfer No. 80630

CONDITIONS OF APPROVAL

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. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license dated 3-18-2015.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The following rights are diverted through point(s) of diversion described above: 63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182.
13. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

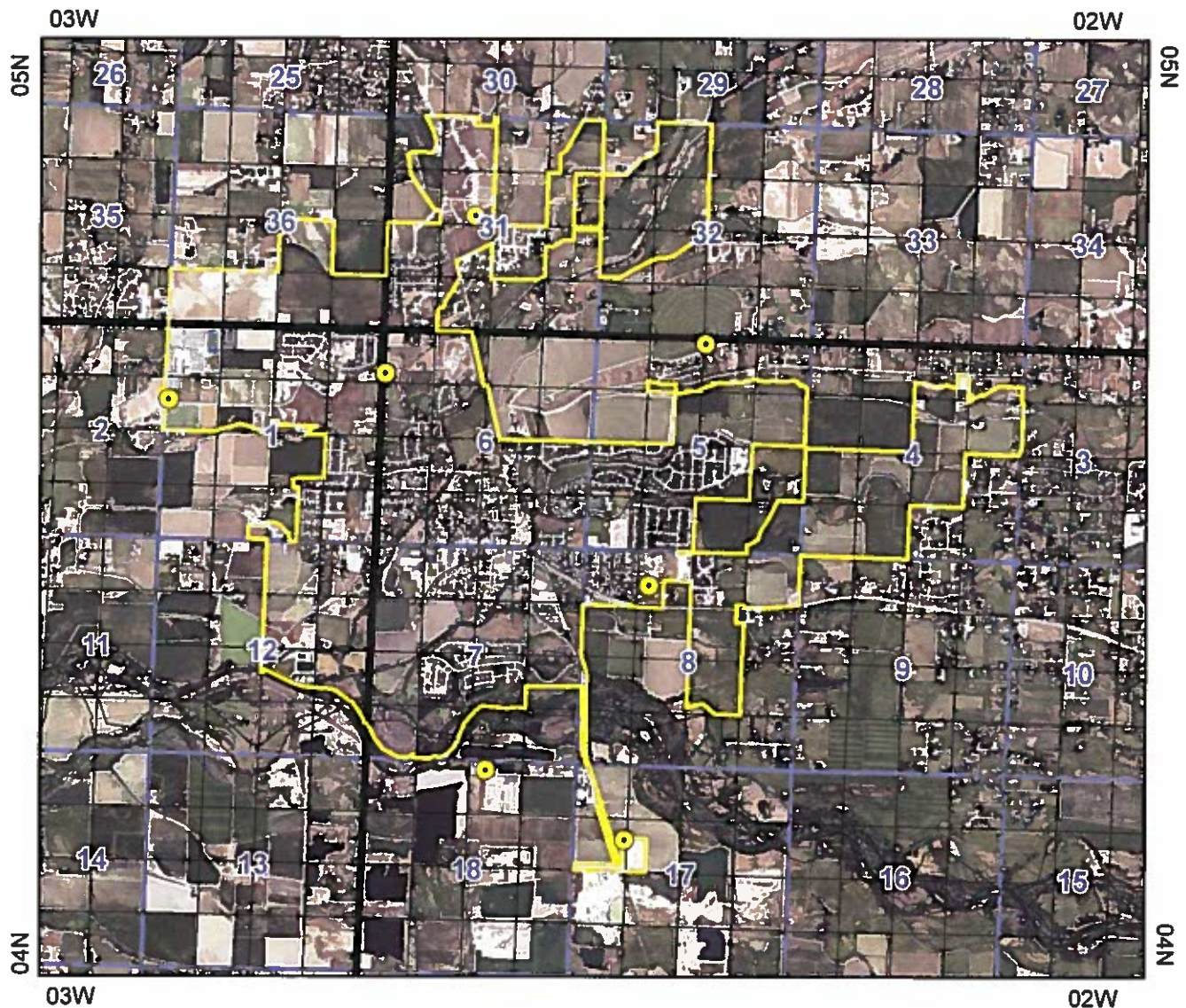
State of Idaho
Department of Water Resources

Attachment to Transfer No. 80630

63-3398, 63-8310, 63-8704, 63-9128, 63-22363, and 63-32182

City of Middleton

This map depicts the City of Middleton MUNICIPAL place of use boundary for the water rights listed above at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.5 1 2 Miles

