42-222 POD - 09/14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 05 2015
Department of Water Resources
Western 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.

Check all that apply:

☐ Change diversion point(s) ☑ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** City of Sugar City Phone _____
2. **MAILING ADDRESS** P.O. Box 56 City Sugar City
   State ID Zip 83448 Email _____

☐ 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)** 22-4009, 22-7153, 22-7662

☑ 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 5.75 (diversion rate) cubic feet per second and/or _____ (storage volume) acre-feet per annum.

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 #
N			NW	SE	4	6N	40E	Madison	Ground Water	#1
N			NW	SE	4	6N	40E	Madison	Ground Water	#2
N			SW	SW	4	6N	40E	Madison	Ground Water	#4
Y			SE	SW	33	7N	40E	Madison	Ground Water	#5
Y			SW	NW	9	6N	40E	Madison	Ground Water	#6

Transfer No. 80313

80313

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:
Existing wells are equipped with measuring devices. New wells will be equipped with similar measuring devices.
Ground water is diverted from well to pump to municipal mainline.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Applicant has agreements in place with developers to provide water and have been granted authority to place well.

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 ¼ ¼ 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	Print name and title if applicable	Date
W. Lamont Merrill	W Lamont Merrill - Mayor	29 July 2015

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 _____ pages of attachments. Received by MH Date 8/5/15
Fee paid 900.- Date 8/5/2015 Receipted by JB Receipt # E041336
Preliminary review by MH Date 8/6/15 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)

80319

IDAHO DEPARTMENT OF WATER RESOURCES 9/15/2015

Proof Report

Water Right 22-4009

Owner Type	**Name and Address**
Current Owner	CITY OF SUGAR CITY 10 E CENTER ST PO BOX 56 SUGAR CITY, ID 83448 (208)356-7561

Priority Date: 6/1/1939
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
MUNICIPAL	1/01	12/31	3.000 CFS	
	Total Diversion		3.000 CFS	

Source and Point(s) of Diversion

GROUND WATER SENWSE Sec. 4, Twp 06N, Rge 40E, MADISON County

Place Of Use

MUNICIPAL within MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	40E	3						X L4											
06N	40E	4	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X	X	X	
06N	40E	5													X			X	
06N	40E	8	X																
06N	40E	9	X	X			X	X	X	X									
06N	40E	10						X											
07N	40E	33			X					X	X	X	X	X		X	X	X	

Conditions of Approval:

1. C18 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. 124 Place of use is within the service area of the City of Sugar City municipal water supply system as provided for under Idaho Law.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 22-7153

Owner Type	Name and Address
Current Owner	CITY OF SUGAR CITY 10 E CENTER ST PO BOX 56 SUGAR CITY, ID 83448 (208)356-7561

Priority Date: 8/14/1975
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	1.350 CFS	
	Total Diversion		1.350 CFS	

Source and Point(s) of Diversion

GROUND WATER SENWSE Sec. 4, Twp 06N, Rge 40E, MADISON County

Place Of Use

MUNICIPAL within MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	40E	3						X L4											
06N	40E	4	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X	X	X	
06N	40E	5													X			X	
06N	40E	8	X																
06N	40E	9	X	X			X	X	X	X									
06N	40E	10						X											
07N	40E	33			X					X	X	X	X	X		X	X	X	

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. C18 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.
3. 124 Place of use is within the service area of the City of Sugar City municipal water supply system as provided for under Idaho Law.

Proof Report

Water Right 22-7662

Owner Type	Name and Address
Current Owner	CITY OF SUGAR CITY 10 E CENTER ST PO BOX 56 SUGAR CITY, ID 83448 (208)356-7561

Priority Date: 12/26/1989
Basis: License
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	1.400 CFS	
	Total Diversion		1.400 CFS	

Source and Point(s) of Diversion

GROUND WATER	SWSW	Sec. 4, Twp 06N, Rge 40E,	MADISON County

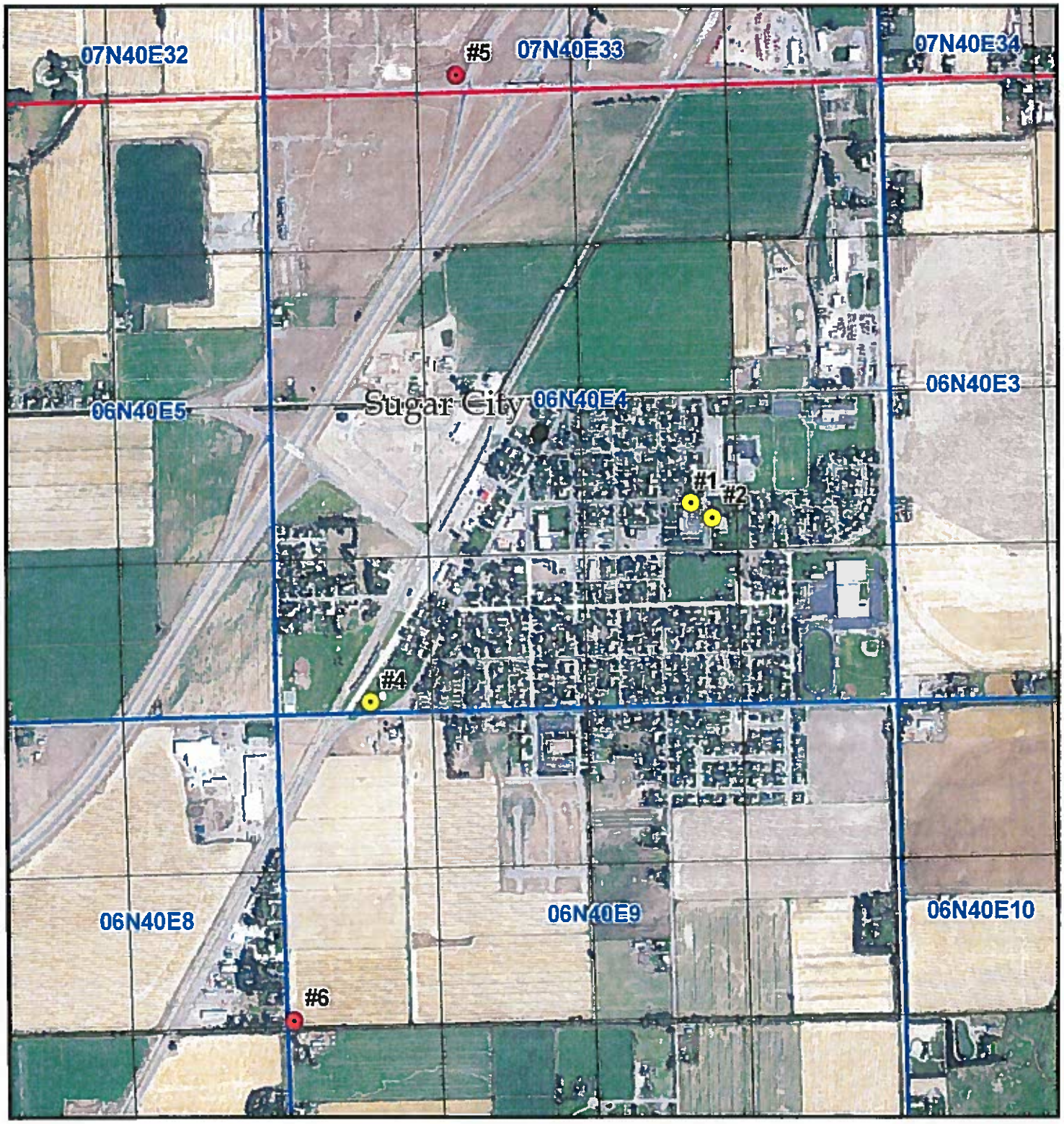
Place Of Use

Conditions of Approval:

1.		Place of use is within the city limits of Sugar City.
2.	R55	This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3.	052	Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

Application for Transfer-POD
City of Sugar City

Attachment #7



Sugar City Wells

- Existing Wells
- New Well
- Township and Range
- Section
- QQ

0 700 1,400 2,800 Feet

2013 Aerial Photography

N W E S

80313

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.