

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79596
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

FEB 11 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) CITY OF KIMBERLY

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes/N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Other. Please describe: municipal

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

FEB 11 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant CITY OF KIMBERLY

Phone (208)423-4151

Mailing Address PO BOX Z, KIMBERLY ID 83341

Email

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative

Phone

Mailing Address

Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Tracy Armstrong Mayor

Print Name and Title if applicable

February 10, 2015

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	47-4459	No	No	No	Yes	No	No
	47-4460	No	No	No	Yes	No	No
	47-7306	No	No	No	Yes	No	No
	47-7649	No	No	No	Yes	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

The city wishes to update water rights to reflect the current system by tying together all their municipal wells.

- B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-7306	0.620 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
47-7649	1.920 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
47-4459	2.000 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
47-4460	1.020 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	5.560 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 5.56 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-7306

Current Water Right Owner

CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 8/14/1969

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	0.620 CFS	
Total Diversion			0.620 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 20 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSENW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	NESWNW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	NWSWNW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWNENE	Sec. 29 Twp 10S Rge 18E TWIN FALLS County

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-7649

Current Water Right Owner
CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 6/18/1980

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	1.920 CFS	
Total Diversion			1.920 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 20 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWSNW	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	NESWNW	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	NWSWNW	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWNENE	Sec. 29 Twp 10S Rge 18E	TWIN FALLS County

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-4459

Current Water Right Owner
CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 3/19/1959

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWSE	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	NESWNW	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	NWSWNW	Sec. 28 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SWNE	Sec. 29 Twp 10S Rge 18E	TWIN FALLS County
GROUND WATER	SESE	Sec. 20 Twp 10S Rge 18E	TWIN FALLS County

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Form T 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-4460

Current Water Right Owner

CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 2/1/1951

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	1.020 CFS	
Total Diversion			1.020 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 20 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSW	Sec. 21 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWSNW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	NESWNW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	NWSWNW	Sec. 28 Twp 10S Rge 18E TWIN FALLS County
GROUND WATER	SWNENE	Sec. 29 Twp 10S Rge 18E TWIN FALLS County

Place of Use: A map depicting the place of use is attached to illustrate the place of use described by a digital boundary.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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 system + flowmeters.

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

The city.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance or this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. 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 leased to the Water Supply Bank,

☐☒

currently used in a mitigation plan limiting the use of water under the right, or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 47-7306

Current Water Right Owner

CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 8/14/1969

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	0.620 CFS	
Total Diversion			0.620 CFS	

Source and Point(s) of Diversion:

GROUND WATER

SWSENW

Sec. 28 Twp 10S Rge 18E TWIN FALLS County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. Place of use is within the service area of the City of Kimberly municipal water supply system as provided for under Idaho Law.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 47-7649

Current Water Right Owner

CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 6/18/1980

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	1.920 CFS	
Total Diversion			1.920 CFS	

Source and Point(s) of Diversion:

GROUND WATER

SWNENE

Sec. 29 Twp 10S Rge 18E TWIN FALLS County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

1. 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. Source is also known as Well 5.
3. Place of use is within the service area of the City of Kimberly municipal water supply system as provided for under Idaho Law.

Transfer No. 79596

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 47-4460

Current Water Right Owner
CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

Priority Date: 2/1/1951

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	1.020 CFS	
Total Diversion			1.020 CFS	

Source and Point(s) of Diversion:

GROUND WATER

NESWNW

Sec. 28 Twp 10S Rge 18E TWIN FALLS County

Place of Use: Place of use is described by a digital boundary.

Conditions/Remarks:

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

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Blank lined paper for writing.

Transfer Contains **13** **pages and** **attachments.**

Received By JJR Date 10/22/2014 Prelim. Check By _____ Date _____
 Fee Paid \$900 - Date 2/11/2015 Received By BW Receipt # 5034548
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 27, 2015

CITY OF KIMBERLY
PO BOX Z
KIMBERLY, ID 83341

RE: Transfer No. 79596
Water Right No(s). 47-4459, 47-4460, 47-7306, 47-7649

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 3/5/2015 and 3/12/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 23, 2015**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 26, 2015 11:50 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on March 5th & 12th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 26, 2015

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 43-13740 & 01-10633

RE: Transfer No. 79596

Water Right No(s): 47-4459, 47-4460, 47-7306, 47-7649

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 23, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

43-13740

STATE OF IDAHO

DEPT OF PARKS & RECREATION

PO BOX 83720

BOISE, ID 83720-0065

Point of Diversion NENE S16 T15S R24E CASSIA County Source GROUND WATER Tributary

Point of Diversion SESESW S9 T15S R24E CASSIA County Source ALMO CREEK Tributary RAFT RIVER

Use: AESTHETIC 03/15 to 11/15 3 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 17.4 AF

Use: RECREATION 03/15 to 11/15 3 CFS

Use: RECREATION STORAGE 01/01 to 12/31 17.4 AF

Use: WILDLIFE 03/15 to 11/15 3 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 17.4 AF

Total Diversion: 3 CFS 17.4 AF

Date Filed: 2/24/2015

Place Of Use: RECREATION, AESTHETIC, WILDLIFE, RECREATION STORAGE, AESTHETIC STORAGE, WILDLIFE STORAGE

T15S R24E S16 NENE

Application filed to appropriate water for a proposed fishing and wildlife pond located on Castle Rocks State Park property approximately 1.8 miles north and 0.95 miles west of Almo. The pond will be excavated into the ground water table and irrigation water diverted via Almo Water Company shares will flow through the pond. The application seeks to appropriate 17.4 acre-feet of water for storage in the pond and to make up for annual evaporative losses. The application also lists 3.0 cfs of water from Almo Creek to reflect the additional aesthetic, recreation, and wildlife uses of the Almo Water Company shares flowing through the pond. A mitigation plan that involves drying up irrigated lands to offset consumptive uses associated with the pond has been included as part of the application.

1-10633

A & B IRRIGATION DISTRICT

PO BOX 675

RUPERT, ID 83350-0675

Point of Diversion NENW S20 T10S R22E MINIDOKA County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/15 to 11/15 30 CFS

Total Diversion: 30 CFS

Date Filed: 2/11/2015

Place Of Use: IRRIGATION

T09S R22E S1 SWSW

T09S R22E S2 SESW SESE

T09S R22E S10 NENE SWNE NENW SWSE SESE

T09S R22E S11 NENE NWNW SENW SWSW NWSE

T09S R22E S12 SENW NWSW

T09S R22E S15 NE(ALL) NENW L2(SENW) SW(ALL) NESE NWSE

T09S R22E S28 SESW NWSE SESE

Total Acres: 1478.5

Application proposes diverting up to 30 cfs from the Snake River, upstream from Milner Dam, at a point located approximately 6.2 miles west and 4.0 miles south of Paul. Water will be used for irrigation of 1478.5 acres of land located approximately 1.8 - 5.1 miles west and 0.0 to 4.2 miles north of the center of Paul. The 1478.5 acres is currently irrigated with groundwater and the 30 cfs will be used when available as a "soft conversion" in lieu of diverting groundwater. Groundwater rights will continue to be utilized on the 1478.5 acres when the 30 cfs is not available. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 5th & 12th, 2015.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79596**

CITY OF KIMBERLY, PO BOX Z, KIMBERLY, ID 83341; has filed Application No. 79596 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4459, 47-4460, 47-7306, 47-7649; allowing for the total diversion of 5.56 cfs. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add all seven of the city's existing municipal wells as authorized points of diversion to the City of Kimberly's groundwater rights 47-4459, 47-4460, 47-7306 and 47-7649. The wells are within the City of Kimberly's service area.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before March 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 5th & 12th, 2015

MEMORANDUM

Date: February 18, 2015
To: Transfer 79596 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to add all seven of the city's existing municipal wells as authorized points of diversion to the City of Kimberly's groundwater rights 47-4459, 47-4460, 47-7306 and 47-7649 allowing for the diversion of 5.56 cfs. Three new licenses (47-8091, 47-8377 and 47-17435) and the four decreed water rights will be combined to maintain flexibility and allow the total diversion of 11.27 cfs within the interconnected system.

The wells are within the City of Kimberly's service area. Points of diversion and properties are outside the ESPA and currently not associated with a water district.

- **Authority to File:**
The applicant is listed as the current owner of the rights being transferred according to IDWR records. The application was submitted and signed by the Mayor of Kimberly.
- **Water Right Validity:**
Water Rights 47-4459, 47-4460, 47-7306 and 47-7649 were decreed as valid water rights in the SRBA on 6/1/2010.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.