

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 17 2015

Department of Water Resources

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 Pocatello Phone (208) 234-6174

2. MAILING ADDRESS 911 N. 7th Ave 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) 29-13638

- ☒ 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 2.2 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*.

[illegible]

AMENDED

Transfer No. 79826

7 9 8 2 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 09 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

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 2. **MAILING ADDRESS** 911 N. 7th Ave City Pocatello
 State Idaho Zip 83205 Email jarmstrong@pocatello.us

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New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
X		SW	SW	SE	10	6S	33E	Power	Groundwater	Well 39
			SW	NE	15	6S	33E	Power	Groundwater	Well 39

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:
20" Well, 220 ft. deep, equipped with a 30-hp vertical turbine pump with a 12" discharge line connected to a 500,000 gallon storage tank.. The well, motor, control valve, and flow meter will be secure inside a lockable building

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

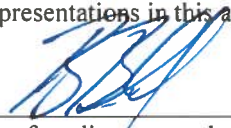
- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

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.)

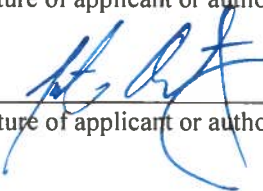
7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ 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

Brian Blad, Mayor
Print name and title if applicable

1/30/15
Date


Signature of applicant or authorized agent

Justin Armstrong, Water Superintendent
Print name and title if applicable

2/2/15
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

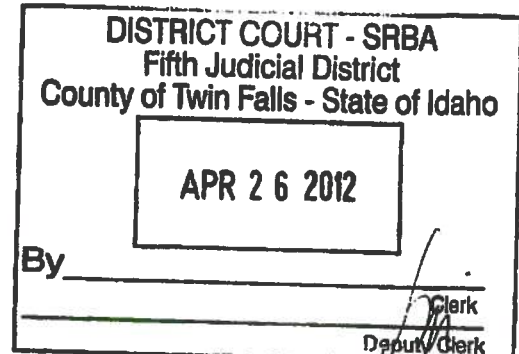
Transfer includes _____ pages of attachments. Received by _____ Date _____
Fee paid 460.00 Date 2/9/15 Received by SL Receipt # 2040627
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-13638



NAME AND ADDRESS: CITY OF POCATELLO
PO BOX 4169
POCATELLO, ID 83205

SOURCE: GROUND WATER

QUANTITY: 2.20 CFS

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION: T06S R33E S10 NESE Within Power County
S15 SWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	2.20 CFS

PLACE OF USE:

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

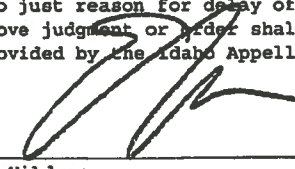
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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, ground water was first diverted under this right from Pocatello Well No. 39 located in T06S, R33E, S15, SWNE.

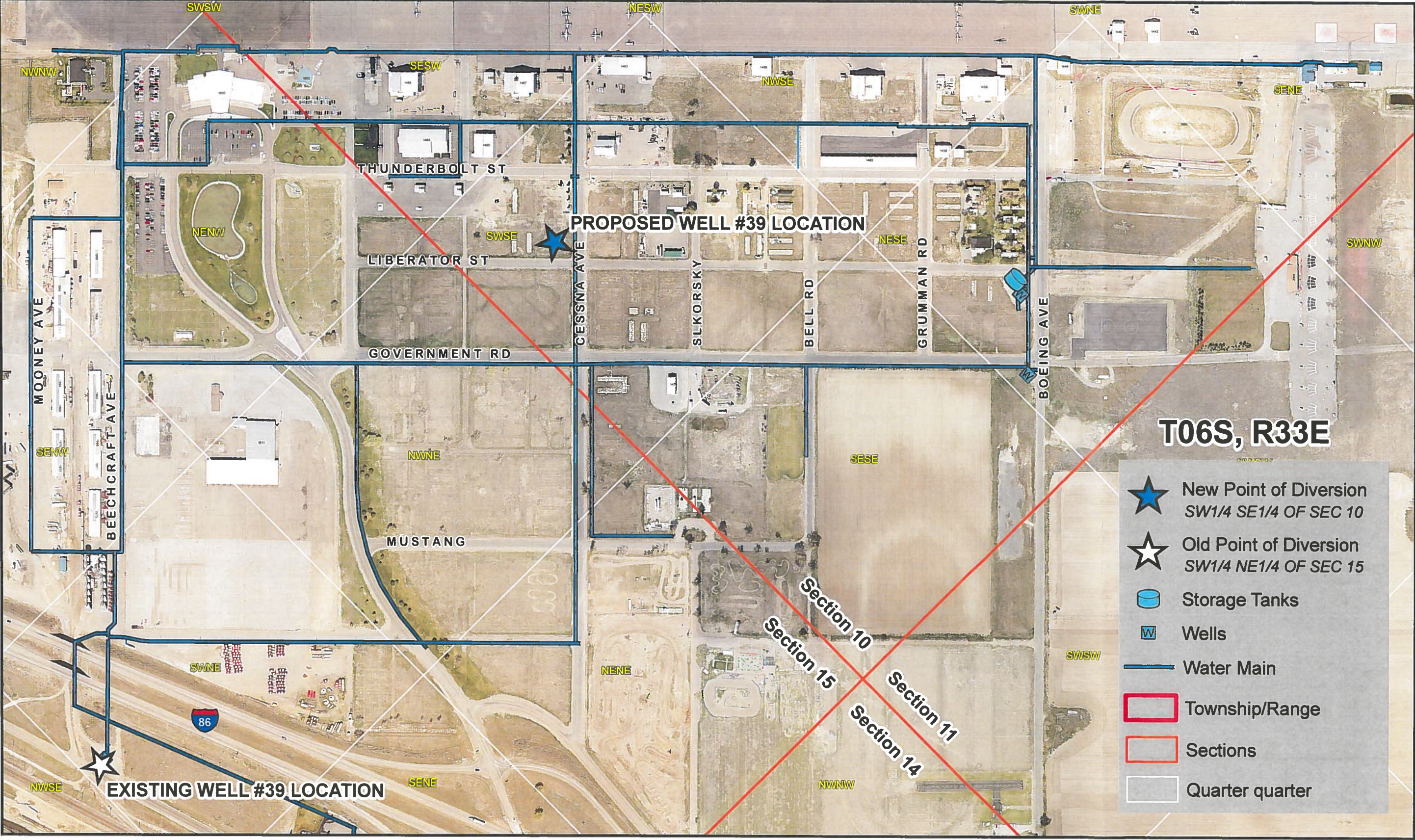
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

Proposed Changes to Water Right 29-10638



- ★ New Point of Diversion
SW1/4 SE1/4 OF SEC 10
- ★ Old Point of Diversion
SW1/4 NE1/4 OF SEC 15
- Storage Tanks
- W Wells
- Water Main
- Township/Range
- Sections
- Quarter quarter



0 0.125 0.25 0.5 Miles

79826





Idaho Statutes

TITLE 50 MUNICIPAL CORPORATIONS

CHAPTER 6 MAYOR

50-602. MAYOR, ADMINISTRATIVE OFFICIAL. The mayor, except as provided in sections 50-801 through 50-812[, Idaho Code], shall be the chief administrative official of the city, preside over the meetings of the city council and determine the order of business subject to such rules as the council may prescribe, have a vote only when the council is equally divided, have the superintending control of all the officers and affairs of the city, preserve order, and take care that the ordinances of the city and provisions of this act are complied with and enforced.

History:

[50-602, added 1967, ch. 429, sec. 122, p. 1249.]

The Idaho Code is the property of the state of Idaho and is made available on the Internet as a public service. Any person who reproduces or distributes the Idaho Code for commercial purposes is in violation of the provisions of Idaho law and shall be deemed to be an infringer of the state of Idaho's copyright.

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Idaho Statutes

TITLE 50 MUNICIPAL CORPORATIONS

CHAPTER 6 MAYOR

50-607. GENERAL POWERS. The mayor shall have and exercise such powers, prerogatives and authority as is conferred by the laws of the state of Idaho or as may be conferred upon him by the city council, and shall have the power to administer oaths, and shall sign all contracts and conveyances in the name of and on behalf of the city.

History:

[50-607, added 1967, ch. 429, sec. 127, p. 1249.]

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WATER DEPARTMENT
911 N. 7th Avenue
P.O. Box 4169
Pocatello, ID 83205-4169

SUPERINTENDENT'S OFFICE
(208) 234-6174
FAX (208) 234-7084
REPAIR SHOP
(208) 234-6182
FAX (208) 234-7084



January 29, 2015

State of Idaho
Department of Water Resources
IDWR Eastern Region
900 N. Skyline Dr, Suite A
Idaho Falls, ID 83402-1718

RECEIVED

FEB 09 2015

Department of Water Resources
Eastern Region

Subject: Application for Transfer of Water Right – Point(s) of Diversion, Water Right 29-13638

Dear Agency:

Please find the enclosed Application for Transfer of Water Right – Point(s) of Diversion, as well as, the supporting documentation and payment of fees for the transfer water right 29-13638 owned and operated by the City of Pocatello.

The City of Pocatello is currently in need of replacing existing municipal Well 39, located at the Pocatello Regional Airport. Well 39 is associated under Water Right 29-13638 with two points of diversion located within T06S, R33E, NE1/4 SE1/4, Section 10 and T06S, R33E, SW1/4 NE1/4, Section 15 within the Eastern Snake Plain Aquifer (ESPA).

The existing municipal Well 39 was originally drilled in 1940. Due to the age and construction of the well, it is in dire need of replacement. The City has hired Keller Associates to design a replacement well at a new location for better wellhead protection and distribution within the water system. Re-drilling the well within the existing site is less desirable due to the proximity of the I-86 interstate corridor and a railroad spur.

The new replacement Well 39 is proposed to be relocated approximately 3,000 ft from existing point of diversion to a new point within T06S, R33E, SW1/4 SE1/4, Section 10. The new replacement well should have insignificant impacts to both the ESPA and surrounding wells currently owned and operated by the City of Pocatello. Due to the relocation of the well, the City of Pocatello is requesting your review of this application for POD transfer. Application for drilling permits will be submitted prior to well construction.

If you should have any questions regarding this application, please do not hesitate to call my office at (208) 234-6174. Thanks for your review and assistance.

Sincerely,

Justin Armstrong
Water Superintendent
City of Pocatello
(208) 234-6174

AN EQUAL OPPORTUNITY EMPLOYER/VETERAN'S PREFERENCE

79826