

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78273**

SUPPORT DATA

This is to certify that: **CITY OF MOUNTAIN HOME**  
**PO BOX 10**  
**MOUNTAIN HOME, ID 83647**

IN FILE # 61-2072

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 61-2072            | WR/DECREED          | 3/13/1931            | 2.000 cfs             | N/A                     | N/A               | N/A                | GROUND WATER  |
| 61-2167            | WR/DECREED          | 4/6/1964             | 1.970 cfs             | 628.0 af                | 157.0             | N/A                | GROUND WATER  |
| 61-2170            | WR/DECREED          | 5/27/1964            | 9.640 cfs             | N/A                     | N/A               | N/A                | GROUND WATER  |
| 61-2188            | WR/DECREED          | 2/17/1966            | 2.660 cfs             | 593.7 af                | 133.2             | 260.0              | GROUND WATER  |
| 61-2210            | WR/DECREED          | 9/30/1966            | 5.350 cfs             | 1172.0 af               | 293.0             | N/A                | GROUND WATER  |
| 61-7151            | WR/DECREED          | 4/9/1973             | 1.140 cfs             | 400.0 af                | 100.0             | 260.0              | GROUND WATER  |
| 61-7172F           | WR/DECREED          | 11/19/1973           | 2.810 cfs             | 885.3 af                | N/A               | 221.0              | GROUND WATER  |
| 61-7184            | WR/DECREED          | 4/22/1974            | 4.350 cfs             | N/A                     | N/A               | N/A                | GROUND WATER  |
| 61-7339            | WR/DECREED          | 8/18/1977            | 4.500 cfs             | N/A                     | N/A               | N/A                | GROUND WATER  |
| 61-7439            | WR/LICENSE          | 6/10/1981            | 3.140 cfs             | 628.0 af                | N/A               | 157.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 61-2072               | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 61-2167               | NO           | YES        | YES        | YES            | NO                   | YES                  |
| 61-2170               | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 61-2188               | NO           | YES        | YES        | YES            | NO                   | YES                  |
| 61-2210               | NO           | YES        | YES        | YES            | NO                   | YES                  |
| 61-7151               | NO           | YES        | YES        | YES            | NO                   | YES                  |
| 61-7172F              | NO           | YES        | YES        | YES            | NO                   | YES                  |
| 61-7184               | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 61-7339               | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 61-7439               | NO           | YES        | YES        | YES            | NO                   | YES                  |

**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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 61-2072               | 61-2072                          | 2.000 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-2167               | 61-2167                          | 1.970 cfs            | 628.0 af               | 157.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-2170               | 61-2170                          | 9.640 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-2188               | 61-2188                          | 2.660 cfs            | 593.7 af               | 133.2             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-2210               | 61-2210                          | 5.350 cfs            | 1172.0 af              | 293.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 78273

SCANNED

SEP 25 2014

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78273

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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 61-7151               | 61-7151                          | 1.140 cfs            | 400.0 af               | 100.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-7172F              | 61-7172F                         | 2.810 cfs            | 885.3 af               | 221.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-7184               | 61-7184                          | 4.350 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-7339               | 61-7339                          | 4.500 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 61-7439               | 61-7439                          | 3.140 cfs            | 628.0 af               | 157.0             | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| COMBINED TOTALS       |                                  | 36.420 cfs           | N/A                    | N/A               | N/A                |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

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 22<sup>nd</sup> day of September, 2014.

  
Western Regional Manager

# **WATER RIGHT NO. 61-7439**

## **As Modified by Transfer No. 78273**

In accordance with the approval of Transfer No. 78273, Water Right No. 61-7439 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 6/10/1981

**Source:** GROUND WATER

### **BENEFICIAL USE**

MUNICIPAL

### **From**

04/01

### **To**

to 10/31

### **Diversion Rate**

3.140 cfs

3.140 cfs

### **Diversion Volume**

628.0 af

628.0 af

### **LOCATION OF POINT(S) OF DIVERSION**

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### **CONDITIONS OF APPROVAL**

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-7439**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. Municipal use is limited to municipal type irrigation of 157.0 acres within the authorized place of use in a single irrigation season.
6. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
7. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
9. The period of use for the municipal type irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than date of Transfer No. 78273 approval.
10. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
11. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
12. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
13. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
14. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
15. This right does not grant any right-of-way or easement across the land of another.

# **WATER RIGHT NO. 61-7339**

## **As Modified by Transfer No. 78273**

In accordance with the approval of Transfer No. 78273, Water Right No. 61-7339 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 8/18/1977

**Source:** GROUND WATER

### **BENEFICIAL USE**

MUNICIPAL

### **From**

1/01

### **To**

to 12/31

### **Diversion Rate**

4.500 cfs

4.500 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### **CONDITIONS OF APPROVAL**

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-7339**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
7. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The diversion and use of water described in Transfer 72128, and in previous Transfer 69591 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
10. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.

# WATER RIGHT NO. 61-2188

## As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-2188 is now described as follows:

**Right Holder:** JAY B BROWN  
595 E 13TH N  
MOUNTAIN HOME, ID 83647

**Priority Date:** 2/17/1966

**Source:** GROUND WATER

### BENEFICIAL USE

MUNICIPAL

### From

03/15

### To

to 11/15

### Diversion Rate

2.660 cfs

2.660 cfs

### Diversion Volume

593.7 af

593.7 af

### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-2188**  
**As Modified by Transfer No. 78273**

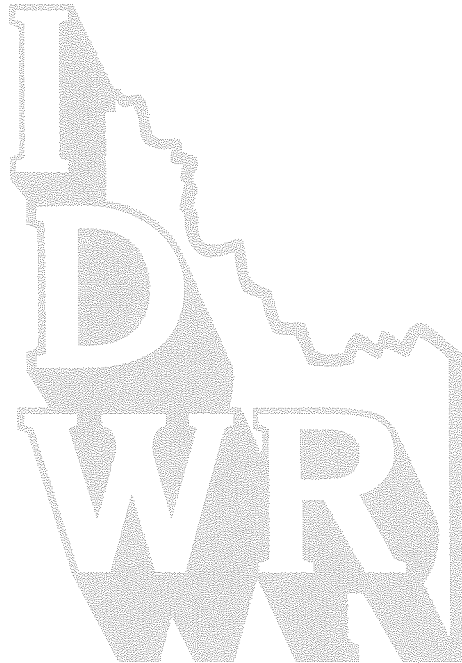
**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Municipal use is limited to municipal type irrigation of 133.2 acres within the authorized place of use in a single irrigation season.
7. Rights 61-2188 and 61-7151 when combined shall not exceed a total diversion rate of 2.66 cfs for the municipal type irrigation of 233.2 acres.
8. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
9. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
11. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
12. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
13. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
14. The diversion and use of water described in this right per Transfer 78273 is subject to additional conditions and limitations agreed to by the City of Mountain Home and Jay Brown stipulated in the "Acknowledgement and Agreement" signed 7/29/14.
15. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
16. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.

**WATER RIGHT NO. 61-2188**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

17. This right does not grant any right-of-way or easement across the land of another.
18. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.



# **WATER RIGHT NO. 61-7151**

## **As Modified by Transfer No. 78273**

In accordance with the approval of Transfer No. 78273, Water Right No. 61-7151 is now described as follows:

**Right Holder:** JAY B BROWN  
595 E 13TH N  
MOUNTAIN HOME, ID 83647

**Priority Date:** 4/9/1973

**Source:** GROUND WATER

### **BENEFICIAL USE**

MUNICIPAL

### **From**

04/01

### **To**

to 10/31

### **Diversion Rate**

1.140 cfs

1.140 cfs

### **Diversion Volume**

400.0 af

400.0 af

### **LOCATION OF POINT(S) OF DIVERSION**

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### **CONDITIONS OF APPROVAL**

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-7151**  
**As Modified by Transfer No. 78273**

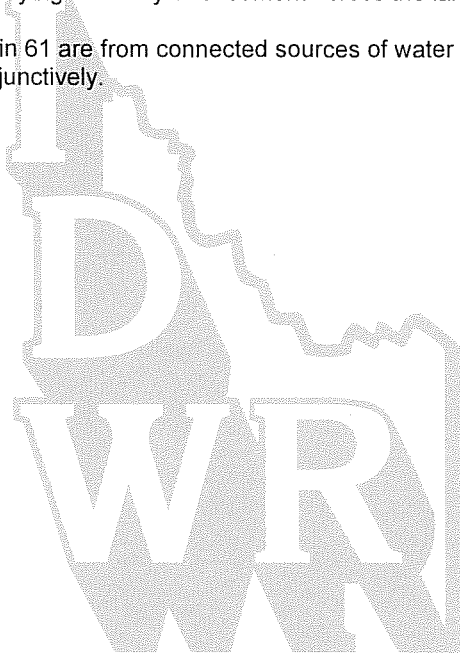
**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Municipal use is limited to municipal type irrigation of 100.0 acres within the authorized place of use in a single irrigation season.
7. Rights 61-2188 and 61-7151 when combined shall not exceed a total diversion rate of 2.66 cfs for the municipal type irrigation of 233.2 acres.
8. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
9. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
11. The period of use for the municipal type irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
12. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
13. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
14. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
15. The diversion and use of water described in this right per Transfer 78273 is subject to additional conditions and limitations agreed to by the City of Mountain Home and Jay Brown stipulated in the "Acknowledgement and Agreement" signed 7/29/14.

**WATER RIGHT NO. 61-7151**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

16. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
17. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
18. This right does not grant any right-of-way or easement across the land of another.
19. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.



# WATER RIGHT NO. 61-2167

## As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-2167 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 4/6/1964

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| MUNICIPAL             | 04/01       | to 11/01  | 1.970 cfs             | 628.0 af                |
|                       |             |           | 1.970 cfs             | 628.0 af                |

### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-2167**

**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Municipal use is limited to municipal type irrigation of 157.0 acres within the authorized place of use in a single irrigation season.
7. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
8. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
10. The period of use for the municipal type irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
11. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
12. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
13. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
16. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 78273

**WATER RIGHT NO. 61-2167**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

17. The diversion and use of water described in Transfer 72128 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
18. Any diversions of water under this right shall not be allowed if irrigation within the authorized place of use is curtailed or ceases for any reason.
19. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.



# WATER RIGHT NO. 61-2210

## As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-2210 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 9/30/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| MUNICIPAL             | 04/01       | to 11/01  | 5.350 cfs             | 1172.0 af               |
|                       |             |           | 5.350 cfs             | 1172.0 af               |

### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-2210**

**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Municipal use is limited to municipal type irrigation of 293.0 acres within the authorized place of use in a single irrigation season.
7. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
8. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
10. The period of use for the municipal type irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
11. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
12. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
13. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
16. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 78273

**WATER RIGHT NO. 61-2210**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

17. The diversion and use of water described in Transfer 72128 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
18. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
19. Any diversions of water under this right shall not be allowed if irrigation within the authorized place of use is curtailed or ceases for any reason.



**WATER RIGHT NO. 61-7172F****As Modified by Transfer No. 78273**

In accordance with the approval of Transfer No. 78273, Water Right No. 61-7172F is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 11/19/1973

**Source:** GROUND WATER

**BENEFICIAL USE**

MUNICIPAL

**From**

03/15

**To**

to 10/15

**Diversion Rate**

2.810 cfs

2.810 cfs

**Diversion Volume**

885.3 af

885.3 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

**PLACE OF USE: MUNICIPAL**

|     |     |     | NE |    |    |    | NW  |     |    |    | SW |     |     |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|----|----|----|-----|-----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE  | NW  | SW | SE | NE | NW  | SW  | SE | NE | NW | SW | SE |        |
| 03S | 06E | 22  |    |    |    |    |     |     |    |    |    |     |     |    |    |    |    | X  |        |
| 03S | 06E | 23  | X  |    | X  | X  |     |     | X  | X  | X  | X   | X   | X  | X  | X  | X  | X  |        |
| 03S | 06E | 24  | X  | X  | X  | X  | X   | X   | X  | X  | X  | X   | X   | X  |    |    | X  | X  |        |
| 03S | 06E | 25  | X  | X  | X  | X  | X   | X   | X  | X  | X  | X   | X   | X  | X  | X  | X  | X  |        |
| 03S | 06E | 26  | X  | X  | X  | X  | X   | X   |    |    |    |     |     | X  | X  | X  | X  | X  |        |
| 03S | 06E | 35  | X  | X  | X  | X  |     |     |    | X  |    |     |     |    | X  | X  |    |    |        |
| 03S | 06E | 36  | X  | X  | X  |    | X   | X   | X  | X  |    | X   |     |    |    |    |    |    |        |
| 03S | 07E | 19  |    |    | X  | X  |     |     |    |    |    |     | X   | X  | X  | X  | X  | X  |        |
|     |     |     |    |    |    |    |     |     |    |    |    |     | L 4 |    |    |    |    |    |        |
| 03S | 07E | 30  |    | X  | X  |    | X   | X   | X  | X  | X  | X   | X   |    |    |    |    |    |        |
|     |     |     |    |    |    |    | L 1 | L 2 |    |    |    | L 3 | L 4 |    |    |    |    |    |        |

Transfer No. 78273

**WATER RIGHT NO. 61-7172F**  
**As Modified by Transfer No. 78273**

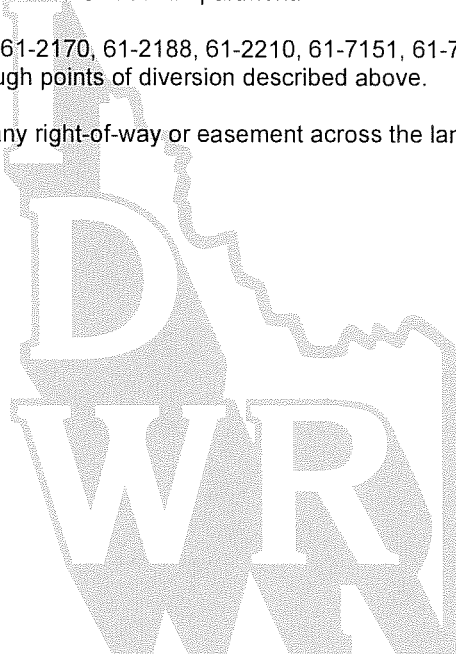
**CONDITIONS OF APPROVAL**

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Municipal use is limited to municipal type irrigation of 221.0 acres within the authorized place of use in a single irrigation season.
7. Rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 when combined shall not exceed a total diversion rate of 15.93 cfs and an annual diversion volume of 4,305.7 af for the municipal type irrigation of 1,061.2 acres.
8. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for municipal type irrigation within the place of use.
10. The period of use for the municipal type irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/7/2000.
11. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
12. Starting January 15, 2016, and continuing every January 15 until notified by the department, the right holder shall submit a report annually to the department demonstrating that the water diverted under rights 61-2167, 61-2188, 61-2210, 61-7151, 61-7172F, and 61-7439 is necessary to satisfy demands for municipal type irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.

**WATER RIGHT NO. 61-7172F**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

13. Every five (5) years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis, based on a current aerial photo, of the number of acres irrigated for municipal type irrigation within the authorized place of use that are not already covered by Mountain Home Irrigation District or other surface water rights.
14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
16. This right does not grant any right-of-way or easement across the land of another.



## WATER RIGHT NO. 61-2072

### As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-2072 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 3/13/1931

**Source:** GROUND WATER

#### BENEFICIAL USE

MUNICIPAL

#### From

01/01

#### To

to 12/31

#### Diversion Rate

2.000 cfs

2.000 cfs

#### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

#### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-2072**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
7. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The diversion and use of water described in Transfer 72128, and in previous Transfer 69591 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
10. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.

# WATER RIGHT NO. 61-2170

## As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-2170 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 5/27/1964

**Source:** GROUND WATER

### BENEFICIAL USE

MUNICIPAL

### From

1/01

### To

to 12/31

### Diversion Rate

9.640 cfs

9.640 cfs

### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-2170**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
7. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The diversion and use of water described in Transfer 72128, and in previous Transfer 69591 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
10. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.

# WATER RIGHT NO. 61-7184

## As Modified by Transfer No. 78273

In accordance with the approval of Transfer No. 78273, Water Right No. 61-7184 is now described as follows:

**Right Holder:** CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME, ID 83647

**Priority Date:** 4/22/1974

**Source:** GROUND WATER

### BENEFICIAL USE

MUNICIPAL

### From

1/01

### To

to 12/31

### Diversion Rate

4.350 cfs

4.350 cfs

### LOCATION OF POINT(S) OF DIVERSION

|              |           |                        |               |
|--------------|-----------|------------------------|---------------|
| GROUND WATER | NWSW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESW      | Sec 13 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 22 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NENE      | Sec 23 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NWNW      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 25 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SENE      | Sec 26 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SESE      | Sec 27 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | SWNE      | Sec 36 Twp 03S Rge 06E | ELMORE County |
| GROUND WATER | NESE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | SWSE      | Sec 19 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NENW      | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | L1 (NWNW) | Sec 30 Twp 03S Rge 07E | ELMORE County |
| GROUND WATER | NWNE      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NESW      | Sec 13 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (NENE) | Sec 3 Twp 04S Rge 06E  | ELMORE County |

### CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78273

**WATER RIGHT NO. 61-7184**  
**As Modified by Transfer No. 78273**

**CONDITIONS OF APPROVAL**

5. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 when combined shall not exceed a total diversion rate of 36.42 cfs.
7. Prior to diversion and use of water under this right, the right holder shall install a totalizing measuring device of a type approved by the department on each point of diversion to measure the volume of water diverted. The measuring devices shall be read and recorded on a weekly basis.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The diversion and use of water described in Transfer 72128, and in previous Transfer 69591 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
10. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. Rights 61-2072, 61-2167, 61-2170, 61-2188, 61-2210, 61-7151, 61-7172F, 61-7184, 61-7339, and 61-7439 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.

# City of Mountain Home Municipal Service Area Transfer 78273

