

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78618**

This is to certify that: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

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>
65-12213	WR/DECREED	4/6/1979	1.000 cfs	N/A	N/A	N/A	GROUND WATER
65-13735	WR/LICENSE	6/16/1997	1.120 cfs	N/A	N/A	N/A	GROUND WATER
65-23263	WR/LICENSE	2/21/2008	1.000 cfs	N/A	N/A	N/A	GROUND WATER
65-25	WR/DECREED	7/18/1961	0.780 cfs	N/A	N/A	N/A	GROUND WATER
65-26	WR/DECREED	6/1/1929	0.270 cfs	N/A	12.0	16.0	GROUND WATER
65-27	WR/DECREED	6/1/1943	0.270 cfs	N/A	N/A	N/A	GROUND WATER
65-7093	WR/DECREED	8/8/1969	0.400 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-12213	NO	NO	NO	YES	NO	NO
65-13735	NO	NO	NO	YES	NO	NO
65-23263	NO	NO	NO	YES	NO	NO
65-25	NO	NO	NO	YES	NO	NO
65-26	NO	NO	NO	YES	NO	NO
65-27	NO	NO	NO	YES	NO	NO
65-7093	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
65-12213	65-12213	1.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-13735	65-13735	1.120 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-23263	65-23263	1.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-25	65-25	0.780 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-26	65-26	0.270 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-27	65-27	0.270 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-7093	65-7093	0.400 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.450 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 78618

IN FILE # 65-25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78618

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 23rd day of December, 2013.


Western Regional Manager

WATER RIGHT NO. 65-25
As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-25 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 7/18/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.780 cfs 0.780 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
7. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

WATER RIGHT NO. 65-26
As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-26 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
 PO BOX 158
 NEW PLYMOUTH, ID 83655

Priority Date: 6/1/1929

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.240 cfs
MUNICIPAL	01/01	to 12/31	0.270 cfs
			0.270 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	04W	4		4.0									8.0						12.0
				L 2															

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The municipal place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
5. A map depicting the municipal place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.

Transfer No. 78618

WATER RIGHT NO. 65-26
As Modified by Transfer No. 78618

CONDITIONS OF APPROVAL

6. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
7. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

WATER RIGHT NO. 65-27

As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-27 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 6/1/1943

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.270 cfs 0.270 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
7. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

WATER RIGHT NO. 65-7093
As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-7093 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 8/8/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.400 cfs 0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9 Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
7. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

WATER RIGHT NO. 65-12213

As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-12213 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 4/6/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.000 cfs
			1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
5. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
6. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
7. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

Transfer No. 78618

WATER RIGHT NO. 65-13735

As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-13735 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 6/16/1997

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.120 cfs
			1.120 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9 Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9 Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
6. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
7. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
8. 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.

Transfer No. 78618

WATER RIGHT NO. 65-13735
As Modified by Transfer No. 78618

CONDITIONS OF APPROVAL

9. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
10. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.

WATER RIGHT NO. 65-23263

As Modified by Transfer No. 78618

In accordance with the approval of Transfer No. 78618, Water Right No. 65-23263 is now described as follows:

Right Holder: CITY OF NEW PLYMOUTH
PO BOX 158
NEW PLYMOUTH, ID 83655

Priority Date: 2/21/2008

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.000 cfs 1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 4	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SENE	Sec 8	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County
GROUND WATER	SWNE	Sec 9	Twp 07N Rge 04W PAYETTE County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
4. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
5. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.

WATER RIGHT NO. 65-23263
As Modified by Transfer No. 78618

CONDITIONS OF APPROVAL

6. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
7. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.
8. The following rights are diverted through points of diversion described above: 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263.