

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 29 2012

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-14016	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Cornellson Olsen Partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Chubbuck
Name of each new owner as listed on the conveyance document
Public Works Department
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or
P.O. Box 5604
Mailing address
Chubbuck ID 83202-5604
City State ZIP
(208)237-2430 ssmart@cityofchubbuck.us
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ 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.
5. Date you acquired the water rights and/or claims listed above: 10/26/2011
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.

7. Signature: *Steve M. England* Title, if applicable: MAYOR Date: 17 OCT 12
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by HP Date 10-29-12 Receipt No. CD961168 Receipt Amt. 25.00
Approved by Dak Processed by Dak Date 11/16/2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-14016	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Cornelison Olsen Partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): City of Chubbuck
Name of each new owner as listed on the conveyance document
Public Works Department
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or ☐
P.O. Box 5604
Mailing address
Chubbuck ID 83202-5604
City State ZIP
(208)237-2430 ssmart@cityofchubbuck.us
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 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

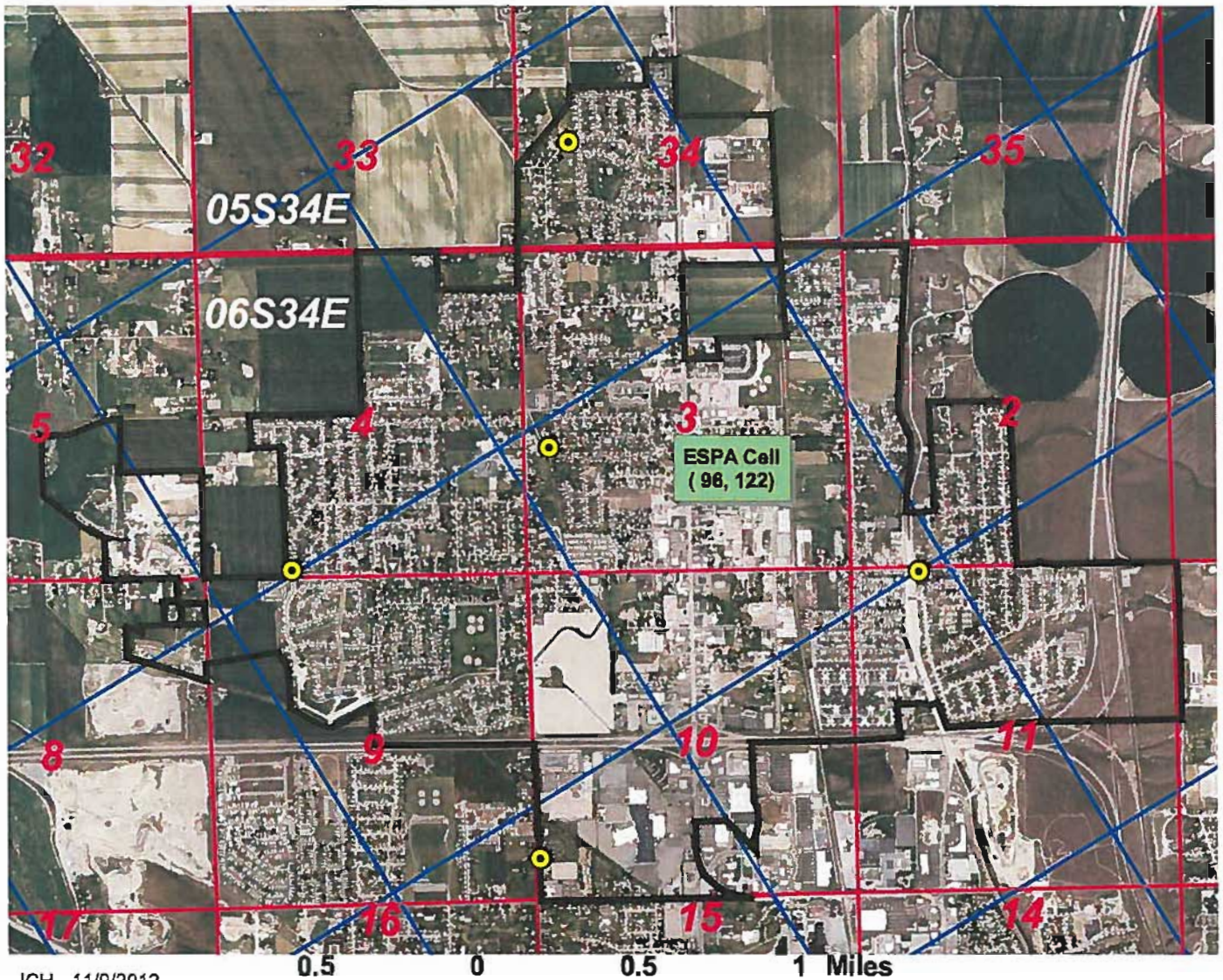
7. Signature: **Signed original with fee sent separately through U.S. mail**
Signature of new owner/claimant Title, if applicable Date
Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____
Approved by _____ Processed by _____ Date _____

CHANGE OF OWNERSHIP & WATER SUPPLY BANK APPLICATION TO LEASE WATER RIGHT

29-14016 (Priority: 1/17/1966 ; Limited to: 1.76 cfs, 127.4 ac., 449.2 acre-ft per year)



JCH - 11/9/2012

0.5 0 0.5 1 Miles

(Scale: 2 inches equals 1 mile)



-  ESPA Model Grid
-  City of Chubbuck Existing Wells
-  City of Chubbuck Municipal (Irrigation) Place Of Use
-  Townships
-  Sections

ATTACHMENT #1

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Cornelison Olsen Partnership, whose address is PO Box 396, Rexburg, Id 83440,
(Grantor) does hereby grant, bargain, sell, assign, and convey unto the City of Chubbuck, an
Idaho Municipal Corporation, whose address is PO Box 5604, Chubbuck, ID 83202 (Grantee)
and to Grantees heirs and assigns forever, all of Grantor's right title and interest in Water Right
No. 29-14016 (formerly known as 35-2892A) as described on the attached Exhibit being that
portion of Idaho Department of Water Resources Transfer No. 77509 that relates to Grantor's
Water Right 35-2892A now known as No. 29-14016.

Grantor hereby covenants and warrants to Grantee as follows:

1. Grantor is the owner of the Water Rights;
2. Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
3. The Water Rights are free from all liens, claims, or encumbrances; and
4. Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants, representations or warranties as to the Water Rights.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on
behalf of Grantor, has caused his name to be hereunto subscribed .

DATED this 26 day of Oct, 2011.

Cornelison Olsen Partnership

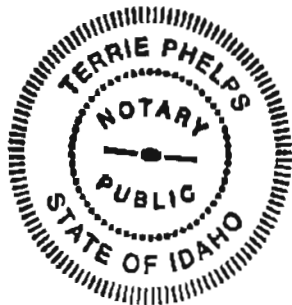
By: Keith Cornelison
Keith Cornelison, Partner

STATE OF IDAHO)

County of Fremont :SS

On this 26th day of October, 2011, before me, the undersigned Notary Public, in and for said State, personally appeared Keith Cornelison, known to me to be a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.



(seal)

Terrie Phelps
NOTARY PUBLIC - STATE OF IDAHO
Residing at: Ashton, Idaho
Commission Expires: 11/23/2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77509

This is to certify that: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604
(208)237-2430

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-2892A	WR/Decreed	01/17/1966	1.89 cfs	483 af	N/A	137.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-2385	WR/Decreed	01/11/1957	0.78 cfs	N/A	N/A	N/A	GROUND WATER
29-2413	WR/Decreed	06/25/1959	1.1 cfs	N/A	N/A	N/A	GROUND WATER
29-2489	WR/Decreed	03/10/1963	1.11 cfs	N/A	N/A	N/A	GROUND WATER
29-7624	WR/Decreed	12/14/1981	4.96 cfs	N/A	N/A	N/A	GROUND WATER
29-8229	WR/License	04/05/1999	1.74 cfs	N/A	N/A	N/A	GROUND WATER
29-8188	WR/License	12/16/1996	6.7 cfs	N/A	N/A	N/A	GROUND WATER
29-8230	WR/License	04/05/1999	2.21 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Spit</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-2892A	NO	YES	YES	YES	NO	YES

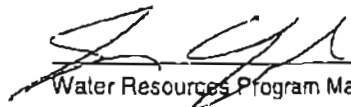
Summary of Water Rights After the Approved Change

<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>
35-2892A	29-14016	1.89 cfs	483 af	127.4	Municipal Boundary		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.89 cfs	483 af	127.4	Municipal Boundary		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77509

Detailed Water Right Description(s) attached

Dated this 21st day of October, 2011


Water Resources Program Manager

WATER RIGHT NO. 29-14016
As Modified by Transfer No. 77509

In accordance with the approval of Transfer No. 77509, Water Right No. 29-14016 is now described as follows.

Right Holder: CORNELISON OLSEN PARTNERSHIP
PO BOX 396
REXBURG ID 83440

Priority Date: January 17, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MITIGATION	04/15	to 10/15	0.13 CFS	33.8 AF
MUNICIPAL	04/15	to 10/15	1.78 CFS	449.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 34 Twp 05S	Rge 34E	BANNOCK County
GROUND WATER	NWNWSW	Sec. 3 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	SWSESW	Sec. 4 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L13 (SWSW)	Sec. 10 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L4 (NENWNW)	Sec. 11 Twp 06S	Rge 34E	BANNOCK County

PLACE OF USE: MITIGATION[illegible]

WATER RIGHT NO. 29-14016
As Modified by Transfer No. 77509

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck 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. Diversion of water from the point(s) of diversion authorized under Transfer 77509 shall not exceed a total combined maximum diversion rate as specified below:

SENWSW, Sec. 34, T05S, R34E, B.M. limited to 18.6 cfs.

SWSESW, Sec. 04, T06S, R34E, B.M. limited to 11.45 cfs.

4. To mitigate for the increased depletion of water in the Near Blackfoot to Neeley reach of the ESPA model as a result of transfer 77509, the right holder shall cease diverting and using the following amount of water authorized under right 29-14016:

Use	Rate (cfs)	Volume (AF)	Acres
Irrigation	0.13	33.8	9.6

5. This right is limited to the irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
6. Municipal use under this right is for irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to diversion and use of water under Transfer approval 77509, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
12. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
13. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 29-14016
As Modified by Transfer No. 77509

CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.

This water right 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.

Dated this 21st day of October, 2011


Water Resources Program Manager

7-1

21201772

QUITCLAIM DEED FOR WATER RIGHTS

Knudsen Poor Farms, Inc, Grantor, does hereby sell, quitclaim and convey unto the City of Chubbuck, an Idaho Municipal Corporation, whose address PO Box 5604, Chubbuck, ID 83202, Grantee), and to Grantees heirs and assigns forever, all of Grantor's right title and interest in Water Right No. 29-14016 (formerly known as 35-2892A) as described on the attached Exhibit being that portion of Idaho Department of Water Resources Transfer No. 77509 that relates to Grantor's Water Right 35-2892A now known as No. 29-14016.

Grantor hereby covenants and warrants to Grantee as follows:

1. Grantor is the owner of the Water Rights;
2. Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
3. The Water Rights are free from all liens, claims, or encumbrances; and
4. Grantor has the authority to convey the Water Rights to Grantee.

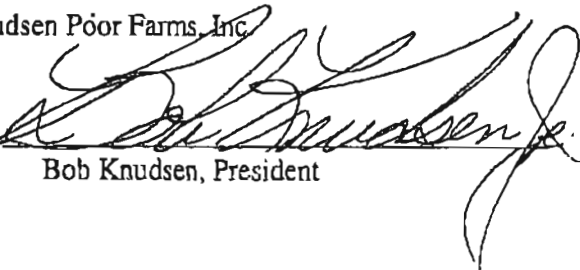
Grantor makes no other covenants, representations or warranties as to the Water Rights.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed .

DATED this 2 day of Nov, 2011.

Knudsen Poor Farms, Inc

By: 

Bob Knudsen, President

RECORDED IN 952
JANUARY COUNTY CLERK

FILED BY REQUEST OF
DEPUTY 

City of Chubbuck

7-2

21201772

STATE OF IDAHO)

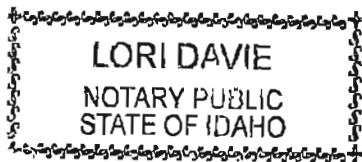
:SS

County of Bannock

On this 2 day of November, 2011, before me, the undersigned Notary Public, in and for said State, personally appeared Bob Knudsen, known to me to be President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

(seal)



Lori Davie
NOTARY PUBLIC-STATE OF IDAHO
Commission Expires: 11.21.2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77509

This is to certify that: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604
(208)237-2430

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Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
35-2892A	WR/Decreed	01/17/1986	1.89 cfs	483 af	N/A	137.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

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29-2413	WR/Decreed	06/25/1959	1.1 cfs	N/A	N/A	N/A	GROUND WATER
29-2469	WR/Decreed	03/10/1963	1.11 cfs	N/A	N/A	N/A	GROUND WATER
29-7624	WR/Decreed	12/14/1981	4.98 cfs	N/A	N/A	N/A	GROUND WATER
29-8229	WR/License	04/05/1999	1.74 cfs	N/A	N/A	N/A	GROUND WATER
29-8188	WR/License	12/18/1998	8.7 cfs	N/A	N/A	N/A	GROUND WATER
29-8230	WR/License	04/05/1999	2.21 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2892A	NO	YES	YES	YES	NO	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2892A	29-14016	1.89 cfs	483 af	127.4	Municipal Boundary		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.89 cfs	483 af	127.4	Municipal Boundary		N/A	N/A	N/A	N/A

7-4

21201772

Page 2 of 20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77509

Detailed Water Right Description(s) attached

Dated this 21st day of October, 20 11


Water Resources Program Manager

21201772

Page 3 of 20

WATER RIGHT NO. 29-14016
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Priority Date: January 17, 1966

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MITIGATION	04/15	to 10/15	0.13 CFS	33.8 AF
MUNICIPAL	04/15	to 10/15	1.76 CFS	449.2 AF

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GROUND WATER	SENWSW	Sec. 34 Twp 05S	Rge 34E	BANNOCK County
GROUND WATER	NWNWSW	Sec. 3 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	SWSESW	Sec. 4 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L13 (SWSW)	Sec. 10 Twp 06S	Rge 34E	BANNOCK County
GROUND WATER	L4 (NENWNW)	Sec. 11 Twp 06S	Rge 34E	BANNOCK County

PLACE OF USE: MITIGATION

[illegible]

WATER RIGHT NO. 29-14016
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SWSESW, Sec. 04, T06S, R34E, B.M. limited to 11.45 cfs.

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Use	Rate (cfs)	Volume (AF)	Acres
Irrigation	0.13	33.8	9.6

5. This right is limited to the Irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
6. Municipal use under this right is for irrigation of 127.4 acres within the authorized place of use in a single irrigation season.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to diversion and use of water under Transfer approval 77509, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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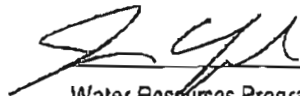
WATER RIGHT NO. 29-14016
As Modified by Transfer No. 77509

CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.

This water right 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.

Dated this 21st day of October, 2011


Water Resources Program Manager