

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77404

**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) CITY OF GARDEN CITY Phone (208) 472-2903

Mailing address CITY HALL, 6015 GLENWOOD ST., GARDEN CITY, ID 83714-1347 Email

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

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

☐ No Representative

Name of Representative SPF WATER ENGINEERING LLC, C/O ROXANNE BROWN Phone (208) 383-4140

Mailing address 300 E. MALLARD DR., STE. 350, BOISE, ID 83706 Email rbrown@spfwater.com

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

OR

☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

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

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

RECEIVED

SEP 16 2011

WATER RESOURCES
WESTERN REGION

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. THE CITY HAS ACQUIRED ADDITIONAL WELL SITES AND ASSOCIATED WATER RIGHTS AND SEEKS AUTHORIZATION TO INCLUDE THESE ADDITIONAL POINTS OF DIVERSION IN THE INTEGRATED MUNICIPAL SUPPLY AND DELIVERY SYSTEM REPRESENTED BY APPROVED TRANSFER #74948.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐		See Part 1B(1) Addendum	to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights _____ cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 24.91 cubic feet per second and/or 438 acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Place of use is within the service area of the applicant's municipal water supply system as provided for under Idaho Law.

Total Acres (for irrigation use) _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1B(1) ADDENDUM**

DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES.

1.

		<u>Right Number</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All	or Part					
☒	☐	63-9144	1.20/180	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-8357	1.18/258	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-9134	1.43	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-9136	1.38	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-10270	3.1	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-7805	1.11	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-2895	1.5	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-3124	3.56	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-8005	4.8	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-2872	1.15	MUNICIPAL	1/01 to 12/31	GROUNDWATER
☒	☐	63-11487	4.5	MUNICIPAL	1/01 to 12/31	GROUNDWATER

Total authorized under rights 24.91 cfs and/or 438 ac-ft

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1B(3) ADDENDUM**

3. Points of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name for diversion
5		SW	NE	5	3N	2E	Ada	Groundwater	Well No. 1
		SE	NE	5	3N	2E	Ada	Groundwater	Well No. 2
		SE	NE	5	3N	2E	Ada	Groundwater	Well No. 4
14		SE	NE	31	4N	2E	Ada	Groundwater	Well No. 5
8		SE	SW	32	4N	2E	Ada	Groundwater	Well No. 13*
1		NE	SE	23	4N	1E	Ada	Groundwater	Well No. 9
1		SE	SE	24	4N	1E	Ada	Groundwater	Well No. 7
4		NE	NW	25	4N	1E	Ada	Groundwater	Well No. 6
		NE	SE	26	4N	1E	Ada	Groundwater	Well No. 8
		NE	NE	27	4N	1E	Ada	Groundwater	Well No. 10
		SE	NW	24	4N	1E	Ada	Groundwater	Well No. 11
		SW	NW	25	4N	1E	Ada	Groundwater	Well No. 12

* This well was previously known as Well No. 3. IDEQ required the well be renumbered when it was redrilled in 2009.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: THE DIVERSION SYSTEM CONSISTS OF THE EXISTING WELLS, PUMPS, AND WATER DISTRIBUTION PIPING MAINTAINED BY THE CITY OF GARDEN CITY. THE CITY CURRENTLY MEASURES AND RECORDS ITS WATER USE.

b. Who owns the property at the point(s) of diversion? THE CITY OF GARDEN CITY; HOMETIME SHENANDOAH ESTATES
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: THE CITY OWNS THE PROPERTY AT THE POINT OF DIVERSION FOR WELLS 1-10, 12, 13. HOMETOWN SPECIFICALLY GRANTS ACCESS TO WELL 11 IN THE ATTACHED AGREEMENT (ATTACHMENT #5b).

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: NOT APPLICABLE.

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

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: NOT APPLICABLE

e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: OTHER WATER RIGHTS ARE DESCRIBED ON TRANSFER NO. 74948, APPROVED MARCH 19, 2010.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number:

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)

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

Current Water Right No.: 63-8357

Current Owner: CITY OF GARDEN CITY
Priority Date: 8/16/1976
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume
MUNICIPAL	01/01 to 12/31		1.18 CFS	258 AF
	Total Diversion		1.18 CFS	258 AF

Location of Point(s) of Diversion

GROUND WATER
ADA County

SW1/4NW1/4 Sec 25, Twp 04N, Rge 01E B M.

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW	T03N R02E S5		
T03N R02E S5		NWNE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5		SWNE	T03N R02E S5		SWNE
T03N R02E S5	Lot 5	SWNE	T03N R02E S5		SENE
T03N R02E S5		SENE	T03N R02E S5		SENE
T03N R02E S5	Lot 2	NENW	T03N R02E S5	Lot 3	NWNW
T03N R02E S5	Lot 4	SWNW	T03N R02E S5		SENW
T03N R02E S5	Lot 10	NESW	T03N R02E S5	Lot 8	NWSW
T03N R02E S5	Lot 14	SESW	T03N R02E S5		NESE
T03N R02E S5	Lot 11	NESE	T03N R02E S5		NWSE
T03N R02E S5	Lot 13	SWSE	T03N R02E S5		SESE
T03N R02E S5	Lot 12	SESE	T03N R02E S6	Lot 1	NENE
T03N R02E S6	Lot 2	NENE	T03N R02E S6	Lot 9	SENE
T03N R02E S8	Lot 1	NENE	T04N R01E S9	Lot 3	NENW
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23			T04N R01E S23		NENE
T04N R01E S23	Lot 2	NWNE	T04N R01E S23	Lot 1	SENE
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 5	SWNW
T04N R01E S23	Lot 6	SENW	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23	Lot 11	SESE

T04N R01E S24		
T04N R01E S24		NWNW
T04N R01E S24		SENW
T04N R01E S24	Lot 4	NWSW
T04N R01E S24		NESE
T04N R01E S24	Lot 2	SWSE
T04N R01E S25		
T04N R01E S25		SWNE
T04N R01E S25		NWNW
T04N R01E S25		SENW
T04N R01E S25		NWSW
T04N R01E S25	Lot 1	NESE
T04N R01E S25		SWSE
T04N R01E S26		
T04N R01E S26		NWNE
T04N R01E S26		SENE
T04N R01E S26		NWSE
T04N R01E S36		NWNE
T04N R02E S19	Lot 4	SWSW
T04N R02E S30		NENW
T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 2	NESW
T04N R02E S30	Lot 7	SWSW
T04N R02E S30		NESE
T04N R02E S30	Lot 1	SWSE
T04N R02E S31		
T04N R02E S31	Lot 2	NWNE
T04N R02E S31	Lot 14	SENE
T04N R02E S31	Lot 3	NWNW
T04N R02E S31		SENW
T04N R02E S31		SESW
T04N R02E S31	Lot 13	NESE
T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 8	SESE
T04N R02E S31	Lot 11	SESE
T04N R02E S32	Lot 5	SWNW
T04N R02E S32	Lot 6	NWSW
T04N R02E S32		SWSW

T04N R01E S24		SWNE
T04N R01E S24		SWNW
T04N R01E S24	Lot 3	NESW
T04N R01E S24	Lot 5	SWSW
T04N R01E S24		NWSE
T04N R01E S24	Lot 1	SESE
T04N R01E S25	Lot 3	NWNE
T04N R01E S25	Lot 4	NENW
T04N R01E S25		SWNW
T04N R01E S25		NESW
T04N R01E S25		SESW
T04N R01E S25		NWSE
T04N R01E S25		SESE
T04N R01E S26		NENE
T04N R01E S26		SWNE
T04N R01E S26		NESE
T04N R01E S36		NENE
T04N R01E S36		SENE
T04N R02E S30		SWNE
T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SENW
T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 8	SESW
T04N R02E S30		NWSE
T04N R02E S30		SESE
T04N R02E S31	Lot 1	NENE
T04N R02E S31		SWNE
T04N R02E S31		NENW
T04N R02E S31	Lot 4	SWNW
T04N R02E S31		NESW
T04N R02E S31	Lot 12	NESE
T04N R02E S31		NWSE
T04N R02E S31	Lot 10	SWSE
T04N R02E S31	Lot 9	SESE
T04N R02E S32		
T04N R02E S32	Lot 3	NESW
T04N R02E S32	Lot 7	NWSW
T04N R02E S32	Lot 6	SESW

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(8), Idaho Code.
2. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.

Decreed Date: 2/11/2009

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

Current Water Right No.: 53-9144

Current Owner: SHENANDOAH PARK INVESTORS
Priority Date: 4/25/1978
Origin: Water Right
Status: Active
Basis: Decreed

Source	Tributary
GROUND WATER	
Beneficial Use	From To
DOMESTIC	1/01 to 12/31
FIRE PROTECTION	1/01 to 12/31
	Total Diversion
	1.2 CFS
	180 AF
Location of Point(s) of Diversion	
GROUND WATER	SE1/4NW1/4 Sec. 24, Twp 04N, Rge 01E B.M.
ADA County	

Place of Use

DOMESTIC Within ADA County

T04N R01E S24 SENW

Place of Use: FIRE PROTECTION same as DOMESTIC

Conditions of Approval:

1. J01 PROPERTY IS ALSO KNOWN AS SHENANDOAH MOBILE HOME ESTATES.
2. PARCEL NO. S0524244412.
3. X01 Domestic use is for a mobile home park.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 2/16/2007

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

Current Water Right No.: 63-9134

Current Owner: CITY OF GARDEN CITY
Priority Date: 6/27/1978
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

MUNICIPAL 01/01 to 12/31
Total Diversion

Diversion Rate

1.43 CFS
1.43 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4	SWSW	T03N R02E S5	NENE
T03N R02E S5	Lot 17 NENE	T03N R02E S5	NWNE
T03N R02E S5	NWNE	T03N R02E S5	Lot 2 NWNE
T03N R02E S5	Lot 17 NWNE	T03N R02E S5	SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENW	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW	T04N R01E S23		SENW
T04N R01E S23		SENW	T04N R01E S23	Lot 6	SENW
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENW	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENW	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

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

Current Water Right No.: 63-9136

Current Owner: CITY OF GARDEN CITY
Priority Date: 7/1/1978
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

MUNICIPAL From To
01/01 to 12/31
Total Diversion

Diversion Rate

1.38 CFS
1.38 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW	T03N R02E S5		NENE
T03N R02E S5	Lot 17	NENE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5	Lot 17	NWNE	T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENW	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW	T04N R01E S23		SENW
T04N R01E S23		SENW	T04N R01E S23	Lot 6	SENW
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENW	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENW	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. T19 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.
2. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. 180 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.
4. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 6 located in T4N, R1E, S25, Lot 4 (NENW).
5. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T06 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-10270

Current Owner: CITY OF GARDEN CITY

Priority Date: 10/18/1984

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

MUNICIPAL

From To

01/01 to 12/31

Total Diversion

Diversion Rate

3.1 CFS

3.1 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW	T03N R02E S5		NENE
T03N R02E S5	Lot 17	NENE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5	Lot 17	NWNE	T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENE	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S8	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENE	T04N R01E S23		SENE
T04N R01E S23		SENE	T04N R01E S23	Lot 6	SENE
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENE	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENE	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
2. 180 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. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 8 located in T4N, R1E, S26, NESE.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T19 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.

Decreed Date: 4/3/2009

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 180 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. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 7 located in T4N, R1E, S24, Lot 1 (SESE).
4. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. T19 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-7805

Current Owner: CITY OF GARDEN CITY
Priority Date: 6/1/1973
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary**Beneficial Use****From To****Diversion Rate****Annual Volume**

MUNICIPAL 01/01 to 12/31
Total Diversion

1.11 CFS
1.11 CFS

Location of Point(s) of Diversion

GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				

Place of Use**MUNICIPAL Within ADA County**

T03N R02E S4		SWSW	T03N R02E S5		NENE
T03N R02E S5	Lot 17	NENE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5	Lot 17	NWNE	T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENE	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENE	T04N R01E S23		SENE
T04N R01E S23		SENE	T04N R01E S23	Lot 6	SENE
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENE	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENE	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 6	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 4 located in T3N, R2E, S5, SENE.
3. T19 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. 180 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.
5. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-2895

Current Owner: CITY OF GARDEN CITY
Priority Date: 2/13/1952
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1.5 CFS	
	<u>Total Diversion</u>	1.5 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW	T03N R02E S5		NENE
T03N R02E S5	Lot 17	NENE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5	Lot 17	NWNE	T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE
T03N R02E S5		SENE
T03N R02E S5	Lot 17	SENE
T03N R02E S5	Lot 3	NWNW
T03N R02E S5		SENW
T03N R02E S5	Lot 8	NWSW
T03N R02E S5		NESE
T03N R02E S5		NWSE
T03N R02E S5		SESE
T03N R02E S6	Lot 1	NENE
T04N R01E S14		NWSW
T04N R01E S14		SESW
T04N R01E S23		NENE
T04N R01E S23		SWNE
T04N R01E S23	Lot 6	SWNE
T04N R01E S23	Lot 1	SENE
T04N R01E S23	Lot 3	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW
T04N R01E S23		SENW
T04N R01E S23		SENW
T04N R01E S23		NESW
T04N R01E S23	Lot 10	NESW
T04N R01E S23	Lot 5	NWSW
T04N R01E S23	Lot 9	NWSW
T04N R01E S23	Lot 10	SESW
T04N R01E S23	Lot 1	NESE
T04N R01E S23		NWSE
T04N R01E S23		SWSE
T04N R01E S23	Lot 11	SESE
T04N R01E S24		NWNW
T04N R01E S24		SENW
T04N R01E S24		NWSW
T04N R01E S24		SWSW
T04N R01E S24	Lot 5	SWSW
T04N R01E S24	Lot 3	SESW
T04N R01E S24		NESE
T04N R01E S24		SWSE
T04N R01E S24		SESE
T04N R01E S25		NENE
T04N R01E S25	Lot 3	NENE
T04N R01E S25	Lot 3	NWNE
T04N R01E S25		SENE
T04N R01E S25		NENW
T04N R01E S25		NWNW
T04N R01E S25		SENW
T04N R01E S25		NWSW

T03N R02E S5	Lot 17	SWNE
T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 4	SWNW
T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 14	SESW
T03N R02E S5	Lot 11	NESE
T03N R02E S5	Lot 13	SWSE
T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 10	SENE
T04N R01E S14		SWSW
T04N R01E S14		SWSE
T04N R01E S23	Lot 2	NWNE
T04N R01E S23	Lot 2	SWNE
T04N R01E S23		SENE
T04N R01E S23		NENW
T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW
T04N R01E S23	Lot 6	SENW
T04N R01E S23	Lot 6	NESW
T04N R01E S23		NWSW
T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	SWSW
T04N R01E S23		NESE
T04N R01E S23	Lot 7	NESE
T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SESE
T04N R01E S24		SWNE
T04N R01E S24		SWNW
T04N R01E S24	Lot 3	NESW
T04N R01E S24	Lot 4	NWSW
T04N R01E S24	Lot 4	SWSW
T04N R01E S24		SESW
T04N R01E S24	Lot 5	SESW
T04N R01E S24		NWSE
T04N R01E S24	Lot 2	SWSE
T04N R01E S24	Lot 1	SESE
T04N R01E S25	Lot 1	NENE
T04N R01E S25		NWNE
T04N R01E S25		SWNE
T04N R01E S25	Lot 2	SENE
T04N R01E S25	Lot 4	NENW
T04N R01E S25		SWNW
T04N R01E S25		NESW
T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. T19 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.
3. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 2 located in T3N, R2E, S5, SENE.
4. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
8. 180 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.

Decreed Date: 2/6/2009

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

Current Water Right No.: 63-3124

Current Owner: CITY OF GARDEN CITY
Priority Date: 2/28/1958
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

MUNICIPAL

1/01 to 12/31

Total Diversion

Diversion Rate

3.56 CFS

3.56 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER

ADA County

L5(SW1/4NE1/4) Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

SE 1/4NE 1/4 Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

SE 1/4NE 1/4 Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

L1(NE1/4SE1/4) Sec. 23, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L1(SE1/4SE1/4) Sec. 24, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L4(NE1/4NW1/4) Sec. 25, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

NE1/4SE1/4 Sec. 26, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

NE1/4NE1/4 Sec. 27, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L14(SE1/4NE1/4) Sec. 31, Twp 04N, Rge 02E B.M.

GROUND WATER

ADA County

L8(SE1/4SW1/4) Sec. 32, Twp 04N, Rge 02E B.M.

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW
T03N R02E S5	Lot 17	NENE
T03N R02E S5		NWNE
T03N R02E S5	Lot 17	NWNE

T03N R02E S5		NENE
T03N R02E S5		NWNE
T03N R02E S5	Lot 2	NWNE
T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENW	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW	T04N R01E S23		SENW
T04N R01E S23		SENW	T04N R01E S23	Lot 6	SENW
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENW	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENW	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 6	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. 180 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.
2. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law
3. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 3 located in T4N, R2E, S32, Lot 8 (SESW).
6. T19 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.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 2/6/2009

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

Current Water Right No.: 63-8005

Current Owner: CITY OF GARDEN CITY
Priority Date: 7/10/1974
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary**Beneficial Use**

MUNICIPAL

From To

1/01 to 12/31

Total Diversion**Diversion Rate**

4.8 CFS

4.8 CFS

Annual Volume**Location of Point(s) of Diversion**

GROUND WATER

ADA County

L5(SW1/4NE1/4)

Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

SE1/4NE1/4

Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

SE1/4NE1/4

Sec. 5, Twp 03N, Rge 02E B.M.

GROUND WATER

ADA County

L1(NE1/4SE1/4)

Sec. 23, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L1(SE1/4SE1/4)

Sec. 24, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L4(NE1/4NW1/4)

Sec. 25, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

NE1/4SE1/4

Sec. 28, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

NE1/4NE1/4

Sec. 27, Twp 04N, Rge 01E B.M.

GROUND WATER

ADA County

L14(SE1/4NE1/4)

Sec. 31, Twp 04N, Rge 02E B.M.

GROUND WATER

ADA County

L8(SE1/4SW1/4)

Sec. 32, Twp 04N, Rge 02E B.M.

Place of Use**MUNICIPAL Within ADA County**

T03N R02E S4 SWSW
T03N R02E S5 Lot 17 NENE
T03N R02E S5 NWNE
T03N R02E S5 Lot 17 NWNE

T03N R02E S5 NENE
T03N R02E S5 NWNE
T03N R02E S5 Lot 2 NWNE
T03N R02E S5 SWNE

T03N R02E S5	Lot 5	SWNE	T03N R02E S5	Lot 17	SWNE
T03N R02E S5		SENE	T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 17	SENE	T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 3	NWNW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5		SENE	T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5	Lot 14	SESW
T03N R02E S5		NESE	T03N R02E S5	Lot 11	NESE
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5		SESE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 10	SENE
T04N R01E S14		NWSW	T04N R01E S14		SWSW
T04N R01E S14		SESW	T04N R01E S14		SWSE
T04N R01E S23		NENE	T04N R01E S23	Lot 2	NWNE
T04N R01E S23		SWNE	T04N R01E S23	Lot 2	SWNE
T04N R01E S23	Lot 6	SWNE	T04N R01E S23		SENE
T04N R01E S23	Lot 1	SENE	T04N R01E S23		NENW
T04N R01E S23	Lot 3	NENW	T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW	T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW	T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW	T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENE	T04N R01E S23		SENE
T04N R01E S23		SENE	T04N R01E S23	Lot 6	SENE
T04N R01E S23		NESW	T04N R01E S23	Lot 6	NESW
T04N R01E S23	Lot 10	NESW	T04N R01E S23		NWSW
T04N R01E S23	Lot 5	NWSW	T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	NWSW	T04N R01E S23	Lot 9	SWSW
T04N R01E S23	Lot 10	SESW	T04N R01E S23		NESE
T04N R01E S23	Lot 1	NESE	T04N R01E S23	Lot 7	NESE
T04N R01E S23		NWSE	T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SWSE	T04N R01E S23		SESE
T04N R01E S23	Lot 11	SESE	T04N R01E S24		SWNE
T04N R01E S24		NWNW	T04N R01E S24		SWNW
T04N R01E S24		SENE	T04N R01E S24	Lot 3	NESW
T04N R01E S24		NWSW	T04N R01E S24	Lot 4	NWSW
T04N R01E S24		SWSW	T04N R01E S24	Lot 4	SWSW
T04N R01E S24	Lot 5	SWSW	T04N R01E S24		SESW
T04N R01E S24	Lot 3	SESW	T04N R01E S24	Lot 5	SESW
T04N R01E S24		NESE	T04N R01E S24		NWSE
T04N R01E S24		SWSE	T04N R01E S24	Lot 2	SWSE
T04N R01E S24		SESE	T04N R01E S24	Lot 1	SESE
T04N R01E S25		NENE	T04N R01E S25	Lot 1	NENE
T04N R01E S25	Lot 3	NENE	T04N R01E S25		NWNE
T04N R01E S25	Lot 3	NWNE	T04N R01E S25		SWNE
T04N R01E S25		SENE	T04N R01E S25	Lot 2	SENE
T04N R01E S25		NENW	T04N R01E S25	Lot 4	NENW
T04N R01E S25		NWNW	T04N R01E S25		SWNW
T04N R01E S25		SENE	T04N R01E S25		NESW
T04N R01E S25		NWSW	T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. 209 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 5 located in T4N, R2E, S31, Lot 14 (SENE) and Well No. 9 located in T4N, R1E, S23, Lot 1 (NESE).
3. 180 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.
4. T19 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.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-2872

Current Owner: CITY OF GARDEN CITY
Priority Date: 8/4/1951
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL 1/01 to 12/31
Total Diversion

1 15 CFS
1 15 CFS

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4	SWSW	T03N R02E S5	NENE
T03N R02E S5	Lot 17 NENE	T03N R02E S5	NWNE
T03N R02E S5	NWNE	T03N R02E S5	Lot 2 NWNE
T03N R02E S5	Lot 17 NWNE	T03N R02E S5	SWNE

T03N R02E S5	Lot 5	SWNE
T03N R02E S5		SENE
T03N R02E S5	Lot 17	SENE
T03N R02E S5	Lot 3	NWNW
T03N R02E S5		SENW
T03N R02E S5	Lot 8	NWSW
T03N R02E S5		NESE
T03N R02E S5		NWSE
T03N R02E S5		SESE
T03N R02E S6	Lot 1	NENE
T04N R01E S14		NWSW
T04N R01E S14		SESW
T04N R01E S23		NENE
T04N R01E S23		SWNE
T04N R01E S23	Lot 6	SWNE
T04N R01E S23	Lot 1	SENE
T04N R01E S23	Lot 3	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW
T04N R01E S23		SENW
T04N R01E S23		SENW
T04N R01E S23		NESW
T04N R01E S23	Lot 10	NESW
T04N R01E S23	Lot 5	NWSW
T04N R01E S23	Lot 9	NWSW
T04N R01E S23	Lot 10	SESW
T04N R01E S23	Lot 1	NESE
T04N R01E S23		NWSE
T04N R01E S23		SWSE
T04N R01E S23	Lot 11	SESE
T04N R01E S24		NWNW
T04N R01E S24		SENW
T04N R01E S24		NWSW
T04N R01E S24		SWSW
T04N R01E S24	Lot 5	SWSW
T04N R01E S24	Lot 3	SESW
T04N R01E S24		NESE
T04N R01E S24		SWSE
T04N R01E S24		SESE
T04N R01E S25		NENE
T04N R01E S25	Lot 3	NENE
T04N R01E S25	Lot 3	NWNE
T04N R01E S25		SENE
T04N R01E S25		NENW
T04N R01E S25		NWNW
T04N R01E S25		SENW
T04N R01E S25		NWSW

T03N R02E S5	Lot 17	SWNE
T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 4	SWNW
T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 14	SESW
T03N R02E S5	Lot 11	NESE
T03N R02E S5	Lot 13	SWSE
T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 10	SENE
T04N R01E S14		SWSW
T04N R01E S14		SWSE
T04N R01E S23	Lot 2	NWNE
T04N R01E S23	Lot 2	SWNE
T04N R01E S23		SENE
T04N R01E S23		NENW
T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW
T04N R01E S23	Lot 6	SENW
T04N R01E S23	Lot 6	NESW
T04N R01E S23		NWSW
T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	SWSW
T04N R01E S23		NESE
T04N R01E S23	Lot 7	NESE
T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SESE
T04N R01E S24		SWNE
T04N R01E S24		SWNW
T04N R01E S24	Lot 3	NESW
T04N R01E S24	Lot 4	NWSW
T04N R01E S24	Lot 4	SWSW
T04N R01E S24		SESW
T04N R01E S24	Lot 5	SESW
T04N R01E S24		NWSE
T04N R01E S24	Lot 2	SWSE
T04N R01E S24	Lot 1	SESE
T04N R01E S25	Lot 1	NENE
T04N R01E S25		NWNE
T04N R01E S25		SWNE
T04N R01E S25	Lot 2	SENE
T04N R01E S25	Lot 4	NENW
T04N R01E S25		SWNW
T04N R01E S25		NESW
T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. 210 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 1 located in T3N, R2E, S5, SWSE which was replaced by a new well now identified as Well No.1 located in T3N, R2E, S5, Lot 5 (SWNE)
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 180 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.
4. T08 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. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
6. T19 Pursuant to Section 42-1412(8), 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.
7. 165 To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the replacement well identified above as located in T3N, R2E, S5, Lot 5 (SWNE) shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
8. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 2/6/2009

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

Current Water Right No.: 63-11487

Current Owner: CITY OF GARDEN CITY
Priority Date: 10/8/1990
Origin: Water Right
Status: Active
Basis: License

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL 01/01 to 12/31
Total Diversion

4.5 CFS
4.5 CFS

Location of Point(s) of Diversion

GROUND WATER	L5(SW1/4NE1/4)	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 03N,	Rge 02E B.M.
ADA County				
GROUND WATER	L1(NE1/4SE1/4)	Sec. 23,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L1(SE1/4SE1/4)	Sec. 24,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L4(NE1/4NW1/4)	Sec. 25,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 27,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	L14(SE1/4NE1/4)	Sec. 31,	Twp 04N,	Rge 02E B.M.
ADA County				
GROUND WATER	L8(SE1/4SW1/4)	Sec. 32,	Twp 04N,	Rge 02E B.M.
ADA County				

Place of Use

MUNICIPAL Within ADA County

T03N R02E S4		SWSW	T03N R02E S5		NENE
T03N R02E S5	Lot 17	NENE	T03N R02E S5		NWNE
T03N R02E S5		NWNE	T03N R02E S5	Lot 2	NWNE
T03N R02E S5	Lot 17	NWNE	T03N R02E S5		SWNE

T03N R02E S5	Lot 5	SWNE
T03N R02E S5		SENE
T03N R02E S5	Lot 17	SENE
T03N R02E S5	Lot 3	NWNW
T03N R02E S5		SENW
T03N R02E S5	Lot 8	NWSW
T03N R02E S5		NESE
T03N R02E S5		NWSE
T03N R02E S5		SESE
T03N R02E S6	Lot 1	NENE
T04N R01E S14		NWSW
T04N R01E S14		SESW
T04N R01E S23		NENE
T04N R01E S23		SWNE
T04N R01E S23	Lot 6	SWNE
T04N R01E S23	Lot 1	SENE
T04N R01E S23	Lot 3	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 5	SWNW
T04N R01E S23		SENW
T04N R01E S23		SENW
T04N R01E S23		NESW
T04N R01E S23	Lot 10	NESW
T04N R01E S23	Lot 5	NWSW
T04N R01E S23	Lot 9	NWSW
T04N R01E S23	Lot 10	SESW
T04N R01E S23	Lot 1	NESE
T04N R01E S23		NWSE
T04N R01E S23		SWSE
T04N R01E S23	Lot 11	SESE
T04N R01E S24		NWNW
T04N R01E S24		SENW
T04N R01E S24		NWSW
T04N R01E S24		SWSW
T04N R01E S24	Lot 5	SWSW
T04N R01E S24	Lot 3	SESW
T04N R01E S24		NESE
T04N R01E S24		SWSE
T04N R01E S24		SESE
T04N R01E S25		NENE
T04N R01E S25	Lot 3	NENE
T04N R01E S25	Lot 3	NWNE
T04N R01E S25		SENE
T04N R01E S25		NENW
T04N R01E S25		NWNW
T04N R01E S25		SENW
T04N R01E S25		NWSW

T03N R02E S5	Lot 17	SWNE
T03N R02E S5	Lot 11	SENE
T03N R02E S5	Lot 2	NENW
T03N R02E S5	Lot 4	SWNW
T03N R02E S5	Lot 10	NESW
T03N R02E S5	Lot 14	SESW
T03N R02E S5	Lot 11	NESE
T03N R02E S5	Lot 13	SWSE
T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 10	SENE
T04N R01E S14		SWSW
T04N R01E S14		SWSE
T04N R01E S23	Lot 2	NWNE
T04N R01E S23	Lot 2	SWNE
T04N R01E S23		SENE
T04N R01E S23		NENW
T04N R01E S23	Lot 6	NENW
T04N R01E S23	Lot 4	NWNW
T04N R01E S23		SWNW
T04N R01E S23	Lot 8	SWNW
T04N R01E S23		SENW
T04N R01E S23	Lot 6	SENW
T04N R01E S23	Lot 6	NESW
T04N R01E S23		NWSW
T04N R01E S23	Lot 8	NWSW
T04N R01E S23	Lot 9	SWSW
T04N R01E S23		NESE
T04N R01E S23	Lot 7	NESE
T04N R01E S23	Lot 7	NWSE
T04N R01E S23		SESE
T04N R01E S24		SWNE
T04N R01E S24		SWNW
T04N R01E S24	Lot 3	NESW
T04N R01E S24	Lot 4	NWSW
T04N R01E S24	Lot 4	SWSW
T04N R01E S24		SESW
T04N R01E S24	Lot 5	SESW
T04N R01E S24		NWSE
T04N R01E S24	Lot 2	SWSE
T04N R01E S24	Lot 1	SESE
T04N R01E S25	Lot 1	NENE
T04N R01E S25		NWNE
T04N R01E S25		SWNE
T04N R01E S25	Lot 2	SENE
T04N R01E S25	Lot 4	NENW
T04N R01E S25		SWNW
T04N R01E S25		NESW
T04N R01E S25		SESW

T04N R01E S25		NESE	T04N R01E S25		NWSE
T04N R01E S25		SWSE	T04N R01E S25		SESE
T04N R01E S26		NENE	T04N R01E S26		NWNE
T04N R01E S26		SWNE	T04N R01E S26		SENE
T04N R01E S26		NENW	T04N R01E S26		NWNW
T04N R01E S26		SWNW	T04N R01E S26		SENW
T04N R01E S26		NESE	T04N R01E S26		NWSE
T04N R01E S36		NENE	T04N R01E S36		NWNE
T04N R01E S36		SENE	T04N R02E S19	Lot 4	SWSW
T04N R02E S30		SWNE	T04N R02E S30		NENW
T04N R02E S30		NWNW	T04N R02E S30	Lot 5	NWNW
T04N R02E S30		SWNW	T04N R02E S30	Lot 4	SWNW
T04N R02E S30	Lot 6	SWNW	T04N R02E S30		SENW
T04N R02E S30		NESW	T04N R02E S30	Lot 2	NESW
T04N R02E S30		NWSW	T04N R02E S30	Lot 3	NWSW
T04N R02E S30	Lot 6	NWSW	T04N R02E S30		SWSW
T04N R02E S30	Lot 7	SWSW	T04N R02E S30		SESW
T04N R02E S30	Lot 2	SESW	T04N R02E S30	Lot 8	SESW
T04N R02E S30		NESE	T04N R02E S30		NWSE
T04N R02E S30		SWSE	T04N R02E S30	Lot 1	SWSE
T04N R02E S30	Lot 8	SWSE	T04N R02E S31		NENE
T04N R02E S31	Lot 1	NENE	T04N R02E S31		NWNE
T04N R02E S31	Lot 2	NWNE	T04N R02E S31		SWNE
T04N R02E S31		SENE	T04N R02E S31	Lot 1	SENE
T04N R02E S31	Lot 14	SENE	T04N R02E S31		NENW
T04N R02E S31	Lot 3	NWNW	T04N R02E S31	Lot 4	SWNW
T04N R02E S31		SENW	T04N R02E S31		NESW
T04N R02E S31		SESW	T04N R02E S31		NESE
T04N R02E S31	Lot 12	NESE	T04N R02E S31	Lot 13	NESE
T04N R02E S31		NWSE	T04N R02E S31	Lot 7	SWSE
T04N R02E S31	Lot 10	SWSE	T04N R02E S31	Lot 9	SESE
T04N R02E S31	Lot 11	SESE	T04N R02E S32		SWNW
T04N R02E S32	Lot 5	SWNW	T04N R02E S32		NESW
T04N R02E S32	Lot 3	NESW	T04N R02E S32	Lot 8	NESW
T04N R02E S32		NWSW	T04N R02E S32	Lot 6	NWSW
T04N R02E S32	Lot 7	NWSW	T04N R02E S32		SWSW
T04N R02E S32		SESW	T04N R02E S32		SESW
T04N R02E S32	Lot 8	SESW	T04N R02E S32		NWSE
T04N R02E S32		SWSE	T04N R02E S32	Lot 8	SWSE
T04N R02E S32		SESE	T04N R02E S32	Lot 1	SESE

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 01M 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 180 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.
7. 208 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 10 located in T4N, R1E, S27, NENE.
8. T19 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.

Licensed Date: 1/6/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

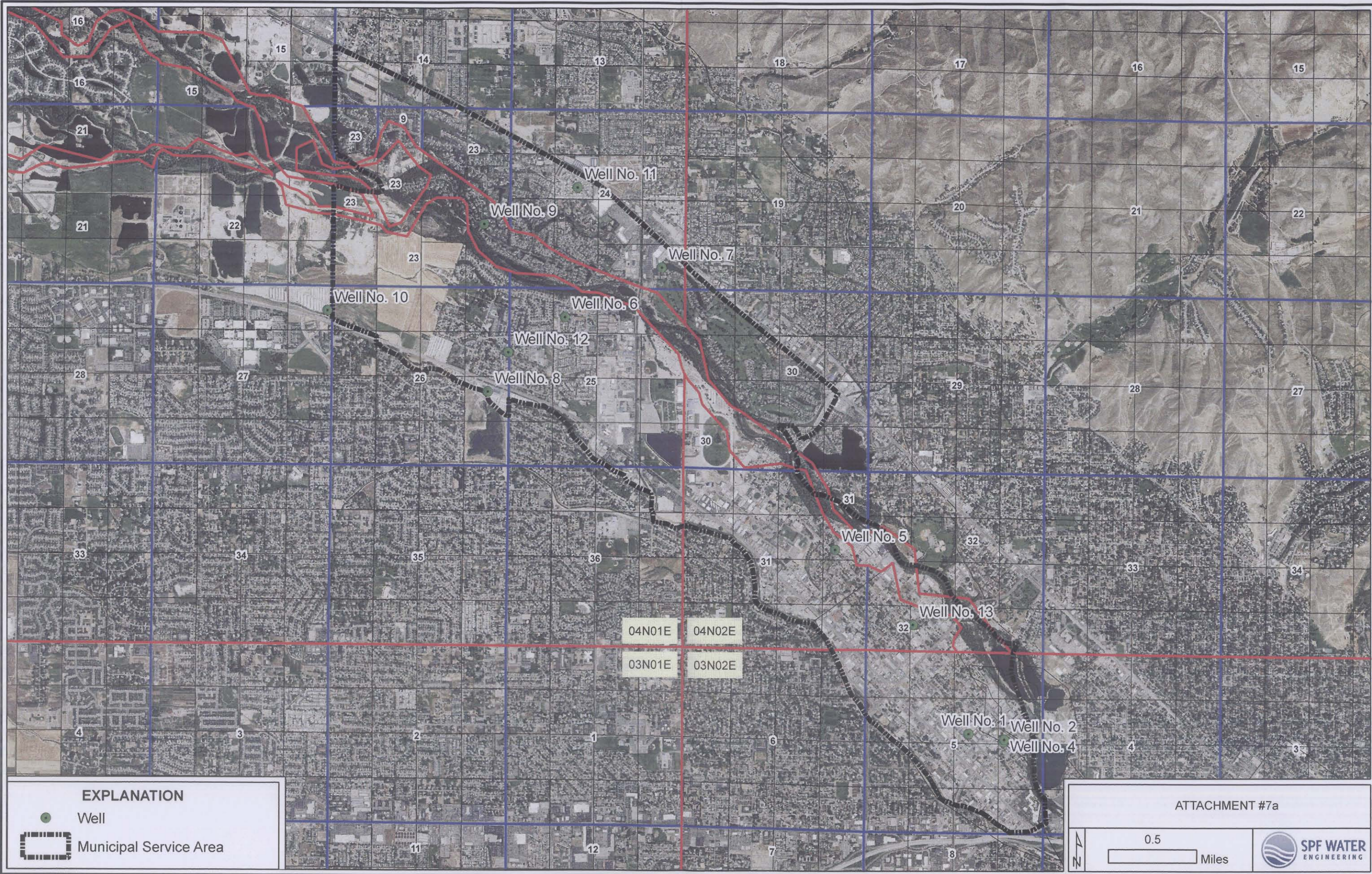
- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

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

FOR DEPARTMENT USE ONLY

Transfer contains #41 pages and 4 attachments. C10 PA(65)
Received by JH Date 9-16-11 Prelim. Check by VLM Date 8-31-11
Fee Paid \$2,245 Date 9-16-11 Received by DB Receipt # W039421 & W039422
Add'l Fee Paid \$250 Date 9-16-11 Received by JH Receipt # W039632
✓ FEES OK: Appl. Cts 2220
N/A charge 250
OWN charge 25
2495
7/12/11 - SL

Also
p. 48



Attachment 7a

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT #8a**

**PART 3B - CHANGE IN NATURE OF USE
EXTENT OF HISTORICAL BENEFICIAL USE, AND POTENTIAL FOR ENLARGEMENT**

Water right license 63-9144 was issued to Green Acres Properties, Incorporated on March 17, 1981. The license described domestic use for 150 units and associated fire protection use in the SENW, Section 24, Township 4N, Range 1E. Water use was limited to a diversion rate of 1.2 cfs, and 180 acre-feet for domestic use. The license did not include a volume limitation for fire protection. The water right has historically provided water for 150 units within Shenandoah Estates Mobile Home Park as licensed. A partial decree of the water right was issued in the Snake River Basin adjudication on February 16, 2007.

The City of Garden City acquired water right 63-9144 in 2011, and wishes to deliver the right through its existing municipal water supply system. Shenandoah Estates lies within the existing service area of the City of Garden City municipal water supply system. The City's use of the water right will not exceed the licensed diversion rate (1.2 cfs) or the licensed volume (180 acre-feet). The City will continue to provide water for domestic use and fire protection for the 150 units within Shenandoah Estates. There will be no change in consumptive use volume.

Attachment 8a

2

AFTER RECORDING MAIL
TO:

**APN: S0524244410 and
S0524244412**

ADA COUNTY RECORDER Christopher D. Rich
801SE IDAHO 04/18/11 12:05 PM
DEPUTY Randy Jennings
RECORDED-REQUEST OF
City Of Garden City



111031575

SPECIAL QUIT CLAIM DEED FOR WATER RIGHT

FOR VALUE RECEIVED, Grantor, Hometown Shenandoah Estates, L.L.C., a Delaware limited liability company, whose current mailing address is c/o Hometown America, 150 N. Wacker Dr., Ste 2800, Chicago IL, 60606, does hereby convey, release, remise and forever quitclaim unto the City of Garden City, an Idaho municipal corporation and political subdivision of the state of Idaho, Grantee, whose current address is 6015 Glenwood St., Garden City, ID, 83714, the following described Water Right No. 63-9144 (hereinafter referred to as the "Water Right"):

Quantity: 1.200 cubic feet per second and a maximum diversion volume of 180.00 acre feet per year

Place of Use: SENW of Section 24, Township 4N, Range 1E, Ada County, Idaho, more common described as Blocks 1 through 7 Shenandoah Mobile Estates. **Point of Diversion:** Lot 4, Block 3 Shenandoah Mobile Estates.

TO HAVE AND TO HOLD, the above described Water Right, unto the Grantee and to its successors and assigns forever in order that neither Grantor nor any person claiming under Grantor shall at any time by any means or ways have, claim or demand any title or interest in or to said Water Right or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the Grantor has executed this instrument the 10th of April, 2011.

HOMETOWN SHENANDOAH ESTATES, L.L.C.

By:

Name: Patrick C. Zilis

Title: Chief Investment Officer

SPECIAL DEED FOR WATER RIGHT

Attachment 2a (page 1 of 4)

STATE OF ILLINOIS)
) ss.
County of Cook)

On this 6th day of April, 2011, before me, the undersigned, a notary public in and for the State of Illinois, personally appeared Patrick C. Zilis, known to me, or proven to me by oath and identification, to be the person whose name is subscribed to this instrument, and acknowledged to me under oath that he executed the same.

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



Marcela Godoy
Notary Public for Illinois
Residing at Cook County, IL
My Commission Expires: 4/11/2013

SPECIAL DEED FOR WATER RIGHT

Attachment 2a (page 2 of 4)

ADA COUNTY RECORDER Christopher O. Rich
BOISE IDAHO 04/15/11 12:05 PM
DEPUTY Randy Jennings
RECORDED - REQUEST OF
City Of Garden City

AMOUNT 13.00 2



RELEASE OF WATER RIGHT FROM MORTGAGE

KNOW ALL MEN BY THESE PRESENTS that U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, National Association, as Trustee for the Registered Holders of J.P. Morgan Chase Commercial Mortgage Securities Trust 2006-CIBC14, Commercial Mortgage Pass-Through Certificates, Series 2006-CIBC14, ("Mortgagee"), successor in interest to JPMorgan Chase Bank, N.A., for valuable consideration, the receipt of which is hereby acknowledged, does hereby release and discharge from the operation of a certain Deed of Trust and Security Agreement executed by Hometown Shenandoah Estates, L.L.C., a Delaware limited liability company, "Mortgagor", dated December 9, 2005 ("Mortgage"), and recorded December 13, 2005 as Instrument Number 105189395 in the records of Ada County, Idaho, such part of the real property described therein as is known and described as follows, to wit:

Water Right No. 63-9144

Quantity: 1.200 cubic feet per second and a maximum diversion volume of 180.00 acre feet per year.

Place of Use: SENW of Section 24, township 4N, Range 1E, Ada County, Idaho, more common described as Blocks 1 through 7 Shenandoah Mobile Estates. Point of Diversion: Lot 4, Block 3 Shenandoah Mobile Estates

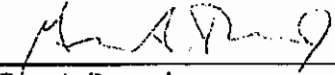
Provided, however, that this release shall not be construed to waive or in any manner affect or invalidate the lien of said Mortgage deed upon the residue of the real property and personal property described therein.

The Mortgagee, has hereunto caused this instrument to be subscribed this 29th day of February, 2011.

U.S. Bank National Association, as Successor
Trustee for the Registered Holders of J.P. Morgan
Chase Commercial Mortgage Securities Trust 2006-
CIBC14, Commercial Mortgage Pass-Through
Certificates, Series 2006-CIBC14

By: Berkadia Commercial Mortgage LLC, a
Delaware limited liability company

Its: Master Servicer

By: 
Name: Gary A. Routzahn
Authorized Representative

Attachment 2a (page 3 of 4)

ACKNOWLEDGEMENT:

COMMONWEALTH OF PENNSYLVANIA

)

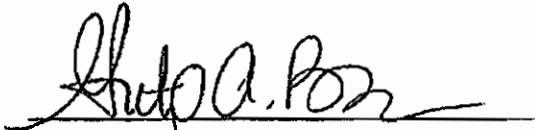
)ss

COUNTY OF MONTGOMERY

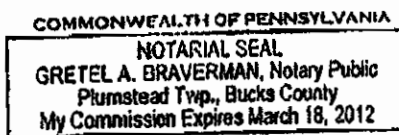
)

On the 28th day of February, 2011, before me, a Notary Public in and for the said Commonwealth, personally appeared Gary A. Routzahn, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as an Authorized Representative, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

In Witness Whereof, I have hereunto set my hand and official seal.



Notary Public



AGREEMENT WITH GARDEN CITY

THIS AGREEMENT ("Agreement") is entered into by and between Hometown Shenandoah Estates, L.L.C., a Delaware limited liability company, whose current mailing address is c/o Hometown America, 150 N. Wacker Dr., Suite 2800, Chicago IL, 60606 ("Hometown") and City of Garden City, an Idaho municipal corporation and political subdivision of the state of Idaho, whose current address is 8016 Glenwood St., Garden City, ID, 83714 ("City").

1. **AGREEMENT.** In consideration of \$1.00 and other good and valuable consideration, including the mutual benefits and covenants herein, the receipt and sufficiency of which is hereby acknowledged, Hometown and City have agreed as follows:

(a) Hometown owns that certain manufactured housing community commonly known as Shenandoah Estates which is located at 6603 Bull Run Lane, Garden City, Idaho (County of Ada) (the "Property").

(b) Hometown shall, simultaneously with the execution of this Agreement, provide the City with a Special Deed for Water Right ("Water Right Deed") transferring to the City Water Right No. 83-9144, a copy of which is attached hereto as Exhibit A and by this reference made a part hereof.

(c) In or about 1996, the Property was annexed by the City pursuant to the terms of that certain Annexation agreement, a copy of which is attached hereto as Exhibit B and by this reference made a part hereof ("Annexation Agreement"). Pursuant to the Annexation Agreement, the City accepted ownership of the onsite water well, sewer system, lift station and related delivery systems located on the Property (collectively, the "Well System"). The City covenants and agrees that it shall, at the City's sole cost and expense, (i) provide domestic water service and sewer service to the Property as required in the Annexation Agreement and (ii) operate and maintain all portions of the Well System in good operating condition and repair and in compliance with all applicable laws and ordinances and cause all work associated with the Well System to be performed in a lien-free, good and workman-like manner; provided, however, that the City shall have the right to cease drawing water from the Well System and draw water from another source outside of the Property provided that it continues to provide the Property with water service as required in the Annexation Agreement. For purposes of this Agreement and the Annexation Agreement, the parties agree that the building that currently houses the water well contained within the Well System is hereby deemed to be part of the Well System and, as such, its maintenance and repair (including but not limited to routine and capital repairs) is the obligation of the City.

(d) Hometown is the successor in interest to ROC Communities, Inc. under the Annexation Agreement. Hometown and the City hereby ratify and confirm their respective rights and obligations under the Annexation Agreement which is and shall remain in full force and effect according to the terms thereof. In the event of any conflict between the terms of the Annexation Agreement and the terms of this Agreement, the terms of this Agreement shall control.

(e) Hometown shall continue to have the right to utilize water from the Well System, at no cost or expense to Hometown, for the purpose of irrigating the landscaping located within the common areas of the Property and supply water for the swimming pool located on the Property during the appropriate warm weather months. The City covenants and agrees that it will keep the Well System operational during, at a minimum, the months of March through October during each year, subject to the City's right to discontinue drawing water from the Well System and providing the Community with alternative water pursuant to Subsection (c) above.

(f) The City has been billing the residents of the Property a flat rate for water/sewer consumption rather than installing individual meters at each residence. It is understood and agreed that in no event shall Hometown be liable for any water or sewer charges billed or billable to individual residences.

2. **ACCESS.** City shall have the right to enter in and upon those portions of the roads and walkways located within the Property to the extent reasonably necessary to access the Well System, for the purpose of installing, maintaining, inspecting or repairing equipment

located within the Well System it being understood and agreed that City shall exercise reasonable efforts to minimize interference to the Property and the improvements located thereon in exercising its rights hereunder. The City shall give Hometown at least 5 business days' prior notice (which may be telephonic) for routine repair and maintenance to the Well System (except in the event of an emergency, in which event City shall give such notice as is reasonable under the circumstances).

3. **DAMAGE.** Notwithstanding anything contained in this Agreement or the Annexation Agreement to the contrary, promptly after completion of any work in or about the Well System, City shall, at its own expense, repair and restore the ground together with any damage to the surrounding property or improvements which occurred as a result of the exercise of City's rights pursuant to this Agreement or the Annexation Agreement leaving the affected area in as good condition as it was prior to the performance of such activities (including but not limited to manufactured homes, landscaping, paving (to be restored in kind), curbing, underground facilities or other improvements).

4. **HOLD HARMLESS.** City further agrees that it shall defend, hold harmless, and indemnify Hometown, the property manager, their respective members and affiliates together with anyone holding a lien on the Property (collectively, "Owner Entities") from and against any and all claims, costs, expenses, loss, damages or injury to persons or property (including reasonable attorneys' fees and costs through appeal) including any action or proceedings brought thereon, arising out of or as a result of the activities of the City (or anyone claiming through City) in or about the Property or resulting from the exercise of the rights or privileges granted under this Agreement or the Annexation Agreement by the City or any of its contractors, subcontractors, agents or representatives.

5. **MISCELLANEOUS.**

a) Any costs incurred by either party in instituting legal action to enforce or interpret the terms of this Agreement or the Annexation Agreement, including without limitation, costs of arbitration or suit and reasonable attorneys' fees (through appeal), shall be paid to the prevailing party by the losing party.

b) The failure of either party to enforce the terms of this Agreement or the Annexation Agreement, or any forbearance by either party in the exercise of its rights thereunder, shall not be deemed or construed to be a waiver of such party's rights thereunder. No delay or admission by either party in the exercise of any right or remedy shall impair such right or remedy or be construed as a waiver.

c) This Agreement shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, assigns and personal representatives.

d) All notices, demands, statements and requests required or permitted to be given under this Agreement must be in writing and given, delivered or served by (i) next business day overnight delivery service providing receipt of such delivery, (ii) personal, receipted delivery or (iii) facsimile transmission with transmission report verifying receipt thereof. Notices shall be deemed properly given, delivered, served and received as of the date of a receipt evidencing the delivery thereof, or the refusal or unavailability of any party to accept delivery. Notices shall be addressed to the party's address specified in the introductory paragraph. Each party shall have the right from time to time and at any time, upon at least ten (10) days' prior written notice thereof in accordance with the provisions hereof, to change its respective address or facsimile number and to specify any other address or facsimile number within the United States of America; provided, however, notwithstanding anything herein contained to the contrary, in order for the notice of address or facsimile change to be effective, it must actually be received.

e) This Agreement shall be construed and determined in accordance with the laws of the State of Idaho.

f) This Agreement together with the Annexation Agreement sets forth the entire agreement of the parties hereto with respect to the subject matter hereof and are intended to

and shall supersede in its entirety any previously agreement (whether oral or written) relating to any agreement relative to the Well System. Any modification of this Agreement or the Annexation Agreement must be in writing, duly executed by the HomeTown and City. The provisions of this Agreement shall be deemed independent and severable and the invalidity or partial invalidity of any provision or portion hereof shall not affect the validity or enforceability of any other provision or any portion hereof. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall be deemed one and the same instrument.

[FOLLOWED BY SIGNATURE PAGE]

Attachment 5B (page 3 of 4)

IN WITNESS WHEREFORE, Hometown and City has each caused this Agreement to be duly executed on this 14th day of April, 2011.

HOMETOWN SHENANDOAH ESTATES, L.L.C.,
a Delaware limited liability company

BY: [Signature]
Patrick C. Zilis, Chief Investment Officer

City of Garden City,
an Idaho municipal corporation and political subdivision of the state of Idaho

BY: _____
Name: _____
Its: _____

EXECUTED and effective as of the day and year first above written.

DATED this _____ day of _____, 2011

CITY OF GARDEN CITY

[Signature]
By: John G. Evans

ATTEST:

[Signature]
James Krueger, City Clerk

RECEIVED

SEP 16 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77404

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

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

Yes N/A

* Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

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

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

AMENDED

T. 77404

Original 50 ps. Appl. w/ Attachments

Superseded by Amended Appl. w/ its Attachments.

Original Appl. ps. 1 & 50 kept to verify
the filing & initial payment, rest of
original discarded (per dept. protocol in
some transfers) since adds no value
to file.

- JZ 9/27/11

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77404

JUL 12 2011

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant(s) CITY OF GARDEN CITYPhone (208) 472-2903Mailing address CITY HALL, 6015 GLENWOOD ST., GARDEN CITY, ID 83714-1347

Email _____

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

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

☐ No RepresentativeName of Representative SPF WATER ENGINEERING LLC, C/O ROXANNE BROWNPhone (208) 383-4140Mailing address 300 E. MALLARD DR., STE. 350, BOISE, ID 83706Email rbrown@spfwater.com☐ Send all correspondence for this application to the representative and not to the applicant.

OR

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

OR

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

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. THE CITY HAS ACQUIRED ADDITIONAL WELL SITES AND ASSOCIATED WATER RIGHTS AND SEEKS AUTHORIZATION TO INCLUDE THESE ADDITIONAL POINTS OF DIVERSION IN THE INTEGRATED MUNICIPAL SUPPLY AND DELIVERY SYSTEM REPRESENTED BY APPROVED TRANSFER #74948.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: _____
not applicable

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.
Received by Jan Date 7-12-11 Prelim. Check by Vicky Mungie Date 8-31-11
Fee Paid \$2,245- Date 7-12-2011 Received by DB Receipt # W039421 and
Add'l Fee Paid _____ Date _____ Received by _____ Receipt # W039422

Lester, Steve

From: Lester, Steve
Sent: Wednesday, September 28, 2011 2:42 PM
To: 'legals@idahostatesman.com'
Subject: LEGAL ADS
Attachments: Ada County letter.docx; Ada County combined ads.docx

Hello Janice:

Denise Buffington transferred to the IDWR Twin Falls regional office and I am picking up the legal notice slack at my office for a while. I did this for a few months several years ago and hope I remember all the details.

Attached is a cover letter and legal notice. Please confirm this is acceptable to publish as shown. Thank you for your help and patience as I try my hand at this again.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

*Legal notice - Ada Co.
(Statesman)*

September 27, 2011

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer Nos. 76740, 77125, 77404, 77479

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before October 24, 2011. Your cooperation is appreciated.

Sincerely,

Steve Lester
Water Rights Supervisor

PROPOSED CHANGE OF WATER RIGHTS

SV Ranch LLC c/o Gregory Vik of PO Box 1607, Bellevue WA 98009, filed **Application No. 76740** to transfer 5 irrigation water rights with 1907 to 1970 priority dates from Castle Creek tributary to the Snake River totaling 36.25 cfs. The purpose of the transfer is to change the point of diversion from Castle Creek to a pumping station on the Snake River and change the place of use to a permissible place of use on 2178 acres. The application also proposes to change a portion of the 1907 right to mitigate for development of wetlands (see Application 57-11794). Water for mitigation will be diverted at the existing Castle Creek point of diversion. Water will be used at the current place of use on the south side of the Snake River, west of Castle Butte and north of Highway 78 in Owyhee County.

Blue Valley LLC of 24681 La Plaza #380, Dana Point, CA 92629 filed **Application No. 77125** to transfer one water right with a 1977 priority date from ground water totaling 0.70 cfs and 240 afa. The purpose of the transfer is to change ownership, place of use and points of diversion, and change nature of use of 0.30 cfs and 12 afa for diversion to storage and aesthetic storage. The nature of use change is to offset evaporation from the on-site pond. Water will be used at the current place of use in Boise for Blue Valley mobile home park southwest of Eisenman Road and Blue Ridge Lane, Ada County.

→ The City of Garden City, City Hall, 6015 Glenwood St, Garden City ID 83714, filed **Application No. 77404** to transfer 11 water rights with 1951 to 1990 priority dates from ground water totaling 24.91 and 438 afa. The purpose of the transfer is to incorporate all of the points of diversion into the City's municipal diversion system and municipal service area. The transfer also changes ownership and nature of use from domestic and fire protection to municipal use for one right the City recently acquired. Water will be used at the current place of use in the City's municipal service area in Ada County.

J. R. Simplot Company of PO Box 27, Boise ID 83707, filed **Application No. 77479** to transfer 2 water rights with 1963 priority dates from the Snake River totaling 28.56 cfs. The purpose of the transfer is to move the rights to an existing pump station to irrigate 1428 acres. Water will be moved to a place of use about 8 miles southwest of Mountain Home Air Force Base, Elmore County.

For additional information concerning the property location, please contact Western Region office at 208-334-2190 or see www.idwr.idaho.gov/apps/FxtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 10/6/2011 and 10/13/2011



September 16, 2011

Vicky Music
Western Region Office
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

SEP 16 2011

WATER RESOURCES
WESTERN REGION

Via hand-delivery

Subject: Amended Application for Transfer
City of Garden City

Dear Ms. Music,

SPF previously submitted a transfer application on behalf of the City of Garden City on July 11, 2011. The application sought to incorporate Well 11 (63-9144) and Well 12 (63-8357), and the associated water rights, into the City system. The City submitted filing fees totaling \$2,245 with the transfer application. This letter responds to questions concerning the transfer application as outlined in your correspondence dated September 9, 2011.

SPF believed that a change from "domestic" and "fire protection" to "municipal" use of a water right within the municipal service area did not constitute a change in nature of use. Domestic and fire protection uses are clearly municipal uses; the change is in name only. However, we do understand the legislation assessing the additional \$250 fee is unclear on this point. To clarify the actual use of water right 63-9144 within the municipal service area, the City is willing to amend its application and pay the additional fee. The amended application also removes duplicative pages from the original application.

Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne Brown".

Roxanne Brown
Sr. Water Right Specialist

Cc:
City of Garden City

Enclosures
Check No. 6391
Amended Application for Transfer
SPF File No.: 473.0060



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 9, 2011

John G. Evans, Mayor
City of Garden City
City Hall
6015 Glenwood St.
Garden City, ID 83714-1347

Re Application for Transfer No. 77404

Dear Mr. Evans,

Application for Transfer 77404, submitted by SPF Water Engineering on behalf of the City, has been assigned to me for review and processing. The transfer proposes to change the place of use (POU) and add two wells as additional points of diversion (PODs) to the City's municipal diversion and delivery system.

The two water rights to be added to the municipal POU and delivery system are 63-8357, in the name of the City of Garden City for municipal use, and 63-9144, in the name of Shenandoah Park Investors for domestic and fire protection uses at the Shenandoah Mobile Home Estates. There are no issues with adding both the POD and POU of 63-8357 to the City's municipal system.

However, water right 63-9144 cannot be added to the municipal POU because the use is not municipal. If the City intended for the mobile home development to be part of the municipal service area, a nature in change of use to municipal must also be proposed via a transfer amendment. There is an additional \$250 fee required for this change. If the intent is to only add the mobile home well as a municipal well, please provide this clarification in writing and I can continue my review.

Lastly, there appears to be a page or pages missing between pages 10 and 11. Please clarify this as well.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested amendment if needed and the clarifications, or a request for more time to seek the information, must be received by October 10, 2011.

Application for Transfer No. 77404

September 9, 2011

Page 2 of 2

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application which may be re-filed when adequate information can be provided.

I am sending this original correspondence to you and a copy to the City's representative, Roxanne Brown, SPF Water Engineering, as directed in the transfer. Please call me at 208.334.2190 if you have questions. Thank you.

Sincerely,


Vicky Music
Sr. Water Resource Agent

cc: Roxanne Brown, SPF Water Engineering





SPF WATER
ENGINEERING

RECEIVED

JUL 12 2011

WATER RESOURCES
WESTERN REGION

July 11, 2008

Steve Lester
Western Region Office
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer
City of Garden City

Dear Steve,

On behalf of the City of Garden City, I am pleased to submit the enclosed *Application for Transfer* for water rights in the City's municipal delivery system. The application proposes to describe the water rights and points of diversion originally developed for Well 11 and Well 12 in the City's integrated water delivery system. A previously approved transfer integrated the water rights for Wells 1-10.

We understand that the filing fee for this Application is \$2,245 (a \$2,020 flat fee for the first 20 cfs, plus \$40 for each additional 1 cfs, plus a \$25 ownership change fee for water right 63-9144). You will find two checks totaling that amount enclosed.

Please contact me with any questions.

Sincerely,

Roxanne Brown
Sr. Water Right Specialist

Cc:
City of Garden City

Enclosures
Check Nos. 114555 and 114667
Application for Transfer

SPF file no.: 473.0060

W039421 & W039422