

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77384**

This is to certify that: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440
(208)359-3020

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13790	WR/Decreed	01/25/1961	4.9 cfs	N/A	N/A	N/A	GROUND WATER
22-7074	WR/Decreed	06/19/1973	1.57 cfs	N/A	N/A	N/A	GROUND WATER
22-7175	WR/Decreed	02/04/1976	5.61 cfs	N/A	N/A	N/A	GROUND WATER
22-7176	WR/Decreed	02/04/1976	4.68 cfs	N/A	N/A	N/A	GROUND WATER
22-7617	WR/Decreed	10/31/1950	2.2 cfs	N/A	N/A	N/A	GROUND WATER
22-7754	WR/License	12/17/1992	2.77 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13790	NO	NO	NO	YES	NO	NO
22-7074	NO	NO	NO	YES	NO	NO
22-7175	NO	NO	NO	YES	NO	NO
22-7176	NO	NO	NO	YES	NO	NO
22-7617	NO	NO	NO	YES	NO	NO
22-7754	NO	NO	NO	YES	NO	NO

SUPPORT DATA

IN FILE # 22-7074

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77384**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-13790	22-13790	4.9 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
22-7074	22-7074	1.57 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
22-7175	22-7175	5.61 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
22-7176	22-7176	4.68 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
22-7617	22-7617	2.2 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
22-7754	22-7754	2.77 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		21.73 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of August, 20 11


Water Resources Program Manager

WATER RIGHT NO. 22-7074
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-7074 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: June 19, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.57 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

WATER RIGHT NO. 22-7074
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
9. 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, this right retains its original priority for well locations authorized under this right as identified in Snake River Basin Adjudication partial decree dated 1/5/2007.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 20 11


Water Resources Program Manager

WATER RIGHT NO. 22-7175
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-7175 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: February 04, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	5.61 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

WATER RIGHT NO. 22-7175
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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, this right retains its original priority for well locations authorized under this right as identified in Snake River Basin Adjudication partial decree dated 5/13/2009.
9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 20 11


Water Resources Program Manager

WATER RIGHT NO. 22-7176
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-7176 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: February 04, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	4.68 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

WATER RIGHT NO. 22-7176
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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, this right retains its original priority for well locations authorized under this right as identified in Snake River Basin Adjudication partial decree dated 5/13/2009.
9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 2011


Water Resources Program Manager

WATER RIGHT NO. 22-7617
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-7617 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: October 31, 1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	2.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENW	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

WATER RIGHT NO. 22-7617
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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, this right retains its original priority for well locations authorized under this right as identified in Snake River Basin Adjudication partial decree dated 5/13/2009.
9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 2011


Water Resources Program Manager

WATER RIGHT NO. 22-7754
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-7754 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: December 17, 1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	2.77 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENW	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

WATER RIGHT NO. 22-7754
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
10. 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, this right retains its original priority for well locations authorized under this right as identified in Water Right License dated 3/19/1998.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 20 11



Water Resources Program Manager

WATER RIGHT NO. 22-13790
As Modified by Transfer No. 77384

In accordance with the approval of Transfer No. 77384, Water Right No. 22-13790 is now described as follows.

Right Holder: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Priority Date: January 25, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	4.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 06N	Rge 39E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 17 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 20 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SWSW	Sec. 29 Twp 06N	Rge 40E	MADISON County
GROUND WATER	SENW	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 30 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County
GROUND WATER	NESE	Sec. 31 Twp 06N	Rge 40E	MADISON County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Diversion of water from the point(s) of diversion authorized by approved Transfer 77384 shall not exceed the total combined maximum diversion rates as specified below:
 - SWSW, Sec. 17, T06N, R40E, B.M.; SWSW, Sec. 17, T06N, R40E, B.M.; and SWSW, Sec. 20, T06N, R40E, B.M. limited to 4.34 cfs.
 - SENE, Sec 35, T06N, R39E, B.M. limited to 6.68 cfs.
 - SENE, Sec 35, T06N, R39E, B.M.; SENW, Sec 30, T06N, R40E, B.M.; NESE, Sec 30, T06N, R40E, B.M.; SWSW Sec 29, T06N, R40E, B.M.; SWSW, Sec 29, T06N, R40E, B.M.; NESE, Sec 31, T06N, R40E, B.M.; and NESE, Sec 31, R06N, T40E, B.M. limited to 17.39 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.

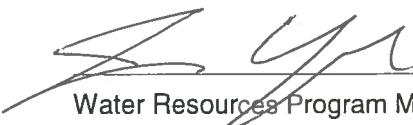
WATER RIGHT NO. 22-13790
As Modified by Transfer No. 77384

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 77384, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
9. 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, this right retains its original priority for well locations authorized under this right as identified in Snake River Basin Adjudication partial decree dated 6/29/2011.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of August, 20 11


Water Resources Program Manager

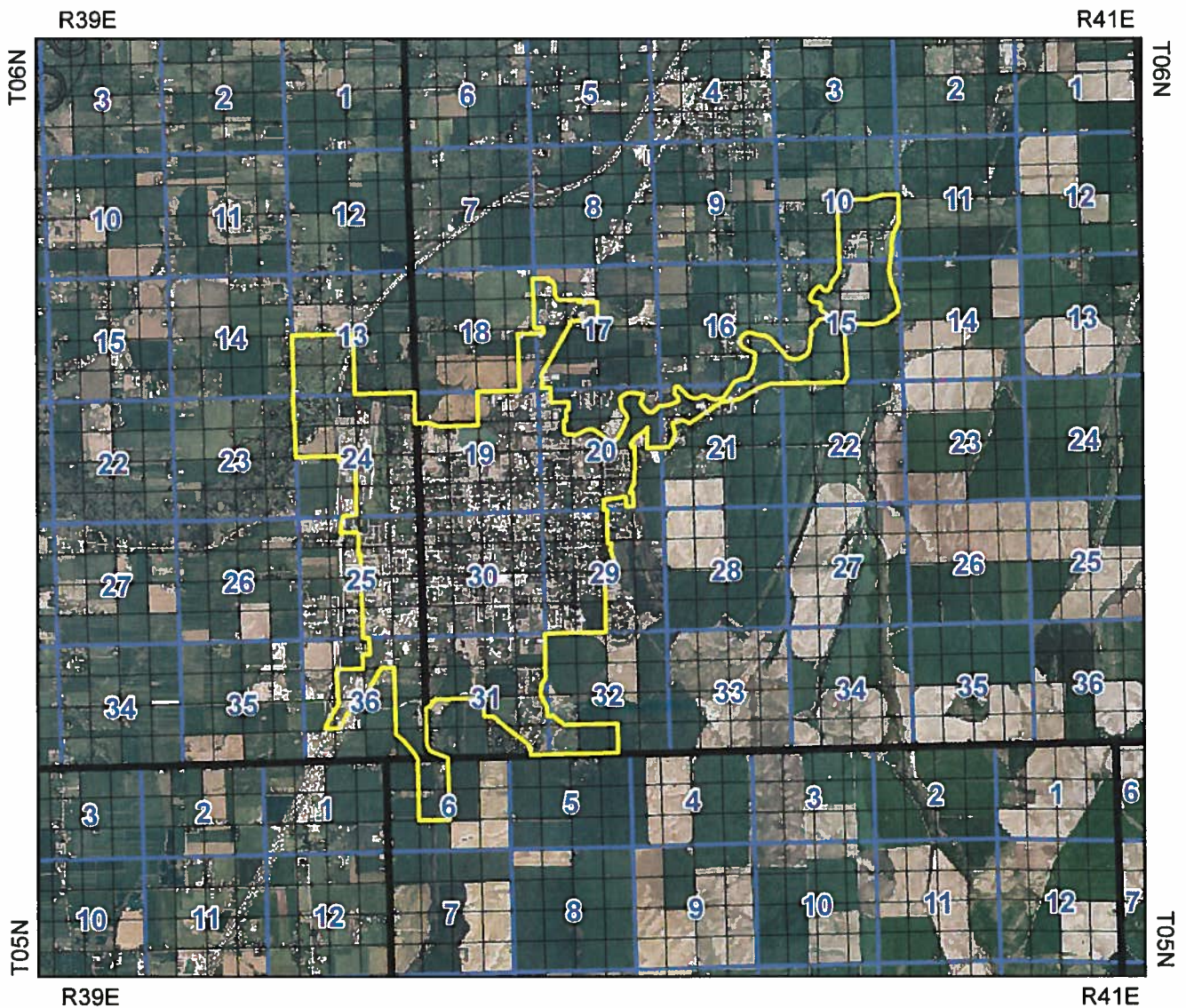
State of Idaho
Department of Water Resources

Transfer Of Water Right

Transfer No. 77384

Water Service Area Boundary for City Of Rexburg

Rights: 22-7074, 22-7175, 22-7176, 22-7617, 22-7754, 22-13790



0 0.5 1 2 Miles
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Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

