

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75891**

This is to certify that: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208
(208)536-5161

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>
36-7722	WR/Decreed	06/20/1977	2.67 cfs	N/A	N/A	N/A	GROUND WATER
36-11276	WR/Decreed	04/27/1951	1.33 cfs	N/A	N/A	N/A	GROUND WATER
36-11277	WR/Decreed	12/31/1929	0.67 cfs	N/A	N/A	N/A	GROUND WATER
36-8764	WR/License	03/28/1997	1.27 cfs	N/A	N/A	N/A	GROUND WATER
36-8421	WR/License	09/14/1998	2.76 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>
36-7722	NO	NO	NO	YES	NO	NO
36-11276	NO	NO	NO	YES	NO	NO
36-11277	NO	NO	NO	YES	NO	NO
36-8764	NO	NO	NO	YES	NO	NO
36-8421	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-7722	36-7722	2.67 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-11276	36-11276	1.33 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-11277	36-11277	0.67 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8764	36-8764	1.27 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8421	36-8421	2.76 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.7 cfs					N/A	N/A	N/A	N/A

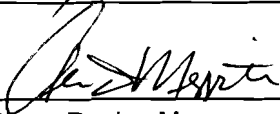
SUPPORT DATA

IN FILE # 36-7722

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75891

Detailed Water Right Description(s) attached

Dated this 18th day of May, 2010


Southern Region Manager

WATER RIGHT NO. 36-8421
As Modified by Transfer No. 75891

In accordance with the approval of Transfer No. 75891, Water Right No. 36-8421 is now described as follows.

Right Holder: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208

Priority Date: September 14, 1998

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	2.76 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENE	Sec. 33 Twp 07S	Rge 15E	GOODING County
GROUND WATER	NESWNW	Sec. 33 Twp 07S	Rge 15E	GOODING County
GROUND WATER	SESESW	Sec. 33 Twp 07S	Rge 15E	GOODING County
GROUND WATER	NWNWSE	Sec. 33 Twp 07S	Rge 15E	GOODING County

CONDITIONS OF APPROVAL

1. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
2. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
4. Place of use is within the service area of the City of Wendell as provided for under Idaho law. The place of use is generally described as within the city limits of Wendell and the surrounding service area.

WATER RIGHT NO. 36-8421
As Modified by Transfer No. 75891

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 75891 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. Rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 8.7 cfs.
8. 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. 130.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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 18th day of May, 20 10



Southern Region Manager

WATER RIGHT NO. 36-8764
As Modified by Transfer No. 75891

In accordance with the approval of Transfer No. 75891, Water Right No. 36-8764 is now described as follows.

Right Holder: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208

Priority Date: March 28, 1997

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.27 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENE	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NESWNW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	SESESW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NWNWSE	Sec. 33 Twp 07S Rge 15E GOODING County

CONDITIONS OF APPROVAL

1. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
2. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
4. Place of use is within the service area of the City of Wendell as provided for under Idaho law. The place of use is generally described as within the city limits of Wendell and the surrounding service area.
5. Prior to the diversion and use of water under Transfer approval 75891 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 36-8764
As Modified by Transfer No. 75891

CONDITIONS OF APPROVAL

6. 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.
7. Rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 8.7 cfs.
8. 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. 130.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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 18th day of May, 2010



Southern Region Manager

WATER RIGHT NO. 36-11277
As Modified by Transfer No. 75891

In accordance with the approval of Transfer No. 75891, Water Right No. 36-11277 is now described as follows.

Right Holder: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208

Priority Date: December 31, 1929

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	0.67 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENE	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NESWNW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	SESESW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NWNWSE	Sec. 33 Twp 07S Rge 15E GOODING County

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from north side canal co. Ltd.
2. 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.
3. Place of use is within the service area of the City of Wendell as provided for under Idaho law. The place of use is generally described as within the city limits of Wendell and the surrounding service area.
4. Rights 36-7722, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 4.67 cfs.
5. Rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 8.7 cfs.
6. 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. 130.

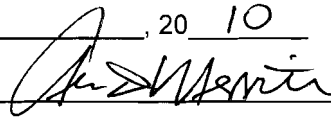
WATER RIGHT NO. 36-11277
As Modified by Transfer No. 75891

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 75891 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 18th day of May, 20 10


Southern Region Manager

WATER RIGHT NO. 36-11276
As Modified by Transfer No. 75891

In accordance with the approval of Transfer No. 75891, Water Right No. 36-11276 is now described as follows.

Right Holder: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208

Priority Date: April 27, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01 to	12/31	1.33 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENE	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NESWNW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	SESESW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NWNWSE	Sec. 33 Twp 07S Rge 15E GOODING County

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from north side canal co. Ltd.
2. 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.
3. Place of use is within the service area of the City of Wendell as provided for under Idaho law. The place of use is generally described as within the city limits of Wendell and the surrounding service area.
4. Rights 36-7722, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 4.67 cfs.
5. Rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 8.7 cfs.
6. 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. 130.

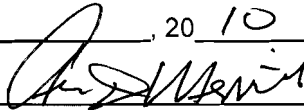
WATER RIGHT NO. 36-11276
As Modified by Transfer No. 75891

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 75891 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 18th day of May, 20 10



Southern Region Manager

WATER RIGHT NO. 36-7722
As Modified by Transfer No. 75891

In accordance with the approval of Transfer No. 75891, Water Right No. 36-7722 is now described as follows.

Right Holder: CITY OF WENDELL
PO BOX 208
WENDELL ID 83355-0208

Priority Date: June 20, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	2.67 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESENE	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NESWNW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	SESESW	Sec. 33 Twp 07S Rge 15E GOODING County
GROUND WATER	NWNWSE	Sec. 33 Twp 07S Rge 15E GOODING County

CONDITIONS OF APPROVAL

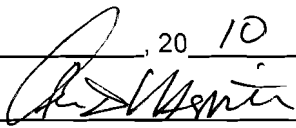
1. Use of this right is combined with water from north side canal co. Ltd.
2. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available 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.
3. Place of use is within the service area of the City of Wendell as provided for under Idaho law. The place of use is generally described as within the city limits of Wendell and the surrounding service area.
4. Rights 36-7722, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 4.67 cfs.
5. Rights 36-7722, 36-8421, 36-8764, 36-11276, and 36-11277 when combined shall not exceed a total diversion rate of 8.7 cfs.
6. 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. 130.

WATER RIGHT NO. 36-7722
As Modified by Transfer No. 75891

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 75891 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

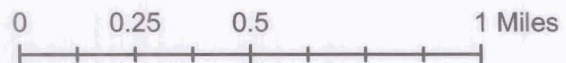
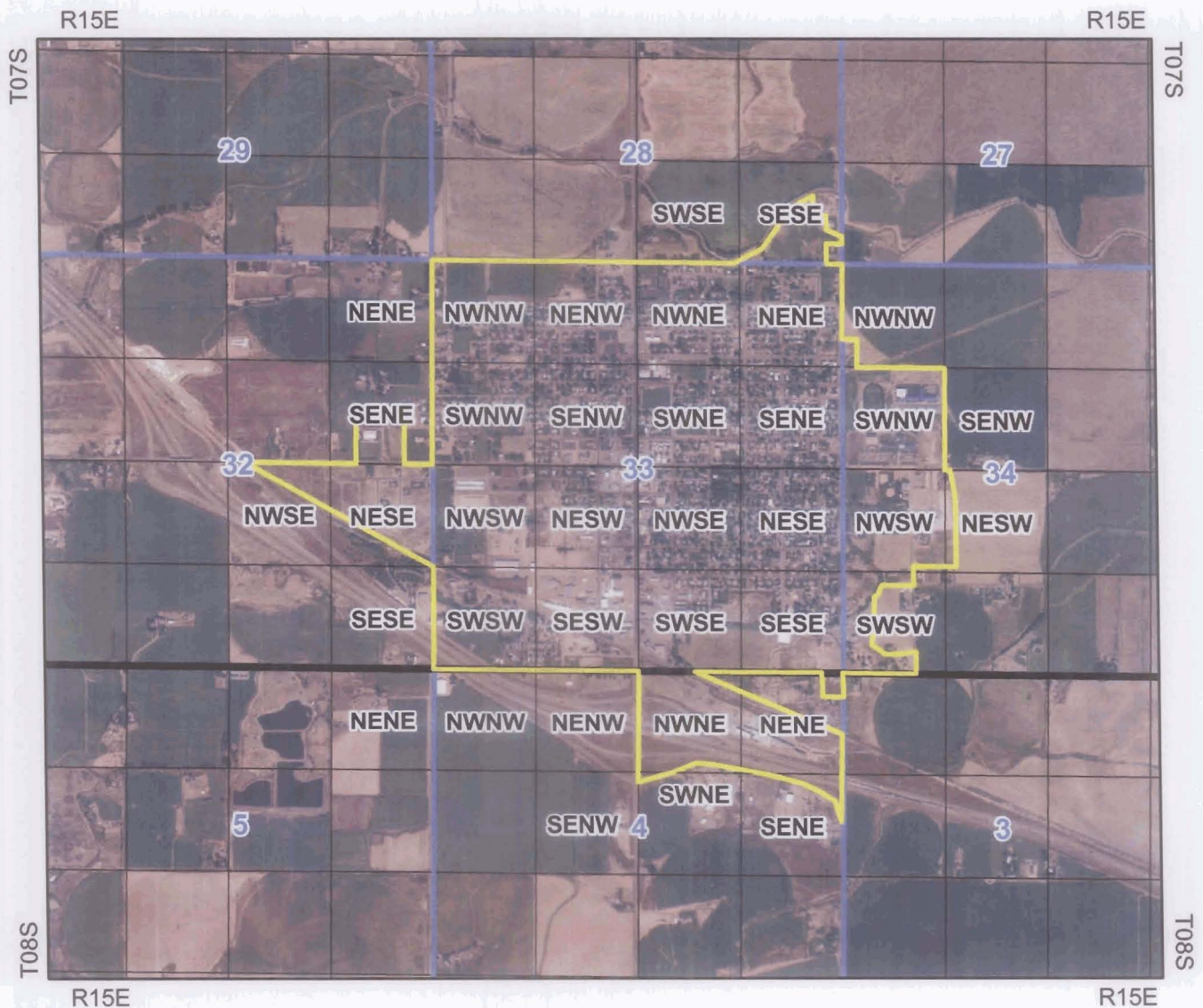
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2010

Southern Region Manager

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 75891

Water Service Area Boundary for City Of Wendell
Rights: 36-7722, 36-8421, 36-8764, 36-11276, 36-11277



Legend

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

