

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74555

This is to certify that: CITY OF BLACKFOOT
 157 N BROADWAY
 BLACKFOOT ID 83221
 (208)785-8688

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>
27-12140	WR/Decreed	02/24/1977	0.53 cfs	92 af	N/A	26.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

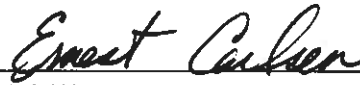
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
27-12140	NO	YES	YES	YES	NO	NO

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>
27-12140	27-12140	0.53 cfs	92 af	26.5	3,567.3		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.53 cfs	92 af	N/A	26.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28 day of December, 2009


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 27-12140

WATER RIGHT NO. 27-12140
As Modified by Transfer No. 74555

In accordance with the approval of Transfer No. 74555, Water Right No. 27-12140 is now described as follows.

Right Holder: CITY OF BLACKFOOT
 157 N BROADWAY
 BLACKFOOT ID 83221

Priority Date: February 24, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.53 CFS	92.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (SESWSW)	Sec. 30 Twp 02S	Rge 35E	BINGHAM County
GROUND WATER	NWNENE	Sec. 35 Twp 02S	Rge 35E	BINGHAM County
GROUND WATER	NESESE	Sec. 35 Twp 02S	Rge 35E	BINGHAM County
GROUND WATER	L4 (SENWNW)	Sec. 2 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NWSWNE	Sec. 3 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	SWNESE	Sec. 3 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	L2 (SWNWNE)	Sec. 4 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	SENESW	Sec. 4 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NESWNE	Sec. 10 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NWNWNW	Sec. 10 Twp 03S	Rge 35E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 26					.3	2.3	.2				1.6	3.3			3.3	20.0	31.0
02S 35E 27	3.8	.2	.2	24.0				1.0	1.1	.4	2.7	5.7	6.6	.2	.2		46.1
02S 35E 33	4.9			29.0									9.6	11.0	1.5	7.3	64.7
02S 35E 34	.8	9.9	.2	17.0	16.0	10.0	28.0	8.2	9.9		40.0	40.0	26.0	40.0	40.0	40.0	326.0
02S 35E 35	7.8	37.0	9.1		40.0	25.0	40.0	39.0	37.0	39.0	40.0	40.0	2.1	6.3	38.0	40.0	440.3
02S 35E 36										.2	4.2						4.4
03S 35E 1						3.9											3.9
03S 35E 2	38.0	21.0	.4		39.0	39.0	40.0	40.0	40.0	40.0	40.0	38.0		.1	.2		375.7
03S 35E 3	39.0	39.0	40.0	40.0	39.0	39.0	39.0	39.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	632.0
03S 35E 4	39.0	39.0	39.0	40.0	12.0		.6	7.9	38.0	4.3	.7	37.0	40.0	40.0	40.0	40.0	417.5
03S 35E 9	40.0	43.0	1.6	.2	.6	.3											85.7
03S 35E 10	40.0	40.0	40.0	40.0	40.0	40.0	.2	40.0	6.4				34.0	38.0	.6	40.0	399.2
03S 35E 11					14.0	40.0	38.0			25.0							117.0

Total Acres: 3567.3

WATER RIGHT NO. 27-12140
As Modified by Transfer No. 74555

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26.5 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 74555, 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.
5. 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.
6. The right holder shall submit a report annually to the department demonstrating that the water diverted under rights 27-12140 is necessary to satisfy demands for irrigation use during the authorized period of use. The annual report shall include the maximum weekly volume diverted for all purposes during both the irrigation season and the non-irrigation season. The annual report shall also include the total volume diverted for all purposes during both the irrigation season and the non-irrigation season. After specific notification by the department, the right holder shall provide to the department any data used to compile the report.
7. Every 5 years, or more or less frequently if deemed necessary by the department, the right holder shall submit an analysis of the number of acres irrigated within the authorized place of use that are not already covered by other irrigation or surface water rights, which will include an aerial photo clearly designating all lands being irrigated.
8. Any diversions of water under this right shall not be allowed if irrigation within the authorized place of use is curtailed or ceases for any reason.
9. Diversion of water under this right from the point of diversion located T02S R35E Sec. 30 SWSW known as well 11 shall be limited to a total volume of 45 af in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

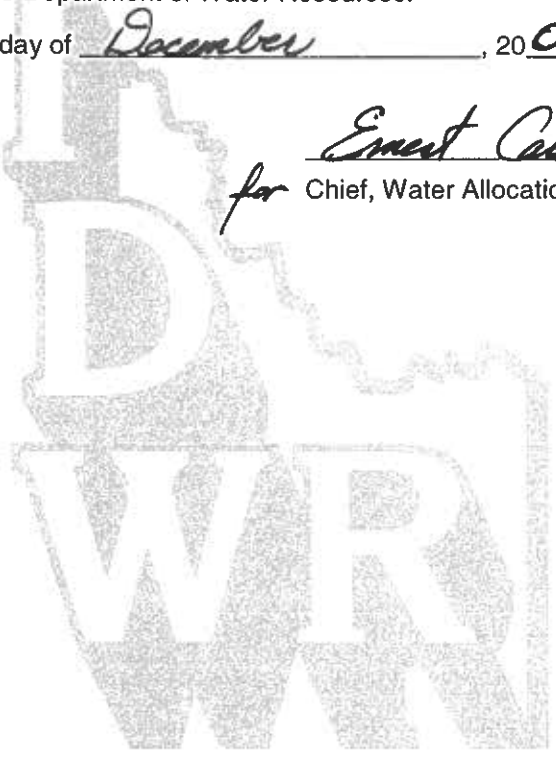
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CONDITIONS OF APPROVAL

13. 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.
14. This right does not grant any right-of-way or easement across the land of another.
15. Place of use is within the service area of the City of Blackfoot municipal water supply system as provided for under Idaho Law.

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 28 day of December, 2009


Ernest Carlson
for Chief, Water Allocation Bureau