

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75304**

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

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-8188	WR/License	12/16/1996	6.7 cfs	N/A	N/A	N/A	GROUND WATER
29-2385	WR/Decreed	01/11/1957	0.78 cfs	N/A	N/A	N/A	GROUND WATER
29-2413	WR/Decreed	06/25/1959	1.1 cfs	N/A	N/A	N/A	GROUND WATER
29-7624	WR/Decreed	12/14/1981	4.96 cfs	N/A	N/A	N/A	GROUND WATER
29-2469	WR/Decreed	03/10/1963	1.11 cfs	N/A	N/A	N/A	GROUND WATER
29-8229	WR/License	04/05/1999	1.74 cfs	N/A	N/A	N/A	GROUND WATER
29-8230	WR/License	04/05/1999	2.21 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-8188	NO	NO	NO	YES	NO	NO
29-2385	NO	NO	NO	YES	NO	NO
29-2413	NO	NO	NO	YES	NO	NO
29-7624	NO	NO	NO	YES	NO	NO
29-2469	NO	NO	NO	YES	NO	NO
29-8229	NO	NO	NO	YES	NO	NO
29-8230	NO	NO	NO	YES	NO	NO

SUPPORT DATA
IN FILE # 29-2385

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75304

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
29-8188	29-8188	6.7 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-2385	29-2385	0.78 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-2413	29-2413	1.1 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-7624	29-7624	4.96 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-2469	29-2469	1.11 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-8229	29-8229	1.74 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
29-8230	29-8230	2.21 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		18.6 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26 day of August, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2385
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-2385 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: January 11, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	0.78 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.

WATER RIGHT NO. 29-2385
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

9. This right does not grant any right-of-way or easement across the land of another.
10. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
11. 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 at Well No. 1 located in T06S, R34E, S11, NENWNW Gov Lot 4.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 26 day of August, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2413
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-2413 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: June 25, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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.

WATER RIGHT NO. 29-2413
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
9. This right does not grant any right-of-way or easement across the land of another.
10. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
11. 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 at Well No. 2 located in T06S, R34E, S3, NWNWSW.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 26 day of August, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2469
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-2469 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: March 10, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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.

WATER RIGHT NO. 29-2469
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
9. This right does not grant any right-of-way or easement across the land of another.
10. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
11. 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 at Well No. 3 located in T05S, R34E, S34, SENWSW.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 26 day of August, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-7624
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-7624 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: December 14, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	4.96 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.

WATER RIGHT NO. 29-7624
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

9. This right does not grant any right-of-way or easement across the land of another.
10. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
11. 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 at Well No. 4 located in T06S, R34E, S4, SWSESW.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 26 day of August, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-8229
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-8229 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: April 05, 1999

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01 to	12/31	1.74 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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.

WATER RIGHT NO. 29-8229
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

8. 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.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
11. 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.
12. The issuance of this right does not grant any right-of-way or easement across the land of another.
13. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
14. 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 at Well No. 4 located in T06S, R34E, S4, SWSESW.
15. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
16. 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 26 day of August, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-8188
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-8188 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: December 16, 1996

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	6.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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.

WATER RIGHT NO. 29-8188
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

8. 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.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
11. 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.
12. The issuance of this right does not grant any right-of-way or easement across the land of another.
13. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
14. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
15. 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 at Well No. 5 located in T06S, R34E, S10, SWSW Gov Lot 13.
16. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
17. 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 26 day of August, 2009

Ernest Carlson
for _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 29-8230
As Modified by Transfer No. 75304

In accordance with the approval of Transfer No. 75304, Water Right No. 29-8230 is now described as follows.

Right Holder: CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

Priority Date: April 05, 1999

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	2.21 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Diversion of water authorized under Transfer 75304 from the well located in SWSESW, Sec. 04, T06S, R34E shall not exceed a total combined maximum diversion rate of 9.69 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. 120.
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 75304, 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.

WATER RIGHT NO. 29-8230
As Modified by Transfer No. 75304

CONDITIONS OF APPROVAL

8. 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.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.
11. 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.
12. The issuance of this right does not grant any right-of-way or easement across the land of another.
13. The following rights are diverted through point(s) of diversion described above: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230.
14. 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 at Well No. 5 located in T06S, R34E, S10, SWSW Gov Lot 13.
15. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
16. 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 26 day of August, 20 09

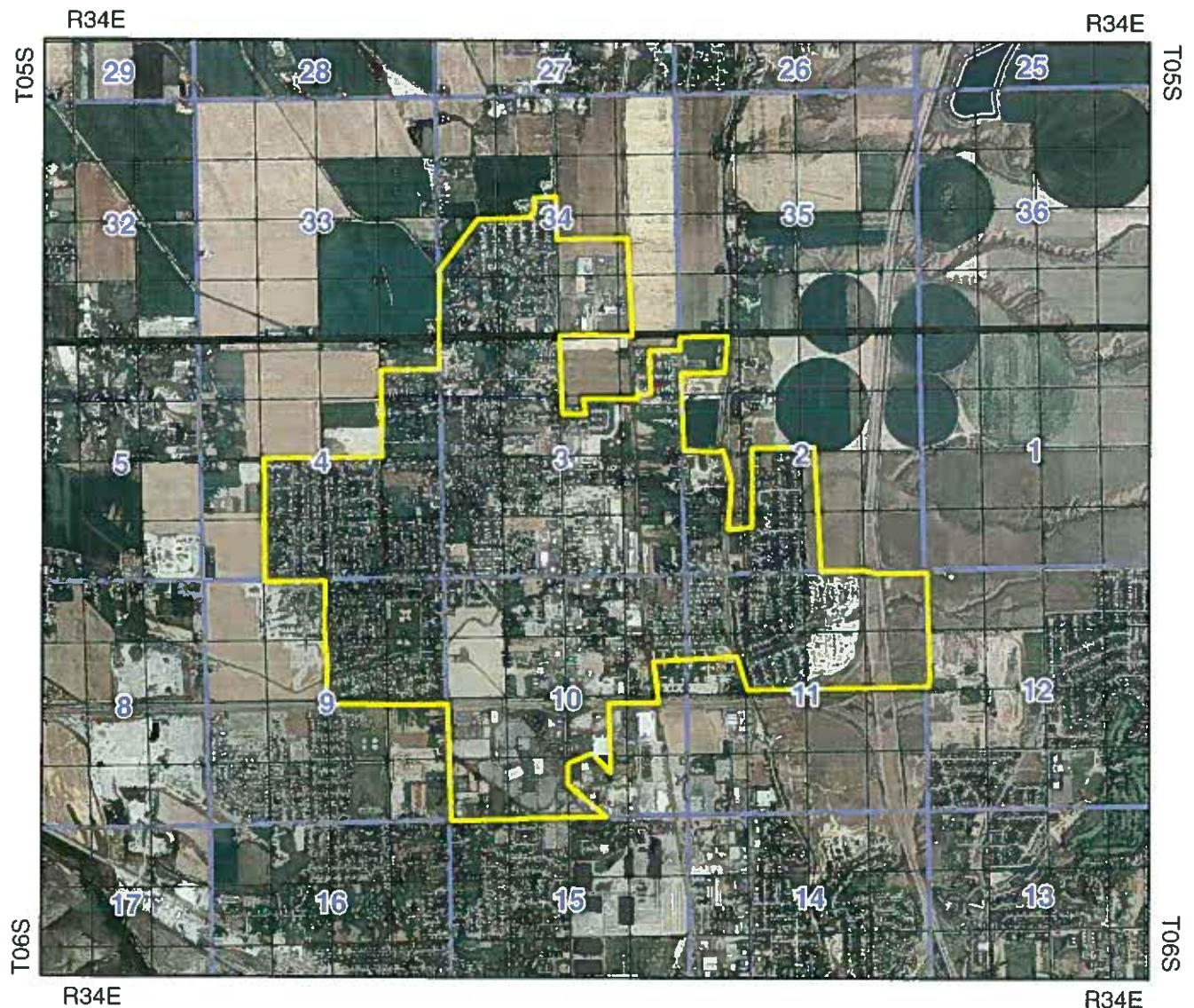
Ernest Carlson
for Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 75304

Water Service Area Boundary for City Of Chubbuck

Rights: 29-2385, 29-2413, 29-2469, 29-7624, 29-8188, 29-8229, 29-8230



0 0.5 1 2 Miles

Legend

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

