

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 75169**RECEIVED****OCT 01 2008**Department of Water Resources
Eastern Region**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**Name of Applicant City of Rigby Phone (208) 745-8111Mailing Address 158 W Fremont Ave. Rigby, ID 83442 Email rigbyclerk@ida.net

c/o Rocky Mountain Environmental Associates, Inc. kmoore@rockymountainenvironmental.com
482 Constitution, Ste 303, Idaho Falls ID 83402 (208) 524-2353 Fax 208) 524-1795

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 the reason for the proposed changes: Add an additional well and list the existing wells as points of diversion on each the city's existing municipal water rights

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount Nature of Use Period of Use

25-4009	02/01/1947	2.80 cfs	MUNICIPAL	1/01 to 12/31
25-4010	12/31/1920	1.45 cfs	MUNICIPAL	1/01 to 12/31
25-4011	12/31/1961	2.45 cfs	MUNICIPAL	1/01 to 12/31
25-7523	06/09/1989	2.51 cfs	MUNICIPAL	1/01 to 12/31
25-10496	12/31/1958	3.90 cfs	MUNICIPAL	1/01 to 12/31

2. Total amount of water being transferred 13.11 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	NW	SE	SW	18	4N	39E	JEFFERSON	Existing Well #1
2		SW	NW	18	4N	39E	JEFFERSON	Existing Well #3
	NW	NE	NW	19	4N	39E	JEFFERSON	Existing Well #2
	NE	SE	SE	17	4N	39E	JEFFERSON	Proposed Well

5. Lands irrigated or place of use:

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

CITY LIMITS OF RIGBY

Total Acres _____

PART 1

6. General Information:

- a. Description of diversion system: Wells to pump to mainline in water supply system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☐ Yes ☒ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: No change
- d. Remarks: Due to growth, the City of Rigby is seeking to add a point of diversion near a newly annexed area east of Highway 20. The proposed well will join the existing supply system through an 8" mainline. Also, the City is proposing to add all three existing wells onto all five municipal rights listed in this transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Right No. _____
And said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20__

for the Director

PART 2

WATER RIGHT NO. 25-4009

Owner Type Name and Address

Current Owner CITY OF RIGBY
158 W FREMONT AVE
RIGBY, ID 83442
(208)745-8111

Priority Date: 02/01/1947

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 2.8 CFS

Total Diversion 2.8 CFS

Location of Point(s) of Diversion:

GROUND WATER NWSESW Sec. 18 Township 04N Range 39E JEFFERSON County

Place(s) of use: Large POU Info

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Rigby municipal water supply system as provided for under Idaho Law.
2. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the
3. C18 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.
4. T17 The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe ____

WATER RIGHT NO. 25-4010

Owner Type Name and Address

Current Owner CITY OF RIGBY
158 W FREMONT AVE
RIGBY, ID 83442
(208)745-8111

Priority Date: 12/31/1920

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 1.45 CFS

Total Diversion 1.45 CFS

Location of Point(s) of Diversion:

GROUND WATER SWNW Lt 2 Sec. 18 Township 04N Range 39E JEFFERSON County

GROUND WATER NWSESW Sec. 18 Township 04N Range 39E JEFFERSON County

Place(s) of use: Large POU Info

Conditions of Approval:

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 25-10496, 25-4011
This partial decree is subject to such general provisions necessary for the definition of the rights or for the
 2. C18 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.
 3. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
 4. T17 The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 5. 124 Place of use is within the service area of the City of Rigby municipal water supply system as provided for under Idaho Law.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe ____

WATER RIGHT NO. 25-4011

Owner Type Name and Address

Current Owner CITY OF RIGBY
158 W FREMONT AVE
RIGBY, ID 83442
(208)745-8111

Priority Date: 12/31/1961

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 2.45 CFS

Total Diversion 2.45 CFS

Location of Point(s) of Diversion:

GROUND WATER SWNW Lt 2 Sec. 18 Township 04N Range 39E JEFFERSON County

GROUND WATER SESW Sec. 18 Township 04N Range 39E JEFFERSON County

Place(s) of use: Large POU Info

Conditions of Approval:

- This partial decree is subject to such general provisions necessary for the definition of the rights or for the
1. C18 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.
 2. 124 Place of use is within the service area of the City of Rigby municipal water supply system as provided for under Idaho Law.
 3. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 25-10496, 25-4010
 4. T17 The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 5. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe ____

WATER RIGHT NO. 25-7523

Owner Type Name and Address

Current Owner CITY OF RIGBY
158 W FREMONT AVE
RIGBY, ID 83442
(208)745-8111

Priority Date: 06/09/1989

Basis: License

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 2.51 CFS

Total Diversion 2.51 CFS

Location of Point(s) of Diversion:

GROUND WATER NWNENW Sec. 19 Township 04N Range 39E JEFFERSON County

Licensed Diversion Capacity: 2.51

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. R55 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.
 2. Place of use is located within the city limits of Rigby.
 3. R56 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
 4. R57 The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe ____

WATER RIGHT NO. 25-10496

Owner Type Name and Address

Current Owner CITY OF RIGBY
 158 W FREMONT AVE
 RIGBY, ID 83442

Priority Date: 12/31/1958

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 3.9 CFS

Total Diversion 3.9 CFS

Location of Point(s) of Diversion:

GROUND WATER SWNW Lt 2 Sec. 18 Township 04N Range 39E JEFFERSON County

GROUND WATER NWSESW Sec. 18 Township 04N Range 39E JEFFERSON County

Place of Use Legal Description: MUNICIPAL JEFFERSON County

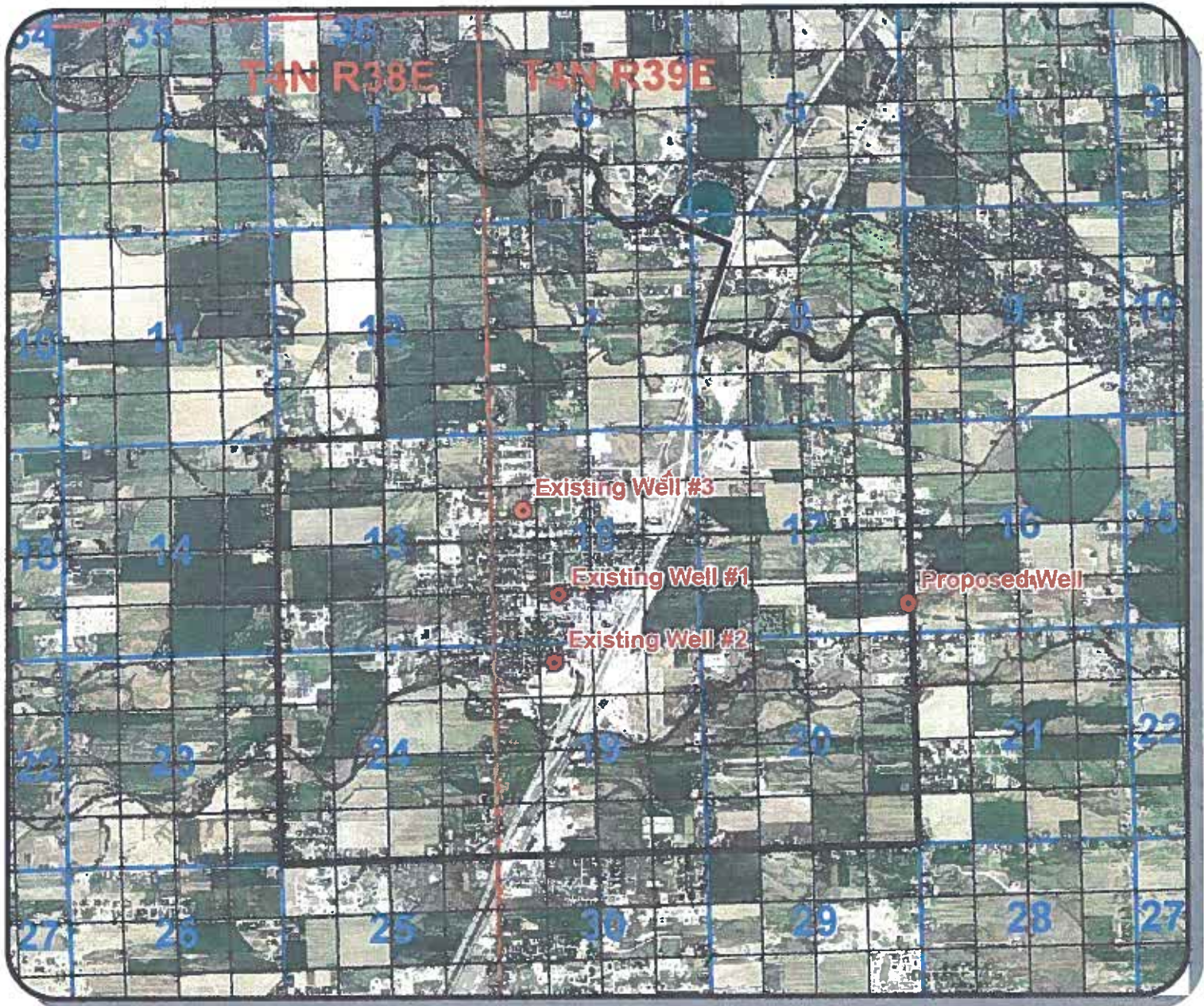
Township Range Section Lot Tract Acres Lot Tract Acres Lot Tract Acres Lot Tract Acres

04N 38E 13
 24
 39E 18
 19

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(6), Idaho Code.
 2. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 3. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 25-04010, 25-04011
 4. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
 5. 124 Place of use is within the service area of the City of Rigby municipal water supply system as provided for under Idaho Law.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe ____

Application for Transfer of Water Right City of Rigby



Legend

-  Point of Diversion
 -  Municipal Boundary
 -  Twp & Rng
 -  Section
 -  QQ
- 2006 NAIP Photography

0 0.5 1 2 Miles



Municipal boundary taken from the IDWR database August 2008.



Application for Transfer of Water Right City of Rigby

Existing Well #1

T4N R39E Sec 18 NWSESW



Existing Well #2

T4N R39E Sec 19 NWNENW



Existing Well #3

T4N R39E Sec 18 SWNW



0 250 500 1,000 Feet

Legend

-  Point of Diversion
-  Municipal Boundary
-  Twp & Rng
-  Section
-  QQ

2006 NAIP Photography



I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

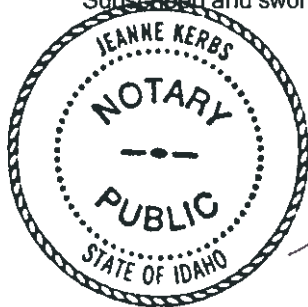
Ryan H. Brown
(Signature of Applicant)

Ryan H. Brown
Print Name (and title, if applicable)

(Signature of Applicant)

Print Name (and title, if applicable)

Subscribed and sworn to before me this 23 day of September, 2008



[Signature]
(Notary Public)

My Commission expires: 1-5-2013

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and _____ attachments
Received by _____ Date _____ Protest filed by _____
Prelim check by _____ Fee 770- E034467
Receipted by _____ Date 10/1/08
Published in Statewide Advertiser Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
_____ received _____ By _____
Copy of transfer sent to lien holder _____