

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73504

This is to certify that: CITY OF HEYBURN
 PO BOX 147
 HEYBURN ID 83336-0147
 (208)679-8158

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>
36-8550	WR/License	05/29/1990	6.67 cfs	N/A	N/A	N/A	GROUND WATER
36-8738	WR/License	05/22/1995	3.3 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>
36-8550	NO	YES	NO	NO	NO	NO
36-8738	NO	YES	NO	NO	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>
36-8550	36-8550	6.67 cfs	N/A	N/A			N/A	N/A	N/A	N/A
36-8738	36-8738	3.3 cfs	N/A	N/A			N/A	N/A	N/A	N/A
COMBINED										
TOTALS		9.97 cfs	N/A	N/A			N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of January, 2008

For 
 Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 36-8550 SCANNED
 JAN 04 2008

WATER RIGHT NO. 36-8550
As Modified by Transfer No. 73504

In accordance with the approval of Transfer No. 73504, Water Right No. 36-8550 is now described as follows.

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN ID 83336-0147

Priority Date: May 29, 1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	6.67 CFS
			6.67 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec. 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec. 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec. 22 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

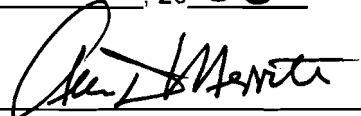
1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 73504, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
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.
7. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 36-8550
As Modified by Transfer No. 73504

8. This right does not grant any right-of-way or easement across the land of another.
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.

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 3rd day of January, 20 08


FOR- Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-8738
As Modified by Transfer No. 73504**

In accordance with the approval of Transfer No. 73504, Water Right No. 36-8738 is now described as follows.

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN ID 83336-0147

Priority Date: May 22, 1995

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	3.30 CFS
			3.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec. 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec. 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec. 22 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

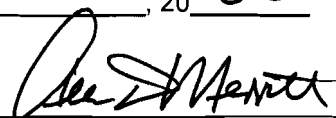
1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. 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.
6. 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.

WATER RIGHT NO. 36-8738
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7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
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. Prior to the diversion and use of water under Transfer approval 73504 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
10. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
11. This right does not grant any right-of-way or easement across the land of another.
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.

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.

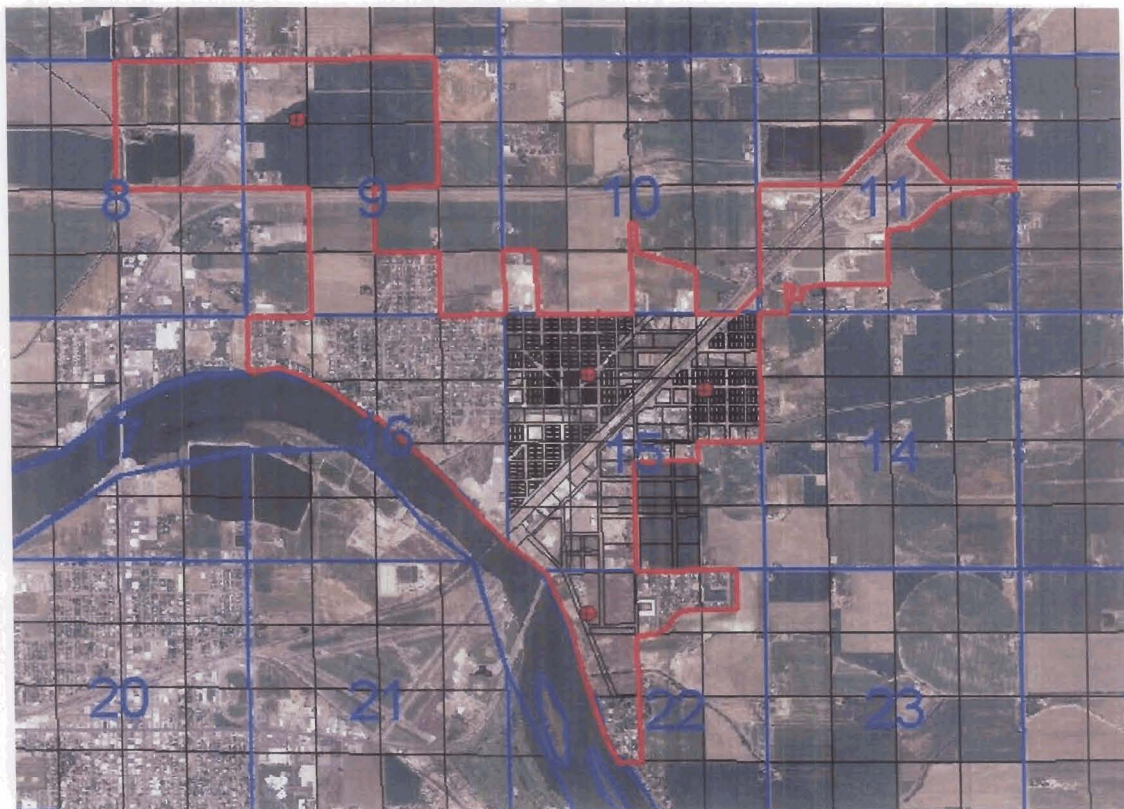
Dated this 3rd day of January, 2008



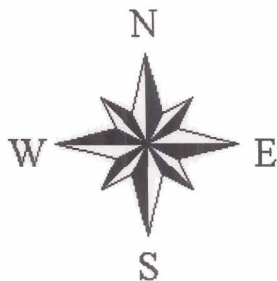
FOR—Chief, Water Allocation Bureau

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Digital Boundary for the City of Heyburn Municipal Service Area
Rights 36-8550 & 36-8738
December 13, 2007



0 1 2 3 Miles



Legend

-  City of Heyburn Municipal Service Area
-  Sections
-  Quarter - Quarter