

Transfer No. 73504

Receipt No. 5029423

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information CITY OF HEYBURN
 PO BOX 147
 HEYBURN ID 83336-0147
 (208)679-8158

RECEIVED
APR 23 2007
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-8550	WR/License	6.67				GROUND WATER
36-8738	WR/License	3.30				GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8550	NO	YES	NO	NO	NO	NO
36-8738	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

We have decided to drill the new well authorized by recently approved transfer # 72652 at another, better, location.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

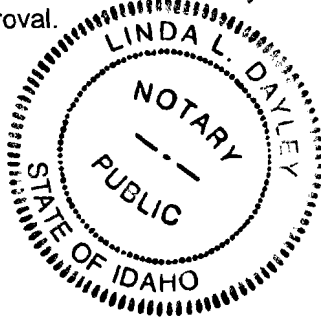
	Rate	Acre Limit	Total Acres	Volume
36-8550	6.67 cfs			
36-8738	3.30 cfs			
TOTAL	9.97 cfs			

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DEPARTMENT OF WATER RESOURCES
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PART 1

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 contained 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.



George A. Anderson
(Signature of Applicant)

Mayor
(Title or Office)

Subscribed and sworn to before me this 19 day of April, 2007.

Linda L. Dayley
(Notary Public)

My commission expires 5-24-2009

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-8550

Priority Date: May 29, 1990

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	6.67 CFS		
	Total Diversion	6.67 CFS		

Source and 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	NWSENW	Sec. 22 Twp 10S Rge 23E	MINIDOKA County

Conditions/Remarks:

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. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. 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).

7. Prior to the diversion and use of water under Transfer approval 72652, 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.
8. 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.
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.

Documentation of Ownership of the Current Place of Use

IDWR RECORDS

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

no change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-8738

Priority Date: May 22, 1995

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	3.30 CFS		
	Total Diversion	3.30 CFS		

Source and 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	NWSENW	Sec. 22 Twp 10S Rge 23E	MINIDOKA County

Conditions/Remarks:

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. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
4. 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.
5. 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.

6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
8. 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).
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.

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Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-8550

Priority Date: May 29, 1990

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	6.67 CFS		
	Total Diversion	6.67 CFS		

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 Existing well (A0007815)
 Point of Diversion # 2 Existing well (E0007526)
 Point of Diversion # 3 Existing well (A0007813)
 Point of Diversion # 4 New well to be drilled

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-8738

Priority Date: May 22, 1995

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	3.30 CFS		
	Total Diversion	3.30 CFS		

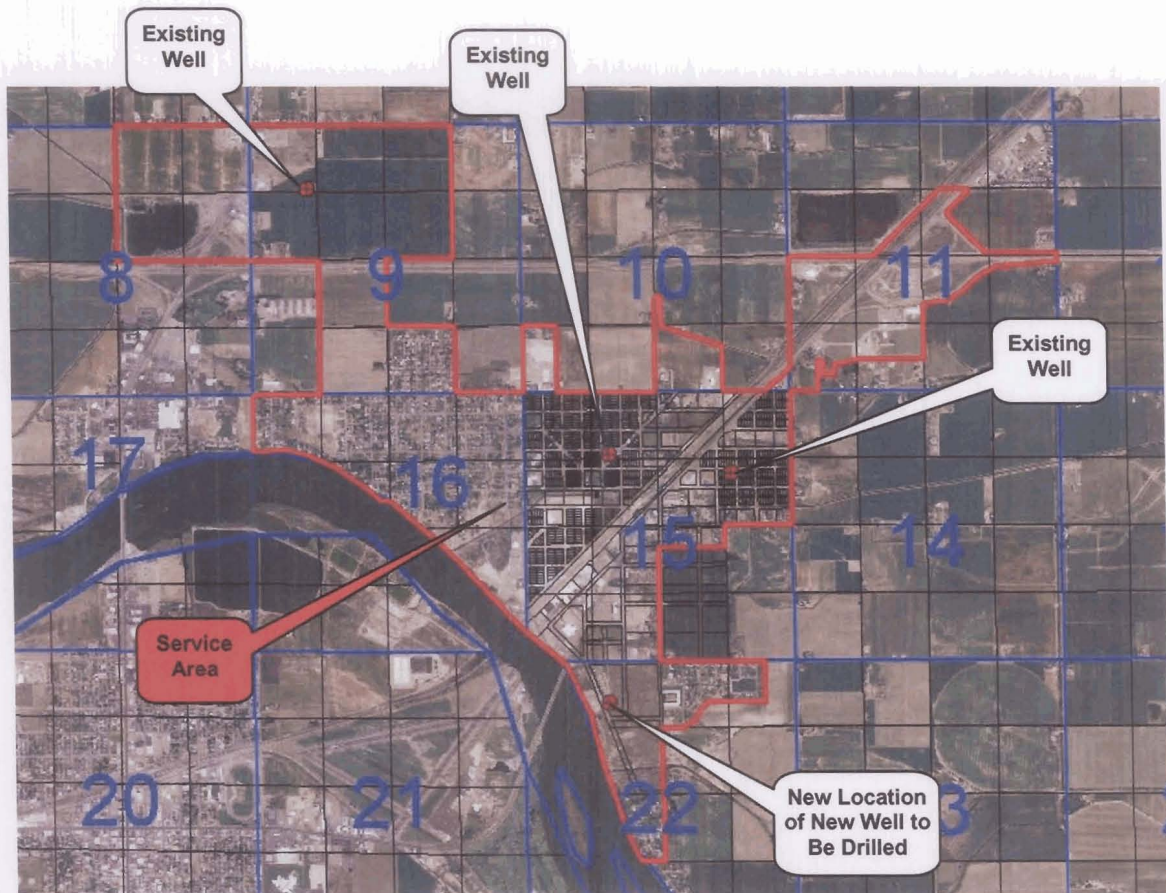
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City of Heyburn Transfer # 73504 Map



Township 10 South, Range 23 East