

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72881APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant City of Ammon Phone (208) 529-4211
Post Office address 2135 South Ammon Road, Ammon Idaho 83406

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 Drill two new municipal wells and add them as
points of diversion for existing water rights.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use

See Attachment A

2. Total amount of water being transferred 27.58 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

See Attachment B

5. Lands irrigated or place of use:

Within the City of Ammon SERVICE AREARECEIVED
JUN 23 2006
Department of Water Resources
Eastern Region

Total Acres _____

72881

PART 1

6. General Information:

- a. Description of diversion system Deep well pumps
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X 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:
NA
- d. Remarks:
SEE ATTACHMENT C

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

72881

Attachment A

Description of rights after the requested change							
Basin	Sequence	Priority Date	Rate (cfs)	Volume (af)	Nature of Use	Period of Use	
25	4297 ✓	12/1/1946	0.78		Municipal	1/1	12/31
25	4295 ✓	8/1/1952	0.67		Municipal	1/1	12/31
25	4294 ✓	1/3/1957	1.50		Municipal	1/1	12/31
25	7498	11/14/1989	2.32		Municipal	1/1	12/31
25	7023 ✓	1/16/1973	2.79		Municipal	1/1	12/31
25	7168 ✓	1/31/1979	6.13		Municipal	1/1	12/31
25	7634	3/24/1995	6.69		Municipal	1/1	12/31
25	13964	3/8/2001	6.70		Municipal	1/1	12/31

Total **27.58**

Attachment B

Points of Diversion								
Lot	1/4	1/4	1/4	Section	Township	Range	County	Local Name for Diversion
	NW	SE	SE	27	02N	38E	Bonneville	Well Number 1
	NE	SE	NW	27	02N	38E	Bonneville	Well Number 2
	NW	NE	NW	27	02N	38E	Bonneville	Well Number 3
		SE	NW	26	02N	38E	Bonneville	Well Number 5
	SW	SW	NE	27	02N	38E	Bonneville	Well Number 6
	SE	SW	SE	22	02N	38E	Bonneville	Well Number 7
		SE	NW	22	02N	38E	Bonneville	Well Number 8
	NE	SE	NW	30	02N	39E	Bonneville	Well Number 9
		NW	SW	34	02N	38E	Bonneville	Well Number 10
		NE	NW	25	02N	38E	Bonneville	Well Number 11

Attachment C

The City of Ammon currently has eight (8) wells serving 2400 connections. The combined average diversion rate associated with these 8 wells is 5.54 cfs. The licensed diversion rate for the 8 wells is 27.58 cfs. In order to better serve developing residential areas within the boundaries of Ammon, the city is seeking to make each well a point of diversion for every water right. This will include the two new wells that are to be drilled in NE NW Section 25 Range 38E Township 2N, and NW SW Section 34 Range 38E Township 2N.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-4297 V1

WATER RIGHT NUMBER: 25-4297 V1

Owner Type Name and Address

Current Owner CITY OF AMMON

Priority Date: 12/01/1946

Basis: Beneficial Use

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Annual Volume

MUNICIPAL 01/01 to 12/31 0.780 CFS

Total Diversion: 0.780 CFSLocation of Point(s) of Diversion

GROUND WATER NW1/4SE1/4SE1/4 Sec. 27, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 38E 15									X		X	X		X	X		
02N 38E 16																X	
02N 38E 21	X			X									X			X	
02N 38E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N 38E 23													X	X	X	X	
02N 38E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N 38E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N 38E 28	X			X									X			X	
02N 38E 34	X	X	X		X	X		X	X					X			
02N 38E 35					X	X	X	X	X	X							

Conditions of Approval:

- 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.
- 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.
- 124 Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
- Point of diversion known locally as Well #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.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:

Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:
Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-4295 V1

WATER RIGHT NUMBER: 25-4295 V1

Owner Type Name and Address
Current Owner CITY OF AMMON

Priority Date: 08/01/1952
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.670 CFS	
<u>Total Diversion:</u>		0.670 CFS	

Location of Point(s) of Diversion
GROUND WATER NE1/4SE1/4NW1/4 Sec. 27, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	15									X		X	X		X	X		
02N	38E	16													X			X	
02N	38E	21	X			X					X	X	X	X	X	X	X	X	
02N	38E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	23													X	X	X	X	
02N	38E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	28	X			X								X				X	
02N	38E	34	X	X	X		X	X		X					X				
02N	38E	35					X	X	X	X	X	X							

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. 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.
3. 124 Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
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. Point of diversion is known locally as Well #2.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:

Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:
Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-4294 V1

WATER RIGHT NUMBER: 25-4294 V1

Owner Type Name and Address
Current Owner CITY OF AMMON

Priority Date: 01/03/1957
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1.500 CFS	
	<u>Total Diversion:</u>	1.500 CFS	

Location of Point(s) of Diversion
GROUND WATER NW1/4NE1/4NW1/4 Sec. 27, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 38E 15									X		X	X		X	X		
02N 38E 16													X				X
02N 38E 21	X			X					X	X	X	X	X	X	X		
02N 38E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
02N 38E 23					X	X	X	X	X	X	X	X	X	X	X		
02N 38E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
02N 38E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
02N 38E 28	X			X									X				X
02N 38E 34	X	X	X		X	X		X	X					X			
02N 38E 35					X	X	X	X	X	X							

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. Point of diversion known locally as Well #3.
3. 124 Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
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. 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.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:

Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:
Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-7498

WATER RIGHT NUMBER: 25-7498

Owner Type Name and Address
Current Owner CITY OF AMMON

Priority Date: 11/14/1989

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	2.320 CFS	
	<u>Total Diversion:</u>	2.320 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4 Sec. 26, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use

Conditions of Approval:

1. 048 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.
2. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. Place of use is within the city limits of Ammon.
 Point of diversion is identified as well #5.

Dates and Other Information:

Licensed Date: 12/18/1992
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 25-7023 V1

WATER RIGHT NUMBER: 25-7023 V1

Owner Type Name and Address
Current Owner CITY OF AMMON

Priority Date: 01/16/1973

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	2.790 CFS	
<u>Total Diversion:</u>		2.790 CFS	

Location of Point(s) of Diversion

GROUND WATER SW1/4SW1/4NE1/4 Sec. 27, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	15									X		X	X		X	X		
02N	38E	16																X	
02N	38E	21	X			X									X			X	
02N	38E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	23													X	X	X		
02N	38E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	28	X			X									X			X	
02N	38E	34	X	X	X		X	X		X						X			
02N	38E	35					X	X	X	X	X	X							

Conditions of Approval:

- 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.
- P/D KNOWN LOCALLY AS WELL #6.
- 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.
- 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.
- 124 Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.

Comments:

- mholliday 12/17/2003 recommendation. Claimed as licensed. Recommended as claimed.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S

Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:
Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-7168 V1

WATER RIGHT NUMBER: 25-7168 V1

Owner Type Name and Address

Current Owner CITY OF AMMON

Priority Date: 01/31/1979

Basis: License

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Annual Volume

MUNICIPAL 01/01 to 12/31 6.130 CFS

Total Diversion: 6.130 CFS

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4SE1/4 Sec. 22, Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	15									X		X	X					
02N	38E	16																X	
02N	38E	21	X			X									X			X	
02N	38E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	23													X	X	X	X	
02N	38E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	28	X			X									X			X	
02N	38E	34	X	X	X		X	X		X						X			
02N	38E	35					X	X	X	X	X	X							

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
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. Point of diversion known locally as Well #7.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:

Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False
Combined Use Limits:
Water Supply Bank:

Page 1

06/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-7634

WATER RIGHT NUMBER: 25-7634

Owner Type Name and Address

Current Owner CITY OF AMMON

Priority Date: 03/24/1995

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	6.690 CFS	
<u>Total Diversion:</u>		6.690 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4 Sec. 22,Twp 02N, Rge 38E, B.M. BONNEVILLE County

Place of Use

Conditions of Approval:

1. 022 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.
2. 075 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. Place of use is within the city limits of Ammon.

Remarks:

Dates and Other Information:

Licensed Date: 3/31/1998
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-13964

WATER RIGHT NUMBER: 25-13964

DRAFT

Owner Type Name and Address

Current Owner CITY OF AMMON

Priority Date: 03/08/2001

Basis: License

Status: Active DRAFT

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Annual Volume

MUNICIPAL 01/01 to 12/31 6.700 CFS

Total Diversion: 6.700 CFS

Location of Point(s) of Diversion

GROUND WATER SW1/4SW1/4NE1/4 Sec. 27, Twp 02N, Rge 38E, B.M. BONNEVILLE County

GROUND WATER NE1/4SE1/4NW1/4 Sec. 30, Twp 02N, Rge 39E, B.M. BONNEVILLE County

Place of Use MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3	L 4											
01N	38E	3	X																
			L 1																
02N	38E	10															X		
02N	38E	15		X	X		X	X	X	X		X	X	X		X	X		
02N	38E	21	X			X					X		X	X	X	X		X	
02N	38E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	23		X	X		X			X	X	X	X	X	X	X	X	X	
02N	38E	24										X	X				X		
02N	38E	25	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	
02N	38E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
02N	38E	27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	28	X			X									X			X	
02N	38E	33	X			X									X			X	
02N	38E	34	X	X	X	X	X	X	X	X	X	X	X			X	X		
02N	38E	35		X	X	X	X	X	X	X	X	X	X	X		X	X	X	
02N	39E	19															X	X	
02N	39E	29						X	X		X	X							
02N	39E	30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
							L 1	L 2			L 3	L 4							
02N	39E	31	X	X	X	X	X			X									

Conditions of Approval:

1. 022 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.
2. 102 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.
3. 048 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.

06/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-13964

Conditions of Approval:

4. 075 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
5. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Place of use is within the service area of the City of Ammon.
8. 007 The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.
9. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
10. X59 Point of diversion is located within Lot 2, Blk. 1, Bit O Heaven Subdivision.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
13. 109 The full system capacity necessary to provide water for the reasonably anticipated future needs authorized under this right must be constructed by the end of the designated planning horizon.

Comments:

1. kwilson 5/15/2006 Field Report Narrative System under permit has two wells (#6 & 9).

Well #9 System - Well, Pump with 12" discharge, 200 hp Westinghouse Electric Motor (S/N 7611), two (2) flow meters, mainline to storage tank or directly into municipal water system for the City of Ammon. Up-hill McCrometer meter (6"), S/N 20024016-06 measured flow = 826 gpm. Down-hill McCrometer meter (8"), S/N 05-05636-8 measured flow = 1101 gpm. Total flow from Well #9 = 1927 gpm = 4.29 cfs.

Well #6 System - Well, Johnston Pump with 14" discharge, 100 hp US Motor Electric Motor (S/N J03-8FG67-M, McCrometer flow Meter on mainline to Storage tank. Water from storage tank is diverted by booster pumps to municipal water system for the City of Ammon. Measured flow from McCrometer Flow Meter = 2500 gpm

Total Capacity of Well #9 and #6 = 1927 gpm + 2500 gpm = 4427 gpm = 9.86 cfs

Note Well #6 also under License 25-7023 at 2.79 cfs.

Total unlicensed flow from Well #9 and Well #6 = 9.86 cfs - 2.79 cfs = 7.07 cfs.

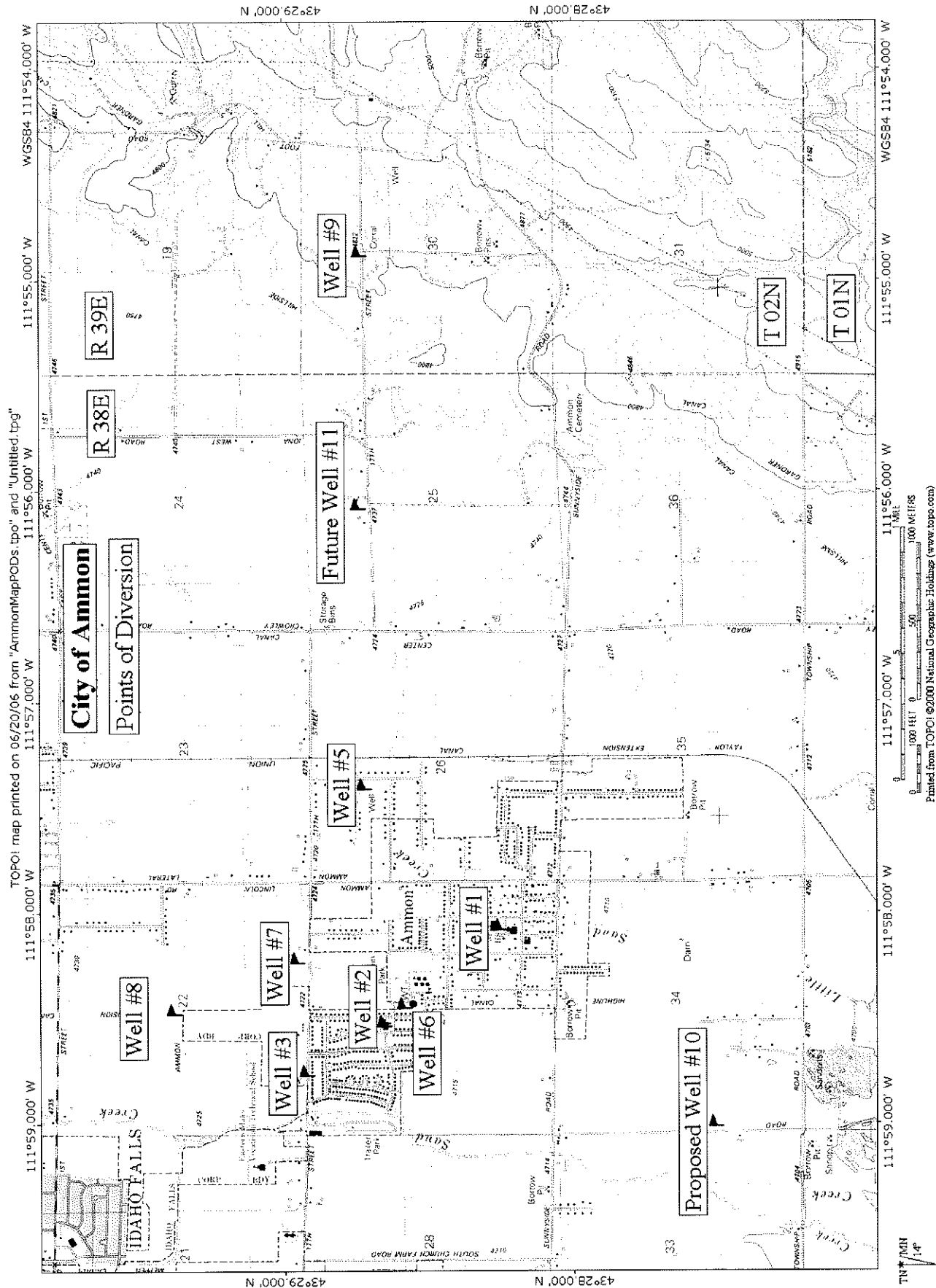
Recommend Licensing 25-13964 at permitted amount of 6.70 cfs.

Dates and Other Information:

Licensed Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

7288/



PART 3

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

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.

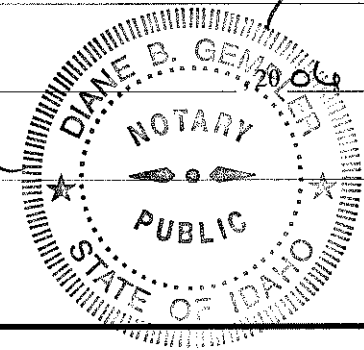
I understand that any willful misrepresentations made in this application may result in voiding its approval.

City of Armon by Ben R... City Administrator
(Signature of Applicant)

Subscribed and sworn to before me this 22nd day of June, 2006.

Diane B. Gentry
(Notary Public)

My commission expires 10/12/2011



FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee 1170 -

Received by SE Date 6/26/06 ED32023

Published in State Wide 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 _____