

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72385

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

OCT 27 2005

Department of Water Resources
Eastern RegionName of applicant CITY OF BLACKFOOT Phone 208 785-8600Post Office address 157 N. BROADWAY, BLACKFOOT, ID 83221

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 The City has secured funding via Congressional action to acquire water rights for the Jensen's Grove park & recreation area. New Sweden Irrigation Dist continues to assist the city in meeting its goals. The help from NSID includes supplying the water right and may even annex the Jensen's Grove Park area into the NSID.

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
<u>01-181C</u>	<u>6/16/1900</u>	<u>46 cfs</u>	<u>DVN TO STORAGE</u>	<u>JAN 1 to DEC 31</u>
<u>"</u>	<u>"</u>	<u>1100 AF</u>	<u>STORAGE*</u>	<u>JAN 1 to DEC 31</u>
<u>"</u>	<u>"</u>	<u>0.00 cfs</u>	<u>IRR. DVN FROM STORAGE</u>	<u>JAN 1 to DEC 31</u>
<u>"</u>	<u>"</u>	<u>46 cfs</u>	<u>DVN TO RECHARGE</u>	<u>APR 1 to NOV 31</u>

2. Total amount of water being transferred 46 cfs cubic feet per second and/or 12040 acre-feet per annum.

3. Source of water SNAKE RIVER tributary to COLUMBIA

4. Point(s) of Diversion: *STORAGE BENEFICIAL USES - IRRIGATION, RECREATION, FISH & WILDLIFE
AQUIFER RECHARGE & AESTHETICS

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>9</u>		<u>SW</u>	<u>NE</u>	<u>27</u>	<u>2S</u>	<u>35E</u>	<u>BINGHAM</u>	<u>JENSEN'S GROVE</u>
		<u>NE</u>	<u>SW</u>	<u>27</u>	<u>2S</u>	<u>35E</u>	<u>BINGHAM</u>	
		<u>NE</u>	<u>SE</u>	<u>33</u>	<u>2S</u>	<u>35E</u>		<u>Red. pump in Jensen Grove</u>
		<u>SW</u>	<u>NW</u>	<u>34</u>	<u>2S</u>	<u>35E</u>		<u>" " " " "</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2S</u>	<u>35E</u>	<u>34</u>						<u>LT 6</u>	<u>LT 7</u>			<u>X</u>	<u>X</u>						
<u>2S</u>	<u>35E</u>	<u>33</u>				<u>X</u>	<u>X</u>								<u>X</u>				
<u>2S</u>	<u>35E</u>	<u>27</u>										<u>X</u>	<u>X</u>						
<u>2S</u>	<u>35E</u>	<u>27</u>									<u>1.2</u>			<u>9.7</u>					
		<u>34</u>		<u>1.8</u>			<u>14.1</u>		<u>9.9</u>										
								<u>1.3</u>											
		<u>33</u>						<u>1.1</u>							<u>9.1</u>	<u>.7</u>	<u>.6</u>	<u>1.1</u>	<u>50.0</u>

PART 1**6. General Information:**

a. Description of diversion system A screw type headgate, delivery canal to Jensen's Grove pond

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:

The water right being transferred is being made available to the City of Blackfoot by the New Sweden Irrigation District. Lands have been petitioned out of the district and will no longer be served by surface water

d. Remarks:

There have been discussions between NSID and Blackfoot related to annexation of Jensen's Grove. It was decided to proceed with this transfer since annexation can proceed separately, if agreements are made.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 01-181C Decreed to Taylor & Goshen Canal Co.
in case of Rexburg Irrigation vs. Teton Irrigation et al
dated Dec 16, 1910 in Sixth District Court county of Fremont
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Snake River tributary to Columbia4. Date or priority June 1, 1900

5. Water is used for the following purposes:

amount 46 cfs for irrigation purposes from April 1 to Nov 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 46 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	NW	12	2N	37E	Bonneville	Porter Canal
	NE	NE		35	4N	37E		Great western

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres 27,920

9. Describe any other water rights used for the same purpose as described above Storage Contracts
in Jackson, Palisades and American Falls reservoirs

PART 2

Transfer No. 72385

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 46.00 for RECHARGE purposes from APRIL 1 to NOV 1
 (cfs/ac-ft) RECREATION
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: ENTIRE RIGHT IS TO BE CHANGED. EXCEPT 0.5 CFS WILL STILL BE USED FOR IRRIGATION BY THE CITY

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount N A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

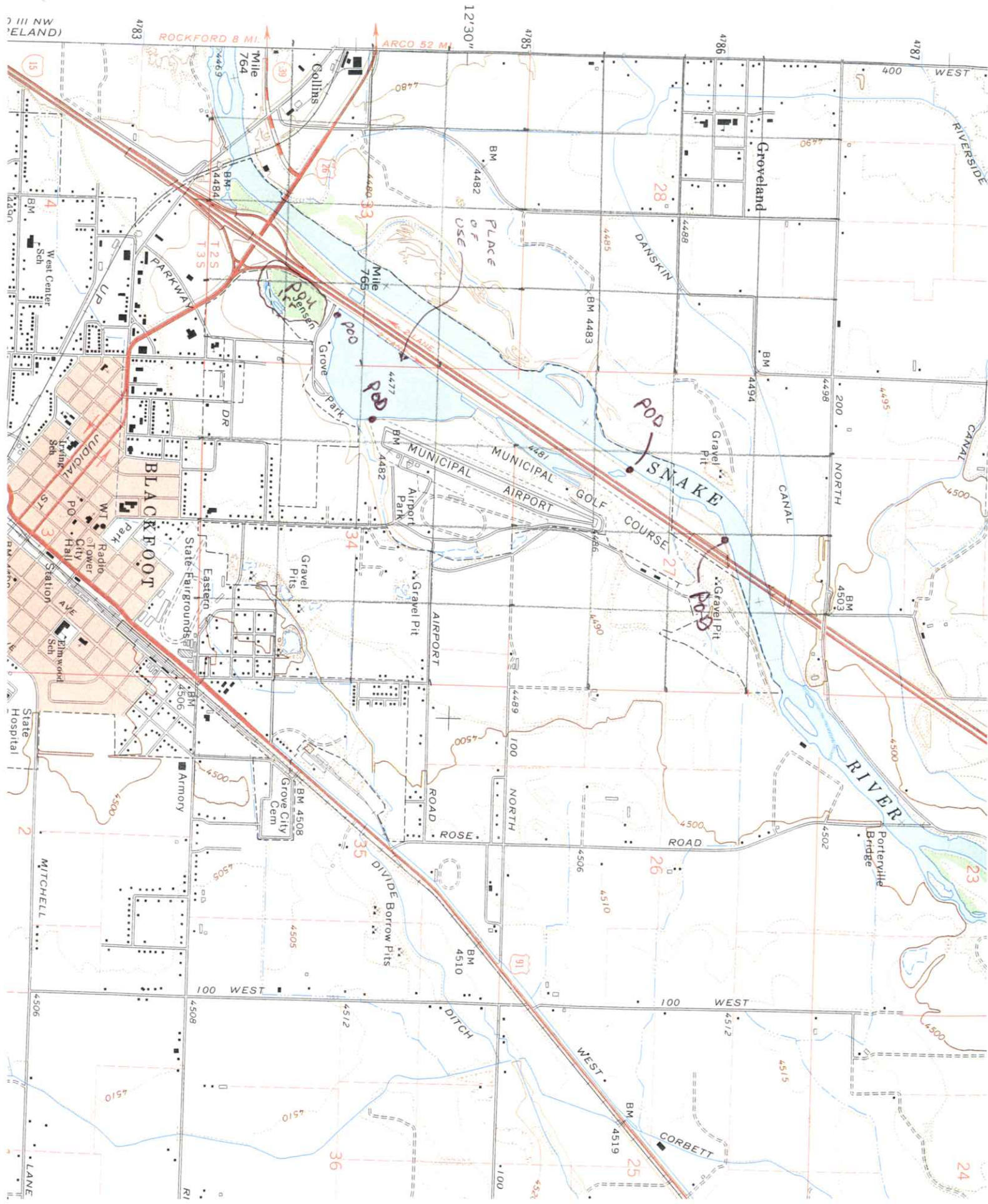
3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Aquifer Recharge</u>	<u>46 cfs</u>	<u>365</u>	<u>JAN 1 to DEC 31</u>
	<u>Recreation</u>	<u>3030 AF</u>	<u>365</u>	<u>JAN 1 to DEC 31</u>

2. Quantity and quality of return flows and location of discharge:

The use is systemically non-consumptive. Recharge simply moves surface storage to ground water storage. No degradation other than increased temperature is anticipated.

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

Any impacts on the water users within water district 1 will be undetectable other than it is anticipated that Twin Falls Canal Company will have increased natural flow available to fill water right after this 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.

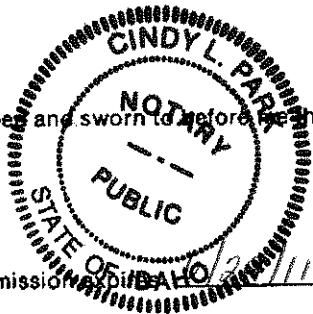
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 31st day of October, 19 2005.

R. Matt Reese Mayor
(Signature of Applicant)

Cindy L. Park
(Notary Public)

My commission expires 10/31/11



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 9 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 1530.00

Receipted by KJ Date 10/27/05 ED 31396

Published in Statewide Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



FROM : City Of

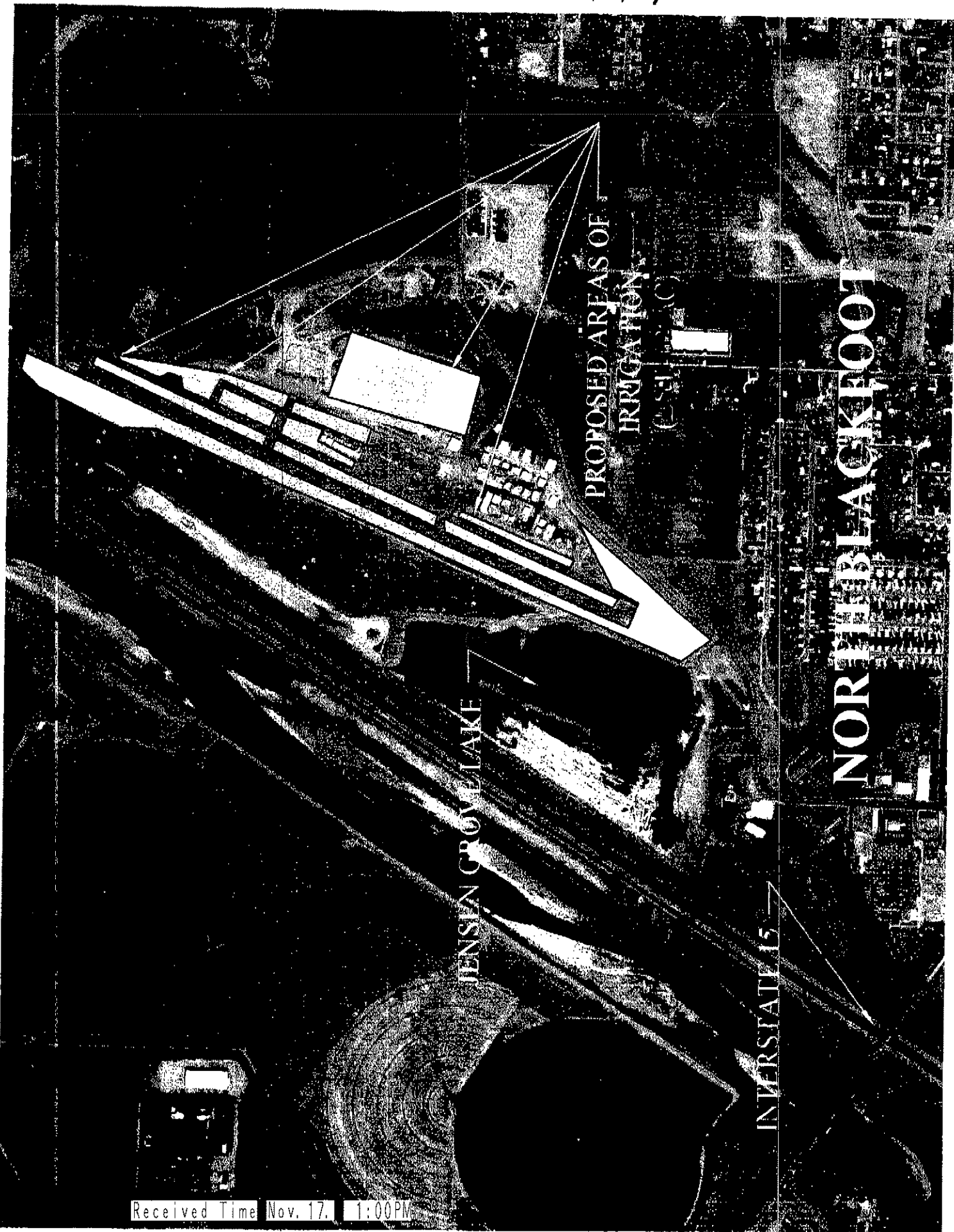
Blackfoot

FAX NO. :

Nov. 17 2005 02:16PM P1

Dave Carlson

325-7177



Received Time Nov. 17. 1:00PM

T1S R36E

New Sweden Irrigation Dist

- Exclusions after 11-87
- Township/Range
- Sections
- QQ

23 24

26 25

T1S R36E

1

T1S R37E

6

New Sweden Irrigation Dist

- Exclusions after 11-87
- Township/Range
- Sections
- QA

12

7

T11N R37E

ATTACHMENT 3 OF 9

72385

New Sweden Irrigation Dist

	Exclusions after 11-87
	Township/Range
	Sections
	QQ

Township/Range

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T2N R37E

- Exclusions after 11-87
- Township/Range
- Sections
- QQ

New Sweden Irrigation Dist

- Exclusions after 11-87
- Township/Range
- Sections
- QQ

New Sweden Irrigation Dist

T2S R36E

NWNE

NENE

6

5

NEW SWEDEN EXCLUSIONS					
TOWNSHIP	RANGE	SEC	QQ	LOT	ACRES
01N	37E	6	NENW	3	1.0
01N	37E	6	NWNW	4	0.4
01N	37E	8	NENE		1.3
01N	37E	8	NESW		0.1
01N	37E	8	NWSE		3.8
01N	37E	8	SENE		4.2
01N	37E	9	NENW		1.9
01N	37E	9	NWNW		3.2
01N	37E	9	SESE		2.2
01N	37E	9	SWNW		0.0
01N	37E	16	NENE	7	0.0
01S	36E	1	NENE	1	6.2
01S	36E	1	NESE		38.8
01S	36E	1	NWSE		0.3
01S	36E	1	SENE		44.2
01S	36E	1	SESE		0.0
01S	36E	1	SWNE		0.4
01S	36E	24	SWSE	15	0.6
01S	36E	24	SWSE	15	1.1
01S	36E	24	SWSE		0.0
01S	36E	26	NENE	1	0.9
01S	37E	6	NESW	8	0.4
01S	37E	6	NWNW	4	0.0
01S	37E	6	NWSW	6	28.0
01S	37E	6	SENW		0.4
01S	37E	6	SWNW	5	31.7
01S	37E	6	SWSW	7	0.0
02N	37E	14	NENE		4.7
02N	37E	14	NENE		9.2
02N	37E	14	NENE		1.8
02N	37E	14	NENE		2.7
02N	37E	14	NENE		0.4
02N	37E	14	NWNE		6.5
02N	37E	14	NWNE		2.8
02N	37E	14	NWNE		2.3
02N	37E	14	SESW		3.8
02N	37E	14	SWSW		0.0
02N	37E	15	NENE		8.6
02N	37E	15	NENE		0.4
02N	37E	15	NWNE		0.3
02N	37E	15	NWNE		0.2
02N	37E	15	NWNE		2.4
02N	37E	15	NWSE		7.0
02N	37E	15	NWSE		3.8
02N	37E	15	NWSE		0.8
02N	37E	15	SENE		4.3
02N	37E	15	SENE		0.1
02N	37E	15	SENE		0.7

02N	37E	15	SENE		0.8
02N	37E	15	SWNE		1.0
02N	37E	15	SWNE		4.8
02N	37E	15	SWNE		5.4
02N	37E	15	SWNE		3.2
02N	37E	15	SWNE		4.6
02N	37E	15	SWNE		3.5
02N	37E	15	SWNE		3.1
02N	37E	15	SWNE		3.2
02N	37E	15	SWNE		0.5
02N	37E	15	SWSE		0.0
02N	37E	17	SESE		0.1
02N	37E	17	SESW		0.5
02N	37E	17	SESW		0.2
02N	37E	17	SWSE		0.1
02N	37E	20	NENE		0.3
02N	37E	20	NWNE		0.2
02N	37E	22	NENE		4.7
02N	37E	22	NENE		3.9
02N	37E	22	NENE		4.0
02N	37E	22	NESW		0.1
02N	37E	22	NESW		0.0
02N	37E	22	NWNE		3.1
02N	37E	22	NWNE		3.0
02N	37E	22	NWNE		3.2
02N	37E	22	NWSE		4.8
02N	37E	22	NWSE		5.6
02N	37E	22	NWSE		12.7
02N	37E	22	SESE		0.0
02N	37E	22	SESW		0.0
02N	37E	22	SESW		0.1
02N	37E	22	SWSE		15.9
02N	37E	22	SWSE		9.5
02N	37E	22	SWSE		6.9
02N	37E	22	SWSE		0.0
02N	37E	23	NENW		2.8
02N	37E	23	NENW		0.2
02N	37E	23	NENW		3.9
02N	37E	23	NENW		2.2
02N	37E	23	NESW		0.4
02N	37E	23	NESW		0.1
02N	37E	23	NWNW		2.1
02N	37E	23	NWSW		0.4
02N	37E	23	NWSW		2.8
02N	37E	23	NWSW		1.2
02N	37E	23	NWSW		16.4
02N	37E	23	NWSW		6.7
02N	37E	23	NWSW		7.7
02N	37E	23	SENW		0.5
02N	37E	23	SENW		0.3
02N	37E	23	SESW		2.0
02N	37E	23	SESW		5.9

02N	37E	23	SWNW		19.3
02N	37E	23	SWNW		2.7
02N	37E	23	SWSE		3.5
02N	37E	23	SWSE		0.5
02N	37E	23	SWSW		0.4
02N	37E	23	SWSW		0.3
02N	37E	23	SWSW		0.5
02N	37E	23	SWSW		0.1
02N	37E	23	SWSW		10.9
02N	37E	23	SWSW		8.2
02N	37E	23	SWSW		4.3
02N	37E	23	SWSW		2.4
02N	37E	23	SWSW		4.0
02N	37E	24	NESW		19.9
02N	37E	24	NESW		0.9
02N	37E	24	NWSE	3	6.6
02N	37E	24	NWSW		0.5
02N	37E	24	NWSW		7.8
02N	37E	24	NWSW		0.2
02N	37E	24	NWSW		8.5
02N	37E	24	SWNE		0.7
02N	37E	24	SWSW		7.1
02N	37E	26	NENW		7.6
02N	37E	26	NENW		6.7
02N	37E	26	NENW		4.2
02N	37E	26	NENW		1.9
02N	37E	26	NENW		0.5
02N	37E	26	NENW		1.2
02N	37E	26	NENW		1.1
02N	37E	26	NENW		0.0
02N	37E	26	NENW		0.6
02N	37E	26	NWNE		0.0
02N	37E	26	NWNW		0.8
02N	37E	26	NWNW		8.7
02N	37E	26	NWNW		5.9
02N	37E	26	NWNW		2.7
02N	37E	26	NWNW		3.6
02N	37E	26	NWNW		0.5
02N	37E	26	NWNW		6.0
02N	37E	26	NWNW		3.3
02N	37E	26	NWNW		1.6
02N	37E	26	SENW		0.7
02N	37E	26	SENW		3.8
02N	37E	26	SENW		5.9
02N	37E	26	SENW		3.6
02N	37E	26	SWNW		4.6
02N	37E	26	SWNW		0.7
02N	37E	27	NENE		0.0
02N	37E	27	NWNE		0.2
02N	37E	27	SENE		1.5
02N	37E	27	SESE		0.6
02N	37E	34	NENW		0.5

02S	36E	5	NWNW	4	0.0	
02S	36E	6	NENE	1	4.4	
02S	36E	6	NENE	1	9.4	
02S	36E	6	NWNE	2	16.1	
					616.7	acres