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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69591

This is to certify that: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647
(208)587-2104

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
61-2072	WR/Decreed	03/13/1931	2 cfs	N/A			GROUND WATER
61-2170	WR/Decreed	05/27/1964	9.64 cfs	N/A			GROUND WATER
61-7184	WR/Decreed	04/22/1974	4.35 cfs	N/A			GROUND WATER
61-7339	WR/Decreed	08/18/1977	4.5 cfs	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>
61-2072	NO	YES	NO	YES	NO	NO
61-2170	NO	YES	NO	YES	NO	NO
61-7184	NO	YES	NO	YES	NO	NO
61-7339	NO	YES	NO	YES	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>
61-2072	61-2072	2 cfs	N/A	N/A			N/A	N/A	N/A	N/A
61-2170	61-2170	9.64 cfs	N/A	N/A			N/A	N/A	N/A	N/A
61-7184	61-7184	4.35 cfs	N/A	N/A			N/A	N/A	N/A	N/A
61-7339	61-7339	4.5 cfs	N/A	N/A			N/A	N/A	N/A	N/A
TOTALS		20.49 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of October, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 61-2072
As Modified by Transfer No. 69591

In accordance with the approval of Transfer No. 69591, Water Right No. 61-2072 is now described as follows.

Right Holder: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

Priority Date: March 13, 1931

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01 to	12/31	2.00 CFS
			2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 13 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NWNW	Sec. 25 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SESE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 19 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	Lot 1 NWNW	Sec. 30 Twp 03S	Rge 07E	ELMORE County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 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.
4. The total instantaneous diversion of water from all points of diversion under Rights 61-2072, 61-2170, 61-7184 and 61-7339 shall not exceed 20.49 cfs.
5. After specific notification by the Department, the right holder shall measure the diversion 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. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. Rights 61-2170, 61-7184 and 61-7339 are also diverted through the points of diversion described above.

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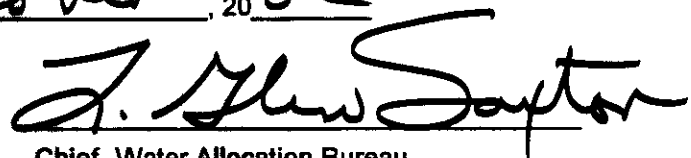
WATER RIGHT NO. 61-2072
As Modified by Transfer No. 69591

CONDITIONS OF APPROVAL

8. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
9. The new well located in the NESE, S19, T3S, R7E shall be constructed with a port and column inside the well casing and extending to the pumping bowls for the purpose of measuring ground water depths.
10. The rate of diversion from the new well shall not exceed 7.00 cfs.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of October, 2002


Chief, Water Allocation Bureau

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NOV 18 2002

WATER RIGHT NO. 61-2170
As Modified by Transfer No. 69591

In accordance with the approval of Transfer No. 69591, Water Right No. 61-2170 is now described as follows.

Right Holder: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

Priority Date: May 27, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01 to	12/31	9.64 CFS
			9.64 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 13 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NWNW	Sec. 25 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SESE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 19 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	Lot 1 NWNW	Sec. 30 Twp 03S	Rge 07E	ELMORE County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 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.
4. The total instantaneous diversion of water from all points of diversion under Rights 61-2072, 61-2170, 61-7184 and 61-7339 shall not exceed 20.49 cfs.
5. After specific notification by the Department, the right holder shall measure the diversion 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. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. Rights 61-2072, 61-7184 and 61-7339 are also diverted through the points of diversion described above

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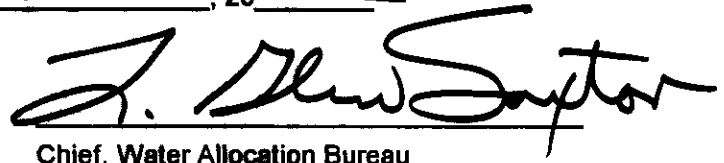
WATER RIGHT NO. 61-2170
As Modified by Transfer No. 69591

CONDITIONS OF APPROVAL

8. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
9. The new well located in the NESE, S19, T3S, R7E shall be constructed with a port and column inside the well casing and extending to the pumping bowls for the purpose of measuring ground water depths.
10. The rate of diversion from the new well shall not exceed 7.00 cfs.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of October, 2002


Chief, Water Allocation Bureau

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NOV 18 2002

WATER RIGHT NO. 61-7184
As Modified by Transfer No. 69591

In accordance with the approval of Transfer No. 69591, Water Right No. 61-7184 is now described as follows.

Right Holder: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

Priority Date: April 22, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	4.35 CFS
			4.35 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 13 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NWNW	Sec. 25 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SESE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 19 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	Lot 1 NWNW	Sec. 30 Twp 03S	Rge 07E	ELMORE County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 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.
4. The total instantaneous diversion of water from all points of diversion under Rights 61-2072, 61-2170, 61-7184 and 61-7339 shall not exceed 20.49 cfs.
5. After specific notification by the Department, the right holder shall measure the diversion 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. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. Rights 61-2072, 61-2170 and 61-7339 are also diverted through the points of diversion described above.

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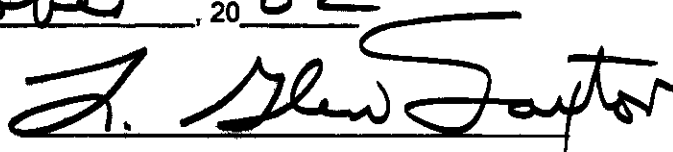
WATER RIGHT NO. 61-7184
As Modified by Transfer No. 69591

CONDITIONS OF APPROVAL

8. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
9. The new well located in the NESE, S19, T3S, R7E shall be constructed with a port and column inside the well casing and extending to the pumping bowls for the purpose of measuring ground water depths.
10. The rate of diversion from the new well shall not exceed 7.00 cfs.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of October, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 61-7339
As Modified by Transfer No. 69591

In accordance with the approval of Transfer No. 69591, Water Right No. 61-7339 is now described as follows.

Right Holder: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

Priority Date: August 18, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	4.50 CFS
			4.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 13 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NWNW	Sec. 25 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SENE	Sec. 26 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	SESE	Sec. 27 Twp 03S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 19 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	NENW	Sec. 30 Twp 03S	Rge 07E	ELMORE County
GROUND WATER	Lot 1 NWNW	Sec. 30 Twp 03S	Rge 07E	ELMORE County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 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.
4. The total instantaneous diversion of water from all points of diversion under Rights 61-2072, 61-2170, 61-7184 and 61-7339 shall not exceed 20.49 cfs.
5. After specific notification by the Department, the right holder shall measure the diversion 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. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. Rights 61-2072, 61-2170 and 61-7184 are also diverted through the points of diversion described above.

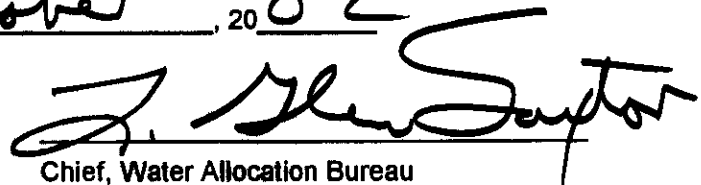
WATER RIGHT NO. 61-7339
As Modified by Transfer No. 69591

CONDITIONS OF APPROVAL

8. Place of use is within the service area of the City of Mountain Home municipal water supply system as provided for under Idaho Law.
9. The new well located in the NESE, S19, T3S, R7E shall be constructed with a port and column inside the well casing and extending to the pumping bowls for the purpose of measuring ground water depths.
10. The rate of diversion from the new well shall not exceed 7.00 cfs.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of October, 2002


Chief, Water Allocation Bureau

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SEP 11 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-02170

2001 APR 12 PM 12:58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CITY OF MOUNTAIN HOME
PO BOX 10
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 9.64 CFS

PRIORITY DATE: 05/27/1964

POINT OF DIVERSION: T03S R06E S13 SESW Within Elmore County
S25 NWNW
S26 SENE
S27 SWNW
SESE
R07E S30 NENW
LOT 01 (NWNW)

TWO POINTS OF DIVERSION LOCATED IN SENE, S26, T03S, R06E.
TWO POINTS OF DIVERSION LOCATED IN NENW, S27, T03S, R07E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	9.64 CFS

PLACE OF USE: PLACE OF USE IS WITHIN CITY LIMITS OF MOUNTAIN HOME.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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NOV 1 2002

MEMORANDUM

TO: FILE 61-02170
FROM: VAULT
RE: TRANSFER # 69591
DATE: 3/25/02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-02072

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