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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5277
WATER RIGHT NO(S). 36-07115/36-07656/36-07862
36-15488/36-15489

This is to certify that: CITY OF RUPERT
PO BOX 426
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 36-07115 : MUNICIPAL Priority: 03/15/1970	01/01 to 12/31	2.40 CFS
Right No. 36-07656 : MUNICIPAL Priority: 09/18/1962	01/01 to 12/31	3.44 CFS
Right No. 36-07862 : MUNICIPAL Priority: 10/11/1985	01/01 to 12/31	1.15 CFS
Right No. 36-15488 : MUNICIPAL Priority: 04/10/1913	01/01 to 12/31	0.67 CFS
Right No. 36-15489 : MUNICIPAL Priority: 11/29/1917	01/01 to 12/31	2.95 CFS

TOTAL: * 10.61 CFS

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 20, Township 09S, Range 24E
SWNW , Sec. 21, Township 09S, Range 24E
NENE , Sec. 29, Township 09S, Range 24E
NWNE , Sec. 29, Township 09S, Range 24E
SWNW , Sec. 29, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: See Remarks

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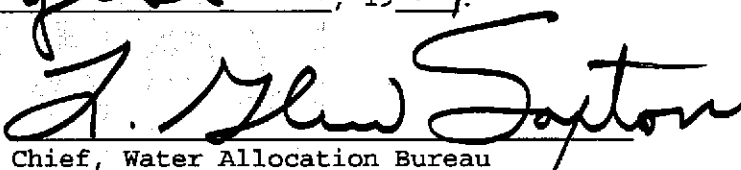
2006 2 3 1999

TRANSFER NO. 5277
WATER RIGHT NO(S). 36-07115/36-07656/36-07862
36-15488/36-15489

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5277 shall not exceed 10.61 cfs.
6. Approval of Transfer 5277 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Place of use is located within the city of Rupert and the surrounding service area.

Dated this 16th day of August, 1999.


Chief, Water Allocation Bureau

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AUG 23 1999

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-15488
_____	)	

On November 6, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-15488 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 2, 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-15488

NAME & ADDRESS: CITY OF RUPERT
 PO BOX 426
 RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.67 CFS

PRIORITY DATE: 04/10/1913

POINT OF DIVERSION: T09S R24E S20
 S21
 S29

NESWSE
SWSWNW
NWNENE
NENWNE

Within MINIDOKA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
 MUNICIPAL

PERIOD OF USE
01-01 12-31

QUANTITY
0.67 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY LIMITS OF RUPERT.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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AUG 23 1999

1998 JAN 02 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-15488

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-15488 was mailed
on January 02, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CITY OF RUPERT
Represented by:
JOSEPHINE P. BEEMAN
BEEMAN & HOFSTETTER
608 WEST FRANKLIN STREET
PO BOX 1427
BOISE, ID 83701-1427
Phone: 208-388-8900

DIANA DELANEY
Chief Deputy Clerk

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AUG 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 8, 2000

CITY OF RUPERT
PO BOX 426
RUPERT ID 83350

RE: Water Rights 36-07115/36-07656/36-07862/36-15488/
36-15489 / Transfer 5277

Dear Water Right Holder(s):

Enclosed please find an Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack', written over a horizontal line.

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 5277)
)
OF WATER RIGHTS 36-07115, 36-07656,)
)
36-07862, 36-15488 & 36-15489 IN THE)
)
NAME OF CITY OF RUPERT)
_____)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On August 16, 1999 the Department approved the above referenced Application for Transfer with a condition that:

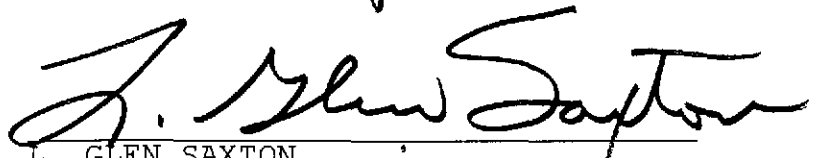
The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 5277 is granted an extension to August 16, 2001 in which to accomplish the transfer.

Dated this 4th day of August, 2000.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 36-07115, 36-07656, 36-07862, 36-15488 & 36-15489

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5277

DATE: August 12, 1999

Transfer 5277 adds a point of diversion and also clarifies the place of use to include the surrounding service area of the City of Rupert under municipal Rights 36-07115, 36-07656, 36-07862, 36-15488 and 36-15489. These rights have completed the SRBA process and partial decrees have been issued.

An expedited drilling permit, #36-98-S-0181-000, was issued for the new well on 12-07-98. Recommended conditions include total diversion rate limit from all points of diversion, measuring & annual reporting, water quality standards, right-of-way, place of use description including service area and standard transfer conditions.

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AUG 23 1999

MEMORANDUM

TO: FILE A 36-15488

FROM: PAM SKAGGS

RE: TRANSFER # 5277

DATE: 6-5-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-07115.

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AUG 23 1999

AJ5809NP
No. A36-15488

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/05/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF RUPERT PO BOX 426 RUPERT ID 83350 (208) 436-4900	04/10/1913	MUNICIPAL	01-01 12-31	0.67 CFS	
TOTAL DIVERSION:					0.67 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:	T09S R24E S20	NESWSE	
	S21	SWSWNW	
	S29	NWNE	NENWNE

MINIDOKA County
MINIDOKA County
MINIDOKA County

POU County:

Non-Irrigation Uses: MUNICIPAL/WATER SYSTEM FOR CITY OF RUPERT

Remarks: GEN PLACE OF USE IS LANDS WITHIN CITY LIMITS OF RUPERT.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF
DIVERSION OF THESE RIGHTS IS LIMITED TO 10.61 CFS. OTHER RIGHT
NOS.: 36-07115, 36-07656, 36-15489 AND 36-15490.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 07/21/97 CFRITSCH

MICROFILMED
AUG 23 1999