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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68980

This is to certify that: CITY OF HAZELTON
PO BOX 145
HAZELTON ID 83335
(208)829-5415

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>
36-7858	WR/Decreed	06/12/1979	1.00 cfs			N/A	GROUND WATER
36-4250	WR/Decreed	06/21/1917	0.28 cfs			N/A	GROUND WATER
36-2282	AJC/License	04/25/1955	0.20 cfs			N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

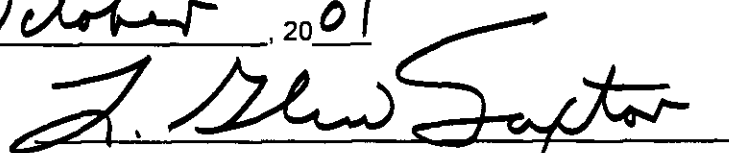
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7858	NO	NO	NO	YES	NO	NO
36-4250	NO	NO	NO	YES	NO	NO
36-2282	NO	NO	NO	YES	NO	NO

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>
36-7858	36-7858	1.00 cfs		N/A	N/A		N/A	N/A	N/A	N/A
36-4250	36-4250	0.28 cfs		N/A	N/A		N/A	N/A	N/A	N/A
36-2282	36-2282	0.20 cfs		N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		1.48 cfs		N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25TH day of October, 2001


Chief, Water Allocation Bureau

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JAN 15 2004

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NOV 13 2001

WATER RIGHT NO. 36-4250
As Modified by Transfer No. 68980

In accordance with the approval of Transfer No. 68980, Water Right No. 36-4250 is now described as follows.

Right Holder: CITY OF HAZELTON
 PO BOX 145
 HAZELTON ID 83335

Priority Date: 06/21/1917

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	0.28 CFS	
DOMESTIC	01/01	12/31	0.11 CFS	3.6 AF
			0.28 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSE Sec. 32 Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESWSE Sec. 32 Twp 09S	Rge 20E	JEROME County
GROUND WATER	Lot 2 NWNWNE Sec. 5	Twp 10S	Rge 20E JEROME County
GROUND WATER	Lot 2 NWNWNE Sec. 5	Twp 10S	Rge 20E JEROME County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 20E 32									X								

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Rights 36-2282, 36-4250 and 36-7858 when combined shall not exceed a total annual maximum diversion volume of 3.6 af for domestic use of six (6) homes located in Saunders Subdivision.
- The total instantaneous diversion of water from all points of diversion under Rights 36-2282, 36-4250 and 36-7858 shall not exceed 1.48 cfs.
- 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.
- 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.
- Municipal use is located within the city of Hazelton and the surrounding service area.

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WATER RIGHT NO. 36-4250
As Modified by Transfer No. 68980

CONDITIONS OF APPROVAL

7. Approval of Transfer 68980 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 25th day of October, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 36-7858
As Modified by Transfer No. 68980

In accordance with the approval of Transfer No. 68980, Water Right No. 36-7858 is now described as follows.

Right Holder: CITY OF HAZELTON
 PO BOX 145
 HAZELTON ID 83335

Priority Date: 06/12/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01 to	12/31	0.11 CFS	3.6 AF
MUNICIPAL	1/01 to	12/31	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 2 NWSWSE Sec. 32 Twp 09S Rge 20E JEROME County

GROUND WATER Lot 2 SESWSE Sec. 32 Twp 09S Rge 20E JEROME County

GROUND WATER Lot 2 NWNWNE Sec. 5 Twp 10S Rge 20E JEROME County

GROUND WATER Lot 2 NWNWNE Sec. 5 Twp 10S Rge 20E JEROME County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	20E	32									X								

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 36-2282, 36-4250 and 36-7858 when combined shall not exceed a total annual maximum diversion volume of 3.6 af for domestic use of six (6) homes located in Saunders Subdivision.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2282, 36-4250 and 36-7858 shall not exceed 1.48 cfs.
4. 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.
5. 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.
6. Municipal use is located within the city of Hazelton and the surrounding service area.

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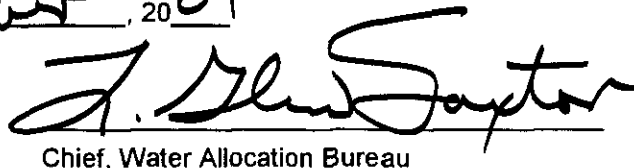
WATER RIGHT NO. 36-7858
As Modified by Transfer No. 68980

CONDITIONS OF APPROVAL

7. Approval of Transfer 68980 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 25th day of October, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 36-2282
As Modified by Transfer No. 68980

In accordance with the approval of Transfer No. 68980, Water Right No. 36-2282 is now described as follows.

Right Holder: CITY OF HAZELTON
PO BOX 145
HAZELTON ID 83335

Priority Date: 04/25/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.11 CFS	3.6 AF
MUNICIPAL	01/01	to 12/31	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

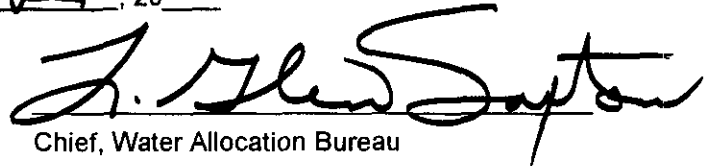
WATER RIGHT NO. 36-2282
As Modified by Transfer No. 68980

CONDITIONS OF APPROVAL

7. Approval of Transfer 68980 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 25th day of October, 2001


Chief, Water Allocation Bureau

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JAN 19 2004

6-18

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 36-07858

1998 JUN 18 PM 1:46

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

RECEIVED

JUN 22 1998

NAME & ADDRESS: CITY OF HAZELTON
PO BOX 145
HAZELTON ID 83335

SOURCE: GROUNDWATER

Department of Water Resources
Adjudication Bureau

QUANTITY: 1.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-04250 IS LIMITED TO A
COMBINED ANNUAL DIVERSION VOLUME OF 3.6 AF FOR DOMESTIC PURPOSES.

PRIORITY DATE: 06/12/1979

POINT OF DIVERSION: T09S R20E S32 SWSE Within JEROME County
T10S R20E S05 NWNE

TWO POINTS OF DIVERSION LOCATED IN SWSE, S32, T09S, R20E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MUNICIPAL	01-01 12-31	1.00 CFS
	DOMESTIC	01-01 12-31	0.11 CFS
			3.6 AFY

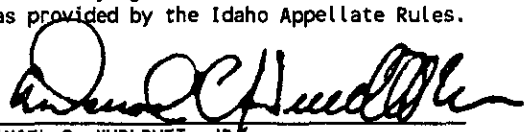
DOMESTIC USE IS FOR 6 HOMES.

PLACE OF USE:

MUNICIPAL PLACE OF USE IS LANDS WITHIN CITY LIMITS OF
HAZELTON.
DOMESTIC USE IN SAUNDER'S SUBDIVISION: T09S, R20E, S32, NESW.

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

MICROFILMED

JAN 16 2004

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07858

PAGE 1
JUN-2-1998

MEMORANDUM

TO: FILE 36-7858
FROM: VAULT
RE: TRANSFER # 68980
DATE: 5-1-01

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

FILE # 36-02282

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