

ORIGINAL

Transfer No

71407

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

WATER RESOURCES
WESTERN REGION.

STERN REGION
Name of applicant City of Middleton

Phone (208) 585-3133

Post Office address PO Box 487 Middleton, ID 83644

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 purpose of this transfer is to remove Well No. 1 and Well No. 2 from the water rights listed below and replace with proposed Well No. 7.

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>63-8310</u> | <u>7/21/1976</u> | <u>0.67 cfs</u> | <u>municipal</u> | <u>1/1</u> to <u>12/31</u> |
| <u>63-3398</u> | <u>1/8/1964</u> | <u>1.11 cfs</u> | <u>municipal</u> | <u>1/1</u> to <u>12/31</u> |
| <u>63-22363</u> | <u>10/16/1919</u> | <u>4.0 cfs</u> | <u>municipal</u> | <u>1/1</u> to <u>12/31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. Total amount of water being transferred <u>5.11</u> cubic feet per second and/or <u> </u> acre-feet per annum. | | | | |
| 3. Source of water <u>Ground Water</u> tributary to <u> </u> | | | | |
| 4. Point(s) of Diversion: <u> </u> | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

ATTACHMENT

PART 1

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

4. Point(s) of Diversion:

Water Right 63-8310

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
Lt. 2	NW	NE		5	4N	2W	Canyon	Well No. 4
Lt. 4	NW	NW		6	4N	2W	Canyon	Well No. 5
		NE	NW	8	4N	2W	Canyon	Well No. 6
		SW	NW	17	4N	2W	Canyon	Well No. 7 (new well and POD)

Water Right 63-3398

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
		SW	NW	17	4N	2W	Canyon	Well No. 7 (new well and POD)

Water Right 63-22363

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
Lt. 2	NW	NE		5	4N	2W	Canyon	Well No. 4
Lt. 4	NW	NW		6	4N	2W	Canyon	Well No. 5
		NE	NW	8	4N	2W	Canyon	Well No. 6
		SW	NW	17	4N	2W	Canyon	Well No. 7 (new well and POD)

PART 1**6. General Information:**a. Description of diversion system Ground Water Wells (See Attachment)

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes Yes _____ 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:

d. Remarks:

Contact: Chris Duncan, Holladay Engineering Company, PO Box 235Payette, ID 83661 (208) 642-3304(Consultant to City of Middleton)

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 _____.

ATTACHMENT

PART 1

6. GENERAL INFORMATION:

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contacts? Yes Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

Attached copy of Site Lease and Easement Agreement between the City of Middleton and Garnet Energy L.L.C. for the construction, operation, and maintenance of proposed City of Middleton Well No. 7.

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 evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-8310 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 a 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 Incorporated limits

3. Source of water Groundwater tributary to _____

4. Date or priority 07/21/1976

5. Water is used for the following purpose:

amount 0.67 for municipal purposes from 1/01 to 12/31
(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 0.67 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
							(See Attachment)	

8. 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3398, 63-8704, 63-9128, 63-22363, and Transfer 4121

ATTACHMENT

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

b. License No. 63-8310

7. Point(s) of Diversion:

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
Lt. 2	NW	NE	5	4N	2W	Canyon	Well No. 4	
Lt. 4	NW	NW	6	4N	2W	Canyon	Well No. 5	
	SW	SE	6	4N	2W	Canyon	Well No. 1	
	NW	NE	7	4N	2W	Canyon		
	NE	NW	8	4N	2W	Canyon	Well No. 6	

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No 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 _____ 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 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	

Total acres _____

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

1. amount _____ 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 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	

Total acres _____

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 evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3398 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 a 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 Incorporate limits

3. Source of water _____ tributary to _____

4. Date or priority 01/08/1964

5. Water is used for the following purpose:

amount 1.11 cfs for municipal purposes from 01/01 to 12/31
(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 1.11 cubic feet per second and/or 57 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	6	4N	2W	Canyon	Well No. 1

8. 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-8310, 63-8704, 63-9128,
63-22363, and Transfer 4121

ATTACHMENT

PART 2

B. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

b. License No. 63-3398

7. Point(s) of Diversion:

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
	SW	SE		6	4N	2W	Canyon	Well No. 1

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ 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 _____ 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 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	

Total acres _____

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

1. amount _____ 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 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	

Total acres _____

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 evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-22363 on file with the Idaho Department of Water Resources.
- d. Transfer No. 4121 which produced this right.

2. Attach a 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 Incorporated limits

3. Source of water Groundwater

tributary to _____

4. Date or priority 10/16/1919

5. Water is used for the following purpose:

amount 4.0 cfs for municipal purposes from 01/01 to 12/31
(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 4.0 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
							(See Attached)	

8. 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	
			Incorporated limits for City of Middleton																

9. Describe any other water rights used for the same purpose as described above 63-3398, 63-8310, 63-8704, 63-9128, and Transfer 4121

Total acres _____

ATTACHMENT

PART 2

C. DESCRIPTION OF RIGHT AS RECORDED

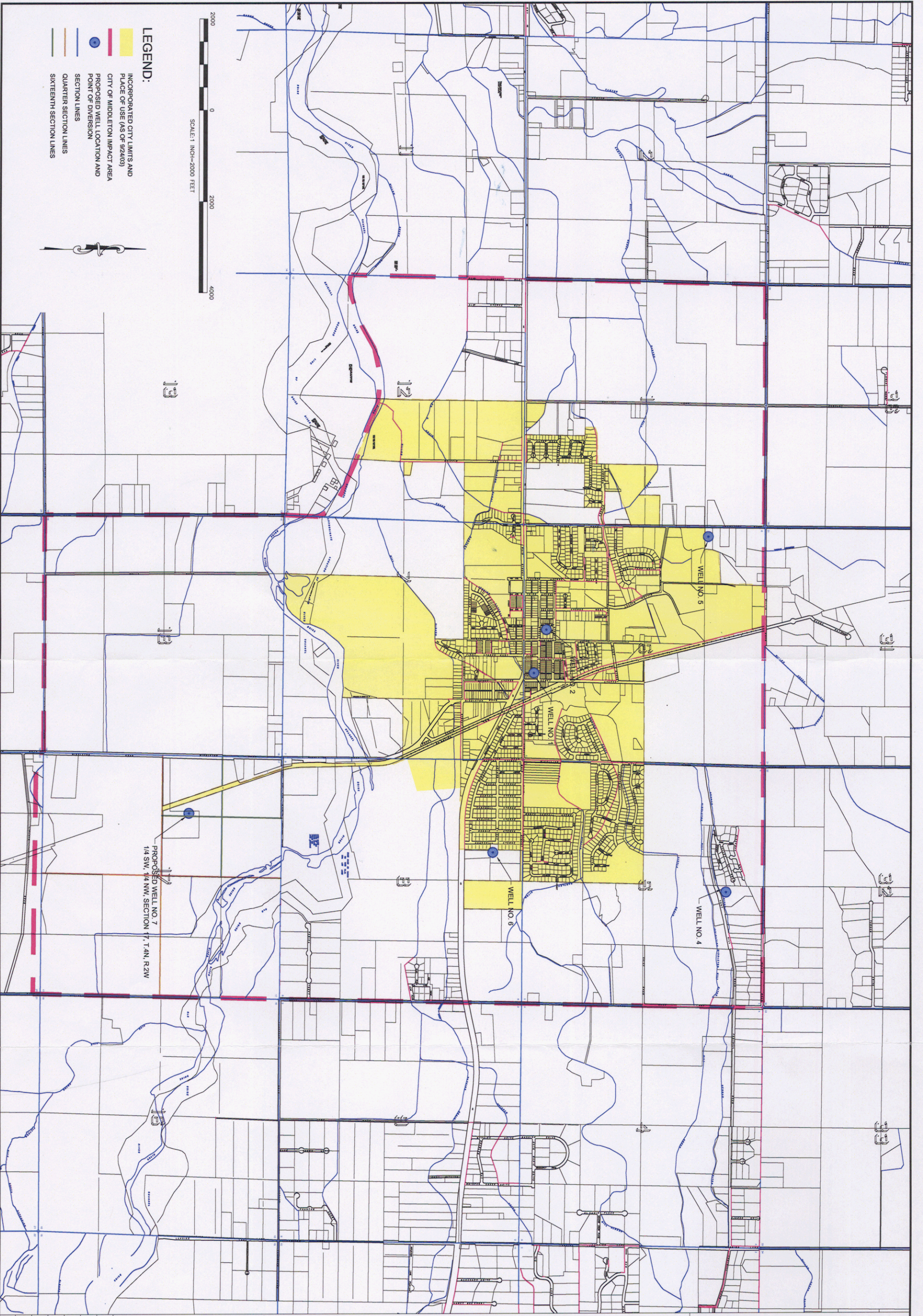
1. Right evidenced by:

c. Claim No. 63-22363

d. Transfer No. 4121

7. Point(s) of Diversion:

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>County</u>	<u>Local Name for diversion</u>
Lt. 2	NW	NE		5	4N	2W	Canyon	Well No. 4
Lt. 4	NW	NW		6	4N	2W	Canyon	Well No. 5
	SW	SE		6	4N	2W	Canyon	Well No. 1
	NW	NE		7	4N	2W	Canyon	
	NE	NW		8	4N	2W	Canyon	Well No. 6



CITY OF MIDDLETON POD AND POU MAP

HOLLADAY ENGINEERING CO.
ENGINEERS • CONSULTANTS
32 N. MAIN P.O. BOX 235 PAYETTE, ID 83661
(208) 642-3304 • FAX# (208) 642-2159
EMAIL: hec@holladayengineering.com

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JOB NO: MD 080403
CADD FILE: C:\WA\080403\MD080403.DWG
DATE: 9-25-03
PLOTTER: 12-2-03
DRAWN BY: MCM
CHECKED BY: CHD

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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:

None

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.

Frank McKeever
Frank McKeever, Mayor

(Signature of Applicant)

Subscribed and sworn to before me this

day of

December19 2003

ELLEN M. SMITH
NOTARY PUBLIC
STATE OF IDAHO

Ellen M. Smith

(Notary Public)

My commission expires

4-16-08**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____

Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____

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 _____