

MAY 13 2024

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of American Falls Phone 208-226-2569
 2. **MAILING ADDRESS** 550 N Oregon Trail City American Falls
 State ID Zip 83211 Email Rebekah.sorensen@cityofamericanfalls.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 14.92 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

No analysis required. New POD is in adjacent model cell. See Attachment #5

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

Ident. No. _____

Attachment to: ☐ Application for Permit to Appropriate Water ☐ Application for Transfer** ☐ Adjudication Claim
☒ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes	07S	31E	21	0	NW	SE	SW	POWER	GROUNDWATER	
☐ Yes	07S	31E	29	0	NE	NE	SE	POWER	GROUNDWATER	
☐ Yes	07S	31E	29	0	SE	NE	SE	POWER	GROUNDWATER	
☐ Yes	07S	31E	29	0	NW	NW	SE	POWER	GROUNDWATER	
☐ Yes	07S	31E	29	0	NW	SW	SE	POWER	GROUNDWATER	
☐ Yes	07S	31E	32	0		NW	SW	POWER	GROUNDWATER	
☐ Yes	08S	31E	13	0	SW	SW	NW	POWER	GROUNDWATER	
☐ Yes	08S	31E	13	0	SW	SW	NW	POWER	GROUNDWATER	
☐ Yes	08S	31E	13	0	SW	SW	NW	POWER	GROUNDWATER	
☒ Yes	07S	31E	30	0		SE	SE	POWER	GROUNDWATER	

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The existing points of diversions are already drilled and in operation supplying water to the municipal water system. Measuring devices are in place. The new well to be drilled will be equipped similarly.

- b. Who owns the property at the point(s) of diversion? Applicant (City of American Falls)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of applicant or authorized agent

Rebekah K. Sorensen - Mayor
Print name and title if applicable

5/7/24
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 1620.00 Date 5-13-24 Received by [Signature] Receipt # E050064

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Water Right Report : 29-2460(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 10/25/1962
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	4.68 CFS	703.00 AFA
TOTAL			4.68 CFS	703.00 CFS

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

J03 PLACE OF USE IS WITHIN CITY LIMITS OF THE CITY OF AMERICAN FALLS AND THE SURROUNDING SERVICE AREA

C18 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. SECTION 42-1412(6), IDAHO CODE.

Dates

Licensed Date :
Decreed Date : 3/22/2004
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :

State of Idaho
Department of Water Resources
Water Right

29-2460

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

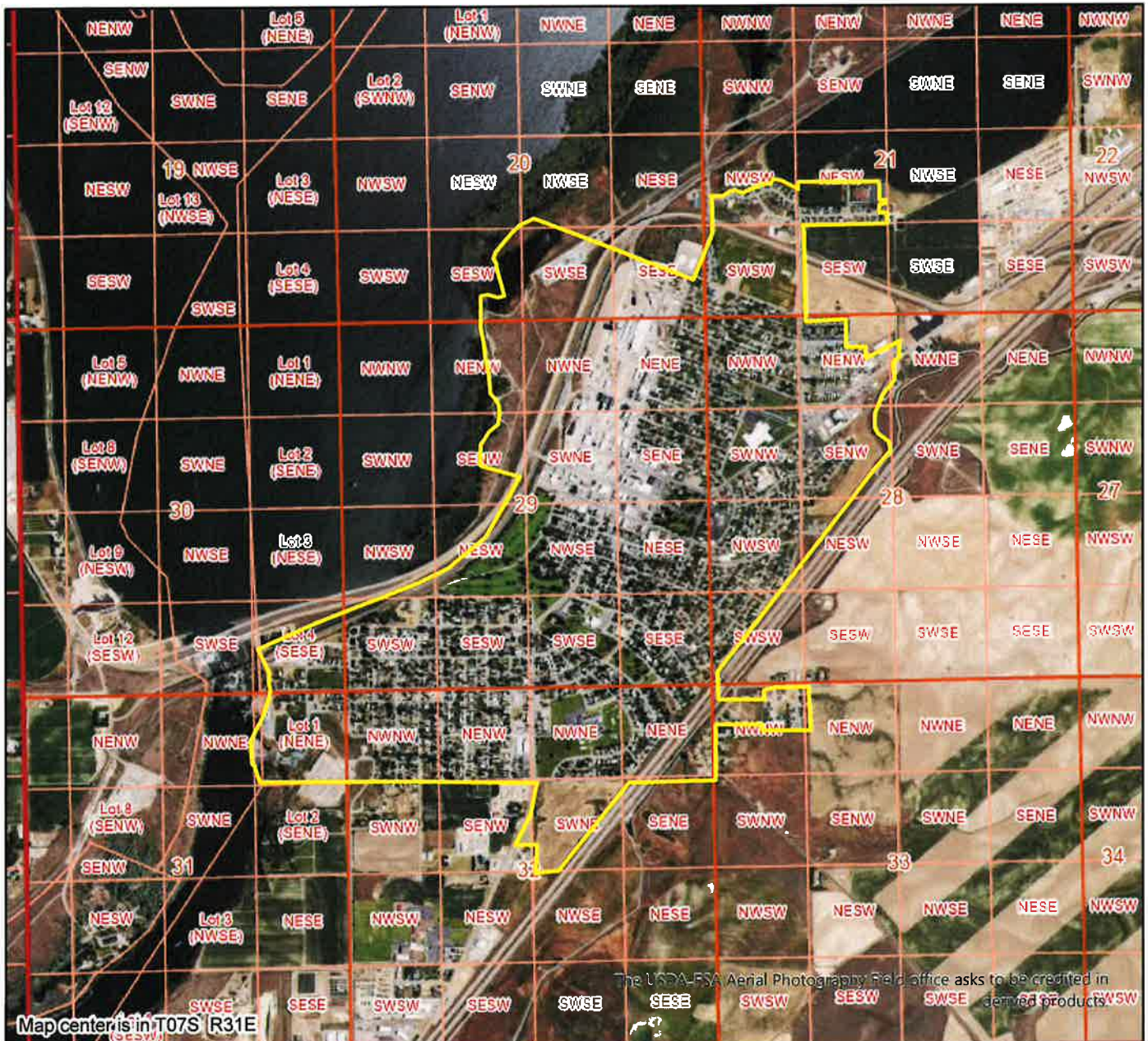


State of Idaho
Department of Water Resources
Water Right

29-2460

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Date created: 4/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



88979

Water Right Report : 29-2510(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 8/25/1965
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	2.42 CFS	590.70 AFA
TOTAL			2.42 CFS	590.70 CFS

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

- J03 PLACE OF USE IS WITHIN CITY LIMITS OF THE CITY OF AMERICAN FALLS AND THE SURROUNDING SERVICE AREA.
- C18 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. SECTION 42-1412(6), IDAHO CODE.

Dates

Licensed Date :
Decreed Date : 3/22/2004
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date :
Protest Deadline Date :

Other Information

State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :

State of Idaho
Department of Water Resources

Water Right

29-2510

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

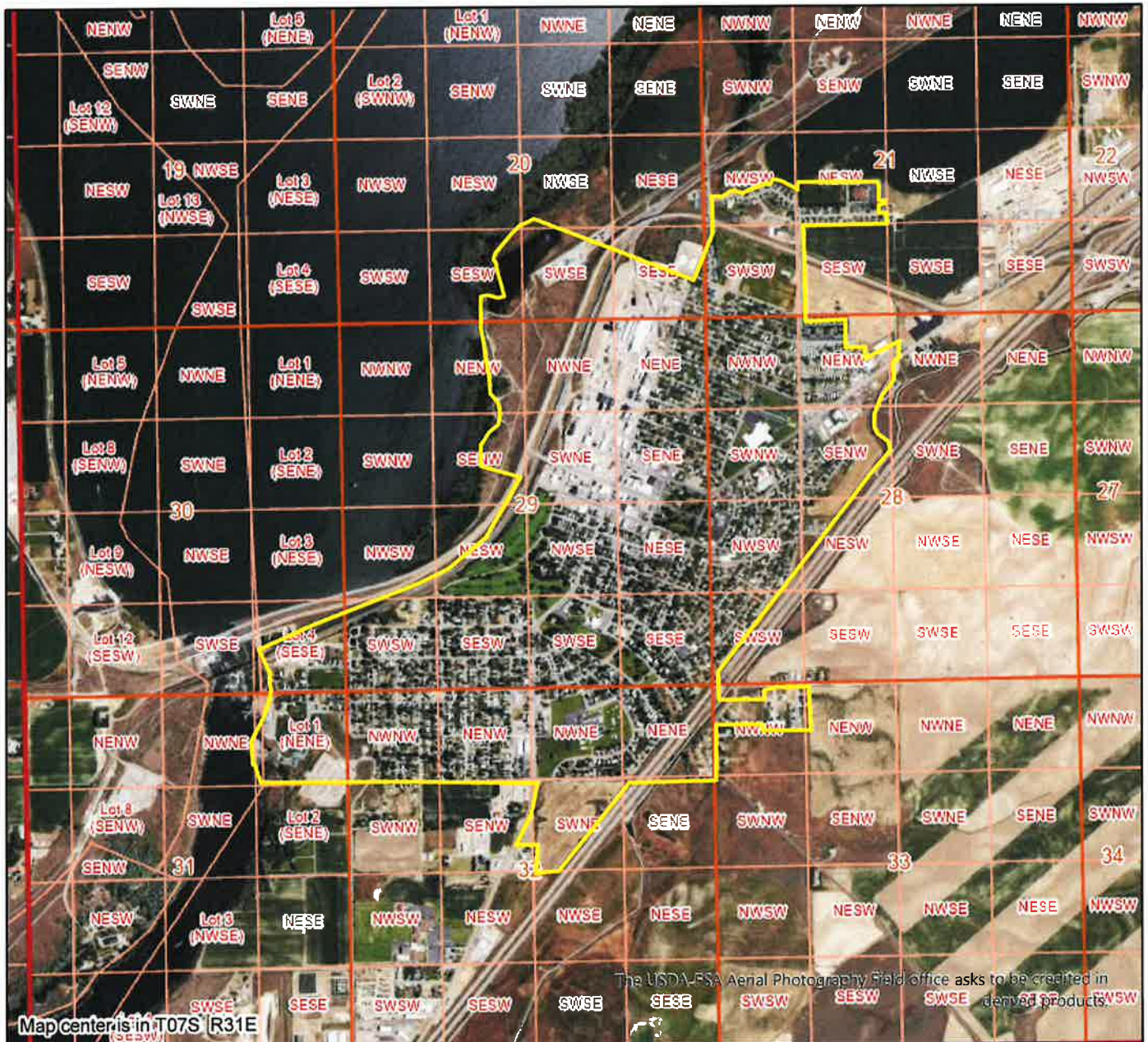


State of Idaho
Department of Water Resources
Water Right

29-2510

MUNICIPAL

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Date created: 4/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



8979

Water Right Report : 29-4421(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 6/2/1936
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	0.68	CFS
TOTAL			0.68	CFS

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

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- J03 PLACE OF USE IS WITHIN CITY LIMITS OF THE CITY OF AMERICAN FALLS AND THE SURROUNDING SERVICE AREA..

Dates

Licensed Date :
Decreed Date : 11/16/2004
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date :
Protest Deadline Date :

Other Information

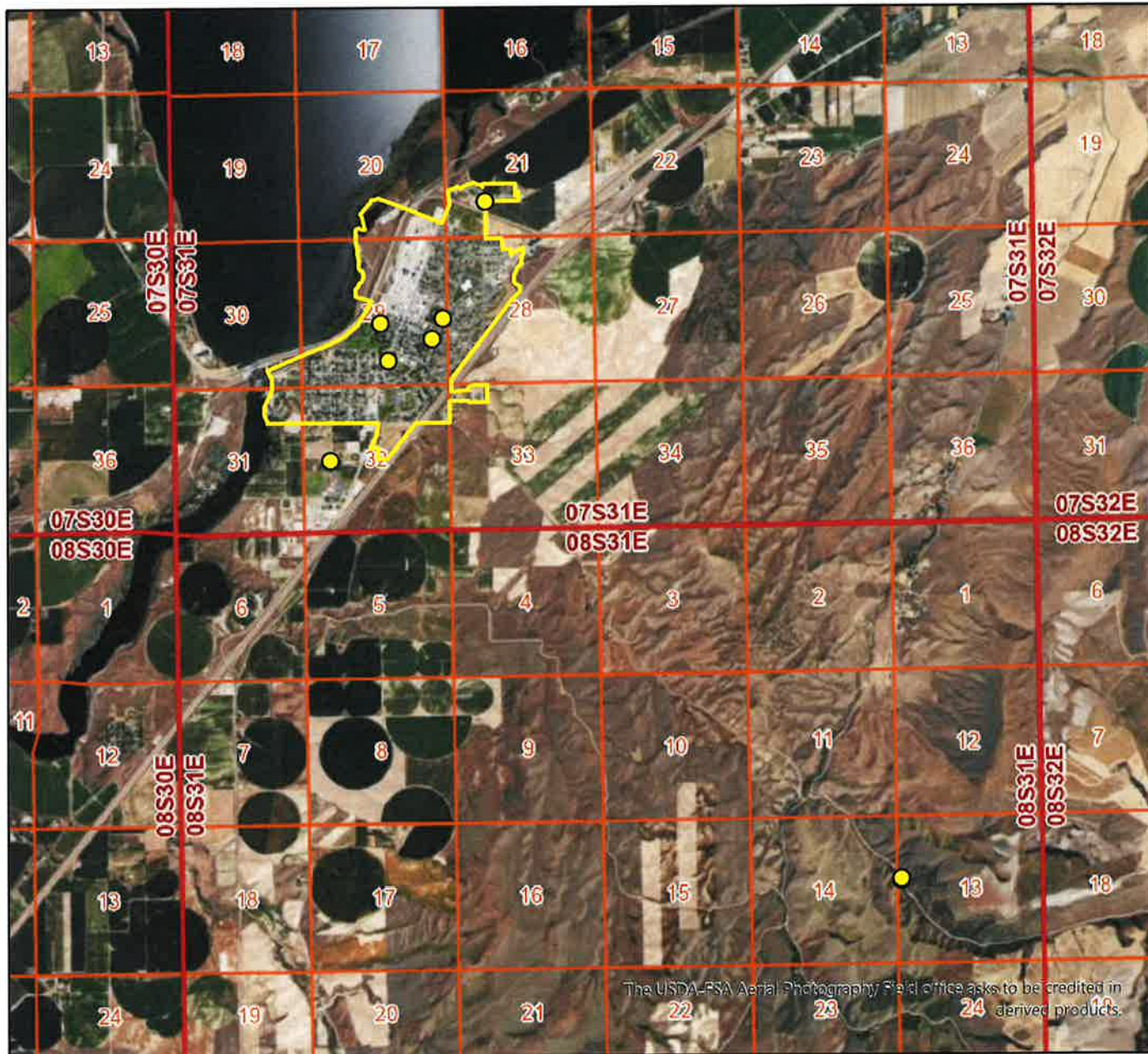
State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :

State of Idaho
Department of Water Resources
Water Right

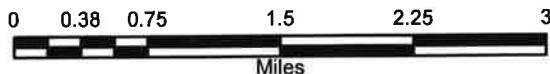
29-4421

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

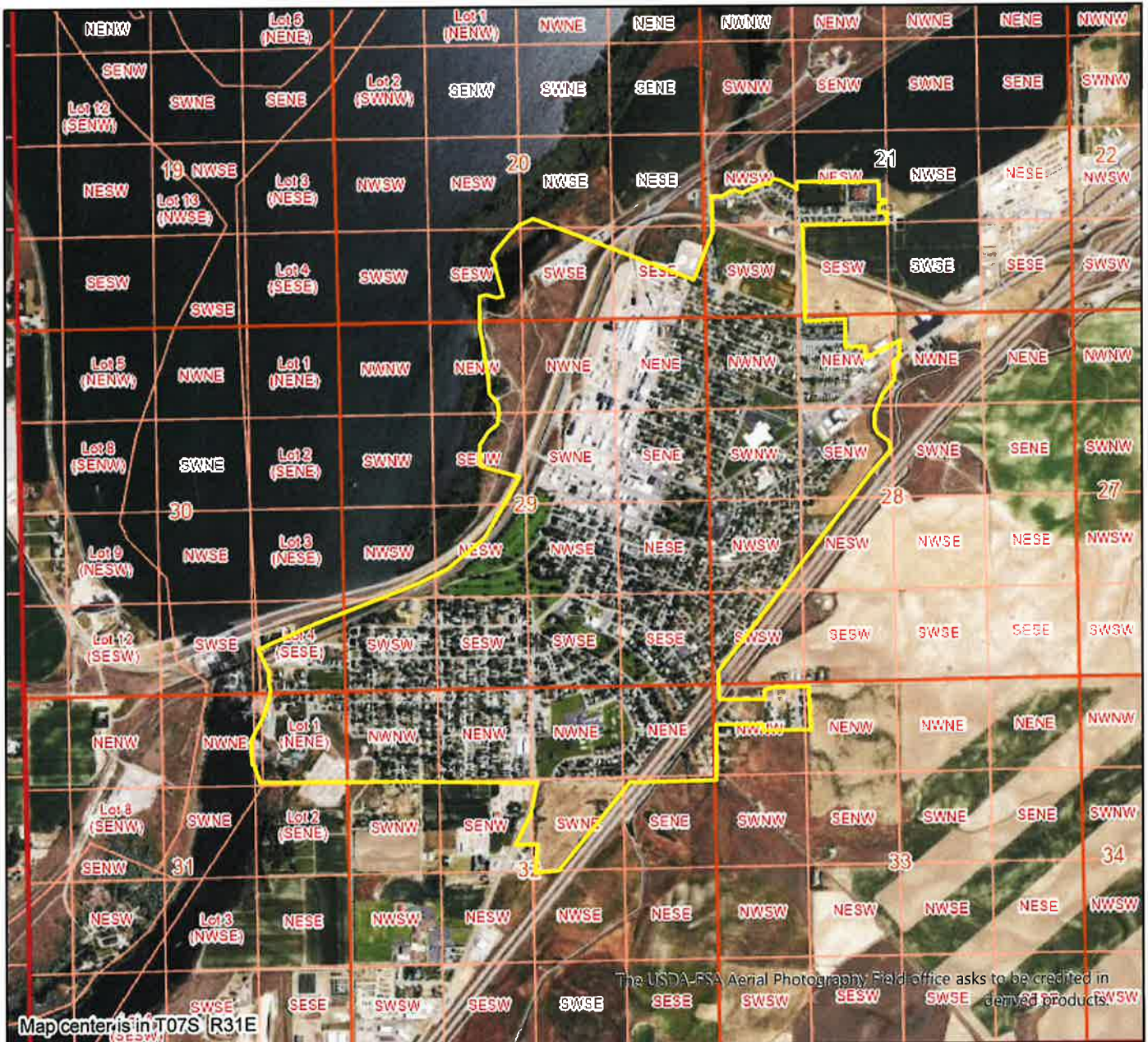


State of Idaho
Department of Water Resources
Water Right

29-4421

MUNICIPAL

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Date created: 4/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



88979

Water Right Report : 29-7821(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 1/28/1987
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	3.12	CFS
TOTAL			3.12	CFS

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

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- J03 PLACE OF USE IS WITHIN CITY LIMITS OF THE CITY OF AMERICAN FALLS AND SURROUNDING SERVICE AREA.

Dates

Licensed Date :
Decreed Date : 3/22/2004
Permit Proof Due Date : 4/1/1988
Permit Proof Made Date : 4/15/1987
Permit Approved Date : 3/31/1987
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 1/28/1987
Protest Deadline Date:

Other Information

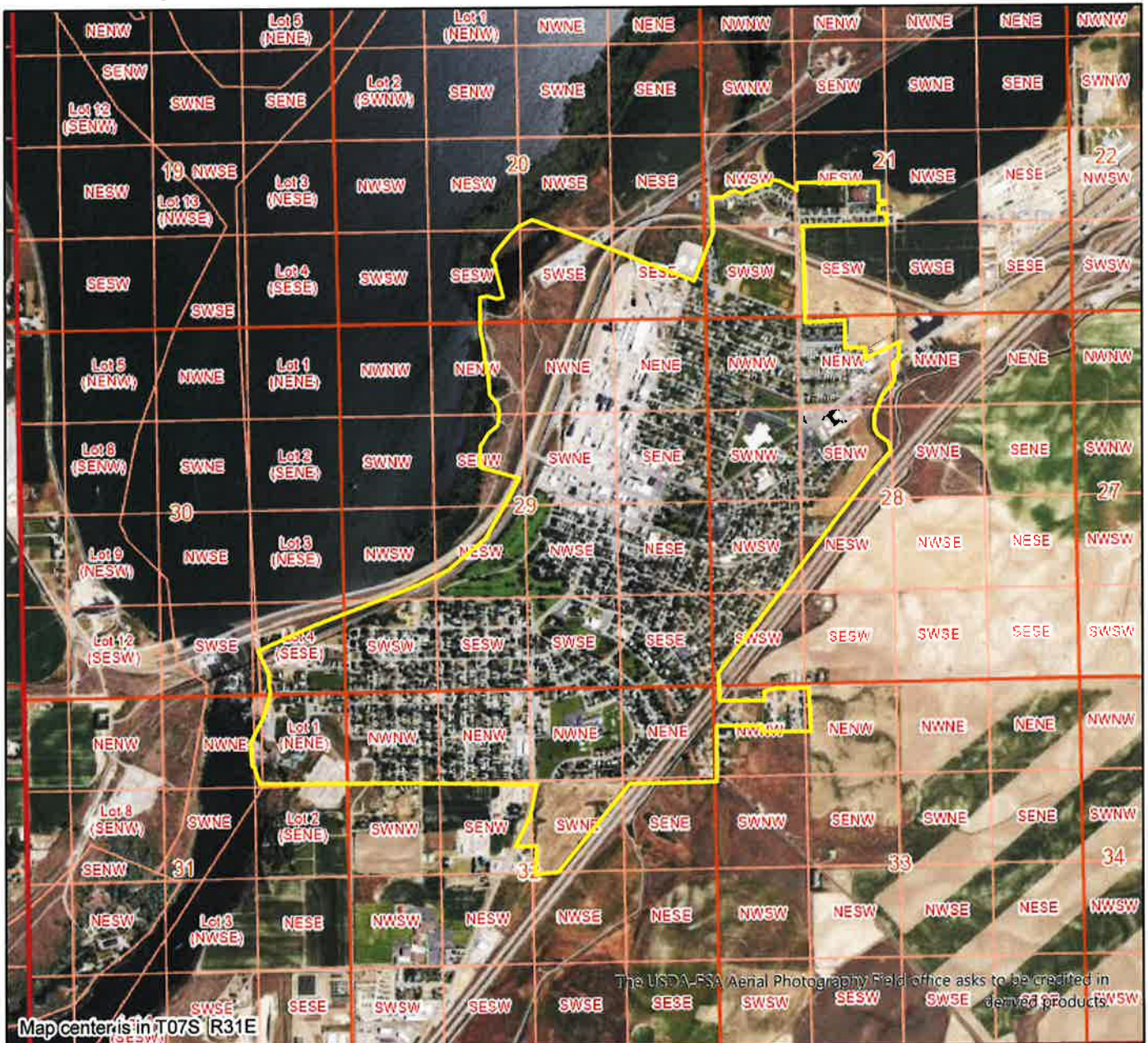
State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :

State of Idaho
Department of Water Resources
Water Right

29-7821

MUNICIPAL

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Date created: 4/26/2024

State of Idaho
Department of Water Resources
Water Right

29-7821

MUNICIPAL

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Date created: 4/26/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



83979

Water Right Report : 29-7822(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 1/28/1987
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	0.81	CFS
TOTAL			0.81	CFS

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

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Dates

Licensed Date :
Decreed Date : 3/22/2004
Permit Proof Due Date : 5/1/1988
Permit Proof Made Date : 4/24/1987
Permit Approved Date : 4/15/1987
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 1/28/1987
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :

State of Idaho
Department of Water Resources
Water Right

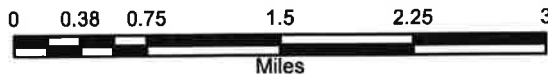
29-7822

MUNICIPAL

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Date created: 4/26/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



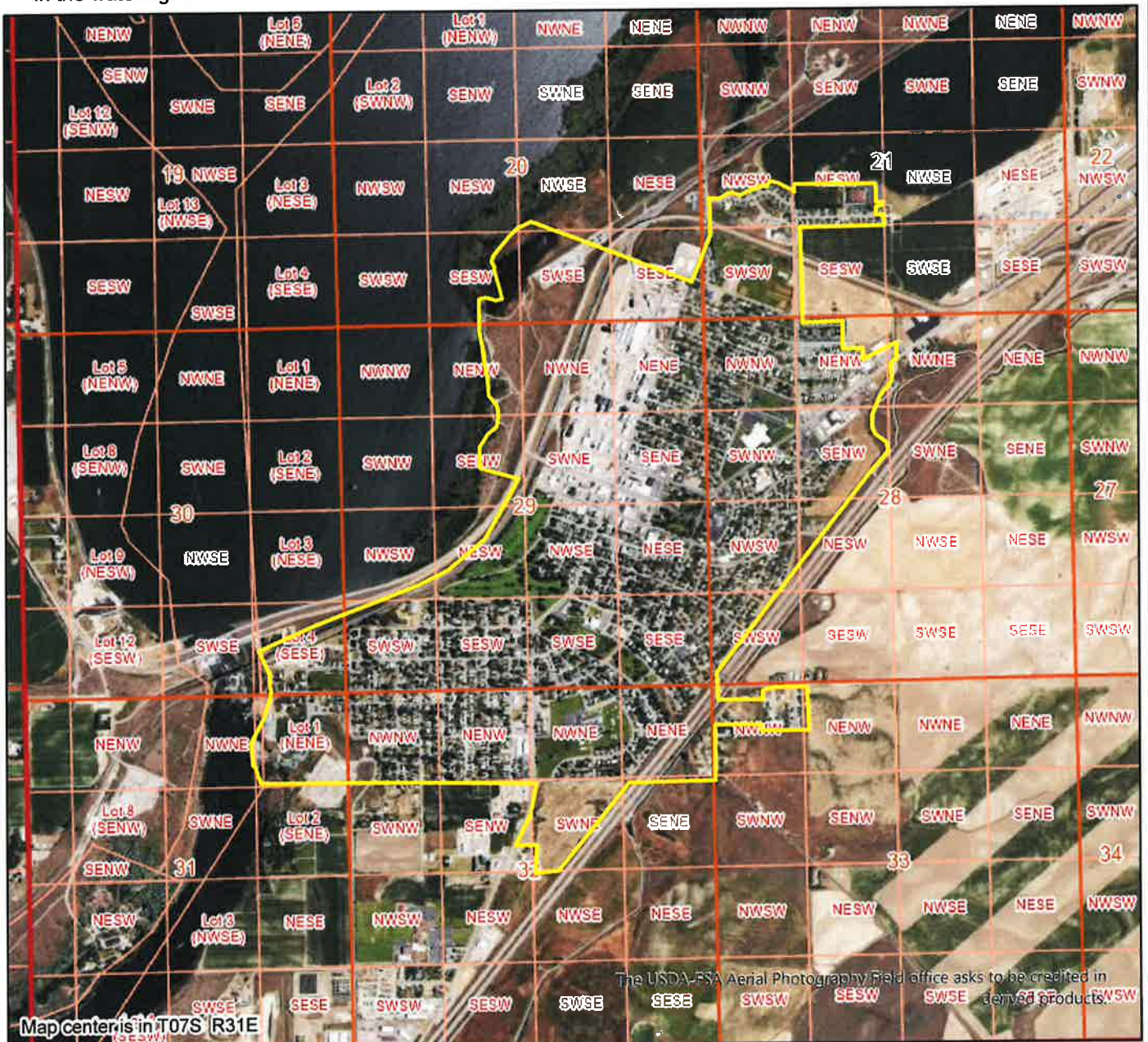
88979

State of Idaho
Department of Water Resources
Water Right

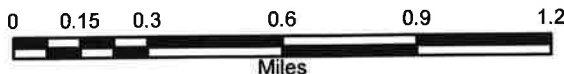
29-7822

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



88979

Water Right Report : 29-8171(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Attorney	BUDGE, TJ	C/O RACINE OLSON PO BOX 1391	POCATELLO	ID	83204-1391
Current Owner	CITY OF AMERICAN FALLS	550 N OREGON TL	AMERICAN FALLS	ID	83211

Water Right Status

Priority Date : 11/30/2000
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	31E	21	0	NW	SE	SW	POWER	
GROUND WATER	07S	31E	29	0	NE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	SE	NE	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	NW	SE	POWER	
GROUND WATER	07S	31E	29	0	NW	SW	SE	POWER	
GROUND WATER	07S	31E	32	0		NW	SW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	
GROUND WATER	08S	31E	13	0	SW	SW	NW	POWER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	3.21 CFS	
TOTAL			3.21 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

- 004 This right does not grant any right-of-way or easement across the land of another.
- 124 Place of use is within the service area of the City of American Falls municipal water supply system as provided for under Idaho Law.
- 180 A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
- 022 The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
- 075 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
- 102 The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 01M After specific notification by the department, the right holder shall install a suitable measuring device 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.

R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

Dates

Licensed Date : 4/22/2009
Decreed Date :
Permit Proof Due Date : 5/1/1997
Permit Proof Made Date : 11/30/2000
Permit Approved Date : 5/10/1996
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 3/11/1996
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 120
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

4/26/2024

State of Idaho
Department of Water Resources
Water Right

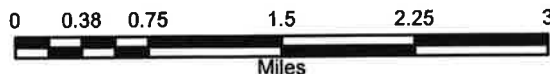
29-8171

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- ▭ PLS Sections
- ▭ Townships
- ▭ Place of Use Boundary
- Point of Diversion

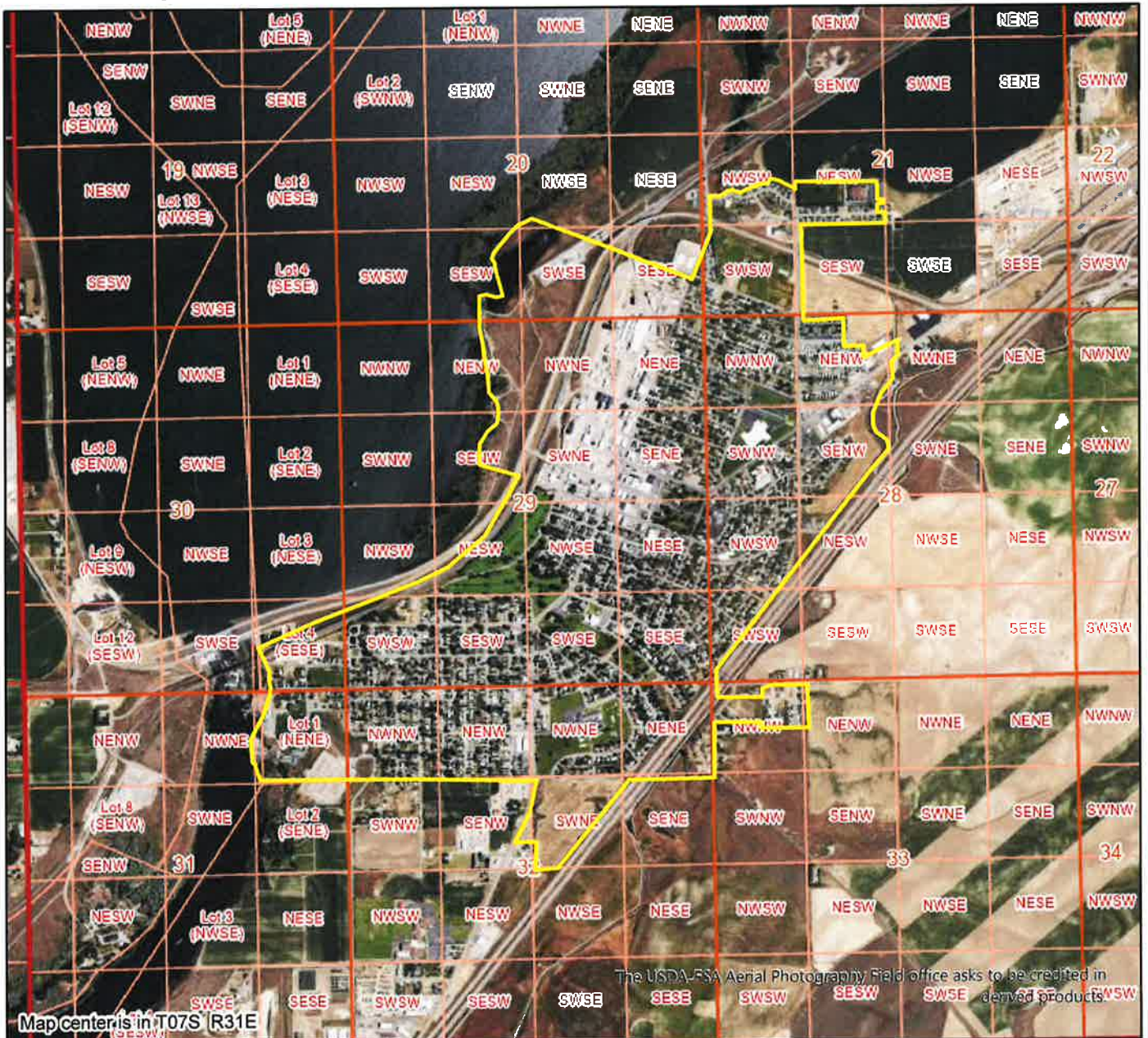


State of Idaho
Department of Water Resources
Water Right

29-8171

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



88979

Eastern Snake Plain Aquifer Modeling Analysis

The Applicant proposes to add an authorize point of diversion under the City of American Falls' municipal water rights. The proposed point of diversion is located in the SESE Section 30, T7N R31E, in Vard Meadow Parks. As Figure 1 below shows, the existing point of diversions are located in three modeling grid cells. As the proposed point of diversion is located in a modeling cell adjacent to the cells with the existing point of diversions, no model analysis is required. Furthermore, no mitigation is required either.

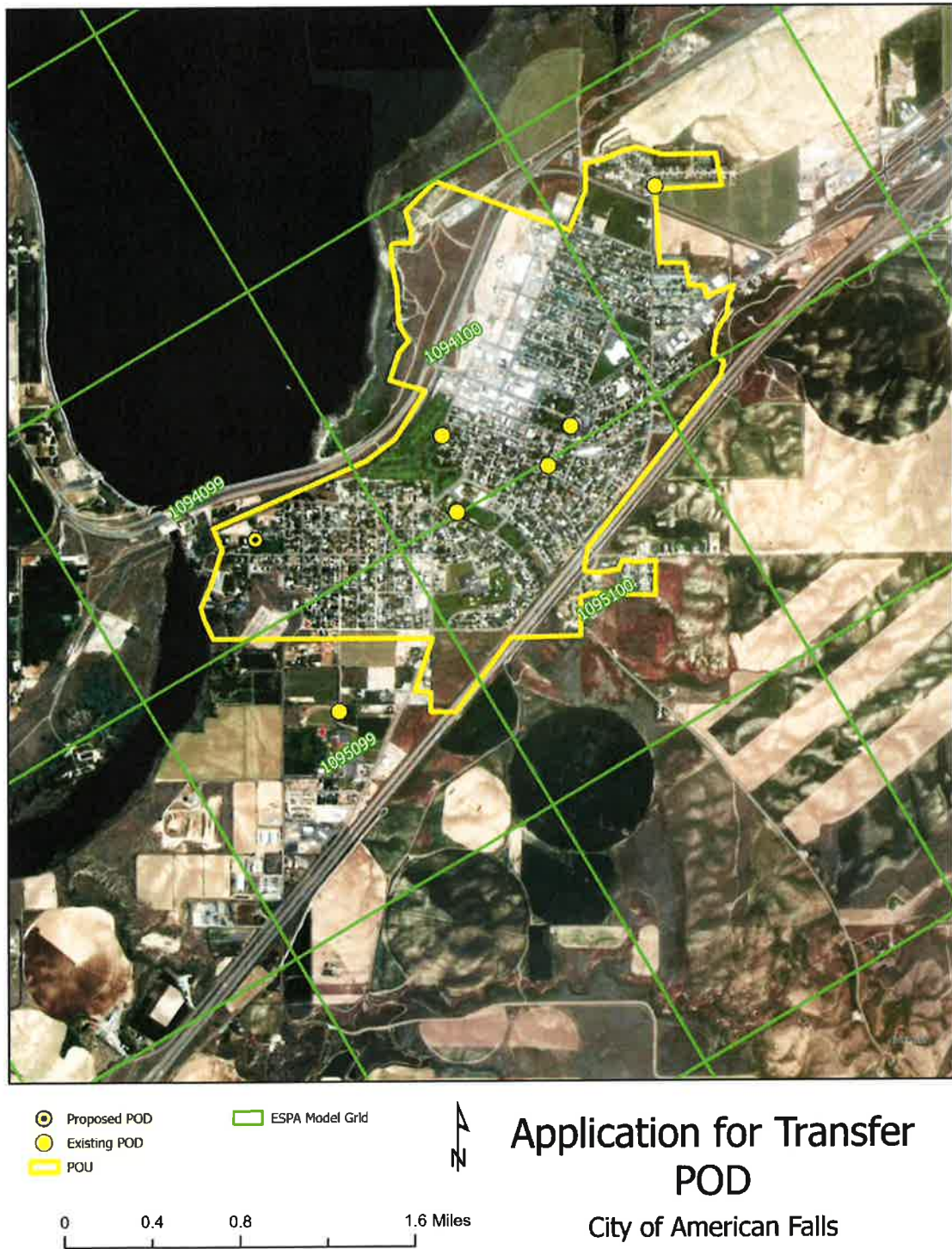


Figure 1. Model Grid Cells



- Proposed POD
- Existing POD
- POU
- PlsTownshipAndRange

- PlsSections
- PLSS QQs and Other Sectional Boundaries



Application for Transfer POD

City of American Falls

0 0.13 0.25 0.5 Miles

88979



- Proposed POD
- Existing POD
- POU
- PlsTownshipAndRange
- PlsSections

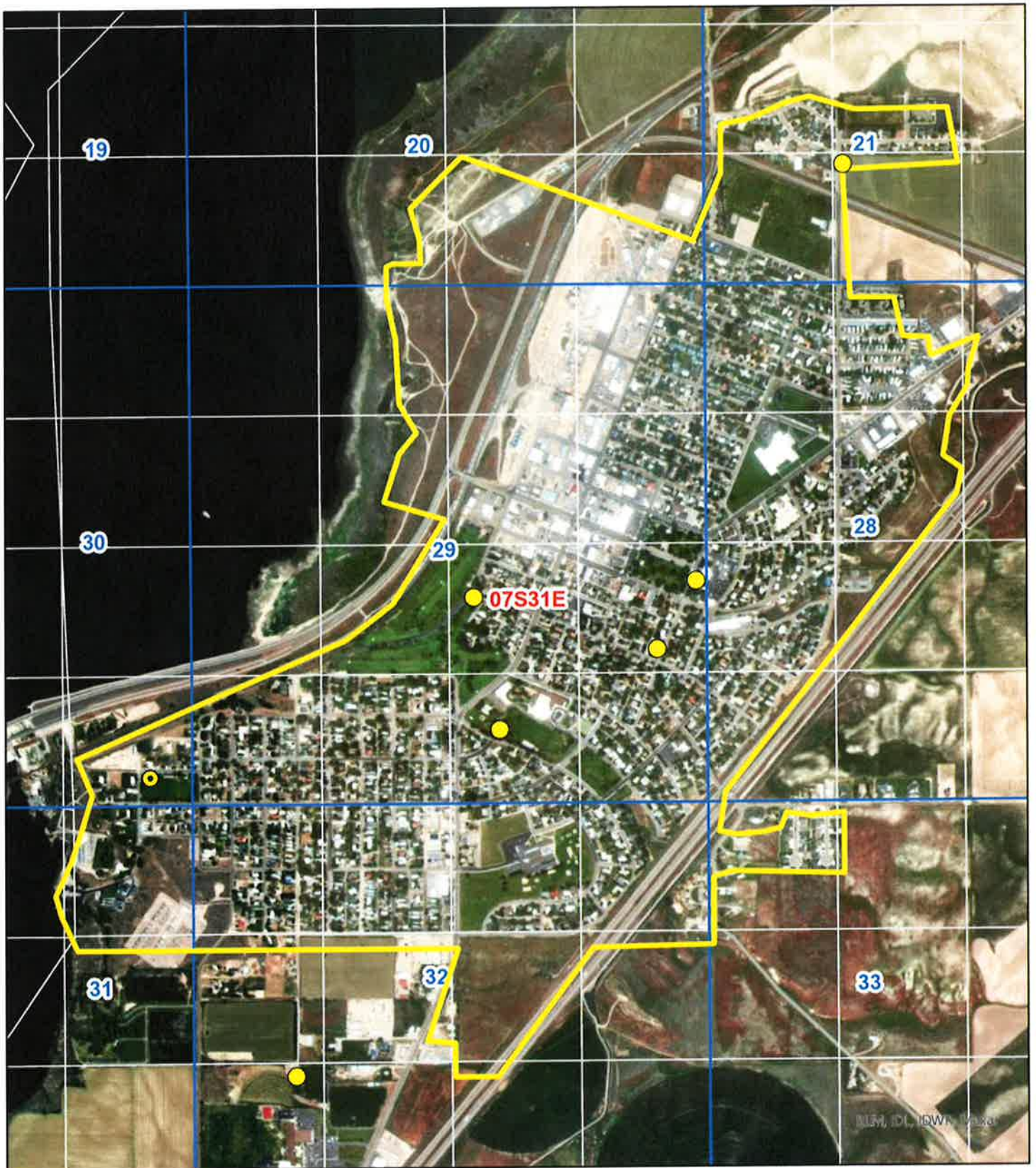


Application for Transfer POD

City of American Falls

0 0.75 1.5 3 Miles

88979



- Proposed POD
- Existing POD
- POU
- PlsTownshipAndRange

- PlsSections
- PLSS QQs and Other
Sectional Boundaries



Application for Transfer POD

City of American Falls

0 0.25 0.5 1 Miles

88979

Application for Transfer or Exchange Fee Schedule

Applications for changes pursuant to [Idaho Code § 42-221.O.8](#) require a filing fee of \$50 per water right. **All other application fees** are based on the storage volume (acre-feet per year or AFY) or on the diversion rate (cubic feet per second or CFS) being transferred, not necessarily on the amount of the entire right. For applications proposing a change in the diversion rate and storage volume, determine each fee separately and pay the greater of the two. [See Transfer Processing Memo No. 23.](#)

(CFS = cubic feet per second; AF = acre-feet per year)

Flow Rate (CFS)	Storage Volume (AF)	Fee	Flow Rate (CFS)	Storage Volume (AF)	Fee
0.00 – 0.20	0.0 – 20.0	\$200	11.01 – 12.00	1,100.1 – 1,200.0	\$1,380
0.21 – 1.00	20.1 – 100.0	\$500	12.01 – 13.00	1,200.1 – 1,300.0	\$1,460
1.01 – 2.00	100.1 – 200.0	\$580	13.01 – 14.00	1,300.1 – 1,400.0	\$1,540
2.01 – 3.00	200.1 – 300.0	\$660	14.01 – 15.00	1,400.1 – 1,500.0	\$1,620
3.01 – 4.00	300.1 – 400.0	\$740	15.01 – 16.00	1,500.1 – 1,600.0	\$1,700
4.01 – 5.00	400.1 – 500.0	\$820	16.01 – 17.00	1,600.1 – 1,700.0	\$1,780
5.01 – 6.00	500.1 – 600.0	\$900	17.01 – 18.00	1,700.1 – 1,800.0	\$1,860
6.01 – 7.00	600.1 – 700.0	\$980	18.01 – 19.00	1,800.1 – 1,900.0	\$1,940
7.01 – 8.00	700.1 – 800.0	\$1,060	19.01 – 20.00	1,900.1 – 2,000.0	\$2,020
8.01 – 9.00	800.1 – 900.0	\$1,140	20.01 – 100.00	2,000.1 – 10,000.0	*
9.01 – 10.00	900.1 – 1,000.0	\$1,220	100.01 – 500.00	10,000.1 – 50,000.0	**
10.01 – 11.00	1,000.1 – 1,100.0	\$1,300	500.01 & over	50,000.1 & over	***

For an application including a **change in nature of use** of water under one (1) or more right(s):

Additional fee of \$250 per application.

For any application including a **change in ownership** of water right(s) as required per [Idaho Code § 42-248](#):

Additional fee of \$25 per undivided right requiring an ownership change and/or

Additional fee of \$100 per divided right requiring an ownership change.

- *** **\$2,020 plus \$40** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20.0 cfs or 2,000 acre-feet.
- **** **\$5,220 plus \$20** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100.0 cfs or 10,000 acre-feet.
- ***** **\$13,220 plus \$4** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 22, 2024

CITY OF AMERICAN FALLS
550 N OREGON TL
AMERICAN FALLS, ID 83211

RE: Transfer No. 88979
Water Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER, POWER COUNTY PRESS, and IDAHO STATESMAN on 5/29/2024 and 6/5/2024 and in the TIMES NEWS and LEWISTON TRIBUNE on 5/30/2024 and 6/6/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:33 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Post Register
Attachments: 88979, 89006, 89015, 89019 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 88979, 89006, 89015, 89019

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/17/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88979

CITY OF AMERICAN FALLS, 550 N OREGON TL, AMERICAN FALLS, ID 83211 has filed Application No. 88979 for changes to the following water rights within POWER County(s): Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. Nine existing points of diversion will not change. Proposed point of diversion is in Lot 4 (SESE) Sec 30 T07S R31E for 14.92 cfs from ground water.

TRANSFER NO. 89006

UNITED STATES OF AMERICA ACTING THROUGH, USDA ARS US SHEEP EXPERIMENT STATION, 19 OFFICE LOOP, DUBOIS, ID 83423-5032 has filed Application No. 89006 for changes to the following water rights within CLARK County(s): Right No(s). 31-11201, 31-11202; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. Proposed points of diversion are in SESE Sec 27 (new) and NENE Sec 34 T11N R36E for 0.60 cfs from ground water.

TRANSFER NO. 89015

DOUG HILDE and JANA LYNN HILDE and DEBORAH MAE HILL, 11801 N FERGUSON RD, IDAHO FALLS, ID 83401-5323 has filed Application No. 89015 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-14523, 25-14535; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. Proposed point of diversion is in SWSE Sec 11 T03N R39E for 1.85 cfs from Willow Creek.

TRANSFER NO. 89019

SHAW CAPITAL INC, 2184 CHANNING WAY # 439, IDAHO FALLS, ID 83404-8034 has filed Application No. 89019 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-14546, 25-14547; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use for an 86-acre portion of water rights 25-61B and 25-138A. Split portions were assigned water right numbers 25-14547 and 25-14546. Proposed point of diversion is in SWSW Sec 12 T03N R39E for 2.53 cfs from Willow Creek. Proposed place of use is in SWNE SENE SWNW and SENW Sec 14 T03N R39E for 86 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/17/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/29/2024 and 6/5/2024

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:32 PM
To: press1@press-times.com
Subject: Legal Notice for Power County Press
Attachments: 88979 Power County Press, Idaho Statesman.docx

LEGAL NOTICE DEPARTMENT
POWER COUNTY PRESS
PO BOX 547
AMERICAN FALLS, ID 83211

RE: Transfer No. 88979
Water Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/17/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:32 PM
To: legals@idahostatesman.com
Subject: Legal Notice for Idaho Statesman
Attachments: 88979 Power County Press, Idaho Statesman.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 88979
Water Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

Dear Legal Notice Department:

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Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88979**

CITY OF AMERICAN FALLS, 550 N OREGON TL, AMERICAN FALLS, ID 83211 has filed Application No. 88979 for changes to the following water rights within POWER County(s): Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171; to see a full description of these rights and the proposed transfer, please see

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For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/17/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/29/2024 and 6/5/2024

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:32 PM
To: 'legals@magicvalley.com'
Subject: Legal Notice for Times News
Attachments: 88979 Times News, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 88979
Water Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/17/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:32 PM
To: 'legals@lmtribune.com'
Subject: Legal Notice for Lewiston Tribune
Attachments: 88979 Times News, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST
PO BOX 957
LEWISTON, ID 83501

RE: Transfer No. 88979
Water Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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Administrative Assistant
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900 N Skyline Ste. A
Idaho Falls, ID 83402
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**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88979**

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MATHEW WEAVER, Director

Published on 5/30/2024 and 6/6/2024