



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

May 9, 2023

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: City of Heyburn

Dear Mr. Skinner:

The City of Heyburn desires to update the water rights utilized to provide water to its citizens. Municipal water rights 36-8550 and 36-8738 will be updating their place of use and points of diversions. The beneficial uses of water rights 36-4233, 36-7970, 36-8332, 36-8744 and 36-17185 will be changing to municipal with this transfer and their place of use and points of diversion will match 36-8550 and 36-8738.

No ESPA Model analysis is required with this transfer application. Historical water use for water rights 36-4233, 36-7970, 36-8332, 36-8744 and 36-17185 were determined by calculating the water demands for the Wayside Café, Stinker Station, in house use and consumptive irrigation on 5.2 acres of irrigation. These calculations are attached to the transfer application.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: City of Heyburn

Enc: Transfer Application, Aerial Maps, Exhibit A, Exhibit B, Water Requirement Estimation, Brockway Engineering Check # 17440 for \$1,550.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) CITY OF HEYBURN

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) CITY OF HEYBURN Phone 2086798158
Mailing address 941 18TH ST HEYBURN, ID 83336-4902 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative
Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Dick Galbraith
Signature of Applicant or Authorized Representative

Dick Galbraith Mgr
Print Name and Title if applicable

4/17/2023
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☒ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as Part 1A.2.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.3.
 This transfer proposes changing the domestic and commercial portions of water rights 36-4233, 36-7970, 36-8332, 36-8332, 36-8744 and 36-17185 to a beneficial use of municipal. The irrigation portions of 36-4233 and 36-8744 will remain irrigation and will continue irrigating the historical 5.2 acres currently irrigated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part	36-4233	0.12/16.0	Municipal	1/01 to 12/31	Ground Water
☐ ☐		0.20/7.0	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-7970	0.20/27.6	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-8332	0.04/0.9	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-8744	0.05/2.4	Municipal	1/01 to 12/31	Ground Water
☐ ☐		0.02/0.6	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-17185	0.05/2.4	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-8550	6.67/	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-8738	3.3/	Municipal	1/01 to 12/31	

Total authorized under rights 10.53 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 10.53 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

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

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
See Exhibit B																			
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. 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:

Existing wells. Mainlines will be installed to connect all of the wells together.

- b. Who owns the property at the point(s) of diversion? The applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Historical use will remain unchanged.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None

- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-8550

Current Owner: CITY OF HEYBURN
Priority Date: 5/29/1990
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

Beneficial Use **From To**
MUNICIPAL 01/01 to 12/31
 Total Diversion

Diversion Rate
6.67 CFS
6.67 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4NE1/4	Sec. 15,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NE1/4NW1/4	Sec. 15,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				
GROUND WATER	SE1/4NW1/4NW1/4	Sec. 9,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NE1/4NW1/4	Sec. 22,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				

Place of Use

MUNICIPAL Within MINIDOKA County

T10S R23E S8	NENE	T10S R23E S8	NWNE
T10S R23E S8	SWNE	T10S R23E S8	SENE
T10S R23E S9	NWNE	T10S R23E S9	SWNE
T10S R23E S9	NENW	T10S R23E S9	NWNW
T10S R23E S9	SWNW	T10S R23E S9	SENW
T10S R23E S9	NESW	T10S R23E S9	SESW
T10S R23E S9	SWSE	T10S R23E S10	NESW
T10S R23E S10	SWSW	T10S R23E S10	SESW
T10S R23E S10	NWSE	T10S R23E S10	SWSE
T10S R23E S10	SESE	T10S R23E S11	SWNE
T10S R23E S11	SENE	T10S R23E S11	SENW
T10S R23E S11	NESW	T10S R23E S11	NWSW
T10S R23E S11	SWSW	T10S R23E S11	SESW
T10S R23E S11	NESE	T10S R23E S11	NWSE
T10S R23E S15	NENE	T10S R23E S15	NENE
T10S R23E S15	NENE	T10S R23E S15	NENE

[illegible]

NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NENE
NWNE
NWNE
NWNE
NWNE
NWNE
NWNE
NWNE
NWNE
NWNE
NWNE

[illegible]

[illegible]

Exhibit 1
Pg. 10

[illegible]

Exhibit 1
Pg. 11

[illegible]

NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW

[illegible]

Exhibit 1
Pg. 13

[illegible][illegible]

Page _____ of _____

T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		NWSE
T10S R23E S15		NWSE
T10S R23E S15		NWSE
T10S R23E S16		NENE
T10S R23E S16	Lot 6	SWNE
T10S R23E S16		NENW
T10S R23E S16	Lot 5	SENW
T10S R23E S22		
T10S R23E S22		NWNE
T10S R23E S22		NENW
T10S R23E S22		NENW
T10S R23E S22		SENW
T10S R23E S22	Lot 5	NESW

T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		NWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SWSW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		SESW
T10S R23E S15		NWSE
T10S R23E S15		NWSE
T10S R23E S15		NWSE
T10S R23E S16		NWNE
T10S R23E S16		SENE
T10S R23E S16	Lot 4	NWNW
T10S R23E S16	Lot 7	NESE
T10S R23E S22		NENE
T10S R23E S22		SWNE
T10S R23E S22		NENW
T10S R23E S22		NENW
T10S R23E S22		SENW

Page _____ of _____

Conditions of Approval:

1. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R43 The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. T08 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. 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. 130.
6. 115 Prior to the diversion and use of water under Transfer approval 73504, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. 124 Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. 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.

Licensed Date: 4/10/1998

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-8738

Current Owner: CITY OF HEYBURN
Priority Date: 5/22/1995
Origin: Water Right
Status: Active
Basis: License

Source**Tributary**

GROUND WATER

Beneficial Use**From To****Diversion Rate****Annual Volume**

MUNICIPAL

01/01 to 12/31

3.3 CFS

Total Diversion

3.3 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4NE1/4

Sec. 15, Twp 10S, Rge 23E B.M.

MINIDOKA County

GROUND WATER

SW1/4NE1/4NW1/4

Sec. 15, Twp 10S, Rge 23E B.M.

MINIDOKA County

GROUND WATER

SE1/4NW1/4NW1/4

Sec. 9, Twp 10S, Rge 23E B.M.

MINIDOKA County

GROUND WATER

SW1/4NE1/4NW1/4

Sec. 22, Twp 10S, Rge 23E B.M.

MINIDOKA County

Place of Use**MUNICIPAL Within MINIDOKA County**

T10S R23E S8	NENE	T10S R23E S8	NWNE
T10S R23E S8	SWNE	T10S R23E S8	SENE
T10S R23E S9	NWNE	T10S R23E S9	SWNE
T10S R23E S9	NENW	T10S R23E S9	NWNW
T10S R23E S9	SWNW	T10S R23E S9	SENW
T10S R23E S9	NESW	T10S R23E S9	SESW
T10S R23E S9	SWSE	T10S R23E S10	NESW
T10S R23E S10	SWSW	T10S R23E S10	SESW
T10S R23E S10	NWSE	T10S R23E S10	SWSE
T10S R23E S10	SESE	T10S R23E S11	SWNE
T10S R23E S11	SENE	T10S R23E S11	SENW
T10S R23E S11	NESW	T10S R23E S11	NWSW
T10S R23E S11	SWSW	T10S R23E S11	SESW
T10S R23E S11	NESE	T10S R23E S11	NWSE
T10S R23E S15	NENE	T10S R23E S15	NENE
T10S R23E S15	NENE	T10S R23E S15	NENE

[illegible]

Exhibit 1
Pg. 18

[illegible]

Exhibit 1
Pg. 19

[illegible][illegible]

[illegible][illegible]

[illegible]

NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
NWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW
SWNW

[illegible][illegible]

[illegible][illegible]

Page _____ of _____

T10S R23E S15		NWSW	T10S R23E S15		NWSW
T10S R23E S15		NWSW	T10S R23E S15		NWSW
T10S R23E S15		NWSW	T10S R23E S15		NWSW
T10S R23E S15		NWSW	T10S R23E S15		NWSW
T10S R23E S15		NWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SWSW	T10S R23E S15		SWSW
T10S R23E S15		SESW	T10S R23E S15		SESW
T10S R23E S15		SESW	T10S R23E S15		SESW
T10S R23E S15		SESW	T10S R23E S15		SESW
T10S R23E S15		SESW	T10S R23E S15		SESW
T10S R23E S15		SESW	T10S R23E S15		SESW
T10S R23E S15		SESW	T10S R23E S15		NWSE
T10S R23E S15		NWSE	T10S R23E S15		NWSE
T10S R23E S15		NWSE	T10S R23E S15		NWSE
T10S R23E S16		NENE	T10S R23E S16		NWNE
T10S R23E S16	Lot 6	SWNE	T10S R23E S16		SENE
T10S R23E S16		NENW	T10S R23E S16	Lot 4	NWNW
T10S R23E S16	Lot 5	SENW	T10S R23E S16	Lot 7	NESE
T10S R23E S22			T10S R23E S22		NENE
T10S R23E S22		NWNE	T10S R23E S22		SWNE
T10S R23E S22		NENW	T10S R23E S22		NENW
T10S R23E S22		NENW	T10S R23E S22		NENW
T10S R23E S22		SENW	T10S R23E S22		SENW
T10S R23E S22	Lot 5	NESW			

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 115 Prior to the diversion and use of water under Transfer approval 73504 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. T08 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. 124 Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
6. 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. 130.
7. 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.
8. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. 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.
10. 075 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Licensed Date: 7/10/2006

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-4233

Current Owner: CITY OF HEYBURN
Priority Date: 3/1/1963
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.12 CFS	20 AF
DOMESTIC	1/01 to 12/31	0.2 CFS	7 AF
<u>Total Diversion</u>		0.2 CFS	27 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4 Sec. 11, Twp 10S, Rge 23E B.M.
MINIDOKA County

Place of Use

IRRIGATION Within MINIDOKA County

T10S R23E S11 NENE 5.00
Total Acres: 5

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5323 BY MAY 24, 2000.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. S16 USE OF THIS RIGHT IS COMBINED WITH WATER FROM MINIDOKA IRRIGATION DIST.
4. TWO POINTS OF DIVERSION LOCATED IN T10S, R23E, S11, NENE.
5. 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.

Decreed Date: 8/27/2001

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-7970

Current Owner: CITY OF HEYBURN
Priority Date: 3/10/1981
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>
DOMESTIC	1/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.2 CFS	27.6 AF
0.2 CFS	27.6 AF

Location of Point(s) of Diversion

GROUND WATER
MINIDOKA County

SE1/4NE1/4NE1/4 Sec. 11, Twp 10S, Rge 23E B.M.

Place of Use

DOMESTIC Within MINIDOKA County

T10S R23E S11 NENE

Decreed Date: 3/20/1998

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-8332

Current Owner: CITY OF HEYBURN

Priority Date: 10/12/1987

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
COMMERCIAL	1/01	12/31
	<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.04 CFS	0.9 AF
0.04 CFS	0.9 AF

Location of Point(s) of Diversion

GROUND WATER
MINIDOKA County

NE1/4NE1/4 Sec. 11, Twp 10S, Rge 23E B.M.

Place of Use

COMMERCIAL Within MINIDOKA County

T10S R23E S11 NENE

Conditions of Approval:

1. Commercial use is for a gas station and convenience store.

Licensed Date: 7/6/1992

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-8744

Current Owner: CITY OF HEYBURN
Priority Date: 12/22/1995
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.05 CFS	2.4 AF
IRRIGATION	03/15 to 11/15	0.02 CFS	0.8 AF
	<u>Total Diversion</u>	0.07 CFS	3.2 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 11,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 11,	Twp 10S,	Rge 23E B.M.
MINIDOKA County				

Place of Use

IRRIGATION Within MINIDOKA County

T10S R23E S11 NWNE 0.20
Total Acres: 0.2

DOMESTIC Within MINIDOKA County

T10S R23E S11 NWNE
Total Acres: 0.2

Conditions of Approval:

1. WB5 Domestic use is for 4 RV spaces and does not include lawn, garden, landscape, or other types of irrigation.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. 057 The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. R05 Use of water under this right may 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. 130.
5. 004 This right does not grant any right-of-way or easement across the land of another.

Page _____ of _____

Licensed Date: 5/3/2019

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-17185

Current Owner: CITY OF HEYBURN
Priority Date: 12/22/1995
Origin: Water Right
Status: Active
Basis: License

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.05 CFS	2.4 AF
	<u>Total Diversion</u>	0.05 CFS	2.4 AF

Location of Point(s) of Diversion

GROUND WATER

MINIDOKA County

NE1/4NE1/4 Sec. 11, Twp 10S, Rge 23E B.M.

Place of Use

DOMESTIC Within MINIDOKA County

T10S R23E S11	NENE	T10S R23E S11	NWNE
Total Acres: 0.3			

Conditions of Approval:

1. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
2. 004 This right does not grant any right-of-way or easement across the land of another.
3. WB5 Domestic use is for 3 mobile homes and 1 RV space and does not include lawn, garden, landscape, or other types of irrigation.
4. R05 Use of water under this right may 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. 130.

Exhibit A
Points of Diversion

	Township	Range	Sec.	QQQ	QQ	Q	County	Local Name
1	10S	23E	15	NW	SE	NE	Minidoka	Well #2
2	10S	23E	9	SE	NW	NW	Minidoka	Well #3
3	10S	23E	22	SW	NE	NW	Minidoka	Well #4
4	10S	23E	11	SE	NE	NE	Minidoka	Well #5B
5	10S	23E	11	SW	NE	NE	Minidoka	Well #5A
6	10S	23E	11	SE	NW	NE	Minidoka	Joshnik Well
7								
8								
9								
10								

Exhibit B

Place of Use

Twp.	Rge.	Sec.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
10S	23E	2																M
10S	23E	4											M					
10S	23E	5																M
10S	23E	7	M	M	M	M												
10S	23E	8	M	M	M	M	M	M	M	M								
10S	23E	9	M	M	M	M	M	M	M	M	M	M		M	M	M	M	
10S	23E	10			M	M			M	M	M	M	M	M	M	M	M	
10S	23E	11	M	M	M	M												
10S	23E	14					M	M	M									
10S	23E	15	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
10S	23E	16	M	M	M	M	M	M	M	M					M	M		M
10S	23E	22	M	M			M	M		M	M	M		M		M	M	

0
0
0
0
0
0
0
0
0
0
0
0
0
0
0
0
0
0
0

Total Acres 0

WATER REQUIREMENTS ESTIMATION

City of Heyburn

GWS, Brockway Engineering, PLLC,

Annual Water Demand for Wayside Café

Restaurant Patrons	300 patrons per day
Restaurant Water Demand per Patron	13 gpd/patron
Employees	14 employees
Restaurant Employees	15 gpd/employee

Daily Volume	4,110 gpd
Annual Volume in Gallons	1,500,150 gal
Annual Volume in Acre Feet	4.60 ac-ft annually

Annual Water Demand for Stinker Station

Vehicles Visiting Business	150 vehicles per day
	10 gpd/vehicle
Restaurant Patrons	100 patrons per day
Restaurant Water Demand per Patron	13 gpd/patron
Employees	6 employees
Restaurant Employees	15 gpd/employee

Daily Volume	2,890 gpd
Annual Volume in Gallons	1,054,850 gal
Annual Volume in Acre Feet	3.24 ac-ft annually

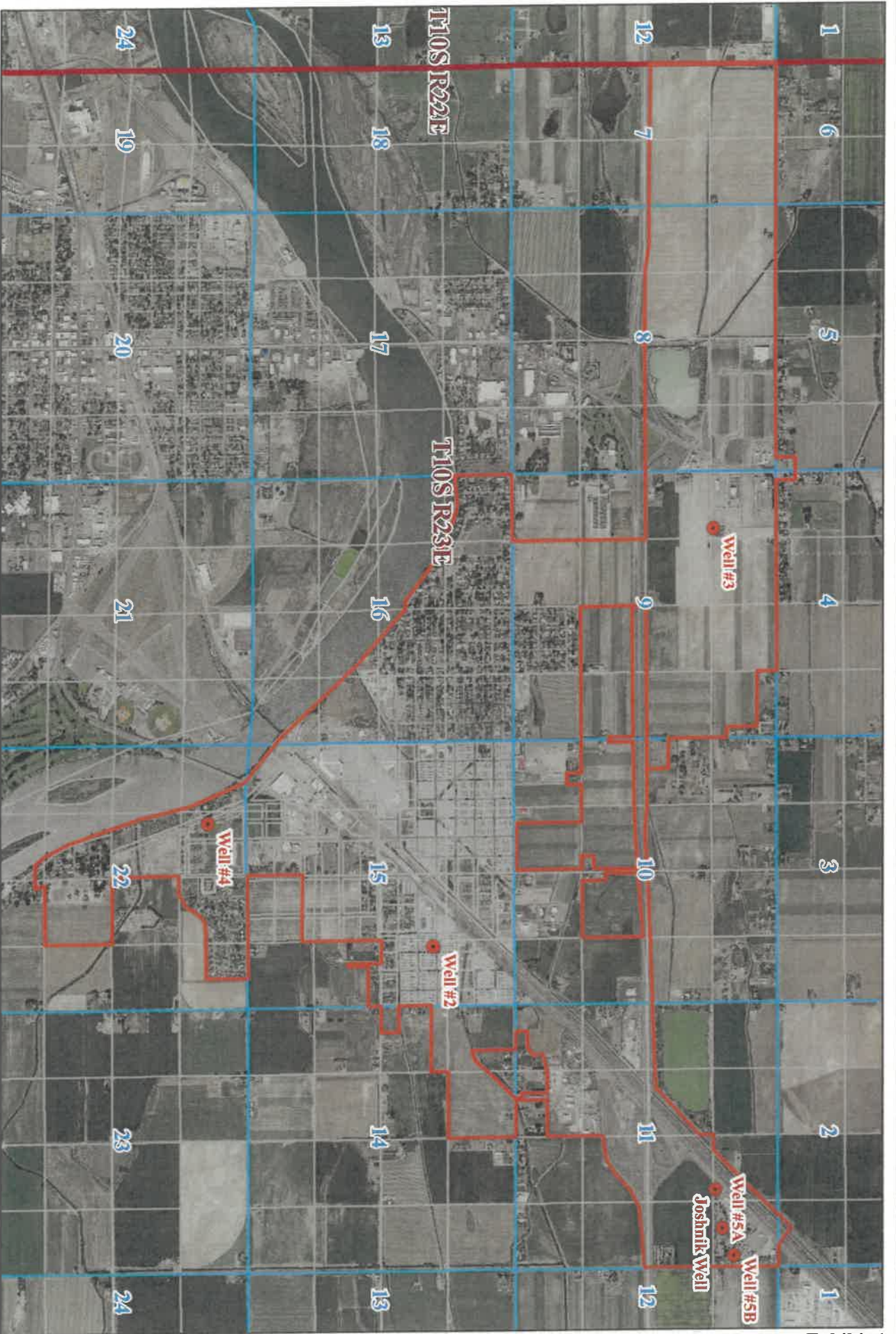
Annual Water Demand for In House Use

Number of houses	75 houses
Annual Water Demand per house	0.6 ac-ft annually
Annual Volume in Acre Feet	45.00 ac-ft annually

Annual Consumptive Use for Irrigation

Acres irrigated	5.2 acres
Annual Water Demand per Acre	3.21 ac-ft annually
Burley FAA AP (NWS -- USW00024133) Grass Turf	
Annual Volume in Acre Feet	16.69 ac-ft annually

Total Annual Volume Water Demand	69.5 ac-ft annually
---	----------------------------



CITY OF HEYBURN

Legend

● City Wells

□ Municipal_POU

0 0.5 1 Miles

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 2/24/2023