

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**AMENDED TRANSFER OF WATER RIGHT
TRANSFER NO. 87938**

This is to certify that: **CITY OF HEYBURN**
PO BOX 147
HEYBURN, ID 83336-0147

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. A summary of the changes is also listed below. 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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-17185	WR/LICENSE	12/22/1995	0.050 cfs	2.4 af	N/A	N/A	GROUND WATER
36-4233	WR/DECREED	3/1/1963	0.200 cfs	27.0 af	N/A	5.0	GROUND WATER
36-7970	WR/DECREED	3/10/1981	0.200 cfs	27.6 af	N/A	N/A	GROUND WATER
36-8332	WR/LICENSE	10/12/1987	0.040 cfs	0.9 af	N/A	N/A	GROUND WATER
36-8550	WR/LICENSE	5/29/1990	6.670 cfs	N/A	N/A	N/A	GROUND WATER
36-8738	WR/LICENSE	5/22/1995	3.300 cfs	N/A	N/A	N/A	GROUND WATER
36-8744	WR/LICENSE	12/22/1995	0.070 cfs	3.2 af	N/A	0.2	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>
36-17185	NO	NO	YES	YES	NO	YES
36-4233	NO	NO	YES	YES	YES	YES
36-7970	NO	NO	YES	YES	NO	YES
36-8332	NO	NO	YES	YES	NO	YES
36-8550	NO	YES	YES	YES	NO	NO
36-8738	NO	YES	YES	YES	NO	NO
36-8744	NO	NO	YES	YES	YES	YES

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>
36-17185	36-17185	0.050 cfs	0.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-4233	36-4233	0.200 cfs	16.1af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7970	36-7970	0.200 cfs	11.1af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8332	36-8332	0.040 cfs	0.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8550	36-8550	6.670 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8738	36-8738	3.300 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8744	36-8744	0.070 cfs	0.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.530 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 87938

IN FILE # 36-4233

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**AMENDED TRANSFER OF WATER RIGHT
TRANSFER NO. 87938**

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 20th day of February, 2024.



Southern Region Manager



WATER RIGHT NO. 36-7970

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-7970 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 3/10/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.200 cfs	11.1 af
			0.200 cfs	11.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNWN	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 3/20/1998.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 36-7970

As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 36-8332

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-8332 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 10/12/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.040 cfs 0.040 cfs	0.0 af 0.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNWN	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license dated 7/6/1992.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 36-8332

As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Rights 36-4233, 36-8332, 36-8744, and 36-17185 when combined shall not exceed a total diversion rate of 0.36 cfs and a total annual maximum diversion volume of 16.7 af.



WATER RIGHT NO. 36-4233

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-4233 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 3/1/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.200 cfs	16.1 af
			0.200 cfs	16.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENWNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENWNW	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

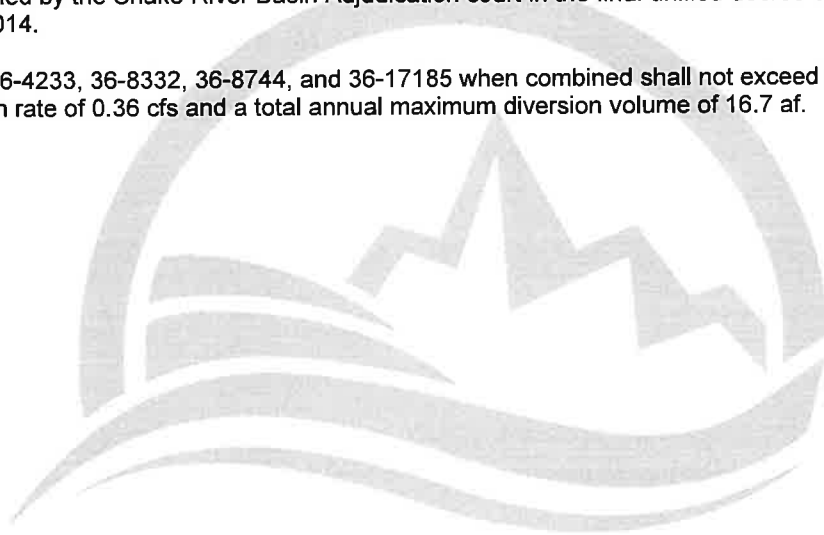
1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. Use of water under 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 8/27/2001.
6. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 87938

WATER RIGHT NO. 36-4233
As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
10. Rights 36-4233, 36-8332, 36-8744, and 36-17185 when combined shall not exceed a total diversion rate of 0.36 cfs and a total annual maximum diversion volume of 16.7 af.



WATER RIGHT NO. 36-8550

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-8550 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 5/29/1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	6.670 cfs 6.670 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENWNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENWNW	Sec 9 Twp 10S Rge 23E	MINIDOKA County

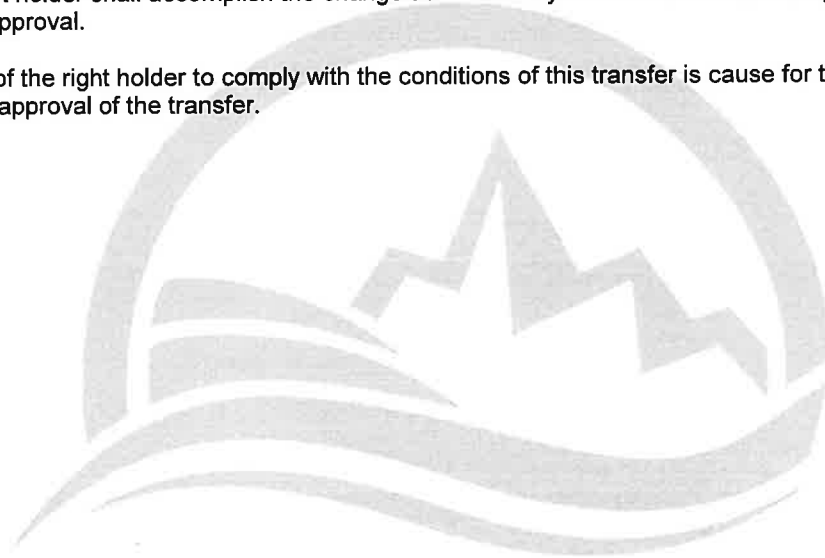
CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 73504 dated 1/3/2008.
6. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

WATER RIGHT NO. 36-8550
As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 36-8738

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-8738 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 5/22/1995

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	3.300 cfs 3.300 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNWN	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. 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.

Transfer No. 87938

WATER RIGHT NO. 36-8738

As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. 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).
8. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 73504 dated 1/3/2008.
9. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
10. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-8744

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-8744 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 12/22/1995

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.070 cfs	0.6 af
			0.070 cfs	0.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSENE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNENW	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SEWNW	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license dated 5/3/2019.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 36-8744

As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Rights 36-4233, 36-8332, 36-8744, and 36-17185 when combined shall not exceed a total diversion rate of 0.36 cfs and a total annual maximum diversion volume of 16.7 af.



WATER RIGHT NO. 36-17185

As Modified by AMENDED Transfer No. 87938

In accordance with the AMENDED approval of Transfer No. 87938, Water Right No. 36-17185 is now described as follows:

Right Holder: CITY OF HEYBURN
PO BOX 147
HEYBURN, ID 83336-0147

Priority Date: 12/22/1995

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.050 cfs	0.0 af
			0.050 cfs	0.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENE	Sec 11 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	NWSE	Sec 15 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SWNE	Sec 22 Twp 10S Rge 23E	MINIDOKA County
GROUND WATER	SENE	Sec 9 Twp 10S Rge 23E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Heyburn municipal water supply system as provided for under Idaho Law.
2. 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.
3. 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.
4. 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).
5. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in license 36-8744 dated 5/3/2019.
6. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 87938

WATER RIGHT NO. 36-17185

As Modified by AMENDED Transfer No. 87938

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Rights 36-4233, 36-8332, 36-8744, and 36-17185 when combined shall not exceed a total diversion rate of 0.36 cfs and a total annual maximum diversion volume of 16.7 af.

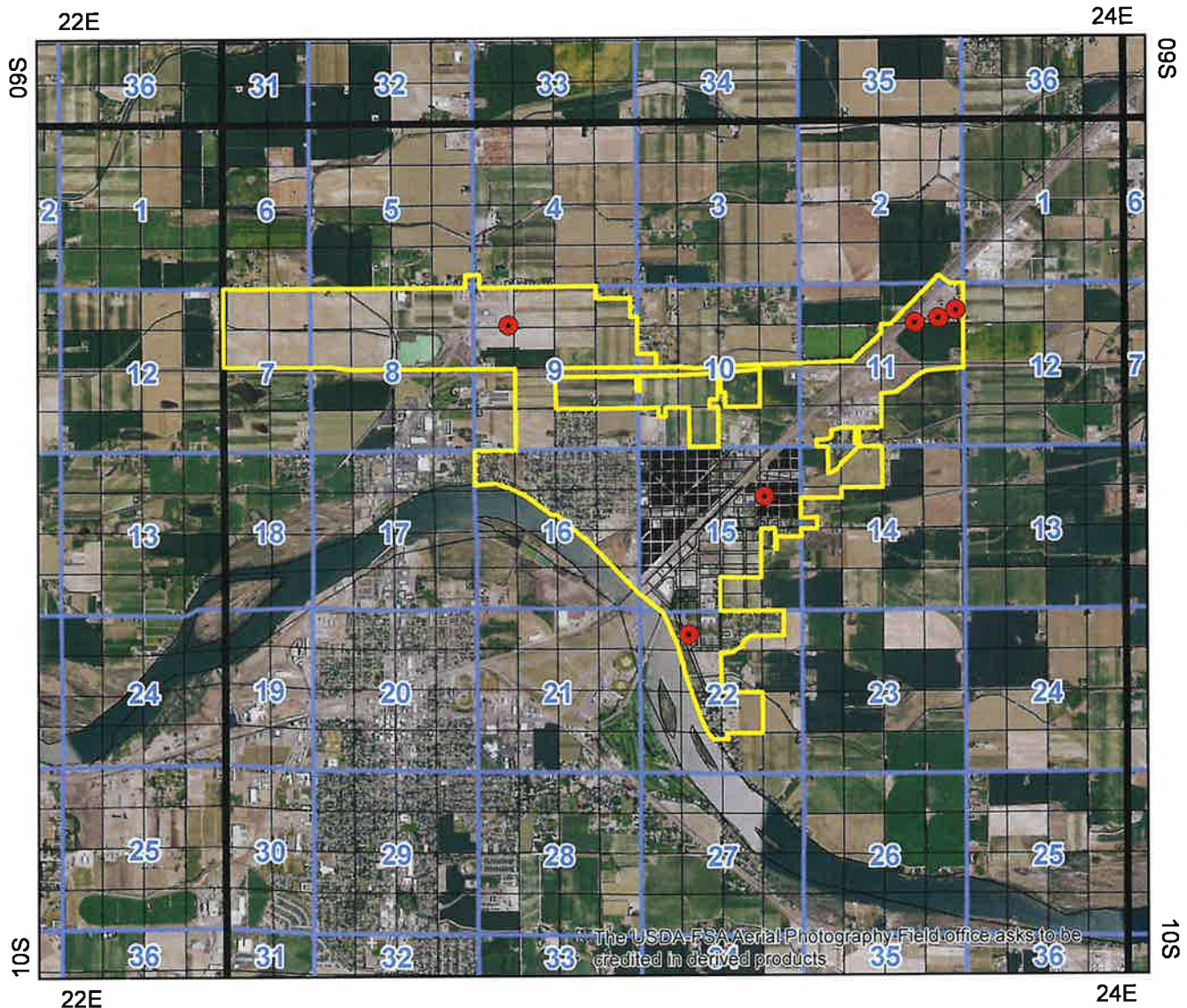


State of Idaho
Department of Water Resources

Attachment to AMENDED Transfer # 87938

36-4233, 36-7970, 36-8332, 36-8550, 36-8738, 36-8744, and 36-17185

This map depicts the MUNICIPAL place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

