

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90156**

This is to certify that: CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS, ID 83246-0187

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>
29-13297	WR/LICENSE	2/26/2002	0.250 cfs	N/A	N/A	N/A	GROUND WATER
29-4229	WR/DECREED	8/6/1951	0.178 cfs	0.1 af	N/A	N/A	GROUND WATER
29-7346	WR/DECREED	9/28/1976	0.310 cfs	N/A	N/A	N/A	GROUND WATER
29-8056	WR/LICENSE	2/27/1991	0.620 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-13297	NO	NO	YES	YES	NO	NO
29-4229	NO	NO	YES	YES	NO	NO
29-7346	NO	NO	YES	YES	NO	NO
29-8056	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-13297	29-13297	0.250 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
29-4229	29-4229	0.178 cfs	0.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
29-7346	29-7346	0.310 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
29-8056	29-8056	0.620 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.358 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

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 22nd day of April, 2026.


Water Resources Program Manager

Transfer No. 90156

**Support Data
In File # 29-4299**

WATER RIGHT NO. 29-8056

As Modified by Transfer No. 90156

In accordance with the approval of Transfer No. 90156, Water Right No. 29-8056 is now described as follows:

Right Holder: CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS, ID 83246-0187

Priority Date: 2/27/1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.620 cfs 0.620 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L3 (SESW)	Sec 21 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	NENWNE	Sec 26 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L2 (NWNW)	Sec 29 Twp 09S Rge 38E	BANNOCK County

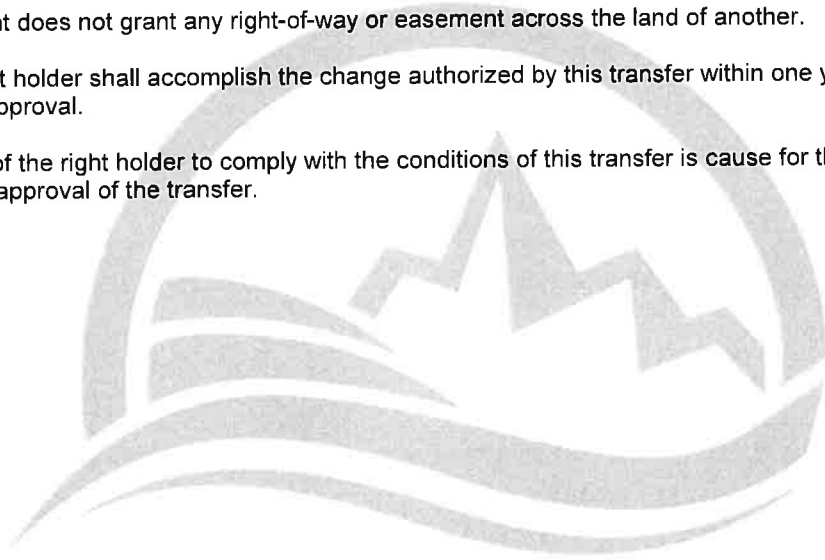
CONDITIONS OF APPROVAL

1. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. Place of use is within the service area of the City of Lava Hot Springs municipal water supply system as provided for under Idaho Law.
3. 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. 129.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to diversion and use of water under Transfer approval 90156, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

WATER RIGHT NO. 29-8056
As Modified by Transfer No. 90156

CONDITIONS OF APPROVAL

7. 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 29-8056 dated 4/9/1998.
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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. 29-4229

As Modified by Transfer No. 90156

In accordance with the approval of Transfer No. 90156, Water Right No. 29-4229 is now described as follows:

Right Holder: CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS, ID 83246-0187

Priority Date: 8/6/1951

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	0.178 cfs	0.1 af
			0.178 cfs	0.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L3 (SESW)	Sec 21 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	NENWNE	Sec 26 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L2 (NWNW)	Sec 29 Twp 09S Rge 38E	BANNOCK County

CONDITIONS OF APPROVAL

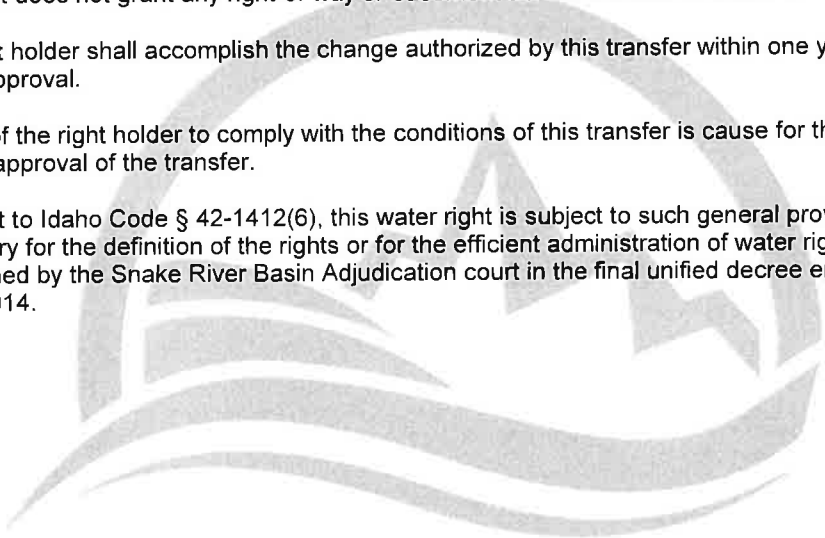
1. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. Place of use is within the service area of the City of Lava Hot Springs municipal water supply system as provided for under Idaho Law.
3. Use of water 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. 129.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to diversion and use of water under Transfer approval 90156, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 90156

WATER RIGHT NO. 29-4229

As Modified by Transfer No. 90156

CONDITIONS OF APPROVAL

7. 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 partial decree 29-4229 dated 3/22/2004.
 8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
 9. This right does not grant any right-of-way or easement across the land of another.
 10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 12. 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.
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WATER RIGHT NO. 29-7346

As Modified by Transfer No. 90156

In accordance with the approval of Transfer No. 90156, Water Right No. 29-7346 is now described as follows:

Right Holder: CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS, ID 83246-0187

Priority Date: 9/28/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.310 cfs 0.310 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L3 (SESW)	Sec 21 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	NENWNE	Sec 26 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L2 (NWNW)	Sec 29 Twp 09S Rge 38E	BANNOCK County

CONDITIONS OF APPROVAL

1. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. Place of use is within the service area of the City of Lava Hot Springs municipal water supply system as provided for under Idaho Law.
3. Rights 29-7346 and 29-13297 when combined shall not exceed a total annual maximum diversion volume of 12.6 af.
4. 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. 129.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 90156, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 90156

WATER RIGHT NO. 29-7346
As Modified by Transfer No. 90156

CONDITIONS OF APPROVAL

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 partial decree 29-7346 dated 6/1/2004.
9. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 29-13297
As Modified by Transfer No. 90156

In accordance with the approval of Transfer No. 90156, Water Right No. 29-13297 is now described as follows:

Right Holder: CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS, ID 83246-0187

Priority Date: 2/26/2002

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	0.250 cfs 0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L3 (SESW)	Sec 21 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	NENWNE	Sec 26 Twp 09S Rge 38E	BANNOCK County
GROUND WATER	L2 (NWNW)	Sec 29 Twp 09S Rge 38E	BANNOCK County

CONDITIONS OF APPROVAL

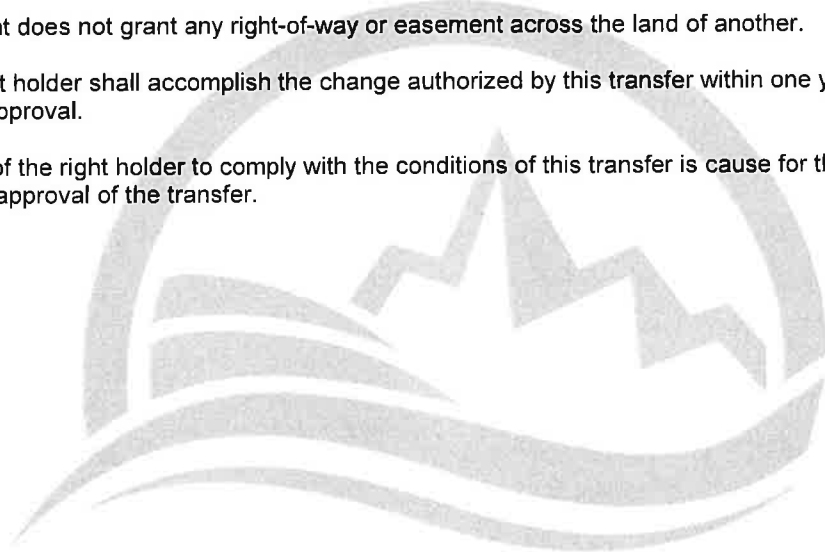
1. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. Place of use is within the service area of the City of Lava Hot Springs municipal water supply system as provided for under Idaho Law.
3. Rights 29-7346 and 29-13297 when combined shall not exceed a total annual maximum diversion volume of 12.6 af.
4. 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. 129.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 90156, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 90156

WATER RIGHT NO. 29-13297
As Modified by Transfer No. 90156

CONDITIONS OF APPROVAL

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 license 29-13297 dated 8/9/2012.
9. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



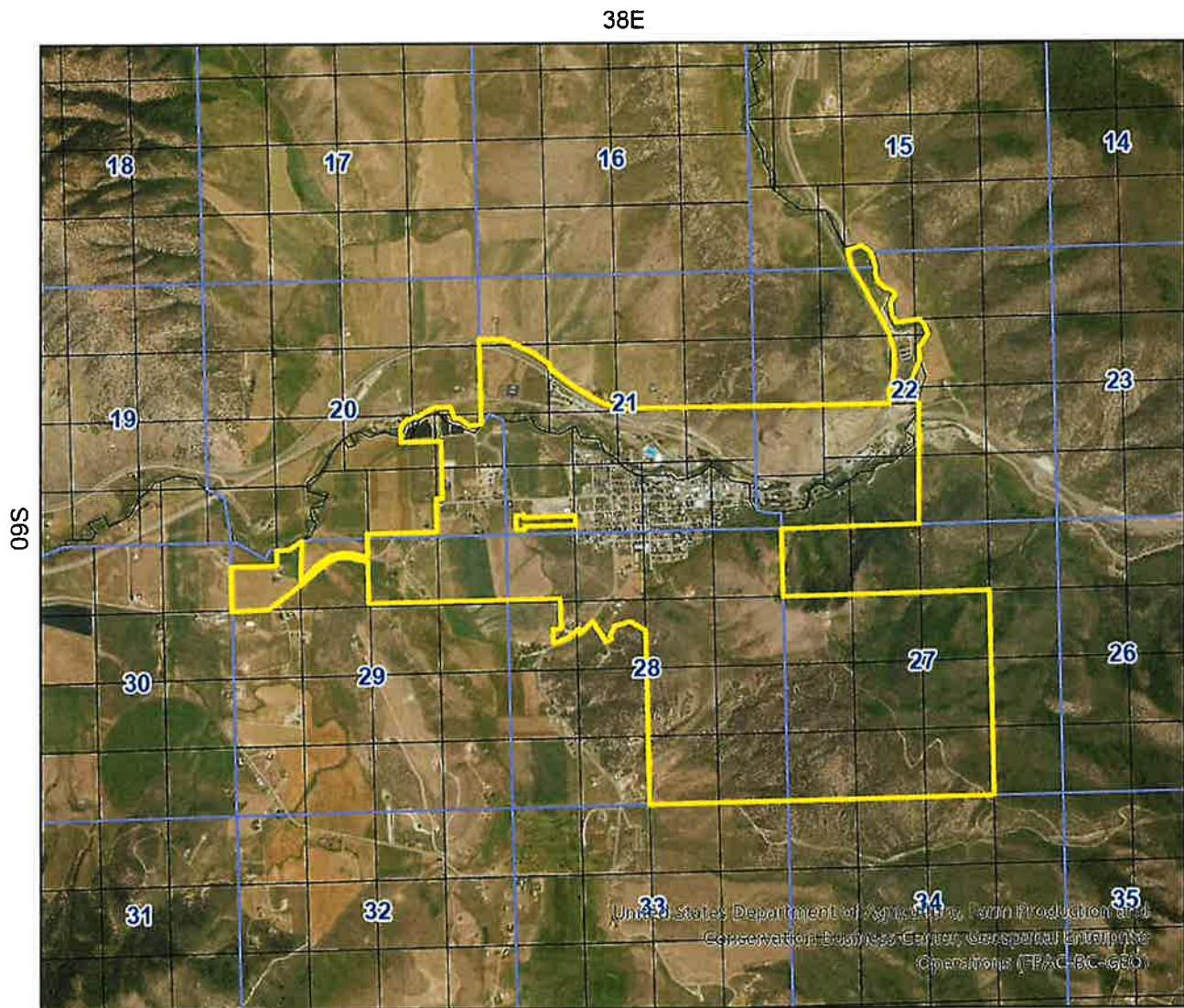
State of Idaho
Department of Water Resources

Water Right

29-4229, 29-7346, 29-85056, 29-13297

(MUNICIPAL)

CITY OF LAVA HOT SPRINGS



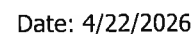
- | | |
|---|--|
|  Water Service Area Boundary |  Sections |
|  State Outline |  Quarter Quarters |
|  Townships | |



0 0.55 1.1 1.65 2.2 Miles



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





April 22, 2026

CITY OF LAVA HOT SPRINGS
115 W ELM ST
PO BOX 187
LAVA HOT SPRINGS ID 83246-0187

Re: Transfer No: 90156
Water Right No(s): 29-4229, 29-7346, 29-8056, 29-13297

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

KELLER ASSOCIATES
C/O MATTHEW HILL
305 N 3RD W STE A
POCATELLO ID 83204

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 90156

Water Right No(s).: 29-4229, 29-7346, 29-8056, 29-13297

CITY OF LAVA HOT SPRINGS

115 W ELM ST

PO BOX 187

LAVA HOT SPRINGS ID 83246-0187

KELLER ASSOCIATES

C/O MATTHEW HILL

305 N 3RD W STE A

POCATELLO ID 83204



Christina Henman
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.