RECEIVED
JAN 19 2022
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 20 2022
WATER RESOURCES WESTERN REGION

42-222 POD - 07/18

Attorney: Mike P. Lawrence
Givens Pursley LLP
PO Box 2720, Boise 83701-2720
208.388.1294

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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)** SUEZ Water Idaho Inc Phone 208.362.1300
2. **MAILING ADDRESS** Attn: Robert Newbry, 8248 Victory Rd City Boise
   State ID Zip 83709 Email Robert.Newbry@suez.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)** 63-7368, 63-7618, 63-9245, 63-11798, 63-12147, 63-12559

☑ 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 *16.24 (diversion rate) cubic feet per second and/or _____ (storage volume) acre-feet per annum.

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*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SW	SW	8	4N	1E	Ada	Ground Water	
No		NE	SE	NE	9	4N	1E	Ada	Ground Water	
No		NE	SW	NW	9	4N	1E	Ada	Ground Water	
No		SW	SW	NW	9	4N	1E	Ada	Ground Water	
No			NW	NW	15	4N	1E	Ada	Ground Water	
No			NE	SW	15	4N	1E	Ada	Ground Water	
No	3		NE	SW	15	4N	1E	Ada	Ground Water	

*Fee based on 13.84 cfs to account for 4.5 cfs combined limit subject to water rights 63-7368, 63-7618 and 63-9245. This condition is listed on water right 63-9245 and needs to be clarified to read a combined limit of 4.5 cfs rather than 4.5 cfs "per acre" as currently listed. The "per acre" text appears to be a clerical error in the 2009 partial decree; it was not included in the 2008 transfer no. 75035

Transfer No. _____

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:

Each well is equipped with a totalizing flow meter and gate valve for control. In addition, electrical supply to pumps can be locked out.

b. Who owns the property at the point(s) of diversion? Applicant (5 PODs)

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

Easements held by Applicant (2 PODs)

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 of applicant or authorized agent	Print name and title if applicable	Date
	Marshall Thompson, VP & GM SUEZ Water Idaho	1/19/2022
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 $1540.00 Date 01/19/2022 Receipted by JS Receipt # C111730

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)

*Fee based on 13.84 cfs to account for 4.5 cfs combined limit subject to water rights 63-7368, 63-7618 and 63-9245. This condition is listed on water right 63-9245 and needs to be clarified to read a combined limit of 4.5 cfs rather than 4.5 cfs "per acre" as currently listed. The "per acre" text appears to be a clerical error in the 2009 partial decree; it was not included in the 2008 transfer no. 75035

Recording Requested by:

Givens Pursley LLP
Attn: Kimberly Maloney
601 W. Bannock St.
Boise, Idaho 83702
18320282

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WATER RIGHT WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, Eagle Water Company, Inc., an Idaho corporation, aka Eagle Water Co Inc ("**Grantor**"), does hereby grant, bargain, sell, assign, and convey unto SUEZ Water Idaho Inc., an Idaho corporation whose address is 8248 W. Victory Road, Boise, Idaho 83709 ("**Grantee**"), and to Grantee's successors, and assigns forever, the following water rights (collectively the "**Water Rights**"):

Water Right No. 63-7368
Water Right No. 63-7618
Water Right No. 63-9245
Water Right No. 63-11798
Water Right No. 63-12147
Water Right No. 63-12559

Grantor retains no residual or reversionary interest in any of the Water Rights conveyed hereby.

TO HAVE AND TO HOLD the Water Rights unto Grantee, its successors and assigns, forever. Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Water Rights, that Grantor has a good right to convey the Water Rights, that the Water Rights are free from any and all liens, claims, encumbrances, or other defects of title, that Grantor shall and will warrant and defend the quiet and peaceful possession of said Water Rights by Grantee, and its successors and assigns forever, against all other claims whatsoever, and that Grantor and its successors and assigns will, on demand of the Grantee or its successors or assigns, execute any instrument necessary for the further assurance of the title to the Premises that may be reasonably required.

Dated as of December 30th 2021.

[The remainder of this page intentionally left blank; signature page and notary block follow.]

IN WITNESS WHEREOF, the undersigned and authorized officer of Grantor, acting on behalf of Grantor, has caused his/her name to be hereunto subscribed on the date indicated.

GRANTOR:

EAGLE WATER COMPANY, INC.,
an Idaho corporation
aka Eagle Water Co Inc

By: _____
Name: Robert V. DeShazo, Jr.
Its: President

STATE OF IDAHO)
: ss.
County of Ada)

On this 16 day of December, 2021, before me, a Notary Public in and for the State of Idaho, personally appeared Robert V. DeShazo, Jr., known or identified to me to be the President of **Eagle Water Company, Inc.**, the corporation that executed the instrument or the person who executed the instrument on behalf of such corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

DAVE DICKEY NOTARY PUBLIC Comm. No. 23478 STATE OF IDAHO

_____
Notary Public for Idaho
Residing at: Garden City
My commission expires: 04-23-25

GRANTOR:

EAGLE WATER COMPANY, INC.,
an Idaho corporation
fka Eagle Ranch Water Company, Inc.

By: Julie Chatterton
Name: Julie A. Chatterton
Title: Secretary

STATE OF IDAHO)
: ss.
County of Ada)

On this 16 day of December, 2021, before me, a Notary Public in and for the State of Idaho, personally appeared Julie A. Chatterton, known or identified to me to be the Secretary of **Eagle Water Company, Inc.**, the corporation that executed the instrument or the person who executed the instrument on behalf of such corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

DAVE DICKEY NOTARY PUBLIC Comm. No. 23478 STATE OF IDAHO

Notary Public for Idaho
Residing at: Garden City
My commission expires: 04-23-25

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

Current Water Right No.: 63-11798

Current Owner: EAGLE WATER CO INC

Priority Date: 4/17/1992

Origin: Water Right

Status: Active

Basis: License

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
MUNICIPAL	1/01 to 12/31	1.34 CFS	
	Total Diversion	1.34 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 15, Twp 04N, Rge 01E B.M.
ADA County

Place of Use

MUNICIPAL Within ADA County

T04N R01E S8	SENE	T04N R01E S9	SENE
T04N R01E S10	SENE		

Conditions of Approval:

1. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
Domestic uses authorized under this right shall not exceed 13,000 gallons per day in accordance with the provisions in Section 42-111, Idaho Code.
Place of use is located within the city limits of Eagle and the surrounding service area.

Licensed Date: 9/30/1994

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

Current Water Right No.: 63-7368

Current Owner: EAGLE WATER CO INC
EAGLE WATER CO INC

Priority Date: 11/15/1970

Origin: Water Right

Status: Active

Basis: Decreed

Source **Tributary**

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
FIRE PROTECTION	1/01 to 12/31	2 CFS	
MUNICIPAL	1/01 to 12/31	2 CFS	
	Total Diversion	2 CFS	

Location of Point(s) of Diversion

GROUND WATER ADA County	NE1/4SE1/4NE1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	SW1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.

Place of Use

MUNICIPAL Within ADA County

T04N R01E S8	SENE	T04N R01E S9	SENE
T04N R01E S10	SENE		

Place of Use: FIRE PROTECTION same as MUNICIPAL

Conditions of Approval:

1. 124 Place of use is within the service area of the Eagle Water Company, Inc. municipal water supply system as provided for under Idaho Law.
2. 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: 2/6/2009

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

Current Water Right No.: 63-7618

Current Owner: EAGLE WATER CO INC
EAGLE WATER CO INC

Priority Date: 10/25/1972

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
MUNICIPAL	01/01 to 12/31	1.4 CFS	
	Total Diversion	1.4 CFS	

Location of Point(s) of Diversion

GROUND WATER ADA County	SW1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SE1/4NE1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.

Place of Use

MUNICIPAL Within ADA County

T04N R01E S8	SENE	T04N R01E S9	SENE
T04N R01E S10	SENE		

Conditions of Approval:

1.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2.	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.
3.	124	Place of use is within the service area of the Eagle Water Company municipal water supply system as provided for under Idaho Law.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-9245

Current Owner: EAGLE WATER CO INC

Priority Date: 6/8/1979

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
FIRE PROTECTION	01/01 to 12/31	3.5 CFS	
MUNICIPAL	01/01 to 12/31	1.1 CFS	
	Total Diversion	3.5 CFS	

Location of Point(s) of Diversion

GROUND WATER ADA County	SW1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SW1/4NW1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SE1/4NE1/4	Sec. 9,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NE1/4SW1/4	Sec. 15,	Twp 04N,	Rge 01E B.M.

Place of Use

MUNICIPAL Within ADA County

T04N R01E S8	SENE	T04N R01E S9	SENE
T04N R01E S10	SENE		

Place of Use: FIRE PROTECTION same as MUNICIPAL

Conditions of Approval:

1.	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.
2.	124	Place of use is within the service area of the Eagle Water Company municipal water supply system as provided for under Idaho Law.
3.	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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4.	T07	The right holder shall accomplish the change authorized by Transfer 75035 within one year of the date of the approval.
5.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6.	E62	This right when combined with Right Nos. 63-7368 and 63-7618 shall not exceed 4.5 cfs per acre.
7.	165	To prevent injury to prior water rights appropriating water from the Boise River and/or the underlying shallow aquifer tributary to the Boise River, the new well used as a point of diversion for this water right located within the NESW, S15, T4N, R1E shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
8.	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: 10/21/2009

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

Current Water Right No.: 63-12147

Current Owner: EAGLE WATER CO INC

Priority Date: 9/29/1994

Origin: Water Right

Status: Active

Basis: License

Source **Tributary**

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
MUNICIPAL	1/01 to 12/31	5 CFS	
	Total Diversion	5 CFS	

Location of Point(s) of Diversion

GROUND WATER ADA County	SW1/4SW1/4	Sec. 8,	Twp 04N,	Rge 01E B.M.
GROUND WATER ADA County	NW1/4NW1/4	Sec. 15,	Twp 04N,	Rge 01E B.M.

Place of Use

MUNICIPAL Within ADA County

T04N R01E S2		SWSW	T04N R01E S3	Lot 2	NWNE
T04N R01E S3		SWNE	T04N R01E S3		SENE
T04N R01E S3	Lot 3	NENW	T04N R01E S3	Lot 4	NWNW
T04N R01E S3		SWNW	T04N R01E S3		SENW
T04N R01E S3		NESW	T04N R01E S3		NWSW
T04N R01E S3		SWSW	T04N R01E S3		SESW
T04N R01E S3		NESE	T04N R01E S3		NWSE
T04N R01E S3		SWSE	T04N R01E S3		SESE
T04N R01E S4		NESW	T04N R01E S4		SWSW
T04N R01E S4		SESW	T04N R01E S4		NESE
T04N R01E S4		NWSE	T04N R01E S4		SWSE
T04N R01E S4		SESE	T04N R01E S5		SENW
T04N R01E S5		NESW	T04N R01E S5		NWSW
T04N R01E S5		SWSW	T04N R01E S5		SESW
T04N R01E S5		NWSE	T04N R01E S5		SWSE
T04N R01E S6		SESE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW

T04N R01E S7	Lot 3	NWSW
T04N R01E S7		NESE
T04N R01E S7		SWSE
T04N R01E S8		NENE
T04N R01E S8		SWNE
T04N R01E S8		NENW
T04N R01E S8		SWNW
T04N R01E S8		NESW
T04N R01E S8		SWSW
T04N R01E S8		NESE
T04N R01E S8		SWSE
T04N R01E S9		NENE
T04N R01E S9		SWNE
T04N R01E S9		NENW
T04N R01E S9		SWNW
T04N R01E S9		NESW
T04N R01E S9		SWSW
T04N R01E S9		NESE
T04N R01E S9		SWSE
T04N R01E S10		NWNE
T04N R01E S10		SENE
T04N R01E S10		NWNW
T04N R01E S10		SENW
T04N R01E S10		NWSW
T04N R01E S10		SESW
T04N R01E S10		NWSE
T04N R01E S10		SESE
T04N R01E S11		SWSW
T04N R01E S14		SWNW
T04N R01E S14		SWSW
T04N R01E S15		NWNE
T04N R01E S15		SENE
T04N R01E S15		NWNW
T04N R01E S15		SENW
T04N R01E S15	Lot 3	NESW
T04N R01E S15	Lot 4	NWSW
T04N R01E S15		SESW
T04N R01E S15	Lot 6	SESW
T04N R01E S15		NWSE
T04N R01E S15	Lot 2	SWSE
T04N R01E S15	Lot 1	SESE
T04N R01E S16		NWNE
T04N R01E S16		NENW
T04N R01E S16		SWNW
T04N R01E S16	Lot 5	SWNW
T04N R01E S16	Lot 3	SENW
T04N R01E S16	Lot 3	NESW
T04N R01E S16		NWSW
T04N R01E S7	Lot 4	SWSW
T04N R01E S7		NWSE
T04N R01E S7		SESE
T04N R01E S8		NWNE
T04N R01E S8		SENE
T04N R01E S8		NWNW
T04N R01E S8		SENW
T04N R01E S8		NWSW
T04N R01E S8		SESW
T04N R01E S8		NWSE
T04N R01E S8		SESE
T04N R01E S9		NWNE
T04N R01E S9		SENE
T04N R01E S9		NWNW
T04N R01E S9		SENW
T04N R01E S9		NWSW
T04N R01E S9		SESW
T04N R01E S9		NWSE
T04N R01E S9		SESE
T04N R01E S10		SWNE
T04N R01E S10		NENW
T04N R01E S10		SWNW
T04N R01E S10		NESW
T04N R01E S10		SWSW
T04N R01E S10		NESE
T04N R01E S10		SWSE
T04N R01E S11		NWSW
T04N R01E S14		NWNW
T04N R01E S14		NWSW
T04N R01E S15		NENE
T04N R01E S15		SWNE
T04N R01E S15		NENW
T04N R01E S15		SWNW
T04N R01E S15		NESW
T04N R01E S15		NWSW
T04N R01E S15		SWSW
T04N R01E S15	Lot 3	SESW
T04N R01E S15		NESE
T04N R01E S15		SWSE
T04N R01E S15		SESE
T04N R01E S16		NENE
T04N R01E S16	Lot 2	SWNE
T04N R01E S16		NWNW
T04N R01E S16	Lot 4	SWNW
T04N R01E S16		SENW
T04N R01E S16		NESW
T04N R01E S16	Lot 6	NESW
T04N R01E S16	Lot 5	NWSW

T04N R01E S16		SWSW
T04N R01E S16		NWSE
T04N R01E S16	Lot 7	NWSE
T04N R01E S17	Lot 1	NENE
T04N R01E S17		SWNE
T04N R01E S17	Lot 7	SWNE
T04N R01E S17	Lot 1	SENE
T04N R01E S17		NENW
T04N R01E S17		SWNW
T04N R01E S17	Lot 5	SWNW
T04N R01E S17	Lot 3	SENW
T04N R01E S17	Lot 6	NESW
T04N R01E S17	Lot 5	NWSW
T04N R01E S17		SESW
T04N R01E S17	Lot 7	NWSE
T04N R01E S17		SESE
T04N R01E S18		NWNE
T04N R01E S18		SWNE
T04N R01E S18	Lot 3	SWNE
T04N R01E S18	Lot 1	SENE
T04N R01E S18	Lot 7	SENE
T04N R01E S18	Lot 7	NESE
T04N R01E S18	Lot 6	NWSE
T04N R01E S18	Lot 9	SWSE
T04N R01E S18	Lot 8	SESE
T04N R01E S19	Lot 1	NENE
T04N R01E S19	Lot 2	NWNE
T04N R01E S19		SENE
T04N R01E S19	Lot 5	NWSW
T04N R01E S19		SESW
T04N R01E S19		NWSE
T04N R01E S19		SESE
T04N R01E S20	Lot 1	NENE
T04N R01E S20		NWNE
T04N R01E S20		SWNE
T04N R01E S20	Lot 7	SWNE
T04N R01E S20	Lot 8	SENE
T04N R01E S20	Lot 3	NENW
T04N R01E S20		NWNW
T04N R01E S20	Lot 5	NWNW
T04N R01E S20		SENW
T04N R01E S20		NESW
T04N R01E S20		SWSW
T04N R01E S20		NESE
T04N R01E S20		SWSE
T04N R01E S21	Lot 2	NWNE
T04N R01E S21	Lot 4	NWNW
T04N R01E S21	Lot 5	SWNW
T04N R01E S16	Lot 6	SESW
T04N R01E S16	Lot 2	NWSE
T04N R01E S16	Lot 7	SWSE
T04N R01E S17	Lot 2	NWNE
T04N R01E S17	Lot 2	SWNE
T04N R01E S17		SENE
T04N R01E S17	Lot 8	SENE
T04N R01E S17		NWNW
T04N R01E S17	Lot 4	SWNW
T04N R01E S17		SENW
T04N R01E S17	Lot 6	SENW
T04N R01E S17		NWSW
T04N R01E S17		SWSW
T04N R01E S17	Lot 8	NESE
T04N R01E S17		SWSE
T04N R01E S18	Lot 1	NENE
T04N R01E S18	Lot 2	NWNE
T04N R01E S18	Lot 2	SWNE
T04N R01E S18		SENE
T04N R01E S18	Lot 1	SENE
T04N R01E S18		NESE
T04N R01E S18		NWSE
T04N R01E S18		SWSE
T04N R01E S18		SESE
T04N R01E S19		NENE
T04N R01E S19		NWNE
T04N R01E S19		SWNE
T04N R01E S19		NESW
T04N R01E S19	Lot 6	SWSW
T04N R01E S19		NESE
T04N R01E S19		SWSE
T04N R01E S20		NENE
T04N R01E S20	Lot 1	NENE
T04N R01E S20	Lot 2	NWNE
T04N R01E S20	Lot 2	SWNE
T04N R01E S20		SENE
T04N R01E S20		NENW
T04N R01E S20	Lot 6	NENW
T04N R01E S20	Lot 4	NWNW
T04N R01E S20		SWNW
T04N R01E S20	Lot 6	SENW
T04N R01E S20		NWSW
T04N R01E S20		SESW
T04N R01E S20		NWSE
T04N R01E S20		SESE
T04N R01E S21	Lot 3	NENW
T04N R01E S21		SWNW
T04N R01E S21		SENW

T04N	R01E	S21	Lot 6	SENW	T04N	R01E	S21		NESW
T04N	R01E	S21		NWSW	T04N	R01E	S21		SWSW
T04N	R01E	S21		SESW	T04N	R01E	S21		NWSE
T04N	R01E	S21		SWSE	T04N	R01E	S22		NENE
T04N	R01E	S22	Lot 1	NENE	T04N	R01E	S23	Lot 4	NWNW
T04N	R01E	S28		NWNW	T04N	R01E	S29		NENE
T04N	R01E	S29		NWNE	T04N	R01E	S29		NENW
T04N	R01E	S29		NWNW					

Conditions of Approval:

1.	125	Place of use is within the service area of Eagle Water Company as provided for under Idaho law. The place of use is generally described as within the city limits of Eagle and the surrounding service area.
2.	004	This right does not grant any right-of-way or easement across the land of another.
3.	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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4.	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 illustrative purposes.

Licensed Date: 5/12/2016

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

Current Water Right No.: 63-12559

Current Owner: EAGLE WATER CO INC

Priority Date: 12/15/1999

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 CFS	
	Total Diversion	3 CFS	

Location of Point(s) of Diversion

GROUND WATER L3(NE1/4SW1/4) Sec. 15, Twp 04N, Rge 01E B.M.
ADA County

Place of Use

MUNICIPAL Within ADA County

T04N R01E S2		SWSW	T04N R01E S3	Lot 2	NWNE
T04N R01E S3		SWNE	T04N R01E S3		SENE
T04N R01E S3	Lot 3	NENW	T04N R01E S3	Lot 4	NWNW
T04N R01E S3		SWNW	T04N R01E S3		SENW
T04N R01E S3		NESW	T04N R01E S3		NWSW
T04N R01E S3		SWSW	T04N R01E S3		SESW
T04N R01E S3		NESE	T04N R01E S3		NWSE
T04N R01E S3		SWSE	T04N R01E S3		SESE
T04N R01E S4		NESW	T04N R01E S4		SWSW
T04N R01E S4		SESW	T04N R01E S4		NESE
T04N R01E S4		NWSE	T04N R01E S4		SWSE
T04N R01E S4		SESE	T04N R01E S5		SENW
T04N R01E S5		NESW	T04N R01E S5		NWSW
T04N R01E S5		SWSW	T04N R01E S5		SESW
T04N R01E S5		NWSE	T04N R01E S5		SWSE
T04N R01E S6		SESE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7		NESE	T04N R01E S7		NWSE
T04N R01E S7		SWSE	T04N R01E S7		SESE

T04N R01E S8		NENE
T04N R01E S8		SWNE
T04N R01E S8		NENW
T04N R01E S8		SWNW
T04N R01E S8		NESW
T04N R01E S8		SWSW
T04N R01E S8		NESE
T04N R01E S8		SWSE
T04N R01E S9		NENE
T04N R01E S9		SWNE
T04N R01E S9		NENW
T04N R01E S9		SWNW
T04N R01E S9		NESW
T04N R01E S9		SWSW
T04N R01E S9		NESE
T04N R01E S9		SWSE
T04N R01E S10		NWNE
T04N R01E S10		SENE
T04N R01E S10		NWNW
T04N R01E S10		SENW
T04N R01E S10		NWSW
T04N R01E S10		SESW
T04N R01E S10		NWSE
T04N R01E S10		SESE
T04N R01E S11		SWSW
T04N R01E S14		SWNW
T04N R01E S14		SWSW
T04N R01E S15		NWNE
T04N R01E S15		SENE
T04N R01E S15		NWNW
T04N R01E S15		SENW
T04N R01E S15	Lot 3	NESW
T04N R01E S15	Lot 4	NWSW
T04N R01E S15		SESW
T04N R01E S15	Lot 6	SESW
T04N R01E S15		NWSE
T04N R01E S15	Lot 2	SWSE
T04N R01E S15	Lot 1	SESE
T04N R01E S16		NWNE
T04N R01E S16		NENW
T04N R01E S16		SWNW
T04N R01E S16	Lot 5	SWNW
T04N R01E S16	Lot 3	SENW
T04N R01E S16	Lot 3	NESW
T04N R01E S16		NWSW
T04N R01E S16		SWSW
T04N R01E S16		NWSE
T04N R01E S16	Lot 7	NWSE

T04N R01E S8		NWNE
T04N R01E S8		SENE
T04N R01E S8		NWNW
T04N R01E S8		SENW
T04N R01E S8		NWSW
T04N R01E S8		SESW
T04N R01E S8		NWSE
T04N R01E S8		SESE
T04N R01E S9		NWNE
T04N R01E S9		SENE
T04N R01E S9		NWNW
T04N R01E S9		SENW
T04N R01E S9		NWSW
T04N R01E S9		SESW
T04N R01E S9		NWSE
T04N R01E S9		SESE
T04N R01E S10		SWNE
T04N R01E S10		NENW
T04N R01E S10		SWNW
T04N R01E S10		NESW
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T04N R01E S15		SWNE
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T04N R01E S15		NESW
T04N R01E S15		NWSW
T04N R01E S15		SWSW
T04N R01E S15	Lot 3	SESW
T04N R01E S15		NESE
T04N R01E S15		SWSE
T04N R01E S15		SESE
T04N R01E S16		NENE
T04N R01E S16	Lot 2	SWNE
T04N R01E S16		NWNW
T04N R01E S16	Lot 4	SWNW
T04N R01E S16		SENW
T04N R01E S16		NESW
T04N R01E S16	Lot 6	NESW
T04N R01E S16	Lot 5	NWSW
T04N R01E S16	Lot 6	SESW
T04N R01E S16	Lot 2	NWSE
T04N R01E S16	Lot 7	SWSE

Page _____ of _____

T04N R01E S17	Lot 1	NENE
T04N R01E S17		SWNE
T04N R01E S17	Lot 7	SWNE
T04N R01E S17	Lot 1	SENE
T04N R01E S17		NENW
T04N R01E S17		SWNW
T04N R01E S17	Lot 5	SWNW
T04N R01E S17	Lot 3	SENW
T04N R01E S17	Lot 6	NESW
T04N R01E S17	Lot 5	NWSW
T04N R01E S17		SESW
T04N R01E S17	Lot 7	NWSE
T04N R01E S17		SESE
T04N R01E S18		NWNE
T04N R01E S18		SWNE
T04N R01E S18	Lot 3	SWNE
T04N R01E S18	Lot 1	SENE
T04N R01E S18	Lot 7	SENE
T04N R01E S18	Lot 7	NESE
T04N R01E S18	Lot 6	NWSE
T04N R01E S18	Lot 9	SWSE
T04N R01E S18	Lot 8	SESE
T04N R01E S19	Lot 1	NENE
T04N R01E S19	Lot 2	NWNE
T04N R01E S19		SENE
T04N R01E S19	Lot 5	NWSW
T04N R01E S19		SESW
T04N R01E S19		NWSE
T04N R01E S19		SESE
T04N R01E S20	Lot 1	NENE
T04N R01E S20		NWNE
T04N R01E S20		SWNE
T04N R01E S20	Lot 7	SWNE
T04N R01E S20	Lot 8	SENE
T04N R01E S20	Lot 3	NENW
T04N R01E S20		NWNW
T04N R01E S20	Lot 5	NWNW
T04N R01E S20		SENW
T04N R01E S20		NESW
T04N R01E S20		SWSW
T04N R01E S20		NESE
T04N R01E S20		SWSE
T04N R01E S21	Lot 2	NWNE
T04N R01E S21	Lot 4	NWNW
T04N R01E S21	Lot 5	SWNW
T04N R01E S21	Lot 6	SENW
T04N R01E S21		NWSW
T04N R01E S21		SESW

T04N R01E S17	Lot 2	NWNE
T04N R01E S17	Lot 2	SWNE
T04N R01E S17		SENE
T04N R01E S17	Lot 8	SENE
T04N R01E S17		NWNW
T04N R01E S17	Lot 4	SWNW
T04N R01E S17		SENW
T04N R01E S17	Lot 6	SENW
T04N R01E S17		NWSW
T04N R01E S17		SWSW
T04N R01E S17	Lot 8	NESE
T04N R01E S17		SWSE
T04N R01E S18	Lot 1	NENE
T04N R01E S18	Lot 2	NWNE
T04N R01E S18	Lot 2	SWNE
T04N R01E S18		SENE
T04N R01E S18	Lot 1	SENE
T04N R01E S18		NESE
T04N R01E S18		NWSE
T04N R01E S18		SWSE
T04N R01E S18		SESE
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T04N R01E S19		SWNE
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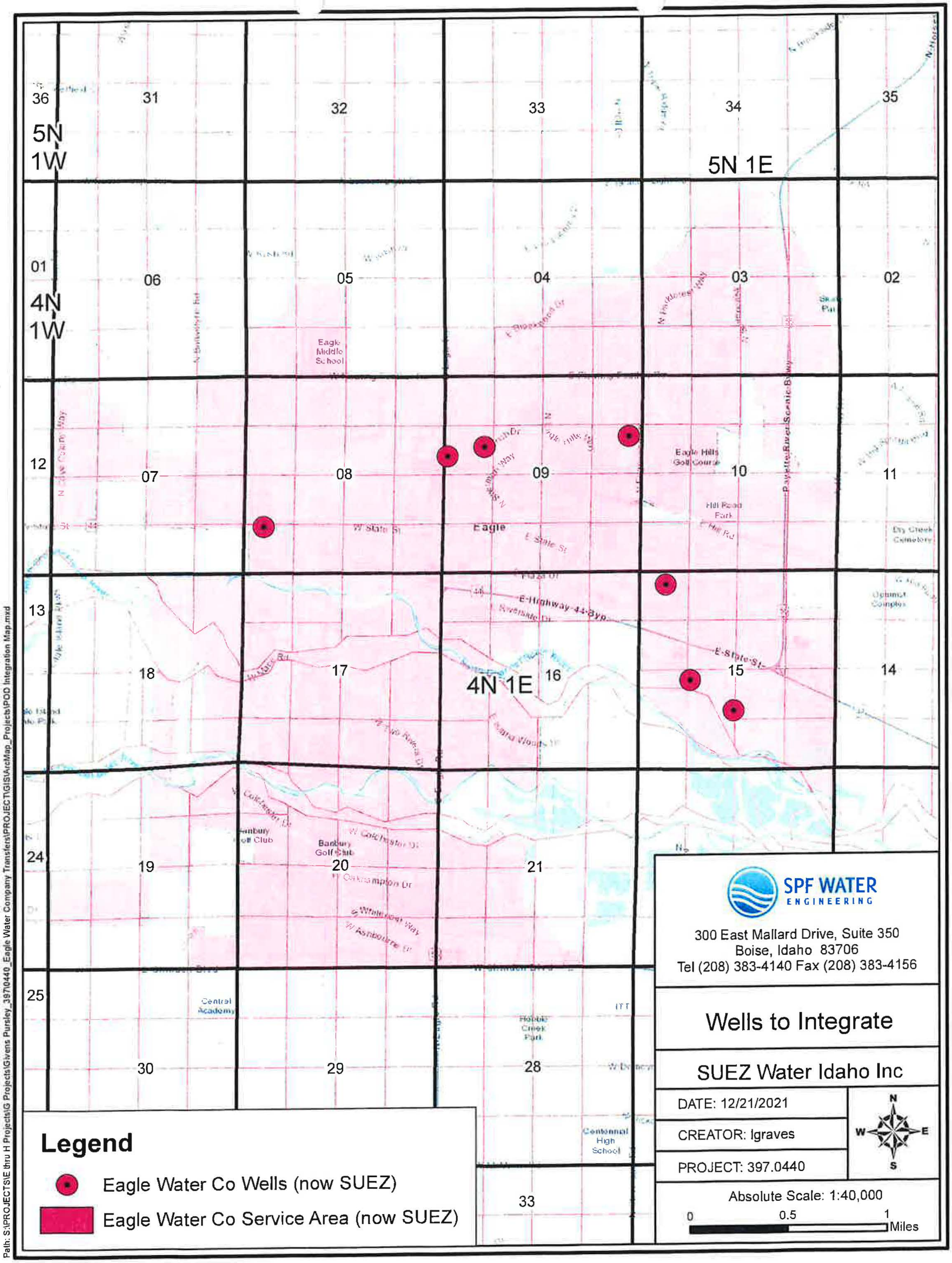
T04N R01E S19		NESE
T04N R01E S19		SWSE
T04N R01E S20		NENE
T04N R01E S20	Lot 1	NENE
T04N R01E S20	Lot 2	NWNE
T04N R01E S20	Lot 2	SWNE
T04N R01E S20		SENE
T04N R01E S20		NENW
T04N R01E S20	Lot 6	NENW
T04N R01E S20	Lot 4	NWNW
T04N R01E S20		SWNW
T04N R01E S20	Lot 6	SENW
T04N R01E S20		NWSW
T04N R01E S20		SESW
T04N R01E S20		NWSE
T04N R01E S20		SESE
T04N R01E S21	Lot 3	NENW
T04N R01E S21		SWNW
T04N R01E S21		SENW
T04N R01E S21		NESW
T04N R01E S21		SWSW
T04N R01E S21		NWSE

T04N	R01E	S21		SWSE	T04N R01E S22		NENE
T04N	R01E	S22	Lot 1	NENE	T04N R01E S23	Lot 4	NWNW
T04N	R01E	S28		NWNW	T04N R01E S29		NENE
T04N	R01E	S29		NWNE	T04N R01E S29		NENW
T04N	R01E	S29		NWNW			

Conditions of Approval:

1.	103	When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
2.		Point of diversion is known as Well #7.
3.	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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4.	125	Place of use is within the service area of Eagle Water Company as provided for under Idaho law. The place of use is generally described as within the city limits of Eagle and the surrounding service area.
5.	930	Water bearing zone to be appropriated is 330 to 400 feet.
6.	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.
7.	004	The issuance of this right does not grant any right-of-way or easement across the land of another.

Licensed Date: 9/1/2016



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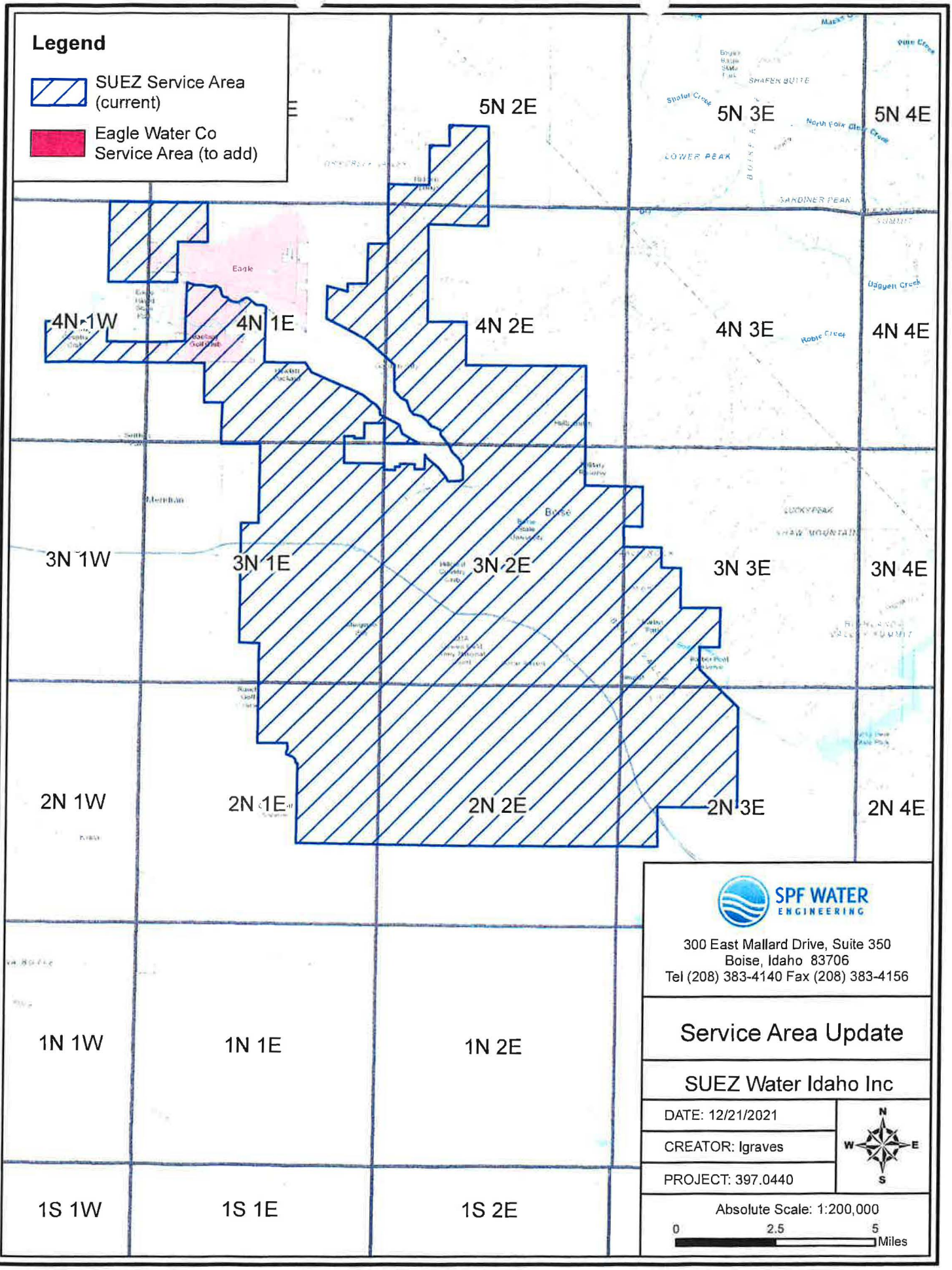

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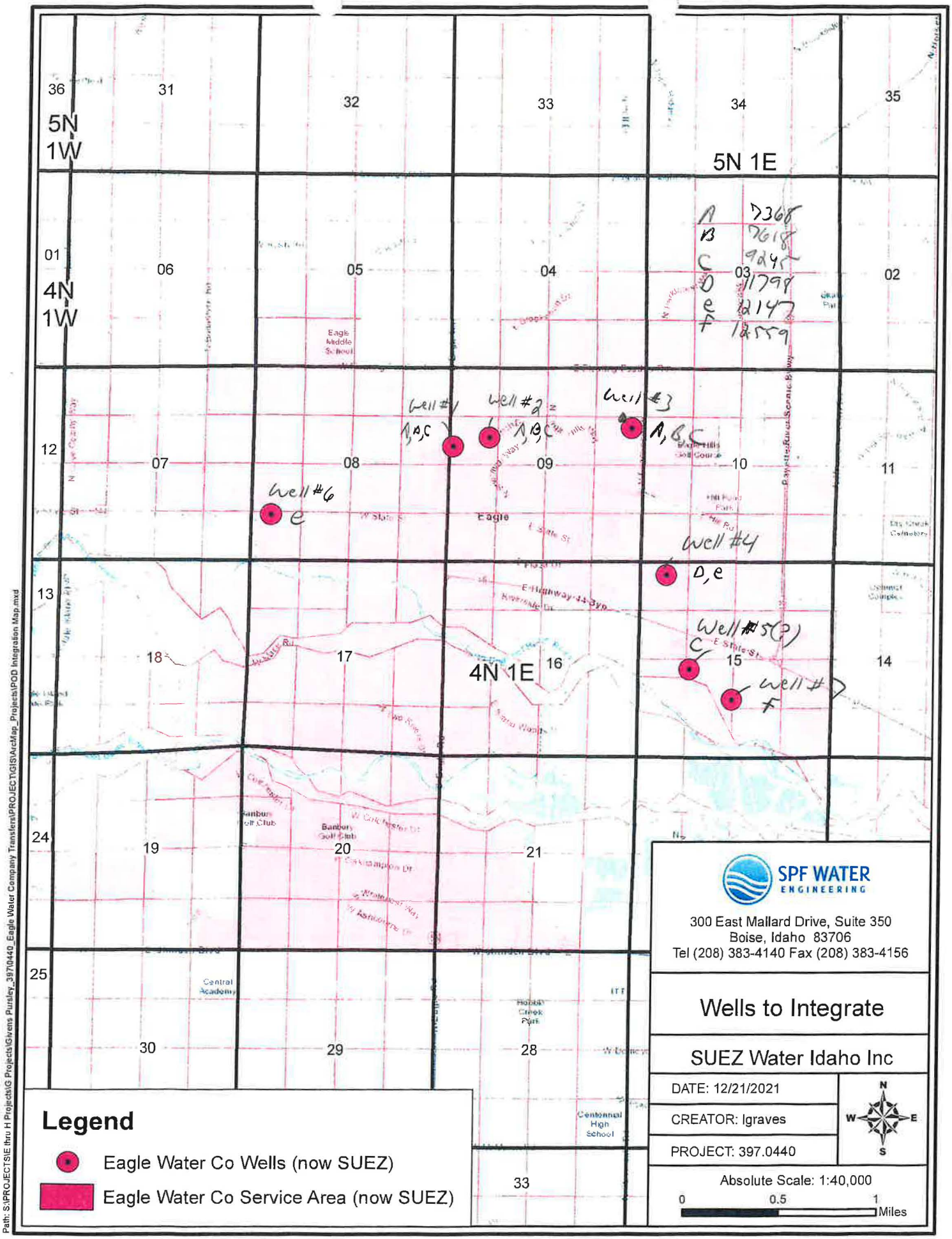

SPF WATER ENGINEERING

300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Wells to Integrate

SUEZ Water Idaho Inc

DATE: 12/21/2021

CREATOR: lgraves

PROJECT: 397.0440

Absolute Scale: 1:40,000

0 0.5 1 Miles

Path: S:\PROJECTS\E thru H Projects\G Projects\Givens Pursley_397\0440_Eagle Water Company Transfers\PROJECTGIS\ArcMap_Projects\POD Integration Map.mxd

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 26, 2022

COPY

VEOLIA WATER IDAHO INC
8248 W VICTORY RD
BOISE, ID 83709-4165

RE: Transfer No. 85719
Water Right No(s). 63-11798, 63-12147, 63-12559, 63-7368, 63-7618, 63-9245
Transfer No. 85720
Water Right No(s). 63-7066

Dear Applicant(s):

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 for transfer 85719 has been prepared and is scheduled for publication in the IDAHO STATESMAN, TIMES NEWS, LEWISTON TRIBUNE, POST REGISTER on 6/2/2022 and 6/9/2022. A legal notice of the application for transfer 85720 has been prepared and is scheduled for publication in the IDAHO STATESMAN on 6/2/2022 and 6/9/2022. 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 the Western Region office if you have any questions regarding the application.

Sincerely,

Jean Hersley

Jean Hersley
Technical Records Specialist

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85719

VEOLIA WATER IDAHO INC, 8248 W VICTORY RD, BOISE, ID 83709-4165 has filed Application No. 85719 for changes to the following water rights within ADA County(s): Right No(s). 63-11798, 63-12147, 63-12559, 63-7368, 63-7618, 63-9245; 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:
The transfer proposes to combine seven points of diversion for six ground water rights obtained from Eagle Water Co. into a common system and list all seven PODs on the municipal water rights totaling 16.24 cfs. Priority dates range from 1970 to 1999. Points of diversion will be added to for water rights 63-7368, 63-7618, 63-9245, 63-11798, 63-12147, and 63-12559. Water will be used in the current municipal place of use.

TRANSFER NO. 85720

VEOLIA WATER IDAHO INC, 8248 W VICTORY RD, BOISE, ID 83709-4165 has filed Application No. 85720 for changes to the following water rights within ADA County(s): Right No(s). 63-7066; 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:
The transfer proposes to add seven points of diversion from the six ground water rights obtained from Eagle Water Co. to water right 63-7066, as part of a common system currently consisting of 42 points of diversion and list all PODs on the municipal water right with a priority date of 1968. Total diversion rate will remain at 5.8 cfs. Water will be used in the current municipal place of use.

For additional information concerning the property location, contact Western Region office at (208)334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 6/21/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 6/2/2022 and 6/9/2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-35229
ALETTE BETTENCOURT
1032 S BLACK CAT RD
KUNA, ID 83634-1626
Point of Diversion SESE S28 T02N R01W ADA County
Source GROUND WATER
Use: IRRIGATION
03/01 to 11/15
1.6 CFS
Total Diversion:
1.6 CFS
Date Filed: 03-30-2022
Place Of Use: IRRIGATION
T02N R01W S27 NESW,NWSW
Total Acres: 80
Water bearing zone to be appropriated is from 150 to 250 feet.

63-35261
ROGER WORLEY
372 S EAGLE RD # 315
EAGLE, ID 83616-5908
Point of Diversion NESE S34 T05N R01E ADA County
Source GROUND WATER
Use: FIRE PROTECTION
01/01 to 12/31
0.08 CFS
Use: IRRIGATION
03/15 to 11/15
0.15 CFS
Use: DOMESTIC
01/01 to 12/31
0.04 CFS
Total Diversion:
0.19 CFS
Date Filed: 05-05-2022
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION
T05N R01E S34 NESE
Total Acres: 5
Water bearing zone to be appropriated is from 250 to 400 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 6/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/2/2022 and 6/9/2022

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 26, 2022 9:23 AM
To: legals@idahostatesman.com
Subject: Legal Notice for the Idaho Statesman
Attachments: Legal Notice 63-35261, 63-35229 transfer 85719, 85720.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in the Idaho Statesman 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 the Western Region office, 2735 Airport Way, Boise, Idaho, 83705-5082-0098 before June 21, 2022. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85719

VEOLIA WATER IDAHO INC, 8248 W VICTORY RD, BOISE, ID 83709-4165 has filed Application No. 85719 for changes to the following water rights within ADA County(s): Right No(s). 63-11798, 63-12147, 63-12559, 63-7368, 63-7618, 63-9245; 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:

The transfer proposes to combine seven points of diversion for six ground water rights obtained from Eagle Water Co. into a common system and list all seven PODs on the municipal water rights totaling 16.24 cfs. Priority dates range from 1970 to 1999. Points of diversion will be added to for water rights 63-7368, 63-7618, 63-9245, 63-11798, 63-12147, and 63-12559. Water will be used in the current municipal place of use.

For additional information concerning the property location, contact Western Region office at (208)334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of $25.00 for each application on or before 6/21/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/2/2022 and 6/9/2022

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 26, 2022 9:23 AM
To: legals@magicvalley.com
Subject: Legal Notice for Times News
Attachments: Legal Notice Transfer 85719-statewide.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in the Times News 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 the Western Region office, 2735 Airport Way, Boise, Idaho, 83705-5082-0098 before June 21, 2022. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 26, 2022 9:23 AM
To: legalnotices@postregister.com
Subject: Legal Notice for the Post Register
Attachments: Legal Notice Transfer 85719-statewide.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in the Post Register 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 the Western Region office, 2735 Airport Way, Boise, Idaho, 83705-5082-0098 before June 21, 2022. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, May 26, 2022 9:23 AM
To: 'legals@lmtribune.com'
Subject: Legal Notice for Lewiston Tribune
Attachments: Legal Notice Transfer 85719-statewide.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in the Lewiston Tribune 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 the Western Region office, 2735 Airport Way, Boise, Idaho, 83705-5082-0098 before June 21, 2022. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
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208-287-4942
jean.hersley@idwr.idaho.gov

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

May 26, 2022

CITY OF EAGLE
PO BOX 1520
EAGLE ID 83616-6833

RE: Transfer No. 85719 and 85720

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from the City of Eagle regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days of the final publication.

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

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

RECEIVED RECEIVED
JAN 19 2022 JAN 20 2022
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES WESTERN REGION

GIVENS PURSLEY LLP

Attorneys and Counselors at Law

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Robert B. White
Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

January 19, 2022

Via Hand Delivery
Idaho Department of Water Resources
322 E Front St, Ste. 648
Boise, Idaho 83702-7371

RE: SUEZ transfer applications following acquisition of Eagle Water Company

To Whom It May Concern:

This firm represents SUEZ Water Idaho Inc. ("SUEZ"). As you may know, the Idaho Public Utilities Commission approved SUEZ's acquisition of Eagle Water Company's assets ("EWC") in a final order dated December 9, 2021. That order was not subsequently challenged or appealed and, on December 30, 2021, SUEZ acquired EWC, including its water rights and facilities.

Enclosed with this letter are two Applications for Transfer of Water Right(s) (together, the "*Transfer Applications*") that SUEZ is filing to "clean up" some pre-existing issues with the EWC water rights. Each application is described below.

I also have enclosed checks in the amounts of $2,440 ($1,540 for the *EWC Transfer Application* plus $900 for the *63-7066 Transfer Application* filing fees) and $150 (for the ownership change filing fee).

1. The "*EWC Transfer Application*"

The first of the *Transfer Applications* proposes changing the points of diversion ("PODs") for EWC's six water rights (63-7368, 63-7618, 63-9245, 63-11798, 63-12147, and 63-12559) to make their respective PODs alternate points of diversion ("APODs") for all six water rights. This will allow all of the EWC water rights acquired by SUEZ to be diverted from any of the EWC wells acquired by SUEZ. As part of an agreement with SUEZ and the City of Eagle,

SUEZ agrees to include the following condition on all of the water rights approved under this proposed transfer:

> 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, ground water was first diverted under this right from [name of well] located in [quarter-quarter legal description].

As part of the *EWC Transfer Application*, SUEZ also requests that IDWR correct a clerical error in the partial decree for water right no. 63-9245, as noted in the footnotes on pages 1 and 2 of the application. The 2009 partial decree for 63-9245 contains a remark stating that "[t]his right when combined with Right Nos. 63-7368 and 63-7618 shall not exceed 4.5 cfs per acre." However, the "per acre" text at the end of that remark was not in the 2008 approval of transfer no. 75035 that otherwise included the same remark. The addition of the "per acre" text in 63-9245's partial decree appears to be a clerical error—a Notice of Completed Administrative Proceeding dated one day after the 2008 transfer approval inexplicably includes the "per acre" text. Moreover, it is not typical to limit municipal water rights on a "per acre" basis. Accordingly, SUEZ requests that the Department remove the "per acre" text in its approval of the *EWC Transfer Application*.

Also as part of the *EWC Transfer Application*, SUEZ requests that the Department change its ownership records for the EWC water rights to reflect SUEZ Water Idaho Inc. as the new owner. A copy of the Water Right Warranty Deed conveying the water rights to SUEZ is attached to the application.

Please note that the "Service Area Update" map attached to the *EWC Transfer Application* shows the EWC and SUEZ service areas as currently reflected in IDWR's files. SUEZ plans to provide the Department with updated shape files for the entire current SUEZ service area (including the addition of the EWC service area) separately from this application as no transfer is required to update a municipal service area.

2. The "*63-7066 Transfer Application*"

The second of the *Transfer Applications* will allow SUEZ's decreed water right no. 63-7066[1] to be diverted from any of the APODs created by the *EWC Transfer Application*. These will be in addition to the 42 APODs already authorized to be diverted under right no. 63-7066. SUEZ is filing the *63-7066 Transfer Application* because EWC's water rights combined authorize a diversion rate that is less than the combined capacity of the EWC wells acquired by SUEZ.

[1] Water Right No. 63-7066 was withdrawn from SUEZ's Integrated Municipal Application Package ("IMAP") in 2010, and therefore can be the subject of its own transfer application.

Please contact me should you have any questions or concerns.

Best regards,

Michael P. Lawrence

Enclosures

cc (via email):

Cathy Cooper
Kurt Newbry
Terry Scanlan
Garrick Baxter

MPL
16023062_5 [30-174]