

RECEIVED

SEP 07 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 85340

IDWR / NORTH

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) EAGLES POINT DEVELOPMENT INC

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) EAGLES POINT DEVELOPMENT INC Phone 208-503-2101
Mailing address 3605 11th st Lewiston ID 83501 Email _____

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

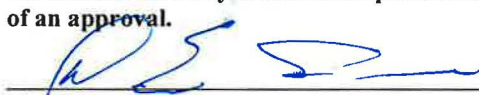
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

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

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Don E. Snyder
Print Name and Title if applicable

Sept 2 2021
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

THE APPLICANT PROPOSES TO CHANGE THE NATURE OF USE OF WATER RIGHT 85-7645 FROM
DOMESTIC AND IRRIGATION TO MUNICIPAL USE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	85-7645	0.13/ 52.0	MUNICIPAL	1/1 to 12/31	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.13 cfs and/or 74.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.13 cubic feet per second and/or 52.0 acre-feet per year.

3. Point(s) of Diversion:

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

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

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	05W	35												M			M	M	
35N	05W	2		M	M		M												
				GL2			GL3												
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

5. General Information:

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

APPLICANT HAS WELL AND PUMP HOUSE WITH LOCKABLE DOOR WITH METER TO STORAGE TANK.

- b. Who owns the property at the point(s) of diversion? RED PHEASANT HOLDING LLC

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

APPLICANT HAS AGREEMENT WITH RED PHEASANT HOLDINGS TO OPERATE SYSTEM AND HAS
BACKUP CONNECTION WITH RED PHEASANT SYSTEM.

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

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

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

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

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

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

THE LAND TO IRRIGATED WAS ONCE A GOLF COURSE THAT WILL BE TURNED INTO HOMES.

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

N/A

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Ja Date 9-7-21 Preliminary check by _____ Date _____

Fee paid 45000 Date 9-7-21 Receipted by Ja Receipt # N037347

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen



Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: : : Long: : :

NORTHERN REGION

IDWR
1. DRILLING PERMIT NO. 85-98-N-0002-000
Other IDWR No. 3602

2. OWNER:

Name Ron Hall
Address 3665 Lapwai Road
City Lewiston State ID Zip 83501

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W E S
Twp. 36 North ☒ or South ☐
Rge. 5 East ☐ or West ☒
Sec. 35 1/4 SE 1/4 SE 1/4
Gov't Lot _____ County Nez Perce
Lat: : : Long: : :
Address of Well Site 1/2 mile North of Lapwai Road City Lewiston
(Give at least name of road + distance to road or landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

- ☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

- ☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

- ☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT Sacks or Pounds	METHOD
Material	From	To		
Cement	0	47		Pressure grout Slurry

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ☒ Y ☐ N How? air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10	1	47	377	Steel	☒	☐	☒	☐
8	47	437	322	Steel	☐	☐	☒	☐
6	437	658	350	Steel	☐	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

- ☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

610 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

- ☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>approx. 55-60</u>		<u>250</u>	<u>1 hr.</u>

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 739

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
16	0	18	overburden		☒
16	18	27	basalt, firm		☒
16	27	31	soft basalt		☒
16	31	39	clay		☒
16	39	44	soft basalt		☒
16	44	47	basalt, firm		☒
16	47	61	basalt, firm		☒
10	61	73	Fract. basalt		☒
10	73	114	basalt, firm		☒
10	114	135	soft Porus basalt		☒
10	135	217	basalt, firm		☒
10	217	218	Fract. basalt		☒
10	218	219	Weathered basalt		☒
10	219	222	Fract. basalt 3 GPM	☒	
10	222	437	clay with sand sw		☒
10	437	439	soft basalt		☒
8	439	450	basalt soft		☒
8	450	497	basalt, firm		☒
8	497	612	hard grey basalt		☒
8	612	614	basalt, firm		☒
8	614	641	clay w/ sand		☒
8	641	648	hard shale		☒
8	648	739	basalt, firm		☒
8	739	753	Porus basalt & Red Cinders	☒	

Completed Depth 753 (Measurable)
Date: Started 4/6/98 Completed 5/12/98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name WITT Well Drilling Firm No. 58

Firm Official Roger Witt Date 6/16/98

and
Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

36N 5W 35

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/31/2021

Water Right 85-7645

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLES POINTE DEVELOPMENT INC 7293 FLYBY DR LEWISTON, ID 83501
Original Owner	RONALD A HALL 7330 AQUILA RD LEWISTON, ID 83501-7880 (208) 743-5534

Priority Date: 8/21/2003

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.130 CFS	65.2 AF
DOMESTIC	01/01	12/31	0.130 CFS	9.6 AF
	<u>Total Diversion</u>		0.130 CFS	74.8 AF

Source and Point(s) of Diversion

GROUND WATER	SESE	Sec. 35, Twp 36N, Rge 05W, NEZ PERCE County
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Place Of Use

IRRIGATION within NEZ PERCE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	05W	2		7.9			3.0												10.9
36N	05W	35															2.2	3.2	5.4

POU Total Acres: 16.3

DOMESTIC within NEZ PERCE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	05W	2		X L2			X L3												
36N	05W	35															X		

Conditions of Approval:

- 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.



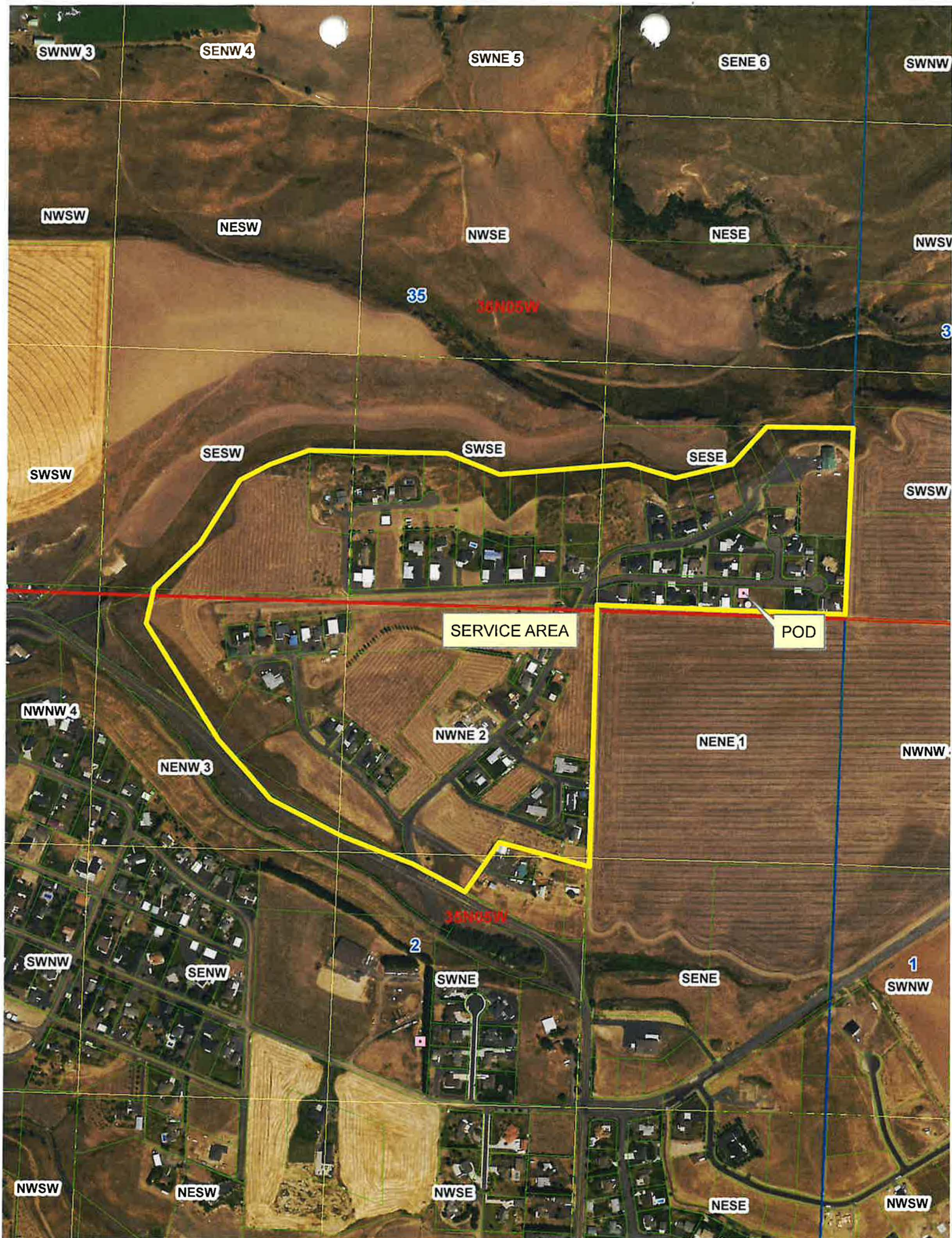


Transfer Application for 85-7645 #8A

Change in Nature of Use calculations for Irrigation of Turf Grass.

$$783 \text{ mm} \times .0032808 = 2.6 \text{ feet}$$

$$2.6 \text{ feet} \times 16.3 \text{ Acres} = 42.4 \text{ Acre feet.}$$



Hersley, Jean

From: Sujata.Connell@deq.idaho.gov
Sent: Wednesday, September 29, 2021 11:56 AM
To: Hersley, Jean
Subject: RE: Transfer 85340

Good Morning Jean,
DEQ has no comments on this water right transfer.
Thank you,
Sujata



Sujata Connell | Water Quality Manager
Idaho Department of Environmental Quality
1118 F Street, Lewiston, ID 83501
Office: (208) 799-4370
<http://www.deq.idaho.gov/>

From: Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]
Sent: Wednesday, September 29, 2021 10:46 AM
To: Sujata Connell
Subject: Transfer 85340

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. 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. The protest end date is October 25, 2021. 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 Northern Region office at (208) 762-2800 if you have any questions regarding the application.

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 28, 2021

EAGLES POINTE DEVELOPMENT INC
3605 11TH ST
LEWISTON, ID 83501

RE: Transfer No. 85340
Water Right No(s). 85-7645

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 has been prepared and is scheduled for publication in the LEWISTON TRIBUNE on 10/7/2021 and 10/14/2021. 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 Northern regional office at (208) 762-2800 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85340

EAGLES POINTE DEVELOPMENT INC, 3605 11TH ST, LEWISTON, ID 83501 has filed Application No. 85340 for changes to the following water rights within NEZ PERCE County(s): Right No(s). 85-7645; 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:

This transfer proposes to change the nature of use of Eagles Point Development Inc's existing groundwater right 85-7645 from domestic and irrigation to municipal use. This transfer will not make changes to the existing groundwater point of diversion. For additional information concerning the property location, contact Northern Region office at (208)762-2800. 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, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 10/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/7/2021 and 10/14/2021

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, September 28, 2021 10:39 AM
To: legals@lmtribune.com
Subject: Legal notices for your paper
Attachments: LegalNoticeTransfer0.docx; LegalNoticeTransferMerged11.docx

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to the Northern region office before 10/25/2021. Your cooperation is appreciated.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, September 29, 2021 11:46 AM
To: Sujata Connell
Subject: Transfer 85340

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. 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. The protest end date is October 25, 2021. 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 Northern Region office at (208) 762-2800 if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

MEMORANDUM

Date: September 22, 2021
To: Transfer 85340
From: Adam Frederick
Re: Legal Notice Remarks

This transfer proposes to change the nature of use of Eagles Point Development Inc's existing groundwater right 85-7645 from domestic and irrigation to municipal use. This transfer will not make changes to the existing groundwater point of diversion.

MEMORANDUM

Date: September 24, 2021
To: Transfer 85340
From: Adam Frederick
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
9/24/2021

Authority to File: Mr. Snyder is listed as the President according to the Idaho Secretary of State's Office.

Water Right Validity: The water right is valid according to IDWR records.

Injury to Other Water Rights: See memo from Department Hydrogeologist.

Enlargement of Use: None.

Local Public interest: No negative issues anticipated.

Beneficial Use/Conservation of Water Resources: Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area: The transfer will allow for growth in the community to support the local economy.

Effect on Agricultural Base of the Local Area: None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Memorandum

To: Adam Fredrick, Water Rights Supervisor
From: Daniel Sturgis, Technical Hydrogeologist
Date: September 24, 2021
Re: Water Right Transfer for Eagles Point Development, Inc.

Eagles Point Development, Inc. has applied for a water right transfer in the Lewiston Plateau Ground Water Management Area. As required by groundwater management plan for the Lewiston Plateau, a water right transfer more than one-quarter of a mile in the groundwater management area may be approved only after it has been determined there is a sufficient water supply and other water rights will not be injured.

Based on the available well log for the Eagles Point well, Eagles Point produces water from the Grande Ronde Basalts. The transfer will not have an impact on the shallow aquifers in the area. Additionally, the transfer is only for a change in beneficial use and does not include a change in the location of the point of diversion. Finally, the water right transfer would reduce the annual volume allocated from 74.8 acre-feet to 52.0 acre-feet. The reduction in total annual volume allowed to be diverted will benefit the Lewiston Plateau. If the water right transfer application is not protested by the public, it is recommended the transfer be approved by IDWR.