STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84718

This is to certify that: CITY OF GENESEE
140 EAST WALNUT
GENESEE, ID 83832

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
87-10413	AR/BENEFICIAL USE	10/17/1904	0.150 cfs	N/A	N/A	N/A	GROUND WATER
87-7150	AR/LICENSE	12/12/1979	0.780 cfs	N/A	N/A	N/A	GROUND WATER
87-7151	AR/LICENSE	3/2/1981	1.040 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
87-10413	NO	YES	NO	NO	NO	NO
87-7150	NO	YES	NO	NO	NO	NO
87-7151	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
87-10413	87-10413	0.150 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
87-7150	87-7150	0.780 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
87-7151	87-7151	1.040 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**1.820 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 25th day of March, 2021.

Adam Frederick

Adam Frederick, Water Right Supervisor

Transfer No. 84718

WATER RIGHT NO. 87-7150

As Modified by Transfer No. 84718

In accordance with the approval of Transfer No. 84718, Water Right No. 87-7150 is now described as follows:

Right Holder: CITY OF GENESEE
140 EAST WALNUT
GENESEE, ID 83832

Priority Date: 12/12/1979

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	0.780 cfs
				0.780 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SESW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWSW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWNE	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NENW	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NWNW	Sec 14 Twp 37N Rge 05W LATAH County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The following rights are diverted through point(s) of diversion described above: 87-7150, 87-7151, and 87-10413.
3. 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.
4. Place of use is within the service area of the City of Genesee municipal water supply system as provided for under Idaho Law. The place of use is generally located within Township 37 North, Range 5 West, Sections 11,13-15.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Palouse River Basin Adjudication.

WATER RIGHT NO. 87-7150

As Modified by Transfer No. 84718

CONDITIONS OF APPROVAL

8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 87-7151

As Modified by Transfer No. 84718

In accordance with the approval of Transfer No. 84718, Water Right No. 87-7151 is now described as follows:

Right Holder: CITY OF GENESEE
140 EAST WALNUT
GENESEE, ID 83832

Priority Date: 3/2/1981

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	1.040 cfs
				1.040 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SESW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWSW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWNE	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NENW	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NWNW	Sec 14 Twp 37N Rge 05W LATAH County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The following rights are diverted through point(s) of diversion described above: 87-7150, 87-7151, and 87-10413.
3. 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.
4. Place of use is within the service area of the City of Genesee municipal water supply system as provided for under Idaho Law. The place of use is generally located within Township 37 North, Range 5 West, Sections 11,13-15.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Palouse River Basin Adjudication.

WATER RIGHT NO. 87-7151

As Modified by Transfer No. 84718

CONDITIONS OF APPROVAL

8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 87-10413

As Modified by Transfer No. 84718

In accordance with the approval of Transfer No. 84718, Water Right No. 87-10413 is now described as follows:

Right Holder: CITY OF GENESEE
140 EAST WALNUT
GENESEE, ID 83832

Priority Date: 10/17/1904

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	0.150 cfs
				0.150 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SESW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWSW	Sec 11 Twp 37N Rge 05W LATAH County
GROUND WATER	SWNE	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NENW	Sec 14 Twp 37N Rge 05W LATAH County
GROUND WATER	NWNW	Sec 14 Twp 37N Rge 05W LATAH County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The following rights are diverted through point(s) of diversion described above: 87-7150, 87-7151, and 87-10413.
3. 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.
4. Place of use is within the service area of the City of Genesee municipal water supply system as provided for under Idaho Law. The place of use is generally located within Township 37 North, Range 5 West, Sections 11,13-15.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Palouse River Basin Adjudication.

WATER RIGHT NO. 87-10413

As Modified by Transfer No. 84718

CONDITIONS OF APPROVAL

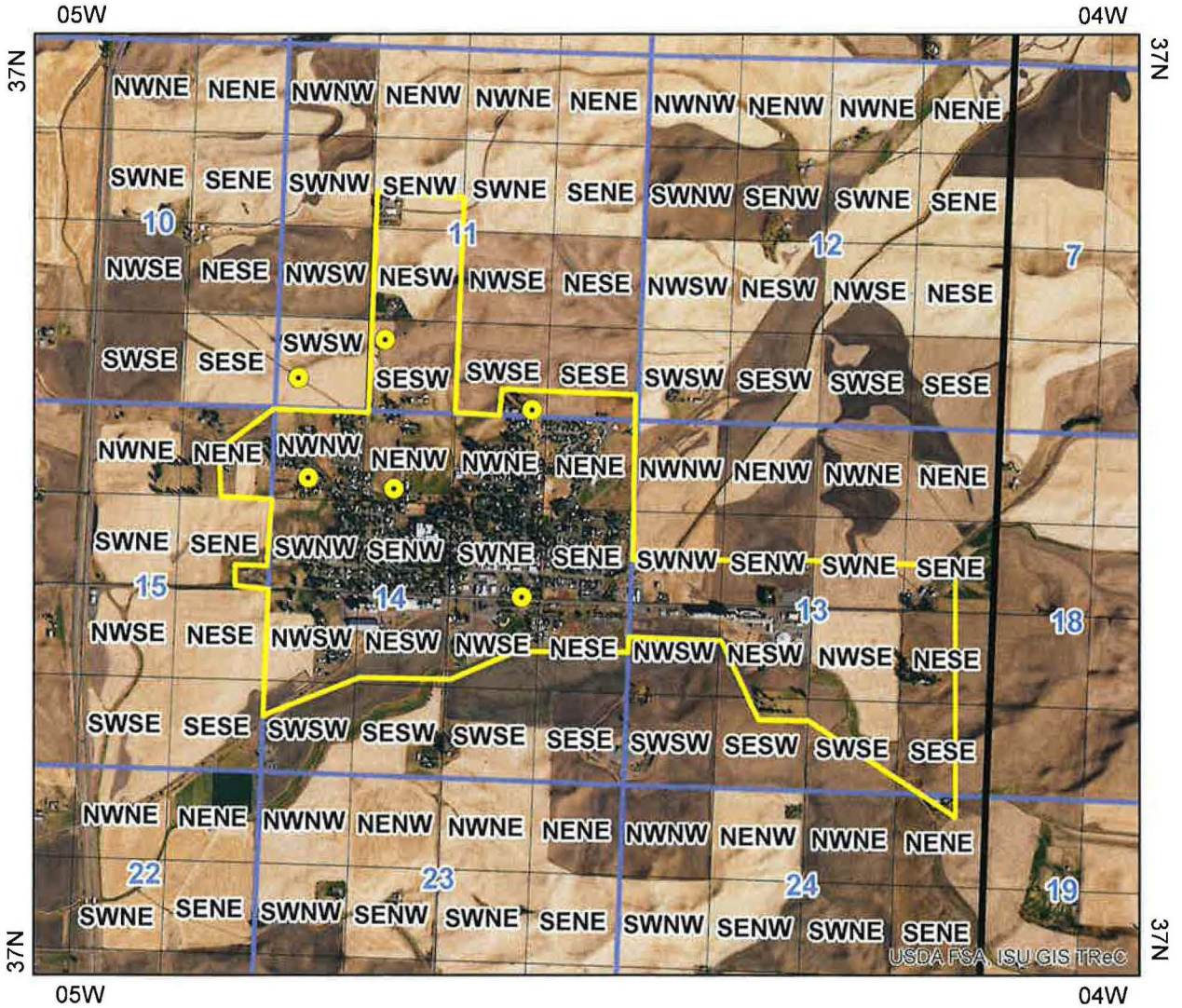
8. This right does not grant any right-of-way or easement across the land of another.

City Of Genesee

Attachment to Transfer # 84718

Rights 87-7150, 87-7151, & 87-10413

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



Point of Diversion

Water Service Area Boundary

Townships

PLS Sections

Quarter Quarters

0 0.3 0.6 1.2 Miles

N

Prepared By:Frederick, Adam

State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819
Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 25, 2021

CITY OF GENESEE
140 EAST WALNUT
GENESEE ID 83832

Re: Transfer No: 84718
Water Right No(s).: 87-7150, 87-7151, 87-10413
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 the northern Region Office at (208) 762-2800.

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2021 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.: 84718
Water Right No(s).: 87-7150, 87-7151, 87-10413

CITY OF GENESEE
140 EAST WALNUT
GENESEE ID 83832

Tammy Alleman

Tammy Alleman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: March 24, 2021

To: Transfer 84718

From: Luke Bates (LSB)

Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
3/24/2021

This transfer proposes to move a point of diversion for the City of Genesee's existing ground water rights to the SW1/4SE1/4 of Section 11, Twp 37N, Rge 05W, B.M.

Authority to File:
The applicant is listed as the current owner of the rights being transferred according to IDWR records. The application was signed by the Mayor of Genesee, Steve Odenborg.

Water Right Validity:
The water rights are valid and have been recommended in the CSRBA.

Injury to Other Water Rights:
Injury is not anticipated.

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:
New well will ensure a safe drinking water source for the future economy in the city.

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.

NEWS REVIEW PUBLISHING COMPANY
The Moscow-Pullman Daily News
P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 03/11/2021

INVOICE NO. 162081

Account No. 964750

Description 162081 NOTICE O

LEGAL ADVERTISING INVOICE

Times 2

Lines 109

Tab. lines

$ 155.32

Sold To: ID DEPT. OF WATER RESOURCES
7600 MINERAL DR #100
COEUR D ALENE ID 83814

PO# Alleman, Tammy

NOTICE:This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

162081

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84718

CITY OF GENESEE, 140 EAST WALNUT, GENESEE, ID 83832 has filed Application No. 84718 for changes to the following water rights within LATAH County(s): Right No(s). 87-10413, 87-7150, 87-7151; 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 move a point of diversion for the City of Genesee's existing ground water rights to the SW1/4SE1/4 of Section 11, Twp 37N, Rge 05W, B.M.
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 3/22/2021. The protestant must also send a copy of the protest to the applicant.
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
86-12103
ROBERTSON AVON LLC
1060 OLD AVON RD
DEARY, ID 83823-9654
Point of Diversion SESE
S36 T41N R03W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-11-2021
Place Of Use: DOMESTIC
T41N R03W S36 SESE

86-12104
ROBERTSON AVON LLC
1060 OLD AVON RD
DEARY, ID 83823-9654
Point of Diversion SWSE
S36 T41N R03W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-11-2021
Place Of Use: DOMESTIC
T41N R03W S36 SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; 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, 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 3/22/2021. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN,
Director

Published on 3/4/2021
and 3/11/2021

AFFIDAVIT OF PUBLICATION

Hollie K Vance, Legal Clerk
being first duly sworn, on oath deposes
and says: I am the printer of
Moscow-Pullman Daily News, a newspaper
of general circulation, published daily
except Sunday at Moscow, Latah County,
Idaho, in compliance with Sections 60-106,
60-107, and 60-108 of the Idaho Code and the
amendments thereto; and an official newspaper
for Whitman County, Washington as required
by R.C.W. 36.72.071 and other provisions of
the Revised Code of Washington and the
amendments thereto: that the notice of which the
annexed is a full, true and correct printed
copy was published in the regular and entire
issues of said newspaper and not in a
supplement thereto, upon the following dates:

March 4, 11, 2021

the same being the date designated
the publication of said notice.

Hollie K. Vance

On this 12 day of Mar
in the year of 2021, before me, a Notary Public,
personally appeared Hollie K Vance,
known or identified to me to be the person
whose name subscribed to the within instrument,
and being by me first duly sworn, declared that
the statements therein are true, and acknowledged
to me that he executed the same.

Notary Public for Idaho,
Residing at Lewiston, Idaho
My Commission Expires 1/23/22