

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 09 2021

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 § 42-221.0.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of Dayton Phone 208-747-3589

2. MAILING ADDRESS P.O. Box 12 999 North WestSide Highway City Dayton
State ID Zip 83232 Email daytonclerk@gmail.com & abeutler@kelbli.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) 13-7512, 13-7106

- ☐ 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 3.39 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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*.

[illegible]

84693

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:

Two of the five potential sites, will be selected for new municipal groundwater wells dependent upon the best test well results. Controlling works will be located within a lockable well house and will have an inline flow-meter

- b. Who owns the property at the point(s) of diversion? #1 City of Dayton, #2 Polly Olguin, #3 Elva Atkinson, #4 West Side, #5 PMR Trust
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
If Sites 2,3,4,or 5 are chosen for a municipal well it will be acquired by the City of Dayton, after drilling a test well

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

Dee Beckstead
Signature of applicant or authorized agent

Dee Beckstead, Dayton City Councilmember

Print name and title if applicable

1/12/2021

Date

Melvin E. Beutler
Signature of applicant or authorized agent

Melvin E. Beutler, Dayton City Mayor

Print name and title if applicable

1/12/2021

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-foot 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 \$660.00 Date 1/25/21

Received by ca dh Receipt # E046586

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)

ADDITIONAL Fee: \$80.00 - 2/18/21 - ca dh - E046641

2/9/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DAYTON PO BOX 12 DAYTON, ID 83232-0012 (208) 747-3219

Status: Active

Tributary

Volume

0.390 CFS

Sec. 15, Twp 15S, Rge 38E, FRANKLIN County

MUNICIPAL within FRANKLIN County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
15S	38E	10													X	X	X	X	
15S	38E	11				X					X	X	X	X	X	X	X	X	
15S	38E	12							X	X	X	X	X	X		X			
15S	38E	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	15	X	X	X	X									X	X	X	X	
15S	38E	22	X	X	X	X									X	X	X	X	
15S	38E	23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	24	X	X	X	X	X	X	X	X	X	X			X	X	X	X	
15S	38E	26	X	X	X	X	X	X	X	X									
15S	38E	27	X	X	X	X										X	X		
15S	38E	34		X															
15S	39E	18		X	X		X	X L1	X L2	X	X	X L3	X L4	X		X	X		
15S	39E	19		X			X	X L1	X L2	X		X L3							

84693

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/9/2021

1. P/U WITHIN CITY LIMITS OF DAYTON.
REINSTATED 5-23-80.

Comments:

- | | | | |
|----|--|-----------|-----|
| 1. | dfavreau | 9/24/2008 | POU |
| | Updated Shape | | |
| 2. | dfavreau | 9/24/2008 | POU |
| | Updated PLS | | |
| 3. | dfavreau | 9/28/2008 | POU |
| | Set LPOU flag to yes. Used city limits shape from 2000 Census for POU. | | |
| 4. | mciscell | 6/10/2013 | POD |
| | Bulk Generate Shape From PLS | | |
| 5. | jcefalo | 9/10/2013 | POD |
| | Updated Shape | | |

Dates and Other Information

Licensed Date: 4/19/1982
Water District Number: 11
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

2/9/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DAYTON PO BOX 12 DAYTON, ID 83232-0012 (208) 747-3219

Status: Active

Tributary

Volume

Sec. 15, Twp 15S, Rge 38E, FRANKLIN County
Sec. 15, Twp 15S, Rge 38E, FRANKLIN 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	
15S	38E	10													X	X	X	X	
15S	38E	11				X					X	X	X	X	X	X	X	X	
15S	38E	12							X	X	X	X	X	X		X			
15S	38E	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	15	X	X	X	X									X	X	X	X	
15S	38E	22	X	X	X	X									X	X	X	X	
15S	38E	23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
15S	38E	24	X	X	X	X	X	X	X	X	X	X			X	X	X	X	
15S	38E	26	X	X	X	X	X	X	X	X									
15S	38E	27	X	X	X	X										X	X		
15S	38E	34		X															
15S	39E	18		X	X		X	X L1	X L2	X	X	X L3	X L4	X		X	X		
15S	39E	19		X			X	X L1	X L2	X		X L3							

84693

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/9/2021

1. 132 Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
2. 022 The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
3. 124 Place of use is within the service area of the City of Dayton municipal water supply system as provided for under Idaho Law.
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.
5. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

Comments:

1. jcefalo 7/31/2013 Field Report Narrative

Two ground water wells supply water to the Dayton City municipal system. Original well was licensed in 1981 (right 13-7106) for 0.39 cfs. The city also diverts water from springs tributary to Five Mile Creek (statutory claim 13-4269, 1.00 cfs). Two storage tanks (350,000 gal and 150,000 gal) sit on the hillside above the city. Wells can pump up to storage tanks for gravity pressure delivery or can pump directly into delivery system.

Well #1: Located in a pump house at the city park. This is the authorized POD for right 13-7106. A larger motor was placed on the pump in the original well after the field exam for right 13-7106 was completed. Current motor = 40 hp. Bowls are currently set at 120 feet deep. Water can be open discharged through a field pipe onto the lawn at the city park. Well was measured at the line going directly into the city system (pressure = 75 psi) and at the open discharge line. The highest instantaneous reading was on the field pipe at 367 gpm. The well began surging at that discharge rate. Aaron Beutler, representative for the city, said the well usually produces about 350 gpm. The well begins drawing air at higher pumping rates. Assuming a 40 hp pump, 75 psi delivery pressure, 70% efficiency, and 120 foot pumping level, the theoretical discharge is 375 gpm.

Well #2: Located in a concrete vault 750 feet to the southwest of the city park. Well #2 was constructed in 1994. 14" casing, static water level = 68 feet. Original pump test shows a diversion of 776 gpm. By 1997, the screen in the bottom of the well had torn and the well began to fill with sand and pea gravel. 1997 letter states that the well produced over 1000 gpm before it was damaged. Original pump/motor was 125 hp, pumping level = 100 ft. Assuming a delivery pressure of 75 psi, theoretical diversion rate = 1267.5 gpm (2.82 cfs).

The theoretical capacity of the city system during the development period was 1634.5 gpm (3.64 cfs). It is impossible to know the actual capacity of the system before the well was damaged. Right 13-7106 authorizes the diversion of 0.39 cfs, leaving 3.25 cfs of the theoretical capacity of the system which can be covered in this license. Permit 13-7512 only authorized a diversion rate of 3.00 cfs. License will be issued for 3.00 cfs. Issuing the license for 3.00 cfs is consistent with the Oct 19, 2009 Administrators Memo 18 relating to licensing municipal rights.

2. jcefalo 9/10/2013 POD
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/9/2021

Dates and Other Information

Licensed Date: 9/20/2013

Water District Number: 11

Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

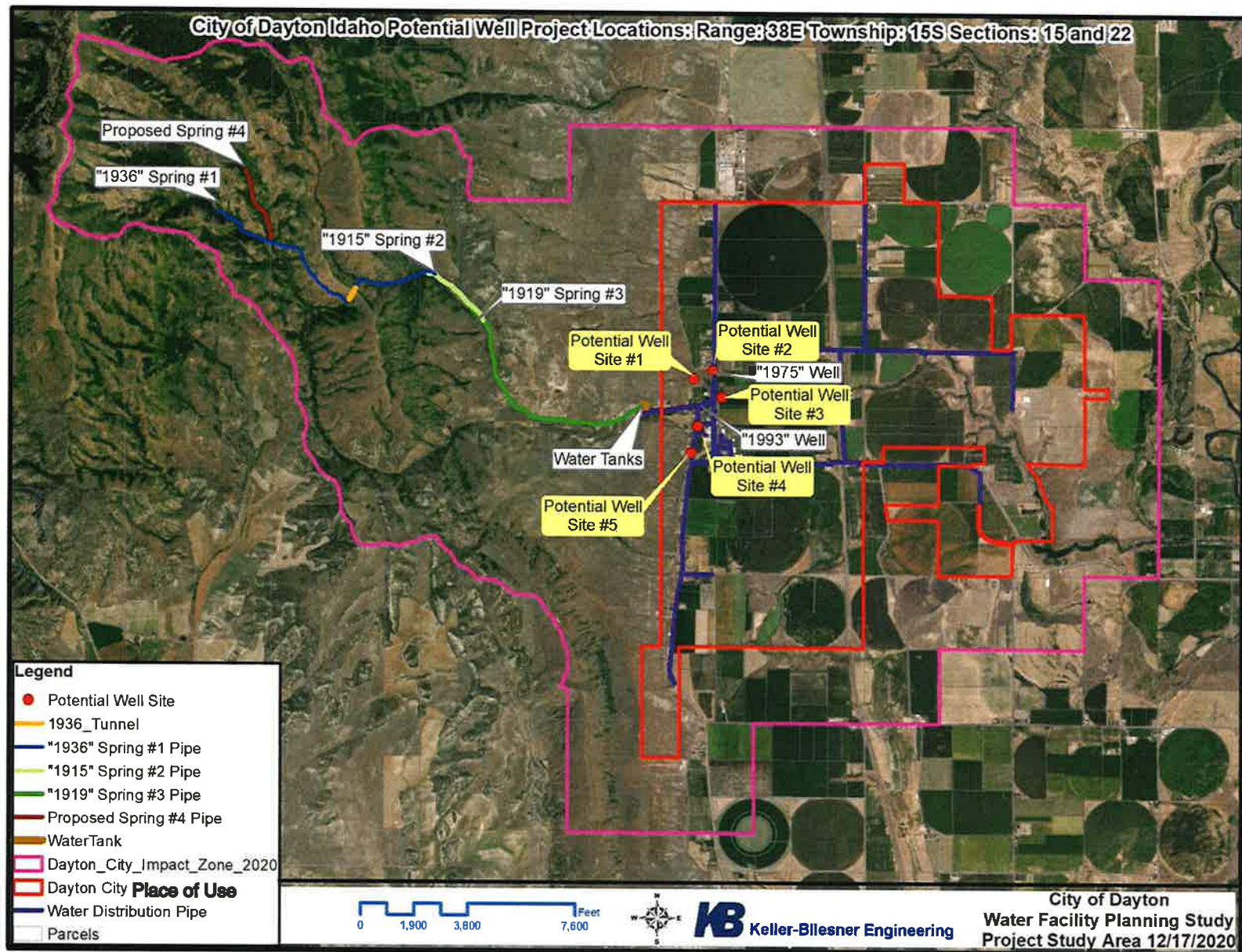


Exhibit 1 Location of the Project Area

84693

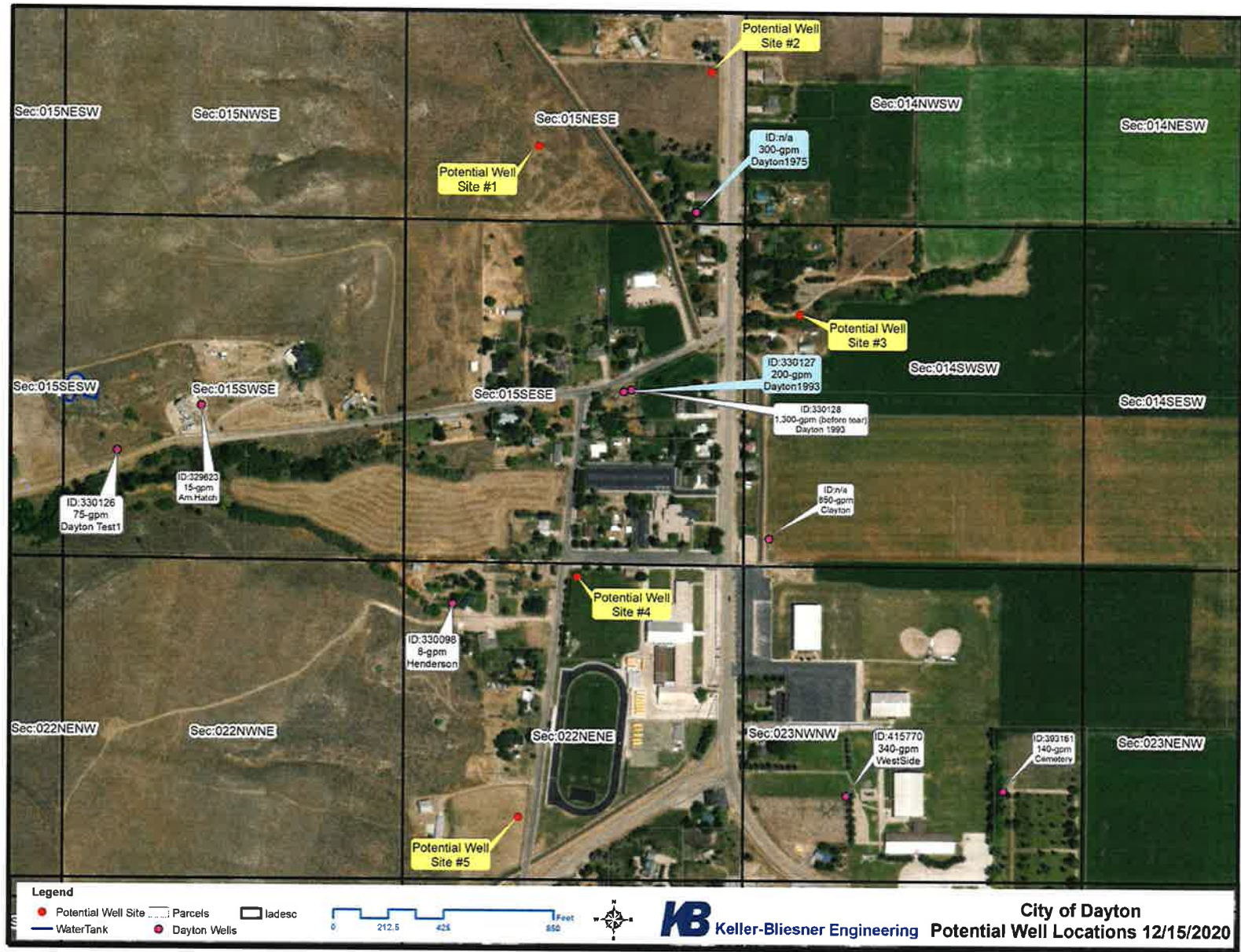


Exhibit 1a Location of Potential Well Sites

84693

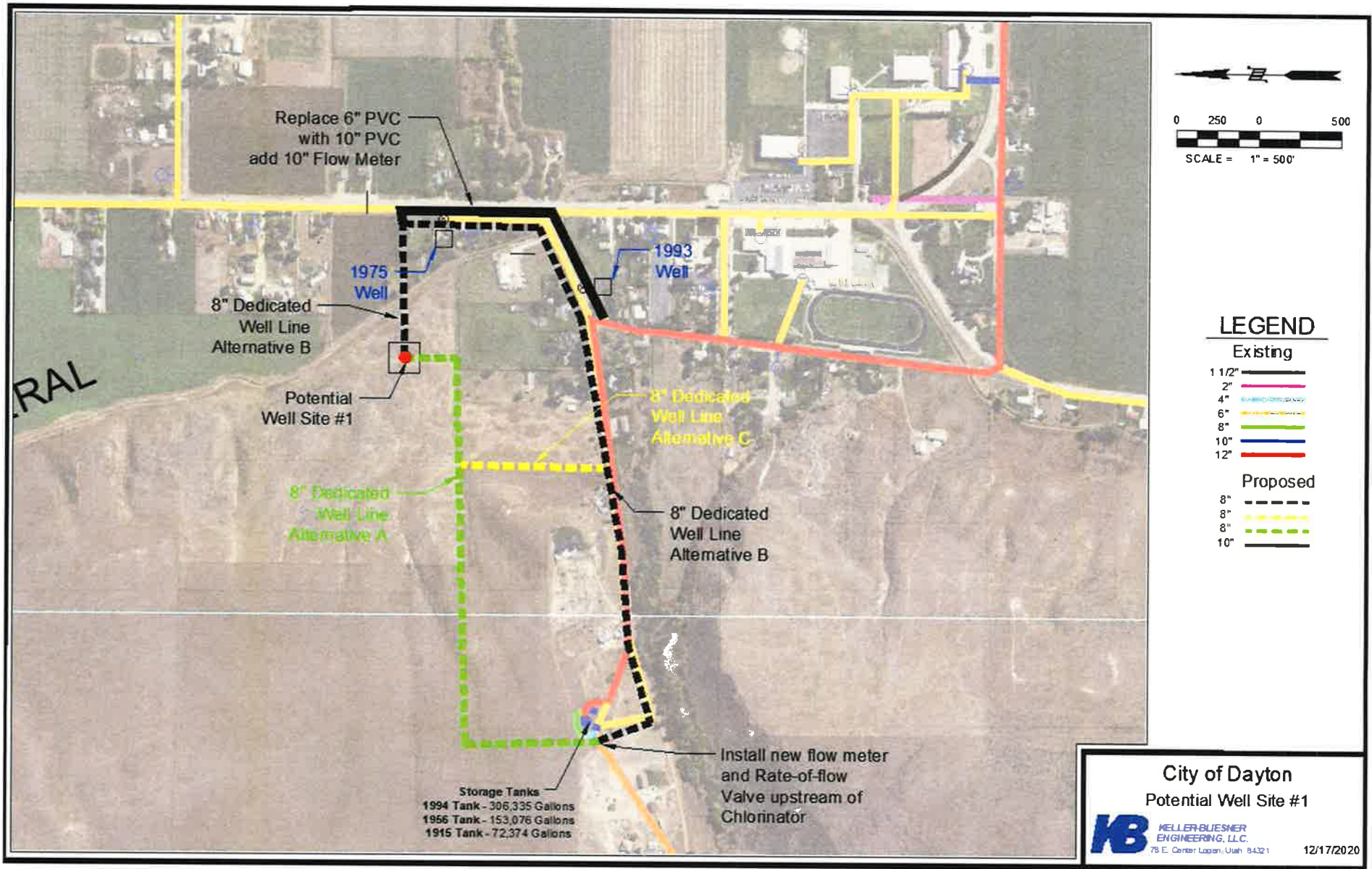


Exhibit 2a Potential Well Site #1 Conceptual Plan showing Proposed Improvement and Plans

84693

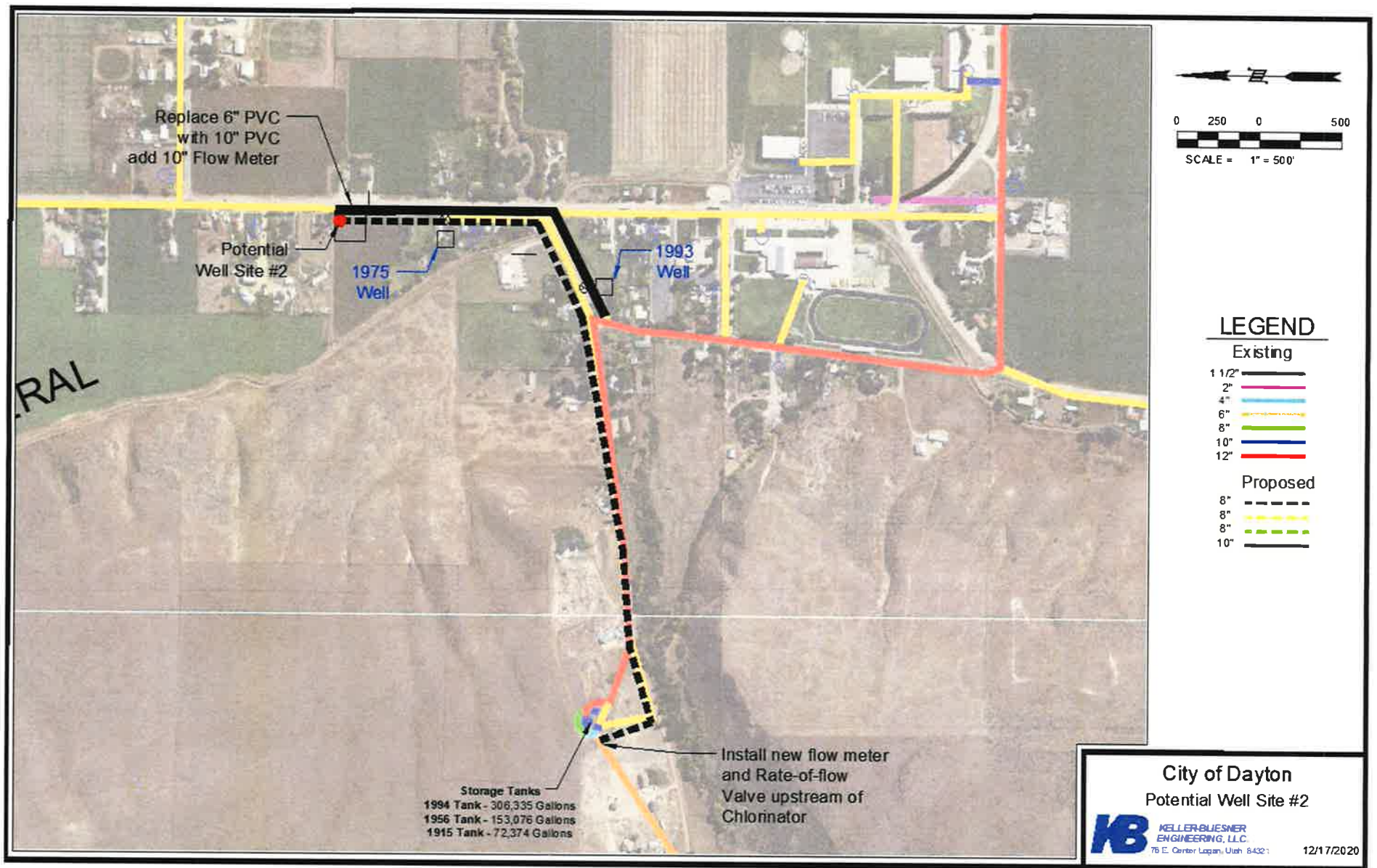


Exhibit 2b Potential Well Site #2 Conceptual Plan showing Proposed Improvement and Plans

04693

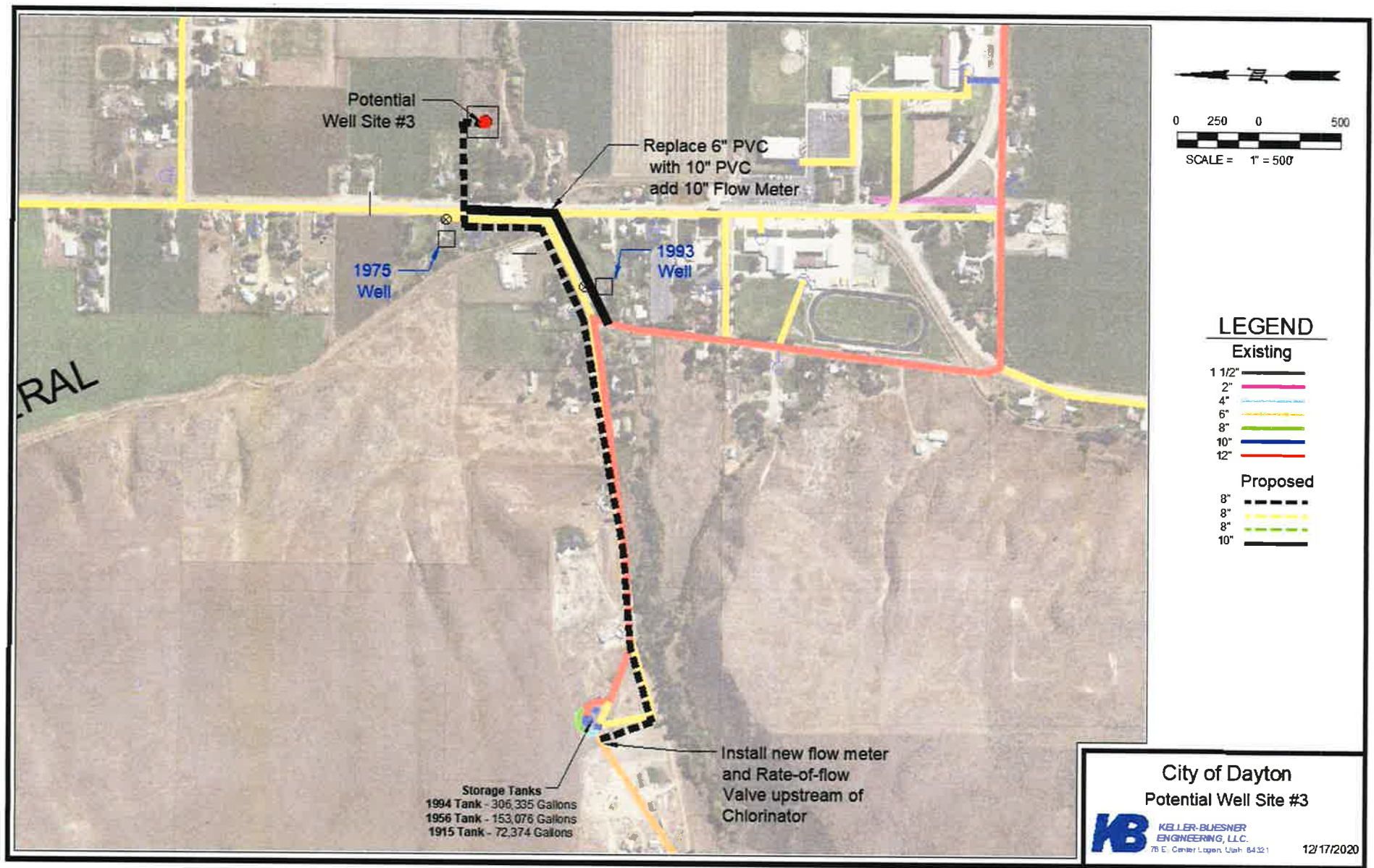


Exhibit 2c Potential Well Site #3 Conceptual Plan showing Proposed Improvement and Plans

84693

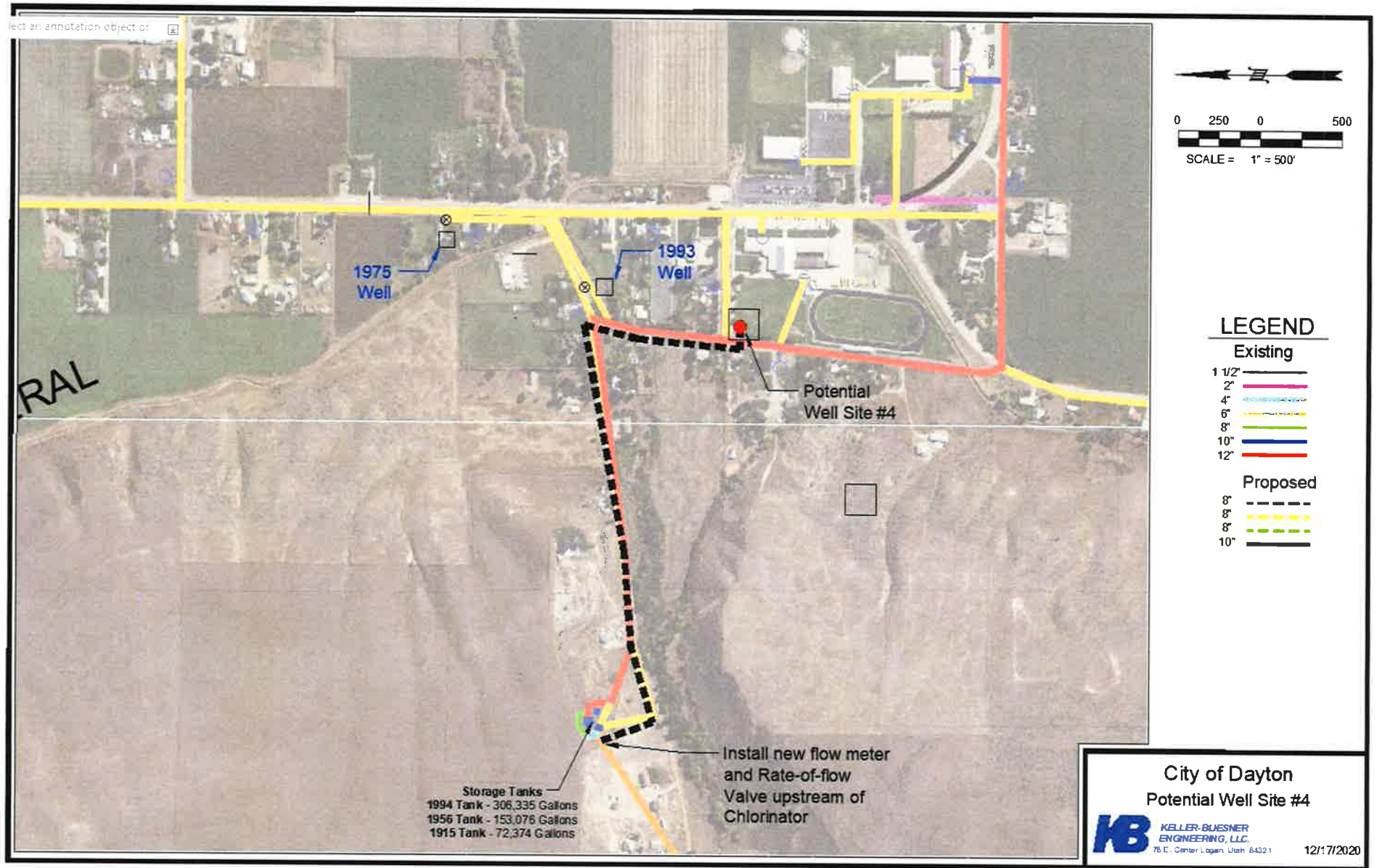


Exhibit 2d Potential Well Site #4 Conceptual Plan showing Proposed Improvement and Plans

84693

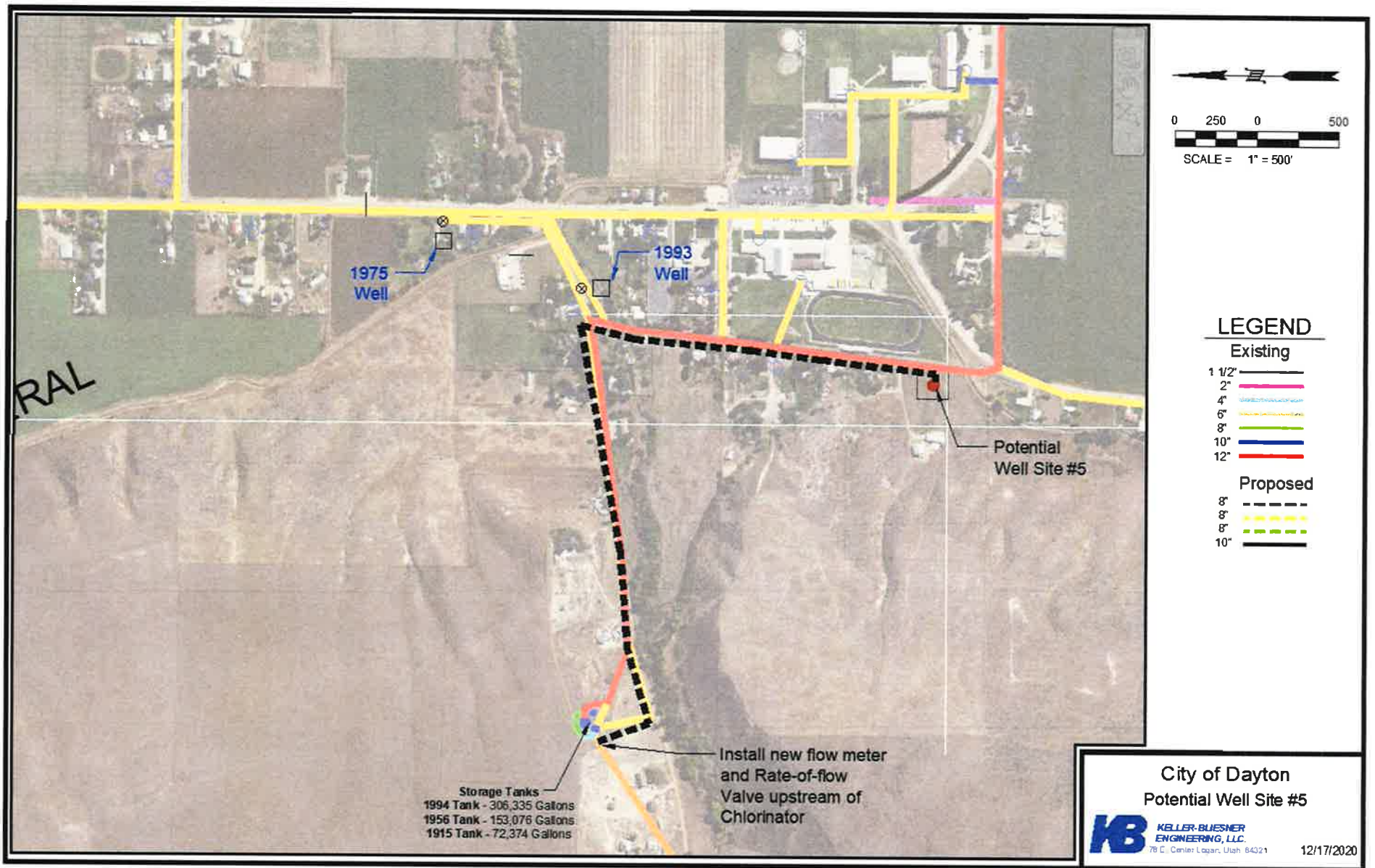


Exhibit 2e Potential Well Site #5 Conceptual Plan showing Proposed Improvement and Plans

One concern raised by the city council and a local resident was if the addition of a new well at any of the five potential test sites would affect the water table in the other nearby wells. To evaluate this question, a drawdown test was performed on Wednesday December 18th, 2019. The test consisted of monitoring water level depths at the "1975" Well, "1993" Well and the "West Side School" Well, while the two City wells were consecutively operated for one hour each (Figure 5.2). The results showed the static water table was not noticeably affected. The water level did not drop in either of the wells while the other well was operating.

Well	Ground Surface Elev. (ft)	Static Water Level Depth (ft)	Static Water Level Elevation (ft)	Test (hrs)	Draw-down (ft)	Sensor Depth (ft)	Sensor Elevation (ft)	Lidar Well Surface Elevation (m)	Lidar Well Surface Elevation (ft)
"1975" Well	4819.0	49.5	4769.5	1	19.2	99.2	4670.3	1468.83	4819.00
"1993" Well	4827.6	54	4773.6	1	59.5	118.8	4654.8	1471.44	4827.56
West Side Well	4806.9	33.25	4773.7	n/a	0.0	57.8	4715.9	1465.155	4806.94

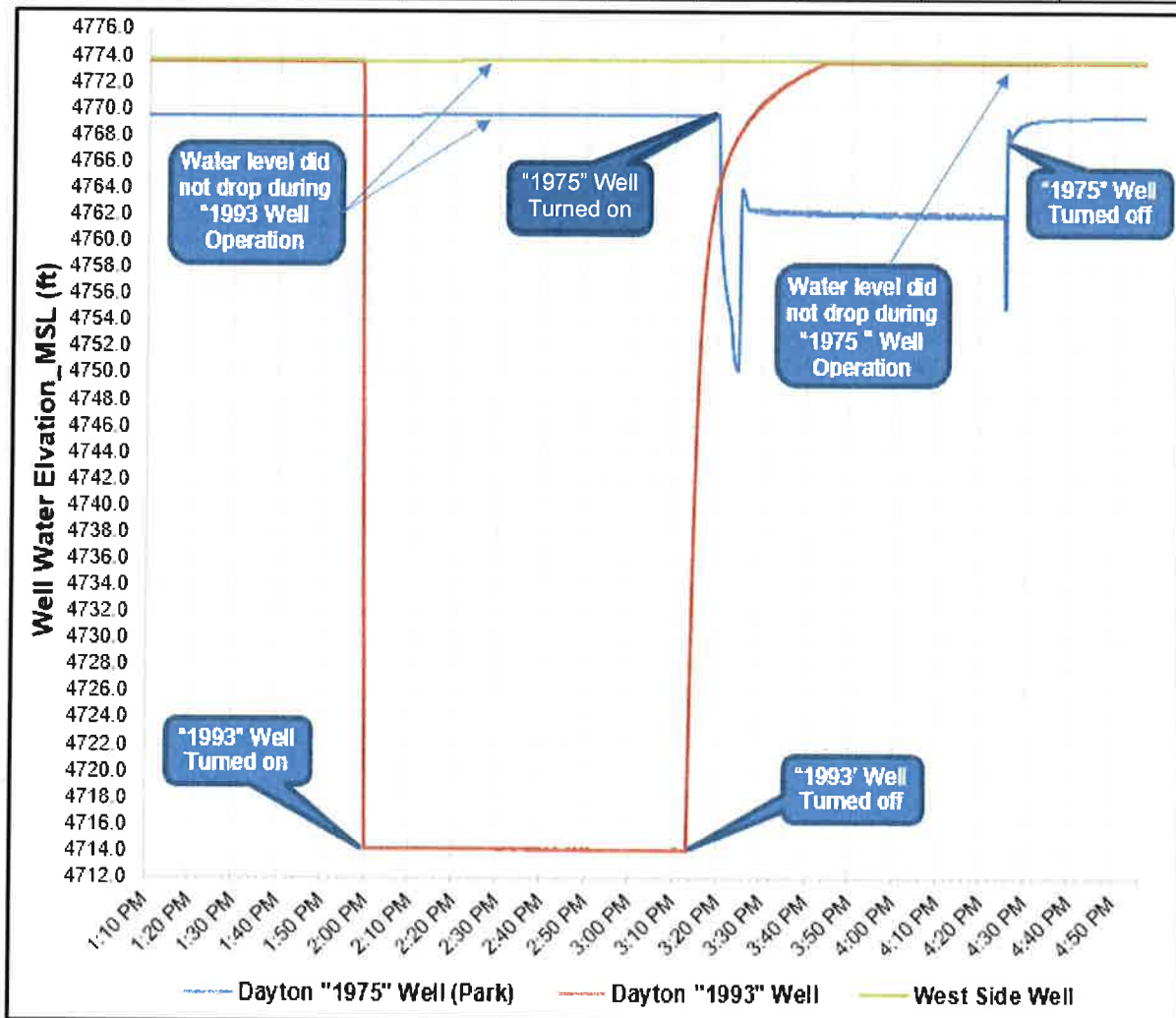


Figure 5.2 Dayton Dynamic Well Drawdown Test Results comparing "1993 Well", "1975 Well, & West Side Well water levels.– 12/18/2020





MEMORANDUM

DATE: January 13, 2021

TO: Blake Jordan
Idaho Department of Water Resources
900 North Skyline Dr. Suite A
Idaho Falls, ID 83402
Ph: 208-525-7161
Email: Blake.Jordan@idwr.idaho.gov

FROM: Aaron M. Beutler, Keller Bliesner Engineering
(on behalf of the City of Dayton, Idaho)
Ph: 208-852-6668
Email: abeutler@kelbli.com

SUBJECT: City of Dayton Idaho, Replacement Water Well Improvement Project
City of Dayton Application for Transfer of Water Right – Add Points of Diversion
Water Right# 13-7515

To Whom it May Concern,

Please find enclosed an Application for Transfer of a Water Right to add additional points of diversion to Water Right # 13-7515. This application requests that five potential well sites be added to the existing water right. The city plans to drill exploratory monitoring wells at these locations and then will choose the best of these sites to drill and develop at least two replacement municipal production wells.

Please find enclosed a check in the amount of \$660 to cover the application fee for transfer of 3 cfs.

Please process the application and send a copy of all correspondence regarding this application to our office as well as to the City of Dayton.

City of Dayton
P.O. Box 12
999 North Westside Highway
Dayton Idaho 83232

If you have any questions or concerns, please feel free to contact me at Keller-Bliesner Engineering at (435) 753-5651 or on my cell at (208) 852-6668, or via email.

Sincerely

Aaron M. Beutler, P.E., Project Manager
Keller-Bliesner Engineering

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 25 2021

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)** City of Dayton Phone 208-747-3589
2. **MAILING ADDRESS** P.O. Box 12 999 North WestSide Highway City Dayton
State ID Zip 83232 Email daytonclerk@gmail.com & abeutler@kelbli.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)** 13-7512

- ☒ 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 3.0 cubic feet per second and/or _____ acre-feet per annum.

(diversion rate)
(storage volume)

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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
NO			NE	SE	15	15S	38E	Franklin	Groundwater	Dayton "1975"
NO			SE	SE	15	15S	38E	Franklin	Groundwater	Dayton "1993"
Yes			NE	SE	15	15S	38E	Franklin	Groundwater	Potential Site #1
Yes			NE	SE	15	15S	38E	Franklin	Groundwater	Potential Site #2
Yes			SW	SW	14	15S	38E	Franklin	Groundwater	Potential Site #3
Yes			NE	NE	22	15S	38E	Franklin	Groundwater	Potential Site #4
Yes			NE	NE	22	15S	38E	Franklin	Groundwater	Potential Site #5



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 25, 2021

CITY OF DAYTON
PO BOX 12
DAYTON, ID 83232-0012

RE: Transfer No. 84693
Water Right No(s). 13-7106, 13-7512

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 PRESTON CITIZEN on 3/3/2021 and 3/10/2021. 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 this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
AARON M. BEUTLER
78 E CENTER ST
LOGAN, UT 84321

Henman, Christina

From: Henman, Christina
Sent: Thursday, February 25, 2021 10:33 AM
To: 'legals@prestoncitizen.com'
Subject: Legal Notice for Preston Citizen
Attachments: 84693, 13-8068 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Transfer No. 84693
Water Right No(s). 13-7106, 13-7512

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 this office before 3/22/2021. Your cooperation is appreciated.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84693**

CITY OF DAYTON, PO BOX 12, DAYTON, ID 83232-0012 has filed Application No. 84693 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-7106, 13-7512; 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: add points of diversion. The proposed points of diversion are in SESE and NESE (3 wells) Sec 15, SWSW Sec 14, and NENE (2 wells) Sec 22, T15S R38E for 3.39 cfs from Ground water. Two of the proposed points of diversion are existing wells. No more than 5 of the 7 wells are proposed to be used in this transfer.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 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:

13-8068

BENJAMIN TURNBOW

2828 S 3600 W

WESTON, ID 83286-5143

Point of Diversion SWSW S2 T16S R38E FRANKLIN County

Source GROUND WATER Tributary

Use: DOMESTIC

01/01 to 12/31

0.12 CFS

Total Diversion:

0.12 CFS

Date Filed: 02-08-2021

Place Of Use: DOMESTIC

T16S R38E S1

NESW

Place Of Use: DOMESTIC

T16S R38E S12

NESW,NWNE,NWNW,SENE,SESE

Place Of Use: DOMESTIC

T16S R39E S7

L1(NWNW),L3(NWSW),L2(SWNW),L4(SWSW)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 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 3/3/2021 and 3/10/2021

Nebeker, Jake

From: Dayton Mayor - Beutler <daytonmayor@gmail.com>
Sent: Tuesday, February 9, 2021 1:24 PM
To: Nebeker, Jake
Subject: City of Dayton application for transfer of water right.

Jake, thank you for watching out for us. That is a very good idea to combine the two water rights. That greatly improves our options down the road.

We will put the \$80.00 check in the mail tomorrow February 9th.

Thanks again for the suggestion.

--

Melvin E Beutler, Dayton City Mayor

City of Dayton

999 N Westside Highway P.O. Box 12

Dayton, Idaho 83232

Office: 208-747-3589

Cell: 208-851-2756

Nebeker, Jake

From: Nebeker, Jake
Sent: Tuesday, February 9, 2021 1:19 PM
To: 'abeutler@kelbli.com'; 'steadbeck@gmail.com'; 'daytonmayor@gmail.com'; 'daytonclerk@gmail.com'
Subject: RE: City of Dayton Water Right Transfer Amendment.
Attachments: Dayton City Amended page 1..pdf

I actually found a small error that I made with the amendment. Sorry for the inconvenience. This new attachment has the corrections.

From: Aaron Beutler [mailto:abeutler@kelbli.com]
Sent: Tuesday, February 9, 2021 12:10 PM
To: Nebeker, Jake <Jake.Nebeker@idwr.idaho.gov>
Cc: daytonclerk@gmail.com; Dayton Mayor - Beutler <daytonmayor@gmail.com>; Nancy Beckstead <steadbeck@gmail.com>
Subject: Re: City of Dayton Water Right Transfer Amendment.

Mayor Beutler,

Could you please respond back to this email from Jake?

Thanks,

Aaron M Beutler, P.E. Water Resources/Irrigation Engineer cell: (208) 852-6668



Keller-Bliesner Engineering, LLC www.kelbli.com
78 East Center
Logan, Utah 84321
Ph: 435-753-5651 Fax: 435-753-6139

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On Tue, Feb 9, 2021 at 10:12 AM Nebeker, Jake <Jake.Nebeker@idwr.idaho.gov> wrote:

To whom it may concern,

I have received your application for transfer for water right 13-7512. After looking over this application and finding that the City of Dayton has two water rights, I was curious why the application did not include both water rights owned by the applicant. During a

phone call with Aaron Beutler, I explained my thoughts and he stated that it would be a good idea for the City of Dayton to include water right 13-7106 in this transfer to add points of diversion. Thus giving water right 13-7512 and 13-7106 the same four points of diversion. This addition would need an additional \$80.00 fee, and a written emailed response confirming that the attached amended page one of the application is sufficient.

S. Jake Nebeker

Water Resource Agent

Idaho Department of Water Resources

900 N Skyline Dr # A, Idaho Falls, ID 83402

Phone: (208) 525-7161 Fax: (208) 525-7177