

JUN 07 2019

WATER RESOURCES
WESTERN REGIONSTATE 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) City of New Meadows Phone 208-347-2171
 2. MAILING ADDRESS PO Box 324 City New Meadows
 State ID Zip 83634 Email cityclerk@newmeadowsidaho.us

- ☐ 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) 78-2053, 78-7012

- ☒ 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 2.3 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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			SW	NE	24	19N	01E	Adams	Ground Water	Well No. 5
No			NE	SW	24	19N	01E	Adams	Ground Water	Well No. 4
No			SW	NW	24	19N	01E	Adams	Ground Water	Well No. 3

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:

See response in attached memorandum.

- b. Who owns the property at the point(s) of diversion? DeEtte Z McCarty and Steven G McCarty
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The City has entered into a Lease Option Agreement as described in attached memorandum.

- 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

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 KT Date 6/7/19

Fee paid \$660 Date 6/7/19 Receipted by KT Receipt # W047472

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)



SUPPLEMENTAL WATER RIGHTS TRANSFER APPLICATION INFORMATION

DESCRIPTION AND BACKGROUND INFORMATION:

The City of New Meadows (City) currently supplies its public drinking water system using two ground water rights (Nos. 78-2053 and 78-7012) using two wells (City Wells 3 and 4). Water right 78-7012 covers the points of diversion of both wells, but Water Right 78-2053 covers only the point of diversion at City Well 4. The City has entered into a lease option agreement (Parcel No. RPM0240005001A) to obtain land to construct a new well (City Well 5) to serve as an additional source of supply. Well 5 will take the place of City Well 4 as a primary source of supply for the system along with City Well 3. City Well 4 will serve as a redundant source for the other two wells. The parcel in question is located approximately at the intersection of S. Norris Ave. and Katherine Ave.

This Water Right Transfer Application includes the following requests:

1. Add two new points of diversion (City Well 3 and proposed City Well 5) to Water Right 78-2053.
2. Add one new point of diversion (proposed City Well 5) to Water Right 78-7012.

Upon approval, this will allow water to be pumped from any of the City's wells (2 existing plus the proposed new well) under either of the City's existing water rights. No changes to the place of use, type of use, or diversion rate are proposed for Water Rights 78-2053 and 78-7012. Construction of the new well will begin once all permits and approvals are obtained. Assuming a productive well is obtained, the City will then construct the well house and connect the well to the water system.

Item 6a:

Response: City Well 5 will be connected to a well house constructed on the well lot (refer to attachment 7A.2 and 7A.3). The well house will include all appurtenances required under IDAPA 58.01.08.511, including a magnetic flow meter for measurement of total and instantaneous flow from the new well, isolation valves, and will be lockable and alarmed to prevent unauthorized access. The well will be equipped with a submersible turbine pump and motor with a variable frequency drive motor to control the flow rate into the potable water distribution pipe network.

Item 6b:

Response: The proposed well lot is the eastern half of a parcel owned by De Ette McCarty and Steven G. McCarty. The landowners have granted the City a long-term lease agreement that gives the City exclusive access to the land and the right to use the parcel to construct a well and well house. In the event the landowner or their successors sell the property, the agreement gives the City the first option to purchase the site for a nominal amount.

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

Current Water Right No.: 78-2053

Current Owner: CITY OF NEW MEADOWS
Priority Date: 7/20/1948
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

MUNICIPAL

From To

1/01 to 12/31

Total Diversion

Diversion Rate

1 CFS

1 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER

ADAMS County

NE1/4SW1/4

Sec. 24, Twp 19N, Rge 01E B.M.

Place of Use

MUNICIPAL Within ADAMS County

T19N R01E S23	NENE	T19N R01E S23	SENE
T19N R01E S23	NESE	T19N R01E S23	SESE
T19N R01E S24	NWNE	T19N R01E S24	SWNE
T19N R01E S24	NENW	T19N R01E S24	NWNW
T19N R01E S24	SWNW	T19N R01E S24	SENW
T19N R01E S24	NESW	T19N R01E S24	NWSW
T19N R01E S24	SWSW	T19N R01E S24	SESW
T19N R01E S24	NWSE		

Conditions of Approval:

1. 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.
2. 124 Place of use is within the service area of the City of New Meadows municipal water supply system as provided for under Idaho Law.

Decreed Date: 11/6/2007

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

Current Water Right No.: 78-7012

Current Owner: CITY OF NEW MEADOWS
Priority Date: 9/27/1969
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

1.3 CFS

Total Diversion

1.3 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4

Sec. 24, Twp 19N, Rge 01E B.M.

ADAMS County

GROUND WATER

NE1/4SW1/4

Sec. 24, Twp 19N, Rge 01E B.M.

ADAMS County

Place of Use

MUNICIPAL Within ADAMS County

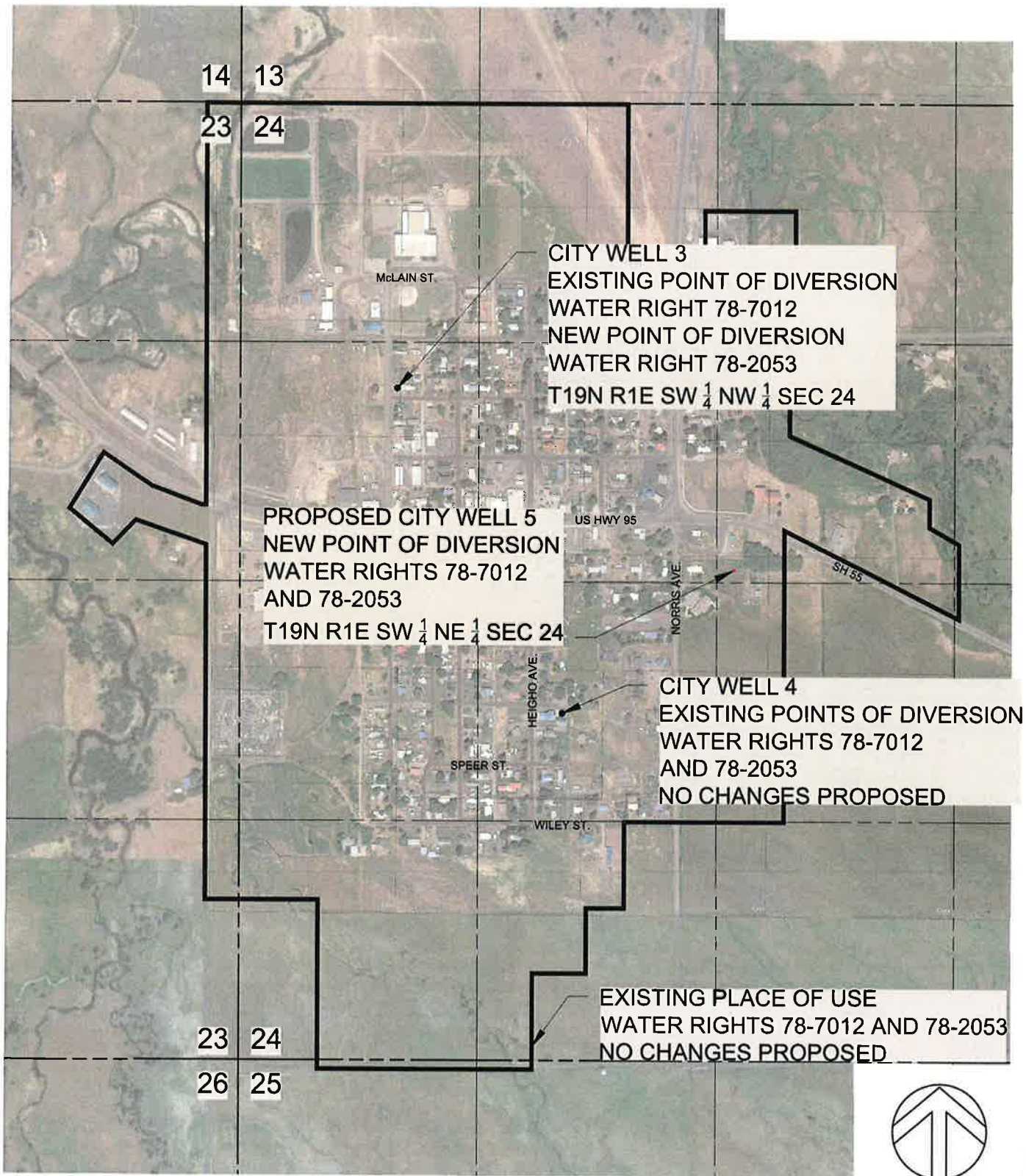
T19N R01E S23	NENE
T19N R01E S23	NESE
T19N R01E S24	NWNE
T19N R01E S24	NENW
T19N R01E S24	SWNW
T19N R01E S24	NESW
T19N R01E S24	SWSW
T19N R01E S24	NWSE

T19N R01E S23	SENE
T19N R01E S23	SESE
T19N R01E S24	SWNE
T19N R01E S24	NWNW
T19N R01E S24	SENW
T19N R01E S24	NWSW
T19N R01E S24	SESW

Conditions of Approval:

1. To the extent necessary for administration, water was first appropriated or used from:
New Meadows Well No. 2 located in T19N, R01E, S24, NESW,
on 07/20/1948 in the amount of 1.00 cfs
New Meadows Well No. 3 located in T19N, R01E, S24, SWNW,
on 09/27/1969 in the amount of 1.30 cfs
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.
4. 124 Place of use is within the service area of the City of New Meadows municipal water supply system as provided for under Idaho Law.

Decreed Date: 11/6/2007

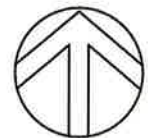


ENGINEERING AND ENVIRONMENTAL SOLUTIONS
1161 W. RIVER ST. SUITE 130
BOISE, IDAHO 83702
208.780.3990

IDAHO OFFICES
BOISE • LEWISTON • COEUR D'ALENE

NEW MEADOWS PUBLIC WATER SYSTEM

PLACE OF USE AND EXISTING AND PROPOSED
POINTS OF DIVERSION

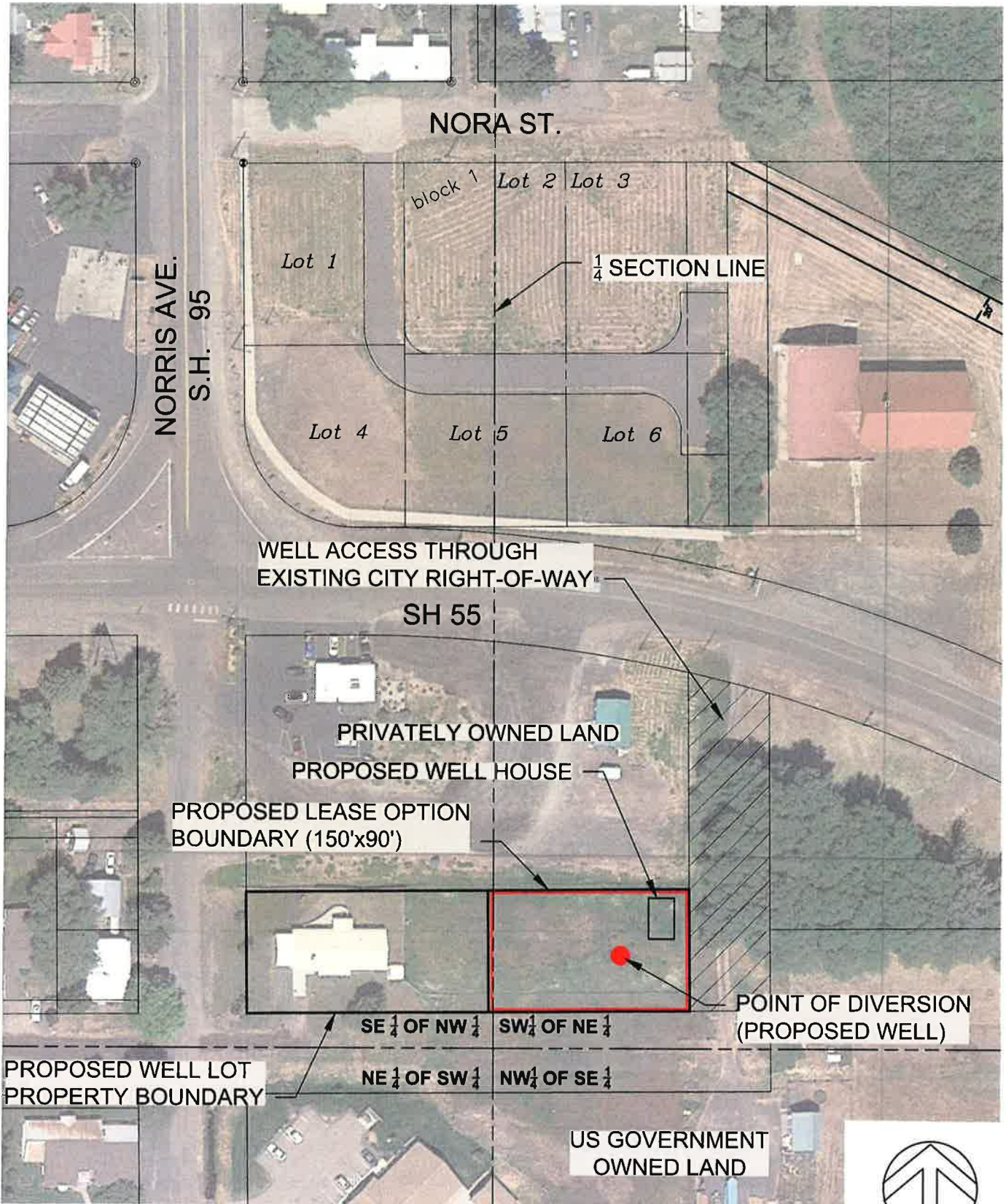


NORTH

PROJECT NO.:
197.0010.01

SHEET NO.
ATTACHMENT 7A.1

LEGAL DESCRIPTION : T19N, R1E, SW $\frac{1}{4}$ OF NE $\frac{1}{4}$, SEC.24



NORTH



ENGINEERING AND ENVIRONMENTAL SOLUTIONS
1161 W. RIVER ST. SUITE 130
BOISE, IDAHO 83702
208.780.3990

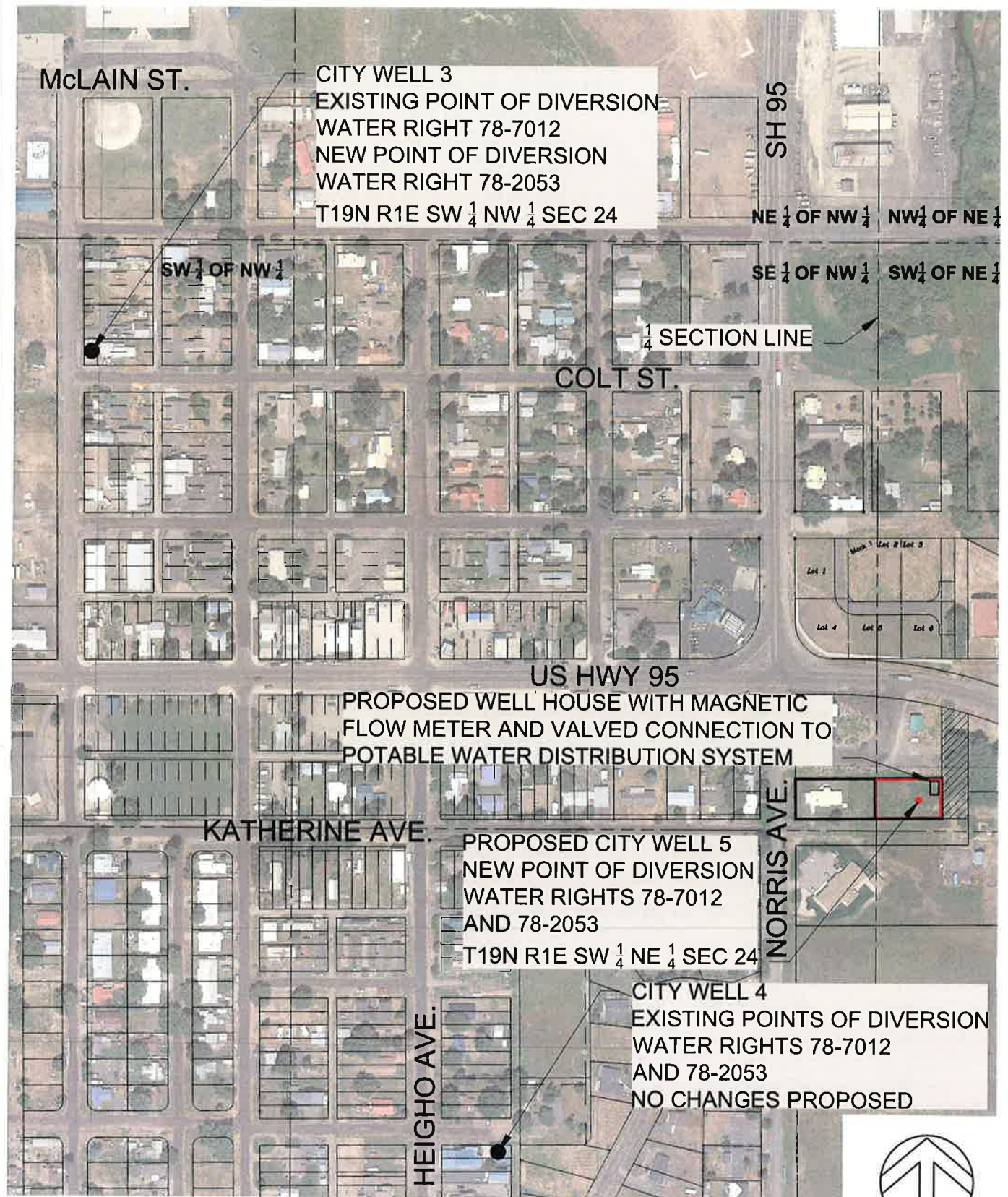
IDAHO OFFICES
BOISE • LEWISTON • COEUR D'ALENE

NEW MEADOWS PUBLIC WATER SYSTEM

PROPOSED WELL LOT
AND LEASE OPTION

PROJECT NO.:
197.0010.01

SHEET NO.
ATTACHMENT 7A.3



ENGINEERING AND ENVIRONMENTAL SOLUTIONS
 1161 W. RIVER ST. SUITE 130
 BOISE, IDAHO 83702
 208.780.3990

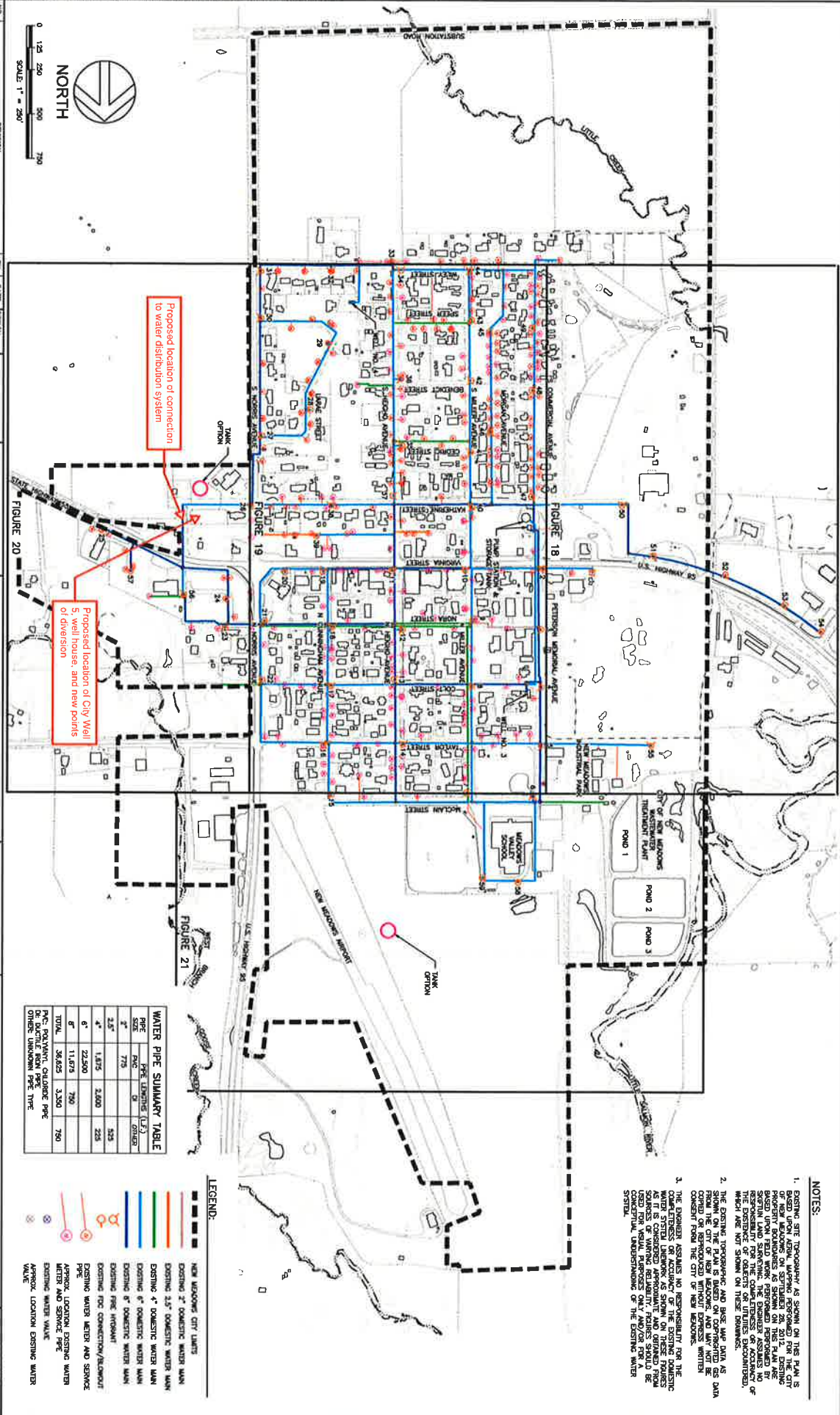
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NEW MEADOWS PUBLIC WATER SYSTEM

EXISTING AND PROPOSED POINTS OF DIVERSION

PROJECT NO.:
 197.0010.01

SHEET NO.
 ATTACHMENT 7A.2



Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, June 13, 2019 3:44 PM
To: 'TODD.CRUTCHER@DEQ.IDAHO.GOV'
Subject: Application for Permit Nos 2-20576, 63-34733, 78-12512, 57-12006 Transfer No. 83343
Attachments: Agency Recommendation Form.docx; 2-10576.pdf; 63-34733.pdf; 78-12512.pdf; 83343.pdf; 57-12006.pdf

June 13, 2019

TODD CRUCHER
DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: Application for Permit No: 2-20576, 63-34733, 78-12512, 57-12006
Application for Transfer No: 83343

Dear Mr. Crutcher:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **July 8, 2019**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 14, 2019

CITY OF NEW MEADOWS
PO BOX 324
NEW MEADOWS, ID 83634

RE: Application for Transfer No. 83343

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 THE RECORD on 6/19/2019 and 6/26/2019. 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,

Anna Kaiser
Administrative Assistant

CC:
MOUNTAIN WATERWORKS INC
PO BOX 9906
BOISE, ID 83707

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, June 13, 2019 11:44 AM
To: 'legals@theadamscountyrecord.com'
Subject: ADAMS Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 6/19/2019 & 6/26/2019.

Please confirm these are okay to publish as shown.

Thank You,
Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

June 13, 2019

LEGAL NOTICE DEPARTMENT

THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Transfer No. 83343

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 7/8/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83343**

CITY OF NEW MEADOWS, PO BOX 324, NEW MEADOWS, ID 83634; has filed Application No. 83343 for changes to the following water rights within ADAMS County(s): Right No(s). 78-2053, 78-7012; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of the transfer is to add a third well to the municipal system. Changes to the delivery of water is not proposed by the City. The proposed point of diversion is located approximately 300 ft. east of intersection S Norris Ave and Katherine Ave.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 7/8/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/19/2019 and 6/26/2019

June 7, 2019

Mr. Nick Miller, Manager
Idaho Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, ID 83705

RECEIVED
JUN 07 2019
WATER RESOURCES
WESTERN REGION

RE: Transfer Application – Rights No. 78-2053 and 78-7012

Dear Mr. Miller:

Enclosed please find a completed transfer application involving the above-referenced water rights that Mountain Waterworks hereby submits on behalf of the City of New Meadows. A check in the amount of \$660.00 is also enclosed to cover the statutorily required processing fee.

The City is undergoing major modifications to its Public Drinking Water System. During the master planning process, it was determined that the City was deficient in available groundwater supply to meet peak demand. The project is being funded by the Idaho Drinking Water State Revolving Fund, USDA-Rural Development, and the Idaho Department of Commerce. To ensure the City is able to supply its water system with sufficient water to meet peak season demands, we are requesting an expedited review of this application.

The application proposes adding two new points of diversion to Water Right 78-2053 to cover City Well No. 3 and the proposed City Well No. 5, and one new point of diversion to Water Right 78-7012. This would allow water from any of the City's wells to be pumped under both its water rights. No changes to the existing place of use are proposed. The City has obtained a long-term perpetual lease option agreement for the new well. Copies of the agreement for IDWR review are included in this application package.

Please let us know if you would like to discuss any issue related to this transfer application. Additionally, please provide a copy of any correspondence related to this application to this office. Thank you.

Sincerely,

Mountain Waterworks



Ed Stowe, P.E.
Project Engineer

cc: Jacob Qualls, City of New Meadows