

RECEIVED

MAR 15 2019

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83150

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) Hayden Lake Irrigation District

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: _____

RECEIVED

MAR 15 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

IDWR / NORTH

Name of Applicant(s) Hayden Lake Irrigation DistrictPhone 208-772-2612Mailing address 2160 W. Dakota Ave., Hayden, ID 83835Email braden@haydenirrigation.co

- ☐ 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 RepresentativeName of Representative Braden RosePhone 208-772-2612Mailing address 2160 W. Dakota Ave., Hayden, ID 83835Email braden@haydenirrigation.co☐ 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.

Doris Fleming - Chairman
Signature of Applicant or Authorized Representative

Doris Fleming, Board Chairman
Print Name and Title if applicable

1-16-19
Date

Braden Rose
Signature of Applicant or Authorized Representative

Braden Rose, Administrator
Print Name and Title if applicable

1-16-2019
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 § 42-221.0.8?
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**.
Change water rights from irrigation to to municipal, add an additional point of diversion and be able to use the water rights year round, not just irrigation season.

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:
System consists of six inter-connected wells. All wells have Mag Meter measuring devices installed. System is controlled by a SCADA systems which permit locking out any or all of the wells.
- b. Who owns the property at the point(s) of diversion? Applicant
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion 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: No
- 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:
No
- 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:
Licensed rights 95-7800, 95-8273, 95-8279, 95-8581, 95-9242. Permits 95-9212 & 95-16962
- 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:

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

Current Water Right No.: 95-8269

Current Owner: HAYDEN LAKE IRRIGATION DISTRICT
Priority Date: 3/11/1983
Origin: Adjudication Recommendation
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.56 CFS	273 AF
	<u>Total Diversion</u>	1.56 CFS	273 AF

Location of Point(s) of Diversion

GROUND WATER
KOOTENAI County

NW1/4SE1/4 Sec. 16, Twp 51N, Rge 04W B.M.

Place of Use

IRRIGATION Within KOOTENAI County

T51N R04W S16	NWSE	40.00	T51N R04W S16	SWSE	38.00
Total Acres: 78					

Conditions of Approval:

1. PIN Parcel Nos. H00000168200 for Point of Diversion.
 H00000168100 & H00000168600 for Place of Use.
2. C18 This partial decree is subject to such general provisions necessary for the
 definition of the rights or for the efficient administration of the water rights as
 may be ultimately determined by the Court at a point in time no later than the
 entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

- 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.

☒ 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**.

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer contains 12 pages and attachments.

Received by dm Date 4/8/19 Preliminary check by dm Date 4/19/19

Fee paid ~~\$380~~ \$830 Date 04/04/2019 Received by *na* Receipt # N034133

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

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

Attachment 8a

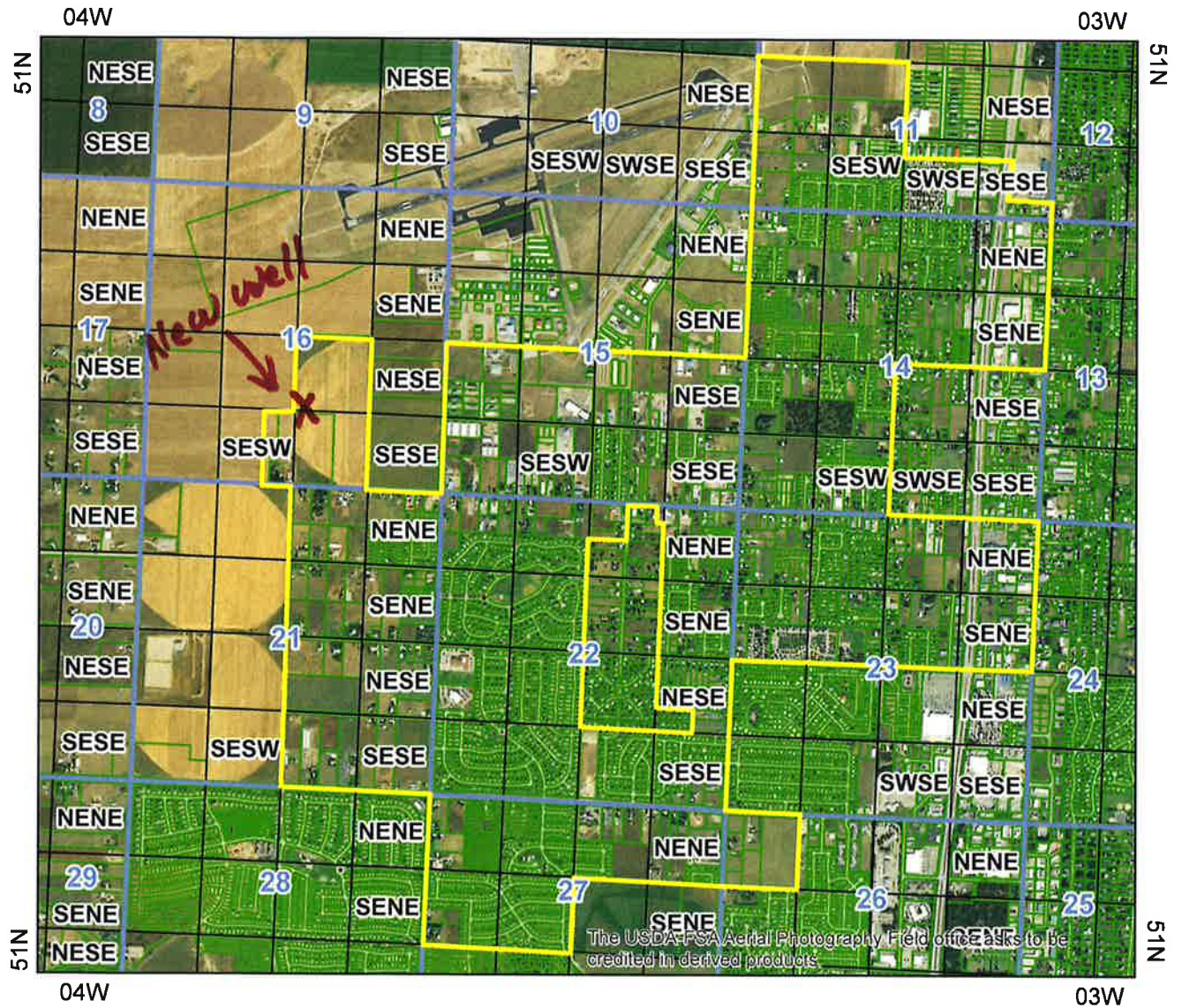
7/1.8/19
revised

The property that is the subject of this transfer application has been continuously since it was licensed. Aerial photos from 2004 and 2017 demonstrate this. A variety of crops have been raised on this property including alfalfa, which is as a basis of the volume in the transfer. In calculating the transferable volume, data from the ETIdaho site for alfalfa at Coeur d'Alene was used. A copy of that data is also attached. The amount that can be transferred to Municipal purposes is 167.7acre feet (78 acres X 2.15 acre-feet per acre).

Well is currently under construction to meet the Districts Requirements & DEQ's standard. Once we receive site approval we would like to place well in use.

Hayden Lake Irrigation District

Application For Transfer



-  Water Service Area Boundary
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.375 0.75 1.5 Miles



Tax parcel information provided by Kootenai County.

Google Earth 6/20/2017

Write a description for your map.

Legend

-  Coeur d'Alene Airport
-  Coeur D'Alene Skeet & Trap
-  CrossFit Untold
-  Feature 1
-  Feature 2
-  Feature 3
-  Hayden Avenue Hair
-  Hertz Rent A Car
-  Inc
-  Kootenai County Parks De
-  North Idaho School of Dog
-  Scottco Distributors Inc
-  Transtector Systems Inc

N Huettner Rd

N Ohio Match Rd

Ave

N Aero Dr

W Dakota Ave

N Atlas Rd

W



2000 ft

Google Earth

Hayden Lake Irrigation District

HLID Existing Well Location
(Shown Approximate, not survey)

Legend

● Existing Well

2017 Pipes

EXISTING PIPE, DIAMETER

<= 4"

6"

8"

10"

12"

14"

16"

18"

>18"

0 0.3 0.6
Miles



Attachment 7B

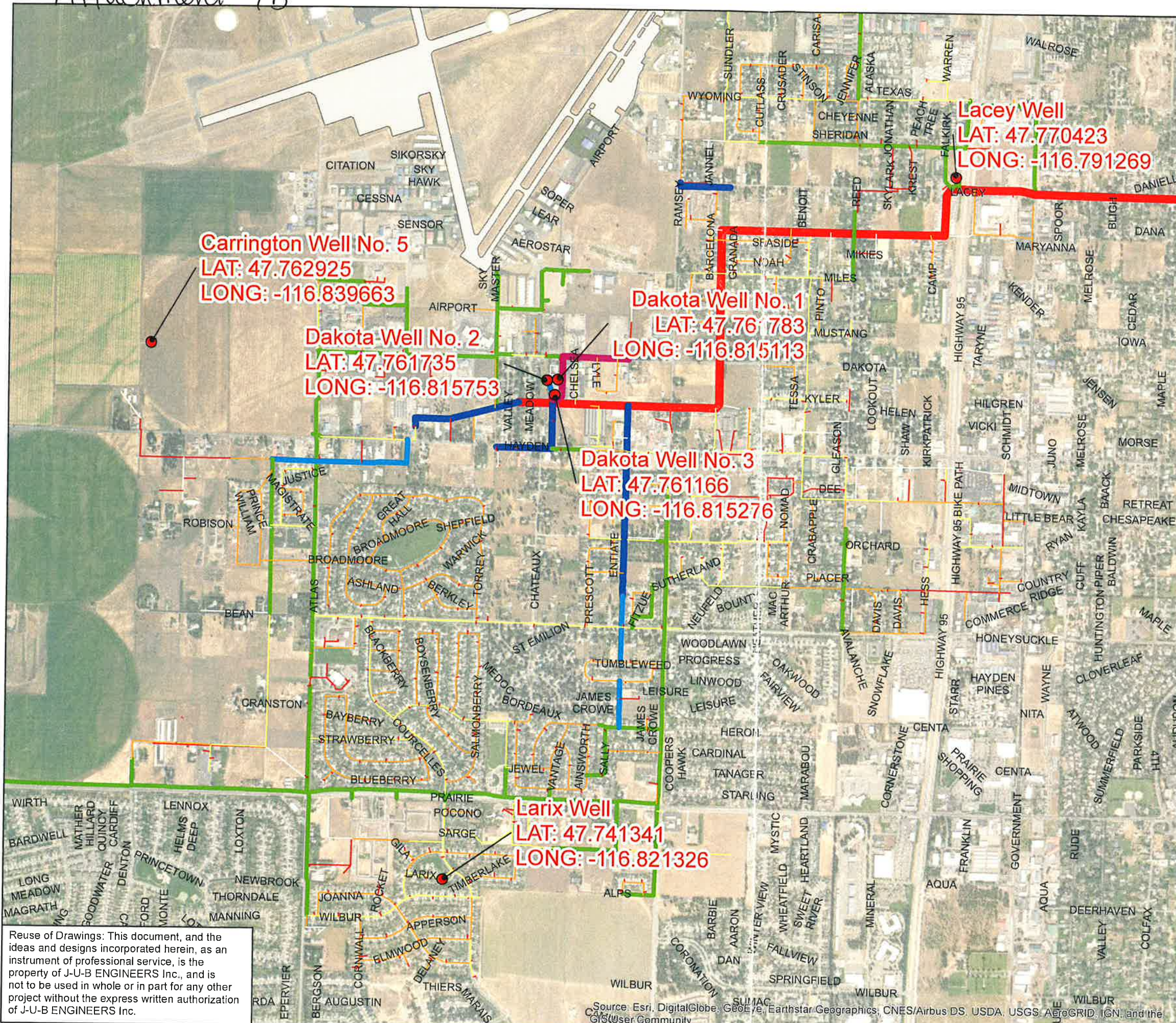
J-U-B ENGINEERS, INC.

7825 Meadowlark Way
Coeur d'Alene, ID 83815

Phone: 208.762.8787
Fax: 208.762.9797
www.jub.com



J-U-B ENGINEERS, INC.



Reuse of Drawings: This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of J-U-B ENGINEERS Inc., and is not to be used in whole or in part for any other project without the express written authorization of J-U-B ENGINEERS Inc.

**RESOLUTION AUTHORIZING ADMINISTRATOR'S SIGNATURE
HAYDEN LAKE IRRIGATION DISTRICT**

RESOLUTION NO. 19-03

WHEREAS, to conduct regular business, the Hayden Lake Irrigation District Administrator requires authorization to sign Easements, and/or other District documents pertaining to any and all real property.

WHEREAS, Hayden Lake Irrigation District approves and authorizes the Administrator to sign District documents as they pertain to District real property and conducting regular District business.

WHEREAS, if the Administrator is unavailable, Hayden Lake Irrigation District approves the Board Chairman or Secretary to sign all District documents as they pertain to District all real property and conducting regular District business.

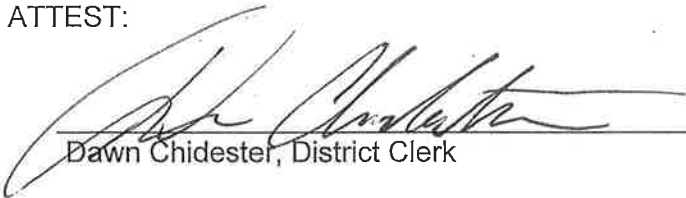
NOW, THEREFORE, BE IT RESOLVED BY THE HAYDEN LAKE IRRIGATION DISTRICT that the Hayden Lake Irrigation District Administrator shall have authorization to sign all real property documents, including but not limited to Easements, as they pertain to conducting regular District business.

AND BE IT FURTHER RESOLVED BY HAYDEN LAKE IRRIGATION DISTRICT that in the Administrator's absence, the Board Chairman or Board Secretary shall be authorized to sign District documents as they pertain to the District real property and conducting regular District business.

ADOPTED by the Board of Directors this 4th day of February 2019.

BY:  CHAIRMAN
Doris Fleming, Chairman

ATTEST:


Dawn Chidester, District Clerk

ATTEST:


Branden Rose, Administrator

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, April 29, 2019 9:41 AM
To: 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments Transfer 83150
Attachments: 95-8269 - 83150 Transfer Application.pdf

Dear Department of Environmental Quality:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the 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 after final publication. The deadline for comments on the application is May 20, 2019.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*



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

April 25, 2019

HAYDEN LAKE IRRIGATION DISTRICT
2160 W DAKOTA AVE
HAYDEN, ID 83835-5122

RE: Transfer No. 83150
Water Right No(s). 95-8269

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 COEUR D'ALENE PRESS on 5/2/2019 and 5/9/2019. 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,

A handwritten signature in blue ink that reads 'Tammy Alleman'.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, April 25, 2019 2:55 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for Transfer 83150 & 94-9629, 95-17798, 95-17799, 95-17801, 95-17802, & 95-17805.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **May 2nd and May 9th, 2019** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

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 5/20/2019. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83150

HAYDEN LAKE IRRIGATION DISTRICT, 2160 W DAKOTA AVE, HAYDEN, ID 83835-5122; has filed Application No. 83150 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-8269; 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:

Hayden Lake Irrigation District wants to change License 95-8269 from Irrigation to Municipal use, add the well (Point of Diversion) to other District owned Water Right licenses, connect the 95-8269 well to the existing distribution system, & change the Place Of Use to match other District owned Water Right Licenses.

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 5/20/2019. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director

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

94-9629

MARY J COMBS
38079 S HIGHWAY 3
ST MARIES, ID 83861-9692
Point of Diversion SWNE
S7 T47N R02W
KOOTENAI County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/18/2019
Place Of Use: STOCKWATER
T47N R02W S7 SWNE

95-17798

SUSAN A ANDERSON & MARC M ANDERSON REVOCABLE FAMILY TRUST
C/O SUSAN A ANDERSON & MARC C ANDERSON
3148 E POINT HAYDEN DR
HAYDEN, ID 83835-6974
Point of Diversion SENE
S18 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: IRRIGATION
03/15 to 11/15 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 4/16/2019
Place Of Use: IRRIGATION
T51N R03W S18 L9(SENE)
Total Acres: 0.5

95-17799

EAN ESTEP
KRISTI ESTEP
3048 W STRAWBERRY LN
HAYDEN, ID 83835-8492
Point of Diversion NWSW
S21 T50N R04W
KOOTENAI County
Source GROUND WATER
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 11/15 0.16 CFS
Total Diversion: 0.2 CFS
Date Filed: 4/16/2019
Place Of Use: DOMESTIC
T50N R04W S21 NWSW
Place Of Use: IRRIGATION
T50N R04W S21 NWSW

95-17801

UPPER TWIN LAKES LLC
628 W 22ND AVE
SPOKANE, WA 99203-1960
Point of Diversion L1(NENE)
S1 T52N R05W
KOOTENAI County
Source MILLER CREEK
Tributary TWIN LAKES
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 4/17/2019
Place Of Use: DOMESTIC
T52N R05W S1 L1(NENE)
95-17802
IDAHO FOREST GROUP LLC
687 W CANFIELD AVE STE 100
COEUR D ALENE, ID 83815-5335
Point of Diversion SWSE
S7 T52N R03W

KOOTENAI County
Source GROUND WATER
Use: FIRE PROTECTION
01/01 to 12/31 1.45 CFS
Use: INDUSTRIAL
01/01 to 12/31 1.45 CFS
Total Diversion: 1.45 CFS
Date Filed: 4/19/2019

Place Of Use: INDUSTRIAL
T52N R03W S7
NESW L3(NWSW) L4(SWSW) SESW NWSE SWSE SESE
Place Of Use: FIRE PROTECTION
T52N R03W S7
NESW L3(NWSW) L4(SWSW) SESW NWSE SWSE SESE
95-17805

EDWARD LIDER
JOYCE LIDER
6484 E SLEEPY LN
COEUR D ALENE, ID 83814-7761
Point of Diversion SESE
S9 T50N R03W
KOOTENAI County
Source UNNAMED STREAM
Tributary FERNAN LAKE
Use: AESTHETIC STORAGE
01/01 to 12/31 3.6 AF
Total Diversion: 3.6 AF
Date Filed: 4/24/2019
Place Of Use: AESTHETIC STORAGE
T50N R03W S9 SESE

Permits will be subject to all prior water rights. 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 § 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 5/20/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/2/2019 and 5/9/2019

MEMORANDUM

Date: April 19, 2019
To: Transfer 83150
From: Shaun Maxey
Re: Legal Notice Remarks

Hayden Lake Irrigation District wants to change License 95-8269 from Irrigation to Municipal use, add the well (Point of Diversion) to other District owned Water Right licenses, connect the 95-8269 well to the existing distribution system, & change the Place Of Use to match other District owned Water Right Licenses.

MEMORANDUM

Date: April 19, 2019
To: Transfer 83150
From: Shaun Maxey
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information 4/18/2019

Hayden Lake Irrigation District's overall intent with this Application for Transfer (83150) is to improve the District's municipal water system by adding a former irrigation well to an existing pipeline system. The Transfer adds to District flexibility by changing Irrigation part time use to year round municipal use.

Authority to File: Idaho Department of Water Resources (IDWR) records indicate the Applicant is the Current Owner of the Water Right License (95-8269) proposed in the Transfer.

Water Right Validity: IDWR recommended Court approval in 2018 on License 95-8269 for Irrigation in the Coeur d'Alene Spokane River Basin Adjudication (CSRBA). Each of the Water Right Licenses owned by the District in Transfer 83150 was recommended in the CSRBA. The two District owned Permits (95-9212 & 95-16962) listed in the Transfer Application have Proof of Beneficial Use due dates in 2020.

Injury to Other Water Rights: The proposed transfer uses an existing well (Groundwater) as the proposed source. The new well is not close to wells owned by other parties or other Water Rights that utilize Groundwater. Adverse impact to any existing Water Rights is unlikely.

Enlargement of Use: No enlargement of use is proposed. The volume amount (Acre Feet) authorized in License 95-8269 will be reduced when the use is converted from Irrigation to Municipal.

Local Public Interest: No damage to the local public interest is likely to occur if the Transfer is approved. Well site location approval for municipal use has been granted by Idaho Department of Environmental Quality (DEQ) in August 17, 2018 and November 20, 2018 letters to the District. The letters grant site approval, with conditions, for use of the former irrigation well. Supplemental Information provided in the District's most recent Water Right Permit Application (95-16962) indicates that conversion of the well from irrigation to municipal use will aid the District. The Supplemental Information shows that Transfer approval will help meet demand for increased service connections and in peak demand periods.

Beneficial Use/Conservation of Water Resources: The Transfer does not propose an increase in use that would adversely affect conservation objectives. The District has adopted a Water Conservation Plan.

Effect on Economy of the Local Area: No net negative effect on the local economy is likely from the action proposed in the Transfer. System improvements proposed by the Transfer may improve the local economy by improving water availability for existing and relocating businesses.

Effect on Agricultural Base of the Local Area: Transfer 83150 does not involve use of water for irrigation or other agriculture use. It is not likely to reduce water availability from the Rathdrum Prairie Aquifer for agricultural use, or otherwise harm, the agriculture base of the area. It is true that agricultural lands are being changed to other uses within the area even though water availability is not assessed as an issue.

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 For Transfer (83150).

CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. Transfer 95-8269

FROM Shaun Maxey, FOWR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 4/12/19 WITH Branden Rose, Hayden ^{DIST} IRR16
I telephoned Mr. Rose, after obtaining his cell number from the DISTRICT receptionist, to explain the current status of Water Right 95-8269 and inquire who he had been working with at DEQ on the well proposed for the Transfer. I explained that the Water Right was fully valid even though the objection period on Adjudication Recommendations runs through April 2019. I also informed Mr. Rose that I would be contacting DEQ about the points raised in his 4/10/19 e-mail reply to me.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

