

DEC 22 2017

82075

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DEC 19 2017

DEPARTMENT OF
WATER RESOURCES

IDWR / NORTH 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

1. APPLICANT(S) City of Stites Phone (208) 926-71212. MAILING ADDRESS P.O. Box 300 City StitesState Idaho Zip 83552 Email stitesct@gmail.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) 82-7053

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.18 cubic feet per second and/or N/A 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 www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
yes		SW	NW	NW	28	32N	4E	Idaho	groundwater	Primary Well
no		SE	NE	NE	29	32N	4E	Idaho	groundwater	Deep Well
yes		SE	SE	SE	20	32N	4E	Idaho	groundwater	Artesian Well

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:

The 3 wells listed above will be used to divert the groundwater. Each well has a flowmeter and pump control panels located within locked well houses. Artesian & deep well heads are in pump house. Primary has pitless.

- b. Who owns the property at the point(s) of diversion? City of Stites (deep & artesian wells), Troy Biesecker (primary well)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The City currently has an easement for the primary well site and is in the process of securing a long-term lease.

- 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)?

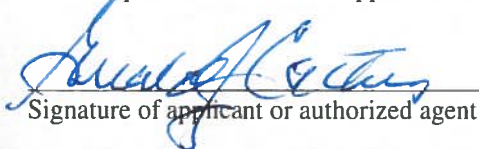
If yes, describe:

- 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 1/4 1/4 of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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

Gerald S. Biecker
Print name and title if applicable

12-11-17
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 4 pages of attachments.

Received by TE

Date 12/19/2017

Fee paid 200.00 Date 12/19/2017

Received by TE

Receipt # C104413

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)

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/28/2016

WATER RIGHT NO. 82-7053

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF STITES PO BOX 300 STITES, ID 83552 (208)926-7121

Priority Date: 11/12/1976

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	12/31	0.18 CFS	
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESE|Sec. 20|Township 32N|Range 04E|IDAHO County

Place(s) of use: Large POU Info

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 Stites municipal water supply system as provided for under Idaho Law.

Dates:

Licensed Date:

Decreed Date: 06/22/2005

Permit Proof Due Date: 1/1/1982

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 1/31/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

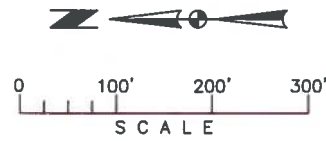
DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

T 32 N, R 4 E



SEC 21
SW 1/4
SW 1/4

SEC 28
NW 1/4
NW 1/4

PRELIMINARY

SEC 28
SW 1/4
NW 1/4

Reservoir

State Street

Existing
"Artesian
Well"

Place of Use
Boundary

Existing "Deep Well"

Existing Water
Main (Typ)

Existing Water
Service
(Typ of 130)

East Street

South Street

Main Street

North Street

West Street

Clearwater Ave.

City Park

South Fork Clearwater River

N. River Road

SEC 20
NE 1/4
SE 1/4

SEC 20
SE 1/4
SE 1/4

SEC 20
NW 1/4
SE 1/4

SEC 20
SW 1/4
SE 1/4

SEC 29
NE 1/4
NE 1/4

SEC 29
SE 1/4
NE 1/4

SEC 29
NW 1/4
NE 1/4

SEC 29
SW 1/4
NE 1/4



DRAWN BY: JDM
DESIGNED BY: HRC
QUALITY CHECK:
DATE: 06/17/16
JOB NO. L14-061
FIELDBOOK

WATER SYSTEM FACILITY PLAN
CITY OF STITES, IDAHO

WATER RIGHT TRANSFER APPLICATION EXHIBIT

PRELIMINARY



- Reservoir

62

Main Street

SEC 20
SW 1/4
SE 1/4

SEC 29
SE 1/4
NE 1/4

SEC 29
SW 1/4
NE 1/4

DRAWN BY:	JDM
DESIGNED BY:	HRC
QUALITY CHECK:	
DATE:	06/17/16
JOB NO.	L14-061
FIELDBOOK	

WATER RIGHT TRANSFER APPLICATION EXHIBIT

M E M O R A N D U M

To: Application for Transfer of Water Right 82-7053 (City of Stites)

From: Adam Frederick AF

Date: 1/4/2018

Re: Application for Transfer of Water Right – Points of Diversion.

During review of transfer to determine if advertising was necessary, a phone call was placed to Idaho Department of Environmental Quality (IDEQ) Lewiston Office. Michael Camin was asked about the City of Stites water situation and if all proposed wells had IDEQ approvals. Mr. Camin said they had a new primary well drilled in 2017 (D0072339) under Permit 82-12259 was approved for use. The “artesian well” was approved for use and the “deep well” was not approved because of positive E. coli tests.

Because the applicant had an approved Permit 82-12259, which allowed the city to drill the new well. IDWR determined it was not necessary to advertise Transfer 82075 which was filed to correct and add two points of diversion to existing Right 82-7053.

MEMORANDUM

Date: January 3, 2018
To: Transfer 82075
From: Adam Frederick AF
Re: Legal Notice Not Required

Legal Notice Not Required
1/3/2018

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: January 3, 2018
To: Transfer 82075
From: Adam Frederick **AF**
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add two new points of diversions to the City of Stites existing municipal groundwater right 82-7053. The wells are located within the City of Stites service area.

Review & Evaluation of Sufficiency of Information
1/3/2018

Authority to File:

The applicant is listed as the current owner of the right being transferred according to IDWR records. The application was signed by Gerald Cathey, the Mayor of Stites.

Water Right Validity:

The water right is valid and was recommended in the SRBA.

Injury to Other Water Rights:

Injury is not anticipated because all wells are located within the service area of the city.

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 wells will insure a safe drinking water source for 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.