

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 02 2017
SIGN / 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)** CROWS NEST COOPERATIVE WATER ASSN INC Phone 208-689-9056

2. MAILING ADDRESS PO BOX 311 City HARRISON

State ID Zip 83833 Email

- ☐ 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) 94-7202

- ☐ 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 0.08 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 www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

[illegible]

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:

WELLS TO PIPELINE THAT FEED RESERVOIR THEN IS FED TO RESIDENTS

- 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. 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)?

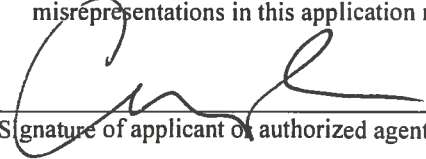
If yes, describe:

- 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. 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

CURTIS VOGT
Print name and title if applicable

1/30/2017
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 _____ pages of attachments. Received by db Date 2/2/17

Fee paid \$200.00 Date 2/2/17 Receipted by db Receipt # N032373

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)

CROWS NEST TRANSFER MAP



Legend

-  Taxlots
-  Township/Range
-  Sections
-  QQ

0 0.02 0.04 0.08 Miles



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

Current Water Right No.: 94-7202

Current Owner: CROWS NEST COOPERATIVE WATER ASSN INC
Priority Date: 6/24/1981
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>
MUNICIPAL	01/01 to 12/31	0.08 CFS	25.2 AF
	<u>Total Diversion</u>	0.08 CFS	25.2 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4SW1/4 Sec. 8, Twp 47N, Rge 03W B.M.
KOOTENAI County

Place of Use

MUNICIPAL Within KOOTENAI County

T47N R03W S7	SENE	T47N R03W S7	Lot 3	NESE
T47N R03W S7	Lot 4 SESE	T47N R03W S8		NWSW
T47N R03W S8	SWSW	T47N R03W S8		SESW
T47N R03W S17	NENW	T47N R03W S17	Lot 1	NWNW

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. 128 Place of use is within the area served by the public water supply system of Crows Nest Cooperative Water Assn Inc.
3. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, February 07, 2017 11:15 AM
To: Legal Notices-CdA Press -Hokilly Frederick (hfredericks@cdapress.com); Legal Notices-CdA Press
Cc: Frederick, Adam; Case, Morgan
Subject: Transfer No. 81431; Water Right No(s). 94-7202
Attachments: LegalNotice TRANSFER 81431 CDA e-mail 02-06-17 Crows Nest Cooperative Water Assn Inc.doc

Good Morning, Holly,

Please publish the attached legal notice in the CDA Press on the dates indicated February 16 and 23, 2017, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This is a little different from our usual legal, but should also be very close to press ready – for 2-column, 8pt, and I'm assuming you are still using the Century Old Style font. Please let me know if you have changed the font style/type.

Aside from the designated font style/type, this should be close enough to just copy and paste, with minor modification required.

Please also send a proof/preview copy for my review before this actually goes to press.

If you have any questions, please contact me as early as possible.

An affidavit of publication must be submitted to the Department along with the publication bill. This should be billed separately from the legal I submitted for CDA Press publication yesterday.

Please send the affidavit and bill to this office before 3/6/2017. Your cooperation is, as always, greatly appreciated, and again, it is really and truly a pleasure working with you. Thanks very much, Holly.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81431

CROWS NEST COOPERATIVE WATER ASSN INC, PO BOX 311, HARRISON, ID 83833; has filed Application No. 81431 for changes to the following water rights within KOOTENAI County: Right No. 94-7202; 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:

This transfer proposes to add a new point of diversion to the Crows Nest Cooperative Water Assn Inc's existing groundwater right in the SW1/4SW1/4 of Section 8, Twp 47N, Rge 03W.

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 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 3/6/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/16/2017 and 2/23/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 7, 2017

CROWS NEST COOPERATIVE WATER ASSN INC
PO BOX 311
HARRISON, ID 83833

RE: Transfer No. 81431
Water Right No(s). 94-7202

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 2/16/2017 and 2/23/2017. 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,

Adam Frederick

Adam Frederick
Senior Water Resource Agent

Enc. Receipt No. N032373

MEMORANDUM

Date: February 3, 2017
To: Transfer 81431
From: Adam Frederick *AF*
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
2/3/2017

This transfer proposes to add a new point of diversion to the Crows Nest Cooperative Water Assn Inc's existing municipal groundwater right 94-7202. The wells are located within the Crows Nest Cooperative Water Assn Inc service area.

Authority to File: Curtis Vogt is the temporary president of the water association due to the death of the acting president. Until new elections are held, Mr. Vogt is allowed to sign for the association.

Water Right Validity: The right is valid and has been recommended in the CSRBA.

Injury to Other Water Rights: None are anticipated as the new well is located in close proximity to the system's existing well.

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: None anticipated.

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.

MEMORANDUM

Date: February 3, 2017

To: Transfer 81431

From: Adam Frederick Af

Re: Legal Notice Remarks

This transfer proposes to add a new point of diversion to the Crows Nest Cooperative Water Assn Inc's existing groundwater right in the SW1/4SW1/4 of Section 8, Twp 47N, Rge 03W.