

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 21 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 Stanley Phone 208-774-2286

2. MAILING ADDRESS P.O. Box 53 City Stanley

State ID Zip 83278 Email cityclerk@stanley.id.gov

- ☐ 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) 71-7038

- ☒ 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 .02 cubic feet per second and/or 6.1 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			SE	NE	09	10N	13E	CUSTER	new well	
No									existing 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:

- b. Who owns the property at the point(s) of diversion? City of Stanley
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.

H.W. Mansford
Signature of applicant or authorized agent

Mayor
Print name and title if applicable

12/14/15
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 DM

Date 12-21-2015

Fee paid \$200- Date 12-21-2015

Received by DM

Receipt # S035160

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)

State of Idaho
Department of Water Resources

Water Right
71-7038

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

13E



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.035 0.07 0.14 Miles

New Point of Diversion



Map produced on October 22, 2015

TRANSFER 80604

State of Idaho
Department of Water Resources

Water Right
71-7038

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

New Point of
Diversion

0 0.035 0.07 0.14 Miles



Map produced on October 22, 2015

TRANSFER 80604

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/22/2015

WATER RIGHT NO. 71-7038

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF STANLEY PO BOX 53 STANLEY, ID 83278 (208)774-2286

Priority Date: 07/16/1980

Basis: License

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>
IRRIGATION	5/01	9/30	0.02 CFS	6 AFA
DOMESTIC	1/01	12/31	0.02 CFS	0.1 AFA
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENE|Sec. 09|Township 10N|Range 13E|CUSTER County

Licensed Diversion Capacity: 0.04

Place(s) of use:

TRANSFER 80604

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	13E	9		SENE	2									

Place of Use Legal Description: DOMESTIC CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	13E	9		SENE										

Total Acres: 2

Conditions of Approval:

1. Irrigation use is for the Stanley ball field and park. Domestic use is for a church building.
2. R24 This right when combined with all other rights shall provide no more than 3.0 afa per acre for irrigation of the lands above.

Dates:

Licensed Date: 08/23/1993

Decreed Date:

Permit Proof Due Date: 2/1/1988

Permit Proof Made Date: 8/8/1988

Permit Approved Date: 2/25/1980

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: 01/09/1980

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 71

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



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Challis Field Office
1151 Blue Mountain Road
Challis, Idaho 83226



In Reply Refer To:
2740/IDI-8941 (IDI0300)

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DEC 21 2015

DEC 11 2015

WATER RESOURCES
SOUTHERN REGION

City of Stanley
P.O. Box 53
Stanley, Idaho 83278

To whom it may concern:

Your proposal for changes to your water right associated with the Recreation and Public Purposes (R&PP) land to which you hold title, has been reviewed and found to be in compliance with the terms of the R&PP patent. It is our understanding the water will continue to be used only for and on the R&PP lands, therefore we have no objection to your water right application.

Thank you for contacting us in regards to your use of these lands. If you have any further questions, please contact Realty Specialist, Joni Cain at 208.879.6218.

Sincerely,

Todd Kuck
Field Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 30, 2015

CITY OF STANLEY
PO BOX 53
STANLEY, ID 83278

RE: Transfer No. 80604
Water Right No(s). 71-7038

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 **CHALLIS MESSENGER** on 1/7/2016 and 1/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**January 25, 2016**).

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,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Wednesday, December 30, 2015 11:58 AM
To: Challis Messenger
Subject: LEGAL NOTICE
Attachments: Challis Messenger Cover Letter.docx; Challis Messenger Ad.doc

Attached please find (1) legal notice being submitted for publication on January 7th & 14th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance & Happy New Year,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 30, 2015

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226

RE: Transfer No. 80604
Water Right No(s): 71-7038

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 January 25, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80604**

CITY OF STANLEY, PO BOX 53, STANLEY, ID 83278; has filed Application No. 80604 for changes to the following water rights within CUSTER County(s): Right No(s). 71-7038; 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: Application proposes to add a new point of diversion to a ground water right for the City of Stanley. The new well is located approximately 0.5 miles west and 0.3 miles south of the intersection of Hwy 75 and 21. This water right allows for the diversion of 0.02 cfs and 6.1 af for domestic and irrigation uses.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 25, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on January 7th & 14th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 30, 2015

CINDY YENTER
WATER DISTRICT #170
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RE: Transfer No. 80604
Water Right No(s). 71-7038

Dear Cindy:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 30, 2015

ASHLEY BAKER
WATER DISTRICT #71
PO BOX 163
STANLEY, ID 83278

RE: Transfer No. 80604
Water Right No(s). 71-7038

Dear Ashley:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: December 29, 2015
To: Transfer 80604 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to add a new point of diversion to a ground water right for the City of Stanley. The new well is located approximately 0.5 miles west and 0.3 miles south of the intersection of Hwy 75 and 21. This water right allows for the diversion of 0.02 cfs and 6.1 af for domestic and irrigation uses.

- **Authority to File:**
The applicant is listed as the current owner of water right 71-7038. Current tax lot information indicates the applicant is the owner of the lands pertaining to this transfer.
- **Water Right Validity:**
The right 71-7038 was licensed in 1993. Aerial photography also indicates current use. Therefore forfeiture of the right involved with the transfer does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. There is no change to the place of use
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice and protest
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the 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

TO: Transfer # 80604 File

FROM: Benny Walker

DATE: December 29, 2015

SUBJECT: Filing Fee

The filing fee of \$200.00, for this transfer is based on the total amount of water being transferred, 0.02 cfs. The transfer fee schedule for a transfer involving 0.00-0.20 cfs indicates that the filing fee is \$200.00



CITY OF STANLEY

RECEIVED

DEC 21 2015

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

12-17-2015

Idaho Department of Water Resources
650 Addison Avenue, Suite 500
Twin Falls, ID 83301

To Whom it may concern:

Please find attached our application for transfer of Water Right – Point of Diversion and check #15486 in the amount of \$200.00 for transfer request.

I've also enclosed a letter from BLM authorizing our request as long as the water right stays within the Recreation and Public Purposes, per patent #11-76-0040. The new well will stay within these requirements and will only be used for the Mediation Chapel (domestic) and the ball field in Pioneer Park (irrigation).

Please call me with any questions. Our office hours are Mon-Thurs 8:00 – 5:00 p.m.

Thank you,

Cari Tassano
City Clerk/Treasurer

Cc: file

Enc

City of Stanley
P.O. Box 53 Stanley, ID 83278
Tel: 208.774.2286 / Fax: 208.774.2278
www.stanley.id.gov
cityclerk@stanley.id.gov