

79739

Ident. No. 85-15766

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DEC 24 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) City of Lapwai Phone (208) 843-2212
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 336 City Lapwai
 State Idaho Zip 83540 Email _____
 2. Source of water supply ground water which is a tributary of _____
 3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
35N	4W	2	11		SE	NW	Nez Perce	ground water	JD well
35N	4W	2	21		NE	SW	Nez Perce	ground water	
35N	4W	2	25		SW	SW	Nez Perce	ground water	
35N	4W	2	33		SE	SW	Nez Perce	ground water	

4. Water will be used for the following purposes:
 Amount 0.77 cfs for municipal purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 5. Total quantity to be appropriated is (a) 0.77 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
 6. Proposed diverting works:
 a. Describe type and size of devices used to divert water from the source. existing well and pump to municipal supply system
 b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
 c. Proposed well diameter is 16 inches; proposed depth of well is 220 feet.
 d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 e. If well is already drilled, when? July 1996; drilling firm Ponderosa Drilling & Development; well was drilled for (well owner) City of Lapwai; Drilling Permit No. 85-96-N-0037-200
 7. Description of proposed uses (if irrigation only, go to item 8):
 a. Hydropower; show total feet of head and proposed capacity in kW. n/a
 b. Stockwatering; list number and kind of livestock. n/a
 c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).
 d. Domestic; show number of households n/a
 e. Other; describe fully. n/a

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Place of use is within the service area of the applicant's municipal water supply system as provided for under Idaho Law.

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

85-4131, 85-4132, 85-7020, 85-7431; these rights are owned by the City of Lapwai for municipal use

10. a. Who owns the property at the point of diversion? City of Lapwai
- b. Who owns the land to be irrigated or place of use? residents of the City of Lapwai
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Water is provided within the City of Lapwai municipal service area as recorded with IDWR.

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

The City of Lapwai seeks to develop a water right for an existing well (the JD well). The well was drilled in 1996; a copy of the Well Driller's Report is attached.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.



Signature of Applicant

Signature of Applicant

Iona Ruth McConville, Mayor

Print Name (and title, if applicable)

Print Name (and title, if applicable)

Received by  Date 12/24/14 Time _____ Preliminary check by _____

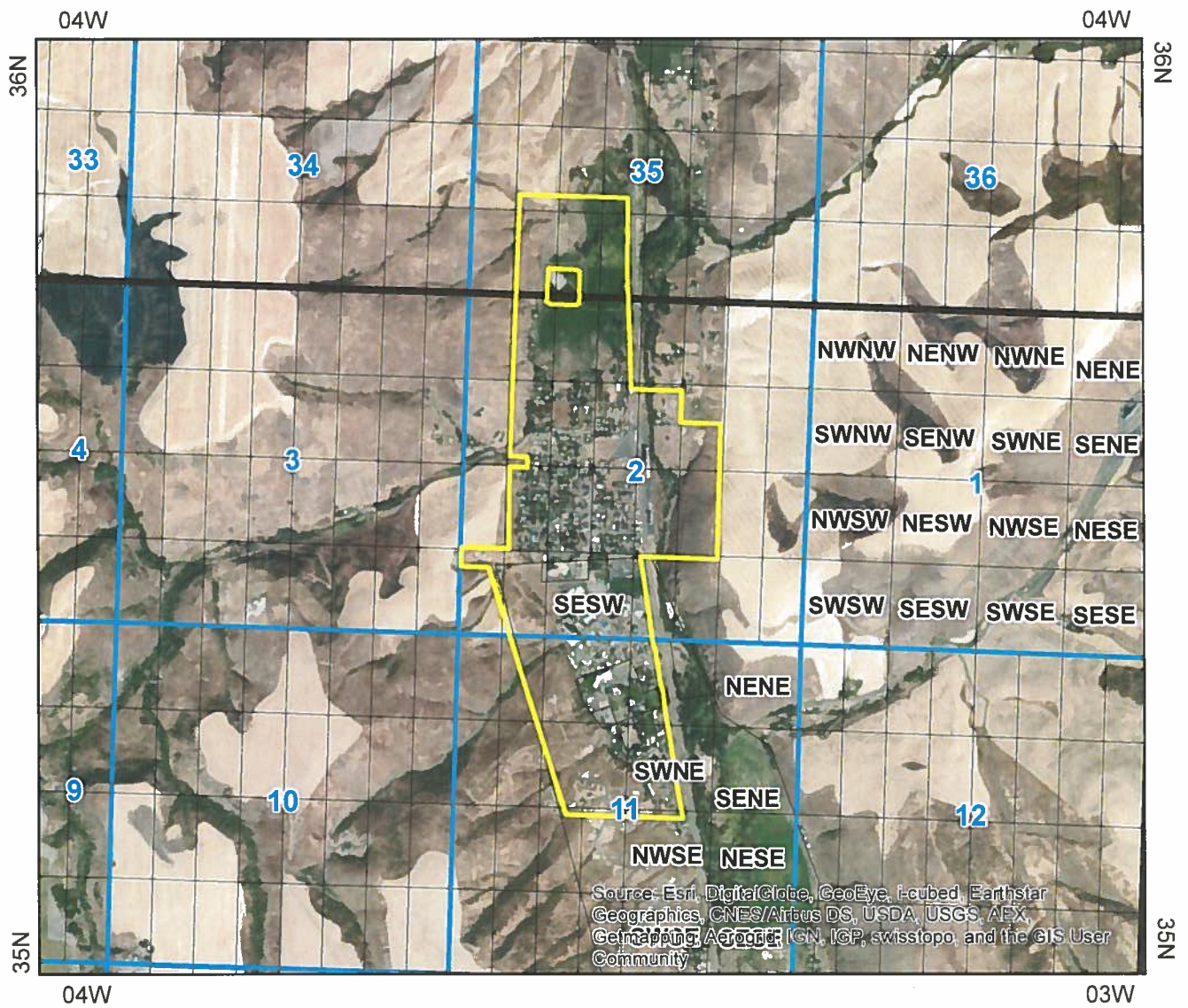
Fee \$ 250.00 Received by  Receipt No. N030998 Date 12/24/14

City Of Lapwai

Application For Permit

85-15766

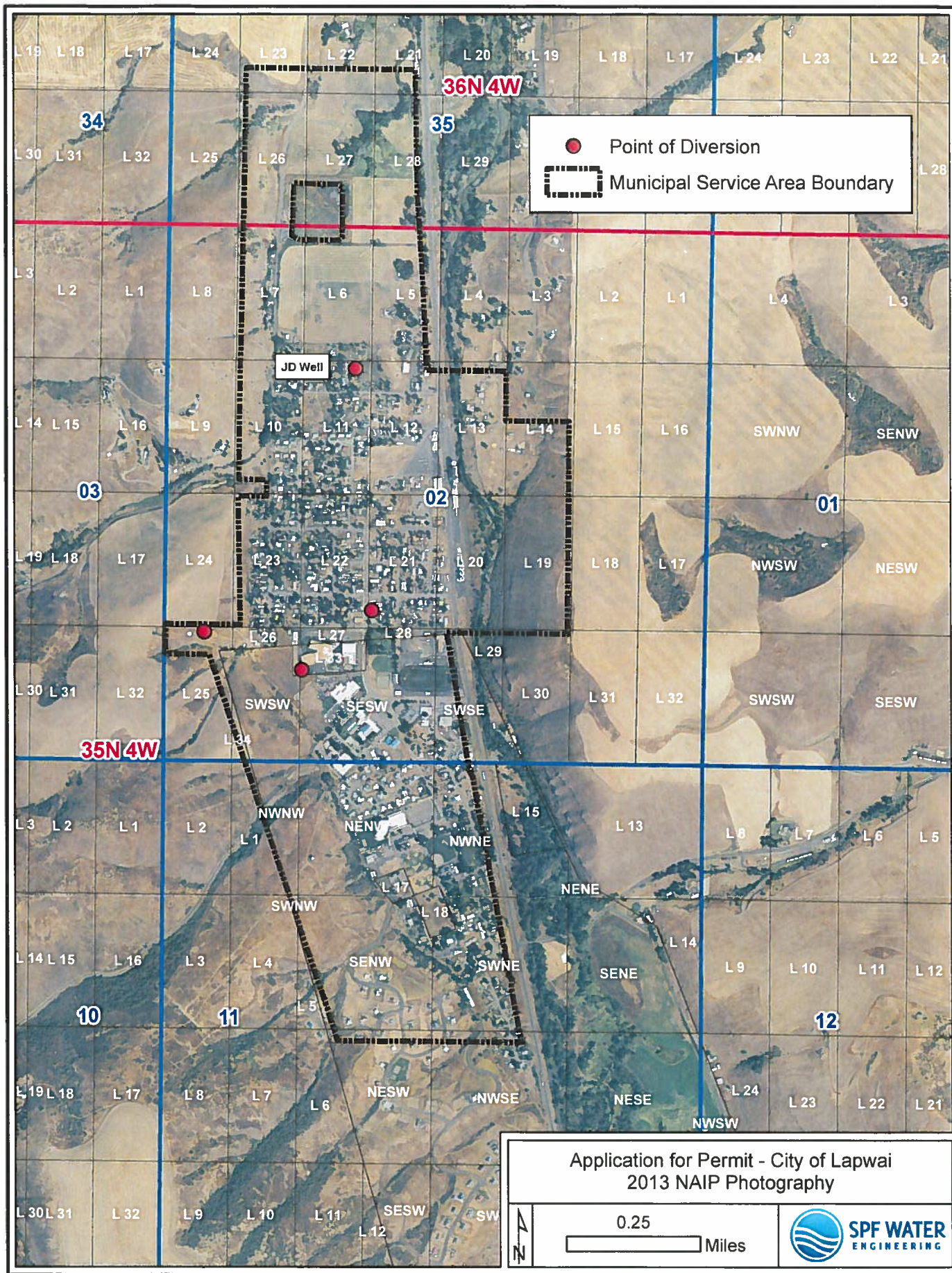
Service Area



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

0 0.325 0.65 1.3 Miles





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Water Right No. or App. ID _____

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MUNICIPAL WATER RIGHT APPLICATION CHECKLIST
FOR AN APPLICATION TO APPROPRIATE WATER FOR MUNICIPAL PURPOSES

An application to appropriate water for municipal purposes must be prepared in accordance with the requirements listed below to be acceptable for processing by the Department. There are two types of permits for municipal water use. The first type of municipal permit provides water for reasonably anticipated future needs (**RAFN**) over a defined planning horizon.¹ The second type of municipal permit, called non-RAFN, provides water solely for use to meet needs that will arise in the near-term (five years).² A **non-RAFN** permit may have an annual volume limitation associated with it. Each type of municipal water use has a distinct set of review requirements.

Applicant Name: City of Lapwai

1. Type of Municipal Provider. Applicant must qualify as a Municipal Provider to obtain a municipal water right. See Idaho Code § 42-202B (5). Check one:

- ☒ Type 1 – Municipality
☐ Type 2 – Franchise or political subdivision supplying water to a municipality
☐ Type 3 – Corporation or association regulated as a “public water supply” system by IDEQ
☐ Attach documentation of qualification as a Municipal Provider. See Idaho Code § 42-202(2).

2. List existing Water Rights (permits, licenses, decrees, and beneficial use claims) available to the applicant for municipal needs. These rights may or may not have a purpose of use expressly defined as “municipal”. Include a separate attachment as needed.

Right Number	Nature of Use	Diversion Rate (cfs)	Annual Vol. (acre-feet)	Service Area
85-4131	municipal	0.115		Lapwai municipal service area
85-4132	municipal	0.36		Lapwai municipal service area
85-7020	municipal	0.55		Lapwai municipal service area
85-7431	municipal	0.61		Lapwai municipal service area

3. List the total diversion rate from Item 2. Be sure to account for any combined diversion rate limits in the approval conditions of each right listed. 1.52 CFS (total from 2)
4. List the total volume from Item 2. Be sure to account for any combined volume limits in the approval conditions of each right listed n/a AF (total from 2)

¹ For a thorough discussion of RAFN water rights, see IDWR’s *Recommendations for the Processing of Reasonably Anticipated Future Needs (RAFN) Municipal Water Rights at the Time of Application, Licensing, and Transfer*.

² For a thorough discussion of non-RAFN water rights, see IDWR’s Application Processing Memorandum No. 18.

5. Planning Horizon. See Idaho Code § 42-202B (7). Check one:

- ☐ RAFN. Specify planning horizon: ____ years. Go to Item 6.
☒ Non-RAFN (≤5 years). Go to Item 7.

6. If application is for RAFN:

- ☐ Attach justification for planning horizon. See Idaho Code § 42-202(2) and § 42-202B(7).
☐ Attach description of service area. See Idaho Code § 42-202(2) and § 42-202B(9).
☐ Attach population projection within the service area over the planning horizon. See Idaho Code § 42-202(2) and § 42-202B(8).
☐ Attach evaluation for demand within the service area over the planning horizon. See Idaho Code § 42-202(2) and § 42-202B(8).

Does demand exceed the totals listed in Items 3 and 4?

- Y N
☐ ☐ Rate?
☐ ☐ Volume?

If the answer is “No” to both rate and volume and a new point of diversion is needed, file a transfer application pursuant to Idaho Code § 42-222(1).

7. If application is for non-RAFN:

When submitting proof of beneficial use, non-RAFN permit holders will be required to show that water was diverted for an additional increment of beneficial use over existing water rights during the authorized development period, which may be up to five years from the date of approval. Do existing demand and short term needs exceed the combined authorizations from the existing water rights listed in Items 3 and 4?

- Y N
☒ ☐ Rate?
☒ ☐ Volume?

If the answer is “No” to both rate and volume and a new point of diversion is needed, file a transfer application pursuant to Idaho Code § 42-222(1).



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

January 8, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

IONA RUTH MCCONVILLE – MAYOR
CITY OF LAPWAI
PO BOX 336
LAPWAI, ID 83540

Application For Permit No. 85-15766

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the LEWISTON TRIBUNE on 1/15/2015 and 1/22/2015. 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 permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Adam Frederick
Adam Frederick
Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 08, 2015 2:32 PM
To: Legal Notices LT Karen Lewis; Legal Notices-Lewiston Tribune
Cc: Frederick, Adam
Subject: Application for Permit No. 85-15766 City of Lapwai
Attachments: LegalNotice 01-08-15 LT e-mail 85-15766.doc

Good afternoon, Karen,

Please publish the enclosed legal notice in the Lewiston Tribune on the dates indicated, January 15 and 22, 2015, (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/preview copy for my review before this actually goes to press. It should be very close to press ready for 2-column, 8 pt, Dutch 811 font, with margins justified.

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 2/2/2015. Your cooperation is appreciated.

Thanks for all you do to make our legals look so sharp! It's always a pleasure to work with you.

Have a great rest of the day.

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

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

85-15766

CITY OF LAPWAI

PO BOX 336

LAPWAI, ID 83540

Point of Diversion L21 (NESW) S2 T35N R04W

Point of Diversion L11 (SENW) S2 T35N R04W

Point of Diversion L25 (SWSW) S2 T35N R04W

Point of Diversion L33 (SESW) S2 T35N R04W

NEZ PERCE County

Source GROUND WATER

Use: MUNICIPAL 01/01 to 12/31 0.77 CFS

Total Diversion: 0.77 CFS

Date Filed: 12/24/2014

Place of Use: MUNICIPAL

Municipal use is within service area of the applicant.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

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 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/2/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/15/2015 and 1/22/2015

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, January 07, 2015 4:32 PM
To: Cynthia.Barrett@deq.idaho.gov; rhennekey@idfg.idaho.gov
Cc: Frederick, Adam
Subject: RE: Application for Permit No. 85-15766
Attachments: App_maps_and_muni_checklist.pdf

Dear Cindy and Ray:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This is being prepare to publish in the Lewiston Tribune on January 15 and 22, 2015, with February 2, 2015 as final date for protests to be received in our office.

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 this 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.

Please contact Adam Frederick in this office if you have any questions regarding the application.

Sincerely,

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



December 22, 2014

Idaho Department of Water Resources
Northern Region Office
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815

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DEC 24 2014
IDWR / NORTH

Subject: Application for Transfer – City of Lapwai

Dear Sir or Madam,

Enclosed on behalf of the City of Lapwai is an *Application for Permit* to develop a water right for an existing well (known as the JD well).

Check No. 159172 for \$250 is enclosed for the filing fee. Thank you for your consideration and assistance in this matter. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Roxanne Brown".

Roxanne Brown
Sr. Water Rights Specialist

Cc: City of Lapwai
Chris Bromley (McHugh Bromley)

Enclosures

SPF Job No.: 1131.0010