

AMENDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

RECEIVED

OCT 23 2013

RECEIVED

SEP 27 2013

WATER RESOURCES  
WESTERN 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 an entire 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 or to report an ownership change for a portion 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 change1. APPLICANT(S) City of New PlymouthPhone (208) 278-53382. MAILING ADDRESS P.O. Box 158City New PlymouthState IDZip 83655Email clerk@npidaho.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) required for water right ownership changes; see fee schedule.☐ 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) 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735, 65-23263☒ 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 3.45 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.

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County  | Source       | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|---------|--------------|---------------------|
| 07N | 04W | 04  |          |     | SW  | SE  | Payette | Ground Water | Well 6              |
| 07N | 04W | 09  |          |     | SW  | NE  | Payette | Ground Water | Well 7              |
| 07N | 04W | 09  |          |     | SW  | NE  | Payette | Ground Water | Well 8              |
| 07N | 04W | 08  |          |     | SE  | NE  | Payette | Ground Water | Well 9              |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |

SCANNED

NOV 15 2013

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 points of diversion are existing City Wells 6, 7, 8, and 9. All four wells include flow meters and are contained within fenced and locked sites. These wells pump to the City's distribution piping network and storage tanks.

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

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 leased to the Water Supply Bank,

☐☒

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 \_\_\_\_\_

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and 1/4 1/4 of section information. The *Map Tool*, available at <http://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

Joe Cook, Mayor

Print name and title if applicable

Date

9/25/13

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](http://www.idwr.idaho.gov), *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes 13 pages of attachments.

Received by

(SL Yu) JA

Date

9/27/13  
10/23/13

\* Fee paid

~~820~~

Date 5/3/13

Received by

(SL Yu) JA

Receipt #

W041094

Preliminary review completed by

Rick Colten

Date

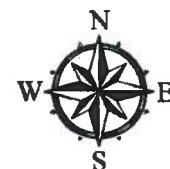
11/4/13

\* per original appl - SL



## Legend

-  ESPA
-  GCDB Township/Range
-  GCDB Section
-  GCDB Quarter-Quarter
-  Counties



0 387.5 775 1,550 2,325 3,100 Feet

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

9/11/2013

Water Right 65-25

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | CITY OF NEW PLYMOUTH<br>PO BOX 158<br>NEW PLYMOUTH, ID 83655<br>(208)278-5338 |

Priority Date: 7/18/1961

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     | 0.780 CFS             |               |
|                       | <u>Total Diversion</u> |           | 0.780 CFS             |               |

Source and Point(s) of Diversion

|              |      |                                          |
|--------------|------|------------------------------------------|
| GROUND WATER | SWSE | Sec. 4, Twp 07N, Rge 04W, PAYETTE County |
|--------------|------|------------------------------------------|

Place Of Use

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. J03 PLACE OF USE IS WITHIN CITY LIMITS OF NEW PLYMOUTH.

Comments:

Dates and Other Information

Decreed Date: 7/3/2002  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 65  
Mitigation Plan: False

Combined Use Limits

| <u>Rate</u>                                                | <u>Volume</u> | <u>Acres</u> |
|------------------------------------------------------------|---------------|--------------|
| 3.450                                                      |               |              |
| 65-26 ,65-27 ,65-7093 ,65-25 ,65-12213 ,65-13735 ,65-23263 |               |              |

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

9/11/2013

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | CITY OF NEW PLYMOUTH<br>PO BOX 158<br>NEW PLYMOUTH, ID 83655<br>(208)278-5338 |

**Status:** Active

**Tributary**

GROUND WATER SWSE Sec. 4, Twp 07N, Rge 04W, PAYETTE County

|     |     |     | NE |           |    |    | NW |    |    |    | SW |    |     |    | SE |    |    |    |        |
|-----|-----|-----|----|-----------|----|----|----|----|----|----|----|----|-----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW        | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | Totals |
| 07N | 04W | 4   |    | 4.0<br>L2 |    |    |    |    |    |    |    |    | 8.0 |    |    |    |    |    | 12.0   |

POU Total Acres: 12.0

|    |     |                                                                                                                                                                                                                                                                                                                             |
|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | J03 | PLACE OF USE IS WITHIN CITY LIMITS OF NEW PLYMOUTH.                                                                                                                                                                                                                                                                         |
| 2. | C18 | THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS<br>NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT<br>ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY<br>DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY<br>OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. |

Decreed Date: 7/3/2002  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

9/11/2013

Water District Number: 65  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                | <u>Volume</u> | <u>Acres</u> |
|------------------------------------------------------------|---------------|--------------|
| 3.450                                                      |               |              |
| 65-26 ,65-27 ,65-7093 ,65-25 ,65-12213 ,65-13735 ,65-23263 |               |              |

**Element Reviewed/Verified Dates:**

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 12/8/2000                 | cduncan         |                           |                 | Closed        |
| Priority Date  | 12/8/2000                 | cduncan         |                           |                 | Closed        |
| POD            | 12/8/2000                 | cduncan         |                           |                 | Closed        |
| Source         | 12/8/2000                 | cduncan         |                           |                 | Closed        |
| POU            | 12/8/2000                 | cduncan         |                           |                 | Closed        |
| Contacts       | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Priority Date  | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| POD            | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Source         | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| POU            | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Use            | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Season         | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Quantity       | 1/5/2001                  | cduncan         |                           |                 | Closed        |
| Summary        | 1/5/2001                  |                 | 1/5/2001                  | cduncan         | Closed        |

**Verification Log**

| <u>Element</u> | <u>Date</u> | <u>User</u> | <u>Log Text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|-------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 12/8/2000   | cduncan     | 1. Appointment has not been scheduled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Priority Date  | 12/8/2000   | cduncan     | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (NO) The basis of claim is not beneficial use.<br>5. (NO) The basis of claim is not a posted notice.<br>6. (YES) Parent right has a priority date.<br>7. (NO) The basis of claim is not an application or permit.<br>12. (YES) The claim is recommended.<br>13. (YES) The claim is coded correctly.<br>14. (NO) Priority remark was not required.<br>15. (NO) Priority condition was not required. |
| POD            | 12/8/2000   | cduncan     | 1. (NO) The basis is not beneficial use.<br>2. (YES) Parent right has a Point of Diversion.<br>3. (YES) The claimed Point of Diversion can be verified using the water right file.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required.                                                                                                                                                                                                   |
| Source         | 12/8/2000   | cduncan     | 1. (NO) The basis is not beneficial use.<br>2. (YES) Parent right has a source.<br>3. (YES) The claimed source can be verified using the water right file.<br>8. (NO) The source is not surface water.<br>10. (NO) Source remark was not required.<br>11. (NO) Source condition was not required.                                                                                                                                                                                                     |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

9/11/2013

Water Right 65-27

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | CITY OF NEW PLYMOUTH<br>PO BOX 158<br>NEW PLYMOUTH, ID 83655<br>(208)278-5338 |

**Priority Date:** 6/1/1943

**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     | 0.270 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 0.270 CFS             |               |

**Source and Point(s) of Diversion**

|              |      |                                          |
|--------------|------|------------------------------------------|
| GROUND WATER | SWSE | Sec. 4, Twp 07N, Rge 04W, PAYETTE County |
|--------------|------|------------------------------------------|

**Place Of Use**

**Conditions of Approval:**

1. J03 PLACE OF USE IS WITHIN CITY LIMITS OF NEW PLYMOUTH.
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.

**Comments:**

- |                             |         |          |       |
|-----------------------------|---------|----------|-------|
| 1.                          | cduncan | 1/5/2001 | Comm: |
| Recommended as decreed, CD. |         |          |       |

**Dates and Other Information**

Decreed Date: 7/3/2002  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 65  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                | <u>Volume</u> | <u>Acres</u> |
|------------------------------------------------------------|---------------|--------------|
| 3.450                                                      |               |              |
| 65-26 ,65-27 ,65-7093 ,65-25 ,65-12213 ,65-13735 ,65-23263 |               |              |

## 11/5/2013

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | CITY OF NEW PLYMOUTH<br>PO BOX 158<br>NEW PLYMOUTH, ID 83655<br>(208)278-5338 |

**Status:** Active

### Tributary

**Volume**

**Total Diversion** 0.400 CFS

Sec. 4, Twp 07N, Rge 04W, PAYETTE County

|    |     |                                                                                                                                                                                                                                                                                                                 |
|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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. | J03 | PLACE OF USE IS WITHIN CITY LIMITS OF NEW PLYMOUTH.                                                                                                                                                                                                                                                             |

## Decreed Date: 6/28/2002

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 3.450       |               |              |
| 65-26       | 65-27         | 65-7093      |
| 65-25       | 65-12213      | 65-13735     |
| 65-23263    |               |              |

## N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

11/5/2013

Water Right 65-12213

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | CITY OF NEW PLYMOUTH<br>PO BOX 158<br>NEW PLYMOUTH, ID 83655<br>(208)278-5338 |

**Priority Date:** 4/6/1979

**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             | 01/01                         | 12/31     | 1.000 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 1.000 CFS             |               |

**Source and Point(s) of Diversion**

|              |        |                                          |
|--------------|--------|------------------------------------------|
| GROUND WATER | SWSWNE | Sec. 9, Twp 07N, Rge 04W, PAYETTE County |
|--------------|--------|------------------------------------------|

**Place Of Use**

**Conditions of Approval:**

1. J03 PLACE OF USE IS WITHIN CITY LIMITS OF NEW PLYMOUTH.
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.

**Dates and Other Information**

Decreed Date: 7/26/2002

**Combined Use Limits**

| <u>Rate</u>                                                | <u>Volume</u> | <u>Acres</u> |
|------------------------------------------------------------|---------------|--------------|
| 3.450                                                      |               |              |
| 65-26 ,65-27 ,65-7093 ,65-25 ,65-12213 ,65-13735 ,65-23263 |               |              |

**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 65-13735

Priority: June 16, 1997

Maximum Diversion Rate: 1.12 CFS

It is hereby certified that CITY OF NEW PLYMOUTH  
PO BOX 158  
NEW PLYMOUTH ID 83655 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated June 16, 1997; and has  
submitted Proof of Beneficial Use on October 07, 2002. An examination confirms water is diverted from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

**BENEFICIAL USE**

MUNICIPAL

**PERIOD OF USE**

01/01 to 12/31

**DIVERSION RATE**

1.12 CFS

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SW1/4NE1/4 Sec. 9, Twp 07N, Rge 04W, B.M. PAYETTE County

**CONDITIONS OF APPROVAL**

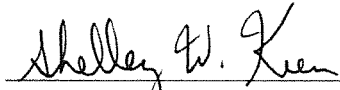
1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. The issuance of this right does not grant any right-of-way or easement across the land of another.
3. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
4. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
5. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
6. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
7. Rights 65-13735, 65-25, 65-26, 65-27, 65-7093, 65-12213, and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 65-13735

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 12<sup>th</sup> day of June, 2013.

  
for GARY SPACKMAN  
Director



**65-13735**



State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 65-23263

**Priority:** February 21, 2008

**Maximum Diversion Rate:** 1.00 CFS

It is hereby certified that CITY OF NEW PLYMOUTH  
PO BOX 158  
NEW PLYMOUTH ID 83655 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated February 21, 2008; and has  
submitted Proof of Beneficial Use on May 03, 2013. An examination confirms water is diverted from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

**BENEFICIAL USE**

MUNICIPAL

**PERIOD OF USE**

01/01 to 12/31

**DIVERSION RATE**

1.00 CFS

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SE1/4NE1/4 Sec. 8, Twp 07N, Rge 04W, B.M. PAYETTE County

**CONDITIONS OF APPROVAL**

1. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
3. Place of use is within the service area of the City of New Plymouth municipal water supply system as provided for under Idaho Law.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
5. Rights 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735 and 65-23263 when combined shall not exceed a total diversion rate of 3.45 cfs.

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 65-23263

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 12<sup>th</sup> day of June, 2013.

*for* Shelley W. Keen  
GARY SPACKMAN  
Director

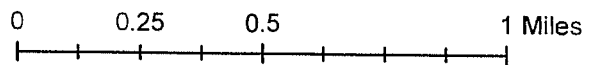
# Attachment To Water Right License

65-23263

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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



RECEIVED

MAY 03 2013

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES  
WESTERN 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 an entire 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 or to report an ownership change for a portion 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

1. **APPLICANT(S)** City of New Plymouth Phone (208) 278-5338  
2. **MAILING ADDRESS** P.O. Box 158 City New Plymouth  
State ID Zip 83655 Email clerk@npidaho.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) required for water right ownership changes; see fee schedule.  
☐ 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)** 65-25, 65-26, 65-27, 65-7093, 65-12213, 65-13735

- ☒ 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 4.62 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*.

| Twp | Rge | Sec | Govt Lot | ¼ | ¼  | ¼  | County  | Source       | Local name or tag # |
|-----|-----|-----|----------|---|----|----|---------|--------------|---------------------|
| 07N | 04W | 04  |          |   | SW | SE | Payette | Ground Water | Well 6              |
| 07N | 04W | 09  |          |   | SW | NE | Payette | Ground Water | Well 7              |
| 07N | 04W | 09  |          |   | SW | NE | Payette | Ground Water | Well 8              |
| 07N | 04W | 08  |          |   | SE | NE | Payette | Ground Water | Well 9              |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |
|     |     |     |          |   |    |    |         |              |                     |

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 points of diversion are existing City Wells 6, 7, 8, and 9. All four wells include flow meters and are contained within fenced and locked sites. These wells pump to the City's distribution piping network and storage tanks.

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

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:

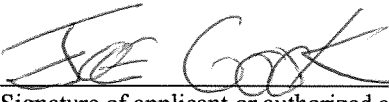
Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently leased to the Water Supply Bank,  
☐ ☒ 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 \_\_\_\_\_

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and  $\frac{1}{4}$   $\frac{1}{4}$  of section information. The *Map Tool*, available at <http://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

Joe Cook, Mayor

Print name and title if applicable

4/24/13  
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](http://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 JA Date 5/3/2013

Fee paid \$820 Date 5/3/2013 Receipted by JA Receipt # W041094

Preliminary review completed by Rick Collingwood Date 5/17/13

## Sommer, Rachel

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**From:** Sommer, Rachel  
**Sent:** Thursday, November 14, 2013 8:56 AM  
**To:** 'LISAALLISON@QWESTOFFICE.NET'  
**Subject:** Payette Legal Ad  
**Attachments:** Payette Cover Letter.docx; Payette Legal Ad.docx

Good Afternoon Lisa Allison,

Please see the attached ad for publication on 11/20/2013 & 11/27/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

**Rachel Sommer**

Administrative Assistant  
IDWR, Western Region  
Office: 208-334-2190  
Fax: 208-334-2348  
[rachel.sommer@idwr.idaho.gov](mailto:rachel.sommer@idwr.idaho.gov)

November 14, 2013

LEGAL NOTICE DEPARTMENT  
INDEPENDENT ENTERPRISE  
124 S MAIN  
PAYETTE, ID 83661

RE: Transfer No. 78618

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 12/9/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer  
Administrative Assistant

Enclosures

### **PROPOSED CHANGE OF WATER RIGHTS**

City of New Plymouth, P.O. Box 158, New Plymouth, ID 83655 filed Application No. **78618** to transfer 7 water rights for municipal use totaling 3.45 cfs when combined. The rights include the following: Ground Water – 7 rights, 1929 – 2008 priority dates, 4 wells. Four existing wells will combine to provide 3.45 cfs for the City of New Plymouth's municipal water system. The well sites are located near the intersection of Elm Street, West Avenue, and S. Plymouth Avenue, the intersection of S. Plymouth Avenue and SW 2<sup>nd</sup> Avenue, the intersection of Myrtle Street and Tracy Street, and on Adams Road north of the intersection of Adams Road and SW 2<sup>nd</sup> Avenue.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp) for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 12/09/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/20/2013 and 11/27/2013