

RECEIVED

JAN 28 2013

STATE OF IDAHO
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 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 Coeur d'Alene - Water Department Phone 208-769-22102. **MAILING ADDRESS** 3820 Ramsey Road City Coeur d'AleneState Idaho Zip 83815 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) 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)** 95-4322☒ 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 1 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 #
50N	04W	24		SW	NE		Kootenai	Coeur d'Alene Lake	
50N	04W	24		NW			Kootenai	Coeur d'Alene Lake	

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: Water will be diverted from the lake into a 60,000 gallon reservoir through approximately 200 feet of 6" HDPE pipe by a 5 HP submersible pump rated at 300 GPM. Two 15 HP submersible pumps, rated at 150 GPM each will pull water from the reservoir and pressurize the irrigation system. If metering or valving is required, both can be installed on the 6" pipe between the intake pump and the reservoir.

b. Who owns the property at the point(s) of diversion? City of Coeur d'Alene
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:

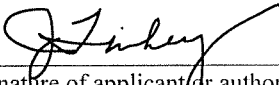
Yes No

- ☒ ☐ 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 Previous drinking water supply for the City of Coeur d'Alene.

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.

 Jennifer Tinkey - Deputy City Attorney 1-25-13
Signature of applicant or authorized agent Print name and title if applicable 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 Chad Date 1-28-13
Fee paid \$500.00 Date 1-28-13 Received by Chad Receipt # NO29631
Preliminary review completed by Chad Date 3-1-13

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/17/2013

WATER RIGHT NO. 95-4322

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF COEUR D ALENE WATER DEPARTMENT 3800 RAMSEY RD COEUR D ALENE, ID 83815 (208)769-2210

Priority Date: 06/01/1903

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
COEUR D ALENE LAKE	SPOKANE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	12/31	27.07 CFS	
Total Diversion			27.07 CFS	

Location of Point(s) of Diversion:

COEUR D ALENE LAKE	SWNE	Sec. 24	Township 50N	Range 04W	KOOTENAI County
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Place(s) of use: No POUs found for this right

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Conditions of Approval:

1. P/U WITHIN CITY LIMITS OF COEUR D'ALENE.

Dates:

Licensed Date:

Decreed 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:

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

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Legend

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



04-22-2013

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 95-4322 V1

WATER RIGHT NUMBER: 95-4322 V1

Owner Type: Name and Address
 Attorney JENNIFER TINKEY
 710 E MULLAN AVE
 COEUR D ALENE, ID 83814
 Current Owner CITY OF COEUR D ALENE
 WATER DEPARTMENT
 COEUR D ALENE, ID 83815
 (208)769-2210

Priority Date: 11/1/1921

Basis: Beneficial Use

Status: Active

Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER

<u>Beneficial Use:</u>	<u>From / To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	13.040 CFS	
	<u>Total Diversion</u>	13.040 CFS	

Location of Point(s) of Diversion:

COEUR D ALENE LAKE L4(SWNE) Sec. 24, Twp 50N, Rge 04W B.M. KOOTENAI County

Place of Use:

MUNICIPAL within KOOTENAI County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	03W	5						X	X			X							
50N	03W	6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
50N	03W	7					X	X	X		X	X	X	X			X	X	
50N	03W	8											X						
50N	03W	17						X	X	X	X		X	X		X			
										L2			L1	L5			L3		
50N	03W	18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
																		L1	
50N	03W	19	X	X	X	X	X	X	X	X					X	X			
			L1						L3	L4					L6	L5			
50N	03W	19	X																
			L2																
50N	03W	20						X											
								L1											
50N	03W	20		X	X		X	X	X	X	X	X	X			X			
													L2						
50N	04W	1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L1	L2			L3	L4											
50N	04W	1		X															
				L7															

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50N 04W	1					X											
						L6											
50N 04W	1						X										
							L5										
50N 04W	1									X							
										L9							
50N 04W	1										X						
											L8						
50N 04W	2	X															
		L6															
50N 04W	2		X														
			L5														
50N 04W	2												X				
													L7				
50N 04W	2													X			
														L9			
50N 04W	2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		L1	L2			L3	L4							L8			
50N 04W	3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		L1	L2			L3	L4										
50N 04W	4	X	X	X	X				X	X	X	X	X	X	X	X	X
		L1	L2														
50N 04W	8	X															
		L4															
50N 04W	9	X	X			X	X										
		L4	L3			L2	L1										
50N 04W	10	X	X	X	X	X	X					X	X	X	X	X	X
				L3		L2	L1							L4	L9	L8	L7
50N 04W	11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
			L3		L1				L6	L15		L23		L13		L21	L20
50N 04W	11		X														
			L4														
50N 04W	11					X											
						L12											
50N 04W	11			X													
				L2													
50N 04W	11			X													
				L5													
50N 04W	11			X													
				L11													
50N 04W	11								X								
									L10								
50N 04W	11							X									
								L7									
50N 04W	11							X									
								L9									
50N 04W	11													X			

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50N 04W 14	X		
	L50		
50N 04W 14	X		
	L2		
50N 04W 14	X		
	L7		
50N 04W 14		X	
		L10	
50N 04W 14		X	
		L11	
50N 04W 14		X	
		L12	
50N 04W 14		X	
		L13	
50N 04W 14	X		
	L8		
50N 04W 14	X		
	L14		
50N 04W 14	X		
	L15		
50N 04W 14	X		
	L16		
50N 04W 14	X		
	L17		
50N 04W 14		X	
		L18	
50N 04W 14			X
			L39
50N 04W 14			X
			L40
50N 04W 14			X
			L41
50N 04W 14			X
			L42
50N 04W 14			X
			L43
50N 04W 14			X
			L48
50N 04W 14			X
			L23
50N 04W 14			X
			L24
50N 04W 14			X
			L25
50N 04W 14			X
			L26
50N 04W 14			X

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51N 04W 26		X	X		X		X	X	X	X	X	X	X	X	X	X	X
51N 04W 27			X	X		X	X		X	X	X	X	X	X	X	X	X
51N 04W 28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
51N 04W 33	X	X	X	X										X	X	X	X
51N 04W 34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
51N 04W 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
														L1	L2	L3	
51N 04W 35														X			
														L6			
51N 04W 35															X		
															L5		
51N 04W 35															X		
															L4		
51N 04W 36							X										
							L5										
51N 04W 36															X		
															L13		
51N 04W 36															X		
															L14		
51N 04W 36									X								
									L6								
51N 04W 36					X	X	X	X	X	X	X	X	X	X	X	X	X
					L3	L2			L1					L8	L7		

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 Coeur d Alene municipal water supply system as provided for under Idaho Law.

Comments:

1. cgoodwin 2/28/2013 3:45:00 PM Created for Transfer 78457
Comment: Recommendation record created through proposed Transfer #78457
2. cgoodwin 3/26/2013 12:00:00 AM priority date and cfs
Comment: The priority date and cfs amount has been changed based on the Sandborn Fire Map of November 1921

Dates and Other Information:

Claim Date Received: 07/25/2011

Mitigation Plan: False

Combined Use Limits: N/A

SubCase: N/A

Water Supply Bank: N/A

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APR 23 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

May 10, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

CITY OF COEUR D ALENE
WATER DEPARTMENT
3820 RAMSEY RD
COEUR D ALENE, ID 83815

COPY

RE: Transfer No. 78457
Water Right No(s). 95-4322

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, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER, TIMES NEWS on 5/16/2013 and 5/23/2013. 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,


Keith Franklin
Program Manager

CC: JENNIFER TINKEY
710 E MULLAN AVE
COEUR D ALENE, ID 83814

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 10, 2013 2:21 PM
To: Legal Notices-CdA Press; Legal Notices-CdA Press - Amber Tice
Subject: Transfer No. 78457; Water Right No(s). 95-4322
Attachments: LegalNotice TRANSFER 78457 CdA e-mail CDA Water - FINAL 05-10-13.doc

Good afternoon, Amber,

This is the other legal notice I was talking about earlier.

Please publish this attached legal notice on the dates indicated, May 16 and 23, 2013, (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.

I believe it is pretty much press ready. Again, we do prefer the 2-column layout as submitted.

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 6/3/2013. Your cooperation is truly appreciated.

Thanks for all your great work with us on our legals. You're super!

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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 10, 2013 2:34 PM
To: Legal Notices LT Karen Lewis; Legal Notices-Lewiston Tribune
Subject: Transfer No. 78457; Water Right No(s). 95-4322
Attachments: LegalNotice TRANSFER 78457 CdA e-mail CDA Water - FINAL 05-10-13.doc

Hi, Karen,

Please publish this attached legal notice on the dates indicated, May 16 and 23, 2013, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

[This particular one is publishing what we call "Statewide" – although it is actually in Kootenai County.]

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

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Thanks for all your great work with us on our legals. You're super!

Any questions, please give me a call.

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

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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 6/3/2013. Your cooperation is appreciated.

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 10, 2013 2:41 PM
To: Legal Notices-Times News - Ruby
Subject: Transfer No. 78457; Water Right No(s). 95-4322
Attachments: LegalNotice TRANSFER 78457 CdA e-mail CDA Water - FINAL 05-10-13.doc

Good afternoon, Ruby,

It's been a long time since I've had a "Statewide" legal to publish, but I have one now.

Please publish this attached legal notice on the dates indicated, May 16 and 23, 2013, (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.

I don't know what font you generally use so am submitting this in Arial and trust you will make whatever font adjustment necessary. Aside from the font, I believe it is pretty much press ready, and we do prefer the 2-column layout as submitted.

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 6/3/2013. Your cooperation is truly appreciated.

Thank you very much and have a marvelous weekend.

If you have any questions, please give me a call.

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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 10, 2013 2:55 PM
To: Legal Notices - Staci; Legal Notices-Post Register
Subject: Transfer No. 78457; Water Right No(s). 95-4322
Attachments: LegalNotice TRANSFER 78457 CdA e-mail CDA Water - FINAL 05-10-13.doc

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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 6/3/2013. Your cooperation is truly appreciated.

Thanks for your work with us on this legal.

If you have any questions, please give me a call.

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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 10, 2013 3:01 PM
To: Legal Notices-Idaho Statesman - Janice Hildreth
Subject: Transfer No. 78457; Water Right No(s). 95-4322
Attachments: LegalNotice TRANSFER 78457 CdA e-mail CDA Water - FINAL 05-10-13.doc

Good afternoon, Janice,

It's been a long time since I've had a "statewide" legal publish, but I've got one today.

Please publish this attached legal notice on the dates indicated, May 16 and 23, 2013, (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.

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Thanks for your work with us on this legal.

If you have any questions, please give me a call.

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. 78457

CITY OF COEUR D'ALENE, WATER DEPARTMENT, 3820
RAMSEY RD, COEUR D'ALENE, ID 83815; has filed Application No.
78457 for changes to the following water rights within KOOTENAI
County(s): Right No(s). 95-4322; to see a full description of these
rights and the proposed transfer, please see

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

The purpose of the transfer is to change a portion of the above right
by adding an additional point of diversion in T50N, R04W, Section
24, Lot 1(NENW) for the surface water municipal system for the
City of Coeur d'Alene.

NO OTHER CHANGES ARE PROPOSED

For additional information concerning the property location, contact
Northern Region office at (208) 762-2800. Protests may be submitted
based on the criteria of Sec. 42-222 Idaho Code. 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 6/3/2013. The protestant must also send a
copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/16/2013 and 5/23/2013

MEMORANDUM

Date: March 26, 2013
To: Transfer 78457
From: Chad Goodwin
Re: Review & Evaluation of Sufficiency of Information

Authority to File: Yes they are the current owner.

Water Right Validity: Yes currently recommended in the CSRBA.

Injury to Other Water Rights: None.

Enlargement of Use: None.

Local Public interest: Yes.

Beneficial Use/Conservation of Water Resources: Yes.

Effect on Economy the Local Area: None.

Effect on Agricultural Base of the Local Area: None.

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.

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