

RECEIVED

AUG 15 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Fairfield Phone 208-764-2333

2. **MAILING ADDRESS** PO Box 336 City Fairfield

State ID Zip 83327 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)** 37-2457, 37-2716

- ☒ 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 2.73 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 #
1S	14E	9			SE	SW	Camas	Ground Water	Proposed Well
1S	14E	9		NE	NE	SE	Camas	Ground Water	Existing Well
1S	14E	10		SW	NW	SW	Camas	Ground Water	Existing Well
1S	14E	10		SW	NW	SW	Camas	Ground Water	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:

The well will discharge into a municipal water system. It will be equipped with a totalizing flow meter, and can be locked at the control panel.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently 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 $\frac{1}{4}$ 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.

Scott Marolt
Signature of applicant or authorized agent

Scott Marolt Mayor
Print name and title if applicable

8-9-12
Date

Laura Escobar
Signature of applicant or authorized agent

Laura Escobar
Print name and title if applicable

8-9-12
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 5 pages of attachments. Received by [Signature] Date 8/15/12
Fee paid \$660.00 Date 8/15/12 Received by [Signature] Receipt # SP32740
Preliminary review completed by _____ Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02457

NAME AND ADDRESS: CITY OF FAIRFIELD
CITY HALL
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 1.50 CFS

PRIORITY DATE: 01/14/1942

POINT OF DIVERSION: T01S R14E S09 NENESE Within Camas County
S10 SWNWSW
SNNWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.50 CFS

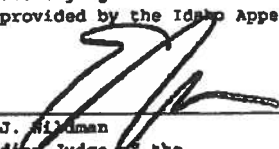
PLACE OF USE:	Municipal	Within Camas County
	T01S R14E S09	NWNE SWNE
		SENE NESE
		NWSE SWSE
		SESE
	S10	SWNW NWSW
		SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02716

NAME AND ADDRESS: CITY OF FAIRFIELD
CITY HALL
FAIRFIELD, ID 83327

SOURCE: GROUND WATER

QUANTITY: 1.23 CFS

PRIORITY DATE: 10/11/1965

POINT OF DIVERSION: T01S R14E S09 NENESE Within Camas County
S10 SWNWSW
SWNWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.23 CFS

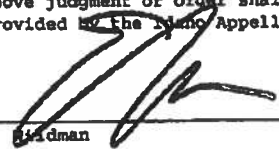
PLACE OF USE:	Municipal	Within Camas County
	T01S R14E S09	NWNE SWNE
		SENE NESE
		NWSE SWSE
		SESE
	S10	SWNW NWSW
		SWSW

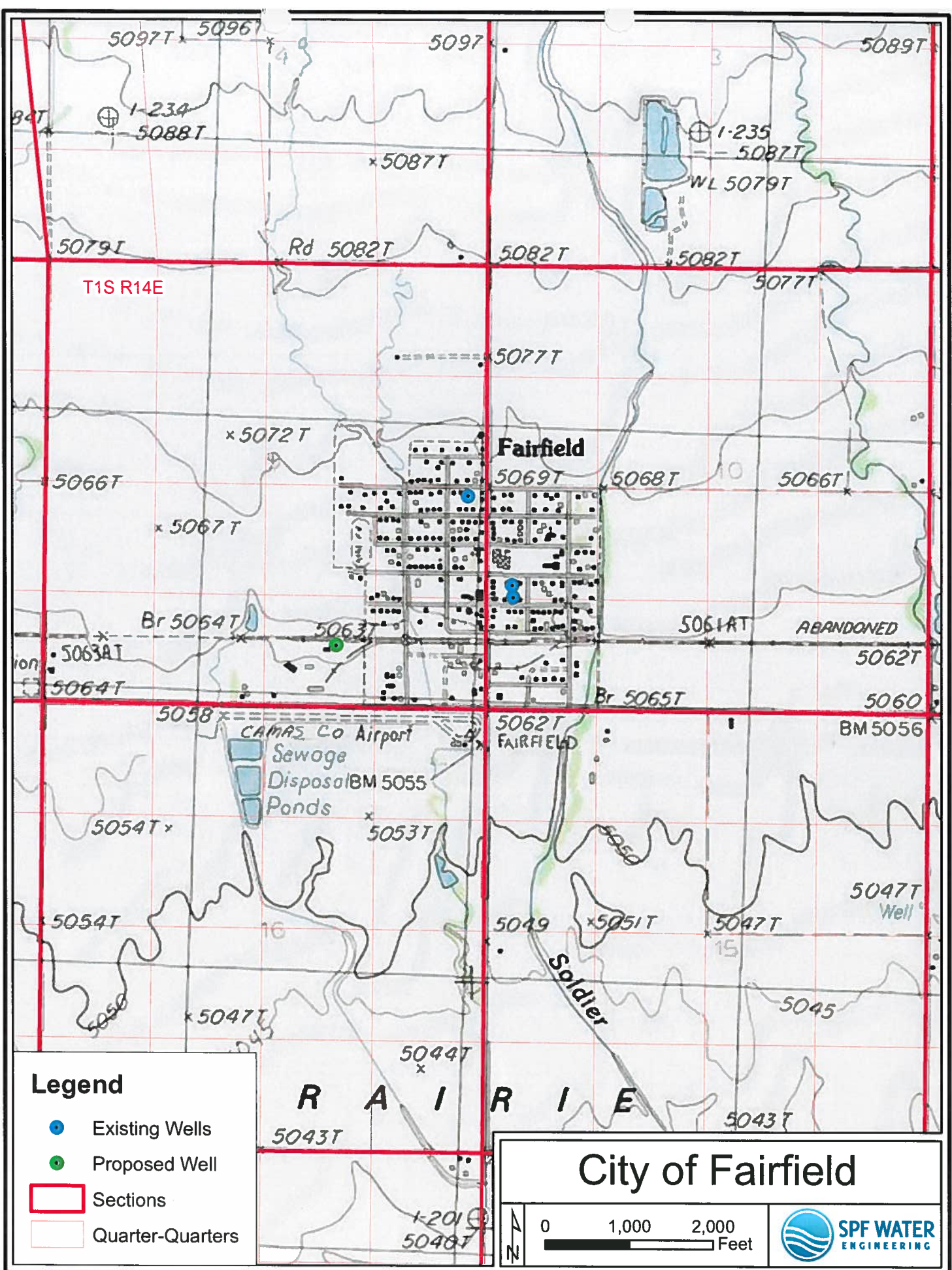
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Midman
Presiding Judge of the
Snake River Basin Adjudication



TRANSFER 78089



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 30, 2012

CITY OF FAIRFIELD
PO BOX 336
FAIRFIELD, ID 83327

RE: Transfer No. 78089
Water Right No(s). 37-2457, 37-2716

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 **CAMAS COURIER on 9/5/2012 and 9/12/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 24, 2012**).

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

cc:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 30, 2012 9:58 AM
To: Camas Courier
Subject: LEGAL NOTICE
Attachments: Camas Courier Cover Letter.docx; Camas Courier Ad.docx

Attached please find (1) legal notice being submitted for publication on September 5th & 12th, 2012. Please 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,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

August 30, 2012

LEGAL NOTICE DEPARTMENT
CAMAS COURIER
PO BOX 339
FAIRFIELD, ID 83327

RE: Transfer No. 78089
Water Right No(s): 37-2457, 37-2716

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 September 24, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78089**

CITY OF FAIRFIELD, PO BOX 336, FAIRFIELD, ID 83327 has filed Application No. 78089 for changes to the following water rights within CAMAS County(s): Right No(s). 37-2457, 37-2716; 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 rights as follows: Transfer proposes drilling a new well (fourth well) and adding a point of diversion on two water rights currently authorized for a combined diversion rate of 2.73 cfs for municipal use in the City of Fairfield. The POU will not be changing. The proposed well is located in the SESW of Section 9, T01S, R14E within the City of Fairfield.

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, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before September 24, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 5th & 12th, 2012

MEMORANDUM

Date: August 21, 2012
To: Transfer 78089 File – City of Fairfield
From: Jeanie Robertson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes drilling a new well (fourth well) and adding a point of diversion on two water rights currently authorized for a combined diversion rate of 2.73 cfs for municipal use in the City of Fairfield. The POU will not be changing. The proposed well is located in the SESW of Section 9, T01S, R14E within the City of Fairfield.

- **Authority to File:**
The application was filed by Lori Graves of SPF Engineering on behalf of the City of Fairfield and signed by Scott Marolf (mayor) and Laura Escobar.
- **Water Right Validity:**
Both rights were decreed in the SRBA in on 9/24/2010.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impacts anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Municipal use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: August 21, 2012
To: Transfer 78089
From: jroberts
Re: Legal Notice Remarks

Transfer proposes drilling a new well (fourth well) and adding a point of diversion on two water rights currently authorized for a combined diversion rate of 2.73 cfs for municipal use in the City of Fairfield. The POU will not be changing. The proposed well is located in the SESW of Section 9, T01S, R14E within the City of Fairfield.



SPF WATER
ENGINEERING

August 13, 2012

RECEIVED

AUG 15 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Allen Merritt
IDWR Southern Region Office
1341 Fillmore St., Ste 200
Twin Falls, ID 83301

Subject: Application for Transfer

Dear Allen,

Enclosed on behalf of City of Fairfield, is an *Application for Transfer* seeking authorization to add an additional well to the City's water right records. The City would like to drill the proposed well prior to the onset of winter and would appreciate expedited processing of the application.

Check No. 2874 for \$660 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: City of Fairfield
Andrew Kimmel, Project Engineering Consultants, Ltd.

Enclosures

SPF file number: 985.0010