

RECEIVED

42-222 POD
03/2011

JUN 01 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE 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 change1. APPLICANT(S) City of Dietrich, Idaho Phone (208) 544-24442. MAILING ADDRESS 35 West First Street City DietrichState Idaho Zip 83324 Email dietrichcity@dietrichidaho.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.
- ☐ 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) 37-20729

- ☒ 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 0.37 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 #
06S	18E	12		NE	SE	NW	Lincoln	Groundwater	Well #1
06S	18E	12		NE	SE	NW	Lincoln	Groundwater	Proposed Well #2

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:

It is a municipal well that is enclosed in a building with a lock and flow meter.

- b. Who owns the property at the point(s) of diversion? Big Wood Canal Company

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

The City has an easement with the Big Wood Canal Company for the well.

- 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.

Don Heiken
Signature of applicant or authorized agent

Don Heiken, Mayor

Print name and title if applicable

5/23/2012

Date

Justin Walker
Signature of applicant or authorized agent

Keller Associates, Inc.
Justin Walker, PE

Print name and title if applicable

5/24/12
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 _____ pages of attachments.

Received by DM

Date 6.1.2012

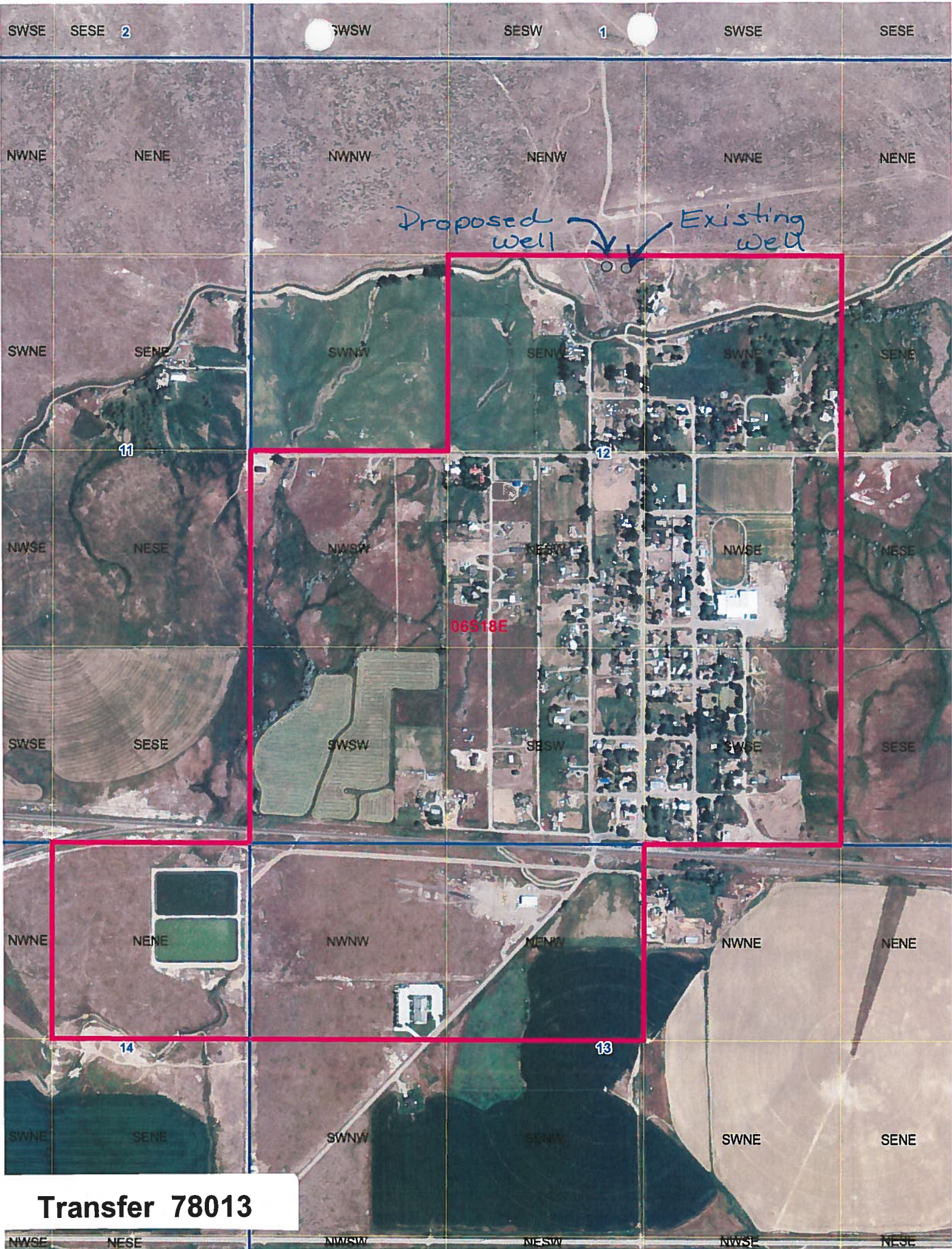
Fee paid \$400 Date 6.4.2012

Received by JJR

Receipt # 5032594

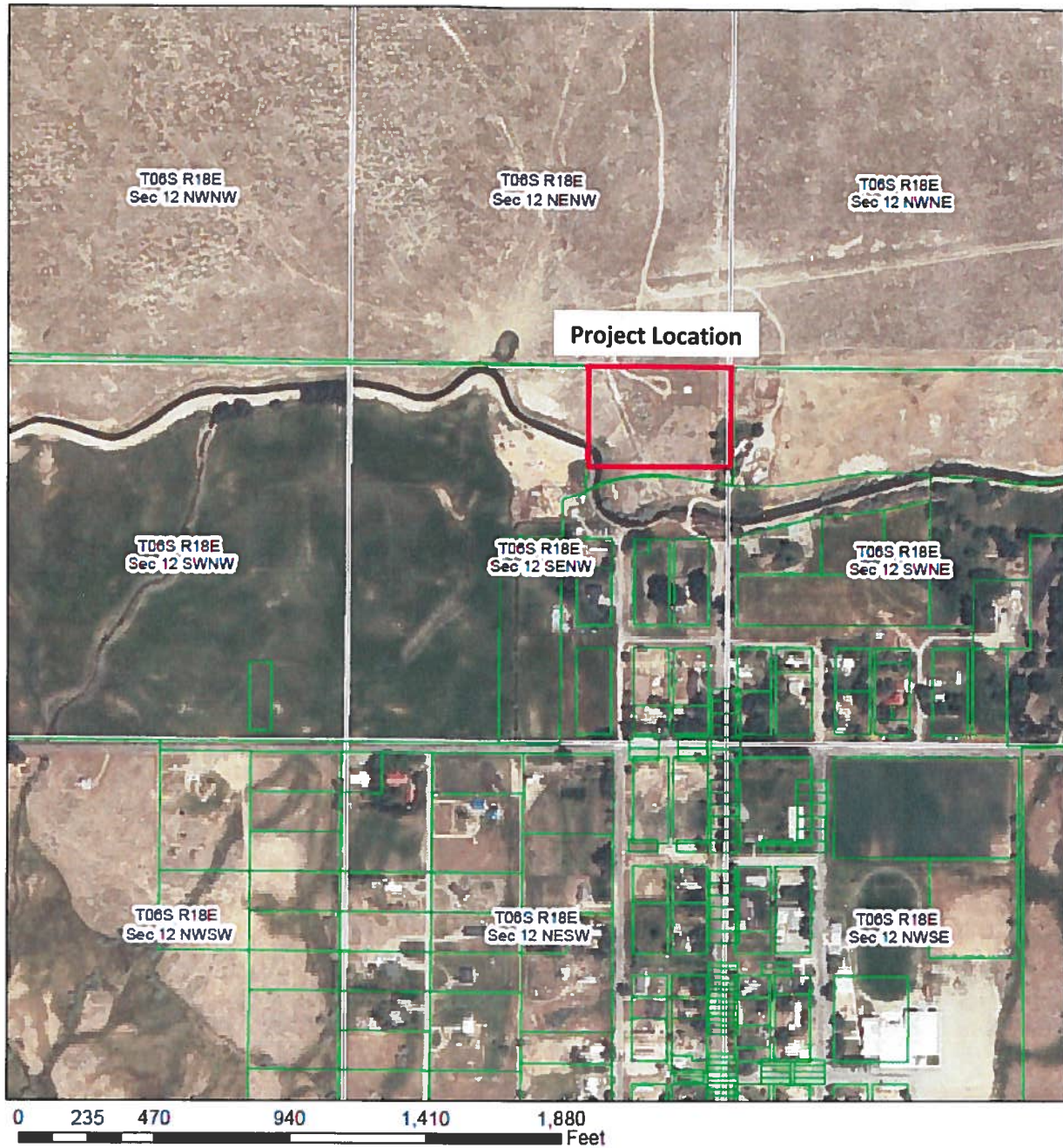
Preliminary review completed by _____

Date _____



Transfer 78013

City of Dietrich, Idaho



Transfer 78013

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

5/11/2012

WATER RIGHT NO. 37-20729

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DIETRICH 35 W FIRST ST DIETRICH, ID 83324 (208)544-2102

Priority Date: 12/31/1910

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	0.37 CFS	
Total Diversion			0.37 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESENW	Sec. 12	Township 06S	Range 18E	LINCOLN County
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MUNICIPAL Use:

Number of homes: 78

Place(s) of use: [Large POU Info](#)

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 the city of DIETRICH and surrounding service area.

Dates:

Licensed Date:

Decreed Date: 12/11/2002

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: 130

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

ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: (Transfer No.)
 TRANSFER NAME: Dietrich Well

PREPARED BY: Keller Associates
 DATE: May, 2012
 Transfer Tool Version: Version 3.1

BLUE CELLS ARE SET UP FOR
 USER ENTRIES

WATER RIGHTS INVOLVED:

Group 1 Transfer Rights		Group 2 Additional Mitigation Rights	
Right No.	Priority Date	Right No.	Priority Date
37-20729	12/31/1910		

HISTORIC BENEFICIAL USE:

Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (af/yr)	Total (af/yr)

MITIGATION NOTES:

FROM1 Well will be taken offline in Summer 2013 when the TO Well comes online. The FROM1 Well will be kept as a back-up pump. The TO Well will pump an additional 145 af/yr to keep up with demands.

MODEL CELL LOCATIONS:

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	49	49	0	0
COLUMN	43	44	0	0

	Start Date		End Date		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Annual (af/yr)	Trimester (af/trimester)		
TO Well (Projected Use)	Summer	2013	Winter	2099	413.0	137.7		
FROM1 Well (With Transfer)	Spring	1910	Summer	2013	0	0.0		
FROM1 Well (Without Transfer)	Spring	1910	Winter	2099	268	89.3		
FROM2 Well (With Transfer)								
FROM2 Well (Without Transfer)								
FROM3 Well (With Transfer)								
FROM3 Well (Without Transfer)								



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
Interim Director

July 13, 2012

CITY OF DIETRICH
35 W FIRST ST
DIETRICH, ID 83324

Re: Application For Permit No. 37-22751

Re: Transfer No. 78013
Water Right No(s). 37-20729

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 **TIMES NEWS on 7/19/2012 and 7/26/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 6, 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 permit.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Friday, July 13, 2012 9:12 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on July 19th & 26th, 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

July 13, 2012

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-16945 & 37-22751

RE: Transfer No. 77992
Water Right No(s): 47-4065

RE: Transfer No. 78011
Water Right No(s): 43-13640, 43-13642

RE: Transfer No. 78013
Water Right No(s): 37-20729

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 August 6, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

36-16945

BOB SELLERS

WILMA SELLERS

1277 S 1845 E

HAZELTON, ID 83335

Point of Diversion SESESE S24 T10S R19E JEROME County Source WASTE WATER Tributary SNAKE RIVER

Use: IRRIGATION 03/15 to 11/15 1 CFS

Total Diversion: 1 CFS

Date Filed: 5/15/2012

Place Of Use: IRRIGATION

T10S R19E S24 NESE SWSE SESE

Total Acres: 50

Application proposes to divert up to 1.0 CFS of wastewater tributary to the Snake River, at a point of diversion located approximately 4.3 mi. S & 1.9 mi. W of Hazelton, for irrigation of 50 acres (with appurtenant North Side Canal Company (NSCC) Shares) located approximately 4.0 to 4.3 mi S & 1.8 to 2.1 mi W of Hazelton. Applicant proposes this appropriation as a recapture of NSCC wastewater that has been settled in a water quality improvement pond and plans to apply it to lands with full NSCC shares to reduce low quality water flows to the Snake River. Applicant proposes no new acres to be irrigated with the proposed appropriation.

37-22751

CITY OF DIETRICH

35 W FIRST ST

DIETRICH, ID 83324

Point of Diversion NESENW S12 T06S R18E LINCOLN County Source GROUND WATER Tributary

Point of Diversion NESENW S12 T06S R18E LINCOLN County Source GROUND WATER Tributary

Use: MUNICIPAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/1/2012

Place Of Use: MUNICIPAL

T06S R18E S12 SWNE SENW SW(ALL) NWSE SWSE

T06S R18E S13 NENW NWNW

T06S R18E S14 NENE

Application for permit proposes drilling a new well for the city of Dietrich. The new well and an existing well will divert up to 0.2 cfs of ground water for municipal use. The point of diversion and place of use is located with the City of Dietrich service area.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77992

HERB DEUEL and BLANCHE DEUEL, PO BOX 348, BUHL, ID 83316 has filed Application No. 77992 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4065. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to extend the season of use and add a point of diversion to groundwater right 47-4065 (0.77 CFS, 266 AFA), currently diverted for heating, recreation, and domestic uses at the Banbury Hot Springs facility (located approximately 6.4 mi. N & 3.3 mi. W of Buhl). The facility currently uses two wells located within or adjacent to the authorized place of use, and proposes an additional well to be drilled adjacent to the facility, approximately 6.3 mi. N & 3.4 mi. W of Buhl. The current season of use for recreation uses under this right is limited to April 1 to Sept. 15. Applicant proposes to change the season to year round use (Jan. 1 to Dec. 31), without increasing the authorized instantaneous flow rate or annual diverted volume.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78011

GW FINANCE CO LLC, 22 N YALE RD, DECLO, ID 83323 has filed Application No. 78011 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13640, 43-13642. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the location of a well to be drilled on a farm located approximately 14.0 - 14.8 mi. east and 2.2 - 2.7 mi. south of Declo. The new well and an existing well will be used to divert 4.75 cfs and 976 af for the irrigation of 244 acres on the farm.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78013**

CITY OF DIETRICH, 35 W FIRST ST, DIETRICH, ID 83324 has filed Application No. 78013 for changes to the following water rights within LINCOLN County(s): Right No(s). 37-20729. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new proposed well for the city of Dietrich. An existing well and the new well will up to divert 0.37 cfs of ground water for municipal use. The point of diversion and place of use is located with the City of Dietrich service area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 August 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on July 19th & 26th, 2012



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 13, 2012

CINDY YENTER
WATER DISTRICT #130
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301

Hand Delivered

RE: Transfer No. 78013
Water Right No(s): 37-20729

RE: Application for Permit: 36-16945 & 37-22751

Dear Ms. Yenter:

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Reeder, Jana

From: Tom Young [tomyoung@dietrichidaho.com]
Sent: Friday, June 29, 2012 1:44 PM
To: Reeder, Jana
Subject: Re: Permit and Transfer

Jana,

It looks like the place of use on page 2 needs these changes: section 13 NWNE needs to be removed and NENW needs to be added, section 12 SWNW needs to be removed and NWSW needs to be added. It appears that these cells are enclosed on the map: (section 14 NENE) (section 13 NWNW, NENW) (section 12 SWSW, SESW, SWSE, NWSW, NESW, NWSE, SENW, SWNE)

The map looks good.

Thanks Tom

----- Original Message -----

From: Reeder, Jana
To: tomyoung@dietrichidaho.com
Sent: Friday, June 29, 2012 12:11 PM
Subject: Permit and Transfer

Tom,

I have enclosed a revised map and the 2nd page of the application for permit that the city submitted. (most municipal city water rights are described to the QQ for place of use). Please look over carefully and verify that the indicated changes for the place of use on page 2 and the map are correct. If they are send me an email allowing for the changes on the application. This service area will also be reflected on the transfer.

Have a good weekend!

Jana😊

<<2nd_page.pdf>> <<dietrich_map.pdf>>