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OCT 28 2011

42-222 POD  
07/2011WATER RESOURCES  
WESTERN REGION

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OCT 27 2011

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDEPARTMENT 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 Emmett, Idaho Phone 208-365-60502. MAILING ADDRESS 501 E. Main Street City EmmettState Idaho Zip 83617 Email emmettpublicwork@qwestoffice.net☐ 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) 65-10, 65-16, 65-17, 65-19, 65-7341, 65-7520, 65-12729, 65-1380565-10, 65-16, 65-17, 65-19, 65-7341, 65-7520, 65-12729, 65-13805☐ Attach a copy of the water right(s) as recorded, available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is 17.1 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](http://www.idwr.idaho.gov), *Water Right Transfers, Online Resources*.

| Twp | Rge | Sec | Govt Lot | ¼  | ¼  | ¼ | County | Source      | Local name or tag # |
|-----|-----|-----|----------|----|----|---|--------|-------------|---------------------|
| 6n  | 1W  | 07  |          | NE | NE |   | Gem    | Groundwater | Well #6             |
| 6n  | 1W  | 07  |          | SE | SE |   | Gem    | Groundwater | Well #8             |
| 6n  | 1W  | 08  |          | SE | SE |   | Gem    | Groundwater | 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:

Each of the three wells are municipal wells that are enclosed in a building with a lock and flow meter.

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

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 ¼ ¼ 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.

Bruce Evans

Signature of applicant or authorized agent

Bruce Evans

Print name and title if applicable

10/17/2011  
Date

Superintendent of  
Public Works

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 18 pages of attachments. Received by [Signature] Date 10-28-11

Fee paid \$1,860- Date 10/27/2011 Receipted by SRH Receipt # 0094170

Preliminary review completed by Vicky Music Date \_\_\_\_\_



# City Of Emmett

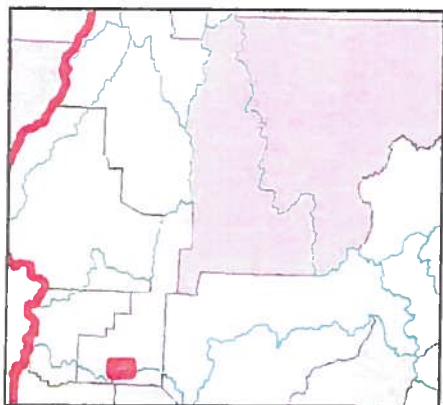
Water Rights: 65-13805

x FOD

Municipal Service Area Boundary  
GIS Place of Use Illustration

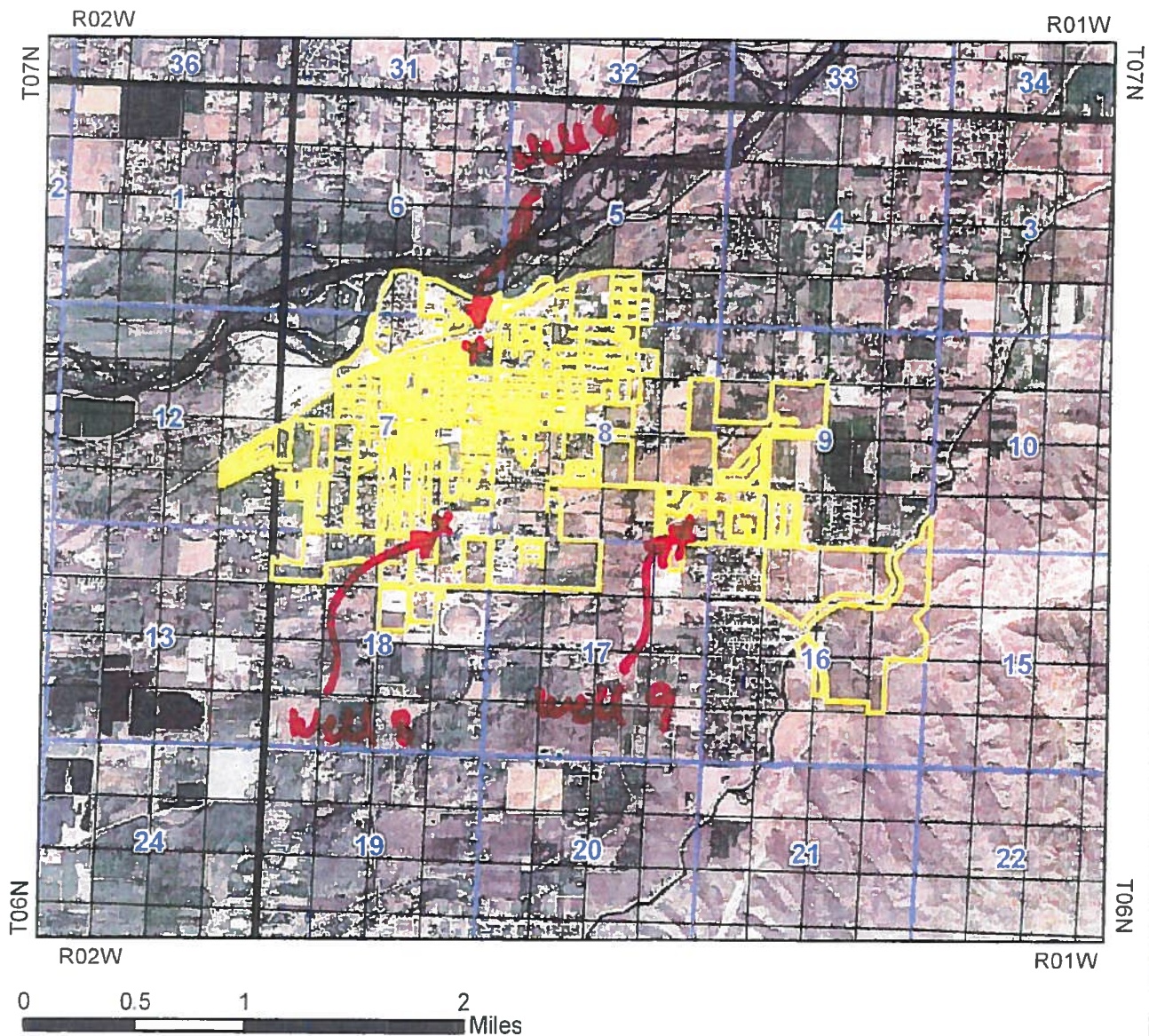
## Legend

- Service Area
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Gem County  
IDWR Basin 65

Prepared by Curtis, Sharla  
August 11, 2011  
Aerial Photography



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

10/14/2011

WATER RIGHT NO. 65-10

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 01/01/1948

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     | 1.34 CFS              |               |
| Total Diversion       |             |           | 1.34 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, SEC 5, SESW.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
2. C18 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.
3. J03 PLACE OF USE WITHIN CITY LIMITS OF EMMETT.

## Dates:

Licensed Date:

Decreed Date: 07/03/2002

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: S

Owner Name Connector:

Water District Number: 65

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

Close

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Water Right Report

10/14/2011

WATER RIGHT NO. 65-16

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 01/01/1927

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     | 1.56 CFS              |               |
| Total Diversion       |             |           | 1.56 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, SEC 5, SESW.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
2. C18 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.
3. J03 PLACE OF USE WITHIN CITY LIMITS OF EMMETT.

## Dates:

Licensed Date:

Decreed Date: 07/03/2002

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: S

Owner Name Connector:

Water District Number: 65

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

[Close](#)

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

10/14/2011

WATER RIGHT NO. 65-17

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 01/01/1913

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     | 1.11 CFS              |               |
| Total Diversion       |             |           | 1.11 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, SEC 5 SESW.
2. J03 PLACE OF USE WITHIN CITY LIMITS OF EMMETT.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
3. C18 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:

Licensed Date:

Decreed Date: 07/03/2002

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: S

Owner Name Connector:

Water District Number: 65

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

[Close](#)

[Close](#)

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report

10/14/2011

WATER RIGHT NO. 65-19

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 01/01/1957

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     | 3.34 CFS              |               |
| Total Diversion       |             |           | 3.34 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

Attachment p. 8 of 18

1. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, SEC 5, SESW
2. J03 PLACE OF USE WITHIN CITY LIMITS OF EMMETT.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
3. C18 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:

Licensed Date:

Decreed Date: 07/03/2002

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: S

Owner Name Connector:

Water District Number: 65

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

Close

[Close](#)

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report

10/14/2011

WATER RIGHT NO. 65-7341

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 03/03/1973

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     | 4.5 CFS               |               |
| Total Diversion       |             |           | 4.5 CFS               |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. J03 PLACE OF USE IS WITHIN CITY LIMITS OF EMMETT.
2. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, S5, SESW.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY  
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
3. C18 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:

Licensed Date:

Decreed Date: 06/28/2002

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: S

Owner Name Connector:

Water District Number: 65

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

Close

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

10/14/2011

WATER RIGHT NO. 65-7520

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 12/16/1974  
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     | 2.46 CFS              |               |
| Total Diversion       |             |           | 2.46 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |            |
|--------------|------|---------|--------------|-----------|------------|
| GROUND WATER | SESW | Sec. 05 | Township 06N | Range 01W | GEM County |
| GROUND WATER | NENE | Sec. 07 | Township 06N | Range 01W | GEM County |

Place(s) of use: No POUs found for this right

Conditions of Approval:

Attachment p. 12 of 18

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. PLACE OF USE IS WITHIN THE CITY LIMITS OF EMMETT.
3. F02 4 POINTS OF DIVERSION LOCATED IN T06N, R01W, S7, NENE.

## Dates:

Licensed Date:

Decreed Date: 06/28/2002

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: S

Owner Name Connector:

Water District Number: 65

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

[Close](#)

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

10/14/2011

WATER RIGHT NO. 65-12729

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050 |

Priority Date: 02/26/1985

Basis: License

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     | 2.79 CFS              |               |
| Total Diversion       |             |           | 2.79 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|SESE|Sec. 07|Township 06N|Range 01W|GEM County

Licensed Diversion Capacity: 2.79

Place(s) of use: No POUs found for this right

Conditions of Approval:

Attachment p. 14 of 18

- 1.020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
- 2.004 The issuance of this right does not grant any right-of-way or easement across the land of another.
3. The place of use is located within the city limits of Emmett and surrounding service area.

## Dates:

Licensed Date: 06/03/1994

Decreed Date:

Permit Proof Due Date: 7/1/1989

Permit Proof Made Date: 5/26/1989

Permit Approved Date: 6/1/1987

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 02/26/1985

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

Close

[Close](#)

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report

10/14/2011

WATER RIGHT NO. 65-13805

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | CITY OF EMMETT<br>501 E MAIN ST<br>EMMETT, ID 83617<br>(208)365-6050  |
| Original Owner    | LOWELL ROSANBALM<br>PO BOX 190275<br>BOISE, ID 83719<br>(208)888-4490 |

Priority Date: 10/23/1998

Basis: License

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     | 4.46 CFS              |               |
| Total Diversion       |             |           | 4.46 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|SESE|Sec. 08|Township 06N|Range 01W|GEM County

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

## Conditions of Approval:

1. 124 Place of use is within the service area of the City of Emmett municipal water supply system as provided for under Idaho Law.
2. 180 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.  
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. 103
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. X35 Rights 65-10, 65-16, 65-17, 65-19, 65-7341, 65-7520, 65-12729 and 65-13805 when combined shall not exceed a total diversion rate of 17.1 cfs.
6. The point of diversion listed above is also known as Well #9.

## Dates:

Licensed Date: 09/15/2011

Decreed Date:

Permit Proof Due Date: 2/1/2002

Permit Proof Made Date: 3/1/2002

Permit Approved Date: 2/11/1999

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 09/25/1998

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  
**Close**

## **Borgeman, Sherry**

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**From:** Borgeman, Sherry  
**Sent:** Wednesday, December 28, 2011 1:50 PM  
**To:** 'LEGALS@IDAHOPRESS.COM'  
**Subject:** Legal Notice - Gem Cty  
**Attachments:** Gem Cty - Cover letter.docx; Gem Cty - Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman  
Idaho Department of Water Resources, Western Region  
208-334-2190 (ph)  
208-334-2348 (fax)

December 28, 2011

LEGAL NOTICE DEPARTMENT  
MESSENGER-INDEX  
PO BOX 577  
EMMETT, ID 83617

RE: Transfer No. 77618,  
Water Right No(s): 65-12729, 65-10, 65-16, 65-17, 65-19, 65-7520, 65-7341, 65-13805

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 1/23/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman  
Administrative Assistant

Enclosure(s)

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

The City of Emmett of 501 E Main St, Emmett, Idaho filed Application No. **77618** to transfer eight water rights with 1913 to 1998 priority dates from ground water totaling 17.1 cfs. The purpose of the transfer is to add a recently licensed well as a point of diversion to all of the municipal rights and to update the points of diversions for all of the City of Emmett municipal rights to the three wells that are operational. Water will be used at the current place of use which is the City of Emmett service area.

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 January 23, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director  
Published on 1/4/2012 and 1/11/2012