

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75051**WITHDRAWN**
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1RECEIVED
JUN 03 2008
IDWR/NorthName of Applicant City of Moscow Phone 208-883-7028Mailing address PO Box 9203, Moscow ID 83843 Email lmacdonald@ci.moscow.id.us**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Modification of area of service
2. Describe the reason for the proposed changes The City of Moscow will be providing potable water supply to neighboring Whitman
County for use in a commercial development located immediately adjacent to but out of the City's corporate limits. The site is located
in Whitman County in the State of Washington.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>87-7069</u>	<u>2-20-1981</u>	<u>5.12/n/a</u>	<u>Municipal</u>	<u>01/01</u> to <u>12/31</u>
				to
				to
				to

Total amount of water being transferred 5.12 cubic feet per second and/or acre-feet per annum.Source of water Wanapum & Grand Ronde Aquifer tributary to

Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

SCANNED

JUL 19 2010

Total Acres

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PART 1

6. General Information:

a. Description of diversion system Points of diversion shall be from the City of Moscow municipal well nos 2, 3, 6, 8 and 9.
 Delivery shall be through the City of Moscow water distribution, pumping, and storage system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
 There shall be no change to the land currently served by the City of Moscow municipal system. This transfer addresses
 modification to the place of use to allow service to area outside the City of Moscow corporate boundary.

d. Remarks:
 This application is not intended to transfer any water rights away from the current place of use or points of diversion. It is meant
 to allow service from the City of Moscow to an area outside the corporate limits.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.

And the said application is hereby , subject to the following conditions:

Witness my hand this day of , 20 .

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

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A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:
 - a. Decree No. Decreed to
in case of vs.
dated in county of
 - b. License No. 87-7069 issued by the Idaho Department of Water Resources.
 - c. Claim No. on file with the Idaho Department of Water Resources.
 - d. Transfer No. which produced this right.
2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other

3. Source of water Grand Ronde Acquirer tributary to

4. Date or priority February 26, 1981

5. Water is used for the following purposes:

amount 5.12 cfs for Municipal purposes from 01/01 to 12/31
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

6. Total amount of water under right cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
							See attached table	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres

9. Describe any other water rights used for the same purpose as described above 87-2023, 87-2025, 87-4023, 87-7034

[illegible]

4. Point(s) of Diversion Table

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SE	12	39N	06W	LATAH	Well #9

75051

5. Lands Irrigated or Place of Use Table

EXISTING SERVICE AREA					
	SEC	NW	NE	SE	SW
T39N R6W					
	1				
	12	M	M	M	M
	13	M	M	M	M
	24		M		
T39N R5W					
	4			M	M
	5	M	M	M	M
	6			M	M
	7	M	M	M	M
	8	M	M	M	M
	9	M	M	M	M
	16	M	M	M	M
	17	M	M	M	M
	18	M	M	M	M
	19	M	M		
	20	M	M		
	21	M			
PROPOSED ADDITIONAL SERVICE AREA					
T15N R46E					
	32			M	M
T14N R46E					
	5		M		

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3RECEIVED
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IDWR/North

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

The grid is a 12x12 square grid. Each square is divided into four smaller squares by a dashed line. A label 'See attached map' is placed in the center of the grid, with an arrow pointing to the intersection of the 4th and 5th columns from the left and the 4th and 5th rows from the top.

Scale: 2 inches equal 1 mile. Draw plan in ink.

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IDWR/North
Transfer No. 7505

PART 3

B. CHANGES IN NATURE OF USE

1.

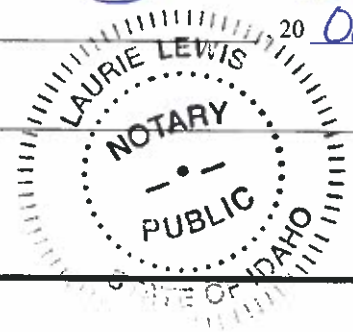
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Nancy Chaney (Signature of Applicant) Nancy Chaney, Mayor (Print Name (and title, if applicable))
Subscribed and sworn to before me this 30 day of May 2008
Laurie Lewis (Notary Public)
My commission expires 8/30/13



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
Received by db Date 6/3/08 Protest filed by _____
Prelim. Check by _____ Fee \$450
Received by db Date 5/16/08
Published in _____ Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
_____ received _____ by _____
Copy of transfer sent to lien holder _____

7. Point(s) of Diversion Table

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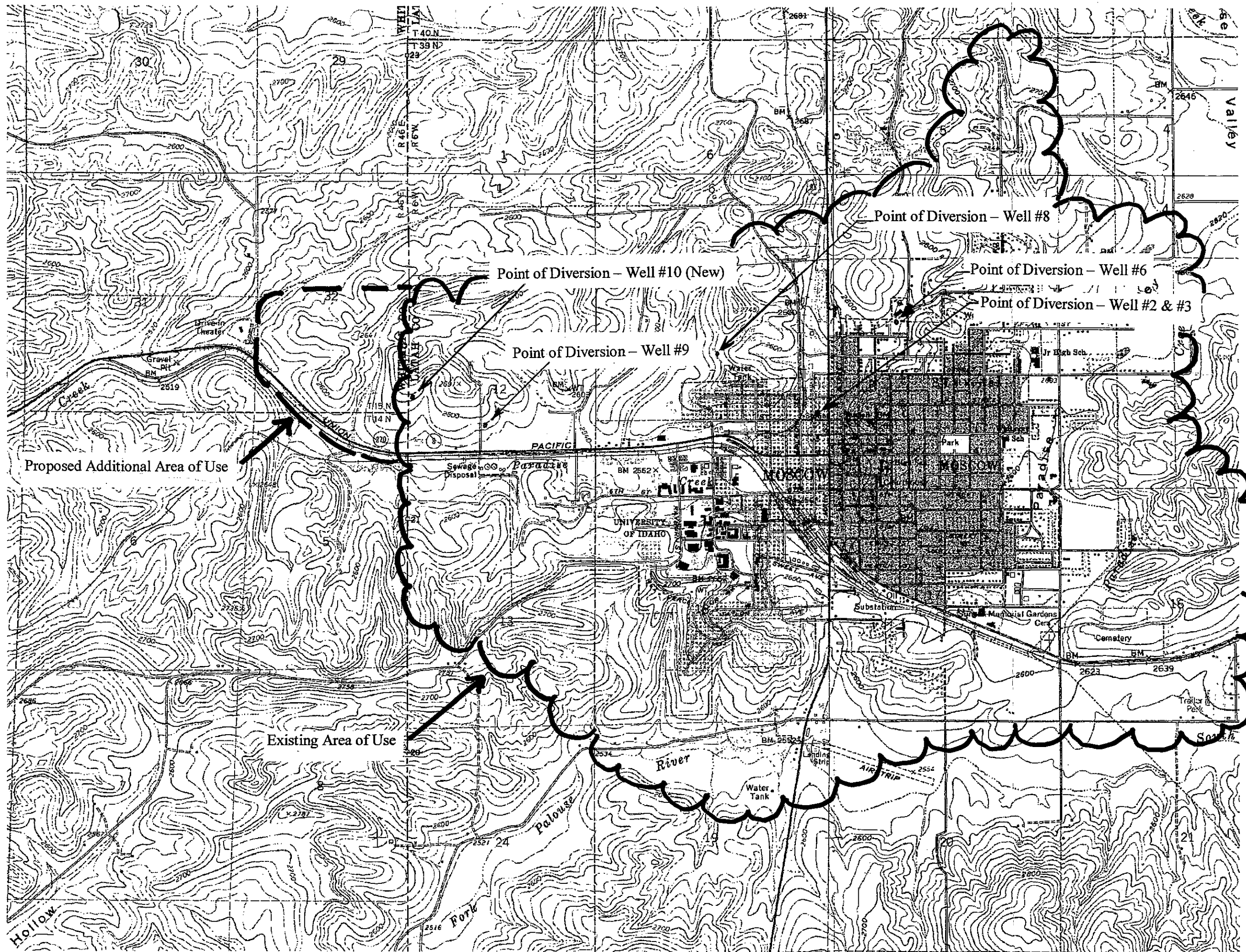
Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SE	12	39N	06W	LATAH	Well #9

8. Lands Irrigated or Place of Use Table

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EXISTING SERVICE AREA					
	SEC	NW	NE	SE	SW
T39N R6W					
	1				
	12	M	M	M	M
	13	M	M	M	M
	24		M		
T39N R5W					
	4			M	M
	5	M	M	M	M
	6			M	M
	7	M	M	M	M
	8	M	M	M	M
	9	M	M	M	M
	16	M	M	M	M
	17	M	M	M	M
	18	M	M	M	M
	19	M	M		
	20	M	M		
	21	M			

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Idaho Department of Water Resources Receipt

Receipt ID: N019249

Payment Amount	\$450.00	Date Received	5/16/08 12:52	Region	NORTHERN
Payment Type	Check	Check Number	47223		
Payer	CITY OF MOSCOW				

Comments WR Transfer re 87-7069

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$450.00	TRANSFERS	0229	21	65105	1155



Signature Line (Department Representative)



Heart of the Arts



Nancy J. Chaney
Mayor

Bill Lambert
Council President

John Weber
Council Vice-President

Dan Carscallen
Council Member

Wayne Krauss
Council Member

Tom Lamar
Council Member

Walter M. Steed
Council Member



Gary J. Riedner
City Supervisor



P.O. Box 9203
Moscow, ID 83843-1703
Website: www.ci.moscow.id.us

City Hall
206 East 3rd Street
Phone (208) 883-7000
Fax (208) 883-7018

Paul Mann Building
221 East 2nd Street
Phone (208) 883-7022
Fax (208) 883-7033

Hearing Impaired (208) 883-7019

PALOUSE

Knowledge Corridor

May 29, 2008

Bob Haynes
Idaho Department of Water Resources
1910 Northwest Blvd. #210
Coeur d'Alene ID 83814-2615

Re: City of Moscow, Idaho Application for Modification of Service Area

Dear Mr. Haynes:

Please find enclosed Idaho Department of Water Resources form 222 Application for Transfer of Water Right. This application is submitted for the purpose of obtaining Idaho Department of Water Resource approval for the City of Moscow to provide water to the Hawkins Companies "Stateline Project" located in Whitman County Washington.

Also enclosed you will find a letter co-signed by Mayor Nancy Chaney of the City of Moscow and Michael Largent, Chair of the Whitman County Commissioners which verifies that the City of Moscow and Whitman County contemplate negotiation of an intergovernmental agreement to provide water for the Hawkins Development. Mr. Phil Rassier, attorney for Idaho Department of Water Resources, indicated that the intergovernmental agreement is required as a condition of the City of Moscow's application. As noted in the letter, Mr. Rassier indicated that the application can proceed forward on the basis of the accompanying letter, while the agreement is pursued.

The payment of fee associated with this application has already been submitted and is on account with Idaho Department of Water Resources.

If you have any questions, please don't hesitate to contact me or Les MacDonald, City of Moscow Public Works Director.

Thank you for your time and consideration in this matter.

Sincerely,

Gary J. Riedner
City Supervisor

GJR/I

c: Nancy Chaney, Mayor
City Council
Jeff Devoc, Hawkins Company
Les MacDonald, Public Works Director
Randy Fife, City Attorney
Michael Largent, Whitman County

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Heart of the Arts

Nancy J. Chaney
Mayor

Bill Lambert
Council President

John Weber
Council Vice-President

Dan Carscallen
Council Member

Wayne Krauss
Council Member

Tom Lamar
Council Member

Walter M. Steed
Council Member

Gary J. Riedner
City Supervisor

City of Moscow
P.O. Box 9203
Moscow, ID 83843-1703
Website: www.ci.moscow.id.us

City Hall
206 East 3rd Street
Phone (208) 883-7000
Fax (208) 883-7018

Hearing Impaired (208) 883-7019

PALOUSE

Knowledge Corridor

May 8, 2008

Bob Haynes
Idaho Department of Water Resources
1910 Northwest Blvd, #210
Coeur d'Alene ID 83814-2615

RECEIVED
JUN 03 2008
IDWR/North

RE: City of Moscow, Idaho Application for Modification of Service Area

Dear Mr. Haynes:

The purpose of this letter is to confirm that the City of Moscow, Idaho, and Whitman County, Washington, are currently negotiating an inter-governmental agreement to facilitate the provision of water to Hawkins Company's "Stateline Project" located in Whitman County, Washington. This intergovernmental agreement is being required by IDWR as part of the application process.

The resulting agreement will be adopted pursuant to the provisions of Idaho Code § 67-2326 through 67-2333 and the Revised Code of Washington (RCW), Title 39, Chapter 34 "Interlocal Cooperation Acts".

According to Phil Rassier, IDWR's legal counsel, this letter, accompanied by the IDWR Application Form 222, will suffice to make application, with the requirement that a finalized intergovernmental agreement will be submitted prior to final approval by IDWR.

As soon as the inter-governmental agreement is finalized, the City of Moscow, Idaho will send a copy of it to IDWR for consideration with its application for permission to extend its water service area to Whitman County, Washington.

Respectfully,


Nancy Chaney
Mayor, Moscow, Idaho


Michael Largent, Chair
Whitman County Commissioners

c: Moscow City Council
Gary J. Riedner, City Supervisor
Randy Fife, City Attorney
Les MacDonald, Public Works Director

Letter/IDWR/PointOfDeliveryWaterSvcs/pm



MEMORANDUM

To: Transfer 75051
From: Eric Davis
Date: August 28, 2008
Re: Transfer Review Memo

Re: Evaluation of Sufficiency of Information Submitted

Authority To File

Applicant is the owner of record of the water rights being transferred. The application was signed by Nancy Chaney, Mayor for the City of Moscow.

Water Right Validity

The water right involved is a license in good standing.

Injury To Other Water Rights

No formal complaints have been submitted to IDWR as of the date of this filing and no injury to other water rights are foreseen.

Enlargement Of Use

No expansion of the right is anticipated to occur, since the transfer is only changing the place of use.

Local Public Interest

The "Public" will be served by the granting of this transfer, since the transfer is for the City of Moscow, Idaho.

Beneficial Use/Conservation Of Water Resources

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

75051
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: _____

1. Right number 01 Applicant _____
2. Type of right: ☐ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
 ☐ Other _____
4. Check:
 - a. ☐ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use
 - b. ☐ Description of original point of diversion.
 - c. ☐ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☐ Part of right (*NOTE! Part B should be filled in only if part of the right is owned by the applicant*).
 - c. ☐ Check description of point(s) of diversion.
 - d. ☐ Check description of place of use.

Franklin, Keith

From: Spackman, Gary
Sent: Wednesday, July 09, 2008 10:17 AM
To: Haynes, Bob; McLaughlin, Bob
Cc: Rassier, Phil; Franklin, Keith
Subject: RE: Moscow supplying water across the Washington State border

Bob,

Could you or Keith inform Mr. Gunther his concerns will be reviewed when the Department considers the applications? Thanks.

Gary

From: Haynes, Bob
Sent: Wednesday, July 09, 2008 11:04 AM
To: Spackman, Gary; McLaughlin, Bob
Cc: Rassier, Phil; Franklin, Keith
Subject: RE: Moscow supplying water across the Washington State border

We have received two transfer applications from the city and are beginning the review process. No data entry has been done yet, so nothing shows up in the data base. I have created a file for comment letters about the proposed use so that we can capture the written comments that we receive.

Bob

From: Spackman, Gary
Sent: Tuesday, July 08, 2008 12:30 PM
To: McLaughlin, Bob; Haynes, Bob
Cc: Rassier, Phil
Subject: RE: Moscow supplying water across the Washington State border

Bob Haynes,

I don't know what the status of the water right transfer is, but I assume this should be placed in the file for consideration.

Gary

From: McLaughlin, Bob
Sent: Tuesday, July 08, 2008 12:59 PM
To: Spackman, Gary
Cc: Rassier, Phil
Subject: FW: Moscow supplying water across the Washington State border

Gary:

This came in via IDWR info. Any response necessary? Phil, I know you dealt with the issue...this is just for your info.

Bob

Bob A. McLaughlin
Public Information Officer
Idaho Department Of Water Resources

7/9/2008

322 E. Front Street (Front St. & Broadway Ave)
Boise, ID 83720-0098
(208) 287-4828
(208) 830-4670 (cell)
(208) 287-6700 (fax)

From: Keith Gunther [mailto:kgunther@wsu.edu]
Sent: Tuesday, July 08, 2008 11:24 AM
To: IDWRInfo
Subject: Moscow supplying water across the Washington State border

Dear Sirs,

I am not in favor of supplying Idaho water for a proposed regional shopping center across the border into Washington near the city of Moscow. As a natural born citizen of Moscow and of the State of Idaho for over 50 years, I think my past, present, and future tax dollars should not be used to help build up infrastructure for regional shopping center which will directly compete with Idaho businesses and take away the tax base for the city of Moscow, Latah County and the State of Idaho. Why should Idaho citizens, who over the years put in time, sweat and labor and tax money building up commercial businesses and private residential areas that are in direct competition with citizens of the State of Washington, Pullman WA, and Whitman County hand them scarce water supplies? Not only that, but to also give non-Idaho businesses easy sewer treatment hookups that took years of past taxes (and future) paid for by Idaho citizens that will be in direct competition with them? Keep scarce water supplies paid for by the citizens of Idaho readily available for Idaho businesses and consumers!

Keith Gunther

N. Almon #608

Moscow, Idaho 83843

-882-4276

7/9/2008