



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

January 25, 2010

CITY OF WILDER
PO BOX 687
WILDER ID 83676

Re: Application for Permit No. 63-33311

Dear Applicant:

The City of Wilder recently filed two applications regarding municipal water use. Application for Transfer No. 76176 proposes a new well in addition to identifying all existing municipal wells as points of diversion for all existing municipal water rights held by the city. That application will be processed soon. If that application is approved, the new well can be drilled and used for the existing rights.

Application for Permit No. 63-33311 proposes the same wells for an additional 3.0 cubic feet per second (cfs) to meet growing demand. As explained in this letter, this application will take longer to process due to the need for additional information. The Idaho Department of Water Resources (IDWR) can process Application 63-33311 for a new municipal water right once additional information is provided as follows. These questions only apply to Application 63-33311, not to the transfer application.

Type of Application – Two types of new municipal rights can be established. The more complex and long-term type covers "reasonably anticipated future needs" (RAFN) based on a justified planning horizon that incorporates population and other planning data (I.C. § 42-202B). A RAFN application includes more than 5 years in which development can be completed. The other type of municipal application is a non-RAFN short-term project in which water delivery capacity will be developed by the municipal provider within the normal maximum development period of 5 years. This latter type does not require a justified planning horizon or population and other planning data but does require additional information as follows.

Technical Information – This application proposes a non-RAFN development. To evaluate non-RAFN proposals, IDWR should determine if the applicant needs an additional quantity of water (application for permit) or if the applicant simply needs additional points of diversion for its existing rights (application for transfer, as you already filed). Please provide the following information in that regard.

- Water Requirements – Describe municipal rate and volume parameters for the proposed development per Water Appropriation Rule 40.05.d.i as follows:

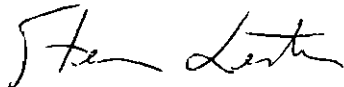
Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

- System Capacity and Existing Demand –The city has three existing municipal rights totaling 2.36 cfs. The applicant should demonstrate that its existing system cannot meet existing demand plus additional demand anticipated within the next five year development period.
- Fire Protection – Water rights are not required for fire protection but can be included as a separate use in an application (I.C. § 42-201). Water intended solely for fire protection should not be included within the municipal rate of flow. Is any portion of the proposed municipal rate intended solely for fire protection? If so, the application should be amended to decrease the municipal rate by that amount.

Please submit the information requested for Application 63-33311. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information, or a request for more time to seek the information, must be received within the next sixty (60) days. The application will be voided without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

Cc: Matt Uranga, Uranga Hydrologic