Form 1-222
12-82 (Internet)

Withdrawn 76321

Page ____ of ____

Transfer No. 76321

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant City of Spirit Lake Phone (208) 623-2131

Post Office address P O Box 309, Spirit Lake, ID 83869-0309

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 ____

2. Describe the reason for the proposed changes To consolidate water rights of the City of Spirit Lake to allow use of portions of all the water rights from any well; to expand the place of use; and to convert the use from domestic to municipal

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
75-9725 96 - 4022	06/17/1962	.7 cfs	~~Domestic~~	1/01 to 12/31
75-9581 96 - 7059	05/12/1971	.7 cfs	Municipal	1/01 to 12/31
75-9591 96 - 7106	05/29/1972	1,82cfs	Municipal	1/01 to 12/31
75-9950 96 - 8834	01/25/1995	2.0 cfs	Municipal	1/01 to 12/31

2. Total amount of water being transferred 75.2275 cubic feet per second and/or ____ acre-feet per annum.

3. Source of water Ground Water tributary to ____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
9	SE	SE		53N	04W	06	Kootenai	Well Field, wells #1,2,& 3
	NE	SW	SE	53N	04W	05	Kootenai	Well #4

5. Lands irrigated or place of use: None specified

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

WITHDRAWN

SCANNED
FEB 19 2010

Total acres ____

Form 1-222
12-92 (Internet)

Withdrawn 76321

Page ____ of ____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. ____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant City of Spirit Lake Phone (208) 623-2131

Post Office address P O Box 309, Spirit Lake, ID 83869-0309

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 ____

2. Describe the reason for the proposed changes To consolidate water rights of the City of Spirit Lake to allow use of portions of all the water rights from any well; to expand the place of use and to convert the use from domestic to municipal

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
95-9725 96 - 4022	06/17/1962	.7 cfs	~~Domestic~~	1/01 to 12/31
95-9581 96 - 7059	05/12/1971	.7 cfs	Municipal	1/01 to 12/31
95-9541 96 - 7106	05/29/1972	1,82cfs	Municipal	1/01 to 12/31
95-9950 96 - 8834	01/25/1995	2.0 cfs	Municipal	1/01 to 12/31

2. Total amount of water being transferred 5.22 cubic feet per second and/or ____ acre-feet per annum.

3. Source of water Ground Water tributary to ____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
9	SE	SE		53N	04W	06	Kootenai	Well Field, wells #1,2,& 3
	NE	SW	SE	53N	04W	05	Kootenai	Well #4

5. Lands irrigated or place of use: None specified

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

Total acres ____

Page _____ of _____ Transfer No. 1698 1

PART 1

6. General Information:

a. Description of diversion system The City of Spirit Lake ground water system consists of 4 wells and piped distribution 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:

No change

d. Remarks:

The purpose of the transfer is to allow the City to consolidate its water rights, use the water rights within the entire ~~city limits and area of city impact for municipal purposes~~ service area

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

_____

Page _____ of _____

Transfer No. 76321

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Water Right No. 96-7059

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. _____ 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 a 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 Ground Water tributary to N/A
4. Date or priority 05/12/1971
5. Water is used for the following purpose:
   amount .7 (cfs/ac-ft) for municipal purposes from 01/01 to 12/31
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .7 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
9	SE	SE		53N	04W	06	Kootenai	Well Field, Well #2

8. Lands irrigated or place of use: Within the entire Spirit Lake city limits and area of City impact

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

Total acres _____

9. Describe any other water rights used for the same purpose as described above 96-4022, 96-7106, and 96-8834

Page _____ of _____

Transfer No. 76321

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Water Right No. 96-4022

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ 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 a 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 Ground Water tributary to N/A

4. Date or priority 06/17/1962

5. Water is used for the following purpose:

   amount .7 cfs (cfs/ac-ft) for municipal purposes from 01/01 to 12/31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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
9	SE	SE		53N	04W	06	Kootenai	Well Field - Well #1

8. Lands irrigated or place of use: Within the entire Spirit Lake City limits and area of city impact

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

Total acres _____

9. Describe any other water rights used for the same purpose as described above 96-7059, 96-7106 and 96-8834

Page _____ of _____

Transfer No. 76321

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Water Right NO. 96-7106

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. _____ 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 a 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 Ground Water tributary to N/A
4. Date or priority 05/29/1972
5. Water is used for the following purpose:
   amount 1.82 (cfs/ac-ft) for municipal purposes from 01/01 to 12/31
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
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
9	SE	SE		53N	04W	06	Kootenai	Well Field - Well #3

8. Lands irrigated or place of use: Within the entire ~~Spirit Lake City limits and area of City impact~~ Service Area as

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

Total acres _____

9. Describe any other water rights used for the same purpose as described above 96-7059, 96-4022, and 96-8834

Transfer No. 76321

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Water Right No. 96-8834

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ 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 a 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 Ground Water tributary to n/a

4. Date or priority 01/25/1995

5. Water is used for the following purpose:

   amount 2.0 (cfs/ac-ft) for municipal purposes from 01/01 to 12/31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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
	NE	SW	SE	05	53N	04W	Kootenai	Well #4

8. Lands irrigated or place of use: Within the entire Spirit Lake City limits and area of city impact

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

Total acres _____

9. Describe any other water rights used for the same purpose as described above 96-4022, 96-7059, and 96-7106

Page _____ of _____ Transfer No. 76321

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Municipal	.7		01/01 to 12/31
				to

2. Quantity and quality of return flows and location of discharge:
No change

3. Describe effects on other water uses resulting from the proposed change:
No 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 Strachan
(Signature of Applicant)

Subscribed and sworn to before me this 8th day of November, 2005.

GREGORY J. TAYLOR NOTARY PUBLIC STATE OF IDAHO

(Notary Public)

My commission expires 4-28-2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [illegible] Date 11/8/05 Protest filed by _____

Prelim. check by _____ Fee $450.00 _____

Receipted by [illegible] Date 11/8/05 # N017258 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Transfer No. 7632
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 96-4022

Priority Date: 06/17/1962
Origin: Water Right
Basis: Statutory Claim
Status: Active

Source: GROUND WATER **Tributary to:**

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
DOMESTIC	1/01	12/31	0.70 CFS		
	Total Diversion		0.70 CFS		

Source and Point(s) of Diversion:

GROUND WATER	L9 (SESE)	53N	04W	6	KOOTENAI

Conditions/Remarks:

1. 2 P/D IN SESE, S6, T53N, R4W, LOT 9.
   P/U WITHIN THE CITY OF SPIRIT LAKE.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Transfer No. 76321

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 96-7059

Priority Date: 05/12/1971
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER **Tributary to:**

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
MUNICIPAL	1/01	12/31	0.70 CFS		
	Total Diversion		0.70 CFS		

Source and Point(s) of Diversion:

GROUND WATER	L9 (SESE)	53N	04W	6	KOOTENAI

Conditions/Remarks:

1. 3 P/D IN L9, S6, T53N, R4W.
   P/U IN LANDS OF CITY OF SPIRIT LAKE.

2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Transfer No. 76321

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 96-7106

Priority Date: 05/29/1972
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER **Tributary to:**

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
MUNICIPAL	1/01	12/31	1.82 CFS		
	Total Diversion		1.82 CFS		

Source and Point(s) of Diversion:

GROUND WATER	L9 (SESE)	53N	04W	6	KOOTENAI

Conditions/Remarks:

1. 3 P/D IN L9, S6, T53N, R4W.
   P/U IN LANDS OF CITY OF SPIRIT LAKE.

2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

WITHDRAWAL

OF

APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, City of Spirit Lake and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 76321 of Water Right

No(s). 96-4022, 96-7059, 96-7106 and 96-8834.

Signed this 10th day of February, 2010.

RECEIVED
FEB 10 2010
IDWR/NORTHERN

Nancy Strickler, City Attorney
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)