

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant City of Newdale Phone (208) 656-8800
Mailing Address P.O. Box 70, Newdale, ID 83436 Email wdyer@theddyergroup.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Keith C. Wilson c/o Rocky Mountain Environmental Associates Inc. Phone (208) 524-2353 / Fax 524-1795
Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402 Email kwilson@rockymountainenvironmental.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do no constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

WR Dyer
Signature of Applicant or Authorized Representative

Winston R. Dyer, City Engineer
Print Name and Title if applicable

3 Nov 09
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change Point of Diversion ☒ Add diversion point(s) ☐ Change Place of use

☐ Change Nature of Use ☐ Change Period of Use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attached additional pages if necessary and label it **Part 1A.2.** City of Newdale is required to provide water that meets EPA Standards. Currently the city water exceeds both the Arsenic and Floride EPA Maximum Contaminant Levels (MCL's) and must drill a cold water well to reduce the arsenic and floride levels to drinking water standards. Well #1 also know as City Shop Well. Well #2 is known as the Highway 33 Well.

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHT(S) AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	22-2217	1.78 cfs	Municipal	01/01 to 12/01	Ground water
☒ ☐	22-7269	1.52 cfs	Municipal	01/01 to 12/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
Total Authorized under rights		3.30	cfs and/or	ac-ft	

2. Total amount of water being transferred or changed 3.30 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4).
☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposed to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local Name or tag #
NO	1	NE	NE	NE	04	06N	41E	Madison	Ground water	(Well 2) DEQ#E0007038
NO		NW	SE	SE	34	07N	41E	Madison	Ground water	(Well 1) DEQ#E0007037
YES	2		SW	NW	07	06N	42E	Madison	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.) **Place of use is within city limits of City of Newdale**

- ☒ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5)

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

Total Acres (for irrigation use) _____

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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5. 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: Three wells with pumps to municipal water system with a storage reservoir. The wells are controlled by the elevation in the storage reservoir. System is metered at the well pumps and to each user in the system.

- b. Who owns the property at the point(s) of diversion? Crapo Farms

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: The City of Newdale is in the process of negotiating to acquire ownership of the well site. Crapo Farms has agreed to allow the city to construct a well on the specified site.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No ☒. If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage, or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: N/A

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) of use: No other water rights. The City of Newdale has only two water rights and they are involved in this transfer.

- f. 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, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

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

WATER RIGHT NO. **22-2217**

Adjudication Recommended Right Report

10/12/2009

Owner Type Name and Address

Current Owner CITY OF NEWDALE
PO BOX 70
NEWDALE, ID 83436
(208)458-4389

Priority Date: 12/09/1961

Basis: License

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 1.78 CFS

Total Diversion 1.78 CFS

Location of Point(s) of Diversion:

GROUND WATER NENENE Lt 1 Sec. 04 Township 06N Range 41E MADISON County

Place(s) of use: Large POU Info

Conditions of Approval:

- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
1. C18 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. 124 Place of use is within the service area of the City of Newdale municipal water supply system as provided for under Idaho Law.
 3. Municipal right 22-7269 also serves the City of Newdale.

Dates:

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STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

WATER RIGHT NO. 22-7269

Adjudication Recommended Right Report

10/12/2009

Owner Type Name and Address

Current Owner CITY OF NEWDALE
PO BOX 70
NEWDALE, ID 83436
(208)458-4389

Priority Date: 02/21/1978

Basis: License

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

MUNICIPAL 1/01 12/31 1.52 CFS

Total Diversion 1.52 CFS

Location of Point(s) of Diversion:

GROUND WATER NWSESE Sec. 34 Township 07N Range 41E FREMONT County

Place(s) of use: Large POU Info

Conditions of Approval:

- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
1. C18 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. 124 Place of use is within the service area of the City of Newdale municipal water supply system as provided for under Idaho Law.
 3. Municipal right 22-2217 also serves the City of Newdale.

Dates:

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APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water right have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemental, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on part 3B above.: _____

[The page contains faint horizontal lines suggesting ghosting or extremely faded text.]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.
Received by JB Date 11/16/09 Prelim. Check by _____ Date _____
Fee Paid _____ Date _____ Received by JB Receipt # E035444
Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

RECEIVED

NOV 18 2009

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

76126
CITY OF NEWDALE
RECEIVED

NOV 06 2009

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/water/rights/>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Other. Please describe: Secretary of State Business Entity page City of Newdale

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ESPA Ground Water Rights Transfer Spreadsheet Data Summary							
TRANSFER NO:		PREPARED BY: Rocky Mountain Environmental Associates - Keith C. Wilson					
TRANSFER NAME:		CITY OF NEWDALE				DATE: November 3, 2009	
						Transfer Tool Version Version 3.1	
WATER RIGHTS INVOLVED:				HISTORIC BENEFICIAL USE:			
Group 1 Transfer Rights		Group 2 Add. Mitigation Rights		Trans/Mit. Rights	Acres to	Beneficial Use	Total
Right No.	Priority Date	Right No.	Priority Date	(group no.)	Dry Up (ac)	(afa/yr)	(af/yr)
22-2217	12/9/1961			1			644.34
22-7269	2/21/1978			1			550.22
MODEL CELL LOCATIONS:							
	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL			
ROW	63	60	60	0			
COLUMN	194	192	193	0			
	Start Date		End Date		Water Use		Acres Authorized
	Season	Year	Season	Year	Annual (af/yr)	Trimester (af/trimester)	(acres)
TO Well (Projected Use)	Spring	2009	Summer	2110	542.98	180.99	
FROM1 Well (With Transfer)	Winter	1960	Winter	2008	644.34	214.78	
	Spring	2009	Summer	2110	325.79	108.60	
FROM1 Well (W/O Transfer)	Winter	1977	Summer	2110	644.34	214.78	
FROM2 Well (With Transfer)	Winter	1977	Winter	2008	550.22	183.41	
	Spring	2009	Summer	2110	325.79	108.60	
FROM2 Well (W/O Transfer)	Winter	1977	Summer	2110	550.22	183.41	
FROM3 Well (With Transfer)							
FROM3 Well (W/O Transfer)							

City of Newdale
Data Entry Sheet:

ESPA Analysis

Attachment #5 (Pg 2 of 7)

ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET							
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE							
IDAHO DEPARTMENT OF WATER RESOURCES							
ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON						Prepared by Keith C. Wilson	
						November 3, 2009	
TRANSFER NO:							
YEAR	1961	TRANSFER NAME: City of Newdale					
SEASON	Winter	NENENE (L-1) NWSESE Sec 34, SWSWNW Sec7, T6N, R42E Sec 7, T6N, R41E T7N, R41E					
ENTER CELL LOCATIONS:							
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL			
ROW	63	60	60	0			
COLUMN	194	192	193	0			
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use	With Transfer	With w/o Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
WIN 1960	0	214.78	214.78	0	0	0	0
SPR 1961	0	214.78	214.78	0	0	0	0
SUM 1961	0	214.78	214.78	0	0	0	0
WIN 1961	0	214.78	214.78	0	0	0	0
SPR 1977	0	214.78	214.78	0	0	0	0
SUM 1977	0	214.78	214.78	0	0	0	0
WIN 1977	0	214.78	214.78	183.41	183.41	0	0
SPR 1978	0	214.78	214.78	183.41	183.41	0	0
SUM 1978	0	214.78	214.78	183.41	183.41	0	0
WIN 1978	0	214.78	214.78	183.41	183.41	0	0
SPR 2008	0	214.78	214.78	183.41	183.41	0	0
SUM 2008	0	214.78	214.78	183.41	183.41	0	0
WIN 2008	0	214.78	214.78	183.41	183.41	0	0
SPR 2009	180.99	108.60	214.78	108.60	183.41	0	0
SUM 2009	180.99	108.60	214.78	108.60	183.41	0	0
WIN 2009	180.99	108.60	214.78	108.60	183.41	0	0
SPR 2110	180.99	108.60	214.78	108.60	183.41	0	0
SUM 2110	180.99	108.60	214.78	108.60	183.41	0	0
WIN 2110	180.99	108.60	214.78	108.60	183.41	0	0
SPR 2111	180.99	108.60	214.78	108.60	183.41	0	0
SUM 2111	180.99	108.60	214.78	108.60	183.41	0	0

Assume that the Total Diversion is 100% consumptive for both water rights & each pump 18 hr/24 hr for 365 days.
Spring, Summer and Winter trimester values were calculated as follows: Municipal (01/01-12/31)

$$\begin{aligned}
 &\text{FROM Well 1 Right 22-2217 for 1.78 cfs} && \text{FROM Well 2 Right 22-7269 for 1.52 cfs} && \text{System Total} \\
 &1.78(1.9835)[(12/24)(365)] = 644.34 \text{ afa} && 1.52(1.9835)[(12/24)(365)] = 550.22 \text{ afa} && = 1194.56 \text{ afa} \\
 &= 214.78 \text{ ac-ft/tri} && = 183.41 \text{ ac-ft/tri} &&
 \end{aligned}$$

$$\text{TO Well 542.98 ac-ft/year} = 180.99 \text{ ac-ft/trimester}$$

$$\text{Well 1 and Well 2 share equally the remaining water rights} = 108.6 \text{ ac-ft/trimester}$$

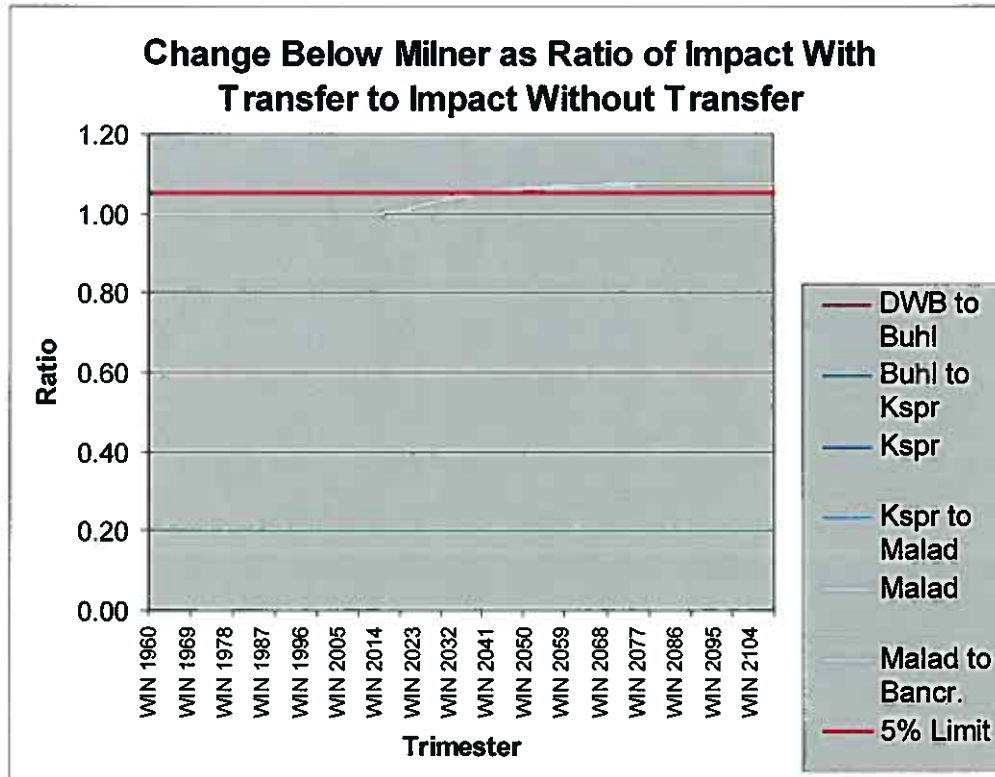
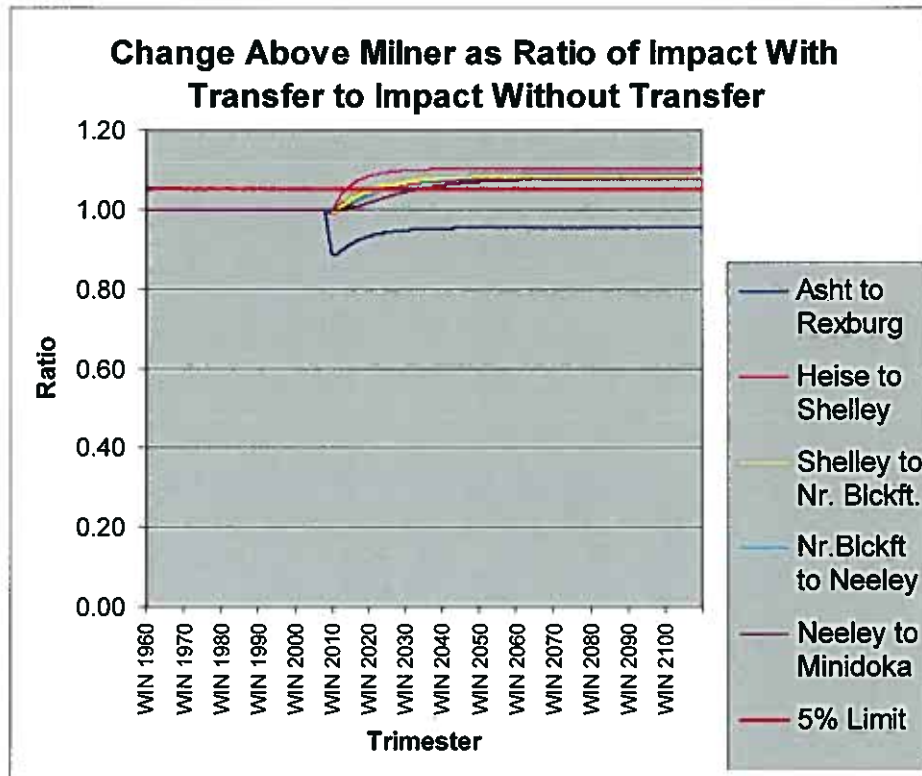
$$(1194.56 \text{ afa} - 542.98 \text{ afa} = 651.58 \text{ afa} / 2 \text{ wells} = 325.79 \text{ ac-ft/3} = 108.6 \text{ ac-ft/trimester})$$

Change Ratio Table:**Change Ratios of Impact with & without Transfer**

Period	Asht to Rex	Heise to Shelley	Shelley to Nr. Blckft.	Nr. Blckft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancr.
WIN 2008	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%
SPR 2009	0.98	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%
SUM 2009	0.95	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%
WIN 2009	0.92	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	100.0%
SPR 2026	0.94	1.09	1.06	1.05	1.03	1.02	1.02	1.02	1.02	1.02	101.9%
SUM 2026	0.94	1.09	1.06	1.05	1.03	1.02	1.02	1.02	1.02	1.02	102.0%
WIN 2026	0.94	1.09	1.06	1.05	1.03	1.02	1.02	1.02	1.02	1.02	102.1%
SPR 2027	0.94	1.10	1.06	1.05	1.04	1.02	1.02	1.02	1.02	1.02	102.2%
SUM 2027	0.95	1.10	1.06	1.05	1.04	1.02	1.02	1.02	1.02	1.02	102.3%
WIN 2027	0.95	1.10	1.06	1.06	1.04	1.03	1.03	1.03	1.03	1.03	102.4%
SPR 2035	0.95	1.10	1.07	1.07	1.05	1.04	1.04	1.04	1.04	1.04	104.0%
SUM 2035	0.95	1.10	1.07	1.07	1.05	1.04	1.04	1.04	1.04	1.04	104.0%
WIN 2035	0.95	1.10	1.08	1.07	1.05	1.04	1.04	1.04	1.04	1.04	104.1%
SPR 2048	0.95	1.10	1.08	1.07	1.07	1.06	1.06	1.06	1.06	1.06	105.9%
SUM 2048	0.95	1.10	1.08	1.07	1.07	1.06	1.06	1.06	1.06	1.06	105.9%
WIN 2048	0.95	1.10	1.08	1.08	1.07	1.06	1.06	1.06	1.06	1.06	106.0%
SPR 2068	0.95	1.10	1.08	1.08	1.07	1.07	1.07	1.07	1.07	1.07	107.1%
SUM 2068	0.95	1.10	1.08	1.08	1.07	1.07	1.07	1.07	1.07	1.07	107.1%
WIN 2068	0.95	1.10	1.08	1.08	1.08	1.07	1.07	1.07	1.07	1.07	107.1%
SPR 2082	0.95	1.10	1.08	1.08	1.08	1.07	1.07	1.07	1.07	1.07	107.4%
SUM 2082	0.95	1.10	1.08	1.08	1.08	1.07	1.07	1.07	1.07	1.08	107.4%
WIN 2082	0.95	1.10	1.08	1.08	1.08	1.07	1.07	1.08	1.08	1.08	107.4%
SPR 2083	0.95	1.10	1.08	1.08	1.08	1.07	1.08	1.08	1.08	1.08	107.4%
SUM 2083	0.95	1.10	1.08	1.08	1.08	1.07	1.08	1.08	1.08	1.08	107.4%
WIN 2083	0.95	1.10	1.08	1.08	1.08	1.07	1.08	1.08	1.08	1.08	107.4%
SPR 2084	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.4%
SUM 2084	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.4%
WIN 2084	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.4%
SPR 2098	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.5%
SUM 2098	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
WIN 2098	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
SPR 2109	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
SUM 2109	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
WIN 2109	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
SPR 2110	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%
SUM 2110	0.95	1.10	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	107.6%

A Change Ratio of 1.00 reflects no change or depletion with a Change Ratio greater than 1.00 representing depletion and a value less than 1.00 representing a net positive effect as a reduction in depletion.

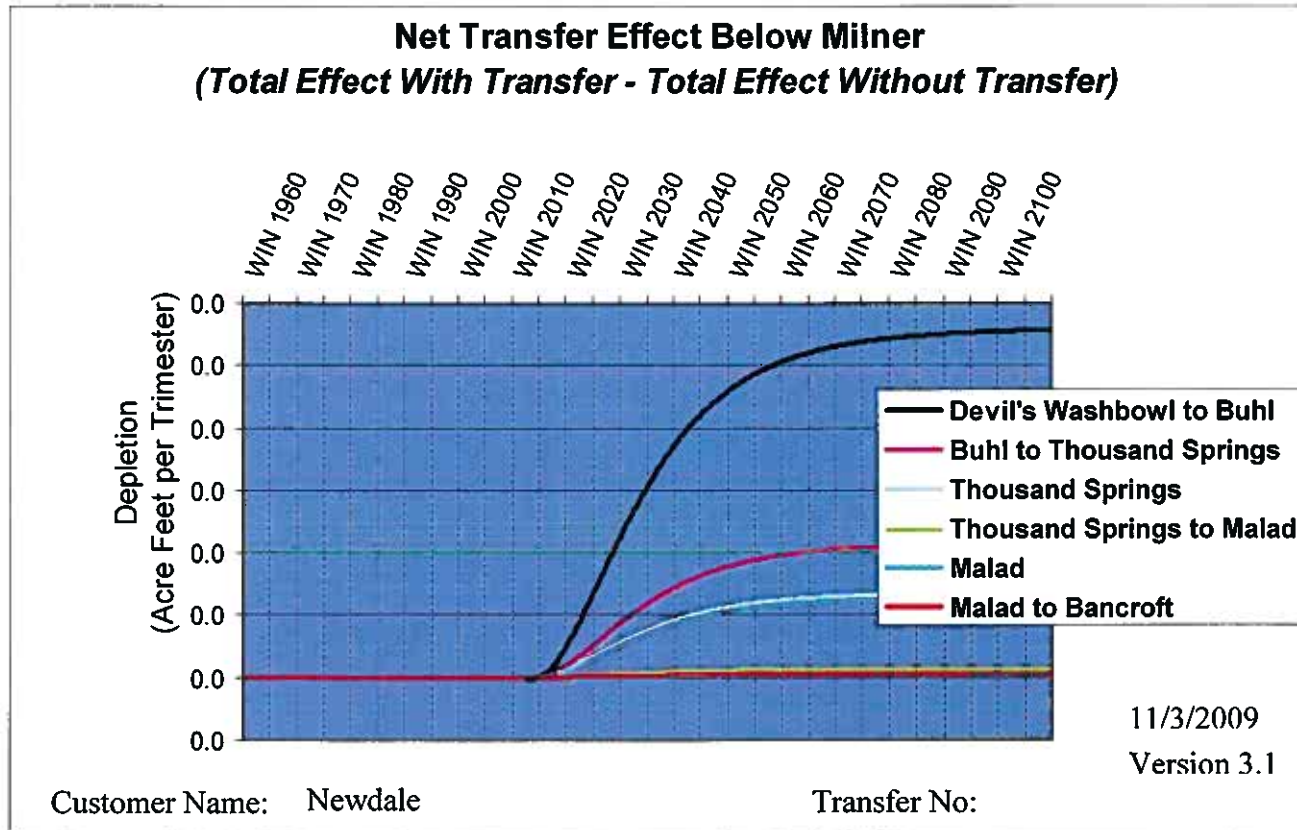
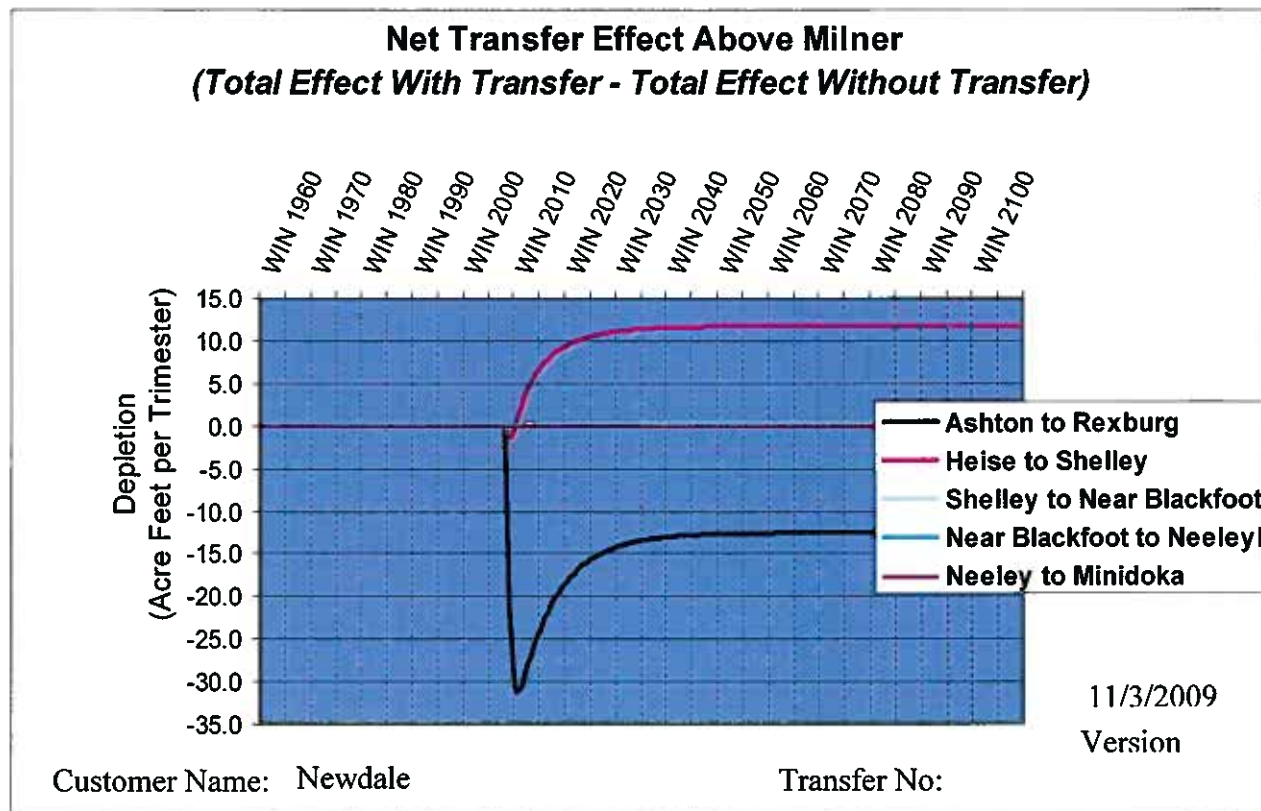
The maximum Change Ratio of 10% (1.10) is reached in the Spring 2027 for the Heise to Shelley Reach

Change Ratio Charts:

Calculated Effects Table:**Net transfer Effect (AF/four months)**

Period	Asht to Rex	Heise to Shelley	Shelley to Nr. Blckft.	Nr. Blckft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancr.
WIN 2008	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2009	-5.6	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2009	-13.6	-0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2009	-20.7	-1.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	-15.5	10.5	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	-15.4	10.6	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	-15.3	10.6	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	-15.2	10.7	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	-15.1	10.7	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	-15.0	10.8	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2035	-13.5	11.3	0.3	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2035	-13.5	11.3	0.3	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2035	-13.4	11.4	0.3	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2048	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2048	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2048	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2050	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2050	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2050	-12.7	11.6	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2051	-12.7	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2051	-12.7	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2051	-12.7	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2068	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2068	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2068	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2082	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2082	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2082	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2083	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2083	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2083	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2084	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2084	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2084	-12.6	11.7	0.4	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2098	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2098	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2098	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2109	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2109	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2109	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2110	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2110	-12.6	11.7	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Calculated Effects Reaches Steady State (11.7 ac-ft/trimester) for the Heise to Shelley Reach in the Spring of 2051

Net Transfer Effect Charts:

Analysis:

The City of Newdale has problems with the Arsenic and Fluoride level exceeding DEQ Standards. The city has obtained a grant to drill another well so that the water can be mixed to reduce the arsenic levels to acceptable levels. The grant will be lost if the city cannot get a new well drilled by the middle of February 2010. The city is not applying for any additional water or a new water right.

Determine the consumptive use of the City of Newdale Municipal water rights:

Assumptions:

1. Both wells operate 12 hours in each 24 hour day or 50% of the time.
2. The maximum diversion volume to 100% consumptive
3. ESPA assumed that the TO Well will provide 675 gpm and the FROM Wells #1 & #2 will each provide 1/2 of the remaining total diversion volume.

At 12 hr/24 hr for 365 days. $[(12/24)(365)] = 182.5$ days (24 hour days)

Municipal (01/01-12/31)		
<u>FROM Well 1 Right 22-2217 for 1.78 cfs</u>	<u>FROM Well 2 Right 22-7269 for 1.52 cfs</u>	<u>System Total</u>
$1.78(1.9835)(182.5) = 644.34$ afa	$1.52(1.9835)(182.5) = 550.22$ afa	= 1194.56 afa
$644.34 \div 3 = 214.78$ ac-ft/tri	$550.22 \div 3 = 183.41$ ac-ft/tri	

Transfer: TO Well: 675 gpm = 1.50 cfs
 $1.50(1.9835)(182.5) = 542.98$ afa
 $542.98 \div 3 = 180.99$ ac-ft/trimester

Remaining Water Rights shared equally for the FROM1 Well & FROM2 Well.

Total Volume = 1194.56 afa – 542.98 afa = 651.58 afa for both wells.

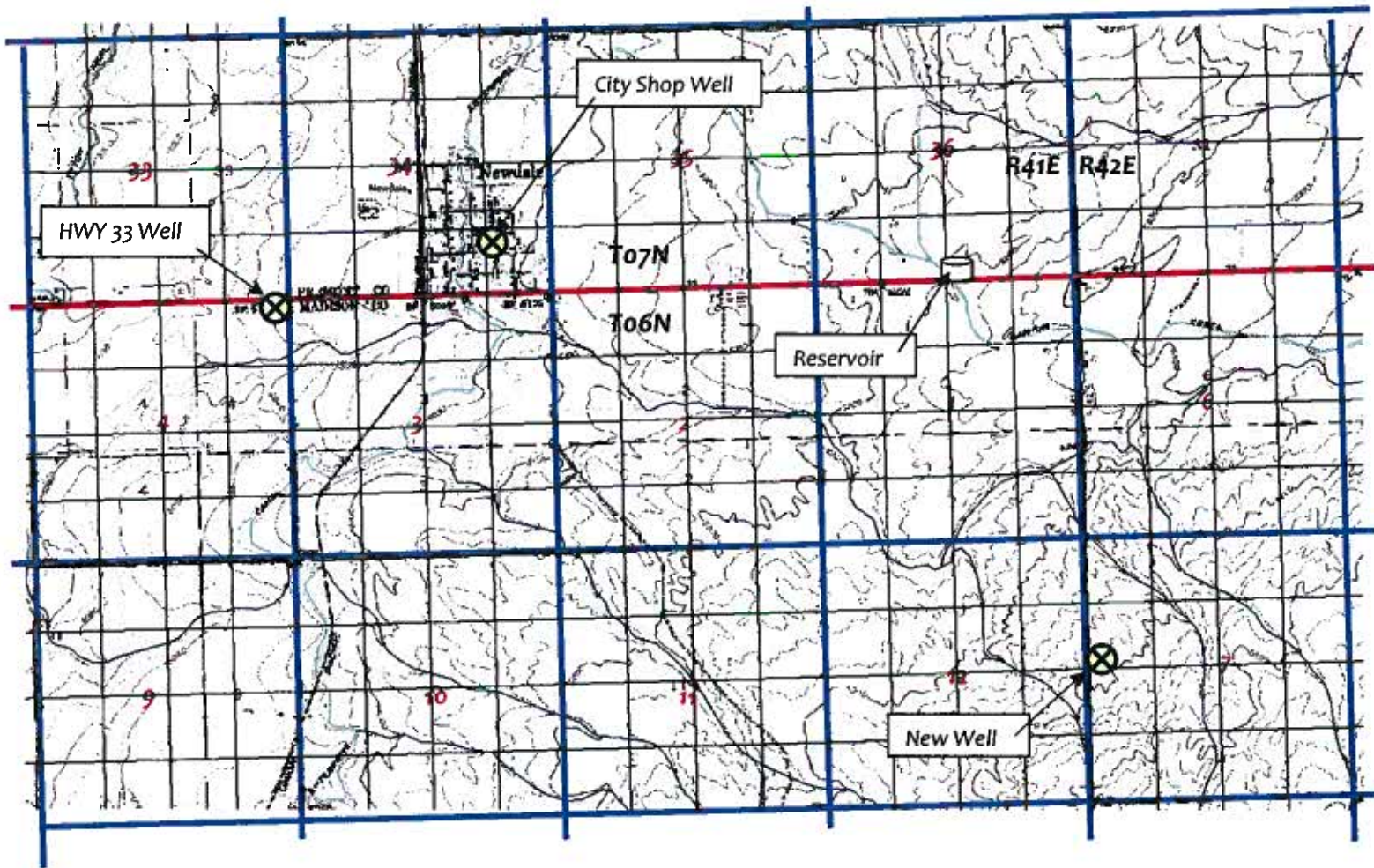
FROM1 & FROM2 Well = 651.58 afa $\div 2 = 325.79$ afa/each well

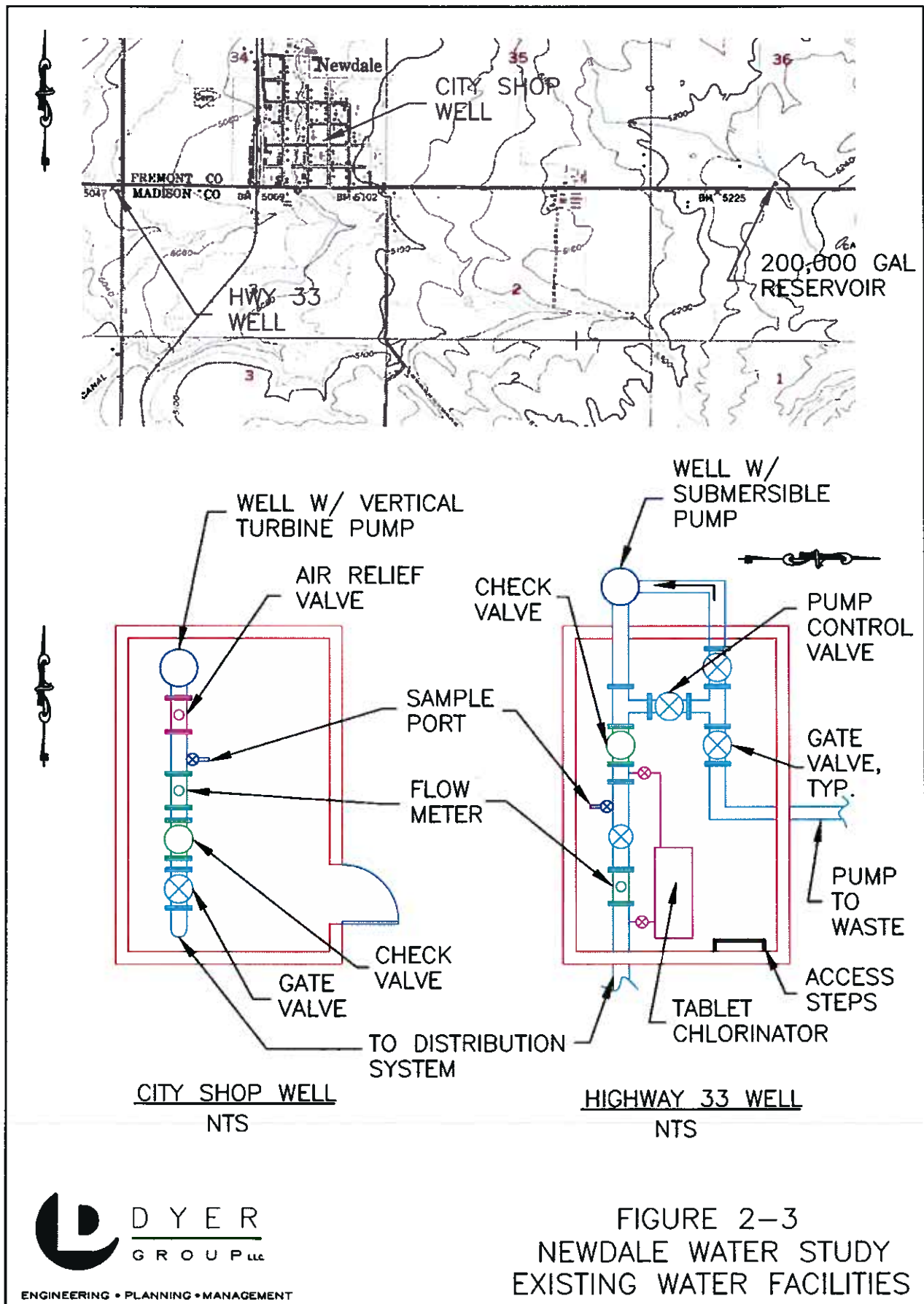
325.79 afa $\div 3 = 108.596 = 108.60$ ac-ft/trimester

Summary:

The Heise to Shelley Reach is the most effected reach of the Snake River at 11.7 ac-ft/trimester, and is reached in the Spring 2051. Even though the Heise to Shelley Reach exceeds the 2.0 ac-ft/trimester that is considered insignificant the Steady State Conditions do not exceed the allowable 10% (1.10) and therefore will not require mitigation for the transfer to be approvable.

The Steady State Conditions for all of the remaining reaches of the Snake River do not exceed the 10% of allowable depletions or 2.0 ac-ft/trimester.

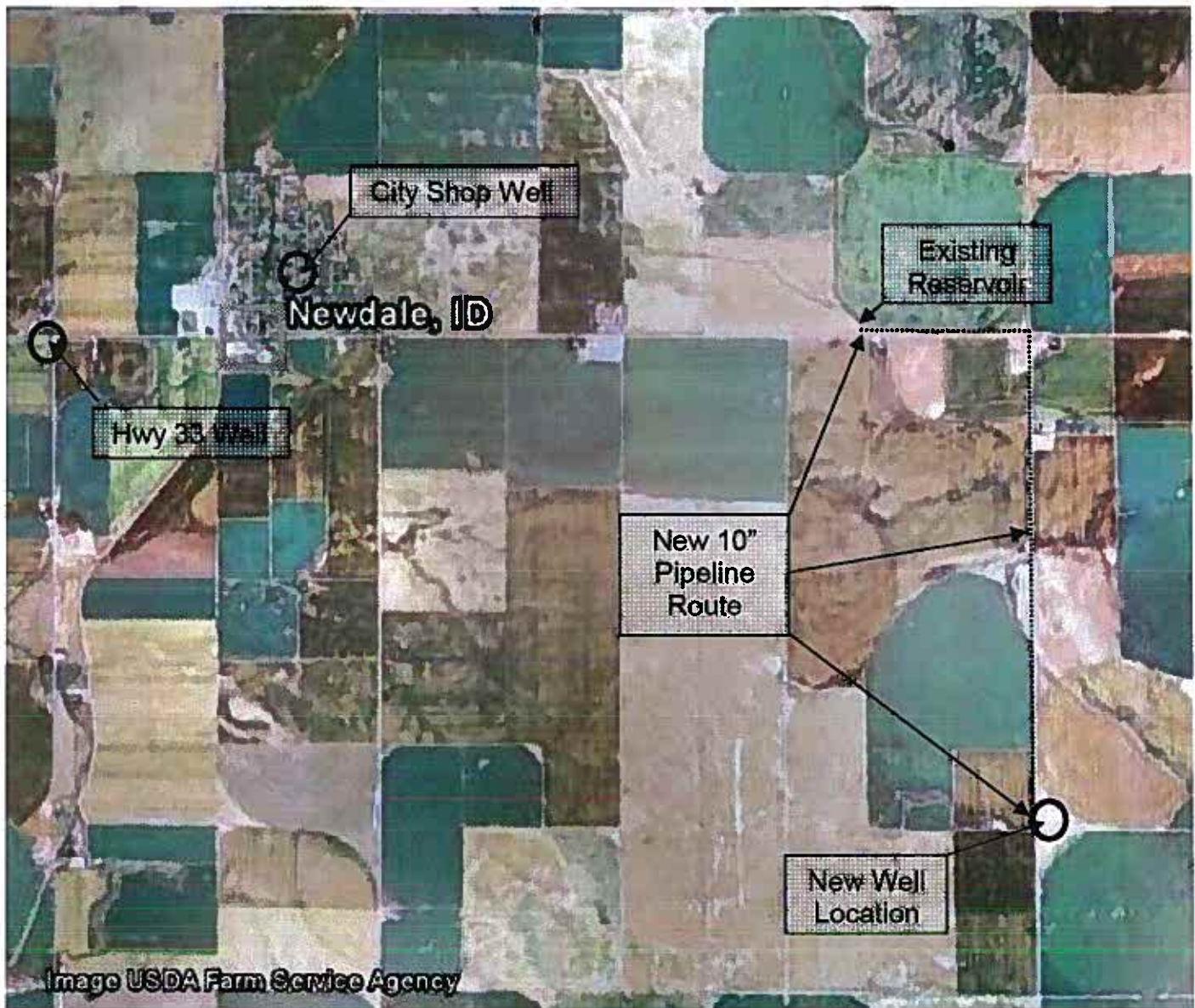




Newdale Water System Improvements 2010

New Well Location

Vicinity Map



New Well Location: US Govt Lot 2, Sec 7, T 6 N, R 42 E, BM, Madison County, Idaho

Pipeline Route: within existing road rights-of-way along the south edge of Sec 36, T 7 N, R 41 E and along the west edges of Secs 6 and 7, T 6 N, R 42 E

City of Newdale:



IDAHO SECRETARY OF STATE Search Results

Ben Ysursa, Secretary of State

Search Result Summary

CITY OF NEWDALE

Organizational ID / Filing number: C44754A	Filed 08 Jan 1917
CITY HALL	CORPORATION
NEWDALE, ID 83436	GOODSTANDING



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

CITY OF NEWDALE

CITY HALL
NEWDALE, ID 83436

Type of Business: CORPORATION, MUNICIPAL CORPORATION

Status: GOODSTANDING 08 Jan 1917

State of Origin: IDAHO

Date of Origination/Authorization: 08 Jan 1917

Current Registered Agent: CITY COUNCIL
CITY HALL
NEWDALE, ID 83436

Organizational ID / Filing Number: C44754A

Number of Authorized Stock Shares:

Date of Last Annual Report:

Original Filing:

Filed 08 Jan 1917 INCORPORATION

Current Address: City of Newdale
P.O. BOX 70
Newdale, ID 83436

WARRANTY DEED

This Deed made this 6th day of November, 2009 in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration now paid, the receipt of which is hereby acknowledged, witnesses that Norvue Farms, an Idaho Partnership (Grantor), does hereby grant, bargain, sell and convey to the City of Newdale, Idaho, an Idaho Municipal Corporation, PO Box 70, Newdale, ID 83436 (Grantee) the following described real property situated in Madison County, Idaho:

TOWNSHIP 8 NORTH, RANGE 42 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO.

SECTION 7

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7, MARKED BY A 5/8" REBAR AND ALUMINUM CAP, THENCE ALONG THE WEST LINE THEREOF NORTH 00°27'25" WEST 2641.08 FEET, THENCE NORTH 89°32'35" EAST 25.00 FEET TO THE EAST LINE OF THE 11000 EAST COUNTY ROAD RIGHT OF WAY AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°32'35" EAST 110.00 FEET;

THENCE NORTH 00°27'25" WEST 110.00 FEET;

THENCE SOUTH 89°32'35" WEST 110.00 FEET TO THE EAST LINE OF THE AFORESAID COUNTY ROAD RIGHT OF WAY;

THENCE ALONG SAID EAST LINE SOUTH 00°27'25" EAST 110.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL CONTAINS 0.28 ACRES, MORE OR LESS, AND MAY BE SUBJECT TO EASEMENTS OF RECORD OR TO OTHER EASEMENTS LEGALLY ESTABLISHED.

TOGETHER WITH AN ADJACENT PERMANENT ACCESS EASEMENT TO ACCESS AND MAINTAIN THE ABOVE-DESCRIBED PARCEL, SAID EASEMENT BEING 20 FEET WIDE AND 110 FEET LONG RUNNING PARALLEL TO, ALONG, AND IMMEDIATELY SOUTH OF TO THE SOUTH LINE OF THE ABOVE-DESCRIBED PARCEL.

SUBJECT To all easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing taxes and assessments as agreed by the above parties.

TO HAVE AND TO HOLD the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments, and appurtenances thereto, unto the Grantee, and its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current year's taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

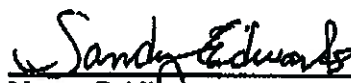
Dated this 6th day of November, 2009.



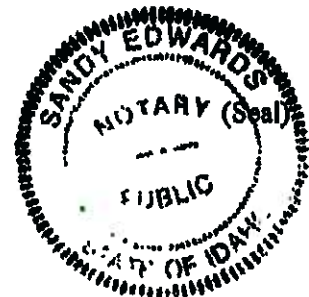
Richard L. Crapo
Owner

STATE OF IDAHO, COUNTY OF Tremont

On this 6th day of November, 2009, before me, a Notary Public in and for said State, personally appeared Richard L. Crapo, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the owners of Norvue Farms, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Partnership's name.



Notary Public
Residing at Newdale, Idaho
Commission Expires: 2-24-2010



Purchase Agreement

This Agreement entered into as of the 6th day of November, 2009 by and between the City of Newdale, Idaho, an Idaho municipal corporation ("City" hereafter), and Norvue Farms, an Idaho partnership ("Seller" hereafter) witnesseth:

WHEREAS,

The City desires to develop a new municipal water supply well with better water quality than existing City wells, and whereas

The City has identified a promising location for constructing a well for providing suitable quality water on property belonging to the Seller, and whereas

The City desires to purchase a parcel of land from the Seller for the purpose of constructing, owning, operating, and maintaining a new municipal water supply well; and whereas

The Seller is willing to convey warranted, fee title ownership of the parcel to the City for the above purposes, and whereas

The parties hereto are willing to enter into agreement for the sale of the property and desire to stipulate the provisions and conditions thereof,

NOW, THEREFORE, the parties agree as follows:

1. Seller will convey to the City a Warranty Deed for 0.28 acres of property and adjacent access and maintenance easement adjacent to 11000 East in Section 7, Township 6 North, Range 42 East, B.M. as described by the attached Exhibit A.

By conveyance of the Warranty Deed, sellers warrant the property to be free from encumbrances or liens of any kind, and that the land is suitable for the purpose of constructing, operating, and maintaining the aforementioned municipal water supply well.

2. City will pay the Seller the sum of \$1,000 for the parcel of property and grant of easement, and agrees to provide no cost water service to the Seller's potato cellars on 11000 East and others just south of the city.
3. Seller will retain any water rights currently associated with the parcel.
4. City will design, operate, construct, and maintain the municipal water supply well in accordance with standards established by the Idaho Department of Environmental Quality (DEQ). Seller shall not be responsible for any maintenance of the easement.
5. City will allow Seller to farm unused portions of the well site property provided that all farming operations will maintain a 50 ft. minimum separation from the well and no chemicals shall be applied anywhere on the well site property.

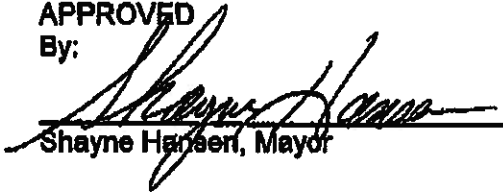
6. City does not intend to install any security fencing at present but should it become necessary in the future, City shall maintain a minimum 20 ft. clear area along the south boundary of the parcel to facilitate access along the adjacent farm road for Seller's farm equipment accessing adjacent property.
7. If City decides to abandon the well and associated property, the Seller shall have first right to re-purchase the property and do so for the original purchase price.

IN WITNESS WHEREOF, the parties hereto have executed this document on the date first above written.

FOR THE CITY

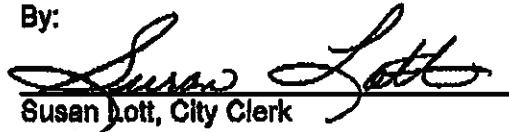
APPROVED

By:


Shayne Hansen, Mayor

ATTEST

By:


Susan Lott, City Clerk

(SEAL)

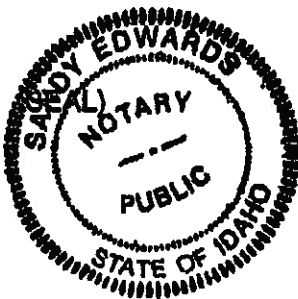
STATE OF IDAHO)

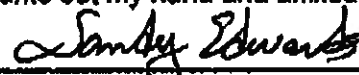
: ss.

County of Fremont)

On this 6th day of November, 2009, before me, the undersigned, a Notary Public for Idaho, personally appeared Shayne Hansen, known or identified to me to be the Mayor of the City of Newdale, the municipal corporation that executed this instrument, and acknowledged to me that such City executed the same.

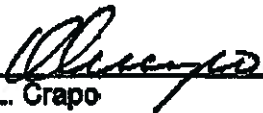
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public for Idaho
Residing at Newdale, Idaho
My Commission Expires: 2-24-2010

FOR THE SELLER

By:


Richard L. Crapo

STATE OF IDAHO)

: ss.

County of Fremont)

On this 6th day of November, 2009, before me, the undersigned, a Notary Public for Idaho, personally appeared Richard L. Crapo, known or identified to me to be an owner in Norvue Farms, the partnership that executed this instrument, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public
Residing at Newdale, Idaho
My Commission Expires: 2-24-2010

EXHIBIT A
Legal Description of Property

TOWNSHIP 6 NORTH, RANGE 42 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO.

SECTION 7

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7, MARKED BY A 5/8" REBAR AND ALUMINUM CAP, THENCE ALONG THE WEST LINE THEREOF NORTH 00°27'25" WEST 2641.06 FEET, THENCE NORTH 89°32'35" EAST 25.00 FEET TO THE EAST LINE OF THE 11000 EAST COUNTY ROAD RIGHT OF WAY AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°32'35" EAST 110.00 FEET;

THENCE NORTH 00°27'25" WEST 110.00 FEET;

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THENCE ALONG SAID EAST LINE SOUTH 00°27'25" EAST 110.00 FEET TO THE TRUE POINT OF BEGINNING.

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TOGETHER WITH AN ADJACENT PERMANENT ACCESS EASEMENT TO ACCESS AND MAINTAIN THE ABOVE-DESCRIBED PARCEL, SAID EASEMENT BEING 20 FEET WIDE AND 110 FEET LONG RUNNING PARALLEL TO, ALONG, AND IMMEDIATELY SOUTH OF TO THE SOUTH LINE OF THE ABOVE-DESCRIBED PARCEL.

Nor Vue:IDAHO SECRETARY OF STATE
Viewing Business Entity

Ben Ysursa, Secretary of State

NOR VUE, LLC1908 E 500 N
ST. ANTHONY, ID 83445

Type of Business:	LIMITED LIABILITY COMPANY
Status:	ADMIN DISSOLVED, ADMIN DISSLV 06 Jun 2001
State of Origin:	IDAHO
Date of Origination/Authorization:	16 Mar 2000
Current Registered Agent:	RICHARD L CRAPO 1908 E 500 N ST. ANTHONY, ID 83445
File Number:	W11416
Date of Last Annual Report:	

Original Filing:

Filed 16 Mar 2000 ARTICLES OF ORGANIZATION

CRAPO FARMS: (Page 1 of 2)

IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

CRAPO FARMS

1908 E 500 N, ST ANTHONY, ID 83445

Type of Business: PARTNERSHIP AUTHORITY (GP)**Status:** CURRENT 17 Dec 2007**State of Origin:** IDAHO**Date of Origination/Authorization:** 17 Dec 2007**Registered Agent:****File Number:** K562**Date of Last Annual Report:****Filed 17 Dec 2007** ORIGINAL FILING

246

FILED EFFECTIVE

STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

07 DEC 17 AM 10:36

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

- The name of the partnership is: Crapo Farms
- The street address of its chief executive office is: 1908 East 500 North, St. Anthony, ID 83445
- The street address of one (1) office in Idaho: 1908 East 500 North, St. Anthony, ID 83445

- The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
George M Crapo	726 North 2100 East St. Anthony, ID 83445
Richard L Crapo	436 North 1500 East St. Anthony, ID 83445
Bruce K Crapo	680 North 2100 East St. Anthony, ID 83445

OR the name and address of the agent in Idaho who maintains a list of all partners:

- The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

George M Crapo		
Richard L Crapo		
Bruce K Crapo		

- Signature of at least 2 partners:

1) George M Crapo
Typed Name George M Crapo

2) Richard L Crapo
Typed Name Richard L Crapo

3) Bruce K Crapo
Typed Name Bruce K Crapo

Secretary of State Use Only

IDAHO SECRETARY OF STATE
12/17/2007 05:00
CL: MD 626 CT: 123456 File 123456
10/10/08 = 100.00 PARTIAL NOT 0.0

See Fee

K562

Attachment sheet for Crapo Brothers

Partners:

Bruce K Crapo 680 North 2100 East St. Anthony, ID 83445
David V Crapo 1926 East 700 North St. Anthony, ID 83445

City of Newdale:



IDAHO SECRETARY OF STATE Search Results

Ben Ysursa, Secretary of State

Search Result Summary

CITY OF NEWDALE

Organizational ID / Filing number: C44754A

Filed 08 Jan 1917

CITY HALL
NEWDALE, ID 83436CORPORATION
GOODSTANDING

IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

CITY OF NEWDALE

CITY HALL
NEWDALE, ID 83436**Type of Business:** CORPORATION, MUNICIPAL CORPORATION**Status:** GOODSTANDING 08 Jan 1917**State of Origin:** IDAHO**Date of Origination/Authorization:** 08 Jan 1917**Current Registered Agent:** CITY COUNCIL
CITY HALL
NEWDALE, ID 83436**Organizational ID / Filing Number:** C44754A**Number of Authorized Stock Shares:****Date of Last Annual Report:**

Original Filing:

Filed 08 Jan 1917 INCORPORATION**Current Address:** City of Newdale
P.O. BOX 70
Newdale, ID 83436