

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86921**

This is to certify that: **CITY OF PAYETTE**
700 CENTER AVE
PAYETTE, ID 83661

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
65-2785	WR/DECREED	7/15/1964	1.020 cfs	N/A	N/A	N/A	GROUND WATER
65-5630	WR/DECREED	4/13/1945	0.780 cfs	N/A	N/A	N/A	GROUND WATER
65-65	WR/DECREED	6/1/1918	2.000 cfs	N/A	N/A	N/A	GROUND WATER
65-68	WR/DECREED	6/1/1948	0.560 cfs	N/A	N/A	N/A	GROUND WATER
65-7001	WR/DECREED	6/8/1967	1.450 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-2785	NO	YES	NO	YES	NO	NO
65-5630	NO	YES	NO	YES	NO	NO
65-65	NO	YES	NO	YES	NO	NO
65-68	NO	YES	NO	YES	NO	NO
65-7001	NO	YES	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
65-2785	65-2785	1.020 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-5630	65-5630	0.780 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-65	65-65	2.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-68	65-68	0.560 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-7001	65-7001	1.450 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.810 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 65-65

SCANNED

MAR 24 2023

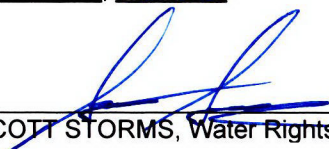
Transfer No. 86921

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86921

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20th day of March, 2023.


SCOTT STORMS, Water Rights Supervisor

Transfer No. 86921

SCANNED

MAR 24 2023

WATER RIGHT NO. 65-65
As Modified by Transfer No. 86921

In accordance with the approval of Transfer No. 86921, Water Right No. 65-65 is now described as follows:

Right Holder: CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

Priority Date: 6/1/1918

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	2.000 cfs 2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 27 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SESE	Sec 28 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWNE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SENE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec 35 Twp 09N Rge 05W PAYETTE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Payette municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 07-03-2002.
7. Transfer 86921 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well located in T09N R05W S34 NWNE

Transfer No. 86921

SCANNED

MAR 24 2023

WATER RIGHT NO. 65-65
As Modified by Transfer No. 86921

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 65-68
As Modified by Transfer No. 86921

In accordance with the approval of Transfer No. 86921, Water Right No. 65-68 is now described as follows:

Right Holder: CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

Priority Date: 6/1/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.560 cfs 0.560 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 27 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SESE	Sec 28 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWNE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SENE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec 35 Twp 09N Rge 05W PAYETTE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Payette municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 07-03-2002.
7. Transfer 86921 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well located in T09N R05W S34 NWNE

Transfer No. 86921

SCANNED
MAR 24 2023

WATER RIGHT NO. 65-68
As Modified by Transfer No. 86921

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 65-2785

As Modified by Transfer No. 86921

In accordance with the approval of Transfer No. 86921, Water Right No. 65-2785 is now described as follows:

Right Holder: CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

Priority Date: 7/15/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	1.020 cfs
			1.020 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 27 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SESE	Sec 28 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWNE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SENE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec 35 Twp 09N Rge 05W PAYETTE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Payette municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 06-28-2002.
7. Transfer 86921 authorizes the following additional well(s) as point(s) of diversion under this right as of the date of the approval: Well located in T09N R05W S34 NWNE and Well located in T09N R05W S27 SESW.

Transfer No. 86921

SCANNED

MAR 24 2023

WATER RIGHT NO. 65-2785
As Modified by Transfer No. 86921

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 65-5630
As Modified by Transfer No. 86921

In accordance with the approval of Transfer No. 86921, Water Right No. 65-5630 is now described as follows:

Right Holder: CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

Priority Date: 4/13/1945

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.780 cfs 0.780 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 27 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SESE	Sec 28 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWNE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SENE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec 35 Twp 09N Rge 05W PAYETTE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Payette municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 06-28-2002.
7. Transfer 86921 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well located in T09N R05W S34 NWNE

Transfer No. 86921

SCANNED

MAR 24 2023

WATER RIGHT NO. 65-5630
As Modified by Transfer No. 86921

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 65-7001

As Modified by Transfer No. 86921

In accordance with the approval of Transfer No. 86921, Water Right No. 65-7001 is now described as follows:

Right Holder: CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

Priority Date: 6/8/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	1.450 cfs 1.450 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 27 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SESE	Sec 28 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWNE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	SENE	Sec 34 Twp 09N Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec 35 Twp 09N Rge 05W PAYETTE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Payette municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in decree dated 06-28-2002.
7. Transfer 86921 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well located in T09N R05W S34 NWNE

Transfer No. 86921

SCANNED

MAR 24 2023

WATER RIGHT NO. 65-7001
As Modified by Transfer No. 86921

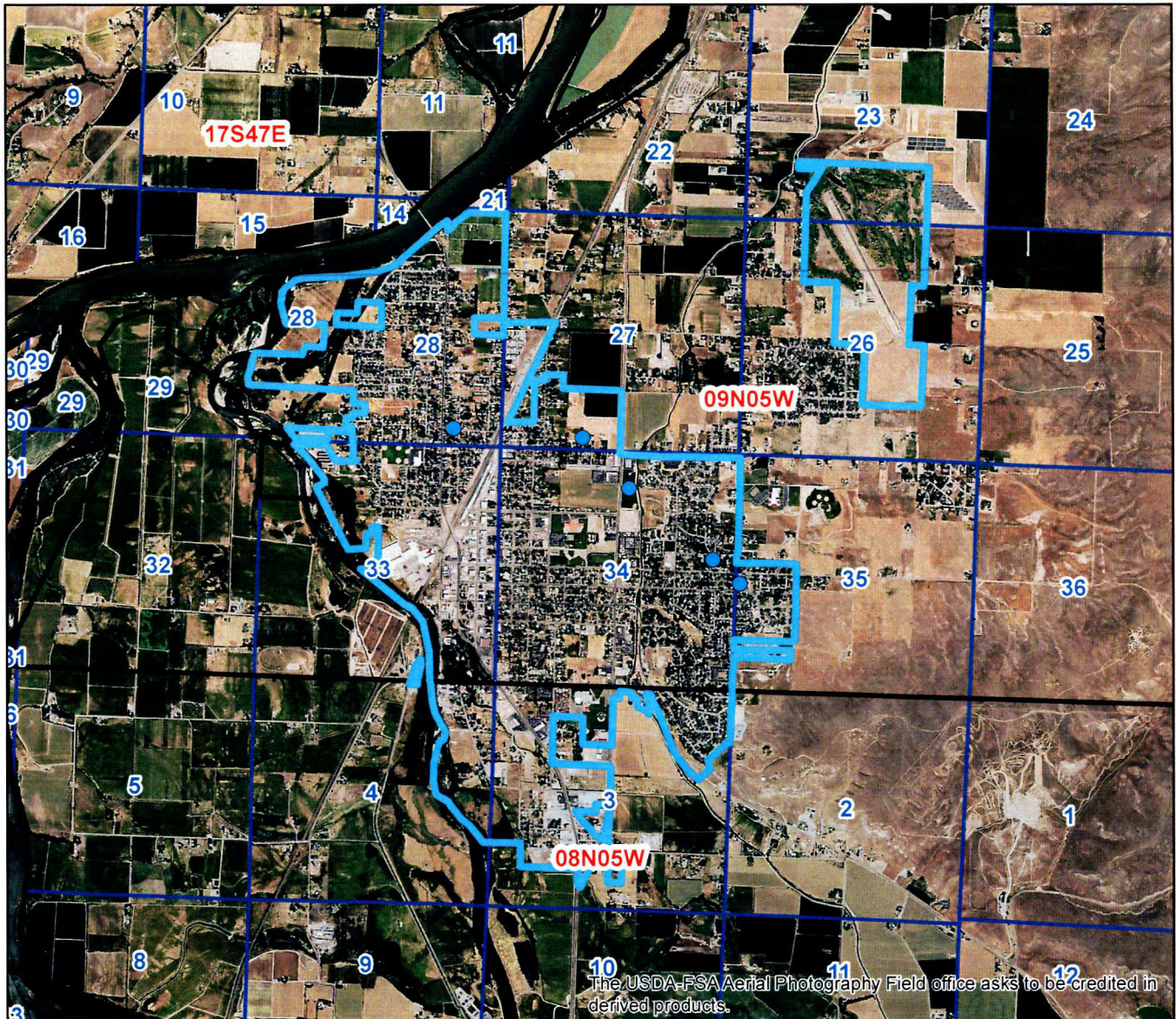
CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

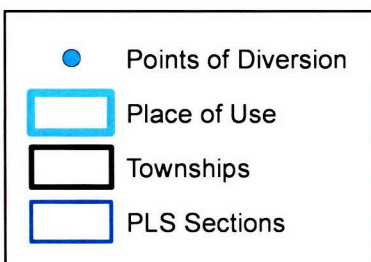
State of Idaho
Department of Water Resources

Attachment to Transfer No. 86921
Water Right: 65-65, 65-68, 65-2785, 65-5630, 65-7001

This map depicts the MUNICIPAL place of use boundary for the water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.475 0.95 1.9 Miles



SCANNED
N
MAR 24 2023

RECEIVED

42-222 POD - 07/18

FEB 16 2023

MAILED
WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 22 2022

WATER RESOURCES
WESTERN REGION

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 a 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. 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 change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of Payette, Idaho Phone 208.642.6024
 2. **MAILING ADDRESS** 700 Center Avenue City Payette
 State Idaho Zip 83661 Email douga@hecoengineers.com

- ☐ 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) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ 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)** 65-00065; 65-00068; 65-02785; 65-05630; 65-07001

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 5.81 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 idwr.idaho.gov, Water Rights, Water Right Transfers, Modeling Resources.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SE	SW	27	09N	05W	Payette	Well	
No			SW	SW	27	09N	05W	Payette	Well	Douglas & Sons 2/16/23
No			SE	SE	28	09N	05W	Payette	Well	
No			NW	SE	34	09N	05W	Payette	Well	Douglas & Sons 2/16/23
No			SE	NE	34	09N	05W	Payette	Well	
No			NW	SW	35	09N	05W	Payette	Well	
Yes			NW	NE	34	09N	05W	Payette	Well	

SCANNED

MAR 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 22 2022

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 a 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. 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 change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of Payette, Idaho Phone 208.642.6024
 2. **MAILING ADDRESS** 700 Center Avenue City Payette
 State Idaho Zip 83661 Email douga@hecoengineers.com

- ☐ 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) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
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- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 5.81 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 idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SE	SW	27	09N	05W	Payette	Well 20	
No			SW	SW	27	09N	05W	Payette	Well No diversion here. Typo? Abandoned well 8 was in S8SW?	
No			SE	SE	28	09N	05W	Payette	Well 23	
No			NW	SE	34	09N	05W	Payette	Well 1-Abandoned	
No			SE	NE	34	09N	05W	Payette	Well 9 Em only	
No			NW	SW	35	09N	05W	Payette	Well 12 Em only	
Yes			NW	NE	34	09N	05W	Payette	Well new	

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:

See description in Attachment C.

- b. Who owns the property at the point(s) of diversion? City of Payette, Idaho
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 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:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

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.



Signature of applicant or authorized agent

M. CORDOVA City Coordinator/Treasurer 9-20-22

Print name and title if applicable

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are 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, *Water Right Transfers*, *Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 09/22/2022

Fee paid \$900.00 Date 09/22/2022 Receipted by LE Receipt # W050768

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED

ATTACHMENTS
APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION
CITY OF PAYETTE WATER SYSTEM
PAYETTE, IDAHO

ATTACHMENT A
EXPLANATION

This Application for Transfer of Water Right is submitted by the City of Payette, Idaho (herein referred to as the City). The City proposes to add a point of diversion to the five water rights listed below:

- Water Right No. 65-00065; Municipal; Continuous; 2.00 cubic feet per second (CFS)
- Water Right No. 65-00068; Municipal; Continuous; 0.56 CFS
- Water Right No. 65-02785; Municipal; Continuous; 1.02 CFS
- Water Right No. 65-05630; Municipal; Continuous; 0.78 CFS
- Water Right No. 65-07001; Municipal; Continuous; 1.45 CFS

Existing points of diversion for Water Rights 65-00065, 65-00065, 65-05630, and 65-07001 are as follows:

- | | |
|-----------------|------|
| ■ T09N R05W S27 | SESW |
| ■ T09N R05W S28 | SESE |
| ■ T09N R05W S34 | NWSE |
| ■ T09N R05W S34 | SENE |
| ■ T09N R05W S35 | NWSW |

Existing points of diversion for Water Rights 65-002785 are as follows:

- | | |
|-----------------|------|
| ■ T09N R05W S27 | SWSW |
| ■ T09N R05W S28 | SESE |
| ■ T09N R05W S34 | NWSE |
| ■ T09N R05W S34 | SENE |
| ■ T09N R05W S35 | NWSW |

To each of these five water rights, the City proposes to add a point of diversion located in T09N R05W S34 NWNE (Tax 5, Block 3). The proposed diversion location is within Payette County Parcel No. P00000341010, which is owned by the City of Payette and contains existing points of diversion for City Water Rights 65-12951 and 65-13341.

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MAR 24 2023

The proposed point of diversion will be a new groundwater production well that is 12 inches in nominal diameter and approximately 350 feet in depth. It will be completed with one or more continuous-wrap, Grade 304 stainless steel well screens installed across permeable sand and/or gravel.

SCANNED

MAR 24 2023

ATTACHMENT B
WATER RIGHT DECREES FOR EXISTING RIGHTS

SCANNED

MAR 24 2023

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-00065

NAME AND ADDRESS: CITY OF PAYETTE
CITY SERVICES CENTER
700 CENTER AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 2.00 CFS

PRIORITY DATE: 06/01/1918

POINT OF DIVERSION: T09N R05W S27 SESW W-20 Within Payette County
S28 SESE W-23
S34 NWSE Abandoned
S35 SENE W-9 - emergency use only
NWSW W-12 - emergency use only

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE & SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	2.00 CFS

PLACE OF USE: PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-05630

NAME AND ADDRESS: CITY OF PAYETTE
CITY SERVICES CENTER
700 CENTER AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.78 CFS

PRIORITY DATE: 04/13/1945

POINT OF DIVERSION: T09N R05W S27 SESW W-20 Within Payette County
S28 SESE W-23
S34 SENE W-9 - emergency use only
NWSE Abandoned
S35 NWSW W-12 - emergency use only

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE &
SENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.78 CFS

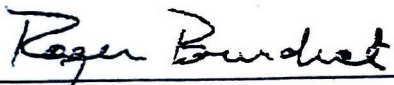
PLACE OF USE: PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-07001

NAME AND ADDRESS: CITY OF PAYETTE
CITY SERVICES CENTER
700 CENTER AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 1.45 CFS

PRIORITY DATE: 06/08/1967

POINT OF DIVERSION: T09N R05W S27 SESW W-20 Within Payette County
S28 SESE W-23
S34 SENE W-9 - emergency use only
S35 NWSE Abandoned
NWSW W-12 - emergency use only

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE &
SENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.45 CFS

PLACE OF USE:
PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

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With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

City of Payette

New Well location-NWNE S34, T9N, R5W

RECEIVED

FEB 16 2023

WATER RESOURCES
WESTERN REGION

SCANNED

MAR 24 2023

Well 23 - SESE S28, T09N, R05W

Well 20 - SESW S27, T09N, R05W

New Well - NWNE S34, T09N, R05W

Well 9 - SENE S34, R09N, T05W

Well 12 - NWSW S35, T09N, R05W

Google Earth

© 2023 Google

1 mi



City of Payette

Well location-SESW S27, T9N, R5W

Costumes Parties

N 11th St

Cantabria Wy

N 13th St

Well 20- SESW S27, T09N, R05W

7th Ave N

Google Earth

700 ft

Newman's Title A

RECEIVED
JUN 16 2016
WATER RESOURCES
WESTERN REGION

95

City of Payette

Well location-SESE S28, T9N, R5W

Funny Bones Costumes Pa

N 8th St

8th Ave N

Well 23 - SESE S28, T09N, R05W

AutoFarmUSA

Minit Market

7th Ave N

Google Earth

700-ft



City of Payette

Well location-NWSW S35, T9N, R5W

Well 9 - SENE S34, R09N, T05W

Well 12 - NWSW S35, T09N, R05W

Scissor Kick Beauty Salon

Humble Hearts

Google Earth



1000 ft

City of Payette

New Well location-NWNE S34, T9N, R5W

Newman's Triple A Storage

N 16th St

Salsa Grill

Health and Welfare BENEFITS

N 18th St

Payette C

K&B Renov

New Well - NWNE S34, T09N, R05W

Body Shop 24 Hour Fitness Centers

Car Wash 95

Google Earth

700 ft

N

RECEIVED

SEP 22 2022

**DISPERSED
WATER RESOURCES
WESTERN REGION**

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 a 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. 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 change ☐ Ownership split
- ☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** City of Payette, Idaho Phone 208.642.6024

2. **MAILING ADDRESS** 700 Center Avenue City Payette

State Idaho Zip 83661 Email douga@hecoengineers.com

- ☐ 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) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ 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) 65-00065; 65-00068; 65-02785; 65-05630; 65-07001

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 5.81 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 idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

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:

See description in Attachment C.

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

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 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:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

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.

[Signature]
Signature of applicant or authorized agent

M. CORDOVA City Coordinator/Treasurer 9-20-22
Print name and title if applicable Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are 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, *Water Right Transfers*, *Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by CE Date 09/22/2022

Fee paid \$900.00 Date 09/22/2022 Received by CE Receipt # W050768

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED

ATTACHMENTS
APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION
CITY OF PAYETTE WATER SYSTEM
PAYETTE, IDAHO

ATTACHMENT A
EXPLANATION

This Application for Transfer of Water Right is submitted by the City of Payette, Idaho (herein referred to as the City). The City proposes to add a point of diversion to the five water rights listed below:

- Water Right No. 65-00065; Municipal; Continuous; 2.00 cubic feet per second (CFS)
- Water Right No. 65-00068; Municipal; Continuous; 0.56 CFS
- Water Right No. 65-02785; Municipal; Continuous; 1.02 CFS
- Water Right No. 65-05630; Municipal; Continuous; 0.78 CFS
- Water Right No. 65-07001; Municipal; Continuous; 1.45 CFS

Existing points of diversion for Water Rights 65-00065, 65-00065, 65-05630, and 65-07001 are as follows:

- | | |
|-----------------|------|
| ■ T09N R05W S27 | SESW |
| ■ T09N R05W S28 | SESE |
| ■ T09N R05W S34 | NWSE |
| ■ T09N R05W S34 | SENE |
| ■ T09N R05W S35 | NWSW |

Existing points of diversion for Water Rights 65-002785 are as follows:

- | | |
|-----------------|------|
| ■ T09N R05W S27 | SWSW |
| ■ T09N R05W S28 | SESE |
| ■ T09N R05W S34 | NWSE |
| ■ T09N R05W S34 | SENE |
| ■ T09N R05W S35 | NWSW |

To each of these five water rights, the City proposes to add a point of diversion located in T09N R05W S34 NWNE (Tax 5, Block 3). The proposed diversion location is within Payette County Parcel No. P00000341010, which is owned by the City of Payette and contains existing points of diversion for City Water Rights 65-12951 and 65-13341.

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OCT 27 2022

The proposed point of diversion will be a new groundwater production well that is 12 inches in nominal diameter and approximately 350 feet in depth. It will be completed with one or more continuous-wrap, Grade 304 stainless steel well screens installed across permeable sand and/or gravel.

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OCT 27 2022

ATTACHMENT B
WATER RIGHT DECREES FOR EXISTING RIGHTS

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OCT 27 2022

OCT 27 2022

SCANNED
PAGE 1
Jun-26-2022
OCT 27 2022

SCANNED
PAGE 1
Jun-27-2002 2022

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 65-07001

NAME AND ADDRESS: CITY OF PAYETTE
CITY SERVICES CENTER
700 CENTER AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 1.45 CFS

PRIORITY DATE: 06/08/1967

POINT OF DIVERSION: T09N R05W S27 SESW Within Payette County
 S28 SESE
 S34 SENE
 NWSE
 S35 NWSW

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE &
SENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.45 CFS

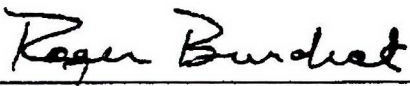
PLACE OF USE:
PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

ATTACHMENT C

DESCRIPTION FOR SECTION 6A OF APPLICATION

For a measuring device, the new production well will be equipped with a 1-inch-diameter polyvinyl chloride (PVC) sounding tube that will extend from 5 feet above the permanent pump intake to top of well casing for the purpose of collecting manual water level measurement using a water level meter and/or installation of a pressure transducer/data logger for continuous measurements.

The diversion will be able to accommodate a lockable control works by installation of Doug – please help here

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OCT 27 2022

ATTACHMENT D
POINT OF DIVERSION MAP

SCANNED

OCT 27 2022

ATTACHMENT E
FEE

The City of Payette is attaching payment in the amount of \$900 (applicable to a flow rate in the range of 5.01 to 6.00 CFS).

SCANNED

OCT 27 2022



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 21, 2023

CITY OF PAYETTE
700 CENTER AVE
PAYETTE ID 83661

Re: Transfer No: 86921
Water Right No(s): 65-65, 65-68, 65-2785, 65-5630, 65-7001

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of

SCANNED

MAR 24 2023

the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Evans', with a stylized flourish at the end.

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED

MAR 24 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2023, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86921

Water Right No(s): 65-65, 65-68, 65-2785, 65-5630, 65-7001

CITY OF PAYETTE
700 CENTER AVE
PAYETTE ID 83661



Lynne Evans
Administrative Assistant I

SCANNED

MAR 24 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) (maybe Workflow)

Application # 86921 Reviewer LAURA Date 10.19.22

Acceptable Filing (TP Memo #24 Sect. 3) ☒ Y ☐ N If "N" 30-day Deficiency Ltr Sent — (date & initial)

Initial Review & Abbreviated Data Entry — (date & initial) Supervisor Notes ☐ Y ☐ N

Right(s) in Water Bank ☐ Y ☒ N, Notify S.O. — (date) - WSB App Attachment —

COMMENT LETTERS ☐ Y ☒ N

Water District # — (Required even if No Legal Notice Required)

Other(s): list here or see attached —

ADVERTISING ☒ Y ☐ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo —

Legal Notice Required - Saved as Legal Notice Remarks in Workflow ☒ Y *uncheck "Currently in Data Entry" flag

Statewide ads ☐ Y ☒ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 11/21/2022

Y ☒ N ☐

Protested

If Y: —

Scan protest

Affidavit received/published correctly

If N: —

Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade ☒ Paid ☒ WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ☒ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ☒

E' folder w/ Draft Approval 86921 CITY OF PAYETTE
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) ☐ Y ☐ N

OPTIONAL PAGE -- CONDITIONS & NOTES**GROUNDWATER:**

WD 161 (Non-de minimis uses) - R05
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 214

~~WD~~

< 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.

DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
 > 0.20 cfs - R43

~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE

< 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)

STANDARD VOLUME _____ af/ac

CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE	- 18C-18B/R40-123-220-219-221-222-259-937-938	POWER	- 17H-17K (+uses)-025-106
IRR ≤ 5 ac	- R66/R67/R68/R69 (0.03 cfs/ac)	MUNICIPAL	
> 5 ac	- R62/R63/R64/R65 (0.02 cfs/ac)	Restricted area	- 022-075 RAFN - 007-109-X64
Volume only	- R58/R59/R60/R61	Irr., GW supp to SW	- 102
Supplemental	- 943 & WB7		
Storage	- R70		

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029 (70's basins only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077-218

DAIRY - 082 (zoning if a concern)-106-WD8

DOMESTIC

Surface water - WB5 (Boise above Star Bridge)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

WD8 - land application of waste water

01Q - used instead of 01M when
 there's another meas. condition
 outside a WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined **limits** of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

205 - use when quantity reduced by xFer approval

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X63 - replaced C12 through C17 - ultimately
 C18 placed on rts to cover issue. If C18
 on rts replace with T19 and remove X63.

**Apply one to chg'd & unchg'd
rts that are subject to SRBA:**

T09 - on-going SRBA (no Dir Rpt
 yet)

T19 - replaces C18
 (if at Directors Report
 or Partial Decree stage)

T20 - use only on unchg'd rts
 not subject to SRBA

NOTES:

McSherry, Laura

From: McSherry, Laura
Sent: Thursday, February 16, 2023 11:27 AM
To: Doug Argo
Subject: RE: City of Payette Transfer: Clarification Needed

Hello Doug,

All the items are acceptable.
The documents will be added to the transfer file and final processing will resume.

Thank you,
Laura

From: Doug Argo <douga@hecoengineers.com>
Sent: Thursday, February 16, 2023 10:41 AM
To: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Subject: RE: City of Payette Transfer: Clarification Needed

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Laura,
Attached are the revised transfer application, well locations-close up for each location, a zoomed out version on a quad sheet (All Wells on USGS) to attempt to help with Section, Township, Range confirmation. Please advise if the attached maps are satisfactory.
Regards,
Doug

Doug Argo, PE
Vice President
Oregon Business Group
Licensed in OR, ID, WA, UT
Payette Office

HECO ENGINEERS
Corporate Office: 32 N Main St - Payette, ID 83661
Nampa Office: 5700 E Franklin Rd, Suite 160 - Nampa, ID 83687
Mailing: PO Box 235 - Payette, ID 83661
Phone: 208 642 3304



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McSherry, Laura

From: McSherry, Laura
Sent: Wednesday, February 15, 2023 4:04 PM
To: Doug Argo
Subject: RE: City of Payette Transfer: Clarification Needed

Hello Doug,

If the below description is accurate for the City of Payette's municipal system, please provide the following updates to transfer application 86921:

1. Accurately describe all (1 new, 4 existing) points of diversion after the proposed change (5.) Do not include wells that are abandoned or are no longer in use.
2. Submit an updated map reflecting the specific location of the 5 points of diversion after the proposed change (7.).

Once the information is received, the application can resume final approval processing.
Please reach out if you have any further questions.

Thank you,
Laura McSherry

From: Doug Argo <douga@hecoengineers.com>
Sent: Tuesday, January 24, 2023 4:55 PM
To: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Subject: RE: City of Payette Transfer: Clarification Needed

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Hi, Laura,

Presently there are only 4 existing wells covered by these water rights. I've annotated the attached file to explain, but will try to recap here:

- SESW S27, T09N, R05W – this is City's Well 20 and is active
- SWSW S27, T09N, R05W – the City has never had a well in this quarter section. We believe this is a typo in the description of abandoned Well 8 in the SESW of S27, T09N, R05W (Well 20 is the replacement of abandoned Well 8).
- SESE S28, T09N, R05W – this is City's Well 23 and is active
- NWSE S34, T09N, R05W – this is abandoned City Well 1
- SENE S34, T09N, R05W – this is City's Well 9 and is active
- NWSW S35, T09N, R05W – This is City's Well 12 and is active

I believe that the PODs listed in the water rights (65-00065, 65-0068, 65-02785) are each referencing these existing wells such that each well is utilizing a fraction of each water right.

Please call me to discuss.

McSherry, Laura

From: Doug Argo <douga@hecoengineers.com>
Sent: Tuesday, January 24, 2023 4:55 PM
To: McSherry, Laura
Subject: RE: City of Payette Transfer: Clarification Needed
Attachments: 86921 City of Payette_Transfer App_annotated.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi, Laura,

Presently there are only 4 existing wells covered by these water rights. I've annotated the attached file to explain, but will try to recap here:

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- SWSW S27, T09N, R05W – the City has never had a well in this quarter section. We believe this is a typo in the description of abandoned Well 8 in the SESW of S27, T09N, R05W (Well 20 is the replacement of abandoned Well 8).
- SESE S28, T09N, R05W – this is City's Well 23 and is active
- 2+? — NWSE S34, T09N, R05W – this is abandoned City Well 1
- SENE S34, T09N, R05W – this is City's Well 9 and is active
- NWSW S35, T09N, R05W – This is City's Well 12 and is active

I believe that the PODs listed in the water rights (65-00065, 65-0068, 65-02785) are each referencing these existing wells such that each well is utilizing a fraction of each water right.

Please call me to discuss.

Regards,

Doug

Doug Argo, PE

Vice President

Oregon Business Group

Licensed in OR, ID, WA, UT

Payette Office

HECO ENGINEERS

Corporate Office: 32 N Main St - Payette, ID 83661

Nampa Office: 5700 E Franklin Rd, Suite 160 - Nampa, ID 83687

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SCANNED

MAR 24 2023

McSherry, Laura

From: McSherry, Laura
Sent: Tuesday, January 24, 2023 12:19 PM
To: douga@hecoengineers.com
Subject: City of Payette Transfer: Clarification Needed
Attachments: 86921 City of Payette_Transfer Application.pdf

Hello Doug,

Your contact information was provided on a recently submitted transfer application (86921) on behalf of the City of Payette.

I am reaching out to gain clarification needed to complete final approval.

The application (5.) describes only 6 existing wells however, the partial decrees (pgs. 6-10) indicate 2 points of diversion located in T09, R05W, S34, NWSE & SENE.

Are there 1 or 2 wells in each QQ section?

If 2 wells are in each QQ section, then the municipal system included in the 5 water rights would have 8 existing wells. Please clarify the quantity of existing wells or, if possible, point me to the person that can.

Once clarification is provided the transfer application can continue final approval processing.

Thank you for your time and attention on the matter.

Regards,



Laura McSherry

Water Resource Agent, Sr.

P: (208) 605-4633

Idaho Dept. of Water Resources

SCANNED

MAR 24 2023

MEMORANDUM

TO: Transfer No. 86921
FROM: Laura McSherry
DATE: November 26, 2022
RE: Evaluation of Application

The transfer proposes to add 1 new well as a point of diversion (POD) and include 6 existing wells to all 5 existing water rights for the City of Payette's municipal distribution system in Payette County, Idaho. The location for the new well is on property owned by the city in the NWNE of Section 34, T09N, R05W.

Contact person for the transfer is Hydro Logic Inc representative Ed Squires, 102 S 17th St. STE 201, Boise, ID 83702. ed@hydrologicinc.net. (208)-342-8369.

Summary of Information Submitted

Authority to File:

Municipal Coordinator, Mary Cordova, from the City of Payette is an authorized representative for this transfer involving water right no(s). 65-65, 65-68, 65-2785, 65-5630, and 65-7001. The City of Caldwell is the current owner for the water rights. The City of Caldwell is the authorized municipal provider for properties within the large place of use (POU).

Water Right Validity:

All 5 water rights involved in the transfer have been decreed. Department records indicate that all 5 rights are valid and there is no indication to suggest that any of the rights have non-use within the previous, consecutive, five year period. All 5 rights are decreed as Non-RAFN municipal rights within a municipal service area of an active municipality considered valid with no evidence to the contrary. Therefore, no evidence of forfeiture is found.

Injury to Other Water Rights:

Injury is not anticipated due to the transfer only adding an additional POD to the City of Payette's well distribution system with no rate or volume increase. All 5 water rights will be conditioned confirming that the initial point of diversion location for each water right will be maintained for future administration of the rights should future pumping cause well interference/injury issues. The transfer was advertised and no protests were received, so the Department can reasonably assume surrounding water users do not have concerns of injury as a result of this transfer.

Enlargement of Use:

No additional rate or volume is proposed to be diverted from this source beyond the historical use of the rights. No enlargements of the water rights are anticipated.

Local Public Interest:

No evidence has been submitted suggesting the transfer proposes changes at odds with the local public interest.

SCANNED

MAR 24 2023

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Discussion

The application is consistent with criteria of I. C. § 42-222 and should be processed.

AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 18 2022

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO }
County of Payette }

M Brooke Watkins
Of Payette, Payette County, Idaho, being
First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Argus Observer, a daily newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said County of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
11/02/2022 11/09/2022

Legal # 573487
PROPOSED WATER CHANGE
L-573487

M. Brooke Watkins

State of Idaho }
County of Payette }

On this 9th day of November in the year 2022
Before me a Notary Public personally appeared.
M Brooke Watkins
known or identified to me to be
the person whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Yvonne Dee Lee
Notary Public for Idaho
Residing at Payette County
My Commission expires *

November 4, 2025

YVONNE DEE LEE
Notary Public - State of Idaho
Commission Number 62548
My Commission Expires Nov 4, 2025

MAR 24 2023

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
TRANSFER NO. 86921

CITY OF PAYETTE, 700
CENTER AVE, PAYETTE,
ID 83661 has filed
Application No. 86921 for
changes to the following
water rights within
PAYETTE County(s): Right
No(s). 65-2785, 65-5630,
65-65, 65-68, 65-7001; to
see a full description of
these rights and the
proposed transfer, please
see <https://research.idwr.idaho.gov/apps/water-rights/querynewtransfers>.
The purpose of the
transfer is to change a
portion of the above rights
as follows:
to add 1 new well as a
point of diversion and
include 6 existing wells to
all 5 existing water rights
for the City of Payette's
municipal distribution
system that provides
water for the city. The new
well is located on property
owned by the city in
NWNE of Section 34,
T09N, R05W.

For additional information
concerning the property
location, contact Western
Region office at (208)334-
2190. Protests may be
submitted based on the
criteria of Idaho Code Sec.
42-222. Any protest
against the proposed
change must be filed with
the Department of Water
Resources, Western
Region, 2735 W AIRPORT
WAY, BOISE ID 83705-
5082 together with a
protest fee of \$25.00 for
each application on or
before 11/21/2022. The
protestant must also send
a copy of the protest to
the applicant.
GARY SPACKMAN,
Director

Legal Number 573487
November 2, 9, 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 27, 2022

CITY OF PAYETTE
700 CENTER AVE
PAYETTE, ID 83661

RE: Transfer No. 86921

Water Right No(s). 65-2785, 65-5630, 65-65, 65-68, 65-7001

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the INDEPENDENT ENTERPRISE on 11/2/2022 and 11/9/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

SCANNED

OCT 27 2022

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, October 27, 2022 9:18 AM
To: legals@ind-ent.com
Subject: Transfer No. 86921; Water Right No(s). 65-2785, 65-5630, 65-65, 65-68, 65-7001
Attachments: Legal Notice.docx

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 11/21/2022. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86921

CITY OF PAYETTE, 700 CENTER AVE, PAYETTE, ID 83661 has filed Application No. 86921 for changes to the following water rights within PAYETTE County(s): Right No(s). 65-2785, 65-5630, 65-65, 65-68, 65-7001; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add 1 new well as a point of diversion and include 6 existing wells to all 5 existing water rights for the City of Payette's municipal distribution system that provides water for the city. The new well is located on property owned by the city in NWNE of Section 34, T09N, R05W.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 11/21/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published on 11/2/2022 and 11/9/2022

SCANNED

OCT 27 2022