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DEPARTMENT OF
WATER RESOURCES

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF INTEGRATED
MUNICIPAL APPLICATION PACKAGE
("IMAP") OF SUEZ WATER IDAHO INC.,
BEING A COLLECTION OF INDIVIDUAL
APPLICATIONS FOR TRANSFERS OF
WATER RIGHTS AND APPLICATIONS
FOR AMENDMENT OF PERMITS.

**AFFIDAVIT OF NICHOL BAIRD
SPENCER**

State of Idaho)
) ss.
County of Ada)

Nichoel Baird Spencer, being first duly sworn upon oath, deposes and states:

1. I am employed as a Planner III in the Planning and Zoning Department of the City of Eagle, Idaho. My business address is 660 East Civic Lane, PO Box 1520, Eagle, Idaho 83616.

2. As a Planner III for the City of Eagle, I oversaw the preparation and adoption of the City of Eagle Comprehensive Plan (“Eagle Comp Plan”) which was adopted by the Eagle City Council by resolution dated November 14, 2017.

3. The Eagle Comp Plan adopts a 2040 population projection based on the *2040 Communities in Motion* issued by the Community Planning Association of Southwest Idaho (COMPASS) with increases in the annual average growth rate to reflect the City’s historical growth rate. Although those projections end at 2040, that is not the build out date of the land use component of the Eagle Comp Plan. Rather, the Eagle Comp Plan has no end date. The City does not expect its population to cease growing in 2040. Nor does the City believe it will reach full build out by 2040. Therefore, the City believes planning must continue beyond 2040.

4. The Eagle Comp Plan is intended for land use planning purposes, not water supply planning. In 2015, the City adopted the *City of Eagle Municipally Owned Water System Master Plan Update #3* (“Eagle Water System Plan”), which primarily serves as a water facilities plan for a 30-year period. It was approved by the Idaho Department of Environmental Quality as the City’s Public Drinking System Facility Plan.

5. The City of Eagle operates a municipal water system serving City residents. In addition, SUEZ Water Idaho Inc. (“SUEZ”) and Eagle Water Company provide municipal water to some portions of the City.

6. The Eagle Water System Plan addresses only the City’s water system and demands outside of SUEZ’s planning area.

7. The Eagle Water System Plan’s Chapter 7.0, “Water Rights and Ground Water Monitoring,” is not a planning discussion, but instead describes the status quo. For example, the discussion under 7.1.5 Reasonably Anticipated Future Needs recites the facts concerning prior and pending RAFN applications, noting that “[t]he City, following the example of previous municipal RAFN applications, selected a 30-year planning horizon” That statement is a reference to the City’s RAFN permit no. 63-32573 for the Spring Valley planned community, which has a 30-year planning horizon.

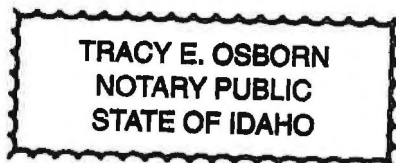
8. The Eagle Comp Plan and Eagle Water System Plan do not, and are not intended to, dictate the planning horizon for SUEZ’s reasonably anticipated future needs municipal water rights.

9. It is imperative for the City’s future that water rights are secured that are sufficient to supply the City’s needs at full build-out. While SUEZ’s 50-year planning horizon sought in the IMAP is longer than the terms of the Eagle Comp Plan and Eagle Water System Plan, it is consistent with those plans and the City’s planning goals and objectives in general.

DATED this 9 day of April, 2018.

By Nichoel Baird Spencer
Nichoel Baird Spencer

Subscribed and sworn to before me this 9th day April, 2018.



Tracy E. Osborn
Notary Public for Idaho
Residing at: Kuna Idaho
My Commission Expires: 01/12/2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2018, the foregoing was filed, served, and copied as shown below. Service by email is authorized by the Hearing Officer's Order of September 11, 2017 at page 3.

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