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MAY 14 2004

Department of Water Resources
Adjudication BureauIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

63-28219

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

AMENDED

Please type or print clearly

1. Name of Claimant(s) City of Nampa (Nampa) Phone (208) 468-5420
Mailing Address 411 3rd Street South, Nampa, ID Zip 83651
2. Date of Priority (only one (1) per claim) August 2, 1937
3. Source of water supply (a) Ground water
which is tributary to (b) (not applicable)
4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____
1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____
Additional points of diversion if any: See Exhibit A for list of alternate points of diversion.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The wells listed in Exhibit A are all connected to
Nampa's integrated municipal delivery system for potable drinking water.

SCANNED

MAY 19 2004

ORIGINAL

6. Water is claimed for the following purposes

(both dates are inclusive) (cfs) (acre feet)

For Municipal purposes from 1/1 to 12/31 amount 1.22 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.22 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is (not applicable) acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) Municipal uses within municipal service area

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
						Within the Service Area of the City of Nampa													

Total number of acres irrigated (not applicable)

11. In which county(ies) are lands listed above as place of use located? Canyon County

12. Do you own the property listed above as place of use? Yes _____ No ✓

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as describe above.

See "Remarks" section or None ()

14. Remarks:

1. Nampa is a municipal water provider and claims this right as a municipal right under the Municipal Water Rights Act of 1996 and/or the common law.

2. Nampa operates an integrated water supply network involving numerous ground water rights throughout its service area

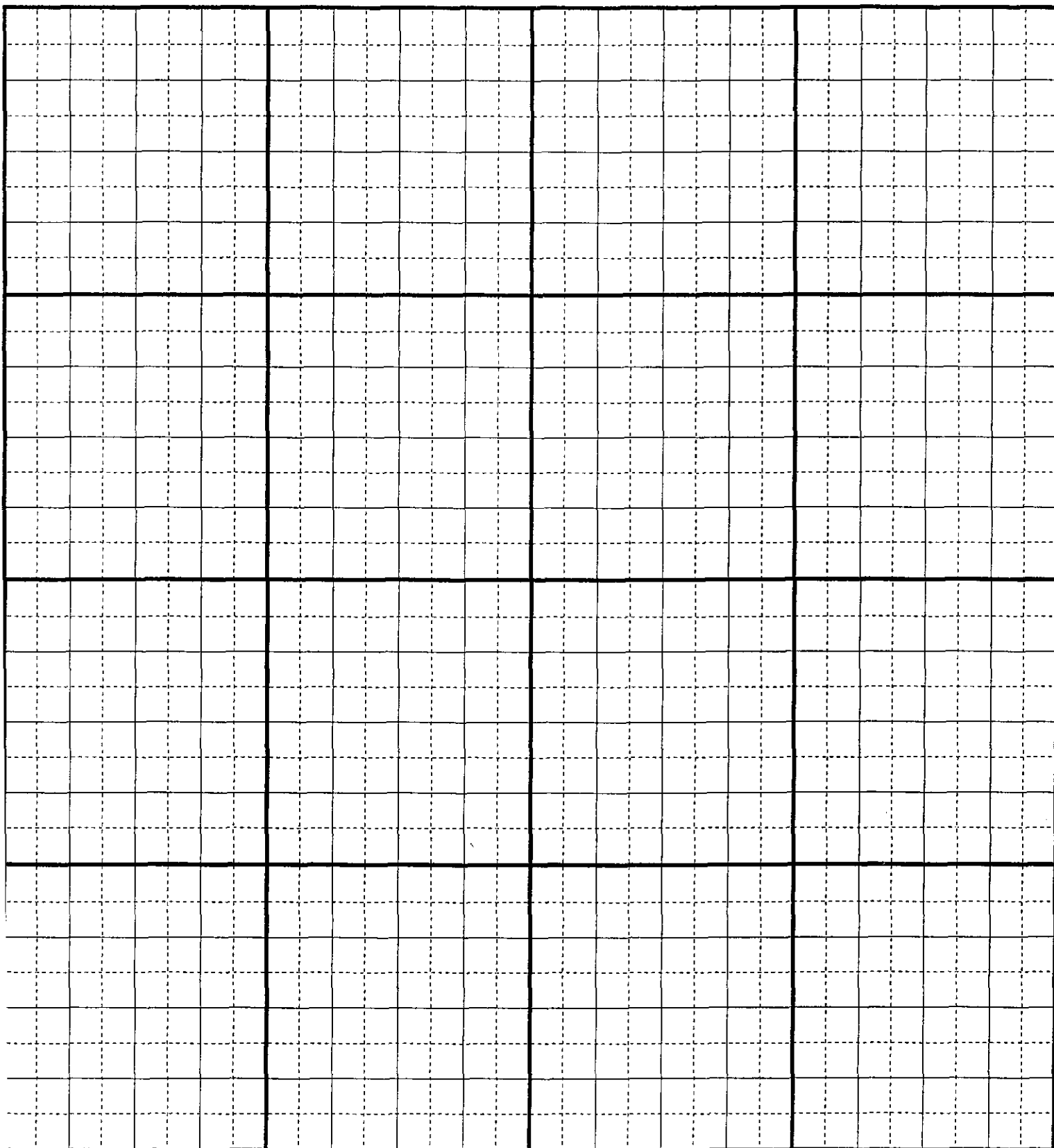
SCANNED

MAY 19 2024

Last Name City of Nampa Ident. Number 63-28219

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile **Please see Exhibit B**



Last Name City of Nampa Ident. Number 63-28219

SCANNEL

MAY 19 2004

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s) _____

(a.) by signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Paul Raymond

_____ Title _____

of the City of Nampa, that I have signed the foregoing

Organization

document in the space below as Director, Public Works Department of the City of Nampa

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director, Public Works Dept, City of Nampa Date 5/11/04

State of Idaho/or _____)

) SS.

County of Canyon)

Subscribed and sworn to (or affirmed) before me this 11 day of May 2004

Notary Public

Residing at Nampa

My Commission Expires 4/20/10

17. Notice of Appearance:

Please Print Name

Notice is hereby given that, Christopher H. Meyer and John M. Marshall will be acting as attorneys at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to us at the address listed below.

Signature [Signature]

Christopher H. Meyer

[Signature]

John M. Marshall, Givens Pursley LLP

Address 601 W. Bannock, PO Box 2720, Boise, ID 83702

Telephone 208-388-1200

Date 5/12/04

Last Name City of Nampa Ident. Number 63-28219

SCANNED

MAY 19 2004

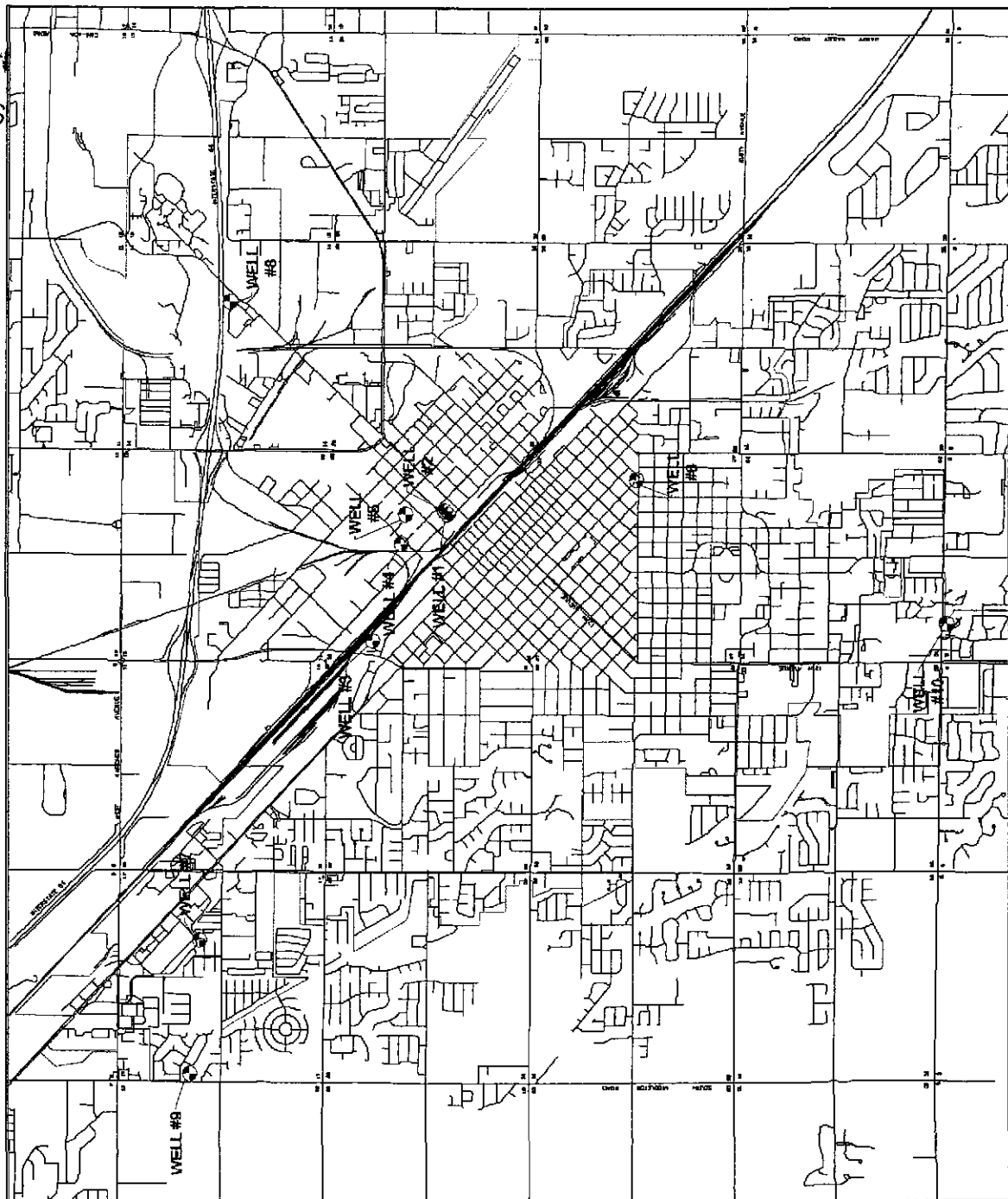
Exhibit A

List of Alternate Points of Diversion for City of Nampa Municipal System for Potable Water

Well Name	TWN	RGE	SEC	Tract	Right originally associated with well	Priority originally associated with well	Diversion rate originally associated with well
Well # 1	3N	2W	S22	NWSE	63-02533 63-28219	12/16/1971 8/2/1937	1.22 1.22
Well # 2	3N	2W	S22	NWSE	63-02533 63-28219	12/16/1971 8/2/1937	1.22 1.22
Well # 3	3N	2W	S22	NWNW	63-02779	9/2/1949	2.00
Well # 4	3N	2W	S22	SWNE	63-02781	9/2/1949	3.00
Well # 5	3N	2W	S22	SWNW	63-02782 63-28220	11/25/1959 9/2/1949	1.93 1.93
Well # 6	3N	2W	S27	SENE	63-05258	1/1/1954	2.67
Well # 7	3N	2W	S17	SWNE	63-10212	6/28/1983	2.23
Well # 8	3N	2W	S14	NWSE	63-07567	3/6/1972	2.79
Well # 9	3N	2W	S17	SWNW	63-08324	6/1/1976	3.00
Well # 10	3N	2W	S3	NWNW	63-09180	9/27/1978	4.00

30434
8/1/2011

SCANNED
MAY 19 2004



SCALE 1" = 1/2 MILE

LEGEND

- CITY LIMITS (1987)
- DOMESTIC WELL LOCATIONS

FIGURE 2
NAMPA WATER RIGHTS PRIOR TO NOVEMBER 19, 1987
DOMESTIC GROUND WATER WELL LOCATIONS

JUB
JUB
JUB

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-28219
Date Received: 3/28/1990
Receipt No: C015984
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CITY OF NAMPA 208-465-2220
Address: 411 3RD STREET SOUTH
NAMPA ID 83651

2. Date of Priority: AUG 2, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	22		NW	SE		CANYON

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.220		

7. Total Quantity Appropriated is:
1.220 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

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AUG 02 1994

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BEING FILED IN ORDER TO CHANGE THE PRIORITY DATE FROM 2/16/1971 AS SHOWN ON LICENSE NO. 63-02533 TO 8/2/1937 TO CONFORM WITH DATES SHOWN ON ORIGINAL FILINGS OF WHEN WATER WAS FIRST PUT TO BENEFICIAL USE.
TWO WELLS ALSO KNOWN AS WELLS #1 AND #2.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 02 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576Ident. Number AL3-28219Date Received 3-28-90Receipt Number C015984

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 28 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) City of Nampa Phone (208) 465-2220Mailing Address 411-3rd Street South, Nampa, Idaho Zip 836512. Date of Priority (Only one (1) per claim) Aug. 2, 19373. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 03N Range 02W Section 22,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of1/4, Govt. Lot B.M., County of5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, pump, and pipeline

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 01/01 to 12/31 amount 1.22 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.22 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
							Within the City Limits of Nampa												

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: This form is being filed in order to change the priority date from Feb. 16, 1971 to Sept Aug. 2, 1937 to conform with dates shown on original filings of when water was first put to beneficial use. AS Spas
and
LIC. AL
63-0253

Two wells also known as Wells #1 & 2

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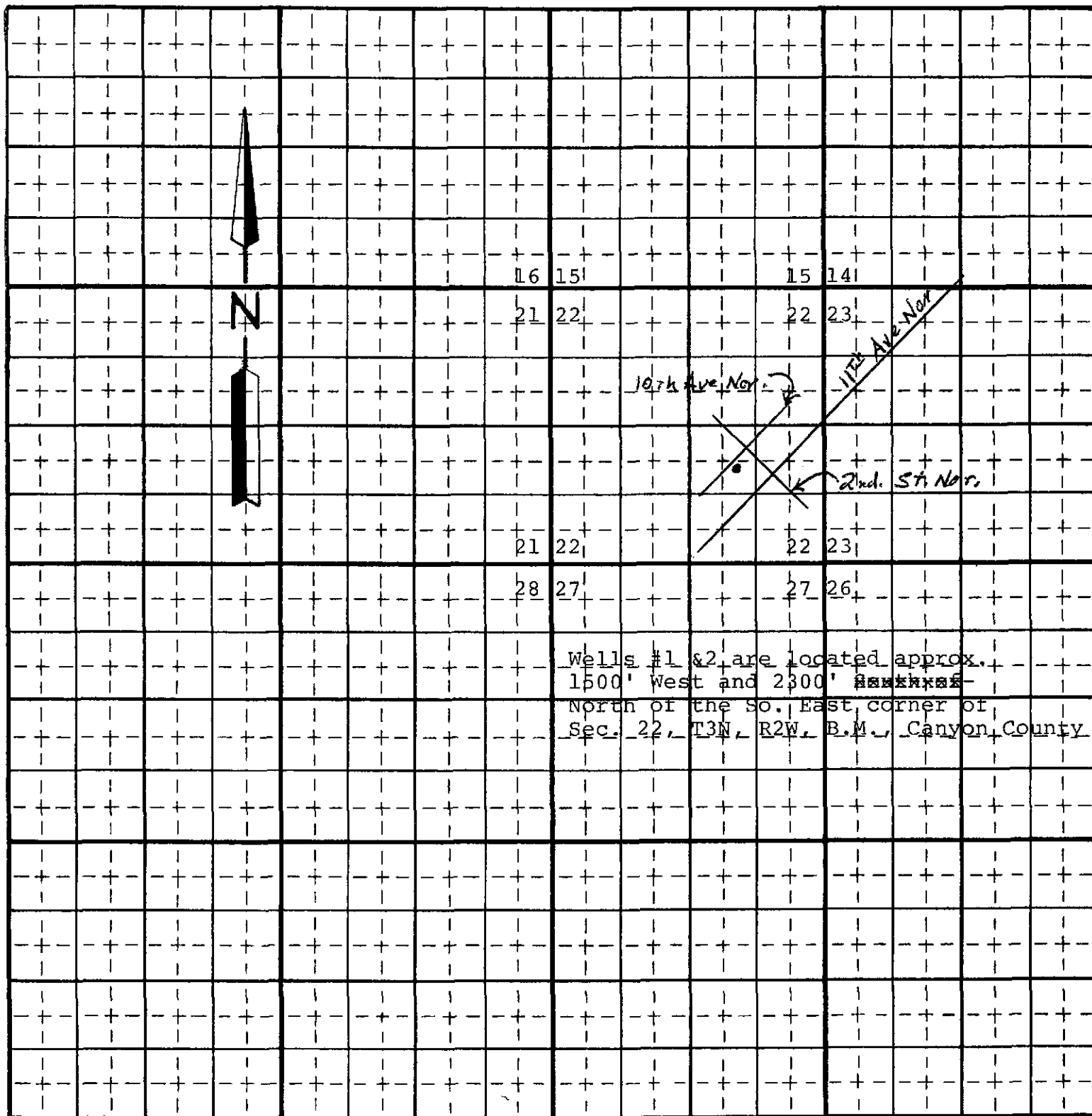
AUG 02 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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AUG 02 1994

Copies: White-State, Yellow-Claimant

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 18483 (63-02533)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am the City Engineer
Title
of the City of Nampa , that I have signed the foregoing
Organization
document in the space below as the City Engineer of the City of Nampa
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Lambert
Title and Organization City Engineer, Nampa, Idaho Date March 27, 1990

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 28th day of March 19 90

SEAL

Notary Public Liana Lambing
Residing at Nampa, Idaho
My Commission Expires 12/21/93

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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AUG 02 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

City of Nampa

CLAIM IDENT. NO.

A63-28219

DATE RECEIVED 3-28-90 RECEIPT # CO15984 FEE PAID \$ 9120 FEE REQ'D \$ 172

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	N/A ☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	N/A ☐	☒	
Is the consumptive use correct?	N/A ☐	☒	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☐	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A ☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	N/A ☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	N/A ☐	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	N/A ☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☒	*
22. Is the fee enclosed correct?	Exempt ☒	☐	*

See Remarks.

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APR 02 1990

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 23. Is this claim being rejected and returned to claimant? | ☐ | ☒ |
| 24. Can this claim be data entered? | ☒ | ☐ |
| 25. Was claim modified? | ☐ | ☒ |

If yes, do modifications require notification to claimant?
 Note: Modifications made must be explained in comments stating
 where the information for any changes was found.

Claim reviewed by: _____ Date _____

Claim data entered by: AD Date 7-27-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: This claim is for the same use described on license
63-02533, but based on beneficial use with an
earlier priority date

MAR 04 2008

CHRISTOPHER H. MEYER
DIRECT DIAL: 208 388-1236
CELL: 208 407-2792
EMAIL: chrismeyer@givenspursley.com

WATER RESOURCES
WESTERN REGION

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

Gary G. Allen	Jeremy G. Ladle	G. Andrew Page
Peter G. Barton	Michael P. Lawrence	Angela M. Read
Christopher J. Beeson	Franklin G. Lee	Scott A. Tschirgi, LL.M.
Clint R. Bolinder	David R. Lombardi	J. Will Varin
Erik J. Bolinder	John M. Marshall	Conley E. Ward
William C. Cole	Kenneth R. McClure	Robert B. White
Michael C. Creamer	Kelly Greene McConnell	Terri R. Yost
Amber N. Dina	Cynthia A. Melillo	
Kristin Bjorkman Dunn	Christopher H. Meyer	RETIRED
Thomas E. Dvorak	L. Edward Miller	Kenneth L. Pursley
Jeffrey C. Fereday	Patrick J. Miller	Raymond D. Givens
Martin C. Hendrickson	Judson B. Montgomery	James A. McClure
Steven J. Hippler	Deborah E. Nelson	
Debora K. Kristensen	W. Hugh O'Riordan, LL.M.	
Anne C. Kunkel		

Via Email and U.S. Mail

March 3, 2008

Kay Walker
Senior Water Resource Agent
Adjudication Bureau
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: City of Nampa SRBA Claims

Dear Kay:

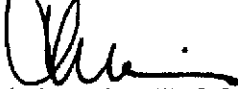
I am writing on behalf of my client, the City of Nampa, to confirm our telephone conversation the other day. As you know, the City of Nampa has pending various objections to the Director's Recommendations on its water rights. For each of its municipal water rights, the City requested that the Department recommend an annual volume.

Based on the Department's assurance that its longstanding policy remains in place (that municipal water rights are authorized to pump year-round at the authorized diversion rate), the City withdraws its request that the annual volume be stated on the face of the water right decree.

Kay Walker
March 3, 2008
Page 2

Again, I thank you for your assistance in sorting out these claims. I look forward to resolving the remaining issues via stipulation. It has been a pleasure to work with you.

Sincerely,


Christopher H. Meyer

CHM:ch

cc: David R. Tuthill, Jr., Director, IDWR
Michael J. Fuss, Director, Public Works Department, City of Nampa
Fred Snoderly, Superintendent, Water Works, City of Nampa
John Priester, City Engineer, City of Nampa
Daniel Badger, Plan Review, Engineering Division, City of Nampa
David L. Bauer, J-U-B Engineers
Kent Gingrich, J-U-B Engineers
Terry M. Scanlan, SPF Water Engineering LLC
Kevin Boggs, CH2M Hill



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

December 19, 2007

CITY OF NAMPA
ATTN: CHRISTOPHER H MEYER
GIVENS, PURSLEY, LLP
PO BOX 2720
BOISE ID 83701

Re: City of Nampa Claims

Dear Mr. Meyer:

Pursuant to our visit in July, 2007, we had requested additional information in order to complete review of the claims filed by the City of Nampa. Please note that we have not received the additional information and would like to request you submit this information at your earliest convenience. For your information, the documentation we requested is as follows:

1. Evidence of Priority Date for Claim Nos. 63-5258, 63-28219 and 63-28220
2. Documentation showing that Claim 63-5257 and 63-2787 are separate wells and evidence of priority date for well under 63-5257.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, the priority dates, as claimed, may not be recommended to the Court for decree.

If we do not receive the requested information on or before January 31, 2008, we will proceed with our revised recommendations on claims that were objected to in June of 2007, and will not revise recommendations to the above mentioned claims that were disallowed for failure to submit evidence of priority dates.

If you have any questions concerning this request please do not hesitate to contact me at 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the printed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosure

Cc: City of Nampa
411 3rd St S
Nampa, ID 83651

**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

A. Subcase 63-28219
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: City of Nampa
Attention Michael Fuss
Public Works Director
Address: 411 3rd Street South
Nampa, ID 83651
Daytime Phone: 208-468-5420
Email: fussm@cityofnampa.us

Name & Address of Attorney, if any:

Christopher H Meyer
Givens Pursley LLP
601 W. Bannock St.
P O Box 2720
Boise, ID 83701
Daytime Phone: 208-388-1236
Facsimile: 208-388-1300
Email: chrismeyer@givenspursley.com

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: City of Nampa
Address: 411 3rd Street South
Nampa, ID 83651

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es))

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: Ground water
3. ☒ **Quantity**
Should be: 1.22 cfs (avg. daily peak flow); 883.3 acre-feet (annual volume)
4. ☒ **Priority Date**
Should be: 12/24/1937
5. ☒ **Point(s) of Diversion**
Should be: See Appendix A (10 PODs for Potable System). Also see discussion under section E regarding remark on original POD(s).
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Municipal
8. ☒ **Period of Year**
Should be: 1/1 to 12/31
9. ☒ **Place of Use**
Should be: Within the service area of the City of Nampa municipal water supply system as provided under Idaho law.

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Priority Date: This claim overlaps with the City's claim for licensed Water Right No. 63-2533. Both are based on use of Well Nos. 1 and 2. The licensed right was originally

permitted with a priority date of 8/2/1937. The priority date was advanced to 2/16/1971 as a result of late filing of proof of beneficial use. The City claims this water right based on the original date of installation of Well Nos. 1 and 2 and beneficial use of the water therefrom. The City will provide further documentation of the 1937 priority. If Water Right No. 63-28219 is Decreed with the 1937 priority date, the City will withdraw its claim for Water Right No. 63-2533.

Corrected PODs: The City has included a corrected list of 10 PODs associated with the integrated potable water delivery system. The City's Amended Claim identified the incorrect quarter-quarter for Well No. 5 and the incorrect township and lot for Well No. 10.

Annual Volume: The City claims an annual volume based on use of this right for municipal purposes.

Original POD Remark: The Department included a remark stating "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, ground water was first diverted under this right as [original well information]." The City does not object to this remark so long as a similar remark is included for all similarly situated municipal water rights in Idaho. To the extent that the SRBA court (or other court) determines that this is an inappropriate limitation on municipal water rights, the City requests that the remark be removed from its water rights.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

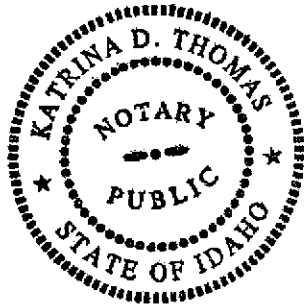
That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge

(Signature of person filing objection)

Christopher H. Meyer

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 19, 2007



Katrina Thomas

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: May 22, 2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing

G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2 One copy to the claimant of the water right at the following address:

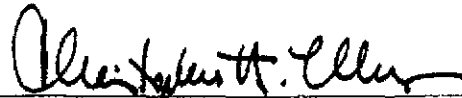
Name: City of Nampa
Attention Michael Fuss
Public Works Director
Address: 411 3rd Street South
Nampa, ID 83651

3 Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Christopher H. Meyer, Attorney for City of Nampa

Appendix A to City of Nampa's Objections - List of PODs for Integrated Potable Water System (SRBA Rights Only)

Well Name	Location	Original Water Right(s) Associated with Well	Priority Date Associated with Well	Diversion Rate (cfs) of Original Water Right(s)
Domestic Well #1	T3N R2W §22 NWSE	63-2533 63-28219	12/24/1937	1.22
Domestic Well #2	T3N R2W §22 NWSE	63-2533 63-28219	12/24/1937	
Domestic Well #3	T3N R2W §22 NWNW	63-2779	9/2/1949	2.00
Domestic Well #4	T3N R2W §22 SWNE	63-2781	9/2/1949	3.00
Domestic Well #5	T3N R2W §22 SWSE	63-2782 63-28220	12/1/1949	1.93
Domestic Well #6	T3N R2W §27 SENE	63-5258	7/1/1954	2.67
Domestic Well #7	T3N R2W §17 SWNE	63-10212	6/28/1983	2.23
Domestic Well #8	T3N R2W §14 NWSE	63-7567	3/6/1972	2.79
Domestic Well #9	T3N R2W §17 SWNW	63-8324	6/1/1976	3.00
Domestic Well #10	T2N R2W §3 NWNW, Lot 4	63-9180	9/27/1978	4.00
TOTAL				22.84

11/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-28219

NAME AND ADDRESS: CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

DISALLOWED: No lawful appropriation shown.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Tuthill, Dave

From: Tuthill, Dave
Sent: Sunday, November 19, 2006 11:15 AM
To: 'jmm@givenspursley.com'
Subject: Nampa

Contacts: John Marshall

Good morning, John.

I just completed review of the last of the municipal water rights in the Treasure Valley -- City of Nampa.

The claims are nicely filed and they all make sense to me -- except for 3. B/U claims 63-5258, 63-29219 and 63-28220 do not appear to contain a shred of evidence for either date of priority or flow rate. (The latter two are for uses that were later licensed, so we do have some flow info for later dates.)

Also, it appears that 63-5257 is no longer part of the system so at this point I am planning to disallow it.

Please call me at 287-4805 after you have had a chance to check it out.

Thanks, Dave

Notes for Review of Nampa Claims

Drs 11/19/06

- 63-20264 - OK (Single Household Domestic)
- 63-7954 - OK (separate SW - licensed in 2003)
- 63-5257 - Not included in lists of potable or non-potable
Recommended as 63-2787

Potable System

Generally well claimed, but
No evidence for the B/U claims

63-28219

63-5258

63-28220

Must disallow these unless info is forthcoming soon.

Drs 11/19/06

Extra Notice

Provided with Mailing of Preliminary Recommendation

Dated November 20, 2006

Claim No. 63-28219

Attached please find two descriptions of a water right claimed by your municipality with basis of beneficial use. The first is a recommendation for disallowal, which we must submit to the SRBA Court if more information is not provided.

The second is a description of the water right showing the date of priority and the rate of flow claimed. **We can submit this recommendation to the SRBA Court only if convincing supporting information is provided to this office soon.**

Please provide evidence of:

X Date of priority (date of first use of water from the well described by this claimed water right)

X Rate of flow provided by this system (measurement information or a pump rating curve for the pump in the claimed well as of the claimed date of priority)

Please provide this information by fax to 208-287-6700, attn: Dave Tuthill, no later than December 7, 2006 to ensure the information is considered by IDWR prior to filing the Director's Report for this water right.

More information is provided in the enclosed pamphlet entitled: Evidence of Priority.

If you have questions please call Dave Tuthill at 287-4805.

Extra Notice

Provided with Mailing of Preliminary Recommendation

Dated November 20, 2006

Claim No. 63-28219

Attached please find two descriptions of a water right claimed by your municipality with basis of beneficial use. The first is a recommendation for disallowal, which we must submit to the SRBA Court if more information is not provided.

The second is a description of the water right showing the date of priority and the rate of flow claimed. **We can submit this recommendation to the SRBA Court only if convincing supporting information is provided to this office soon.**

Please provide evidence of:

X Date of priority (date of first use of water from the well described by this claimed water right)

X Rate of flow provided by this system (measurement information or a pump rating curve for the pump in the claimed well as of the claimed date of priority)

Please provide this information by fax to 208-287-6700, attn: Dave Tuthill, no later than December 7, 2006 to ensure the information is considered by IDWR prior to filing the Director's Report for this water right.

More information is provided in the enclosed pamphlet entitled: Evidence of Priority.

If you have questions please call Dave Tuthill at 287-4805.

Draft

05/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-28219
NAME AND ADDRESS: CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.220 CFS

PRIORITY DATE: 08/02/1937

POINT OF DIVERSION:

T03N R02W S22 NWSE Within CANYON County

This water right is part of the potable water delivery system for the City of Nampa.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	1.220 CFS

PLACE OF USE:

Place of use is within the service area of the City of Nampa municipal water supply system as provided for under Idaho Law.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Recommend
disallowal
No evidence of
flow rate or
priority date

Draft

05/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-28219
NAME AND ADDRESS: CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.220 CFS

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PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

1/01 12/31

1.220 CFS

PLACE OF USE:

Place of use is within the service area of the City of Nampa municipal water supply system as provided for under Idaho Law.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28219 V1

WATER RIGHT NUMBER: 63-28219 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF NAMPA 411 3RD ST S NAMPA, ID 83651 (208) 463-2270

Priority Date: 08/02/1937

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	1.220 CFS	
	<u>Total Diversion:</u>	1.220 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 22, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Nampa municipal water supply system as provided for under Idaho Law.
2. C18 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. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. awamtje 10/3/2005 Priority
Comment: Need evidence of priority.
2. awamtje 10/3/2005 Remarks
Comment: Check remarks on claim. It was filed to change priority date of 63-2533.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28219 V1

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/3/2005 11:16:33 AM	awarntje			Active
Priority Date	10/3/2005 11:16:57 AM	awarntje			Active
POD	10/3/2005 11:17:57 AM	awarntje			Active
Source	10/3/2005 11:19:21 AM	awarntje			Active
POU	10/3/2005 11:21:32 AM	awarntje			Active
Use	10/3/2005 11:22:35 AM	awarntje			Active
Season	10/3/2005 11:23:02 AM	awarntje			Active
Quantity	10/3/2005 11:23:03 AM	awarntje			Active
Season	10/3/2005 11:35:41 AM	awarntje			Active
Quantity	10/3/2005 11:35:59 AM	awarntje			Active
Summary			10/03/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/3/2005 11:17:58 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28219 V1

Use	10/3/2005 11:22:36 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
General	10/3/2005 11:16:58 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date?
Season	10/3/2005 11:23:03 AM	awarntje	(No) 1. Is the basis of claim Decree or License?
Quantity	10/3/2005 11:23:04 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License?
Contacts	10/3/2005 11:16:33 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
Season	10/3/2005 11:35:41 AM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/3/2005 11:36:00 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28219 V1

Summary	10/3/2005 11:37:00 AM	awarntje	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	10/3/2005 11:21:33 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Source	10/3/2005 11:19:21 AM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?

Water Supply Bank:

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-28219

Contact:

Source of Information

Contact Date: 12/9/02

Pam

CITY OF NAMPA

Contact Comments

411 3RD ST S

NAMPA **ID** 83651

208 465-2220



Verified



New owner

Appointment Date: 12/11/02

Appointment Time: 10:30 AM

POD id 2

Legal Description 03n 02w 22 ne nw se

Desc of Diversion W artesian well to shared resevoir then pumped to pipelines

Site Tag # E0006616

GPS File Name 133

Motor Make US Electrical Motor id-2-492

Pump Make Berkeley r6jrmc8260234sw

Horsepower 50

Pressure gage 60 psi

pump bowl or static pump

Depth level 0 Ft.

dyn. pump level 0 Ft.

POD Remarks:

2nd artesian well flowing into enclosed resevoir and then pumped into system pipelines. Source no longer used for domestic purposes, only irrigation as casing is caving in.

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0

Calc Method: Theoretical

Flow (cfs) 1.81

Photos

dsc00082 nameplate #2

dsc00083 motor

dsc00085 pumps

dsc00086 pump plate

dsc00087 pump house

Claim Number **63-28219**

POD id **305351**
Legal Description **03N 02W 22 NW SE**
Desc of Diversion W **artesian well, pump & pipeline**
Site Tag # **E0006615** **GPS File Name** **132**

Motor Make	GE F-1984, 5380917
Pump Make	No Pump Plate
Horsepower	50
Pressure gage	60 psi
pump bowl or static	pump
Depth level	0 Ft.
dyn. pump level	0 Ft.

POD Remarks:

artesian well flows into enclosed resevoir and then pumped into irrigation pipelines. This well is no longer used for domestic purposes as the casing is caving in. System wasn't pumping so couldn't get a pressure gage reading. Used state recommended 60 psi for theoretical.

Pressure gage at sprinkler **0** psi
Bucket Measurment (gps) **0**
Calc Method: **Theoretical**
Flow (cfs) **1.81**

Photos

dsc00076	map
dsc00078	name plate #1
dsc00081	centrifugal motor and pump
dsc00084	resevior

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 18483/63-2533 Priority Feb. 16, 1971 Amount 1.22 cfs
(late proof)

THIS IS TO CERTIFY, that the CITY OF NAMPA
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 18483/63-2533 issued pursuant to Application for Permit dated August 2, 1937
and has submitted proof to the Department of Water Administration on August 23, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.22 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____ is hereby confirmed in the following amounts:
Amount 1.22 cfs for Municipal from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.22 cfs of water be diverted at
any one time, said waters to be diverted within the _____
NW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points) of Sec. 22, Twp. 3 N, Rge. 2 W, B.M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used ~~under the permit~~ ~~under the permit~~
~~under the permit~~

Description and location of place of use: City of Nampa, Idaho

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16TH day of
November, 19 73.


Director

63 2533

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 18483/)
63-2533 in the name of the City of Nampa)

ORDER

WHEREAS, on August 2, 1937, the City of Nampa applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 5.0 cubic feet per second of water from a ground water source within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, T. 3N, R. 2W, B.M., Canyon County, to be used for irrigation and domestic purposes; and,

WHEREAS, on August 6, 1937, the Department approved said application and issued Permit No. 18483 with the condition that one-fifth of the work be completed on or before November 6, 1937; and that the whole of said work be completed on or before February 6, 1938; and that the water be appropriated to a beneficial use on or before February 6, 1938; and,

WHEREAS, proof of completion of works was made on December 24, 1937; and,

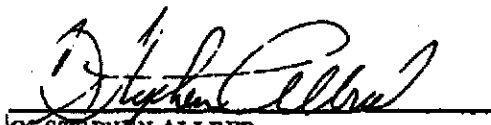
WHEREAS, on July 15, 1971, the Department notified the permit holder that Permit No. 18483/63-2533 was subject to cancellation for failure to submit proof of beneficial use of water due on February 6, 1938; and,

WHEREAS, proof of beneficial use of water was received by the Department on August 23, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 18483/63-2533 be and is advanced to February 16, 1971.

Dated this 10 day of September, 1971.


STEPHEN ALLRED
Deputy Director

BDF:DR

63 2533

DATE OF EXAM 26 May 71

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = 1.22 c.f.s. V = 890.6 AF/Ann. from 1 Jan to 31 Dec
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes ✓ no ✗

Name source: Groundwater
Twp. 3 N/S, Rge. 2 E/W B.M., Sec. 22, Sub. NW 1/4 SE 1/4 Canyon County

Exchange? yes _____ no ✓

Name source exchanged with: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection:
Twp. 3 N/S, Rge. 2 E/W B.M., Sec. 22, Sub. NW 1/4 SE 1/4 Canyon County

Point of exchange:
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 1.22 CFS Method of measurement Sparking Meters
Installed in line

Total Q recommended 1.22 CFS Meter No. _____ Type _____ Condition _____

Total V recommended 890.6

Recommended Amendments:

P.D. _____
Place of Use _____
Other None No Irrigation From These Wells

MEASUREMENT CALCULATION:

Q = 1.22 CFS Artesian flow from 2 wells

V = (1.22 CFS)(2)(365) = 890.6 Ac Ft/Ann

SYSTEM DESCRIPTION: 2 wells, both artesian - approx 100' apart
System pumps into Main Water system in Dams
75,000 gallon Concrete Cistern about 20' wide 70' long about
8 to 10' deep Water is about 41° F
2 Centrifugal Pumps with 6" Discharges and Gate valves

REMARKS: Lot 12 S of Block 84 of Griffith + King Addition
Hereby - Sparking Flow Meters installed (2) 550 gpm
This system flows into the city system for domestic use

Examiner's Signature James Barber Date 30 May 72

Checked by _____ Date _____

Approved by _____ Date _____

B.H. WAIGAND, MAYOR

GEORGE H. SHELLABERGER, CITY CLERK
ELVA G. MILLER, TREASURER

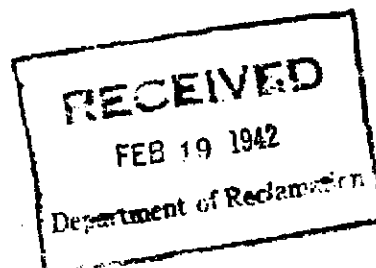
CITY OF NAMPA

NAMPA, IDAHO

COUNCILMEN:

DR. S. E. PROCTOR
WALLACE KERN
DR. H. M. HOSTETLER
ELMER KINNEY
A. E. LINDSEY
PERCY L. LARSON

February 18, 1942



State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 18483

Gentlemen:

We received a notice from you dated February 10, 1942, stating that permit #18483 for use of 5.0 cu. ft. per second of subterranean water with point of diversion located, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, TWP 3 N R 2 W, Canyon County, approved August 6, 1937, was being held for cancellation, because we had not paid a \$5.00 completion of works fee.

We did not know that we owed anything on this permit as we paid \$6.00 on August 5, 1937, and have your receipt #16313, signed R. W. Paris, commissioner of Reclamation, by Paul L. Henry. Also permit No. 18438 is marked date first received at office of commissioner of Reclamation, 2:30 P.M. August 2, 1937, returned to applicant for correction August 3, 1937, corrected application received August 5, 1937. Fee \$6.00--PD.

Therefore we thought that fees were all paid, but if we owe you more, bill us on the enclosed form and you will receive a warrant for same about March 10, 1942.

Very truly yours,

George H. Shellabarger

George H. Shellabarger
City Clerk

GHS:PEP

Enclosure

18483

Permit No. 18483

RECEIVED

DEC 28 1937

Department of Reclamation

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of _____

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R. Lewis Ord, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 18483, and that his postoffice address is Nampa State of Idaho

Second: That the name of the stream from which said water is to be diverted is _____

UndergroundThird: That the point of diversion of said water is NW 1/4 SE 1/4 Sec. 22 T3N R2W B.M. Lot 12 Block 84 Griffith + King Add. Nampa Canyon Co.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb 6, 1938Fifth: That the use for which said water is intended is Irrigation & Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

1. Kind of works: 2 Wells 2 Pumps
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit Pipe width at bottom _____ feet, width at water line _____

(State whether ditch, flume or pipe.)

feet, depth of water _____ feet; diameter of pipe 18 inches, average grade per mile is 6.2 feet. Length of conduit is 0.5 miles.Seventh: That said works are capable of conducting to the place of intended use 0.2 second feet of water.Eighth: That water appropriated under said permit is available for 10 acres of land described as follows: NW 1/4 SE 1/4 Sec. 22 T3N R2W B.M.

Ninth: Remarks: That

This well is for the use of the City of Nampa and the water will be used through the City's distribution system.R. Lewis Ord
(Sign here)Subscribed and sworn to before me this 24 day of November, 1937My commission expires Dec 20 1939

Notary Public.

18483

15. (a) Is reservoir to be used? ☐ No ☐ Yes If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

CITY OF NAMPA *Applicant.*

By R. LEWIS ORD Agent.

Date of first receipt at Department of Reclamation: 2:30 P. M., Aug. 2, 1937

Returned to applicant for correction: Aug. 3, 1937

Corrected application received: Aug. 5, 1937

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18483

Recorded in Book 67 Page 18483 Approved Aug. 6, 1937

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before October 5, 1957 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 6, 1937

The whole of said work to be completed on or before February 6, 1938

Beneficial use of water appropriated in accordance herewith, to be made on or before February 6, 1938

Witness my hand this 6th day of August, 1937.

R. W. FARIS
Commissioner of Reclamation.

Remarks: This is the well for the use of the City of Nampa, And the water will be used through the city's distribution system.

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Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	2 W	22	10																10
			Total Number of Acres to be Irrigated-----																10
			In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed this 6th day of August, 1937. STATE OF IDAHO By BARZILLA W. CLARK Governor Countersigned: By IRA H. MASTERS Secretary of State ----- Permit No. 18483 CERTIFICATE OF COMPLETION OF WORKS																
TO ALL WHOM IT MAY CONCERN:			This is to certify that the CITY OF KAMPA, of Kampa, Idaho, County of Canyon, and State of Idaho, the holder issued upon application No. 25797 bearing date of priority of August 2, 1937, authorizing the diversion of 5.0 sec. waters of a subterranean water, County of Canyon, State of Idaho, for irrigation 0.2, domestic and municipal 4.8, in compliance with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of and described in said permit; that said works are adequate for diverting and conveying to the place of intended use the waters of subterranean well, that the point of diversion of said waters is in SW¼, Sec. 22, Twp. 3 N., Rge 2 W. (Lot 12, Block 84, Griffith and King Addition) Witness my hand this 27th day of March, 1942. E. F. BERG. Commissioner of Reclamation. Completion made: Nov. 24, 1937 Certificate issued: March 27, 1942.																

LICENSE NUMBER FOR 1-22-89
JACME PAGE NO.