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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

63-28220

Date Received

Receipt Number

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

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) September 2, 1949
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	1.93	or
For		purposes from		to		amount		or
For		purposes from		to		amount		or
For		purposes from		to		amount		or

7. Total quantity claimed (a) **1.93** (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:

- 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
			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	

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

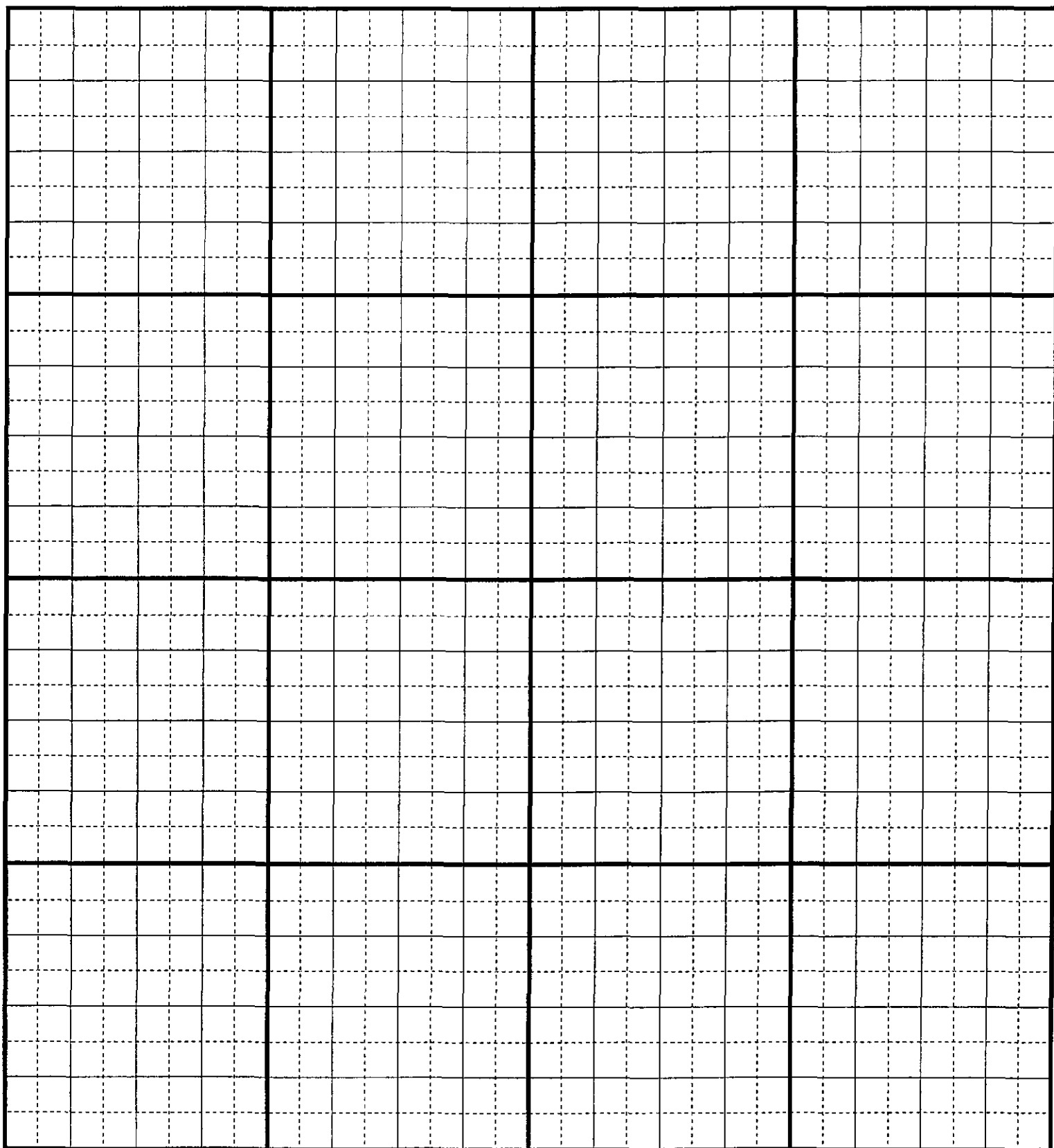
Last Name **City of Nampa**

Ident. Number **63-28220**

MAY 19 2004

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 63-28220

SCANNED

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 (or affirmed) before me this 11 day of May 2004

Notary Public Carla Carrell

Residing at Nampa

My Commission Expires 4/20/10

17. Name 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] [Signature]
Christopher H. Meyer 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 63-28220

SCANNED
MAY 13 2004

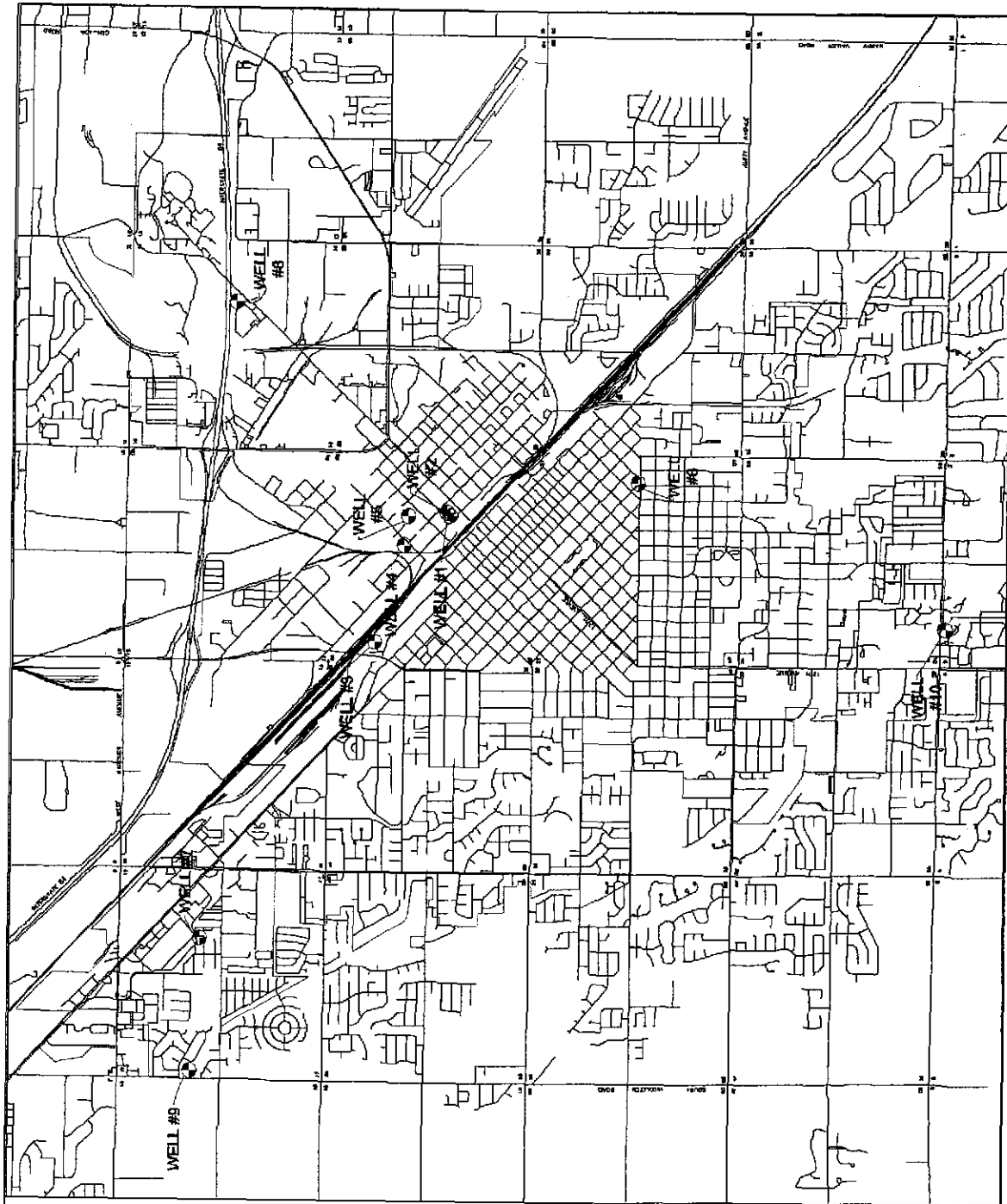
Exhibit A

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

SCANNED
MAY 19 2004

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MAY 19 2004



N
SCALE 1" = 1/2 MILE

LEGEND

- CITY LIMITS (1987)
- DOMESTIC WELL LOCATIONS

JUB

DR. T. L. LARSEN, JR.
ENGINEER - SURVEYOR - PLANNER

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

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: A63-28220
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: SEP 2, 1949

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		SW	NE		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.
COMMERCIAL	01/01	12/31	1.930		

7. Total Quantity Appropriated is:
1.930 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 11/25/1959 UNDER LICENSE NO. 63-02782 TO 9/2/1949. SAID
DATE IS WHEN THIS PARTICULAR WELL WAS PUT INTO SERVICE.

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: 39576

Ident. Number

A63-28220

Date Received

3/28/90

Receipt 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) Sept. 02, 19493. 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 SW 1/4 of NE 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 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 enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, pump, and pipeline

MICROFILMED

AUG 02 1994

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 1.93 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.93 (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:

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
			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 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 ^{claim} ~~form~~ is being filed in order to change the priority date from Nov. 25, 1959 to Sept. 02, 1949. Said date is when this particular well was put into service.

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AUG 02 1994

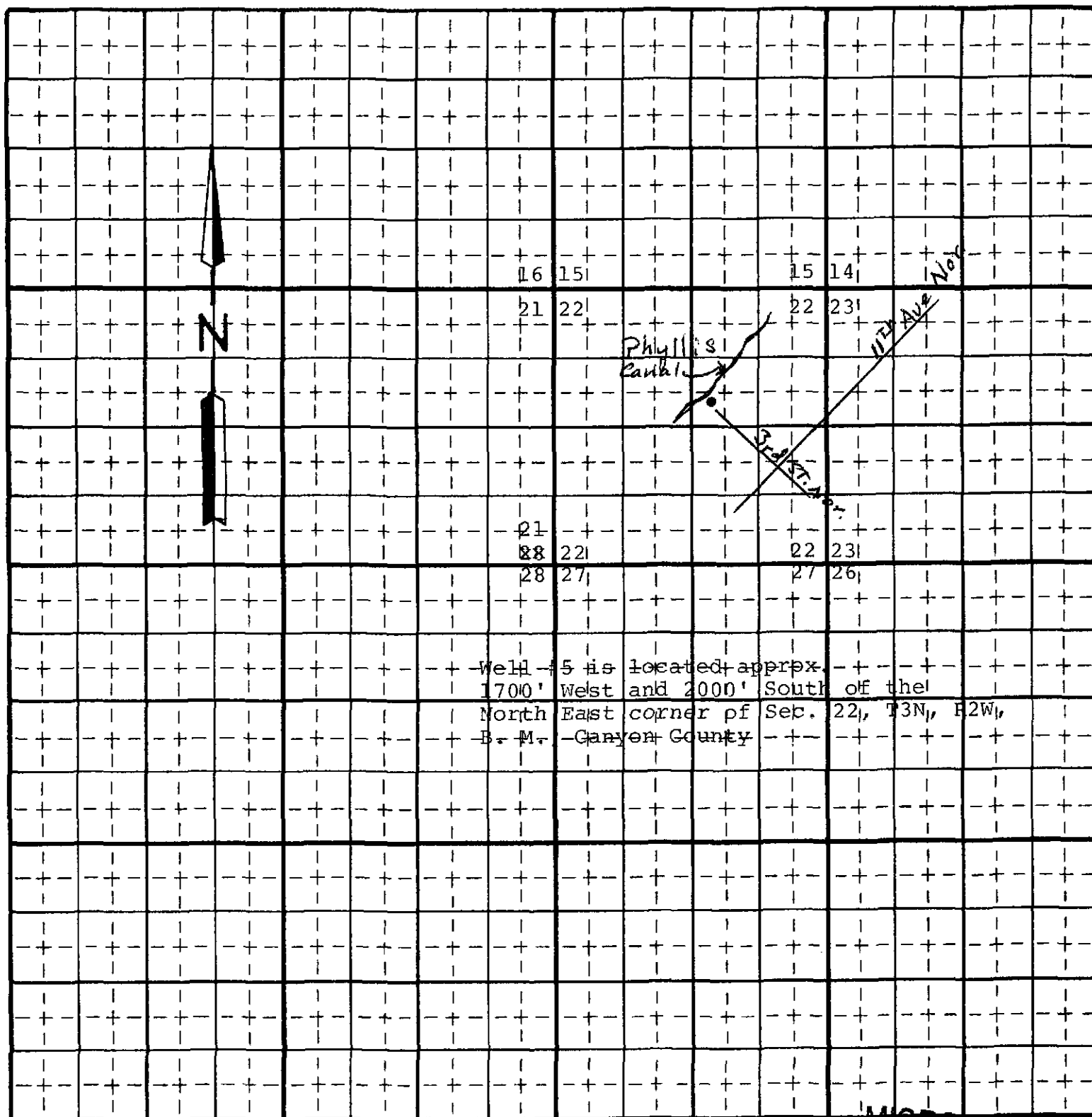
Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

UNCLER 110645E
NO. 53-02782

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 21222 (63-02782)
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 Lamb/Bledsoe

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 3/22/90

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

13-1-92

CLAIMANT'S NAME

City of Nampa

CLAIM IDENT. NO.

AG 3-28220

DATE RECEIVED 3/26/90 RECEIPT # C015184 FEE PAID \$9035⁹¹²⁰ FEE REQ'D \$243

	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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400 02-1994

	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: HHT Date 1/25/93
 Claim data entered by: ATN 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: The BM claim is same use as described in license
63-02782, but based on beneficial use with an
earlier priority

MAR 04 2008

CHRISTOPHER H. MEYER
 DIRECT DIAL: 208 388-1236
 CELL: 208 407-2792
 EMAIL: chrisemeyer@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. Reed
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 63-28220
(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: 1.93 cfs (avg. daily peak flow); 1,397.3 acre-feet (annual volume)
4. ☒ **Priority Date**
Should be: 12/1/1949
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. 63-2782. Both are based on use of Domestic Well No. 5. The licensed right was originally

permitted with a priority date of 9/2/1949. The priority date was advanced to 11/25/1959 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 No. 5 and beneficial use of the water therefrom. The City will provide further documentation of the 1949 priority. If Water Right No. 63-28220 is decreed with the 1949 priority date, the City will withdraw its claim for Water Right No. 63-2782.

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)

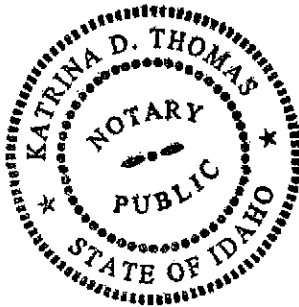
Subscribed and sworn to before me on: June 19, 2007

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:

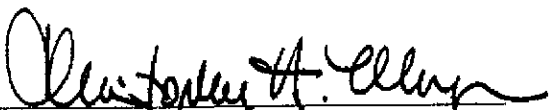
Name: City of Nampa
Attention Michael Fuss
Public Works Director
Address: 411 3rd Street South
Nampa, ID 83651

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 NW/NW	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: 63-28220

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

DISALLOWED: No lawful appropriation shown.

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.

11/21/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 7, 2006

Water right number: 63-28220

CITY OF NAMPA

411 3RD ST S

NAMPA ID 83651

Telephone Number: (208) 463-2270

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

11/21/2006

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

RIGHT NUMBER: 63-28220
NAME AND ADDRESS: CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

SOURCE:

QUANTITY: 1.930 CFS

PRIORITY DATE: 09/02/1949

POINT OF DIVERSION:

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	01/01 12/31	1.930 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:

No lawful appropriation shown.

THIS CLAIM IS BEING FILED IN ORDER TO CHANGE THE PRIORITY DATE FROM 11/25/1959 UNDER LICENSE NO. 63-C2782 TO 9/2/1949. SAID DATE IS WHEN THIS PARTICULAR WELL WAS PUT INTO SERVICE.

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 - Beneficial Use

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.

Extra Notice

Provided with Mailing of Preliminary Recommendation

Dated November 20, 2006

Claim No. 63-28220

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:

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

☒ 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. 63-28220

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.

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

Dns 11/19/06

- 63-20264 - OK (Single Household Domestic)
- 63-7954 - OK (separate SW - licensed in 2003)
- 63-5251 - 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.

Dns 11/19/06

Draft

05/22/2006

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

RIGHT NUMBER: 63-28220

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.930 CFS

PRIORITY DATE: 09/02/1949

POINT OF DIVERSION:

T03N R02W S22 SWNE Within CANYON County

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

1.930 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 CLAIM IS BEING FILED IN ORDER TO CHANGE THE PRIORITY DATE FROM 11/25/1959 UNDER LICENSE NO. 63-02782 TO 9/2/1949. SAID DATE IS WHEN THIS PARTICULAR WELL WAS PUT INTO SERVICE.

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 for
Disallowance
No evidence
of priority or
rate of flow

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28220 V1

WATER RIGHT NUMBER: 63-28220 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: 09/02/1949

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>
COMMERCIAL	1/01 to 12/31	1.930 CFS	
	<u>Total Diversion:</u>	1.930 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 22, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

Conditions of Approval:

1. THIS CLAIM IS BEING FILED IN ORDER TO CHANGE THE PRIORITY DATE FROM 11/25/1959 UNDER LICENSE NO. 63-02782 TO 9/2/1949. SAID DATE IS WHEN THIS PARTICULAR WELL WAS PUT INTO SERVICE.
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.
3. 124 Place of use is within the service area of the City of Nampa municipal water supply system as provided for under Idaho Law.

Remarks:

Comments:

1. awamtje 10/3/2005 Priority
Comment: Need evidence of priority.
2. awamtje 10/3/2005 Water Use
Comment: Water use is listed as commercial. Check
3. awamtje 10/3/2005 POU
Comment: POU has not been linked to large POU.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-28220 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 12:42:59 PM	awarntje			Active
Priority Date	10/3/2005 12:43:35 PM	awarntje			Active
POD	10/3/2005 12:44:21 PM	awarntje			Active
Source	10/3/2005 12:44:44 PM	awarntje			Active
Use	10/3/2005 12:48:33 PM	awarntje			Active
Season	10/3/2005 12:49:43 PM	awarntje			Active
Quantity	10/3/2005 12:51:05 PM	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>
Use	10/3/2005 12:48:34 PM	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?
Contacts	10/3/2005 12:43:00 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28220 V1

General	10/3/2005 12:43:36 PM	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?
POD	10/3/2005 12:44:22 PM	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?
Source	10/3/2005 12:44:45 PM	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?
Season	10/3/2005 12:49:44 PM	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 administratively 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 12:51:06 PM	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 63-28220 V1

Summary	10/3/2005 12:52:09 PM	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?
---------	-----------------------	----------	--

Water Supply Bank:

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-28220

Contact:

Source of Information

Contact Date: 12/9/02

Les Liebschwager

CITY OF NAMPA

Contact Comments

411 3RD ST S

meet at city hall 411 3rd st.

NAMPA **ID** 83651

208 465-2220



Verified



New owner

Appointment Date: 12/11/02

Appointment Time: 10:30 AM

POD id 305352

Legal Description 03N 02W 22 SW NE

Desc of Diversion W artesian well, pump and pipeline

Site Tag # A0002094

GPS File Name 135

Motor Make US Motor s/n 663956

Pump Make Vertiline model 12rxl 900 gp

Horsepower 50

Pressure gage 75 psi

pump bowl or static pump

Depth level 0 Ft.

dyn. pump level 0 Ft.

POD Remarks:

Well #5 located 1/2 block in alley off 3rd RD. N
and 9th ave. N.
Supplies city water for domestic use.

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0

Calc Method: Theoretical

Flow (cfs) 1.45

Photos

dsc00076	map
dsc00088	motor nameplate
dsc00089	pump nameplate
dsc00090	pump system
dsc00091	pump house from street

State of Idaho

License and Certificate of Water Right

Water License No. 21222

Amount 1.93 c.f.s.

Water District No.

Priority Nov. 25, 1959

THIS IS TO CERTIFY that CITY OF NAMPA
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 2, 1949; that Permit No. 21222
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on September 15, 1960, showing that said works
were completed on the 2nd day of August, 1960; and that on the 6th
day of September, 1960,

CITY OF NAMPA

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of municipal use
, under Use Permit No. 21222 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 7063, on the 23 day of March, 1961;

The right hereby confirmed dates from September 2, 1949;

The Point of Diversion is located Lot 7 & 8, Blk 107, Griffith & King's Add'n.

In the SW 1/4 NE 1/4, Sec. 22, Tp. 3 N., R. 2 W., B. McCanyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.93 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			MUNICIPAL USE IN THE CITY OF NAMPA and vicinity		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of March, 1961.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

AFFIDAVIT AS TO THE
COMPLETION OF PUMPING FACILITIES

RECEIVED
JUL 2 6 1960
Department of Reclamation

STATE OF IDAHO)
) ss.
County of Canyon)

I, Lawrence Good, Being first duly sworn, do hereby certify: That from May, 1944 to the present time I have been the water Superintendent for the municipal water system of the City of Nampa; that prior to June 13, 1950 the City of Nampa drilled a well for domestic water purposes on Lots 7 and 8 of Block 107 of Griffith and King Addition to the City of Nampa as it is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T 3 N, R 2 W, Boise-Meridian; that the test pumping of this well in 1949 produced a flow of over 4.0 cubic feet per second; that, furthermore, prior to June 13, 1950 the City of Nampa improved the said well by installing a pump, motor, electrical controls, pumphouse, etc., and connected said installation into the municipal water system distribution mains; and that this well and pumping facilities have served the Nampa Municipal Water System continuously since its installation.

Lawrence Good
Lawrence Good, Water Superintendent
City of Nampa

STATE OF IDAHO)
) ss.
County of Canyon)

On this 21st day of July, in the year 1960, before me Howard B. Russell, a Notary Public in and for said State, personally appeared Lawrence Good, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

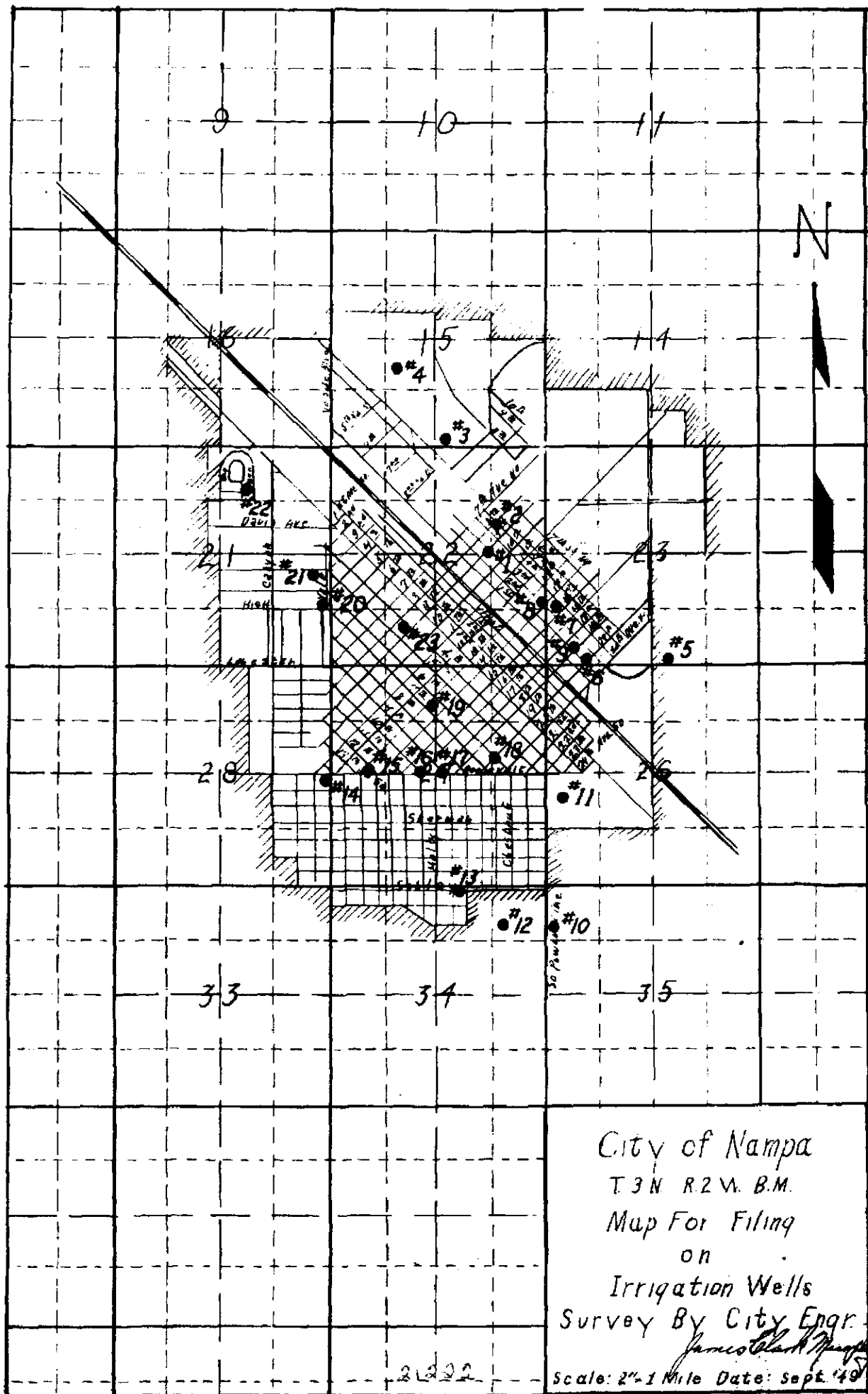
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Howard B. Russell
Notary Public for Idaho, residing at

Nampa, Idaho

Commission expires 5-1-62

21222



September 14, 1949

Re: Permits Nos. 21219, 21220, 21221 and 21222.

Mr. James Clark Murphy
City Engineer
Nampa, Idaho

Dear Mr. Murphy:

We enclose Permits Nos. 21219, 21220, 21221, and 21222, together with Departmental Receipt No. 21787 for the \$32.25, which with the \$2.25 paid by you personally and for which you hold Departmental Receipt No. 21786, completes the filing fees on these four Permits and on Application No. 28897 which is now being advertised.

Your attention is directed to the time in which the statutory proofs are due on these four Permits. On Permits Nos. 21219 and 21221 in which you state that the works are completed, we have allowed three months or until December 13, 1949 within which we make these proofs.

Permit No. 21220 does not state the time required, so we have allowed one year, but we rather assume that these works are also completed and if so, the proofs can be made at any time.

On Permit No. 21222, you will note that we have allowed nine months as requested or until June 13, 1950, for making these proofs.

Proof of Completion of Works on each of these four permits can be made by executing Form 8 before a Notary Public and returning to this Department with a statutory fee of \$5.00 each.

For making Proof of Beneficial Use, the Statutes require publication once a week for four consecutive weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the Proofs are to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published at Permit Holders expense in the designated newspaper.

Since Permits Nos. 21219 and 21221 are both for municipal use, they may be combined in one notice and thus save a little publication expense.

Very truly yours

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Arbh
Enc.

21222

16. (a) Is reservoir to be used? No 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 water of the State of Idaho as herein set forth.

CITY OF NAMPA

Applicant.

By

Peter E. Johnson,
Mayor

Agent.

Date of first receipt at Department of Reclamation: 1:15 P. M. September 2, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21222

Recorded in Book 76 Page 21222 Approved September 13, 1949

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 November 13, 1949

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 December 29, 1949

The whole of said work to be completed on or before June 13, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before June 13, 1950

WITNESS My hand this 13th day of September, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have 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 13th

day of September, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By

C. A. ROBINS

Governor.

Secretary of State.

REMARKS: Water is to be used to augment City's supply and will be distributed through present water lines

14.

Twp.	Range	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	
			Permit No. 21222																
			CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that CITY OF NAMPA of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 21222, issued upon Application No. 28901 bearing date of priority of September 2, 1949, authorizing the diversion of 4.0 second feet of waters of a well County of Canyon, State of Idaho, for municipal use purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.0 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters Lots 7 & 8, Block 107, Griffith & King's Addition in SW 1/4, Section 22, T. 3 N., R. 2 W., E. 1 N. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Municipal use in the City of Nampa and vicinity.																
			Witness my hand this 15th day of September, A. D. 1960.																
			/s/ GEO. N. CARTER State Reclamation Engineer																
			Proof of Completion of Works Made: August 2, 1960																
			LICENSE ISSUED FOR 1.93 sec. 61. Page 7063																