

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: A63-03266

Date Received: 6/26/1989

Receipt No: W003356

Received By: DE [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF KUNA
Address: P.O. BOX 13
KUNA, ID 83634
208-922-5546

2. Date of Priority: MAR 21, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01W	23	NE	SE	SE		ADA

5. Description of diverting works:
WELL #2- 12" TO 254'-8" TO 444'. WELL #1 NO INFO. AVAILABLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.340		

7. Total Quantity Appropriated is:
1.340 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 of	Lot	Use	Acres
02N	01W	23	SW	NE		MUNI	
			SE	NE		MUNI	
			SW	NW		MUNI	
			SE	NW		MUNI	

A63-03266

Page 1

Date: 08/25/89

MICROFILMED
AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	23	NE	SW		MUNI	
			NW	SW		MUNI	
			SW	SW		MUNI	
			SE	SW		MUNI	
			NE	SE		MUNI	
			NW	SE		MUNI	
			SW	SE		MUNI	
		24	SE	SE		MUNI	
			SW	NW		MUNI	
			SE	NW		MUNI	
			NE	SW		MUNI	
			NW	SW		MUNI	
			SW	SW		MUNI	
			SE	SW		MUNI	
			NW	SE		MUNI	
		25	SW	SE		MUNI	
			NW	NW		MUNI	
		26	SW	NW		MUNI	
			NE	NE		MUNI	
			NW	NE		MUNI	
			NE	NW		MUNI	
			NW	NW		MUNI	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
MUNICIPAL WATER SUPPLY FOR THE CITY OF KUNA. COPY OF LICENSE
63-03266 AND WELL LOG ATTACHED.

15. Basis of Claim: LICENSE

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 _____

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

63-03266

Date Received

6-26-89

Receipt Number

W003356

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 26 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) City of Kuna Phone (208) 922-5546Mailing Address P.O. Box 13, Kuna, Idaho Zip 836342. Date of Priority (Only one (1) per claim) March 21, 19623. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 1W Section 23,
NE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

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 # 1 - No information available, no pump installed.Well # 2 - 12" Ø to 254'-8", 8" Ø to 444', 500 gpm pump.

MICROFILMED

AUG 19 1992

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 1/34 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.34 (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	
2N	1W	23			X	X			X	X	X	X	X	X	X	X	X	X	M
2N	1W	24							X	X	X	X	X	X		X	X		M
2N	1W	25						X	X										M
2N	1W	26	X	X			X	X											M

Total number of acres irrigated _____

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

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: Municipal water supply for City of Kuna. Copy of
License 63-03266 and well log attached.

Last Name City of Kuna Ident No. _____

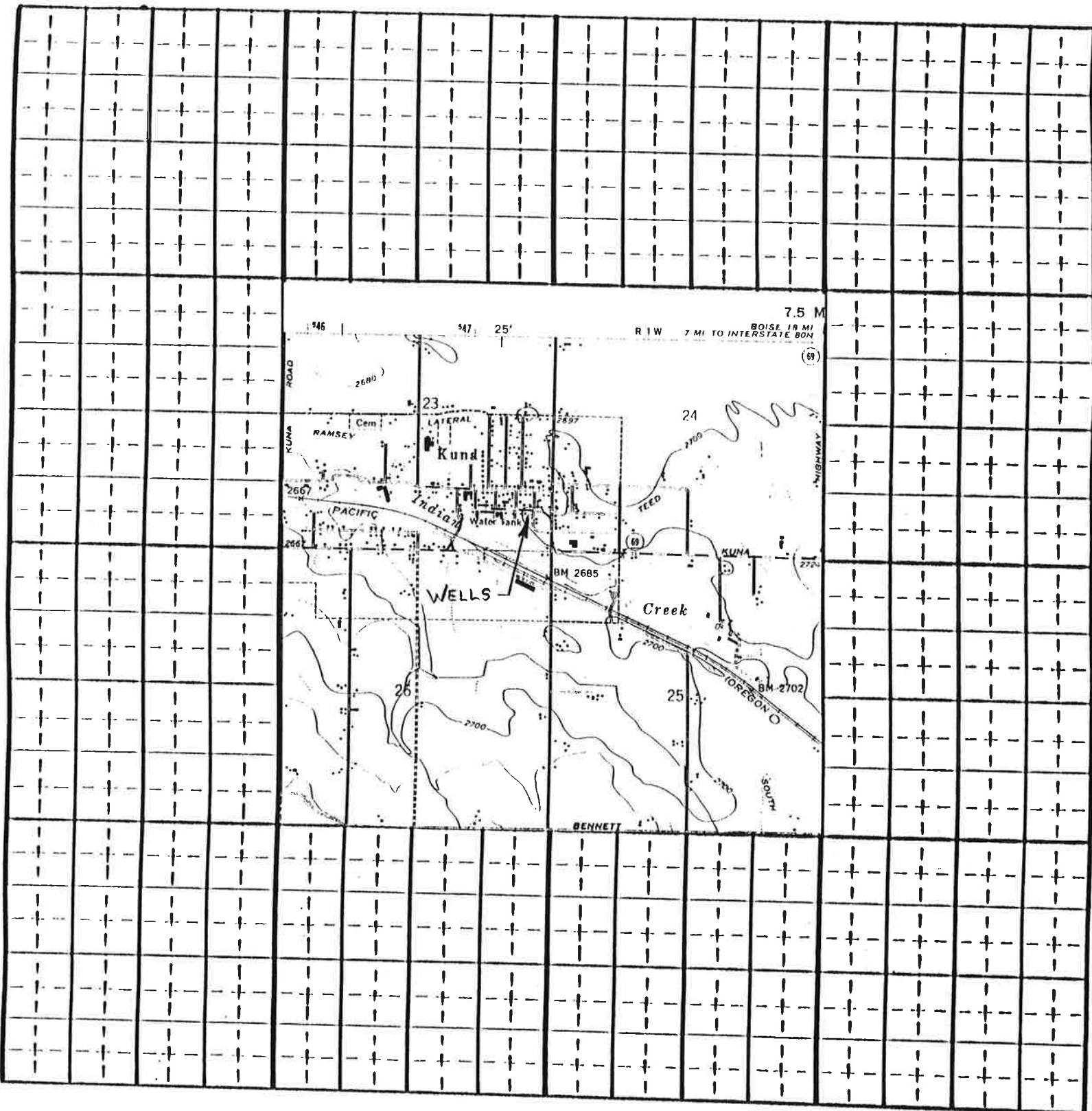
Copies: White - State, Yellow - Claimant

MICROFILMED

AUG 13 1992

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

Scale: 2 inches equals 1 mile



MICROFILMED

AUG 19 1992

Last Name City of Kuna

Ident No. _____

Copies: White State, Yellow Claimant

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

If applicable provide IDWR Water Right Number 63-03266 (G-30287)
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 _____

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 Mayor _____

_____ Title _____
of City of Kuna _____, that I have signed the foregoing

_____ Organization _____
document in the space below as Mayor _____ of City of Kuna _____
_____ Title _____ Organization _____

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

Signature of Authorized Agent [Signature] _____

Title and Organization Mayor, City of Kuna _____ Date 6/22/89

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

Subscribed and sworn (or affirmed) before me this 22nd day of June 19 89

SEAL

Notary Public [Signature]

Residing at Kuna, Idaho

My Commission Expires 6/15/93

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 _____

MICROFILMED

AUG 19 1992

Last Name City of Kuna Ident. Number _____

Copies White-State, Yellow-Claimant

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

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION:

T02N R01W S23 SWNE Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.340 CFS

PLACE OF USE:

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

~~The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.~~

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 - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall accomplish the change authorized by transfer 75059 within one year of the date of the approval.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Approval of Transfer 75059 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**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

)
)
)
)
)

**Water Rights: 63-3266, 63-8215
AMENDED
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Condition correction

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 31, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 31, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

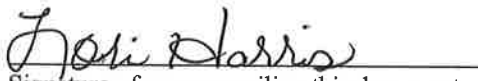
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

City of Kuna
PO Box 13
Kund ID 83634-0013

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 31, 2008

CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Re: Water Right Nos. 63-3266, 63-8215

Dear Sir or Madam:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

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

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

~~The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215, and 63-11970 shall not exceed 9.02 cfs.~~

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION:

T02N R01W S23 SWNE Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.340 CFS

~~Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality~~

PLACE OF USE:

T01N R01W S01 ——— NESW	T01N R01W S01 ——— NWSW
T01N R01W S01 ——— SWSW	T01N R01W S01 ——— SESW
T01N R01W S02 Lot 1 NENE	T01N R01W S02 Lot 2 NWNE
T01N R01W S02 ——— SWNE	T01N R01W S02 ——— SENE
T01N R01W S02 Lot 3 NENW	T01N R01W S02 ——— SENW
T01N R01W S02 ——— NESE	T01N R01W S02 ——— NWSE
T01N R01W S02 ——— SESE	

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

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

~~The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.~~

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 - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall accomplish the change authorized by transfer 75059 within one year of the date of the approval.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Approval of Transfer 75059 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

Water Rights: 63-3266, 63-8215

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 22, 2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 22, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

City of Kuna
PO Box 13
Kuna ID 83634-0013

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 22, 2008

CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Re: Water Right Nos. 63-3266, 63-8215

Dear Sir or Madam:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

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

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: March 21, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.34 CFS
			1.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law. *POU*
2. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. *OK*
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. *OK w/ change*
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. *OK*
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. *(Put in 15 days)*
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department. *OK*
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department. *OK*

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

- Delete not applicable*
8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
- exp.* 9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- exp.* 10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

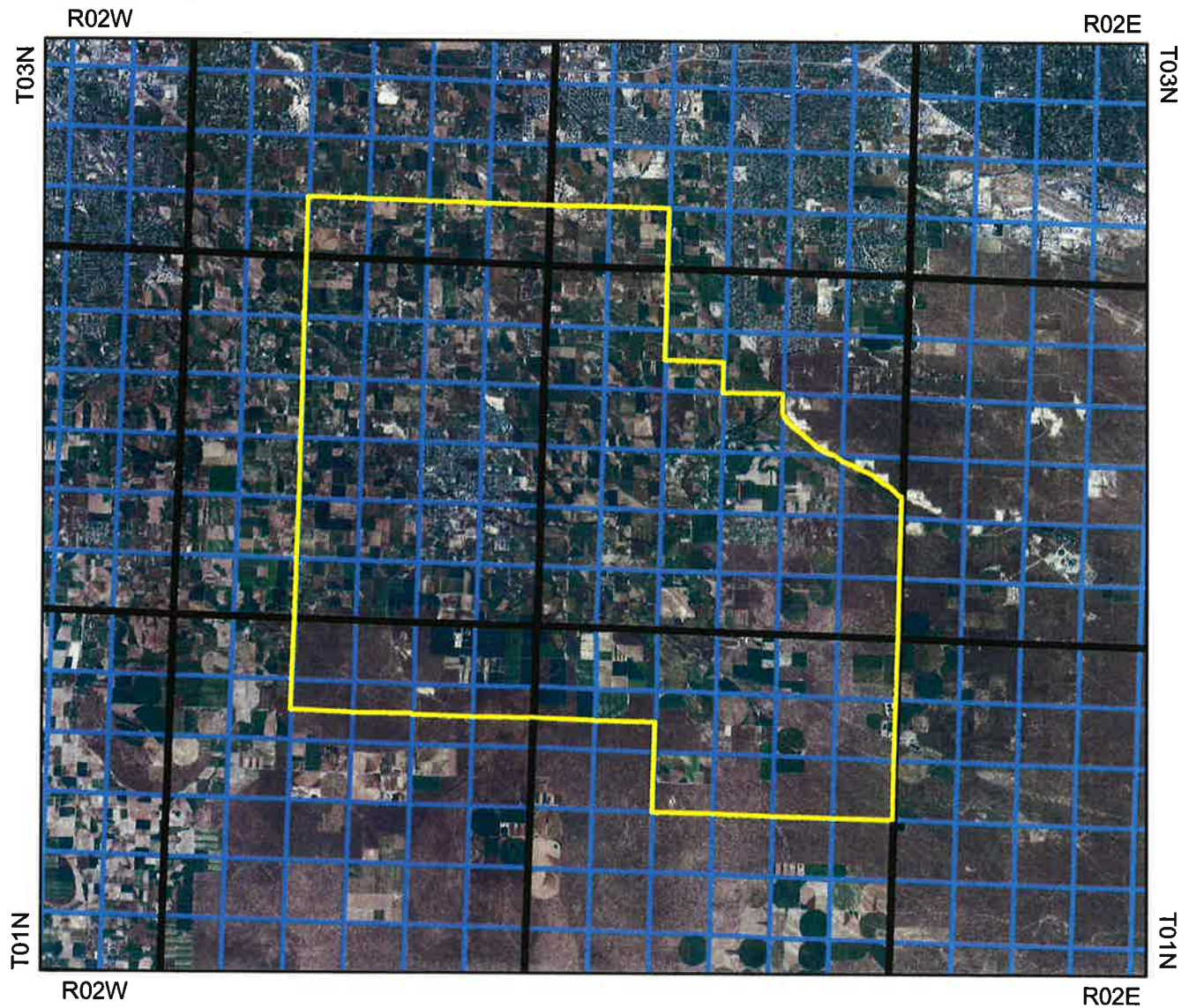
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 20 08


John Westra, Western Regional Manager

WR

State of Idaho
Department of Water Resources
Transfer of Water Rights
Rights 63-3266, 63-8215, 63-11970
Water Service Area Boundary for City Of Kuna
September 23, 2008



A horizontal number line representing distance in miles. It starts at 0 on the left and ends at 6 on the right. Major tick marks are labeled at 0, 1.5, 3, and 6. There are also unlabeled tick marks at 0.5, 1, 2, 2.5, 3.5, 4, 4.5, and 5 miles.

Legend

-  Water Service Area Boundary
 Townships
 PLS Sections



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75059

This is to certify that: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013
(208)922-5546

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-3266	AJC/License	03/21/1962	1.34 cfs	N/A	N/A	N/A	GROUND WATER
63-8215	AJC/License	10/02/1975	3.9 cfs	N/A	N/A	N/A	GROUND WATER
63-11970	WR/License	12/28/1992	3.78 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3266	NO	YES	NO	NO	NO	NO
63-8215	NO	YES	NO	NO	NO	NO
63-8215	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-3266	63-3266	1.34 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-8215	63-8215	3.9 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-11970	63-11970	3.78 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		9.02 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of December, 2008


John Westra, Western Regional Manager

11/20/2006

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

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION:

T02N R01W S23 SWNE Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.340 CFS

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE: MUNICIPAL in ADA County

T01N R01W S01	NESW	T01N R01W S01	NWSW
T01N R01W S01	SWSW	T01N R01W S01	SESW
T01N R01W S02 Lot 1	NENE	T01N R01W S02 Lot 2	NWNE
T01N R01W S02	SWNE	T01N R01W S02	SENE
T01N R01W S02 Lot 3	NENW	T01N R01W S02	SENW
T01N R01W S02	NESE	T01N R01W S02	NWSE
T01N R01W S02	SESE		

The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

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 - License

Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Transfer No. 75059

Please direct questions to:
Ed Squires at (208) 342-8369
Phone (208) 922-5546

Email **gordon@cityofkuna.com**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes Water quality concerns and back-up emergency facilities.
To add another well to supply a different water chemistry for blending with existing well water to protect public health. Please see attached cover letter.

- | <u>I. Right Number</u> | <u>Priority</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> | |
|------------------------|-------------------|---------------------------|----------------------|----------------------|-----------------|
| <u>63-11970</u> | <u>12-28-1992</u> | <u>3.78 cfs</u> | <u>Municipal</u> | <u>01/01</u> | to <u>12/31</u> |
| <u>63-08215</u> | <u>10-02-1975</u> | <u>3.90 cfs</u> | <u>Municipal</u> | <u>01/01</u> | to <u>12/31</u> |
| <u>63-03266</u> | <u>03-21-1962</u> | <u>1.34 cfs</u> | <u>Municipal</u> | <u>01/01</u> | to <u>12/31</u> |
| | | | | | to |

2. Total amount of water being transferred 9.02 cubic feet per second and/or N/A acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	SW	23	2N	1W	Ada	Well #4 (Cedar Well)
		SE	SE	23	2N	1W	Ada	Well #2 (City Park Well)
		SW	NE	23	2N	1W	Ada	Well #3 (Butler Well)
		SW	SW	23	2N	1W	Ada	Well #4-B (Cedar Well)

5. Lands irrigated or place of use:

[illegible]

AUG 19 2008

Total Acres **N/A**

PART 1

6. General Information:

a. Description of diversion system **A series of deep groundwater wells pumping to an integrated municipal distribution system with reservoirs.**

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No **N/A** Yes _____ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes & list name of entity : _____

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

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Please see attached water right descriptions from transfer No. 69087.

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

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

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

I. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

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

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

I. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

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

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

Please see attached POD and POU maps.

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE No changes in nature of use.**

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
 _____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge: N/A

3. Describe effects on other water uses resulting from the proposed change:

No effects to other water uses will result from the proposed change.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Gordon N. Law Gordon N. Law
 (Signature of Applicant) (Print Name (and title, if applicable))
 Subscribed and sworn to before me this 19th day of August, 20 08.
 Shannon Marie
 (Notary Public)
 My commission expires 8/13/14

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by DB for G.V.O. Date 8-19-08 Protest filed by _____
 Prelim. Check by _____ Fee \$2,610-
 Receipted by DB / W036834 Date 8-20-08
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____
 Copy of transfer sent to lien holder _____

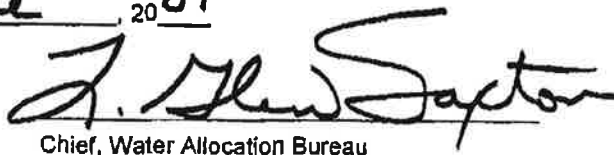
WATER RIGHT NO. 63-11970
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED

AUG 08 2001

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 03/21/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	1.34 CFS	
			1.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X		X						X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

MICROFILMED

2006 08 2002

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED
AUG 08 2001

WATER RIGHT NO. 63-8215
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-8215 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 10/02/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01 to	12/31	3.90 CFS	
			3.90 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWNE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWSW Sec. 23 Twp 02N Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X			X					X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

MICROFILMED

676 0 8 2001

WATER RIGHT NO. 63-8215
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED
AUG 08 2001

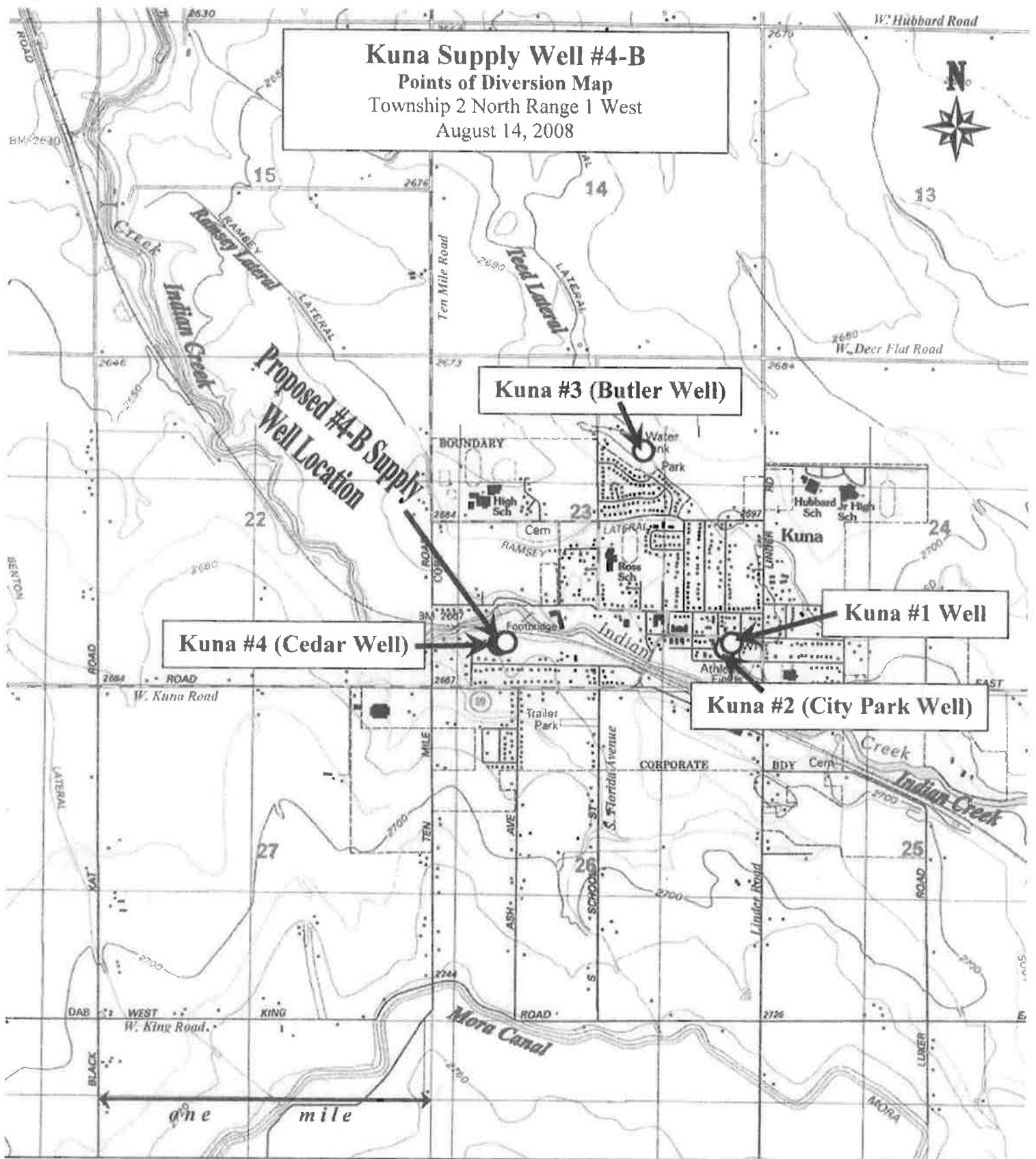


Figure 1 Base map is a (1:24,000 scale) USGS 7½ - minute map.

Hydro Logic, Inc. Boise, Idaho

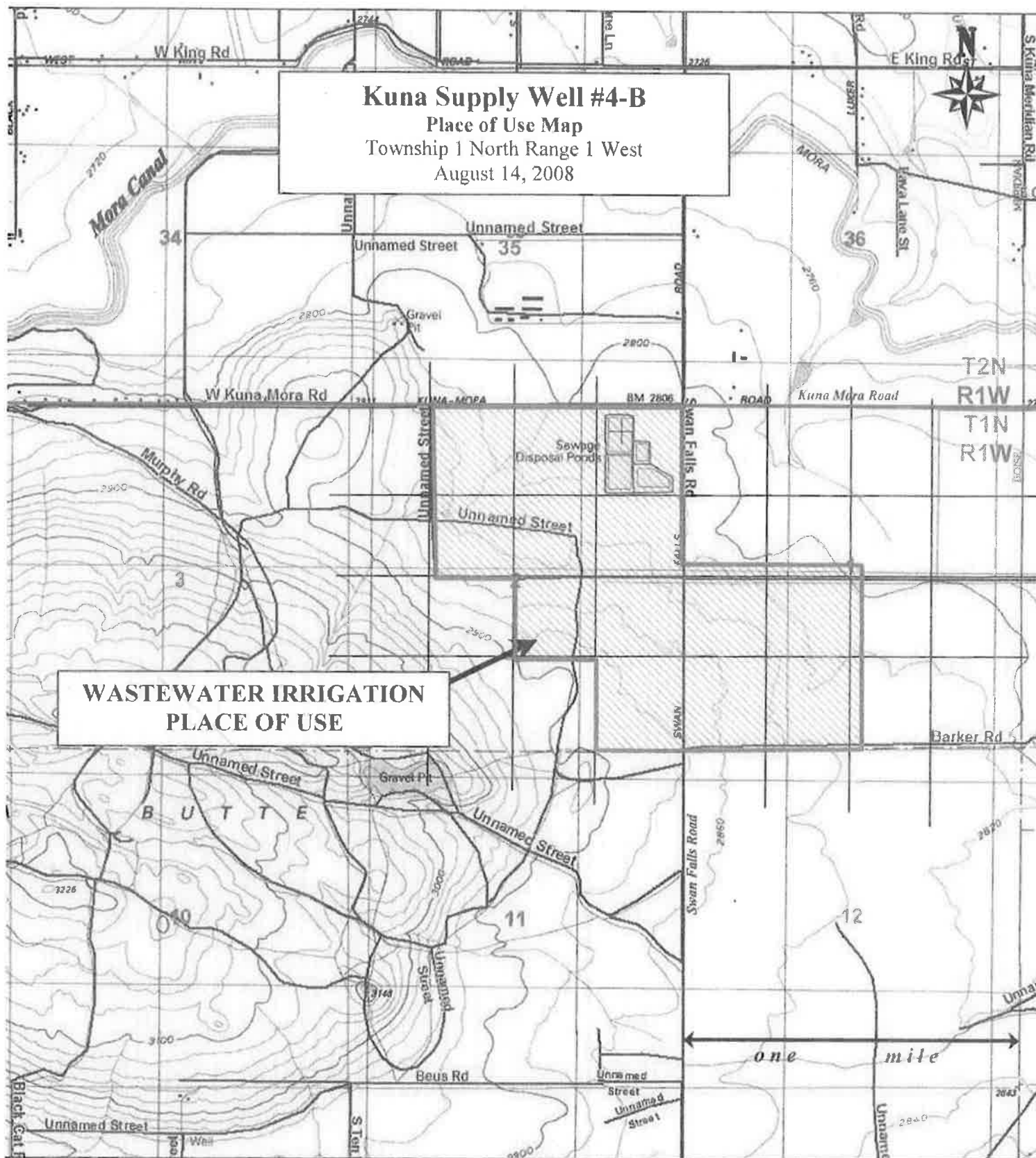


Figure 2 Base map is a (1:24,000 scale) USGS 7½ - minute map.

Hydro Logic, Inc. Boise, Idaho

**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

Water Rights: 63-3266, 63-8215

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ Amended Transfer Pending

IDWR projects the Administrative Proceeding shall be completed not later than: October 1, 2009

Dated October 1, 2008



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on October 1, 2008, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to Claimant:
City of Kuna
PO Box 13
Kuna ID 83634
3. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 1, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CITY OF KUNA
PO BOX 13
KUNA ID 83634

Re: Water Right Nos. 63-3266, 63-8215

Dear Sir or Madam:

Enclosed is a copy of the Notice of Administrative Proceeding regarding your water right(s) that have been sent to the Snake River Basin Adjudication Court in Twin Falls. This document is required to be filed by the Department in order to notify the Court of any contemplated changes to your water right(s).

The SRBA Court or Water Resources will notify you of any future action on your water right(s).

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:l
Enclosure



Idaho Department of Water Resources

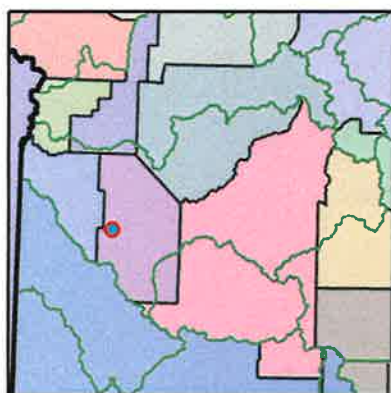
SRBA Recommendation:

63-3266, 63-7327, 63-8215 and 63-25750

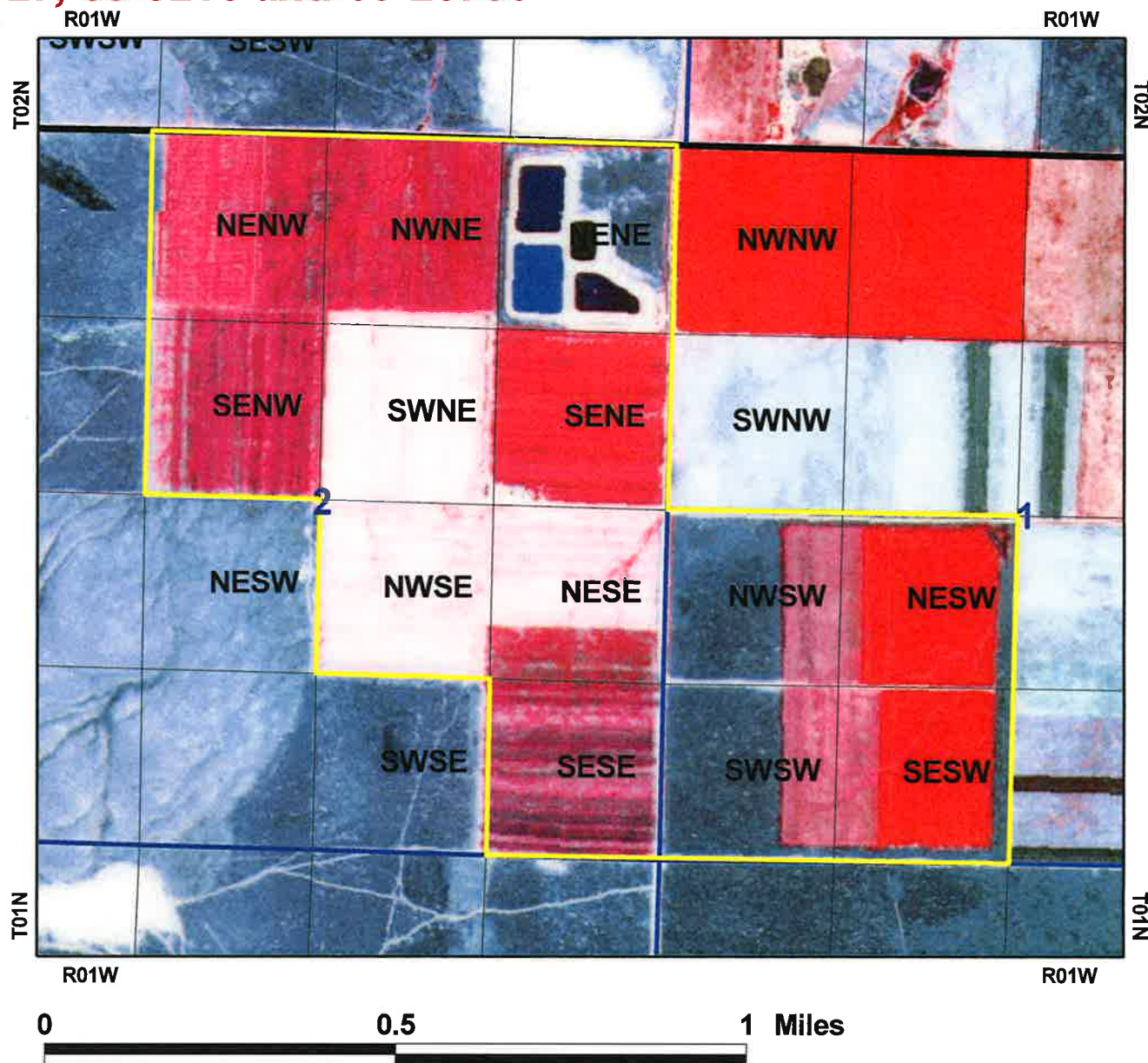
(Municipal)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



Prepared by A. Warntjes
On Wednesday, November 22, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

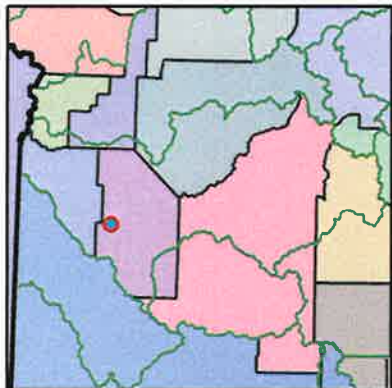
SRBA Recommendation:

63-3266, 63-7327, 63-8215 and 63-25750

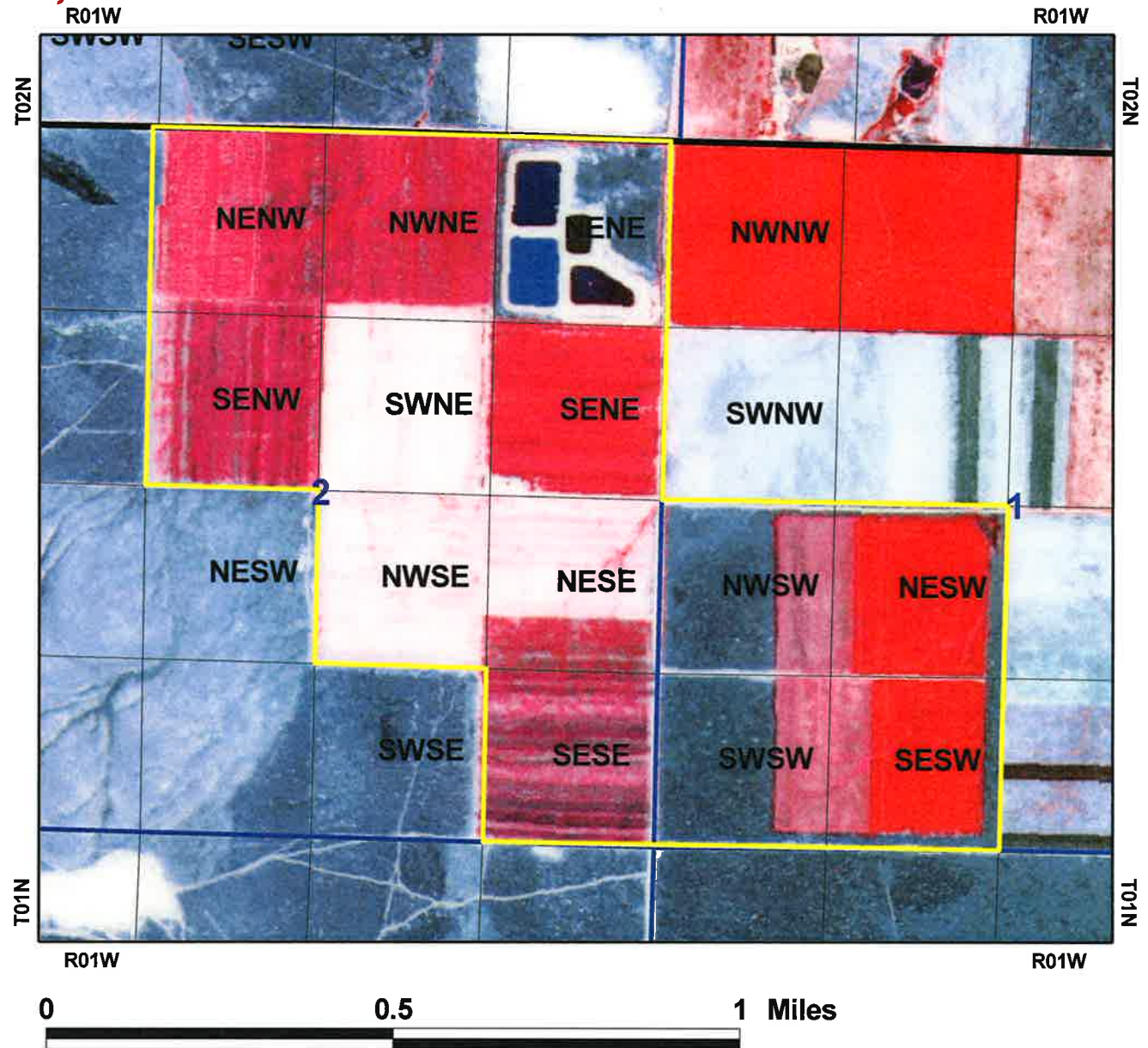
(Municipal)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



Prepared by A. Warntjes
On Wednesday, November 22, 2006
1987/88 Aerial Photography

Draft

10/20/2005

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

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION:

T02N R01W S23 NESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MUNICIPAL	01/01 12/31	1.340 CFS

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE: MUNICIPAL Within ADA County

T01N R01W S01	NESW	40.0	T01N R01W S01	NWSW	40.0
T01N R01W S01	SWSW	40.0	T01N R01W S01	SESW	40.0
T01N R01W S02 Lot 1	NENE	40.0	T01N R01W S02 Lot 2	NWNE	40.0
T01N R01W S02	SWNE	40.0	T01N R01W S02	SENE	40.0
T01N R01W S02 Lot 3	NENW	40.0	T01N R01W S02	SENW	40.0
T01N R01W S02	NESE	40.0	T01N R01W S02	NWSE	40.0
T01N R01W S02	SESE	40.0			

The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

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

~~POU in Kuna Service Area~~

Show just 40 acre tracts - not acres (see transfer)

(over)

City of Kuna Active Municipal Wells - 1987

T	R	S	QQ	Q	2003 Well ID	Well AKA	Div. Rate	Priority Date	Pre 1987 Wells	Post 1987 Wells	Non-Connected Wells
2N	1W	23	SE	SE	Well No. 01	At Elevated Tank		Abandoned			
2N	1W	23	SE	SE	Well No. 02	Park West of Elevated Tank	1.34	9/27/1961	63-3266 License		
2N	1W	23	SW	NE	Well No. 03	Butler Subdivision Park	3.9	10/2/1975	63-8215 License		
2N	1W	24	SW	SW	Well No. 04	Off Park Street East of Cedar	3.78	12/28/1992		63-11970-License	
2N	1W	22	NW	SE	Well No. 05	Discovery Creek Subdivision	4.5	5/10/1997		63-12394-License	
2N	1W	25	SW	NW	Well No. 06	Shortline Business Park	4.5	3/27/2002		63-31481-Permit	
2N	1W	12	NE	SE			4.13	6/26/2003			63-31741-App Under Protest
2N	1W	13	SE	NW			4.13	6/26/2003			63-31741-App Under Protest
2N	1W	14	NW	NE			4.13	6/26/2003			63-31741-App Under Protest
2N	1W	15	NE	SW			4.13	6/26/2003			63-31741-App Under Protest
2N	1W	25	SW	NW	Well No. 06	Shortline Business Park	1.5	6/26/2003			63-31741-App Under Protest





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

02/26/2001

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 1.34 CFS

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION: T02N R01W S23 NESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01-01 12-31	1.34 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN CITY LIMITS OF KUNA.

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 - License

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/29/95 10:24:03
Page 1

Water Right Number - A63-03266

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF KUNA

1 - PO BOX 13
2 -
3 -
City- KUNA State- ID Zip- 83634
Phone - 208-922-5546

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/21/1962 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

02N 01W 23 NE SE SE (1) ADA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

40 - MUNICIPAL 01/01 12/31 1.340

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.340 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02N	01W	23	SW NE			40	MUNICIPAL	(1) ADA
02N	01W	23	SE NE			40	MUNICIPAL	(1) ADA
02N	01W	23	SW NW			40	MUNICIPAL	(1) ADA
02N	01W	23	SE NW			40	MUNICIPAL	(1) ADA
02N	01W	23	NE SW			40	MUNICIPAL	(1) ADA
02N	01W	23	NW SW			40	MUNICIPAL	(1) ADA
02N	01W	23	SW SW			40	MUNICIPAL	(1) ADA
02N	01W	23	SE SW			40	MUNICIPAL	(1) ADA
02N	01W	23	NE SE			40	MUNICIPAL	(1) ADA
02N	01W	23	NW SE			40	MUNICIPAL	(1) ADA
02N	01W	23	SW SE			40	MUNICIPAL	(1) ADA
02N	01W	23	SE SE			40	MUNICIPAL	(1) ADA
02N	01W	24	SW NW			40	MUNICIPAL	(1) ADA
02N	01W	24	SE NW			40	MUNICIPAL	(1) ADA
02N	01W	24	NE SW			40	MUNICIPAL	(1) ADA
02N	01W	24	NW SW			40	MUNICIPAL	(1) ADA
02N	01W	24	SW SW			40	MUNICIPAL	(1) ADA
02N	01W	24	SE SW			40	MUNICIPAL	(1) ADA
02N	01W	24	NW SE			40	MUNICIPAL	(1) ADA
02N	01W	24	SW SE			40	MUNICIPAL	(1) ADA
02N	01W	25	NW NW			40	MUNICIPAL	(1) ADA
02N	01W	25	SW NW			40	MUNICIPAL	(1) ADA
02N	01W	26	NE NE			40	MUNICIPAL	(1) ADA
02N	01W	26	NW NE			40	MUNICIPAL	(1) ADA

Water right number - A63-03266

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	01W	26	NE NW			40	MUNICIPAL	(1) ADA
02N	01W	26	NW NW			40	MUNICIPAL	(1) ADA

+ - - Diversion Means - WELL #2- 12" TO 254'-8" TO 444'. WELL #1 NO INFO. AVAILABLE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks
MUNICIPAL WATER SUPPLY FOR THE CITY OF KUNA. COPY OF LICENSE 63-03266 AND WELL LOG ATTACHED.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

+ - - Audit Fields - 08/25/89 HILL 03/30/95 POST-STD

Comments
No Comments Found

+ - - Adjudication Rights Dates and Flags Area -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W003356	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- N	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

LOCATED IN THE HEART OF BEAUTIFUL BOISE VALLEY

CITY OF KUNA

P.O. BOX 13 • KUNA, IDAHO 83634

PHONE (208) 922-5546

May 31, 1990

Department of Water Resources
1301 No. Orchard St.
Statehouse Mail
Boise, ID 83720

Attention: Anita Warntjes

Dear Anita:

Enclosed is the map for the City of Kuna that I spoke to you about this morning. If we can furnish any other information that will help, just give us a call.

Sincerely,



Ann E. Danes
City Clerk

RECEIVED
JUN 1 1990

Department of Water Resources

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

City of Kuna

CLAIM IDENT. NO.

A163-03266

DATE RECEIVED

6-26-89

CK #

5368

AMOUNT \$

874.00

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? . . . (this claim 18400) | ☒ | ☐ | * |
| 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 domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. . . . | ☒ | ☐ | * |
| 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 properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. . . . N/A | ☒ | ☐ | * |
| 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 claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) . . . N/A | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. . . . | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? . . . | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? . . . | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? . . . Exempt | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? . . . N/A | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? . . . | ☒ | ☐ | |

Claim checked by: VAT

Date:

8-22-89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

AUG 19 1989

License and Certificate of Water Right

Water License No. G-30287 Priority March 21, 1962 Amount 1.34 c. f. s.
(late proof)

THIS IS TO CERTIFY that VILLAGE OF KUNA

of Kuna, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 9, 1961; that Permit No. G-30287 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.34 second feet, was issued thereunder on March 14, 1968, showing that said works were completed on the 22 day of March, 1967; and that on the 22 day of March, 1967, VILLAGE OF KUNA-by Lawrence Hays, Chairman of Board and John C. Vreugdenhil, City Clerk of Kuna, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of municipal use under Use Permit No. G-30287 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 ~~xx~~ ~~March 21, 1962~~ ~~at Boise~~, on the 14 day of March, 1968.

The right hereby confirmed dates from March 21, 1962. (late proof)
The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 23, Twp. 2 N, R. 1 W, B.M. Ada 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 1.34 cubic feet per second.
Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>2 N</u>	<u>1 W</u>	<u>22 to 27</u>	<u>Village of Kuna</u>		

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 14 day of March, 1968.

R. Keith Hays
State Reclamation Engineer.

63 3266

30287

63-3266

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-38325
Permit No. G-30287
District No.

1. Name of Applicant: Village of Kuna
Postoffice address: Kuna County: Ada State: Idaho
2. Quantity of water claimed: 1200 gallons per minute, or 2.67 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of ^{two} point of diversion or well is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23
Twp. 2 N , Rge. 1 W , B.M., County of Ada
5. Water is to be used for: Municipal purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the ~~xx~~ ~~xx~~ ~~xx~~ Sections 22 to 27, inc.,
Rge. 1 W. , B.M., Twp. 2 N.,
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep wells, turbine pumps and pipe lines
8. Estimated cost of works: \$19,000.00
9. (a) Is reservoir to be used? Elevated Steel Tank
(b) Capacity of reservoir: 40,000 gallons
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give: 1916 Municipal Corporation
 - I. (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors: J. M. Smith, Glen Caskey, Lawrence Hays, Mel Hughes, and Allen Hubble, all residing in Kuna, Idaho. constituting the Board of Trustees.
 - II. The financial resources of the applicant are (a) Cash on hand: \$6000.00
 - (b) Treasury stock: (c) Bonds to be issued:
 - (d) Other resources: Income from sale of water
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
4 inch well and pump in use since 1916.
or 2.67 CFS
(a) 1200 GPM / (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Old 4 inch well to be used as standby, also located in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1W.B.M.

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

S/ VILLAGE OF KUNA Applicant.

By G. W. GREBE Agent.

Date of first receipt at Department of Reclamation: 4:00 P.M. November 9, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30287

Recorded in Book 106 Page 30287 Approved November 10, 1961

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 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 10, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 10, 1966

Witness my hand this 10th

day of November, 1961

s/ RALPH W. THOMAS
Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 10th day of November, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			PERMIT NO. G-30287				
			CERTIFICATE OF COMPLETION OF WORKS				
			TO ALL WHOM IT MAY CONCERN:				
			This is to certify that VILLAGE OF KUNA of Kuna, County of Ada, and State of Idaho, the holder of Permit No. G-30287, issued upon Application No. G-38325 bearing date of priority of March 21, 1962 (late proof), authorizing the diversion of 2.87 second feet of waters of a well County of Ada, State of Idaho, for municipal 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 1.34 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 2 North, Range 1 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:				
			Village of Kuna, Section 22 to 27, Township 2 North, Range 1 West, B. M.				
			Proof of Completion of works made: March 22, 1967				
			Witness my hand this 14 day of March, A.D. 1968				
			/S/ R. KEITH HIGGINSON State Reclamation Engineer				
			LICENSE ISSUED FOR 1.34 SEC. FT. LICENSE PAGE NO. 30287				

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30287

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant Village of Kuna

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 23

T. 2 N R. 1 W County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:

50 HP FAIRBANKS - MORSE
8" DISCHARGE - GATE VALVE - SPARKING
METER - TO 10,000 gal STORAGE
PRESSURE TANK - 27 MUNICIPAL USERS

5. Water is used for: Municipal

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Village of Kuna, Sections 22 to 27, T. 2 N, R. 1 W, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: MR. ROSS PRESENT (LIC. ENGINEER)
(DESIGNATED SYSTEM)

FOR ADDITIONAL INFORMATION - MATERIAL ON FILE CITY
OF KUNA - MR. KARL GABEL & GLEN SMITH
IDAHO SURVEY & RATING
SPARKING METER INSTALLED ON SYSTEM SHOWS
600 gpm @ 50 lbs HEAD OF TANK

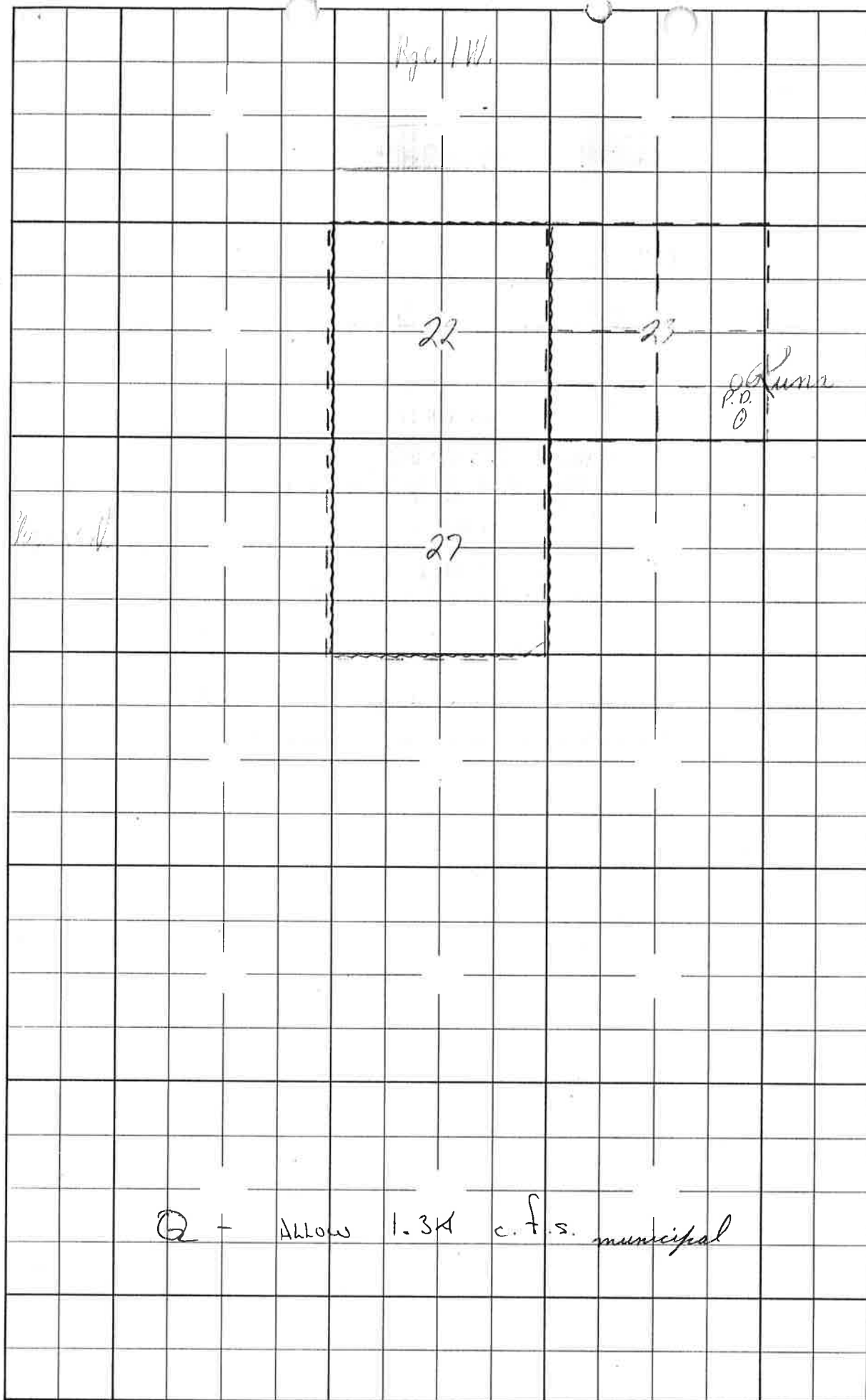
This examination was made on the 19TH day of Oct, 1967

(Signed) D. R.

Examiner.

30287

DW
Plat ✓



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3266

WATER RIGHT NUMBER: 63-3266

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF KUNA PO BOX 13 KUNA, ID 83634 (208)922-5546

Priority Date: 03/21/1962

Basis: License

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	01/01 to 12/31	1.340 CFS	
	<u>Total Diversion:</u>	1.340 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 23, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	SW1/4NE1/4	Sec. 23, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	SW1/4SW1/4	Sec. 23, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X L1	X L2	X	X	X L3			X					X	X		X	

Total Acres: 0

Conditions of Approval:

1. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3266

4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
2. General The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
3. General The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

Comments:

1. pskaggs 6/27/2001 11:19:13 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 69087

Dates and Other Information:

Claim Received Date: 6/26/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 03/21/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	1.34 CFS	
			1.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 23 Twp 02N Rge 01W ADA County
GROUND WATER	SWNE	Sec. 23 Twp 02N Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X			X					X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of June, 2001



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69087

Western
RECEIVED
JUN 29 2001
WATER RESOURCES
WESTERN REGION

This is to certify that: CITY OF KUNA
PO BOX 13
KUNA ID 83634
(208)922-5546

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
63-11970	WR/License	12/28/1992	3.78 cfs			N/A	GROUND WATER
63-8215	AJC/License	10/02/1975	3.90 cfs			N/A	GROUND WATER
63-3266	AJC/License	03/21/1962	1.34 cfs			N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-11970	NO	NO	YES	YES	NO	NO
63-8215	NO	NO	YES	YES	NO	NO
63-3266	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-11970	63-11970	3.78 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-8215	63-8215	3.90 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-3266	63-3266	1.34 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		9.02 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of June, 2001

L. Glen Saxton
Chief, Water Allocation Bureau

Page 11 of 9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69087

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 21 2001

PART 1

**WATER RESOURCES
WESTERN REGION**

Name of applicant City of Kuna Phone (208)922-5546

Post Office address P.O. Box 13, Kuna, ID 83634

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Add municipal wastewater treatment facility to the place of use for existing water rights 63-03266, 63-08215 and 63-11970.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-----------------|-----------------------|------------------------------|------------------------------|
| <u>63-03266</u> | <u>03/21/62</u> | <u>1.340</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| <u>63-08215</u> | <u>10/02/75</u> | <u>3.900</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| <u>63-11970</u> | <u>12/28/92</u> | <u>3.780</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| | | | | to |
| 2. Total amount of water being transferred | | <u>9.02</u> | cubic feet per second and/or | acre-feet per annum |
| 3. Source of water | | <u>Groundwater</u> | tributary to | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use: Municipal service area and

[illegible]

PART 1**6. General Information:**

- a. Description of diversion system Wells and Pumps
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change. City of Kuna has used effluent from municipal wastewater treatment facility for supplemental irrigation water since 1983.
- d. Remarks:
This change in place of use, adding the wastewater treatment facility property, is being requested per the direction of IDWR.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

WR5809NP
No. 63-03266

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	CITY OF KUNA KUNA ID 83634	03/21/1962	MUNICIPAL	00/00	00/00	1.340 CFS	
TOTAL DIVERSION:						1.340 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S23 SESE

ADA County

Pou County:

Remarks: GEN P/U VILLAGE OF KUNA.

Dates: App. Received: Priority Date: 03/21/1962
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT 08/02/96 SCURTIS

WR5809NP
No. 63-08215

Butler

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

4 of 9
DATE: 12/19/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA BOX 13 CITY HALL KUNA ID 83634	10/02/1975	MUNICIPAL	01/01 12/31	3.900 CFS	
TOTAL DIVERSION:					3.900 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S23

SWNE

ADA County

Pou County:

Remarks: GEN P/U WITHIN CITY LIMITS OF KUNA.

Dates:	App. Received:	Priority Date:	10/02/1975
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/13/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT

WR5809NP
No. 63-11970

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	CITY OF KUNA PO BOX 13 KUNA ID 83634 (208) 922-5546	12/28/1992	MUNICIPAL	01/01	12/31	3.780 CFS	
TOTAL DIVERSION:						3.780 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.780 CFS

Point(s) of Diversion: T02N R01W S23 SWSW

ADA County

Pou County:

Remarks: GEN Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right. Place of use is located within the city limits of Kuna.

Dates: App. Received: 12/28/1992 Priority Date: 12/28/1992
Proof Due Date: 03/01/1995 Proof Made Date: 12/19/1994
Exam Made Date: 03/10/1995 Exam Sent to S.O.: 02/23/1996
Licensed Date: 04/06/1996

Misc: Water District Number: 63 Field Exam Fee: R (Received)

Comments: Date: 12/30/1992 User-ID: GARRETT Subject: OTHER RIGHTS
63-03266, 63-08215, and 63-09668.

Date: 02/10/1993 User-ID: MILLER Subject: MORATORIUM EXEMPTION
This permit fall within the acceptable parameters of the Snake
River Basin Moratorium.

Date: 12/21/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 12/30/92 GARRETT 02/10/93 MILLER 02/11/93 ZIMMERMA 12/21/94 COMMENTS
12/28/94 JYARBROU 06/01/95 STAYLOR 02/23/96 STAYLOR 04/04/96 BCHAPMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-03266, 63-08215, 63-11970 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☒ Other Land Patent

3. Source of water Groundwater tributary to _____

4. Date or priority varies - see attached profile reports

5. Water is used for the following purpose:

amount 1.340 cfs for Municipal purposes from 01/01 to 12/31
(cfs/ac-ft)
amount 3.900 cfs for Municipal purposes from 01/01 to 12/31
(cfs/ac-ft)
amount 3.780 for Municipal purposes from 01/01 to 12/31
(cfs/ac-ft)

6. Total amount of water under right 9.02 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	23	2N	1W	Ada	City Park Well
		SW	NE	23	2N	1W	Ada	Butler Well
		SW	SW	23	2N	1W	Ada	Cedar Well

8. Lands irrigated or place of use: Municipal service area and

Twp.	Rge.	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	
1N	1W	2	40	40	40	40	40			40					40	40		40	360
1N	1W	1									40	40	40	40					160

Total acres 520

9. Describe any other water rights used for the same purpose as described above 63-09668, 63-12394, 63-07327

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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 acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

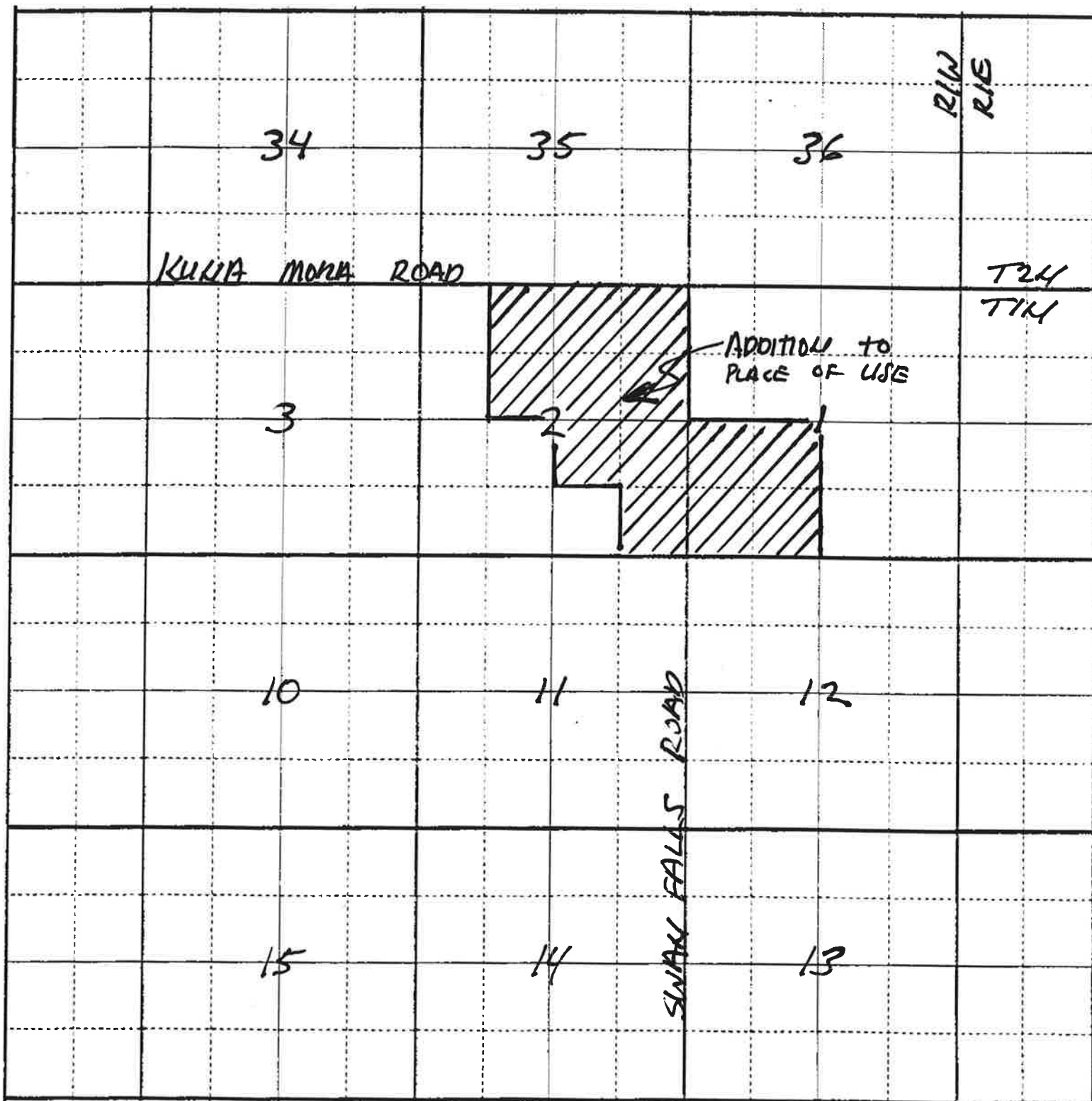
3. Lands irrigated or place of use:

Twp.	Rge.	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 acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE** N/A

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 12th day of Feb., 192001

Colleen Nixon
(Notary Public)

My commission expires 7-22-2004

FOR DEPARTMENT USE ONLYTransfer contains 9 pages and 2 attachmentsReceived by Kh Date 2/21/01Prelim. check by DAN Fee 610⁰⁰Receipted by Kh Date 2/21/01Published in THE IDAHO STATESMANPub. dates 5-17 & 24-01

Watermaster recommendation requested on _____

Protest filed by _____

W027390

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

by _____

Copy of transfer sent to lien holder _____

ATTACHMENT 4

10F7

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
ALLIANCE TITLE
FEE 12.00 DEPUTY J. L. PER
99099858

1999 OCT -8 PM 1:14

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

{1000}

SPACE ABOVE THIS LINE FOR RECORDING DATA
Order No.: 99084109 JS

WARRANTY DEED

FOR VALUE RECEIVED JOHN DAVID NOBLE and TRACEY L. NOBLE, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CITY OF KUNA, an Idaho corporation

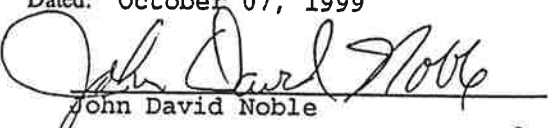
GRANTEE(S), whose current address is: 329 W. 3RD STREET, KUNA, ID 83634

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 07, 1999


John David Noble


Tracey L. Noble

X FER69087
Attach. A1

STATE OF IDAHO, County of Ada, ss.

On this 7th day of October in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared John David Noble and Tracey L. Noble known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

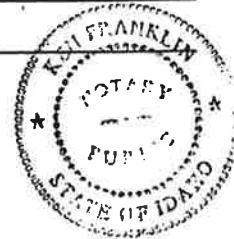
Signature: *[Signature]*

Name: _____

(Type or Print)

Residing At: Moose

My Commission expires: 10/5/04



20F7

EXHIBIT "A"
BOUNDARY DESCRIPTION
FOR THE
CITY OF KUNA, IDAHO

PARCEL 1

A parcel being Government Lots 2 and 3; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; S $\frac{1}{2}$ of the NE $\frac{1}{4}$; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southeasterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (section corner), from which a brass cap monument marking the southwesterly corner of the SE $\frac{1}{4}$ (one-quarter corner) bears N 89°34'28" W a distance of 2640.82 feet;

Thence N 89°34'28" W along the southerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.41 feet to a 5/8 inch diameter iron marking the southwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 0°28'10" E along the westerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.53 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 89°34'20" W along the southerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.39 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 0°28'14" E along the westerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.58 feet to a brass cap monument marking the northwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 89°34'15" W along the southerly boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 1318.96 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$;

Thence N 0°26'39" E along the westerly boundary of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 2738.95 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 3 a distance of 1320.34 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 2 a distance of 62.83 feet to a 5/8 inch diameter iron pin marking the S $\frac{1}{4}$ corner of Section 35, Township 2 North, Range 1 West, Boise Meridian;

69087

1-2

Parcel 1

Page 2

Thence S 89°21'18" E along the northerly boundary of said Government Lot 2 a distance of 1257.60 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 2;

Thence S 0°28'18" W along the easterly boundary of said Government Lot 2 a distance of 1431.48 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said Government Lot 2;

Thence S 89°35'09" E along the northerly boundary of said S ½ of the NE ¼ a distance of 1320.38 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'22" W along the easterly boundary of said S ½ of the NE ¼ a distance of 1320.51 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'06" W along the easterly boundary of the SE ¼ of said Section 2 a distance of 2640.96 feet to the POINT OF BEGINNING.

This parcel contains 326.81 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
September 22, 1999

5 OF 7

The United States of America
To all to whom these presents shall come, Greeting:

IDI-15438-02

WHEREAS**City of Kuna, Idaho**

is entitled to a land patent pursuant to the Act of June 14, 1926, as amended (43 U.S.C. 869 - 869-4), for the following described land:

Boise Meridian, Idaho

T. 1 N., R. 1 W.,

sec. 1: SW¼;

sec. 2: lot 1.

Containing 203.26 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES** unto the City of Kuna, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the City of Kuna and to its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. All the mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior.

SUBJECT TO:

1. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI 334 pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the W½SW¼ of section 1, T. 1 N., R. 1 W., B.M.
2. Those rights for telephone purposes granted to U.S. West Communications, Inc. its successors or assigns, by Right-of-Way No. IDI 28090 pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the W½SW¼ of section 1, T. 1 N., R. 1 W., B.M.

Patent No. 11-97-0032

69087

A 5

IDI 15438-02

Page 2

6 OF 7

3. Those rights held by Ada County Highway District, its successors and assigns, for an existing road exercised under RS 2477, and noted under Serial No. IDI 20038.

SUBJECT TO THE FOLLOWING:

1. The patentee shall comply with all Federal and State laws applicable to the disposal, placement, or release of hazardous substances (substance as defined in 40 CFR Part 302).
2. The City of Kuna, its successors or assigns, assumes all liability for and shall defend, indemnify, and save harmless the United States and its officers, agents, representatives, and employees (hereinafter referred to in this clause as the United States), from all claims, loss, damage, actions, causes of action, expense, and liability (hereinafter referred to in this clause as claims) resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons (including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the sewage treatment facility on, or the release of hazardous substances from the SW¼ of section 1, and lot 1 of section 2, T. 1 N., R. 1 W., Boise Meridian, Idaho, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States.
3. No portion of the land covered by this patent shall under any circumstances revert to the United States.
4. The above-described land has been conveyed for continued use as a sewage treatment facility. Records and other information about the sewage treatment facility are available from the Bureau of Land Management (past use) and the City of Kuna (past and continued use). Sewage treatment facilities commonly include small quantities of heavy metals, which are included in the hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5.
5. The patentee or its successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the

Patent No. 11-97-0032

IDI 15438-02

70F7
Page 3

purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.

6. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
7. The patentee or its successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
8. The reservations, conditions, and limitations contained in paragraphs 5 through 7 above shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
9. The assurances and covenant required by paragraphs 5 through 8 above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho the twelfth day of May in the year of our Lord one thousand nine hundred and NINETY SEVEN and of the Independence of the United States the two hundred and TWENTY-FIRST.

By 
Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division



Patent Number 11-97-0032

69087
A 7

**IDWR WESTERN REGION
AMENDMENT OF PERMIT ANALYSIS SHEET**

comment
letter

Application ID#
69089

Permit No. 63-12394 Applicant CITY OF KUNA

Reviewed by DAN Data entry by DAN Date _____

Legal Notice: Word filename CITY OF KUNA Legal Notice (same as TRANSFER 69087)
OR Use Workflow ad NO

Purpose of Amendment _____ Change P/D _____ Add P/D _____ Increase Amount _____
X Change P/U _____ Other: _____

CHECK:

X Description of amended elements.

NO Amount, nature and period of use. If increased, delay date of priority.

X Ownership of P/D and P/U and arrangement for access if not owned by applicant.

X Map X \$50 Fee.

X Signature, must be permit holder. Include title if applicant is an organization, partnership etc.

X Existing water rights from the same source for amended P/D or P/U?

Right No(s). P/D NONE
P/U = 63-3266, 63-8215, 63-11970, 63-7327

yes Should amendment be advertised? ADVERTISE WITH XFER.

NO Should date of priority be delayed? If yes, to what date? _____

NO Send comment Letters? Check any of the following to indicate "yes":

_____ IDFG for surface water _____ Water District No. _____

_____ Water Planning Bureau for protected river or minimum flow reach – reviewer should forward copy of application instead of sending a letter.

X Other, see attached mailing list. DEPT. OF ENVIRONMENTAL QUALITY (DEQ)

yes Additional analysis information attached. Date of the information is SEE AMENDMENT, TRANSFER
MEMO. ATTACHED
TO TRANSFER 69087

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received

☒ Published correctly? ☐ Re-publication required if published incorrectly?

N/A Protests processed.

N/A Watermaster comments received on date: _____.

☐ Other comment letters received?

Recommendation and Conditions of Approval: ☒ APPROVE ☐ DENY

standard conditions. See Dan Nelson's memo in file for
xfer no. 69087 for explanation of specific POJ description.

By Dany S

Date 6/13/2001

Copy for Region file after final recommendations are complete. Always include application, legal notice, staff analysis sheet, and analysis memo (if applicable). List other items to copy:

RECEIVED

FEB 21 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFee \$50
Receipt # 1027388
Received by KJ
Date 2/21/01

APP 10269089

APPLICATION FOR AMENDMENT OF A PERMIT

Name of Applicant City of Kuna Phone (208) 922-5546Mailing address P.O. Box 13, Kuna, ID 83634I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-12394, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment:

☐ Change point of diversion
 ☐ Add point of diversion
☒ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☐ Other

1. Point of diversion: 1/4 NW 1/4 SE 1/4, Section 22, Township 2N, Range 1W, B.M.,
County of Ada. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.500 cfs for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) (water use) (Begin Month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (water use) (Begin Month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (water use) (Begin Month) (End month)

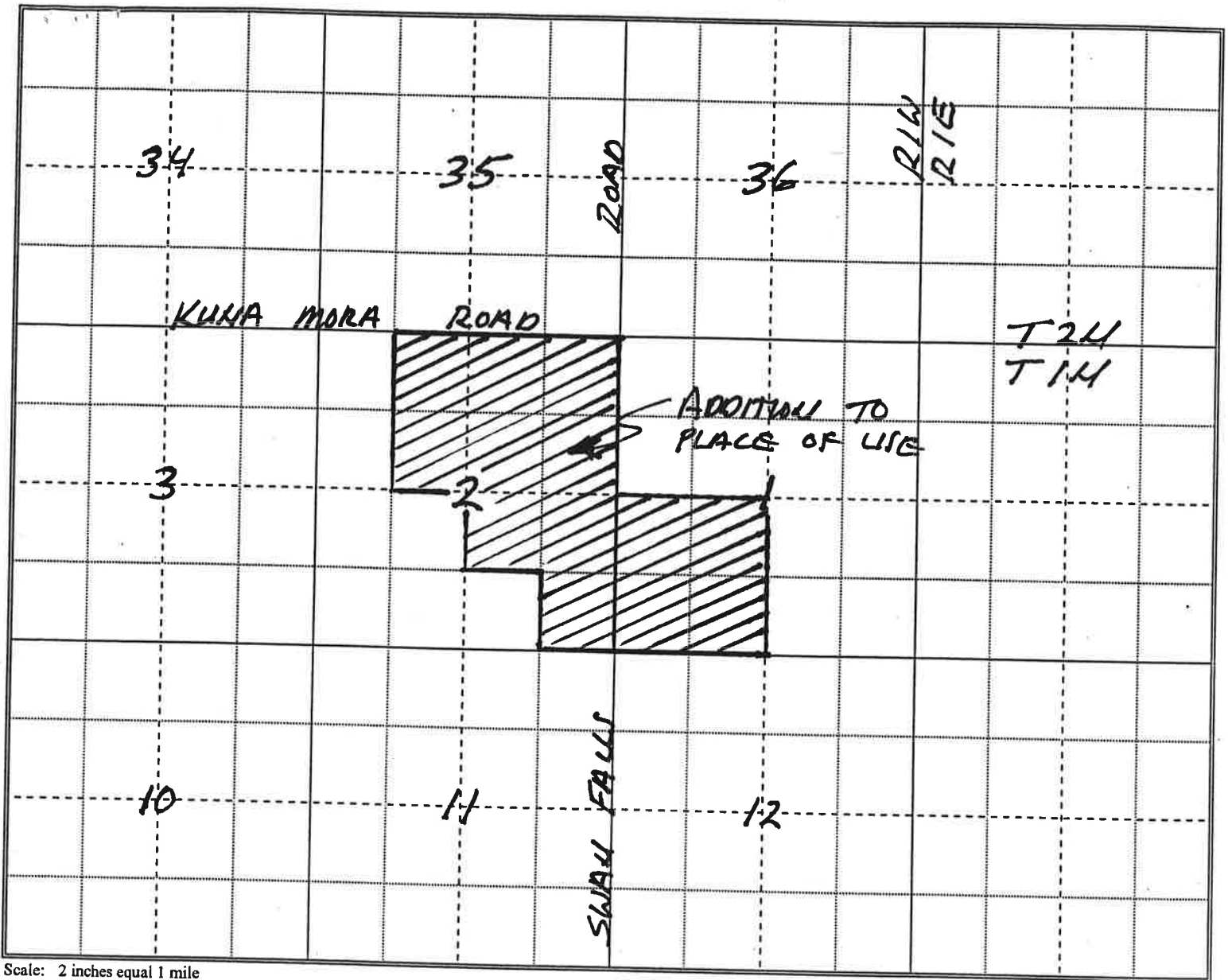
3. Place of use or land to be irrigated: Municipal service area and

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1W	2	40	40	40	40	40			40					40	40		40	360
1N	1W	1									40	40	40	40					160

Total number of acres to be irrigated 520

4. a. Who owns the property at the point of diversion? City of Kuna
- b. Who owns the land to be irrigated at the place of use? City of Kuna and Residents of Kuna.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
City of Kuna is responsible for municipal water system servicing land owners
within the municipal service area and for City owned property

Complete the following map by showing land and point of diversion as proposed by the permit holder.
 Show 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 12th day of Feb., 2000

[Signature]
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by DAN Publication prepared by AT Date 5-14-01
 Published in THE IDAHO STATESMAN Publication dates 5-17 + 24-01

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20____

SIGNATURE

WR5809NP
No. 63-12394

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA PO BOX 13 KUNA ID 83634-0013 (208) 922-5546	05/10/1997	MUNICIPAL	01/01 12/31	4.500 CFS	
TOTAL DIVERSION:					4.500 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02N R01W S22

NWSE

ADA County

Pou County:

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 01M - After specific notification by the department, the right holder
- shall install a suitable measuring device or shall enter into an
- agreement with the department to determine the amount of water
- diverted from power records and shall annually report the
- information to the department.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 46B - The right holder shall comply with Idaho well construction
- standards when constructing a well pursuant to this right.
- 022 - The daily diversion volume for non-domestic uses under this
- municipal right shall not exceed 2,500 gallons per use and
- the daily diversion volume for domestic uses under this right
- shall not exceed 13,000 gallons per dwelling in accordance with
- Section 42-111, Idaho Code.
- 075 - Irrigation of large projects such as parks, golf courses, or
- sports activities fields is not authorized under this right.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN Point of diversion is locally known as Well No. 5.
Place of use is within the city limits of Kuna and surrounding
service area.
The proposed water bearing zone is 400 to 480 ft.

Dates: App. Received: 04/03/1997 Priority Date: 05/10/1997 (Priority Date Advanced.)
Proof Due Date: 09/01/1999 Proof Made Date: 10/08/1999 (Proof Received Late.)
Exam Made Date: 02/03/2000 Exam Sent to S.O.: 03/04/2000
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DT#	Identification		Amount:
047628	450721	PROPOSED CHANGE OF WATER RIGHT		\$77.88
Ordered by:		P.O. #	Rate	Run Dates
SUE TAYLOR			NT	MAY 17, 24, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 48	
			Affidavit 1	Legal # 10434

LEGAL RIGHTS
NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS.

Notice is given that CITY OF KUNA of PO Box 13, Kuna, ID 83634 has applied to the Department of Water Resources to add a site outside of the City's municipal service area for the purpose of land application of wastewater. Wastewater results from a municipal ground water system served by the following water rights (all wells are in T2N R1W, Ada County):

LICENSE 63-03266, priority 3/21/1962, 1.34 cfs, diverted in SESE S23.

LICENSE 63-082151, priority 10/2/1975, 3.90 cfs, diverted in SWNE S23.

LICENSE 63-11970, priority 12/28/1992, 3.78 cfs, diverted in SWSW S23.

PERMIT 63-12394, priority 5/10/1997, 4.5 cfs, diverted in NWSE S22.

PROPOSED CHANGE FOR ALL RIGHTS

Land application of wastewater will occur in the NE 1/4, E 1/2 NW, and SE 1/4 S2 and SW 1/4 S1 T1N R1W for a total of 520 acres. The proposed site is about 2 miles south of Kuna on Swan Falls road.

Transfer application number 69087 will add the site to the three licenses pursuant to I.C. § 42-222.

An Application for Permit will add the site to the permit licenses pursuant to I.C. § 42-211.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 837055082, together with a protest fee of \$25 for each application on or before June 4, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. May 17, 24, 2001

10434

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: MAY 17, 2001

and ending with the issue of: MAY 24, 2001

Janice Hildreth

STATE OF IDAHO)

)ss

COUNTY OF ADA)

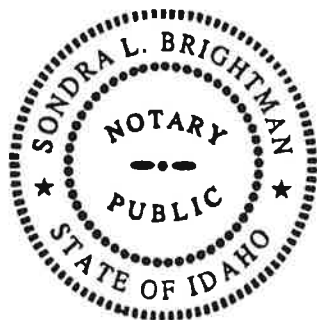
On this 24 day of MAY in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

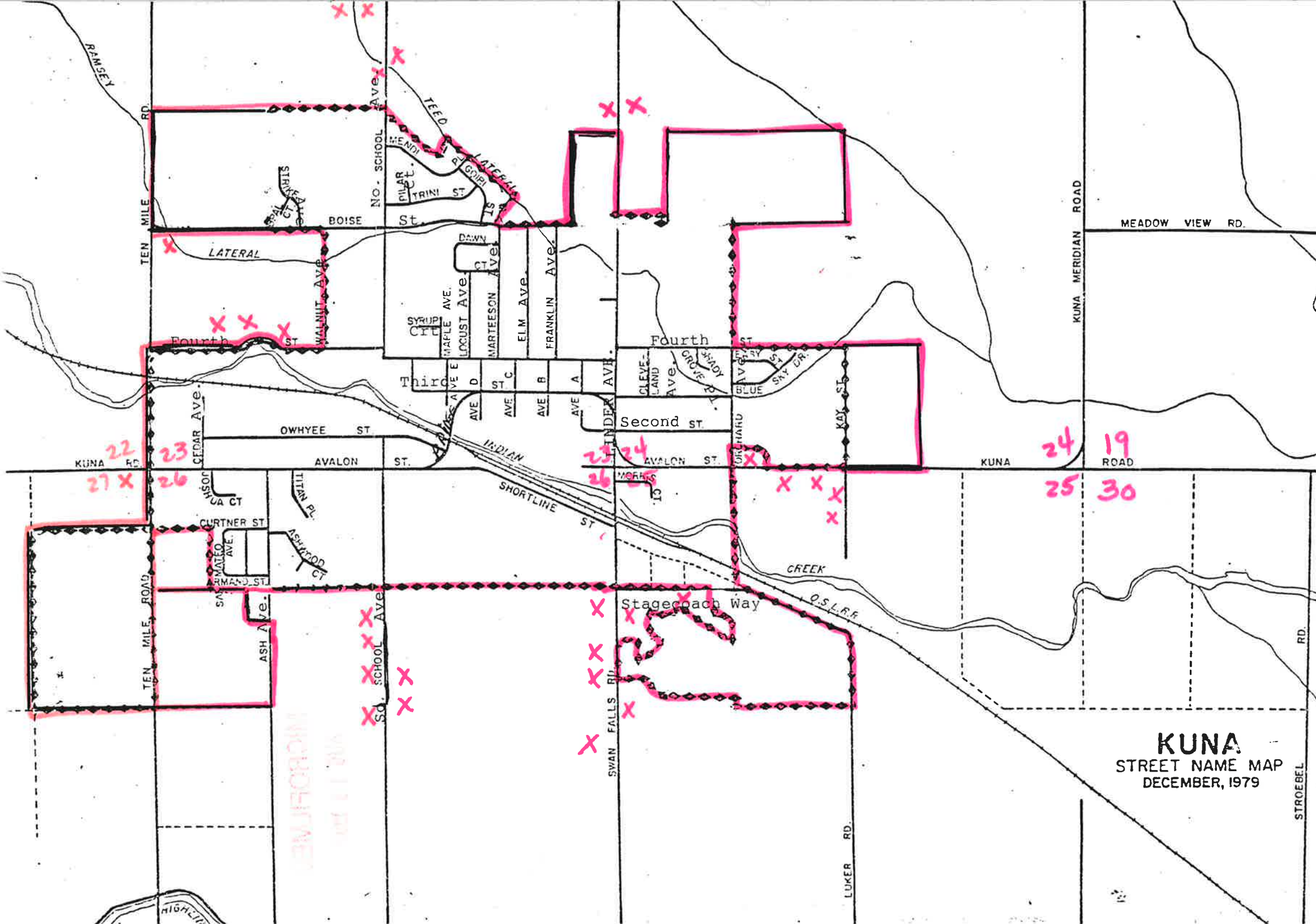
Sondra L. Brightman

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/20/06





KUNA
STREET NAME MAP
DECEMBER, 1979