

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 85639

DEC 20 2021

WATER RESOURCES
WESTERN REGIONMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) IMH Boise Cimarron, LLCCheck whether each item below is *attached (Yes)* or *not applicable (N/A)* for the proposed transfer.Yes ☒ N/A ☐ * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☒ ☐ #10 Other. Please describe: Preliminary Plat Map

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) IMH Boise Cimarron, LLC Phone 866.932.1133
Mailing address 10650 Scripps Ranch Blvd, Ste 216, San Diego, CA 92131-2472 Email dmann@imhcompanies.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

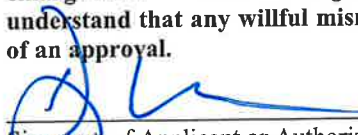
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering Phone 208.383.4140
Mailing address 300 E Mallard Dr, Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

DARREN MANN PRESIDENT 9/20/2024
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☒ Change nature of use

☒ Add diversion point(s)
☒ Change period of use

☒ Change place of use
☒ Other split right into 2 separate systems, change ownership
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Retire 26 acres of irrigation under water right 63-3298 and transfer to domestic use for 240 residents proposed for development on a portion of the lands currently authorized for irrigation. See Transfer Attachment Part 1A.3. for additional information.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-3298	0.52/82.2	Domestic	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.52 cfs and/or 82.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.52 cubic feet per second and/or 82.2 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NW	NW	17	2N	3W	Canyon	Ground Water	Proposed PWS Well 1
Y			NW	NW	17	2N	3W	Canyon	Ground Water	Proposed PWS Well 2

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	7																D	
		8											D	D					
		17					D	D	D										
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

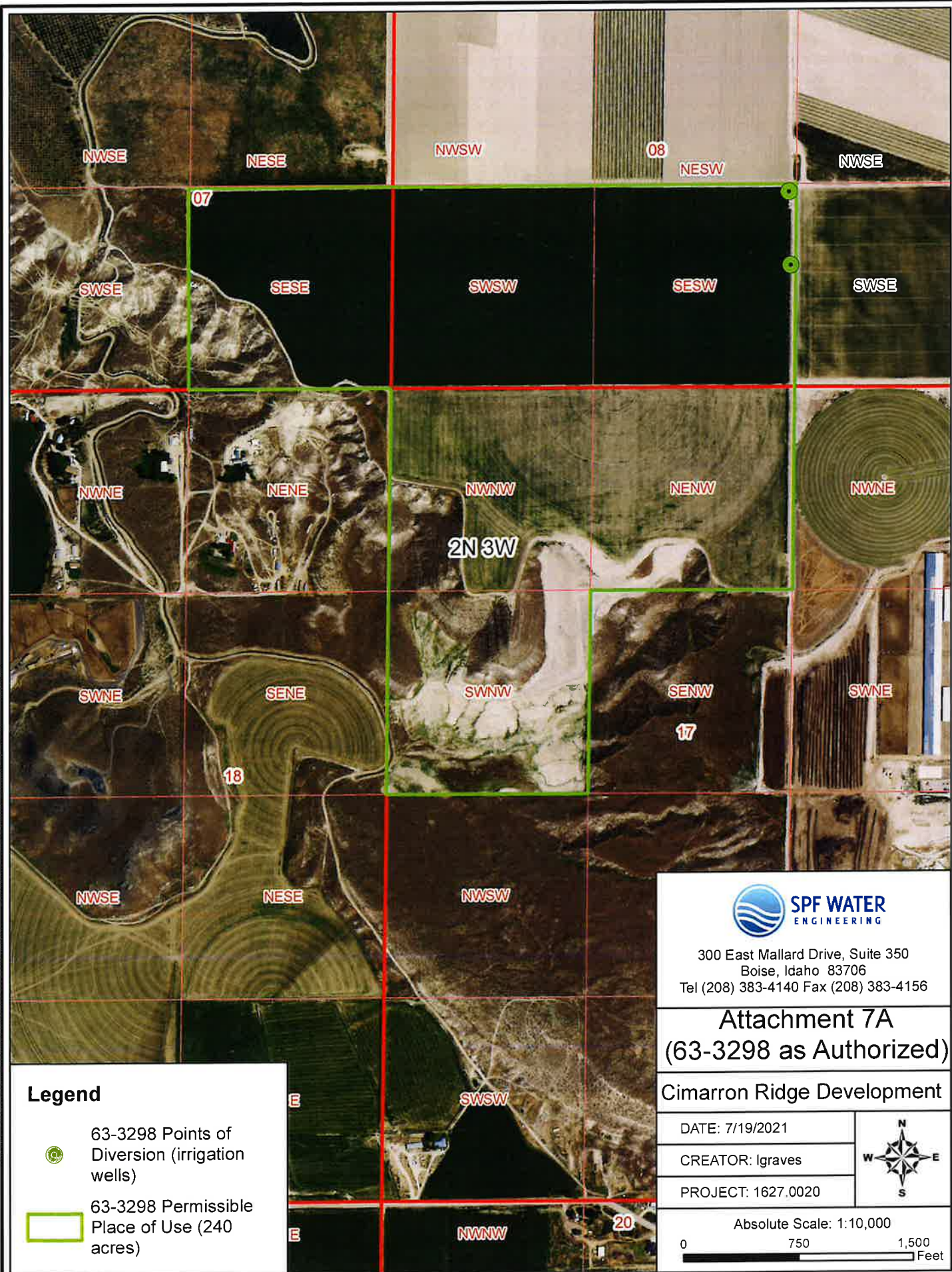
- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Two proposed wells drilled to PWS standards for domestic use. Measuring devices and lockable controlling works will be accommodated.
- b. Who owns the property at the point(s) of diversion? IMH Boise Cimarron, LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
A new subdivision development is proposed on acres currently irrigated. The consumptive volume associated with the retired acres will be converted to domestic use.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Permit 63-34320 allows development of 50 additional acres and flow rate from the two existing wells authorized under water right 63-3298 and up to three new wells within the development area.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

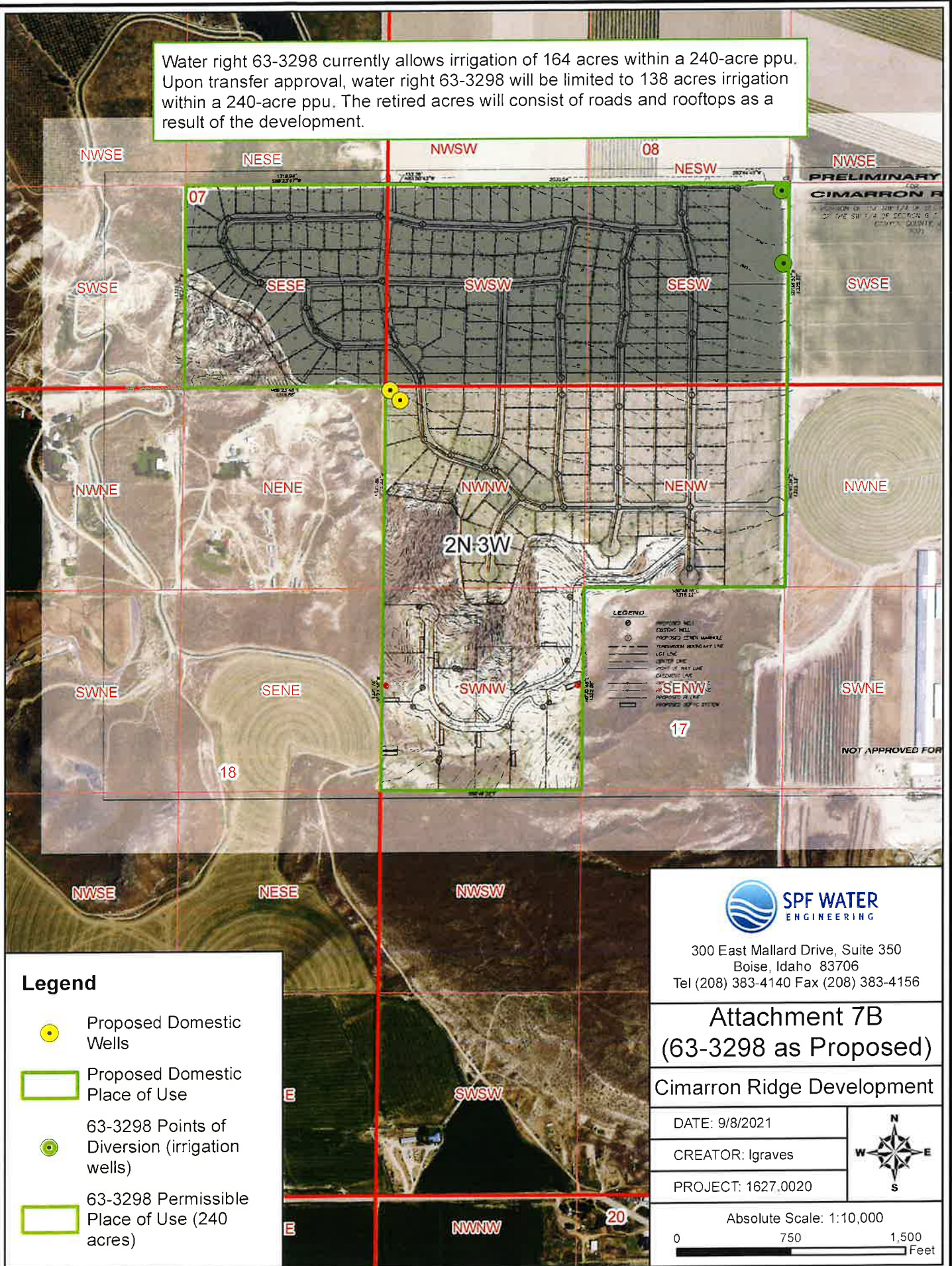


300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156



Water right 63-3298 currently allows irrigation of 164 acres within a 240-acre ppu. Upon transfer approval, water right 63-3298 will be limited to 138 acres irrigation within a 240-acre ppu. The retired acres will consist of roads and rooftops as a result of the development.

Path: S:\PROJECTS\Epic Development_1627\0020_Cimarron FWS Planning\PROJECT\GIS\AucMap_P\Project\XFR 7B Map.mxd



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Attachment 7B (63-3298 as Proposed)

Cimarron Ridge Development

DATE: 9/8/2021

CREATOR: Igraves

PROJECT: 1627.0020



Absolute Scale: 1:10,000

0 750 1,500 Feet

Attachment 8A – Water Balance

Domestic Water Demand Estimate

Domestic use is proposed for 240 homes. Using IDEQ criteria, the annual domestic demand for 240 homes, assuming 300 gpd/home, is 81 acre-feet per year with a peak-hour domestic demand of 227 gpm (0.51 cfs).

Conversion of Water Right from Irrigation to Domestic Use

To prevent enlargement when changing the nature of use of a right, IDWR policy is to reduce the allowable diversion volume to the maximum consumptive use under the irrigation water right within the previous five-year period. Ground water right 63-3298 is currently authorized and used for primary irrigation of 164 acres within the development site. The acres are fully appropriated at 3.28 cfs and 738 afa.

Alfalfa is the crop typically grown on the property. Precipitation deficit (pdef) values for alfalfa were obtained from the ET website using the Deer Flat Dam weather station. As shown in Table 1, annual consumptive use for one acre of alfalfa calculates to 3.16 af. As a result, annual domestic demand of 81 af for the subdivision will require retirement of 26 acres of irrigation.

As proposed, 26 acres, 117 afa (82.2 afa consumptive) and 0.52 cfs will be transferred from irrigation use to domestic use. The 0.52 cfs flow rate associated with the 26 acres to be converted is enough to satisfy the subdivision's peak-hour demands. Season of use will be changed to year-round. The remaining 138 acres of irrigation authorized under 63-3298, along with 50 additional acres authorized under permit 63-34320, will sufficiently serve the development's anticipated irrigation needs using separate wells and pressurized system.

Table 1. Annual Consumptive Use Requirements

ETidaho data - Alfalfa - frequent cuttings

Deer Flat Dam (NWS – USC00102444)

<http://data.kimberly.uidaho.edu/ETidaho/stcrstats.py?station=30&cover=2&stats=Deficit>

14-Jul-21

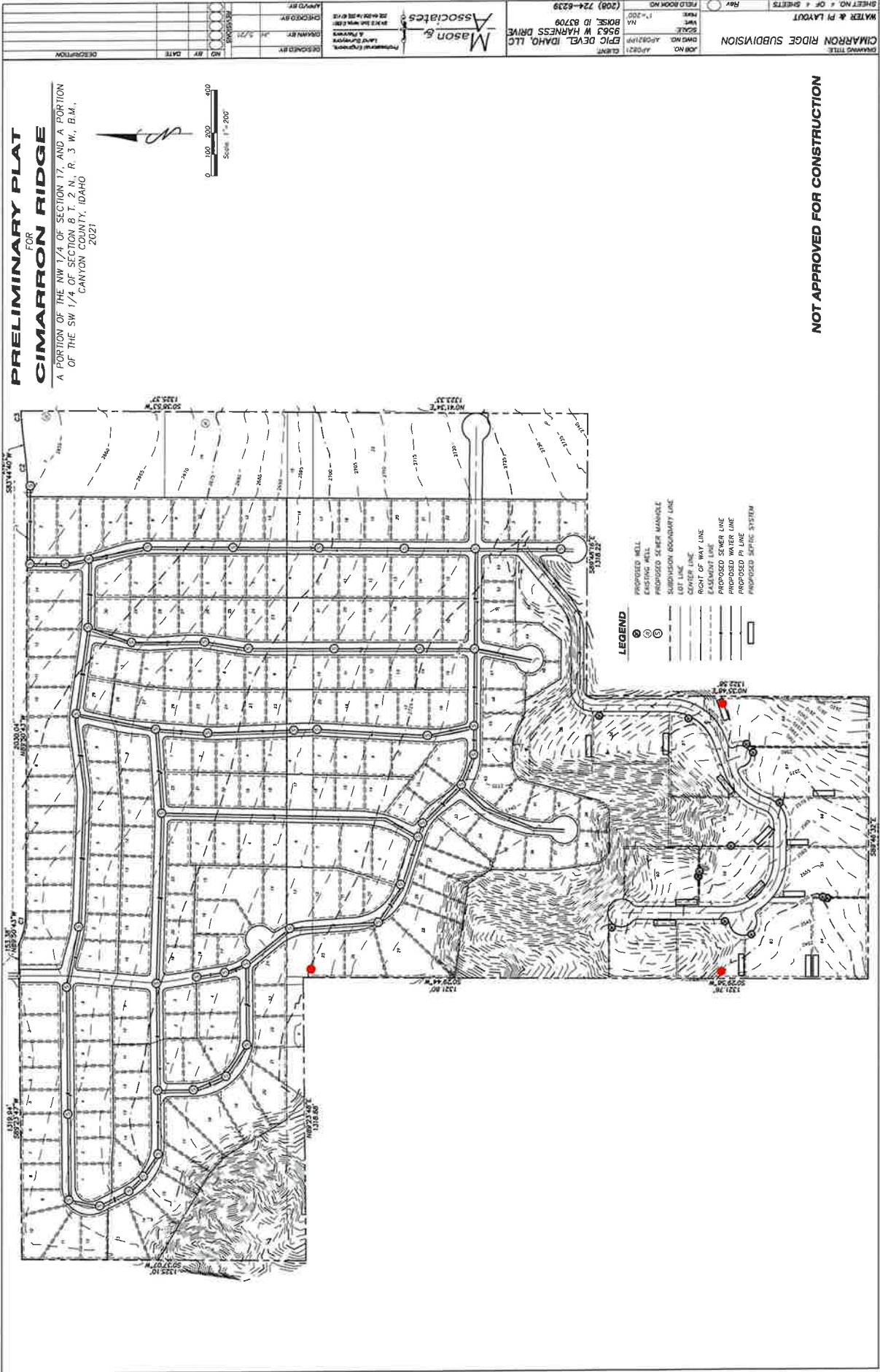
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	growing season	annual
Monthly ^b	-0.29	0.16	0.81	3.94	4.42	5.41	5.64	4.87	3.83	2.25	0.18	-0.34	963	945 Total
days/mo	31	28	31	30	31	30	31	31	30	31	30	31		365 days/yr
monthly ET (mm)		4.48	25.11	118.2	137.02	162.3	174.84	150.97	114.9	69.75	5.4			962.97 mm/yr
monthly ET(ft)	0	0.015	0.082	0.388	0.450	0.532	0.574	0.495	0.377	0.229	0.018	0.000		3.16 af/yr

Conversion Calculations

81 afa estimated domestic demand for 240 residents

3.16 ft/yr crop evaporation during months with positive precipitation deficit

25.6 acres retired from irrigation to satisfy domestic demand



DEC 20 2021

WATER RESOURCES
WESTERN REGION

December 14, 2021

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Transfer Application, Permit Assignment

Dear Scott,

Enclosed on behalf of **IMH Cimarron LLC** are (1) an *Application for Transfer* proposing a change in nature of use from irrigation to domestic uses under water right 63-3298, and (2) a *Permit Assignment* from the previous property/permit holder to IMH Cimarron for permit 63-34320. Check No. 1451 is enclosed for the \$875 filing fee (\$850 for the transfer application and \$25 for the permit assignment).

Please let me know if there are any questions. Thanks Scott.

Sincerely,

A handwritten signature in cursive script that reads "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Darren Mann, President

Enclosures

SPF file number: 1627.0020

WR 63-3298
 OC PROCESSING
 2022-01-28-MW



Order No. 21414721

Special Warranty Deed

2021-054446	
RECORDED	
08/03/2021 04:48 PM	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=3 LBERG	\$15.00
TYPE: DEED	
TITLEONE BOISE	
ELECTRONICALLY RECORDED	

This Special Warranty Deed is between **Epic Holdings, LLC, a Nevada limited liability company, registered to do business in Idaho as Epic Development, LLC ("Grantor")**, whose address is 1831 E. Overland Road, Meridian, ID 83642, and **IMH Boise Cimarron, LLC, a Colorado limited liability company ("Grantee")**, whose address is 10650 Scripps Ranch Blvd, Ste 216, San Diego, CA 92131-2472, witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, convey unto Grantee and its heirs, successors and assigns forever, all the following described real estate situated in the County of Canyon County, State of Idaho:

See Exhibit A, attached hereto and incorporated herein.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein ("**Premises**").

To have and to hold, all and singular the Premises together with the appurtenances unto Grantee and its heirs, successors and assigns forever.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any and all easements, restrictions, agreements and encumbrances of record or appearing on the land as of the date of this instrument.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the 3rd day of June, 2021.

Epic Holdings, LLC, a Nevada limited liability company, registered to do business in Idaho as Epic Development, LLC

By: [Signature]
Truman Mathews, Manager

State of Idaho, County of Ada, ss.

On this 3rd day of June, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Truman Mathews, known or identified to me to be a Manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

[Signature]
Notary Public for Idaho
Residing In: Boise, ID
My Commission Expires: 7/11/24



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel I:

The Southeast quarter of the Southeast quarter of Section 7, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Parcel II:

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter of Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting therefrom the following described property:

A portion of the South half of the Southwest quarter of Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the South half of the Southwest quarter; thence South 89°50'43" East a distance of 153.38 feet along the North boundary of said South half of the Southwest quarter to the Point of Beginning; thence South 89°50'43" East a distance of 2487.28 feet along said North boundary to the Northeast corner of said South half of the Southwest quarter to the beginning of a non-tangential curve, said curve turning to the left through an angle of 06°25'03", having a radius of 470.00 feet, and whose long chord bears South 86°57'11" West a distance of 52.62 feet to a point; thence South 83°44'40" West a distance of 212.70 feet to the beginning of a curve, said curve turning to the right through an angle of 06°24'37", having a radius of 530.00 feet, and whose long chord bears South 86°56'58" West a distance of 59.27 feet to a point; thence North 89°50'43" West for a distance of 2030.04 feet parallel with and 30.00 feet South of the North boundary of said South half of the Southwest quarter to the beginning of a curve, said curve turning to the right through 25°12'32", having a radius of 315.00 feet, and whose long chord bears North 77°14'27" West a distance of 137.48 feet to the Point of Beginning.

As conveyed to Nampa Highway District No. 1, by Quitclaim Deed recorded August 15, 2007 as Instrument No. 2007056460, records of Canyon County, Idaho.

Parcel III:

The North half of the Northwest quarter and the Southwest quarter of the Northwest quarter in Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Transfer Part 1A.3.

IMH Boise Cimarron, LLC propose to convert primary ground water from irrigation purposes to domestic purposes for use in Cimarron Ridge Subdivision proposed south of Caldwell in Canyon County. The property subject to development is currently being irrigated under decreed water right 63-3298 that authorizes diversion of 3.28 cfs and 738 acre-feet annually (afa) for primary irrigation of 164 acres and permit 63-34320 that authorizes additional diversion of 1.00 cfs for irrigation of 50 more acres. In combination, total authorized irrigated area is 214 acres with a diversion rate of 4.28 cfs.

Domestic use is proposed for 240 homes to be developed on the currently irrigated farm ground. Using IDEQ criteria, the annual domestic demand for 240 homes, assuming 300 gpd/home, is 81 afa with a peak-hour domestic demand of 227 gpm (0.51 cfs).

As shown in Transfer Attachment 7A, the potable water supplies for the homes will come from two new 8-inch wells constructed to PWS standards and regulated by IDEQ. The wells will each be designed to provide the peak day demand for the subdivision. Although one well could sufficiently meet the subdivision's domestic demands, a second well is required for redundancy. The domestic system will be separate from the irrigation system serving the subdivision. The domestic wells will be able to pump directly into the water distribution system, or to a storage tank and booster pump system if fire flows are required. Wastewater will be treated and disposed through community drain field systems, or treated and reused for irrigation.

The water right chosen for transfer is 63-3298. A total of 0.52 cfs (233 gpm), 26 acres, and 82.2 irrigation consumptive afa will be transferred to domestic use to satisfy the annual domestic needs and peak-hour demand for the 240 homes. Season of use will be changed to year-round.

The remainder of right 63-3298 consists of 2.76 cfs and 621 afa for irrigation of 138 acres that, along with permit 63-34320, will sufficiently serve the development's anticipated irrigation needs using separate wells and pressurized system.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-3298

Current Owner: JUDITH I RAWLINGS
RICHARD T RAWLINGS

Priority Date: 6/12/1962

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.28 CFS	738 AF
	<u>Total Diversion</u>	3.28 CFS	738 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 8,	Twp 02N,	Rge 03W B.M.
CANYON County				
GROUND WATER	SE1/4SW1/4	Sec. 8,	Twp 02N,	Rge 03W B.M.
CANYON County				

Place of Use

IRRIGATION Within CANYON County

T02N R03W S7	SESE	40.00	T02N R03W S8	SWSW	40.00
T02N R03W S8	SESW	40.00	T02N R03W S17	NENW	40.00
T02N R03W S17	NWNW	40.00	T02N R03W S17	SWNW	40.00

Total Acres: 240

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. X27 This right is limited to the irrigation of 164 acres within the place of use described above in a single irrigation season.
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. T07 The right holder shall accomplish the change authorized by Transfer 74046 within one year of the date of the approval.
6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Decreed Date: 1/29/2009



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Gary Spackman

February 9, 2022

IMH BOISE CIMARRON LLC
10650 SCRIPPS RANCH BLVD STE 216
SAN DIEGO, CA 92131-2472

RE: Transfer No. 85639
Water Right No. 63-3298

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 2/17/2022 and 2/24/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Denise Lauerman
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706-6660

Lauerman, Denise

From: Lauerman, Denise
Sent: Thursday, February 10, 2022 9:32 AM
To: Legal Clerk
Subject: CANYON COUNTY Legal Notice - Application for Permit No. 63-35164, 63-35076, 63-35163, 63-35162, 63-35176, 63-35183, Transfer No. 85639
Attachments: Cover Letter Canyon County 85639 63-35164 63-35076 63-35163 63-35162 63-35176 63-35183.docx; Legal Notice Ada County 85596 85636 63-35124 63-35166 63-35177 63-35178.docx

Good morning,

This will be my last Legal Notice email to you as I am moving on to a different position with the State of Idaho.
Please email any responses after 02.11.2022 to: westerninfo@idwr.idaho.gov

Please see the attached ad for publication on 02/17/2022 and 02/24/2022.

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 03/07/2022. Your cooperation is appreciated

Please confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.

Thanks much!
Denise

Denise Lauerman
Administrative Assistant | IDWR - Western Region
2735 W Airport Way, Boise ID 83705-5082
(208) 334.2190 | <http://idwr.idaho.gov/>
denise.lauerman@idwr.idaho.gov





IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Gary Spackman

February 9, 2022

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

**RE: Application for Permit No. 63-35164, 63-35076, 63-35163, 63-35162, 63-35176, 63-35183
Transfer No. 85639
Water Right No. 63-3298**

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/7/2022. Your cooperation is appreciated.

Sincerely,

Denise Lauerman
Administrative Assistant

Enclosures

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-35164

HERB FITZPATRICK

397 CEMETERY RD

MIDDLETON, ID 83644-5189

Point of Diversion SENE S12 T04N R03W ADA County Source WILLOW CREEK Tributary BOISE RIVER

Use: IRRIGATION 03/01 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 01-19-2022

Place Of Use: IRRIGATION

T04N R03W S12 SENE

63-35076

GAYLE C DAVIS

19475 MARKET RD

CALDWELL, ID 83607-8662

Point of Diversion SESE S10 T05N R04W CANYON County Source GROUND WATER

Use: IRRIGATION 3 /1 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 07-19-2021

Place Of Use: IRRIGATION

T05N R04W S10 SESE

Total Acres: 5

Water bearing zone to be appropriated is from 120 to 250 feet.

63-35162

DORENN A SCHRADER

STACE SCHRADER

8820 DEER FLAT RD

NAMPA, ID 83686-9212

Point of Diversion SWSW S15 T02N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 1 /1 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11-30-2021

Place Of Use: DOMESTIC

T02N R02W S15 SWSW

Water bearing zone to be appropriated is from 42 to 110 feet.

63-35163

RONALD GROSZ

DOROTHY GROSZ

3007 CAN ADA RD

MELBA, ID 83641

Point of Diversion SESE S13 T01N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 1 /1 to 12/31 0.04 CFS

Use: IRRIGATION 3 /1 to 11/15 0.14 CFS

Total Diversion: 0.18 CFS

Date Filed: 11-30-2021

Place Of Use: DOMESTIC, IRRIGATION

T01N R02W S13 SESE

Water bearing zone to be appropriated is from 250 to 450 feet.

63-35176

STEVE ADDISON

DIANE ADDISON

15007 WILLIS RD

CALDWELL, ID 83607-7895

Point of Diversion L1(NENE) S4 T04N R03W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.08 CFS

Total Diversion: 0.12 CFS

Date Filed: 12-27-2021

Place Of Use: DOMESTIC, IRRIGATION

T04N R03W S4 L1(NENE)

Total Acres: 2.5

Water bearing zone to be appropriated is from 50 to 150 feet.

63-35183

HEATHER BENSON

MICHEAL BENSON

6619 E LEWIS LN

NAMPA, ID 83686-9013

Point of Diversion NWNW S17 T02N R01W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.08 CFS

Use: IRRIGATION 03/01 to 11/15 0.12 CFS

Total Diversion: 0.2 CFS

Date Filed: 01-06-2022

Place Of Use: DOMESTIC, IRRIGATION

T02N R01W S17 NWNW

Total Acres: 4

Water bearing zone to be appropriated is from 40 to 200 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85639

IMH BOISE CIMARRON LLC, 10650 SCRIPPS RANCH BLVD STE 216, SAN DIEGO, CA 92131-2472 has filed Application No. 85639 for changes to the following water rights within CANYON County(s): Right No(s). 63-3298; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to retire 26 acres of irrigation from water right 63-3298 and change the use of that portion to domestic use for 240 homes and add two new points of diversion to the domestic use located in Section 17, T02N,R03W, south of Caldwell and east of Lake Lowell .

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code Sec. Code § 42-203A and/or § 42-222. Any protest against the approval of the application or the proposed change must be filed with the Director, Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/7/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/17/2022 and 2/24/2022