

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84173**

This is to certify that: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN BRYCE FARRIS
PO BOX 7985
BOISE, ID 83707

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-199B	WR/DECREED	5/1/1878	169.600 cfs	N/A	N/A	69495.0	BOISE RIVER, MORES CREEK
63-200B	WR/DECREED	8/20/1888	361.940 cfs	N/A	N/A	69495.0	BOISE RIVER, MORES CREEK

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-198AJ	WR/DECREED	6/1/1877	0.400 cfs	N/A	40.0	69495.0	BOISE RIVER, MORES CREEK
63-30181	WR/DECREED	6/1/1864	0.200 cfs	N/A	N/A	69495.0	BOISE RIVER, MORES CREEK

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>
63-199B	NO	NO	NO	NO	YES	YES
63-200B	NO	NO	NO	NO	NO	YES

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>
63-199B	63-199B	169.600 cfs	N/A	N/A	69495.0	N/A	N/A	N/A	N/A	N/A
63-200B	63-200B	361.940 cfs	N/A	N/A	69495.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		531.540 cfs	N/A	N/A	69495.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 63-198AJ

Transfer No. 84173

AUG 31 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84173

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 31st day of August, 2021.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 63-199B
As Modified by Transfer No. 84173

In accordance with the approval of Transfer No. 84173, Water Right No. 63-199B is now described as follows:

Right Holder: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN BRYCE FARRIS
PO BOX 7985
BOISE, ID 83707

Priority Date: 5/1/1878

Source: BOISE RIVER
Source: MORES CREEK

Tributary: SNAKE RIVER
Tributary: BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
GROUND WATER RECHARGE	03/01	to 11/15	5.110 cfs
INDUSTRIAL	03/15	to 11/15	1.600 cfs
IRRIGATION	03/01	to 11/15	169.600 cfs
			169.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER	L8 (NWNE)	Sec 4 Twp 02N Rge 03E	ADA County
BOISE RIVER	L6 (NWSW)	Sec 29 Twp 03N Rge 03E	ADA County
MORES CREEK	SWNE	Sec 35 Twp 05N Rge 04E	BOISE County

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
4. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

WATER RIGHT NO. 63-199B
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

5. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.
8. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
9. The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
10. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.00 cfs.
11. The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
12. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
13. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
14. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
15. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

WATER RIGHT NO. 63-199B

As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

16. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
17. The period of use for industrial use described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late use and a priority date earlier than the date of this approval.
18. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
19. This right when combined with Right Nos. 63-198AJ, 63-199B, 63-2392B, 63-2968, 63-30181 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
20. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.
21. This right originated as all or part of right no. 67 in the Stewart Decree and the historic Boise River Water Masters records.
22. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
23. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
24. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-199B
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

25. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 63-200B

As Modified by Transfer No. 84173

In accordance with the approval of Transfer No. 84173, Water Right No. 63-200B is now described as follows:

Right Holder: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN BRYCE FARRIS
PO BOX 7985
BOISE, ID 83707

Priority Date: 8/20/1888

Source: BOISE RIVER
Source: MORES CREEK

Tributary: SNAKE RIVER
Tributary: BOISE RIVER

BENEFICIAL USE	From	To	Diversion Rate
GROUND WATER RECHARGE	03/15	to 11/15	10.890 cfs
INDUSTRIAL	03/15	to 11/15	3.400 cfs
IRRIGATION	03/15	to 11/15	361.940 cfs
			361.940 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER	L8 (NWNE)	Sec 4 Twp 02N Rge 03E	ADA County
BOISE RIVER	L6 (NWSW)	Sec 29 Twp 03N Rge 03E	ADA County
MORES CREEK	SWNE	Sec 35 Twp 05N Rge 04E	BOISE County

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
4. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

Transfer No. 84173

WATER RIGHT NO. 63-200B
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

5. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.
8. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
9. The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
10. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.00 cfs.
11. The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
12. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
13. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
14. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
15. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

WATER RIGHT NO. 63-200B

As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

16. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
17. The period of use for irrigation, industrial, and ground water recharge uses described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late use and a priority date earlier than the date of this approval.
18. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
19. This right when combined with Right Nos. 63-198AJ, 63-199B, 63-2392B, 63-2968, 63-30181 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
20. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.
21. This right originated as all or part of right no. 106 in the Stewart Decree and the historic Boise River Water Masters records.
22. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
23. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 63-200B
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

24. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
25. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 63-198AJ
As Modified by Transfer No. 84173

In accordance with the approval of Transfer No. 84173, Water Right No. 63-198AJ is now described as follows:

Right Holder: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN DAN STEENSON
PO BOX 7985
BOISE, ID 83707

Priority Date: 6/1/1877

Source: BOISE RIVER
Source: MORES CREEK

Tributary: SNAKE RIVER
Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.400 cfs
0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER	L6 (NWNE)	Sec 4 Twp 02N Rge 03E	ADA County
BOISE RIVER	L6 (NWSW)	Sec 29 Twp 03N Rge 03E	ADA County
MORES CREEK	SWNE	Sec 35 Twp 05N Rge 04E	BOISE County

CONDITIONS OF APPROVAL

1. 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.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
4. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

WATER RIGHT NO. 63-198AJ
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

5. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
7. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.0 cfs.
8. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
9. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
10. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
11. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
12. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-198AJ
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

14. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
15. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
16. This right when combined with Right Nos. 63-199B, 63-200B, 63-2392B, 63-2968, 63-30181 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
17. This right is limited to the irrigation of 40 acres within the authorized place of use.
18. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and its tributaries.
19. This right originated as all or part of right no. 65 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-30181
As Modified by Transfer No. 84173

In accordance with the approval of Transfer No. 84173, Water Right No. 63-30181 is now described as follows:

Right Holder: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN DAN STEENSON
PO BOX 7985
BOISE, ID 83707

Priority Date: 6/1/1864

Source: BOISE RIVER
Source: MORES CREEK

Tributary: SNAKE RIVER
Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.200 cfs
0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER	L6 (NWNE)	Sec 4 Twp 02N Rge 03E	ADA County
BOISE RIVER	L6 (NWSW)	Sec 29 Twp 03N Rge 03E	ADA County
MORES CREEK	SWNE	Sec 35 Twp 05N Rge 04E	BOISE County

CONDITIONS OF APPROVAL

1. 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.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
4. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

WATER RIGHT NO. 63-30181

As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
6. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.0 cfs.
7. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
8. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
9. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
10. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
11. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
13. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

WATER RIGHT NO. 63-30181
As Modified by Transfer No. 84173

CONDITIONS OF APPROVAL

14. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
15. This right when combined with Right Nos. 63-198AJ, 63-199B, 63-200B, 63-2392B, 63-2968 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
16. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.
17. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
18. This right is former right no. 63-120J.
19. This right originated as all or part of right no. 1 in the Stewart Decree and the historic Boise River Water Masters records.



Governor Brad Little

Director Gary Spackman

August 31, 2021

NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN BRYCE FARRIS
ATTN DAN STEENSON
PO BOX 7985
BOISE ID 83707

RE: Transfer No: 84173
Water Right Nos.: 63-198AJ, 63-199B, 63-200B, 63-30181

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,


DENISE LAUERMAN

for Nick Miller
Western Regional Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2021, I served a true and correct copy of the foregoing PRELIMINARY ORDER (Approved Transfer) by U.S. Mail, postage prepaid, to the following:

Re: Transfer No.: 84173
Water Right Nos.: 63-198AJ, 63-199B , 63-200B , 63-30181

NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN BRYCE FARRIS
ATTN DAN STEENSON
PO BOX 7985
BOISE ID 83707



Denise Lauerman
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 84173
FROM: Patrick Kelly
DATE: 9/16/2020
RE: Evaluation of Application

Summary of Information Submitted

30181
2/1
12/1
1780
4 Nov
1980
Split decision
In 1998, JR Simplot and Micron Technology annexed 1300 acres into Nampa & Meridian Irrigation District (NMID). A transfer was filed to add Industrial and Groundwater Recharge uses to NMID water rights 63-199B and 63-200B. Instead of reducing the Irrigation use authorized by the NMID rights, conditions were placed on 63-199B and 63-200B that allowed NMID to divert up to 20.34 cfs for Industrial and Groundwater Recharge while reducing up to 1300 acres of irrigation on a 0.0156 cfs/acre basis. Each year, NMID was to report how many acres would be reduced for irrigation and diverted for Industrial and Groundwater purposes.

In May of 2020, NMID filed transfer no. 84173 to complete a nature of use change increasing the amount of water that can be diverted for Industrial and Groundwater Recharge from 20.34 cfs to 26.00 cfs. This increased diversion rate would reflect a higher 0.02 cfs/acre attributed to the reduction of 1300 acres. The amount of water authorized to be diverted for industrial or ground water recharge is authorized by the rate per acre for a pre-determined number of acres each season. Since the irrigation, industrial and groundwater recharge uses are not additive, the irrigation use is reduced each season by the amount of water diverted for industrial and groundwater recharge purposes.

Changes to the POD or POU are not proposed but the increase in Industrial and Groundwater Recharge will continue to be diverted from Boise River at the Surprise Valley diversion (NWNE Sec 4 Twn 2 North Rge 3 East).

Bryce Farris of Sawtooth Law Offices is the representative for the transfer. Mr. Farris can be reached at 208-629-7447 or bryce@sawtoothlaw.com.

Authority to File

The application was filed in the name of NMID and signed by a Mr. Will Patterson and Daren Coon. I could not find NMID on Idaho Secretary of State registry, however Mr. Patterson is recognized on the district's webpage and a board member and can assume he has authority to sign on behalf of the company.

Water Right Validity

63-199B and 63-200B were decreed in 2011. Idaho Statute 42-223 states in part that "No portion of a water right held by an irrigation district, a Carey Act operating company, or any other company, corporation, association, or entity which holds water rights for distribution to its landowners, shareholders or members shall be lost or forfeited due to nonuse by such landowners, shareholders or members, unless the nonuse is subject to the control of such entity." It is presumed that NMID is diverting its full water rights while benefitting from storage use during seasonal curtailment.

Overlap Analysis

63-199B and 63-200B are the only water rights pertinent to such Industrial and Groundwater Recharge exchange. No other rights should be considered for this transfer.

Injury to Other Water Rights

Injury is not apparent with the changes proposed. The water available at the source should not be affected since the transfer does not propose to change the point of diversion, nor to the water delivery system. The diversion is located within the SEBGWMA, to which Micron reports annually. The effect the transfer does carry is reducing the rate per acre for irrigation to the rest of NMID water users by increasing the rate per acre to the industrial and groundwater recharge nature of use. Many comment letters were mailed to potential interested parties at advertising and protests have not been received.

This is split up authorized Div RATE for Ridgeway to S.P.D. Both parties are in the same reach.

Enlargement of Use

The total amount of water authorized is not changing. The irrigation rates under the rights stay the same. The amount of water authorized to be diverted for industrial or ground water recharge is reduced by the rate per acre for a pre-determined number of acres each season. It is assumed that the increased beneficial use for industrial and groundwater recharge is offset by the lower rate/acre for irrigation use. ← Ag. NMD is shptg Benefits for R.A. to SPO.

Local Public Interest

Comment letters were sought from potential interested parties, including the watermaster and State agencies. No information has been made available to suggest a conflict with public interest directly affected by the proposed changes.

Beneficial Use/Conservation of Water Resources

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 07/09/2020 INVOICE NO. 158669
Account No. 96476
Description 158669 The foll
Times 2 Lines 107
Tab. lines
\$ 152.47

LEGAL ADVERTISING
INVOICE

Sold To: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

RECEIVED

JUL 20 2020

WATER RESOURCES
WESTERN REGION

PO# Thorneycroft, Kensi

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

158669
The following application(s)
have been filed to appropriate the public waters of the State of Idaho:
63-34926
CITY OF BOISE DEPT OF
PARKS & RECREATION
1104 ROYAL BLVD
BOISE, ID 83706
Point of Diversion NWSWSW
S4 T03N R02E ADA County
Source BOISE RIVER Tributary
SNAKE RIVER
Point of Diversion NESESE
S5 T03N R02E ADA County
Source BOISE RIVER Tributary
SNAKE RIVER
Use: AESTHETIC 01/01 to
12/31 35 CFS
Use: RECREATION 01/01 to
12/31 35 CFS
Total Diversion: 35 CFS
Date Filed: 05-26-2020
Place Of Use: AESTHETIC,
RECREATION
T03N R02E S4
NWNW, L6(NWSW), SWNW
Place Of Use:
AESTHETIC, RECREATION
T03N R02E S5
NENE, L11(NESE)

NOTICE OF
PROPOSED CHANGE OF
WATER RIGHT
TRANSFER NO. 84173
NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O
SAWTOOTH LAW OFFICES
PLLC, 1101 W RIVER ST
STE 110
PO BOX 7985, BOISE, ID

83701 has filed Application
No. 84173 for changes to the
following water rights within
ADA, BOISE County(s):
Right No(s). 63-199B, 63-
200B; to see a full description
of these rights and the proposed
transfer, please see
<https://research.idwr.idaho.gov/apps/waterrights/queue/newtransfers>. The purpose
of the transfer is to change a
portion of the above rights as
follows: The purpose of the
transfer is to convert an 11.00
cfs portion of the applicants
water rights from Irrigation
to Industrial (3.00 cfs) and
Groundwater Recharge (8.00
cfs). Irrigation use will be
reduced within the Nampa &
Meridian Irrigation District
service boundary and appropriated
for the proposed changes on a pre-determined

AFFIDAVIT OF PUBLICATION

Hollie K Posey, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho
and under and by virtue of the laws of the State of Washington,
publishers of the Lewiston Tribune, a newspaper of general
circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 105
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 158669 The foll
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune,
2 time(s). Publication being on
07/02, or once a Week
for 2 consecutive Week,
the first publication thereof being on the 07/02/2020,
and the last publication thereof being on the 07/09/2020,
and said 158669 The foll was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

Hollie K Posey

State of Idaho
S.S.
County of Nez Perce

On this 16 day of July in the year
2020, before me, a Notary Public, personally
appeared Hollie K Posey, 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 he executed the same.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 1/31/22

amount each season. Diversion of the proposed uses will occur at Surprise Valley located within the NWNE, 2 North, 3 East, Sec. 4, Ada County, B.M. The rate of flow diverted under water rights 63-198AJ, 63-199B, 63-200B and 63-30181 at the Surprise Valley location shall not exceed a combined total of 26.00 cfs.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 7/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

Published on 7/2/2020
and 7/9/2020

Proof of Publication The Post Register

RECEIVED

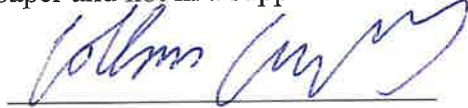
JUL 10 2020

State of Idaho
County of Bonneville

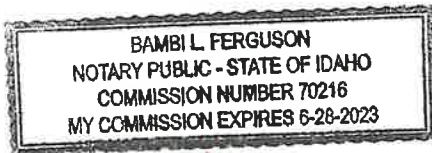
WATER RESOURCES
WESTERN REGION

I, ~~Dawn Giannini~~ Collins Crapo, first being duly sworn, depose and say: That I am the ~~Classified Manager~~ or Processing Clerk of The Post Register, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Sunday, in Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 day(s), first publication having been made on 07/01/2020 and last publication having been made on 07/08/2020, and that said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.



Subscribed and sworn to before me, on this 8th day of July 2020





Notary Public
My commission expires:

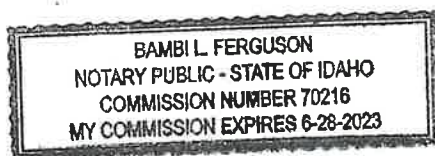
_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 8th day of July 2020, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same, IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires:

Government

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

63-34926

CITY OF BOISE
DEPT OF PARKS & RECREATION

1104 ROYAL BLVD
BOISE, ID 83706

Point of Diversion NWSWSW
S4 T03N R02E ADA County
Source BOISE RIVER Tributary
SNAKE RIVER Point of
Diversion NESESE S5 T03N
R02E ADA County Source
BOISE RIVER Tributary
SNAKE RIVER

Use: AESTHETIC 01/01 to
12/31 35 CFS

Use: RECREATION 01/01 to
12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 05-26-2020

Place Of Use: AESTHETIC,
RECREATION T03N R02E S4
NWNW,L6(NWSW),SWNW
Place Of Use: AESTHETIC,
RECREATION T03N R02E
S5 NENE,L11(NESE)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84173

NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O SAWTOOTH LAW OFFICES PLLC, 1101 W RIVER ST STE 110 PO BOX 7985, BOISE, ID 83701 has filed Application No. 84173 for changes to the following water rights within ADA, BOISE County(s): Right No(s). 63-199B, 63-200B; 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: The purpose of the transfer is to convert an 11.00 cfs portion of the applicant's water rights from Irrigation to Industrial (3.00 cfs) and Groundwater Recharge (8.00 cfs). Irrigation use will be reduced within the Nampa & Meridian Irrigation District service boundary and appropriated for the proposed changes on a pre-determined amount each season. Diver-

sion of the proposed uses will occur at Surprise Valley located within the NWNE, 2 North, 3 East, Sec. 4, Ada County, B.M. The rate of flow diverted under water rights 63-198AJ, 63-199B, 63-200B and 63-30181 at the Surprise Valley location shall not exceed a combined total of 26.00 cfs.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 7/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published: 7/1, 7/8, 2020
(17400-10840)

Proof of Publication

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls 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 Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

IDAHO DEPT OF WATER RESOURCES
ATTN Kensie Thorneycroft
2735 AIRPORT WAY
BOISE ID 83705

ORDER NUMBER 103277

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
 SS
COUNTY OF TWIN FALLS)

On this 9th day of July in the year of 2020 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Reba M Davis
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5/8/2026



Section: Legals

Category: 50 Legal

PUBLISHED ON: 07/02/2020, 07/09/2020

TOTAL AD COST: 160.32

FILED ON: 7/9/2020

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

63-34926

CITY OF BOISE DEPT OF PARKS & RECREATION

1104 ROYAL BLVD

BOISE, ID 83706

Point of Diversion NWSWSW S4 T03N R02E ADA County

Source BOISE RIVER Tributary SNAKE RIVER

Point of Diversion NESESE S5 T03N R02E ADA County Source

BOISE RIVER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 35 CFS

Use: RECREATION 01/01 to 12/31 35 CFS

Total Diversion: 35 CFS

Date Filed: 05-26-2020

Place Of Use: AESTHETIC, RECREATION

T03N R02E S4 NWNW, L6(NWSW), SWNW

Place Of Use: AESTHETIC, RECREATION

T03N R02E S5 NENE, L11(NESE)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84173

NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O SAW-

TOOTH LAW OFFICES PLLC, 1101 W RIVER ST STE 110PO

BOX 7985, BOISE, ID 83701 has filed Application No. 84173

for changes to the following water rights within ADA,

BOISE County(s): Right No(s). 63-199B, 63-200B; to see a full

description of these rights and the proposed transfer, please

see [https://research.idwr.idaho.gov/apps/waterrights/querynew-](https://research.idwr.idaho.gov/apps/waterrights/querynew-transfers)

transfers. The purpose of the transfer is to change a portion of

the above rights as follows: The purpose of the transfer is to

convert an 11.00 cfs portion of the applicant's water rights from

Irrigation to Industrial (3.00 cfs) and Groundwater Recharge

(8.00 cfs). Irrigation use will be reduced within the Nampa &

Meridian Irrigation District service boundary and appropriated

for the proposed changes on a pre-determined amount each

season. Diversion of the proposed uses will occur at Surprise

Valley located within the NWNE, 2 North, 3 East, Sec. 4, Ada

County, B.M. The rate of flow diverted under water rights

63-198AJ, 63-199B, 63-200B and 63-30181 at the Surprise

Valley location shall not exceed a combined total of 26.00 cfs.

Permits will be subject to all prior water rights. For additional

information concerning the property location, contact the

Western office at (208)334-2190; or for a full description of the

right(s), please see [https://idwr.idaho.gov/apps/ExtSearch/](https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/)

WRApplicationResults/. Protests may be submitted based on

the criteria of Idaho Code § 42-203A. Any protest against the

approval of this application must be filed with the Director, Dept.

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 7/20/2020. The protestant must

also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/2/2020 and 7/9/2020

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JUL 20 2020

WATER RESOURCES
WESTERN REGION

JUL 16 2020

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
263978	0004684971	The following application(s) have been filed to app	legal notice	\$250.85	1	15.67 In

Attention: Thorneycroft, Kensie

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

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

63-34912
UTAHNA LLC
PO BOX 1281
EAGLE, ID 83616-1281
Point of Diversion NWSW S14
T04N R01E ADA County Source
GROUND WATER
Point of Diversion SWNW S14
T04N R01E ADA County Source
GROUND WATER
Use: DOMESTIC 01/01 to 12/31
0.11 CFS
Total Diversion: 0.11 CFS
Date Filed: 05-14-2020
Place Of Use: DOMESTIC
T04N R01E S14 NWSW, SWNW
Water bearing zone to be appropriated is from 80 to 100 feet.

63-34926
CITY OF BOISE DEPT OF PARKS
& RECREATION
1104 ROYAL BLVD
BOISE, ID 83706
Point of Diversion NWSWSW S4
T03N R02E ADA County Source
BOISE RIVER Tributary SNAKE
RIVER
Point of Diversion NESESE S5
T03N R02E ADA County Source
BOISE RIVER Tributary SNAKE
RIVER
Use: AESTHETIC 01/01 to
12/31 35 CFS
Use: RECREATION 01/01 to
12/31 35 CFS
Total Diversion: 35 CFS
Date Filed: 05-26-2020
Place Of Use: AESTHETIC, RE-
CREATION
T03N R02E S4
NWNW, L6(NWSW), SWNW
Place Of Use: AESTHETIC, RECREATION
T03N R02E S5 NENE, L11(NESE)

63-34929
RANDY HOPKINS
1390 E MALLORY LN
MERIDIAN, ID 83642-7264
(2) Point of Diversion NESE S7
T02N R01E ADA County Source
GROUND WATER Tributary
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.14 CFS
Use: IRRIGATION 03/01 to
11/15 0.14 CFS
Use: AESTHETIC STORAGE
01/01 to 12/31 8.5 AF
Total Diversion: 0.14 CFS, 6.0
AF

VICTORIA RODELA, 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 uninterrupted 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:

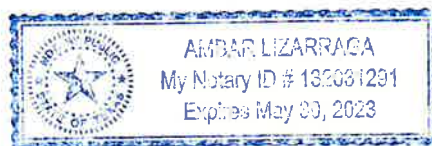
2 Insertions

Beginning issue of: 07/02/2020

Ending issue of: 07/09/2020

V Rodela
(Legals Clerk)

On this 9th day of July in the year of 2020 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Cmb
Notary Public in and for the state of Texas, residing in Dallas County

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Date Filed: 06-08-2020
Place Of Use: AESTHETIC
STORAGE, DIVERSION TO
STORAGE, IRRIGATION
T02N R01E S7 NESE
Total Acres: 7
Water bearing zone to be appro-
priated is from 95 to 250 feet.

RECEIVED

JUL 16 2020

WATER RESOURCES
WESTERN REGION

*OK ✓
7/9/2020*

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 84173
NAMPA & MERIDIAN IRRIGA-
TION DISTRICT, C/O
SAWTOOTH LAW OFFICES
PLLC, 1101 W RIVER ST STE
110 PO BOX 7985, BOISE, ID
83701 has filed Application
No. 84173 for changes to the
following water rights within
ADA, BOISE County(s): Right
No(s). 63-199B, 63-200B; to see
a full description of these rights
and the proposed transfer,
please see <https://research.idwr.idaho.gov/apps/waterrights/que-rynewtransfers>. The purpose of
the transfer is to change a por-
tion of the above rights as fol-
lows: The purpose of the trans-
fer is to convert an 11.00 cfs
portion of the applicant's water
rights from Irrigation to Industrial
(3.00 cfs) and Groundwater Re-
charge (8.00 cfs). Irrigation use
will be reduced within the Nampa
& Meridian Irrigation District serv-
ice boundary and appropriated
for the proposed changes on a
pre-determined amount each
season. Diversion of the pro-
posed uses will occur at Sur-
prise Valley located within the
NWNE, 2 North, 3 East, Sec. 4,
Ada County, B.M. The rate of
flow diverted under water rights
63-198AJ, 63-199B, 63-200B
and 63-30181 at the Surprise
Valley location shall not exceed a
combined total of 26.00 cfs.**

Permits will be subject to all prior
water rights. For additional infor-
mation concerning the property
location, contact the Western of-
fice 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 sub-
mitted based on the criteria of
Idaho Code § 42-203A. Any pro-
test against the approval of this
application must be filed with the
Director, Dept. of Water Resour-
ces, Western Region, 2735 W
AIRPORT WAY, BOISE ID 83705-
5082 together with a protest fee
of \$25.00 for each application
on or before 7/20/2020. The
protestant must also send a
copy of the protest to the appli-
cant.

GARY SPACKMAN, Director
Published on 7/2/2020 and
7/9/2020

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