

AUG 05 2020

WATER RESOURCES
WESTERN REGION

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Attorneys for Protestant
Nampa & Meridian Irrigation District

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

APPLICATION FOR PERMIT
NO. 63-34883 IN THE NAME OF
THE CITY OF MERIDIAN

STIPULATION TO RESOLVE PROTEST

COMES NOW, Applicant City of Meridian (hereinafter "Applicant"), and the Protestant Nampa & Meridian Irrigation District (hereinafter "Protestant"), and hereby submit this *Stipulation to Resolve Protest* in the above-captioned matter.

Applicant and Protestant hereby stipulate and agree as follows:

1. Applicant and Protestant agree that the permit for Water Right No. 63-34883 may be granted contingent upon the following conditions be included in Applicant's final Permit to Appropriate Water for Water Right No. 63-34883:

a. The primary surface irrigation water for the place of use authorized under this right is surface water delivered by Nampa & Meridian Irrigation District. The right holder shall make full beneficial use of said primary surface water rights available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert water under any groundwater rights to irrigate land with appurtenant primary surface water rights

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when the primary surface water supply is not reasonably sufficient to irrigate the place of use or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for the irrigation delivery entity. The right holder shall not divert water for irrigation purposes under any groundwater rights if use of the primary surface water rights is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank) or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval; and

b. 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 place of use.

2. Protestant hereby withdraws its Protest filed in the above-captioned matter based upon the inclusion of the conditions stated in this Stipulation in Applicant's final Permit to Appropriate Water for Water Right No. 63-34883. This filing of this Stipulation to Resolve Protest shall serve as Protestant's withdrawal of its Protest.

DATED this 28th day of July, 2020.

By: 
Mayor Robert E. Simison
City of Meridian

DATED this 3rd day of August, 2020.

SAWTOOTH LAW OFFICES, PLLC

By: 

S. Bryce Farris
Attorneys for Protestant, Nampa &
Meridian Irrigation District

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on this 3rd day of August, 2020, I caused a true and correct copy of the foregoing **STIPULATION TO RESOLVE PROTEST** to be served by the method indicated below, and addressed to the following:

City of Meridian
Parks & Recreation Department
33 E. Broadway, Suite 206
Meridian, ID 83642
T (208) 888-3579
E mbarton@meridiacity.org

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ Email

SPF Water Engineering, LLC
Attn: Lori Graves
300 E. Mallard Drive, Suite 350
Boise, ID 83706
T (208) 383-4140
E lgraves@spfwater.com

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ Email


S. Bryce Farris

RECEIVED

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WATER RESOURCES
WESTERN REGION

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Boise, Idaho 83707
Tel. (208) 629-7447

Challis Office

1301 E. Main Ave.
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Challis, Idaho 83226
Tel. (208) 879-4488
Fax (208) 879-4248

Twin Falls Office

236 River Vista Place
Suite 301
Twin Falls, Idaho 83301
Tel. (208) 969-9585

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SAWTOOTH LAW
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Monday, August 03, 2020

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Attorneys licensed in Idaho
** Also licensed in Washington*
*** Also licensed in Oregon*

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Permit No. 63-34883 – City of Meridian

Dear Western Region Office:

Please find enclosed the *Stipulation to Resolve* Protest in the matter of Application for Permit No. 63-34883. Please return a date stamped copy of the stipulation in the return envelope provided.

Please contact this office if you have any questions.

Very truly yours,

Debby Long
Assistant to S. Bryce Farris

SBF/dll

Enclosures

cc: City of Meridian
SFP Water Engineering, LLC