

MAY 28 2020

WATER RESOURCES
WESTERN REGION

MINIMUM 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) Nampa & Meridian Irrigation District

Check 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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Nampa & Meridian Irrigation District Phone 208-629-7447
Mailing address c/o Bryce Farris, Sawtooth Law Offices PLLC, PO Box 7985, Boise, ID 83707 Email bryce@sawtoothlaw.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 Bryce Farris, Sawtooth Law Offices PLLC Phone 208-629-7447
Mailing address PO Box 7985, Boise, ID 83707 Email bryce@sawtoothlaw.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.

Will Patterson
Signature of Applicant or Authorized Representative

Will Patterson - Board Pres. 5 May 20
Print Name and Title if applicable Date

Daren A Coon
Signature of Applicant or Authorized Representative

Daren R. Coon Sec. - Treas. 5 May 20
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. Change point of diversion Add diversion point(s) Change place of use
 Change nature of use Change period of use Other _____
2. 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.**
3. 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.**
See attached Part 1A.3

**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						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	63-199B	169.6 cfs	Irrigation	3/1 to 11/15	Boise R. trib. to Snake R. & Mores Cr. trib. to Snake R.
<input type="checkbox"/>	<input type="checkbox"/>		1.60 cfs	Industrial	3/1 to 11/15	
<input type="checkbox"/>	<input type="checkbox"/>		5.11 cfs	Groundwater Recharge	3/1 to 11/15	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	63-200B	361.94 cfs	Irrigation	3/1 to 11/15	same as above
<input type="checkbox"/>	<input type="checkbox"/>		3.40 cfs	Industrial	3/1 to 11/15	
<input type="checkbox"/>	<input type="checkbox"/>		10.89 cfs	Groundwater Recharge	3/1 to 11/15	
<input type="checkbox"/>	<input type="checkbox"/>				to	
<input type="checkbox"/>	<input type="checkbox"/>				to	
<input type="checkbox"/>	<input type="checkbox"/>				to	

Total authorized under rights 531.54 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 11.00 cubic feet per second and/or _____ 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 #

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														
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:

No changes to the existing diversion system are proposed. Measuring devices and lockable controlling works have been accommodated.

b. Who owns the property at the point(s) of diversion? No changes proposed

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:

n/a

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:

Associated Ridenbaugh natural flow rights 63-30181 & 63-198AJ for irrigation use.

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:

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

Current Water Right No.: 63-199b

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT
 Priority Date: 5/1/1878
 Origin: Water Right
 Status: Active
 Basls: Decreed

Source

BOISE RIVER
 MORES CREEK

Tributary

SNAKE RIVER
 BOISE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	169.6 CFS	
GROUND WATER RECHARGE	03/01 to 11/15	2.56 CFS	
INDUSTRIAL	03/15 to 11/15	0.64 CFS	
	<u>Total Diversion</u>	169.6 CFS	

Location of Point(s) of Diversion

BOISE RIVER ADA County	L6(NW1/4NE1/4)	Sec. 4,	Twp 02N,	Rge 03E B.M.
BOISE RIVER ADA County	L6(NW1/4SW1/4)	Sec. 29,	Twp 03N,	Rge 03E B.M.
MORES CREEK BOISE County	SW1/4NE1/4	Sec. 35,	Twp 05N,	Rge 04E B.M.

Place of Use

IRRIGATION Within CANYON County

T02N R03E S5	Lot 1	NENE	T02N R03E S5	Lot 2	NWNE
T02N R03E S5		SWNE	T02N R03E S5		SENE
T02N R03E S5	Lot 3	NENW	T02N R03E S5		SWNW
T02N R03E S5		SENW	T02N R03E S5		NESW
T02N R03E S5		NWSW	T02N R03E S5		SWSW
T02N R03E S5		SESW	T02N R03E S5		NESE
T02N R03E S5		NWSE	T02N R03E S5		SWSE
T02N R03E S6		SWNE	T02N R03E S6		SENE
T02N R03E S6		SENW	T02N R03E S6		NESW
T02N R03E S6	Lot 6	NWSW	T02N R03E S6	Lot 7	SWSW
T02N R03E S6		SESW	T02N R03E S6		NESE
T02N R03E S6		NWSE	T02N R03E S6		SWSE
T02N R03E S6		SESE	T02N R03E S7		NENE
T02N R03E S7		NWNE	T02N R03E S7		SWNE
T02N R03E S7		SENE	T02N R03E S7		NENW

T02N R03E S7	Lot 1	NWNW	T02N R03E S7	Lot 2	SWNW
T02N R03E S7		SESW	T02N R03E S7		NESW
T02N R03E S7		SESW	T02N R03E S7		NESE
T02N R03E S7		NWSE	T02N R03E S7		SWSE
T02N R03E S7		SESE	T02N R03E S8		SWSW
T02N R03E S18		NWNE	T02N R03E S18		SWNE
T02N R03E S18		NENW	T02N R01W S2	Lot 3	NENW
T02N R01W S2	Lot 4	NWNW	T02N R01W S3	Lot 1	NENE
T02N R01W S3	Lot 2	NWNE	T02N R01W S3		SWNE
T02N R01W S3		SENE	T02N R01W S3	Lot 3	NENW
T02N R01W S3	Lot 4	NWNW	T02N R01W S3		SWNW
T02N R01W S3		SESW	T02N R01W S3		NESW
T02N R01W S3		NWSW	T02N R01W S3		SWSW
T02N R01W S3		SESW	T02N R01W S4	Lot 1	NENE
T02N R01W S4	Lot 2	NWNE	T02N R01W S4		SWNE
T02N R01W S4		SENE	T02N R01W S4	Lot 3	NENW
T02N R01W S4	Lot 4	NWNW	T02N R01W S4		SWNW
T02N R01W S4		SESW	T02N R01W S4		NESW
T02N R01W S4		NWSW	T02N R01W S4		SWSW
T02N R01W S4		SESW	T02N R01W S4		NESE
T02N R01W S4		NWSE	T02N R01W S4		SWSE
T02N R01W S4		SESE	T02N R01W S5	Lot 1	NENE
T02N R01W S5	Lot 2	NWNE	T02N R01W S5		SWNE
T02N R01W S5		SENE	T02N R01W S5	Lot 3	NENW
T02N R01W S5	Lot 4	NWNW	T02N R01W S5		SWNW
T02N R01W S5		SESW	T02N R01W S5		NESW
T02N R01W S5		NWSW	T02N R01W S5		SWSW
T02N R01W S5		SESW	T02N R01W S5		NESE
T02N R01W S5		NWSE	T02N R01W S5		SWSE
T02N R01W S5		SESE	T02N R01W S6	Lot 1	NENE
T02N R01W S6	Lot 2	NWNE	T02N R01W S6		SWNE
T02N R01W S6		SENE	T02N R01W S6	Lot 3	NENW
T02N R01W S6	Lot 4	NWNW	T02N R01W S6	Lot 5	SWNW
T02N R01W S6		SESW	T02N R01W S6		NESW
T02N R01W S6	Lot 6	NWSW	T02N R01W S6	Lot 7	SWSW
T02N R01W S6		SESW	T02N R01W S6		NESE
T02N R01W S6		NWSE	T02N R01W S6		SWSE
T02N R01W S6		SESE	T02N R01W S7		NENE
T02N R01W S7		NWNE	T02N R01W S7		SWNE
T02N R01W S7		SENE	T02N R01W S7		NENW
T02N R01W S7	Lot 1	NWNW	T02N R01W S7	Lot 2	SWNW
T02N R01W S7		SESW	T02N R01W S7		NESW
T02N R01W S7	Lot 3	NWSW	T02N R01W S7	Lot 4	SWSW
T02N R01W S7		SESW	T02N R01W S7		NESE
T02N R01W S7		NWSE	T02N R01W S7		SWSE
T02N R01W S7		SESE	T02N R01W S8		NENE
T02N R01W S8		NWNE	T02N R01W S8		SWNE
T02N R01W S8		SENE	T02N R01W S8		NENW

T02N R01W S8		NWNW	T02N R01W S8		SWNW
T02N R01W S8		SEW	T02N R01W S8		NESW
T02N R01W S8		NWSW	T02N R01W S8		SWSW
T02N R01W S8		SESW	T02N R01W S8		NESE
T02N R01W S8		NWSE	T02N R01W S8		SWSE
T02N R01W S8		SESE	T02N R01W S9		NENE
T02N R01W S9		NWNE	T02N R01W S9		NWNE
T02N R01W S9		SENE	T02N R01W S9		NENW
T02N R01W S9		NWNW	T02N R01W S9		SWNW
T02N R01W S9		SEW	T02N R01W S9		NESW
T02N R01W S9		NWSW	T02N R01W S9		SWSW
T02N R01W S9		NESE	T02N R01W S9		NWSE
T02N R01W S10		NWNW	T02N R01W S10		SWNW
T02N R01W S10		NWSW	T02N R01W S17		NENW
T02N R01W S17		NWNW	T02N R01W S17		SWNW
T02N R01W S18		NENE	T02N R01W S18		NWNE
T02N R01W S18		SWNE	T02N R01W S18		SENE
T02N R01W S18		NENW	T02N R01W S18	Lot 1	NWNW
T02N R01W S18	Lot 2	SWNW	T02N R01W S18		SEW
T02N R01W S18		NESW	T02N R01W S18	Lot 3	NWSW
T02N R01W S18	Lot 4	SWSW	T02N R01W S18		SESW
T02N R01W S18		NESE	T02N R01W S18		NWSE
T02N R02W S1	Lot 1	NENE	T02N R02W S1	Lot 2	NWNE
T02N R02W S1		SWNE	T02N R02W S1		SENE
T02N R02W S1	Lot 3	NENW	T02N R02W S1	Lot 4	NWNW
T02N R02W S1		SWNW	T02N R02W S1		SEW
T02N R02W S1		NESW	T02N R02W S1		NWSW
T02N R02W S1		SWSW	T02N R02W S1		SESW
T02N R02W S1		NESE	T02N R02W S1		NWSE
T02N R02W S1		SWSE	T02N R02W S1		SESE
T02N R02W S2	Lot 1	NENE	T02N R02W S2	Lot 2	NWNE
T02N R02W S2		SWNE	T02N R02W S2		SENE
T02N R02W S2	Lot 3	NENW	T02N R02W S2	Lot 4	NWNW
T02N R02W S2		SWNW	T02N R02W S2		SEW
T02N R02W S2		NESW	T02N R02W S2		NWSW
T02N R02W S2		SWSW	T02N R02W S2		SESW
T02N R02W S2		NESE	T02N R02W S2		NWSE
T02N R02W S2		SWSE	T02N R02W S2		SESE
T02N R02W S3	Lot 1	NENE	T02N R02W S3	Lot 2	NWNE
T02N R02W S3		SWNE	T02N R02W S3		SENE
T02N R02W S3	Lot 3	NENW	T02N R02W S3	Lot 4	NWNW
T02N R02W S3		SWNW	T02N R02W S3		SEW
T02N R02W S3		NESW	T02N R02W S3		NWSW
T02N R02W S3		SESW	T02N R02W S3		NESE
T02N R02W S3		NWSE	T02N R02W S3		SWSE
T02N R02W S3		SESE	T02N R02W S4	Lot 1	NENE
T02N R02W S4	Lot 2	NWNE	T02N R02W S4		SWNE
T02N R02W S4		SENE	T02N R02W S4	Lot 3	NENW

T02N R02W S4	Lot 4	NWNW	T02N R02W S4		SWNW
T02N R02W S5	Lot 1	NENE	T02N R02W S7	Lot 3	NWSW
T02N R02W S7	Lot 4	SWSW	T02N R02W S7		SESW
T02N R02W S7		SWSE	T02N R02W S8		SESE
T02N R02W S9		SWSW	T02N R02W S9		SESW
T02N R02W S9		NESE	T02N R02W S9	Lot 1	NWSE
T02N R02W S9		SWSE	T02N R02W S9		SESE
T02N R02W S10		NENE	T02N R02W S10		NWNE
T02N R02W S10		SWNE	T02N R02W S10		SENE
T02N R02W S10		NENW	T02N R02W S10		SENW
T02N R02W S10		SWSW	T02N R02W S10		SESW
T02N R02W S10		NESE	T02N R02W S10		NWSE
T02N R02W S10		SWSE	T02N R02W S10		SESE
T02N R02W S11		NENE	T02N R02W S11		NWNE
T02N R02W S11		SWNE	T02N R02W S11		SENE
T02N R02W S11		NENW	T02N R02W S11		NWNW
T02N R02W S11		SWNW	T02N R02W S11		SENW
T02N R02W S11		NESW	T02N R02W S11		NWSW
T02N R02W S11		SWSW	T02N R02W S11		SESW
T02N R02W S11		NESE	T02N R02W S11		NWSE
T02N R02W S11		SWSE	T02N R02W S11		SESE
T02N R02W S12		NENE	T02N R02W S12		NWNE
T02N R02W S12		SWNE	T02N R02W S12		SENE
T02N R02W S12		NENW	T02N R02W S12		NWNW
T02N R02W S12		SWNW	T02N R02W S12		SENW
T02N R02W S12		NESW	T02N R02W S12		NWSW
T02N R02W S12		SWSW	T02N R02W S12		SESW
T02N R02W S12		NESE	T02N R02W S12		NWSE
T02N R02W S12		SWSE	T02N R02W S12		SESE
T02N R02W S13		NENE	T02N R02W S13		NWNE
T02N R02W S13		SWNE	T02N R02W S13		SENE
T02N R02W S13		NENW	T02N R02W S13		NWNW
T02N R02W S13		SWNW	T02N R02W S13		SENW
T02N R02W S13		NESW	T02N R02W S13		NWSW
T02N R02W S13		SWSW	T02N R02W S13		SESW
T02N R02W S13		NESE	T02N R02W S13		NWSE
T02N R02W S13		SWSE	T02N R02W S13		SESE
T02N R02W S14		NENE	T02N R02W S14		NWNE
T02N R02W S14		SWNE	T02N R02W S14		SENE
T02N R02W S14		NENW	T02N R02W S14		NWNW
T02N R02W S14		SWNW	T02N R02W S14		SENW
T02N R02W S14		NESW	T02N R02W S14		NWSW
T02N R02W S14		SWSW	T02N R02W S14		SESW
T02N R02W S14		NESE	T02N R02W S14		NWSE
T02N R02W S14		SWSE	T02N R02W S14		SESE
T02N R02W S15		NENE	T02N R02W S15		NWNE
T02N R02W S15		SWNE	T02N R02W S15		SENE
T02N R02W S15		NENW	T02N R02W S15		NWNW

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T03N R01E S2		SWSE	T03N R01E S2		SESE
T03N R01E S3	Lot 1	NENE	T03N R01E S3	Lot 2	NWNE

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T03N R02E S5	Lot 10 NESW	T03N R02E S5	Lot 7 NWSW

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T03N R02E S5	Lot 16	SWSE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 2	NENE
T03N R02E S6	Lot 3	NWNE	T03N R02E S6		SWNE
T03N R02E S6	Lot 9	SENE	T03N R02E S6	Lot 10	SENE
T03N R02E S6	Lot 4	NENW	T03N R02E S6	Lot 5	NWNW
T03N R02E S6	Lot 6	SWNW	T03N R02E S6		SENW
T03N R02E S6		NESW	T03N R02E S6	Lot 7	NWSW
T03N R02E S6	Lot 8	SWSW	T03N R02E S6		SESW
T03N R02E S6		NESE	T03N R02E S6		NWSE
T03N R02E S6		SWSE	T03N R02E S6		SESE
T03N R02E S7		NENE	T03N R02E S7		NWNE
T03N R02E S7		SWNE	T03N R02E S7		SENE
T03N R02E S7		NENW	T03N R02E S7	Lot 1	NWNW
T03N R02E S7	Lot 2	SWNW	T03N R02E S7		SENW
T03N R02E S7		NESW	T03N R02E S7	Lot 3	NWSW
T03N R02E S7	Lot 4	SWSW	T03N R02E S7		SESW
T03N R02E S7		NESE	T03N R02E S7		NWSE
T03N R02E S7		SWSE	T03N R02E S7		SESE
T03N R02E S8	Lot 1	NENE	T03N R02E S8	Lot 4	NENE
T03N R02E S8	Lot 2	NWNE	T03N R02E S8	Lot 3	NWNE
T03N R02E S8		SWNE	T03N R02E S8		SENE
T03N R02E S8		NENW	T03N R02E S8		NWNW
T03N R02E S8		SWNW	T03N R02E S8		SENW
T03N R02E S8		NESW	T03N R02E S8		NWSW
T03N R02E S8		SWSW	T03N R02E S8		SESW
T03N R02E S8		NESE	T03N R02E S8		NWSE
T03N R02E S8		SWSE	T03N R02E S8		SESE
T03N R02E S9		SWNW	T03N R02E S9	Lot 8	SENW
T03N R02E S9		NESW	T03N R02E S9		NWSW
T03N R02E S9		SESW	T03N R02E S9		NWSE
T03N R02E S15		SENW	T03N R02E S15		NESW
T03N R02E S17		NENE	T03N R02E S17		NWNE
T03N R02E S17		SWNE	T03N R02E S17		SENE
T03N R02E S17		NENW	T03N R02E S17		NWNW
T03N R02E S17		SWNW	T03N R02E S17		SENW
T03N R02E S17		NESW	T03N R02E S17		NWSW
T03N R02E S17		SWSW	T03N R02E S17		SESW
T03N R02E S17		NWSE	T03N R02E S17		SWSE
T03N R02E S17		SESE	T03N R02E S18		NENE
T03N R02E S18		NWNE	T03N R02E S18		SWNE
T03N R02E S18		SENE	T03N R02E S18		NENW
T03N R02E S18	Lot 1	NWNW	T03N R02E S18	Lot 2	SWNW
T03N R02E S18		SENW	T03N R02E S18		NESW
T03N R02E S18		NESE	T03N R02E S18		NWSE
T03N R02E S22		NESE	T03N R02E S22		SESE

T03N R02E S23	SENE	T03N R02E S23	NESW
T03N R02E S23	NWSW	T03N R02E S23	SWSW
T03N R02E S23	SESW	T03N R02E S23	NESE
T03N R02E S23	NWSE	T03N R02E S23	NWSE
T03N R02E S23	SESE	T03N R02E S24	SWSW

Total Acres: 69495

Place of Use: INDUSTRIAL same as IRRIGATION

Place of Use: GROUND WATER RECHARGE same as IRRIGATION

Conditions of Approval:

1. 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.
2. 155 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.
3. 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 0.0156 cfs/acre.
4. 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.
5. 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 20.34 cfs.
6. 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.
7. S45 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.

8. 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 0.0156 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 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.
9. R05 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.
10. 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.
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 .72 cfs.
12. 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.
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. 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.
15. 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.
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 its tributaries.
17. 135 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.
18. SD1 This right originated as all or part of right no. 67 in the Stewart Decree and the historic Boise River Water Masters records.
19. 127 Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
20. Prior to March 15 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.
21. 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.

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22. This right when combined with Right Nos. 63-198AJ, 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.

Decreed Date: 3/30/2011

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

Current Water Right No.: 63-200b

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT
 Priority Date: 8/20/1888
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

BOISE RIVER
 MORES CREEK

Tributary

SNAKE RIVER
 BOISE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION	03/15 to 11/15	361.94 CFS
INDUSTRIAL	03/15 to 11/15	1.36 CFS
GROUND WATER RECHARGE	03/15 to 11/15	5.44 CFS
<u>Total Diversion</u>		361.94 CFS

Location of Point(s) of Diversion

BOISE RIVER ADA County	L6(NW1/4NE1/4)	Sec. 4, Twp 02N, Rge 03E B.M.
BOISE RIVER ADA County	L6(NW1/4SW1/4)	Sec. 29, Twp 03N, Rge 03E B.M.
MORES CREEK BOISE County	SW1/4NE1/4	Sec. 35, Twp 05N, Rge 04E B.M.

Place of Use

IRRIGATION Within ADA County

T02N R03E S5	Lot 1	NENE	T02N R03E S5	Lot 2	NWNE
T02N R03E S5		SWNE	T02N R03E S5		SENE
T02N R03E S5	Lot 3	NENW	T02N R03E S5		SWNW
T02N R03E S5		SESW	T02N R03E S5		NESW
T02N R03E S5		NWSW	T02N R03E S5		NWSE
T02N R03E S5		SESW	T02N R03E S5		NESE
T02N R03E S5		NWSE	T02N R03E S5		SWSE
T02N R03E S6		SWNE	T02N R03E S6		SENE
T02N R03E S6		SESW	T02N R03E S6		NESW
T02N R03E S6	Lot 6	NWSW	T02N R03E S6	Lot 7	SWSW
T02N R03E S6		SESW	T02N R03E S6		NESE
T02N R03E S6		NWSE	T02N R03E S6		SWSE
T02N R03E S6		SESE	T02N R03E S7		NENE
T02N R03E S7		NWNE	T02N R03E S7		SWNE
T02N R03E S7		SENE	T02N R03E S7		NENW

T02N R03E S7	Lot 1	NWNW	T02N R03E S7	Lot 2	SWNW
T02N R03E S7		SESW	T02N R03E S7		NESW
T02N R03E S7		SESE	T02N R03E S7		NESE
T02N R03E S7		NWSE	T02N R03E S7		SWSE
T02N R03E S7		SESE	T02N R03E S8		SWSW
T02N R03E S18		NWNE	T02N R03E S18		SWNE
T02N R03E S18		NENW	T02N R01W S2	Lot 3	NENW
T02N R01W S2	Lot 4	NWNW	T02N R01W S3	Lot 1	NENE
T02N R01W S3	Lot 2	NWNE	T02N R01W S3		SWNE
T02N R01W S3		SENE	T02N R01W S3	Lot 3	NENW
T02N R01W S3	Lot 4	NWNW	T02N R01W S3		SWNW
T02N R01W S3		SESW	T02N R01W S3		NESW
T02N R01W S3		NWSW	T02N R01W S3		SWSW
T02N R01W S3		SESW	T02N R01W S4	Lot 1	NENE
T02N R01W S4	Lot 2	NWNE	T02N R01W S4		SWNE
T02N R01W S4		SENE	T02N R01W S4	Lot 3	NENW
T02N R01W S4	Lot 4	NWNW	T02N R01W S4		SWNW
T02N R01W S4		SESW	T02N R01W S4		NESW
T02N R01W S4		NWSW	T02N R01W S4		NESW
T02N R01W S4		SESW	T02N R01W S4		NESE
T02N R01W S4		NWSE	T02N R01W S4		SWSE
T02N R01W S4		SESE	T02N R01W S5	Lot 1	NENE
T02N R01W S5	Lot 2	NWNE	T02N R01W S5		SWNE
T02N R01W S5		SENE	T02N R01W S5	Lot 3	NENW
T02N R01W S5	Lot 4	NWNW	T02N R01W S5		SWNW
T02N R01W S5		SESW	T02N R01W S5		NESW
T02N R01W S5		NWSW	T02N R01W S5		SWSW
T02N R01W S5		SESW	T02N R01W S5		NESE
T02N R01W S5		NWSE	T02N R01W S5		SWSE
T02N R01W S5		SESE	T02N R01W S6	Lot 1	NENE
T02N R01W S6	Lot 2	NWNE	T02N R01W S6		SWNE
T02N R01W S6		SENE	T02N R01W S6	Lot 3	NENW
T02N R01W S6	Lot 4	NWNW	T02N R01W S6	Lot 5	SWNW
T02N R01W S6		SESW	T02N R01W S6		NESW
T02N R01W S6	Lot 6	NWSW	T02N R01W S6	Lot 7	SWSW
T02N R01W S6		SESW	T02N R01W S6		NESE
T02N R01W S6		NWSE	T02N R01W S6		SWSE
T02N R01W S6		SESE	T02N R01W S7		NENE
T02N R01W S7		NWNE	T02N R01W S7		SWNE
T02N R01W S7		SENE	T02N R01W S7		NENW
T02N R01W S7	Lot 1	NWNW	T02N R01W S7	Lot 2	SWNW
T02N R01W S7		SESW	T02N R01W S7		NESW
T02N R01W S7	Lot 3	NWSW	T02N R01W S7	Lot 4	SWSW
T02N R01W S7		SESW	T02N R01W S7		NESE
T02N R01W S7		NWSE	T02N R01W S7		SWSE
T02N R01W S7		SESE	T02N R01W S8		NENE
T02N R01W S8		NWNE	T02N R01W S8		SWNE
T02N R01W S8		SENE	T02N R01W S8		NENW

T02N R01W S8		NWNW	T02N R01W S8		SWNW
T02N R01W S8		SENW	T02N R01W S8		NESW
T02N R01W S8		NWSW	T02N R01W S8		SWSW
T02N R01W S8		SESW	T02N R01W S8		NESE
T02N R01W S8		NWSE	T02N R01W S8		SWSE
T02N R01W S8		SESE	T02N R01W S9		NENE
T02N R01W S9		NWNE	T02N R01W S9		SWNE
T02N R01W S9		SENE	T02N R01W S9		NENW
T02N R01W S9		NWNW	T02N R01W S9		SWNW
T02N R01W S9		SENW	T02N R01W S9		NESW
T02N R01W S9		NWSW	T02N R01W S9		SWSW
T02N R01W S9		NESE	T02N R01W S9		NWSE
T02N R01W S10		NWNW	T02N R01W S10		SWNW
T02N R01W S10		NWSW	T02N R01W S17		NENW
T02N R01W S17		NWNW	T02N R01W S17		SWNW
T02N R01W S18		NENE	T02N R01W S18		NWNE
T02N R01W S18		SWNE	T02N R01W S18		SENE
T02N R01W S18		NENW	T02N R01W S18	Lot 1	NWNW
T02N R01W S18	Lot 2	SWNW	T02N R01W S18		SENW
T02N R01W S18		NESW	T02N R01W S18	Lot 3	NWSW
T02N R01W S18	Lot 4	SWSW	T02N R01W S18		SESW
T02N R01W S18		NESE	T02N R01W S18		NWSE
T02N R02W S1	Lot 1	NENE	T02N R02W S1	Lot 2	NWNE
T02N R02W S1		SWNE	T02N R02W S1		SENE
T02N R02W S1	Lot 3	NENW	T02N R02W S1	Lot 4	NWNW
T02N R02W S1		SWNW	T02N R02W S1		SENW
T02N R02W S1		NESW	T02N R02W S1		NWSW
T02N R02W S1		SWSW	T02N R02W S1		SESW
T02N R02W S1		NESE	T02N R02W S1		NWSE
T02N R02W S1		SWSE	T02N R02W S1		SESE
T02N R02W S2	Lot 1	NENE	T02N R02W S2	Lot 2	NWNE
T02N R02W S2		SWNE	T02N R02W S2		SENE
T02N R02W S2	Lot 3	NENW	T02N R02W S2	Lot 4	NWNW
T02N R02W S2		SWNW	T02N R02W S2		SENW
T02N R02W S2		NESW	T02N R02W S2		NWSW
T02N R02W S2		SWSW	T02N R02W S2		SESW
T02N R02W S2		NESE	T02N R02W S2		NWSE
T02N R02W S2		SWSE	T02N R02W S2		SESE
T02N R02W S3	Lot 1	NENE	T02N R02W S3	Lot 2	NWNE
T02N R02W S3		SWNE	T02N R02W S3		SENE
T02N R02W S3	Lot 3	NENW	T02N R02W S3	Lot 4	NWNW
T02N R02W S3		SWNW	T02N R02W S3		SENW
T02N R02W S3		NESW	T02N R02W S3		NWSW
T02N R02W S3		SESW	T02N R02W S3		NESE
T02N R02W S3		NWSE	T02N R02W S3		SWSE
T02N R02W S3		SESE	T02N R02W S4	Lot 1	NENE
T02N R02W S4	Lot 2	NWNE	T02N R02W S4		SWNE
T02N R02W S4		SENE	T02N R02W S4	Lot 3	NENW

T02N R02W S15		SWNW		T02N R02W S15		SENW
T02N R02W S15		NESW		T02N R02W S15		NWSW
T02N R02W S15		SWSW		T02N R02W S15		SESW
T02N R02W S15		NESE		T02N R02W S15		NWSE
T02N R02W S15		SWSE		T02N R02W S15		SESE
T02N R02W S16		NENE		T02N R02W S16		NWNE
T02N R02W S16		SWNE		T02N R02W S16		SENE
T02N R02W S16		NENW		T02N R02W S16		NWNW
T02N R02W S16		SWNW		T02N R02W S16		SENW
T02N R02W S16		NESW		T02N R02W S16		NWSW
T02N R02W S16		SWSW		T02N R02W S16		SESW
T02N R02W S16		NESE		T02N R02W S16		NWSE
T02N R02W S16		SWSE		T02N R02W S16		SESE
T02N R02W S17		NENE		T02N R02W S17		NWNE
T02N R02W S17		SWNE		T02N R02W S17		SENE
T02N R02W S17		NWNW		T02N R02W S17	Lot 1	SWNW
T02N R02W S17	Lot 2	SWNW		T02N R02W S17	Lot 3	SWNW
T02N R02W S17		SENW		T02N R02W S17		NESW
T02N R02W S17		NWSW		T02N R02W S17		NWSW
T02N R02W S17		SESW		T02N R02W S17		NESE
T02N R02W S17		NWSE		T02N R02W S17		SWSE
T02N R02W S17		SESE		T02N R02W S18		NENE
T02N R02W S18		NWNE		T02N R02W S18		SWNE
T02N R02W S18		SENE		T02N R02W S18		NENW
T02N R02W S18		SENW		T02N R02W S18		NESE
T02N R02W S18		NWSE		T02N R02W S18		SWSE
T02N R02W S18		SESE		T02N R02W S19		NENE
T02N R02W S19		NWNE		T02N R02W S19		SWNE
T02N R02W S19		SENE		T02N R02W S19		NESE
T02N R02W S19		NWSE		T02N R02W S19		SESE
T02N R02W S20		NENE		T02N R02W S20		NWNE
T02N R02W S20		SWNE		T02N R02W S20		SENE
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T02N R02W S20		SWNW		T02N R02W S20		SENW
T02N R02W S20		NESW		T02N R02W S20		NWSW
T02N R02W S20		SWSW		T02N R02W S20		SESW
T02N R02W S20		NESE		T02N R02W S20		NWSE
T02N R02W S20		SWSE		T02N R02W S20		SESE
T02N R02W S21		NENE		T02N R02W S21		NWNE
T02N R02W S21		SWNE		T02N R02W S21		SENE
T02N R02W S21		NENW		T02N R02W S21		NWNW
T02N R02W S21		SWNW		T02N R02W S21		SENW
T02N R02W S21		NESW		T02N R02W S21		NWSW
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T03N R02E S18		SENE	T03N R02E S18		SENE
T03N R02E S18	Lot 1	NWNW	T03N R02E S18	Lot 2	SENE
T03N R02E S18		SENE	T03N R02E S18		NWNW
T03N R02E S18		NESE	T03N R02E S18		SENE
T03N R02E S22		NESE	T03N R02E S22		SENE

Page _____ of _____

T03N R02E S23	SENE	T03N R02E S23	NESW
T03N R02E S23	NWSW	T03N R02E S23	SWSW
T03N R02E S23	SESW	T03N R02E S23	NESE
T03N R02E S23	NWSE	T03N R02E S23	SWSE
T03N R02E S23	SESE	T03N R02E S24	SWSW

Total Acres: 69495

Place of Use: INDUSTRIAL same as IRRIGATION

Place of Use: GROUND WATER RECHARGE same as IRRIGATION

Conditions of Approval:

1. Prior to March 15 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.
2. 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.
3. 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 0.0156 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 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.
4. S45 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.
5. R05 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.
6. 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.
7. 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.

8. 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.
9. 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 20.34 cfs.
10. 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.
11. 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.
12. 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.
13. SD1 This right originated as all or part of right no. 106 in the Stewart Decree and the historic Boise River Water Masters records.
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. 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.
16. 127 Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
17. 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.
18. 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 0.0156 cfs/acre.
19. 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.
20. 135 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.

21. 155 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.
22. 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.

Decreed Date: 3/30/2011

Transfer Narrative, Part 1A.3

Micron Technology Inc. (Micron) and J.R. Simplot Company annexed 1300 acres into Nampa & Meridian Irrigation District (NMID) in 1998; Micron annexed 870 acres and Simplot annexed 430 acres. The total flow rate apportioned to the 1300 acres in 1998 was 20.34 cfs (0.0156 cfs/ac).

As part of the annexation, a transfer application was required and filed on NMID natural flow water rights. The resulting transfer approval (No. 5273) changed the nature of use of 2 cfs from irrigation to industrial and 8 cfs from irrigation to recharge. This change was not additive with irrigation (i.e., the irrigation flow rate for the entire NMID portfolio did not decrease). Instead, the NMID water rights were conditioned as follows to prevent enlargement.

- *Prior to March 15 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.*
- *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 0.0156 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 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.*
- *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 0.0156 cfs/acre.*
- *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.*
- *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.*

NMID has recently agreed to modify 1998 agreement to increase the apportionment of benefits to the 1300 Micron/Simplot acres from 20.34 cfs to 26.00 cfs. NMID also proposes to increase the total rates allocated to industrial use from 2 cfs to 5 cfs and recharge use from 8 cfs to 16 cfs. The amounts of individual rights to be changed are listed in Table 1 below.

Table 1: Current and Proposed Flow Rates

Right Number	Priority Date	Total (cfs)	Current			Proposed		
			Irrigation (cfs)	Industrial (cfs)	Recharge (cfs)	Irrigation (cfs)	Industrial (cfs)	Recharge (cfs)
63-120F	6/1/1864	0.4	0.4	0.00	0.00	0.40	0.00	0.00
63-198Q	6/1/1877	0.4	0.4	0.00	0.00	0.40	0.00	0.00
63-199B	5/1/1878	169.6	169.6	0.64	2.56	169.60	1.60	5.11
63-200B	8/20/1888	361.94	361.94	1.36	5.44	361.94	3.40	10.89
		532.34	532.34	2.00	8.00	532.34	5.00	16.00

The currently authorized places of use and points of diversion are not proposed for change; only the flow rate amounts currently allocated to industrial and groundwater recharge uses. As a result of this transfer, the transfer rights and associated rights contain the following conditions that will need to be modified as follows:

- *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 ~~0.0156~~ 0.020 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.*
- *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 ~~0.0156~~ 0.020 cfs per acre.*

Propose: Change the flow rate from 0.0156 cfs per acre to 0.020 cfs per acre

- 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 ~~20.34~~ 26.00 cfs.

Propose: Change the flow rate from 20.34 cfs to 26.0 cfs

Period of Use. The transfer also proposes to change the period of use of the rights to March 1 through November 15.

Currently the irrigation and ground water recharge portions of water right 63-199B have a period of use from March 1 through November 15 while the industrial portion has a season of use of March 15 through November 15. All of water right 63-200B has a season of use from March 15 through November 15. The proposed period of use provides a consistent season of use under both 63-199B and 63-200B.

According to Application Processing Memo #52, it appears that it possible to change the season of use to the standard season, which is March 1 to November 15 in the Treasure Valley. Specifically, Memo #52 says

“For a transfer of a license or decreed water right, the transfer approval should retain the licensed or decreed season. However, when the new standard season is longer than the licensed or decreed season, an approval condition like the following may be added:

The period of use of the irrigation described in this approval may be extended to a beginning date of new standard and an ending date of new standard provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before new standard and after new standard is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.”

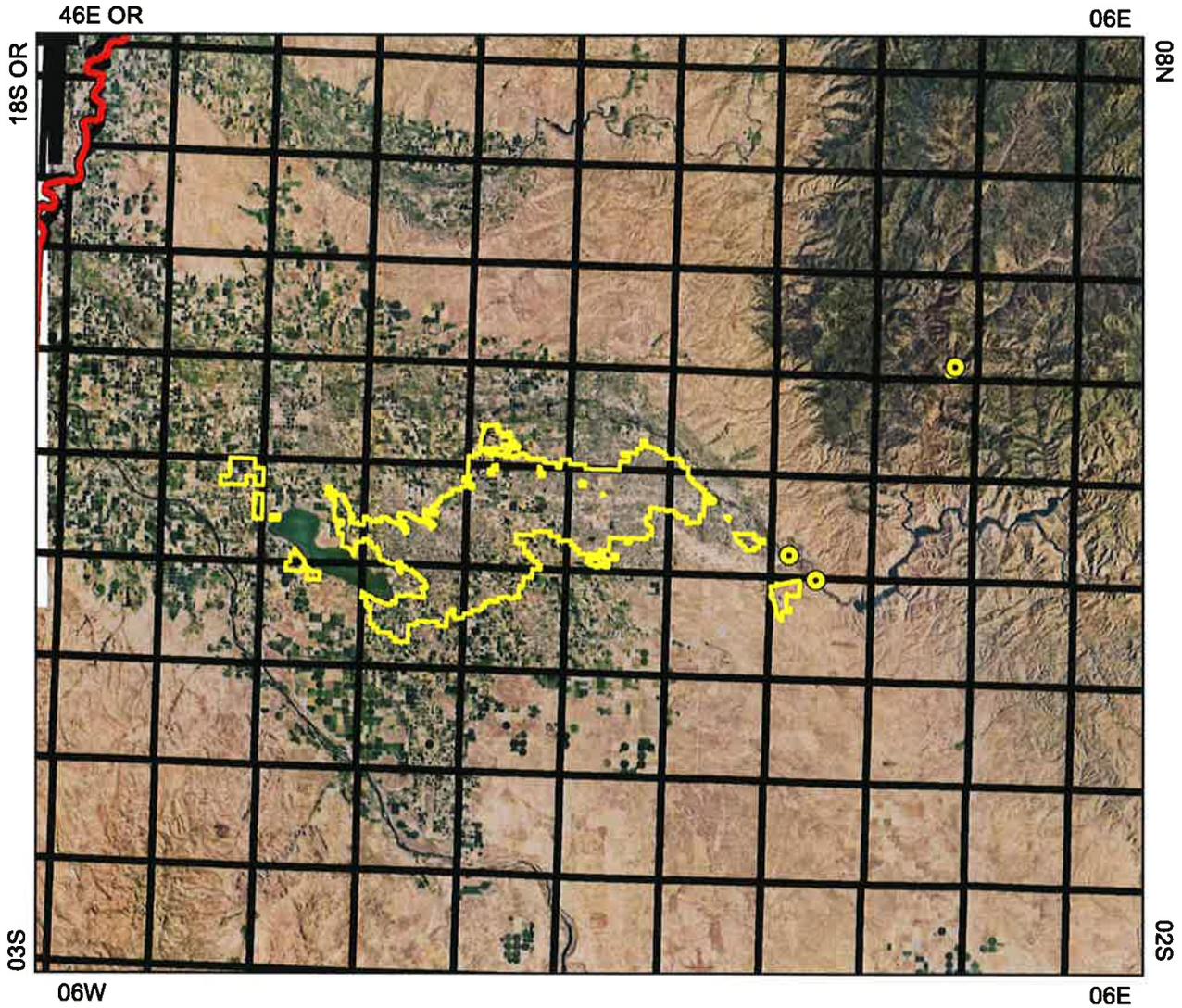
NMID will accept an approval condition similar to the condition above for the industrial use under 63-199B and for all uses under 63-200B.

State of Idaho
Department of Water Resources

**Water Right
63-199B**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships

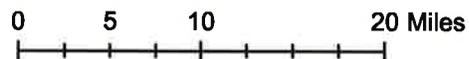
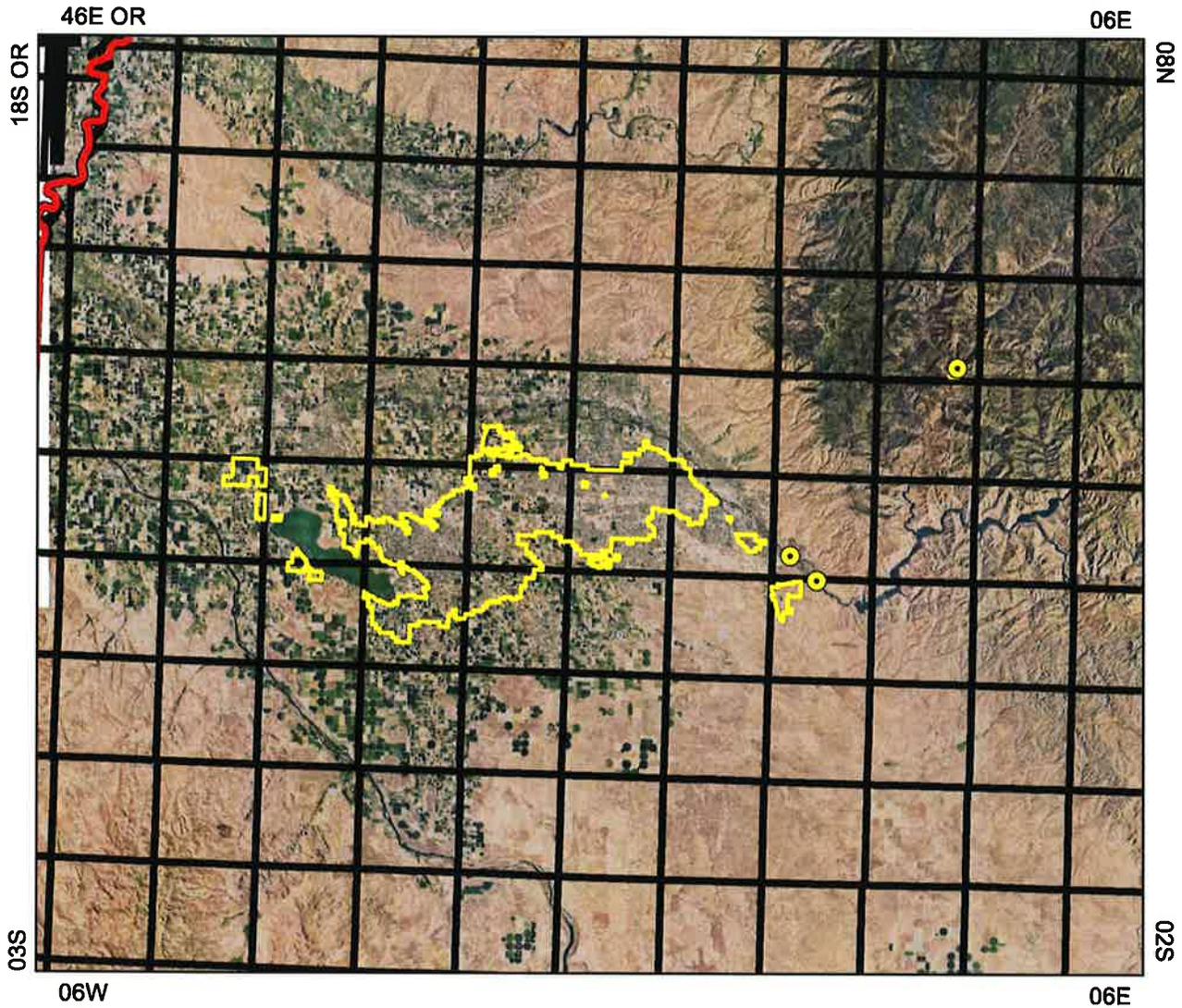
Map produced on February 22, 2019

State of Idaho
Department of Water Resources

Water Right 63-200B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships



Map produced on February 22, 2019

Attachment 8a – Water Balance

The water rights proposed for change have historically been used for irrigation of agricultural crops within the Treasure Valley. The water is fully diverted to the extent it is available, and must be supplemented with storage water to provide a full season of irrigation.

There will be no increase in consumptive use as part of this transfer.

- The proposed industrial use will be at Micron Technology, Inc (Micron). At Micron, industrial water is utilized for manufacturing of semiconductor products after which the water is pre-treated and discharged to the City of Boise municipal wastewater system. The City of Boise discharges the treated wastewater to the Boise River. Estimated consumptive use of industrial water at Micron is less than 20 percent.
- The proposed groundwater recharge use is non-consumptive. The recharged groundwater is eventually diverted under Micron decreed and licensed groundwater rights to be used for industrial purposes and then discharged to the City of Boise municipal wastewater system. As previously noted, the estimated consumptive use of industrial water at Micron is less than 20 percent.

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:59 AM
To: 'WATERDISTRICT63@QWESTOFFICE.NET'
Subject: Application for Permit 63-34926, Transfer 84020 & 84173
Attachments: Watermaster Recommendation Form.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 11:00 AM
To: 'Danielle.Merriman@deq.idaho.gov'
Cc: 'Lance.Holloway@deq.idaho.gov'
Subject: Application for Transfer 84173
Attachments: Agency Recommendation Form.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Monday, June 29, 2020 9:33 AM
To: 'Bassista, Tom'
Subject: Application for Permit 63-34926, Transfer 84173
Attachments: IDFG Recommendation Form.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office on or before 7/20/2020.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

DRAINAGE DISTRICT NUMBER FOUR OF ADA COUNTY
PO BOX 2773
BOISE ID 83701

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotected application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue circular stamp.

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

SURPRISE VALLEY HOA
5240 S SURPRISE WAY
BOISE ID 83716

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

MICRON TECHNOLOGY INC
8000 S FEDERAL WAY
BOISE ID 83707

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

J R SIMPLOT CO
1099 W FRONT ST
PO BOX 27
BOSIE ID 83707

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

UNITED WATER IDAHO INC
8248 W VICTORY RD
BOISE ID 83709

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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

Sincerely,

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

UNITED WATER IDAHO INC
PO BOX 190420
BOISE ID 83719

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

BOISE VALLEY IRRIGATION DITCH CO
8750 N BOGART LN
BOISE ID 83714

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

BOISE PROJECT BOARD OF CONTROL
2465 W OVERLAND RD
BOISE ID 83705

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue horizontal line.

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

BOISE PROJECT BOARD OF CONTROL
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE ID 83701

RE: Application for Transfer No: 84173

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotected application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082
Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O SAWTOOTH LAW OFFICES PLLC
ATTN S BRYCE FARRIS
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83701

**RE: Transfer No. 84173
Water Right No(s). 63-199B, 63-200B**

Dear Applicant(s):

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 IDAHO STATESMAN, IDAHO WORLD, TIMES NEWS, and LEWISTON TRIBUNE on 7/2/2020 and 7/9/2020 and the POST REGISTER on 7/1/2020 and 7/8/2020. 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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:42 AM
To: 'BOI Legals'
Subject: Ada Legal Notices
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 07/02/2020 and 07/09/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application for Permit No. 63-34912, 63-34926, 63-34929
Transfer No. 84173
Water Right No(s). 63-199B, 63-200B

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 7/20/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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 BVLD
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)

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
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 appropriated is from 95 to 250 feet.

**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. 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/WRAApplicationResults/>. 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

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:43 AM
To: 'legalnotices@postregister.com'
Subject: Bonneville Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 07/01/2020 and 07/08/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Application for Permit No. 63-34926
Transfer No. 84173
Water Right No(s). 63-199B, 63-200B

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 7/20/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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. 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/WRAApplicationResults/>. 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 7/1/2020 and 7/8/2020

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:44 AM
To: 'legals@lmtribune.com'
Subject: Nez Perce Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 07/02/2020 and 07/09/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST
PO BOX 957
LEWISTON, ID 83501

RE: Application for Permit No. 63-34926
Transfer No. 84173
Water Right No(s). 63-199B, 63-200B

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 7/20/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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 BVLD

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. 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/WRAApplicationResults/>. 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

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, June 26, 2020 10:44 AM
To: 'legals@magicvalley.com'
Subject: Twin Falls Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 07/02/2020 and 07/09/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 26, 2020

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 63-34926
Transfer No. 84173
Water Right No(s). 63-199B, 63-200B

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 7/20/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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. 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/WRAApplicationResults/>. 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



RECEIVED

JUN 25 2020

WATER RESOURCES
WESTERN REGION

June 23, 2020

Patrick Kelly
Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer – Nampa & Meridian Irrigation District – Additional Fee

Dear Patrick,

In response to your attached email dated June 23, 2020, enclosed is a check for \$250 for the nature of use filing fee. Thanks for bringing this to my attention.

Sincerely,

Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.

Enclosure: Filing Fee

Cc: Bryce Farris (bryce@sawtoothlaw.com)
Kevin Beaton (kevin.beaton@stoel.com)
Ann Dickey (adickey@micron.com)

Receipt#: W048429 Received by: LE Date: 06/25/2020

From: [Kelly, Patrick](#)
To: Terry Scanlan; Bryce Farris
Subject: Nampa & Meridian Irr Dist Transfer 84173
Date: Tuesday, June 23, 2020 4:26:29 PM

Gentlemen,

NMID filed a nature of use change to convert 11.00 cfs portion of the water rights from irrigation to industrial and groundwater recharge. A fee of \$1300 was received which covers the 11.00 cfs transfer, but still requires a \$250 nature of use change fee. Review of the file is not fully complete and more info may be required, but I wanted to get this to advertising by the next round which goes out tomorrow and expect that the fee would be paid between now and when we are ready to sign (assuming of course...).

Thank you!

Patrick Kelly

Water Rights Supervisor
Emergency Agency Coordinator
2735 Airport Way
Boise, Idaho 83705
o: 208.334.2190
patrick.kelly@idwr.idaho.gov

Kelly, Patrick

From: Kelly, Patrick
Sent: Tuesday, June 23, 2020 4:49 PM
To: 'Terry Scanlan'; Bryce Farris
Subject: RE: Nampa & Meridian Irr Dist Transfer 84173

Thanks Terry.

From: Terry Scanlan [mailto:TScanlan@spfwater.com]
Sent: Tuesday, June 23, 2020 4:47 PM
To: Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>; Bryce Farris <bryce@sawtoothlaw.com>
Subject: RE: Nampa & Meridian Irr Dist Transfer 84173

Patrick,

I will get you the additional fee ASAP.

Terry

From: Kelly, Patrick <Patrick.Kelly@idwr.idaho.gov>
Sent: Tuesday, June 23, 2020 4:26 PM
To: Terry Scanlan <TScanlan@spfwater.com>; Bryce Farris <bryce@sawtoothlaw.com>
Subject: Nampa & Meridian Irr Dist Transfer 84173

Gentlemen,

NMID filed a nature of use change to convert 11.00 cfs portion of the water rights from irrigation to industrial and groundwater recharge. A fee of \$1300 was received which covers the 11.00 cfs transfer, but still requires a \$250 nature of use change fee. Review of the file is not fully complete and more info may be required, but I wanted to get this to advertising by the next round which goes out tomorrow and expect that the fee would be paid between now and when we are ready to sign (assuming of course...).

Thank you!

Patrick Kelly

Water Rights Supervisor
Emergency Agency Coordinator
2735 Airport Way
Boise, Idaho 83705
o: 208.334.2190
patrick.kelly@idwr.idaho.gov



RECEIVED

MAY 28 2020

WATER RESOURCES
WESTERN REGION

May 21, 2020

Patrick Kelly
Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer – Nampa & Meridian Irrigation District

Dear Patrick,

On behalf of Nampa & Meridian Irrigation District (NMID), enclosed please find an Application for Transfer of water rights 63-199B and 63-200B. The application seeks to change the nature of use an 11.00 cfs portion of the water rights from irrigation to industrial (3.0 cfs) and groundwater recharge (8.0 cfs). The specifics of the transfer are described in the Transfer Narrative, Part 1A.3. Check No. 015141 for the \$1300 filing fee is included.

Please contact me or NMID Attorney Bryce Farris with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry M. Scanlan".

Terry M. Scanlan, P.E., P.G.

Enclosure: Transfer Application and Filing Fee

Cc: Bryce Farris (bryce@sawtoothlaw.com)
Kevin Beaton (kevin.beaton@stoel.com)
Ann Dickey (adickey@micron.com)