

SEP 13 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 82710**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) Micron Technology Inc.

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) Micron Technology Inc. Phone 208-363-2152
Mailing address PO Box 6, Boise, ID 83707 Email adickey@micron.com

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

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

☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email lgraves@spfwater.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Scott Gatzemeier - VP, R&D Operations
Print Name and Title if applicable

7/10/2018
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

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

☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes a common place of use, including areas subject to future expansion, be listed on their water rights to reflect an integrated system. Applicant also propose updating the points of diversion on their ground water rights to eliminate two wells (aka Gowen and Oregon Trail wells) and reflect four current wells (aka wells 4, 5, 6, & 7) and two proposed wells (aka wells 8 & 9).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 13 2018

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

WATER RESOURCES
WESTERN REGION

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-8992	1.5/450	Irrigation	3/1 to 11/15	Ground Water
☐ ☐		2.09/1267.9	Industrial	1/1 to 12/31	
☒ ☐	63-9029	4.0/806.3	Industrial	1/1 to 12/31	Ground Water
☒ ☐	63-9357	0.5/362	Industrial	1/1 to 12/31	Ground Water
☐ ☐		0.6	Fire Protection	1/1 to 12/31	
☒ ☐	63-10208	0.61/441.6	Industrial	1/1 to 12/31	Ground Water
☐ ☐		0.04/28.9	Domestic	1/1 to 12/31	
☒ ☐	63-11283	2.25/1628.9	Industrial	1/1 to 12/31	Ground Water
☐ ☐				to	see supplement page 3a

Total authorized under rights *14.55 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed *14.55 cubic feet per second and/or _____ acre-feet per year.

*Sum of 9.55 cfs combined ground water limit
+ 5.0 cfs from the Boise River

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.** Changes to ground water rights only

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
✓ N			SE	SW	6	2N	3E	Ada	Ground Water	Well 6
✓ N			SW	NE	7	2N	3E	Ada	Ground Water	Well 5
✓ N	2		SW	NW	7	2N	3E	Ada	Ground Water	Well 7
N	3		NE	SW	7	2N	3E	Ada	Ground Water	Well 4
									see supplement page 3b	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.) See supplement page 3b

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			*903

*Irrigation is limited to 100 acres under ground water rights 63-8992 and 63-31183 and associated waste water right 63-10221

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

02710

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☒ Yes	2N	3W	7			SW	SE	Ada	Ground Water	Well 8 option
☒ Yes			7			SE	SE	Ada	Ground Water	Well 8 option
☒ Yes			8			SW	NW	Ada	Ground Water	Well 9 option
☒ Yes			8			NW	SW	Ada	Ground Water	Well 9 option
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												L6	L7						
2N	3E	6									40	33	21	40	40	40	40	40	294
											X	X	X	X	X	X	X	X	
								L1	L2										
		7	40	40	40	40	40	28	2	35	22			9	40	40	40	40	456
			X	X	X	X	X	X	X	X	X			X	X	X	X	X	
		8							40			40	40						120
									X			X	X						
		18		35			1												36
				X			X												

Irrigation is limited to 100 acres under ground water rights 63-8992 & 63-31183 and associated waste water right 63-10221

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application. Page 3b

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:

All existing diversion points are equipped with flow meters that meet Department standards. Proposed diversion points will also be accommodated with flow meters that meet Department standards.

- b. Who owns the property at the point(s) of diversion? Applicant

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

Note: water right 63-10221 for storage of 4.0 ac-ft of waste water for irrigation of 2 acres was not proposed for change due to the limited nature of the right.

- 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:

NMID surface water, BOR storage water, SUEZ municipal water

- 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.: 63-8992

Current Owner: MICRON TECHNOLOGY INC

Priority Date: 7/25/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.5 CFS	450 AF
INDUSTRIAL	01/01 to 12/31	2.09 CFS	1267.9 AF
	<u>Total Diversion</u>	2.09 CFS	1267.9 AF

Location of Point(s) of Diversion

GROUND WATER ADA County	SE1/4NW1/4	Sec. 31,	Twp 03N,	Rge 03E B.M.
GROUND WATER ADA County	L3(NE1/4NW1/4)	Sec. 1,	Twp 02N,	Rge 02E B.M.
GROUND WATER ADA County	SE1/4SW1/4	Sec. 6,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	SW1/4NE1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	L2(SW1/4NW1/4)	Sec. 7,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	NE1/4SW1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.

Place of Use

IRRIGATION Within ADA County

T02N R03E S6		NESW	3.00	T02N R03E S6	Lot 6	NWSW	3.00
T02N R03E S6	Lot 7	SWSW	8.00	T02N R03E S6		SESW	6.00
T02N R03E S6		NESE	3.00	T02N R03E S6		NWSE	3.00
T02N R03E S6		SWSE	10.00	T02N R03E S6		SESE	3.00
T02N R03E S7		NENE	4.00	T02N R03E S7		NWNE	10.00
T02N R03E S7		SWNE	3.00	T02N R03E S7		SENE	4.00
T02N R03E S7		NENW	3.00	T02N R03E S7	Lot 1	NWNW	5.00
T02N R03E S7	Lot 2	SWNW	2.00	T02N R03E S7		SENW	5.00
T02N R03E S7		NESW	3.00	T02N R03E S7		SESW	4.00
T02N R03E S7		NESE	4.00	T02N R03E S7		NWSE	3.00
T02N R03E S7		SWSE	3.00	T02N R03E S7		SESE	4.00
T02N R03E S18		NWNE	3.00	T02N R03E S18		SWNE	1.00

Total Acres: 100

INDUSTRIAL Within ADA County

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		SENW	
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	

Conditions of Approval:

1. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.
2. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.
5. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted for irrigation purposes under this right and shall only divert ground water under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-8992 and 63-9029 shall not exceed 6.09 cfs, nor total combined annual volume of 2074.2 af.

Decreed Date: 2/16/2007

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

Current Water Right No.: 63-9029

Current Owner: MICRON TECHNOLOGY INC

Priority Date: 9/9/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

INDUSTRIAL

01/01 to 12/31

4 CFS

806.3 AF

Total Diversion

4 CFS

806.3 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 31, Twp 03N, Rge 03E B.M.

ADA County

GROUND WATER

L3(NE1/4NW1/4)

Sec. 1, Twp 02N, Rge 02E B.M.

ADA County

GROUND WATER

SE1/4SW1/4

Sec. 6, Twp 02N, Rge 03E B.M.

ADA County

GROUND WATER

SW1/4NE1/4

Sec. 7, Twp 02N, Rge 03E B.M.

ADA County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 7, Twp 02N, Rge 03E B.M.

ADA County

GROUND WATER

NE1/4SW1/4

Sec. 7, Twp 02N, Rge 03E B.M.

ADA County

Place of Use

INDUSTRIAL Within ADA County

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		SENW
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

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-8992 and 63-9029 shall not exceed 6.09 cfs, nor total combined annual volume of 2074.2 af.
3. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.
4. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.

Decreed Date: 2/16/2007

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

Current Water Right No.: 63-9357

Current Owner: MICRON TECHNOLOGY INC
Priority Date: 3/12/1980
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	0.5 CFS	362 AF
FIRE PROTECTION	1/01 to 12/31	0.6 CFS	
	<u>Total Diversion</u>	0.6 CFS	362 AF

Location of Point(s) of Diversion

GROUND WATER	L2(SW1/4NW1/4)	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	NE1/4SW1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	SW1/4NE1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				

Place of Use

INDUSTRIAL Within ADA County

T02N R03E S7	NWNE	T02N R03E S7	SWNE
T02N R03E S7	NENW	T02N R03E S7	Lot 1 NWNW
T02N R03E S7	Lot 2 SWNW	T02N R03E S7	SENE
T02N R03E S7	NESW		

Place of Use: FIRE PROTECTION same as INDUSTRIAL

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.46 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2432.5 AF. COMBINED RIGHT NOS.: 63-10208, 63-11293
3. Industrial use is for microchip manufacturing.

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

Current Water Right No.: 63-10208

Current Owner: MICRON TECHNOLOGY INC

Priority Date: 11/22/1983

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	0.61 CFS	441.6 AF
DOMESTIC	1/01 to 12/31	0.04 CFS	28.9 AF
	<u>Total Diversion</u>	0.61 CFS	441.6 AF

Location of Point(s) of Diversion

GROUND WATER	L2(SW1/4NW1/4)	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	SW1/4NE1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	NE1/4SW1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				

Place of UseINDUSTRIAL Within ADA County

T02N R03E S7	NWNE	T02N R03E S7	SWNE
T02N R03E S7	NENW	T02N R03E S7	Lot 1 NWNW
T02N R03E S7	Lot 2 SWNW	T02N R03E S7	SENW
T02N R03E S7	NESW		

Place of Use: DOMESTIC same as INDUSTRIAL

Conditions of Approval:

1. Industrial use is for microchip manufacturing.
2. X01 Domestic use is for restroom facilities.
3. 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.
4. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.46 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2432.5 AF. COMBINED RIGHT NOS.: 63-9357, 63-11293

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

Current Water Right No.: 63-11293

Current Owner: MICRON TECHNOLOGY INC
Priority Date: 4/19/1990
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	2.25 CFS	1628.9 AF
	Total Diversion	2.25 CFS	1628.9 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				
GROUND WATER	NE1/4SW1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
ADA County				

Place of Use

INDUSTRIAL Within ADA County

T02N R03E S7	NWNE	T02N R03E S7	SWNE
T02N R03E S7	NENW	T02N R03E S7	Lot 1 NWNW
T02N R03E S7	Lot 2 SWNW	T02N R03E S7	SENE
T02N R03E S7	NESW		

Conditions of Approval:

1. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.46 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2432.5 AF. COMBINED RIGHT NOS.:63-9357, 63-10208
2. 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.
3. Industrial use is for microchip manufacturing.

Decreed Date: 2/16/2007

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

Current Water Right No.: 63-12420

Current Owner: MICRON TECHNOLOGY INC
Priority Date: 6/6/1997
Origin: Water Right
Status: Active
Basis: License

Source

BOISE RIVER

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>
GROUND WATER RECHARGE	01/01 to 12/31
INDUSTRIAL	01/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
3.34 CFS	162 AF
5 CFS	240 AF
5 CFS	402 AF

Location of Point(s) of Diversion

BOISE RIVER
ADA County

L6(NW1/4NE1/4) Sec. 4, Twp 02N, Rge 03E B.M.

Place of Use

GROUND WATER RECHARGE Within ADA County

T02N R03E S7 SWNE

INDUSTRIAL Within ADA County

T02N R03E S6	Lot 7	SWSW
T02N R03E S6		SWSE
T02N R03E S7		SWNE
T02N R03E S7	Lot 1	NWNW
T02N R03E S7		SENW
T02N R03E S7		SESW
T02N R03E S7		NWSE
T02N R03E S7		SESE

T02N R03E S6	SESW
T02N R03E S7	NWNE
T02N R03E S7	NENW
T02N R03E S7	Lot 2 SWNW
T02N R03E S7	NESW
T02N R03E S7	NESE
T02N R03E S7	SWSE

Conditions of Approval:

1. 920 Pursuant to Section 42-234(4), Idaho Code, to ensure that other water rights are not injured by the operations of the recharge project authorized by this right, the Director has authority to approve, disapprove, or require alterations in the methods employed to achieve ground water recharge.
2. 908 The right holder shall exercise this right only when authorized by the District 63 watermaster when the Boise River is on flood release below Lucky Peak dam/outlet. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law, or for any purpose of use authorized under the water rights for Lucky Peak Reservoir.
3. Industrial use is for computer chip production.
This right is subject to all prior water rights, including those water rights for power purposes that may otherwise be subordinated by contract entered into by the governor and Idaho Power Company on October 25, 1984, and ratified by the legislature pursuant to section 42-203B, Idaho Code.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
6. 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.
7. 921 Pursuant to Section 42-234(3), Idaho Code, the Director may reduce the amount of water that may be diverted for recharge purposes under this right even though there is sufficient water to supply the entire amount authorized for appropriation under this right.
8. 907 If measured or calculated Boise River flows at the point of diversion are less than 240 cfs during the period beginning June 16 and ending February 29, water shall not be diverted pursuant to this right. If measured or calculated Boise River flows at the point of diversion are less than 1,100 cfs during the period beginning March 1 and ending May 31, water shall not be diverted pursuant to this water right. Measured or calculated Boise River flows at the point of diversion shall be based on gauged Lucky Peak Dam discharge minus the gauged diversion of the New York Canal.
9. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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

Current Water Right No.: 63-31183

Current Owner: MICRON TECHNOLOGY INC
Priority Date: 1/24/2001
Origin: Water Right
Status: Active
Basis: License

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.8 CFS	
INDUSTRIAL	01/01 to 12/31	9.13 CFS	
	<u>Total Diversion</u>	9.13 CFS	

Location of Point(s) of Diversion

GROUND WATER ADA County	SE1/4SW1/4	Sec. 6,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	SW1/4NE1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	L2(SW1/4NW1/4)	Sec. 7,	Twp 02N,	Rge 03E B.M.
GROUND WATER ADA County	NE1/4SW1/4	Sec. 7,	Twp 02N,	Rge 03E B.M.

Place of Use

IRRIGATION Within ADA County

T02N R03E S6	NESW	0.30	T02N R03E S6	NWSW	0.40
T02N R03E S6	SWSW	3.40	T02N R03E S6	SESW	3.60
T02N R03E S6	SWSE	2.60	T02N R03E S7	NWNE	8.10
T02N R03E S7	SWNE	2.50	T02N R03E S7	NENW	2.70
T02N R03E S7	NWNW	4.00	T02N R03E S7	SENW	6.70
T02N R03E S7	NESW	2.40	T02N R03E S7	SESW	0.80
T02N R03E S7	NWSE	1.20	T02N R03E S7	SWSE	1.10

Total Acres: 39.8

INDUSTRIAL Within ADA County

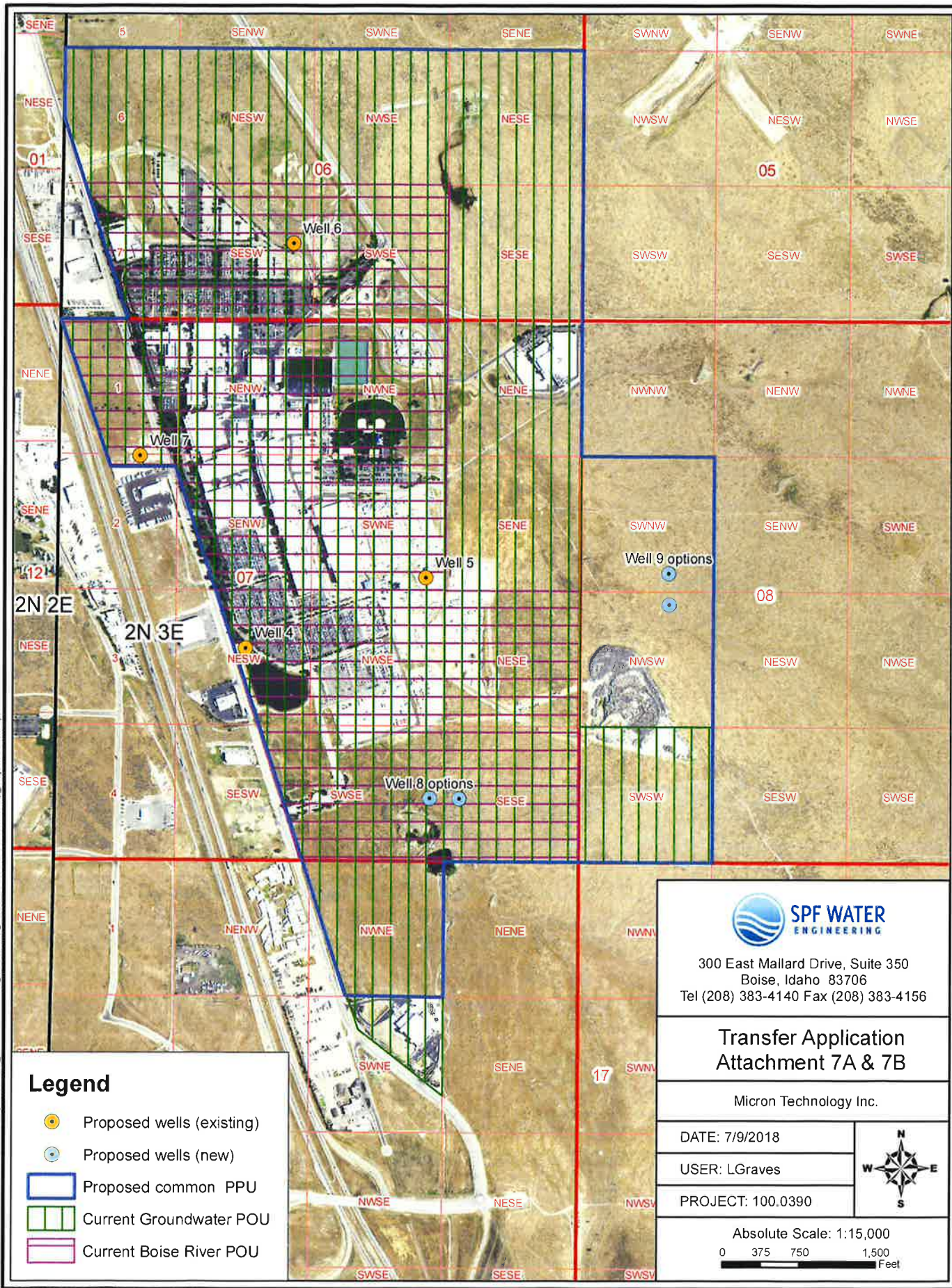
T02N R03E S6	Lot 7	SWSW	T02N R03E S6	SESW
T02N R03E S6		SWSE	T02N R03E S7	NWNE
T02N R03E S7		SWNE	T02N R03E S7	NENW
T02N R03E S7	Lot 1	NWNW	T02N R03E S7	SENW
T02N R03E S7		NESW	T02N R03E S7	NWSE

Conditions of Approval:

1. WB7 This right when combined with all other rights for irrigation purposes shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 179.1 af at the field headgate for the irrigation place of use.
2. X35 Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
3. F06 The following rights are diverted through point(s) of diversion described above: 63-8992, 63-9029, 63-9357, 63-10208, 63-11293 and 63-31183.
4. R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. X35 Industrial use under right 63-31183 shall not exceed a total annual maximum diversion volume of 3200 af.
6. Industrial use is for semiconductor and related manufacturing.
7. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. Water diverted from the points of diversion for this right, identified as Micron well nos. 3 through 6, shall be considered water authorized for withdrawal under other existing water rights to their full extent, as deliverable, unless otherwise requested by the water right holder.
9. When mitigation is required, the entire volume of water injected by the right holder into the SEBGWMA aquifer for ground water recharge pursuant to right 63-12420 or pursuant to diversions of storage water, up to the total amounts authorized by this right, can be diverted from the aquifer under this right during the calendar year it is injected. Water not diverted during the year it is injected can be carried over for future withdrawal and beneficial use associated with this right. The volume authorized for withdrawal will be reduced by 10% each calendar year following the first calendar year the water is injected.
10. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. In the event of water right curtailments in the SEBGWMA, out-of-priority diversions may be allowed under this right to the extent that (1) the diversions under this right are mitigated by groundwater recharge activities, and (2) diversions under this right do not injure senior water rights through direct well interference.
12. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Groundwater Management Area (SEBGWMA) and any management plan adopted by the director.
13. X35 Irrigation use under rights 63-8992, 63-10221, and 63-31183 when combined shall not exceed a total annual maximum diversion volume of 450.0 af at the field headgate, and the irrigation of 100 acres.

Licensed Date: 6/23/2015

Path: S:\PROJECTS\1000390 Water Right Consulting Services\PROJECT\GIS\Map_Projects\VFR map.mxd



Legend

- Proposed wells (existing)
- Proposed wells (new)
- Proposed common PPU
- Current Groundwater POU
- Current Boise River POU



**SPF WATER
ENGINEERING**

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

**Transfer Application
Attachment 7A & 7B**

Micron Technology Inc.

DATE: 7/9/2018	
USER: LGraves	
PROJECT: 100.0390	

Absolute Scale: 1:15,000

0 375 750 1,500 Feet

COORDINATE REFERENCE SYSTEM: NAD 1983 2011 StatePlane Idaho West FIPS 1103 Ft US

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, February 1, 2019 9:43 AM
To: 'waterdistrict63@questoffice.net'
Subject: Application for Transfer No. 82710
Attachments: Watermaster Recommendation Form.docx; TR 82710.pdf

February 1, 2019

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Transfer No. 82710

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **February 25, 2019..**

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 31, 2019

MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83706

Application for Permit No. 63-34614 & 63-34615
Transfer No. 82710

Dear Applicants:

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

A legal notice of the applications has been prepared and is scheduled for publication in the IDAHO STATESMAN on 2/7/2019 and 2/14/2019. Protests to any application may be submitted for a period ending ten (10) days after the second publication.

If any 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 applications are not protested, the Department will process your applications and notify you of action taken on any application. If your applications are approved, the Department will send you copies of the permit.

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

Sincerely,

Anna Kaiser
Administrative Assistant

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

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, December 13, 2018 9:25 AM
To: 'legals@idahostatesman.com'
Subject: Ada Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Legal Clerk,

My name is Anna. I will be sending you legal notices, please send confirmation to my email.

Please see the attached ad for publication on 12/20/2018 & 12/27/2018.

Please confirm these are okay to publish as shown.

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

January 30, 2019

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

RE: Application For Permit Nos: 63-34601, 63-34602, 63-34628, 63-34648, 63-34614, 63-34615

RE: Transfer No. 82710, 81844
Water Right Nos: 63-10208, 63-11293, 63-12420, 63-31183, 63-8992, 63-9029, 63-9357,
63-3266, 63-8215, 63-11970, 63-12394, 63-12552, 63-31481

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 2/25/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34601

RICHARD & ODETTE MASKELL FAMILY TRUST
4336 N STAR VISTA LN
EAGLE, ID 83616
Point of Diversion NENE S33 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.15 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.21 CFS
Date Filed: 8/16/2018
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T05N R01E S33 NENE
Total Acres: 5
Domestic use is for one home in Lot 7 Block 1 of Starview Estates Subdivision.
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34602

RICHARD & ODETTE MASKELL FAMILY TRUST
4336 N STAR VISTA LN
EAGLE, ID 83616
Point of Diversion NENE S33 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.15 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.21 CFS
Date Filed: 8/16/2018
Place Of Use: STOCKWATER, DOMESTIC, IRRIGATION
T05N R01E S33 NENE
Total Acres: 5
Domestic use is for 1 home in Lot 6 Block 1 of Starview Estates Subdivision.
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34628

KNIFE RIVER
5450 W GOWEN RD
BOISE, ID 83709
Point of Diversion L7(SESE) S27 T02N R03E ADA County Source GROUND WATER
Use: COMMERCIAL 01/01 to 12/31 0.33 CFS
Total Diversion: 0.33 CFS
Date Filed: 10/23/2018
Place Of Use: COMMERCIAL
T02N R03E S27 L3(NESE) NWSE L6(SWSE) L7(SESE)
Water bearing zone to be appropriated is from 500 to 1000 feet.

63-34648

ROSELANDS 345 LLC
1950 S CHANNEL WAY
EAGLE, ID 83616
Point of Diversion SESE S31 T05N R01W ADA County Source GROUND WATER
Point of Diversion SWSW S32 T05N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.11 CFS
Total Diversion: 1.11 CFS
Date Filed: 12/12/2018
Place Of Use: IRRIGATION
T05N R01W S31 SESE
T05N R01W S32 NWSW SWSW
Total Acres: 84
Water bearing zone to be appropriated is from 200 to 1,000 feet.

63-34614

MICRON TECHNOLOGY INC

PO BOX 6

BOISE, ID 83706

Point of Diversion L8(NWNE) S4 T02N R03E ADA County Source BOISE RIVER Tributary SNAKE RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 12 CFS

Use: INDUSTRIAL 01/01 to 12/31 5 CFS

Total Diversion: 12 CFS

Date Filed: 9/13/2018

Place Of Use: INDUSTRIAL, GROUND WATER RECHARGE

T02N R03E S6 NESW L6(NWSW) L7(SWSW) SESW NESE NWSE SWSE SESE

T02N R03E S7 NENE NWNE SWNE SENE NENW L1(NWNW) L2(SWNW) SENW NESW SESW NESE NWSE SWSE SESE

T02N R03E S8 SWNW NWSW SWSW

T02N R03E S18 NWNE

Ground water recharge is to mitigate the effects of ground water diversions under associated water right application no. 63-34615.

63-34615

MICRON TECHNOLOGY INC

PO BOX 6

BOISE, ID 83706

Point of Diversion NWSW S8 T02N R03E ADA County Source GROUND WATER

Point of Diversion SWNE S7 T02N R03E ADA County Source GROUND WATER

Point of Diversion L2(SWNW) S7 T02N R03E ADA County Source GROUND WATER

Point of Diversion L3(NESW) S7 T02N R03E ADA County Source GROUND WATER

Point of Diversion SWSE S7 T02N R03E ADA County Source GROUND WATER

Point of Diversion SESE S7 T02N R03E ADA County Source GROUND WATER

Point of Diversion SESW S6 T02N R03E ADA County Source GROUND WATER

Point of Diversion SWNW S8 T02N R03E ADA County Source GROUND WATER

Use: INDUSTRIAL 01/01 to 12/31 10 CFS

Total Diversion: 10 CFS

Date Filed: 9/13/2018

Place Of Use: INDUSTRIAL

T02N R03E S6 NESW L6(NWSW) L7(SWSW) SESW NESE NWSE SWSE SESE

T02N R03E S7 NENE NWNE SWNE SENE NENW L1(NWNW) L2(SWNW) SENW NESW SESW NESE NWSE SWSE SESE

T02N R03E S8 SWNW NWSW SWSW

T02N R03E S18 NWNE

Water bearing zone to be appropriated is from 600 to 1200 feet.

Mitigation is proposed for consumptive use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 82710**

MICRON TECHNOLOGY INC, PO BOX 6, BOISE, ID 83706; has filed Application No. 82710 for changes to the following water rights within ADA County(s): Right No(s). 63-10208, 63-11293, 63-12420, 63-31183, 63-8992, 63-9029, 63-9357; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of this transfer is to define a common place of use for all of the water rights included to reflect an integrated system. The applicant also proposes to update the points of diversion for all ground water rights in the transfer to reflect 4 current wells and two proposed wells. Water will be used at the Micron facility just east of Interstate 84 and south of Highway 21, approximately 7.3 miles southeast of downtown Boise.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT**TRANSFER NO. 81844**

CITY OF KUNA, PO BOX 13, KUNA, ID 83634-0013; has filed Application No. 81844 for changes to the following water rights within ADA County(s): Right No(s). 63-3266, 63-8215, 63-11970, 63-12394, 63-12552, 63-31481; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The transfer proposes to add the existing wells as points of diversion to all of the City of Kuna's municipal water rights. This will allow the City to divert water as authorized by these six rights from all the wells tied in to the municipal water system. Two additional wells are proposed to be drilled on either one or two of the following 3 quarter-quarter sections: SWNW and SENW of section 22 T02N R01E, and SESW of section 15 T02N R01E. To clarify, it is possible that both wells may be drilled in the same quarter-quarter section, or that one well will be drilled on each of two of the listed quarter-quarter sections.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 02/25/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/7/2019 and 2/14/2019

MEMORANDUM

TO: Transfer Application No. 82710 file
FROM: Cody Parker
RE: Errors and inconsistencies in application
DATE: January 28, 2019

The following errors were found on the transfer application and were corrected in data entry without an amendment:

- The application includes right no 63-11283, which is not owned by the applicant. The applicant refers to the same water right number in their cover letter submitted with the application. However, they submitted a water right report for 63-11293. 63-11293 *is* owned by the applicant. Water Resource Agent Phil Hummer confirmed that 63-11293 is correct when the application was submitted. The application was not amended.
- The application lists a point of diversion in the NESW Gov. Lot 3, of Section 7, T02N, R03E. However, that quarter-quarter does not appear to have a government lot designation. The error was corrected in data entry prior to advertising.
- Page 3b (the point of diversion supplement page) appears to show points of diversion in Township 02 North, Range 03 West. However, the map shows the points in Range 03 East. The applicant made the same mistake in their associated application for permit no. 63-34615, which was amended. The applicant did not amend the transfer application. The intent however seems clear. The error was corrected in data entry.

Miller, Nick

From: Ann Dickey (adickey) <adickey@micron.com>
Sent: Friday, September 14, 2018 8:48 AM
To: smd@idahowaters.com; Barker, Albert (IWRB Member); bryce@sawtoothlaw.com; mkellner@idahoconservation.org; jks@idahowaters.com; Abigail Germaine; Dittus, Roger; Michael P. Lawrence; Conrad, Vic; ed@hydrologicinc.net; Chas McDevitt; Terry Scanlan; Catherine Chertudi; Miller, Nick; LKThorn1@aol.com; John Roldan; Brandon Crane (bcrane); kjbeaton@stoel.com
Subject: Notice of Application for Permits - Micron Technology, Inc.
Attachments: Recovery Permit Application PN.pdf; Recharge Permit App PN.pdf; Transfer Application PN.pdf

COPY

Notice of Application for Permits – Micron Technology, Inc.

Dear Interested Party,

To meet our water needs for future growth and development, Micron Technology, Inc. (Micron) has submitted three permit applications to the Idaho Department of Water Resources (IDWR). The applications collectively request an increase to our integrated water system of diverting Boise River water for aquifer recharge and recovery utilizing the same proven technology Micron has employed since 2001. The applications are summarized as follows:

1. **Recharge Permit Application** proposes diversion of 12 cfs of Boise River flood water for industrial and ground water recharge use in addition to the amounts currently authorized under water right 63-12420.
2. **Recovery Permit Application** proposes 10 cfs of out-of-priority recharged groundwater diversions in addition to amounts authorized under water right 63-31183. Water proposed for diversion will be fully mitigated since it will be recovered Boise River water authorized for ground water recharge using storage water (BOR contract) and natural flow (Nampa & Meridian Irrigation District decrees 63-199B and 63-200B and Micron license 63-12420) and the floodwater right proposed under the recharge permit application submitted concurrently.
3. **Permit Transfer Application** addresses multiple administrative changes to rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11283, 63-12420 and 63-31183.
 - Common place of use for listed water rights to reflect an integrated system
 - Updated points of use to eliminate two abandoned wells (Gowen and Oregon Trail)
 - Reflect four current wells (Wells 4, 5, 6 and 7) and two proposed wells (Wells 8 and 9)

Micron anticipates interest in the recharge application from Boise River irrigation entities concerned about refill of storage space after storage water has been released. Micron is willing to offer subordination to refill of existing storage space in Arrowrock, Lucky Peak, and Anderson reservoirs.

Micron anticipates that IDWR will apply Standard Condition Codes 907 and 908 similarly to the conditions stipulated in our existing water right 63-12420.

Water right 63-12420, Condition No. 5 (Standard Condition Code 907)

If measured or calculated Boise River flows at the point of diversion are less than 240 cfs during the period beginning June 16 and ending February 29, water shall not be diverted pursuant to this right. If measured or

calculated Boise River flows at the point of diversion are less than 1,100 cfs during the period beginning March 1 and ending May 31, water shall not be diverted pursuant to this water right. Measured or calculated Boise River flows at the point of diversion shall be based on gauged Lucky Peak Dam discharge minus the gauged diversion of the New York Canal.

Water right 63-12420, Condition No. 8 (Standard Condition Code 908)

The right holder shall exercise this right only when authorized by the District 63 watermaster when the Boise River is on flood release below Lucky Peak dam/outlet. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law, or for any purpose of use authorized under the water rights for Lucky Peak Reservoir.

The activities proposed in this application package reflect Micron's continued commitment to excellence in water resource stewardship including:

- Aquifer management and recharge efforts intended to stabilize regional groundwater levels
- Participation on the Advisory Board of the Southeast Boise Groundwater Management Area and support of their regional groundwater management and protection strategies.

If you have questions or concerns, please contact:

Ann Dickey, Micron Environmental Compliance Manager, at 208-363-2152

Terry Scanlan, SPF Principal Engineer/Hydrogeologist, at 208-383-4140

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COPY

September 7, 2018

IDWR Western Region
2735 Airport Way
Boise ID 83705

To meet water needs for our continued growth and proposed developments, Micron Technology, Inc. (Micron) is submitting three water rights applications. Concurrent approval of the three applications is necessary for achievement of proposed diversion of Boise River floodwater for aquifer recharge and recovery utilizing the same proven technology Micron has employed since 2001. Enclosed are the required application forms and fees. The applications are summarized as follows:

- **Recharge Permit Application** proposes 12 cfs of Boise River flood water diversions for industrial and ground water recharge use in addition to the amounts currently authorized under water right 63-12420. Minor upgrades, such as an additional pump and filtration skids, will be required to manage the diverted flood waters using Micron's pump house, pipeline, treatment and aquifer recharge facilities.
- **Recovery Permit Application** proposes 10 cfs of out-of-priority recharged groundwater diversions in addition to amounts authorized under water right 63-31183. Two wells are proposed for diversion in addition to Micron's four existing wells. Water proposed for diversion will be fully mitigated since it will be recovered Boise River water authorized for ground water recharge using storage water (BOR contract) and natural flow (Nampa & Meridian Irrigation District decrees 63-199B and 63-200B and Micron license 63-12420) and the floodwater right proposed under the recharge permit application submitted with this package.
- **Permit Transfer Application** addresses multiple administrative changes to rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11283, 63-12420 and 63-31183.
 - Common place of use for listed water rights to reflect an integrated system
 - Updated points of use to eliminate two abandoned wells (Gowen and Oregon Trail)
 - Reflect four current wells (Wells 4, 5, 6 and 7)
 - Reflect two proposed wells (Wells 8 and 9)

Water right 63-10221 for storage of 4.0 ac-ft of waste water for irrigation of two acres was not proposed for change due to the limited nature of the right. SUEZ provides municipal water to the plant for domestic purposes through a separate potable water system.

The activities proposed in this application package reflect Micron's continued commitment to excellence in water resource stewardship including:

- Wastewater reclaim rates exceeding 75%
- Aquifer management and recharge efforts intended to stabilize regional groundwater levels and
- Participation on the Advisory Board of the Southeast Boise Groundwater Management Area and support of their regional groundwater management and protection strategies.

Please contact Ann Dickey at 208-363-2152 for questions on this submittal package.

Sincerely,

A handwritten signature in dark ink, appearing to read 'SGA', with a long horizontal stroke extending to the right.

Scott Gatzemeier
VP, R&D Operations