

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 22 2018

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) City of Kuna, Idaho - Municipal Water Phone 208-287-17272. MAILING ADDRESS P.O. Box 13 City KunaState ID Zip 83634 Email pstevens@kunaid.gov

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 63-3266, 63-8215, 63-11970, 63-12394, 63-12552, 63-31481

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 19.36 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SE	SE	23	02N	01W	ADA	GROUNDWATER	WELL 2
No			SW	NE	23	02N	01W	ADA	GROUNDWATER	WELL 3
No			SW	SW	23	02N	01W	ADA	GROUNDWATER	WELL 4
No			NW	SE	22	02N	01W	ADA	GROUNDWATER	WELL 5
No			SW	NW	25	02N	01W	ADA	GROUNDWATER	WELL 6
No			NW	NW	11	02N	01W	ADA	GROUNDWATER	WELL 7
No			NW	NW	11	02N	01W	ADA	GROUNDWATER	WELL 8
No			SW	SW	23	02N	01W	ADA	GROUNDWATER	WELL 9
No			SE	NW	13	02N	01W	ADA	GROUNDWATER	WELL 10

6. 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 wells associated with this transfer are equipped with (SCADA monitored) flow meters housed in secure buildings.

- b. Who owns the property at the point(s) of diversion? City of Kuna, Idaho

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Paul A. Stevens, P.E.

Signature of applicant or authorized agent

Paul A. Stevens, P.E., City Engineer

Print name and title if applicable

5-21-18

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

The required fee was submitted and accepted.

FOR DEPARTMENT USE ONLY

Transfer includes 15 pages of attachments. Received by RN Date 8/04/17

Fee paid *2020 Date 8/04/17 Receipted by RN Receipt # *W045553

Preliminary review by PM Date 06/21/18 Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒ Name on W-9 N/A W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 – confidential information is held by fiscal only)

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: March 21, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.34 CFS
			1.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 2008


John Westra, Western Regional Manager

WATER RIGHT NO. 63-8215
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-8215 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: October 02, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	3.90 CFS
			3.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

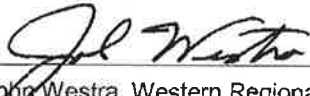
WATER RIGHT NO. 63-8215
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 20 08


John Westra, Western Regional Manager

WATER RIGHT NO. 63-11970
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-11970 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: December 28, 1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.78 CFS	
			3.78 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

PLACE OF USE: See conditions of approval

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

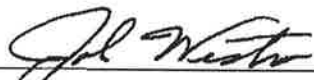
WATER RIGHT NO. 63-11970
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

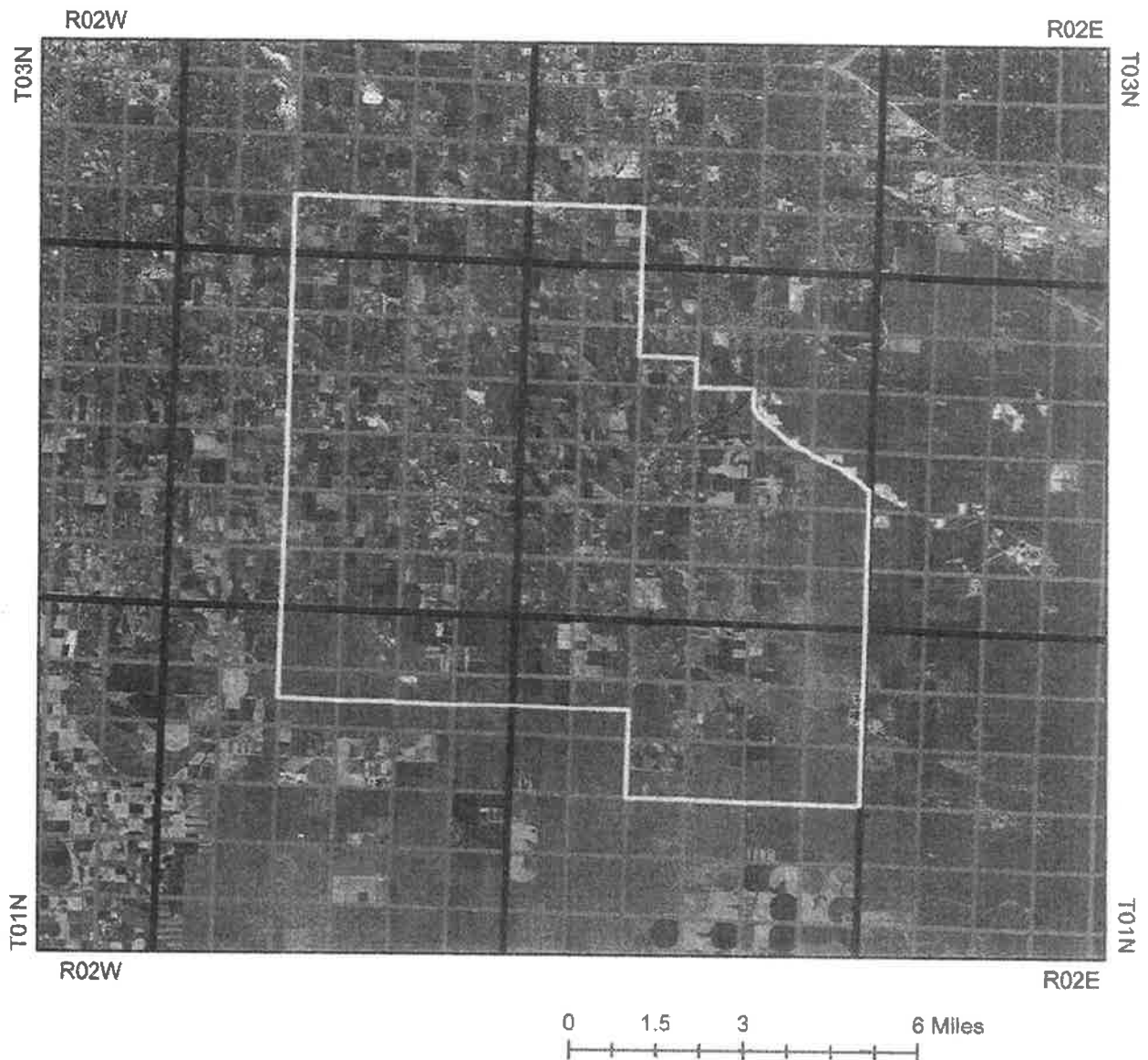
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 20 08



John Westra, Western Regional Manager

State of Idaho
Department of Water Resources
Transfer of Water Rights
Rights 63-3266, 63-8215, 63-11970
Water Service Area Boundary for City Of Kuna
September 23, 2008



Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12394

Priority: May 10, 1997

Maximum Diversion Rate: 3.34 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13

KUNA ID 83634-0013 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated April 03, 1997; and has submitted Proof of Beneficial Use on October 08, 1999. An examination indicates that the works have a diversion capacity of 3.34 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

3.34 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp 02N, Rge 01W, B.M., ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X			X					X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The place of municipal use identified above includes land upon which wastewater from the water treatment plant may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right shall not be used for irrigation of the place of use described above unless it is first used in the municipal water system for the City of Kuna and its service area. All other municipal use authorized under this right is within the service area of the City of Kuna municipal water supply system as provided for under Idaho law.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 27th day of November, 2002.

MICROFILMED

Acting for

KARL J. DREHER
Director

MAR 1 1 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12552

Priority: November 18, 1999

Maximum Diversion Rate: 3.00 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 18, 1999; and has
submitted Proof of Beneficial Use on March 01, 2010. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

1/01 to 12/31

DIVERSION RATE

3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 11, Twp 02N, Rge 01W, B.M. ADA County

GROUND WATER NW¼NW¼ Sec. 11, Twp 02N, Rge 01W, B.M. ADA County

CONDITIONS OF APPROVAL

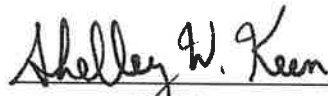
1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. Water bearing zone to be appropriated is 318 to 380 feet.
7. 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.

State of Idaho
Department of Water Resources
Water Right License

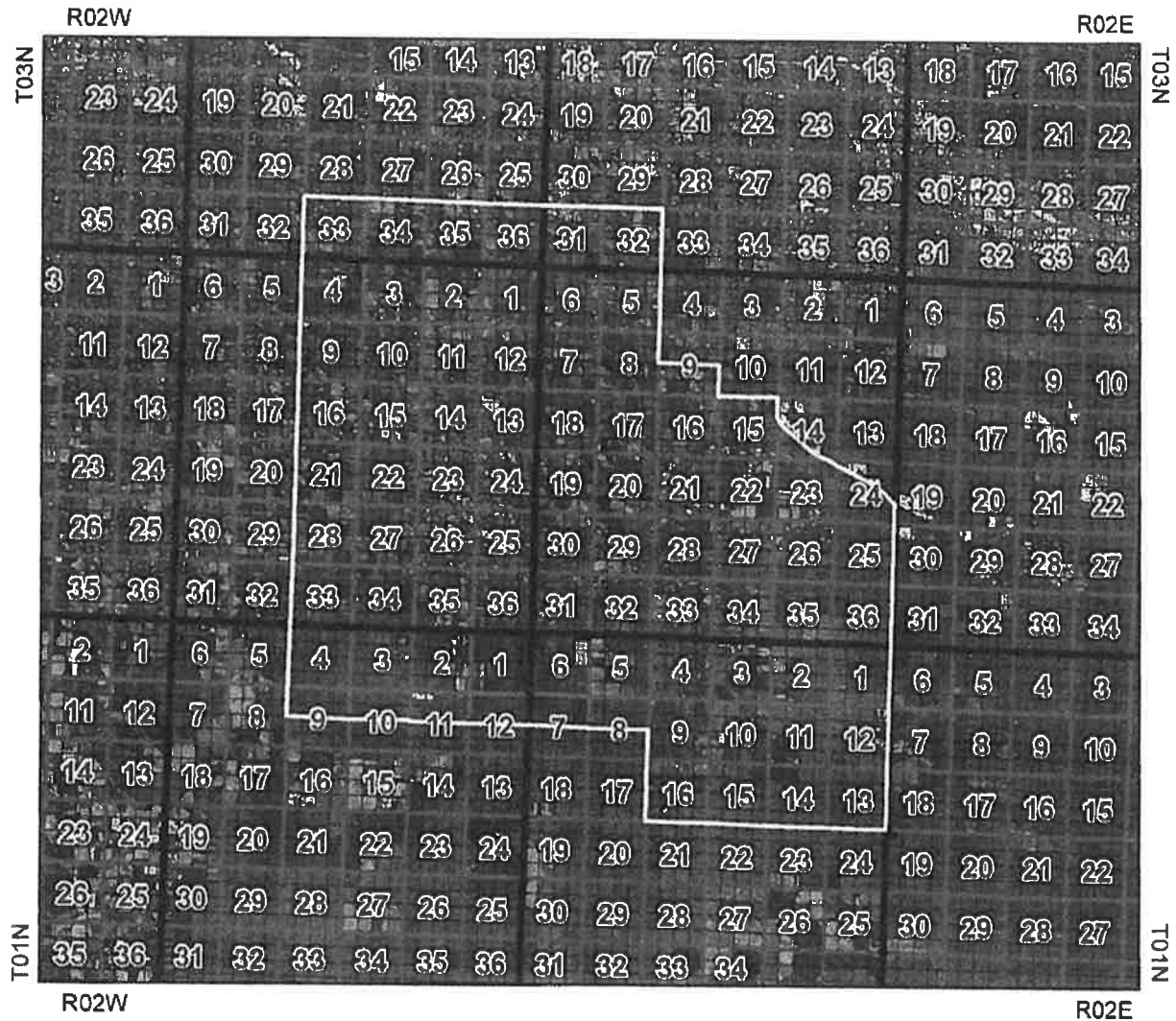
WATER RIGHT NO. 63-12552

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 5th day of January, 2012.


for GARY SPACKMAN
Interim Director

State of Idaho
 Department of Water Resources
Water Right License
 63-12552
 Water Service Area Boundary for City Of Kuna



0 2 4 8 Miles

Water Service Area Boundary

- ☐ Townships
- ☐ PLS Sections
- ☐ Quarter Quarters



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31481

Priority: March 27, 2002

Maximum Diversion Rate: 4.00 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated March 27, 2002; and has submitted Proof of
Beneficial Use on July 12, 2004. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼NW¼ Sec. 25, Twp 02N, Rge 01W, B.M. ADA County

PLACE OF USE: MUNICIPAL

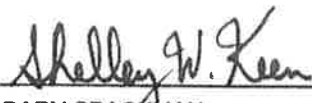
See Conditions of Approval

CONDITIONS OF APPROVAL

1. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
2. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
3. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. The well identified as the point of diversion for this water right shall have a casing set at 400 feet with the annulus between the bore hole and the casing filled with impermeable chip or pumped grout bentonite.
6. The right holder is not authorized to produce water from a production zone shallower than 400 feet.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 3rd day of October, 2012.

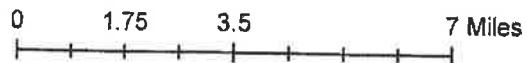

for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

63-31481

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Water Service Area Boundary
- Townships
- PLS Sections
- Quarter Quarters



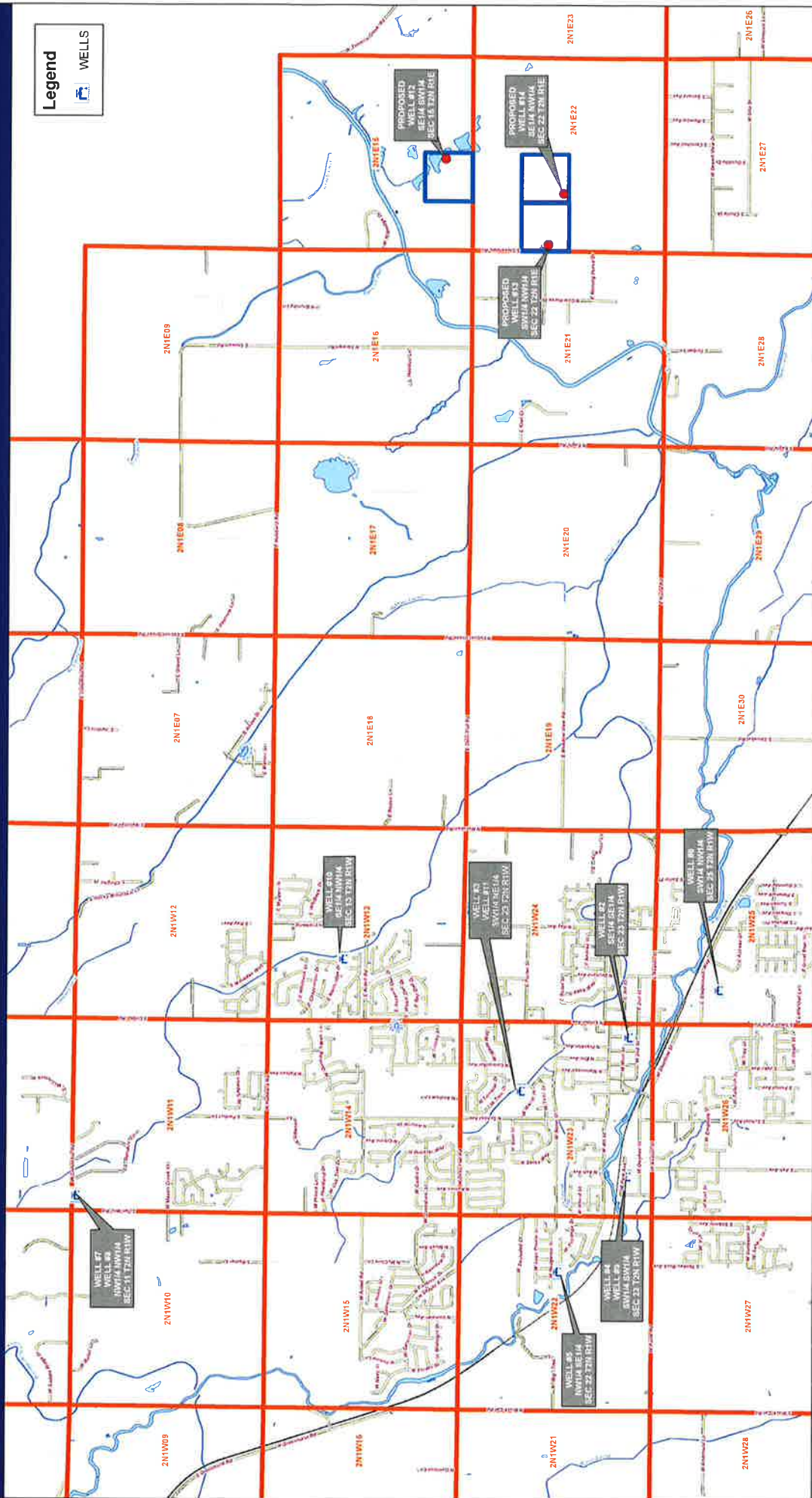
RECEIVED

JUN 13 2018

WATER RESOURCES
WESTERN REGION

June 12th, 2018

CITY OF KUNA



KUNA WATER SYSTEM & MUNICIPAL WELLS

81844

Attachments pg 14-Map

Points of Diversion, Continued

5-Jun-18

Transfer 81844

Wells 12-14 are proposed points of diversion near Falcon Crest/golf course. Two of the three will be chosen.

new	Lot	1/4	1/4	1/4 Sec	Twp	Rge	County	Source	Local name or tag #
x (proposed)		SW	NE		23	2	1 ADA	groundwater	11
x (proposed)		SE	SW		15	2	1 ADA	groundwater	12
x (proposed)		SW	NW		22	2	1 ADA	groundwater	13
x (proposed)		SE	NW		22	2	1 ADA	groundwater	14

RECEIVED

Amended Application

42-222 JUN 12 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

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Check all that apply:

- ☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** City of Kuna, Idaho - Municipal Water Phone 208-287-17272. **MAILING ADDRESS** P.O. Box 13 City Kuna

State ID Zip 83634 Email pstevens@kunaid.gov

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
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(diversion rate) (storage volume)5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SW	SE	23	02N	01W	ADA	GROUNDWATER	WELL 2
No			SW	NE	23	02N	01W	ADA	GROUNDWATER	WELL 3
No			SW	SW	23	02N	01W	ADA	GROUNDWATER	WELL 4
No			NW	SE	22	02N	01W	ADA	GROUNDWATER	WELL 5
No			SW	NW	25	02N	01W	ADA	GROUNDWATER	WELL 6
No			NW	NW	11	02N	01W	ADA	GROUNDWATER	WELL 7
No			NW	NW	11	02N	01W	ADA	GROUNDWATER	WELL 8
No			SW	SW	23	02N	01W	ADA	GROUNDWATER	WELL 9
No			SE	NW	13	02N	01W	ADA	GROUNDWATER	WELL 10

Superseded by Amended Application

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 04 2017

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** City of Kuna, Idaho- Municipal Water Phone 208 922-5546
 2. **MAILING ADDRESS** Post Office Box 13 City Kuna
 State Idaho Zip 83634 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-3266,63-8215,63-11970,63-12394,63-12552, 63-31481

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 19.36 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	NE	23	02N	01W	ADA	Groundwater	Well #11
			SW	~~NE~~	23	02N	01W	ADA	Groundwater	Well #3
			SW	SW	23	02N	01W	ADA	Groundwater	Well #4
			NW	SE	22	02N	01W	ADA	Groundwater	Well #5
			SW	NW	25	02N	01W	ADA	Groundwater	Well #6
			NW	NW	11	02N	01W	ADA	Groundwater	Well #7
			NW	NW	11	02N	01W	ADA	Groundwater	Well #8
			~~SW~~	~~SW~~	23	02N	01W	ADA	Groundwater	Well #9
			SE	NW	13	02N	01W	ADA	Groundwater	Well #10

6. 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:

N/A

- b. Who owns the property at the point(s) of diversion? City of Kuna, Idaho
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent

Richard T. Roots City attorney

Print name and title if applicable

8/3/17

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 214 pages of attachments.

Received by RN

Date 8/14/17

Fee paid 2,020.00 Date 8/14/17

Received by RN

Receipt # W045553

Preliminary review by PH

Date 04/5/2018

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒

Name on W-9

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: March 21, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	1.34 CFS
			1.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

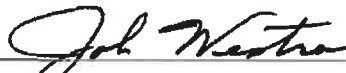
WATER RIGHT NO. 63-3266
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 2008



John Westra, Western Regional Manager

WATER RIGHT NO. 63-8215
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-8215 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: October 02, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	01/01	to 12/31	3.90 CFS
			3.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

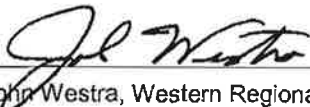
WATER RIGHT NO. 63-8215
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 20 08


John Westra, Western Regional Manager

WATER RIGHT NO. 63-11970
As Modified by Transfer No. 75059

In accordance with the approval of Transfer No. 75059, Water Right No. 63-11970 is now described as follows.

Right Holder: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

Priority Date: December 28, 1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.78 CFS	
			3.78 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County

PLACE OF USE: See conditions of approval

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

WATER RIGHT NO. 63-11970
As Modified by Transfer No. 75059

CONDITIONS OF APPROVAL

8. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.
9. Approval of this transfer does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

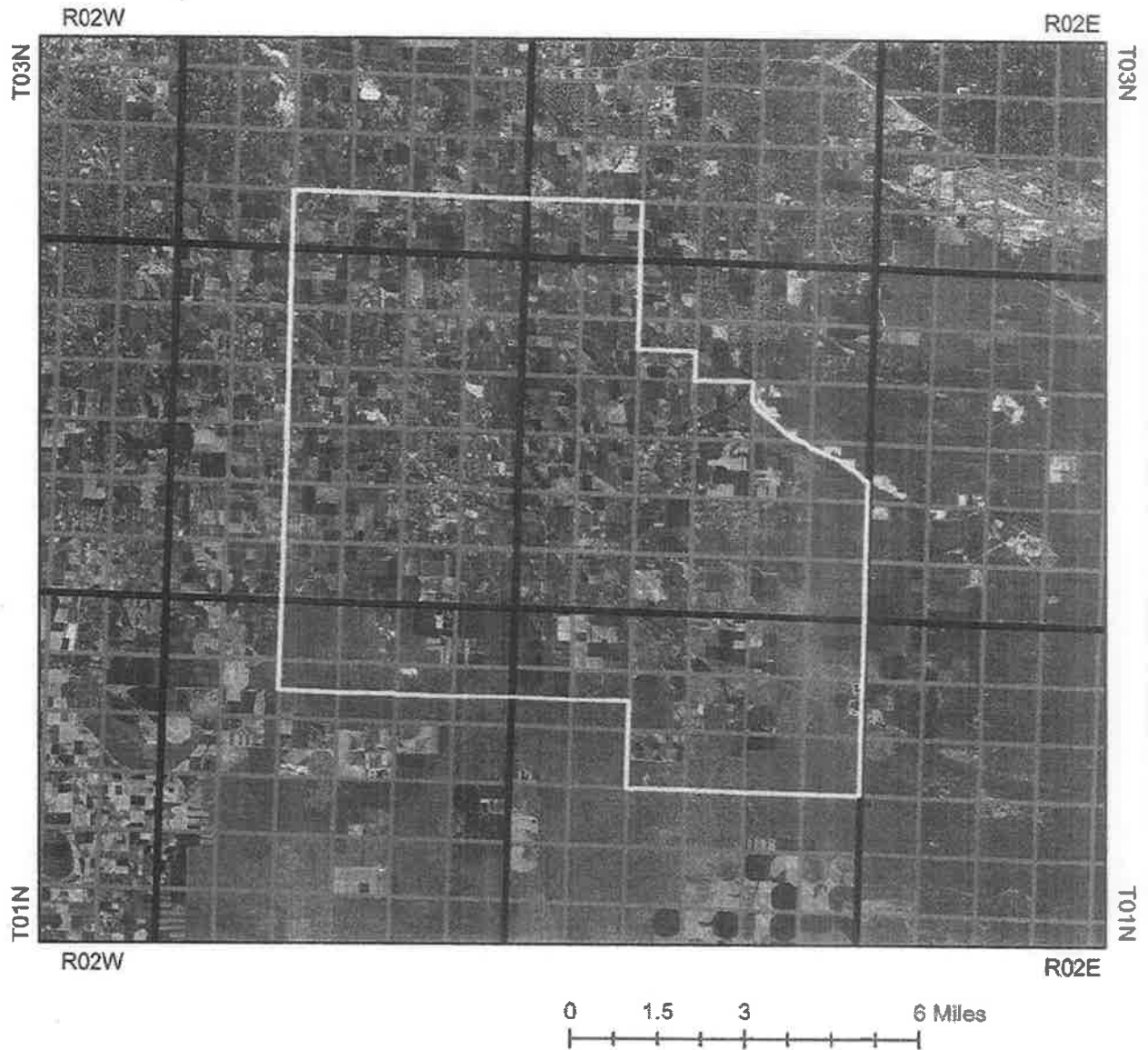
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 20 08



John Westra, Western Regional Manager

State of Idaho
Department of Water Resources
Transfer of Water Rights
Rights 63-3266, 63-8215, 63-11970
Water Service Area Boundary for City Of Kuna
September 23, 2008



Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12394

Priority: May 10, 1997

Maximum Diversion Rate: 3.34 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13

KUNA ID 83634-0013 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 03, 1997; and has submitted Proof of Beneficial Use on October 08, 1999. An examination indicates that the works have a diversion capacity of 3.34 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
MUNICIPAL

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
3.34 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp 02N, Rge 01W, B.M., ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X			X					X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The place of municipal use identified above includes land upon which wastewater from the water treatment plant may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this right shall not be used for irrigation of the place of use described above unless it is first used in the municipal water system for the City of Kuna and its service area. All other municipal use authorized under this right is within the service area of the City of Kuna municipal water supply system as provided for under Idaho law.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 27th day of NOVEMBER, 2002.

MICROFILMED

Acting for

KARL J. DREHER
Director

MADE 11-1-2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12552

Priority: November 18, 1999

Maximum Diversion Rate: 3.00 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 18, 1999; and has
submitted Proof of Beneficial Use on March 01, 2010. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

1/01 to 12/31

DIVERSION RATE

3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 11, Twp 02N, Rge 01W, B.M. ADA County

GROUND WATER NW¼NW¼ Sec. 11, Twp 02N, Rge 01W, B.M. ADA County

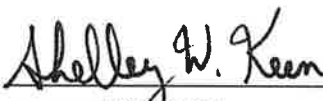
CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. Water bearing zone to be appropriated is 318 to 380 feet.
7. 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.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-12552

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

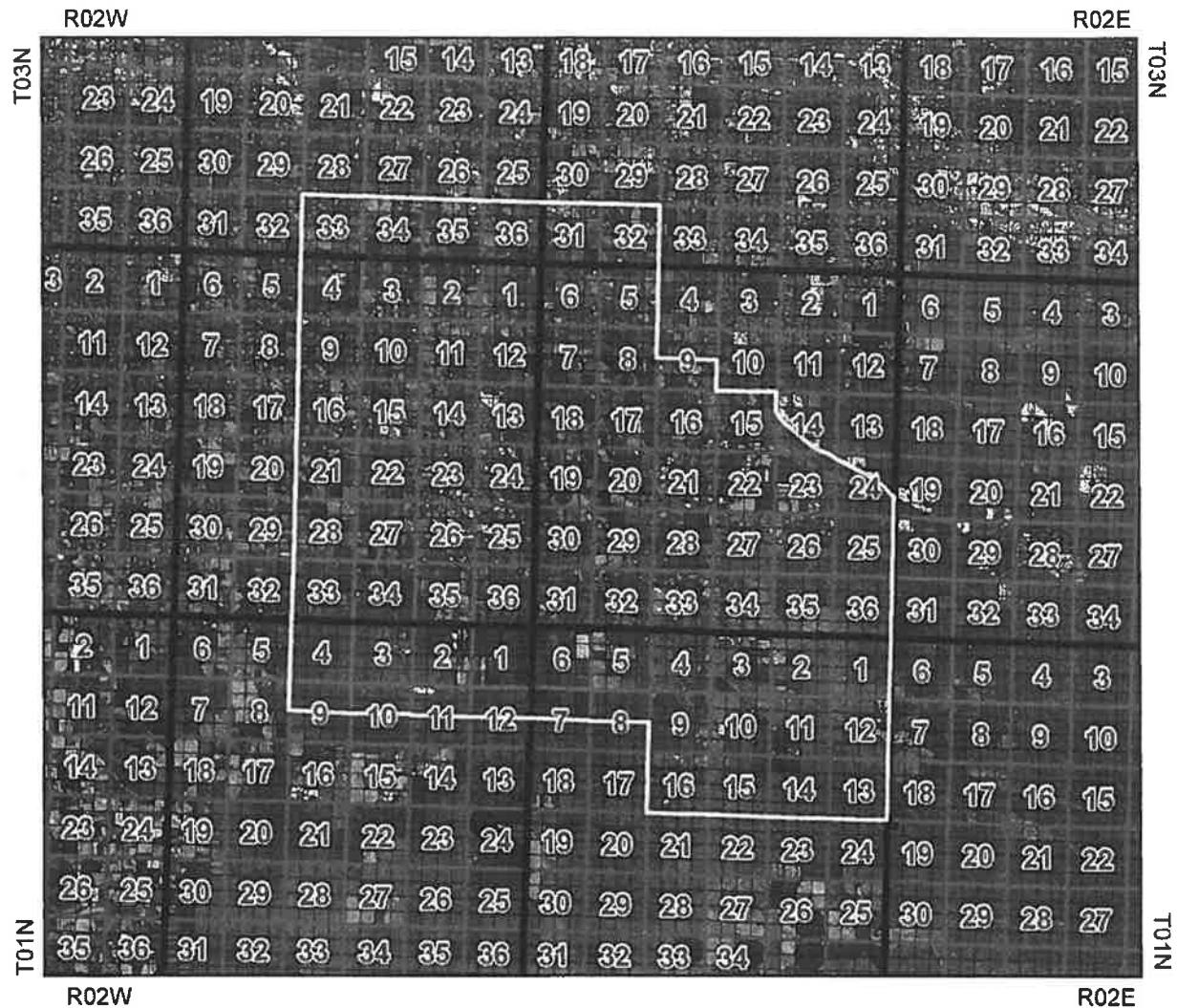
Signed and sealed this 5th day of January, 2012.


for GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
Water Right License

63-12552

Water Service Area Boundary for City Of Kuna



0 2 4 8 Miles

Water Service Area Boundary

- Townships
- PLS Sections
- Quarter Quarters



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31481

Priority: March 27, 2002

Maximum Diversion Rate: 4.00 CFS

It is hereby certified that CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated March 27, 2002; and has submitted Proof of
Beneficial Use on July 12, 2004. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp 02N, Rge 01W, B.M. ADA County

PLACE OF USE: MUNICIPAL

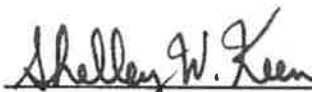
See Conditions of Approval

CONDITIONS OF APPROVAL

1. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
2. Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.
3. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. The well identified as the point of diversion for this water right shall have a casing set at 400 feet with the annulus between the bore hole and the casing filled with impermeable chip or pumped grout bentonite.
6. The right holder is not authorized to produce water from a production zone shallower than 400 feet.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 3rd day of October, 2012.


for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment To Water Right License

63-31481

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



○ Point of Diversion

Water Service Area Boundary

□ Townships

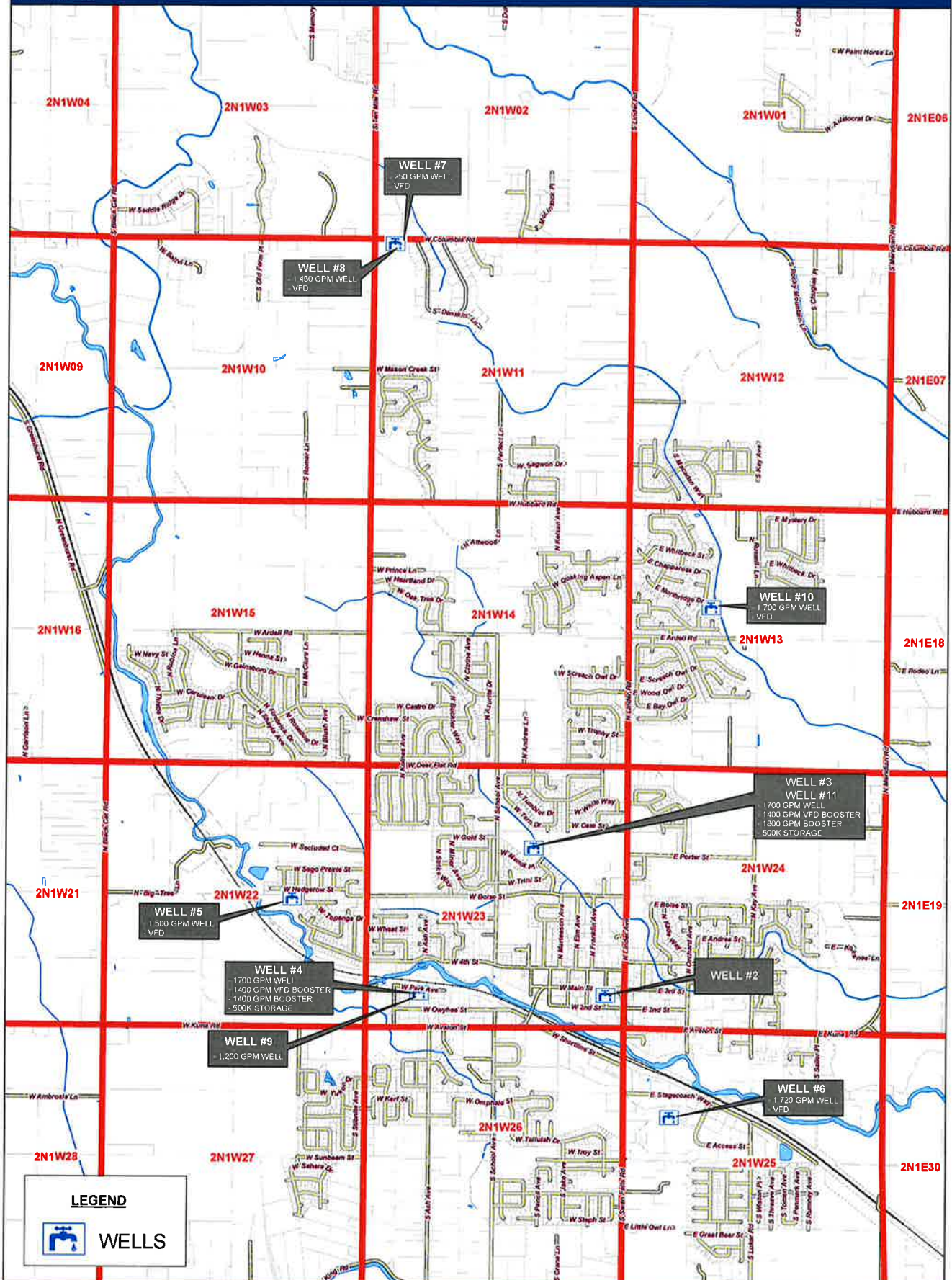
□ PLS Sections

□ Quarter Quarters



CITY OF KUNA

July 11th, 2017



KUNA MUNICIPAL WELLS



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 12, 2018

CITY OF KUNA
PO BOX 13
KUNA, ID 83634-0013

RE: Transfer No. 81844
Water Right No(s). 63-11970, 63-12394, 63-12552, 63-31481, 63-3266, 63-8215

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 on 7/19/2018 and 7/26/2018. 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 dark ink, appearing to read 'Rachel Neely'.

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 12, 2018 2:06 PM
To: 'BOI Legals'
Subject: Ada Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 7/19/2018 & 7/26/2018.

Please confirm these are okay to publish as shown.

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

July 12, 2018

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

RE: Transfer No. 81844

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 8/6/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

**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). 63-11970, 63-12394, 63-12552, 63-31481, 63-3266, 63-8215. The transfer proposes to add operating 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. One additional new well is proposed to be drilled at one of the 3 proposed sites in either the NWSW or SENW of section 13, township 2N, range 1E, or in the SESW of section 12, township 1N, range 1E.

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 § 42-222. Any protest against the proposed change(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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/19/2018 and 7/26/2018



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 12, 2018

KATHLEEN CARR, ATTY
OFFICE OF FIELD SOLICITOR
960 BROADWAY STE 400
BOISE ID 83706

DENNIS WOLFGAM
1901 W HUBBARD RD
KUNA ID 83634

VANNA MC DONALD
1530 W HUBBARD RD
MERIDIAN ID 83642

WILLIS CARR
WENDY CARR
2082 N MC CLURE LN
KUNA ID 83634

KENNETH DUWAINE
EMMONS
2835 W HUBBARD RD
KUNA ID 83634

RICK MORINO
855 W HUBBARD RD
MERIDIAN ID 83642

DAVID HOWARD
RUTH HOWARD
2161 ARDELL RD
KUNA ID 83634

ROBERT J MOORE
2955 N ATWOOD LN
KUNA ID 83634

JAMES CLARK
VICKI CLARK
2965 LINDER RD
KUNA ID 83634

UNITED WATER IDAHO
ATTN SCOTT RHEAD PE
PO BOX 190420
BOISE ID 83719-0420

KIM SCHULTSMEIER
EFFIE SCHULTSMEIER
1030 W HUBBARD RD
MERIDIAN ID 83642

UNITED WATER IDAHO INC
8248 W VICTORY RD
BOISE ID 83709

GENE MORRISON
CONNIE MORRISON
1640 W HUBBARD RD
KUNA ID 83634

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706

Re: Application for Transfer No. 81844

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **August 6, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Miller, Nick

From: Miller, Nick
Sent: Monday, June 11, 2018 10:02 AM
To: 'Richard Roats'; Paul Stevens
Cc: Hummer, Phill; Bob Bachman; Mike Borzick
Subject: RE: Transfer application 81844

Mr. Stevens,

I'm following up on the email string below. Mr. Roates confirmed the intent of the application regarding the existing wells, but we have not heard from you regarding whether you plan to amend the application to add the two new wells to the application. We will proceed with advertising the transfer proposal to add wells 2-11 as authorized diversions on all six rights. If you have decided to amend the application to include the two new wells in the transfer, please let me know before noon on Wednesday, June 13th as that is the deadline to submit the transfer for advertising.

Let me know what you have decided and whether you have further questions.

Nick.

From: Richard Roats [mailto:rroats@kunaaid.gov]
Sent: Thursday, May 24, 2018 12:43 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>; Paul Stevens <PStevens@kunaaid.gov>
Cc: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>; Bob Bachman <bbachman@kunaaid.gov>; Mike Borzick <mborzick@kunaaid.gov>
Subject: Re: Transfer application 81844

Mr. Miller,

Thank you. Yes, your email correctly states the city's plan of action.

Richard T. Roats
City of Kuna
City Attorney

From: "Miller, Nick" <Nick.Miller@idwr.idaho.gov>
Date: Thursday, May 24, 2018 at 11:25
To: Paul Stevens <PStevens@kunaaid.gov>, Richard Roats <rroats@kunaaid.gov>
Cc: "Hummer, Phill" <Phill.Hummer@idwr.idaho.gov>, Bob Bachman <bbachman@kunaaid.gov>, Mike Borzick <mborzick@kunaaid.gov>
Subject: Transfer application 81844
Resent-From: <rroats@kunaaid.gov>

Mr. Stevens,

It was good talking to you on the phone today. I have a better understanding of where the City is with respect to this transfer. As we discussed, your email below suggests you would be finalizing your plans for the transfer and amending the application, but you did not provide a timeline and the Department did not receive the information requested in our

April 6, 2018 letter. It appears an amended application has been in the works since September 2017, and we would prefer not to leave things open ended indefinitely. My phone call to you was intended to let you know the Department would be returning the application to you, and that you can resubmit it after you have finalized your plans. However, based on our phone discussion, I believe we have settled on a better path forward. You confirmed that the intent of the application is a proposal to change the six rights such that each right, after the transfer, will describe wells 2-11 as authorized points of diversion. Further, You had asked for an additional two weeks to determine whether the City would amend its application for transfer to also describe two new proposed wells to the City's system as additional alternate points of diversion for these six water rights.

I have copied Mr. Roats on this email and I ask that he write me back if the description of the proposal above is accurate. I can put this email in the file to document the intention of the City's application for transfer without having to have someone come in and amend the application. I would rather the application be amended and clearly describe the proposal, but in the interest of moving this along, I think this will work.

The Department will hold your application for another two weeks. At that time, I expect the Department will be in a position to either return the application or to proceed with advertising the application (either with or without the two other well locations), depending on what we hear back from you. If I hear nothing, I'll check in with you on Monday, June 11th.

Please let me know if you have further questions on this process.

Nick Miller
Manager, IDWR Western Region

From: Hummer, Phill
Sent: Thursday, May 24, 2018 10:38 AM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Subject: FW: Transfer application 8144 & Proof of Beneficial use Permit 63-31741

From: Paul Stevens [<mailto:PStevens@kunaaid.gov>]
Sent: Friday, April 20, 2018 10:10 AM
To: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Cc: Bob Bachman <bbachman@kunaaid.gov>; Mike Borzick <mborzick@kunaaid.gov>
Subject: Transfer application 8144 & Proof of Beneficial use Permit 63-31741

Good morning, Phill:

Thank you for talking with me earlier. This email is to confirm that the City of Kuna would like to continue with Application for Transfer No. 81844. As per our discussion we will provide a revised map, corrected application form, and an explanation regarding the disposition of well #2.

Separately, we anticipate providing a request for extension of time to submit proof of beneficial use for water right permit 63-31741.

Respectfully,

Paul

Paul A. Stevens, PE

City of Kuna - Engineer
Phone 208-287-1727



751 W 4th St
PO Box 13
Kuna, ID 83634

Hummer, Phill

From: Paul Stevens <PStevens@kunaaid.gov>
Sent: Friday, April 20, 2018 10:10 AM
To: Hummer, Phill
Cc: Bob Bachman; Mike Borzick
Subject: Transfer application 8144 & Proof of Beneficial use Permit 63-31741

Categories: More Info Emails

Good morning, Phill:

Thank you for talking with me earlier. This email is to confirm that the City of Kuna would like to continue with Application for Transfer No. 81844. As per our discussion we will provide a revised map, corrected application form, and an explanation regarding the disposition of well #2.

Separately, we anticipate providing a request for extension of time to submit proof of beneficial use for water right permit 63-31741.

Respectfully,

Paul

Paul A. Stevens, PE
City of Kuna - Engineer
Phone 208-287-1727



751 W 4th St
PO Box 13
Kuna, ID 83634



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

04/06/2018

CITY OF KUNA
PO BOX 13
KUNA ID 83634

Re: Application for Transfer No. 81844 Additional Information Required

Dear Applicant:

On September 26, 2017 IDWR staff met with Richard Roats to discuss the application for transfer proposing to add points of diversion to water rights no. 63-3266, 63-8215, 63-11970, 63-12394, 63-12552, and 63-31481. We determined that the application was inconsistent and needed to be amended. The application cannot be processed further until the following items are clarified:

- **5 - Point of Diversion(s) and 7 - Map**

The locations of the wells listed in this section are different than what is shown on the map for some of the wells. Some of the well locations were changed during our meeting but the changes needed to be verified. Please verify that all the wells listed in this section are listed correctly and shown in the correct place on map. Additionally, well # 2 is shown on the map but not included as a point of diversion in this section, if this well is to be included as a point of diversion it should be added to this section. If it is not included it should be removed from the map.

In an email correspondence with Mr. Roats on November 06, 2017 he indicated the City of Kuna intends to add 2 more points of diversion to the application for an area near Falcon Crest. If the City still intends to add these wells to their municipal system they need to be added to this transfer application.

Previously we were communicating through email and telephone conversation. However, it has been several months since the last correspondence regarding this application. Therefore, I thought it would be better to proceed more formally. Please submit the requested information within thirty (30) days for application processing to continue. The application will be returned if a written reply has not been received within the next thirty (30) days. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information or have questions. Thank you for your attention to these matters.

Sincerely,

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Enclosure: Copy of Transfer Application No. 81844

Hummer, Phill

From: Richard Roats <rroats@kunaaid.gov>
Sent: Monday, November 06, 2017 10:21 AM
To: Hummer, Phill
Subject: Re: water rights application

Good morning Phil;

I am working on getting the PODs for the area out by Falcon Crest. Then my plan is to amend the application to include these two new PODs.

If you have any questions or concerns, let me know.

Thanks, Richard

From: "Hummer, Phill" <Phill.Hummer@idwr.idaho.gov>
Date: Friday, November 3, 2017 at 12:49
To: Richard Roats <rroats@kunaaid.gov>
Subject: water rights application
Resent-From: <rroats@kunaaid.gov>

Hi Richard,

I just wanted to check in with you regarding the application for transfer for the city of kuna's water rights. I thought that after our meeting you might be withdrawing the application. If that is not the case then I can continue processing the application. Let me know if have any questions.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov

Hummer, Phill

From: Hummer, Phill
Sent: Friday, September 15, 2017 2:50 PM
To: 'Richard Roats'
Subject: RE: Water Right Transfer Application

Richard,

I was in the processing of writing you and email when you sent that to me. Here are the questions I had prior to your email, looks like some of it will get clarified next week. The next advertisement deadline is the 26th, it would be good to get everything cleared up in time. Let me know if you have any questions.

I have some more questions regarding the transfer application. The map shows the location for Well #2 but the POD list does not include a well #2. Is this well supposed to be involved with the transfer? Is there a Well #1? You will need to submit an amended application form (new page 1) that shows the correct location of all the wells/pod to be added to the water rights. This list must verify the wells and locations shown on the map. Also please submit a list that shows which wells are the current points of diversion for each of the water rights involved with the transfer and if you have the well logs for each well that would be incredibly helpful.

You may want to consider submitting an amendment of permit for permit no. 63-31741 if the City plans to use additional wells under that right.

Phill Hummer

*Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov*

From: Richard Roats [<mailto:rroats@kunaaid.gov>]
Sent: Friday, September 15, 2017 2:07 PM
To: Hummer, Phill <Phill.Hummer@idwr.idaho.gov>
Subject: Re: Water Right Transfer Application

Hi Phil;

The city may be amending its application to add two additional PODs. One near Falcon Crest and one near Ten Mile and Lake Hazel. I am having Mike Borzick, the city's GIS employee, obtain the exact location.

I will provide information on Monday.

Thanks, Richard

From: "Hummer, Phill" <Phill.Hummer@idwr.idaho.gov>
Date: Thursday, September 14, 2017 at 11:52
To: Richard Roats <rroats@kunaaid.gov>
Subject: Water Right Transfer Application
Resent-From: <rroats@kunaaid.gov>

Hummer, Phill

From: Richard Roats <rroats@kunaaid.gov>
Sent: Thursday, September 14, 2017 2:44 PM
To: Hummer, Phill
Subject: Re: Water Right Transfer Application

Phil,

Thank you. According to Mike Borzick at the city, you are correct:

#3 and #11 are in the SW NE

#4 and #9 are in the SW SW

Thanks, Richard

From: "Hummer, Phill" <Phill.Hummer@idwr.idaho.gov>
Date: Thursday, September 14, 2017 at 11:32
To: Richard Roats <rroats@kunaaid.gov>
Subject: Water Right Transfer Application
Resent-From: <rroats@kunaaid.gov>

Hi Richard,

I am working on processing the application for transfer you submitted on behalf of the City of Kuna. I need to clarify the location of a couple of well before the application can be processed and advertised. Section 5 of the application describes well #3 as being located in the SWSW of section 23, township 02N and range 01W but the map shows this well is located in the SWNE of section 23, possibly at the same location or near well #11. Similarly section 5 describes well #9 as being located in the SESE of section 23, township 02N and range 01W but the map shows this well is located in the SWSW of section 23 nearby well #4. I have attached a copy of page 1 of the application and the map that was submitted for your reference. Please confirm the actual location of these two wells.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Email: phill.hummer@idwr.idaho.gov



P.O. BOX 13
KUNA ID 83634
(208)922-5546
www.KunaCity.id.gov

Mayor

Joe Stear

City Council

Members

Briana Buban-Vonder Haar
Richard Cardoza
Pat Jones
Greg McPherson

City of Kuna

RECEIVED
AUG 04 2017
WATER RESOURCES
WESTERN REGION

August 4, 2017

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

Re: *Application for Transfer of Water Right*

To Whom It May Concern:

Enclosed herewith please find the City of Kuna's *Application for Transfer of Water Right- Points of Diversion* together with a check in the amount of \$2,020.00.

If you have any questions, please call at your convenience.

Sincerely,

Richard T. Roats
City of Kuna, City Attorney

RECEIVED

AUG 04 2017

WATER RESOURCES
WESTERN REGION

CITY OF KUNA, IDAHO
APPLICATION FOR TRANSFER
OF
WATER RIGHTS- POINTS OF DIVERSION