

RECEIVED

AUG 28 2017

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. **81888****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 www.idwr.idaho.gov.

Name of Applicant(s) Independent School District of Boise City

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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #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) Independent School District of Boise City Phone 208-854-4040
Mailing address 869 W. Victory Rd, Boise, ID 83709-4164 Email _____

- ☐ 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.

Tom Sullivan
Signature of Applicant or Authorized Representative

Fto Administrator - BSO
Print Name and Title if applicable

8/21/17
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 _____
- 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.2**.
Transfer the domestic flow rate to irrigation use to allow the School District to irrigate quicker when the school grounds are not occupied. Transfer of additional irrigation volume is not being proposed. The current authorized consumptive use for irrigation use will not be exceeded.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☐ ☒	63-9287	0.6/52	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.60 cfs and/or 52 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.60 cubic feet per second and/or 52 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well, pump, pressurized irrigation system.

Measuring device and lockable controlling works will be accommodated upon Department request.

- 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:

A total of 4.5 acres of the original 13 acres will no longer be irrigated due to school site development. The existing school is being replaced with a new school. A total of 8.5 acres will remain irrigated. (see item g. below)

- 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:

Potable domestic uses will be provided by SUEZ.

- 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:

2.5 acres are currently leased to the bank through 2019. A new lease application accompanying this transfer application proposes enrollment of an additional 2 acres that will be retired from irrigation as a result of landscape reconfiguration due to the replacement of the existing school with a new school.

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

Current Water Right No.: 63-9287

Current Owner: INDEPENDENT SCHOOL DISTRICT OF BOISE CITY

Priority Date: 9/12/1979

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.3 CFS	
IRRIGATION	03/15 to 11/15	0.3 CFS	52 AF
<u>Total Diversion</u>		0.6 CFS	52 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4 Sec. 26, Twp 03N, Rge 01E B.M.

ADA County

Place of Use

DOMESTIC Within ADA County

T03N R01E S26 SESW

IRRIGATION Within ADA County

T03N R01E S26 SESW 13.00

Total Acres: 13

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. PARCEL NO. S1126347725.
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. J01 PROPERTY IS ALSO KNOWN AS AMITY ELEMENTARY SCHOOL.

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance) N/A - proposed change will not cause an increase in consumptive use

- ☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 3 attachments.

Received by BN Date 8/28/17 Preliminary check by CP Date 09/08/17

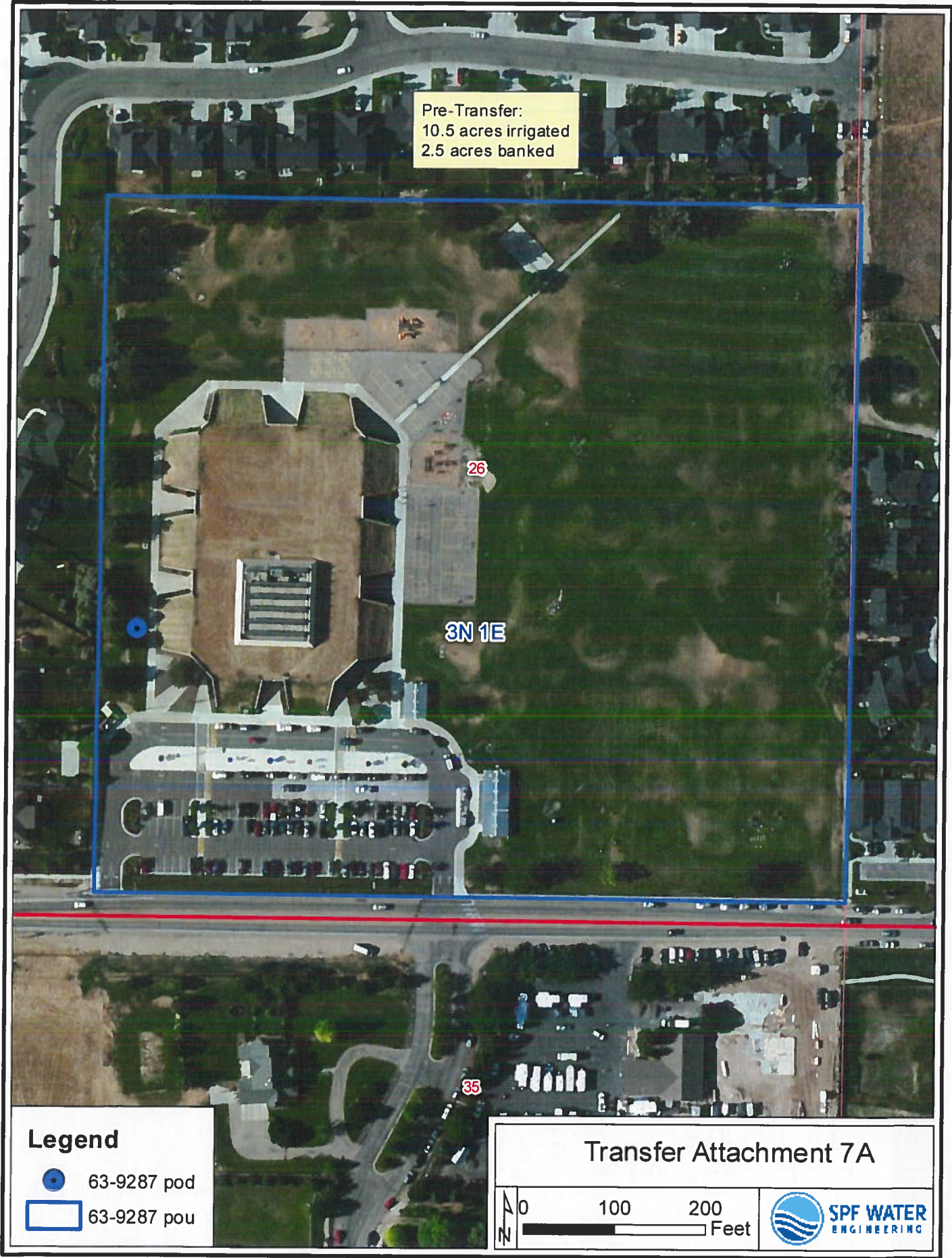
Fee paid 1,000.00 Date 8/28/17 Received by RW Receipt # W045621

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☒ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

→ AG 9/6/17

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Pre-Transfer:
10.5 acres irrigated
2.5 acres banked

26

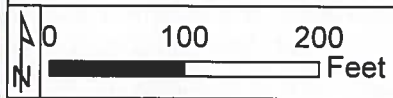
3N 1E

35

Legend

- 63-9287 pod
- 63-9287 pou

Transfer Attachment 7A









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

September 29, 2017

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY
8169 W VICTORY RD
BOISE, ID 83709

RE: Transfer No. 81888
Water Right No(s). 63-9287

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 10/5/2017 and 10/12/2017. 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,

Rachel Neely
Administrative Assistant

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

Neely, Rachel

From: Neely, Rachel
Sent: Friday, September 29, 2017 11:27 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 10/5/2017 & 10/12/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

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

September 29, 2017

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

RE: Transfer No. 81888
Transfer No. 81899
Application for Permit No. 63-34370

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 10/23/2017. 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:

63-34370

CITY OF MIDDLETON

PO BOX 487

MIDDLETON, ID 83644

Point of Diversion L1(NESE) S12 T04N R03W CANYON County Source MILL SLOUGH Tributary BOISE RIVER

Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 150 CFS

Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 78.8 AF

Total Diversion: 150 CFS, 78.8 AF

Date Filed: 4/27/2017

Place of Use: WATER QUALITY IMPROVEMENT

T04N R02W S7 L4(NWSW) L4(SWSW) L7(SWSW) L3(SESW) L8(SESW)

T04N R03W S12 L1(NESE) SESE

Place of Use: WATER QUALITY IMPROVEMENT STORAGE

T04N R02W S7 L4(NWSW) L7(SWSW) L3(SESW) L8(SESW)

T04N R03W S12 L1(NESE) SESE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81888

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY, 8169 W VICTORY RD, BOISE, ID 83709; has filed Application No. 81888 for changes to the following water rights within ADA County(s): Right No(s). 63-9287. The purpose of the transfer is to change the nature of use for the domestic component of right no. 63-9287 to irrigation. The diversion rate for the domestic component will be added to the existing irrigation rate allowing the owner to irrigate at a higher rate over a shorter period of time; the overall diversion volume limit of the right is not being changed. Water will be used at the current place of use approximately 6 miles southwest of downtown Boise, directly north of Amity Road between S. Fivemile Rd. and S Maple Grove Rd.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81899

BRUNDAGE WATER USERS ASSN INC, PO BOX 333, NEW MEADOWS, ID 83654; has filed Application No. 81899 for changes to the following water rights within ADAMS County(s): Right No(s). 78-2085, 78-7263A, 78-7263C. The purpose of the transfer is to increase the applicant's service boundary from 7,644 acres to 10,519 acres. A change to the number of irrigated acres within this boundary or an increase to storage water are not proposed. Water will be used at the current place of use across Meadows Valley, 8 miles west of Payette Lake.

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 10/23/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/5/2017 and 10/12/2017

Parker, Cody

From: Lori Graves <LGraves@spfwater.com>
Sent: Tuesday, September 19, 2017 3:20 PM
To: Parker, Cody
Subject: RE: Independent School District Transfer

Yes, it should be 8169. Thanks Cody.

From: Parker, Cody [mailto:Cody.Parker@idwr.idaho.gov]
Sent: Tuesday, September 19, 2017 1:56 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: Independent School District Transfer

Mrs. Graves,

I am writing about the transfer mentioned in the subject line. The address on the application is 869 W Victory Rd., while the address we have on record for the applicant is 8169 W Victory Rd. I just need confirmation for the file that there is no address change and that the applicant meant to put 8169.

Thanks,

Cody Parker
Water Resource Agent
IDWR Western Region
208.334.2190

Parker, Cody

From: Webster, Clay
Sent: Monday, September 11, 2017 9:05 AM
To: Parker, Cody
Subject: RE: Transfer No. 81888

Cody,

Thanks for the notification of this pending transfer, I'll put a hold on rentals on this water right until the transfer is completed. We do ask that you always notify the folks working in the Bank of any pending transfers. This keeps us from renting or leasing any unrented portions while the transfer is being processed. There is a flow chart for processing a transfer that is in the WSB located on WENET under the water rights section under the reference material called Water Supply Bank and Transfer Coordination. We currently have 2.5 acres of the irrigation component leased. We did receive the new lease application for an additional 4.5 acres to be leased to the bank. From what you have described about the transfer, they are only proposing to change the domestic component. We currently have no portion of the domestic component leased to the bank. Could you please let me know when the transfer is complete? Thanks!

Clay

From: Parker, Cody
Sent: Friday, September 08, 2017 2:32 PM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: Transfer No. 81888

Mr. Webster,

I am told that I should coordinate with you once I begin processing Transfer No. 81888. The transfer proposes to change the nature of use for the domestic component of right 63-9287 to irrigation. The right has an existing irrigation component and it looks like 2.5 acres irrigation is leased to the WSB from 2015 to 2019. They have also proposed moving 2 additional acres to the WSB. It looks like Angie may have sent the new WSB lease application to the state office on 09/06/17. I have not run into a transfer involving a right leased to the WSB before. Please let me know what I need to do differently as I begin processing.

Thanks,

Cody Parker
Water Resource Agent
IDWR Western Region

MEMORANDUM

TO: Transfer No. 81888 File
FROM: Cody Parker
RE: Evaluation of Sufficiency of Information Submitted
DATE: September 8, 2017

This transfer proposes to change the nature of use for the domestic component of right no. 63-9287 to irrigation. The diversion rate for the domestic component will be added to the existing irrigation component, allowing the right owner to irrigate at a higher rate. The annual volume for the irrigation component remains unchanged through this transfer. The resulting right will authorize 13 acres of irrigation, 4.5 of which will be leased to the water supply bank. Water will be used at the current place of use in the SESW of Section 26, Township 03 North, Range 01 East, Boise Meridian, approximately 6 miles southwest of downtown Boise. The place of use is located just north of Amity road, between S. Fivemile Rd. and S. Maple Grove Rd.

Summary of Information Submitted

Authority to File:

The transfer proposes changes to right no. 63-9287. The current owner on record for this right is the Independent School District of Boise City. According to the tax parcel data, the owner of the place of use and point of diversion are the Boise Independent School District, which is assumed to be the same entity. The applicant is also listed as the Independent School District of Boise City. The application is signed by Tom Willis, the Facilities & Operations Administrator for the school district. The applicant has the authority file this transfer.

As a separate note, the applicant listed their address as 869 W Victory Rd. on the application. The address that we have on file for this applicant is 8169 W Victory Rd. Mrs. Graves of SPF has confirmed that this was a mistake on the application and the applicant did intend to put 8169. The correction does not require an amendment of the application.

Water Right Validity:

Right no. 63-9287 was decreed in 2009. The irrigation component of the right authorizes 13 acres of irrigation. I measure around 9.8 acres of irrigation from aerial imagery taken within the forfeiture review period. 2.5 acres of irrigation from this right have been leased to the water supply bank since 2015. Combined, these add up to 12.3 acres irrigation. Considering the likely margin of error for the measured acreage, the total acreage can be rounded up to the 13 acres described on the right. Thus no forfeiture risk is found for the irrigation component.

The applicant states that domestic water will be provided by the municipal provider upon construction of the new school, implying that the existing school uses the well. Therefore, the domestic component of the right is presumed valid.

Injury to Other Water Rights:

The right post-transfer will retain the same rate and volume diversion limits from the same point of diversion. Therefore, I do not anticipate any injury to existing rights.

Enlargement of Use

The transfer does not propose any change to the number of irrigated acres or to the rate and volume diversion limits, therefore there is no enlargement.

Public Interest:

The application does not seem to propose anything in conflict with the local public interest. However, the application will be advertised to allow the opportunity for protest.

Beneficial Use/Conservation of Water Resources:

Upon approval of the transfer, the unit diversion rate will be ~0.05 cfs/acre which exceeds the standard for irrigation. However, Admin AP Memo No. 60 suggests that a diversion rate exceeding the standard may be acceptable for irrigation of turf grass in public areas, such as schools. The argument is that water cannot be applied continuously over a 24-hr period, so a higher diversion rate is needed to apply the same volume of water in a shorter period of time. The applicant has explained in their application that the proposed change will allow them to “irrigate quicker when the school grounds are not occupied.” Therefore, Memo 60 is applicable in this case thus a diversion rate exceeding the standard is approvable.

According to Memo 60, the approvable rate (r) is determined by:

$$r = \frac{(BU \text{ standard rate}) \times 24}{\text{irrigation hrs/day}}$$

Using the proposed irrigation rate (0.60 cfs) for r, 0.26 cfs for the BU standard (13 acres x 0.02 cfs/acre), and solving for the number of irrigated hrs/day indicates that, for the 0.60 cfs rate to be approvable the school should not irrigate more than 10.4 hrs/day. The applicant did not specify how many hours per day they intend to irrigate. To ensure that the rate is not considered excessive I will add the following condition to an approval of this transfer:

The diversion rate for this right shall not exceed 0.60 cfs. Provided, further, this right when combined with all other rights shall provide no more than 0.02 cfs per acre when averaged over a twenty-four hour period based upon the amount of water applied over such twenty-four hour period. However, should the lands authorized to be irrigated under this right ever cease to be a school, park, cemetery, or golf course recognized by the Department as allowing more than one inch per acre, then this right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.

Additionally, condition R61 will be added to ensure that this right, when combined with all others, does not provide more than 4.5 afa per acre for irrigation of the POU.

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

There are no overlapping water rights used for irrigation of the place of use. The backfile for the right suggests that there has never been any use of surface water for irrigation of the POU. Neither are there any other water rights using the well.

Grimm, Angie

From: Grimm, Angie
Sent: Tuesday, September 05, 2017 2:56 PM
To: Marston, Sascha
Subject: Receipt Correction Request - W045621
Attachments: W045621.pdf

Sascha,

Good afternoon. During initial review of a transfer application filing, I've identified a receipt error. A Water Supply Bank Lease application was received at the same time as the Transfer application. \$250.00 of W045621 SHOULD be receipted to the Water Supply Bank Lease application PCA rather than all \$1000.00 received going to the transfer application PCA (only \$750.00 should go to transfer application PCA 62105). Can you please correct this error? The Water Supply Bank Lease application is for a portion of water right 63-9287 for Independent School District of Boise City filed/paid for by SPF Water Engineering LLC. I've attached a copy of the receipt as it is now. Please let me know if you need any more information to correct this receipting error.

Thanks,
Angie

Angela M. Grimm, P.G.
Water Rights Supervisor
IDWR - Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190 phone
(208) 334-2348 fax

Idaho Department of Water Resources Receipt

Receipt ID: W045621

Payment Amount \$1,000.00 Date Received 8/28/2017 2:33 PM Region WESTERN

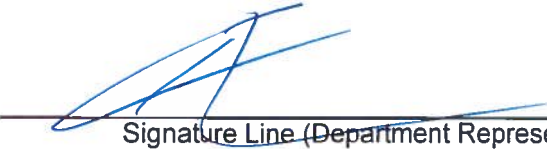
Payment Type Check Check Number 011517

Payer SPF WATER ENGINEERING LLC

Comments APPLICATION FOR TRANSFER FOR INDEPENDENT SCHOOL DISTRICT OF BOISE CITY
WR 63-9287 0.6CFS IRRIGATION

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,000.00	TRANSFERS	62105	0229	21		1155


Signature Line (Department Representative)



SPF WATER
ENGINEERING

August 23, 2017

RECEIVED

AUG 28 2017

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer, Water Bank Lease Request

Dear Angie,

Enclosed on behalf of the Independent School District of Boise City is an *Application for Transfer* requesting the domestic flow rate (not volume) authorized under water right 63-9287 be transferred to irrigation use. Approval of the transfer application will allow the School District to irrigate quicker when the school grounds are not occupied. Since transfer or use of additional volume for irrigation is not being proposed, historical consumptive use analysis is not necessary. The School District is in the process of replacing the existing school with a new school that will result less irrigation. Currently, 2.5 acres are leased to the bank through 2019. Attached is a new lease application requesting enrollment of an additional 2 acres for a total of 4.5 acres. The total flow rate proposed for lease is based upon approval of the transfer application.

Of course, the School District is in a hurry. Since a new place of use and/or point of diversion are not being proposed, consideration to process this application without advertising would be greatly appreciated.

Check No. 011517 for \$1,000 is enclosed for the filing fees (\$500 for the transfer application, \$250 for changing nature of use and \$250 for the water bank lease application). Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Tom Willis

Enclosures
SPF file number: 474.0230