

Webster, Clay

From: Webster, Clay
Sent: Monday, August 07, 2017 12:08 PM
To: 'Lori Graves'
Subject: RE: Rental application 811 for the City of Boise Compost Facility

Lori,

This email will work. I'll add a copy to the file to show that the rental request has been withdrawn. Thanks.

Clay

From: Lori Graves [mailto:LGraves@spfwater.com]
Sent: Monday, August 07, 2017 12:07 PM
To: Webster, Clay <Clay.Webster@idwr.idaho.gov>
Subject: RE: Rental application 811 for the City of Boise Compost Facility

Yes they do Clay. I sent them a statement to sign, but you know how Cities are...
Will this email do the trick?

From: Webster, Clay [mailto:Clay.Webster@idwr.idaho.gov]
Sent: Monday, August 07, 2017 12:04 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: Rental application 811 for the City of Boise Compost Facility

Lori,

Since Transfer 81638 has been approved, I am contacting you to find out if The City of Boise wishes to withdraw their rental request for the same use? Thanks

Sincerely,
Clay Webster
Water Resource Agent Sr.
clay.webster@idwr.idaho.gov
208-287-4910
Idaho Department of Water Resources (IDWR)

STATE OF IDAHO
WATER RESOURCE BOARDAPPLICATION TO RENT WATER
FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED

APR 10 2017

DEPARTMENT OF
WATER RESOURCESApplicant Name: City of Boise

Is this application being submitted with a lease application as a lease/rental package?

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Yes

- ☒ Completed *Application to Rent Water from the Board's Water Supply Bank*
- ☒ Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

- 2 ☒ A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
- 3A ☐ ☒ Detailed information on a proposed use of rental water
- 3F ☒ ☐ Authorization from the owner/operator of the rental point(s) of diversion
- 3H ☒ ☐ Water modeling to account for the impacts of the rental request
- 3J ☒ ☐ Documents justifying a rate of flow greater than 0.02 cfs/acre
- 3K ☒ ☐ Authorization from the owner/operator of the property at the proposed rental place(s) of use
- 4B ☐ ☒ Explanation of how the rental water will sufficiently accomplish your rental purposes
- 4C ☐ ☒ Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)

63-7755B

811

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant City of Boise

Mailing Address Public Works Dept., 150 N. Capitol Blvd., Boise ID 83701-0500
Street City State Zip Code
 Email Address pzimmerman@cityofboise.org Phone Number 208-384-3920

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Lori Graves Professional Title Water Rights Specialist
 Organization SPF Water Engineering Relationship to Applicant Consultant
 Mailing Address 300 E. Mallard Dr., Ste 350, Boise, ID 83706
 Email Address lgraves@spfwater.com Phone Number 208-383-4140

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it Attachment 2.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them Attachment 3A:
See Attachment 3A/4C.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
0.12 CFS	21.96 AF	0.12 CFS	21.96 AF	7 AC

* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
4/1/2017		☐ 1	☐ 2	☐ 3	☐ 4	☒ 5	☒ Process application as soon as possible	☐ Return application to applicant

* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

** Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Existing pressurized irrigation system for City's Twenty Mile South Farm

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
12 existing wells	Ground Water	19 integrated water rights (see attached)
(see attached)		

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☐ No ☒
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

- H. Has water modeling been provided with your rental request? Yes ☐ N/A ☒
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☐ Irrigation _____ (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)
- ☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)
- ☒ Industrial from: 1/1 (mm/dd) to: 12/31 (mm/dd)
- ☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☒ Yes ☐ No ☐
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

None

**STATE OF IDAHO
WATER RESOURCE BOARD**

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
63-7755B	Irrigation	2.54	675	150		0.12	31.5	7
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					TOTAL			
						CFS	AF	AC

**Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it Attachment 4B:

C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☒ No ☐

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it Attachment 4C:

See Attachment 3A/4C.

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☒ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☒ No ☐
If yes, describe:
Rental water needed while proposed transfer application is processed.

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒
If yes, describe the date and location of the NOV.

- D. Additional Information
Because the City is requesting rental of their own water, they wish to incur administrative costs only.

DECLARATION

I hereby assert that 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. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.


Signature of Applicant

James Pardy, City Engineer
Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Attachment 3A/4C

Per approved transfer No. 80626, the City has 19 water rights appurtenant to the Twenty Mile South Farm (TMSF) that, when combined, authorize irrigation of 3,653 acres within a 4,225-acre PPU. Currently 150 of those acres are in the Bank under water right 63-7755B (Lease Contract No. 391). Seven of those 150 acres, located in the NENE, S25, T1N, R1E, are requested for rental and are being proposed for transfer to allow the associated consumptive water be used for processing (dampening) compost at the City's new compost facility to be located within their TMSF irrigation PPU. A rental application is being submitted to allow water to be used for the compost facility while the transfer is being processed. Once the transfer is approved, the City will submit a new lease application for 143 acres to account for transfer and use of the 7 acres.

Water right 63-7755B was decreed in 2009. The 7 acres proposed for transfer were leased to the Water Bank in 2015, thereby protecting them from forfeiture since the date of the decree. Historical irrigation use on the 7 acres is also evidenced on the attached 2011 aerial. As confirmed in the attached email statement from Ben Nydegger, TMSF Manager, Alfalfa is one of the crops that has been historically grown on the 7 acres. Based on area ET Idaho data shown below, consumptive water appurtenant to 7 acres of alfalfa will provide 21.96 afa (equivalent to 7,155,666 gpy) for industrial use at the City's proposed compost facility, which is sufficient for the planned operation. Although the right allows a 275-day irrigation season of use (3/1 - 11/30), the consumptive use volume proposed for transfer is based on a 260-day irrigation season of use (3/1 - 11/15), which ET Idaho uses for the alfalfa growing season at this location.

ET Idaho data - Alfalfa - frequent cuttings

Boise WSFO Airport (NWS-101022)

<http://data.kimberly.uidaho.edu/ETIdaho/stcystats.py?station=101022&cover=2&state=Deficit>

15-Mar-17

	mm/day												growing season	annual	Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
Monthly ¹	-0.27	0.15	0.61	3.48	4.43	3.72	6.1	5.27	3.74	2.01	-0.23	-0.56	257	957	
days/mo	31	28	31	30	31	30	31	31	30	31	30	31			260 days/yr
monthly ET (mm)	-8.37	4.2	18.91	104.7	137.33	171.6	189.1	163.37	112.2	62.31	-6.9	-17.36			957 mm/yr
monthly ET(%)	-0.0275	0.014	0.062	0.344	0.451	0.563	0.620	0.536	0.368	0.204	-0.023	-0.057			3.137 a/yr

Annual alfalfa p-def evapotranspiration: 3.137 ac-ft / acre

Retired irrigation for compost processing:

21.96 afa, annual compost facility consumptive use (7,155,666 gpy)

7.0 acres of cropland consumptive use to offset the compost facility consumptive use

Water Bank Rental Application Item 3.E.

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 23	Township 01N	Range 01E	ADA County
GROUND WATER	SWSW	Sec. 24	Township 01N	Range 01E	ADA County
GROUND WATER	SESW	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	SESW	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	NWSE	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	NWSW	Sec. 27	Township 01N	Range 01E	ADA County
GROUND WATER	NENE	Sec. 33	Township 01N	Range 01E	ADA County
GROUND WATER	SWNE	Sec. 34	Township 01N	Range 01E	ADA County
GROUND WATER	NWNW	Sec. 34	Township 01N	Range 01E	ADA County
GROUND WATER	NENW	Sec. 35	Township 01N	Range 01E	ADA County
GROUND WATER	NWNW	Sec. 35	Township 01N	Range 01E	ADA County
GROUND WATER	NENE	Sec. 36	Township 01N	Range 01E	ADA County

Other Water Rights that Share above Wells:

<u>Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
63-3013	3.3/1215	Irrigation	3/1 to 11/15	Ground Water
63-3014	2.74/819	Irrigation	3/1 to 11/15	Ground Water
63-7005B	6.1/1372.5	Irrigation	3/1 to 11/30	Ground Water
63-7042B	6.5/1800	Irrigation	3/1 to 11/30	Ground Water
63-7047	2.4/540	Irrigation	4/1 to 11/1	Ground Water
	0.04/1.2	Domestic	1/1 to 12/31	
	0.09/5.4	Stockwater	1/1 to 12/31	
63-7053	6.1/1372.5	Irrigation	3/1 to 11/30	Ground Water
	0.3/8.0	Stockwater	12/1 to 3/1	
63-7055A	4.36/981	Irrigation	2/1 to 11/1	Ground Water
	0.07/4.1	Stockwater	1/1 to 12/31	
63-7055C	0.39/189.5	Irrigation	3/15 to 11/15	Ground Water
63-7055D	1.47/328.5	Irrigation	2/1 to 11/15	Ground Water
63-7064A	3.2/720	Irrigation	3/15 to 11/15	Ground Water
63-7064B	3.15/711	Irrigation	3/15 to 11/15	Ground Water
	0.04/0.6	Domestic	1/1 to 12/31	
63-7078B	3.4/1647	Irrigation	3/1 to 11/30	Ground Water
	0.3/8.0	Stockwater	12/1 to 3/1	
63-7755B	4.84/1287	Irrigation	3/1 to 11/30	Ground Water
63-8130B	2.4/540	Irrigation	3/15 to 11/15	Ground Water
63-8435	2.84/711	Irrigation	3/15 to 11/15	Ground Water
63-9243	2.6/778.5	Irrigation	3/15 to 11/15	Ground Water
63-9359	1.17/351	Irrigation	3/15 to 11/15	Ground Water
63-12461	4.58/1030.5	Irrigation	3/1 to 11/15	Ground Water
63-12470	7.32/1647	Irrigation	3/1 to 11/15	Ground Water

Legend

-  Banked Acres (150)
-  Industrial POU

7 acres requested
for compost facility

1N 1E

1N 2E

1S 1E

Water Bank Rental Map 2011 Aerial Photo

0 1,250 2,500
Feet



COPYSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**RECEIVED****APR 10 2017****APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**DEPARTMENT OF
WATER RESOURCESName of Applicant(s) City of Boise Phone 208-384-3920Mailing address Public Works Dept., 150 N. Capitol Blvd., Boise, ID 83701-0500 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 RepresentativeName of Representative SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Signature of Applicant or Authorized Representative

James Parley City Engineer
Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____

2. 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**.

Applicants wish to retire 7 acres from irrigation and use the applicable water for processing (dampening) compost at their new compost facility to be located within their Twenty-Mile South Farm irrigation PPU. See Attachment 8a for additional information.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-7755B	4.72/1255.5	Irrigation	3/1 to 11/30	Ground Water
☐ ☐		0.12/21.96	Industrial	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.84 cfs and/or 1277.46 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or 31.5 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.) **(Industrial POU)**

☐ 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	
1N	1E	27							X		X	X		X					

Irrigation use under this right will be reduced by 7 acres and limited to 279 acres within the authorized permissible place of use rather than 286 acres currently listed.

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:

12 well integrated system

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☒ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

n/a

- 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:

none

- 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:

See Attachment 9

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

Current Water Right No.: 63-7755b

Current Owner: CITY OF BOISE

Priority Date: 3/23/1973

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>
IRRIGATION	03/01 to 11/30	4.84 CFS	1287 AF
	<u>Total Diversion</u>	4.84 CFS	1287 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 23,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	SW1/4SW1/4	Sec. 24,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	SE1/4NW1/4	Sec. 25,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NW1/4SE1/4	Sec. 25,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	SE1/4SW1/4	Sec. 25,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NW1/4SW1/4	Sec. 27,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 33,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	SW1/4NE1/4	Sec. 34,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 34,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NW1/4	Sec. 35,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 35,	Twp 01N,	Rge 01E B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 01N,	Rge 01E B.M.
ADA County				

Place of Use

IRRIGATION Within ADA County

Page _____ of _____

T01N R01E S23	NESW	40.00	T01N R01E S23	NWSW	40.00
T01N R01E S23	SWSW	40.00	T01N R01E S23	SESW	40.00
T01N R01E S23	NESE	40.00	T01N R01E S23	NWSE	40.00
T01N R01E S23	SWSE	40.00	T01N R01E S23	SESE	40.00
T01N R01E S24	NESW	40.00	T01N R01E S24	NWSW	40.00
T01N R01E S24	SWSW	40.00	T01N R01E S24	SESW	40.00
T01N R01E S25	NENE	40.00	T01N R01E S25	NWNE	40.00
T01N R01E S25	SWNE	40.00	T01N R01E S25	SENE	40.00
T01N R01E S25	NENW	40.00	T01N R01E S25	NWNW	40.00
T01N R01E S25	SWNW	40.00	T01N R01E S25	SENW	40.00
T01N R01E S25	NESW	40.00	T01N R01E S25	NWSW	40.00
T01N R01E S25	SWSW	40.00	T01N R01E S25	SESW	40.00
T01N R01E S25	NESE	40.00	T01N R01E S25	NWSE	40.00
T01N R01E S25	SWSE	40.00	T01N R01E S25	SESE	15.00
T01N R01E S26	NENE	40.00	T01N R01E S26	NWNE	40.00
T01N R01E S26	SWNE	40.00	T01N R01E S26	SENE	40.00
T01N R01E S26	NENW	40.00	T01N R01E S26	NWNW	40.00
T01N R01E S26	SWNW	40.00	T01N R01E S26	SENW	40.00
T01N R01E S26	NESW	40.00	T01N R01E S26	NWSW	40.00
T01N R01E S26	SWSW	40.00	T01N R01E S26	SESW	40.00
T01N R01E S26	NESE	40.00	T01N R01E S26	NWSE	40.00
T01N R01E S26	SWSE	40.00	T01N R01E S26	SESE	40.00
T01N R01E S27	NENE	40.00	T01N R01E S27	NWNE	40.00
T01N R01E S27	SWNE	40.00	T01N R01E S27	SENE	40.00
T01N R01E S27	NENW	40.00	T01N R01E S27	NWNW	40.00
T01N R01E S27	SWNW	40.00	T01N R01E S27	SENW	40.00
T01N R01E S27	NESW	40.00	T01N R01E S27	NWSW	40.00
T01N R01E S27	SWSW	40.00	T01N R01E S27	SESW	40.00
T01N R01E S27	NESE	40.00	T01N R01E S27	NWSE	40.00
T01N R01E S27	SWSE	40.00	T01N R01E S27	SESE	40.00
T01N R01E S33	NENE	40.00	T01N R01E S33	NWNE	40.00
T01N R01E S33	SWNE	40.00	T01N R01E S33	SENE	40.00
T01N R01E S33	NENW	40.00	T01N R01E S33	SENW	40.00
T01N R01E S33	NESW	40.00	T01N R01E S33	NESE	40.00
T01N R01E S33	NWSE	40.00	T01N R01E S34	NENE	40.00
T01N R01E S34	NWNE	40.00	T01N R01E S34	SWNE	40.00
T01N R01E S34	SENE	40.00	T01N R01E S34	NENW	40.00
T01N R01E S34	NWNW	40.00	T01N R01E S34	SWNW	40.00
T01N R01E S34	SENW	40.00	T01N R01E S34	NESW	40.00
T01N R01E S34	NWSW	40.00	T01N R01E S34	SWSW	40.00
T01N R01E S34	SESW	40.00	T01N R01E S34	NESE	40.00
T01N R01E S34	NWSE	40.00	T01N R01E S34	SWSE	40.00
T01N R01E S34	SESE	40.00	T01N R01E S35	NENE	40.00
T01N R01E S35	NWNE	40.00	T01N R01E S35	SWNE	40.00
T01N R01E S35	SENE	40.00	T01N R01E S35	NENW	40.00
T01N R01E S35	NWNW	40.00	T01N R01E S35	SWNW	40.00
T01N R01E S35	SENW	40.00	T01N R01E S35	NESW	40.00
T01N R01E S35	NWSW	40.00	T01N R01E S35	SWSW	40.00

Page _____ of _____

T01N R01E S35	SESW	40.00	T01N R01E S35	NESE	40.00
T01N R01E S35	NWSE	40.00	T01N R01E S35	SWSE	40.00
T01N R01E S35	SESE	40.00	T01N R01E S36	NENE	32.00
T01N R01E S36	NWNE	38.00	T01N R01E S36	SWNE	4.00
T01N R01E S36	SENE	28.00	T01N R01E S36	NENW	40.00
T01N R01E S36	NWNW	40.00	T01N R01E S36	SWNW	18.00
T01N R01E S36	SENW	10.00			

Total Acres: 4225

Conditions of Approval:

1. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. X35 Rights 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243, 63-9359, 63-12461 and 63-12470 when combined shall not exceed a total diversion rate of 60.87 cfs, a total annual maximum diversion volume of 16,817.8 af at the field headgate, and the irrigation of 3653 acres.
3. X27 This right is limited to the irrigation of 286 acres within the place of use described above in a single irrigation season.
4. Rights 63-7005B, 63-7042B, 63-8130B, 63-7055C, 63-7053, 63-7078B, 63-7064A, 63-7064B, 63-9243, 63-9359, 63-7055D and 63-7755B when combined shall not exceed a total diversion rate of 37.53 cfs, and a total annual maximum diversion volume of 10222.6 af at the field headgate for the irrigation of 2268 acres, stockwater and domestic uses.
5. 01M 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.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. X35 Rights 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243 and 63-9359 when combined shall not exceed a total diversion rate of 51.07 cfs, a total annual maximum diversion volume of 14500.0 af at the field headgate, and the irrigation of 3058 acres in a single irrigation season.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/28/2014.

Decreed Date: 2/6/2009

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.

☒ 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.**

☐ 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:

[illegible]

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

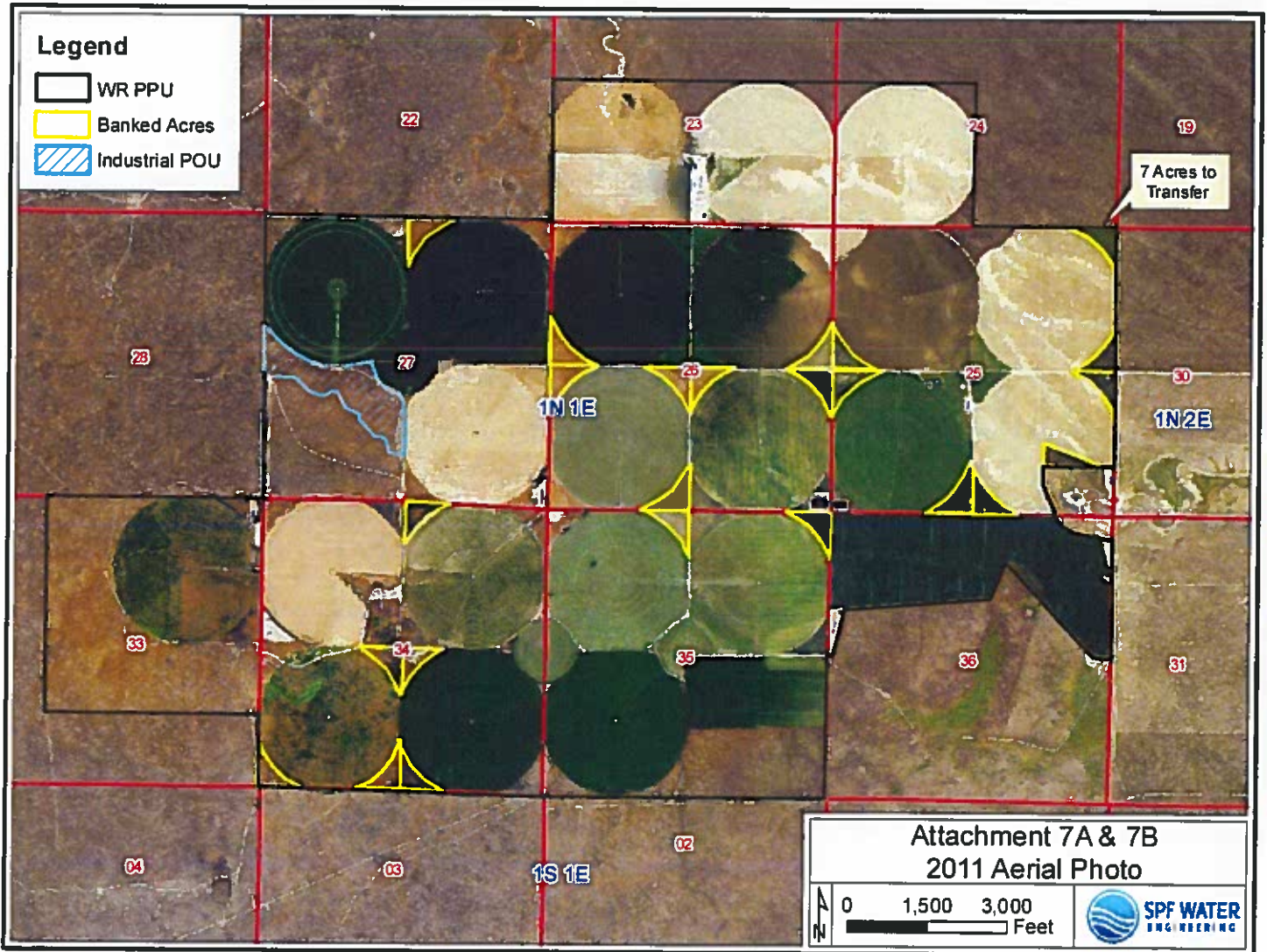
Fee paid _____ Date _____ Received by _____ Receipt # _____

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)

Legend

- WR PPU
- Banked Acres
- Industrial POU



Attachment 7A & 7B
2011 Aerial Photo



Transfer Attachment 8a

Per approved transfer No. 80626, the City has 19 water rights appurtenant to the Twenty Mile South Farm (TMSF) that, when combined, authorize irrigation of 3,653 acres within a 4,225-acre PPU. Currently 150 of those acres are in the Bank under water right 63-7755B (Lease Contract No. 391). Seven of those 150 acres, located in the NENE, S25, T1N, R1E, are requested for transfer to allow the associated consumptive water be used for processing (dampening) compost at the City's new compost facility to be located within their TMSF irrigation PPU. A rental application is being submitted to allow water to be used for the compost facility while the transfer is being processed. Once the transfer is approved, the City will submit a new lease application for 143 acres to account for transfer and use of the 7 acres.

Water right 63-7755B was decreed in 2009. The 7 acres proposed for transfer were leased to the Water Bank in 2015, thereby protecting them from forfeiture since the date of the decree. Historical irrigation use on the 7 acres is also evidenced on the attached 2011 aerial. As confirmed in the attached email statement from Ben Nydegger, TMSF Manager, Alfalfa is one of the crops that has been historically grown on the 7 acres. Based on area ET Idaho data shown below, consumptive water appurtenant to 7 acres of alfalfa will provide 21.96 afa (equivalent to 7,155,666 gpy) for industrial use at the City's proposed compost facility, which is sufficient for the planned operation. Although the right allows a 275-day irrigation season of use (3/1 - 11/30), the consumptive use volume proposed for transfer is based on a 260-day irrigation season of use (3/1 - 11/15), which ET Idaho uses for the alfalfa growing season at this location.

ETIdaho data - Alfalfa - frequent cuttings
Boise WSFO Airport (NWS-101022)

<http://data.kimberly-idaho.edu/ETIdaho/stations/101022/cover=2&state=Idaho>
15-Mar-17

mm/day													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	growing season
Monthly "	-0.27	0.15	0.61	3.48	4.43	5.72	6.1	5.27	3.74	2.01	-0.23	-0.58	957
days/mo	31	28	31	30	31	30	31	31	30	31	30	31	
monthly ET (mm)	-8.37	4.2	18.91	104.7	137.33	171.6	189.1	163.37	112.2	62.31	-6.9	-17.36	
monthly ET(l)	-0.0275	0.014	0.062	0.344	0.451	0.563	0.620	0.536	0.368	0.204	-0.023	-0.057	
													Total
													260 days/yr
													957 mm/yr
													3.137 a/yr

Annual alfalfa p-def evapotranspiration: 3.137 ac-ft / acre

Retired irrigation for compost processing:

21.96 afa, annual compost facility consumptive use (7,155,666 gpy)

7.0 acres of cropland consumptive use to offset the compost facility consumptive use

Lori Graves

From: Ben Nydegger <Bnydegger@cityofboise.org>
Sent: Tuesday, March 21, 2017 2:56 PM
To: Lori Graves
Subject: 7 Acre Corner at TMSF

Hello Lori,

The 7 acre parcel in the northeast corner of Section 25, Township 1 North, Range 1 East was historically used to grow several crops, primarily irrigated alfalfa.

Let me know if you need anything else.

Ben

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

**APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK**

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
63-7755B	12/31/2019	2.54	675	150	Attached? ☐ or No Change ☒
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ 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](#).

Additional Information:

The City proposes renting 7 acres from their Lease Contract No. 391 during the 2017 irrigation season while this transfer application is processed. Upon transfer approval, the City will permanently withdraw 7 acres from the Bank and submit a new lease application for the remaining 143 acres they wish to continue leasing to the Bank.

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

COPY

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

APR 10 2017

DEPARTMENT OF
WATER RESOURCES

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) City of Boise

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 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: Application expansion



RECEIVED

APR 10 2017

DEPARTMENT OF
WATER RESOURCES

April 7, 2017

Clay Webster
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: Water Bank Rental Application

Dear Clay,

Enclosed on behalf of The City of Boise, is are the following:

1. An Application to Rent Water from the Idaho Water Supply Bank that will authorize the City to use water from the ag system this season while the transfer application is processed. The rental fee for this application will be only the Department's administrative costs (~\$38) since the City will be renting their own water currently in the Bank. The original application is being submitted to Clay Webster at the State Office.
2. A copy of an Application for Transfer that will authorize permanent use of water from the irrigation system for the compost facility. The original application is being submitted to Angie Grimm at the IDWR Western Office.

Please let me know if there are any questions. Thanks Clay.

Sincerely,

A handwritten signature in blue ink that reads "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Paul Zimmerman

Enclosures

SPF file number: 389.0731