

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81048**

This is to certify that: **CITY OF EAGLE**
PO BOX 1520
EAGLE, ID 83616

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-11413	WR/LICENSE	4/2/1991	3.150 cfs	434.0 af	N/A	N/A	GROUND WATER
63-12017	WR/LICENSE	7/27/1993	1.500 cfs	56.0 af	N/A	N/A	GROUND WATER
63-12448	WR/LICENSE	4/8/1998	3.250 cfs	691.0 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-11413	NO	YES	NO	NO	NO	NO
63-12017	NO	YES	NO	NO	NO	NO
63-12448	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-11413	63-11413	3.150 cfs	434.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-12017	63-12017	1.500 cfs	56.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-12448	63-12448	3.250 cfs	691.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.250 cfs	1125.0 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 2nd day of June, 2017.


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-11413

Transfer No. 81048

WATER RIGHT NO. 63-11413
As Modified by Transfer No. 81048

In accordance with the approval of Transfer No. 81048, Water Right No. 63-11413 is now described as follows:

Right Holder: CITY OF EAGLE
PO BOX 1520
EAGLE, ID 83616

Priority Date: 4/2/1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	3.150 cfs	434.0 af
			3.150 cfs	434.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 3	Twp 04N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 4	Twp 04N Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. 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.
2. Place of use is within the service area of the City of Eagle municipal water supply system as provided for under Idaho Law.
3. Rights 63-11413, 63-12017 and 63-12448 when combined shall not exceed a total diversion rate of 3.25 cfs.
4. The right holder shall maintain a totalizing measuring devices of a type approved by the Department as a part of each of the diverting works.
5. Each lot which receives water under this right shall be metered.
6. After specific notification by the Department, the right holder shall determine the amount of water diverted and shall annually report the information to the Department.
7. Farmers Union Canal Company water shall be utilized for the irrigation of the lots in Lexington Hills and Trail Creek Ranch parcels equal to or greater than one-half acre in size during periods when water is being delivered in the canal. This water right may be used for irrigation purposes only if the entire amount of water from the Farmers Union Canal Co. remains with the lands in Lexington Hills and Trail Creek Ranch. Sale or transfer of surface water from any portion of these properties will be cause for the Department to further limit the use of this right.

Transfer No. 81048

WATER RIGHT NO. 63-11413
As Modified by Transfer No. 81048

CONDITIONS OF APPROVAL

8. The right holder is responsible to insure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic well drilled and in use prior to March 29, 1978, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the right holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.
9. The right holder is responsible on an on-going basis to provide a well suitable for monitoring as determined by the Department.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-12448
As Modified by Transfer No. 81048

In accordance with the approval of Transfer No. 81048, Water Right No. 63-12448 is now described as follows:

Right Holder: CITY OF EAGLE
PO BOX 1520
EAGLE, ID 83616

Priority Date: 4/8/1998

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	3 250 cfs	691.0 af
			3 250 cfs	691.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 3	Twp 04N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 4	Twp 04N Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. 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.
2. Place of use is within the service area of the City of Eagle municipal water supply system as provided for under Idaho Law.
3. Rights 63-11413, 63-12448, and 63-12017 when combined shall not exceed a total diversion rate of 3.25 cfs.
4. Rights 63-12448 and 63-12017 when combined shall not exceed a total annual maximum diversion volume of 691.0 af.
5. This right 63-12448 is subject to all prior rights, including rights 63-15820, 63-05226 and 63-05229.
6. After specific notification by the Department, the right holder shall determine the amount of water diverted each year and shall annually report the information to the Department.
7. The right holder of 63-12448 shall maintain direct back-up service from the right holder's municipal system without additional cost to the right holder(s) of 63-15820, 63-05226 and 63-05229. This water service compensates for the loss of production from the dairy-domestic well and the small irrigation well caused by diverting ground water from the municipal production well located in the SWSW, Section 4, T4N, R1E. The full extent of the diversion rate and volume authorized under each of the following decreed water rights is authorized to be diverted at the municipal water service: 63-15820 (0.04 cfs), 63-05226 (0.10 cfs) and 63-05229 (0.26 cfs).

Transfer No. 81048

WATER RIGHT NO. 63-12448
As Modified by Transfer No. 81048

CONDITIONS OF APPROVAL

8. 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.
9. Water bearing zone to be appropriated is 215 to 600 feet.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-12017
As Modified by Transfer No. 81048

In accordance with the approval of Transfer No. 81048, Water Right No. 63-12017 is now described as follows:

Right Holder: CITY OF EAGLE
 PO BOX 1520
 EAGLE, ID 83616

Priority Date: 7/27/1993

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
AESTHETIC	01/01	to 12/31	1.500 cfs	56.0 af
AESTHETIC STORAGE	01/01	to 12/31	0.000	15.0 af
DIVERSION TO STORAGE	01/01	to 12/31	1.500 cfs	
RECREATION	01/01	to 12/31	1.500 cfs	56.0 af
RECREATION STORAGE	01/01	to 12/31	0.000	15.0 af
WILDLIFE	01/01	to 12/31	1.500 cfs	56.0 af
WILDLIFE STORAGE	01/01	to 12/31	0.000	15.0 af
			1.500 cfs	56.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 3 Twp 04N Rge 01E ADA County
 GROUND WATER SWSW Sec 4 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

PLACE OF USE: DIVERSION TO STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

WATER RIGHT NO. 63-12017**As Modified by Transfer No. 81048****PLACE OF USE: RECREATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

PLACE OF USE: WILDLIFE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

PLACE OF USE: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	3								X	X	X	X	X		X		X	

CONDITIONS OF APPROVAL

1. Rights 63-11413, 63-12448, and 63-12017 when combined shall not exceed a total diversion rate of 3.25 cfs.
2. Rights 63-12448 and 63-12017 when combined shall not exceed a total annual maximum diversion volume of 691.0 af.
3. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
4. Place of use is located within Lexington Hills and Trail Creek Subdivisions.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 63-12017
As Modified by Transfer No. 81048

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

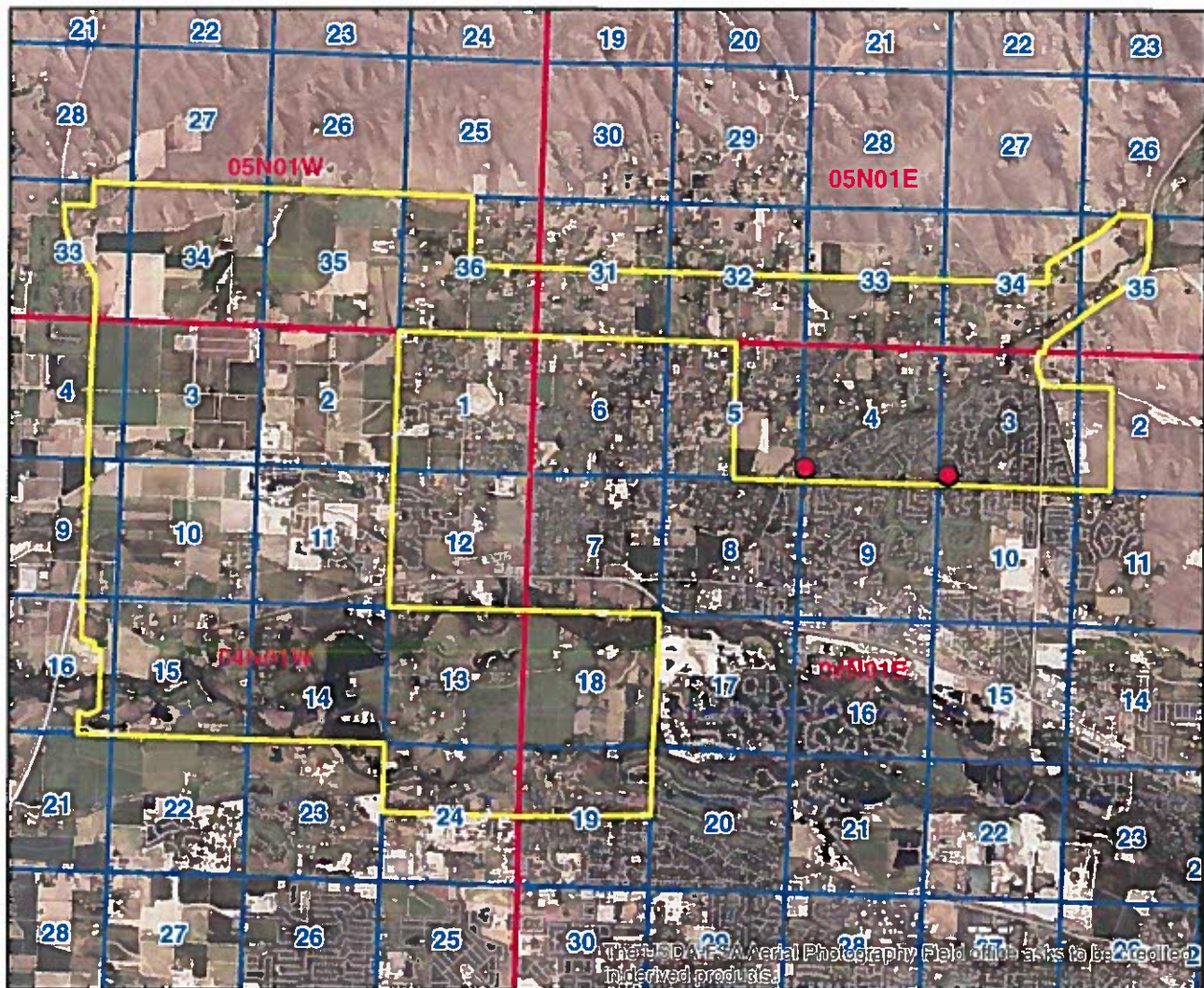


State of Idaho
Department of Water Resources

Attachment to Application for Transfer No 81048

Water Right No. 63-11413 and 63-12448

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.



Legend

- Transfer POD
- 63-12448 and 63-11413 POU Boundary
- Township/Range
- Sections
- QQ

0 0.5 1 2 Miles

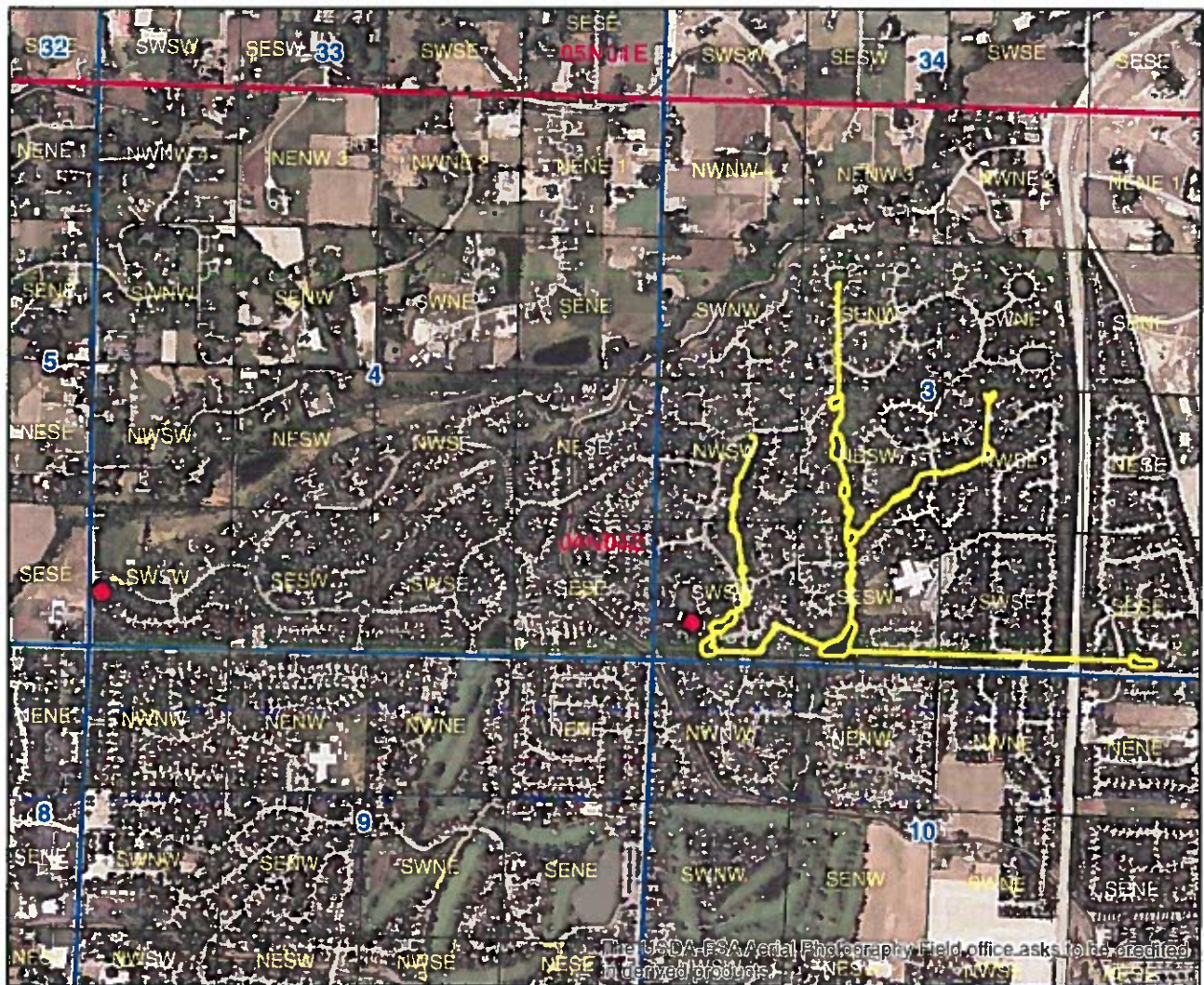


State of Idaho
Department of Water Resources

Attachment to Application for Transfer No 81048

Water Right No. 63-12017

This map depicts the Wildlife, Recreation, Aesthetic and Storage 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.



Legend

- Transfer POD
- 63-12017 POU Boundary
- Township/Range
- Sections
- QQ

0 0.15 0.3 0.6 Miles





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

June 2, 2017

CITY OF EAGLE
PO BOX 1520
EAGLE ID 83616

Re: Transfer No: 81048
Water Right No(s): 63-11413, 63-12017, 63-12448

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

- A portion of water right(s) 63-12448 was leased to the Water Supply Bank (bank) on Sep 10 2007. To date, part of the right(s) appurtenant to <0.99 cubic feet per second (cfs) and 53 acres (15 acres in the NESE, 18 acres in the NWSE, and 20 acres in the SWSE, Section 15, T2N, R3W) > remain leased to the bank. This portion will remain in the bank until Sep 10 2007, unless the right(s) are released earlier by the Idaho Water Resource Board or upon request by the right holder.

If you have any questions, please contact me at (208)334-2190.

Sincerely,

Handwritten signature of Rachel Neely in cursive script.

Nick Miller
Western Regional Manager

Enclosure

CC:

CHERESE MCLAIN
MSBT LAW CHTD
950 W BANNOCK STE 520
BOISE ID 83702

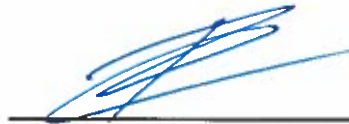
CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 81048
Water Right No(s): 63-11413, 63-12017, 63-12448

CITY OF EAGLE
PO BOX 1520
EAGLE ID 83616

CHERESE MCLAIN
MSBT LAW CHTD
950 W BANNOCK STE 520
BOISE ID 83702



Rachel Neely
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held.
- ii. The final agency action was taken.
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 81048
FROM: Phill Hummer
DATE: 05/11/17
RE: Evaluation of Application

The City of Eagle proposes to remove one point of diversion from their water right nos. 63-11413, 63-12017, and 63-12448. The well is to be abandoned and the property conveyed to a new owner. The point of diversion to be removed is in the northeast part of the City of Eagle near the intersection of State Highway 55 and E Floating Feather Rd.

Contact person for the applicant is Cherese McLain an Associate with the firm MSBT Law.

Deviations from Transfer Policy Standards

The original application, received 07/07/16, only included water right no. 63-11413. I notified the applicant's contact person that water rights no. 63-12017 and 63-12448 share the same POD and should be included or a second transfer application should be submitted if the well is to be abandoned as indicated on this application. An amended application was received 01/17/17 that includes these rights. The additional fee of \$540.00 was paid at that time since adding these rights increased the amount of water to be transferred.

The applicant used the combined limit of the three rights (3.25 cfs) instead of the total sum (7.9 cfs) on part 4 of the application. Using the combined limit is okay and the appropriate fee was paid.

Summary of Information Submitted

Authority to File:

The application was signed by the contact person, Cherese McLain with the law firm MSBT Law. MSBT Law's webpage (<http://www.msbtlaw.com/>) shows she is an associate with their firm. Attorneys at MSBT Law have served as the representatives of the City of Eagle on previous applications (no. 63-33876 and 63-33858) and it is assumed the law office has the authorization from the City to sign and file this transfer application.

Water Right Validity:

Water right nos. 63-11413, 63-12017 and 63-12448 are presumed to be valid since the licenses were issued within the last five years (01/14/16, 04/07/16 and 03/04/16 respectively). Part of water right no. 63-12448 (0.8 cfs and 130 af) has been leased to the water supply bank since 09/10/07 and is scheduled to be released on 12/31/17.

Injury to Other Water Rights:

The water rights will be diverted from the remaining two points of diversion authorized on the licenses. The potential to injure senior water right holders as the result of diversion from these

two wells was evaluated during the licensing process. No additional issues are anticipated if this application is approved.

Enlargement of Use:

This application proposes changes that will not create an enlargement of use.

Local Public Interest:

The changes proposed by this application to the City of Eagle's water rights are assumed to be in the best interest of the municipality and the residents within their service area. Since there is no injury anticipated the application proposes changes that are consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

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

Discussion

Overlapping Rights

Water rights no. 63-12017 and 63-12448 were added to the amended application since they share the same point of diversion. The City has applied for another municipal water right (no. 63-33876) that lists the well to be abandoned as a point of diversion. The application can be amended or that POD can be removed at licensing. The agent (Eric Boe) working on the application has been informed the City plans to abandon this well.

Water Supply Bank

A portion of water right no. 63-12448 (0.8 cfs and 130 af) has been leased to the water supply bank since 09/10/07 and is scheduled to be released 12/31/17. Since the application proposes to remove one point of diversion and there will be no changes to the place of use or amount of water there should be no issues with the water supply bank. Clay Webster at IDWR State Office was notified of the transfer application and informed the contact person was told to submit the water supply bank attachment via email on 01/20/17.

Comments from the watermaster of Basin 63 are not needed for this transfer since groundwater is the source for all water rights involved.

Data entry affected the correct record, right id 675899, 677143, and 632302 for water rights no. 63-11413, 63-12017, and 63-12448.

Mitigation is not required for these water rights nor for the approval of this transfer application.

If the transfer is approved the following changes should be made to the conditions of each water right:

No changes are necessary.

Drilling fee upgrade from domestic to non-domestic use is not required, the proposed change removes a POD.

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

RECEIVED

APR 19 2017

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	WATER RESOURCES WESTERN REGION	Cols	Lines
263978	0003010781	LEGAL NOTICE The following applications have	Rock Contractors	\$822.55	2	198

Attention: RACHEL NEELY

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

LEGAL NOTICE

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

63-34056
ROCK CONTRACTORS INC *JOH RN 5/2/17*
444 W KARCHER RD
Nampa, ID 83687
Point of Diversion NENW S21 T04N R02W CANYON County Source
FIFTEEN MILE CREEK Tributary BOISE RIVER
Points of Diversion SESW SWSW L5(NWSW) S16 T04N R02W CANYON County Source FIFTEEN MILE CREEK Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 200 CFS
Use: IRRIGATION 03/01 to 11/15 0.5 CFS
Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 200 CFS
Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 2382.9 AF
Use: WILDLIFE 01/01 to 12/31 200 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 2382.9 AF
Total Diversion: 200 CFS 2382.9 AF
Date Filed: 3/10/2015
Places of Use: IRRIGATION, WATER QUALITY IMPROVEMENT, WILDLIFE, WATER QUALITY IMPROVEMENT STORAGE, WILDLIFE STORAGE, DIVERSION TO STORAGE
T04N R02W S16 NWSW SWSW SESW NESE
T04N R02W S21 NENW
Total Acres: 35

63-34057
TREE TOP RANCHES LP *JOH RN 5/2/17*
C/O BILL MULDER
PO BOX 8126
BOISE, ID 83707
Points of Diversion SWNW NWNW S23 T05N R05W CANYON County Source SAND HOLLOW CREEK Tributary SNAKE RIVER
Points of Diversion SWSE SESE S15 T05N R05W CANYON County Source SAND HOLLOW CREEK Tributary SNAKE RIVER
Point of Diversion NENE NWNE S22 T05N R05W CANYON County Source SAND HOLLOW CREEK Tributary SNAKE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 150 CFS
Use: IRRIGATION 03/01 to 11/15 0.32 CFS
Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 150 CFS
Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 3097.2 AF
Use: WILDLIFE 01/01 to 12/31 150 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 3097.2 AF
Total Diversion: 150 CFS
Date Filed: 3/10/2015
Places of Use: IRRIGATION, WATER QUALITY IMPROVEMENT, WATER QUALITY IMPROVEMENT STORAGE, WILDLIFE, WILDLIFE STORAGE, DIVERSION TO STORAGE
T05N R05W S15 SWSE SESE
T05N R05W S22 NENE NWNE NENW SESE
T05N R05W S23 SWNW
Total Acres: 16

63-34058
GARY W HOWARD *JOH RN 5/2/17*
NANCY L HOWARD
1081 LA REATA
MIDDLETON, ID 83644
Point of Diversion L2(NWNE) S2 T04N R03W CANYON County Source EAST HARTLEY GULCH CREEK Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 60 CFS
Use: IRRIGATION 03/01 to 11/15 0.5 CFS
Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 60 CFS
Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 1548.6 AF
Use: WILDLIFE 01/01 to 12/31 60 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 1548.6 AF
Total Diversion: 60 CFS
Date Filed: 3/10/2015
Places of Use: IRRIGATION, WATER QUALITY IMPROVEMENT, WATER QUALITY IMPROVEMENT STORAGE, WILDLIFE, WILDLIFE STORAGE, DIVERSION TO STORAGE
T04N R03W S2 NWNE SWNE SENW NESW
Total Acres: 25

63-34318
CITY OF BOISE

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 04/06/2017

Ending issue of: 04/13/2017

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

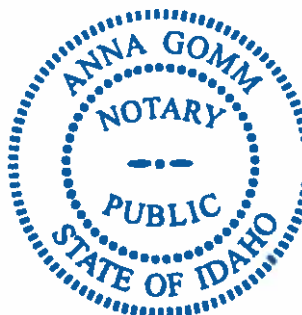
..SS

COUNTY OF ADA)

On this 14th day of April in the year of 2017 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna Gomm
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 08/17/2022



PUBLIC WORKS DEPT
150 N CAPITOL BLVD
PO BOX 500
BOISE, ID 83701-0500
Point of Diversion SENW S36 T05N R05W CANYON County Source
DIXIE SLOUGH Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 200 CFS
Use: WATER QUALITY IMPROVEMENT 10/16 to 03/31 200 CFS
Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31
144.8 AF
Total Diversion: 200 CFS
Date Filed: 11/15/2016
Places of Use: WATER QUALITY IMPROVEMENT, WATER QUALITY IM-
PROVEMENT STORAGE
T05N R05W S36 SENW

JOK RN 5/2/17

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81499

MURPHY LAND CO, PO BOX 3110, PASCO, WA 99302; has filed Application No. 81499 for changes to the following water rights within Owyhee County(s): Right No(s): 2-2129, 2-2130, 2-2406, 2-7020, 2-7021, 2-7025, 2-7033, 2-7034, 2-7036, 2-7037, 2-7038, 2-7127, 2-7350. The transfer proposes to create a 3,335 acre POU within a 3,668 acre PPU for 13 Snake River water rights within the trust water boundary. Changes to diversions or delivery methods are not proposed. The farm is located on the inside banks of C. J. Strike Reservoir, approximately 7 miles south of the Mountain Home Air Force Base.

JOK RN 5/2/17

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81351

CITY OF MERIDIAN, 33 E BROADWAY AVE, MERIDIAN, ID 83642; has filed Application No. 81351 for changes to the following water rights within ADA County(s): Right No(s): 63-10105, 63-10840, 63-11737, 63-11922, 63-12039, 63-12162, 63-12173, 63-12181, 63-12295, 63-12378, 63-12416, 63-12560, 63-2893, 63-31138, 63-31281, 63-31318, 63-31630, 63-31677, 63-3252, 63-32567, 63-32568, 63-7105, 63-7978, 63-8331, 63-8332, 63-9849. Transfer 81351 proposes to add 6 new well as Points of Diversion to 26 existing water rights for the City of Meridian's well and distribution system that provides water for the city. The general location for the 6 proposed wells are as follows: Well 26 will be located North of E. Commander St. and just West of N. Locust Grove Rd. in Meridian. Well 27 will be located NW of the W. Franklin Rd. and S. Ten Mile Rd. intersection in Meridian. Well 29 will be located SE of the McDermott Rd. and W. McMillan Rd. intersection in Meridian. Well 30 will be located within the Reflection Ridge subdivision NW of the E. Amity Rd. and S. Locust Grove Rd. intersection in Meridian. Well 32 will be located W of S. Meridian Rd. on Rumble Ln. in Meridian. Well 33 will be located in proximity of the Bridgewater Crossing subdivision just East of N. Ten Mile Rd. and North of W. Belltower Dr.

JOK RN 5/2/17

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81048

CITY OF EAGLE, PO BOX 1520, EAGLE, ID 83616; has filed Application No. 81048 for changes to the following water rights within ADA County(s): Right No(s): 63-11413, 63-12017, 63-12448. The City of Eagle proposes to remove one point of diversion from their water right nos. 63-11413, 63-12017, and 63-12448. The point of diversion to be removed is in the northeast part of the City of Eagle near the intersection of State Highway 55 and E Floating Feather Rd.

JOK RN 5/2/17

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80941

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY, 8169 W VICTORY RD, BOISE, ID 83709, has filed Application No. 80941 for changes to the following water rights within ADA County(s): Right No(s): 63-7018, 63-7195. The transfer application proposes to move 2.0 acres authorized for irrigation under water rights no. 63-7195 and 2.8 acres under 63-7018 to a new place of use. The new place of use is the Mountain View Elementary School located near the intersection of N Cole Rd and Ustick Rd Boise, Idaho. This transfer will allow the School District to irrigate at the school when surface water from Nampa Meridian Irrigation District is not available. The proposed point of diversion is a groundwater well owned by the City of Boise used to irrigate Mountain View Park.

JOK RN
5/2/17

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 4/24/2017. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Pub. Apr. 6.13, 2017

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