

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 10 2017

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 14 2017

DEPARTMENT OF
WATER RESOURCES

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

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

Check all that apply:

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

1. **APPLICANT(S)** City of Boise, Public Works Dept. Phone 208-384-3920

2. MAILING ADDRESS 150 N. Capitol Blvd., PO Box 500 City Boise

State ID Zip 83701-0500 Email pzimmerman@cityofboise.org

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

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

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

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

3. LIST WATER RIGHT NUMBER(S) 63-12312

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.87 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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

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

[illegible]

N NW SW 22 4N 1E Ada Ground Water
 Page 1 of 2 Transfer No. 81574

6. GENERAL INFORMATION

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

10 existing dewatering wells, submersible pumps, discharge pipe network. Measuring device(s) and lockable controlling works will be accommodated upon Department request. See attached for additional information.

- 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. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

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

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

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

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

James J. Percy
Signature of applicant or authorized agent

James J. Percy - City Engineer
Print name and title if applicable

4/5/17
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

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

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by cd

Date 4/10/17

Fee paid \$500⁰⁰ Date 4/10/17

Receipted by cd

Receipt # W045147

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

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

Additional Information:

Sanding problems have been encountered with the current authorized point of diversion. Applicants have tried to rehabilitate this well without success and now plan to properly abandon the well. Rather than drilling a replacement well, applicants wish to divert shallow ground water from ten existing dewatering wells to meet their authorized industrial needs. No changes to the current industrial system are proposed; spent ground water will continue to be returned to the influent of WBWWTF for treatment, and then piped to the plant's UV disinfection building prior to being discharged to the Boise River.

Water-bearing zone to be appropriated is from 5 to 22 feet. The total well depth for the current authorized well to be abandoned is 115 feet (see attached well report).



Legend

- 63-12312 Current POD
- 63-12312 POU
- Proposed PODs
- Discharge Point

City of Boise
Application for Transfer

0 155 310
Feet

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/17/2017

WATER RIGHT NO. 63-12312

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BOISE PUBLIC WORKS DEPT 150 N CAPITOL BLVD PO BOX 500 BOISE, ID 83701-0500 (208) 384-3935

Priority Date: 02/15/1996

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	12/31	0.87 CFS	628.7 AFA
Total Diversion			0.87 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSW|Sec. 22|Township 04N|Range 01E|ADA County

Licensed Diversion Capacity: 0.87

Place(s) of use:

Place of Use Legal Description: INDUSTRIAL ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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Conditions of Approval:

1. R11 Should the use of the water on this right reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, the right holder shall cease diversion under this right. This partial decree is subject to such general provisions necessary for the definition of the rights or for
2. C18 the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. After specific notification by the department, the right holder shall enter into an agreement to annually report to the department the amount water diverted under this right.
4. 027 Use of water under this right shall be non-consumptive.
5. Industrial use is for a biosolids dewatering facility.
6. 081 Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality.

Dates:

Licensed Date:

Decreed Date: 01/29/2009

Permit Proof Due Date: 10/1/1998

Permit Proof Made Date: 8/31/1998

Permit Approved Date: 10/17/1996

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 02/15/1996

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 9, 2017

DEQ BOISE REGIONAL OFFICE
1445 N ORCHARD ST
BOISE ID 83706

RE: Transfer No.: 81574
Water Right No.: 63-12312

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications for permit. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office will not be publishing this transfer application since the applicants only are adding a point of diversion to water right 63-12312. The water right is not being transferred from the property. However, your prompt response to this request is appreciated. If your agency has any comments or concerns, please respond within 15 days of the date of this letter. If no response is received, we will assume there aren't any concerns and the Department will continue processing this application.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 9, 2017

WATER DISTRICT #63
REX BARRIE-WATERMASTER
PO BOX 767
STAR ID 83669

RE: Transfer No.: 81574
Water Right No. 63-12312

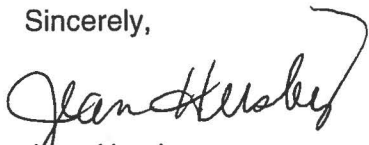
Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Please provide comments on any recommendations or concerns about lockable controlling works and/or measuring devices.

This office will not be publishing this transfer application since the applicant is only adding a point of diversion to water right 63-12312. The water right is not being transferred from the property. However, your prompt response to this request is appreciated. If your agency has any comments or concerns, please respond within 15 days of the date of this letter. If no response is received, we will assume there aren't any concerns and the Department will continue processing this application.

Sincerely,



Jean Hersley
Technical Records Specialist

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Transfer

RECOMMENDATION FORM

Application No.: 81574

Applicant's Name:
CITY OF BOISE

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2017

Water District No. 63

Watermaster's Signature _____

MEMORANDUM

Date: May 3, 2017
To: Transfer 81574
From: Clay Webster
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information

Authority to File:

According to current Ada County tax lot info, the property for the POD and the POU is owned by the Boise City Public Works.

Located within the Boise Front Groundwater Management and Basin 63 Groundwater restricted Areas. Also located within Water District 63. License was issued with R05 condition, however it is not reflected on the proof report.

Water Right Validity:

This is the industrial right for the West Boise Wastewater Treatment Facility's biosolids dewatering facility. It was licensed in May 1999 and was partially decreed in January 2009. I have no validity concerns

Injury to Other Water Rights:

This transfer proposes to substitute existing drive point wells as point of diversion within the same QQ as the existing well. The source of the existing well is Ground Water tributary to the Boise River. The closest well, is a domestic well servicing the same facility. No other injury concerns are noted.

Enlargement of Use:

This transfer does not change any of the other elements of this water right. No enlargement issues are expected.

Local Public interest:

Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The beneficial use will not change with this transfer. The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area:

This transfer will allow the city to pursue proper abandonment of the existing well (IAW IDAPA 37.03.09). This action will save the city from spending additional funds to continue to service the well pump with the maintenance issues caused by sand infiltration issues.

Effect on Agricultural Base of the Local Area:

No effects are anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: May 3, 2017
To: Transfer 81574
From: Clay Webster
Re: Legal Notice Not Required

Legal Notice Not Required
5/3/2017

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration. This application will change the current POD to 10 separate PODs within the same QQ. The source will remain groundwater tributary to the Boise River.



SPF WATER
ENGINEERING

April 6, 2017

RECEIVED
APR 10 2017
WATER RESOURCES
WESTERN REGION

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

Subject: Application for Transfer

Dear Angie,

Enclosed on behalf of the City of Boise Public Works Department, is an *Application for Transfer* seeking to divert ground water from 10 dewatering wells under water right 63-12312 for the City's West Boise Wastewater Treatment Plant.

Check No. 457766 for \$500 is enclosed for the filing fee. 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: Paul Zimmerman, City of Boise Public Works Department

Enclosures

SPF file number: 389.0731