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42-222 ROD-09/14

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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 Eagle Phone (208)939-6813
 2. MAILING ADDRESS PO Box 1520 City Eagle
 State ID Zip 83616 Email cdm@msbtlaw.com

- ☐ 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) 63-11413, 63-12017, 63-12448 cdm

- ☒ 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 3.25 cubic feet per second and/or N/A acre-feet per annum.
 (diversion rate) (storage volume)

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

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

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SW		03	04N	01E	Ada	Groundwater	
		SW	SW		04	04N	01E	Ada	Groundwater	

ORIGINAL

6. GENERAL INFORMATION

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

N/A. Abandoning point of diversion. Conveying land to adjoining property owners upon transfer.

- 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.


Signature of applicant or authorized agent

Cherese McLean, City Attorney
Print name and title if applicable

1-12-17 CDM
7-6-16
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.
- Paid additional \$540.00 CDM 1-12-17

FOR DEPARTMENT USE ONLY

Transfer includes 17 pages of attachments.

Received by STATE OFFICE - IDWR

Date 7-6-2016

Fee paid \$200*

Date 7-6-16

Received by AO

Receipt # C102246

Preliminary review by PH

Date 1/17/2017

Date 01/20/17

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)

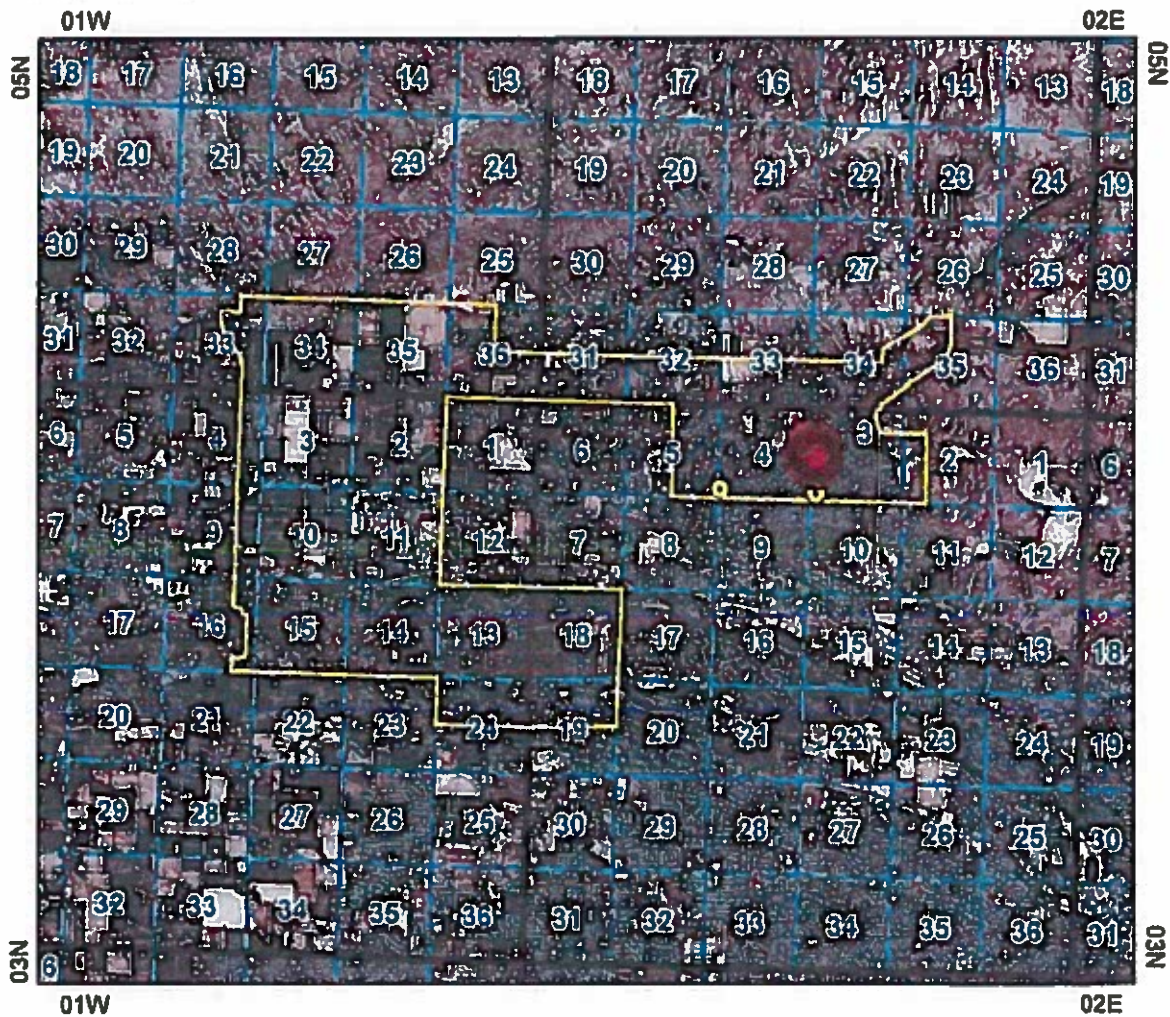
State of Idaho
Department of Water Resources

Water Right

63-11413

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 1.25 2.5 5 Miles

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



Map produced on June 28, 2016

31048

Attachments p31 - map

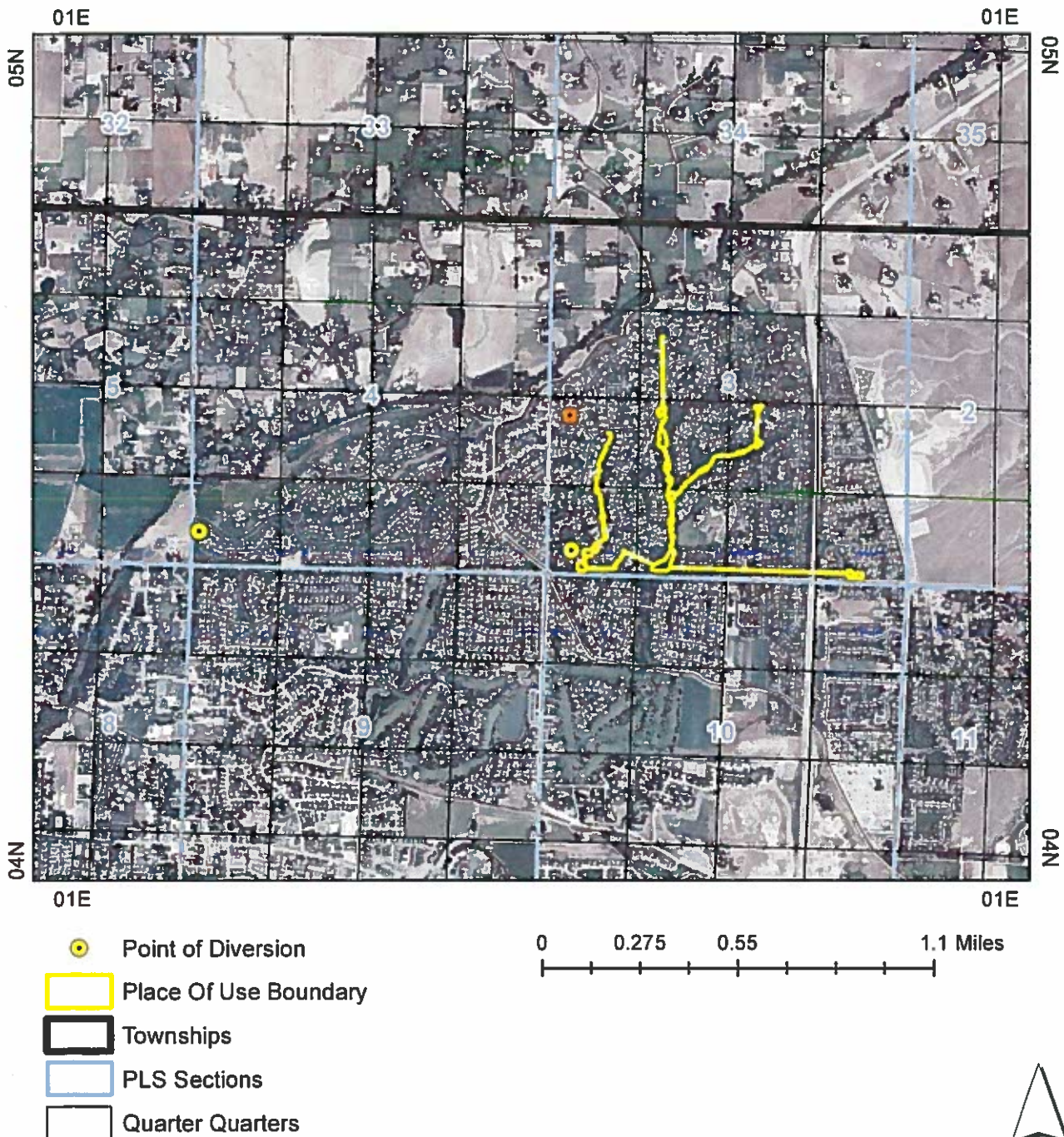
State of Idaho
Department of Water Resources

**Water Right
63-12017**

*Amended
1-10-17
CDM*

AESTHETIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



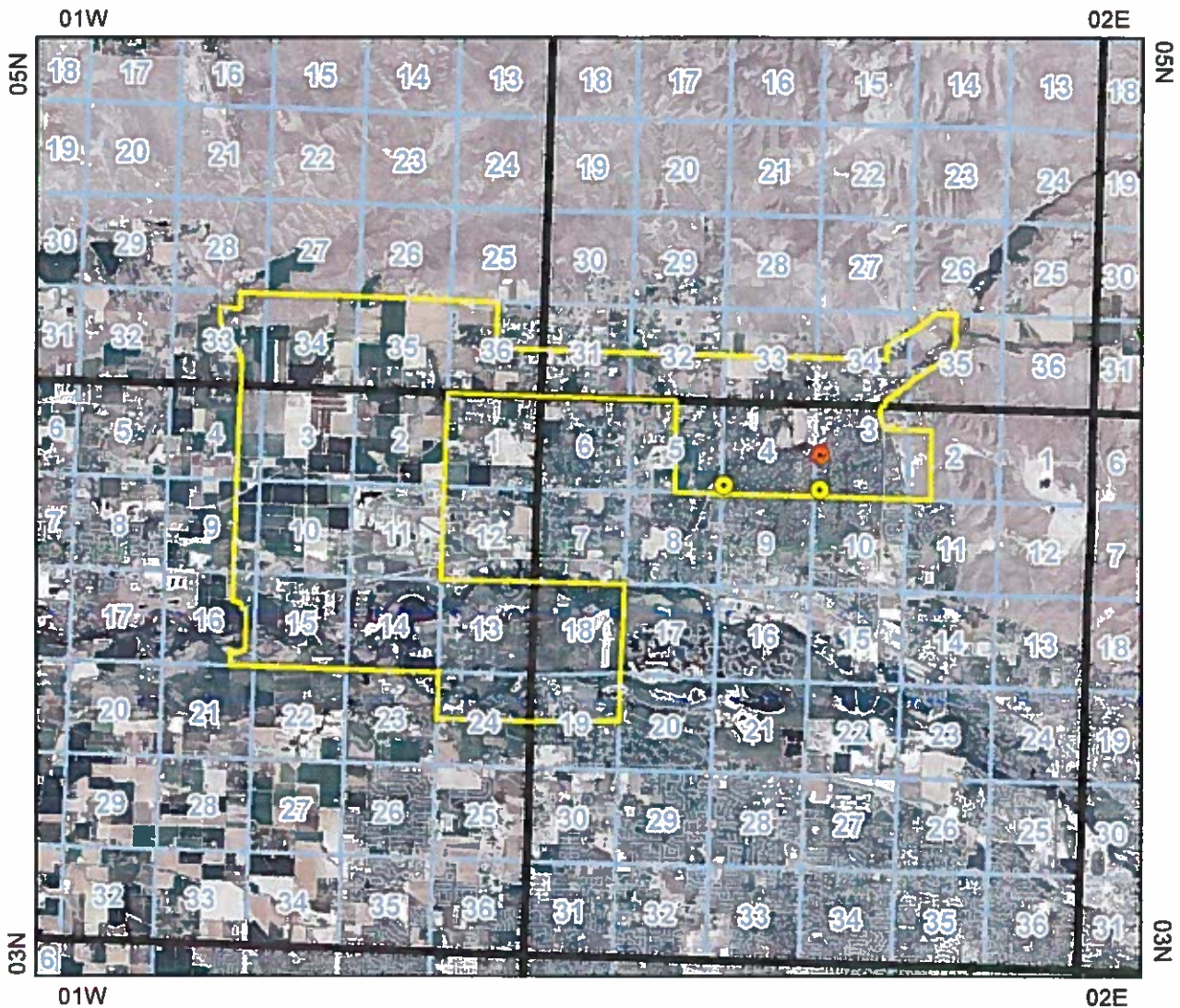
State of Idaho
Department of Water Resources

Water Right
63-12448

*Amended
1-10-17
CDM*

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 1.25 2.5 5 Miles

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



Map produced on January 12, 2017

81048

Attachments pg 3 - Map

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

Current Water Right No.: 63-11413

Current Owner CITY OF EAGLE

Priority Date 4/2/1991

Origin Water Right

Status Active

Basis License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	3 15 CFS	434 AF
	<u>Total Diversion</u>	3 15 CFS	434 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 3, Twp 04N, Rge 01E B M
ADA County		
GROUND WATER	SW1/4SW1/4	Sec. 3, Twp 04N, Rge 01E B M
ADA County		
GROUND WATER	SW1/4SW1/4	Sec. 4, Twp 04N, Rge 01E B M
ADA County		

Place of Use

MUNICIPAL Within ADA County

T04N R01E S2	SWNW	T04N R01E S2	NWSW
T04N R01E S2	SWSW	T04N R01E S3	Lot 2 NWNE
T04N R01E S3	SWNE	T04N R01E S3	SENE
T04N R01E S3	Lot 3 NENW	T04N R01E S3	Lot 4 NWNW
T04N R01E S3	SWNW	T04N R01E S3	SENW
T04N R01E S3	NESW	T04N R01E S3	NWSW
T04N R01E S3	SWSW	T04N R01E S3	SESW
T04N R01E S3	NESE	T04N R01E S3	NWSE
T04N R01E S3	SWSE	T04N R01E S3	SESE
T04N R01E S4	Lot 1 NENE	T04N R01E S4	Lot 2 NWNE
T04N R01E S4	SWNE	T04N R01E S4	SENE
T04N R01E S4	Lot 3 NENW	T04N R01E S4	Lot 4 NWNW
T04N R01E S4	SWNW	T04N R01E S4	SENW
T04N R01E S4	NESW	T04N R01E S4	NWSW
T04N R01E S4	SWSW	T04N R01E S4	SESW
T04N R01E S4	NESE	T04N R01E S4	NWSE
T04N R01E S4	SWSE	T04N R01E S4	SESE
T04N R01E S5	Lot 1 NENE	T04N R01E S5	Lot 2 NWNE

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T04N R01E S5		SWNE
T04N R01E S5		NESE
T04N R01E S5		SWSE
T04N R01E S18	Lot 1	NENE
T04N R01E S18	Lot 2	NWNE
T04N R01E S18	Lot 2	SWNE
T04N R01E S18		SENE
T04N R01E S18	Lot 1	SENE
T04N R01E S18		NENW
T04N R01E S18		NWNW
T04N R01E S18	Lot 4	SWNW
T04N R01E S18	Lot 3	SENW
T04N R01E S18	Lot 5	NWSW
T04N R01E S18	Lot 11	SWSW
T04N R01E S18	Lot 10	SESW
T04N R01E S18		NESE
T04N R01E S18		NWSE
T04N R01E S18		SWSE
T04N R01E S18		SESE
T04N R01E S19		NENE
T04N R01E S19		NWNE
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T04N R01E S19		NENW
T04N R01E S19		NWNW
T04N R01E S19	Lot 4	SWNW
T04N R01W S2	Lot 1	NENE
T04N R01W S2		SWNE
T04N R01W S2	Lot 3	NENW
T04N R01W S2		SWNW
T04N R01W S2		NESW
T04N R01W S2		SWSW
T04N R01W S2		NESE
T04N R01W S2		SWSE
T04N R01W S3	Lot 1	NENE
T04N R01W S3		SWNE
T04N R01W S3	Lot 3	NENW
T04N R01W S3		SWNW
T04N R01W S3		NESW
T04N R01W S3		SWSW
T04N R01W S3		NESE
T04N R01W S3		SWSE
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T04N R01W S10		SWNE
T04N R01W S10		NENW

T04N R01E S5		SENE
T04N R01E S5		NWSE
T04N R01E S5		SESE
T04N R01E S18		NWNE
T04N R01E S18		SWNE
T04N R01E S18	Lot 3	SWNE
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T04N R01E S18	Lot 3	NENW
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T04N R01W S10		SENE
T04N R01W S10		NWNW

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T04N R01W S10		SWNW
T04N R01W S10		NESW
T04N R01W S10		SWSW
T04N R01W S10		NESE
T04N R01W S10		SWSE
T04N R01W S11		NENE
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T04N R01W S16	Lot 7	SESE
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T04N R01W S24	Lot 8	NENE
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T05N R01W S33		SESE
T05N R01W S34		NWNE

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T05N R01W S35	SWNE	T05N R01W S35	SENE
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T05N R01W S35	NESE	T05N R01W S35	NWSE
T05N R01W S35	SWSE	T05N R01W S35	SESE
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T05N R01W S36	SWNW	T05N R01W S36	SENW
T05N R01W S36	NESW	T05N R01W S36	NWSW
T05N R01W S36	SWSW	T05N R01W S36	SESW
T05N R01W S36	NESE	T05N R01W S36	NWSE
T05N R01W S36	SWSE	T05N R01W S36	SESE

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under Rights/Permits 63-11413 63-12017, and 63-12448 shall not exceed 3.25 cfs.
2. Each lot which receives water under this right shall be metered.
3. 124 Place of use is within the service area of the City of Eagle municipal water supply system as provided for under Idaho Law.
4. 01M 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.
5. 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.
6. 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.
7. R19 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.
8. The right holder is responsible on an on-going basis to provide a well suitable for monitoring as determined by the Department.
9. 180 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.

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Licensed Date 1/14/2016

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

Current Water Right No.: 63-12017

Current Owner: CITY OF EAGLE

Priority Date: 7/27/1993

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE	01/01 to 12/31	1.5 CFS	56 AF
WILDLIFE STORAGE	01/01 to 12/31		15 AF
RECREATION	01/01 to 12/31	1.5 CFS	56 AF
RECREATION STORAGE	01/01 to 12/31		15 AF
AESTHETIC	01/01 to 12/31	1.5 CFS	56 AF
AESTHETIC STORAGE	01/01 to 12/31		15 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.5 CFS	
<u>Total Diversion</u>		1.5 CFS	56 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 3,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	NW1/4SW1/4	Sec. 3,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	SW1/4SW1/4	Sec. 4,	Twp 04N,	Rge 01E B.M.
ADA County				

Place of Use

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WILDLIFE Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

WILDLIFE STORAGE Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

RECREATION Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

RECREATION STORAGE Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

AESTHETIC Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

AESTHETIC STORAGE Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

DIVERSION TO STORAGE Within ADA County

T04N R01E S3	SENW	T04N R01E S3	NESW
T04N R01E S3	NWSW	T04N R01E S3	SWSW
T04N R01E S3	SESW	T04N R01E S3	NWSE
T04N R01E S3	SESE		

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Conditions of Approval:

1. X35 Rights 63-11413, 63-12448, and 63-12017 when combined shall not exceed a total diversion rate of 3.25 cfs.
2. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
3. Place of use is located within Lexington Hills and Trail Creek Subdivisions.
4. X35 Rights 63-12448 and 63-12017 when combined shall not exceed a total annual maximum diversion volume of 691.0 af.
5. 020 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.

Licensed Date: 4/7/2016

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

Current Water Right No.: 63-12448

Current Owner: CITY OF EAGLE

Priority Date: 4/8/1998

Origin: Water Right

Status: Water Supply Bank Active

Basis: License

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>
MUNICIPAL	01/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
3.25 CFS	691 AF
3.25 CFS	691 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 3,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	SW1/4SW1/4	Sec. 3,	Twp 04N,	Rge 01E B.M.
ADA County				
GROUND WATER	SW1/4SW1/4	Sec. 4,	Twp 04N,	Rge 01E B.M.
ADA County				

Place of UseMUNICIPAL Within ADA County

T04N R01E S2	SWNW	T04N R01E S2	NWSW
T04N R01E S2	SWSW	T04N R01E S3	Lot 2 NWNE
T04N R01E S3	SWNE	T04N R01E S3	SENE
T04N R01E S3	Lot 3 NENW	T04N R01E S3	Lot 4 NWNW
T04N R01E S3	SWNW	T04N R01E S3	SENW
T04N R01E S3	NESW	T04N R01E S3	NWSW
T04N R01E S3	SWSW	T04N R01E S3	SESW
T04N R01E S3	NESE	T04N R01E S3	NWSE
T04N R01E S3	SWSE	T04N R01E S3	SESE
T04N R01E S4	Lot 1 NENE	T04N R01E S4	Lot 2 NWNE
T04N R01E S4	SWNE	T04N R01E S4	SENE
T04N R01E S4	Lot 3 NENW	T04N R01E S4	Lot 4 NWNW
T04N R01E S4	SWNW	T04N R01E S4	SENW
T04N R01E S4	NESW	T04N R01E S4	NWSW
T04N R01E S4	SWSW	T04N R01E S4	SESW
T04N R01E S4	NESE	T04N R01E S4	NWSE
T04N R01E S4	SWSE	T04N R01E S4	SESE
T04N R01E S5	Lot 1 NENE	T04N R01E S5	Lot 2 NWNE

T04N R01E S5		SWNE	T04N R01E S5		SENE
T04N R01E S5		NESE	T04N R01E S5		NWSE
T04N R01E S5		SWSE	T04N R01E S5		SESE
T04N R01E S18	Lot 1	NENE	T04N R01E S18		NWNE
T04N R01E S18	Lot 2	NWNE	T04N R01E S18		SWNE
T04N R01E S18	Lot 2	SWNE	T04N R01E S18	Lot 3	SWNE
T04N R01E S18		SENE	T04N R01E S18	Lot 1	SENE
T04N R01E S18	Lot 1	SENE	T04N R01E S18	Lot 7	SENE
T04N R01E S18		NENW	T04N R01E S18	Lot 3	NENW
T04N R01E S18		NWNW	T04N R01E S18	Lot 4	NWNW
T04N R01E S18	Lot 4	SWNW	T04N R01E S18		SENW
T04N R01E S18	Lot 3	SENW	T04N R01E S18		NESW
T04N R01E S18	Lot 5	NWSW	T04N R01E S18		SWSW
T04N R01E S18	Lot 11	SWSW	T04N R01E S18		SESW
T04N R01E S18	Lot 10	SESW	T04N R01E S18		NESE
T04N R01E S18		NESE	T04N R01E S18	Lot 7	NESE
T04N R01E S18		NWSE	T04N R01E S18	Lot 6	NWSE
T04N R01E S18		SWSE	T04N R01E S18	Lot 9	SWSE
T04N R01E S18		SESE	T04N R01E S18	Lot 8	SESE
T04N R01E S19		NENE	T04N R01E S19	Lot 1	NENE
T04N R01E S19		NWNE	T04N R01E S19	Lot 2	NWNE
T04N R01E S19		SWNE	T04N R01E S19		SENE
T04N R01E S19		NENW	T04N R01E S19	Lot 3	NENW
T04N R01E S19		NWNW	T04N R01E S19	Lot 4	NWNW
T04N R01E S19	Lot 4	SWNW	T04N R01E S19		SENW
T04N R01W S2	Lot 1	NENE	T04N R01W S2	Lot 2	NWNE
T04N R01W S2		SWNE	T04N R01W S2		SENE
T04N R01W S2	Lot 3	NENW	T04N R01W S2	Lot 4	NWNW
T04N R01W S2		SWNW	T04N R01W S2		SENW
T04N R01W S2		NESW	T04N R01W S2		NWSW
T04N R01W S2		SWSW	T04N R01W S2		SESW
T04N R01W S2		NESE	T04N R01W S2		NWSE
T04N R01W S2		SWSE	T04N R01W S2		SESE
T04N R01W S3	Lot 1	NENE	T04N R01W S3	Lot 2	NWNE
T04N R01W S3		SWNE	T04N R01W S3		SENE
T04N R01W S3	Lot 3	NENW	T04N R01W S3	Lot 4	NWNW
T04N R01W S3		SWNW	T04N R01W S3		SENW
T04N R01W S3		NESW	T04N R01W S3		NWSW
T04N R01W S3		SWSW	T04N R01W S3		SESW
T04N R01W S3		NESE	T04N R01W S3		NWSE
T04N R01W S3		SWSE	T04N R01W S3		SESE
T04N R01W S4	Lot 1	NENE	T04N R01W S4		SENE
T04N R01W S4		NESE	T04N R01W S4		SESE
T04N R01W S9		NENE	T04N R01W S9		SENE
T04N R01W S9		NESE	T04N R01W S9		SESE
T04N R01W S10		NENE	T04N R01W S10		NWNE
T04N R01W S10		SWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW

T04N R01W S10		SWNW
T04N R01W S10		NESW
T04N R01W S10		SWSW
T04N R01W S10		NESE
T04N R01W S10		SWSE
T04N R01W S11		NENE
T04N R01W S11		SWNE
T04N R01W S11		NENW
T04N R01W S11		SWNW
T04N R01W S11		NESW
T04N R01W S11		SWSW
T04N R01W S11		NESE
T04N R01W S11		SWSE
T04N R01W S13		NENE
T04N R01W S13	Lot 1	NENE
T04N R01W S13	Lot 7	NENE
T04N R01W S13	Lot 1	NWNE
T04N R01W S13		SWNE
T04N R01W S13		NENW
T04N R01W S13	Lot 5	NENW
T04N R01W S13	Lot 3	NWNW
T04N R01W S13		SWNW
T04N R01W S13		SENW
T04N R01W S13		NESW
T04N R01W S13		SWSW
T04N R01W S13		NESE
T04N R01W S13		SWSE
T04N R01W S14		NENE
T04N R01W S14	Lot 12	NENE
T04N R01W S14	Lot 2	NWNE
T04N R01W S14		SWNE
T04N R01W S14	Lot 11	SWNE
T04N R01W S14		NENW
T04N R01W S14		NWNW
T04N R01W S14		SENW
T04N R01W S14		NESW
T04N R01W S14	Lot 10	NESW
T04N R01W S14	Lot 5	NWSW
T04N R01W S14	Lot 5	SWSW
T04N R01W S14		SESW
T04N R01W S14	Lot 7	SESW
T04N R01W S14		NESE
T04N R01W S14	Lot 10	NWSE
T04N R01W S14	Lot 8	SWSE
T04N R01W S14		SESE
T04N R01W S15		NWNE
T04N R01W S15		SENE
T04N R01W S15		NWNW

T04N R01W S10		SENW
T04N R01W S10		NWSW
T04N R01W S10		SESW
T04N R01W S10		NWSE
T04N R01W S10		SESE
T04N R01W S11		NWNE
T04N R01W S11		SENE
T04N R01W S11		NWNW
T04N R01W S11		SENW
T04N R01W S11		NWSW
T04N R01W S11		SESW
T04N R01W S11		NWSE
T04N R01W S11		SESE
T04N R01W S13		NENE
T04N R01W S13	Lot 1	NENE
T04N R01W S13		NWNE
T04N R01W S13	Lot 6	NWNE
T04N R01W S13	Lot 6	SWNE
T04N R01W S13	Lot 2	NENW
T04N R01W S13		NWNW
T04N R01W S13	Lot 4	NWNW
T04N R01W S13	Lot 4	SWNW
T04N R01W S13	Lot 5	SENW
T04N R01W S13		NWSW
T04N R01W S13		SESW
T04N R01W S13		NWSE
T04N R01W S13	Lot 8	SESE
T04N R01W S14	Lot 1	NENE
T04N R01W S14		NWNE
T04N R01W S14	Lot 11	NWNE
T04N R01W S14		SWNE
T04N R01W S14	Lot 12	SENE
T04N R01W S14	Lot 3	NENW
T04N R01W S14		SWNW
T04N R01W S14	Lot 4	SENW
T04N R01W S14	Lot 5	NESW
T04N R01W S14		NWSW
T04N R01W S14		SWSW
T04N R01W S14	Lot 8	SWSW
T04N R01W S14	Lot 5	SESW
T04N R01W S14	Lot 9	SESW
T04N R01W S14		NWSE
T04N R01W S14		SWSE
T04N R01W S14	Lot 9	SWSE
T04N R01W S15		NENE
T04N R01W S15		SWNE
T04N R01W S15		NENW
T04N R01W S15		SWNW

T04N R01W S15		SENW
T04N R01W S15	Lot 3	NESW
T04N R01W S15		SWSW
T04N R01W S15	Lot 4	SWSW
T04N R01W S15	Lot 5	SWSW
T04N R01W S15	Lot 3	SESW
T04N R01W S15		NESE
T04N R01W S15	Lot 8	NESE
T04N R01W S15	Lot 2	NWSE
T04N R01W S15		SWSE
T04N R01W S15		SESE
T04N R01W S16		NENE
T04N R01W S16	Lot 1	NESE
T04N R01W S16	Lot 7	SESE
T04N R01W S24		NENE
T04N R01W S24	Lot 8	NENE
T04N R01W S24		NWNE
T04N R01W S24	Lot 7	NWNE
T04N R01W S24		SWNE
T04N R01W S24		SENE
T04N R01W S24	Lot 3	NENW
T04N R01W S24	Lot 4	NWNW
T04N R01W S24	Lot 5	SWNW
T04N R01W S24	Lot 6	SENW
T05N R01E S31	Lot 3	NWSW
T05N R01E S31		SESW
T05N R01E S31		NWSE
T05N R01E S31		SESE
T05N R01E S32		NWSW
T05N R01E S32		SESW
T05N R01E S32		NWSE
T05N R01E S32		SESE
T05N R01E S33		NWSW
T05N R01E S33		SESW
T05N R01E S33		NWSE
T05N R01E S33		SESE
T05N R01E S34		SENE
T05N R01E S34		NWSW
T05N R01E S34		SESW
T05N R01E S34		NWSE
T05N R01E S34		SESE
T05N R01E S35		NWNW
T05N R01E S35		SENW
T05N R01E S35		NWSW
T05N R01W S33		NWNE
T05N R01W S33		SENE
T05N R01W S33		NWSE
T05N R01W S34		NENE

T04N R01W S15		NESW
T04N R01W S15	Lot 4	NWSW
T04N R01W S15		SWSW
T04N R01W S15	Lot 5	SWSW
T04N R01W S15		SESW
T04N R01W S15	Lot 6	SESW
T04N R01W S15	Lot 1	NESE
T04N R01W S15		NWSE
T04N R01W S15	Lot 7	NWSE
T04N R01W S15	Lot 7	SWSE
T04N R01W S15	Lot 8	SESE
T04N R01W S16		SENE
T04N R01W S16	Lot 1	SESE
T04N R01W S16	Lot 7	SESE
T04N R01W S24	Lot 1	NENE
T04N R01W S24	Lot 8	NENE
T04N R01W S24	Lot 2	NWNE
T04N R01W S24	Lot 8	NWNE
T04N R01W S24	Lot 7	SWNE
T04N R01W S24		NENW
T04N R01W S24		NWNW
T04N R01W S24		SWNW
T04N R01W S24		SENW
T05N R01E S31		NESW
T05N R01E S31	Lot 4	SWSW
T05N R01E S31		NESE
T05N R01E S31		SWSE
T05N R01E S32		NESW
T05N R01E S32		SWSW
T05N R01E S32		NESE
T05N R01E S32		SWSE
T05N R01E S33		NESW
T05N R01E S33		NWSW
T05N R01E S33		NESE
T05N R01E S33		SWSE
T05N R01E S34		NENE
T05N R01E S34		NESW
T05N R01E S34		SWSW
T05N R01E S34		NESE
T05N R01E S34		SWSE
T05N R01E S35		NENW
T05N R01E S35		SWNW
T05N R01E S35		NESW
T05N R01W S33		NENE
T05N R01W S33		SWNE
T05N R01W S33		NESE
T05N R01W S33		SESE
T05N R01W S34		NWNE

T05N R01W S34	SWNE	T05N R01W S34	SENE
T05N R01W S34	NENW	T05N R01W S34	NWNW
T05N R01W S34	SWNW	T05N R01W S34	SENW
T05N R01W S34	NESW	T05N R01W S34	NWSW
T05N R01W S34	SWSW	T05N R01W S34	SESW
T05N R01W S34	NESE	T05N R01W S34	NWSE
T05N R01W S34	SWSE	T05N R01W S34	SESE
T05N R01W S35	NENE	T05N R01W S35	NWNE
T05N R01W S35	SWNE	T05N R01W S35	SENE
T05N R01W S35	NENW	T05N R01W S35	NWNW
T05N R01W S35	SWNW	T05N R01W S35	SENW
T05N R01W S35	NESW	T05N R01W S35	NWSW
T05N R01W S35	SWSW	T05N R01W S35	SESW
T05N R01W S35	NESE	T05N R01W S35	NWSE
T05N R01W S35	SWSE	T05N R01W S35	SESE
T05N R01W S36	NENW	T05N R01W S36	NWNW
T05N R01W S36	SWNW	T05N R01W S36	SENW
T05N R01W S36	NESW	T05N R01W S36	NWSW
T05N R01W S36	SWSW	T05N R01W S36	SESW
T05N R01W S36	NESE	T05N R01W S36	NWSE
T05N R01W S36	SWSE	T05N R01W S36	SESE

Conditions of Approval:

1. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
2. 930 Water bearing zone to be appropriated is 215 to 600 feet.
3. X35 Rights/Permits 63-11413, 63-12448, and 63-12017 when combined shall not exceed a total diversion rate of 3.25 cfs.
4. 806 This right 63-12448 is subject to all prior rights, including rights 63-15820, 63-05226 and 63-05229.
5. X35 Rights 63-12448 and 63-12017 when combined shall not exceed a total annual maximum diversion volume of 691.0 af.
6. F06 The following rights/permits are diverted through point(s) of diversion described above: 63-11413, 63-12448, and 63-12017.
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).
8. 01M 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.
9. 124 Place of use is within the service area of the City of Eagle municipal water supply system as provided for under Idaho Law.

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Licensed Date: 3/4/2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 07 2016
WATER RESOURCES
WESTERN REGION
JUL 06 2016
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 Eagle Phone (208)939-6813

2. MAILING ADDRESS PO Box 1520 City Eagle

State ID Zip 83616 Email cdm@msbtlaw.com

- ☐ 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) 63-11413

- ☒ 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 N/A cubic feet per second and/or N/A acre-feet per annum.
(diversion rate) (storage volume)

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

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

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SW		03	04N	01E	Ada	Groundwater	
		SW	SW		04	04N	01E	Ada	Groundwater	

6. GENERAL INFORMATION

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

N/A. Abandoning point of diversion. Conveying land to adjoining property owners upon transfer.

- 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.

Cherese D. McLean
Signature of applicant or authorized agent

Cherese McLean, City Attorney
Print name and title if applicable

7-6-16
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 7 pages of attachments.

Received by STATE OFFICE - IDWR

Date 7-6-2016

Fee paid \$200 Date 7-6-16

Received by AO

Receipt # C102246

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)

State of Idaho
Department of Water Resources

Water Right
63-11413

MUNICIPAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 1.25 2.5 5 Miles

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



Map produced on June 28, 2016

31048

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

Current Water Right No.: 63-11413

Current Owner: CITY OF EAGLE
Priority Date: 4/2/1991
Origin: Water Right
Status: Active
Basis: License

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	3.15 CFS	434 AF
	<u>Total Diversion</u>	3.15 CFS	434 AF

Location of Point(s) of Diversion

<u>Location of Point(s) of Diversion</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
GROUND WATER ADA County	NW1/4SW1/4 Sec. 3, Twp 04N, Rge 01E B.M.	
GROUND WATER ADA County	SW1/4SW1/4 Sec. 3, Twp 04N, Rge 01E B.M.	
GROUND WATER ADA County	SW1/4SW1/4 Sec. 4, Twp 04N, Rge 01E B.M.	

Place of Use**MUNICIPAL Within ADA County**

<u>Place of Use</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
T04N R01E S2 SWNW	T04N R01E S2 NWSW	
T04N R01E S2 SWSW	T04N R01E S3 Lot 2 NWNE	
T04N R01E S3 SWNE	T04N R01E S3 SENE	
T04N R01E S3 Lot 3 NENW	T04N R01E S3 Lot 4 NWNW	
T04N R01E S3 SWNW	T04N R01E S3 SENW	
T04N R01E S3 NESW	T04N R01E S3 NWSW	
T04N R01E S3 SWSW	T04N R01E S3 SESW	
T04N R01E S3 NESE	T04N R01E S3 NWSE	
T04N R01E S3 SWSE	T04N R01E S3 SESE	
T04N R01E S4 Lot 1 NENE	T04N R01E S4 Lot 2 NWNE	
T04N R01E S4 SWNE	T04N R01E S4 SENE	
T04N R01E S4 Lot 3 NENW	T04N R01E S4 Lot 4 NWNW	
T04N R01E S4 SWNW	T04N R01E S4 SENW	
T04N R01E S4 NESW	T04N R01E S4 NWSW	
T04N R01E S4 SWSW	T04N R01E S4 SESW	
T04N R01E S4 NESE	T04N R01E S4 NWSE	
T04N R01E S4 SWSE	T04N R01E S4 SESE	
T04N R01E S5 Lot 1 NENE	T04N R01E S5 Lot 2 NWNE	

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T04N R01E S5		SWNE
T04N R01E S5		NESE
T04N R01E S5		SWSE
T04N R01E S18	Lot 1	NENE
T04N R01E S18	Lot 2	NWNE
T04N R01E S18	Lot 2	SWNE
T04N R01E S18		SENE
T04N R01E S18	Lot 1	SENE
T04N R01E S18		NENW
T04N R01E S18		NWNW
T04N R01E S18	Lot 4	SWNW
T04N R01E S18	Lot 3	SENW
T04N R01E S18	Lot 5	NWSW
T04N R01E S18	Lot 11	SWSW
T04N R01E S18	Lot 10	SESW
T04N R01E S18		NESE
T04N R01E S18		NWSE
T04N R01E S18		SWSE
T04N R01E S18		SESE
T04N R01E S19		NENE
T04N R01E S19		NWNE
T04N R01E S19		SWNE
T04N R01E S19		NENW
T04N R01E S19		NWNW
T04N R01E S19	Lot 4	SWNW
T04N R01W S2	Lot 1	NENE
T04N R01W S2		SWNE
T04N R01W S2	Lot 3	NENW
T04N R01W S2		SWNW
T04N R01W S2		NESW
T04N R01W S2		SWSW
T04N R01W S2		NESE
T04N R01W S2		SWSE
T04N R01W S3	Lot 1	NENE
T04N R01W S3		SWNE
T04N R01W S3	Lot 3	NENW
T04N R01W S3		SWNW
T04N R01W S3		NESW
T04N R01W S3		SWSW
T04N R01W S3		NESE
T04N R01W S3		SWSE
T04N R01W S4	Lot 1	NENE
T04N R01W S4		NESE
T04N R01W S9		NENE
T04N R01W S9		NESE
T04N R01W S10		NENE
T04N R01W S10		SWNE
T04N R01W S10		NENW

T04N R01E S5		SENE
T04N R01E S5		NWSE
T04N R01E S5		SESE
T04N R01E S18		NWNE
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T04N R01E S18	Lot 3	SWNE
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T04N R01E S18	Lot 7	SENE
T04N R01E S18	Lot 3	NENW
T04N R01E S18	Lot 4	NWNW
T04N R01E S18		SENW
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T04N R01E S18		SWSW
T04N R01E S18		SESW
T04N R01E S18		NESE
T04N R01E S18	Lot 7	NESE
T04N R01E S18	Lot 6	NWSE
T04N R01E S18	Lot 9	SWSE
T04N R01E S18	Lot 8	SESE
T04N R01E S19	Lot 1	NENE
T04N R01E S19	Lot 2	NWNE
T04N R01E S19		SENE
T04N R01E S19	Lot 3	NENW
T04N R01E S19	Lot 4	NWNW
T04N R01E S19		SENW
T04N R01W S2	Lot 2	NWNE
T04N R01W S2		SENE
T04N R01W S2	Lot 4	NWNW
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T04N R01W S2		NWSE
T04N R01W S2		SESE
T04N R01W S3	Lot 2	NWNE
T04N R01W S3		SENE
T04N R01W S3	Lot 4	NWNW
T04N R01W S3		SENW
T04N R01W S3		NWSW
T04N R01W S3		SESW
T04N R01W S3		NWSE
T04N R01W S3		SESE
T04N R01W S4		SENE
T04N R01W S4		SESE
T04N R01W S9		SENE
T04N R01W S9		SESE
T04N R01W S10		NWNE
T04N R01W S10		SENE
T04N R01W S10		NWNW

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T04N R01W S10		SWNW
T04N R01W S10		NESW
T04N R01W S10		SWSW
T04N R01W S10		NESE
T04N R01W S10		SWSE
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T04N R01W S11		NENW
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T04N R01W S14	Lot 8	SWSE
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T04N R01W S14		SWSE
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T04N R01W S15		NENE
T04N R01W S15		SWNE
T04N R01W S15		NENW
T04N R01W S15		SWNW

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T04N R01W S15		SENW
T04N R01W S15	Lot 3	NESW
T04N R01W S15		SWSW
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T05N R01W S33		NENE
T05N R01W S33		SWNE
T05N R01W S33		NESE
T05N R01W S33		SESE
T05N R01W S34		NWNE

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T05N R01W S34	SWNE	T05N R01W S34	SENE
T05N R01W S34	NENW	T05N R01W S34	NWNW
T05N R01W S34	SWNW	T05N R01W S34	SENW
T05N R01W S34	NESW	T05N R01W S34	NWSW
T05N R01W S34	SWSW	T05N R01W S34	SESW
T05N R01W S34	NESE	T05N R01W S34	NWSE
T05N R01W S34	SWSE	T05N R01W S34	SESE
T05N R01W S35	NENE	T05N R01W S35	NWNE
T05N R01W S35	SWNE	T05N R01W S35	SENE
T05N R01W S35	NENW	T05N R01W S35	NWNW
T05N R01W S35	SWNW	T05N R01W S35	SENW
T05N R01W S35	NESW	T05N R01W S35	NWSW
T05N R01W S35	SWSW	T05N R01W S35	SESW
T05N R01W S35	NESE	T05N R01W S35	NWSE
T05N R01W S35	SWSE	T05N R01W S35	SESE
T05N R01W S36	NENW	T05N R01W S36	NWNW
T05N R01W S36	SWNW	T05N R01W S36	SENW
T05N R01W S36	NESW	T05N R01W S36	NWSW
T05N R01W S36	SWSW	T05N R01W S36	SESW
T05N R01W S36	NESE	T05N R01W S36	NWSE
T05N R01W S36	SWSE	T05N R01W S36	SESE

Conditions of Approval:

- WB4 The total instantaneous diversion of water from all points of diversion under Rights/Permits 63-11413, 63-12017, and 63-12448 shall not exceed 3.25 cfs.
- Each lot which receives water under this right shall be metered.
- 124 Place of use is within the service area of the City of Eagle municipal water supply system as provided for under Idaho Law.
- 01M 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.
- 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.
- 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.
- R19 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.
- The right holder is responsible on an on-going basis to provide a well suitable for monitoring as determined by the Department.
- 180 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.

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Licensed Date: 1/14/2016

RECEIVED

JAN 24 2017

09/14

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81048

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	
63-12448	12/31/2017	.8	130		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:

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.

Attachment #9 (WSB)

81048



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2017

CITY OF EAGLE
PO BOX 1520
EAGLE, ID 83616

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

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATESMAN on 4/6/2017 and 4/13/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Rachel Neely
Administrative Assistant

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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 30, 2017 9:46 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 4/6/2017 & 4/13/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

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

March 30, 2017

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

RE: Application for Permit No. 63-34056
Application for Permit No. 63-34057
Application for Permit No. 63-34058
Application for Permit No. 63-34318
Application for Transfer No. 81499
Application for Transfer No. 81351
Application for Transfer No. 81048
Application for Transfer No. 80941

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/24/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

63-34056

ROCK CONTRACTORS INC
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
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
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
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 IMPROVEMENT STORAGE
T05N R05W S36 SENW

**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.

**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.

**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.

**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.

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

Published on 4/6/2017 and 4/13/2017



MSBT Law

ATTORNEYS AND COUNSELORS AT LAW

STEPHANIE J. BONNEY≈
PAUL J. FITZER
JILL S. HOLINKA
FRANCES R. STERN
PAUL A. TURCKE^o

CHERESE D. McLAIN
LYNDON P. NGUYEN
ANTHONY M. PANTERA, IV

950 W. BANNOCK STREET, SUITE 520
BOISE, ID 83702
TELEPHONE: (208) 331-1800
FACSIMILE: (208) 331-1202
WWW.MSRTLAW.COM

ELAINE F. EBERHARTER-MAKI, *Of Counsel*
MICHAEL C. MOORE,[‡] *Of Counsel*

≈ Also admitted in Utah
^o Also admitted in South Dakota
[‡] Also admitted in Washington

January 13, 2017

IDWR
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JAN 17 2017

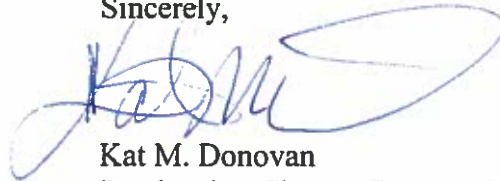
WATER RESOURCES
WESTERN REGION

Re: Amended Application for Transfer of Water Right – POD
WR #63-11413, 63-12017, 63-12448

Dear Sir or Madam:

Enclosed please find an original and one copy of the Amended Application for Transfer of Water Right – POD for the above referenced water rights along with a check in the amount of \$540.00. Please cause the original to be filed and return the conformed copy in the self-addressed stamped envelope provided. Thank you for your assistance in this regard.

Sincerely,



Kat M. Donovan
Paralegal to Chereese D. McLain

:kd
Encl.