STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80758

This is to certify that: VALLIVUE SCHOOL DISTRICT #139
5207 S MONTANA AVE
CALDWELL, ID 83607-1583

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
63-8752	WR/DECREED	4/28/1977	2.940 cfs	661.5 af	N/A	147.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-8752	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-8752	63-34205	0.380 cfs	54.0 af	N/A	12.0	63-8752	2.560 cfs	576.0 af	N/A	128.0
COMBINED TOTALS		**0.380 cfs**	**54.0 af**	**12.0**	**19.0**		**2.560 cfs**	**576.0 af**	**N/A**	**128.0**

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 24th day of March 2017.

for Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 63-8752

WATER RIGHT NO. 63-8752

As Modified by Transfer No. 80758

In accordance with the approval of Transfer No. 80758, Water Right No. 63-8752 is now described as follows:

Right Holder: RONALD L QUENZER & DEBBIE A QUENZER LIVING TRUST
19269 FRANKLIN RD
NAMPA, ID 83687
AND
DOUBLE D INVESTMENTS LP
3680 N BLACK CAT RD
MERIDIAN, ID 83642
AND
MLCB INVESTMENTS
3320 MARBLE FRONT RD
CALDWELL, ID 83605

Priority Date: 4/28/1977

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	3/15	to 11/15	2.560 cfs	576.0 af
			2.560 cfs	576.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESE Sec 30 Twp 04N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	02W	30									38.0			34.0		18.0	38.0		128.0

POU Total Acres: 128.0

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 04/03/09.

2. Use of this right is combined with water from Pioneer Irrigation District.

WATER RIGHT NO. 63-8752

As Modified by Transfer No. 80758

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-34205

As Modified by Transfer No. 80758

In accordance with the approval of Transfer No. 80758, Water Right No. 63-34205 is now described as follows:

Right Holder: VALLIVUE SCHOOL DISTRICT #139
5207 S MONTANA AVE
CALDWELL, ID 83607-1583

Priority Date: 4/28/1977

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	3/15	to	11/15	0.380 cfs	54.0 af
				0.380 cfs	54.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 30 Twp 04N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	02W	30														12.0			12.0

POU Total Acres: 12.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

2. This right when combined with all other rights shall provide no more than a combined annual maximum diversion volume of 54 af at the field headgate for the place of use.

3. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

4. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 63-34205

As Modified by Transfer No. 80758

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 04/03/2009.

8. The right holder shall cease irrigation of 19 acres previously authorized under this right, and consolidate use of water on the remaining 12 acres.

9. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

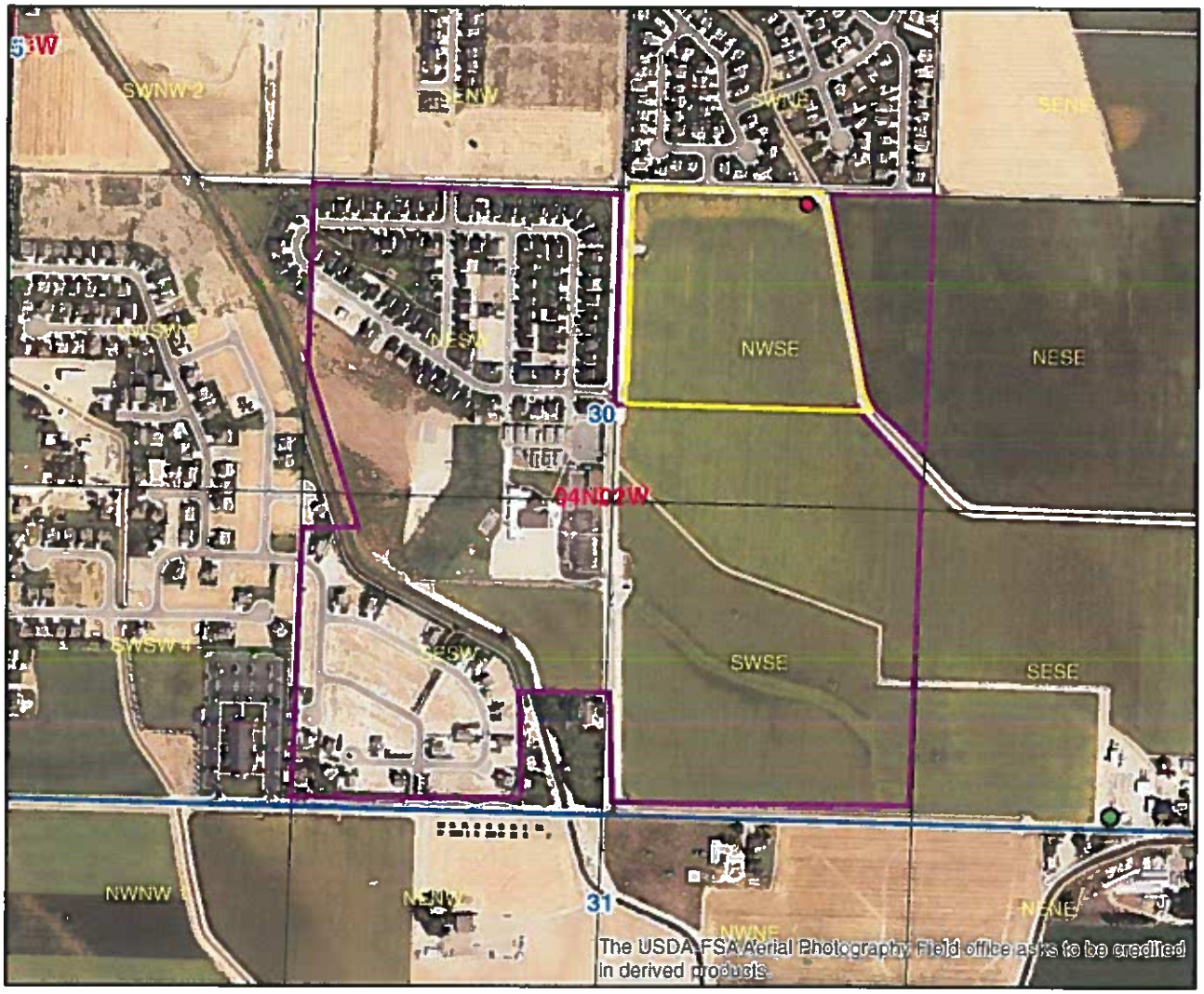
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Application for Transfer No 80758

Water Right No. 63-8752 Split into WR No. 63-34205

This map depicts the IRRIGATION 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

- 63-34205 POU Boundary
- 63-8752 POU Boundary
- 63-34205 POD
- 63-8752 POD
- Township/Range
- Sections
- QQ

N

0 0.075 0.15 0.3 Miles

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80758

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MAR 24 2016
WATER RESOURCES
WESTERN REGION

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Vallivue School District #139

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☑ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☑ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☑ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☑ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☑ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☑ ☐ #10 Other. Please describe: Water right split table

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 24 2016
WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Vallivue School District #139 Phone 208-454-0445

Mailing address 5207 S. Montana Ave., Caldwell, ID 83607-1583 Email pcharlton@vallivue.org

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1.**

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a.**

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b.**

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3.**

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140

Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4.**

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

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Pat Charlton	Pat Charlton, Superintendent	3/15/16

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
☐ Change nature of use ☐ Change period of use ☑ Other Split right

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2.**
(1) Change ownership for applicant's portion of water right; (2) change authorized point of diversion on applicant's water right portion to a proposed new well located on applicant's property, (3) consolidate applicant's authorized irrigation rate applicable to 19 acres to 12 acres within a proposed permissible place of use.

Transfer No. 80758

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Vallivue School District #139 Phone 208-454-0445

Mailing address 5207 S. Montana Ave., Caldwell, ID 83607-1583 Email pcharlton@vallivue.org

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140

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OR
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☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☑ Other Split right

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(1) Change ownership for applicant's portion of water right; (2) change authorized point of diversion on applicant's water right portion to a proposed new well located on applicant's property, (3) consolidate applicant's authorized irrigation rate applicable to 19 acres to 12 acres within a proposed permissible place of use.

Transfer No. 80758

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☑	63-8752	0.38/85.5	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.94 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.38 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NW	SE	30	4N	2W	Canyon	Ground Water	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	30														19			19
Total Acres (for irrigation use)																			*19

*12 acres within a 19-acre permissible place of use

Transfer No. 80158

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Well, pump, pressurized irrigation.
Measuring device and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6.** List the name of the entity and type of lien:

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

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The authorized irrigation rate applicable to 19 acres will be used on 12 acres of school grounds to allow irrigation with-in an 8-hour window. A new school and associated hard-scape will account for the 7 acres to be retired from irrigation.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Pioneer Irrigation District surface water.

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

Yes No

- ☐ ☑ undergone a period of five or more consecutive years of non-use,
- ☐ ☑ currently leased to the Water Supply Bank,
- ☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
- ☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 63-8752

Current Owner: RONALD L QUENZER & DEBBIE A QUENZER LIVING TRUST
DOUBLE D INVESTMENTS LP
MLCB INVESTMENTS

Priority Date: 4/28/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	2.94 CFS	661.5 AF
	Total Diversion	2.94 CFS	661.5 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SE1/4SE1/4 Sec. 30, Twp 04N, Rge 02W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T04N R02W S30	NESW	38.00	T04N R02W S30	SESW	34.00
T04N R02W S30	NWSE	37.00	T04N R02W S30	SWSE	38.00

Total Acres: 147

Conditions of Approval:

1.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2.		Use of this right is combined with water from Pioneer Irrigation District.
3.	S39	The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 4/3/2009

Trust No. 80758

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-8752 (applicant's portion)

1. amount 0.38 cfs/85.5 ac-ft (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	30														19			19

Total Acres (for irrigation use) 19

Transfer No. 80758

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 3 attachments.

Received by [signature] Date 3/15/16 Preliminary check by PH Date 6/14/16

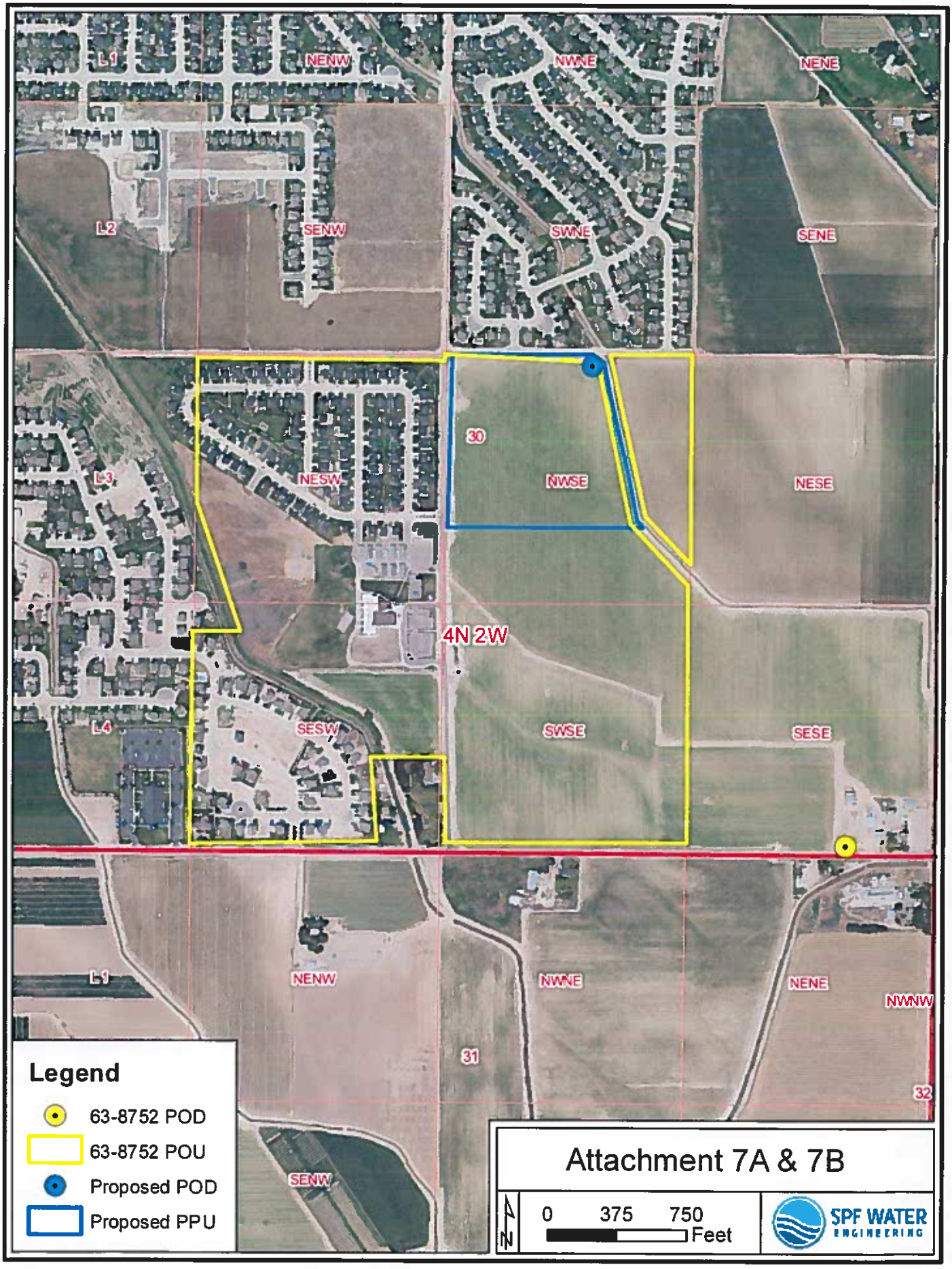
Fee paid $500.00 Date 3/15/16 Receipted by [signature] Receipt # WD43974

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

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

+ $60.00 for w/ overpayment on #WD43711 ($40) OR

Transfer No. 80758


L1
NENW
NWNE
NENE
L2
SENW
SWNE
SENE
30
L3
NESW
NWSE
NESE
4N 2W
L4
SESW
SWSE
SESE
L1
NENW
NWNE
NENE
NWNW
31
32
SENW
Legend
63-8752 POD
63-8752 POU
Proposed POD
Proposed PPU
Attachment 7A & 7B
N
0
375
750
Feet
SPF WATER ENGINEERING

Split Analysis

Transfer Attachment 10

Water Right Number: 63-8752
Diversion Rate: 2.94 CFS
Date: 3/1/2016

Acreage Analysis

					Parent	Children Acres										
Twp	Rng	Sec	Q-Q	Lot	Parent	Vallivue	Remaining									
4N	2W	30	NESW		38	0	38									
			SESW		34	0	34									
			NWSE		37	19	18									
			SWSE		38	0	38									

Pg 10

Attachments - Split

Number No. 8752

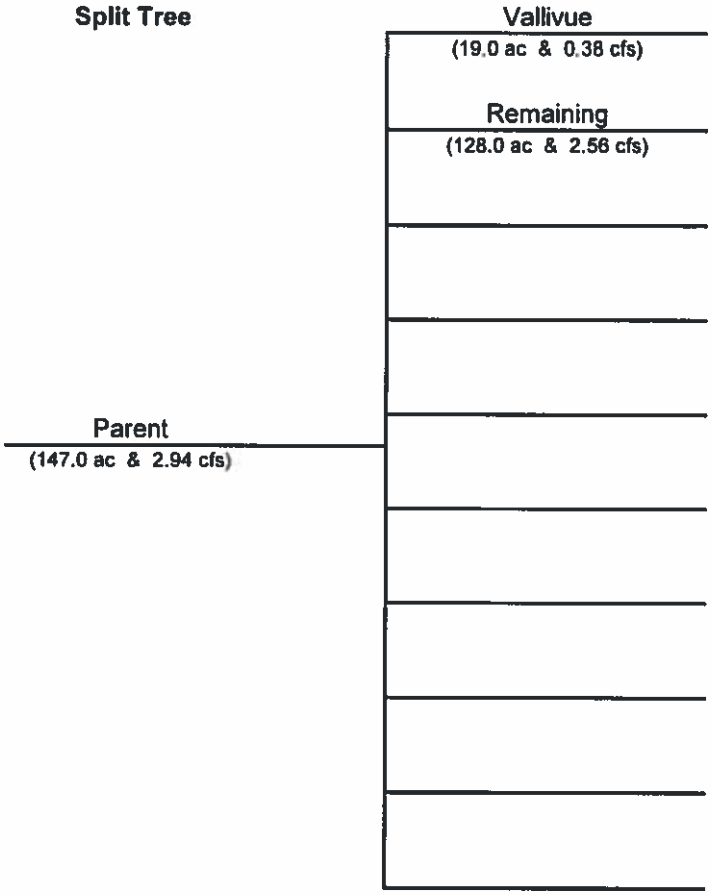
Water Right Number: 63-8752

Diversion Rate: 2.94 CFS

Reviewer Name: Lori Graves

Date: 3/1/2016

Split Tree



Summary

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
Parent	2.94	147	0.020
Vallivue	0.38	19	0.020
Remaining	2.56	128	0.020

Roll Attachment - Split

Number No. 63-8752

Attachment 2A

PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

RECEIVED
JUN 17 2016
WATER RESOURCES
WESTERN REGION

2015-027909
RECORDED
07/22/2015 03:25 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 MBROWN $16.00
TYPE DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

File No. 575414 VH/LF

WARRANTY DEED

For Value Received

Double D Investments, LLLP, a Limited Partnership as to a portion, Ronald L. and Debbie A. Quenzer Living Trust dated December 20, 2002 as to a portion, Double D. Investments LLLP, a Limited Partnership who acquired title as Double D Investments, L.P., an Idaho limited partnership as to a portion and XQ Ranch LLLP, an Idaho limited liability partnership as to a portion

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Vallivue School District #139

hereinafter referred to as Grantee, whose current address is 5207 S. Montana Ave. Caldwell, ID 83607

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 17, 2015

Double D Investments, LLLP

By: _____
Dean L. Quenzer, General Partner

_____
Deborah S. Quenzer, General Partner

Ronald L. and Debbie A. Quenzer Living Trust dated December 20, 2002

By: _____
Ronald L. Quenzer, Trustee

_____
Debbie A. Quenzer

XQ Ranch LLLP

By: _____
Marvin E. Quenzer, General Partner

Transfer No. 80758

State of Idaho, County of Canyon

On this 20th day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Deborah S. Quenzer and Dean L. Quenzer, known or identified to me to be the partner(s) in the partnership of General Partners of Double D Investments LLLP, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Janice Ross

Residing at: ~~Caldwell, ID~~ Emmett, Idaho
Commission Expires: ~~12/2/2016~~ 04/19/2018

JANICE ROSS NOTARY PUBLIC STATE OF IDAHO

State of Idaho, County of Canyon

On this 21st day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Marvin E. Quenzer, known or identified to me to be the partner(s) in the partnership of General Partner of XQ Ranch LLLP, and the partner(s) who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

Residing at: Caldwell, ID
Commission Expires: 12/2/2016

VICKI HUNSPERGER NOTARY PUBLIC STATE OF IDAHO

State of Idaho, County of Canyon

On this 21st day of July in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald L. Quenzer and Debbie A. Quenzer, known or identified to me to be the person whose name is subscribed to the within instrument as Trustees of The Ronald L. and Debbie A. Quenzer Living Trust dated December 20, 2002 and acknowledged to me that he/she/they executed the same as such Trustees.

Residing at: Caldwell, ID
Commission Expires: 12/2/2016

VICKI HUNSPERGER NOTARY PUBLIC STATE OF IDAHO

EXHIBIT A

This parcel is a portion of the West Half of the Southeast Quarter of Section 30 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northwest corner of the West Half of the Southeast Quarter, (C 1/4 Corner, Section 30), a found 5/8 inch diameter rebar; thence

South 89°47'05" East along the North boundary of the West Half of the Southeast Quarter a distance of 53.00 feet to the TRUE POINT OF BEGINNING, a found 5/8 inch diameter rebar; thence continuing

South 89°47'05" East along said North boundary a distance of 799.45 feet to a point on the centerline of the Bolton 300 Lateral, a found 5/8 inch diameter rebar; thence traversing said centerline as follows:

Southeasterly, 114.71 feet along the arc of a curve to the right having a radius of 340.87 feet and a central angle of 19°16'51" and a long chord which bears South 21°59'15" East a distance of 114.17 feet;

South 12°02'21" East a distance of 732.25 feet;

Southeasterly, 107.72 feet along the arc of a curve to the left having a radius of 250.00 feet and a central angle of 24°41'15" and a long chord which bears South 24°22'57" East a distance of 106.89 feet;

thence leaving said centerline and bearing North 89°47'05" West parallel with the north boundary of the West Half of the Southeast Quarter a distance of 1045.09 feet to a point on the East boundary of the Copper Creek Subdivision No. 1, a found 5/8 inch diameter rebar;

thence traversing the East boundary of Copper Creek Subdivision No. 1 as follows:

North 29°09'44" West a distance of 17.24 feet to a found 5/8 inch diameter rebar;

North 00°22'36" East a distance of 64.00 feet to a found 5/8 inch diameter rebar;

North 29°54'55" East a distance of 17.24 feet to a found 5/8 inch diameter rebar;

North 00°22'36" East a distance of 824.46 feet to the TRUE POINT OF BEGINNING.

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 24, 2017

VALLIVUE SCHOOL DISTRICT 139
5207 S MONTANA AVE
CALDWELL ID 83607-1583

Re: Transfer No: 80758
Water Right No(s).: 63-8752

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.

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

Sincerely,

Rachel Neely for:

Nick Miller

Western Regional Manager

Enclosure

CC:

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

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80758
Water Right No(s).: 63-8752

VALLIVUE SCHOOL DISTRICT 139
5207 S MONTANA AVE
CALDWELL ID 83607-1583

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

Nick Miller
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.

Hummer, Phill

From: Pat Charlton <pat.charlton@vallivue.org>
Sent: Friday, June 24, 2016 3:23 PM
To: Hummer, Phill
Subject: RE: Vallivue Transfer Application 80758

Okay, thanks.
Pat

On Jun 24, 2016 2:48 PM, "Hummer, Phill" <Phill.Hummer@idwr.idaho.gov> wrote:

Mr. Charlton,

After further review and a discussion with my supervisor it was determined that an amended application is not necessary since the water right after approval will be for less acres than is listed on the application. So to clarify, the new water right will be for 0.38 cfs for irrigation of 12 acres in 04N 02W Sec 20 NWSE. No further actions are needed. I will continue with processing and should have the approval documents drafted by the end of this week. Let me know if you have any questions.

Phill Hummer

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Fax: (208) 334-2348

Email: phill.hummer@idwr.idaho.gov

From: Pat Charlton [mailto:pat.charlton@vallivue.org]
Sent: Wednesday, June 22, 2016 5:27 PM
To: Hummer, Phill
Cc: Lori Graves; Matt Adams
Subject: Re: Vallivue Transfer Application 80758

Hi Phill,

Hummer, Phill

To: Pat Charlton
Subject: RE: Vallivue Transfer Application 80758

From: Pat Charlton [mailto:pat.charlton@vallivue.org]
Sent: Wednesday, June 22, 2016 5:27 PM
To: Hummer, Phill
Cc: Lori Graves; Matt Adams
Subject: Re: Vallivue Transfer Application 80758

Hi Phil,

That makes sense to me. We're all for not making things more complicated. We'll ask Lori Graves of SPF revise the original application and resubmit on behalf of Vallivue.

Thanks,
Pat

On Wed, Jun 22, 2016 at 10:16 AM, Hummer, Phill <Phill.Hummer@idwr.idaho.gov> wrote:

Mr. Charlton,

Application for transfer of a water right no. 80758 requests to split off 19 acres of water right 63-8752 to create a new water right based on the school owning that portion of property. The application indicates the school is planning on irrigating only 12 of the 19 acres all within the same QQ. The way the application is filled out currently would create a 19 acre permissible place of use. Since the 12 acres of irrigation will not be moved once the buildings and hardscapes are constructed and the acres to be irrigated are all within the same QQ it is unnecessary to create a permissible place of use and the department is trying to avoid creating unnecessary PPU's. For these reason I am requesting that an amended application be submitted with a changed part 1 section 4 that has 12 irrigated acres at the place of use after the split. The total rate and the location of the point of diversion can remain the same. The map would not need to be amended since we would still use the entire taxlot as the place of use boundary. Please let me know if you have any questions about this request.

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Dr. Pat Charlton, Superintendent
Vallivue School District #139

CONFIDENTIALITY NOTICE: This communication, including any attachments, from Vallivue School District is confidential and/or privileged information. If you believe you have received this message in error, please reply to notify us immediately of the possible mistake. Afterwards delete the email and all attachments from your system; you may not copy this message or disclose its contents to anyone.

Hummer, Phill

From: Lori Graves [LGraves@spfwater.com]
Sent: Friday, June 17, 2016 3:53 PM
To: Hummer, Phill
Subject: Info Request Letter, XFR 80758
Attachments: Deed.pdf

Phill,

We submitted a copy of Vallivue School District's deed as Attachment 2A of the transfer application (long form). Attached is another copy. Please let me know if you have any further questions or need additional information. Have a great weekend.

Regards,
Lori

Lori Graves | Water Rights Specialist
SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | **f.** 208.383.4156 | **c.** 208.850.4601
e. lgraves@spfwater.com | **w.** www.spfwater.com

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

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

06/14/2016

VALLIVUE SCHOOL DISTRICT #139
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Application for Transfer No. 80758 Additional Information Required

Dear Applicant:

Your recent application to transfer water right no. 63-8752 is being processed. The application also proposes to change the ownership of this water right but cannot be processed further until the following items are clarified:

- **10 – Ownership**
  In order to accomplish the proposed change in ownership you need to show you have the authority to make the proposed change. Please provide any documentation such as a warranty deed or sale document that shows Vallivue School District is the owner of the property or water right license.

Please submit the requested information within thirty (30) days for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

PH

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Enclosure: Copy of Application for Transfer No. 80758
Application for Transfer Short Form (Returned)

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

06/14/2016

VALLIVUE SCHOOL DISTRICT #139
C/O PAT CHARLTON
5207 S MONTANA AVE
CALDWELL ID 83607-1583

Re: Application for Transfer No. 80758 Additional Information Required

Dear Applicant:

Your recent application to transfer water right no. 63-8752 is being processed. The application also proposes to change the ownership of this water right but cannot be processed further until the following items are clarified:

- **10 – Ownership**
  In order to accomplish the proposed change in ownership you need to show you have the authority to make the proposed change. Please provide any documentation such as a warranty deed or sale document that shows Vallivue School District is the owner of the property or water right license.

Please submit the requested information within thirty (30) days for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

PH

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

Enclosure: Copy of Application for Transfer No. 80758

MEMORANDUM

TO: Transfer No. 80758

FROM: Phill Hummer

DATE: 6/6/2016

RE: Evaluation of Application

This transfer proposes to change the ownership for a portion of water right no. 63-8752 proportional to property ownership. Additionally the applicant would like to change the point of diversion to a well located on the applicant's property and to consolidate the authorized irrigated acres to 12 acres.

The site is approximately 5 kilometers east of Caldwell Idaho.

Contact person for the applicant is Lori Graves, Water Rights Specialist with SPF Water Engineering.

Deviations from Transfer Policy Standards

The water right describes the current point of diversion to the ten acre plot but the transfer application describes the proposed location to the forty acre tract. It is okay to process the application as it is because the water right authorizes the use of ground water and therefore it is not necessary to describe the location using the ten acre tract. The application proposes to transfer 19 acres but it will get approved for 12 acres so that an unnecessary permissible place of use is not created.

Summary of Information Submitted

Authority to File:
The applicant is Vallivue School District #139. Pat Charlton signed the application, he is a school superintendent. As superintendent Mr. Charlton has the authority to file this application on behalf of the school and is an authorized signer. The warranty deed shows Vallivue School District #139 owns the property at the proposed place of use and point of diversion.

Water Right Validity:
Water right no. 63-8752 is presumed to be valid since the right was decreed on 4/3/2009 and beneficial use has occurred within the last five years. Beneficial use confirmed by ArcView imagery.

Injury to Other Water Rights:
No injury to existing water users anticipated.

Enlargement of Use:
The application proposes to transfer 0.38 cfs of water right no. 63-8752 for the irrigation of 19 acres. The applicant then will reduce the number of irrigated acres to 12 and increase the diversion rate per acre so that the school can water their grounds using less time. To ensure this will not create an enlargement of use the new water right should contain conditions limiting the volume per acre authorized to 4.5 af/acre. This will allow the applicant an increased diversion rate without increasing the total annual volume.

Local Public Interest:
This application proposes a use that is consistent with 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

Watermaster comments are not needed for this transfer because the water right authorizes the use of ground water.

Data entry affected the correct record, right id 599063

Overlapping Rights
This transfer proposes to change the point of diversion to a new well in the NWSE. This well will also be the point of diversion for water permit no. 63-34171. There are multiple water rights owned by Pioneer Irrigation District that overlap the place of use that authorize diversions from both surface water and ground water. The applicant has indicated they receive water from this company and the split portion will be supplemental to surface water. Additionally, there are three municipal water permits for the City of Caldwell at the place of use.

The water right is not leased to the water supply bank.

The transfer application includes a change of ownership but did not include any documents that verify ownership. A warranty deed was requested on 06/14/2016 and received on 06/17/2016.

Summary

If approved the following conditions should be used on the split water right no. 63-34205.

- Condition 046 since the water right diverts groundwater.
- Condition C05 should be removed per usage description.
- Condition 205 to clarify the changes are intentional.
- Condition X55 should be used to identify the reduction of acres.
- Condition R61 should be used since the diversion rate will be increased to more than 0.02 cfs per acre.

If approved the following changes should be made to the conditions of the remaining portion of water right no. 63-8752.

- Condition C18 should be updated to T19.
- Condition CO5 should be removed.
- Condition S30 should be updated to X61.

Drilling fee upgrade is not required because the proposed point of diversion is an irrigation well drilled for permit no. 63-34171.

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.

SPF WATER ENGINEERING

March 21, 2016

RECEIVED
MAR 24 2016
WATER RESOURCES
WESTERN REGION

Phil Hummer
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Phil,

As promised, enclosed on behalf of Vallivue School District #139, is a signed signature page for the application for transfer (long form) we submitted last week.

Thank you for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Pat Charlton, Superintendent
Chris Vondemkamp, Design West Architects

Enclosure

SPF file number: 1108.0030

300 E. Mallard Drive, Suite 350, Boise, Idaho 83706 Tel: 208-383-4140 Fax: 208-383-4156

SPF WATER ENGINEERING

March 15, 2016

RECEIVED
MAR 15 2016
WATER RESOURCES
WESTERN REGION

Phil Hummer
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Phil,

Per your review findings for application 63-34171, enclosed on behalf of Vallivue School District #139, is an *Application for Transfer* seeking to split right 63-8752, change the point of diversion on the School District's portion, and consolidate the acres and flow rate. The School District wishes to continue to proceed with application 63-34171 for additional flow rate to allow irrigation within an 8-hour window. Both rights, when combined will not exceed 0.06 cfs/acre for irrigation of the 12 acres within a 19 acre permissible place of use.

We initially prepared and obtained a signature on a Transfer Application *short form*. Per your recent request and preference, enclosed is a Transfer Application *long form*. The signature page is in transit and will be submitted ASAP upon receipt. To enable processing, the original signed short form is included. As we discussed on the phone, time is of essence since construction of the new elementary school site's entire irrigation system has been delayed until the proposed new well is completed.

Check No. 35460 for $560 is enclosed for the $600 filing fee. As you noted in your email, $40 from receipt W043711 can be applied for the remaining fee. Thank you for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Pat Charlton, Superintendent
Chris Vondemkamp, Design West Architects

Enclosures

SPF file number: 1108.0030

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