

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 06 2016

WATER RESOURCES
WESTERN REGION

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 Meridian, Parks & Recreation Dept. Phone 208-888-3579

2. **MAILING ADDRESS** 33 East Broadway Ave., Ste. 206 City Meridian

State ID Zip 83642-2300 Email mbarton@meridiancity.org

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

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

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

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

3. **LIST WATER RIGHT NUMBER(S)** 63-34034

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.77 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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

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

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
y			NE	NW	18	3N	1E	Ada	Ground Water	

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:

Well, pump, pressurized system.

Measuring device & lockable controlling works installed 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. 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

Print name and title if applicable

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 3 pages of attachments.

Received by RN

Date 9/6/2016

Fee paid \$500.00 Date 9/6/2016

Received by RN

Receipt # W044589

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)

Page _____ of _____

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

Current Water Right No.: 63-34034

Current Owner: CITY OF MERIDIAN

Priority Date: 1/29/2015

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>
IRRIGATION	03/01 to 11/15	0.77 CFS	61 AF
INDUSTRIAL	03/01 to 11/15	0.12 CFS	0.7 AF
	<u>Total Diversion</u>	0.77 CFS	61.7 AF

Location of Point(s) of Diversion

GROUND WATER

L4(SW1/4SW1/4) Sec. 7, Twp 03N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T03N R01E S18	NENW	9.70	T03N R01E S18	Lot 1	NWNW	3.10
T03N R01E S18	SEnw	0.70				

Total Acres: 13.5

INDUSTRIAL Within ADA County

T03N R01E S18	NENW	T03N R01E S18	SEnw
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Conditions of Approval:

1. 004 This right does not grant any right-of-way or easement across the land of another.
2. R61 The irrigation portion of 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.
3. The primary surface irrigation water for the place of use authorized under this right is delivered by Nampa & Meridian Irrigation District.
4. The industrial use for this right is for cleanup of a dog park.
5. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
7. The ground water diversion rate for this right shall not exceed 0.77 cfs. Provided, further, the irrigation portion of this right when combined with all other rights shall provide no more than one (1) inch, 0.02 cfs, per acre when averaged over a twenty-four hour period based upon the amount of water applied over such twenty-four hour period. However, should the lands authorized to be irrigated under this right ever cease to be a school, park, cemetery, or golf course recognized by the Department as allowing more than one (1) inch per acre, then this right when combined with all other rights shall provide no more than one (1) inch, 0.02 cfs, per acre at the field headgate for irrigation of the place of use.
8. 105 If the surface water right(s) appurtenant to the place of use 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), this right to divert ground water shall not be used for irrigation purposes on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 065 The right holder shall make full beneficial use of all surface water rights 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.
10. WB7 The irrigation portion of this right when combined with all other rights shall not exceed a combined annual maximum diversion volume of 61 af at the field headgate for the place of use.

Licensed Date: 1/26/2016





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

February 24, 2017

CITY OF MERIDIAN
33 E BROADWAY STE 206
MERIDIAN, ID 83642

RE: Transfer No. 81189
Water Right No(s). 63-34034

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 3/2/2017 and 3/9/2017. 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:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Friday, February 24, 2017 8:27 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 3/2/17 & 3/9/17

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

February 24, 2017

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

RE: Application for Permit No. 63-34332
Application for Transfer No. 81280
Application for Transfer No. 81189

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 3/20/2017. 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:

63-34332

H & B CRUSHING LLC

PO BOX 117

KUNA, ID 83634

Point of Diversion NENE S15 T02N R01E ADA County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 35.2 AF

Total Diversion: 35.2 AF

Date Filed: 1/17/2017

Place of Use: AESTHETIC STORAGE

T02N R01E S15 NENE

Water bearing zone to be appropriated is from 0 to 15 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81189

CITY OF MERIDIAN, 33 E BROADWAY STE 206, MERIDIAN, ID 83642; has filed Application No. 81189 for changes to the following water rights within ADA County(s): Right No(s). 63-34034; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The City of Meridian proposes to change the point of diversion on this water right to allow them to divert water from a new well to be constructed within Storey Park. The water right authorizes the use of water for irrigation and industrial purposes within the park which is located near the intersection of S Main St and E Franklin Rd in Meridian ID.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81280

NICHOLSON PROPERTIES LP, 18106 S CLOVERDALE, KUNA, ID 83634; has filed Application No. 81280 for changes to the following water rights within ADA County(s): Right No(s). 63-7756; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The applicant proposes to change the place of use for a portion of the water right to reflect the change in property ownership and irrigation practices. The new place of use is located southeast of Kuna ID near the intersection of S Cloverdale RD and Chiefs Farm Ln.

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 3/20/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/2/2017 and 3/9/2017

Neely, Rachel

From: Neely, Rachel
Sent: Friday, February 24, 2017 8:54 AM
To: 'Rex Barrie'
Subject: Application for Permit No. 63-34247 & Application for Transfer No. 81189
Attachments: Watermaster Recommendation Form_Fill.pdf; Application for Permit 63-34247.pdf; Application for Transfer 81189.pdf

February 24, 2017

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Permit No. 63-34247 & Application for Transfer No. 81189

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by March 20, 2017.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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February 24, 2017

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

NAMPA MERIDIAN IRRIGATION DISTRICT
5525 E GREENHURST RD
NAMPA ID 83686

Re: Application for Transfer No. 81189

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by March 20, 2017. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



SPF WATER
ENGINEERING

September 2, 2016

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

RECEIVED

SEP 06 2016

WATER RESOURCES
WESTERN REGION

Subject: Application for Transfer

Dear Angie,

Enclosed on behalf of the City of Meridian, is an *Application for Transfer* seeking to change the point of diversion for water right 63-34034.

Check No. 010861 for \$500 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Mike Barton

Enclosures

SPF file number: 790.0331