

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

RECEIVED
DEC 02 2016
WATER RESOURCES
WESTERN REGION

Name of Applicant(s) Independent School District of Boise City Phone 208-854-4040
Mailing address 869 W. Victory Rd, Boise, ID 83709-4164 Email _____

- ☐ 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.

Nancy Gregory
Signature of Applicant or Authorized Representative

Nancy Gregory Board President
Print Name and Title if applicable

20 Sept 2016
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 63-7195

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**.

Transfer 3 acres ground water supplemental to NMID under right 63-29435 and 2 acres primary ground water under right 63-7195 to the Mountain View School site for irrigation use. This will allow the School District to irrigate at the Mountain View School site when surface water from NMID is not available. The 5 acres requested for transfer are

RECEIVED

MAY 17 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80941MINIMUM 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) Independent School District of Boise CityCheck 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

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Mailing address 869 W. Victory Rd, Boise, ID 83709-4164 Email _____

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Tom Willis
Signature of Applicant or Authorized Representative

Tom Willis F40 Administrator 5/11/16
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 63-7195

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**.
- Transfer 3 acres ground water supplemental to NMID under right 63-29435 and 2 acres primary ground water under right 63-7195 to the Mountain View School site for irrigation use. This will allow the School District to irrigate at the Mountain View School site when surface water from NMID is not available. The 5 acres requested for transfer are

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-29435	0.09/13.5	Irrigation	3/1 to 11/15	Ground Water
☐ ☒	63-7195	0.07/9.0	Irrigation	4/1 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.16 cfs and/or 22.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.16 cubic feet per second and/or 22.9 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 #
	6		SW	SW	31	T4N	2E	Ada	Ground Water	Existing Well

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	2E	31											8						8
													L6						
Total Acres (for irrigation use)																			*8

*5 acres irrigation within an 8-acre permissible place of use

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 system.

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:

63-7195: School site development has replaced irrigation.

63-29435: School site has been sold and water rights retained by the School District.

- 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:

Boise Parks and Recreation manage and use the well for irrigation of Mountain View Park under right 63-10750, which includes parcel No. S0631336120 owned by the School District that the well is located on. The City and the School District have a well agreement in place.

- 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:

Requests to release the water rights from the water bank at the end of 2016 have been submitted.

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

Current Water Right No.: 63-7195

Current Owner: INDEPENDENT SCHOOL DISTRICT OF BOISE CITY

Priority Date: 2/10/1969

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	0.27 CFS	36 AF
	<u>Total Diversion</u>	0.27 CFS	36 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 36, Twp 04N, Rge 01E B.M.
ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S36	NESW	2.00	T04N R01E S36	SESW	6.00
Total Acres: 8					

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
3. J01 PROPERTY IS ALSO KNOWN AS VALLEY VIEW ELEMENTARY SCHOOL.
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.
5. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Decreed Date: 5/29/2009

80941

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

Current Water Right No.: 63-29435

Current Owner: INDEPENDENT SCHOOL DISTRICT OF BOISE CITY

Priority Date: 12/31/1951

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

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	0.09 CFS	13.5 AF
	<u>Total Diversion</u>	0.09 CFS	13.5 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NE1/4NW1/4

Sec. 17, Twp 03N, Rge 02E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T03N R02E S17 NENW 3.00

Total Acres: 3

Conditions of Approval:

1. 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.
2. Place of use is also know as Franklin Elementary School

Decreed Date: 5/29/2009

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 right(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 _____ pages and _____ attachments.

Received by QA Date 5/17/16 Preliminary check by _____ Date _____

Fee paid \$200.00 Date 6/17/16 Received by QA Receipt # W044202

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

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

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	
63-7195	*12/31/2019	0.07	9.0	2	Attached? ☒ or No Change ☐
63-29435	*12/31/2019	0.09	13.5	3	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

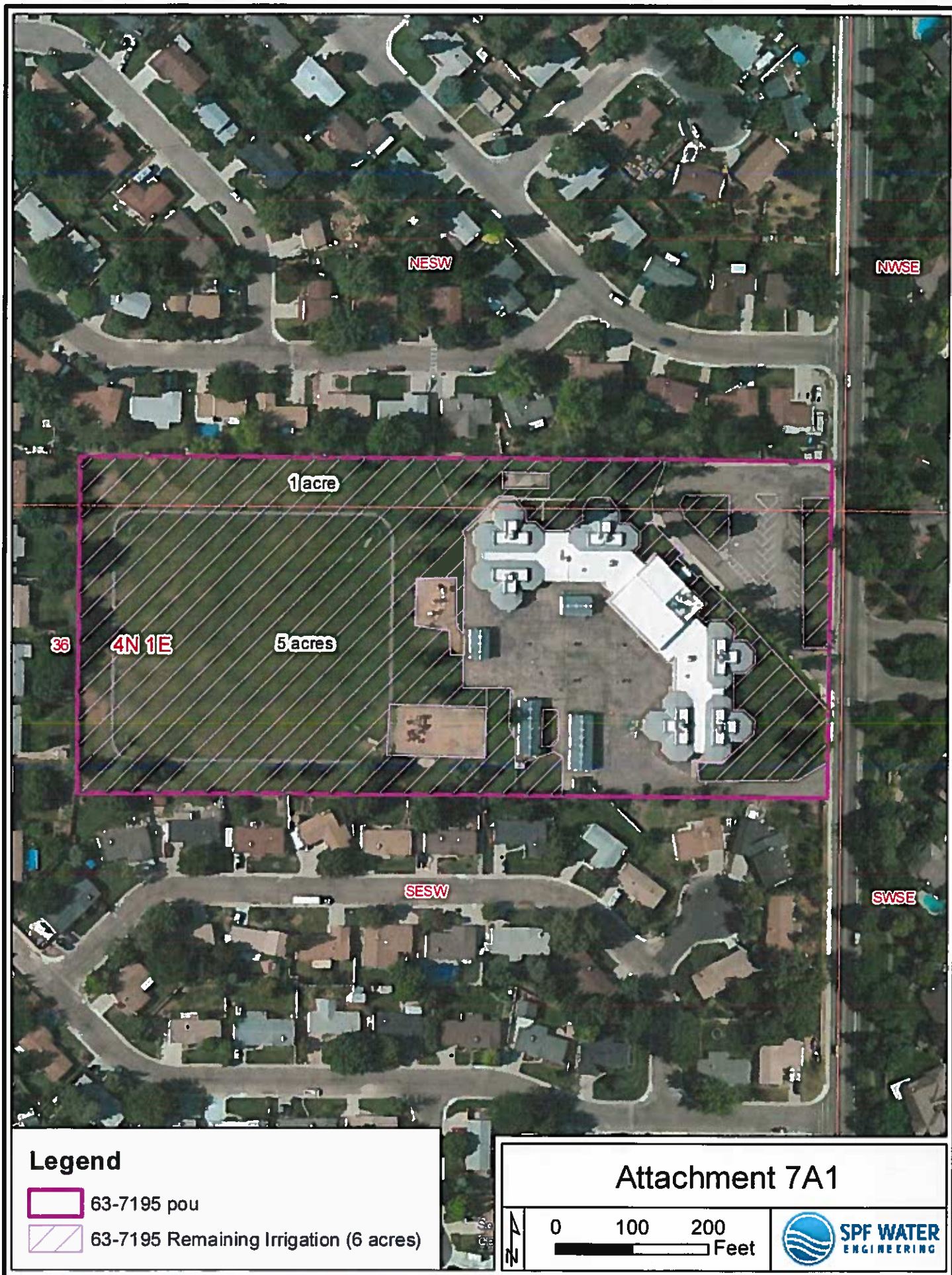
Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

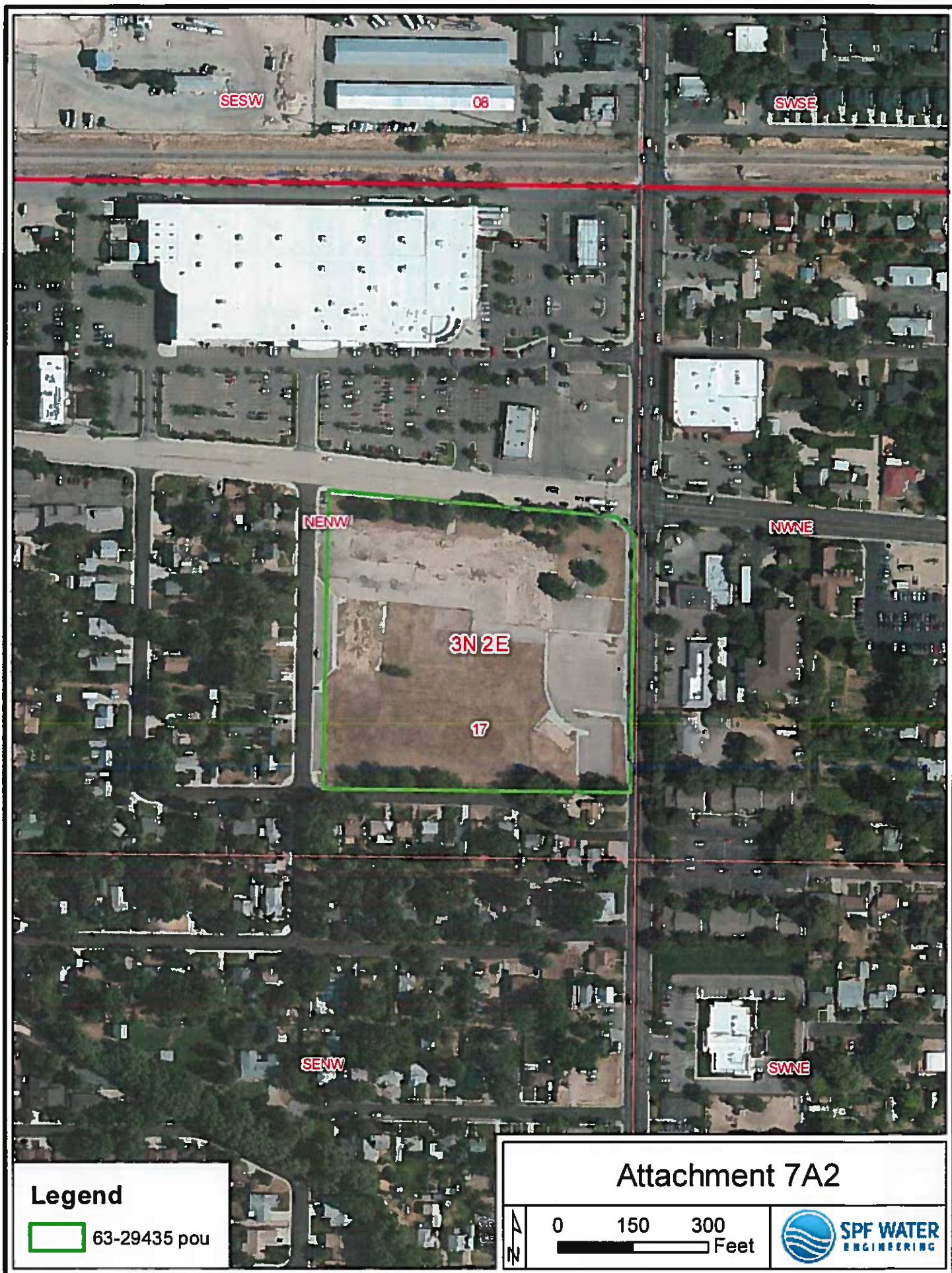
- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

Additional Information:

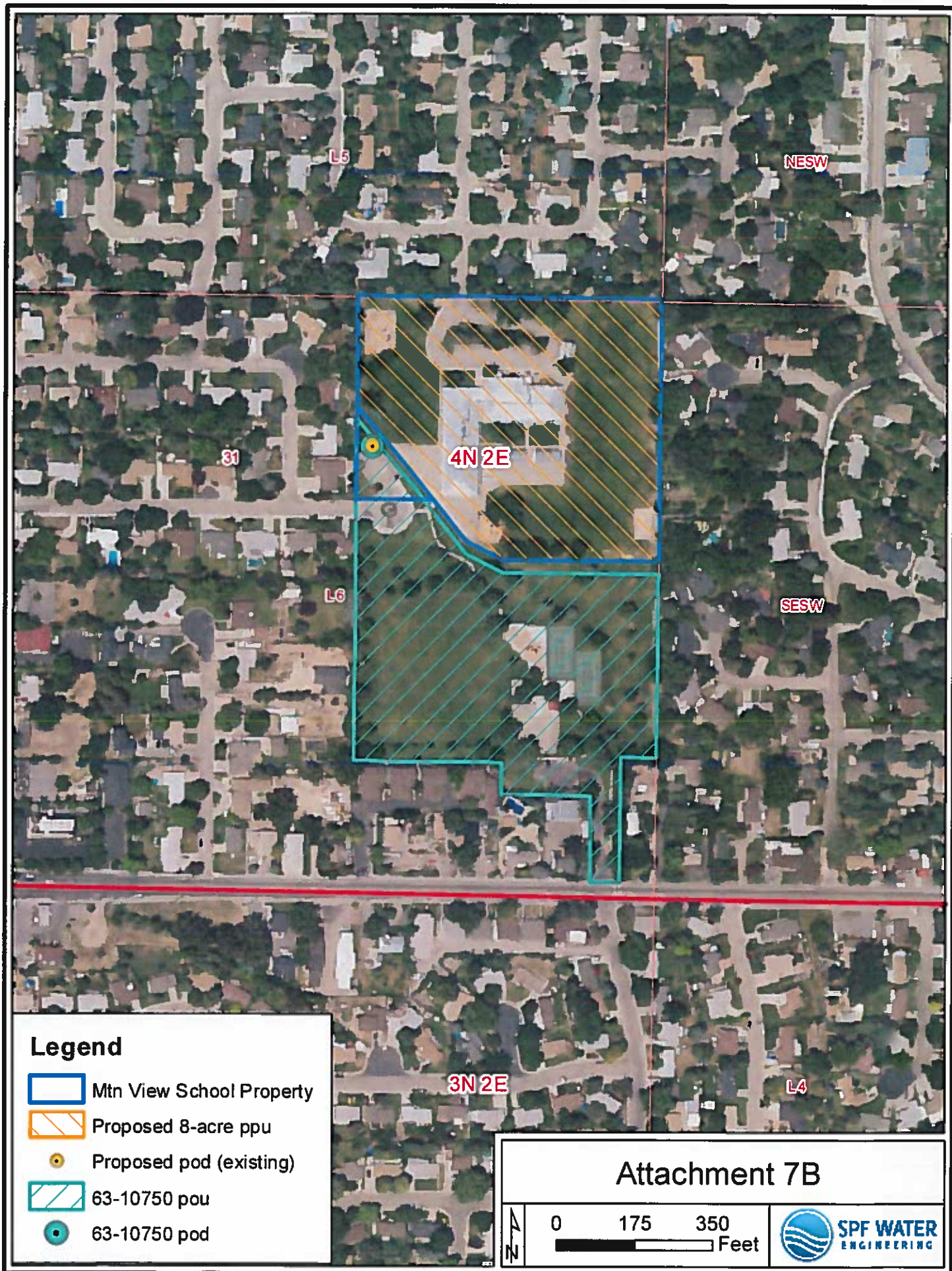
*Release requests have been submitted asking the water right release dates be changed to 12/31/2016.

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.





80941





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

December 8, 2016

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY
8169 W VICTORY RD
BOISE, ID 83709

RE: Transfer No. 80941
Water Right No(s). 63-29435, 63-7195

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 12/15/2016 and 12/22/2016. 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: Thursday, December 08, 2016 2:00 PM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

PLEASE NOTE THAT 63-34242 ZWJ PROPERTIES HAS ALREADY BEEN ADVERTISED AND DUE TO NEWSPAPER ERROR WILL NEED TO BE RE-ADVERTISED.

PLEASE DO NOT CHARGE THE DEPARTMENT FOR THIS PUBLICATION.

Thank you!

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 12/15/2016 & 12/22/2016.

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

December 8, 2016

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

RE: Application for Permit No. 63-34300
 Application for Permit No. 63-34242
 Application for Transfer No. 80626
 Application for Transfer No. 80941
 Application to Amend Permit No: 63-32680
 Application to Amend Permit No. 63-33207
 Application to Amend Permit No. 63-33296
 Application to Amend Permit No. 63-34038

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 notices 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 1/2/2017. 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:

63-34300

JAMES M PROCHASKA
PATRICIA O PROCHASKA
2304 RIBIER DR
MERIDIAN, ID 83642

Point of Diversion SWSWNE S23 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 10/5/2016

Place of Use: IRRIGATION

T04N R01W S23 SWNE

Total Acres: 3

Water bearing zone to be appropriated is from 222 to 262 feet.

63-34242

ZWJ PROPERTIES LLC
333 ROSSI ST STE 200
BOISE, ID 83706

Point of Diversion NESW S27 T04N R02E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.16 CFS

Total Diversion: 0.16 CFS

Date Filed: 6/3/2016

Place of Use: IRRIGATION

T04N R02E S27 NESW SESW

Total Acres: 35

Water bearing zone to be appropriated is from 200 to 600 feet.

Applicant proposes to irrigate 8.0 acres within a 35.0 acre permissible place of use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80626

CITY OF BOISE, 150 N CAPITAL BLVD PO BOX 500, BOISE, ID 83701; has filed Application No. 80626 for changes to the following water rights within ADA County(s): Right No(s). 63-12461, 63-12470, 63-3013, 63-3014, 63-7005B, 63-7042B, 63-7047, 63-7053, 63-7055A, 63-7055C, 63-7055D, 63-7064A, 63-7064B, 63-7078B, 63-7755B, 63-8130B, 63-8435, 63-9243, 63-9359; 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 Boise proposes to change the place of use of their 19 water rights so that each water right has the same permissible place of use. Each of the 19 water rights share 12 wells as points of diversion. The place of use is at Twenty-Mile South Farm 15 kilometers southeast of Kuna, ID south of Poen Rd between Cloverdale Rd and Cole 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). 63-29435, 63-7195; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The transfer application proposes to move 5 acres authorized for irrigation under water rights no. 63-7195 and 63-29435 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 site 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.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81183 on 08/07/16 to amend water permit no. 63-32680 with a priority date of 05/22/2007 authorizing groundwater use totaling 5.22 cfs for irrigation use. The permit provides irrigation water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the irrigation use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81186 on 08/07/16 to amend water permit no. 63-33207 with a priority date of 03/24/2010 authorizing groundwater use totaling 3.0 cfs for industrial use. The permit provides industrial water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the industrial use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81184 on 08/07/16 to amend water permit no. 63-33296 with a priority date of 11/06/2009 authorizing groundwater use totaling 10.46 cfs for irrigation use. The permit provides irrigation water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use. The change to the permit will create an expanded place of use for the irrigation use of water. The same changes have been proposed for all the permits held by CS Property Development LLC that authorize the same use at the project site.

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO BOX 27 Boise ID 83707 filed Application No. 81185 on 08/07/16 to amend water permit no. 63-34038 with a priority date of 06/26/2015 authorizing groundwater use totaling 4.0 cfs for irrigation and industrial use. The permit provides irrigation and industrial water to property located approximately 20 kilometers south of Boise, ID along S. Cole Rd. The site is south of the Kuna Mora Rd between Pleasant Valley Rd to the east and S. Cloverdale Rd to the west. The applicant proposes to amend the permit changing the place of use for both irrigation and industrial uses. The changes to the permit will create an expanded place of use for both irrigation and industrial uses of water. The same changes have been proposed for all the permits held by CS Property Development LLC at the project site.

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), proposed transfer(s), or amendment(s) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A, 42-222 and 42-211. 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 1/2/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/15/2016 and 12/22/2016



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

December 8, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

CITY OF BOISE
DEPT OF PARKS AND REC
1104 ROYAL BLVD
BOISE ID 83706

Re: Application for Transfer No. 80941

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 January 2, 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

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, December 08, 2016 11:36 AM
To: 'Rex Barrie'
Subject: Applications for Transfer Nos. 80626 & 80941, Applications for Amendment Nos. 63-32680 & 63-33207
Attachments: Watermaster Recommendation For1.docx; Application for Transfer 80626.pdf; Application for Transfer 80941.pdf; Application for Amendment for a Permit 63-33207.pdf; Application for Amendment for a Permit 63-32680.pdf

December 8, 2016

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

**RE: Applications for Transfer Nos. 80626 & 80941
Applications for Amendment Nos. 63-32680 & 63-33207**

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 applications 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 January 2, 2017.

IDWR will assume you do not object to this application 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



474.0130

September 23, 2016

RECEIVED

DEC 02 2016

**WATER RESOURCES
WESTERN REGION**

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

Subject: Application for Transfer No. 80941

Dear Phill,

This letter is in response to your August 30, 2016 request for additional information regarding Application for Transfer No. 80941 filed by Boise School District for ground water irrigation at their Mountain View School site. The following information is provided in the order requested.

1. **Please provide documents that verify water right no. 63-29435 diverts water shallower than 200 feet and therefore transferring this water right to well that also diverts from shallower than 200 ft will not injury existing water right holders.**

A well report was not located for the well that provided irrigation water to the Franklin School site. In October of 1993, the School District filed a claim in the Snake River Basin Adjudication that established water right 63-29435 for diversion of 0.10 cfs or 45 gallons per minute (gpm) with a December 31, 1951 priority date. The point of diversion was described as a 58 feet deep well. According to the Department records, wells drilled near the Franklin School site in the 50's and 60's were similar in depth. It would not have made sense to drill deeper for a 45 gpm yield. Based on this information, 58 feet seems a reasonable depth.

2. **If the surface water is in fact unreliable than you may want water right no. 63-29435 to remain primary to surface water.**

We agree. Please have water right 63-29435 remain primary to surface water.

3. **It is acceptable if Mr. Willis signs the application if evidence is submitted that shows he is an elected official of the school district or his authority to sign is verified by a statement from an elected official. Alternatively, the applicant may submit an amended application signed by another individual that has the authority to sign the application as described previously.**

September 23, 2016

Attached is a new original signature page for transfer No. 80941 that has been signed by Nancy Gregory, who is Trustee President of the Boise School District Board.

Please let me know if you have any further questions Phil.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Tom Willis

Enclosures

SPF file number: 474.0130

Hummer, Phill

From: Hummer, Phill
Sent: Thursday, September 01, 2016 12:10 PM
To: 'Lori Graves'
Subject: RE: Application for Transfer Boise School District
Attachments: request more info letter - SPF.docx

Categories: More Info Emails

Hi Lori,

Attached to this email is a copy of the letter that explains the things I need clarified in order to complete processing the transfer application for the Boise School District. The letter was sent via mail to the school this afternoon. Let me know if you have any questions.

Phill Hummer

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

From: Lori Graves [<mailto:L.Graves@spfwater.com>]
Sent: Wednesday, August 31, 2016 3:25 PM
To: Hummer, Phill
Subject: RE: Application for Transfer Boise School District

Slip of the key board is right. Thanks Phill.

From: Hummer, Phill [<mailto:Phill.Hummer@idwr.idaho.gov>]
Sent: Wednesday, August 31, 2016 3:01 PM
To: Lori Graves <L.Graves@spfwater.com>
Subject: Application for Transfer Boise School District

Hi Lori,

I am working on the transfer application submitted by Independent School District of Boise to transfer water rights 63-7195 and 63-9435. There are a couple of things that need to be clarified so am I going to send out a letter (you will get a copy probably through email) but I wanted to double check the mailing address. Our records and their website indicate the address is 8169 W victory rd Boise Id 83709 but the application has it as 869 W Victory Rd. I am sure this is just a slip of the key board mistake but I do not like to assume anything.

Phill Hummer

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



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

08/30/2016

INDEPENDENT SCHOOL
DISTRICT OF BOISE CITY
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Application for Transfer No. 80941 Additional Information Required

Dear Applicant:

Your recent application for transfer of a water right is being processed. The application proposes to transfer water rights no. 63-7195 and 63-29435 but cannot be processed further until some issues are clarified.

Injury to Existing Water Right Holders

The proposed point of diversion for water rights no. 63-7195 and 63-29435 are within the Basin 63 Groundwater Restricted Area. This area marks the boundary where groundwater shallower than 200 ft is tributary to the Boise River, which is a fully appropriated source. Applications within this restricted area cannot be approved unless the applicant can demonstrate that holders of water rights to divert from the Boise River will not be injured by the proposed project or file an acceptable mitigation plan. Since the points of diversion of both water rights are currently within the Basin 63 Groundwater Restricted Area to properly evaluate the potential injury of the transfer the water bearing zones of the currently used wells must be compared to the water bearing zone of the proposed point of diversion. The proposed point of diversion is a 200 ft deep well drilled for the City of Boise Parks and Recreation that is screened from 155 to 170 ft and from 180 to 195 ft. Since the water bearing zone of this well is shallower than 200 ft water diverted from it is tributary to the Boise River. Since water right no. 63-7195 diverts water from a well that is 190 feet deep and also tributary to the Boise River transferring water right no. 63-7195 to the proposed well will probably not injury existing water right holders that divert water from the Boise River. I was unable to find a well log or drilling records for the well used for irrigation under water right no. 63-29435 and was unable to determine the water bearing zone. Please provide documents that verify water right no. 63-29435 diverts water shallower than 200 feet and therefore transferring this water right to well that also diverts from shallower than 200 ft will not injury existing water right holders. Alternatively, the applicant may file an acceptable mitigation plan to prevent injury to Boise River water users.

Surface Water Availability

The transfer application indicates that water right no. 63-29435, which is not associated with surface water, is to become supplemental to surface water from Nampa Meridian Irrigation District at the new place of use. However documents in support of water right no. 63-10750, which is also diverted from the proposed well, indicates that surface water at that location is unreliable. If the surface water is delivered at the proposed place of use in similar amounts and is reliable than water right no. 63-29435 can be supplemental to surface water as indicated on the application form. If the surface water is in fact unreliable than you may want water right no. 63-29435 to remain primary to surface water.

Authorized Signator

On 08/29/2016 I sent an email to Jennette Clark, clerk for the Board of Trustees, regarding Mr. Willis and his authority to sign the application. To clarify, applications in the name of corporations, companies, municipalities or other organizations need to be signed by an officer, elected official, or an individual authorized by the organization to sign the application. Applications in the name of companies or organizations must include evidence that the signator has the authority to sign the application. On 08/29/2016 Ms. Clark responded to my email asking if the department preferred Nancy Gregory, Trustee President, sign the documents. It is acceptable if Mr. Willis signs the application if evidence is submitted that shows he is an elected official of the school district or his authority to sign is verified by a statement from an elected official. Alternatively, the applicant may submit an amended application signed by another individual that has the authority to sign the application as described previously.

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 voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications.

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,



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



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

08/30/2016

INDEPENDENT SCHOOL
DISTRICT OF BOISE CITY
8169 W VICTORY ID
BOISE ID 83709-4164

Re: Application for Transfer No. 80941 Additional Information Required

Dear Applicant:

Your recent application for transfer of a water right is being processed. The application proposes to transfer water rights no. 63-7195 and 63-29435 but cannot be processed further until some issues are clarified.

Injury to Existing Water Right Holders

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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,



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



SPF WATER
ENGINEERING

May 13, 2016

RECEIVED

MAY 17 2016

WATER RESOURCES
WESTERN REGION

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

Subject: Application for Transfer

Dear Angie,

Enclosed on behalf of the Independent School District of Boise City, is an *Application for Transfer* proposing to transfer 5 acres to the Mountain View School site for supplemental irrigation use. The 5 acres are currently leased to the Idaho Water Supply Bank through 2019. Requests to release the 5 acres at the end of 2016 have been submitted.

Check No. 010620 for \$200 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: Tom Willis

Enclosures

SPF file number: 474.0130