

DEC 30 2015

DEPARTMENT OF
WATER RESOURCES

**APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT**

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 63-7755B (one right per application)
☐ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, *Water Right Transfers, Step 1*, or by contacting any Department office.
2. Applicant City of Boise Phone 208-384-3920
3. Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.
4. Mailing address ☒ Same as water right record -- OR -- complete the following information:
Address _____ City _____
State _____ Zip code _____ Email _____
5. Give the last date water was beneficially used Water right decreed in 2009
6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
See attached explanation

The information contained in this application is true to the best of my knowledge.


Signature of applicant or authorized agent

John D. Tensen
Print name (and title, if applicable)

12/30/15
Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

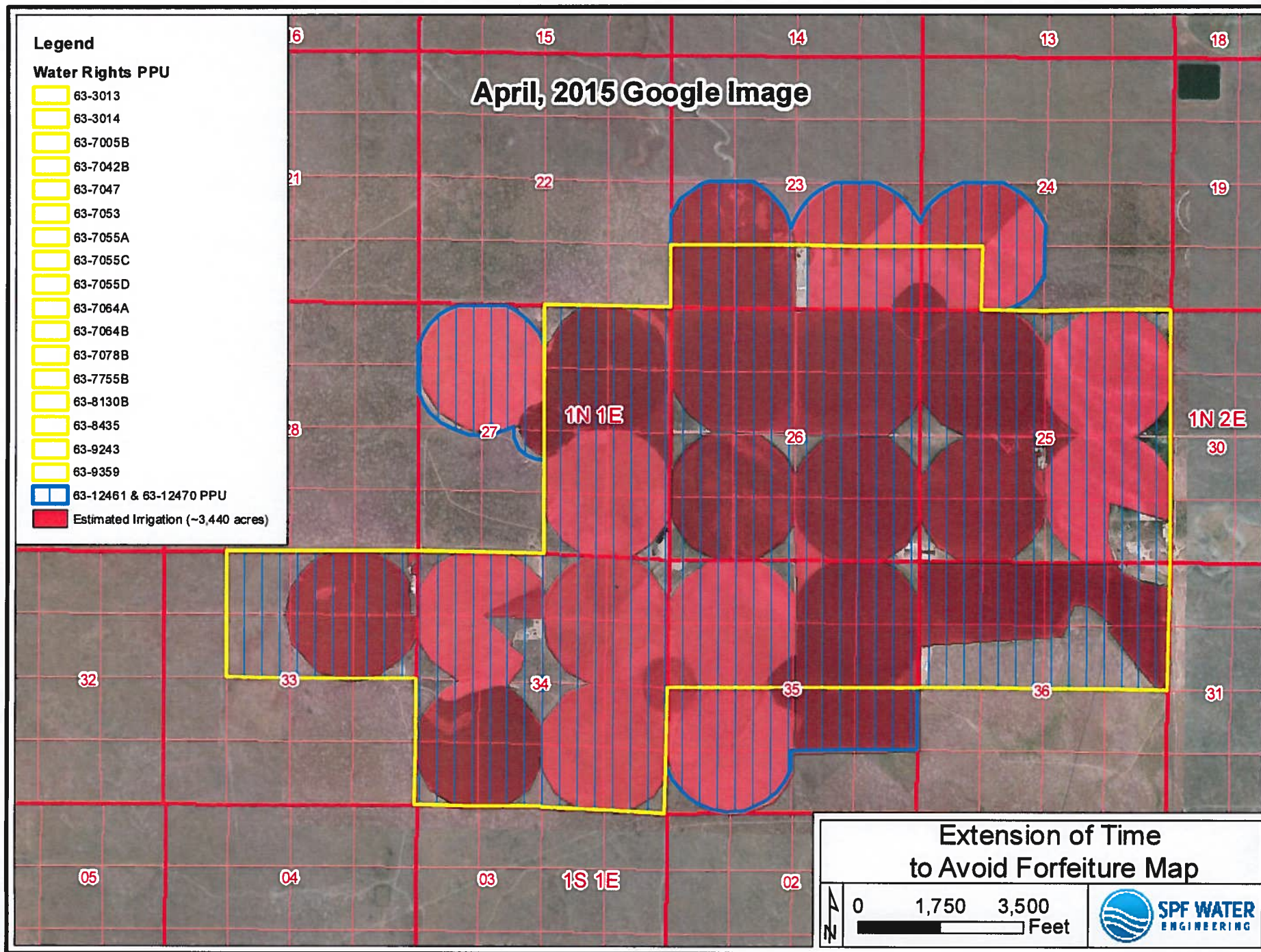
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* _____

Signed this _____ day of _____, 20____. Title: _____

Stamped received ☒ Fee receipted by AO Date 12/30/15 Receipt # 0101367



Applications' Explanation:

Nineteen ground water rights listed in Table 1 authorize irrigation use at the City's Twenty-Mile South (TMS) Farm. These rights can be divided into the following two groups:

- The senior group of rights were decreed in the Snake River Basin Adjudication in February and April 2009. Included in this group are water right 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 and 63-9359. When combined, these water rights are limited to total diversion rate of 51.07 cfs, a total annual maximum diversion volume of 14,500.0 acre feet, and the irrigation of 3058 acres. The rights share twelve wells as points of diversion, and irrigation is allowed within a 3320-acre permissible place of use (ppu) as shown on the attachment 3.
- The junior group of water rights consists of two rights (63-12461 and 63-12470) that were licensed and then decreed in January 2011. The two rights are limited to the irrigation of a combined total of 595 acres in a single irrigation season, a total diversion rate of 9.80 cfs, and a total annual maximum diversion volume of 2317.6 acre feet. The two junior rights share the same 12 wells as the senior group of water rights, and have a 3776-acre permissible place of use which includes the 3320-acre ppu from the senior group of water rights. These two junior rights can be used anywhere within a 3776-acre area, but the senior water rights are restricted to a 3320-acre area. The rights were decreed in January 2011.

The total authorized irrigated area under all of the water rights is 3653 acres (3058 + 595 acres).

Table 1. Twenty Mile South Farm Irrigation Water Rights

Water Right No.	Basis	Priority Date	Diversion Rate (cfs)	Source	Water Use
63-3013	Decreed	11/15/1954	3.3	ground water	irrigation
63-3014	Decreed	11/15/1954	2.74	ground water	irrigation
63-7005B	Decreed	6/14/1967	6.1	ground water	irrigation
63-7042B	Decreed	12/6/1967	6.5	ground water	irrigation
63-7047	Decreed	2/17/1968	2.53	ground water	domestic, irrigation, stockwater
63-7053	Decreed	1/10/1968	6.4	ground water	irrigation, stockwater
63-7055A	Decreed	3/29/1968	4.43	ground water	irrigation, stockwater
63-7055C	Decreed	3/22/1968	0.39	ground water	irrigation
63-7055D	Decreed	3/22/1968	1.47	ground water	irrigation
63-7064A	Decreed	4/11/1968	3.2	ground water	irrigation
63-7064B	Decreed	4/11/1968	3.15	ground water	domestic, irrigation
63-7078B	Decreed	3/18/1968	3.4	ground water	irrigation, stockwater
63-7755B	Decreed	3/23/1973	4.84	ground water	irrigation
63-8130B	Decreed	5/30/1975	2.4	ground water	irrigation
63-8435	Decreed	4/13/1977	2.84	ground water	irrigation
63-9243	Decreed	6/1/1979	2.6	ground water	irrigation
63-9359	Decreed	3/19/1980	1.17	ground water	irrigation
63-12461	Decreed	7/22/1998	4.58	ground water	irrigation
63-12470	Decreed	9/9/1998	7.32	ground water	irrigation

Recent Irrigation Water Right Utilization

Total irrigated area in 2015, estimated from Google Earth imagery, was approximately 3440 acres. Given that 3653 acres are authorized for irrigation, 213 of those acres were not utilized in 2015. All of the non-use appears to have occurred within the 3320-acre permissible place of use for the older water rights, as approximately 595 acres are currently irrigated within the acres authorized solely by the junior water rights 63-12461 and 63-12470 (i.e., not overlapped by the older water rights).

Future Irrigation Water Right Utilization

Within the next one or two years, the City plans to develop 63 new acres within their property ownership boundary, but outside their water right ppu boundary. For future irrigation flexibility, the accompanying ***Application for Transfer*** is being submitted proposing a modified ppu boundary for all the rights listed in Table 1 to reflect the City's property boundary. Within the next one or two years, the City plans to start irrigating 63 new acres that are located within the proposed ppu. Consequently, of the 213 acres currently not being irrigated, 150 acres are being submitted to the Water Supply Bank via this application for long term protection from forfeiture and 63 acres are being proposed for short term protection from forfeiture via an accompanying ***Application for Extension of Time to Avoid Forfeiture***. This will allow the City to easily withdraw the extension application once the 63 acres are to be developed.

Water Right 63-7755B

Since all the rights are limited to separate acres within the authorized ppu's, a portion of water right 63-7755B was chosen for the water bank lease application and extension application since it had enough authorized acres to account for all 213 currently not irrigated.