

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-34034

Priority: January 29, 2015

Maximum Diversion Rate: 0.77 CFS
Maximum Diversion Volume: 61.7 AF

It is hereby certified that CITY OF MERIDIAN
33 E BROADWAY STE 206
MERIDIAN ID 83642 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated January 29, 2015; and has submitted Proof of
Beneficial Use on November 03, 2015. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.77 CFS	61.0 AF
INDUSTRIAL	03/01 to 11/15	0.12 CFS	0.7 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

Twp Rge Sec	NE				NW			SW				SE					
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 01E 18					9.7	3.1		.7									13.5
						L 1											

Total Acres: 13.5

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW			SW				SE					
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 01E 18					X			X									

CONDITIONS OF APPROVAL

1. The primary surface irrigation water for the place of use authorized under this right is delivered by Nampa & Meridian Irrigation District.
2. 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.
3. 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.

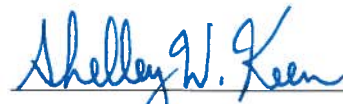
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-34034

4. 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.
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. 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.
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. 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.
9. The industrial use for this right is for cleanup of a dog park.
10. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 26th day of January, 2016.



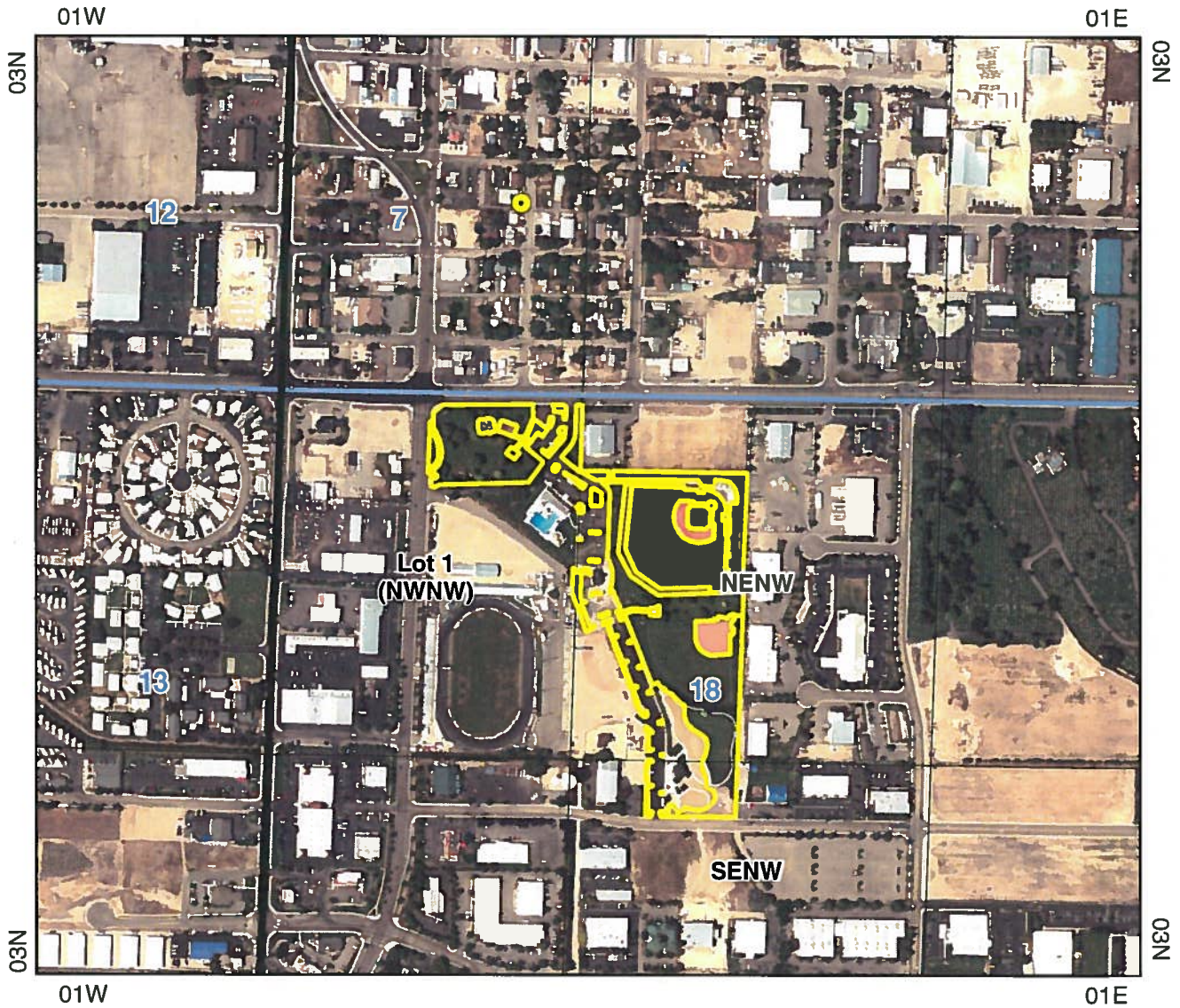
SHELLEY KEEN, Manager
Water Rights Section

State of Idaho
Department of Water Resources

Attachment to Water Right License

63-34034

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.



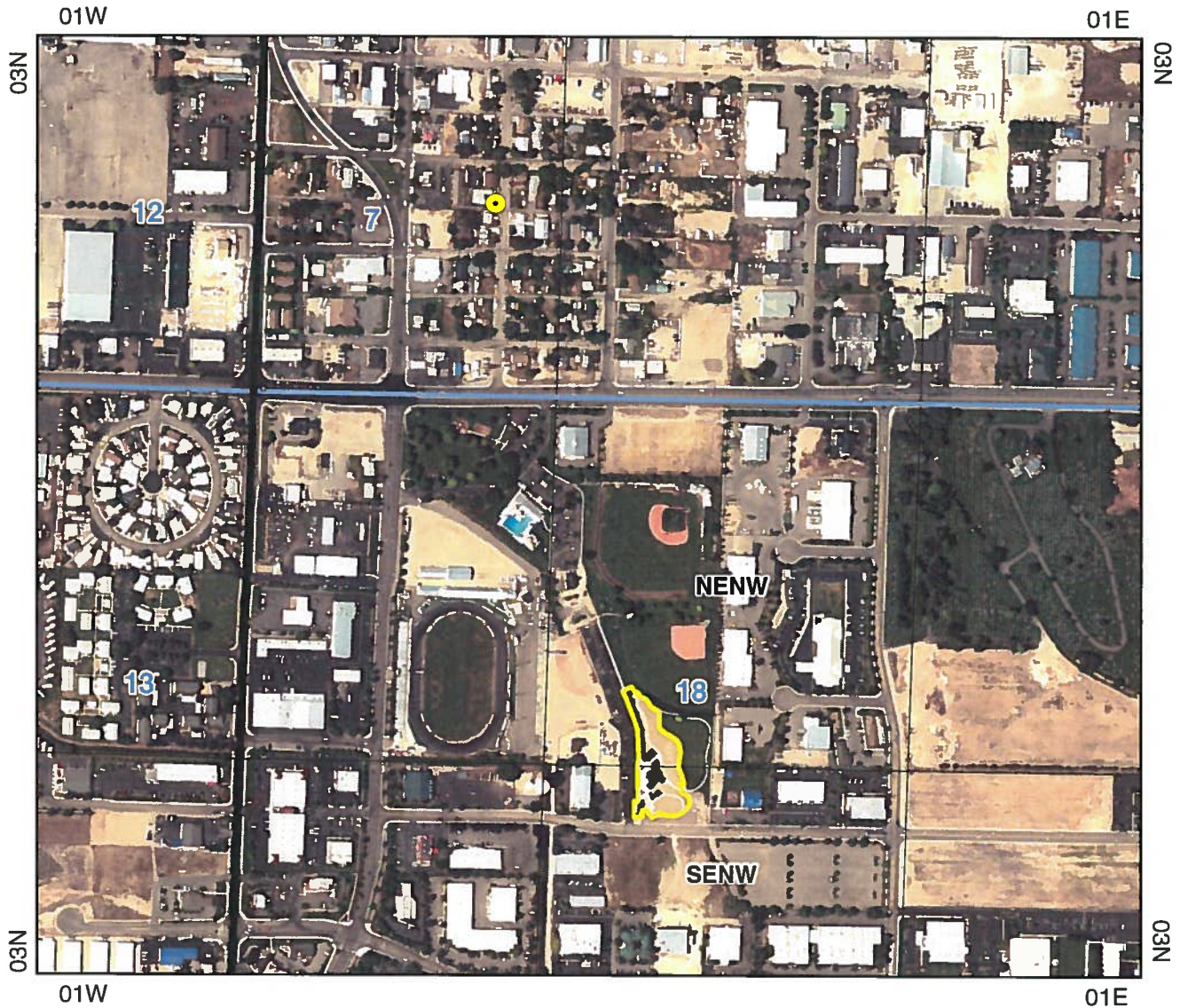
0 0.075 0.15 0.3 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



State of Idaho
Department of Water Resources
Attachment to Water Right License
63-34034

This map depicts the INDUSTRIAL 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.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2016

CITY OF MERIDIAN
33 E BROADWAY STE 206
MERIDIAN ID 83642

RE: License No. 63-34034

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 a party 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.

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 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2016, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**Approved License**) to the person(s) listed below:

RE: WATER RIGHT NO.

63-34034

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

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

A handwritten signature in black ink, reading "Darla Block", is written over a horizontal line.

**Darla Block
Technical Records Specialist**

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.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 63-34034

RECEIVED

JAN 05 2016

DEPARTMENT OF
WATER RESOURCES

Date of Priority: January 29, 2015

Maximum Diversion Rate: 0.77 CFS
Maximum Diversion Volume: 61.7 AF

Comes now CITY OF MERIDIAN
33 E BROADWAY STE 206
MERIDIAN ID 83642 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 63-34034, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.77 CFS	61.0 AF
INDUSTRIAL	03/01 to 11/15	0.12 CFS	0.7 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

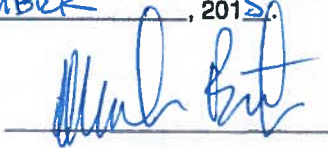
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01E 18					9.7	3.1		.7									13.5
						L 1											

Total Acres: 13.5

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01E 18					X			X									

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 21 day of DECEMBER, 2015.


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 63-34034

.....
FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100⁰⁰ Received by di # C101300 Date 12-16-15

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-34034 with the following:

CONDITIONS OF APPROVAL

1. The primary surface irrigation water for the place of use authorized under this right is delivered by Nampa & Meridian Irrigation District.
2. 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.
3. 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.
4. 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.
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. 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.
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.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-34034

8. 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.
9. The industrial use for this right is for cleanup of a dog park.
10. This right does not grant any right-of-way or easement across the land of another.

Witness my hand this 26th day of January, ~~2015~~ 2016.

Shelley W. Keen
GARY SPACKMAN
Director

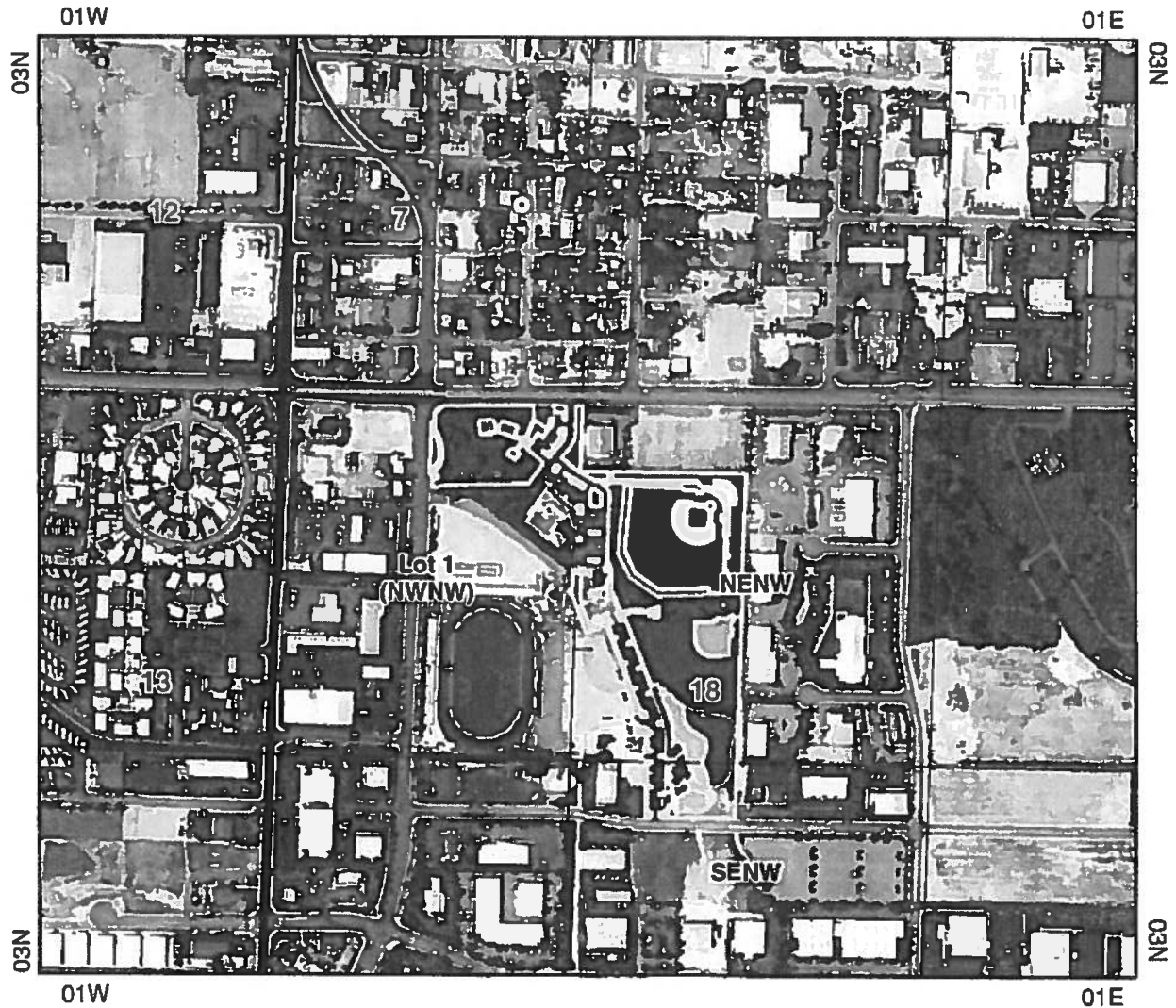
Shelley W. Keen, Manager
Water Rights Section

State of Idaho
Department of Water Resources

Attachment for Application to Amend a Permit

63-34034

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.



0 0.075 0.15 0.3 Miles

- Point of Diversion
- Place Of Use Boundary
- ▬ Townships
- ▬ PLS Sections

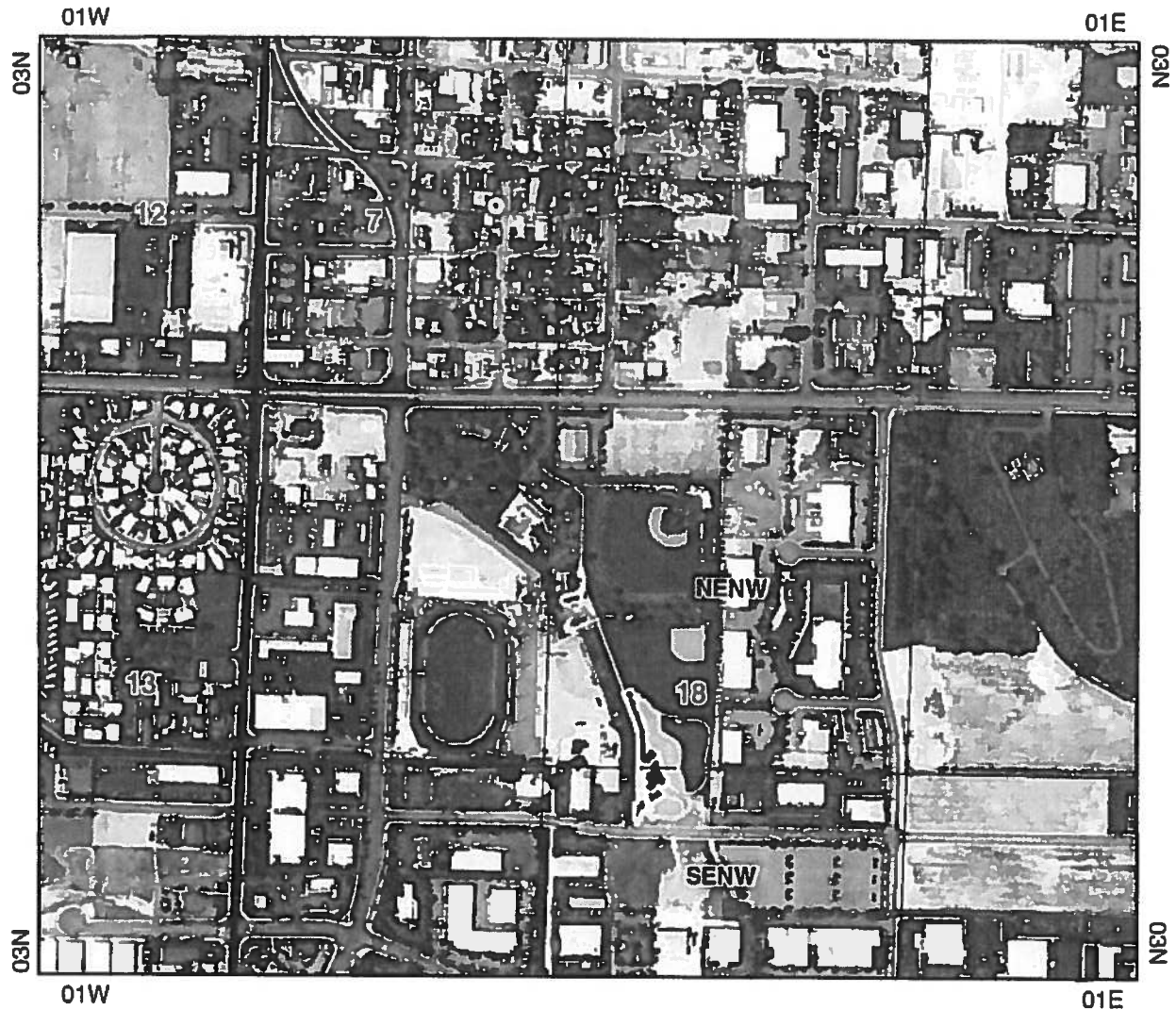


State of Idaho
Department of Water Resources

Attachment for Application to Amend a Permit

63-34034

This map depicts the INDUSTRIAL 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.



0 0.075 0.15 0.3 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections





RECEIVED

JAN 05 2016

DEPARTMENT OF
WATER RESOURCES

January 4, 2016

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Attn: Dan Nelson

*Subject: City of Meridian
Permit No. 63-34034
Licensing Amendment*

Dear Dan,

Enclosed on behalf of the City of Meridian and per your request is a revised signed licensing amendment that will allow industrial sanitation for the dog park area to be included on water right license 63-34034. As we discussed, a mistake was made on the maximum diversion volume listed on the original licensing amendment that was submitted to you back in December, and this revised version fixes that mistake. Please let me know if you have any questions regarding these documents.

Check No. 010279 for \$100 was previously submitted with the original licensing amendment for the amendment fee. Thanks Dan!

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Cooper", is written over a faint, larger blue signature.

Peter Cooper, P.E.
SPF Water Engineering

Enclosures

cc: City of Meridian c/o Mike Barton

File: 790.0330

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, January 14, 2016 1:09 PM
To: Nelson, Dan
Subject: RE: Permit 63-34034

Hi Lori,

I just figured out why you didn't get the receipt for this amendment. We haven't received the revised amendment yet, so we haven't licensed this one. The original receipt will be sent out with licensing.

Dan

From: Nelson, Dan
Sent: Thursday, January 14, 2016 8:21 AM
To: 'Lori Graves'
Subject: RE: Permit 63-34034

Lori,

Here is a copy of the receipt. If you need anything else, please let me know.

Dan

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Tuesday, January 05, 2016 10:56 AM
To: Nelson, Dan
Subject: RE: Permit 63-34034

Thanks Dan. Hope everything is alright for you. Take care.

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Tuesday, January 05, 2016 10:12 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: Re: Permit 63-34034

Hi Lori;

I am out of the office until the end of next week. I had a family emergency, and had to come up to Granite Falls, Washington. When I get back, I will make sure you get a copy of the receipt. It should have been sent out with the license to the City of Meridian, so I will check things out when I get back.

Take care

Dan

Sent from my iPhone

On Jan 5, 2016, at 8:40 AM, Lori Graves <LGraves@spfwater.com> wrote:

Good Morning Dan,

Could you please send me a copy of the receipt for the \$100 licensing amendment fee we paid for the City of Meridian? The City wants receipt copies sent with our invoice. Hope all is well.

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.

Nelson, Dan

From: Nelson, Dan
Sent: Monday, December 21, 2015 10:29 AM
To: 'Peter Cooper'
Subject: RE: City of Meridian 63-34034

Thank you Peter I appreciate it. Have a good Holiday.

Dan

From: Peter Cooper [<mailto:PCooper@spfwater.com>]
Sent: Monday, December 21, 2015 8:52 AM
To: Nelson, Dan
Subject: RE: City of Meridian 63-34034

Hi Dan-

City of Meridian will sign the updated amendment you sent me and will get it in the mail to me hopefully today. I will get that back to you as soon as I receive it. Thanks!

Peter Cooper, P.E. | Project Engineer

SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | f. 208.383.4156 | c. 208.921.7799
e. pcooper@spfwater.com | w. www.spfwater.com

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Monday, December 21, 2015 8:31 AM
To: Peter Cooper <PCooper@spfwater.com>
Subject: City of Meridian 63-34034

Hello Peter,

I left you a voice mail message today concerning the City of Meridian Permit 63-34034. I messed up the "Maximum Diversion Volume" on the original amendment. I put it at 63.5 af instead of the 61.7 af it should have been. If you look at the volume limits of the irrigation and industrial use, they are limited to the 61.7 af when you add them up. I mistakenly included the original 2.5 af for the industrial volume when calculating the total volume. I apologize for the error. There are two ways we can fix this to get it corrected.

The first way to correct this and cleanest way to maintain the records, is to have the City of Meridian sign a new amendment. There wouldn't be any fee, it would just need a signature on the corrected amendment.

The second way would be for use to issue an order describing what happened and limiting the diversion rate through the order. We would send out the order with the water right license. This is a little messier way of doing it, but it would prevent you from having to have your client sign a second amendment.

Both ways will probably take the same amount of time. I have sent an updated amendment with this email. With the holidays coming up, I suspect it will take a week or two to get the order written and approved. Please let me know

which way would work best for you. I have left a voice mail on your phone. Please call me back and I can explain what went wrong.

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

RECEIVED

DEC 16 2015

DEPARTMENT OF
WATER RESOURCES



December 15, 2015

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Attn: Dan Nelson

*Subject: City of Meridian
Permit No. 63-34034
Licensing Amendment*

Dear Dan,

Enclosed on behalf of the City of Meridian and per your request is a signed licensing amendment that will allow industrial sanitation for the dog park area to be included on water right license 63-34034. Please let Peter know if you have any questions regarding these documents.

Check No. 010279 for \$100 is enclosed for the amendment fee. Thanks Dan and Merry Christmas.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written in a cursive style.

Lori Graves
SPF Water Engineering

Enclosures

cc: City of Meridian c/o Mike Barton

File: 790.0330



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 8, 2015

CITY OF MERIDIAN
33 E BROADWAY STE 206
MERIDIAN ID 83642

RE: Water Right Permit No. 63-34034

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Per conversations with your Certified Field Examiner, Peter Cooper of SPF Engineering, you would like to change a portion of this permit from irrigation to industrial use for cleanup of a dog park. This amendment will change the amendment to include the industrial use.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee by December 22, 2015.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Daniel A. Nelson
Staff Hydrologist
Planning Bureau
Idaho Department of Water Resources
Telephone # (208) 287-4856
Email – dan.nelson@idwr.idaho.gov

MEMORANDUM

TO: Water Right File 63-34034

FROM: Daniel Nelson – Staff Hydrologist

DATE: November 19, 2015

SUBJECT: Licensing Review of Water Right 63-34034

This field exam was performed by Certified Field Examiner Peter Z. Cooper of SPF Engineering Inc. Mr. Cooper reported that 13.5 acres within a 19 acre permissible place of use were irrigated and limited the diversion rate to 0.77 cfs and 61 acre feet of water were used under the irrigation component of this water right. Mr. Cooper also stated that some of the water was used for an industrial use for cleaning up a dog park. The dog park used 0.12 cfs and 2.6 af of water. Mr. Cooper recommended that the permit be amended to allow the industrial use on this permit. There are a couple of issues that need to be addressed. Each will be addressed below:

Adding an Industrial Use:

Mr. Cooper suggested that an industrial use be added to the permit to cover a 0.12 cfs and 2.6 af of water use for cleaning up a dog park. The permit allowed 16 acres of irrigation, but only 13.5 acres were developed. This would leave approximately 2.5 acres that could be considered for adding the industrial use without causing an enlargement of the system. Per my calculations, the 2.5 acres would only provide 0.7 af of water to the industrial use. I have contacted Mr. Cooper and shared my calculations with him. I gave him an opportunity to provide additional information to how the amount of supplemental water diverted from the well per acre to cover the amount of irrigation demand needed to convert the irrigation use to the 2.6 af needed for industrial use.

Mr. Cooper responded to inquiry through an email dated November 24, 2015. In Mr. Cooper's email, he requested on behalf of his client that we continue processing the amendment for this water right with the industrial use limited to the 0.7 af annual volume that I calculated. Mr. Cooper didn't offer any further calculations to show additional flow. Therefore, I am recommending that the industrial use be limited to 0.12 cfs and 0.7 af.

Acres and Place of Use:

Mr. Cooper determined that the number of acres irrigated was 13.5 acres. The map that Mr. Cooper provided seems to match fairly well with the 2015 imagery. I asked Mr. Cooper for a copy of his shape file for the record, and he supplied them in the November 24th email. I feel the acres that Mr. Cooper found were reasonable. I tried to recreate the shape file and came up with less acres, but I think that is contributed to rounding issues. I created a single shape file and Mr. Cooper used multiple shape files, which tends to give a higher acre amount due the rounding of each shape file. Mr. Cooper's acre amounts are reasonable and I am recommending the 13.5 acres.

Mr. Cooper has asked for irrigation for 13.5 acres within a 19 acre permissible place of use. The permit did have a permissible place of use designation, but this use is reasonably small. It seems highly unlikely that they would dig up asphalt and move the irrigation components around from year to year. I contacted Mr. Cooper asked him to provide documentation that the lands were irrigated as a permissible place of use during the development period. Mr. Cooper agreed that a permissible place of use was no longer necessary. Therefore, I am recommending this permit for only the 13.5 acres without a permissible place of use designation.

Diversion Rate:

Mr. Cooper measured the well at a diversion rate of 0.77 cfs. Mr. Cooper stated that he didn't know what the size of the pump was, so it was difficult to double check his measurement. I used a back calculation to determine if the flow rate seemed reasonable, and from my calculations, I feel his measurements are accurate. The back calculations suggest that the pump is a 10 Hp pump that has 15 to 20 psi against the pump. This seems like a reasonable pump size and pressure for an open discharge system with a 0.77 cfs rate. Please see the attached spreadsheet for my calculations.

The permit was filed for 0.90 cfs for 16 acres or 0.05628 cfs per acre. This was allowed because this is a park and the irrigation is done during minimum use hours for the park. The field exam found 0.77 cfs diverted for 13.5 acres of irrigation or 0.057037 cfs per acre. The rate per acre is extremely close, so I am recommending the 0.77 cfs for this permit for irrigation use. As stated above, I am recommending the industrial use for 0.12 cfs for a total use when the irrigation and the industrial use are combined of 0.77 cfs.

Volume:

I concur with Mr. Cooper's irrigation volumes. As stated above, I am recommending the 0.7 af for the industrial use per Mr. Cooper's direction.

Overlapping Water Rights:

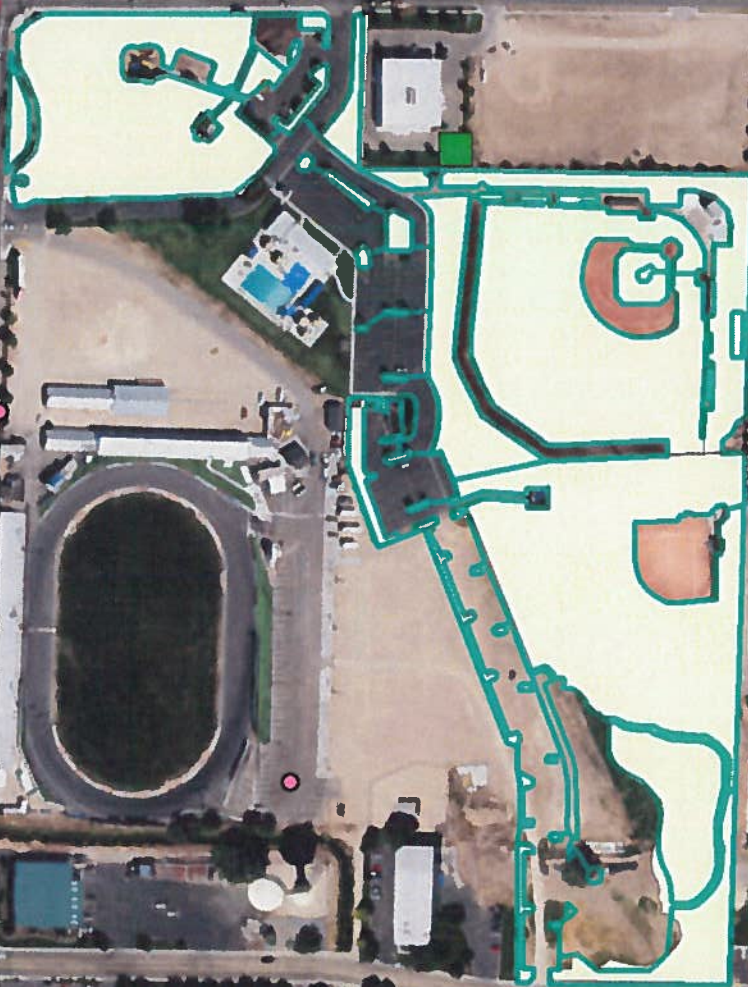
This permit has several water rights that overlap the place of use. This is a standalone system, so there are no other direct overlapping water rights for the point of diversion. This permit is supplemental to Nampa Meridian Irrigation District, so their water rights are a direct overlap of the place of use. The City of Meridian municipal water rights are not connected into this system, so they should not be considered in the overlapping water right discussions.

Conditions:

Conditions 1 (26A), 5 (X27), and 11 (046) will not be carried forward to licensing. Conditions 2 (R61), 6 (no code), 7 (065), 8 (105), 9 (01M), and 10 (004) will be carried forward to licensing. Condition 10 will be carried forward, because the pipeline goes across several different individual's property. Conditions 3 (WB7) and 4 (no code) will be modified to show the recommended diversion rate and volume before being carried forward to licensing. Condition 12 (121) will be changed to condition 103 as per standard. A new condition will be added to describe the industrial use is to clean up the dog park.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, Swisstopo, and the GIS User Community



Permit 63-34034

This map shows the comparison of the map created by the certified examiner and the map that I created. You can see that there is very little difference. The border is the map that I created and the screened background is what the examiner created.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 37-34034
 Reviewer: Dan Nelson
 Date of Review: 11/19/2015

P/D No.:	Scenario 1	Scenario 2	Scenario 3	Scenario 4
PUMP HORSEPOWER	7.5	10	10	10
BOOSTER HORSEPOWER	0	0	0	0
PUMPING LEVEL	40	40	40	40
DISCHARGE PRESSURE	15	15	17.5	20
RATE OF FLOW (cfs)	0.62	0.83	0.77	0.71
	278	370	344	321

The above calculates the formula =
$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes: The field examiner measured the well at 0.77 cfs. The field examiner didn't know what size pump was in the well, but there is a well driller's report that shows the well is and 80 ft deep well with a static water level of 5 inches. The well open discharges into a pit, but it has to travel close to 1/4 of mile before discharging. By back calculation, i determined the well would have a 10 Hp pump with a 15 to 20 psi pumping pressure. I used this calculation to see if the measurement made by the field examiner made sense, and it does appear as though this is a reasonably close measurement.

ET_{Idaho} 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Kuna (NWS -- 105038)

Statistics based on thirty year normal spans 1946 to 1993 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Grass - Turf (lawns) - Irrigated															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.04	0.07	0.47	2.92	5.07	6.06	6.81	5.76	4.38	2.36	-0.34	-0.12	1033	-12	1021
15-Day Moving Average ^d	-0.03	0.04	0.43	2.96	5.15	6.19	6.88	5.70	4.28	2.28	-0.41	-0.14			
7-Day Moving Average ^e	-0.03	0.07	0.45	2.92	5.10	6.10	6.86	5.75	4.32	2.30	-0.43	-0.13			
3-Day Moving Average ^f	-0.04	0.07	0.46	2.92	5.07	6.07	6.82	5.77	4.36	2.35	-0.37	-0.12			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.16	0.13	0.70	1.24	1.27	1.00	0.67	1.16	0.72	1.60	0.48	0.32	94	13	97
15-Day Moving Average ^d	0.14	0.23	0.62	1.51	1.31	1.38	0.66	1.15	1.02	1.47	0.63	0.32			
7-Day Moving Average ^e	0.23	0.37	0.86	1.80	1.89	1.91	0.94	1.40	1.37	1.83	0.99	0.43			
3-Day Moving Average ^f	0.38	0.54	1.14	2.32	2.60	2.64	1.56	1.91	1.87	2.17	1.51	0.60			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.04	0.14	0.62	4.06	5.67	7.20	7.13	6.39	4.93	3.41	-0.05	0.02	1092	-2	1090
15-Day Moving Average ^d	0.15	0.29	1.27	5.16	7.12	7.60	7.68	6.83	5.65	4.22	0.47	0.12			
7-Day Moving Average ^e	0.26	0.62	2.24	5.92	8.06	8.68	8.26	7.40	6.12	5.01	1.32	0.26			

3-Day Moving Average ^f	0.39	0.88	3.06	7.26	9.46	9.99	9.19	8.54	7.53	5.56	2.13	0.43			
80% Exceedance^m	mm/day												mm		
Monthly ^c	-0.10	-0.02	0.13	1.95	4.52	4.96	6.48	5.07	3.74	1.39	-0.76	-0.24	946	-25	949
15-Day Moving Average ^d	-0.23	-0.21	-0.25	1.12	3.00	3.63	5.50	3.36	2.48	-0.29	-1.49	-0.46			
7-Day Moving Average ^e	-0.58	-0.54	-1.19	-0.67	1.03	0.90	4.54	2.13	0.86	-1.20	-2.87	-0.79			
3-Day Moving Average ^f	-1.11	-1.29	-2.40	-3.09	-2.76	-4.10	2.35	-2.26	-1.31	-3.49	-4.60	-2.03			
Ave Highest P_{def}	mm/day												--		
15-Day Moving Average ^g	0.08	0.23	0.93	3.97	6.21	7.16	7.43	6.41	5.15	3.41	0.27	0.07			
7-Day Moving Average ^h	0.19	0.47	1.42	4.95	7.17	8.00	7.92	7.09	5.82	4.51	0.68	0.18			
3-Day Moving Average ⁱ	0.30	0.72	1.86	6.18	8.42	9.33	8.96	8.20	7.02	5.34	1.26	0.32			
Ave Lowest P_{def}	mm/day												--		
15-Day Moving Average ^g	-0.16	-0.11	-0.02	2.00	4.18	5.14	6.21	4.93	3.49	1.27	-0.96	-0.31			
7-Day Moving Average ^h	-0.38	-0.42	-0.52	0.82	2.37	3.42	5.31	3.98	2.39	0.35	-1.85	-0.62			
3-Day Moving Average ⁱ	-0.87	-0.98	-1.44	-1.01	-0.08	0.53	3.42	2.17	0.70	-1.08	-3.50	-1.29			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.76	-0.97	0.57	-0.75	-0.42	0.13	-0.20	-0.41	-0.26	-0.01	0.60	-0.61	0.36	0.02	0.58
Kurtosis ^o	2.04	5.40	1.18	3.07	1.14	2.05	1.23	1.09	2.75	0.51	3.70	1.21	3.32	3.11	3.76

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

^k This value represents the *standard deviation* for the parameter for the month over the 'normal' period.

^l This value represents the *value* for the parameter that has a 20% chance of being exceeded that month during any particular year. Conversely, there is an 80% chance that the parameter value will be less than the *value* shown.

^m This value represents the *value* for the parameter that has a 80% chance of being exceeded that month during any particular year. Conversely, there is an 20% chance that the parameter value will be less than the *value* shown.

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

^o This value represents the *kurtosis* of the parameter value distribution for the month (year) over the 'normal' period. Kurtosis is a measurement of the height to width ratio of the probability distribution, or the *peakedness (slenderness)*. A normal (Gaussian) distribution has a kurtosis of 3. A high kurtosis distribution has a sharper peak and longer tails, while a low kurtosis distribution has a more rounded peak and shorter tails.

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one-hundred years, have faithfully observed daily air temperature and precipitation.

The citation for the evapotranspiration data used from this site should be: *Allen, Richard G. and Clarence W. Robison, 2012. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.*

Questions regarding the data should be addressed to [Clarence W. Robison](#) or [Richard G. Allen](#), University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone (208)-423-6610

University of Idaho
A LEGACY OF LEADING
Copyright 2012, University of Idaho.

ETIdaho web site powered by [Debian](#), [Apache](#), [Firebird DBMS](#), [Python](#),
with matplotlib, and kinterbasdb.

Permit 63-34034

This is an analysis of converting supplemental ground water authorized by permit to industrial use for dog park cleanup. Permit 63-34034 authorizes 16 acres of supplemental irrigation. The Certified Field Examiner found 13.5 acres of supplemental irrigation or 2.5 acres of supplemental irrigation use that was not developed under the permit. The field examiner also found 2.6 af of water used for cleaning up a dog park. Nampa Meridian Irrigation District (NMID) water ran from April 1 to October 1 in 2015 or for 184 days. The irrigation season in this area is from March 1 to November 15 or 260 days. ET Idaho shows a average irrigation demand per month through the growing season. The average daily irrigation demand for the months that Nampa Meridian Irrigation District are 0.47 mm/day for March, 2.36 mm/day for October, and (-0.34) mm/day for November. Where there is no demand for irrigation in November, there is no volume

March Irrigation Demand in mm/day	Days in March	Total Irrigation Demand for March	October Irrigation Demand in mm/day	Days in October	Total Irrigation Demand for October	Total Irrigation Demand When NMID Water if Not Delivered
0.47	31	14.57	2.36	31	73.16	87.73

Irrigation Demand in mm	Conversion Factor to AF	Irrigation Demand in AF/ac	Number of Acres allowed by Permit	Actual Acres Irrigated	Acres Available for Conversion	Volume Available for Conversion in AF
87.73	304.8	0.3	16	13.5	2.5	0.7

Conclusion:

A supplemental water right can only be used when surface water is unavailable. We cannot confirm any supplemental use while NMID has water available for delivery. Therefore, we can only look at the amount of water that could be used during those times during the irrigation season that canal water is not available or for the months of March, October and November. November has a negative irrigation demand, so we cannot use November in our calculations. Using the irrigation Demand for March and October, the well could have supplied up to 0.7 af of water for supplemental irrigation on 2.5 acres. This calculation shows there is not adequate water available under the permit to provide the 2.6 af water needed for the Industrial use. Therefore, a new permit would be needed to supply the industrial use from this well, unless the permit can provide additional information showing a higher Irrigation Demand delivery from the well.

From: Nelson, Dan
Sent: Friday, November 20, 2015 9:46 AM
To: 'Peter Cooper'
Subject: Permit 63-34034
Attachments: 63-34034 conversion to industrial calcs.xlsx

Hello Peter,

I have finally finished my review of your field exam for water right permit 63-34034. I want to thank you for the excellent work done on this exam. The measurement was very good, I could back calculate the flow to the pump, and it looks like the pump is a 10 Hp pump, which makes sense for this type of system. There are couple of things that we need to discuss on this one.

First:

You reported in the field exam that this permit should have 13.5 acre of irrigation within a 19 acre permissible place of use. We only grant a permissible place of use on water right licenses if they have can show that the entire acreage was irrigated during the development period. If the applicant doesn't know where they are going to irrigate until they start construction, we will allow a temporary permissible place of use on permits until they get their project developed and settle on the acres they will actually irrigate. Once the system is developed and the same 13.5 acres were irrigated during the development period, we will then only license those 13.5 acres with a shape file that shows those 13.5 acres. Shelley Keen has spoken with Scott King on this issue in the past, so Scott should be able to explain our reasoning on this one. We will remove all of the permissible place of use conditions and only license the 13.5 acres, unless you can show that they plan to dig up the pavement every year to move the parking and grassy areas around.

Second:

I mentioned in my earlier email, that I would need to run the numbers to determine if we could add the Industrial use onto this permit. I have attached a spreadsheet with my calculations. We cannot enlarge the original use allowed by the permit approval, so we treat these changes in uses similar to a water right transfer review. The permit allowed 16 acres of irrigation, and your client only developed 13.5 acres of irrigation. Therefore, we can look at how much water those undeveloped 2.5 acres could have used, and apply the water those acres would have used towards the industrial use. From my calculations, the 2.5 acres not developed could supply 0.7 af of water to the industrial use (please see the attached spreadsheet). The calculations that I did were based only on those times when Nampa Meridian Irrigation District water was not being delivered to the canals, so if you can provide information that shows the actual use of the well in relation to the irrigation demand and the Nampa Meridian Irrigation District water is higher than 0.7 af for the 2.5 acres, then well will be happy to run through those numbers. We are aware that the well may have been used when Nampa Meridian Irrigation District had water in the canals, but we have no documentation to support more than what we did in the spreadsheet.

Your client can file a new permit to cover that industrial use if you can't find a way to include it on this permit, so I will leave it up to you and your client to see if you want to pursue another water right permit or provide the documentation and analysis needed to include it on this permit. I would recommend that if you do decide to file a new permit, that all of the industrial use be put on the new permit to avoid confusion later on.

Other than the shape file that I requested from you earlier, I think we are just about ready to move through the licensing process on this permit. Once again, you did a very good job on the field report. I really appreciate the effort you put into the report. If I don't hear back from you by next week, I will go ahead and create a new shape file and move forward with licensing without the industrial use. If you want to pursue the industrial use, please let me know by the

end of next week. You can give me a call or send me an email asking me to hold the file until you can provide the additional information.

Thank you Peter, I appreciate the work you did on this one.

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

Permit 63-34034

This is an analysis of converting supplemental ground water authroized by permit to industrial use for dog park cleanup. Permit 63-34034 authorizes 16 acres of supplemental irrigation. The Certified Field Examiner found 13.5 acres of supplemental irrigation or 2.5 acres of supplemental irrigation use that was not developed under the permit. The field examiner also found 2.6 af of water used for cleaning up a dog park. Nampa Meridian Irrigation District (NMID) water ran from April 1 to October 1 in 2015 or for 184 days. The irrigation season in this area is from March 1 to November 15 or 260 days. ET idaho shows a average irrigation demand per month through the growing season. The average daily irrigation demand for the months that Nampa Meridian Irrigation District are 0.47 mm/day for March, 2.36 mm/day for October, and (-0.34) mm/day for November. Where there is no demand for irrigation in November, there is no volume

March Irrigation Demand in mm/day	Days in March	Total Irrigation Demand for March	October Irrigation Demand in mm/day	Days in October	Total Irrigation Demand for October	Total Irrigation Demand When NMID Water if Not Delivered
0.47	31	14.57	2.36	31	73.16	87.73

Irrigation Demand in mm	Conversion Factor to AF	Irrigation Demand in AF/ac	Number of Acres allowed by Permit	Actual Acres Irrigated	Acres Available for Conversion	Volume Available for Conversion in AF
87.73	304.8	0.3	16	13.5	2.5	0.7

Conclusion:

A supplemental water right can only be used when surface water is unavailabile. We cannot confirm any supplemental use while NMID has water available for delivery. Therefore, we can only look at the amount of water that could be used during those times during the irrigation season that canal water is not available or for the months of March, October and November. November has a negative irrigation demand, so we cannot use November in our calculations. Using the irrigation Demand for March and October, the well could have supplied up to 0.7 af of water for supplemental irrigation on 2.5 acres. This calculation shows there is not adequate water available under the permit to provide the 2.6 af water needed for the Industrial use. Therefore, a new permit would be needed to supply the industrial use from this well, unless the permit can provide additional information showing a higher Irrigation Demand delivery from the well.

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, November 19, 2015 10:09 AM
To: 'Peter Cooper'
Subject: Permit 63-34034

Hello Peter,

I have started reviewing your field exam for permit 63-34034 for the City of Meridian. I was wondering if you could send me a copy of your irrigation shape file for this permit? You have created a very intricate shape file, and it would be difficult for me to recreate it. We will use the shape file for the place of use in our records.

I have only started to review the file, so I haven't had the opportunity to really dig into it yet, but I did notice that your cover letter requested an amendment for the industrial use for the dog park. In order to do this, we need to use some of the irrigation use authorized by the permit to cover the amount industrial use developed. For example, if the permit allowed 16 acres, but your client only irrigated 14 acres, then we could amend the permit to change the consumptive use for the original 2 acres to a industrial use.

I will have to get the approval of this type of change of use from my supervisors first. However, it may be possible to accomplish this change, but I want to let you know that it may require some additional work later on to figure out how to make all of the pieces work to avoid an enlargement of the water right. I will let you know more when I can dig through the file and work through the numbers.

Thank you.

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)