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WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78257

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

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

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

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #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 transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 <http://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.
- ☐ ☒ #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 Other. Please describe: Well Drillers Reports: 9a for new well and 9b for decreed well

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78257

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) City of Boise

Phone 208-384-3900

Mailing address Public Works Dept., 150 N. Capitol Blvd., PO Box 500, Boise, ID 83701-0500

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

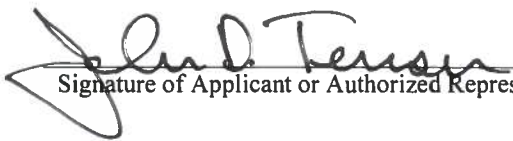
☒ Send original correspondence to the applicant and copies to the representative.

☒ 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.


Signature of Applicant or Authorized Representative

JOHN D. TENSEN
CITY ENGINEER
Print Name and Title if applicable

10/29/12
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 the water right into 2 separate systems

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. See attached**

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 ☐ ☒	63-9276	0.04 cfs	Municipal	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.80 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ acre-feet per annum.

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 #
Yes			SE	NW	1	3N	2E	Ada	Ground Water	#0060348

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	

Total Acres (for irrigation use) _____

*Proposed place of use within Boise City's municipal service area.

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, drip irrigation system for domestic landscape and fire protection.

Well will be equipped with a measuring device and lockable controlling works upon Department's 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Ground water is currently not being diverted under water right 63-9276.

- e. 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:

None

- f. 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:

Water right 63-9276 was partially decreed in the SRBA 4/3/2009.

Page 4 of 8

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

Current Water Right No.: 63-9276

Current Owner: CITY OF BOISE
Priority Date: 8/16/1979
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

MUNICIPAL

01/01 to 12/31

0.8 CFS

Total Diversion

0.8 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4

Sec. 35, Twp 04N, Rge 02E B.M.

ADA County

Place of Use

MUNICIPAL Within ADA County

T04N R02E S32

SWNE

T04N R02E S32

Lot 3

NESW

T04N R02E S32

Lot 2

NWSE

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Boise municipal water supply system as provided for under Idaho Law.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 4/3/2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: 63-9276

1. amount <u>0.04 cfs</u>	(cfs/ac-ft) for <u>Municipal</u>	purposes from <u>1/1</u>	to <u>12/31</u>
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.) *see below

Twp	Rge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

*Within Boise City's municipal service area

Total Acres (for irrigation use) _____

Part 1.A.2. – Remarks

The City of Boise constructed a domestic well at the Boise Police Department Firearm Training Range in early 2012. The well was constructed as an exempt domestic well as allowed under Idaho Code 42-227, with the intent to divert no more than 0.04 cfs (18 gpm) and 2500 gpd (as defined in Idaho Code 42-111) of cold groundwater for in-door domestic, landscape irrigation, and fire protection uses. The well is constructed as a transient non-community public water supply because it will serve more than 25 persons on more than 60 days per year. Public water supply wells are required to be sealed to a minimum depth of 58 feet.

An initial attempt to complete the well in a shallow aquifer between the surface seal depth of 58 feet and the top of solid basalt and blue clay at 72 feet was unsuccessful. The well was subsequently deepened to tap deeper aquifer zones below 250 feet that have been developed in other local wells. Groundwater was encountered between 357 and 405 feet.

Testing showed that the water produced from the well has a temperature of 88 degrees F. The well driller measured a bottom-hole temperature of 86.5 degrees F. Water with a temperature in excess of 85 degree F is defined by Idaho Code as low-temperature geothermal.

The well was constructed by cementing 8-inch 0.322-inch casing to 70 feet depth and cementing 6-inch 0.280-inch casing to 260 feet depth. This construction is consistent with the construction required for low-temperature geothermal wells.

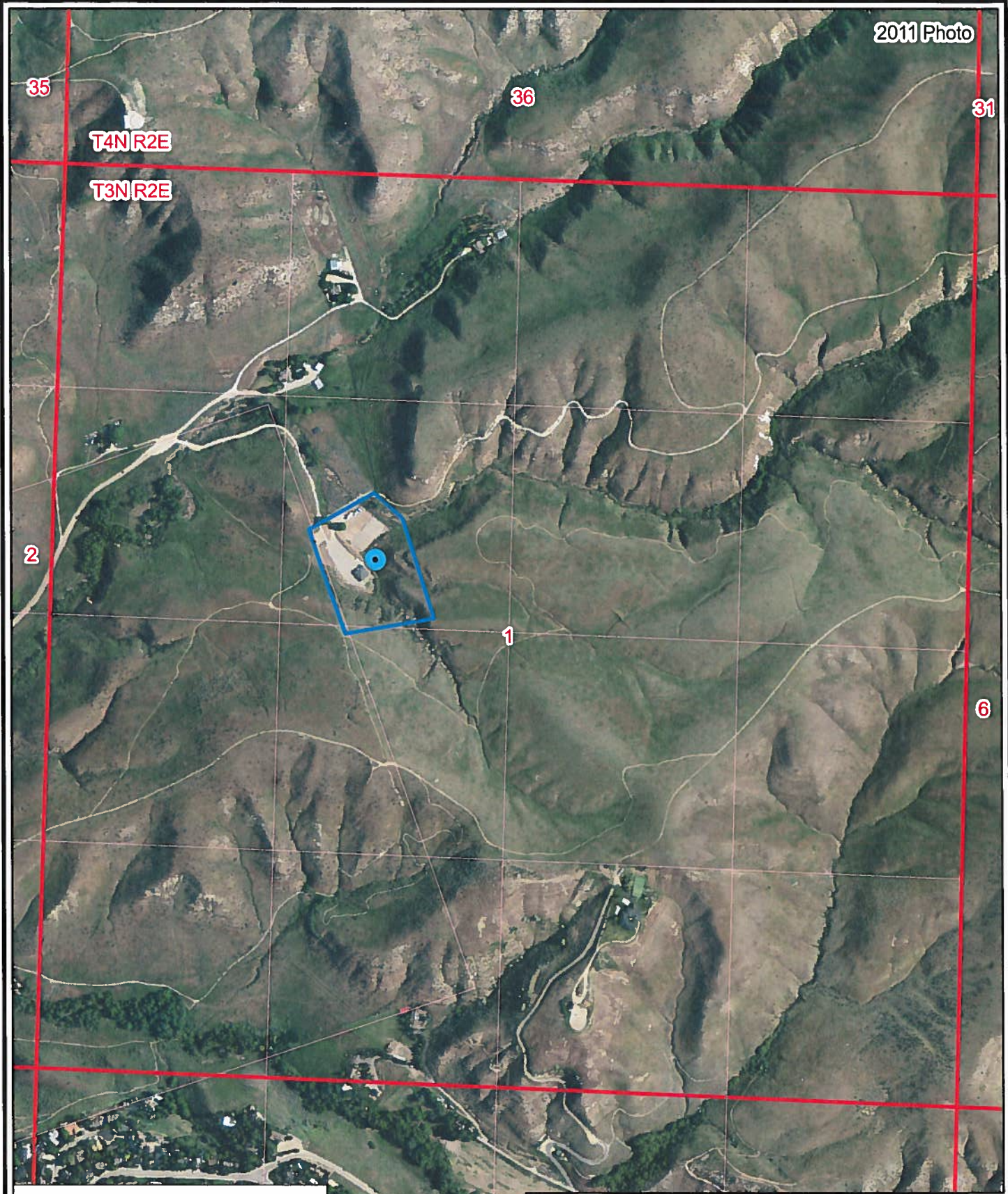
Low-temperature geothermal waters cannot be developed under the domestic exemption of 42-227. As a result, a water right is needed to allow diversion from this well for uses at the Training Range. The City of Boise owns a decreed municipal water right (No. 63-9276) that authorizes diversion of 0.80 cfs (360 gpm) with a priority date of August 16, 1979. Water right 63-9276 was originally developed by Boise Water Corporation at a municipal drinking water supply well located in Hulls Gulch about 1 ½ miles northwest of the range. This water supply well (referred to as the Gamble Well) also encountered low-temperature geothermal water (86°F). The well and water right were conveyed to the City of Boise, and the water right received a decree in 2009. Both the Gamble Well and the new Firearms Training Range Well are located within the boundaries of the Boise Front Geothermal Aquifer.

This transfer application proposes to transfer the point of diversion of a 0.04 cfs portion of water right 63-9276 to the Fire Arms Training Range. Both wells are located within the boundaries of the City of Boise Municipal Service Area, so no change in place of use is proposed. No change in nature of use is proposed.

Idaho Statute (42-233) requires that low-temperature geothermal water be utilized primarily for heat value. However, right 63-9276 remains valid for non-heating uses because it has a priority date senior to July 1, 1987 (the effective date of IC 42-233). Furthermore, the continued use of low-temperature geothermal water for municipal purposes at the Firearms Training Range is in the public interest because (1) drilling of the Firearms Training Range well showed that there was no other viable source of well water available with a temperature less than 85 degrees F, and (2) the water tapped by the well has no practical alternative use for heating value.

As part of the on-going monitoring of wells their wells within the Boise Front Geothermal Aquifer, the City plans to annually report diversion volumes and temperatures for the new Firearms Training Range Well.

2011 Photo



Legend

-  Proposed Well
-  Proposed Place of Use

Attachment 7A1



0 500 1,000 Feet



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

863354

1. WELL TAG NO. D 0060348

Drilling Permit No. 914720-863354

Water right or injection well # _____

2. OWNER: City of Boise - Public Works Department

Name _____

Address P.O. Box 500

City Boise State ID Zip 83701

3. WELL LOCATION:

Twp. 3 North ☒ or South ☐ Rge. 2 East ☒ or West ☐
Sec. 1 10 acres 1/4 SE 40 acres 1/4 NW 160 acres 1/4

Gov't Lot _____ County Ada

Lat. 43 37.670 (Deg. and Decimal minutes)

Long. 116 10.014 (Deg. and Decimal minutes)

Address of Well Site 1800 Mountain Cove Road

City Boise

(Turn at least name of road + distance to road or landmark)

LoL _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☒ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Neat Cement	0	70	1218 gal	Tremie
Neat Cement	0	260	280 gal	Haliburton Method

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing Liner	Threaded	Welded
8"	0	70'	Sch40	Steel	☒	☐	☒
6"	+2	260	Sch40	Steel	☒	☐	☒
4.5"	222	342	sdr17	PVC	☐	☒	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 69.5', 8"

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☒ Y ☐ N Type Certanteed

Method of Installation Lower on a hook

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
342	402	020	5100	4.5"	SDR17	Plastic

Length of Headpipe 120' Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
None				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 22' Static water level (ft) 255'

Water temp. (°F) _____ Bottom hole temp. (°F) 86.5

Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
<u>2'</u>	<u>45 GPM</u>	<u>6.5 hrs</u>

Test method:

Pump	Bailer	Air	Flowing artesian
☒	☐	☐	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
16"	0	3'	Sandy Topsoil		X
16"	3'	5'	Rock		X
16"	5'	8'	Sand		X
16"	8'	11'	Rock (Boulder)		X
16"	11'	12'	Sand		X
16"	12'	17'	Rocks (Boulder)		X
16"	17'	24'	Decomposed Granite	X	
16"	24'	29'	Rock (Boulder)	X	
16"	29'	31'	Sand	X	
16"	31'	35'	Rock (Boulder)	X	
12"	35'	57'	Coarse Quartz Sand	X	
12"	57'	65'	Fine to Coarse Sand Mix	X	
12"	65'	67'	Hard Rock - Black (Basalt)	X	
12"	67'	72'	Broken Brown Rock (Basalt)	X	
12"	72'	108'	Solid Basalt	X	
12"	108'	124'	Blue Shale		X
12"	124'	144'	Blue Clay		X
8"	144'	154'	Basalt		X
8"	154'	170'	Blue Sticky Clay		X
8"	170'	257'	Blue Stick Clay w/ some sand		X
8"	257'	265'	Grey Rock		X
8"	265'	270'	Grey Clay w/sand		X
8"	270'	271'	Grey Rock		X
8"	271'	295'	Grey Sandstone or Granite		X
8"	295'	302'	Grey Sandstone		X
8"	302'	314'	Grey Rock w/some Red		X
8"	314'	357'	Grey Sandy Clay		X
8"	357'	380'	Red/Brown Rock	X	
8"	380'	405'	Solid Brown Rock	X	

Completed Depth (Measurable): 402'

Date Started: May 1, 2012

Date Completed: Jul 6, 2012

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Adamson Pump & Drilling Co. No. 457

*Principal Driller David Adamson Date Jul 17, 2012

*Driller Mark Stoffa Date Jul 17, 2012

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

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WATER RESOURCES
WESTERN REGION

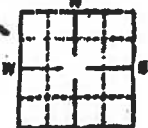
Attachment 9a

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days of abandonment of the well.

21. 2838

1. WELL OWNER Name <u>Boice Water Corp.</u> <u>SEP 5 1978</u> Address <u>500 W. Idaho St.</u> <u>Department of Water Resources</u> <u>Western Regional Office</u> Owner's Permit No. <u>applied for</u>		WATER LEVEL Static water level <u>88</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>86</u> OF Quality <u>good</u>																																																																																																																																																		
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandonment) _____		3. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Air ☐ Other _____																																																																																																																																																		
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		<table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Head</th> <th>Hours Performed</th> </tr> </thead> <tbody> <tr> <td>700</td> <td>142</td> <td>2</td> </tr> </tbody> </table>		Discharge G.P.M.	Pumping Head	Hours Performed	700	142	2																																																																																																																																											
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USE ADDITIONAL SHEETS IF NECESSARY. ATTACH THE WHITE COPY TO THE BACK OF THE REPORT.

Sommer, Rachel

From: Sommer, Rachel
Sent: Friday, April 12, 2013 9:03 AM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Janice Hildreth,

Please see the attached ad for publication on 4/18/2013 & 4/25/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

April 11, 2013

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

RE: Application For Permit No's: 63-33724 and 63-33721
Transfer No's: 78338 and 78257

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 5/6/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33724

JOHN NORTHRUP
CHERYL NORTHRUP
9951 W ROLLING HILLS
STAR, ID 83669

Point of Diversion NESE S5 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 12/28/2012

Place Of Use: IRRIGATION

T04N R01W S5 NESE

Total Acres: 8.7

Water bearing zone to be appropriated is between 151 and 161 feet.

63-33721

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE, ID 83616

(2)Points of Diversion L4(NWNW) S3 T04N R01W ADA County Source GROUND WATER

Point of Diversion NWSW S3 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.4 CFS

Total Diversion: 2.4 CFS

Date Filed: 12/13/2012

Place Of Use: IRRIGATION

T04N R01W S3 L4(NWNW) SWNW NWSW

T04N R01W S4 L1(NENE) SENE NESE

Total Acres: 240

Seeks increased rate but not more volume for same land irrigated under Transfer Application 78338. Add 1 new well to provide enough water for about 80 acres pivot. Balance of water to be used at 2 existing wells. Water bearing zone to be appropriated is from 4 to 450 feet. Irrigation limited to 240 acres under all rights, no new lands.

PROPOSED CHANGE OF WATER RIGHTS

Hoot Nanney Farms C/O Michael Dixon, 8542 Floating Feather RD, Eagle ID 83616 filed Application No. **78338** to transfer two water rights with 1953 and 1976 priority dates from ground water totaling 2.40 cfs to irrigate 240 acres. The purpose of the transfer is to add a new well at south end of the property. The new well will be limited to 0.80 cfs for 80 of the 240 acres. Balance of the rights will be diverted from 2 existing wells in northeast end of the site. The site is southeast of Hwy 16 and Beacon Light Road. Same wells are included in Application 63-33721 for the same acres.

The City of Boise Public Works Department of 150 N Capitol Blvd. Boise, ID 83701 filed Application No. **78257** to transfer one water right with a 1979 priority date from low temperature geothermal ground water totaling 0.80 cfs. The transfer proposes to split the right and move 0.04 cfs to a low temperature geothermal ground water well for municipal use at the Boise Police Department Firearm Training Range. The unchanged portion of the municipal right will continue to be diverted from a low temperature geothermal well in Hulls Gulch, northeast Boise.

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 rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this 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 5/6/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/18/2013 and 4/25/2013

MEMORANDUM

TO: Transfer No. 78257 File

FROM: Vicky Music

DATE: March 19, 2013

RE: Evaluation of Sufficiency of Information Submitted

The transfer proposes to split a portion of municipal ground right 63-9276 and move it approximately 1.5 miles southeast to the Boise Police Department Firearm Training Range well for municipal use. The source of water for both wells is low temperature geothermal water.

The site is in the Boise Foothills approximately 2 miles northwest of the Boise State Capital building.

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

Deviations from Transfer Policy Standards

The application is very complete. Right 63-9276 is for 0.8 cfs for municipal use. The transfer will move 0.04 cfs to the firearm range for municipal use. The application states in the general information that the municipal use will be for irrigation and fire protection.

A water right is not required to use water for fire protection, but if the applicant wants a fire protection use, the application must be amended to add this additional use. A letter stating this was sent to the applicant and the applicant's consultant. The response was to delete the reference to fire protection.

The POD at the firearm range was drilled in 2012 to be a de minimus use exempt from the mandatory licensing process. So the drilling permit fee due and paid was \$75. 00. The municipal use requires a water right and a drilling permit upgrade fee on \$125.00 is due. The applicant was informed of this in a letter, and in response, paid the balance due.

Summary of Information Submitted

Authority to File:

The City of Boise is the owner of record of 63-9276 and has the authority to file the application.

Water Right Validity:

Right presumed to be valid because the SRBA Court issued the partial decree on 4/3/2009, within the past five year period.

Injury to Other Water Rights:

No injury is expected. Both places of use are within the Boise Front geothermal ground water management area. There are no new diversions from the geothermal front. Both rights are subject

to the Boise Front management plan which further makes it unlikely the transfer will injury other rights.

Enlargement of Use:

No enlargement of any element of the parent right is proposed or expected.

Local Public Interest:

There are no local public interest issues.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information/Analysis and Discussion

Parent right 63-9276 authorizes 0.80 cfs for municipal use. This transfer splits the parent right into 63-9276, 0.76 cfs for municipal use and 63-33718, 0.04 cfs and municipal use at the Boise Police Department Firearm Training Range.

The water source for both wells is a low temperature geothermal source. The current statute, effective in 1987, states that low temp geothermal water must be used first for the heat value, before being used in any other way. Rights with priority states prior to the law are exempt from this requirement.

Right no. 63-9276 has a 1979 priority date and is not subject to the requirement to use the water for the heat value first. Hence, the transferred portion at the new place of use will not be subject to the requirement.

Comments from the Boise Front Watermaster, Ken Neely were solicited and are in the file.

The additional information required from the applicant was discussed above in this memo. No additional IDWR analysis is needed from other areas of IDWR to complete an adequate review of this application

Data entry affected the correct record and the partial decree was issued & results were migrated to wr records.

Overlapping rights at existing &/or proposed POD &/or POU - none. There are no Mitigation or Water Bank issues.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a because a new well is not proposed.



SPF WATER
ENGINEERING

March 21, 2013

Vicky Music
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer No 78257

Dear Vicky,

On behalf of the City of Boise, this letter is in response to your letter dated March 19, 2013 requesting additional information required for continued processing of the transfer application referenced above.

In response to Item 1, please eliminate fire protection as a specified use under municipal purpose and proceed with processing the transfer.

In response to Item 2, check No. 7557 is enclosed for the requested \$125 drilling permit upgrade fee.

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

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Mike Sheppard, City of Boise

Enclosure

SPF file number: 389.0440

RECEIVED
MAR 22 2013
WATER RESOURCES
WESTERN REGION



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

March 19, 2013

JOHN TENSEN, CITY ENGINEER
CITY OF BOISE PUBLIC WORKS
150 N CAPITOL BLVD
PO BOX 500
BOISE, ID 83701-0500

Re: Application for Transfer No. 78257 (Water Right No. 63-9276)

Dear Mr. Tensen:

The transfer application referenced above has been assigned to me for processing. The application seeks to transfer a portion of 63-9276 for municipal use at the Boise Police Department Firearm Training Range. There are two matters that must be addressed before processing can continue.

1 - The beneficial use described in application item Part 1B (1) is municipal use at the Boise Police Department Firearm Training Range. The municipal use is further described in Part 5(a) as irrigation and fire protection, however, municipal use does not include fire protection, for which a water right is not required. If the City of Boise wants a fire protection beneficial use specified in the right, the application must be amended, and fire protection listed as a separate beneficial use. If the application is not amended, fire protection will not be included in the permit condition describing the municipal use. **Please submit, by April 1, 2013, an amended application, or submit in writing that the City of Boise wants to proceed with processing of the current application.**

2 - The well on the firearm training range was completed on July 6, 2012, for a domestic use exempt from the IDWR mandatory licensing process. The drilling permit fee for this exempt use was \$75.00. The proposed municipal use from the training range well does require water right approval, and your water right application seeks that approval. The well drilling fee for a well requiring a water right is \$200 instead of \$75. IDWR must collect the unpaid balance of \$125 for a well drilled under those circumstances. **Please remit \$125 to upgrade your well drilling permit within the next thirty days to facilitate processing of your water right application.**

Please call me at 208.334.2190 if you have questions. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent

cc: Lori Graves, SPF Water Engineering



RECEIVED
NOV 02 2012
WATER RESOURCES
WESTERN REGION

November 1, 2012

John Westra
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: City of Boise Application for Transfer; Water Right 63-9276

Dear John,

Enclosed on behalf of the City of Boise, is an *Application for Transfer* seeking authorization to add a low-temperature geothermal well for municipal uses at the Boise Police Department Firearm Training Range for a portion of decree 63-9276. Details of this proposal are provided in the remarks attached to the transfer application.

The new well will serve as a stand alone system for the training range, resulting in a water right split. Check no. 7277 for \$200 is enclosed for the filing fee. This amount is based the 0.04 cfs portion of decreed water proposed to be transferred to the new well and training range system.

Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Mike Sheppard, City of Boise

Enclosures

SPF file number: 389.0440