

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 18266
78029

RECEIVED

JUL 02 2012

WATER RESOURCE
WESTERN REGION

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: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78266
78029

RECEIVE

JUL 02 2012

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Meridian Joint School District No. 2

Phone 208-350-5210

Mailing address Operations & Maintenance, 1303 E. Central Dr., Meridian, ID 83642

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 Lori Graves, 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.

Bence Posten
Signature of Applicant or Authorized Representative

Bence Posten
Print Name and Title if applicable

6-21-12
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 _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Transfer 3.0 acres of supplemental Irrigation water from right 63-31763, appurtenant to Education Campus
Subdivision, to Meridian Middle School Campus for supplemental irrigation. Upon transfer approval, 21
total acres will be authorized for supplemental irrigation at Meridian Middle School Campus when combined
with water right 63-11825.

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 ☐ ☒	63-31763	0.06/13.5	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.06 cfs and/or 13.5 ac-ft

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or 13.5 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 #
No			NE	NW	12	3N	1W	Ada	Ground Water	

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	
3N	1W	12					35												35

Total Acres (for irrigation use) *35

*3 acres irrigation within a 35 acre permissible place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____
Existing well, pump and sprinklers. A measuring device has been installed. Lockable controlling works will be provided upon Department request.
- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The land has been developed and will no longer be irrigated.
- 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:
Current location: the school facilities use municipal water from the City of Meridian for internal uses. Surface water from Settlers Irrigation District is the primary irrigation water. No other rights are used.
Proposed location: the school facilities use municipal water from the City of Meridian for domestic uses. Surface water from NMID is the primary irrigation water. The proposed well currently supplies 18 acres supplemental ground water to
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed: the school site under water right 63-11825.
- | 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: _____

The proposed acres to transfer are a portion of 25 acres that were accepted to the Water Supply Bank 3/15/2012. Upon transfer approval, this amount will reduce by 3.0 acres.

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

Current Water Right No.: 63-31763

Current Owner: MERIDIAN JOINT SCHOOL DISTRICT #2
Priority Date: 4/8/1969
Origin: Water Right
Status: Water Supply Bank Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.8 CFS	180 AF
	<u>Total Diversion</u>	0.8 CFS	180 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4 Sec. 32, Twp 04N, Rge 01E B.M.
ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S32	NESW	10.00	T04N R01E S32	NWSW	30.00
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Total Acres: 40

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
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.
3. W54 Use of this right is combined with water from Settlers Irrigation District.
4. X36 Right 63-31762 is also diverted through the point of diversion described above.
5. J01 PROPERTY IS ALSO KNOWN AS LOTS 01 & 02, BLKS 01 & 02, EDUCATION CAMPUS SUBDIVISION.
6. X35 Rights 63-31762 and 63-31763 when combined shall not exceed a total diversion rate of 1.00 cfs, a total annual maximum diversion volume of 225.0 af at the field headgate, and the irrigation of 50 acres.

Decreed Date: 2/16/2007

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: 63-31763

- [illegible]

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

[illegible]

Total Acres (for irrigation use)	3
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above. The primary irrigation water at the current place of use is from Settlers Irrigation District. The primary irrigation water at the proposed place of use is from Nampa & Meridian Irrigation District. Supplemental ground water has been used at the current place of use when surface water is either insufficient or not available. Enlargement will not result from this transfer proposal for the following reasons: 1) Deliveries for both Settlers and NMID are similar in amounts, 2) NMID has the more senior Boise River natural flow rights; supplemental use by NMID is therefore expected to be similar to or less than historical supplemental use by Settlers, 3) the prior and proposed uses are both for irrigation on school properties, thus the nature and use of water after the transfer will be similar to that prior to the transfer, and 4) supplemental ground water from the proposed (existing) well is diverted from the same aquifer as the current well. The current well is 52 feet deep and the proposed well is 162 feet deep.

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments.

Received by RS Date 7-2-12 Prelim. Check by KW Date 1/9/2013

Fee Paid 200- Date 7-2-12 Received by RS Receipt # W040324

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

2011 Photo

T3N R1W

01 SWSW

SESW

SWSE

NWNW

NENW

NWNE

12

SWNW

SESW

SWNE

Legend

-  Meridian Middle School PPU
-  Meridian Middle School POD

Transfer Attachment 7a



Attachment 1

T4N R1E

2011 Photo

3.0 acres are part of 25 acres currently
in the Idaho Water Supply Bank

Legend

-  63-31763 POD
-  63-31763 Current POU - 40 acres
-  3.0 Acres to Meridian Mid. School
-  Remaining Irrigation - 15 acres
-  Acres in Water Bank

Transfer Attachment 7b

0 225 450
Feet



Attachment 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

February 1, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SETTLERS IRRIG DIST
1910 N GARDEN ST
BOISE ID 83706

NAMPA & MERIDIAN IRRIG DIST
1503 FIRST ST SOUTH
NAMPA ID 83651

S BRYCE FARRIS
DANIEL V STEENSON
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE ID 83707

Re: Application No's: 78266 & 78267

Dear Interested Parties:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicants if you have concerns about the applications.

If you desire to file a formal protest against approval of the applications, a written protest along with the \$25.00 protest fee for each application protested must be received in this office by February 25, 2013. A copy of the protest must also be sent to the applicants.

Please contact this office at (208)334-2190 if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Rachel Sommer
Administrative Assistant
Western Regional Office

Enclosure

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, January 31, 2013 8:51 AM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Legal Ads
Attachments: Ada Cover Letter.docx; Ada Combined Ad.docx

Janice,

Please see the attached ad for publication on 2/7/13 & 2/14/13.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

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

January 30, 2013

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

RE: Application For Permit No's: 63-33415 & 63-33707
Application for Transfer No's: 78266, 78267 & 78269
Application for Extension of Time No. 63-146

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 2/25/2013. 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:

63-33415

D YAMAMOTO DEVELOPMENT LLC
PO BOX 64
KUNA, ID 83634

Points of Diversion SWSW S5 T01N R01E ADA County Source GROUND WATER

Points of Diversion SESE S5 T01N R01E ADA County Source GROUND WATER

Points of Diversion NWSW S5 T01N R01E ADA County Source GROUND WATER

Points of Diversion SESW S5 T01N R01E ADA County Source GROUND WATER

Points of Diversion NENW S8 T01N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.98 CFS

Total Diversion: 2.98 CFS

Date Filed: 8/19/2010

Place Of Use: IRRIGATION

T01N R01E S5 SWNE NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE

T01N R01E S8 NENW NWNW SWNW SENW

Total Acres: 640

Water bearing zone to be appropriated is from 250 to 400 feet.

63-33707

CHARLES MADENFORD FAMILY TRUST
3605 N POLLARD LN
STAR, ID 83669

Point of Diversion NWSW S33 T05N R01W ADA County Source GROUND WATER

Use: AESTHETIC STORAGE

01/01 to 12/31 26 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.25 CFS

Use: RECREATION STORAGE 01/01 to 12/31 26 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 26 AF

Total Diversion: 0.25 CFS 26 AF

Date Filed: 10/19/2012

Place Of Use: AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE

T05N R01W S33 NWSW

Water bearing zone to be appropriated is from 91 to 188 feet.

**EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

New Union Ditch Company of PO Box 31, Eagle, ID, 83616, filed an Application proposing an Extension of Time to Avoid Forfeiture for Water Right No. **63-146** with an 1865 priority from the Boise River totaling 13.76 cfs. The application proposes to cover approximately 5.76 cfs. The balance of the right was last used in 2012. The right serves property located within the boundaries of New Union Ditch Company generally located in the Eagle area. The applicant requests the extension of time due to rapid urbanization of lands within their boundaries. The company does not want to lose any of Rt. 63-146 due to non-use.

PROPOSED CHANGE OF WATER RIGHTS

Jerry L. & Mary Louise Tlucek and Snake River Dairies LLC of 15188 S. Can-Ada Rd., Melba, ID 83641 filed Application No. **78269** to transfer two water rights with 1969 priority dates from ground water totaling 1.41 cfs. The purpose of the transfer is to create a permissible place of use and identify the two existing wells which are to be used for irrigation. Water will be used at the current place of use approximately 1.5 miles north of the Snake River and 1.5 miles east of the Ada & Canyon county lines.

Meridian Joint School District #2, Operations & Maintenance of 1303 E Central Dr., Meridian, ID, 83642 has filed Application Nos. **78266** and **78267** to transfer portions of one water right with a 1969 priority date from ground water totaling 0.80 cfs. The purpose of Transfer 78266 is to move 3 acres of supplemental irrigation water from Rt. 63-31763, appurtenant to Education Campus Subdivision, to Meridian Middle School Campus for supplemental irrigation. The purpose of Transfer 78267 is to move 2.5 acres of supplemental irrigation water from Rt. 63-31763 to Meridian Academy Campus for supplemental irrigation.

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, proposed transfer &/or extension, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp using the above referenced water right no. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of these applications 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 2/25/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 2/7/2013 and 2/14/2013

MEMORANDUM

TO: Transfer Nos. 78266 and 78267
FROM: Kay Walker *Kay*
DATE: January 9, 2013
RE: Evaluation of Applications

These two transfer applications propose to "move" supplemental irrigation water from lands that have been developed, and no longer irrigated, to lands that need additional supplemental irrigation water. Both transfers are filed on Right 63-31763 that is currently appurtenant to land known as Education Campus Subdivision located on the east side of N. Locust Grove Road and approximately 0.5 miles north of East Ustick Road. Rt. 63-31763 supplements land that is currently within Settlers Irrigation District boundary.

Transfer 78266 proposes to move 3 acres of supplemental water to a site known as Meridian Middle School which is located on the south side of Cherry Lane and on west side of West 8th Street in Meridian. This property is currently irrigated with water from Nampa & Meridian Irrigation District and has 18 acres of supplemental water under Rt. 63-11825. The transfer will allow 3 additional acres of supplemental irrigation within a 35 acre permissible place of use.

Transfer 78267 proposes to move 2.5 acres of supplemental water to a site known as Meridian Academy which is located on the north side of East Franklin Rd. and west of North Eagle Road. This property is currently irrigated with water from Nampa & Meridian Irrigation District.

Contact person for the applicant is Lori Graves, Water Rights Specialist of SPF Water Engineering, 300 E Mallard Dr., Suite 350, Boise, ID, 83706, phone: 383-4140.

Deviations from Transfer Policy Standards

The applications appear to be completed correctly. The signature on the forms did not contain a title so I queried the internet and found that Dr. Bruce Gestrin is the Assistant Superintendent of Meridian School District.

Summary of Information Submitted

Authority to File:

The applicant is the holder of the water right that is being proposed for change. The right was decreed to the applicants, in the SRBA, in February of 2007.

Water Right Validity:

Right presumed to be valid because the partial decree was issued in February of 2007 and then a portion of it was placed in the Water Supply Bank to prevent forfeiture. Upon transfer approvals, the right holder will reduce the number of acres in the bank.

Injury to Other Water Rights:

Injury should not occur. Moving a supplemental right to lands that don't have a supplemental right to use should not cause injury. There will be no additional wells drilled to provide the supplemental water, as the schools will be utilizing existing wells for this water.

Enlargement of Use:

Enlargement will not occur with appropriate transfer approval conditions.

Local Public Interest:

It is within the local public interest for the school district to have water to keep their sports fields and/or play areas irrigated.

Beneficial Use/Conservation of Water Resources:

The applications propose beneficial use consistent with conservation of water resources in Idaho.

The applications are consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

Data entry affected the correct record. This right was decreed in February of 2007 and the transfer applications are based on the water right as decreed.

Overlapping rights at the existing POD is Rt. 63-31762. Rts. 63-31762 and 63-31763 are the "children" of original license 63-7213 and both use the well as licensed. There is no place of use overlap between these 2 offspring rights. The existing POU uses water from Settler's Irrigation District until it is no longer available.

In review of Rt. 63-31763 it was noticed that there was a combined use condition attached that stated: "Rights 63-31762 and 63-31763 when combined shall not

exceed a total diversion rate of 1.00 cfs, a total annual maximum diversion volume of 225.0 af at the field headgate, and the irrigation of 50 acres." Since none of these parameters are exceeded when the rights are combined on paper, we removed the condition from 63-31763 and added Rt. 63-31762 (the other portion of original license) as an associated right with the intent of removing the redundant condition.

Overlapping rights at proposed POD under Transfer No. 78266 is right 63-11825. This is an existing well that provides water to 18 acres of the 35 acre permissible place of use (ppu) requested. The land is currently irrigated with water from Nampa and Meridian Irrigation District. When the surface water is no longer available the applicant will use the well to irrigate 21 acres within the 35 acre ppu.

Overlapping rights at proposed POD under Transfer 78267 is right 63-10982 for commercial use for bus maintenance shop and warehouse. The well was drilled in 1977. The ground under this proposal is irrigated from Nampa and Meridian Irrigation District. There are no supplemental irrigation rights at this property at this time.

A portion of the water right proposed to be transferred was accepted in the Water Bank in March of 2012. The acres to be moved, under the transfer applications, will be removed from bank if the transfers are approved.

These transfer applications propose to move supplemental ground water from school grounds that are located within Settler's Irrigation District boundaries to school grounds that receive surface water from Nampa and Meridian Irrigation District. A comment letter should be sent to each of these entities so we know that they are aware of the proposals and can submit any comments they may have in agreement to or against the applications.

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 since new wells are not proposed.



SPF WATER
ENGINEERING

June 29, 2012

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WATER RESOURCES
WESTERN REGION

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Applications for Transfer (2), Meridian Joint School District No. 2

Dear Steve,

Enclosed on behalf of Meridian Joint School District No. 2, are two *Applications for Transfer* seeking authorization to transfer the use of supplemental ground water, currently appurtenant to Education Campus Subdivision, to Meridian Academy Campus and Meridian Middle School Campus for irrigation use.

Check No. 512358 for \$400 is enclosed for the filing fees (\$200 each application).

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: Wayne Hanners, Supervisor of Operations
Meridian Joint School District No. 2

Enclosures

SPF file number: 142.0130