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June 16, 2010

RECEIVED

JUN 17 2010

WATER RESOURCES
WESTERN REGION

John Westra
Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082
john.westra@idwr.idaho.gov

Re: *City of Nampa - Water Right No. 63-12506 (Coventry Place)*

Dear Mr. Westra:

I am writing with respect to Water Right No. 63-12506, a water right permit associated with the City of Nampa's Coventry Place well. This right is part of the City's portfolio of potable water rights serving its integrated water delivery system. This letter follows up on the meeting Terry Scanlan and I had with you on April 23, 2010. The purpose of this letter is to request licensing of this right. Specifically, we request that it be licensed as a reasonably anticipated future needs ("RAFN") water right and that the "supplemental use only" condition be removed.

I am sending a similar letter with respect to Water Right No. 63-12474 (Well #11). Once the beneficial use field report is completed for Water Right No. 63-31243 (Belmont Heights), a similar licensing request will be made for that right.

RAFN

Water Right No. 63-12506 is a post-SRBA permit. The permit application was filed by United Water Idaho ("UWID") on January 15, 1999 and the permit was issued to UWID on April 23, 1999. UWID assigned the permit to the City on October 17, 2008 and the assignment was filed with the Department on December 10, 2008. The permit lapsed on May 7, 2009, proof was filed by the City on May 19, 2009, and the permit was reinstated on June 3, 2009. SPF

conducted a field exam on June 24, 2009 and submitted a beneficial use field report on July 31, 2009.

The POD associated with this water right is the City's Coventry Place well. The field exam showed that the well is capable of producing in excess of the permitted diversion rate of 3.5 cfs. The beneficial use field report recommended permitting at the full permit rate of 3.5 cfs with no volume limit.

The permit application form did not inquire as to whether this was intended as an RAFN water right, and the Department did not request information on this point from either the City or UWID. However, as explained in the accompanying Affidavits of Michael Fuss and Greg Wyatt, the permit was originally sought for current and future need purposes by UWID, and the City continues to intend for this water right to be held along with other water rights in its portfolio for both current and reasonably anticipated future needs. Accordingly, on behalf of the City, I ask that this water right be licensed as an RAFN right at the permitted quantity of 3.5 cfs.

The City of Nampa has established a planning horizon pursuant to the Municipal Water Rights Act of 1996. This planning horizon was established in connection with Water Right Nos. 63-32835 (Coyote Springs) and 63-33022 (Well #16, 2nd right) in response to a January 20, 2009 letter from you to Roxanne Brown of SPF Water Engineering (the City's water rights engineers). To our knowledge, this was the first time the Department sought clarification from the City as to whether its permits were sought for RAFN purposes.

On March 5, 2009, I responded on behalf of the City to the January 20, 2009 letter. My letter confirmed that "the City wishes to bring all of its water rights within the protection of the 1996 Municipal Water Supply Act" and that "the City does intend to seek additional appropriations under these applications to serve RAFN." March 5, 2009 letter at page 2.

On July 28, 2009, I wrote again providing detailed information about the City's potable water rights portfolio. That letter relied on a report of the same date by the City's water rights engineers, SPF Water Engineering, which was included as an attachment.

The July 28, 2009 letter and report documented the City's 2030 planning horizon and quantified RAFN through the year 2030 at 58.38 cfs. The July 28, 2009 letter and report also quantified the City's current portfolio of potable rights for purposes of comparison to its future needs. The potable water right portfolio (including the two permits then being sought) totaled 56.13 cfs (53.45 cfs for the then integrated system plus 2.68 cfs for components that might be integrated later).¹ This comparison demonstrated that the City's future needs through the year 2030 exceeded what was available under its potable system portfolio, and that Water Right Nos. 63-32835 and 63-33022 would be needed to meet that future need. On this basis, the Department issued permits for those rights formally recognizing them as RAFN rights.

¹ Permit 63-12506 was included in Table I of the SPF report as part of the City's potable water right portfolio totaling 43.95 cfs. This number, added to the 9.50 cfs sought for Permit Nos. 63-32835 and 63-33022, produces a total of 53.45 cfs. Adding 2.68 cfs for the three non-integrated rights yields a total of 56.13 cfs.

It bears emphasis that the quantification of future needs in my July 28, 2009 letter expressly included Water Right Nos. 63-12474 (Well #11), 63-12506 (Coventry Place), and 63-31243 (Belmont Heights) and identified them as part of the portfolio of rights held by the City for RAFN.² In other words, these rights were included as water rights available to meet future needs.

Accordingly, a license for Water Right 63-12506 would recognize this water right as an incremental supply for the City's RAFN within the already recognized 2030 planning horizon for the City.

The City of Nampa has worked diligently to update its water supply and water right master plans. Because the permit does not refer to RAFN, the City lacks certainty concerning the development of Water Right No. 63-12506. For this reason, the City respectfully requests a license be issued for Water Right No. 63-12506 as soon as possible. This will clarify the status of the water right for RAFN and allow the City to proceed with its planning process, which includes a contemplated application for transfer to integrate points of diversion for the City's water rights.

Condition No. 5

Permit condition number 5 Water Right No. 63-12506 provides: "The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping." The effect of this condition is to declare this right to be "supplemental use only" with respect to irrigation.

We believe this condition was included in the permit in error and that it should not be included in the license. This water right is used in the City's potable water rights system and would not ordinarily be used for lawn or other irrigation. Obviously, the City cannot allow untreated surface water into its potable water system. Instead, irrigation needs within the City are served by a separate irrigation system supported by a separate portfolio of surface water rights and other entitlements. The City has no way to control what uses a customer might make of its potable water system, and the City should not be expected to monitor or regulate incidental irrigation uses that conceivably might occur. Inclusion of this condition could lead to confusion in the future, particularly in the event of conjunctive administration. It could also be a

² The quantification set out in the July 28, 2009 letter and report noted that Water Right No. 63-31243 (Belmont Heights) at that time was not part of the City's integrated potable water system. The well associated with that right was subsequently connected to the City's potable system. The July 28, 2009 letter quantified the Belmont Heights right and two other very small ones, Nos. 63-11339 (Model Airplane Club) and 63-63-20264 (unnamed well), separately, noting that they were not then part of the integrated potable water delivery system. That letter, nevertheless, noted that they may be made part of the integrated system in the future and included them in the RAFN calculation.

John Westra
June 16, 2010
Page 4

complicating factor in future efforts by the City to further integrate its points of diversion, to quantify its water supply, and to undertake longer-term RAFN planning exercises.

I thank you for meeting with SPF and me, and I thank you and your staff for your ongoing efforts to assist the City in managing its water rights. SPF remains the City's lead consultant for water rights matters, while I serve as the City's special water rights counsel. We would appreciate IDWR's continued effort to provide copies of correspondence concerning the City's water rights to both me and Roxanne Brown of SPF. We will do our best to coordinate our communications with each other, the City, and the Department.

Sincerely,



Christopher H. Meyer

Encl: Affidavit of Michael J. Fuss
Affidavit of Gregory P. Wyatt
Copy of letter to John Westra dated July 28, 2009

cc: Michael J. Fuss, Director, Public Works Department
Lenard Grady, City Engineer
Kim Lord, Superintendent, Waterworks Division
Roxanne Brown, Stuart Hurley, and Terry Scanlan, SPF Water Engineering, LLC

CHM:ch

JUN 17 2010

WATER RESOURCES
WESTERN REGION**AFFIDAVIT OF MICHAEL J. FUSS**

State of Idaho)
) ss.
Canyon County)

MICHAEL J. FUSS, being first duly sworn upon oath, deposes and states:

1. I am the Director of the Public Works Department for the City of Nampa (the "City").
2. I have held that position since 2006.
3. I am responsible for the supervision and management of the City's potable and irrigation water systems.
4. I am also responsible for the supervision and management of the City's portfolio of potable and irrigation water rights.
5. As a result of my position and responsibilities as Director of the Department of Public Works, I am generally familiar with the history of the development of the City's water system and water rights.
6. I am also generally familiar with the Municipal Water Rights Act of 1996, which authorizes municipal providers to obtain water rights to be developed over a long-term planning horizon for reasonably anticipated future needs.
7. Prior to the enactment of the Municipal Water Rights Act of 1996, the City filed new permit applications from time to time without surrendering other water rights already in its portfolio.
8. In this way, the City's portfolio of water rights grew over time. That portfolio of water rights has been held and continues to be held by the City to serve its present needs as well as its reasonably anticipated future needs.
9. Subsequent to the enactment of the Municipal Water Rights Act of 1996, the City has continued to seek and acquire new permits from time to time, adding them to its portfolio of potable and irrigation water rights.

10. Until very recently, when the City has sought new municipal water right permits subsequent to the enactment of the Municipal Water Rights Act of 1996, it has not been asked by the Idaho Department of Water Resources to identify whether the application is for current or future needs. This information is not sought on the permit application form or elsewhere.

11. Nonetheless, when the City has filed permit applications, it has continued to have the expectation that those water rights would be added to the City's portfolio to serve both current and future needs within the City's expanding service area. This was the case with Water Right No. 63-12474 (Well #11).

12. The same is true with respect to water permits obtained by the City from other municipal providers, specifically Water Right Nos. 63-12506 (Coventry Place) and 63-31243 (Belmont Heights).

13. To my knowledge and best recollection, the first time the Department inquired as to whether permits filed by the City were intended to serve future needs purposes was 2009, as reflected in the letter from John Westra to the City of Nampa (Attn. Roxanne Brown) dated January 20, 2009.

14. The City responded to that January 20, 2009 letter by letter of March 5, 2009 from the City's water counsel. The March 5, 2009 letter confirmed that "the City wishes to bring all of its water rights within the protection of the 1996 Municipal Water Supply Act" and that "the City does intend to seek additional appropriations under these applications to serve RAFN [reasonably anticipated future needs]."

15. The City further responded to the January 20, 2009 letter by letter from its water counsel dated July 28, 2009. That letter included a detailed report of the same date by the City's water rights engineers, SPF Water Engineering.

16. The July 28, 2009 letter and report documented the City's planning horizon and quantified reasonably anticipated future needs through the year 2030.

17. The July 28, 2009 letter and report also quantified the City's current portfolio of potable rights for purposes of comparison to its future needs. That quantification expressly included Water Right Nos. 63-12474 (Well #11), 63-12506 (Coventry Place), and 63-31243

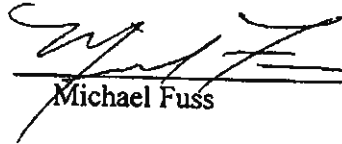
(Belmont Heights) and identified them as part of the portfolio of rights held by the City for both current and reasonably anticipated future needs.

18. That quantification described in the previous paragraph accurately noted that the the point of diversion associated with Water Right No. 63-31243 (Belmont Heights) was at that time not part of the City's integrated potable water system.

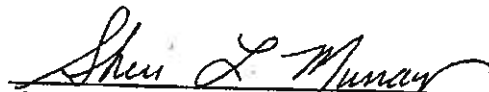
19. Subsequent to that time, the Belmont Heights well has been connected to the City's integrated potable water system.

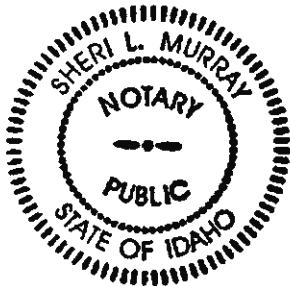
20. In sum, it is my understanding, based upon my personal experience and observation as well as what I have learned in my official capacity with the City, that the City's intent with respect to Water Right Nos. 63-12474 (Well #11), 63-12506 (Coventry Place) and 63-31243 (Belmont Heights) was to appropriate these rights and hold them as part of the City's portfolio of potable rights to serve for both current and future needs.

DATED this 14 day of June 2010.


Michael Fuss

Subscribed and sworn to before me this 14th day of June 2010.


Notary Public for Idaho
Residing at Nampa
My Commission expires: 12-15-2012



AFFIDAVIT OF GREGORY P. WYATT

State of Idaho)
) ss.
Ada County)

GREGORY P. WYATT, being first duly sworn upon oath, deposes and states:

1. I am Vice President and General Manager of United Water Idaho Inc. ("UWID").
2. I have held that position since 2000.
3. I am responsible for the supervision and management of UWID's water systems.
4. I am also responsible for the supervision and management of UWID's portfolio of water rights.
5. As a result of my position and responsibilities as Vice President and General Manager, I am generally familiar with the history of the development of UWID's water system and water rights.
6. I am also generally familiar with the Municipal Water Rights Act of 1996, which authorizes municipal providers to obtain water rights to be developed over a long-term planning horizon for reasonably anticipated future needs.
7. Prior to the enactment of the Municipal Water Rights Act of 1996, UWID filed new permit applications from time to time without surrendering other water rights already in its portfolio.
8. In this way, UWID's portfolio of water rights grew over time. That portfolio of water rights has been held and continues to be held by UWID to serve its present needs as well as its reasonably anticipated future needs.
9. Subsequent to the enactment of the Municipal Water Rights Act of 1996, UWID has continued to seek and acquire new permits from time to time, adding them to its portfolio of water rights.
10. When UWID has sought new municipal water right permits subsequent to the enactment of the Municipal Water Rights Act of 1996, it has not been asked by the Idaho

Department of Water Resources to identify whether the application is for current or future needs. This information is not sought on the permit application form or elsewhere.

11. When UWID has filed recent permit applications (subsequent to the 1996 Municipal Water Rights Act), it has done so with the expectation that those new water rights would be added to UWID's portfolio to serve both current and future needs.

12. UWID has sought formal recognition of its long term planning horizon via its Integrated Municipal Application Package (IMAP). The IMAP proceeding was stayed by the Idaho Department of Water Resources.

13. UWID initially developed Water Right Nos. 63-12506 and 63-31243 with the expectation that UWID would serve the Coventry Place and Belmont Heights subdivisions, which it did at the outset.

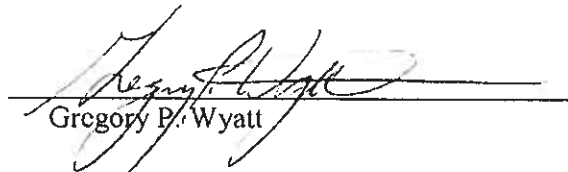
14. At that time, UWID anticipated that the service areas around Coventry Place and Belmont Heights would expand and that UWID would serve those expanding areas if called upon to do so.

15. Accordingly, the permits for Water Right Nos. 63-12506 and 63-31243 were sought with the expectation that they would be used for both current and reasonably anticipated future needs within UWID's growing service areas.

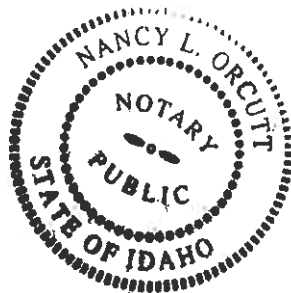
16. Subsequent to permitting of the Coventry Place and Belmont Heights rights, UWID conveyed those permits to the City of Nampa which then took over service to those subdivisions.

17. UWID believes it is appropriate for the City of Nampa to seek licensing of those permits as part of the City's portfolio of water rights to serve the City's current and reasonably anticipated future needs.

DATED this 11th day of June 2010.


Gregory P. Wyatt

Subscribed and sworn to before me this 11th day of June 2010.



Nancy L. Orcutt
Notary Public for Idaho
Residing at Boise Idaho
My Commission expires: June 12, 2014

GIVENS PURSLEY LLP

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July 28, 2009

John Westra
Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: *City of Nampa – Applications for Permits # 63-32835 and # 63-33022*
(*serving RAFN*)

Dear John:

This follows up on our prior correspondence in connection with the City of Nampa's above-referenced applications for permits and our meeting in your office on July 14, 2009. Prior correspondence was initiated by your letter of January 20, 2009 addressed to Roxanne Brown of SPF Water Engineering, LLC. I responded by letter of March 5, 2009. We also exchanged emails on March 9 and 11, 2009.

Quantification effort

As we explained, we held up getting back to you while Nampa's engineering and water rights consultants completed their evaluation of the City's potable system water rights portfolio and future needs. This has been a multi-year task involving considerable effort by J-U-B Engineers, CH2M Hill, SPF Water Engineering, Taylor Planning, Givens Pursley, and City staff.

We are now in a position to provide the following key pieces of information:

- (1) a quantification of the City's portfolio of rights serving its integrated potable water delivery system (currently 43.95 cfs, increasing to 53.45 cfs with the addition of Nos. 63-33022 and 63-32835).
- (2) a quantification of the City's portfolio of rights not currently serving its integrated potable water delivery system, but which might some day serve that system (2.68 cfs).

- (3) a quantification of the City's total installed capacity for its integrated potable water delivery system (currently 45.15 cfs, increasing to 54.65 cfs with the addition of the wells associated with Nos. 63-33022 and 63-32835).
- (4) a quantification of the City's reasonably anticipated future needs ("RAFN") for its integrated potable water delivery system for a planning horizon through the year 2030 (58.38 cfs).

Current portfolio

The City's current water right portfolio for its integrated potable water delivery system is summarized on the attached spreadsheet. (These numbers correspond, as well, to the numbers set out in the attached letter report from SPF.) These rights sum to 43.95 cfs for all partial decrees, post-SRBA licensed rights, and post-SRBA permits that serve its integrated system. This number assumes that licenses ultimately will be issued for the two existing permits (Nos. 63-12474 and 63-12506) at the full permitted diversion rates. This number does not include the 9.50 cfs sought under the two applications for permit (Nos. 63-33022 and 63-32835).

Arguably, three rights totaling 2.68 cfs (excluding 0.04 cfs for stockwater) owned by the City but not currently serving the City's integrated potable water system (Nos. 63-31243, 63-11339, and 63-20264) should be included within the portfolio of rights available for RAFN. In theory, the wells served by these rights could be joined to the City's integrated delivery system in the future. Without conceding that these rights should be included, we have displayed them here nonetheless for purposes of the analysis presented with this letter. The addition of these three rights brings the City's current portfolio of potable rights to 46.63 cfs (not including Nos. 63-33022 and 63-32835).

Current installed capacity

The City's current installed capacity associated with its integrated potable water delivery system is 45.15 cfs. This number is based on the sum of the individual pumping capacities for each of the wells in the system, excluding the new well known as Coyote Springs associated with No. 63-32835 and excluding the additional capacity in Well No. 16 sought by No. 63-33022. This quantification is based on summing the capacities of each individual well. It is possible that the combined system-wide pumping capacity is somewhat less. We have not calculated that.

Future needs

In any event, the City's portfolio of potable system rights (46.63 cfs) slightly exceeds the total current installed pumping capacity based on individual wells (45.15). Thus, under the Department's draft guidance on municipal water rights, non-RAFN permits for additional flow rate would not be approved. Even if approved subject to the Department's standard condition for new municipal permits (see condition #2 on Water Right No. 63-32157 owned by the City of

John Westra
July 28, 2009
Page 3

Caldwell), it is unlikely that the City would be able to prove need for additional non-RAFN water rights by time of proof.

Accordingly, as we have discussed on prior occasions, the City asks that the above-referenced applications be issued as RAFN permits. This is consistent with the City's long-term water supply objectives in seeking these and other permits.

Documentation

The required documentation to support issuance of these permits for RAFN is available, thanks to the hard work done over the last several years in evaluating the City's current system and projecting its future needs. That work is discussed and explained in detail in the enclosed letter report from SPF Water Engineering. The SPF letter report is based, in turn, on work performed by J-U-B Engineers, Taylor Planning, and CH2M Hill. The bottom line is that the City will require a peak instantaneous flow of 58.38 cfs to meet maximum domestic and fire demand by the year 2030. The addition of the above-captioned permits will bring the City's total portfolio of integrated-system and non-integrated-system potable rights to 56.13 cfs, which is still less than projected demand in 2030 (58.38 cfs). Accordingly, issuance of these permits for RAFN purposes is appropriate under the Department's draft guidance.

The enclosed letter report by SPF (which also reflects the work of J-U-B, Taylor Planning, and CH2M Hill) provides the information you outlined in our meeting on July 14, 2009. Specifically:

- It documents and explains the basis for the 2030 planning horizon.
- It documents and explains the basis for quantification of RAFN over this planning horizon.
- It describes the City's planning process and its commitment to construction of infrastructure for water diversion and delivery over the course of the planning horizon.

Planning horizon

By the way, the City recognizes that the 21 years remaining before 2030 is a relatively short planning horizon. Ultimately, the City anticipates documenting its RAFN over a longer planning horizon. The present documentation of RAFN for the year 2030, however, is sufficient to form the basis for issuance of the above-captioned water right permits as RAFN.

Conclusion

On behalf of the City, I thank you and your staff for your help in processing these applications for permit. You offered to provide a draft of the condition language that would

John Westra
July 28, 2009
Page 4

accompany these permits. It is my understanding that this condition will outline considerations regarding proof in accordance with Administrative Memorandum, Application Processing No. 63. I appreciate that offer, and will look forward to seeing your proposed language.

Sincerely,


Christopher H. Meyer

Encl: Spreadsheet summarizing City of Nampa's portfolio of water rights for its integrated potable water delivery system.
July 28, 2009 letter report from SPF Water Engineering providing documentation of 2030 planning horizon and quantification of RAFN.

ec/pc: Michael J. Fuss, Director, Public Works Department
Lenard Grady, City Engineer
Fred Snoderly, Superintendent, Waterworks Division
Roxanne Brown, SPF Water Engineering, LLC
David L. Bauer and Ken Gingrich, J-U-B Engineers
Kevin Boggs, CH2M Hill

CHM:ch

4628-1_612859_6.DOC

Nampa's Potable System Water Rights (SRBA and Post-SRBA Rights)

Prepared by Chris Meyer, Givens Pursley

Row	Water Right No.	Original Well	Authorized Diversion Rate (cfs)	Current or Projected Well Capacity (cfs)	Priority	Authorized Purpose	Period of Use	Status
The following water rights and permits are part of the City's integrated potable water delivery system:								
1	63-28219	Wells #1 & #2	1.22	0.00	12/24/1937	Municipal	1/1 to 12/31	Partial decree 6-3-2009
2	63-02779	Well #3	2.00	1.56	9/2/1949	Municipal	1/1 to 12/31	Partial decree 6-3-2009
3	63-02781	Well #4	3.00	1.78	9/2/1949	Municipal	1/1 to 12/31	Partial decree 6-3-2009
4	63-28220	Well #5	1.93	1.45	12/1/1949	Municipal	1/1 to 12/31	Partial decree 6-3-2009
5	63-05258	Well #6	2.10	2.23	7/20/1954	Municipal	1/1 to 12/31	Partial decree 6-3-2009
6	63-10212	Well #7	2.23	2.23	6/28/1983	Municipal	1/1 to 12/31	Partial decree 6-3-2009
7	63-07567	Well #8	2.79	2.23	3/8/1972	Municipal	1/1 to 12/31	Partial decree 6-3-2009
8	63-08324	Well #9 (1st right)	3.00	4.46	6/1/1976	Municipal	1/1 to 12/31	Partial decree 6-3-2009
9	63-11511	Well #9 (2nd right)	1.50		3/28/1990	Municipal	1/1 to 12/31	Licensed 4-30-1994
10	63-09180	Well #10	4.00	6.69	9/27/1978	Municipal	1/1 to 12/31	Partial decree 6-3-2009
11	63-12474	Well #11	3.50	5.26	10/11/1998	Municipal	1/1 to 12/31	Permit 1-12-1999. Field exam completed by IDWR on 2-9-2000. No license yet (in backlog).
12	63-11729	Well #12	2.68	2.68	3/6/1992	Municipal	1/1 to 12/31	Licensed 4-30-1994
13	63-12591	Well #14	3.50	3.35	8/21/2000	Municipal	1/1 to 12/31	Licensed 7-28-2008
14	63-12543	Well #16 (1st right)	4.00	4.00	7/30/1999	Municipal	1/1 to 12/31	Licensed 2-1-2008
15	63-12463	Well #17	3.00	2.68	6/25/1998	Municipal	1/1 to 12/31	Licensed 8-12-2008
16	63-12506	Coventry Place	3.50	4.55	2/2/1999	Municipal	1/1 to 12/31	Permit reinstated 6-3-2009. Field exam completed by SPF but not yet submitted.
The following applications for permit will be used for the City's integrated potable water delivery system:								
17	63-33022	Well #16 (2nd right)	4.50	4.50	3/31/2008	Municipal	1/1 to 12/31	Application for permit pending.
18	63-32835	Coyote Springs	5.00	5.00	8/18/2007	Municipal	1/1 to 12/31	Application for permit pending.
The following rights were disallowed:								
19	63-2533	Wells # 1 & 2	0.00	0.00				
20	63-2782	Wells # 1 & 2	0.00	0.00				
The following water rights are not part of the City's integrated potable water delivery system:								
21	63-31243	Belmont Heights	2.60		5/14/2001	Municipal	1/1 to 12/31	Permitted 9-24-01. Field exam completed by SPF but not yet submitted.
22	63-11339	Model Airplane Club	0.04		3/26/1990	Domestic	1/1 to 12/31	Licensed 12-19-1995.
23	63-20264	Unnamed well	0.04		6/3/1925	Domestic	1/1 to 12/31	Licensed.
			0.02			Stockwater	1/1 to 12/31	
INTEGRATED SYSTEM TOTALS:								
		SRBA partial decrees	22.27					
		Licensed	14.68					
		Permits	7.00					
	Subtotal:	(SRBA+license+permit)	43.95	45.15				
		Applications for permit	9.50	9.50				
	Grand Total:	(All right, permits & apps)	53.45	54.65				
NON-INTEGRATED SYSTEM TOTALS:								
		Potable only	2.68					
		Stockwater	0.02					
INTEGRATED AND NON-INTEGRATED TOTALS:								
	Subtotal:	(SRBA+license+permit)	46.63					
	Grand Total:	(All right, permits & apps)	56.13					



SPF WATER
ENGINEERING

July 28, 2009

Christopher H. Meyer
Givens Pursley
Via email

Re: City of Nampa Potable Water Supply, Water Rights and Future Demands

Dear Chris,

What follows is a summary of data reviewed by SPF during the preparation of the "Potable Domestic System Water Rights Master Plan" for the City of Nampa (May 2008). We also include a summary of our analysis.

The SPF report was limited to the investigation of domestic water rights only, and did not include physical water system components such as wells, pumping facilities, or distribution piping. A separate water system master plan was prepared by CH2M Hill to evaluate the City of Nampa's water infrastructure for the municipal potable system.¹ The CH2M Hill water system master plan also documented current water demands (as of 2007), and predicted future water demands (2015 and 2030). This information was analyzed by SPF and the CH2M Hill findings were incorporated into the water rights master plan.

CH2M Hill relied on a demographics forecast prepared by J-U-B Engineers and Taylor Planning when predicting future water demands.²

The City of Nampa (the City) has gone to significant time and expense to update their water system planning for their potable municipal supply system. The CH2M Hill master plan gives specific recommendations for the construction of infrastructure over the course of the planning horizon detailed in their report (2030). SPF makes further recommendations in its water right master plan concerning the City's water right portfolio.

Water Right Analysis

The current water right portfolio for the City of Nampa integrated potable water supply includes the wells and water rights summarized in Table 1. The City of Nampa also operates several isolated wells for domestic potable use; those additional water rights are shown in Table 2.

¹ "Water Master Plan", CH2M Hill, 2008

² "Demographics Forecast and Land Use Analysis for the Nampa Study Area and South Study Area", J-U-B et al., 2008

Water Right No.	Original Well No.	Priority Date	Authorized Diversion Rate (cfs)	Water Right Status
63-28219	1,2	12/24/1937	1.22	Partial Decree issued 6-3-2009
63-02779	3	9/2/1949	2.00	Partial Decree issued 6-3-2009
63-02781	4	9/2/1949	3.00	Partial Decree issued 6-3-2009
63-28220	5	12/1/1949	1.93	Partial Decree issued 6-3-2009
63-05258	6	7/20/1954	2.10	Partial Decree issued 6-3-2009
63-10212	7	6/28/1983	2.23	Partial Decree issued 6-3-2009
63-07567	8	3/6/1972	2.79	Partial Decree issued 6-3-2009
63-08324	9	6/1/1976	3.00	Partial Decree issued 6-3-2009
63-09180	10	9/27/1978	4.00	Partial Decree issued 6-3-2009
63-11511	9	3/28/1990	1.50	License issued 4-30-1994
63-12474	11	10/1/1998	3.50	Permit issued 1-12-1999
63-11729	12	3/6/1992	2.68	License issued 4-30-1994
63-12591	14	8/21/2000	3.50	License issued 7-28-2008
63-12543	16	7/30/1999	4.00	License issued 2-1-2008
63-12463	17	6/25/1998	3.00	License issued 8-12-2008
63-12506	Coventry Place	2/2/1999	3.50	Permit reinstated 6-3-2009
		Total	43.95	

Table 1: Current Water Rights for Integrated Wells

Two permits have not been licensed to date (63-12474 and 63-12506). A field examination report was submitted in 2000 for 63-12474, and SPF will submit a report for 63-12506 on or before August 1, 2009. Authorized diversion rates shown in Table 1 for these permits are assumed to be correct based on data collected during the field examinations.

Water Right No.	Well Name	Priority Date	Authorized Diversion Rate (cfs)	Water Right Status
63-11339	Model Airplane Club	3/26/1990	0.04	Licensed 12-19-1995
63-20264	Unnamed domestic	6/3/1925	0.04 ¹	Partial Decree issued 4-3-2009
63-31243	Belmont Heights	5/14/2001	2.60	Permit issued 9-24-2001
		Total	2.68	

Table 2: Current Water Rights for Isolated Wells

¹ The partial decree was issued for domestic and stock water uses totaling 0.06 cfs. We assume that only the diversion rate for the domestic use portion of this water right can rightly be considered here.

SPF has conducted a field examination for 63-31243. The authorized diversion rate for this permit is assumed to be correct based on data collected by SPF.

Pumping Capacity

The current installed pumping capacity of the City's integrated potable supply wells is 45.15 cfs, based on the data summarized in Table 3.

Well Number	Authorized Diversion Rate (cfs)	Current Well Capacity (gpm) ¹	Current Well Capacity (cfs)
1,2	1.22	0	0
3	2.00	700	1.56
4	3.00	800	1.78
5	1.93	650	1.45
6	2.10	1,000	2.23
7	2.23	1,000	2.23
8	2.79	1,000	2.23
9	4.50	2,000	4.46
10	4.00	3,000 ²	6.69
11	3.50	2,359	5.26 ³
12	2.68	1,200	2.68
14	3.50	1,500	3.35
16	4.00	1,800	4.00
17	3.00	1,200	2.68
Coventry Place	3.50	2,045	4.55 ⁴
System Total	43.95	20,254	45.15

Notes:

¹ Estimated by CH2M Hill, unless specified otherwise.

² Estimated capacity after SPF rehabilitation of well in 2009.

³ Determined by IDWR during preparation of the "Beneficial Use Field Report".

⁴ Determined by SPF during preparation of the "Beneficial Use Field Report".

Table 3: Current Pumping Capacities

Current and Future Demands

Current and future water demands were calculated by CH2M Hill and are summarized in Table 4.

J-U-B and Taylor Planning developed population and growth estimates for the City based on regional population forecasts and historic building permit data. CH2M Hill used those estimates to calculate future water demands.

According to CH2M Hill, the population of the City in 2007 reached 81,354. As reported by J-U-B, the population is expected to reach 184,000 by 2030.¹ CH2M Hill applied a per-capita average day demand (ADD) value and peaking factor to arrive at the projections summarized in Table 4.

Year	MDD (mgd)	MDD (cfs)	MDD plus fire flow (cfs)	PHD (mgd)	PHD (cfs)
2007	11.6	17.92	27.92	16.2	25.02
2015	18.2	28.11	38.11	25.5	39.38
2030	27.0	41.70	51.70	37.8	58.38
Notes: cfs - cubic feet per second mgd - million gallons per day MDD - maximum day demand PHD - peak hour demand					

Table 4: Current and Future Water Demands

The *Idaho Rules for Public Drinking Water Systems* require the City to supply maximum day demands from well capacity. Therefore, the City must have adequate water rights and well capacity to meet the projected maximum day demand. Peak hour demands (or maximum day demands plus fire flow) can be supplied using a combination of pump capacity and storage. In other words, the City can have less water right and pump capacity than the peak hour demand, if it develops adequate storage capacity. Historically, the City has supplied peak hour demands almost entirely from well capacity.

¹ Based on "Economic and Population Forecasts for Ada and Canyon Counties in Idaho, 2007-2040", prepared for COMPASS by John Church, Idaho Economics, 2007

Summary

Whether to supply peak hour demands from developed storage capacity or the amount of well capacity (and the water right portfolio) is a decision that must be made by the City. In other words, it may be more cost effective to construct additional wells to meet peak hour demand than to construct storage reservoirs and booster pumps. For this reason, the City's water right portfolio should be maintained and enhanced to provide future peak hour demands. CH2M Hill estimates the City will require approximately 58 cfs to meet peak hour demands in 2030.

Best Regards,

A handwritten signature in cursive script, appearing to read "Roxanne Brown".

Roxanne Brown
Sr. Water Rights Specialist

SPF Job No. 270.0070

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-12506

WATER RIGHT NUMBER: 63-12506

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	UNITED WATER IDAHO INC 8248 W VICTORY RD PO BOX 190420 BOISE, ID 83719-0420 (208)362-7358
Current Owner	CITY OF NAMPA 411 3RD ST S NAMPA, ID 83651 (208) 466-6000

Priority Date: 02/02/1999

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	3.500 CFS	
	<u>Total Diversion:</u>	3.500 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 10, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of UseConditions of Approval:

1. 102 The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
2. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Two points of diversion are located within NWSE, S10, T02N, R02W.
Place of use is located within the service area of United Water Idaho, Inc.
Water bearing zone to be appropriated is from 380 to 480 feet.
5. 120 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required 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 permit.
6. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the department.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-12506

7. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Remarks:

Comments:

Water Supply Bank: