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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Fee \$50 -Receipt W037221Received by DBDate 3-3-09

75490

Name of Applicant City of Boise Phone 208-384-3901Mailing address Public Works Department, PO Box 500, Boise, ID 83701-0500

I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-12461
and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment:
☐ Change nature of use ☒ Change point of diversion ☐ Add point of diversion ☒ Change place of use
☐ Change period of use ☐ Other _____

1. Point of diversion: 1/4 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion See Attachment A

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End Month)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End Month)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End Month)

3. Place of use or land to be irrigated:

TWP	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	27					40	40	40	40	40	20	10	10					240
		35													40	40			80

Total number of acres to be irrigated 320

4. a. Who owns the property at the point of diversion? Applicant
 b. Who owns the land to be irrigated or place of use? Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

Remarks: Existing Well No. 10 was licensed under water right 63-7047. The location of Well No.10 has been clarified to the NENE S33 rather than SENE to reflect the SRBA recommendation for license 63-7047. No other water rights are used for irrigation on the lands described above.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show $\frac{1}{4}$ $\frac{1}{4}$, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

See Attachment B

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 27 day of February, 2009

Sammy Assistant City Engineer
Permit Holder Signature (and title, if for a company or organization)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by kw Publication prepared by DB Date 8/12/2009

Published in **IDAHO STATESMAN** Publication dates **AUGUST 20 & 27, 2009**

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20_____

SIGNATURE

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

2/1/2009

WATER RIGHT NO. 63-12461

Owner Type	Name and Address
Current Owner	CITY OF BOISE PUBLIC WORKS DEPT PO BOX 500 BOISE, ID 83701-0500 (208)384-3901
Original Owner	BRIAN WATKINS 4794 W CREE WY BOISE, ID 83709 (208)362-0567
Original Owner	DON WATKINS PO BOX 32 KUNA, ID 83634-0032 (208)362-0433

Priority Date: 07/22/1998

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	6.4 CFS	
Total Diversion			6.4 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 23	Township 01N	Range 01E	ADA County
GROUND WATER	SWSW	Sec. 24	Township 01N	Range 01E	ADA County
GROUND WATER	SESW	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	SESW	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	NWSE	Sec. 25	Township 01N	Range 01E	ADA County
GROUND WATER	NWSW	Sec. 27	Township 01N	Range 01E	ADA County
GROUND WATER	SENE	Sec. 33	Township 01N	Range 01E	ADA County
GROUND WATER	SWNE	Sec. 34	Township 01N	Range 01E	ADA County
GROUND WATER	NWNW	Sec. 34	Township 01N	Range 01E	ADA County
GROUND WATER	NENW	Sec. 35	Township 01N	Range 01E	ADA County
GROUND WATER	NWNW	Sec. 35	Township 01N	Range 01E	ADA County
GROUND WATER	NENE	Sec. 36	Township 01N	Range 01E	ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	01E	27		NENW 39			NWNW 39			SWNW 39			SENW 40	
				NESW 21			NWSW 30			SWSW 40			SESW 22	
		33		NENW 10			SENW 10							
				NESW 10										
				NESE 10			NWSE 10							

Total Acres: 320

Conditions of Approval:

1. 26A The right holder 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 the permit holder had no control.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
To mitigate for the depletion of water resulting from the use of water under this right and right 63-12470 and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes. Use Changed Mitigation Mitigation Mitigation Right No. to Mitigation Rate (cfs) Volume (AF) Acres 2-2268B Irrigation 9.8 2317.6 579 The land that will no longer be irrigated under this right is located within the W $\frac{1}{2}$,NE, W $\frac{1}{2}$,SE, and SW $\frac{1}{4}$, Section 20 and W $\frac{1}{2}$,NE, NE $\frac{1}{4}$ SW, and NW $\frac{1}{4}$, Section 29, Township 07S, Range 13E, B.M. If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.
4. 170 Rights 63-12461 and 63-12470 when combined shall not exceed a total diversion rate of 9.80 cfs, a total annual maximum diversion volume of 2317.6 af at the field headgate, and the irrigation of 595 acres.
5. X35 The department retains jurisdiction until proof of beneficial use is submitted or the proof of beneficial use date as listed in the permit or as subsequently extended by action of the department, whichever date occurs first, to modify the conditions of approval relative to the mitigation plan. The modified conditions may provide for additional acreage to be irrigated and more water to be diverted within the limits of the applications as filed if the right holder provides additional mitigation or the need for mitigation is found to be unnecessary in whole or part.
6. The permit holder is not authorized to assign ownership of this permit or the water right used for mitigation without prior written approval of the department. In its consideration of a request for assignment, the department will review the permit holder's diligence in the development of a water right and the extent of development performed under terms of the permit.
7. The right holder shall install suitable measuring devices 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. Annual reporting shall include documentation that Bell Rapids' diversion rate and volume have been reduced and the acreage associated with the right holder's purchased portion of the right has not been irrigated and other expansion of acreage under Bell Rapids' right has not occurred.
8. Failure to comply with the mitigation plan requirements or conditions of this approval is cause for the department to cancel this permit.
9. Water bearing zone to be appropriated is 300 to 600 feet.
- 10.

Dates:

Proof Due Date: 05/01/2010

Proof Made Date:

Approved Date: 06/01/2000

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 07/22/1998

Protest Deadline Date:

Number of Protests: 0

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: True

Close

ATTACHMENT A

Points of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion	
		SE	SW	23	1N	1E	Ada	Well 1	
		SE	NW	25	1N	1E	Ada	Well 2	
		NW	SE	25	1N	1E	Ada	Well 3	
		SE	SW	25	1N	1E	Ada	Well 4	
		NE	NE	36	1N	1E	Ada	Well 5	
		NE	NW	35	1N	1E	Ada	Well 6	
		NW	NW	35	1N	1E	Ada	Well 7	
		SW	NE	34	1N	1E	Ada	Well 8	
		NW	NW	34	1N	1E	Ada	Well 9	
		NE	NE	33	1N	1E	Ada	Well 10	
		NW	SW	27	1N	1E	Ada	Well 11	
		SW	SW	24	1N	1E	Ada	Well 12	

