

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1DEC 6 5 2007
WATER RESOURCES
WESTERN REGIONName of Applicant Nampa School District #131 Phone 208.468.4600Post Office address 619 S. Canyon Street, Nampa, ID 83686

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 the reason for the proposed changes Applicant currently shares an existing well with water right 63-32624 and would prefer to use a separate, private well as proposed.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-32625</u>	<u>4/25/1955</u>	<u>0.37/67.5</u>	<u>Irrigation</u>	<u>3/1</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.37 cubic feet per second and/or 67.5 acre-feet per annum.3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	9	2N	2W	Canyon	Proposed Well

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	2W	9								15									15

Total Acres 15

PART 1

6. General Information:

- a. Description of diversion system Well, pump, sprinklers

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

 For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (See Attached SRBA Recommendation 63-32625)

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Applicant is current owner of record 63-32625.

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above None. The recommendation states that water right 63-32625 is combined with water from Boise-Kuna Irrigation District, however, applicant only uses ground water for irrigation and objected to this condition. See attached objection.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

(See Attached Map)

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.**

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

Quantity and quality of return flows and location of discharge: _____

2. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Subscribed and sworn to before me this 24 day of November, 20 07.

Hanna Hansen for NSD
(Signature of Applicant)

Randy McKnight
(Notary Public)

My commission expires 8-7-2013

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by JZ Date 12/5/07 Protest filed by _____

Prelim. Check by JZ Fee \$250- _____

Received by DB / W036019 Date 12-5-07 _____

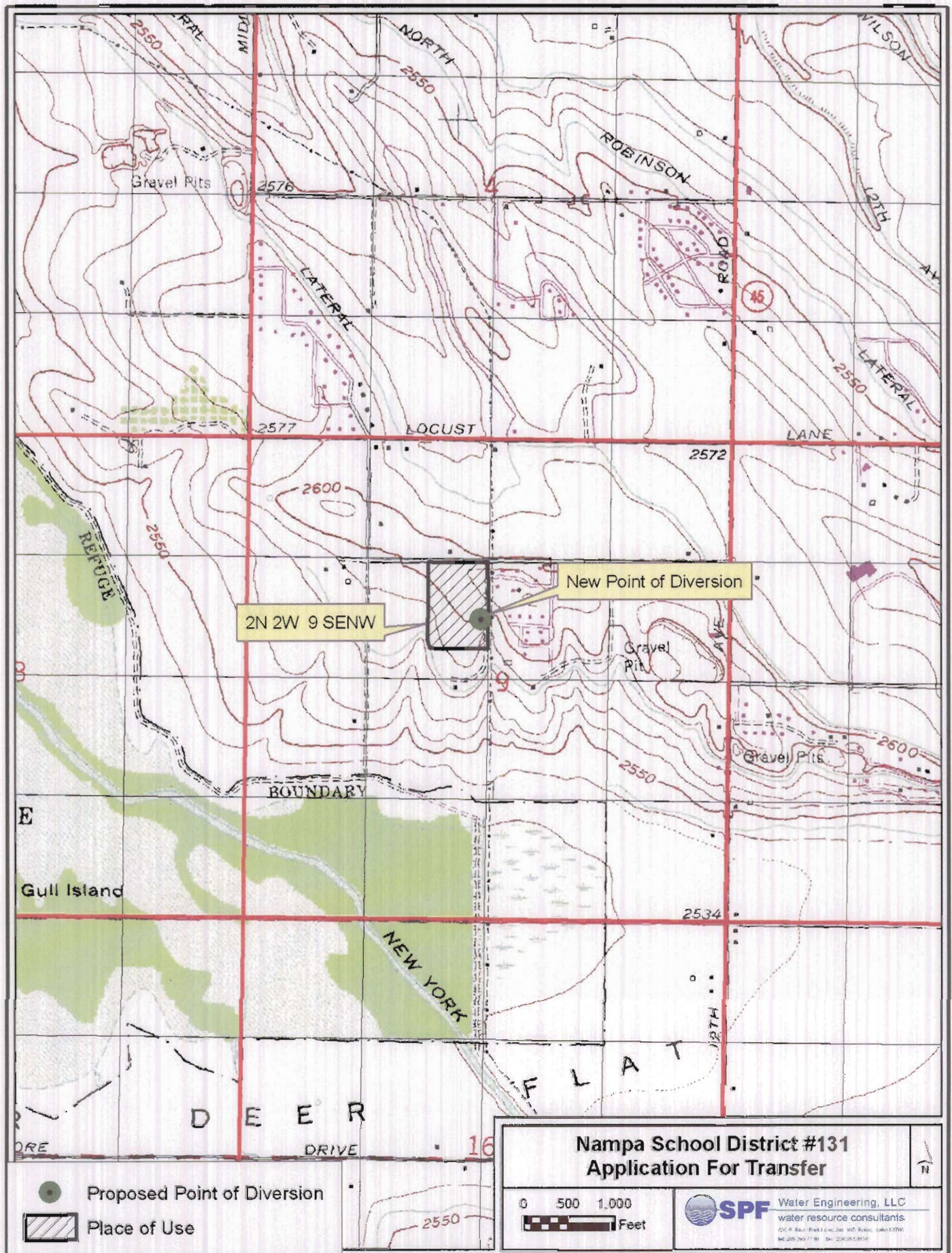
Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____



ATTACHMENT A

Case JIDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

11/21/2007

WATER RIGHT NO 63-32625

Owner Type	Name and Address
Current Owner	NAMPA SCHOOL DISTRICT # 131 619 S CANYON ST NAMPA, ID 83686 (208)568-4601
Director's Report Owner	KENNETH A. POMER 714 BURKE LN NAMPA, ID 83651 (208)466-2032

Priority Date: 04/25/1955

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use (acres) To	Diversion Rate	Volume
IRRIGATION	0.0015037 CFS	67.5 AFA
Total Diversion:	0.0015037 CFS	

Location of Point(s) of Diversion:

GROUND WATER SWSE1/4 Sec 09 Township 02N Range 02W CANYON County

Place(s) of Use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	02W	9		SW 1/4	15									

Total Acres: 15

Conditions of Approval:

1. Water Use of this right is combined with water from Boise-Kuna Irrigation District.
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. This right is a split from former right 63-3041.

Dates:

Other Information:
 State or Federal: S
 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: False
Case J

ATTACHMENT B

RECEIVED
JUL 18 2007
DEPARTMENT OF
WATER RESOURCES

IN THE COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

A. Subcase 63-32625

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Nampa School District #131
Address: 619 South Canyon
Nampa, Idaho 83686

Daytime Phone: (208) 468-4600

Name & Address of Attorney, if any:

William Yost/Yost Law Offices

4 Ogden Ave., PO Box 1275

Nampa, ID 83653

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Nampa School District #131
Address: 619 South Canyon
Nampa, ID 83686

Attachment C
(5 pgs)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes.)

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☒ Quantity
Should be: See attached
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____
10. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See attached

F. VERIFICATION (Must be completed)

State of Idaho)
County of Canyon)ss.

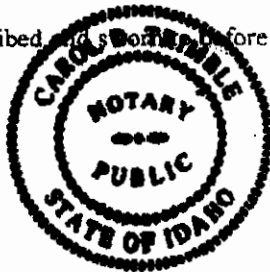
William J. Goss, duly sworn, upon oath, deposes and says:

That I am the party filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

William J. Goss

Subscribed and sworn to before me on:

June 15, 2007.



Carol D. Linnell

Notary Public for Adam

Residing at: Nampa, Idaho

My Commission Expires: 9/12/2007

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 15, ²⁰⁰⁷~~2006~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right:

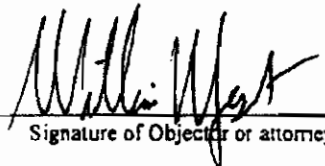
Name: Nampa School District #131
Address: 619 South Canyon
Nampa, ID 83686

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney

Notice of Objection Attachment for Subcase 63-3041

E. REASONS SUPPORTING OBJECTION(5):

Explanatory Material states that "Use of this right is combined with water from Boise-Kuna Irrigation District". We are requesting that the condition be removed from the water right. The property receives no water from the irrigation district; therefore, water right 63-32625 is a primary water right and should be represented as such. Attached is a letter and accompanying map from the Boise-Kuna Irrigation District showing that the district does not supply water to the property. We realize that the explanatory material will not appear on the final decree, but we would like to ensure that no current or future records of this right have that condition attached.

CS

Attachment D
(3 pgs)

SF5 - Amended Director's Report

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32625

NAME AND ADDRESS: NAMPA SCHOOL DISTRICT # 131
619 S CANYON ST
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.370 CFS
67.500 AFT

PRIORITY DATE: 04/25/1955

POINT OF DIVERSION:

T02N R02W S9 SHSEW Within CANYON County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/01 11/15

0.370 CFS

67.50 AFT

PLACE OF USE:

IRRIGATION in CANYON County

T02N R01W S09. SE09 15.00

15 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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(4), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

~~Use of this right is combined with water from Boise Run Irrigation District.~~
This right is a split from former right 63-3041.

HBS
DE
WTF

SF5 - Amended Director's Report

D2

CERTIFICATE OF SERVICE

I certify that on Jan 16th 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

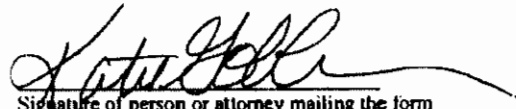
2. Copies to:

ID WR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Nampa School District #131
619 S. Canyon St.
Nampa, ID 83686

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form