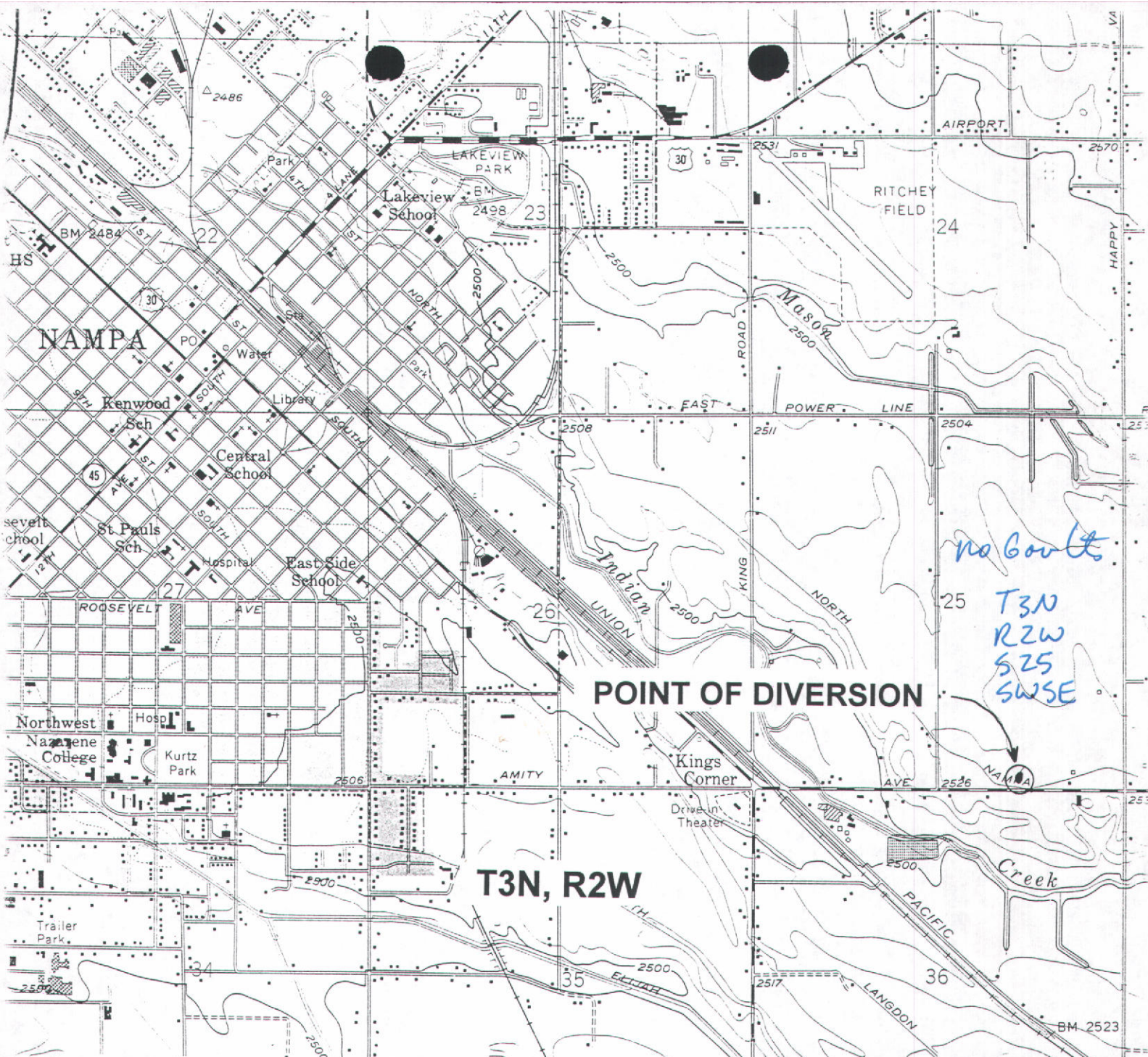
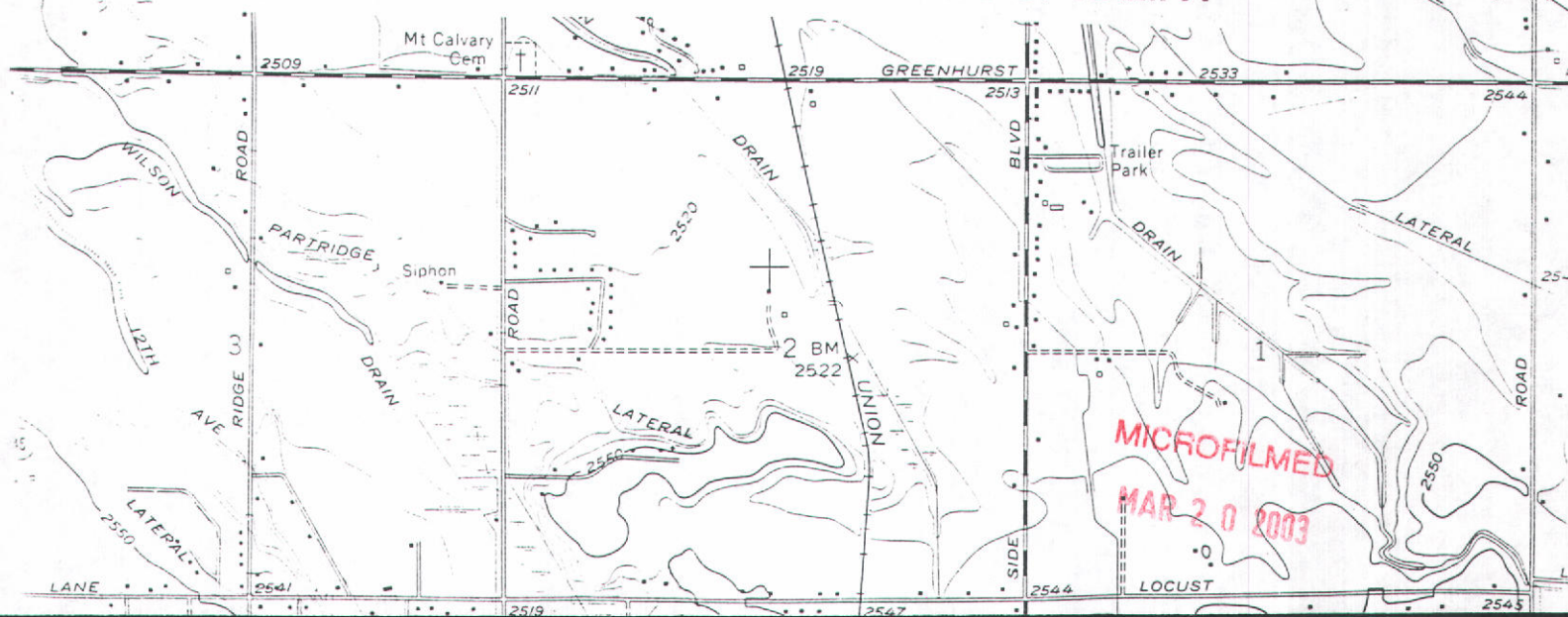




POINT OF DIVERSION

T3N, R2W

PLACE OF USE IS WITHIN THE CITY LIMITS OF NAMPA



MICROFILMED
MAR 20 2003

An aerial photograph of a coastal area. The image is divided into several rectangular sections by thin yellow lines. The top half of the image is mostly red, with some white and grey patches. The bottom half shows a more detailed view of the coastline, with a road, buildings, and a body of water. A yellow callout box with a black border is positioned in the center-left, containing text. A yellow dot is located on the right side of the image, near the bottom, with a line pointing from the callout box to it. Two black circular marks are visible at the top of the image.

63-31504 POD
3N 2W S25 SWSE
6/24/02 LM

MICRO-LED

8/1/03

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31504

Priority: May 28, 2002

Maximum Diversion Rate: 4.00 CFS

This is to certify, that CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	03/01 to 11/15	4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼SE¼ Sec. 25, Twp 3N, Rge 2W, B.M. CANYON County

PLACE OF USE: -- See condition of approval no. 5.

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2007**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. Place of use is within the service area of the City of Nampa municipal water supply system as provided for under Idaho Law.
6. 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.
7. 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.
8. 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 if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed 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.
9. The right holder shall not assign or sell the permit without first securing the written approval of the Department of Water Resources.

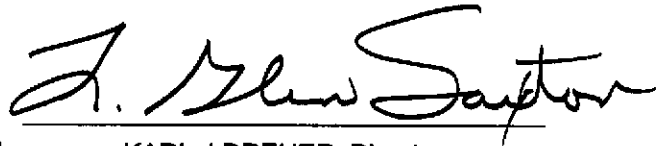
MICROFILMED
APR 20 2009

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31504

10. Water bearing zone to be appropriated is 75 to 300 feet.
11. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 19th day of November, 2002.


for KARL J DREHER, Director

MICROFILMED
MAR 2 0 2003

RECEIVED

MAY 28 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 30 2002

Department of Water Resources

1. Name of Applicant City of Nampa Phone 465-2200
Mailing address 411 Third Street South, Nampa, ID 83651
2. Source of water supply ground water which is a tributary of NA
3. Location of point of diversion is Township 3N Range 2W Sec. 25 in the 1/4,
SW 1/4, SE 1/4, Govt. Lot , B.M., Canyon County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 4.0 cfs for municipal purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 4.0 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source well with electric turbine pump and buried pipe system to places of use
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
 - c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? ; Drilling firm ;
Well was drilled for (well owner) ; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality. City of Nampa
 - d. Domestic; show number of households.
 - e. Other; describe fully.

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MAY 20 2003

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Place of use is within the City limits of Nampa. Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. Nampa & Meridian Irrigation District, City of Nampa water rights

11. a. Who owns the property at the point of diversion? Crossroads Community Church

b. Who owns the land to be irrigated or place of use? residents of the City of Nampa

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Use agreement between City and property owner

12. Remarks: The City of Nampa proposes constructing this well for use within the City's pressurized irrigation system. The water will provide supplemental irrigation for residential lots of less than 1/2 acre in size. Water bearing zone targeted by the well will be between 75 and 300 feet depth.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

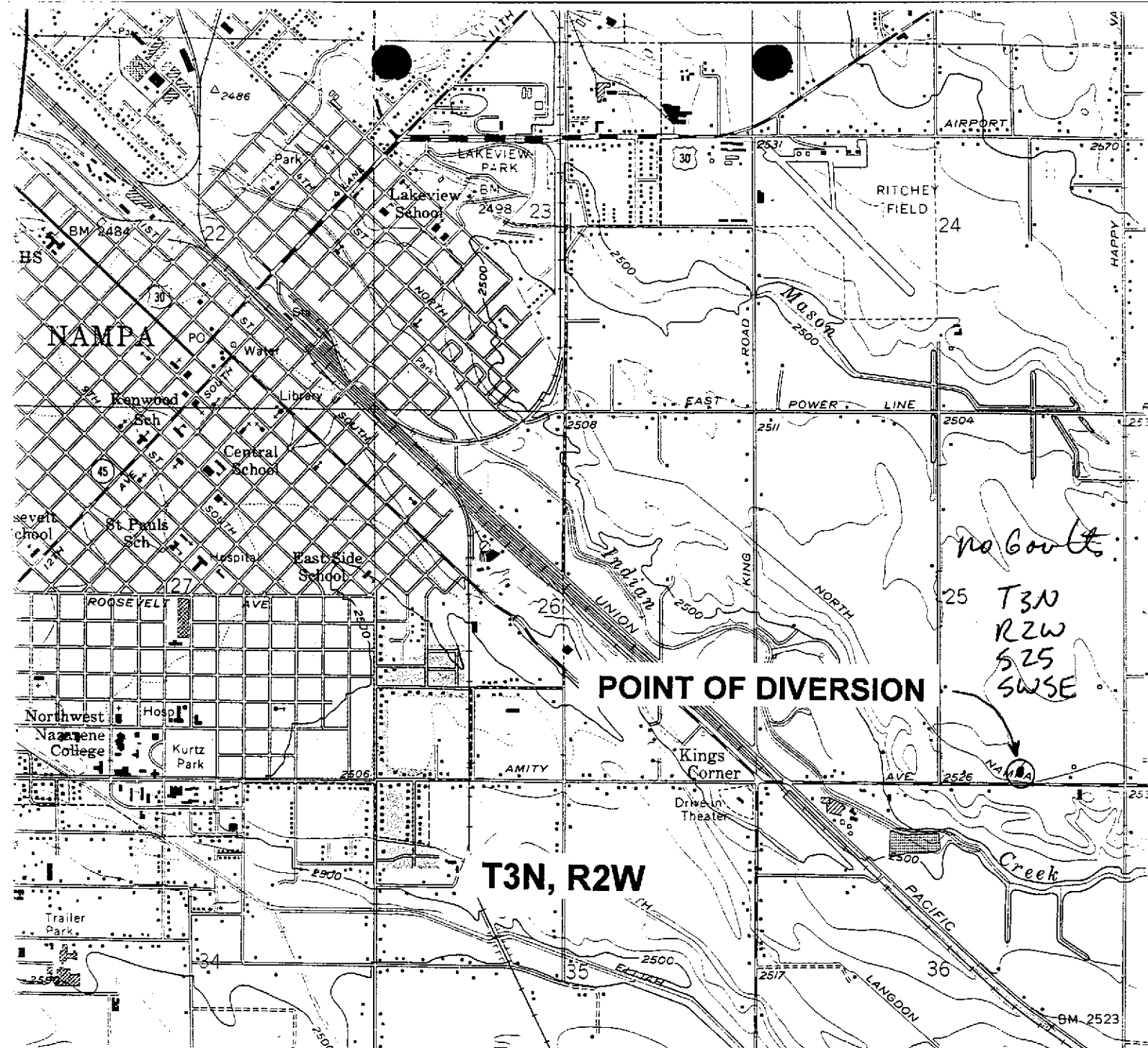
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

MAR 20 2003

Douglas Cox City Engineer
Signature of Applicant (and title, if applicable)

Received by Aris Fantana Date 5/28/02 Time 1:30 Preliminary check by ly
Fee \$ 370.00 Received by df # W029245 Date
Publication prepared by df Date 6-20+27-02 Published in PRESS TRIBUNE
Publication approved df Date 7-11-02

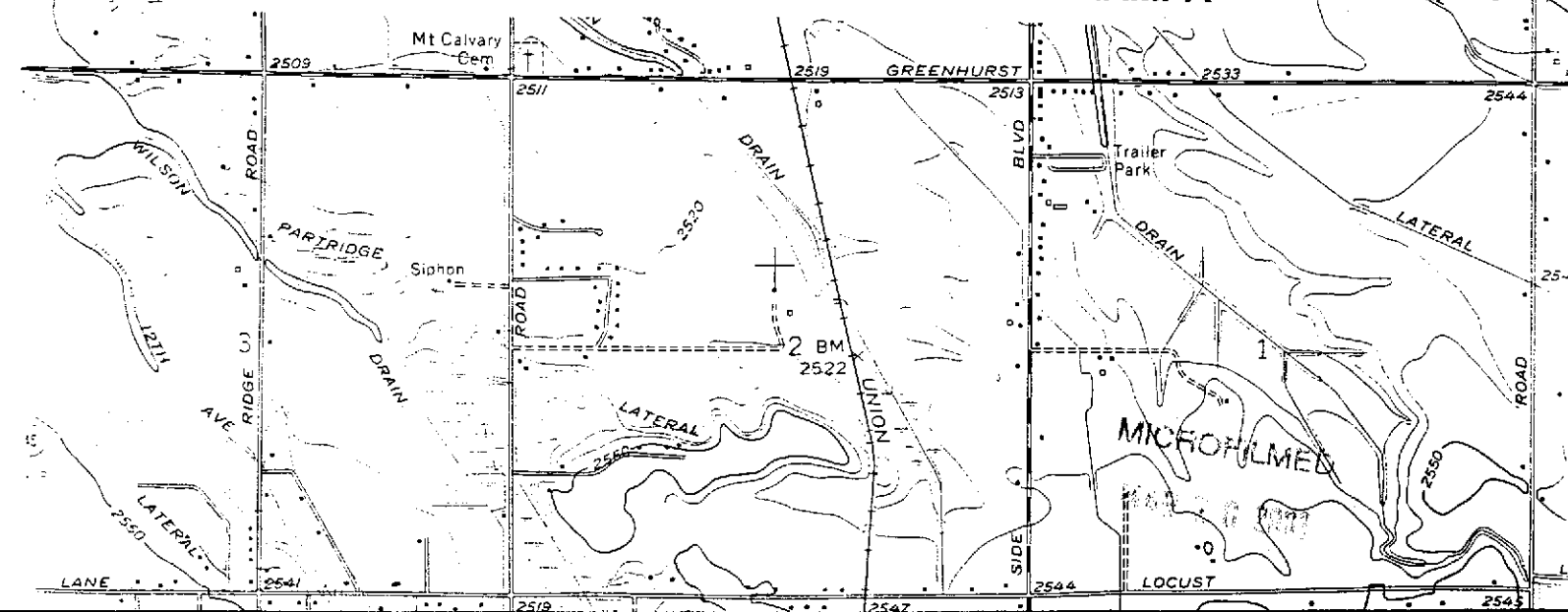


POINT OF DIVERSION

T3N, R2W

PLACE OF USE IS WITHIN THE CITY LIMITS OF NAMPA

no Goults
T3N
R2W
S25
SWSE



REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant City of Nampa
Mailing Address 411 Third Street South
Nampa, ID 83651

Application No(s).:
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and, before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions to flows in the Snake River during the periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Douglas Cox

Date

5/23/02

Please return this form to:

Idaho Dept. of Water Resources
State Office
1301 N. Orchard Rd.
Boise ID 83706

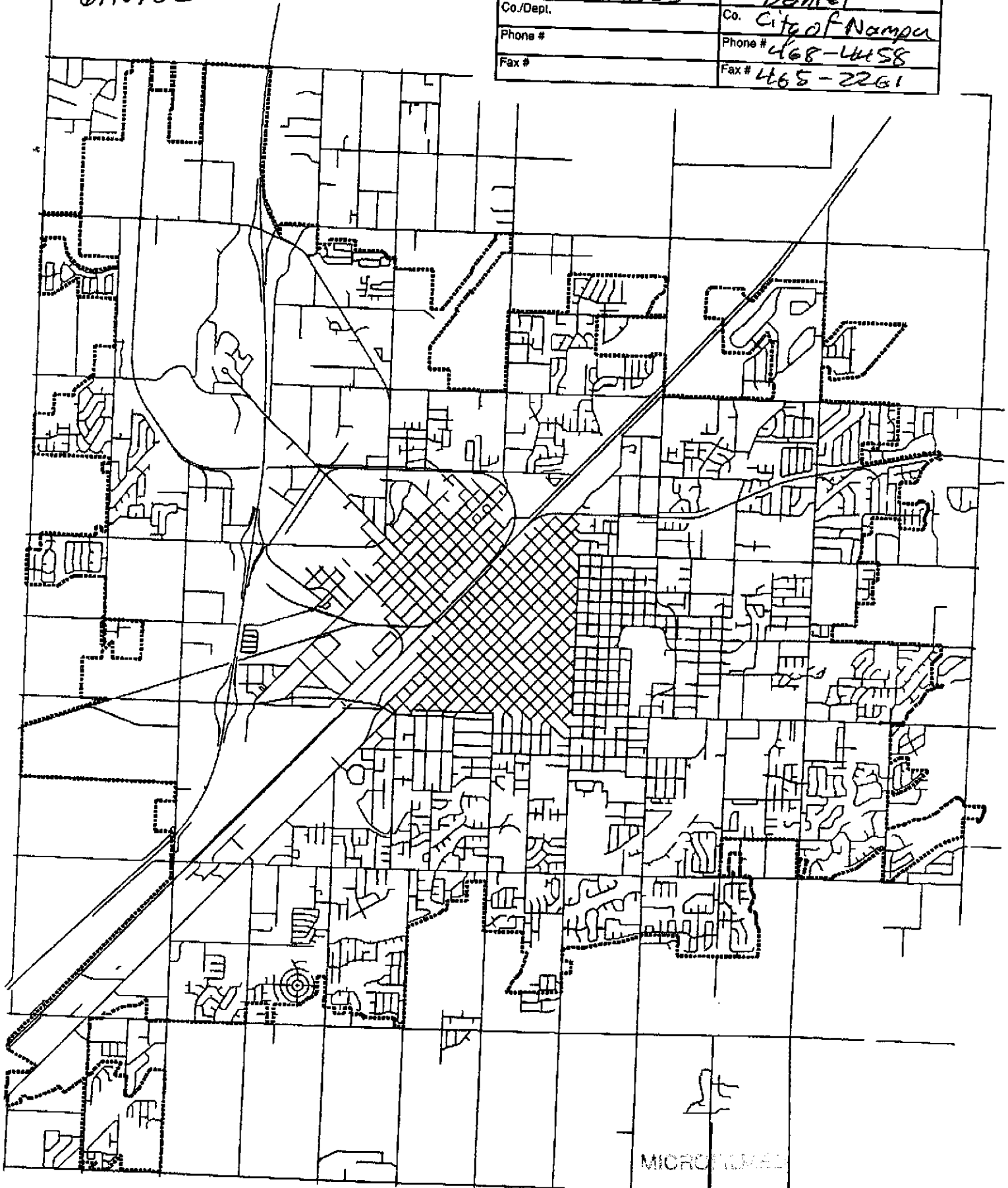
MICROFILMED

MAR 20 2003

CITY OF NAMPA
BOUNDARY AS OF
6/10/02

Post-It® Fax Note 7671

To	Lori Graves	Date	6-10-02	# of pages	1
Co./Dept.		From	Daniel		
Phone #		Co.	City of Nampa		
Fax #		Phone #	468-4458		
		Fax #	465-2261		



MICROFILMED

MAP 2 D 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 20, 2002

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

RE: Permit No. 63-31504

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED

MAR 20 2003

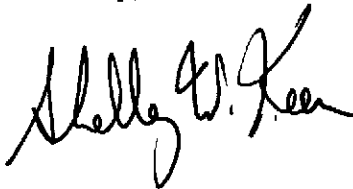
City of Nampa
November 20, 2002
Page 2

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Earlier in the review process for this application, I corresponded with Doug Cox regarding the need for the City of Nampa to compare its paper water right filings with its actual use of water. The Department's concern was that the City of Nampa was filing for new water rights when water right transfers may be more appropriate. I understand Doug Cox is no longer with the City of Nampa. However, Brian Donaldson of JUB Engineers recently called to let me know that he is working on a report matching the City of Nampa's actual water use with its recorded water rights. Brian said he thinks the report will be ready for submittal to the Department by March of 2003. That report will be very valuable during the Department's review of the City of Nampa's water right claims filed in the Snake River Basin Adjudication. When it is complete, please submit the report to Jan Shurte, who is the Water Rights Supervisor in the Adjudication Bureau at IDWR's Western Regional office in Boise.

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

cc: Jan Shurte, IDWR Western Region

MICROFILMED

MAR 20 2003

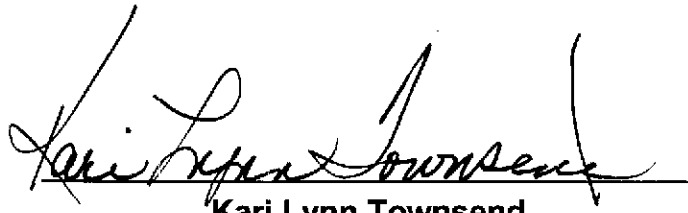
CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31504

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651



Kari Lynn Townsend
Secretary

MICROFILMED

MAR 20 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

MAR 2 8 2003

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

NOV - 6 2002

Department of Water Resources

November 5, 2002

Shelley Keen
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Subject: Application for Permit 63-31504 – City of Nampa

Dear Shelley:

We spoke a couple weeks ago about the above referenced Application for Permit. Following that conversation, I sent the attached letter dated October 27, 2002 to Doug Cox, Nampa City Engineer. Mr. Cox and I discussed the recommendations in the letter yesterday. He agreed with my assessment that approval of the Application for Permit, with appropriate conditions, would be the most expedient and least risky approach for the City to develop a new irrigation well in the vicinity of the Park Ridge Meadows Subdivision.

Mr. Cox suggested that I contact you to request approval of the Application for Permit, with conditions similar to the recommendations outlined on page 2 of my October 27, 2002 letter. Therefore, please consider this letter as formal request to resume processing of the Application. The City is eager to begin drilling this well, so we hope you can expedite this request.

Thank you for your cooperation on this matter. If you have any questions or comments, please contact me at 383-4140 or Doug Cox at 468-4448.

Sincerely,



Terry M. Scanlan, P.E., P.G

Cc: Doug Cox
David Bills

MICROFILMED

NOV 21 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

October 27, 2002

Douglas Cox, P.E.
City Engineer
City of Nampa
411 Third Street South
Nampa, ID 83651

Subject: Application for Water Right Permit 63-31504

Dear Doug:

I have reviewed Mr. Shelley Keen's letter to you dated August 27, 2002 regarding application for water right permit No. 63-31504. The permit application proposes diversion of up to 4.0 cfs (1,800 gpm) of groundwater from a well at the Park Ridge Meadows Subdivision. The water would be used in the City's pressurize irrigation system.

The August 27 letter indicates that the Department of Water Resources is reluctant to grant a new water right to the City of Nampa when it appears that the City has significantly more water rights than it can currently use. As a result, the Department has recommended that the City transfer an existing water right to this new well site. This method would help preserve senior water rights held by the City. While the water right transfer was being processed, the City could request an expedited drilling permit for the well.

Following my review of the letter, I discussed this matter with Mr. Keen. I expressed to Mr. Keen the following concerns.

- First, it is unclear which of the apparent excess water rights will be adjudicated in the Snake River Basin Adjudication, because it is possible that some of the City's more senior water rights will be lost to forfeiture through the adjudication process. The City needs to conduct an evaluation of their water rights and existing water supply to determine which rights can be defended in the adjudication process. Such an evaluation might require several months to complete.
- Second, the City risks being denied the opportunity to utilize the well if it is constructed prior to approval of a water right transfer. Even if a transfer application is not protested, transfer processing often requires more than a year. If the transfer application is protested, it is unlikely that well could be used in the 2003 irrigation season. If the transfer is denied, then the City might lose their investment in the well.

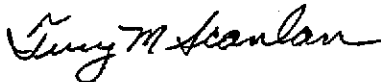
To minimize the risk involved with a transfer and to allow use of the proposed well in the 2003 irrigation season, I recommend the following steps.

MICROFILMED

1. The City should request that the pending application for permit be approved immediately so that a drilling permit can be issued.
2. The City should conduct an evaluation of its existing water supply capacity (potable and irrigation) and associated water rights to determine which senior rights can be adequately defended in the adjudication process.
3. The City should submit an application for transfer to add the new well site as an additional point of diversion under one or more of the City's senior water rights.
4. The City should agree to relinquish the permit after senior water rights that are adequate to accomplish the uses proposed by the permit are successfully transferred to the new well site.

Please contact me to discuss this matter.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

Cc: David Bills

MICROFILMED

MAR 20 2003

FAX**RECEIVED****Scanlan Engineering**600 East River Park Lane, #105
Boise, Idaho 83706
Department of Water Resources

NOV - 5 2002

Date: November 5, 2002**Tel: 208 383-4140****Fax: 208 383-4156****To: Shelley Keen****Fax No: 327-7866****From: Terry Scanlan****Reference:****Subject: City of Nampa****No. of Pages: 4**
(Including cover)

Shelley –

Hard copy will follow by mail. Let me know if you need anything else. Your cooperation (as always) is much appreciated!

Terry

If you do not receive all pages, or if there are any problems with this transmission, please call at 208 383-4140

MICROFILMED

MAR 20 2003

SCANLAN ENGINEERING*Groundwater and Environmental Engineering*

October 27, 2002

Douglas Cox, P.E.
City Engineer
City of Nampa
411 Third Street South
Nampa, ID 83651

Subject: Application for Water Right Permit 63-31504

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To minimize the risk involved with a transfer and to allow use of the proposed well in the 2003 irrigation season, I recommend the following steps.

600 East River Park Lane, Suite 105
Boise, Idaho 83706

Telephone (208) 383-4140
Facsimile (208) 383-4156

MICROFILMED

MAR 28 2003

Douglas Cox, P.E.

-2-

October 27, 2002

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Please contact me to discuss this matter.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

Cc: David Bills

MICROFILMED

MAR 2 9 2003

SCANLAN ENGINEERING*Groundwater and Environmental Engineering*

November 5, 2002

Shelley Keen
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Subject: Application for Permit 63-31504 -- City of Nampa

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Thank you for your cooperation on this matter. If you have any questions or comments, please contact me at 383-4140 or Doug Cox at 468-4448.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Cc: Doug Cox
David Bills

600 East River Park Lane, Suite 105
Boise, Idaho 83706

Telephone (208) 383-4140
Facsimile (208) 383-4156

RECEIVED
NOV 20 2002

MEMORANDUM

DATE: September 24, 2002

TO: Water Right File 63-31504

FROM: Shelley W. Keen *SWK*

RE: Meeting with city engineer

Yesterday I met with Doug Cox, engineer for the City of Nampa, to discuss the need for this filing. The City of Nampa appears to have more water rights on paper than they are actually using. To preserve their senior priority rights, a transfer may be a better choice than a new application. IDWR has offered to approve an expedited drilling permit while the city is exploring this issue. Meanwhile, this application should be held until the City of Nampa decides how to proceed.

RECEIVED
SEP 27 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

CITY OF NAMPA
C/O DOUGLAS COX
411 THIRD ST SOUTH
NAMPA ID 83651

RE: Application for Permit No. 63-31504

Dear Mr. Cox:

The Department of Water Resources (IDWR) is reviewing Application 63-31504, which you submitted for a diversion from ground water for supplemental irrigation within the City of Nampa. Your application proposes a diversion of 4.0 cfs in addition to the 95.51 cfs of existing water rights already held by the City of Nampa. Counting beneficial use claims filed in the Snake River Basin Adjudication, the City of Nampa's existing water rights may total as much as 111.45 cfs. Please see the enclosed list for a summary of the City of Nampa's water rights.

Diverting 95.51 cfs at a constant rate will produce more than 61 million gallons per day. According to figures published on the Department of Commerce community profile for the City of Nampa, however, your actual maximum daily usage is 4.8 million gallons per day. According to the same community profile, your plant capacity is about 13 million gallons per day. These figures suggest that the City of Nampa's water rights on paper exceed actual usage. If there is, in fact, a discrepancy between "paper" water rights and actual use, it may have arisen through filing for and receiving a new water right permit each time you drilled a new well, regardless of whether the well was needed to meet increased demand or was simply a replacement for a well that was failing or had failed. IDWR is concerned that approving another permit could simply perpetuate a practice that is not in the city's best interest because the senior priority date of an existing water right may be foregone in lieu of a new right with a much junior priority.

Under the provisions of §42-222, *Idaho Code*, a water right holder may seek and obtain approval to change the point of diversion or add an additional point of diversion for an existing water right. Such a change is termed a "transfer." When a water right is transferred, it retains its original priority date, but the amount of the water right is limited to the amount of the original right. For ground water rights, the transfer provision is useful when replacing a well that has diminished in productivity or for adding a well for more efficient distribution of water.

Rather than file for a new water right that may not be needed, it could be worthwhile to review your water rights to see if a transfer would better accomplish your objective. I recommend first

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MAR 28 2003

determining if your peak demand is in the 95 cfs range. If so, the application you filed is probably appropriate. If not, I recommend matching the points of diversion descriptions for your recorded water rights with your active wells to determine if you hold any water rights for wells that are no longer in use. If so, you could file an application to transfer those water rights to a new well at the location proposed in your application.

While you are reviewing your water rights, another item to consider is how the City of Nampa's claims will be addressed in the Snake River Basin Adjudication. Section 42-222, *Idaho Code*, also provides for the forfeiture of a water right after five years of non-use. If the city's existing use is, in fact, far less than what has been claimed in the adjudication, water rights in excess of actual historical beneficial use may be found to have been forfeited. In addition, if a change to a water right occurred prior to November 19, 1987, the change may be claimed and decreed in the SRBA process without having to file an application for transfer.

Also, under recent legislation a municipal water provider may file an application to appropriate water for reasonably anticipated future needs. Under §42-202B, *Idaho Code*, reasonably anticipated future needs means "future uses of water by a municipal provider for municipal purposes within a service area which, on the basis of population and other planning data, are reasonably expected to be required within the planning horizon of each municipality within the service area not inconsistent with comprehensive land use plans approved by each municipality." Water appropriated for reasonably anticipated future needs is not required to be diverted and used immediately, as is the case for most new water rights. Instead, the water right can be held over a "planning horizon" in anticipation that the water will be needed to meet the municipality's needs in the future. While an application for transfer may be a better choice than an application for permit to meet your immediate needs, with additional information your existing application could possibly be converted to an application for reasonably anticipated future needs.

I will hold your application for permit for 30 days to give you time to explore this issue. Please respond by either (a) describing your diversion and distribution system(s) to show why the new water right is needed now, or (b) providing sufficient information to establish that the application is for reasonably anticipated future needs, or (c) withdrawing your application for permit. In connection with options (b) and (c), you may also wish to file an application for transfer to cover your plans to divert from the new well to meet existing needs. I have enclosed an application for transfer form for you. If I have not received a response from you within 30 days, I will recommend that your application be denied.

Normally IDWR will not issue a well drilling permit authorizing well construction until the associated water right filing is processed and approved. However, to avoid delaying your project while you are reviewing your options, IDWR will consider issuing a well drilling permit now if you accept the risk that approval to divert and use water from the well may not be granted. If this

City of Nampa
August 14, 2002
Page 3

is how you want to proceed, please submit your application for drilling permit and a request for expedited approval of the drilling permit. I have enclosed forms for you to use.

If you have any questions or need more information, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

Enclosures

cc: Gary Spackman, IDWR Western Region
Dave Tuthill, IDWR Adjudication Bureau
Mark Slifka, IDWR Ground Water Protection Section

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City of Nampa Water Rights
8/14/2002Nampa Water Rights

Application

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate	Source List	Water Use List	Owner List	Source Table
63	5257		Statutory Claim	Active	1/1/1905	0.30	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	2449		License	Active	8/13/1931	0.80	GROUND WATER	DOMESTIC, IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	2450		License	Active	8/13/1931	1.00	GROUND WATER	DOMESTIC, IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	2484		License	Active	8/22/1933	1.62	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	2779		License	Active	9/2/1949	2.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	2780		License	Active	9/2/1949	2.50	GROUND WATER	FIRE PROTECTION, RECREATION	CITY OF NAMPA (Current)	wrWaterRight
63	2781		License	Active	9/2/1949	3.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	2787		License	Active	9/2/1949	30.00	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	2943		License	Active	6/3/1953	1.74	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	5258		Statutory Claim	Active	1/1/1954	2.67	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	2782		License	Active	11/25/1959	1.93	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	2533		License	Active	2/16/1971	1.22	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	7587		License	Active	3/6/1972	2.79	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	7708		License	Active	2/14/1973	0.40	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	7954		License	Active	3/20/1974	4.00	ELIJAH DRAIN	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	8312		License	Active	5/24/1976	0.50	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	8324		License	Active	6/1/1976	3.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	9180		License	Active	9/27/1978	4.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	9853		License	Active	1/17/1982	1.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	9889		License	Active	3/30/1982	1.50	GROUND WATER	IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	10212		License	Active	6/28/1983	2.23	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	10211		License	Active	3/9/1984	8.69	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	10319		License	Active	8/28/1985	2.05	GROUND WATER	DIVERSION TO STORAGE, IRRIGATION	CITY OF NAMPA (Current)	wrWaterRight
63	11339		License	Active	3/28/1990	0.04	GROUND WATER	DOMESTIC	CITY OF NAMPA (Current)	wrWaterRight
63	11511		License	Active	3/28/1990	1.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	11729		License	Active	3/6/1992	2.68	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	12322		License	Active	2/20/1996	0.84	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	11894		License	Active	1/24/1997	0.51	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	12474		License	Active	10/1/1998	3.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	12543		License	Active	7/30/1999	4.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	12591		License	Active	8/21/2000	3.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
63	31504		License	Active	5/28/2002	4.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)	wrWaterRight
Total						99.51				

69946

64315648.00 gal/day
51867.00 people
1240.01 gal/day/person

NOT A PERMIT
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City of Nampa SRBA Claims

8/14/2002

Basin	Sequence	Suffix Basis	Status	Priority Date	Rate	Source List	Water Use List	Owner List
63	5257	Beneficial Use	Active	1/1/1905	0.30	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	20284	Beneficial Use	Active	6/3/1925	0.06	GROUND WATER	DOMESTIC, STOC	CITY OF NAMPA (Current)
63	2533	License	Active	2/16/1928	1.22	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2449	License	Active	8/13/1931	0.80	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2450	License	Active	8/13/1931	1.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2484	License	Active	8/22/1933	1.62	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	28219	Beneficial Use	Active	8/2/1937	1.22	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2779	License	Active	9/2/1949	2.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2780	License	Active	9/2/1949	2.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2781	License	Active	9/2/1949	3.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2782	License	Active	9/2/1949	1.93	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	2787	License	Active	9/2/1949	30.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	28220	Beneficial Use	Active	9/2/1949	1.93	GROUND WATER	COMMERCIAL	CITY OF NAMPA (Current)
63	2943	License	Active	6/3/1953	2.46	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	5258	Beneficial Use	Active	1/1/1954	2.67	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	10212	License	Active	10/1/1965	2.23	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	7003	License	Active	6/9/1967	7.68	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	7567	License	Active	3/6/1972	2.79	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	7708	License	Active	2/14/1973	0.40	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	7954	Permit	Active	3/20/1974	4.00	ELIJAH DRAIN	MUNICIPAL	CITY OF NAMPA (Current)
63	8312	License	Active	5/24/1976	0.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	8324	License	Active	6/1/1976	3.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	9180	Permit	Active	9/27/1978	6.00	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	9853	Permit	Active	12/24/1981	1.10	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
63	9889	Permit	Active	3/30/1982	1.50	GROUND WATER	MUNICIPAL	CITY OF NAMPA (Current)
Total					81.91			
Plus Post SRBA					33.54			
Total					115.45			

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CITY OF NAMPA



Department of Commerce

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BUSINESS

COMMUNITIES

TRAVEL

STATISTICS

NEWS & RESOURCES

NAMPA

Region: 3

County: Canyon

POPULATION

	<u>1990</u>	<u>2000</u>
CITY	28,365	51,867
COUNTY	90,076	131,441

**COMMUNITY GOVERNMENT
REVENUE**

Typical Property Tax Rate	2.1
Total Net Market Value	1,41

COUNTY LABOR FORCE DATA**NonFarm Employment**

	<u>2000</u>
Total Nonfarm Employment	45,438
Food Product	3,772
Lumber & Wood Products	1,109
Chemicals	31
Metals	640
Machinery (exc. elect)	1,599
Electronics & Elec. Equip.	1,876
Other Manufacturing	2,257
Construction	3,717
Mining	46
Trans/Comm/Util	2,115
Wholesale & Retail Trade	10,559
Finance, Insur. & Real Est.	1,339
Services & Misc.	9,947
Government	6,433

Civilian Labor Force

	<u>1990</u>
Total Labor Force	63,37
Total Employment	60,3
Total Unemployed	3,0
Percent Unemployed	4
Farm Employment	4,4

County Income/Payroll (in d

Median Household Income
Per Capita Income
Personal Income Total (000)

Avg. Monthly Wage

Annual Payroll (000)

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LARGEST EMPLOYERS/MANUFACTURERS

MAR 20 2003

<u>Name</u>	<u>Product or Service</u>	<u>Number of Employees</u>
Nampa School Dist. #131	Education	
MicronPC	Electronics and Computer Production	
Mercy Medical Center	Health Care	
Armour Foods	Meat Products	
Amalgamated Sugar Company	Food Processing	
Zilog Corporation	Integrated Circuits Mfg.	
MCMS, Inc.	Custom Computer Boards Mfg.	
Nestle Brands Food Service	Food Processing	
Woodgrain Millwork, Inc.	Wood Processing	

MUNICIPAL SERVICES AND HEALTH CARE

Sewer System

Treatment Plant	18 mgd
Design Capacity	
Avg Daily Usage (% of capacity)	50 %
Largest Main Line Capacity (diameter in inches)	30 inches

Fire Protection System

Rating by Idaho
Surveying & Rating
Bureau
(1=best, 10=worst)
Number of Paid and
Volunteer Fireman

Water System

Maximum Plant Daily Production	13 mgd
Maximum Daily Usage	4.8 mgd
Average Daily Usage	3.7 mgd
Storage Capacity	.5 mg

Police Protection

Number of Full-
Part One Crime:
Part One crimes are the
crimes defined by the

Planning Services

Regulatory System	<u>Yes</u> <u>No</u>
Comprehensive Plan	X
Zoning Ordinance	X
Building Permit System	X
Subdivision Ordinance	X
Territory Covered by Zoning	
Municipality	X
County	X

Library System

Number of Public Libraries 1

Health Care Facilities

Number of Hospitals 1
Distance to Nearest 0
Ambulance Service Available yes
Number of General Clinics 3

TRANSPORTATION

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MAJOR HIGHWAYS

<u>Jurisdiction</u>	<u>Route Designation</u>	<u>Direction (Route)</u>	<u>Miles T</u>
Federal Interstate	I-84	E-W	
Federal Highway	US 30	E-W	
State Highway	45	S	
State Highway	55	E-W	

AIR SERVICE

	<u>Navigation Equipment</u>	<u>Runway Length</u>	<u>D</u>
Nampa Municipal	PAPI, RWY 11-29	5,000	
Boise Municipal	VORTAC, USTIC NDB, ILS, MLS	9,763 & 7,400	

WEATHER DATA

Average Annual Total Precipitation	10.6 inches
Average Annual Snowfall	13.1 inches

	<u>Degree</u>	<u>Month</u>
Lowest Average Daily Minimum Temperature	20.2	January
Highest Average Daily Maximum Temperature	92.0	July

Elevation 2,490

EDUCATIONAL FACILITIES**PUBLIC SCHOOLS**

<u>District Name</u>	<u>Average Daily Attendance (ADA)</u>	<u>School Year 2000- 2001</u>	<u>Pupil (FTE)</u>
Nampa District #131	10,580		

PRIVATE SCHOOLS (all grades)

Number of Schools in County
Enrollment Total
(*Not all private schools report)

20

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MAR 23 2005

PROFESSIONAL-TECHNICAL SCHOOLS

Public Secondary Programs (by District)

<u>Name</u>	<u>Enrollment-2000-2001</u>
Nampa District #131	2,951

Post-Secondary

<u>Name</u>	<u>Assoc/Certificate Enrollment-1999-2000</u>	<u>Short- Term Training</u>
Northwest Nazarene University	-	543
Boise State University Professional- Technical	1,259	7,984

COMMUNITY COLLEGES

<u>Name</u>	<u>Enrollment- 2000-2001</u>
Treasure Valley Community College	4,367

FOUR-YEAR COLLEGES OR UNIVERSITIES (nearest)

<u>Name</u>	<u>Academic Enrollment- 2000-2001</u>
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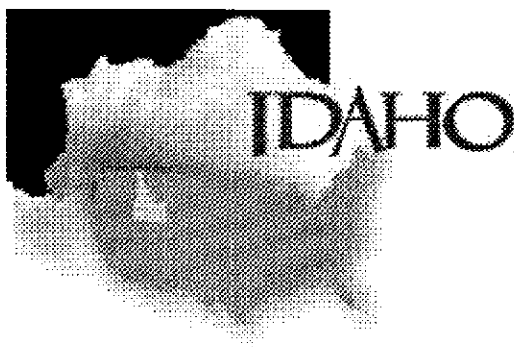
LOCAL & REGIONAL ECONOMIC DEVELOPMENT ORGANIZATI

<u>Name</u>	<u>Contact</u>	<u>Phone(208)</u>
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IDC-ED 11/30/2001

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MAR 20 2003



Idaho Department of Commerce

700 West State Street | P.O. Box 83720 | Boise, Idaho

Phone: (208) 334-2470 | Fax: (208) 334-2

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MAR 23 2003

JUL 30 2002

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

Initial review by 6 Date 6/10/02 Application # 63-31504

REQUIRED INFORMATION

- ☐ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☐ Address
- ☐ Source (See USGS Quad for names of water sources)
- ☐ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☐ County
- ☐ Quantity (Flow and /or Volume)
- ☐ Period of use
- ☐ Nature of proposed use (Include description of use)
- ☐ Description of diverting works
- ☐ Time required for beneficial use of water
- ☐ Place of use or acres irrigated
- ☐ Map (Show T, R, S, QQ &/OR QQQ)
- ☐ Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
- ☐ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☐ Correct fee paid
- Government Lots
☐ P/D
☐ P/U

ADDITIONAL INFORMATION

✓ ADVERTISE REMARKS (Yes or No)

YES NO

- N/A ☐ Overlapping place of use (Describe source and relationship to present application on next page)
- ☐ ☒ Overlapping point of diversion
- ☐ ☒ Critical groundwater area
- ☐ ☒ Ground water management area
- ☐ ☒ 1992 moratorium
- ☐ ☒ Surface water source, IDFG letter needed
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau
- ☐ ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☐ ☒ E-mail to Dam Safety staff (for any storage)
- ☐ ☒ Mitigation plan Check any that apply
- ☐ ☐ Immediate = acceptable plan required and submitted
- ☐ ☒ Future = open areas, acceptance of condition of approval is in file
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter
- ☐ ☒ Power residency affidavit
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (If YES, attach Large Diversion supplementary analysis sheet)
- ☒ ☐ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Nampa City limits map

Date Requested 6/10/02 Date Response Received 6/10/02

PROCESSING

APPLICATION # 63-

YES NO

☒ ☐ In form for advertising
☐ ☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken _____

☒ ☐ Publication dates and paper recorded on application
☐ ☒ Final date for protest 7-8-02
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter

046, 121,

Recommended Date of Priority 5/20/02

Recommendation ☒ Approve ☐ Deny by Bay S Date 7/27/02

ADDITIONAL INFORMATION

☐ See Attachment(s) ... always include application proof report

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31504

WATER RIGHT NUMBER: 63-31504

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF NAMPA 411 3RD ST SOUTH NAMPA, ID 83651 (208)465-2220

Priority Date: 05/28/2002

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	03/01 to 11/15	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 25, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of UseConditions of Approval:Remarks:Comments:

1. Imattson 6/11/2002 Legal Notice Remarks
Comment: Applicant agrees to mitigate consumptive use in the future as needed.
2. Imattson 6/11/2002 Legal Notice Remarks
Comment: Municipal use is for applicants service area
3. Imattson 6/11/2002 Legal Notice Remarks
Comment: Water bearing zone to be appropriated is from 75 to 300 feet.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31504

Dates and Other Information:

Application Received Date: 5/28/2002

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Formal Action Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: The City of Nampa proposes constructing this well for use within the City's pressurized irrigation system. The water will provide supplemental irrigation for residential lots of less than 1/2 acre in size. Water bearing zone targeted by the well will be between 75 and 300 feet depth.

Other Water Rights: Nampa & Meridian Irrigation District, City of Nampa water rights.

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

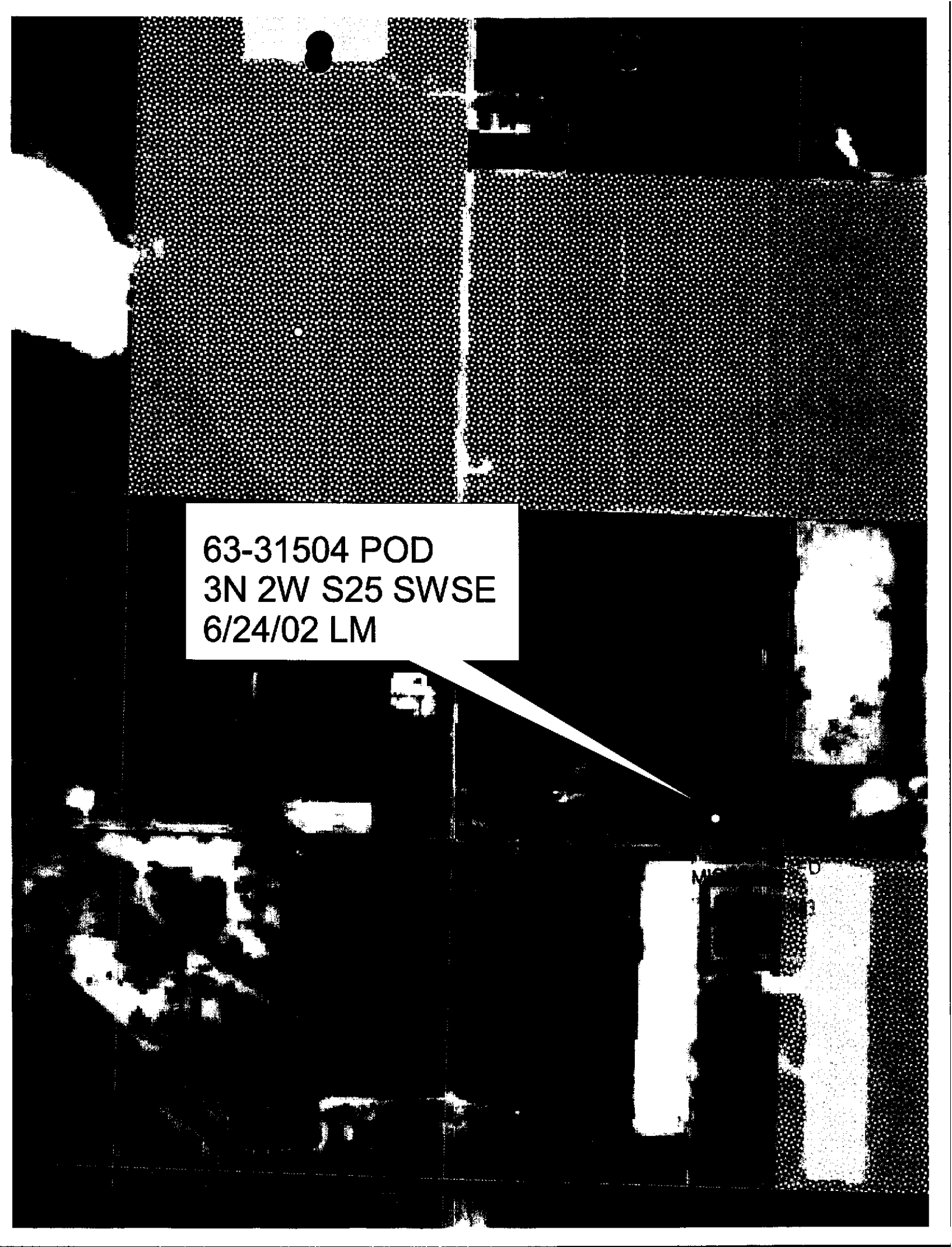
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False



63-31504 POD
3N 2W S25 SWSE
6/24/02 LM

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Traci L. Myers
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
06/20/2002, 06/27/2002

STATE OF IDAHO)
County of Canyon)

On the 27th day of June in the year of 2002
before me, a Notary Public, personally appeared.
Traci L. Myers,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Rebecca L. Thompson
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

e0100285 01507175
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

63-31504
CITY OF NAMPA
411 3RD ST SOUTH
NAMPA ID 83651

Point(s) of Diversion
SWSE S25 T03N R02W
CANYON County

Source GROUND WATER
Use: MUNICIPAL
03/01 To 11/15
4 CFS

Total Diversion: 4 CFS
Date Filed: 05/28/2002

Remark: Applicant agrees to miti-
gate consumptive use in the future
as needed.

Municipal use is for applicants
service area

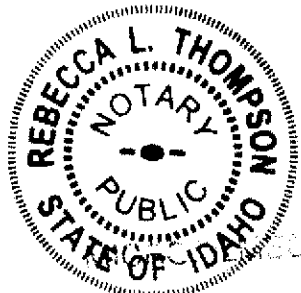
Water bearing zone to be appropri-
ated is from 75 to 300 feet.

Permits will be subject to all prior
water rights. Protests may be sub-
mitted based on the criteria of Sec
42-203A, Idaho Code.

Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resource,
Western Region, 2735 Airport Wy,
Boise ID 83705 together with a pro-
test fee of \$25.00 for each applica-
tion on or before 07/08/2002. The
protestant must also send a copy of
the protest to the applicant.

KARL J DREHER,
Director
June 20, 27, 2002.

01507175



June 13, 2002

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Transfer No. 69928
Water Right No(s). 63-2706B

Water Right Nos. 63-31500 and 63-31504

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find three legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 07/08/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
rSenior Secretary

RECEIVED
JUN 14 2002

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-31504

CITY OF NAMPA
411 3RD ST SOUTH
NAMPA ID 83651

Point(s) of Diversion SWSE S25 T03N R02W CANYON County Source GROUND WATER

Use: MUNICIPAL 03/01 To 11/15 4 CFS

Total Diversion: 4 CFS

Date Filed: 05/28/2002

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Municipal use is for applicants service area

Water bearing zone to be appropriated is from 75 to 300 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/08/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on June 20 and 27, 2002.

*Paul Raymond
Public Works
Director*

MICROFILMED

MAY 10 2007