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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69594

This is to certify that: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395
(208)466-7861

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-30181	AJC/Decreed	06/01/1864	0.20 cfs				BOISE RIVER
63-199B	AJC/Decreed	05/01/1878	169.60 cfs				BOISE RIVER
63-200B	AJC/Decreed	08/20/1888	361.94 cfs				BOISE RIVER
63-198AJ	AJC/Decreed	06/01/1877	0.40 cfs		40		BOISE RIVER

Purpose of Transfer (Changes Proposed)

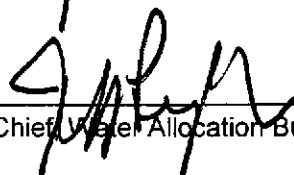
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-30181	NO	NO	NO	YES	NO	NO
63-199B	NO	NO	NO	YES	NO	NO
63-200B	NO	NO	NO	YES	NO	NO
63-198AJ	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
63-30181	63-30181	0.20 cfs		N/A	N/A
63-199B	63-199B	169.60 cfs		N/A	N/A
63-200B	63-200B	361.94 cfs		N/A	N/A
63-198AJ	63-198AJ	0.40 cfs		40	N/A
COMBINED TOTALS		532.14 cfs			

Detailed Water Right Description(s) attached

Dated this 24 day of July, 2003

For 
Chief Water Allocation Bureau

MICROFILMED
JUL 14 2003

WATER RIGHT NO. 63-30181
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-30181 is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: June 01, 1864

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.20 CFS
			0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion

BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal

MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.

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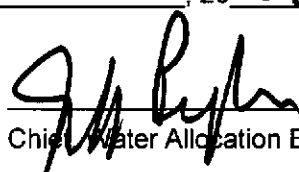
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6. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
7. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
8. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
9. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
10. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
11. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
12. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
13. In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24 day of July, 2003

For


Chief, Water Allocation Bureau

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SEP 8 9 2003

WATER RIGHT NO. 63-198AJ
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-198AJ is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: June 01, 1877

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	11/15	0.40 CFS
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion

BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal

MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Right 63-198AJ is limited to the irrigation of 40 acres within the authorized place of use.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
5. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

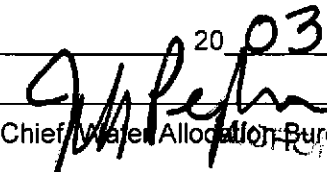
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6. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
7. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
8. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
9. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
10. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
11. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
12. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
13. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
14. In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24 day of July 2003


FWS Chief, Water Allocation Bureau

SEP 30 2003

WATER RIGHT NO. 63-199B
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-199B is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: May 01, 1878

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	169.60 CFS
INDUSTRIAL	03/15	to 11/15	0.64 CFS
GROUND WATER RECHARGE	03/15	to 11/15	2.56 CFS
			169.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion

BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal

MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

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5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
6. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.
7. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
8. The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
9. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
11. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
12. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
13. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
14. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
15. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
16. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
17. In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the

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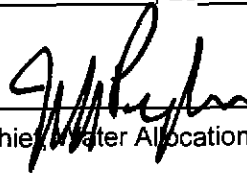
senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.

18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

19. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24 day of July, 2003

For  Chief, Water Allocation Bureau

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SEP 09 2003

WATER RIGHT NO. 63-200B
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-200B is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: August 20, 1888

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	361.94 CFS
INDUSTRIAL	03/15	to 11/15	1.36 CFS
GROUND WATER RECHARGE	03/15	to 11/15	5.44 CFS
			361.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion
BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal
MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

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5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
6. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.
7. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
8. The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
9. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
11. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
12. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
13. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
14. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
15. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
16. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
17. In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the

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senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.

18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24 day of July, 2003


For Chief, Water Allocation Bureau

MICROFILMED

JUL 24 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 5273 IN THE NAME OF NAMPA &)
MERIDIAN IRRIGATION DISTRICT)
_____)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On January 18, 1906, water right no. 63-120 was decreed in the case Farmers Cooperative Ditch Company vs. Riverside Irrigation District, et al with a priority date of June 1, 1864 for 2.2 cfs for irrigation use.
2. Application for transfer no. 595 was filed in August, 1938 for a portion of water right no. 63-120 in the amount of 0.6 cfs. The application proposed to change the point of diversion and place of use under the right to lands served by Settlers Irrigation District and Nampa & Meridian Irrigation District canals.
3. On September 27, 1938, transfer no. 595 was approved; the transferred portion of the water right has been designated water right no. 63-120F in records of the Idaho Department of Water Resources (Department).
4. Department review found that only 0.4 cfs was available for the transfer due to previous transfers to water right no. 63-120 and the Department subsequently corrected the records to reflect 0.4 cfs under water right no. 63-120F.
5. Nampa & Meridian Irrigation District filed a claim in the Snake River Basin Adjudication for their portion of water right no. 63-120F under claim no. 63-30181.
6. On January 16, 1998, Nampa & Meridian Irrigation District filed application for transfer no. 5273 (transfer) involving several water rights including water right no. 63-120F. The application proposed to change the entire 0.4 cfs under water right no. 63-120F.
7. On January 27, 2000, the Department approved the transfer, which included a quantity of 0.4 cfs for water right no. 63-120F and a total quantity under the transfer of 532.34 cfs.

8. In January, 2002, the watermaster of State Water District 63 contacted Department staff regarding water right no. 63-120F. The watermaster questioned the ownership for the water right. The water district records showed 0.2 cfs each for Settlers Irrigation District and Nampa & Meridian Irrigation District under the water right as approved under transfer no. 595.
9. Department staff review confirmed that ownership documentation did not exist for Nampa & Meridian Irrigation District for the entire 0.4 cfs recorded under water right no. 63-120F.
10. On January 23, 2002, the Department sent a letter to Dave Shaw, consultant for Nampa & Meridian Irrigation District, inquiring about ownership of water right no. 63-120F and requesting documentation to show ownership of the entire 0.4 cfs.
11. On February 28, 2002, Department staff in conference with Bryce Farris, attorney for Nampa & Meridian Irrigation District, noted Mr. Farris' indication that Nampa & Meridian Irrigation District does not have documentation for ownership of the entire 0.4 cfs and agreement that the correct quantity is probably 0.2 cfs.
12. On May 2, 2002, the Department sent a letter to Nampa & Meridian Irrigation District and to Settlers Irrigation District describing the error in the Department's records regarding ownership of water right no. 63-120F and proposing that the records be corrected to show a quantity of 0.2 cfs each for Nampa & Meridian Irrigation District and for Settlers Irrigation District. The letter indicated that a reply would not be necessary unless information was available to provide a different conclusion.
13. On June 21, 2002, the Department received an amendment to application for transfer no. 69594, which also proposes a change to water right no. 63-120F, from Bryce Farris on behalf of Nampa & Meridian Irrigation District. The amendment was provided to change the quantity for water right no. 63-120F from 0.4 cfs, as originally listed, to 0.2 cfs.

CONCLUSIONS OF LAW

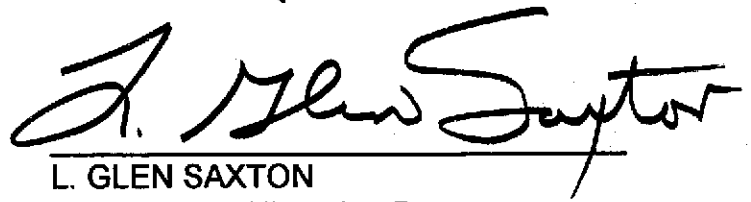
1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the quantity for the portion of water right no. 63-120F owned by Nampa & Meridian Irrigation District and the total quantity transferred.

3. The Department should correct the transfer approval to show the correct quantity associated with Nampa & Meridian Irrigation District's portion of water right no. 63-120F and to show the correct total quantity transferred.

ORDER

IT IS THEREFORE HEREBY ORDERED that transfer approval no. 5273 is **CORRECTED** by changing the quantity for Nampa & Meridian Irrigation District's portion of water right no. 63-120F, to be designated as water right no. 63-30181, to 0.2 cfs and by changing the total quantity transferred to 532.14 cfs.

Dated this 9th day of August, 2002.



L. GLEN SAXTON

Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

This is to certify that: **NAMPA & MERIDIAN IRRIGATION DISTRICT**
1503 FIRST ST S
NAMPA ID 836514395

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
Right No. 63-00120F :			
Priority: 06/01/1864			
IRRIGATION	03/15 to 11/15	0.40 CFS	.2
Right No. 63-00198Q :			
Priority: 06/01/1877			
IRRIGATION	03/15 to 11/15	0.40 CFS	
Right No. 63-00199B :			
Priority: 05/01/1878			
IRRIGATION	03/15 to 11/15	169.60 CFS	
INDUSTRIAL	03/15 to 11/15	0.64 CFS	
GROUNDWATER RECHARGE	03/15 to 11/15	2.56 CFS	
	SUBTOTAL:	169.60 CFS	
Right No. 63-00200B :			
Priority: 08/20/1888			
IRRIGATION	03/15 to 11/15	361.94 CFS	
INDUSTRIAL	03/15 to 11/15	1.36 CFS	
GROUNDWATER RECHARGE	03/15 to 11/15	5.44 CFS	
	SUBTOTAL:	361.94 CFS	
	TOTAL:	532.34 CFS	532.14

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

MICROFILMED
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APR 28 2000

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

LOCATION OF POINT(S) OF DIVERSION:

Surprise Valley Diversion	Lot 6(NWNE), Sec. 4, Township 02N, Range 03E
Ridenbaugh Canal	Lot 6(NWSW), Sec. 29, Township 03N, Range 03E
	ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by these rights from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under these rights each year shall not exceed the reported amounts.
5. The amount of water diverted from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights these 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under these rights from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs per acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under these rights.
8. Diversion and use of water for industrial purposes under these rights shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under these rights.

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SEP 15 2003

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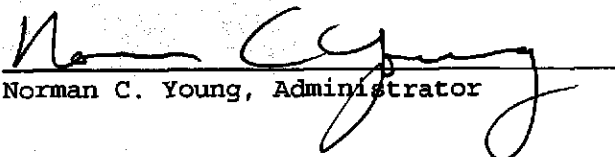
APR 28 2000

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

CONDITIONS OF APPROVAL AND REMARKS

9. The rate of flow diverted under these rights at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. When the authorized diversion of water under these rights is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under these rights at the Surprise Valley diversion must also be reduced by an equivalent proportion.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
12. The annual volume of water used for industrial and groundwater recharge purposes shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
13. Place of use is within the Nampa and Meridian Irrigation District boundaries.
14. Right 63-00198Q is limited to the irrigation of 40 acres within the authorized place of use.
15. The place of use for industrial and groundwater recharge purposes under these rights is limited to the lands served by the Surprise Valley diversion.

Dated this 27TH day of JANUARY, 2000.


Norman C. Young, Administrator

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APR 18 2000

MICROFILMED

APR 28 2000



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

September 8, 2003

Daniel V. Steenson
Ringert Clark, Chtd.
455 South 3rd Street
P.O. Box 2773
Boise, ID 83701

Re: Proposed Condition for Green Ranch Alternate Point of Diversion

Dear Dan:

My staff and I have considered the proposed condition your office drafted for the Green Ranch transfer. The attachment to this letter shows revised wording we would suggest in strikeout/redline form.

Please let me know if these revisions are acceptable to the Nampa Meridian Irrigation District.

Sincerely,

Karl J. Dreher
Director

Attachment

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SEP 11 2003

PROPOSED CONDITION

The priority of this right shall not be enhanced or diminished by Transfer No. T69594. The priority of the portion of the water right at the Green Ranch Diversion is limited to the extent of the priority of the rights diverted at the original point of diversion from the Boise River. In relation to other water rights on Mores Creek, the date of priority at the Green Ranch Diversion is advanced to November 20, 2001, unless: (1) all rights from the Boise River and its tributaries upstream from the Ridenbaugh Diversion that are junior to the any other rights from Mores Creek rights and its tributaries have been curtailed to supply senior priority rights on the Boise River; and (2) all If such junior rights on Mores Creek junior in priority to the priority of this right at the Ridenbaugh Diversion have been curtailed to supply senior priority rights on the Boise River. Under these two conditions, the Green Ranch Diversion shall retain the original priority of this right. In relation to other water rights from the Boise River, the date of priority of this right shall not be advanced.

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SEP 04 2001

MEMORANDUM

TO: FILE 63-30181

FROM: VAULT

RE: TRANSFER # 69594

DATE: 7/24/03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 63-120F

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JUL 29 2003



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 12, 2002

NAMPA & MERIDIAN IRRIGATION DISTRICT
1503 FIRST STREET SOUTH
NAMPA ID 83651-4395

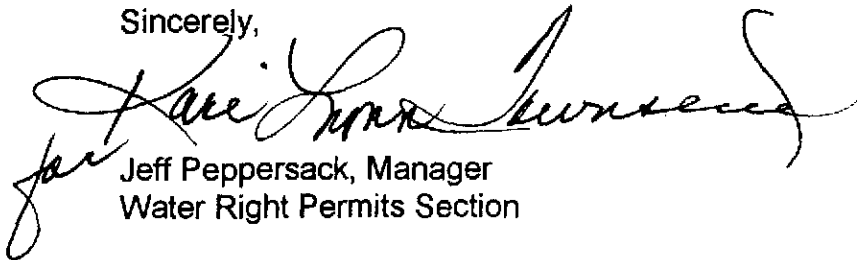
RE: Preliminary Order Correcting Transfer Approval for Transfer 5273.

Dear Interested Parties:

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: Lee Sisco, Watermaster, 6616 Overland Rd, Boise, ID 83709
Jan Shurte, Western Region office
Steve Lester, Western Region office

RECORDED

AUG 14 2002

CERTIFICATE OF SERVICE

I hereby certify that on **August 12, 2002**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

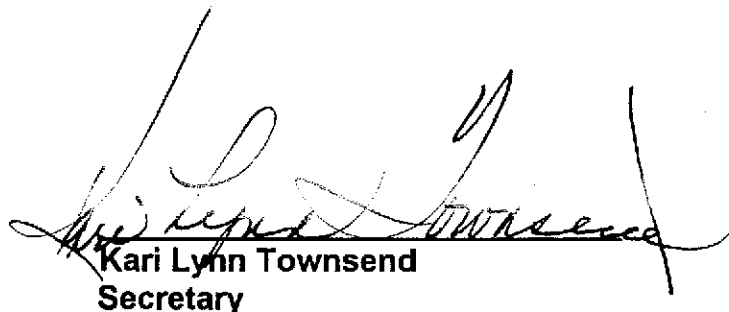
RE: Water Right Transfer 5273

**NAMPA & MERIDIAN IRRIGATION DISTRICT
1503 FIRST STREET SOUTH
NAMPA ID 83651-4395**

**LEE SISCO
WATERMASTER
6616 OVERLAND RD
BOISE ID 83709**

**JAN SHURTE
WESTERN REGION OFFICE**

**STEVE LESTER
WESTERN REGION OFFICE**


**Kari Lynn Townsend
Secretary**

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