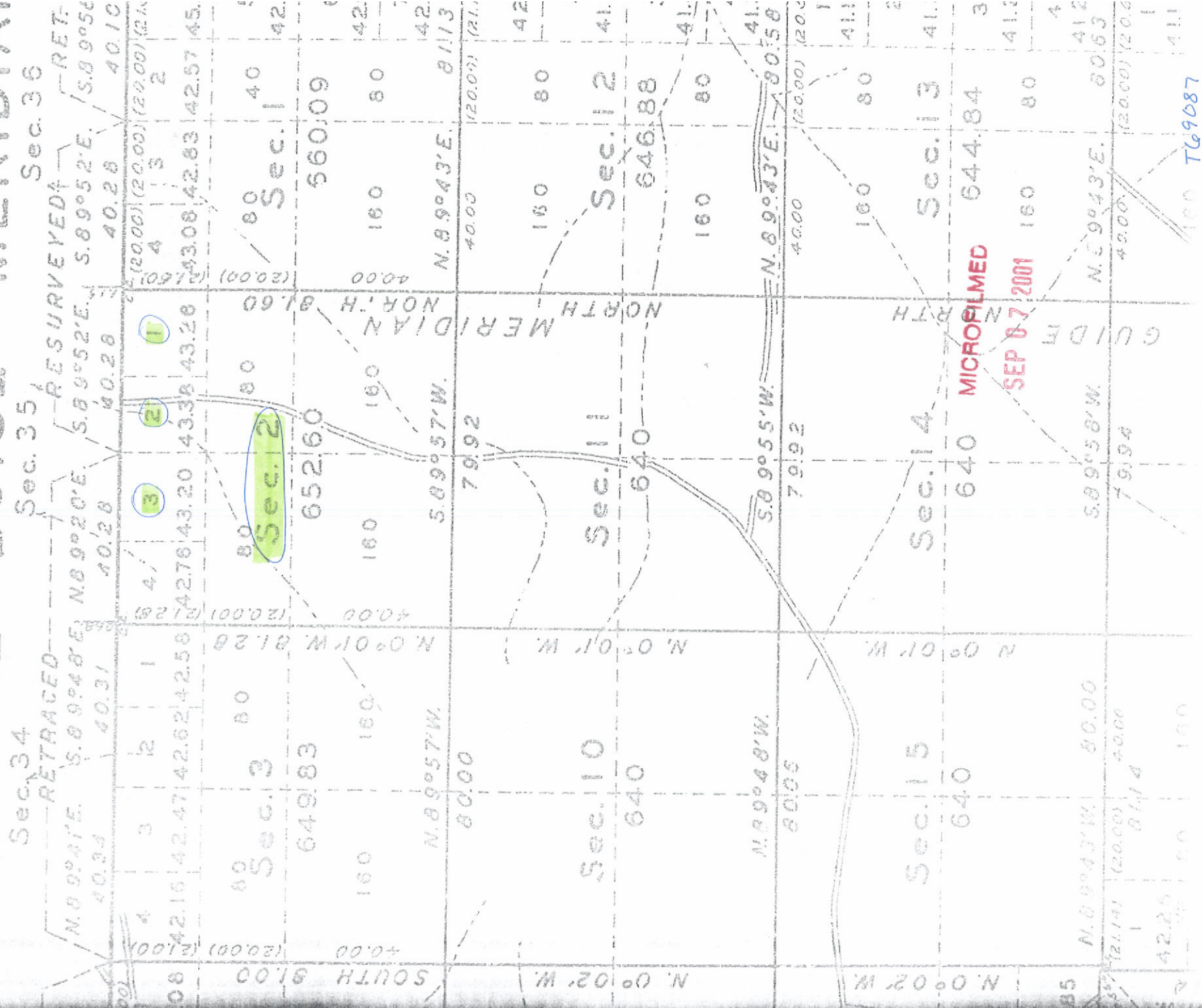


OSITE PLAT OF
T OF THE

TOIN RO1W

BOISE MERIDIAN



COMMENT
LETTER.

RECEIVED

JUN 20 2001

IDWR WESTERN REGION TRANSFER ANALYSIS

Department of Water Resources

Applicant CITY OF KUNA Transfer No. 69087

Reviewed by DAN Date 3-27-01

Data entered by DAN

1. Right number(s) 63-03266, 63-8215, and 63-11970

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U

☐ Change N/U ☐ Change Period ☐ Split Right

☐ Other: _____

4. Check Existing
Right

☒ Source ☐ Priority ☐ Amount

☐ Purpose ☐ Period ☐ SRBA Claim

☐ Description of original point(s) of diversion

☐ Description of original place of use

☐ Overlapping rights for original P/D &/or P/U

Based
ON
Recommendations
EXCEPT FOR
63-11970
no claim
needed.

5. Check Proposed Right for amount of land &/or water transferred:

a. ☐ Analysis memo – always include unless justify why not needed

b. ☒ All of right

c. ☐ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant

d. ☒ Description of point(s) of diversion

e. ☒ Description of place of use

f. ☒ Map showing proposed P/D &/or P/U

g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary

h. ☒ Proof of ownership of right &/or land from which water is transferred

i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.

j. NO Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

69087

k. ☒ Overlapping rights for current & proposed scenariosCurrent ~~63-09668~~ - 63-12394Proposed ~~63-09668~~, 63-12394, 63-7327l. ☒ SRBA Claim(s) Same as above
claimed as licensed.m. ☒ Comment letters ☐ No ☒ Yes as follows:

_____ Water District #

_____ IDFG

_____ Other per attached

X DEPARTMENT OF ENVIRONMENTAL
QUALITY (DEQ)**PUBLICATION REVIEW**

1. Comment Letters

Watermaster comments requested on N/A, received on _____Other comment letters received ☐ Yes ☐ No2. Affidavit of publication received: ☒ Yes3. Published correctly: ☒ Yes ☐ NoIf No, re-publication required: ☐ Yes ☐ No4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent**RECOMMENDATIONS**1. ☒ Approve ☐ See attached memo2. ☐ Deny due to _____3. Conditions of Approval standard xfer conditions - see Dan Nelson's
memo dated 5/1/2001 for explanation of inclusion of land description4. Recommended by Gary S Date 6/13/01 for POU.**FORWARDING FILE TO S.O.**1. Copies made for Region file (see attached supplemental page): ☒ Yes2. File forwarded to S.O. by ST Date 6-19-01

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	63 12254	LAVAR THORNTON,	GROUND WATER	01N01W1		40	40		40	40	40	40									240
App	63 12255	THORNTON LANDS LTD,	GROUND WATER	01N01W1	40			40									40	40	40	40	240
Claim	63 3280	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Claim	63 3368	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Claim	63 7933	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Claim	63 7993	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Permit	63 9668	CITY OF KUNA,	GROUND WATER	01N01W1									40	40	40	40					160
Right	63 3280	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Right	63 3368	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Right	63 7933	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480
Right	63 7993	LAVAR K THORNTON,	GROUND WATER	01N01W1	40	40	40	40	40	40	40	40					40	40	40	40	480

2N1W S23

BASIN	Sequence Number	Split Suffix	Basis	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Version Number	Source Table
63	3266		License	Active	3/21/62	1.34	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		wrAdjudication Claim
63	7662		License	Active	9/15/72	0.12	GROUND WATER	DOMESTIC, IRRIGATION	RALPH STEAR (Current Owner)		wrAdjudication Claim
63	8215		License	Active	10/2/75	3.9	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		wrAdjudication Claim
63	18267		Beneficial Use	Active	4/3/71	1	GROUND WATER	DOMESTIC	HAZEL SHRUM (Original Owner), KATHLEEN K GAULT (Current Owner), RICHARD GAULT (Current Owner), WILLARD L SHRUM (Original Owner)		wrAdjudication Claim
63	3266		License	Active	3/21/62	1.34	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		1 Recommendation
63	8215		License	Active	10/2/75	3.9	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		1 Recommendation
63	18267		Beneficial Use	Active	4/3/71	1	GROUND WATER	DOMESTIC	HAZEL SHRUM (Original Owner), KATHLEEN K GAULT (Current Owner), RICHARD GAULT (Current Owner), WILLARD L SHRUM (Original Owner)		1 Recommendation
63	3266		License	Active	3/21/62	1.34	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		wrWaterRight
63	7662		License	Active	9/15/72	0.12	GROUND WATER	DOMESTIC, STOCKWATER	RALPH STEAR (Current Owner)		wrWaterRight
63	8215		License	Active	10/2/75	3.9	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		wrWaterRight
63	10020		License	Active	4/18/83	0.06	GROUND WATER	IRRIGATION	CLIFFORD WILCOX (Current Owner), CLIFFORD WILCOX (Original Owner), JUDY BRUMMETT (Current Owner), LILLIAN J WILCOX (Original Owner)		wrWaterRight
63	11970		License	Active	12/28/92	3.78	GROUND WATER	MUNICIPAL	CITY OF KUNA (Current Owner)		wrWaterRight

Single Family Domestic NOT significant and small ~~domestic~~ irrigation.

10,000 gal
17' x 24' 11 1/4"
Sec. 6' - 8" } 52168

44 lbs = 9,560 gal

10.4 P F C M
F390923
P E M VERT PUMP 6977
4 DISCH. - G.V.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

13 - 22 - 66

11 - 10 - 66

4 12

11 9

13 - 21

62

Village of Kuna
Kuna, Idaho

Lawrence Hays, Chairman, Board of Trustees

Permit No. G-30287

Well, pump - water stored in tank
13" x 444' Q - over 1000 GPM
H - 60'

Examination for Comp. of Works & Beneficial Use

County Ada

Quantity: 2.67 c.f.s. Sec. 23 T. 2N R. 1W

Source: Subterranean

P.D.: SE 1/4 SE 1/4, Sec. 23, T. 2 N, R. 1 W, B.M.

Use: Municipal use

Extension:

Protest:

Completion of Works:

Other Rights: 4 inch well and pump in use since 1916

Filed: November 9, 1961

Due: November 10, 1966

Made: March 22, 1967

Priority: March 21, 1962

217 - DOMESTIC USERS
102 cfs
134 cfs TOTAL

Mr. Ross - CITY ENGINEER

2.22 c.f.s.
150 1000
900
1000

1 1/2 in 50 H.P.
600 gpm SPARKLINE
120 gpm 10 H.P.

STATE PUBLIC HEALTH

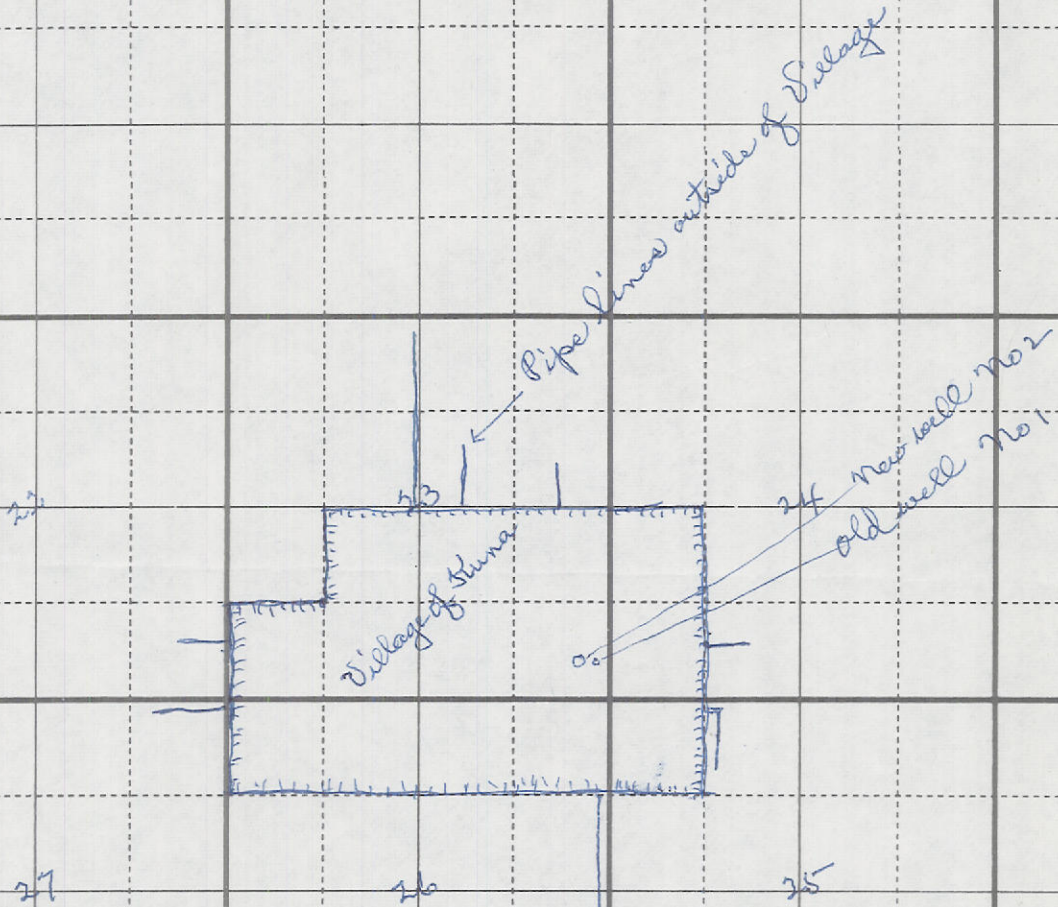
GLEN SMITH
KNEZ COBYL
CHIEF AGC.
IDAHO SURVEY & MAPPING

late proof

30287

NAME OF APPLICANT Village of Huma

Form No. 0



Permit Map No. 30287
As Approved NOV 10 1961
GEO. N. CARTER
State Reclamation Engineer

T2N RIW

Office copy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69087

This is to certify that: CITY OF KUNA
PO BOX 13
KUNA ID 83634
(208)922-5546

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
63-11970	WR/License	12/28/1992	3.78 cfs			N/A	GROUND WATER
63-8215	AJC/License	10/02/1975	3.90 cfs			N/A	GROUND WATER
63-3266	AJC/License	03/21/1962	1.34 cfs			N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

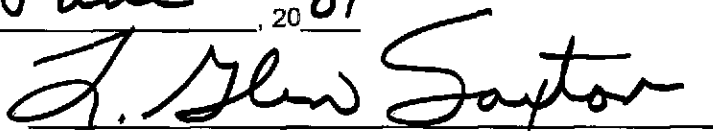
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-11970	NO	NO	YES	YES	NO	NO
63-8215	NO	NO	YES	YES	NO	NO
63-3266	NO	NO	YES	YES	NO	NO

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>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-11970	63-11970	3.78 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-8215	63-8215	3.90 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
63-3266	63-3266	1.34 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		9.02 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED
SEP 07 2001

WATER RIGHT NO. 63-11970
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-11970 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 12/28/1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.78 CFS	
			3.78 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWNE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWSW Sec. 23 Twp 02N Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 01W 1									X	X	X	X					
01N 01W 2	X	X	X	X	X			X					X	X		X	
	L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion 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.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

MICROFILMED
 SEP 07 2001

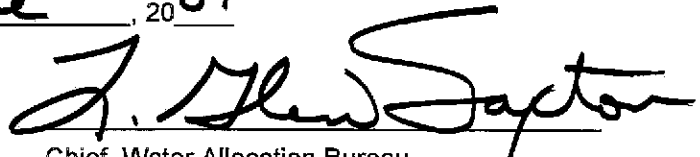
WATER RIGHT NO. 63-11970
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-3266 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 03/21/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	1.34 CFS	
			1.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWNE Sec. 23 Twp 02N Rge 01W ADA County

GROUND WATER SWSW Sec. 23 Twp 02N Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 01W 1									X	X	X	X					
01N 01W 2	X	X	X	X	X			X					X	X		X	
	L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion 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.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

MICROFILMED

SEP 07 2001

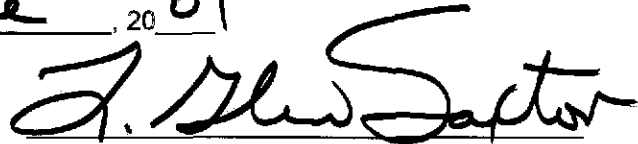
WATER RIGHT NO. 63-3266
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 63-8215
As Modified by Transfer No. 69087

In accordance with the approval of Transfer No. 69087, Water Right No. 63-8215 is now described as follows.

Right Holder: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634

Priority Date: 10/02/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.90 CFS	
			3.90 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWNE	Sec. 23 Twp 02N	Rge 01W ADA County
GROUND WATER	SWSW	Sec. 23 Twp 02N	Rge 01W ADA County

PLACE OF USE: MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	1									X	X	X	X					
01N	01W	2	X	X	X	X	X			X					X	X		X	
			L1	L2			L3												

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215 and 63-11970 shall not exceed 9.02 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion 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.
4. The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.

MICROFILMED

SEP 07 2001

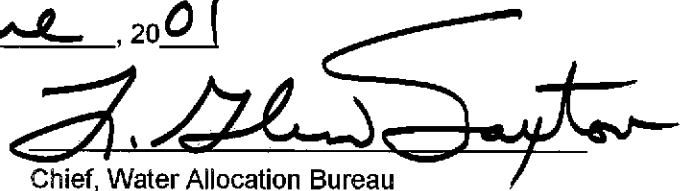
WATER RIGHT NO. 63-8215
As Modified by Transfer No. 69087

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 27th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED
SEP 07 2001

Page 1 of 9STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69087RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT
FEB 21 2001
PART 1WATER RESOURCES
WESTERN REGIONName of applicant City of Kuna Phone (208)922-5546
Post Office address P.O. Box 13, Kuna, ID 83634

RECEIVED

A. PURPOSE OF TRANSFER

JUN 20 2001

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other Department of Water Resources
2. Describe the reason for the proposed changes Add municipal wastewater treatment facility to the place of use for existing water rights 63-03266, 63-08215 and 63-11970.

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|-----------------|--------------------|------------------|------------------------------|
| <u>63-03266</u> | <u>03/21/62</u> | <u>1.340</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| <u>63-08215</u> | <u>10/02/75</u> | <u>3.900</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| <u>63-11970</u> | <u>12/28/92</u> | <u>3.780</u> | <u>Municipal</u> | <u>01/01</u> to <u>12/31</u> |
| | | | | to |
2. Total amount of water being transferred 9.02 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	23	2N	1W	Ada	City Park Well
		SW	NE	23	2N	1W	Ada	Butler Well
		SW	SW	23	2N	1W	Ada	Cedar Well

5. Lands irrigated or place of use:
- Municipal service area and

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	1W	2	40	40	40	40	40			40					40	40		40	360
1N	1W	1									40	40	40	40					160

MICROFILMED
SEP 07 2001

69087

PART 1**6. General Information:**a. Description of diversion system Wells and Pumpsb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change. City of Kuna has used effluent from municipal wastewater treatment facility for supplemental irrigation water since 1983.

d. Remarks:

This change in place of use, adding the wastewater treatment facility property, is being requested per the direction of IDWR.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

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

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
SEP 07 2001

WR5809NP
No. 63-03266

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA KUNA ID 83634	03/21/1962	MUNICIPAL	00/00 00/00	1.340 CFS	
TOTAL DIVERSION:					1.340 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S23

SESE

ADA County

Pou County:

Remarks: GEN P/U VILLAGE OF KUNA.

Dates:	App. Received:	Priority Date:	03/21/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/28/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT 08/02/96 SCURTIS

MICROFILMED
SEP 07 2001

WR5809NP
No. 63-08215

Butler

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA BOX 13 CITY HALL KUNA ID 83634	10/02/1975	MUNICIPAL	01/01 12/31	3.900 CFS	
TOTAL DIVERSION:					3.900 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R01W S23

SWNE

ADA County

Pou County:

Remarks: GEN P/U WITHIN CITY LIMITS OF KUNA.

Dates: App. Received: Priority Date: 10/02/1975
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT

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SEP 07 2001

WR5809NP
No. 63-11970

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA PO BOX 13 KUNA ID 83634 (208) 922-5546	12/28/1992	MUNICIPAL	01/01 12/31	3.780 CFS	
TOTAL DIVERSION:					3.780 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.780 CFS

Point(s) of Diversion: T02N R01W S23

SWSW

ADA County

Pou County:

Remarks: GEN Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right. Place of use is located within the city limits of Kuna.

Dates: App. Received: 12/28/1992 Priority Date: 12/28/1992
Proof Due Date: 03/01/1995 Proof Made Date: 12/19/1994
Exam Made Date: 03/10/1995 Exam Sent to S.O.: 02/23/1996
Licensed Date: 04/06/1996

Misc: Water District Number: 63 Field Exam Fee: R (Received)

Comments: Date: 12/30/1992 User-ID: GARRETT Subject: OTHER RIGHTS
63-03266, 63-08215, and 63-09668.

Date: 02/10/1993 User-ID: MILLER Subject: MORATORIUM EXEMPTION
This permit fall within the acceptable parameters of the Snake
River Basin Moratorium.

Date: 12/21/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 12/30/92 GARRETT 02/10/93 MILLER 02/11/93 ZIMMERMA 12/21/94 COMMENTS
12/28/94 JYARBROU 06/01/95 STAYLOR 02/23/96 STAYLOR 04/04/96 BCHAPMAN

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-03266, 63-08215, 63-11970 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☒ Other Land Patent

3. Source of water Groundwater tributary to _____

4. Date or priority varies - see attached profile reports

5. Water is used for the following purpose:

amount 1.340 cfs for Municipal purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount 3.900 cfs for Municipal purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount 3.780 for Municipal purposes from 01/01 to 12/31
 (cfs/ac-ft)

6. Total amount of water under right 9.02 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	23	2N	1W	Ada	City Park Well
		SW	NE	23	2N	1W	Ada	Butler Well
		SW	SW	23	2N	1W	Ada	Cedar Well

8. Lands irrigated or place of use: Municipal service area and

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	1W	2	40	40	40	40	40			40					40	40		40	360
1N	1W	1									40	40	40	40					160

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Total acres 520

9. Describe any other water rights used for the same purpose as described above 63-09668, 63-12394, 63-07327

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

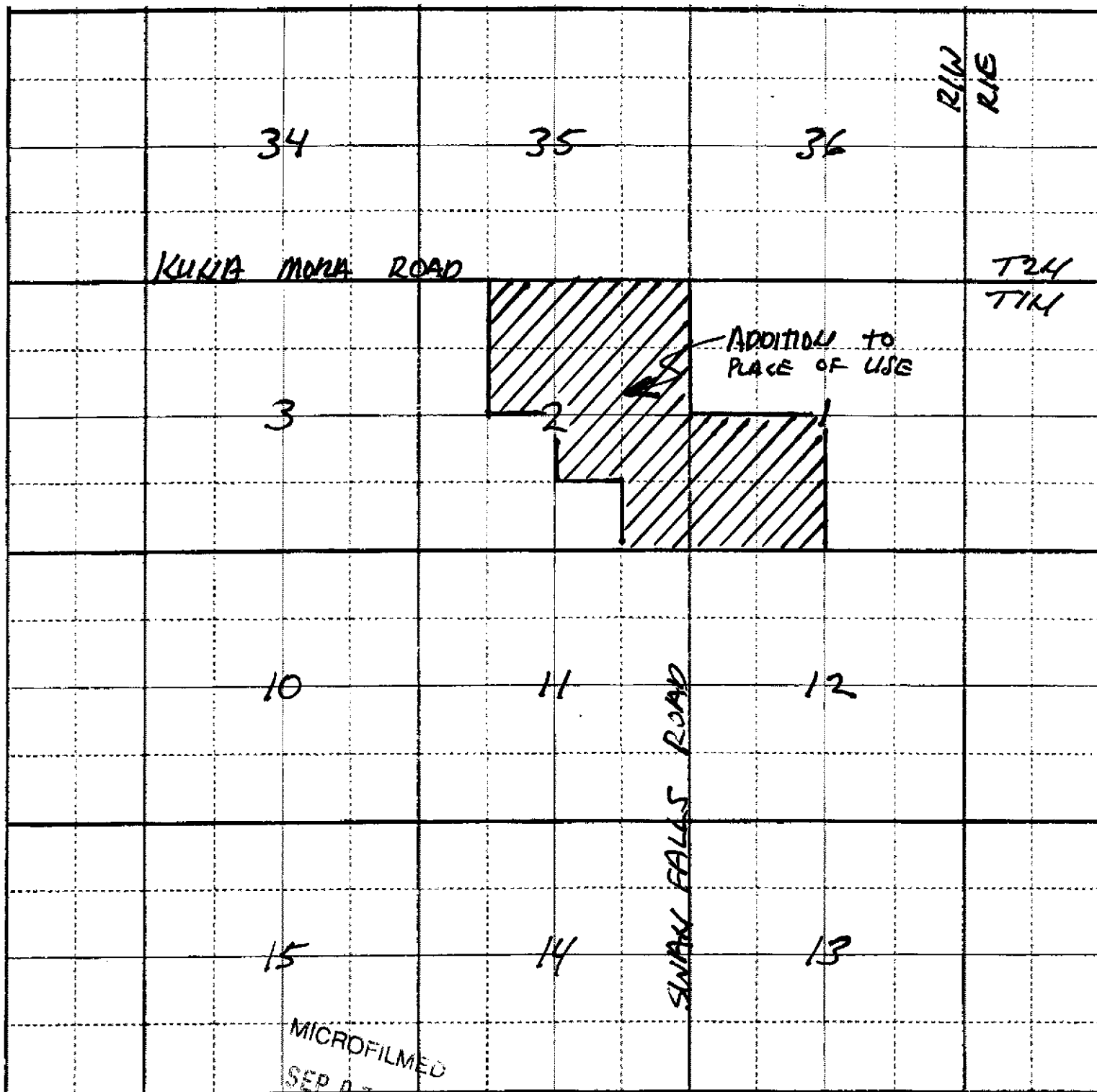
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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SEP 07 2001

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3**B. CHANGES IN NATURE OF USE** N/A

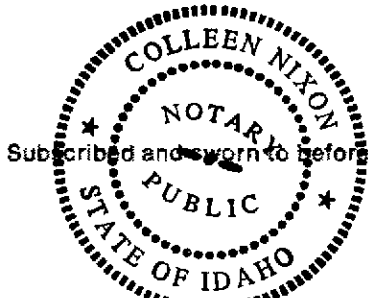
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

12th

day of

Feb.192001

(Signature of Applicant)

Colleen Nixon

(Notary Public)

My commission expires

7-22-2004**FOR DEPARTMENT USE ONLY**Transfer contains 9 pages and 2 attachmentsReceived by th Date 2/21/01Prelim. check by DAW Fee 610.00Received by th Date 2/21/01Published in THE IDAHO STATESMANPub. dates 5-17 + 24-01

Watermaster recommendation requested on _____

Protest filed by _____

W027390

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

by _____

Copy of transfer sent to lien holder _____

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SEP 07 2001

ATTACHMENT A

10F7

- THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
ALLIANCE TITLE
FEE 12.00 DEPUTY J. Navarro
99099858

1999 OCT -8 PM 1:14

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

SPACE ABOVE THIS LINE FOR RECORDING DATA

{1000}

Order No.: 99084109 JS

WARRANTY DEED

FOR VALUE RECEIVED JOHN DAVID NOBLE and TRACEY L. NOBLE, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CITY OF KUNA, an Idaho corporation

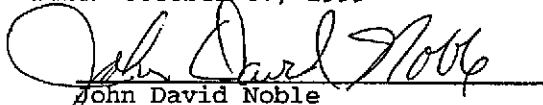
GRANTEE(S), whose current address is: 329 W. 3RD STREET, KUNA, ID 83634

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 07, 1999


John David Noble


Tracey L. Noble

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SEP 07 2001

X FER69087
Attach. A1

20F7

STATE OF IDAHO, County of Ada, ss.

On this 27th day of October in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared John David Noble and Tracey L. Noble known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: *[Signature]*

Name: _____

(Type or Print)

Residing At: Moose

My Commission expires: 10/5/04



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SEP 07 2001

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EXHIBIT "A"
BOUNDARY DESCRIPTION
FOR THE
CITY OF KUNA, IDAHO

PARCEL 1

A parcel being Government Lots 2 and 3; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; S $\frac{1}{2}$ of the NE $\frac{1}{4}$; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southeasterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (section corner), from which a brass cap monument marking the southwesterly corner of the SE $\frac{1}{4}$ (one-quarter corner) bears N 89°34'28" W a distance of 2640.82 feet;

Thence N 89°34'28" W along the southerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.41 feet to a 5/8 inch diameter iron marking the southwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 0°28'10" E along the westerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 1320.53 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$;

Thence N 89°34'20" W along the southerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.39 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 0°28'14" E along the westerly boundary of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1320.58 feet to a brass cap monument marking the northwesterly corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence N 89°34'15" W along the southerly boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 1318.96 feet to a 5/8 inch diameter iron pin marking the southwesterly corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$;

Thence N 0°26'39" E along the westerly boundary of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 2738.95 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 3 a distance of 1320.34 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 3;

Thence N 89°42'30" E along the northerly boundary of said Government Lot 2 a distance of 62.83 feet to a 5/8 inch diameter iron pin marking the S $\frac{1}{4}$ corner of Section 35, Township 2 North, Range 1 West, Boise Meridian;

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Parcel 1

Page 2

Thence S 89°21'18" E along the northerly boundary of said Government Lot 2 a distance of 1257.60 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said Government Lot 2;

Thence S 0°28'18" W along the easterly boundary of said Government Lot 2 a distance of 1431.48 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said Government Lot 2;

Thence S 89°35'09" E along the northerly boundary of said S ½ of the NE ¼ a distance of 1320.38 feet to a 5/8 inch diameter iron pin marking the northeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'22" W along the easterly boundary of said S ½ of the NE ¼ a distance of 1320.51 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S ½ of the NE ¼;

Thence S 0°28'06" W along the easterly boundary of the SE ¼ of said Section 2 a distance of 2640.96 feet to the POINT OF BEGINNING.

This parcel contains 326.81 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
September 22, 1999

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5 OF 7

The United States of America
To all to whom these presents shall come, Greeting:

IDI-15438-02

WHEREAS**City of Kuna, Idaho**

is entitled to a land patent pursuant to the Act of June 14, 1926, as amended (43 U.S.C. 869 - 869-4), for the following described land:

Boise Meridian, Idaho

T. 1 N., R. 1 W.,

sec. 1: SW¼;

sec. 2: lot 1.

Containing 203.26 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES** unto the City of Kuna, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the City of Kuna and to its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. All the mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior.

SUBJECT TO:

1. Those rights for powerline purposes granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. IDI 334 pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the W½SW¼ of section 1, T. 1 N., R. 1 W., B.M.
2. Those rights for telephone purposes granted to U.S. West Communications, Inc. its successors or assigns, by Right-of-Way No. IDI 28090 pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the W½SW¼ of section 1, T. 1 N., R. 1 W., B.M.

Patent No. 11-97-0032

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IDI 15438-02

Page 2

6 OF 7

3. Those rights held by Ada County Highway District, its successors and assigns, for an existing road exercised under RS 2477, and noted under Serial No. IDI 20038.

SUBJECT TO THE FOLLOWING:

1. The patentee shall comply with all Federal and State laws applicable to the disposal, placement, or release of hazardous substances (substance as defined in 40 CFR Part 302).
2. The City of Kuna, its successors or assigns, assumes all liability for and shall defend, indemnify, and save harmless the United States and its officers, agents, representatives, and employees (hereinafter referred to in this clause as the United States), from all claims, loss, damage, actions, causes of action, expense, and liability (hereinafter referred to in this clause as claims) resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons (including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the sewage treatment facility on, or the release of hazardous substances from the SW 1/4 of section 1, and lot 1 of section 2, T. 1 N., R. 1 W., Boise Meridian, Idaho, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States.
3. No portion of the land covered by this patent shall under any circumstances revert to the United States.
4. The above-described land has been conveyed for continued use as a sewage treatment facility. Records and other information about the sewage treatment facility are available from the Bureau of Land Management (past use) and the City of Kuna (past and continued use). Sewage treatment facilities commonly include small quantities of heavy metals, which are included in the hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5.
5. The patentee or its successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the

Patent No. 11-97-0032

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SEP 07 2001

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IDI 15438-02

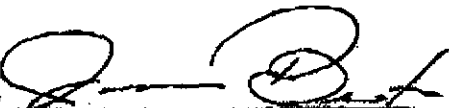
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Page 3

purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.

6. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
7. The patentee or its successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
8. The reservations, conditions, and limitations contained in paragraphs 5 through 7 above shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
9. The assurances and covenant required by paragraphs 5 through 8 above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho the twelfth day of May in the year of our Lord one thousand nine hundred and NINETY SEVEN and of the Independence of the United States the two hundred and TWENTY-FIRST.

By 
Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division

Patent Number 11-97-0032

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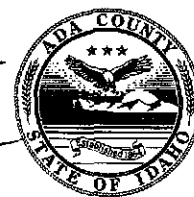
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Steve SR
Gene GH

**ADA COUNTY
DEVELOPMENT SERVICES**

PHONE: (208) 364-2277
FAX: (208) 364-2406

650 MAIN STREET, BOISE, IDAHO 83702



BUILDING

ENGINEERING

PLANNING

ZONING

DATE: November 29, 2000

RECEIVED

DEC 01 2000

WATER RESOURCES
WESTERN REGION

TO:

Ada County

- ☒ Assessor
- ☒ Building Division
- ☒ Engineer
- ☒ Long Range Planning
- ☒ Parks Dept./Donna Griffin
- ☒ G.I.S.
- ☒ Solid Waste Mgmt./Dave Neal
- ☒ EMS
- ☒ Pest Extermination
- ☒ Ada County Highway District

Other Agencies

- ☒ COMPASS
- ☒ Central District Health
- ☒ Boise Airport Director
- ☒ Boise Planning & Zoning/Hal Simmons
- ☒ Boise Public Works/Ivan Butterfield
- ☒ Bureau of Reclamation
- ☒ Boise Project Board of Control
- ☒ Irrigation District
- ☒ Drainage District
- ☒ Sewer District
- ☒ Natural Resource Conservation Serv.
- ☒ Div. of Environmental Quality
- ☒ Dept. of Water Resources

Utilities

- ☒ Idaho Power
- ☒ Intermountain Gas
- ☒ U.S. West
- ☒ United Water Co.
- ☒ Cambridge Telephone Co.

- ☒ Bureau of Land Management
- ☒ Boise Fire Department
- ☒ Kuna Fire District
- ☒ Chevron Pipeline
- ☒ Northwest Pipeline
- ☒ Idaho Transportation District
- ☒ School District
- ☒ City of Kuna
- ☒ U.S. Post Office
- ☒ Neighborhood Assn.
- ☒ ID Humane Society
- ☒ Ada County Free Library
- ☒ Tim Breur - Ridge to Rivers Coordinator

FROM: Steve Hopkins, Planner II

RE: 00-64-CU/00-12-MSP CITY OF KUNA

The Ada County Planning and Zoning Commission will hold a public hearing on January 11, 2001, beginning at 6:00 p.m. in the Les Bois Room of Boise City Hall, 150 North Capitol Blvd., Boise, ID, on the following application:

00-64-CU/00-12-MSP CITY OF KUNA: A Conditional Use Permit and Master Site Plan for the expansion of the City of Kuna's wastewater treatment facility. The property contains 530.11 acres and is located south of Kuna-Mora Road, to the east and west of Swan Falls Road, Ada County, ID; Section 2, T. 1N., R. 1W.

Ada County welcomes any comments you may have on this application. Please submit your comments on *agency letterhead*, by December 28, 2000. Make specific reference to the file number noted above. If you do not respond, Ada County shall consider you as having no comments on this application.

ATTACHMENTS:

1. Land Use Application
2. Applicant's Statement
3. Site Plan
4. Vicinity Map

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SEP 07 2001

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B-1

Conditional Use

ADA COUNTY DEVELOPMENT SERVICES, 650 Main Street, Boise, Idaho 83702

www.adaweb.net | (208) 364-2277

SUBMITTALS:

1. ☒ Detailed letter by the applicant. Describe the proposed development.
2. ☒ Parcel map. Available from the Assessor's office on the 4th floor of the County building.
3. ☐ Detailed site plan, including elevations and floor plans, if structures are proposed. This must be legible and drawn to scale.
4. ☒ Master site plan materials, unless specifically exempt under Section 8-4E-2B.
 - ☒ Natural features analysis.
 - ☐ Landscape and screening plan.
 - ☐ Parking plan.
 - ☐ Lighting plan.
 - ☐ Sign Plan.
5. ☒ Concurrent applications, as applicable.
6. ☒ Supplemental information, as applicable. (See checklist.)
7. ☒ Neighborhood meeting certification.
8. ☒ Warranty deed or evidence of proprietary interest.
9. ☐ Proper fee. (Any amount over \$400 must be cash, cashier's check or money order.)
10. ☒ Multiple copies. You must submit 20 additional packages containing one each of the following documents:
 - ☒ Application form
 - ☒ Application letter
 - ☒ Master site plan (reduced to 8 1/2" x 11" if necessary)

GENERAL INFORMATION: (answer as applicable)

Proposed use(s): Public - Quasi Public
Hours of operation: 24
Proposed number of parking spaces: 3
Maximum number of patrons expected: 0
Sewage disposal: municipal sewer / individual septic

Total square feet of all proposed structures: ± 1200
Days of operation: 7
Number of employees during largest shift: 4
Will there be an outdoor speaker system? No
Water: municipal supply / community well / individual well

SITE INFORMATION:

Location: Quarter: _____ Section: 2 Township: 1N Range: 1W Total Acres: 327
Subdivision Name: None Lot: 11A Block: 11A
Site Address: Swan Falls Road Area of City Impact: None
Tax Parcel Number: 52202121000 Zoning: RP

OWNER:

Name: City of Kuna
Address: P.O. Box 13
City: Kuna State: ID Zip: 83634
Telephone: 922-5546 Fax: 922-5989

APPLICANT:

Name: Same
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

William J. Nelson 11/3/00
Signature: (Owner) Date

Signature: (Applicant) Date

MICROFILMED		OFFICE USE ONLY	
File No.:	Received By:	Date:	Log:
X-Ref:	History/Map:	Stamped:	Fee:



CITY OF KUNA

P.O. BOX 13 • KUNA, IDAHO 83634

PHONE (208) 922-5546

November 3, 2000

Ada County Development Services
650 Main Street
Boise, ID 83702

Re: City of Kuna Wastewater Treatment Facilities – Conditional Use Permit

Gentlemen:

The City of Kuna's existing wastewater treatment facility is located on the NE ¼ NE 1/4, Sec. 2, T.1N., R.1W., and the existing wastewater land application site is located on the SW ¼, Sec 1, T.1N., R.1W. This facility is located in Ada County on land currently zoned RP and is operated based upon an existing Conditional Use Permit No. 80-14-CU. It is also operated based upon Wastewater Land Application Permit LA-000060-02 issued by the Idaho Division of Environmental Quality.

Our treatment facility began operation in 1983. It was originally constructed with capacity to serve a design population of approximately 4000 people. In 1998 the existing facility was upgraded to provide capacity to serve a design population of approximately 6500 people. This expansion utilized all of the land originally purchased for the treatment facility and covered under the original conditional use permit.

As of October 20, 2000, Kuna has issued sufficient building permits to raise our population to approximately 6,600 people. Our wastewater treatment facility is currently operating at approximately 80% of capacity. We anticipate we will reach our plant capacity in 2001 once all of the new homes under construction are fully occupied. Kuna has received applications for an additional 834 residential lots for which treatment plant capacity is not currently available. Expansion of our wastewater treatment facilities must begin immediately to accommodate planned growth within the existing Kuna impact area.

The purpose of this application is to obtain the necessary Conditional Use Permit to construct and operate a municipal wastewater treatment facility on additional land acquired by the City of Kuna.

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SEP 07 2001

69087
B-3

Ada County
November 3, 2000
Page 2 of 2

*Prob. typ. since
slope + wetland plan
OK's 2 Lic 63-9329*

The additional land covered under this application covers 327 acres consisting of the W1/2 of the NW1/4; the NW1/4 NE1/4; the S1/2 of the NE1/4; the N1/2 of the SE1/4; and the SE1/4 SE1/4; all in Section 2, T.1N., R.1W. This site is currently zoned RP and is being farmed by John Noble, the original owner, under a lease agreement with the City of Kuna.

We are proposing to expand our current "Slow Rate land Application" process on the new 372-acre parcel. We are also proposing to construct a demonstration project to evaluate the feasibility of using "Constructed Wetlands" to meet the long term wastewater treatment and disposal needs for the City of Kuna.

We have submitted an application to include this new area under our existing Wastewater Land Application Permit with the Idaho Division of Environmental Quality concurrently with this request. A copy of this application along with the supporting documentation is enclosed for your reference.

Please give this application your earliest consideration. We must have this Conditional Use Permit approved no later than March 1, 2001 in order to meet the wastewater treatment and disposal needs of our community.

Sincerely,
CITY OF KUNA



Willard G. Nelson
Mayor

MICROFILMED
SEP 07 2001

69087
B-4

Civil Survey Consultants, Inc.

Glenn K. Bennett, P.L.S.
President

Timothy A. Burgess, P.E.
Vice President

100 S Adkins Way
Suite 101
Meridian, Idaho 83642

(208)888-4312
Fax 888-0323

November 3, 2000

Ada County Development Services
650 Main Street
Boise, ID 83702

Re: City of Kuna Wastewater Treatment Facilities – Conditional Use Permit

Gentlemen:

On behalf of the City of Kuna, I am enclosing an application for a Conditional Use Permit allowing the construction and operation of a wastewater treatment facility on 327 acres of land located in Section 2, Township 1 North, Range 1 West, Boise Meridian, Ada County Idaho.

There are some items on the application form related to the submittals that require clarification. They are as follows:

Item 3 – Detailed Site Plan

We do not have a detailed site plan available at this time. Construction will occur in phases as growth occurs in Kuna. Improvements will include construction of new PVC lined storage ponds, new pumping stations, new transfer structures, a new blower building and other miscellaneous improvements. All new improvements will be similar to the existing improvements. Photographs of the existing facilities are included with this application for your reference.

Item 4 – Master Site Plan

Parking Plan – Based upon the existing slow rate land application process there is no need for more than two or three vehicles to be on the site at any one time. No specific parking plan has been developed at this time. If the constructed wetlands treatment process proves to be feasible, there may be the need for a parking area to accommodate visitors observing the wetlands area. A detailed parking plan will be prepared and submitted for review and approval should this occur.

Lighting Plan – No area lighting is proposed as part of this facility. There will be entry lighting only at any building entrance.

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SEP 07 2001

69087
B-5

Sign Plan – The only signs planned for this facility are perimeter signs as required by DEQ. The signs will be approximately 18"x24" with wording such as "Warning - Sewage Treatment Facility – Do Not Enter".

Landscape and Screening Plan - Upon reviewing Article F. Landscaping and Screening Requirements it does not appear that this type of use is specifically addressed in the ordinance. The proposed wastewater treatment facility, while considered a "Public or Quasi Public Use", is also a farming operation. The primary change in land use under this application is the construction of the wastewater treatment ponds and source of irrigation water for the existing agricultural land use. The treatment ponds will utilize approximately 55 acres of the site. Approximately 272 acres will remain open agricultural area, which is no change from the current land use. Existing farms on the north and east, and undeveloped BLM rangeland on the south and west surround the site. We feel that installing landscaping as required by this ordinance will not benefit the public at this location. Based upon Section 8-4F-4K-2 and 8-4-4K-3 under which "The Director may approve, or recommend approval of, alternative landscaping and screening standards" we request that this facility be considered exempt from the landscaping requirement. As stated above, our justification is that there is minimal change in the existing agricultural land use under this application.

Item 9 – Proper Fee

At our 8-7-00 preapplication conference planning and zoning staff advised us that the application fees might be waived for a public entity. We are hereby requesting that the fees for this application be waived.

We believe that the enclosed documentation complies with the application requirements, except as noted above. Please let me know if you need anything else in order to process this request.

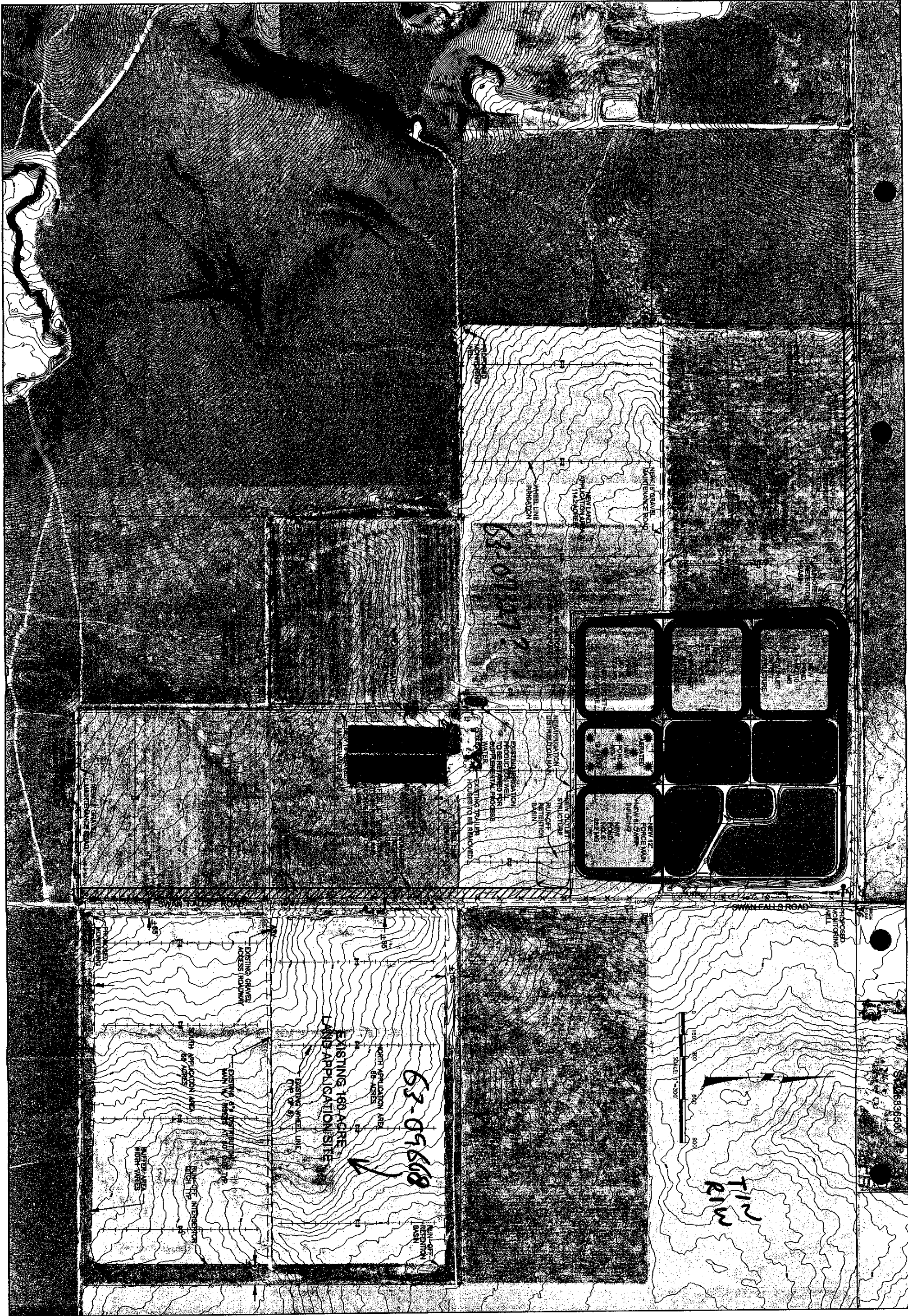
Sincerely,
CIVIL SURVEY CONSULTANTS, INC.


Tim Burgess, P.E.

MICROFILMED
SEP 07 2001

69087

B-6

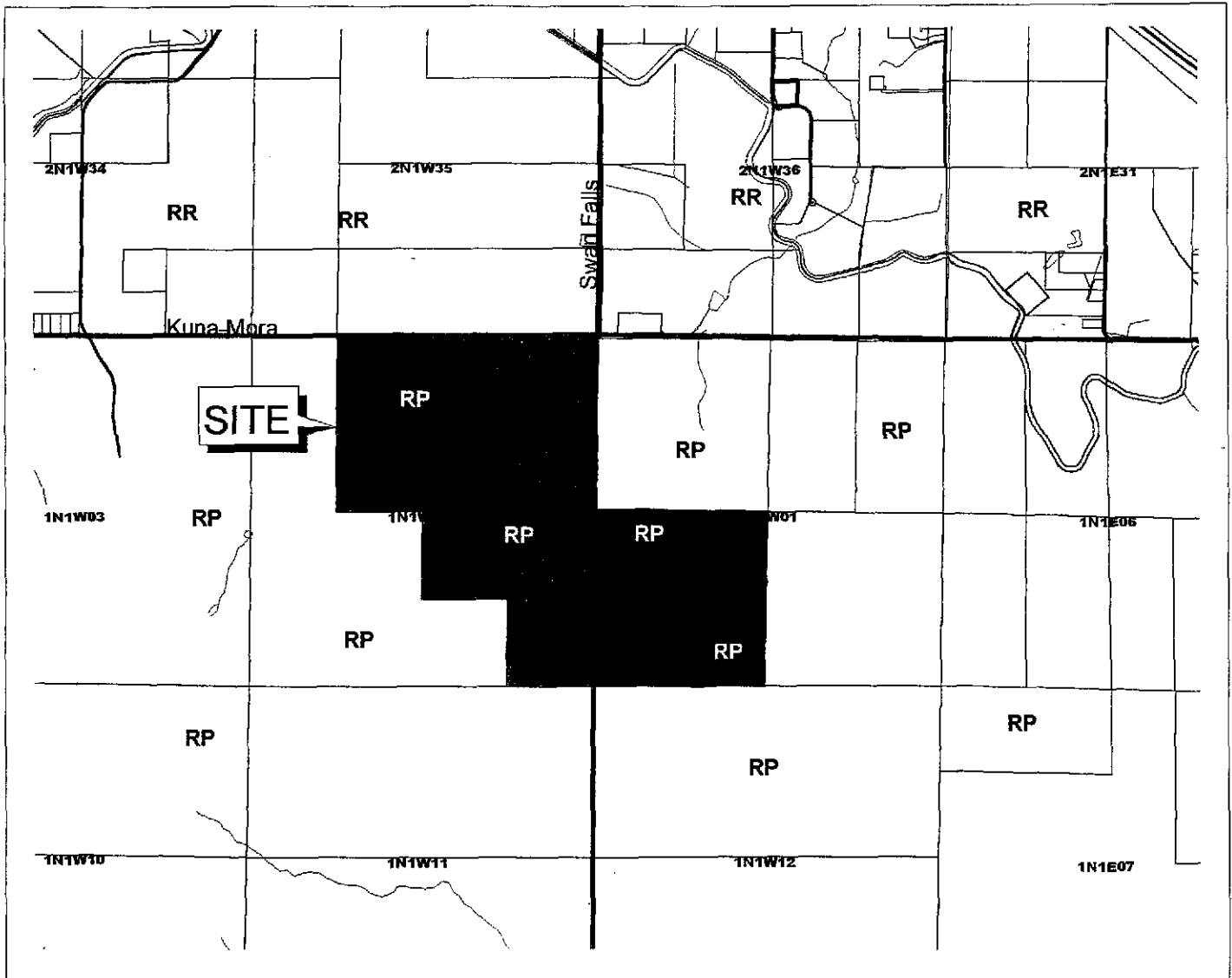


MASTER PLAN
OVERALL TREATMENT AND LAND APPLICATION FACILITY
FOR
CITY OF KUNA
CONDITIONAL USE PERMIT APPLICATION

CIVIL SURVEY CONSULTANTS, INC.
100 S. ADKINS WAY
SUITE 101
MERIDIAN, IDAHO 83642



SITE MAP



LEGEND



Zoning

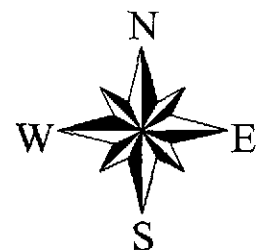


Incorporated Areas



Water

Ada County
Development Services
650 Main Street
Boise, Idaho 80702
208-364-2277



0 500 1000 1500 2000 Feet

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requires the written permission of Ada County

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SEP 07 2001

69087
B-8

State of Idaho

License and Certificate of Water Right

Water License No. G-30287 Priority March 21, 1962 Amount 1.34 c.f.s.
(late proof)

THIS IS TO CERTIFY that VILLAGE OF KUNA

of Kuna, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 9, 1961; that Permit No. G-30287 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.34 second feet, was issued thereunder on March 14, 1968, showing that said works were completed on the 22 day of March, 1967; and that on the 22 day of March, 1967 VILLAGE OF KUNA-by Lawrence Hays, Chairman of Board and John C. Vreugdenhil, City Clerk of Kuna, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of municipal use under Use Permit No. G-30287 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record ~~in~~ ~~the~~ ~~State~~ ~~of~~ ~~Idaho~~ ~~on~~ ~~the~~ ~~14~~ ~~day~~ ~~of~~ ~~March~~ ~~, 1968~~ .
The right hereby confirmed dates from March 21, 1962 (late proof)

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 23, Twp. 2 N, R. 1 W, B.M. Ada County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.34 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	1 W	22 to 27	Village of Kuna		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 14 day of March, 1968.

R. Keith Hight
State Reclamation Engineer.

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-38325
Permit No. G-30287
District No.

1. Name of Applicant: Village of Kuna
Postoffice address: Kuna County: Ada State: Idaho
2. Quantity of water claimed: 1200 gallons per minute, or 2.67 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of ^{two} points of diversion or well is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23
Twp. 2 N , Rge. 1 W , B.M., County of Ada
5. Water is to be used for: Municipal purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the ~~the~~ ~~SE $\frac{1}{4}$ of the~~ ~~SE $\frac{1}{4}$ of~~ Sections 22 to 27, inc.,
Rge. 1 W. , B.M., , Twp. 2 N.,
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep wells, turbine pumps and pipe lines
8. Estimated cost of works: \$19,000.00
9. (a) Is reservoir to be used? Elevated Steel Tank
(b) Capacity of reservoir: 40,000 gallons
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give: 1916 Municipal Corporation
 - I. (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors: J. M. Smith, Glen Caskey, Lawrence Hays, Mel Hughes, and Allen Hubble, all residing in Kuna, Idaho. constituting the Board of Trustees.
 - II. The financial resources of the applicant are (a) Cash on hand: \$6000.00
 - (b) Treasury stock: (c) Bonds to be issued:
 - (d) Other resources: Income from sale of water
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - 4 inch well and pump in use since 1916.
or 2.67CFS
 - (a) 1200 GPM / (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Old 4 inch well to be used as standby, also located in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T2N, R1W.B.M.
Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

S/ VILLAGE OF KUNA Applicant.

By G. W. GREBE Agent.

Date of first receipt at Department of Reclamation: 4:00 P.M. November 9, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30287

Recorded in Book 106 Page 30287 Approved November 10, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 10, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 10, 1966

Witness my hand this 10th day of November, 1961 s/ RALPH W. THOMAS
Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of November, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			PERMIT NO. G-30287				
			CERTIFICATE OF COMPLETION OF WORKS				
			TO ALL WHOM IT MAY CONCERN:				
			This is to certify that VILLAGE OF KUNA of Kuna, County of Ada, and State of Idaho, the holder of Permit No. G-30287, issued upon Application No. G-38325 bearing date of priority of March 21, 1962 (late proof), authorizing the diversion of 2.67 second feet of waters of a well County of Ada, State of Idaho, for municipal purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.34 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 2 North, Range 1 West, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:				
			Village of Kuna, Section 22 to 27, Township 2 North, Range 1 West, B.M.				
			Proof of Completion of works made: March 22, 1967				
			Witness my hand this 14 day of March, A.D. 1968				
			/S/				
			R. KEITH HIGGINSON State Reclamation Engineer				
			LICENSE ISSUED FOR 1.34 SEC. FT. LICENSE PAGE NO. 30287				



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

June 28, 2001

CITY OF KUNA
PO BOX 13
KUNA ID 83634

RE: Transfer No.: 69087Water Rights 63-11970, 63-8215, 63-3266
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 the APPLICANT 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.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

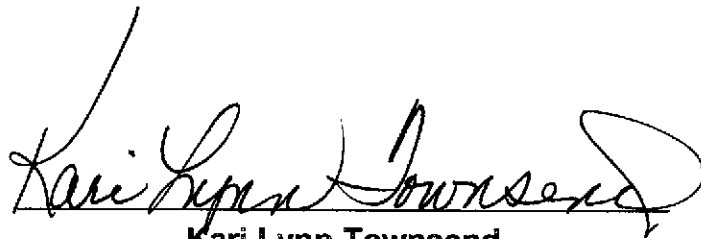
MICROFILMED
JUN 27 2001

CERTIFICATE OF MAILING

I hereby certify that on June 28, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69087 -WATER RIGHTS 63-11970, 63-8215, 63-3266

**CITY OF KUNA
PO BOX 13
KUNA ID 83634**

A handwritten signature in black ink, reading "Kari Lynn Townsend". The signature is written in a cursive style with a large, sweeping initial "K".

**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 07 2001**

**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).

**MICROFILMED
SEP 07 2001**

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.

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69087

DATE REVIEWED 6-26-01 CR

SPLIT POD ADD POD ☒ POU ☒ PERIOD or NATURE of USE

ALL OF RIGHT(S) ☒ W=Water Right C=SRBA Claim ☒ R=SRBA Recommendation

	W	C	R	No Activity on Court Page
R/63-3246	/	/	/	/
R/63-8215	/	/	/	/
W/63-11970	/	/	/	/
/	/	/	/	/

PART OF RIGHTS(S)

(Unchanged)

(Changed)

PART OF RIGHTS(S)	to	(Unchanged)	(Changed)
/	/	/	/
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Standard Season NA to NA MUNICIPAL USE Standard Volume NA /

- (1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) NA Volume
 (6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map
 (11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion w/Limits

⑦ Add P/Ds under ea.rt. - 3 total wells in use for Municipal system.
 ⑧ Identity land application AQs - City property.

Conditions/Remarks WB4, T17, O1Q, 106, W57, WD8, T07, T08, T09

POU/City & Service Area

Not 63-11970

WRs for Update Comments 63-3246 & 63-8215

Database Updated to Reflect Final Action 6-27-01 CR

RECEIVED

IDWR WESTERN REGION TRANSFER ANALYSIS

JUN 20 2001

Department of Water Resources

Applicant CITY OF KUNA

Transfer No. 69087

Reviewed by DAN

Date 3-27-01

Data entered by DAN

1. Right number(s) 63-03266, 63-8215, and 63-11970

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing Right ☒ Source ☐ Priority ☐ Amount
☐ Purpose ☐ Period ☐ SRBA Claim
☐ Description of original point(s) of diversion
☐ Description of original place of use
☐ Overlapping rights for original P/D &/or P/U

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☐ Analysis memo - always include unless justify why not needed
- b. ☒ All of right
- c. ☐ Part of right - Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee - see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. NO Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

Based
ON
Recommendations
EXCEPT FOR
63-11970
NO claim
needed.

69087

k. ☒ Overlapping rights for current & proposed scenariosCurrent 63-09668 - 63-12394Proposed ~~63-09668~~ 63-09668, 63-12394, 63-7327l. ☒ SRBA Claim(s) Same as above
Chained as licensed.m. ☒ Comment letters _____ No ☒ Yes as follows:

_____ Water District # _____ IDFG _____ Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on N/A, received on _____

Other comment letters received _____ Yes _____ No

2. Affidavit of publication received: ☒ Yes3. Published correctly: ☒ Yes _____ No

If No, re-publication required: _____ Yes _____ No

4. Protests received: _____ Yes ☒ No _____ If yes, acknowledgement sent**RECOMMENDATIONS**1. ☒ Approve _____ See attached memo

2. _____ Deny due to _____

3. Conditions of Approval standard xfer conditions - see Dan Nelson's
memo dated 5/1/2001 for explanation of inclusion of land description4. Recommended by Gary S Date 6/13/01 for POU.**FORWARDING FILE TO S.O.**

1. Copies made for Region file (see attached supplemental page):

☒ Yes2. File forwarded to S.O. by JSDate 6-19-01

SUPPLEMENTAL ANALYSIS SHEET FOR TRANSFER

Transfer No. 69087

TAYLOR AWO2 common.

Legal Notice: Word Filename

CITY OF KUNA Legal Notice

OR Use Workflow ad

NO

COPY FOR WATER RIGHT AND ADJUDICATION FILES

Yes Legal Notice

Yes Transfer Analysis Sheet (Form 222a)

Yes Transfer Application – assume entire application with attachments to be copied except as noted below (always copy ownership information): identify by letter/number attachments that are not to be copied:

Yes Reviewer's analysis memo: list *date of memo* _____

____ List other items to be copied:

AVOID COPYING – excess computer reports, excess attachments unless show ownership or other clarifying information, easements & other agreements, oversized documents and so forth.

REGIONAL COPIES TO BE MADE JUST BEFORE FORWARD FILE TO S.O.

DISCARD THIS FORM BEFORE FORWARDING THE FILE.

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification		Amount:
047628	450721	PROPOSED CHANGE OF WATER RIGHT		\$77.88
Ordered by:	P.O. #	Rate	Run Dates	
SUE TAYLOR		NT	MAY 17, 24, 2001	
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 48	
			Affidavit 1	Legal # 10434

LEGAL RIGHTS
NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS.

Notice is given that CITY OF KUNA of PO Box 13, Kuna, ID 83634 has applied to the Department of Water Resources to add a site outside of the City's municipal service area for the purpose of land application of wastewater. Wastewater results from a municipal ground water system served by the following water rights (all wells are in T2N R1W, Ada County):

LICENSE 63-03266, priority 3/21/1962, 1.34 cfs, diverted in SESE S23.

LICENSE 63-082151, priority 10/2/1975, 3.90 cfs, diverted in SWNE S23.

LICENSE 63-11970, priority 12/28/1992, 3.78 cfs, diverted in SWSW S23.

PERMIT 63-12394, priority 5/10/1997, 4.5 cfs, diverted in NWSE S22.

PROPOSED CHANGE FOR ALL RIGHTS

Land application of wastewater will occur in the NE 1/4, E 1/2 NW, and SE 1/4 S2 and SW 1/4 S1 T1N R1W for a total of 520 acres. The proposed site is about 2 miles south of Kuna on Swan Falls road.

Transfer application number 69087 will add the site to the three licenses pursuant to I.C. § 42-222.

An Application for Permit will add the site to the permit licenses pursuant to I.C. § 42-211.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 4, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. May 17, 24, 2001

10434

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: MAY 17, 2001

and ending with the issue of: MAY 24, 2001

Janice Hildreth

STATE OF IDAHO)

) ss

COUNTY OF ADA)

On this 24 day of MAY in the year of 2001

before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sondra L. Brightman

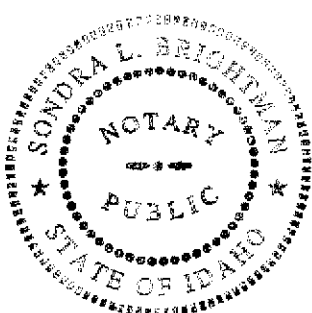
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/20/06

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SEP 07 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 15, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ID DEPT OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Transfer No. 69087 and Amendment of Permit No. 63-12394 in the
Name of the City of Kuna

Dear Sir:

Enclosed are copy of the above-referenced applications that may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by June 4, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 07 2001

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 5/1/2001

**RE: CITY OF KUNA TRANSFER, RIGHTS 63-3266, 63-8215, & 63-11970 AND
AMENDMENT OF PERMIT FOR RIGHT 63-12394**

The City of Kuna proposes to add lands to be used for land application of their waste treatment plant water to the 3 existing municipal rights and permit. The lands will be located in the NE ¼, E ½ NW, and SE ¼ S2 and SW ¼ S1 T1N R1W for a total of 160 acres.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 9 pages and 2 attachment for the transfer. Note the location of the following application items:

Attach. A – Proof of Ownership (A1-A7)
Attach B – Ada County Conditional Use application (B1-B8)

The applicant prepared both applications.

Other information used in this review includes Adjudication recommendation profile reports for 63-3266 & 63-8215, Place of Use Comparison Sheet, Point of Diversion overlap, of Adjudication claims for water rights 02-10150, 61-11924, and 61-11919, and Beneficial Use Exam for 63-9668 all attached to this memo.

NARRATIVE

Water rights 63-3266 and 63-8215 have been recommended as licensed in the Snake River Basin Adjudication (SRBA), so the transfer should cause a problem with data entry. Water right 63-11970 does not require an adjudication claim and was not claimed in SRBA. Lori Graves completed a Beneficial Use Exam Report for the City of Kuna in 2/3/2001, which shows that the water rights have been used within the last 5 years. The only significant overlap is water right 63-7327. 63-7327 is groundwater irrigation right used to irrigate this land. The City of Kuna plans to land apply the City's sewage water to these acres and use 63-7327 to provide the remaining irrigation needed to grow crops on this property.

RECOMENDATIONS

This transfer should be approved as filed, with the land list showing the land application use so a search of the database will show that these lands are irrigated by the City's wastewater.

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Idaho Dept. of Water Resources
Place of Use Comparison Report[illegible]

2N 1W S 23

Source	Site	Units	Status	Drilling Date	Rate	Depth	Water Used (ft)	Owner (List)	Version	Source (List)
101	101	101	Active	10/10/10	100	100	100	101	101	101
102	102	102	Active	10/10/10	100	100	100	102	102	102
103	103	103	Active	10/10/10	100	100	100	103	103	103
104	104	104	Active	10/10/10	100	100	100	104	104	104
105	105	105	Active	10/10/10	100	100	100	105	105	105
106	106	106	Active	10/10/10	100	100	100	106	106	106
107	107	107	Active	10/10/10	100	100	100	107	107	107
108	108	108	Active	10/10/10	100	100	100	108	108	108
109	109	109	Active	10/10/10	100	100	100	109	109	109
110	110	110	Active	10/10/10	100	100	100	110	110	110
111	111	111	Active	10/10/10	100	100	100	111	111	111
112	112	112	Active	10/10/10	100	100	100	112	112	112
113	113	113	Active	10/10/10	100	100	100	113	113	113
114	114	114	Active	10/10/10	100	100	100	114	114	114
115	115	115	Active	10/10/10	100	100	100	115	115	115
116	116	116	Active	10/10/10	100	100	100	116	116	116
117	117	117	Active	10/10/10	100	100	100	117	117	117
118	118	118	Active	10/10/10	100	100	100	118	118	118
119	119	119	Active	10/10/10	100	100	100	119	119	119
120	120	120	Active	10/10/10	100	100	100	120	120	120

Singly
Family
Domestic
NOT
significant
and
small
~~domestic~~
irrigation

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 3/27/01

SUBJECT: CITY OF KUNA TRANSFER AND APPLICATION FOR AMENDMENT OF PERMIT

I spoke with Shelly Keen about how to data enter the applications for transfer and amendment of permit for the City of Kuna for the land application of their waste water. Shelly was not sure whether or not we needed to have a transfer for this since this water use is covered under the municipal use. The main reason for his concern was the fact that the City of Kuna owns the property where the wastewater will be applied. According to Shelly a municipality can deliver water to its service area, which is defined as inside the city's corporate limits and anywhere outside those limits that are serviced by the city (Idaho Code 42-202B). The department does not generally give a legal description for a municipal right unless the right is a single system not connected to the municipal system. For example a well that only serves a park, or a single building site. The department does have a map of the municipality's service area, and will change the map without requiring a transfer.

Therefore, should we require a water right or transfer and amendment from the City of Kuna when we are not actually changing the water right record for the city? Should we require that they file a new application for permit for the land application even though it is actually covered under the term municipal use? In other cases where the wastewater is being applied on the lands of another, the person who benefits from the use of the water should apply for a water right. But the city owns the property where the water will be land applied, so is it automatically covered under their municipal rights if they are not increasing the flow rate from the original wells?

GARY & STEVE SAY WE NEED
THE TRANSFER.

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SEP 07 2001



Idaho Statutes

TITLE 42
IRRIGATION AND DRAINAGE -- WATER
RIGHTS AND RECLAMATION
CHAPTER 2

APPROPRIATION OF WATER -- PERMITS,
CERTIFICATES, AND LICENSES -- SURVEY

42-202B. DEFINITIONS. Whenever used in this chapter, the term

(1) "Consumptive use" means that portion of the annual volume of water diverted under a water right that is transpired by growing vegetation, evaporated from soils, converted to nonrecoverable water vapor, incorporated into products, or otherwise does not return to the waters of the state. Consumptive use does not include any water that falls as precipitation directly on the place of use unless the precipitation is captured, controlled and used under an appurtenant water right.

(2) "Municipality" means a city incorporated under section 50-102, Idaho Code, a county, or the state of Idaho acting through a department or institution.

(3) "Municipal provider" means

(a) A municipality that provides water for municipal purposes to its residents and other users within its service area;

(b) Any corporation or association holding a franchise to supply water for municipal purposes, or a political subdivision of the state of Idaho authorized to supply water for municipal purposes, and which does supply water, for municipal purposes to users within its service area; or

(c) A corporation or association which supplies water for municipal purposes through a water system regulated by the state of Idaho as a "public water supply" as described in section 39-103(10), Idaho Code.

(4) "Municipal purposes" refers to water for residential, commercial, industrial, irrigation of parks and open space, and related purposes, excluding use of water from geothermal sources for heating, which a municipal provider is entitled or obligated to supply to all those users within a service area, including those located outside the boundaries of a municipality served by a municipal provider.

(5) "Planning horizon" refers to the length of time that the department determines is reasonable for a municipal provider to hold water rights to meet reasonably anticipated future needs. The length of the planning horizon may vary according to the needs of the particular municipal provider.

(6) "Reasonably anticipated future needs" refers to 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. Reasonably anticipated future needs shall not include uses of water within areas overlapped by conflicting comprehensive land use plans.

(7) "Service area" means that area within which a municipal provider is or becomes entitled or obligated to provide water for municipal purposes. For a municipality, the service area shall correspond to its corporate limits, or other recognized boundaries, including changes therein after the permit or license is issued. The service area for a municipality may also include areas outside its corporate limits, or other recognized boundaries, that are within the municipality's established planning area if the constructed delivery system for the area shares a common water distribution system with lands located within the corporate limits. For a municipal provider that is not a municipality, the service area shall correspond to the area that it is authorized or obligated to serve, including changes therein after the permit

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or license is issued.

The Idaho Code is made available on the Internet by the Idaho Legislature as a public service. This Internet version of the Idaho Code may not be used for commercial purposes, nor may this database be published or repackaged for commercial sale without express written permission.

Available Reference: *Search Instructions*.

The Idaho Code is the property of the state of Idaho, and is copyrighted by Idaho law, I.C. § 9-350. According to Idaho law, any person who reproduces or distributes the Idaho Code for commercial purposes in violation of the provisions of this statute shall be deemed to be an infringer of the state of Idaho's copyright.

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MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 3/27/01

SUBJECT: CITY OF KUNA TRANSFER AND APPLICATION FOR AMENDMENT OF PERMIT

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Therefore, should we require a water right or transfer and amendment from the City of Kuna when we are not actually changing the water right record for the city? Should we require that they file a new application for permit for the land application even though it is actually covered under the term municipal use? In other cases where the wastewater is being applied on the lands of another, the person who benefits from the use of he water should apply for a water right. But the city owns the property where the water will be land applied, so is it automatically covered under their municipal rights if they are not increasing the flow rate from the original wells?

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SEP 07 2001

Glenn K. Bennett, P.L.S.
President

Timothy A. Burgess, P.E.
Vice President

Civil Survey Consultants, Inc.

100 South Adkins Way
Suite 101
Meridian, Idaho 83642

(208)888-4312
Fax 888-0323

February 16, 2001


Steve Lester, Water Rights Supervisor
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

FEB 21 2001

WATER RESOURCES
WESTERN REGION

Re: City of Kuna – Water Rights Modifications

Dear Mr. Lester:

On behalf of the City of Kuna, I am submitting the following in response to your 12/19/00 letter.

1. Notice of Claim to Water Right with Check No. 1697 for \$370.00 - 07237
2. Application For Transfer of Water Right with Check No. 1714 for \$610.00
3. Application For Amendment Of A Permit with Check No. 1713 for \$50.00

Please give this application your earliest possible consideration.

Sincerely,
CIVIL SURVEY CONSULTANTS, INC.



Tim Burgess, P.E.

Cc City of Kuna
Ada County Development Services

Enc.

Cc City of Kuna

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SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 2000

Tim Burgess P. E.
Civil Survey Consult
100 S. Adkins Way,
Meridian ID 83642

Re: City of

*KUNA
wastewater
land appl.
proposal*

Dear Mr. Burgess:

We recently discussed
best recommendation
Permit No. 63-09668.
right mostly described
due to expansion of us

te for the City of Kuna. The
rights held by the City except
municipal component. A water
n a land application scenario

The City holds four wa
new land application s... would include the following steps:

g the four rights to include a

1. File an Application for Transfer to change License Nos. 63-03266, 63-08215 and 63-11970. The transfer fee for the sum of the licenses (9.02 cfs) is \$610.
2. File an Application for Amendment to change Permit No. 63-12394. The amendment fee is \$50.
3. The transfer and amendment steps could add the proposed land application site to the municipal place of use. The nature of use in the water rights would not change – it would remain as municipal use for the City service area plus for a defined site (identified by section ¼ ¼'s) outside of the normal service area of the City.

The City might want to consult legal counsel regarding alternatives to the above suggestion. In any event, some type of water right protection is needed for the new land application site. The protection is not evident within limits of existing water rights held by the City.

I have enclosed forms and related information for your consideration of the transfer and amendment steps. Please let me know if you need more information in this regard.

Sincerely,

Steve Lester

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 2000

Tim Burgess P. E.
Civil Survey Consultants
100 S. Adkins Way, Suite 101
Meridian ID 83642

Re: City of Kuna: Land Application of Wastewater

Dear Mr. Burgess:

We recently discussed water right issues related to a new land application site for the City of Kuna. The best recommendation I can offer involves changing all the municipal water rights held by the City except Permit No. 63-09668. That permit is an irrigation water right with a minor municipal component. A water right mostly described as irrigation use is probably not suited for inclusion in a land application scenario due to expansion of use considerations normally associated with irrigation.

The City holds four water rights described solely by municipal use. Changing the four rights to include a new land application site would include the following steps:

1. File an Application for Transfer to change License Nos. 63-03266, 63-08215 and 63-11970. The transfer fee for the sum of the licenses (9.02 cfs) is \$610.
2. File an Application for Amendment to change Permit No. 63-12394. The amendment fee is \$50.
3. The transfer and amendment steps could add the proposed land application site to the municipal place of use. The nature of use in the water rights would not change – it would remain as municipal use for the City service area plus for a defined site (identified by section ¼ ¼'s) outside of the normal service area of the City.

The City might want to consult legal counsel regarding alternatives to the above suggestion. In any event, some type of water right protection is needed for the new land application site. The protection is not evident within limits of existing water rights held by the City.

I have enclosed forms and related information for your consideration of the transfer and amendment steps. Please let me know if you need more information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

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NOTES

R 12/19/00

TRANSFER APPL.

Part 1 Points of Diversion - if licensed & permitted wells physically integrated, can list all wells as div. points for all rights (vs. 1 well per right).
licensed

Place of Use - for all licenses, can show:
Service Area plus $\frac{1}{4}$ - $\frac{1}{4}$'s for new land appl.
site

Part 2 Right as Reserved. - instead of listing all details, add note here to see attached "profile reports."

Be sure to answer Question A10 & NON-USE.

Items B & C N/A in this scenario.

Part 3 Map - show $\frac{1}{4}$ - $\frac{1}{4}$'s for new land appl. site...
don't need to show anything else

Item B N/A.

Notarized signature with title for party authorized to sign for city.

Fee \$610 if 9.02 cfs.

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- JL 02/19/00

Hardest c "Iowa into Sheet..." - Eyi ... probably
won't need to worry c evidence of recent beneficial
use to show validity of these Rights. If for some
reason this will be needed, I'll get in touch with
you.

AMENDMENT APPL

63-12394

Field Exam done, license pending at Iowa central office
(Orlando St.).

Can request that license recommendation be modified to
include:

- (1) multiple div. points for integrated wells if that's
the case.
- (2) additional place of use for new land appl. -
show "wells" in place of use charts and
on map pg. ... or can ~~refer~~ refer to
map in transfer so don't have to do
map twice.

Signature + title does not need to be notarized.

\$50 fee.

Added note on orig. prop own./person to new pln ... will be part
of SPBA claim to ERI on 63-7327 ("noble").

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SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 12, 2000

STEVE HOPKINS PLANNER II
ADA COUNTY DEVELOPMENT SERVICES
650 MAIN ST
BOISE ID 83702

Re: 00-64-CU/00-12-MSP City of Kuna

Dear Mr. Hopkins:

The Idaho Department of Water Resources (IDWR) reviewed the above referenced conditional use permit application and master site plan for the City of Kuna (City) wastewater treatment facility. The following comments are provided for your consideration.

Land application of wastewater presents new challenges in the water rights arena. Guidance from statutes and case law is sparse. IDWR recently adopted a policy to address concerns related to land application scenarios, particularly in areas where approval of new water rights is complicated by a moratorium on such an approval.

IDWR recommends that the City seek water right approval for the expansion of the treatment facility. The recommended course of action involves a change of existing municipal rights instead of filing for a new water right appropriation. Changes to existing municipal rights can be sought by the *application for transfer* or the *application for amendment of permit* processes. Such changes could add the proposed land application site to existing municipal water rights – land application practices would be considered part of municipal use for areas outside of the City service area normally associated with its municipal water rights.

The expansion site for land application appears to be land described by an irrigation water right, license no. 63-07327 in the name of John or Pearl Noble or John Noble Properties. This right identifies an irrigation well in SENE Section 2 to irrigate 320 acres in portions of Section 2. The conditional use application identifies this well as one "to be retained for supplemental process water" (see foldout map in conditional use application). Use of the well beyond use authorized by license no. 63-07327 raises water right questions. Additionally, the license is not claimed in the ongoing Snake River Basin

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City of Kuna
December 12, 2000
Page 2 of 2

Adjudication (SRBA). The license will not remain a valid water right unless filing a SRBA Claim protects it. The City and/or landowner of the irrigation land described by this water right should consider the current and future status of this water right in conjunction with the proposed land application plan.

In summary, water right protection for the new land application area does not exist and should be secured. Adjustments to water right no. 63-07357 also might be necessary to expand the City land application capacity.

Please contact me at your earliest convenience if you need more information. Thank you for the chance to comment on the City's proposal.

Sincerely,



Steve Lester
Water Rights Supervisor

Cc: Mayor Willard G. Nelson

MICROFILMED
SEP 07 2001

SD-0601-2 Last Name: CITY OF KUNA

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-------------	---------------	-------------	--------------------	------------------	--------	--------------------	------------------

CITY OF KUNA

C			63-08215	10/02/1975	GROUNDWATER	3.900	40 MUNI
C			63-09668	02/13/1981	GROUNDWATER	2.000	01 IRR
							40 MUNI
C			63-03266	03/21/1962	GROUNDWATER	1.340	40 MUNI
C			63-11970	12/28/1992	GROUNDWATER	3.780	40 MUNI
C			63-12394	05/10/1997	GROUNDWATER	4.500	40 MUNI

*
SRBA down total ... no others filed by city

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

** SRBA MA post 1987 rights

Research & notes & possible
other & amendments

12/8/00

City of Reno

Notes 12/12/00

- 1) Permit appear new site is in service area of city.
(see AG-3226 + AG-8215 for suggested service areas)

* 2) Add site as plan (main) to City main map.
BEST - add to all rights
1st - " " 1 wk (re fee issue)

- 3) Does "land repl expansion" = P/4 83-7327? Probably does per map but Mayor's letter lists somewhat different Q&A's... probably just error.

4) JAN did fl(*) 63-9668 ^(gldie) recently forwarded to L.V.
by LG... LG has fl(*) report on her PC.

5) Status 63-7327

- Will REVE or TUNE? - see map + fl(*) rec'd

- Retired as back up map, it appears?

- what does map note ~~mean~~ mean a "retired as repl. process 120"

- Protetol from forfeiture per IC 42-223(3).

- Need FRBA claim filed on this.

Should this
well be
added as
main pld
for repl.
process
now?

* Eten 63-3266 8215 - 11970 -

Amendment 63-12394 - 9688 who provision that treat as li. +
add to Eten if li. issued while processing

WR5809NP
No. 63-07327

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN NOBLE	04/15/1970	IRRIGATION	03/01 10/01	5.790 CFS	1440.00 AFA
C	PEARL LARAE NOBLE					
C	JOHN E. NOBLE PROPERTIES			TOTAL DIVERSION:	5.790 CFS	1440.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S02

SENE

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac				
01N	01W	2	:		40		40	:		40		40	:					:		40		40		40	:	320.0
																							TOTAL ACRES		320.0	

Pou County: ADA

Dates:	App. Received:	Priority Date:	04/15/1970
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT

LICENSE NOT FILED ON IN ADJUDICATION

WR5809NP
No. 63-03266

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	03/21/1962	MUNICIPAL	00/00 00/00	1.340 CFS	
TOTAL DIVERSION:					1.340 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S23

SESE

ADA County

Pou County:

Remarks: GEN P/U VILLAGE OF KUNA.

Dates: App. Received: Priority Date: 03/21/1962
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT 08/02/96 SCURTIS

*claims have land list
but all in
T02N R1W*

City's other muni rights & claims

63-12344 is only one listing... "surrendering service area"

can all be interpreted to mean P/u = service area?
if yes, is exist + planned land right area w/d ~~service~~
service area?

WR5809NP
No. 63-08215

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	10/02/1975	MUNICIPAL	01/01 12/31	3.900 CFS	
TOTAL DIVERSION:					3.900 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S23

SWNE

ADA County

Pou County:

Remarks: GEN P/U WITHIN CITY LIMITS OF KUNA.

Dates:	App. Received:	Priority Date:	10/02/1975
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/13/1979	

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

Audit: 06/03/85 05/01/88 CONVERT

WR5809NP
No. 63-09668

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	02/13/1981	IRRIGATION MUNICIPAL	04/01 10/31 01/01 12/31	1.980 CFS 0.020 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T01N R01W S02 NENE ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01N	01W	1	:									:							:	40		40		40		40	:						:	160.0
01N	01W	2	:	02								:							:							:						:	2.0	
																												TOTAL ACRES	162.0					

Place of use Legal Description for: MUNICIPAL

01N	01W	2	:	M								:							:							:						:
-----	-----	---	---	---	--	--	--	--	--	--	--	---	--	--	--	--	--	--	---	--	--	--	--	--	--	---	--	--	--	--	--	---

Pou County: ADA

Conditions of Approval:

- 01C - A flow measurement port or other device as specified by the
 - Department shall be installed by the right holder to provide for
 - the installation of measuring equipment and the determination of
 - the rate of diversion by the Department.
- 004 - The issuance of this right does not grant any right-of-way
 - or easement across the land of another.

Dates: App. Received: Priority Date: 02/13/1981
Proof Due Date: 03/01/1986 Proof Made Date: 01/01/1900
Exam Made Date: 08/16/1985 Exam Sent to S.O.: 10/16/2000
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/14/87 05/01/88 CONVERT 10/16/00 LMATTSON

license pending

WR5809NP
No. 63-11970

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	12/28/1992	MUNICIPAL	01/01 12/31	3.780 CFS	
TOTAL DIVERSION:					3.780 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.780 CFS

Point(s) of Diversion: T02N R01W S23

SWSW

ADA County

Pou County:

Remarks: GEN Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right. Place of use is located within the city limits of Kuna.

Dates: App. Received: 12/28/1992 Priority Date: 12/28/1992
Proof Due Date: 03/01/1995 Proof Made Date: 12/19/1994
Exam Made Date: 03/10/1995 Exam Sent to S.O.: 02/23/1996
Licensed Date: 04/06/1996

Misc: Water District Number: 63 Field Exam Fee: R (Received)

Comments: Date: 12/30/1992 User-ID: GARRETT Subject: OTHER RIGHTS
63-03266, 63-08215, and 63-09668.

Date: 02/10/1993 User-ID: MILLER Subject: MORATORIUM EXEMPTION
This permit fall within the acceptable parameters of the Snake
River Basin Moratorium.

Date: 12/21/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 12/30/92 GARRETT 02/10/93 MILLER 02/11/93 ZIMMERMA 12/21/94 COMMENTS
12/28/94 JYARBROU 06/01/95 STAYLOR 02/23/96 STAYLOR 04/04/96 BCHAPMAN

WR5809NP
No. 63-12394

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	05/10/1997	MUNICIPAL	01/01 12/31	4.500 CFS	
TOTAL DIVERSION:					4.500 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02N R01W S22

NWSE

ADA County

Pou County:

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 01M - After specific notification by the department, the right holder
- shall install a suitable measuring device or shall enter into an
- agreement with the department to determine the amount of water
- diverted from power records and shall annually report the
- information to the department.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 46B - The right holder shall comply with Idaho well construction
- standards when constructing a well pursuant to this right.
- 022 - The daily diversion volume for non-domestic uses under this
- municipal right shall not exceed 2,500 gallons per use and
- the daily diversion volume for domestic uses under this right
- shall not exceed 13,000 gallons per dwelling in accordance with
- Section 42-111, Idaho Code.
- 075 - Irrigation of large projects such as parks, golf courses, or
- sports activities fields is not authorized under this right.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN Point of diversion is locally known as Well No. 5.
Place of use is within the city limits of Kuna and surrounding
service area.
The proposed water bearing zone is 400 to 480 ft.

Dates: App. Received: 04/03/1997 Priority Date: 05/10/1997 (Priority Date Advanced.)
Proof Due Date: 09/01/1999 Proof Made Date: 10/08/1999 (Proof Received Late.)
Exam Made Date: 02/03/2000 Exam Sent to S.O.: 03/04/2000
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

WR5809NP
No. 63-12394

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 5

Comments: Date: 08/08/1997 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION
Proposed 18"x 500' well with 125 HP vertical turbine pump.

Date: 09/17/1999 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 10/08/1999 User-ID: RHANSEN Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 04/18/97 STAYLOR 08/08/97 CZIMMERM 08/18/97 CZIMMERM 09/17/99 COMMENTS
10/08/99 COMMENTS 11/29/99 JYARBROU 03/07/00 KGALE

AJ5809NP
No. A63-03266

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	03/21/1962	MUNICIPAL	01-01 12-31	1.340 CFS	
TOTAL DIVERSION:					1.340 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R01W S23

NESESE

ADA County

Place of use Legal Description for: MUNICIPAL

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02N	01W	23	:				M		M	:				M		M	:		M		M		M		M		M		M	:	
02N	01W	24	:							:				M		M	:		M		M		M				M		M	:	
02N	01W	25	:							:		M		M			:													:	
02N	01W	26	:	M		M				:	M		M				:													:	

POU County: ADA

Other Rights: NONE

Remarks: GEN MUNICIPAL WATER SUPPLY FOR THE CITY OF KUNA. COPY OF LICENSE
63-03266 AND WELL LOG ATTACHED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A63-08215

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/08/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	10/02/1975	MUNICIPAL	01-01 12-31	3.900 CFS	

TOTAL DIVERSION: 3.900 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R01W S23

SESWNE

ADA County

Place of use Legal Description for: MUNICIPAL

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:
02N	01W	23	:				M						M	M		:	M	M	M	M				M		M	M	M	M		:	
02N	01W	24	:										M	M		:	M	M	M	M						M	M				:	
02N	01W	25	:									M	M			:															:	
02N	01W	26	:	M		M						M	M			:															:	

POU County: ADA

Other Rights: NONE

Remarks: GEN MUNICIPAL WATER SUPPLY FOR THE CITY OF KUNA. COPY OF LICENSE
63-08215 AND WELL LOG ATTACHED.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A63-09668

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KUNA	02/13/1981	MUNICIPAL	04-01 10-31	1.970 CFS	
			MUNICIPAL	01-01 12-31	0.030 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T01N R01W S02

SENE

ADA County

Place of use Legal Description for: MUNICIPAL

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S		T	R	S		T	R	S		T	R	S	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01N	01W	2	M												

Place of use Legal Description for: MUNICIPAL

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S		T	R	S		T	R	S		T	R	S	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01N	01W	2	M												

POU County: ADA

Other Rights: NONE

Remarks: GEN THIS WATER IS USED TO OPERATE THE CITY SEWER SYSTEM. APPROX. 0.03 CFS IS USED FOR MUNICIPAL PURPOSES AT THE SEWER SYSTEM OFFICE LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC. 2, T.1N., R.1W., B.M. THE REMAINING 1.97 CFS IS USED FOR IRRIGATION PURPOSES ON THE SW 1/4 OF SEC. 1, T.1N., R.1W., B.M. WHEN ADEQUATE FLOWS ARE NOT AVAILABLE FROM THE SEWAGE TREATMENT PLANT TO IRRIGATE THE 160 ACRES. COPY OF PERMIT 63-9668 ATTACHED.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No. 69087
And Amendment to Water Right No. 63-12552

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find two 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 notice 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 06/04/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 07 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is given that **CITY OF KUNA** of PO Box 13, Kuna, ID 83634 has applied to the Department of Water Resources to add a site outside of the City's municipal service area for the purpose of land application of wastewater. Wastewater results from a municipal ground water system served by the following water rights (all wells are in T2N R1W, Ada County):

LICENSE 63-03266, priority 3/21/1962, 1.34 cfs, diverted in SESE S23.

LICENSE 63-082151, priority 10/2/1975, 3.90 cfs, diverted in SWNE S23.

LICENSE 63-11970, priority 12/28/1992, 3.78 cfs, diverted in SWSW S23.

PERMIT 63-12394, priority 5/10/1997, 4.5 cfs, diverted in NWSE S22.

PROPOSED CHANGE FOR ALL RIGHTS

Land application of wastewater will occur in the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW, and SE $\frac{1}{4}$ S2 and SW $\frac{1}{4}$ S1 T1N R1W for a total of 520 acres. The proposed site is about 2 miles south of Kuna on Swan Falls road.

Transfer application number 69087 will add the site to the three licenses pursuant to I.C. § 42-222.

An **Application for Permit** will add the site to the permit licenses pursuant to I.C. § 42-211.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 4, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on May 17 and 24, 2001.

MICROFILMED

SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 2000

Tim Burgess P. E.
Civil Survey Consultants
100 S. Adkins Way, Suite 101
Meridian ID 83642

Re: City of Kuna: Land Application of Wastewater

Dear Mr. Burgess:

We recently discussed water right issues related to a new land application site for the City of Kuna. The best recommendation I can offer involves changing all the municipal water rights held by the City except Permit No. 63-09668. That permit is an irrigation water right with a minor municipal component. A water right mostly described as irrigation use is probably not suited for inclusion in a land application scenario due to expansion of use considerations normally associated with irrigation.

The City holds four water rights described solely by municipal use. Changing the four rights to include a new land application site would include the following steps:

1. File an Application for Transfer to change License Nos. 63-03266, 63-08215 and 63-11970. The transfer fee for the sum of the licenses (9.02 cfs) is \$610.
2. File an Application for Amendment to change Permit No. 63-12394. The amendment fee is \$50.
3. The transfer and amendment steps could add the proposed land application site to the municipal place of use. The nature of use in the water rights would not change – it would remain as municipal use for the City service area plus for a defined site (identified by section ¼ ¼'s) outside of the normal service area of the City.

The City might want to consult legal counsel regarding alternatives to the above suggestion. In any event, some type of water right protection is needed for the new land application site. The protection is not evident within limits of existing water rights held by the City.

I have enclosed forms and related information for your consideration of the transfer and amendment steps. Please let me know if you need more information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED
SEP 07 2001

March 14, 1968

Re: Permit No. G-30287

Village of Kuna
Kuna,
Idaho 83634

Gentlemen:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Departmental receipt No. 211 in the amount of \$5.00 covering the fees has been given to you.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
R

cc. G.W. Grebe
Village Attorney
Box 91
Kuna, Idaho 83634

30287

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that VILLAGE OF KUNA
 of Kuna , County of Ada , and State of
 Idaho , the holder of Permit No. G-30287 , issued upon
 Application No. G-38325 bearing date of priority of March 21, 1962 , authorizing the
 (late proof)
 diversion of 2.67 second feet of waters of a well

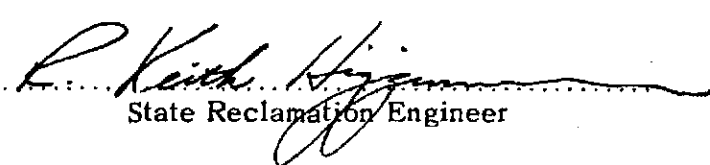
County of Ada , State of Idaho, for municipal
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 1.34 second feet of the waters of a well, from subterranean
 flow, ...

that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 2
 North, Range 1 West, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: Village of Kuna Sections 22 to 27, Township 2 North,
 Range 1 West, Boise Meridian.

Proof of Completion of works made: March 22, 1967

Witness my hand this 14 day of March , A. D. 19 68


 State Reclamation Engineer

30287

December 4, 1967

Re: Permit G-30287

Village of Kuna
Kuna, Idaho 83634

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-30287 and has found the following:

Quantity of water diverted: 1.34 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.34 c.f.s.

Purpose of use: municipal purposes for the Village of Kuna in Secs. 22, 23, and 27, T. 3 N, R. 1 W, B.M.

The priority date established is: March 21, 1962
(late proof)

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:maw

12-6-67
\$ 5.00
11/14
12/11
griner

30287

December 4, 1967

Re: Permit G-30287

Village of Kuna
Kuna, Idaho 83634

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-30287 and has found the following:

Quantity of water diverted: 1.34 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.34 c.f.s.

Purpose of use: municipal purposes for the Village of Kuna in Secs. 22, 23, and 27, T. 2 N, R. 1 W, B.M.

The priority date established is: March 21, 1962
(date proof)

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

*fee paid
12-15-67
mw*

30287

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30287

This proof is for Comp. of Works & Beneficial Use

In Water District No. _____

1. Name of applicant Village of Kuna

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 23

T. 1. 2 N R. 1 W County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:

50 HP FAIRBANKS - MORSE
8" DISCHARGE - SATE VALVE - SPARKING
WATER TO 10,000 gal STORAGE
PRESSURE TANK - 27 municipal users

5. Water is used for: Municipal

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Village of Kuna, Sections 22 to 27, T. 2 N, R. 1 W, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: MR. ROSS PRESENT (LIC. ENGINEER)
(DESIGNER SYSTEM)

FOR ADDITIONAL INFORMATION - MATERIAL ON FILE CITY
OF KUNA - MR. KARL GABEL & GLEN SMITH
IDHO SURVEY & RATING
SPARKING WATER INSTALLED ON SYSTEM SHOWS
600 gpm @ 50 lbs HEAD OF TANK

This examination was made on the 19TH day of OCT, 19 67

(Signed) D R

Examiner.

30287

DW
plat ✓

40,000 gal
17' x 24' 11 1/4"
Sec. 6' - 8" } 52169

44 lbs = 9,560 gal

10 HP F C M
F390923
F C M UNIT PUMP 6977
4" DISCH. - G.V.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

18 - 20 66
11 - 10 - 66
4 - 10
11 - 9
153-21 67

Village of Kuna
Kuna, Idaho

Lawrence Hays, Chairman, Board of Trustees

Permit No. G-30287

Well, pump - water stored in tank
13" X 44' Q - over 1000 GPM
H - 60'

Examination for Comp. of Works & Beneficial Use

County Ada

Quantity: 2.67 c.f.s. Sec. 23 T. 2N R. 1W

63 -

Source: Subterranean

217 - Domestic Uses
120 GPM
134 c.f.s. TOTAL

P.D.: SE 1/4 Sec. 23, T. 2 N, R. 1 W, B.M.

MR. ROSS CITY ENGINEER

Use: Municipal use

Extension:

Protest:

Completion of Works:

Other Rights: 4 inch well and pump in use since 1916

Filed: November 9, 1961

Due: November 10, 1966

Made: March 22, 1967

Priority: March 21, 1962

late proof

STATE PUBLIC HEALTH

ALAN SMITH
REC CORP
CHIEF ALB.
WILLIAM SURBURG JR. SAVING

30287

Rgt. / W.

22

23

P.O. Kuna
0

Plwy. 1.4

27

Q + Allow 1.34 c.f.s. municipal

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30287✓

REPORT ON PROOF OF Completion of Works & Beneficial Use

30287

Consolidated Supply Co.

Phone 343-2561 . . . 526 S. 18th Street, Boise

Pipe - Valves - Fittings - Plumbing - Heating - Waterworks - Industrial Supplies

#2

Well capy. 1000 g.p.m.
with 100 H.P. motor

Installed: #2 Pump
50 H.P. motor

Cap. of pump 600 g.p.m.
against 50 lbs. or head of
tank



30287

April 28, 1967

Re: Permit No. G-30287

John O. Fitzgerald
929 East First
Meridian, Idaho 83642

Dear Mr. Fitzgerald:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Kuna Herald all submitted in proof of completion of works and beneficial use on Permit No. G-30287.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30287

AFFIDAVIT OF PUBLICATION

I, Clyde Cornell, printer and co-publisher of The Kuna Herald, published weekly for more than 78 consecutive weeks at Kuna, Idaho, do solemnly swear that the notice as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for

Four consecutive weeks as follows:
Commencing with the issue dated

February 24, 1967
and ending with the issue dated

March 17, 1967

Clyde Cornell

Subscribed and sworn to before me this

17th day of March, 1967

Edith M. Cornell
Notary Public for Idaho.

Residing at Kuna, Idaho.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 22nd day of March, 1967, at Meridian, County of Ada, State of Idaho before John O. Fitzgerald, Notary Public, at (address) 929 East First, Meridian, Idaho, proof will be submitted of the completion of works for the diversion of 2.67 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30287, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is VILLAGE OF KUNA, Kuna, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.67 cubic feet per second.

3. The use to which said water has been applied is municipal purposes, purposes and the amount applied to beneficial use is 2.67 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 23, T. 2 N., R. 1 W., B.M., County of Ada

5. The place where said water is used is VILLAGE OF KUNA, Sections 22 to 27, T. 2 N., R. 1 W., B.M.

6. The date of priority which said user is prepared to establish is November 9, 1961.

R. KEITH HIGGINSON
State Reclamation Engineer
Feb. 24; March 3, 10, 17, 1967

RECEIVED
APR 28 1967

Department of Reclamation

30287

GRANT L. AMBROSE
JOHN O. FITZGERALD

AMBROSE & FITZGERALD
ATTORNEYS AND COUNSELORS
929 EAST FIRST
MERIDIAN, IDAHO 83642

TELEPHONE
888-4461

April 27, 1967

RECEIVED
APR 28 1967

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attn: Donald W. McEldowney
Water Rights Clerk

Re: Permit No. G-30287

Dear Sir:

Pursuant to your letter of April 26, 1967, enclosed
herewith is the Affidavit of Publication concerning the
above referenced permit.

Very truly yours,

AMBROSE & FITZGERALD

John O. Fitzgerald (dlr)

JOHN O. FITZGERALD

JOF:dlr
Enclosure

30287

April 26, 1967

RE: Permit No. G-30287

John O. Fitzgerald
929 East First
Meridian, Idaho

Dear Mr. Fitzgerald:

Receipt is acknowledge of your deposition in connection with the above referenced permit. No further action will be taken until we are in receipt of the affadavit of publication. This can be obtained from the Kuna Herald newspaper.

Please remit the affadavit promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:mm1

30287

APPLICATION FOR PERMIT NO. E-30287

APPLICATION FOR TRANSFER NO. _____

RECEIVED
APR 23 1967
8:00 A.M. - M.L.
Department of Reclamation

Receiving -- Appearance review by _____ fees _____

Action - - - Permit Application

Fee receiving by _____ Amount _____

Application review by _____

B.L.M. by _____

Other overlapping rights by _____

Returned for correction by _____

Rejection by _____ Returned to sender by _____ Date _____

Approval by _____

Processing - Recording Permit Applications

Assign Permit No. by _____

Record page & folder by _____

Index by _____

Plats by _____

Proof - - - Certificate of Completion of Works

Review by _____

Returned for correction by _____

Rejection by _____ Returned to sender by _____

Approval by _____

Fee receiving by _____

60 day notice: BU by _____ CW/BU by _____

No reply _____ Pre can by _____ Can. by _____

Reply by _____

Advertise by _____ Review by _____

Inst. to news by _____

Depositions & inst. to holder by _____

Check tear sheet by _____

Readvertize by _____

Do not readvertize by _____

Depositions & affidavit check by DLP

Reject by _____ Return to sender by Consent provided

Approval by 4-28-67 Exam report by DJ Acknowledge depositions by DJ

Examination- Notification letter by _____

Exam by _____ Date _____ Exam review by _____

Fee letter by _____ Checked by _____ Fee receipt by _____

Amount \$ _____ by _____

Licensing- - License & Certificate

State Engineer's Signature, _____ Date _____

Return to holder by _____ Date _____

Remarks:

30287

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 6-30287

M. L.
RECEIVED
APR 3 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Village of KUNA

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Village of KUNA

Ques. 3. State number, approval date of permit, and date of priority: _____

6-30287 Nov 10, 1961 Nov 9, 1961

Ques. 4. State source of water supply: WELL

Give location of point of diversion, showing subdivision, section, township and range

SE 1/4 of the SE 1/4 of SEC 23 Twp 2N Rge 1W BM

Ques. 5. Describe your works of diversion: WELL with pump - WATER

STORED IN TANK; state amount of water they are capable of con-

veying from point of diversion to place of use: 2.67 CFS; Give name of canal or ditch

or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well 444'; depth and size of

casing 444' - 12 3/8" casing & 25 1/2" borehole; depth to water 60 ft; if pump is used,

state discharge of pump: Over 1000 gpm; tell how it was measured or determined pitot

gage and weir; if sprinkler irrigation, give number and size

of nozzles and operating pressure: for city water supply

Ques. 6. State for what purpose water is used: DOMESTIC PURPOSES

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: _____)

Log in

30287

State nature of all improvements which have been made as a direct result of said use:

~~improvements by permittee~~ WATER for Village

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: A.E. Hosack & Son 707 6th Ave Nampa

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Village of BUNA

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: SEPT 27, 1961 - Time used since first use:

CONTINUOUS

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Another well in PRESENT USE

Chairman of Board (Sign) Laurence Hays
City Clerk John C. Vreugdenhil

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

METIDIAN, County of Ada

State of Idaho, on this 22nd day of March, A. D. 1967.

My commission expires: 1972

John O. Fitzgerald

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
APR 3 1967
Department of Reclamation

Permit No. 6-30287

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

~~John L. Dobb, 56 yrs, Home St. Richwood, Kansas 66362~~
Clyde Blomell, 64 yrs, Kuna, Idaho, Publisher, Kuna, Idaho 83634

Ques. 2 Are you acquainted with _____, the holder of
Permit No. 6-30287? How long have you known him and where does he reside?

Ques. 3. Have you read or heard said Permit No. 6-30287 read, and are you familiar
with its provisions and conditions: Yes ✓ No. _____

Ques. 4. State source of water supply: WELL

Give location of place of diversion, showing subdivision, section, township and range
SE 1/4 OF THE SE 1/4 OF SEC. 23 Twp 2N R91W B.M. ADA LOVATY

Describe works for conveying water to place of use: WELL, Pump & Storage
TOWER

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.67 CFPS How much water have you seen being so
conveyed? 2.67 C.F.P.S

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

30287

7-13-67

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Village of Kuna

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Continuously since well completed
Other times you have seen such use: _____

Clyde Blomel
Publisher

(Signed): John C. Fitzgerald
Village Clerk

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Meridian

_____, County of Ada, State of Idaho, on this 22nd day of March, A. D. 1967

John O. Fitzgerald
Notary Public for the State of Idaho
Residing Meridian

My commission expires 1967

30287

RECEIVED
APR 3 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. 6-30287

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Gene L. Dalls 56 yrs Kenna Id. Postmaster Kenna Id 83634
~~Raymond Dalls 64 yrs Kenna Id. Publisher Kenna Id 83634~~

Ques. 2 Are you acquainted with _____, the holder of

Permit No. 6-30287? How long have you known him and where does he reside?

Ques. 3. Have you read or heard said Permit No. 6-30287 read, and are you familiar with its provisions and conditions: Yes YES No. _____

Ques. 4. State source of water supply: WELL

Give location of place of diversion, showing subdivision, section, township and range

6-30287 - SE 1/4 of the SE 1/4 of SEC. 23 Twp 2N R9 1N BM - ADA County

Describe works for conveying water to place of use: WELL, Pump & STORAGE TOWER

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.67 CFPS How much water have you seen being so conveyed? 2.67 CFPS

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

30287

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Village of SUNA

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Continuously since well completed
Other times you have seen such use: _____

(Signed): Jesse L. Dabbs Postmaster ***** John C. Fitzgerald Village Clerk

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Meridian

_____, County of Ada, State of Idaho, on this 22nd day of March, A. D. 1967

John C. Fitzgerald
Notary Public for the State of Idaho
Residing Meridian

My commission expires 1967

30287

Re: Permit No. **G-30287**

February 16, 1967

John O. Fitzgerald
929 East First
Meridian, Idaho

Dear Mr. Fitzgerald:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-30287** in the name of **Village of Kuna**. Final Proof is to be made before you, as Notary on the **22** day of **March**, 19 **67**, ~~at~~ ~~xxxxxx~~ at **Meridian**, Idaho.

As of this date, we have mailed the Notice to the **Kuna** **Herald**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

MRB:nw

M. Russell Bosch
Office Manager

Encl.

cc: Applicant

30287

February 16, 1967

Re: Permit No. G-30287

Kuna Herald
Kuna, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 22, 1967. The expense of the publication is to be paid by John O. Fitzgerald of 929 East First, Meridian, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30287

RECEIVED
FEB 16 1967

NOTICE OF PROOF OF COMPLETION OF WORKS **Department of Reclamation**
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 10:00AM~~, on the 22nd day of March,
1967, at Meridian, County of Ada, State of Idaho
before John O. Fitzgerald, Notary Public, at (address) 929 East
First, Meridian, Idaho, proof will be submitted of the completion
of works for the diversion of 2.67 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-30287, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is VILLAGE OF KUNA, Kuna, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 2.67 cubic feet per second.

3. The use to which said water has been applied is municipal purposes
, purposes and the amount applied to beneficial use is
2.67 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 23, T.2N.,
R.1.W., B.M., County of Ada

5. The place where said water is used is VILLAGE OF KUNA
Sec. 22 to 27 T.2N, R 1W, B M

6. The date of priority which said user is prepared to establish is 9
November 10, 1961.

State Reclamation Engineer

30287 MW

RECEIVED
FEB 16 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 15, 1967

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the KUNA HERALD of
Kuna, Idaho Published in
the county in which the works are situated; publish February 24, 1967;
March 3, 1967; March 10, 1967; and March 17, 1967.

John O. Fitzgerald

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

30287

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

RECEIVED
FEB 16 1967
Department of Reclamation

The undersigned owner (s) of Permit (Application) No. G-30287
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints John O. Fitzgerald, whose address is
929 E. First, Meridian, Idaho, as attorney-in-fact with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited to
the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, and the submission of proofs of completion of works and beneficial
use of water.

Dated this 15th day of February, 1967.

Laurence W. Wray
John C. Vreugdenhil

State of Idaho)
 : ss
County of Ada)

On this 15th day of February 1967,
personally appeared before me the signer (s) of the above instrument, who
duly acknowledged to me that ~~he/she/it~~ (they) executed the same.

Kathryn A. McPeak
Notary Public for Idaho

Residence: Meridian, Idaho

My commission expires:

June 15, 1969

30287

January 27, 1967

re: Permit No. G-30287
Village of Kuna

C
O
P
Y

John O. Fitzgerald
Attorney at Law
929 East 1st
Meridian, Idaho

Dear Mr. Fitzgerald:

Pursuant to our telephone conversation of January 26, 1967, we are forwarding the requested forms. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Field Examiner

DWM:nw

Enclosures: Power of attorney form
Forms 36
Form 11

30287

GRANT L. AMBROSE
JOHN O. FITZGERALD

AMBROSE & FITZGERALD
ATTORNEYS AND COUNSELORS
929 EAST FIRST
MERIDIAN, IDAHO 83842

TELEPHONE
888-4461

January 26, 1967

RECEIVED
JAN 27 1967
Department of Reclamation

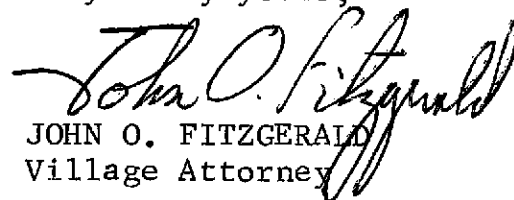
R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. G-30287
Village of Kuna

Dear Sir:

This is to advise that we intend to complete the above
referenced matter.

Very truly yours,


JOHN O. FITZGERALD
Village Attorney

JOF/kam

30287

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

December 27, 1966

Re: Permit No. G- 30287

To Village of Kuna
G. W. Grebe
Village Attorney, Box 91, Kuna, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 30287 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works and Beneficial Use Proofs due November 10, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 30287 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 30287 claims the use of 2.67 cubic feet per second of the Subterranean Waters a well with point of diversion located SE 1/4, Sec. 23, T. 2 N., R. 1 W., B. M. and was approved November 10, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 27th day of December, 1966.

State Reclamation Engineer

30287

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

Sept. 1, 1966

Re: Permit No. G - 30287

Village of Kuna
G. W. Grebe, Attorney
Box 91, Kuna, Idaho

Dear Mr. Grebe:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30287 are due not later than Nov. 10, 1966

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

R. KEITH HIGGINSON

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30287

November 20, 1961

Re: Permit No. G-30287
Village of Kuna

Mr. G. W. Grebe,
Village Attorney,
Box 91,
Kuna, Idaho.

Dear Mr. Grebe:

We enclose Permit No. G-30287 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6676 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

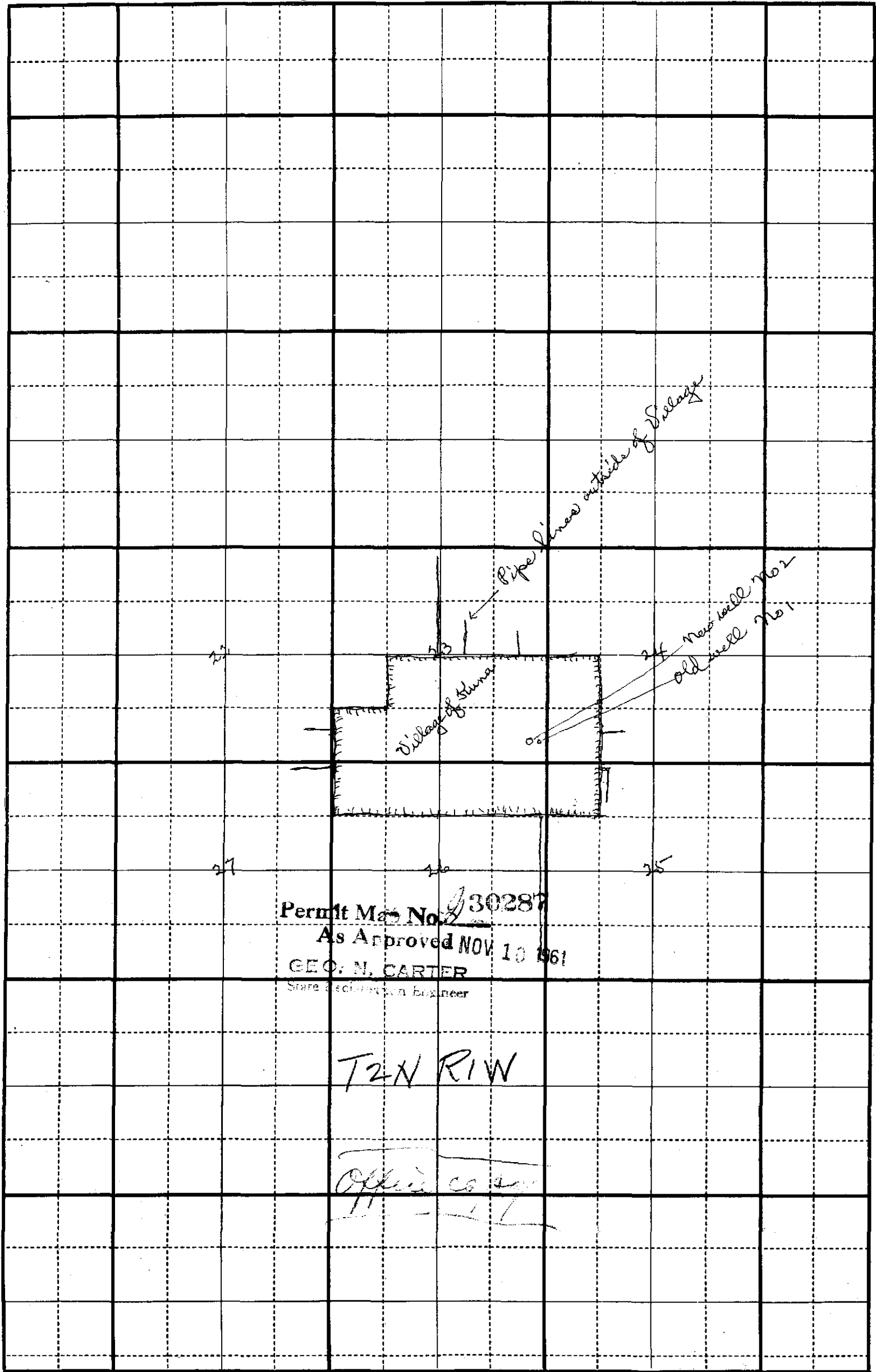
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Village of Kuna
Kuna, Idaho

30287

NAME OF APPLICANT Village of Huma

Form No. 0



Permit Map No. 30287
As Approved NOV 10 1961
GEO. N. CARTER
State Registration Engineer

T2N RIW

Office copy
Huma

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 22nd day of March, 1967, at Meridian, County of Ada, State of Idaho before John O. Fitzgerald, Notary Public, at (address) 929 East First, Meridian, Idaho, proof will be submitted of the completion of works for the diversion of 2.67 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30287, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is VILLAGE OF KUNA, Kuna, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.67 cubic feet per second.

3. The use to which said water has been applied is municipal purposes, purposes and the amount applied to beneficial use is 2.67 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 23, T. 2 N., R. 1 W., B.M., County of Ada

5. The place where said water is used is VILLAGE OF KUNA, Sections 22 to 27, T. 2 N, R. 1 W., B.M.

6. The date of priority which said user is prepared to establish is November 9, 1961.

R. KEITH HIGGINSON
State Reclamation Engineer
Feb. 24; March 3, 10, 1967

30287