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Water Engineering, LLC
water resource consultants

August 24, 2004

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WATER RESOURCES
WESTERN REGION

Rob Norman
Caldwell-Nampa FM Group
142 Smith Avenue, Suite B
Nampa, ID 83651-2355

Subject: Applications for Transfer of Water Right 63-4949

Dear Rob:

As you may recall, applications were submitted to the Department of Water Resources earlier this year to transfer statutory water right claim 63-4949 from the Canyon Building No. 35 to Church project sites on Northside Boulevard and Lansing Lane. We understand from your letter dated September 17, 2003 (Attachment A) that the well at Canyon Building No. 35 was capped and abandoned following a fire at the building in September of 1995.

I was contacted today by Dan Nelson of the Idaho Department of Water Resources regarding these transfers. He needs additional information on the past use of the water. Specifically, I believe he will need information addressing the following.

1. When was the well last used for irrigation?
2. Prior to capping the well in 1995, was there another source of water supply for irrigation of the property? Dan noted that the Snake River Basin Adjudication (SRBA) claim for the water right (Attachment B) under "Item 13 - Other Water Rights Used" lists both Nampa and Meridian Irrigation District and the City of Nampa. Were these other sources actually used for irrigation of the property, or were they simply available if needed? If the well has historically been a supplemental source to the irrigation district water (rather than the primary source), then we will be unable to transfer the right to the other properties for primary irrigation use. Therefore, we need to know if the Church was (1) paying irrigation district assessments but utilizing the well as the source of irrigation water supply, or (2) if the Church was using both irrigation district water and groundwater for irrigation supply.
3. The original statutory claim (Attachment C) and your September 17 letter suggests that the well was used as the potable water supply until September 1995. However, the SRBA claim does not list "domestic" as a use. Does this mean that the Church was using City water for potable supply prior to 1995?

If your responses indicate that Nampa and Meridian Irrigation District water was not historically utilized as an irrigation supply for the church, then we should provide affidavits to the Department of Water Resources that support the history of water use from the well. Alternatively, if the well was used to supplement the supply to the irrigation district, we will need to search for another water right to transfer to the Northside Boulevard and Lansing Lane sites.

Please contact me to discuss these issues.

Sincerely,

A handwritten signature in cursive script, reading "Terry M. Scanlan".

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

Cc: Grant Cooper
Terry Bradshaw
Dion Zimmerman
Dan Nelson