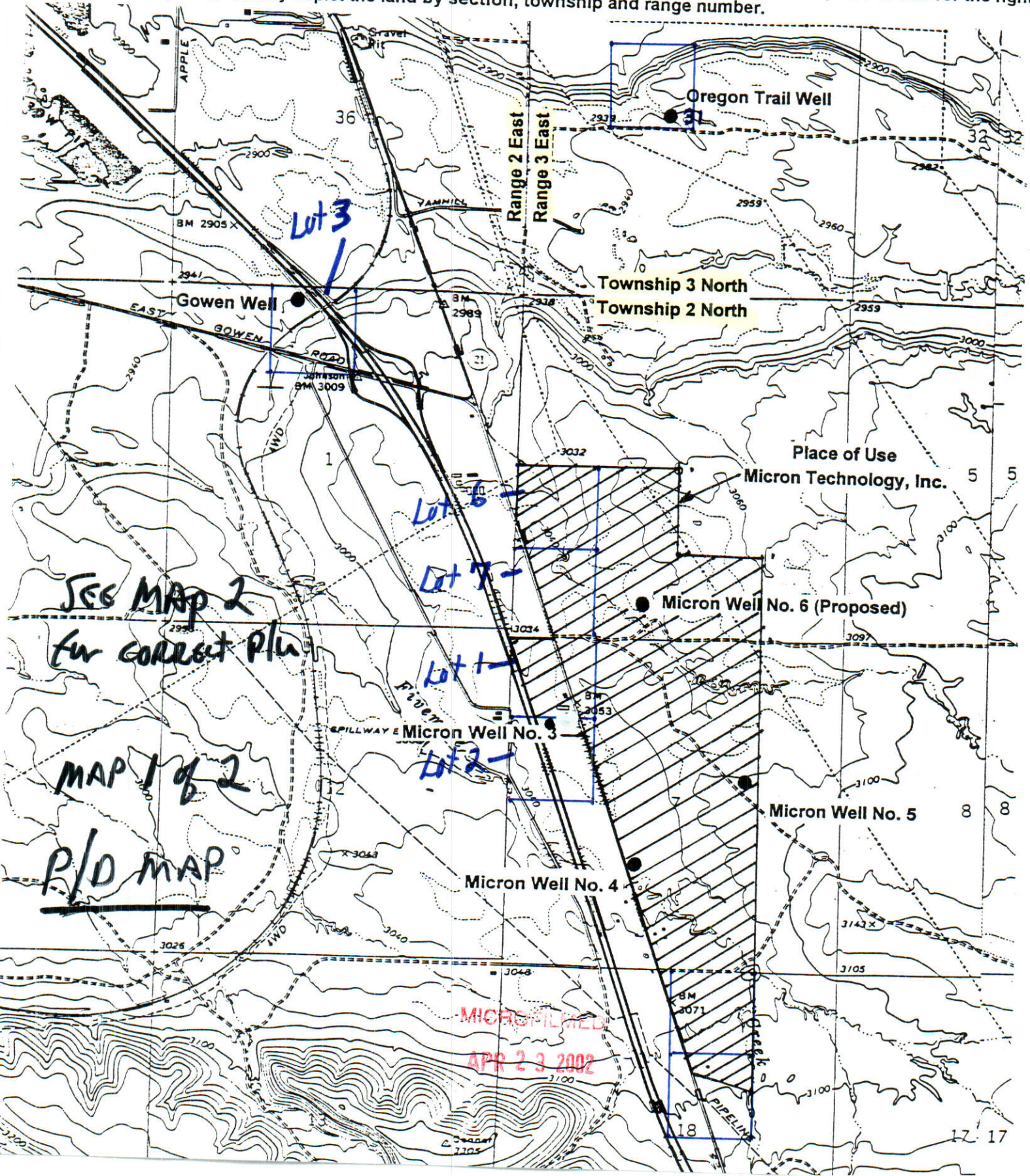


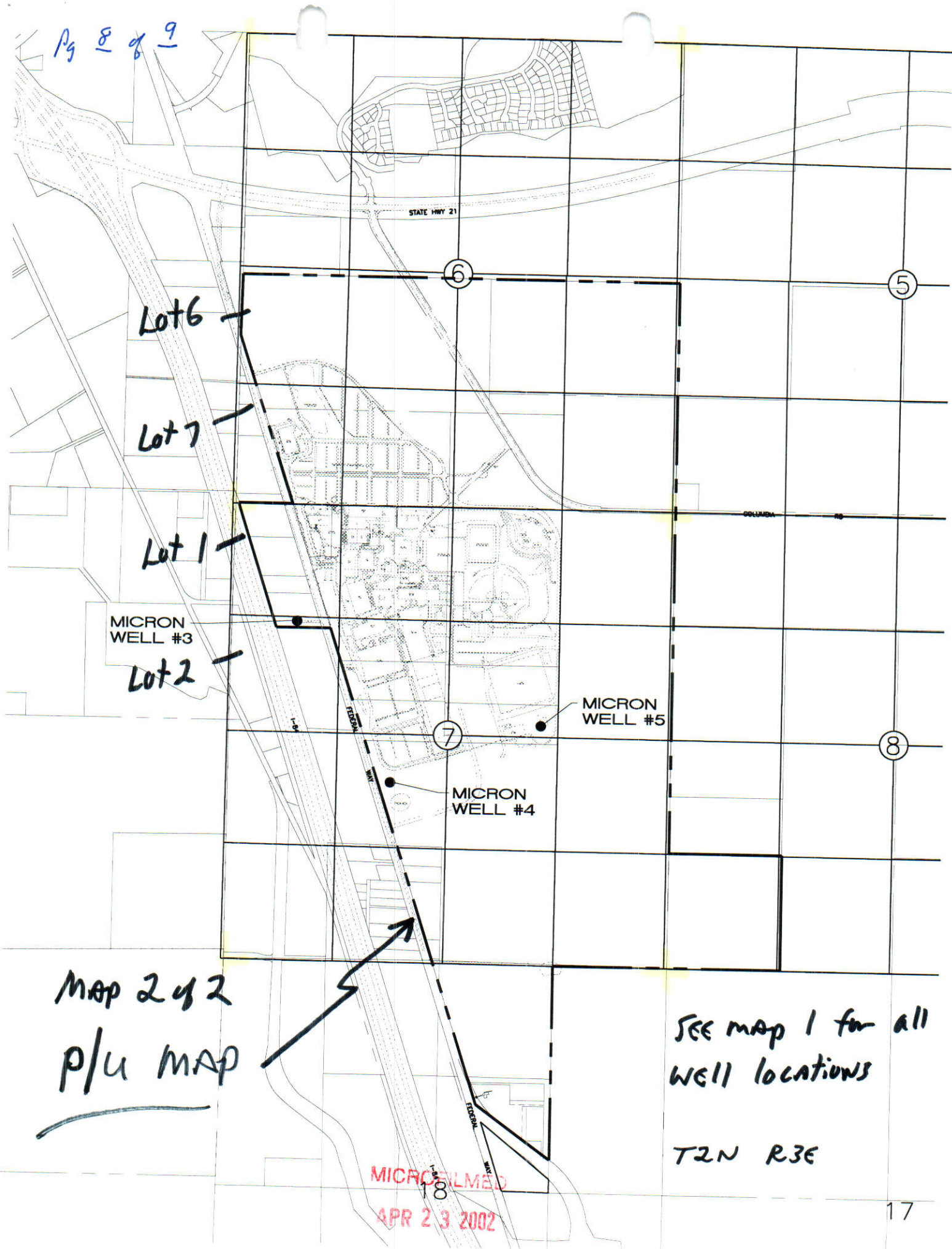
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

Transfer No. _____

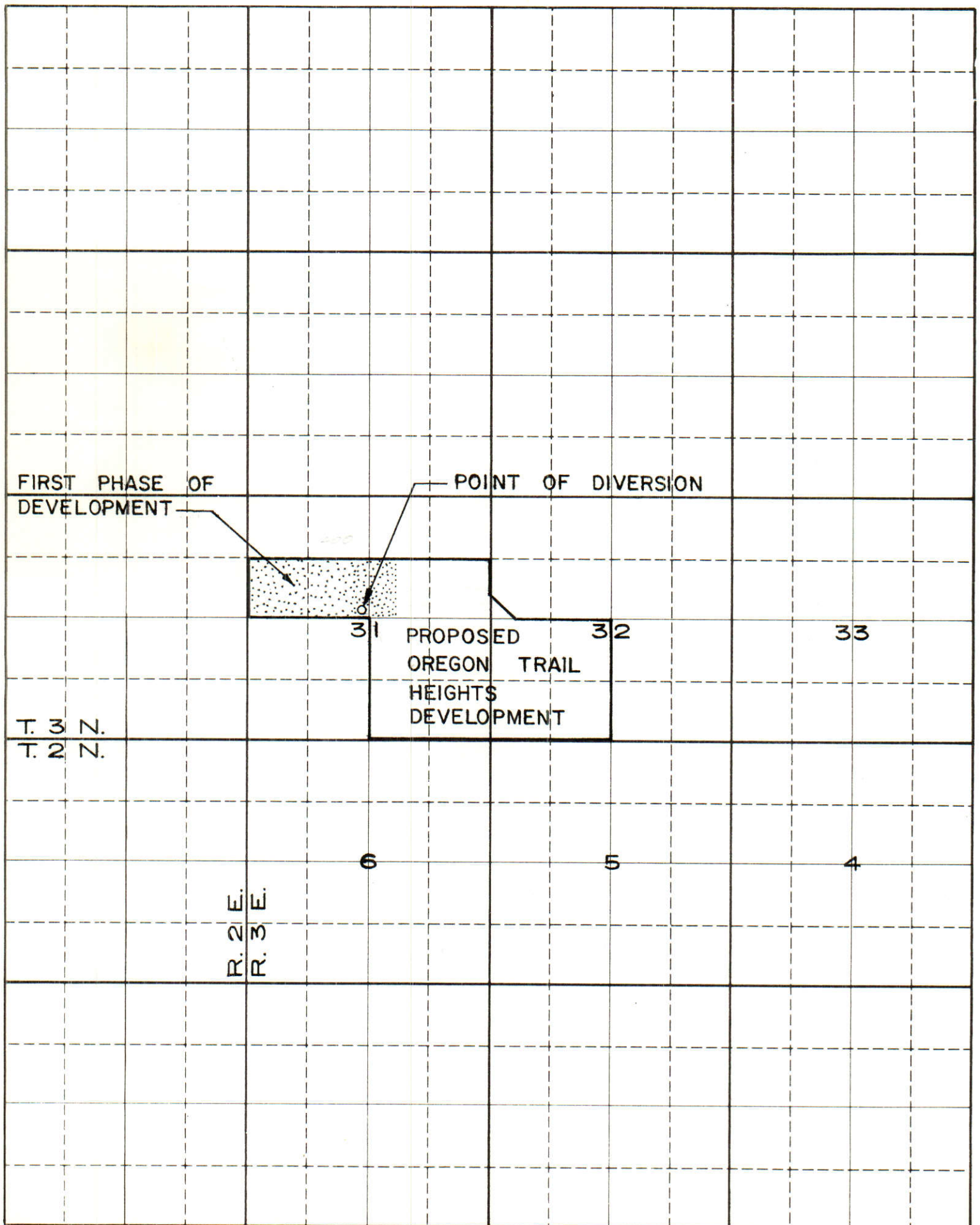
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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





11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Dennis Baker
(Applicant)

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Melise Madarieta, 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 regular edition of The Idaho Statesman for

Two insertions, beginning with the issue of August 4, 1977, and ending with the issue of August 11, 1977.

Melise Madarieta

Subscribed and sworn to before me this 11th

day of August, 1977.

Archie Eguera

Notary Public for Idaho, Residing at Boise, Idaho

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that DENNIS M. BAKER, 1523 East Boise Avenue, Boise, Idaho, has on July 25, 1977, submitted Application No. 63-8992, for a permit to appropriate 7.0 cubic feet per second of water from a ground-water source by means of well, pump, motor, wellhouse, pressure tank, & distribution system within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31 T3N-R3E B.M., Ada County, to be used from Jan. 1 to Dec 31, for domestic and fire protection purposes within the SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, Sec 31; SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 32; T3N-R3E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before August 22, 1977.

C. STEPHEN ALLRED
Director
Pub. Aug. 4, 11, 1977

8209

OK
8-31-77
H

MICROFILMED

North

North

2N 2E
Sec. 1

///

	20	4	3	2	1
40.73	40.40	40.50	40.20	40.10	

South

20

40

40.73

40.73

40.73

40.73

40.73

MICROFILMED
APR 23 2002

40.73

40.73

Sec

R. 2 E R. 3 E

N. $89^{\circ} 56'$ E. S. $89^{\circ} 49'$ E. S. $89^{\circ} 33'$ E. S. $89^{\circ} 24'$ E. S. $87^{\circ} 37'$ E.
37.00 40.19 40.17 40.19 S. $88^{\circ} 34'$ E.

1934
SURVEY

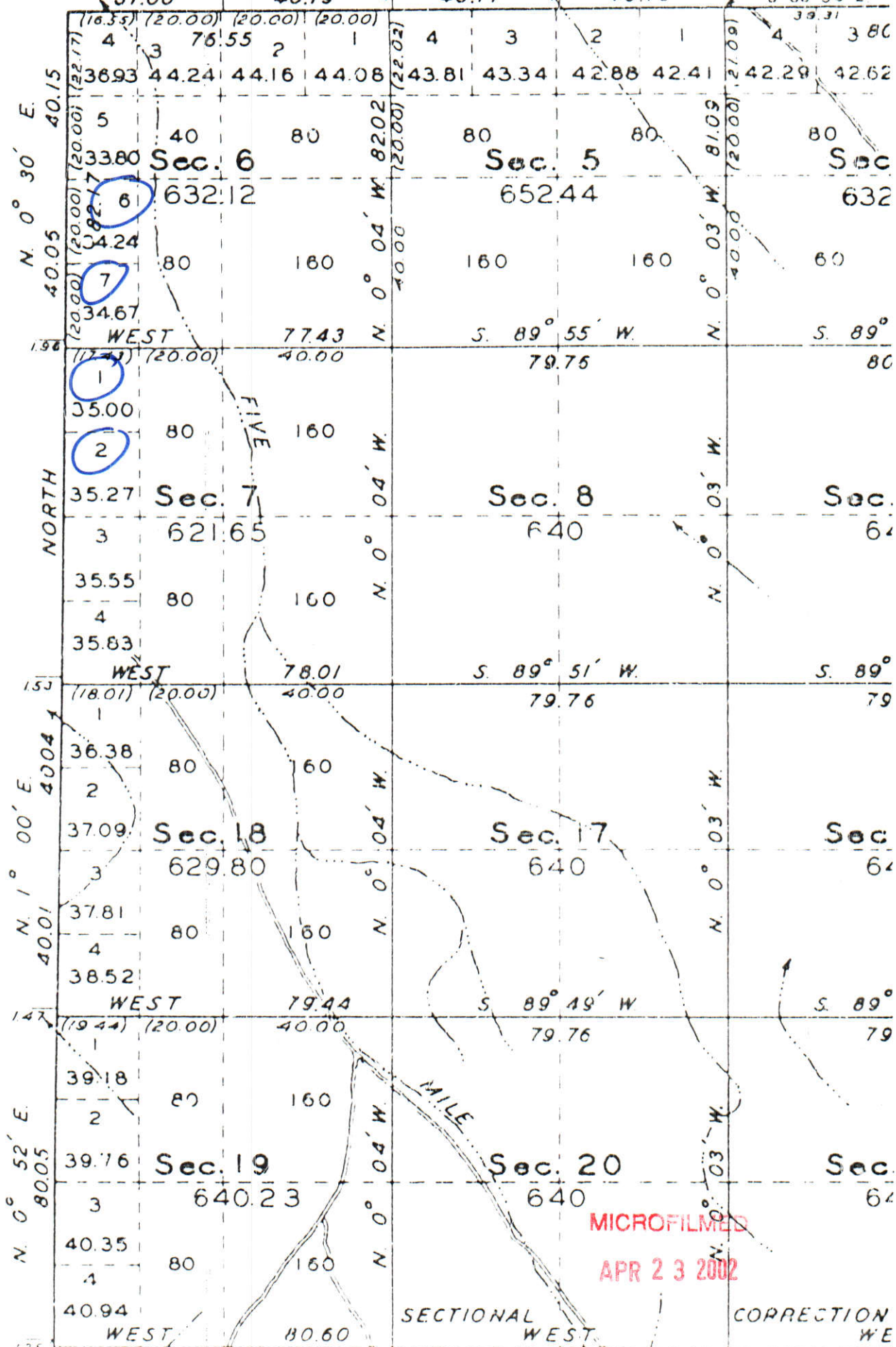
Sec. 1

Sec. 12

2N
3E

Sec. 13

Sec. 24



MICROFILMED

APR 23 2002

SECTIONAL
WEST

CORRECTION
WE

RECEIVED
APR 30 2001
WATER RESOURCES
WESTERN REGION

RECEIVED

APR 30 2001

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE
PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 68944

MICRON TECHNOLOGY INC. of 8000 S. Federal Way, PO Box 6, Boise ID 83707 has applied to the Department of Water Resources to change the Point of Diversion, Place of Use and Nature of Use pursuant to I.C. § 42-222 for the following water rights in Ada County:

Sections in this notice are within T2N R2E, T2N R3E or T3N R3E. The Micron manufacturing site is east of Federal Way near the Interstate 84 Gowen exit in south-east Boise. Contact the Western Region office noted below for more information about exact legal locations. Both water right licenses currently authorize ground water for year around municipal use within Boise and the surrounding service area of the municipal provider.

No. 63-8992, priority 7-25-1977, diversion rate of 2.09 cfs for 1,268 acre-feet-annum (afa), diverted from the Oregon Trail well in SENW Section 31 (about 1.5 miles north of Micron site).

No. 63-9029, priority 9-9-1977, diversion rate of 4.0 cfs for 806 afa, diverted from the Gowen well in Gov. Lot 3 NENW S1 (about 1.25 miles northwest of Micron site).

Both licenses are claimed in the Snake River Basin Adjudication (SRBA) as shown above except SRBA Claims describe the municipal service area as multiple sections spread throughout seven townships. SRBA Claim for #63-8992 also lists 2.45 cfs instead of the licensed rate of 2.09 cfs.

PROPOSED CHANGE

Five existing wells and one proposed well are involved in the change from municipal use in a broad service area to industrial and irrigation uses for the Micron manufacturing site. The Oregon Trail and Gowen wells will be linked to three existing Micron wells and one proposed Micron well. The six wells will serve as common diversion points for both water rights. Well locations include the following: the above noted Oregon Trail and Gowen well sites, a proposed well in SESW S6, and three existing wells in portions of S7.

The same Micron wells and Micron site are also described by Application 63-31183. Transfer 68944 proposes to pump ground water previously authorized as municipal use, and Application 63-31183 proposes to pump ground water to be recovered from injection of surface water into the SE Boise aquifer.

Specific uses of the water rights are described as follows. **No. 63-8992** will provide 2.09 cfs and 1,268 afa for year around industrial use, 1.5 cfs and 300 afa to irrigate 100 acres, for a total use of 2.09 cfs and 1,268 afa. **No. 63-9029** will provide 4.0 cfs and 806 afa for year around industrial use. **Total amount** of water will be 6.09 cfs and 2074 afa. Place of Use for both water rights will include portions of Sections 6, 7, 8 and 18 located north, east and south of Micron.

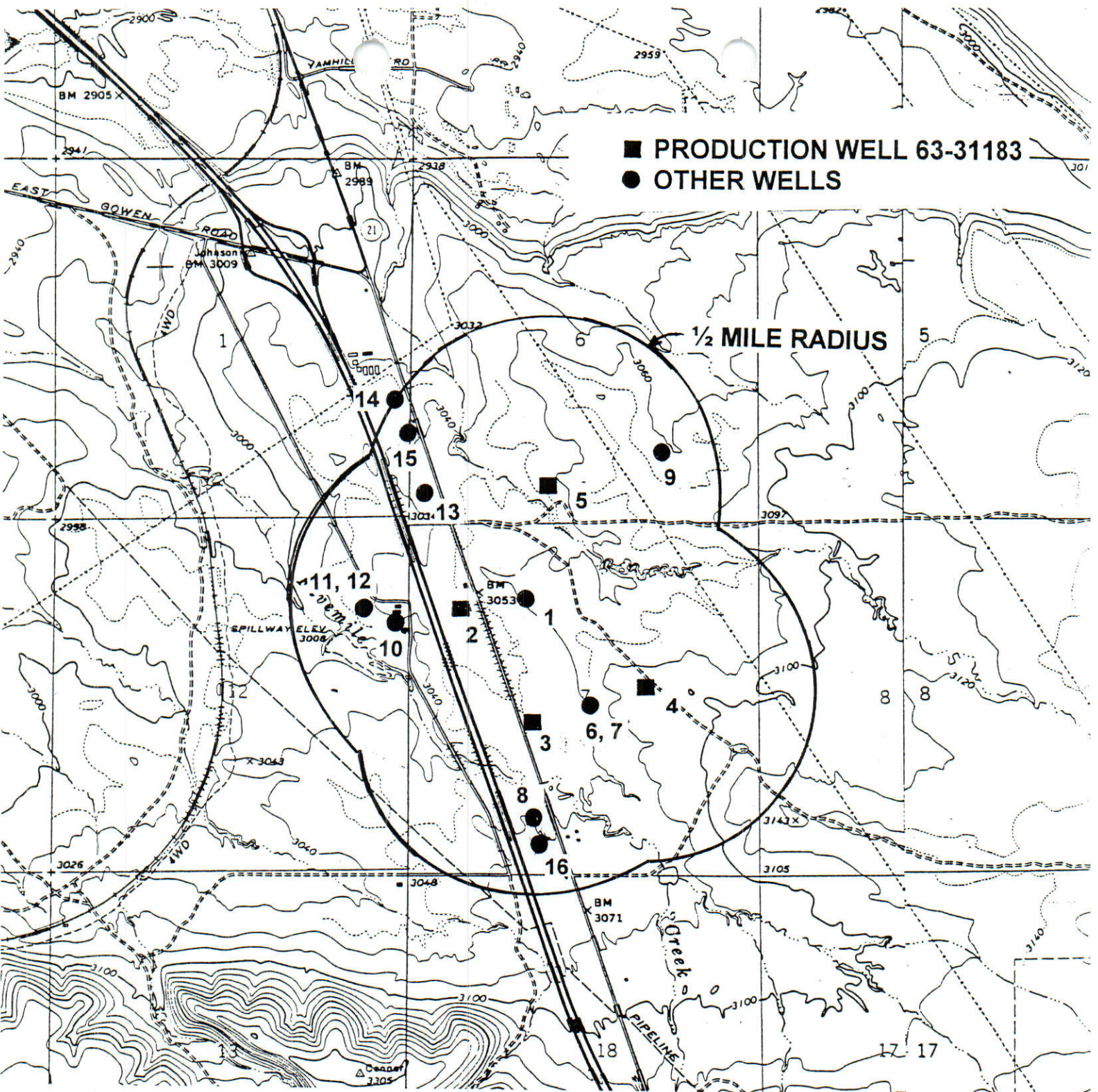
Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before May 7, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Apr. 19, 26, 2001

10146

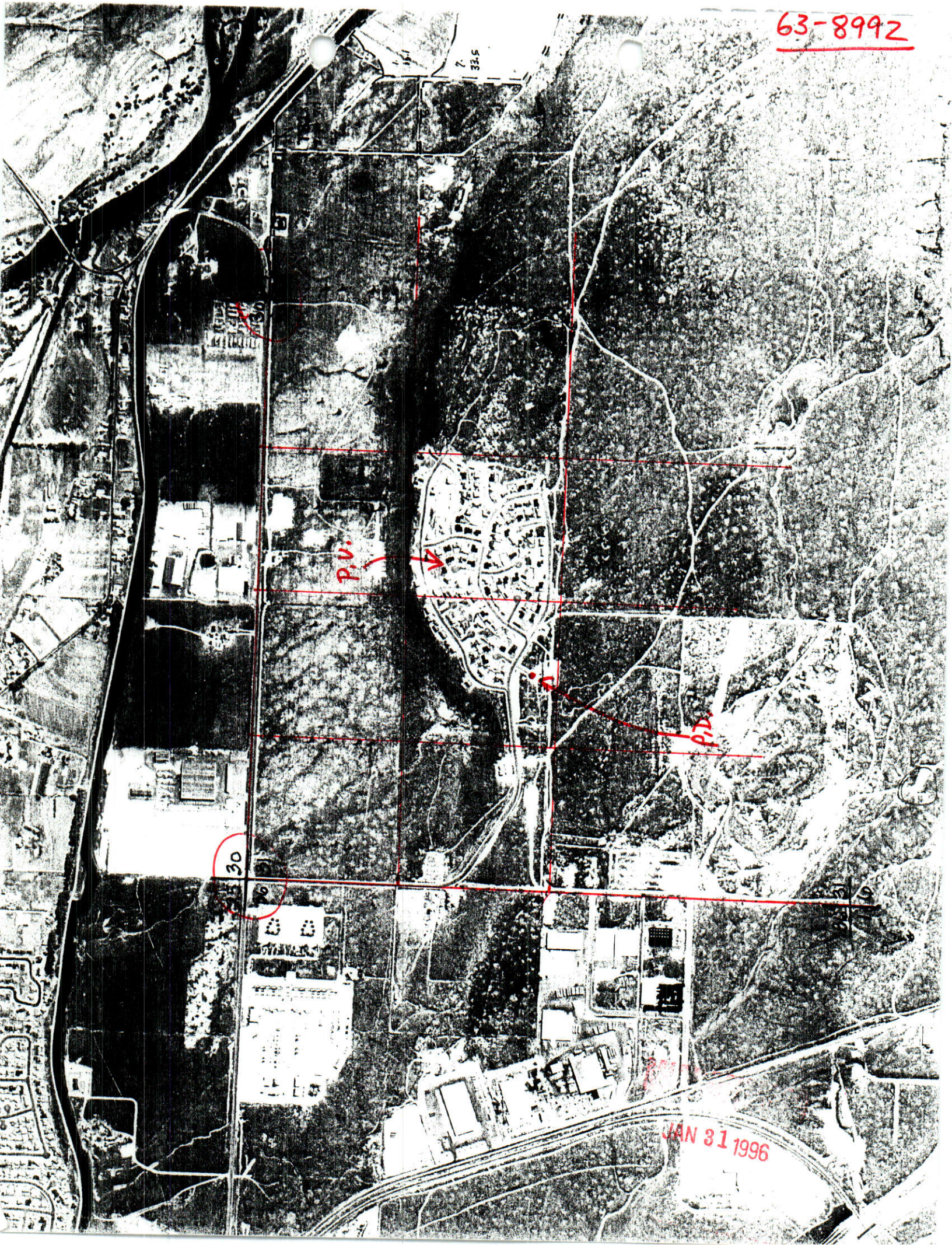
MICROFILMED
APR 23 2002



**WELLS LOCATED WITHIN 1/2 MILE OF
PRODUCTION WELLS PROPOSED BY
APPLICATION FOR PERMIT 63-31183**

**MICROFILMED
APR 23 2002**

63-8992



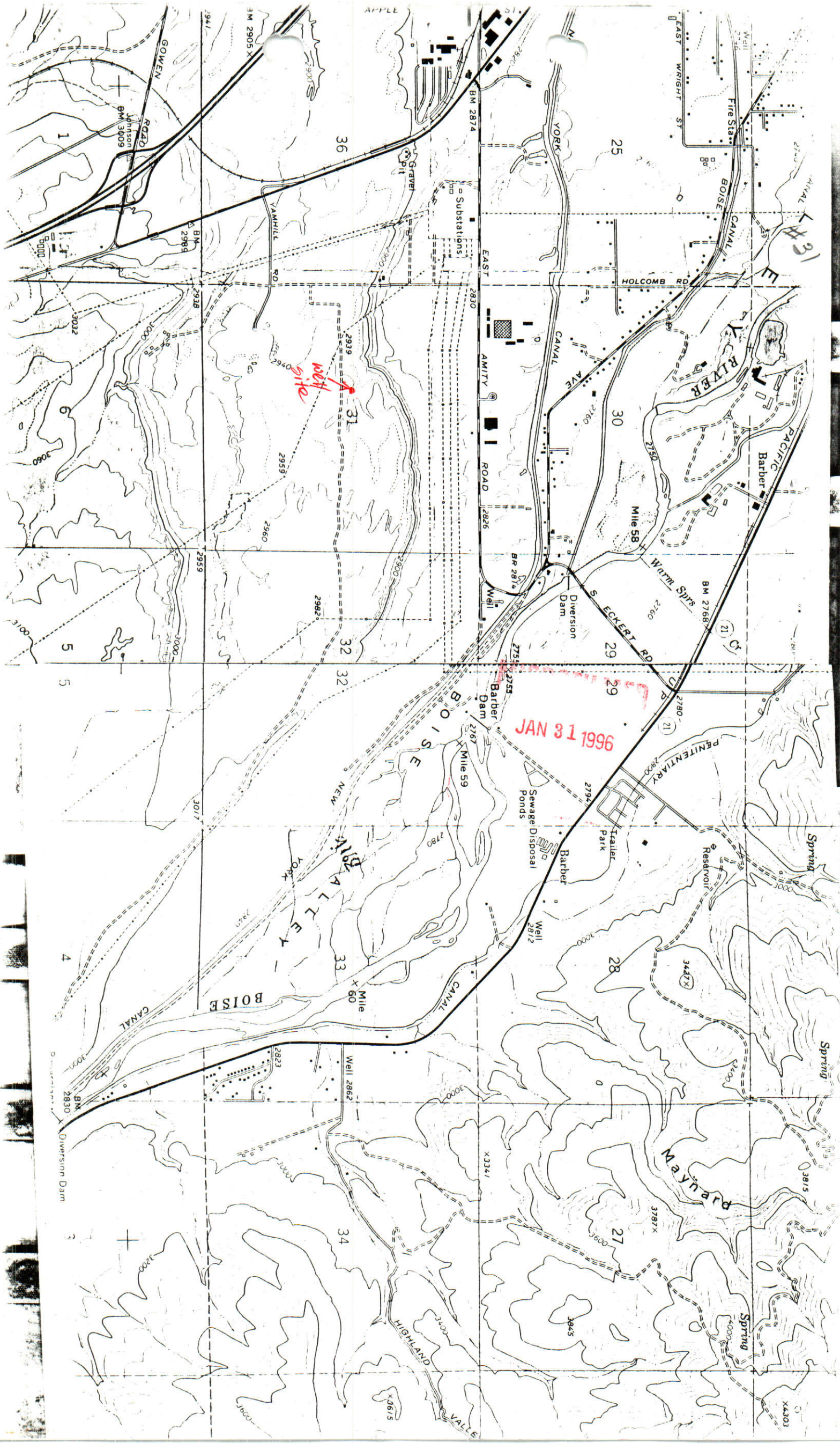
P.V.

P.D.

30

JAN 31 1996

33.5



JAN 31 1996

well site

63-8992



P.D.



RECEIVED
JAN 31 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
AUG 15 1986

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-8992Phone No. 362-13001. Owner: Boise Water CorporationCurrent Address: P.O. Box 7488, Boise, ID 837072. Accompanied by: Jim MooneyEXAM. DATE: 6-24-86Address: as abovePhone No. as above

Relationship to Permit Holder: _____

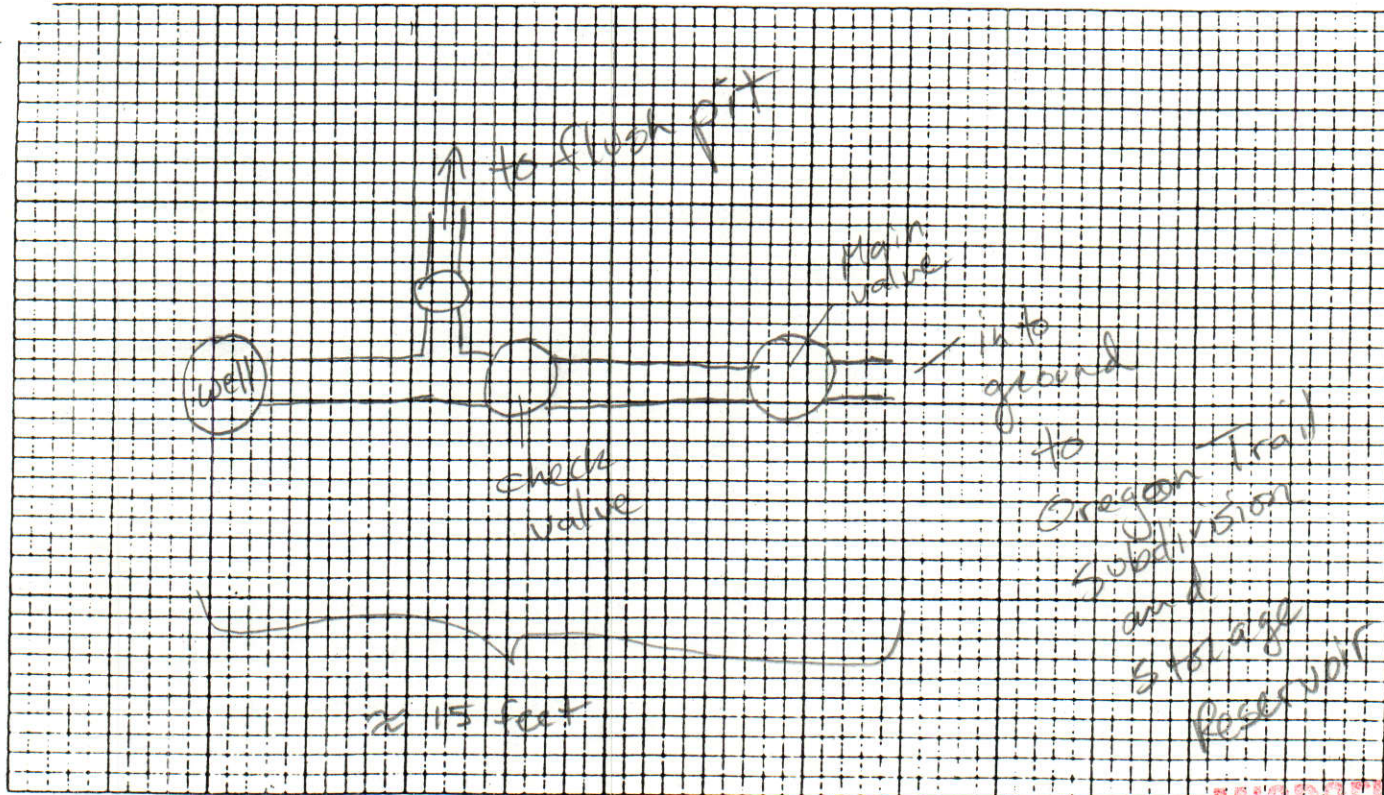
3. Source: well tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none☐ Copies Attached2. Other water rights with same point of diversion: none☐ Copies Attached☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.
- ☐
- Alternative diagram attached



Scale: 1" = _____

- 2.
- ☒
- Copy of U.S.G.S. Quadrangle Attached
-
- Showing location(s) of point(s) of diversion and
-
- place(s) of use (required)

☐ Photo of Diversion and System Attached

- ☐
- Aerial Photo Attached
-
- (required for irrigation of 10 acres or more)

JAN 31 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68944

This is to certify that: MICRON TECHNOLOGY INC

8000 S FEDERAL WY
PO BOX 6
BOISE ID 837070006
(208)368-4545

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>
63-8992	AJC/License	07/26/1977	2.09 cfs			N/A	GROUND WATER
63-9029	AJC/License	09/09/1977	4.00 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>
63-8992	NO	NO	YES	YES	NO	YES
63-9029	NO	NO	YES	YES	NO	YES

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>
63-8992	63-8992	2.09 cfs	1267.9 af	N/A	100.0		N/A	N/A		N/A
63-9029	63-9029	4 cfs	806.3 af	N/A	N/A		N/A	N/A		N/A
TOTALS		6.09 cfs	2074.2 af	100	100		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14TH day of FEBRUARY, 2002


Administrator

MICROFILMED

APR 23 2002

WATER RIGHT NO. 63-8992
As Modified by Transfer No. 68944

In accordance with the approval of Transfer No. 68944, Water Right No. 63-8992 is now described as follows.

Right Holder: MICRON TECHNOLOGY INC
 8000 S FEDERAL WY
 PO BOX 6
 BOISE ID 837070006

Priority Date: 07/25/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	2.09 CFS	1,267.9 AF
IRRIGATION	03/01	to 11/15	1.50 CFS	450.0 AF
			2.09 CFS	1,267.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	Lot 3	NENW	Sec. 1	Twp 02N	Rge 02E	ADA County
GROUND WATER		SESW	Sec. 6	Twp 02N	Rge 03E	ADA County
GROUND WATER		SWNE	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER	Lot 2	SWNW	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER		NESW	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER		SENW	Sec. 31	Twp 03N	Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03E 6									X	X	X	X	X	X	X	X	
02N 03E 7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N 03E 8																	
02N 03E 18		X	X		X												

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03E 6									3.0	3.0	8.0	6.0	3.0	3.0	10.0	3.0	39.0
02N 03E 7	4.0	10.0	3.0	4.0	3.0	5.0	2.0	5.0	3.0			4.0	4.0	3.0	3.0	4.0	57.0
02N 03E 18		3.0	1.0														4.0

Total Acres: 100

MICROFILMED

APR 23 2002

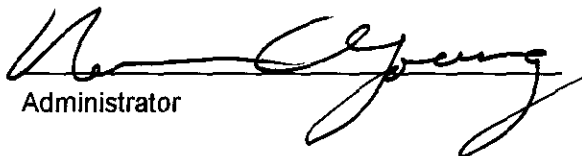
WATER RIGHT NO. 63-8992
As Modified by Transfer No. 68944

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 63-8992 and 63-9029 shall not exceed 6.09 cfs, nor total combined annual volume of 2074.2 af.
3. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Groundwater Management Area and any management plan adopted by the director.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.

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 14TH day of FEBRUARY, 2002


Administrator

MICROFILMED

APR 23 2002

WATER RIGHT NO. 63-9029
As Modified by Transfer No. 68944

In accordance with the approval of Transfer No. 68944, Water Right No. 63-9029 is now described as follows.

Right Holder: MICRON TECHNOLOGY INC
 8000 S FEDERAL WY
 PO BOX 6
 BOISE ID 837070006

Priority Date: 09/09/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01 to 12/31	4.00 CFS	806.3 AF
		4.00 CFS	806.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	Lot 3	NENW	Sec. 1	Twp 02N	Rge 02E	ADA County
GROUND WATER		SESW	Sec. 6	Twp 02N	Rge 03E	ADA County
GROUND WATER		SWNE	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER	Lot 2	SWNW	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER		NESW	Sec. 7	Twp 02N	Rge 03E	ADA County
GROUND WATER		SENW	Sec. 31	Twp 03N	Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03E 6									X	X	X	X	X	X	X	X	
02N 03E 7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N 03E 8											X						
02N 03E 18		X	X		X												

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 63-8992 and 63-9029 shall not exceed 6.09 cfs, nor total combined annual volume of 2074.2 af.
3. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Groundwater Management Area and any management plan adopted by the director.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

APR 23 2002

WATER RIGHT NO. 63-8992
As Modified by Transfer No. 68944

CONDITIONS OF APPROVAL

6. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.

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 14TH day of FEBRUARY, 2002


Administrator

MICROFILMED
APR 23 2002

ATTACHMENT A

PART 1.B.1

1.	Right No.	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	63-08992	7/25/1977	2.09/1267.9	industrial	1/1 to 12/31
			<u>1.50/300.0</u>	irrigation	3/15 to 11/15
		Total	2.09/1267.9		
	63-09029	9/09/1977	4.00/806.3	industrial	1/1 to 12/31

MICROFILMED

APR 23 2002

T. 68944

ATTACHMENT B

PART 1.B.4.

4. Points of Diversion

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name
✓ 2N	3E	7		SW	NW	2	Ada	Micron Well No. 3
✓ 2N	3E	7		NE	SW		Ada	Micron Well No. 4
✓ 2N	3E	7		SW	NE		Ada	Micron Well No. 5
✓ 2N	3E	6		SE	SW		Ada	Micron Well No. 6 (Proposed)
✓ 3N	3E	31		SE	NW		Ada	Oregon Trail Well
✓ 2N	2E	1		NE	NW	3	Ada	Gowen Well

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APR 23 2002

T. 68944

ATTACHMENT C

PART 1. B.5.

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	3E	6									I	I	I	I	I	I	I	I	0
2N	3E	6									3	3	8	6	3	3	10	3	39
2N	3E	7	I	I	I	I	I	I	I	I				I	I	I	I	I	0
2N	3E	7	4	10	3	4	3	5	2	5	3			4	4	3	3	4	57
2N	3E	18		I	I		I												0
2N	3E	18		3	1														4
2N 3E 8			I																Total acres 78 100

MICROFILMED

APR 23 2002

7. 68944

PART 1

6. General Information:

- a. Description of diversion system These water rights will be diverted from existing MTI Well Nos. 3, 4, and 5. A new MTI well (No. 6) is proposed. Former UWI wells (Gowen and Oregon Trail) will be retained as diversion points.
- b. 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. MTI and UWI have constructed two new wells in the Pleasant Valley Road vicinity to replace municipal water production from the Oregon Trail and Gowen wells. A pipeline connects the new wells with existing water mains in southeast Boise.
- d. Remarks:
See Attachment D.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

For the Director

MICROFILMED

APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-09029 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership.

Label document as attachment ~~XX~~ Check appropriate box below:
☐ Tax Notice ^E ☐ Warranty Deed ☒ Other see Attachment E
3. Source of water groundwater tributary to NA4. Date or priority 9/09/1977

5. Water is used for the following purposes:

amount 4.00/806.3 for municipal purposes from 1/1 to 12/31
(cfs/ac-ft)

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

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

6. Total amount of water under right 4.00 cubic feet per second and/or 806.3 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
3		NE	NW	1	2N	2E	Ada	Gowen Well

Place of use is located within the city limits of Boise

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

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

Total Acres _____

9. Describe any other water rights used for the same purpose as described above United Water Idaho municipal
water rights

APR 23 2002

PART 2

Transfer No. _____

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

no If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

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

2. Point(s) of Diversion:

Lot	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

MICROFILMED

APR 23 2002

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-08992 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other See Attachment E

3. Source of water groundwater tributary to NA

4. Date or priority 07/25/1977

5. Water is used for the following purposes:

amount 2.09/1267.9 for municipal purposes from 1/1 to 12/31
(cfs/ac-ft)

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

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

6. Total amount of water under right 2.09 cubic feet per second and/or 1267.9 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	31	3N	3E	Ada	Oregon Trail Well

8. Lands irrigated or place of use: Place of use is located within the city limits of Boise and surrounding service area.

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

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Other United Water Idaho
municipal water rights

MICROFILMED
SEP 23 2002

PART 2

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

no* If yes, describe *see Attachment F**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

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

2. Point(s) of Diversion:

Lot	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

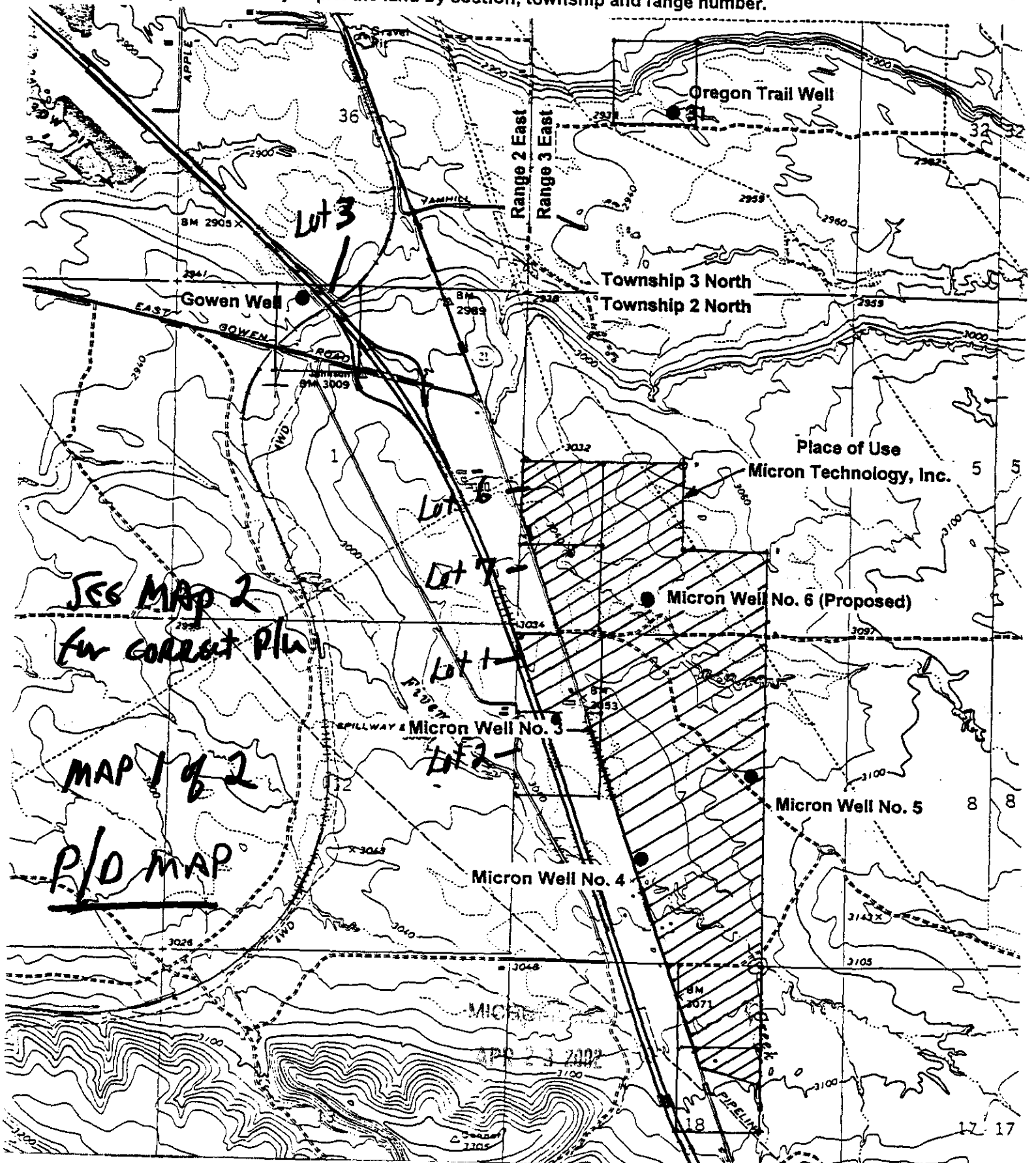
MICROFILMED

Total Acres _____

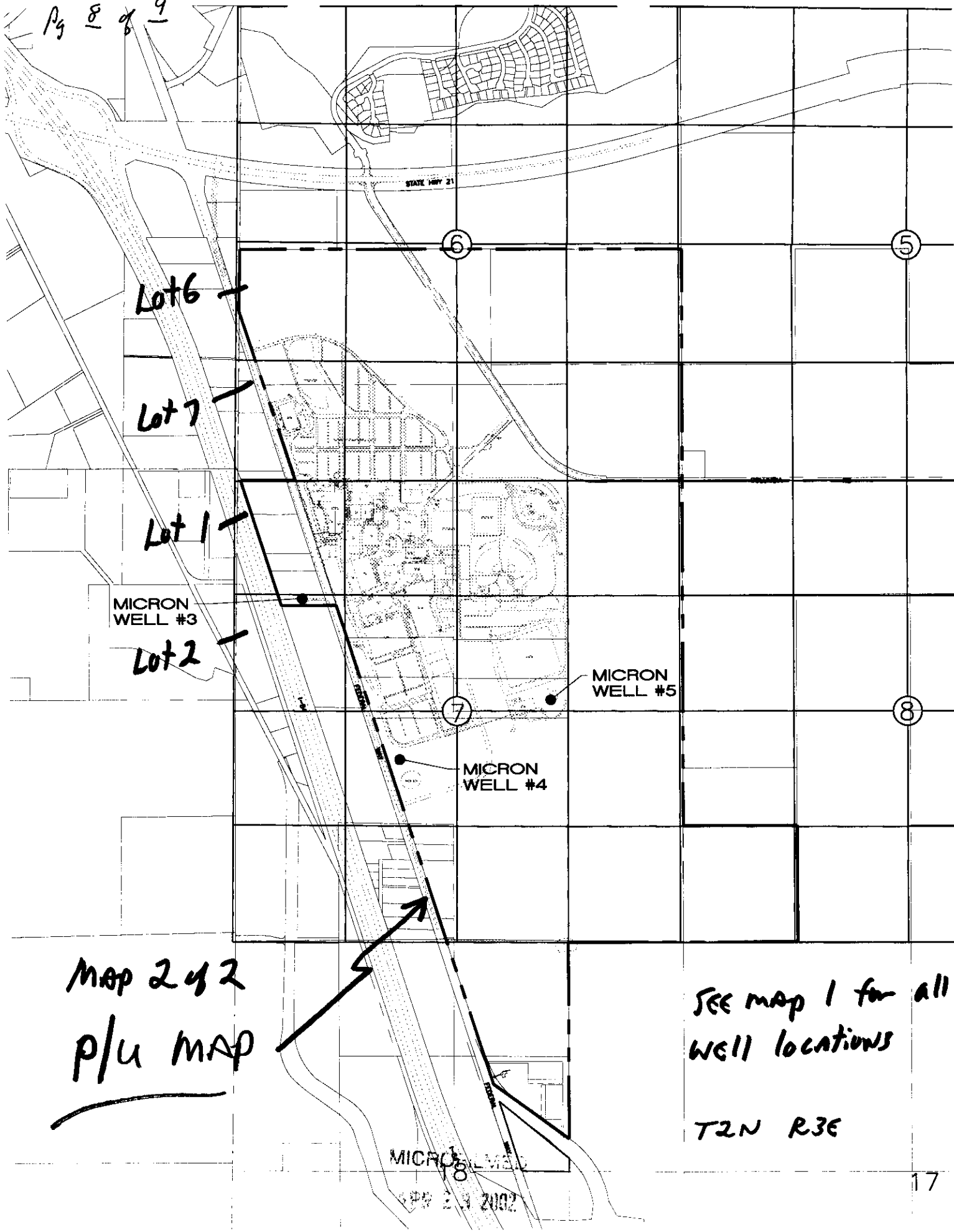
APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCEAPPLICATION 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 the rights described in part 1. Clearly depict the land by section, township and range number.



pg 8 of 9



Lot 6

Lot 7

Lot 1

MICRON WELL #3

Lot 2

MICRON WELL #5

MICRON WELL #4

MAP 2 of 2
p/u map

SEE map 1 for all
well locations

T2N R3E

MICRON

PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	industrial	6.09 / 2074.2	24/365	1/1 to 12/31
	irrigation	1.50 / 300	24/246	3/15 to 11/15

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

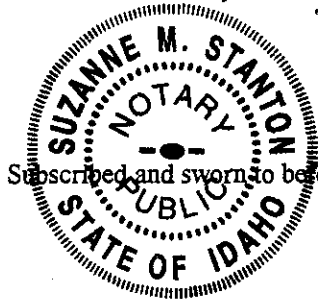
More than 75% of MTI industrial wastewater is discharged to the City of Boise municipal treatment system. Discharges meet applicable standards.

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

None. No injury to other water users are anticipated as a result of the proposed change. Water-level monitoring network established by the SEBGWMA Advisory Committee will document water-level changes.

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.



John W. Chen
(Signature of Applicant)

Subscribed and sworn to before me this

21ST day of February, 20 01

Suzanne M. Stanton
(Notary Public)

My commission expires 3-11-2002

FOR DEPARTMENT USE ONLY

Transfer contains 89 pages and 6 attachments

* Received by LM Date 1-24-01 Protest filed by _____

Prelim. Check by LM Fee \$490

Received by LM Date 1-24-01 W027316

Published in The Idaho Statesman Copies of protest forwarded by _____

Pub. Dates April 19 + 26-2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

* RECDIAL history - SAME AS INFORMATION application for permit.
-82 2/22/01
2002

ATTACHMENT D

PART 1.B.6.d - REMARKS

The two water rights proposed for transfer are associated with the Gowen Well (63-09029) and the Oregon Trail Well (63-08992). United Water Idaho sold these water rights and their associated wells to Micron Technology, Inc. as part of the southeast Boise water supply project. The Gowen and Oregon Trail water rights will provide industrial water supply to the Micron manufacturing facilities in southeast Boise.

The proposed transfer changes the nature of use of the water rights from municipal to industrial and irrigation. As municipal water rights, the two water rights have historically supplied water for these uses. The Gowen and Oregon Trail wells (and associated water rights) have supplied a significant percentage of the water used by Micron Technology over the past fifteen years.

Micron proposes to divert water from these water rights from existing Micron Wells Nos. 3, 4, and 5, and from a proposed well (Micron Well No. 6) in the SESW Section 6. Micron may also decide to divert water from the Oregon Trail and Gowen wells. Delivery of water to the plant site from the Oregon Trail or Gowen wells would occur through the United Water Idaho distribution system or from dedicated water lines to be installed at some point in the future. Therefore, no changes to the existing United Water Idaho or Micron water systems are required to implement the transfer, but a new well or additional pipelines may be constructed to more efficiently divert and deliver the water.

This application proposes to transfer the water rights based on the licensed diversion rates and annual volumes, rather than the diversion rates claimed in the SRBA. The SRBA claims for the two rights have diversion rates that are slightly different from the licensed diversion rates. The Oregon Trail SRBA claim is for 2.45 cfs rather than the licensed 2.09 cfs, and the SRBA claims for both wells do not list annual volumes.

MICRON TECHNOLOGY

APR 23 2002

T. 58944

ATTACHMENT E

PART 2.A.2 - PROOF OF OWNERSHIP

MICRONICS, INC.

APR 23 2012

T. 68944
ATTACH E (8 pgs.)



E-2

DIRECT DIAL: (208) 368-4545
FACSIMILE: (208) 368-4540

E-MAIL: mmcintyre@micron.com

March 29, 2000

Via Hand Delivery

Steve Lester 
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Water Right Nos. 63-08992 (Oregon Trail) and 63-09029 (Gowen)

Dear Steve:

Thank you for your recent letter. Enclosed please find notices of change of water right ownership for the above-named water rights. Also enclosed are copies of the Quit Claim of Water Rights and Warranty Deed. Please call if you have any questions. Thank you for your time and attention.

Very truly yours,


Michael D. McIntyre
Senior Assistant General Counsel

Enclosure

cc: John Chapman
✓ Terry Scanlan
Jan Nowak

MICRON

APR 2 2 2002

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 63-09029
Adjudication Claim No(s): A63-09029

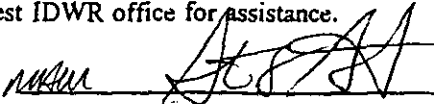
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant United Water Idaho, Inc.
P.O. Box 7488, Boise, ID 83707

4. New Owner/Claimant(s) Micron Technology, Inc.
New Mailing Address Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
8000 South Federal Way, P.O. Box 6
City, State and ZIP Code Boise, ID 83707-0006
New Telephone Number (208) 368-4000

5. Date you acquired the property April 2, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 
Micron Technology, Inc., Steve Stout, Vice President of Facilities
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICRON TECHNOLOGY

APR 2 1999

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

3rd DEPUTY *K. Vaughn*
99033049

1999 AP -5 PM 1:01
WARRANTY DEED

FOR VALUE RECEIVED, UNITED WATER IDAHO INC. ("United Water" or "Grantor"), an Idaho corporation, hereby grants, assigns, bargains, sells, and conveys any and all of United Water's right, title, and interest in the following described real property, including all wells, improvements, structures, fixtures, and equipment located thereon (the "Real Property") unto MICRON TECHNOLOGY, INC. ("Micron" or "Grantee"), a Delaware corporation:

That parcel of land in Ada County, State of Idaho known as Lot 9, Block 1 of Gowen Business Park Subdivision No. 1, according to the official plat thereof filed in Book 47 at Pages 3858-3859, Parcel No. R3219900050, records of Ada County, Idaho and referred to herein as the Gowen Well parcel and containing 0.453 acres, more or less; and

That parcel of land in Ada County, State of Idaho known as Lot 20, Block 2 of Oregon Trail Heights No. 1 Subdivision (formerly known as Littletree East No. 1 Subdivision), according to the official plat thereof filed in Book 40 at Pages 3310-3312, Parcel No. R5279760235, records of Ada County, Idaho and containing 0.4 acres, more or less.

TO HAVE AND TO HOLD the Real Property, with its appurtenances, unto Grantee, Grantee's heirs, successors, and assigns forever. Grantor hereby covenants to and with Grantee that Grantor is the owner in fee simple of the Real Property; that the Real Property is free and clear from all liens, claims, and encumbrances other than those of record, and that Grantor shall warrant and defend the same from all other claims whatsoever.

DATED this 2 day of April, 1999.

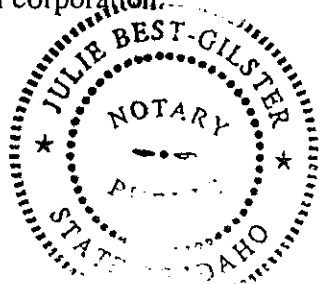
GRANTOR:

UNITED WATER IDAHO INC.

William C. Linam
William C. Linam, President

STATE OF IDAHO)
)ss.
County of Ada)

On April 2, 1999, personally appeared before me William C. Linam, the President of United Water Idaho Inc., the corporation which executed the foregoing Warranty Deed, and acknowledged to me that he executed the above instrument on behalf of, and with full authority of, such corporation.



Julie Best-Gilster
NOTARY PUBLIC OF IDAHO
Residing at: *Nampa, ID*
My commission expires: *4-21-2001*

MICRON
APR 23 2001

ADA COUNTY RECORDER
J. DAVID NAVARRO
DAVID, IDAHO

RECORDED - REQUEST F
ALLIANCE TITLE

E-5

FEE 300 DEPUTY [Signature]

1999 MY -6 PM 12:33

99045910

QUIT CLAIM DEED OF WATER RIGHTS

FOR VALUE RECEIVED, UNITED WATER IDAHO INC. ("United Water" or "Grantor"), an Idaho corporation, hereby quitclaims any and all of United Water's right, title, and interest in the two water rights described below (the "Water Rights") to MICRON TECHNOLOGY, INC. ("Micron" or "Grantee"), a Delaware corporation, and further assigns to Micron all of Grantor's interest in the licenses evidencing the Water Rights:

The water right represented by License No. 63-08992, issued by the Idaho Department of Water on December 21, 1995, which is a right to divert ground water from a well known as the Oregon Trail Well and located in the SE 1/4 NW 1/4 of Section 31, Township 03 North, Range 03 East, B.M., Ada County, at the rate of 2.09 cubic feet per second (cfs), and to divert a volume of 1,267.9 acre-feet per annum (afa), with a priority date of July 28, 1977.

The water right represented by License No. 63-09029, issued by the Idaho Department of Water on December 21, 1995, which is a right to divert ground water from a well known as the Gowen Well and located in the NE 1/4 NW 1/4 of Section 1, Lot 03, Township 02 North, Range 02 East, Ada County, at the rate of 4.0 cfs, and to divert a volume of 806.3 afa, with a priority date of September 9, 1977.

TO HAVE AND TO HOLD the Water Rights, unto Grantee, Grantee's heirs, successors, and assigns forever.

DATED this 2 day of April, 1999.

GRANTOR:

UNITED WATER IDAHO INC.

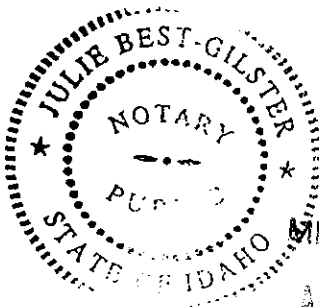
[Signature]
By: William C. Linam, President

STATE OF IDAHO)

County of Ada)

)ss.

On April 2, 1999, personally appeared before me William C. Linam, the President of United Water Idaho Inc., the corporation which executed the foregoing Water Right Quit Claim Deed, and acknowledged to me that he executed the above instrument on behalf of, and with full authority of, such corporation.



[Signature]
NOTARY PUBLIC OF IDAHO
Residing at: Nampa, ID
My commission expires: 4-21-2001

APR 23 2002

COPY

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 63-08992
Adjudication Claim No(s).: A63-08992

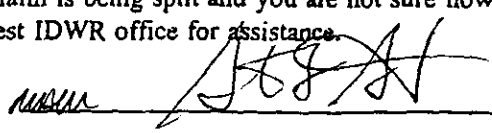
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant United Water Idaho, Inc.
P.O. Box 7488, Boise, ID 83707

4. New Owner/Claimant(s) Micron Technology, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 8000 South Federal Way, P.O. Box 6
City, State and ZIP Code Boise, ID 83707-0006
New Telephone Number (208) 368-4000

5. Date you acquired the property April 2, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 
Micron Technology, Inc., Steve Stout, Vice President of Facilities
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICRON TECHNOLOGY

APR 23 2002

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

99033049

Julie Best Kent
NOTARY PUBLIC OF IDAHO
Residing at: Nampa, ID
My commission expires: 4-21-2001

ADA COUNTY CLERK
J. DAVID NAVARRO
IDAHO

RECORDED - REQUEST OF
ALLIANCE TITLE

E-8

FEE 300 DEPUTY *[Signature]*

1999 MY -6 PM 12:33

99045910

QUIT CLAIM DEED OF WATER RIGHTS

FOR VALUE RECEIVED, UNITED WATER IDAHO INC. ("United Water" or "Grantor"), an Idaho corporation, hereby quitclaims any and all of United Water's right, title, and interest in the two water rights described below (the "Water Rights") to MICRON TECHNOLOGY, INC. ("Micron" or "Grantee"), a Delaware corporation, and further assigns to Micron all of Grantor's interest in the licenses evidencing the Water Rights:

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The water right represented by License No. 63-09029, issued by the Idaho Department of Water on December 21, 1995, which is a right to divert ground water from a well known as the Gowen Well and located in the NE 1/4 NW 1/4 of Section 1, Lot 03, Township 02 North, Range 02 East, Ada County, at the rate of 4.0 cfs, and to divert a volume of 806.3 afa, with a priority date of September 9, 1977.

TO HAVE AND TO HOLD the Water Rights, unto Grantee, Grantee's heirs, successors, and assigns forever.

DATED this 2 day of April, 1999.

GRANTOR:

UNITED WATER IDAHO INC.

[Signature of William C. Linam]
By: William C. Linam, President

STATE OF IDAHO)

County of Ada)

)ss.

On April 2, 1999, personally appeared before me William C. Linam, the President of United Water Idaho Inc., the corporation which executed the foregoing Water Right Quit Claim Deed, and acknowledged to me that he executed the above instrument on behalf of, and with full authority of, such corporation.



[Signature of Julie Best-Gilster]
NOTARY PUBLIC OF IDAHO
Residing at: Nampa, ID
My commission expires: 4-21-2001

COPY

ATTACHMENT F**VERIFICATION OF DIVERSION AND BENEFICIAL USE**

United Water Idaho production records document water diversion from the Gowen and Oregon Trail wells since 1979. These records are available from United Water Idaho. Production records for recent years are available in Department files for the South East Boise Ground Water Management Area. The attached affidavit and table of summarized production records show that each year from 1986 through 1995 the two wells have diverted in excess of their combined licensed annual volume. In each of these years, the Gowen Well has diverted more than the 806.3 acre-foot licensed annual volume for 63-09029, while Oregon Trail has diverted less than the 1,267.9 acre-foot licensed annual volume for 63-08992. One reason for the Oregon Trail Well production to lag behind Gowen production is due to water level declines within the Southeast Boise Ground Water Management Area. These water level declines have reduced the sustainable yield from the Oregon Trail Well. The production lost by Oregon Trail has been offset by additional production from the Gowen Well.

MICROFILMED
APR 23 2002

T. 68944
Attch. F (3 pgs.)

STATE OF IDAHO)

: ss

AFFIDAVIT OF BENJAMIN M. HEPLER

COUNTY OF ADA)

Benjamin M. Hepler, being of legal age and first duly sworn upon oath, deposes and states as follows:

1. My business address is 8248 W. Victory Road, Idaho. I am employed by United Water Idaho Inc. ("United Water") as Vice President Technical Services. I have been employed by United Water (and its predecessor, Boise Water Corporation) since 1975.

2. United Water maintains monthly water production records for wells within its system. Production is recorded by totalizing flow meters at each well. Exhibit A is a summary of annual production for the Oregon Trail and Gowen wells for the period 1979 through 1997. This summary was compiled from United Water production records.

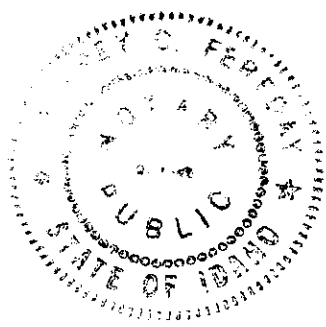
3. Production capacity at United Water's Oregon Trail well declined from the mid-1980s. To offset these production losses, United Water increased production from the Gowen well during this same period. Thus, a portion of the annual diversion volume from the Oregon Trail well was transferred to the Gowen well beginning in the mid-1980s.

4. United Water has produced no water from the Oregon Trail well since September 28, 1997, and has produced no water from the Gowen well since August 27, 1997.

Dated this 2nd day of April, 1999.

Benjamin M. Hepler
Benjamin Hepler

SUBSCRIBED AND SWORN to before me this 2d day of April, 1999.



Jeffrey C. Freday
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 2/8/2000

MICRO
APR 23 2002

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

EXHIBIT A
SUMMARIZED PRODUCTION RECORDS FOR GOWEN AND OREGON TRAIL WELLS 1979-1997

Well	Authorized Water Right Diversion Number Limit	1997		1996		1995		1994		1993		1992		1991		1990		1989		1988		1987		1986		1985		1984		1983		1982		1981		1980		1979			
		Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)	Total (ac ft)		
Gowen	63-09029	810	995	1,384	1,958	1,929	1,462	1,412	1,148	1,771	1,000	660	562	746	988	964	792	761	522	0																					
Oregon Trail	63-08992	9	341	919	1,034	1,085	1,138	826	1,056	1,050	1,120	1,154	1,151	1,151	1,221	1,209	1,231	1,292	1,277	994																					
Total	2074.2	818.6	1336.5	2303.1	2992.7	3013.9	2599.6	2237.2	2203.5	2820.3	2120.6	1813.7	1712.4	1896.5	2209.6	2172.8	2022.4	2053.1	1798.4	994.3																					

Well	1997		1996		1995		1994		1993		1992		1991		1990		1989		1988		1987		1986		1985		1984		1983		1982		1981		1980		1979		
	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total	(mil gal)	Total		
Gowen	263.9	324.3	451.0	638.1	628.7	476.3	460.0	374.0	577.0	326.0	215	183	243	322	314	258	248	170																					
Oregon Trail	2.9	111.2	299.5	337.1	353.4	370.8	269.0	344.0	342.0	365.0	376	375	375	398	394	401	421	416	3																				
Total	266.7	435.5	750.5	975.2	982.1	847.1	729.0	718.0	919.0	691.0	591.0	558.0	618.0	720.0	708.0	659.0	669.0	586.0	324.0																				

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08992

Priority: July 25, 1977

Maximum Diversion Rate: 2.09 CFS

Maximum Diversion Volume: 1267.9 AF

This is to certify, that BOISE WATER CORP
PO BOX 7488

BOISE ID 83707 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 25, 1977; and has submitted Proof of Beneficial Use on November 6, 1979. An examination indicates that the works have a diversion capacity of 2.090 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.09 CFS	1267.9 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 31, Township 03N, Range 03E
ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within the city limits of Boise and the surrounding service area.
6. Point of diversion is known as the Oregon Trail well.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21ST day of DECEMBER, 1979.

Acting for

KARL J. DREHER, Director

JAN 31 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08992

RECEIVED

DEC 20 1995

Department of Water Resources

APPROVED

Date of Priority: July 25, 1977

Maximum Diversion Rate: 2.09 CFS

Maximum Diversion Volume: 1267.9 AF

Comes now
PO BOX 7488
BOISE ID 83707

BOISE WATER CORP

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-08992, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.09 CFS	1267.9 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 31, Township 03N, Range 03E
ADA County

PLACE OF USE: See Remarks

JAN 31 1996

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 14th day of DECEMBER, 1995.

Benjamin M. Hepler
(Signature)
VICE PRES.

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08992

FOR DEPARTMENT USE ONLY

20.00

C021932

1991

Preliminary check by SWK Fee = 30.00 Receipted by JW # C034195 Date 12-20-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-08992 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within the city limits of Boise and the surrounding service area.
6. Point of diversion is known as the Oregon Trail well.

Witness my hand this 21ST day of DECEMBER, 1995.


KARL J. DREHER, Director

Acting for

[Faint, illegible stamp or text in the bottom right corner]

KEYPUN

4/86



For Office Use Only
Fee Received \$125
Date 5/20/86
Receipt # 40313
Receipt by SP
Sent to S.O. 5/20/86

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED

MAY 12 1986

1. Permit No. 63-8992

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE;

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Boise Water Corporation

3. Post Office Address: P.O. Box 7488 Boise, ID 83707

Telephone No. 362-1300

4. Source of Water: Groundwater

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark Municipal - for domestic and fire protection

6. Total rate &/or volume for which proof is submitted 2.00 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

September 2, 1978

8. Person to contact to accompany the department representative during the field examination:

James L. Mooney, Boise Water Corporation
(Name)

P.O. Box 7488 Boise, Idaho 83704
(Address)

362-1300
(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date _____

Signature of Permit Holder (and title, if appropriate) _____

JAN 31 1986

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

ok j6

I, Dennis M. Baker, hereby assign to Boise Water Corporation
of 500 W. Idaho St., Boise, Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 63-8992
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 13th day of August, 19 79.

Dennis M. Baker
Permit Holder

Spouse of Permit Holder

MICROFILMED

State of Idaho)
County of Ada) ss.

On this 13th day of August, 19 79, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Linda Beal
Notary Public residing at
Boise, Idaho

My commission expires:
5/25/82

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT
NO. 63-8992 IN THE NAME OF DENNIS M. BAKER

MEMORANDUM DECISION
AND ORDER

On July 25, 1977, Dennis M. Baker filed with the Department of Water Resources an application for permit to appropriate 7.00 cubic feet per second of groundwater to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Twp. 3N, Rge. 3E, B.M., Ada County, to be used for domestic and fire protection purposes.

On August 4, 1977 and August 11, 1977, the Department caused notice of the application to be published in the Idaho Statesman, Boise, Idaho. On August 5, 1977, the Department received a protest against the approval of this permit from the Boise Water Corporation. On August 19, 1977, the Department received an additional protest from Burton Guiles against the approval of the permit.

On November 9, 1977, a conference in the matter was held in Boise, Idaho. The applicant was present and was represented by Robert Walker of Boise Water Corporation, since the applicant apparently conveyed his interest in the application to Boise Water Corporation in a private agreement. The protestant was present and represented himself. The arguments of both sides were heard and it was agreed that the Department should reach a decision in the matter if a private agreement could not be reached between the parties in sixty (60) days from the date of the conference.

Based upon the above information and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The protestant's well is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Twp. 3N, Rge. 3E, B.M., and is approximately $\frac{3}{4}$ of a mile from the applicant's well.
2. The protestant's well was constructed approximately in 1927 and is 72 feet deep with a static water level between 12 feet and 14 feet from land surface.
3. No evidence was submitted to show that the applicant's well would interfere with or has interfered with the protestant's well and use of water.
4. None of the other issues described in Section 42-203, Idaho Code, by which the Department may deny an application were validly raised in the conference.

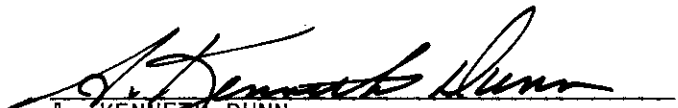
CONCLUSIONS OF LAW

1. The water level is above the reasonable pumping level and, therefore, a prior appropriation cannot be used to block a full economic development of the resource.
2. There is unappropriated water available for appropriation.
3. The protestant failed to show probable cause of interference to his water right that would result from the approval of the permit.
4. The applicant is entitled to a permit from the Department of Water Resources.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 63-8992 is APPROVED subject to the following conditions:

1. This permit, be and is, subject to all prior water rights, in particular to that certain water right of Burton Guiles.
 2. A scientific measurement of the diversion rate of the system as it is normally operated shall be provided to the Department by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion prior to submitting proof of beneficial use of water.
 3. Proof of construction of works and application of water to beneficial use shall be submitted to the Department of Water Resources on or before February 1, 1983.
- Dated this 8 day of March, 1978.


A. KENNETH DUNN
Deputy Director

RECEIVED
MAR 14 1978
WATER RESOURCES
DIVISION

ASSIGNED TO:

Boise Water Corp.
500 W. Idaho St.
Boise, ID 83702

Identification No. _____
Application No. 63-8992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Dennis M. Baker Phone: 345-1656
post office address 1523 E. Boise Avenue, Boise, Idaho 83706
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31 Township 3N
Range 3E B.M. Ada County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into N/A at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 7 for domestic purpose from January 1 to December 31 (both dates inclusive)
Amount 7 for Community purpose from 1-1 to 12-31 (both dates inclusive)
Amount _____ for fire prot. purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 7 cubic feet per second and/or
b. N/A acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, motor, wellhouse,
pressure tank, distribution system
- b. Height of storage dam N/A feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 24 inches; proposed depth of well is 500 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$150,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 3N
Range 3E B.M. _____
(2) Amount of power to be generated: N/A hp under _____ feet of head.
(3) List number of each kind of livestock to be watered N/A
- (4) Name of community to be served Littletree East/, or number of families to be
supplied with domestic water 1700 Oregon Trail Heights Subdivision
- (5) If water is to be used for other purposes describe: N/A

RECEIVED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above._____

N/A

9. a. Who owns the property at the point of diversion Dennis M. Baker

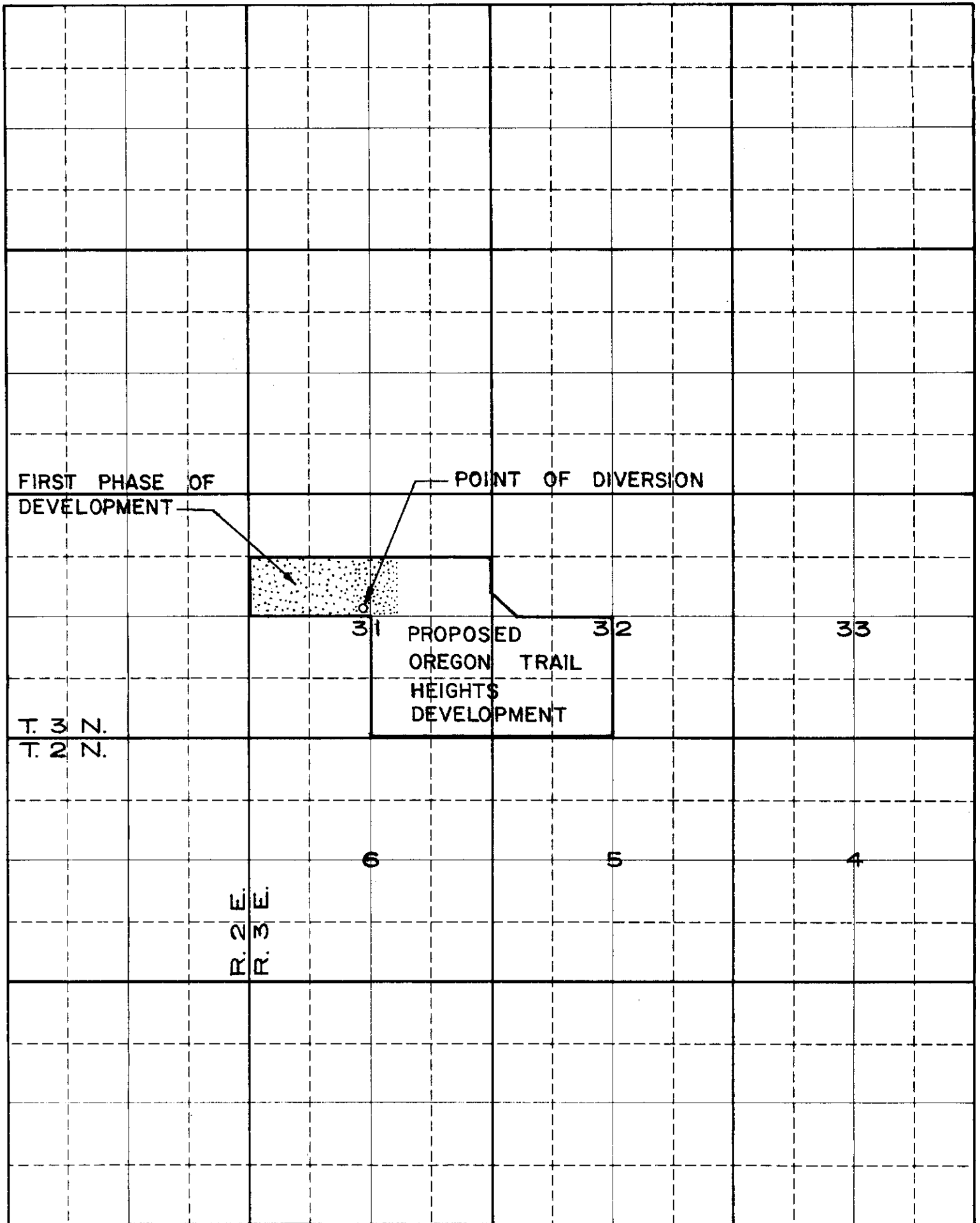
b. Who owns the land to be irrigated or place of use Dennis M. Baker

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks _____

This diversion will supply domestic water and fire protection to approximately 500 acres which will be developed into approximately 1700 residential units and limited office, school, etc. The estimated construction cost is for the water system and well to serve first phase of this development.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Dennis M. Baber
(Applicant)

Proposed Priority 7-25-1977

Received by J Date 7-25-77 Time 11:00 am
Preliminary check by GLS Fee \$ 85.00
Receipted by J Date 7-27-77 #
Publication prepared by CS Date July 28, 1977
Published in The Idaho Statesman
Publication dates August 4, 1977 & August 11, 1977
Publication approved J Date 8-31-77
Priority reduced to _____ Reason _____

Protests filed by: Boise Water Corp. & Burton
Guiles

Copies of protests forwarded by rf 8-9-77

Hearing held by DRT+DS Date 11-9-77

Recommended for approval denial by WJL

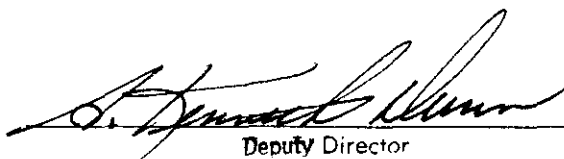
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8992, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 83.
- c. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER DATED THIS DATE.

Witness my hand this 8 day of March, 19 78.


Deputy Director

Two insertions, beginning with the issue of August 4, 1977, and ending with the issue of August 11, 1977.

Subscribed and sworn to before me this 11th
day of August, 1977.

Notary Public for Idaho, Residing at Boise, Idaho

OK
8-31-77

MILITARY



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

February 14, 2002

MICRON TECHNOLOGY INC
8000 S FEDERAL WY
PO BOX 6
BOISE ID 83707-0006

RE: Transfer No.: 68944-Water Rights 63-8992 & 63-9029 - Transfer Approval Notice

Dear Water Right Holder(s):

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,

for Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED

APR 23 2002

JP:klt

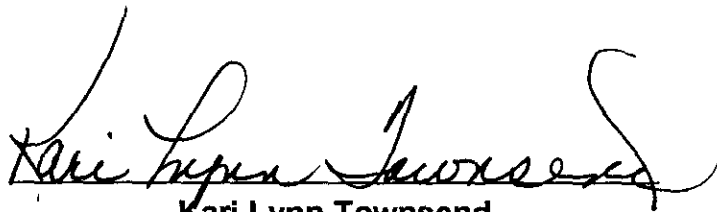
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on February 14, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68944 - WATER RIGHTS 63-8992 & 63-9029

**MICRON TECHNOLOGY INC
8000 S FEDERAL WY
PO BOX 6
BOISE ID 83707-0006**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
APR 23 2002**

**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

APR 23 2002

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.

RECEIVED

FEB 14 2002

MEMORANDUM

Department of Water Resources

To: File nos. 63-8992 & 63-9029 (Transfer no. 68944) in the name of Micron Technology, Inc.
From: Gary Spackman *Gary*
Date: February 12, 2002

Re: Proposed Conditions of Approval

Application for transfer no. 68944 proposes to add all the production wells owned by Micron to water right no. 63-8992 (Oregon Trail) and 63-9029 (Gowen). In addition, the Gowen water right will add the Oregon Trail well as a point of diversion, and the Oregon Trail water right will add the Gowen well as a point of diversion.

Enlargement

Water right no. 63-8992 (Oregon Trail) limited diversion volume to 1267.9 acre-feet. The last time the full volume of water was diverted from the well was 1981. Water right no. 63-9029 (Gowen) limited annual diversion volume to 806.3 acre-feet. As recently as 1997, 810 acre-feet were diverted out of the Gowen well. Through most of the 1990's, the annual volume authorized to be diverted from the Gowen well was exceeded by more than double. Micron proposes that the over-diversion from the Gowen well be credited to the under-diversion from the Oregon Trail well. This would result in a reward for diversion of water not authorized by a water right.

We have not established the review period for determining historical beneficial use, and how it relates to the forfeiture period. I do not believe we should limit our review to five years if there are factors, such as crop rotation, that would inaccurately determine the historical use during a short five-year period. Here, however, there have been at least steady demands for municipal water in the area in question. Production limitation in the Oregon Trail well should not be a defense for failure to divert the water authorized by the water right. It should be a factor only if the water was not available.

I believe we should allow some leniency because of the efforts of Micron and United Water in the Southeast Boise Ground Water Advisory Committee. I propose that we recognize the full flow rates authorized by both wells. I also propose that we authorize the 806.3 acre-feet diverted out of the Gowen well (63-9029). Finally, for the Oregon Trail well (63-8992), I propose we recognize the full volume of 1267.9 acre-feet for three reasons. First, the holder of the water rights should not be penalized for voluntary reductions in the volume of water diverted when the reductions were tacitly encouraged by IDWR to arrest the declines in water levels in the southeast Boise area. Second, the right sought to be transferred is a municipal right, and a municipal provider should be afforded greater flexibility in using its water. Finally, IDWR could use any period of time to determine the historical beneficial use, including the year 1981.

MICROFILMED

APR 23 2002

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 2/11/02

Trans # 68944 WR No(s) 63-8992 9029
Resulting Splits N/A N/A
Name: _____ Correct Fee Pd ✓ Ad ok ✓

AREA OF CONCERN: No/Yes TV Moratorium GWMA XFER TYPE: B - Change p/d F - Change use period
C - Add p/d G - Other
D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:

DRILLING PERMIT

All wells -046

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - ~~011~~

USES:

~~STORAGE~~ - 18A-R02-01P-18B-NA
~~IRR ≤ 5 ac~~ - R66/R67/R68/R69 (0.03 cfs/ac)
~~> 5 ac~~ - R62/R63/R64/R65 (0.02 cfs/ac)
~~STOCKWATER~~ - R37 (BLM/USFS)
~~MINING~~ - 054-106
~~FISH PROP~~ - 029(70'S only)-007-042-106
~~HEAT/COOL~~ - R07(injection well)
~~FIRE PROT.~~ - 077

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T09 - on-going Snake River Basin Adjudication
~~T10~~ - measure all p/d's (used with WB4)

Protested - 020-W19
Multiple pd's per 1/4 - W32
Non-consumptive - 027
Water Quality - 106-R07
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 ie - S/50 range
Single p/d intended - 076
Zoning ord. (dairys only) - 082

SURFACE WATER:

WD - R04 (WD# _____)

≤ 0.20 cfs/others - R02, 01P or No MD

> 0.20 cfs - R43

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - R55 (consumptive uses)
Non-Trust - 048 (cons uses or non-cons. > 1.0 cfs)

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette River)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

W51 - 2+ yrs to develop
W54 - forfeited ac/rate (used rarely)
W55 - (transfer shrinks total water to less ac)
W57 - no right-of-way
W58 - pending claim (statutory or AJ b/u claim)
W59 - measure p/d's (source changed to original trib)
W61 - extended irr season
WB4 - + p/ds, cfs & afa (used with T17)
WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report
WD7 - irr ac removed
WD8 - land application of waste water
T18 - Special T17 & R43 combined - multiple pds in WD
T19 - replaces C18
W62 - replaces N05/08/09-14
W63 - replaces C12
(If Director's Report, go back to T09)
T19 - replaces C18
T19 - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRRIGATION VOLUME/AC 4.5

OTHER CONDITIONS/REMARKS

COMMENTS

T files created/updated ✓ Approval form printed ✓ Transfer Memo N/A
Post approval update ✓



RECEIVED

FEB 11 2002

Department of Water Resources

Micron Technology, Inc.
8000 S. Federal Way
P.O. Box 6
Boise, ID 83707-0006
208.368.4000

February 6, 2002

Mr. Norman Young
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Transfer No. 68944

Dear Norm:

Thank you for providing Micron Technology, Inc., (Micron) the opportunity to respond to questions regarding Transfer No. 68944 (63-8992 and 63-9029) on February 1, 2002. In that meeting, you indicated that after approval of the transfer, Micron would be in a position to request that water rights junior to Micron water rights 63-8992 and 63-9029 be curtailed. As we indicated in the meeting, it is not Micron's intent to curtail junior water rights in the Southeast Boise Groundwater Management Area as currently used.

Below is a listing of recorded water rights with diversion rates of greater than 0.10 cfs within the Southeast Boise Groundwater Management Area. This list was Attachment 2 to the Order creating the Management Area. Micron is willing to forego its right to place a call for the delivery of water pursuant to water rights 63-8992 and 63-9029 against the following junior water rights as follows:

63-9025. Water right 63-9025 is claimed in the SRBA by Marilyn and Michael Giacalone for irrigation of 3 acres and stock water use in the NWNW of Section 25, T3N, R2E. The listed location is at Apple Street, adjacent to the Ridenbaugh Canal. We have no knowledge of past or present use of this water right. However, to the extent that this water right was in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against 63-9025 to fill water rights 63-8992 and 63-9029.

63-9137. Water right 63-9137 was licensed to Ed Riddle for 1.2 acre-feet annually of domestic and industrial use. Place of use is adjacent to the Micron site in the SWSW Section 6, T2N, R3E. An adjudication claim has not been submitted for this water right. Municipal water service is available in this area, so we assume that the water right has been abandoned. Therefore, Micron would not give up its right to call against 63-9137.

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APR 23 2002

The future of memory

63-10617. Water right 63-10617 is a permit in the name of C. F. Beymer authorizing diversion of 0.12 cfs for irrigation and 0.11 cfs for domestic use. A field examination in 1999 suggests that beneficial use has been limited to irrigation of 5.5 acres and a diversion rate 0.07 cfs, with no domestic use. Water is diverted from a 253-foot deep well located near the east end of Amity Road (SESE Section 30, T3N, R3E). The owner listed on the field exam is Caprice Estates LLC. To the extent that this water right permit was developed and in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against 63-10617 to fill water rights 63-8992 and 63-9029.

63-11195. Water right 63-11195 is licensed to Ada County Parks Department for supplemental irrigation of 4.2 acres at Barber Park. To the extent that this water right was in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against 63-11195 to fill water rights 63-8992 and 63-9029.

63-11546. Water right 63-11546 is licensed to Croman Corporation for 0.29 cfs of commercial use. Water use under this license ceased in 1998 with the closing of the facility. Therefore, Micron would not give up its right to call against 63-11546.

63-11541. Water right 63-11541 is licensed to United Water Idaho and Les Bois Invitational Soccer Tournament for 1.45 cfs for irrigation of 110 acres at Simplot Sports Complex. The lands are currently irrigated with surface water from the Boise River, diverted through the pump station and pipeline system operated by Micron. Micron agrees not to make a delivery call against water right 63-11541 to fill water rights 63-8992 and 63-9029 provided that the right holder shall fully use all surface water rights appurtenant to the lands prior to diverting under this water right.

63-11610. Water right 63-11610 is a permit owned by J.R. Simplot Revocable Trust for 1.1 cfs for irrigation of 55 acres of Columbia Village common area. The lands are currently irrigated with surface water from the Boise River, diverted through the pump station and pipeline system operated by Micron. To the extent that the permit was developed at the time that T68944 was submitted, Micron agrees not to make a delivery call against water right 63-11610 to fill water rights 63-8992 and 63-9029 provided that the right holder shall fully use all surface water rights appurtenant to the lands prior to diverting under this water right.

63-11566. Water right 63-11566 is licensed for irrigation of 7 acres at Riverside School with a diversion rate of 0.21 cfs. Use of the water right is regulated by the District 63 Watermaster, suggesting that the well diverts from a shallow source in hydraulic connection with the Boise River. To the extent that this water right was in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against 63-11566 to fill water rights 63-8992 and 63-9029.

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APR 23 2002

Mr. Norman Young
February 6, 2002
Page 3

63-11816. Water right 63-11816 is a permit in the name of Boise Parks and Recreation Department for irrigation at Centennial Park. Water is diverted from a shallow (75-foot deep) well with a 12-foot static water level. Water use is mitigated through a groundwater recharge project. To the extent that use under the permit is in compliance with the mitigation plan, Micron agrees not to make a delivery call against 63-10816 to fill water rights 63-8992 and 63-9029.

63-11949. Water right permit 63-11949 was for a proposed municipal well at the east end of Boise Avenue. Based on test well results, a production well was not constructed. We understand that the permit is lapsed. Therefore, Micron would not give up its rights regarding 63-11949.

63-12062. Water right 63-12062 is licensed for irrigation of 4.8 acres at Liberty School with a diversion rate of 0.20 cfs. To the extent that this water right was in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against 63-12062 to fill water rights 63-8992 and 63-9029.

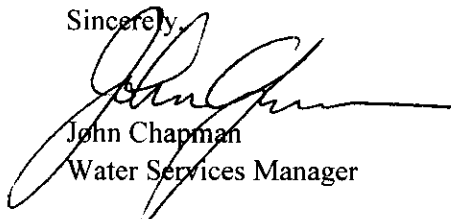
Water Rights of Less Than 0.10 cfs. There may be recorded water rights of less than 0.10 cfs in the Southeast Boise Groundwater Management Area that were developed between July 25, 1977 (priority date for 63-8992) and October 14, 1994 (date of the Management Area Order). To the extent that these water rights were in use at the time that T68944 was submitted, Micron agrees not to make a delivery call against them to fill water rights 63-8992 and 63-9029.

For those water rights listed above that are currently diverting from shallow aquifer zones (above 150 feet depth), this agreement does not provide for deepening wells into aquifer zones with substantially deeper static water levels.

Our agreement not to seek curtailment of any particular right listed here is contingent upon maintaining the current place, nature and extent of use of these rights. Micron reserves all rights and remedies, including, but not limited to the ability to seek curtailment, should there be any change in the place, nature or extent of use of such right(s), or if a junior makes a call against Micron.

Please contact me with any questions. We look forward to concluding this transfer.

Sincerely,



John Chapman
Water Services Manager
JC/sms

MICRON/IMED

APR 23 2002

Curtis, Sharla

From: Spackman, Gary
Sent: Friday, January 18, 2002 5:28 PM
To: Young, Norm; Curtis, Sharla *File*
Cc: Lester, Steve
Subject: FW: Micron apps- List of rights

Norm & Sharla,

I am forwarding the following sent to you on January 9, 2002. Norm said he didn't remember seeing the summary of water rights for the SE Boise GW Management Area.

Gary

-----Original Message-----

From: Spackman, Gary
Sent: Wednesday, January 09, 2002 2:46 PM
To: Young, Norm
Cc: Curtis, Sharla
Subject: Micron apps- List of rights

Norm,

Attached is a list of water rights and owners that are required to measure and report under the draft management plan that has been submitted to the director for approval. The list is in order of priority.

As you can see, there are several water rights that bear later priority dates than the latest priority water right owned by Micron. Some of irrigation authorized by these rights is now being provided by the pipeline from the Boise River. Nonetheless, an increase in pumping from the Oregon Trail Well and the Gowen Well to historical levels may result in further declines that will require additional recharge and recovery by Micron. I suspect this will stiffen Micron's resolve to force curtailment of later in time priority water rights. Micron was probably willing to overlook curtailment in the past because its diversions would have been limited. Now with the protection of recharge and recovery, Micron can demand that junior users not divert water as long as it is needs to recharge to recover its existing water rights. It seems to me that we should make a conscious decision when reviewing the application for transfer about limiting diversions from the Gowen and Oregon Trail wells based on historical use.

Let me change the subject to the application for permit. Steve Lester is currently reviewing a new water right application filed by United Water to divert flood water from the Boise River, treat it, and store it in the ground for future recovery. United Water has attempted to define the entire process in one application, characterizing the uses as diversion to storage, storage, and diversion from storage. We are telling United Water that the application should describe diversion from the Boise River for recharge, and that United Water must file another water right application for the recovery. As Steve and I discussed the United Water proposal, I wondered what water could be withdrawn under a new permit allowing recovery of the stored water. Should the new permit link and limit the withdrawals to water recharged pursuant to specific water rights? If not, should withdrawal be limited to the quantities of water withdrawn and flow rate diverted during the permit period? Or could Micron or United water file an application proposing diversion of some future flow rate and volume based on some anticipated flow rate or volume to be recharged but not now in place?

Finally, I compliment Steve on producing the summary of water rights you have in front of you. Steve is an indispensable asset to this office and to the department.

Gary



SEBoiserights.tabl
e.doc

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APR 23 2002

SE BOISE GWMA – Rights annually measured & reported, priority order.

NUMBER	OWNER	PRIORITY	BASIS	CFS - WELL ID
63-03118	ID Power	01-14-1958	License	1.40
63-03197	ID Power	05-12-1960	"	0.51
63-03416	Wild Shamrock	12-07-1964	"	0.56
63-03544	ID Power	09-22-1966	"	2.67
63-07199	Motive Power	02-21-1969	"	1.09
63-07577	United Water	04-06-1972	"	2.01 - Terteling
63-08006	Simplot	07-15-1974	"	0.82 - KOA
63-08236	United Water	11-28-1975	"	3.63 - Centennial
63-08992	Micron	07-25-1977	"	2.09 - Oregon Trail
63-09029	Micron	09-09-1977	"	4.0 - Gowen
63-09357	Micron	03-12-1980	"	0.60 - 3 wells
63-10208	Micron	11-22-1983	"	0.61 - same 3 wells
63-11293	Micron	04-19-1990	"	2.25 - same 3 wells
63-11546	Croman Corp	05-30-1991	"	0.29
63-11541	Les Bois & UW *	05-31-1991	"	1.45 - soccer fields
63-11610	Simplot	07-15-1991	Permit	1.10 - license pending
63-11566	School District	07-24-1991	License	0.21 - Riverside
63-11816	Boise Parks & Rec	04-28-1992	Permit	0.25 - Centennial Park, license pending

* jointly owned by Les Bois Soccer and United Water.

RECEIVED

DEC 14 2001

IDWR WESTERN REGION TRANSFER ANALYSIS

Department of Water Resources

Applicant Micro Technology Inc Transfer No. 68944
Reviewed by JR Date 4/6/01
Data entered by JR - initial d'entry problems encountered but now corrected.

1. Right number(s) 63-8992 63-9029

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 = 7/13/01
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 map 1 = P/D, map 2 = 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 Attachment E
i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

Process with related appl. 63-31183

k. ☒ Overlapping rights for current & proposed scenarios

Current NONE for GUNN + OR Trail Wells

Proposed Existing Micin licenses for existing Micin wells #3-5; Appl. 63-31183 also proposes use of " " " & proposed Micin well #6

l. ☒ SRBA Claim(s)

Claimed somewhat different than licensed but transfer will fix that.

m. ☒ Comment letters

☐ No

☒ Yes as follows:

☐ Water District #

☐ IDFG

☒ Other per attached

Same as Appl. 63-31183

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on N/A, received on _____

Other comment letters received ☐ Yes ☒ No

2. Affidavit of publication received: ☒ Yes

3. 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 See memo dated 12/10/01

4. Recommended by Barys

Date 12/12/01

FORWARDING FILE TO S.O.

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

☐ Yes

2. File forwarded to S.O. by _____

Date _____

07/13/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-8992

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED WATER IDAHO 8248 W VICTORY RD BOISE, ID 83709 (208)362-7332
Original Owner	BOISE WATER CORP PO BOX 7488 BOISE, ID 83707 (208)362-1300

Priority Date: 07/25/1977
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	2.09 CFS	1267.9 AFA	
Total Diversion			2.09 CFS	1267.9 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 31 Township 03N Range 03E ADA County

Licensed Diversion Capacity: 2.09

Place(s) of use: No POU's found for this right

Remarks:

1. General Place of use is located within the city limits of Boise and the surrounding service area.
Point of diversion is known as the **Oregon Trail well.**

Dates:

Licensed Date: 12/21/1995
Decreed Date:
Permit Proof Due Date: 2/1/83
Permit Proof Made Date: 11/6/79
Permit Approved Date: 3/8/78
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 07/25/1977
Protest Deadline Date:
Number of Protests: 0

*Additional material for
63-31183
T. 68944*

- WR proofs
- AJ proofs
- govt. lot plots

02/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-8992

Owner Type **Name and Address**
Current Owner **MICRON TECHNOLOGY INC**
8000 S FEDERAL WY
PO BOX 6
BOISE, ID 837070006
(208) 368-4000

Original Owner **UNITED WATER IDAHO**
8248 W VICTORY RD
BOISE, ID 83709
(208)362-7332

Original Owner **BOISE WATER CORP**
PO BOX 7488
BOISE, ID 83707
(208)362-1300

Priority Date: 07/25/1977
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

Beneficial Use
MUNICIPAL

From	To	Diversion Rate	Volume	Subuse Code
1/01	12/31	2.45 CFS		
		2.45 CFS	Lic = 2.09 cfs	Lic vol.

Total Diversion

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 31 Township 03N Range 03E ADA County

Place(s) of use:

Place of Use Legal Description: MUNICIPAL

ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	01E	1		NENE			NWNE			SENE				
	02E			NENE			NWSW			SWSW			SESW	
				NESW			NWSE			SWSE			SESE	
		2		NESE			SENE							
				SWNW			NWSW			SWSW			SESW	
				NESW			NWNE			SWNE			SENE	
03N	01E			NENE			NWNW			SWNW			SENE	
				NENW			NWSW			SWSW			SESW	
		3		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		10		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	

*Legal notice program
xfer and table will
use Ag claim record*

*Pln PLS kit
instead of
just remarks*

	11	NENW NESW NESE	NWNW NWSW NWSE	SWNW SWSW SWSE	SENW SESW SESE
	13	SWNW NWSW	SENE		
	14	NWNE NENW NESW NESE	NWNW NWSW NWSE	SENE SWNW SWSW SWSE	SENE SENE SENE SENE
	24	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SENE SENE
	25	NENE NENW NESE	NWNE NWNW NWSE	SWNE SWNW SWSE	SENE SENE SENE
	35	NENE NESE	NWNE NWSE	SWNE SWSE	SENE SENE
	36	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SENE SESE
02E	2	NENE	SENE		
	5	NENE	NWNE	SENE	
	12	NENE NENW NESE	NWNE NWNW NWSE	SENE SESE	
	13	SWNE SWNW NESW NESE	SENE		SESE
	19	NWNE NWSW NESW NESE	NWSE SWNW NWSW NWSE	SWSE SENE SWSW SWSE	SESE SESW SESE
	20	SWSW	SESW		
	24	SESE			
	25	NENE NWSW NESE	SWSW		
	26	SENE NESW NESE	NWSE	SWSW SWSE	SESW SESE
	27	NESE			
	29	SWNW NWSW	SWSW		
	30	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
	31	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
	32	SWNE NWNW NESW NWSE	NWSE SWSE	SWSE SESE	SESE SESW
	33	SWSW	SESW		
	35	NENE NENW NESE	NWNE	SWNE	SENE
	36	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
03E	7	NENW NESW	NWNW NWSW	SWNW SWSW	SENE SESW
	19	SWSW			
	30	SWNE NENW	SENE NWNW	SWNW	SENE

			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
		31	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
		32	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
04N	01E	25	NWNE	SWNE		
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SESW	
			NWSE	SWSE		
		26	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	
			NESE	SESE		
		27	SWSW	SESW		
			SWSE			
		33	NWSE	SWSE	SESE	
		34	SWNE			
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
	02E	19	NENE	NWNE	SENE	
			NENW	SENW		
		20	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESE	NWSE	SWSE	SESE
		26	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	SWSW		
			NESE	NWSE	SWSE	SESE
		27	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE		
		28	NENE	SENE		
			NESW	SESW		
			NESE	NWSE	SWSE	SESE
		29	NENE	NWNE		
		30	SWNE			
			NENW	SENW		
			NESW			
			NWSE			
		32	SWSE	SESE		
		33	NENE			

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-9029

Owner Type Name and Address
 Current Owner BOISE WATER CORP
 8248 W VICTORY RD
 BOISE, ID 83709
 (208)362-7332

Original Owner TERTELING OPERATIONS CO LTD

Priority Date: 09/09/1977
 Basis: License
 Status: Active

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	4 CFS	806.3 AFA	
Total Diversion			4 CFS	806.3 AFA	

Location of Point(s) of Diversion:

GROUND WATER NENW Lt 3 Sec. 01 Township 02N Range 02E ADA County

Licensed Diversion Capacity: 4.01

Place(s) of use: No POU's found for this right

Remarks:

1. General Place of use is located within the city limits of Boise and the surrounding service area.
 Point of diversion is known as the **Gowen Well.**

Dates:

Licensed Date: 12/21/1995
 Decreed Date:
 Permit Proof Due Date: 12/1/82
 Permit Proof Made Date: 10/12/82
 Permit Approved Date: 12/27/77
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Application Received Date: 09/09/1977
 Protest Deadline Date:
 Number of Protests: 0

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:

1

	11	NENW NESW NESE	NWNW NWSW NWSE	SWNW SWSW SWSE	SENE SESW SESE
	13	SWNW NWSW	SENE		
	14	NWNE NENW NESW NESE	SWNE NWNW NWSW NWSE	SENE SWNW SWSW SWSE	SENE SESW SESE
	24	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SESW SESE
	25	NENE NENW NESE	NWNE NWNW NWSE	SWNE SWNW SWSE	SENE SESW SESE
	35	NENE NESE	NWNE NWSE	SWNE SWSE	SENE SESE
	36	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SESW SESE
02E	2	NENE	SENE		
	5	NENE	NWNE	SENE	
	12	NENE NENW NESE	NWNE NWNW NWSE	SENE SENE	
	13	SWNE SWNW NESW NESE	SENE	SESE	
	19	NWNE NWNW NESW NESE	NWSE SWNW NWSW NWSE	SWSE SENE SWSW SWSE	SESE SESW SESE
	20	SWSW	SESW		
	24	SESE			
	25	NENE NWSW NESE	SWSW		
	26	SENE NESW NESE	NWSE	SWSW SWSE	SESE SESE
	27	NESE			
	29	SWNW NWSW	SWSW		
	30	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
	31	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
	32	SWNE NWNW NESW NWSE	NWSE	SWSW SESE	SESE SESW
	33	SWSW	SESW		
	35	NENE NENW NESE	NWNE	SWNE	SENE
	36	NENE NENW NESW NESE	NWNE NWNW NWSW NWSE	SWNE SWNW SWSW SWSE	SENE SENE SESW SESE
03E	7	NENW NESW	NWNW NWSW	SWNW SWSW	SENE SESW
	19	SWSW			
	30	SWNE NENW	SENE NWNW		SENE SENE

			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
		31	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
		32	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
04N	01E	25	NWNE	SWNE		
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SESW	
			NWSE	SWSE		
		26	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SENW	
			NESE	SESE		
		27	SWSW	SESW		
			SWSE			
		33	NWSE	SWSE	SESE	
		34	SWNE			
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE	SWSE	SESE
	02E	19	NENE	NWNE	SENE	
			NENW	SENW		
		20	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESE	NWSE	SWSE	SESE
		26	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	SWSW		
			NESE	NWSE	SWSE	SESE
		27	NENE	NWNE	SWNE	SENE
			NENW	NWNW	SWNW	SENW
			NESW	NWSW	SWSW	SESW
			NESE	NWSE		
		28	NENE	SENE		
			NESW	SESW		
			NESE	NWSE	SWSE	SESE
		29	NENE	NWNE		
		30	SWNE			
			NENW	SENW		
			NESW			
			NWSE			
		32	SWSE	SESE		
		33	NENE			
		34	NENW	NWNW	SWNW	SENW
		35	NENE	NWNE	SWNE	SENE
			NESW	SESW		

Remarks:

1. P/U WITHIN CITY LIMITS OF BOISE AND ADJACENT TERRITORY.
CERTIFICATED AREA AS APPROVED BY THE IDAHO PUBLIC UTILITY COMMISSION. ORDER #20942
SIXTEENTH AMENDED CERTIFICATE #143. NAME CHANGE COMPLETED BY DB 4/12/2000.
OWNERSHIP CHANGED BY DB 7/10/2000.

Dates:

Licensed Date: 12/21/1995
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W003284

114-1

115-1

116-1

2N 2E
Sec. 1

	1	2	3	4	5
40.75	40.40	40.80	40.20	40.10	

South

20

40

416-1

117-1

~~72.50~~ ~~South~~

72

MICROFILMED
APR 23 2002

118-1

119-1

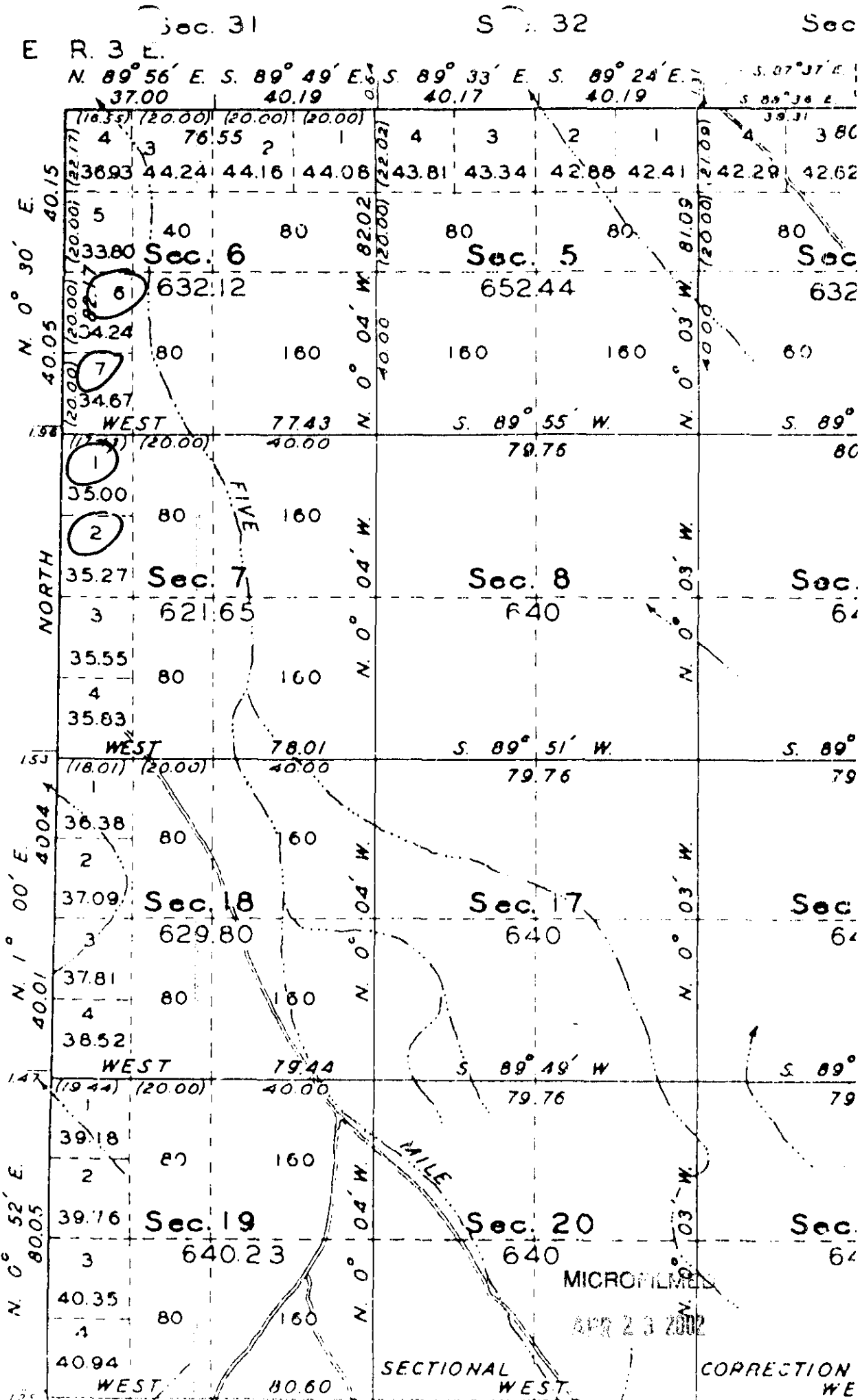
1934
Survey

Sec. 1

Sec. 12

Sec. 13

Sec. 24



MEMORANDUM

TO: Files

FROM: Steve Lester *SL*

DATE: July 13, 2001

RE: *Micron Technology Application for Permit No. 63-31183
and Application for Transfer No. 68944*

John Chapman of Micron recently requested a decision on these applications.

Micron faces substantial extra costs if municipal water has to be substituted for water proposed in the filings. Chapman noted Micron's recent revenue problems and hopes the department can approve at least one application expeditiously. Application 63-31183 can probably be approved more quickly than the transfer can.

Micron proposed a new permit for 10 cfs mitigated by river water injected under previous IDWR approvals. The applicant also proposed to change two recently purchased licenses from municipal to industrial and irrigation uses at the Micron site. The transfer includes 6.09 cfs and about 2074 afa. Both applications describe the same water uses, place of use and most of the same wells. Wells for 63-31183 include existing Micron wells # 3 through 5 plus proposed Micron well #6. Wells for the transfer include the same ones plus the Gowen and Oregon Trail wells obtained from United Water.

Application 63-31183

Here are some pertinent factors if the application for permit is approved:

1. The application was processed based on a preliminary determination by IDWR mandated by the 1994 SE Boise GWMA Order. See Gary Spackman's 3/5/01 memo.
2. One new well can be drilled with a 600-1200 feet water bearing zone.
3. Pumping under this permit should not exceed the amount of water injected into the aquifer.
4. Annual water use should be reported within the GWMA framework.
5. The GWMA monitoring plan includes continuous, monthly and quarterly well data collection based on a network of wells in and around the GWMA. Monitoring should be able to detect problems possibly attributed to additional pumping. Helen Harrington can provide more information on the monitoring network if necessary.

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SEP 23 2002

6. The applicant proposed this new use should be subject to well interference factors but not to priority cuts if such regulation occurs. See the last paragraph on page 1 of Chapman's 4/18/01 letter. I suggest pumping under this permit should be curtailed if a determination is made that senior water rights are being injured.
7. Proposed irrigation in Sections 6 and 7 suggests the 3/1-11/15 season but acres in Section 18 favor 3/15-11/15 based on current standards. All irrigation should share the same season (suggest 3/1 start date).
8. Recall the considerable N/U, P/U and P/D overlap proposed by both applications. Overlapping coverage of irrigation from shared wells could be approved but limited to the standard duty of water when combined with other irrigation rights. It is difficult to impose a similar limitation for overlapping industrial use due to insufficient information (additive industrial uses in the applications or not?). Final overlap determinations could be left to eventual licensing of the permit.

Transfer 68944

The transfer proposes to use two municipal water rights for the same irrigation noted in 63-31183. The same industrial P/U is also proposed but it is not known if the industrial use under both filings is additive or not as already noted.

Micron bought the rights from United Water in 1999 as described by Attachment E.

Verification of Use

Beneficial use records are found in Attachment F (1979-1997) and in the attached GWMA records (1995-2000). Attachment F lists annual volume but does not include flow rate data. GWMA records, which include annual reporting for the six years, list annual volume but incomplete flow data.

GWMA flow data document three years of the Gowen well pumping up to 3.12 cfs. The licensed rate is 4.00 cfs. GWMA records indicate the Oregon Trail well was pumped at 1.62 cfs. The licensed rate is 2.09 cfs. Flow data was not included for every year the wells were used.

The Gowen well was licensed for 806 afa while the Oregon Trail well allows 1268 afa. Authorized volume for both wells totals 2074 afa. Attachment F shows combined use from the two wells exceeded 2074 af in 1984 and 1988-1995. That data does not completely agree with reported GWMA volumes from 1995-1997. The numbers are fairly close for 1996 and 1997 but significantly different for 1995. The GWMA data for 1995 list Gowen with 1118 and Oregon Trail with 546, for a total of 1664 af. Attachment F shows 2303 af for the wells in 1995.

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APR 23 2002

The data confirm the total licensed volume was diverted in some years, although each well sometimes exceeded its authorized volume limit. Additionally, some of the "Oregon Trail volume" came from the Gowen well as noted in Attachment F ("volume switch").

The situation is somewhat unorthodox. The records are somewhat incomplete. But sufficient information confirms the full amount of licensed water has been diverted to satisfy 1987 SRBA and recent five year benchmarks even if some use has been "out of bounds." Forfeiture does not appear to be an issue.

Expansion of Use

The transfer does not propose to exceed the licensed rate of flow or diversion volume. Consumptive volume for the municipal use is unknown. Micron estimates about 5% of its use has been consumptive over time, although consumptive use might rise and fall with changing conditions (see page 1 of Chapman's 4/18/01 letter).

Attachment A of the transfer lists the full rate and diversion volume to be used for industrial purposes in 63-8992. The same right also lists 1.50 cfs with 300 afa for irrigation, but the total amount is not increased. This is not an unprecedented idea (recall the NMID transfer with its sliding scale, dual use concept) but is certainly not a regular practice. One expects a reduction in one use to accommodate a second use instead of simply adding both uses to a water right. Dual uses in 63-8992 could be approved if properly conditioned.

The irrigation component proposed in 63-8992 raises expansion questions in two ways. One, a full use of the licensed water for industrial use precludes irrigation use. Two, if irrigation does occur (say industrial use will be a lesser amount), how will pre and post transfer consumptive use be evaluated?

There is not sufficient information to know if consumptive use will increase in the transfer.

Sustainable Yield of the GWMA Aquifer

Can the aquifer adequately handle partial or full pumping from the Gowen and Oregon Trail wells? Anecdotal information suggests about 4000 (?) afa can be pumped without significant GWMA problems.

GWMA water users made commendable progress in reducing the use of the local aquifer. Pumping declined about 30% from 1995 through 2000 as noted in the attached table. About 3300-3600 af were diverted each year in the GWMA from 1998-2000 when the two wells in question were idled. Note the volume contribution of the two wells from 1995-1997 relative to the total reported use in the GWMA. What will happen if the two wells are fully diverted? Nobody knows, particularly if 63-31183 is factored into the picture.

The Gowen and Oregon Trail wells have 1977 priority dates. Priority dates for water rights subject to GWMA reporting range from 1958 to 1992. The department must weigh the overall impact to the GWMA relative to approving more pumping for two relatively senior water rights.

Perhaps the transfer approval can allow "blocks of water" to be diverted for Micron. A subsequent block could not be diverted until monitoring data confirm pumping the prior block did not cause any significant problems. The GWMA monitoring plan provides the tool for ongoing evaluation of the situation. A staged approval of this sort might help identify the sustainable yield of the aquifer.

I suggest a block of water could equal 500 af. Use of the first block could be evaluated after three months of pumping to see if the second block can be diverted. And so on.

CC: Helen Harrington

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SEP 23 2002

SE BOISE GWMA ANNUAL WATER MEASUREMENT REPORTING (ACRE FEET)

OWNER	1995	1996	1997	1998	1999	2000	TOTAL
Boise Parks and Recreation						14	14
Croman Corporation	57	50	44	15	0	0	166
Idaho Power		3	0	0	0	1	4
JR Simplot Company	264	206	205	150	0	0	825
Les Bois Soccer	269	308	319	162	36	15	1109
Micron Technology Co.	1680	2308	2204	2334	2330	2297	13153
Motive Power	17	14	16	20	12	13	92
School District	13	15	14	14	28	32	116
United Water Idaho	2348	1895	1927	921	1278	922	9291
Wild Shamrock LLP	4	6	7	8	3	3	31
TOTAL	4652	4805	4736	3624	3687	3297	24801

* Micron bought Gowen & Oregon Trail wells & rights in 1999 from United Water.
 Reported volumes per 1995 - current records of GWMA:

	ACRE FEET REPORTED	% of total for GWMA
2000	0	—
1999	0	—
1998	0	—
1997	0	18 %
1996	829	27 %
1995	963	36 %
1994	1118	
1993	546	

Gowen & OR Trail wells,
 % of total reported

MICRONIZED

SEP 23 2002

GOWEN & OREGON TRAIL WELLS - DATA EXTRACTED FROM SE BOISE GWMA FILE.
 -SL 7/13/01

The Idaho Statesman

RECEIVED
APR 30 2001

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	434326	PROPOSED CHANGE OF WATER RIGHTS	\$143.40
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	APRIL 19, 26, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 90
			Affidavit 1
			Legal # 10146

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: APRIL 19, 2001
and ending with the issue of: APRIL 26, 2001

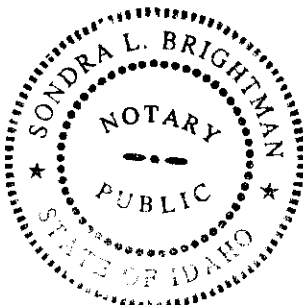
Janice Hildreth

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 26 day of APRIL 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 state-
ments therein are true, and acknowledged to me that she executed the same.

Dondra L. Brightman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06



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APR 23 2002

RECEIVED

APR 30 2001

WATER RESOURCES
WESTERN REGION

✓mm
**LEGAL NOTICE
PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 68944**

MICRON TECHNOLOGY INC., of 8000 S. Federal Way, PO Box 6, Boise ID 83707 has applied to the Department of Water Resources to change the Point of Diversion, Place of Use and Nature of Use pursuant to I.C. § 43-222 for the following water rights in Ada County:

Sections in this notice are within T2N R2E, T2N R3E or T3N R3E. The Micron manufacturing site is east of Federal Way near the Interstate 84-Gowen exit in southeast Boise. Contact the Western Region office noted below for more information about exact legal locations. Water right licenses currently authorize ground water for year around municipal use within Boise and the surrounding service area of the municipal provider.

No. 63-8992, priority 7-9-1977, diversion rate of 2.09 cfs for 1,268 acre-feet-annum (afa), diverted from the Oregon Trail well in SE1/4 Section 34, about 1.5 miles north of Micron site.

No. 63-9028, priority 9-9-1977, diversion rate of 4.0 cfs for 806 afa, diverted from the Gowen well in Gov. Lot 3 NENW S1 (about 1.25 miles northwest of Micron site).

Both licenses are claimed in the Snake River Basin Adjudication (SRBA) as shown above, except SRBA Claims describe the municipal service area as multiple sections spread throughout seven townships. SRBA Claim for #63-8992 also lists 2.45 cfs instead of the licensed rate of 2.09 cfs.

PROPOSED CHANGE

Five existing wells and one proposed well are involved in the change from municipal use in a broad service area to industrial and irrigation uses for the Micron manufacturing site. The Oregon Trail and Gowen wells will be linked to three existing Micron wells and one proposed Micron well. The six wells will serve as common diversion points for both water rights. Well locations include the following: the above noted Oregon Trail and Gowen well sites, a proposed well in SE1/4 S6, and three existing wells in portions of S7.

The same Micron wells and Micron site are also described by Application 63-31183. Transfer 68944 proposes to pump ground water previously authorized as municipal use, and Application 63-31183 proposes to pump ground water to be recovered from injection of surface water into the SE Boise aquifer.

Specific uses of the water rights are described as follows. No. 63-8992 will provide 2.09 cfs and 1,268 afa for year around industrial use, 1.5 cfs and 300 afa to irrigate 100 acres, for a total use of 2.09 cfs and 1,268 afa. No. 63-9028 will provide 4.0 cfs and 806 afa for year around industrial use. Total amount of water will be 6.09 cfs and 2074 afa. Place of Use for both water rights will include portions of Sections 6, 7, 8 and 18 located north, east and south of Micron.

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 May 7, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Apr. 19, 26, 2001

10146

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APR 23 2002



Micron Technology, Inc.
6000 S. Federal Way
P.O. Box 5
Boise, ID 83707-0006
208.368.4000

April 18, 2001

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

RECEIVED
APR 20 2001
WATER RESOURCES
WESTERN REGION

Re: Application for Permit No. 63-31183 and Application for Transfer No. 68944

Dear Steve:

In response to your letter of April 9, 2001, we have compiled the following additional information required for processing of the above-referenced applications.

- **Plat of All Wells and Springs within ½ Mile of Proposed Well Sites.** A map and accompanying table are attached showing the location of known active and inactive wells within ½ mile of the wells proposed as points of diversion under 63-31183. Well locations were determined by both ground search and search of Department well log files.
- **Annual Consumptive Volume.** During calendar year 2000, Micron utilized 2824 acre feet of water from on-site wells and United Water Idaho for industrial use, and discharged 2681 acre feet of treated industrial wastewater to the City of Boise municipal wastewater treatment system. Based on these measured volumes, consumptive use at Micron is currently 5 percent. In the future, consumption may vary depending on the method of wastewater treatment or reuse.
- **Letter of Comment from Regulatory Agencies.** Enclosed please find copies of letters sent by Micron to the applicable agencies (City of Boise and IDEQ) seeking comment on the application for permit. We have requested that the agencies send their comments directly to your office by May 15, 2001. We have omitted a request to Ada County based on your discussion with Mike McIntyre on April the 16, 2001.

In addition to the requested additional information, we have the following comments.

- **Out of Priority Delivery of 63-31183.** We noted that the advertisement for 63-31183 says "The permit(s) will be subject to all prior water rights." We agree that the water right should be subject to all prior rights relative to direct well interference. However, we believe that the diversions under 63-31183 will be fully mitigated through injection of surface water. Therefore, diversion under 63-31183 should not be subject to priority curtailment in the event that the aquifer becomes depleted by senior rights resulting in a delivery call.

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APR 23 2002

* Not enclosed, need this
OK - received 7/14/01

The following is a summary of the comments received from the agencies:

— LARGE Diversion
Response —

Mr. Steve Lester
April 18, 2001
Page 2

- **Need for Transfer of Water Rights 63-9357, 63-10208, and 63-11293.** In reference to second paragraph on Page 2 of your April 9, 2001 letter, we do not plan to file a transfer at this time for Micron's existing groundwater rights (63-9357, 63-10208, and 63-11293). We recognize that a transfer will be required in the future if we intend to divert water under these rights for use outside of the currently authorized place of use or from diversion points that are not currently authorized (i.e., Gowen Well, Oregon Trail Well, or future Micron Well No. 6). In the meantime, we plan to divert these three water rights only from the currently authorized diversion points for use within the currently authorized place of use.

Thank you for your assistance with these applications. Please contact me if you have any questions or if you need additional information.

Sincerely,



John Chapman
Water Services Manager
JC/sms

Enclosures

cc: Michael McIntyre
Terry Scanlan

MICROFILMED
APR 13 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

April 18, 2001

John Chapman
Micron Technology, Inc.
8000 South Federal Way
P.O. Box 6
Boise, ID 83707-0006

Subject: Well Search for Water Right Application 63-31183

Dear John:

As requested by Steve Lester's letter of April 9, 2001, I have prepared the enclosed map showing all known existing and permitted wells within ½ mile of the wells proposed as diversion points by Micron's application for permit 63-31183.

The following sources of information were used to compile the map.

1. Review of IDWR well log computer database.
2. Ground search.
3. Review of existing reports on local groundwater conditions (Squires and others, 1993).
4. Personal knowledge of local wells.

Known or suspected well locations are shown on the map and listed on the attached table. Wells that are known to have been properly abandoned (such as Micron Well No. 1) are not shown.

Seven wells not owned by Micron were visually located or are suspected to exist. All of these wells are believed to be inactive as described below.

1. Three wells are located along Eisenman Road (Blue Valley #1, Blue Valley #2, and Eisenman/Trinity Trailer). United Water Idaho provides water service to these properties.
2. Three wells are located west of Federal Way in Sections 1 and 6 (Willis Shaw, Idaho Auto Auction, and United Campground). These wells are believed to be either inactive or abandoned. United Water Idaho currently provides water service to these properties.
3. A small well shelter is visible on a property located south of the Micron Pettibone well. The well appears to be inactive, as the home or business formerly associated with the well has been demolished. Ownership of the well was not determined.

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The remaining wells within the search area are all owned by Micron. Five of these wells (No. 2, Test, Deep Observation, Shallow Observation, and Pettibone) are used for observation and monitoring purposes. Three wells (Nos. 3, 4, and 5) are currently used for production. Well No. 5 is also used for recharge purposes. Well No. 6 is a proposed well site.

Please contact me with any questions.

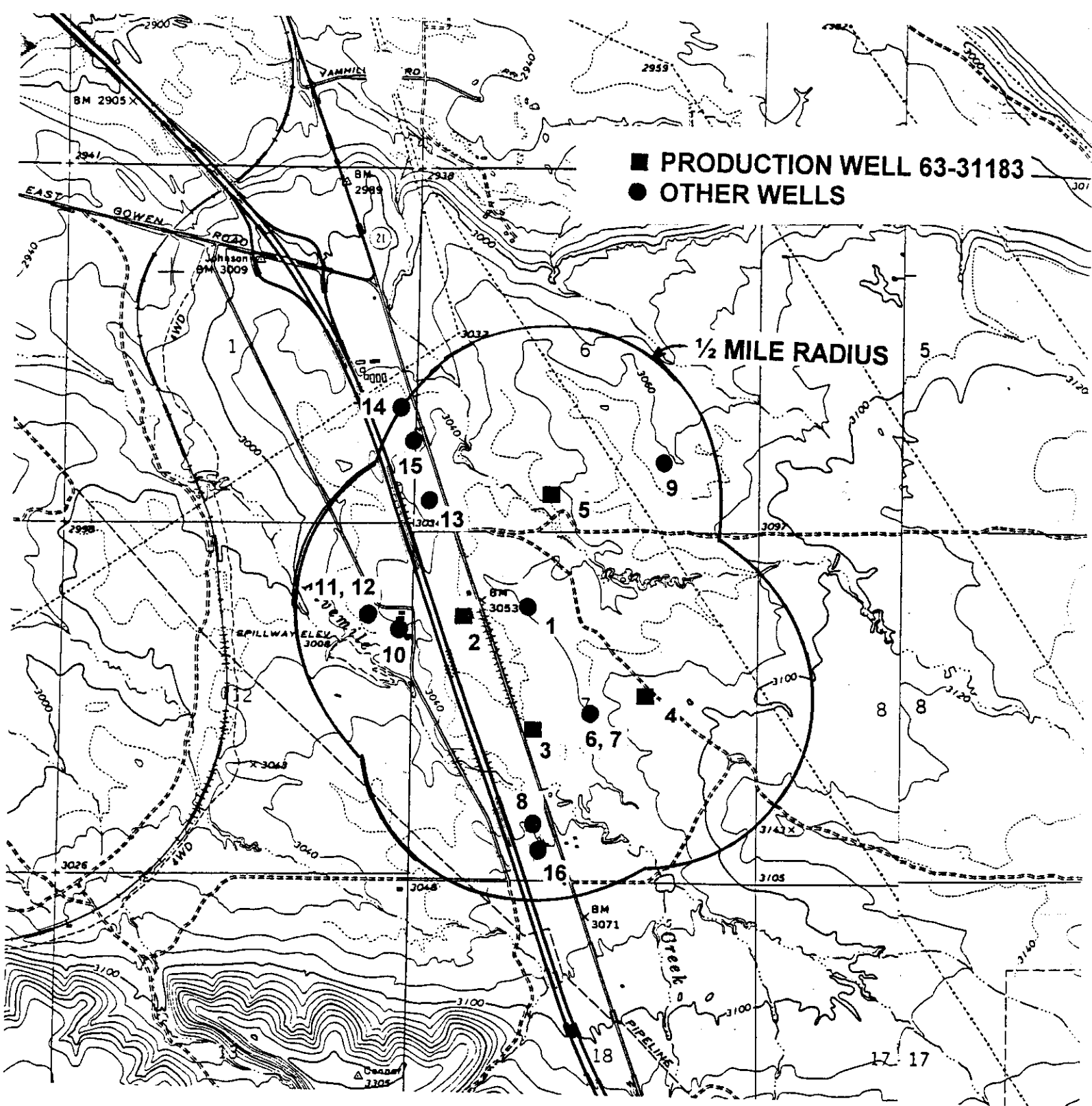
Sincerely,

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

Terry M. Scanlan, P.E.

Enclosures

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APR 23 2002



WELLS LOCATED WITHIN 1/2 MILE OF
 PRODUCTION WELLS PROPOSED BY
 APPLICATION FOR PERMIT 63-31183

MICROFILMED

SEP 23 2002

WELLS LOCATED WITHIN 1/2 MILE OF DIVERSION POINTS PROPOSED BY APPLICATION 63-31183

Map No.	Owner (Well Name)	Use	Status	Township	Range	Section	Tract
1	Micron (Well No. 2)	Monitoring	Active	02N	03E	7	NENW
2	Micron (Well No. 3)	Industrial	Active	02N	03E	7	SWNW
3	Micron (Well No. 4)	Industrial	Active	02N	03E	7	NESW
4	Micron (Well No. 5)	Industrial	Active	02N	03E	7	SWNE
5	Micron (Well No. 6)	Industrial	Proposed	02N	03E	6	SESW
6	Micron (Deep Observation)	Monitoring	Active	02N	03E	7	NWSE
7	Micron (Shallow Observation)	Monitoring	Active	02N	03E	7	NWSE
8	Micron (Pettibone)	Monitoring	Active	02N	03E	7	SESW
9	Micron (Test)	Monitoring	Active	02N	03E	6	SWSE
10	Eisenman/Trinity Trailer	Domestic	Inactive	02N	02E	12	SENE
11	Blue Valley (#1)	Domestic	Inactive	02N	02E	12	SENE
12	Blue Valley (#2)	Domestic	Inactive	02N	02E	12	SENE
13	Willis Shaw	Domestic	Inactive	02N	02E	1	SESE
14	United Campground	Domestic	Inactive	02N	02E	1	NESE
15	Idaho Auto Auction	Domestic	Inactive	02N	02E	1	SESE
16	unknown	Domestic	Inactive	02N	03E	7	SESW

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APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ED SQUIRES
HYDRO LOGIC INC
1530 KNIGHTS DR
BOISE ID 83712

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Mr. Squires:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VIC CONRAD
JR SIMPLOT CO
PO BOX 27
BOISE ID 83707-0027

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Sir and/or Madam:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CATHERINE CHERTUDI
CITY OF BOISE
PO BOX 500
BOISE ID 83701-0500

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Ms. Chertudi:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BILL BACHMAN
CROMAN CORP
1625 YAMHILL RD
BOSIE ID 83716

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Mr. Bachman:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHAS F MCDEVITT
LES BOIS SOCCER
PO BOX 2564
BOISE ID 83701-2564

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Mr. McDevitt:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BEN HEPLER
UNITED WATER ID
PO BOX 7488
BOISE ID 83707

Re: Application for Water Right No. 63-31183 in the Name of Micron Technology.
Application for Transfer No. 68944 in the Name of Micron Technology.

Dear Mr. Hepler:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 May 7, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
APR 23 2002



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

April 9, 2001

JOHN CHAPMAN
WATER SERVICES MANAGER
MICRON TECHNOLOGY INC
PO BOX 6
BOISE ID 83707-0006

Re: Application for Permit No. 63-31183 and Application for Transfer No. 68944

Dear John:

I am writing to request additional information for the above referenced applications. First, let me inform you that legal notices should be published in the *Idaho Statesman* on April 19 and 26, 2001. Enclosed are copies of the legal notices, which were sent by email to Mike McIntyre and Terry Scanlan earlier today per their request.

Application No. 63-31183 includes four possible wells for 10 cfs. *Water Appropriation Rule Subsection 040.05.c* requires additional information for applications for permit exceeding 5 cfs. In this case, an abbreviated response will suffice due to the atypical aspects of the filing, the obvious and considerable assets held by Micron Technology, and the ongoing monitoring etc. efforts surrounding the proposed project.

Enclosed is a copy of the rule with the pertinent items highlighted for your convenience. Only those highlighted items need to be addressed. The items to be addressed are summarized as follows.

- Item cii - a plat with reference to all the wells listed in the application
- Item di - information about the annual consumptive volume for the proposed diversion rate
- Item g - letters to be submitted by the applicant from the City of Boise, the Ada County Commissioners, and the Idaho Department of Environmental Quality.

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APR 23 2002

Micron Application Nos. 63-31183 and 68944
April 9, 2001
Page 2 of 2

Application No. 68944 involves a change to two municipal licenses. The wells listed in Application 63-31183 and the Oregon Trail and Gowen wells are described by the transfer application. It is inferred that an integrated well system will be achieved for the Micron site in Boise.

The existing Micron wells are known as well nos. 3, 4 and 5, which are diversion points identified under prior approval for Micron water right nos. 63-9357, 63-10208 and 63-11293. Any integration of one or more of the Oregon Trail, Gowen or proposed Micron no. 6 wells with well nos. 3 through 5 for a common system will require additional transfer approval to update the complete diversion points for Micron's three other water rights. This step can be achieved by amending Transfer Application 68944 or by filing a subsequent transfer. Either option will involve additional legal notices.

Please submit Rule 040.05.c information and address the additional transfer issue within thirty (30) days of the date of this letter. If the information is not timely submitted, the applications will be removed from the records of this agency. Thank you for your attention to these matters. Please let me know if I can be of assistance.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

*conference call of
John Chapman + Terry Swanson:
decisions to file now....
ok per follow up
consent with
garry S.*

*-jz
e 4/12/01*

MICROFILMED

APR 23 2002

Lester, Steve

From: Lester, Steve
Sent: Monday, April 09, 2001 1:54 PM
To: Mike McIntyre (E-mail); Terry Scanlan (E-mail)
Subject: Micron Applications for Permit & Transfer

Gentlemen:

Terry recently asked for a heads up about the legal notices for the most recent Micron filings. The ads are attached to this email for your convenience. The ads should run in the *Idaho Statesman* on April 19 and 26, 2001 with a protest deadline of May 7, 2001.

Please allow a couple days past the protest deadline prior to inquiring about protests. That allows any mail received at other IDWR offices to reach the Western Region office.

Please let me know if you need anything.

-- Steve Lester
IDWR Western Region Office



MicronPermit.doc



MicronXfer.doc

MICROFILMED
APR 23 2002

Lester, Steve

From: Lester, Steve
Sent: Monday, March 19, 2001 9:08 AM
To: 'TMSCANLAN@aol.com'
Subject: RE: Micron Permit and Transfer Applications

*emailed on
4/9/01 to
Terry + Mike
-SL*

Terry:

This office can provide you a copy of the legal notices but not a chance to review the notices prior to publication. Pre-publication review by applicants would add to our workload. We can ill afford the extra time and effort. Instead, we should use our time to process water rights filings in a timely manner.

I will make sure we send you a copy of the legal notices.

-- Steve

-----Original Message-----

From: TMSCANLAN@aol.com [mailto:TMSCANLAN@aol.com]
Sent: Thursday, March 15, 2001 11:22 AM
To: slester@idwr.state.id.us
Cc: mmcintyre@micron.com
Subject: Micron Permit and Transfer Applications

Steve -

Would it be possible to review the proposed legal notices for Micron's pending applications prior to publishing? If so, please send a copy to me and/or Mike McIntyre. Thanks.

Terry

MICROFILMED

APR 23 2002

Receipt Details for ID W027316

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/24/01 4:36:17 PM	1/25/01 2:55:19 PM	WESTERN	\$1,100.00	Check
Payer		MICRON TECHNOLOGY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1091845			
Card Expiration Date	Credit Card Transaction #		

Comment

APPLICATION FOR PERMIT-\$610.00 ~ OK for 10.00 cfs
 APPLICATION FOR TRANSFER-\$490.00 ~ OK for 6.09 cfs -FL

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$610.00	PERMITS	62103	0229	21		1155
\$490.00	TRANSFERS	62105	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

MICROFILMED

APR 23 2002



RECEIVED

JAN 23 2001

WATER RESOURCES
WESTERN REGION

Micron Technology, Inc.
8000 S. Federal Way
P.O. Box 6
Boise, ID 83707-0006
208.368.4000

January 23, 2001

Mr. Gary Spackman
Western Regional Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Application for Water Right Transfer and Application for Water Right Permit

Dear Gary:

Enclosed please find an Application for Transfer of Water Right and an Application for Permit to Appropriate the Public Waters of the State of Idaho. These applications are submitted by Micron Technology, Inc. (MTI) as part of our on-going efforts to enhance the water supply for our semiconductor manufacturing facility in southeast Boise.

The Application for Transfer involves two water rights recently acquired by MTI from United Water Idaho (UWI). The water rights are associated with the Oregon Trail Well (63-08992) and the Gowen Well (63-09029). These water rights and wells were acquired by MTI as part of the Southeast Boise Groundwater Project jointly funded by MTI and UWI. The Southeast Boise Groundwater Project included three new UWI wells on the Tenmile Ridge, a 3-million gallon storage tank, and a 24-inch pipeline from the new wells to the UWI service area formerly served by the Gowen and Oregon Trail wells. MTI now proposes utilizing the Gowen and Oregon Trail water rights for industrial and irrigation purposes at MTI's facilities in southeast Boise.

The Application for Permit proposes recovery of water stored in the aquifer by underground injection. As you are probably aware, MTI has been working for the past several years on a surface water delivery system from the Boise River, a surface water treatment plant at the MTI site, and an injection well for aquifer recharge purposes. The surface water delivery system and the injection well are complete, and the surface water treatment plant is under construction. Upon completion of the treatment plant in early 2001, MTI plans to begin injecting treated Boise River water into the aquifer. Numerical modeling by Brockway Engineering of various recharge scenarios has shown that the injected water can be fully recovered provided that recovery takes place within a reasonable amount of time. Therefore, the Application for Permit proposes recovery of the injected surface water within a 5-year time limit. Water not recovered within 5 years of injection would not be eligible for recovery under the proposed permit.

MICROFILMED

The future of memory

JAN 23 2002

Mr. Gary Spackman
January 23, 2001
Page 2

We understand that the Department is not processing most new applications for permit within the Southeast Boise Ground Water Management Area. However, the appropriation proposed by the Application for Permit is fully mitigated. Therefore, we request that the application for permit be processed as soon as possible.

Please contact me with any questions regarding these applications. We would be happy to provide additional information on request. We look forward to your response.

Sincerely,

 ← 368-4358
John Chapman
Water Services Manager

JC/sms

cc: Steve Stout, Micron Technology, Inc.
Roy Clymer, Micron Technology, Inc.
Mike McIntyre, Micron Technology, Inc.
Terry Scanlan, Scanlan Engineering

MICROFILMED

APR 23 2002



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

April 12, 2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No. 68944 *W.R. # 63-31184*
Water Right No(s). 63-8992 63-9029

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 05/07/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED
APR 23 2002

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 68944**

MICRON TECHNOLOGY INC. of 8000 S. Federal Way, PO Box 6, Boise ID 83707 has applied to the Department of Water Resources to change the Point of Diversion, Place of Use and Nature of Use pursuant to I.C. § 42-222 for the following water rights in Ada County:

Sections in this notice are within T2N R2E, T2N R3E or T3N R3E. The Micron manufacturing site is east of Federal Way near the Interstate 84 Gowen exit in southeast Boise. Contact the Western Region office noted below for more information about exact legal locations. Both water right licenses currently authorize ground water for year around municipal use within Boise and the surrounding service area of the municipal provider.

No. 63-8992, priority 7-25-1977, diversion rate of 2.09 cfs for 1,268 acre-feet-annum (afa), diverted from the Oregon Trail well in SENW Section 31 (about 1.5 miles north of Micron site).

No. 63-9029, priority 9-9-1977, diversion rate of 4.0 cfs for 806 afa, diverted from the Gowen well in Gov. Lot 3 NENW S1 (about 1.25 miles northwest of Micron site).

Both licenses are claimed in the Snake River Basin Adjudication (SRBA) as shown above except SRBA Claims describe the municipal service area as multiple sections spread throughout seven townships. SRBA Claim for #63-8992 also lists 2.45 cfs instead of the licensed rate of 2.09 cfs.

PROPOSED CHANGE

Five existing wells and one proposed well are involved in the change from municipal use in a broad service area to industrial and irrigation uses for the Micron manufacturing site. The Oregon Trail and Gowen wells will be linked to three existing Micron wells and one proposed Micron well. The six wells will serve as common diversion points for both water rights. Well locations include the following: the above noted Oregon Trail and Gowen well sites, a proposed well in SESW S6, and three existing wells in portions of S7.

The same Micron wells and Micron site are also described by Application 63-31183. Transfer 68944 proposes to pump ground water previously authorized as municipal use, and Application 63-31183 proposes to pump ground water to be recovered from injection of surface water into the SE Boise aquifer.

Specific uses of the water rights are described as follows. **No. 63-8992** will provide 2.09 cfs and 1,268 afa for year around industrial use, 1.5 cfs and 300 afa to irrigate 100 acres, for a total use of 2.09 cfs and 1,268 afa. **No. 63-9029** will provide 4.0 cfs and 806 afa for year around industrial use. **Total amount** of water will be 6.09 cfs and 2074 afa. Place of Use for both water rights will include portions of Sections 6, 7, 8 and 18 located north, east and south of Micron.

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 May 7, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on April 19 and 26, 2001.

MICROFILMED

APR 23 2002

MEMORANDUM

TO: FILE 63-08992

FROM: VAULT

RE: TRANSFER # 4816

DATE: 09-11-2000

=====

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

FILE # 63-07577

MICROFILMED

SEP 13 2000



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

March 22, 2000

RECEIVED

To: *Distribution List*

MAR 23 2000

Re: *1999 Water Measurement Reports and Ownership Changes* Department of Water Resources

Dear Interested Party:

I am pleased to say that most of the 1999 measurement reports and related details were received for wells in the Southeast Boise Ground Water Management Area (GWMA). Reports for several wells are incomplete at this time. Please review the following information and respond in writing. Note that 1999 measurement reports were due by March 1, 2000. Additionally, ownership changes to water rights and associated records are the responsibility of new owners within 120 days of purchases of property (*I. C. § 42-248*).

Water Right No. 63-03416 and associated Snake River Basin Adjudication (SRBA) Claim No. A63-03416 are recorded in the name of Security Industries (water right) and Trus Joist Corp. (claim). The 1999 measurement report was received on 3-8-2000 without the \$25 filing fee. I recently had a conversation with the new owner about the required fee and ownership change that should be filed. These two items have not been completed yet.

Water Right no. 63-08006 and SRBA Claim No. A63-08006 are recorded in the name of Granger. I understand that the Simplot Company bought the property associated with these records. Recently I had some telephone and email exchanges with a Simplot representative regarding this well. A 1999 measurement report and change in ownership have not been filed to date. A report and \$25 fee should be filed, and the report might include an explanation of why data are not available and what steps the new owner will take to correct that scenario if that is the case. The ownership change should also be documented.

Water Right Nos. 63-08992 and 63-09029 and SRBA Claim Nos. A63-08992 and A63-09029 are recorded in the name of Boise Water Corp./United Water Idaho. These records concern the "Oregon Trail" and "Gowen" wells. Micron Technology Inc. filed the 1999 measurement reports for these wells, and it is my understanding that Micron purchased these rights and claims. The new owner must file a change in ownership for these records.

MICROFILMED

APR 18 2000

March 22, 2000

Page 2 of 2

The well owners must file properly completed measurement reports, including fees. New owners must also file documentation of ownership changes for water rights and SRBA claims. Both of these actions are required by Idaho law and associated Orders issued in recent years by the Idaho Department of Water Resources Director. Well owners can provide valuable and greatly appreciated contributions to the management of the GWMA by taking care of these administrative details.

Enclosed are "change in ownership" forms for your use. It is advisable to list the water right *and* SRBA claim numbers on the form instead of just one or the other. No payment is needed to complete the ownership change step. To fully protect the use and status of these water rights and to avoid more cumbersome regulatory actions required of IDWR in such circumstances, please direct your written response to me within fifteen (15) days of the date of this letter. I will be glad to help you in any way that I can in these matters. Thank you for your efforts in these detailed but important items.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

Distribution: Rick Thomas, Wild Shamrock Partnership

Vic Conrad, J. R. Simplot Co.

Mike McIntyre, Micron Technology Inc.

MICROFILMED
APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 1995

BOISE WATER CORP
PO BOX 7488
BOISE ID 83707

RE: WATER RIGHT NO. 63-08992

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

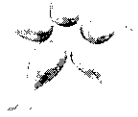
Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JAN 31 1996

United Water



RECEIVED

DEC 20 1995

Department of Water Resources

United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208-362-1300
facsimile 208-362-1479

December 19, 1995

Mr. Shelley W. Keen
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Dear Shelley:

Enclosed are the signed Applications for Amendments for **Water Rights 63-08992 (Oregon Trail Well) and 63-09029 (Gowen Well)** along with a check for the balance of the filing fees. Thank-you for your patience and assistance with the licensing of these rights in what has been a rather long drawn out process. We feel that the issues raised during this procedure have contributed greatly to our understanding of what is needed to put the United Water Idaho, Inc's water rights portfolio in order. Next year promises to be an interesting one for water-rights in the Boise River Valley and we look forward to a continued working relationship with you.

Sincerely,

Ed Squires

JAN 31 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 1995

UNITED WATER IDAHO
PO BOX 7488
BOISE ID 83707

RE: WATER RIGHT NO. 63-08992 and 63-09029

Dear Water Right Holder(s):

I previously forwarded to you Applications for Amendment so that you could amend your permits to depict your water rights as they have actually been developed.

As of this date, I have not received these amendments. If I do not receive the amendments within fourteen (14) days, Water Right Licenses will be issued for less than could have been allowed. In case the amendment forms I sent you have been misplaced, new ones are enclosed. Please note in our correspondence of November 6, 1995, that \$20.00 toward amendment 63-08992 has been credited, leaving a balance of \$80.00 to be sent in with the signed amendments.

If you have any questions, please call me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JAN 31 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 6, 1995

UNITED WATER IDAHO
C/O ED SQUIRES
PO BOX 7488
BOISE ID 83707-1488

RE: Water Rights 63-08992 and 63-09029

Dear Ed:

Thank you for sending the information about water rights 63-08992 and 63-09029, your Oregon Trail well and your Gowen well, respectively. Before the rights can be licensed, the permits must be amended to correct the nature of use and place of use descriptions. I have prepared the enclosed applications for amendment, which are based in part upon the information you supplied.

I have also enclosed the application for amendment of permit 63-08992 that you submitted in 1991. It was never approved, apparently because the information on it does not appear to be supported by the information in the file. It should be replaced by the new version.

The fee for each amendment is \$50.00. You paid \$20.00 toward the amendment for 63-08992 in 1991 (receipt #C021932). That amount will be credited to the new version. Therefore, the total fee necessary to amend both 63-08992 and 63-09029 is \$80.00.

Please review the applications for amendment carefully. If you agree with the information presented, please sign the forms and return them with the fee within fourteen (14) days.

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

Shelley Walter Keen
Water Rights Supervisor

SWK
Enclosures

RECEIVED
JAN 31 1996

MEMORANDUM

DATE: November 1, 1995

TO: File 63-08992

FROM: Shelley W. Keen *SWK*

RE: Diversion Rate and Volume

=====

Right 63-08992 for municipal purposes was originally permitted for other uses. Therefore, unlike many other municipal water rights, it requires an annual diversion volume limit based on actual beneficial use. Proof of Beneficial Use was submitted on 11/6/79. Pumping records submitted to me by United Water Idaho show that 413,150,000 gallons, or 1267.9 AF, were pumped from this well from 3/15/79 to 3/14/80. A full year of data prior to the submission of Proof of Beneficial Use is not available because the diversion was turned into the Boise Water Corporation delivery system on 3/15/79. Those records also show that prior to 11/6/79 the well was pumped at a maximum rate of 940 gpm, or 2.09 cfs. Therefore, I recommend that right 63-08992 be licensed showing a capacity of 2.09 cfs, a diversion rate limitation of 2.09 cfs, and an annual diversion volume limit of 1267.9 AF.

[Faint stamp]
JAN 31 1996

NOV 01 1995

Department of Water Resources

Oregon Trail

Oregon Trail

Date		Time	APM	APM	Date	Time	APM	APM	AP Time
1	Mar 15		800	363	April 20		860	392	57 11:00 A
2	" 16	000,150,000	START IN 575724		" 21	11:00 PM	890	392	55 10:55 AM
3	" 20	001,200			" 22	10:05 "	880	391	56 10:45 AM
4	" 21	002,400	800	377	" 23	10:05 "	875	391	57 10:53 AM
5	" 22	003,610	900	390	" 24	10:05 "	900	392	57 11:05 AM
6	" 23	004,800	800	393	" 25	9:55 "	900	391	57 11:15 AM
7	" 24	006,010	890	390	" 26	10:15 "	900	390	56 9:40 AM
8	" 25	007,240	900	392	" 27	9:50 "	900	390	56 10:50 AM
9	" 26	008,500	800	375	" 28	10:20 "	925	395	48 10:00 AM
10	" 27	009,640	800	374	" 29	11:36 "	800	391	60 6:45 AM
11	" 28	010,860	900	375	" 30	10:25 "	900	392	58 9:30 AM
12	" 29	012,020	900	390	May 01	10:43 "	850	390	55 10:35 AM
13	" 30	013,210	880	391	" 02	10:15 "	850	390	55 11:00 AM
14	" 31	014,410	890	391	" 03	9:55 "	850	395	50 11:05 AM
15	April 1	015,640	880	391	" 04	9:45 "	800	395	53 10:30 AM
16	" 2	016,880	800	390	" 5	10:30 "	800	395	50 11:30 AM
17	" 3	018,030	800	385	" 6	10:55 "	800	391	59 11:10 AM
18	" 4	019,240	800	390	" 07	10:00 "	850	385	58 11:15 AM
19	" 5	020,400	800	391	" 8	10:15 "	800	392	60 9:55 AM
20	" 6	021,620	850	390	" 9	9:15 "	800	392	50 10:15 AM
21	" 7	022,770	880	391	" 10	10:20 "	850	392	60 12:10 PM
22	" 8	024,030	880	390	" 11	9:35 "	800	393	58 11:25 AM
23	" 9	025,210	820	390	" 12	10:30 "	900	393	56 12:01 PM
24	" 10	026,370	820	391	" 13	10:15 "	800	394	54 11:50 AM
25	" 11	027,620	900	391	" 14	9:25 "	940	398	43 11:25 AM
26	" 12	028,840	900	391	" 15	10:50 "	800	385	72 10:55 AM
27	" 13	030,000	875	391	" 16	11:00 "	750	390	72 10:50 AM
28	" 14	031,170			" 17	10:45 "	800	398	72 10:45 AM
29	" 15	032,380			" 18	10:20 "	825	388	71 9:00 AM
30	" 16	033,610	800	385	" 19	10:25 "	750	399	74 12:15 PM
31	" 17	034,720	850	385	" 20	10:35 "	800	399	72 12:53 PM
32	" 18	036,010	840	392	" 21	10:45 "	750	390	73 11:55 AM
33	" 19	037,180	840	394	" 22	10:45 "	800	390	74 11:00 AM
					" 23	10:10 "	800	392	71 10:50 AM

JAN 31 1996

Oregon Trail

Date	Prod.	S.P.M.	SP	Time	Date	Prod.	SP	Time
May 24	078,160,000	800	392	10:45 A	June 28	114660	800	394
" 25	079330	700	391	12:35 P	" 29	115840	750	393
" 26	080320	825	392	10:50 A	" 30	116880	-	395
" 27	081320	800	392	8:50 "	July 1	117980	800	394
" 28	082560			11:30 "	" 2	119130	800	392
" 29	083570	800	391	10:46 "	" 3	120200	800	394
" 30	084680	700	391	11:05 "	" 4	121430	800	395
" 31	085740	800	392	10:45 "	" 5	122370	800	395
June 01	086790	800	394	9:50 "	" 6	123580	750	393
" 02	088000	700	410	12:25 P	" 7	124760	800	396
" 3	089080	800	410	12:40 "	" 8	125750	800	395
" 4	090060	800	392	10:20 P	" 9	126780	800	395
" 5	091160	800	393	10:40 "	" 10	127880	800	395
" 06	092250	750	391	11:05 "	" 11	129010	800	394
" 07	093410	800	393	11:00 P	" 12	130070	800	395
" 08	094400	800	392	11:50 A	" 13	131190	800	395
" 09	095670	800	390	2:45 P	" 14	132170 (Power off)		
" 10	096770	800	390	3:10 "	" 15	133360	800	393
" 11	097670	800	395	10:50 P	" 16	134420	800	395
" 12	098750	775	393	10:30 "	" 17	135490	800	393
" 13	100280	800	435	8:45 P	" 18	136640	800	395
" 14	100980	750	394	11:25 A	" 19	137790	800	395
" 15	102050	800	393	10:55 "	" 20	138880	800	395
" 16	103340	800	394	3:20 P	" 21	139970	800	393
" 17	104450	800	390	3:50 "	" 22	141130	800	390
" 18	105220	800	393	10:30 P	" 23	142170	800	394
" 19	106260			10:20 "	" 24	143220	800	395
" 20	107000	800	387	10:40 "	" 25	144270	750	390
" 21	108160	800	390	12:05 P	" 26	145260		
" 22	109190	800	393	10:50 A	" 27	Off (broken main)		
" 23	110280	800	393	11:00 "	" 28	146200	800	395
" 24	111420	800	395	11:25 "	" 29	147370	800	390
" 25	112490	800	392	10:45 "	" 30	148360	800	394
" 26	113670	780	392	12:35 "	" 31	149460	800	394
" 27					Aug. 01	150590	800	394

Oregon Trail

Date	Prod.	SP	Time	Date	Prod.	SP	Time
June 28	114660	800	394	June 28	114660	800	394
" 29	115840	750	393	" 29	115840	750	393
" 30	116880	-	395	" 30	116880	-	395
July 1	117980	800	394	July 1	117980	800	394
" 2	119130	800	392	" 2	119130	800	392
" 3	120200	800	394	" 3	120200	800	394
" 4	121430	800	395	" 4	121430	800	395
" 5	122370	800	395	" 5	122370	800	395
" 6	123580	750	393	" 6	123580	750	393
" 7	124760	800	396	" 7	124760	800	396
" 8	125750	800	395	" 8	125750	800	395
" 9	126780	800	395	" 9	126780	800	395
" 10	127880	800	395	" 10	127880	800	395
" 11	129010	800	394	" 11	129010	800	394
" 12	130070	800	395	" 12	130070	800	395
" 13	131190	800	395	" 13	131190	800	395
" 14	132170 (Power off)			" 14	132170 (Power off)		
" 15	133360	800	393	" 15	133360	800	393
" 16	134420	800	395	" 16	134420	800	395
" 17	135490	800	393	" 17	135490	800	393
" 18	136640	800	395	" 18	136640	800	395
" 19	137790	800	395	" 19	137790	800	395
" 20	138880	800	395	" 20	138880	800	395
" 21	139970	800	393	" 21	139970	800	393
" 22	141130	800	390	" 22	141130	800	390
" 23	142170	800	394	" 23	142170	800	394
" 24	143220	800	395	" 24	143220	800	395
" 25	144270	750	390	" 25	144270	750	390
" 26	145260			" 26	145260		
" 27	Off (broken main)			" 27	Off (broken main)		
" 28	146200	800	395	" 28	146200	800	395
" 29	147370	800	390	" 29	147370	800	390
" 30	148360	800	394	" 30	148360	800	394
" 31	149460	800	394	" 31	149460	800	394
Aug. 01	150590	800	394	Aug. 01	150590	800	394

Oregon Trail

Oregon Trail

Date	Prod.	SPM	SP	Time	Date	Prod.	SPM	SP	Time
Oct. 11	228400	825	394	10:20 A	Nov 15	267660,000	1000	392	11:20 A
" 12	229470	800	394	9:45 "	" 16	268880	825	395	11:10 "
" 13	230740	810	395	11:55 P	" 17	270010	900	394	10:10 "
" 14	231830	800	394	2:00 "	" 18	271230	900	395	10:25 - "
" 15	232800	790	394	12:00 N	" 19	272430	860	398	12:10 P
" 16	233850	800	394	11:15 A	" 20	273730	800	397	10:30 A
" 17	234840	800	394	9:35 "	" 21	274880	800	394	11:10 "
" 18	235900	760	391	9:30 "	" 22	276010	900	391	9:45 "
" 19	236950	780	390	9:15 "	" 23	277370	900	392	1:00 P
" 20	238040	800	390	9:45 "	" 24	278400	905	395	9:45 A
" 21	239200	790	390	12:10 P	" 25	279580	875	394	9:15 "
" 22	240220	800	395	11:05 A	" 26	280880	800	395	11:00 "
" 23	241310	800	396	11:35 A	" 27	282060	800	390	10:25 "
" 24	242420	800	400	12:45 P	" 28	283260	900	393	10:50 "
" 25	243430	750	397	11:45 A	" 29				
" 26	244410	800	388	10:05 "	" 30	285630	800	392	10:15 - "
" 27	245510	780	388	10:55 "	Dec 1	286880	825	395	11:20 -
" 28	246590	790	388	10:35 "	" 2	288010	920	395	10:00 A
" 29	247680	800	387	11:25 "	" 3	289240	900	394	9:50 "
" 30	248790	880	395	10:25 "	" 4	290410		394	9:10 "
" 31	249970	800	393		" 5	291680	800	393	10:10 "
Nov. 01	251060	850	392	9:35 "	" 6	292910	800	396	10:30 "
" 02	252280	830	392	9:135 "	" 7	294120			11:10 "
" 03	253500	860	391	10:50 "	" 8				10:45 "
" 04	254580	840	391	12:00 N	" 9	296530			11:40 "
" 5	255710	800	395	10:55 A	" 10	297730	900	394	10:15 "
" 6	256910	800	394	10:10 "	" 11	298780	800	394	9:15 "
" 7	258050	800	397	11:10 "	" 12	300200	800	395	10:40 "
" 8	259160	800	395	10:35 "	" 13	301370	900	393	9:30 "
" 9	260360	800	396	9:55 "	" 14	302110			9:45 "
" 10	261600	900	395	10:30 "	" 15	303510	800	397	10:00 "
" 11	262750	900	394	10:45 "	" 16				11:10 "
" 12	263970	910	397	9:50 "	" 17	306280	860	395	10:45 - "
" 13	265220	850	396	10:00 "	" 18	307450	900	395	9:20 "
" 14	266430	825	390	10:15 "	" 19	308770	900	395	11:20 "
" 15				10:40 "					

Oregon Vail

Date	Prod	SPM	QA	QA	Time
Dec. 20	309840	820	395	49	9:10 A
" 21	311440	800	396	49	10:40 "
1	312360	800	379	49	10:40 "
2	313570	800	395	50	10:45 "
3	314710	800	378	49	10:55 "
4	315980	800	396	50	10:10 "
5	317230	900	395	48	10:45 "
6	318560	875	395	49	9:20 "
7	319890	800	398	49	2:50 X
8	320870	800	396	49	10:30 H
9	322110	800	396	49	11:10 "
10	323310	800	395	48	12:50 "
11					
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Oregon Trail

Oregon Trail

Date		Food	Wagon	MP	Time	Date	Food	Wagon	MP	Time
Jan 1		324,510,000				Feb. 17	381,600,000	890	394	50 10:05 A
" 14		340,360				" 18	382,830	850	396	48 10:15 "
" 15		341,580	800	396	50 11:15 "	" 19	384,060	800	396	48 10:40 "
" 16		343,250	800	396	49 10:15 "	" 20	385,280	850	396	49 10:45 "
" 17		343,990	800	396	49 10:20 "	" 21	386,480	830	397	48 10:15 "
" 18		345,260	800	300	49 11:20 "	" 22	387,720	875	396	48 10:30 "
" 19		346,490	925	394	49 11:35 "	" 23	388,910	900	395	48 10:10 "
" 20		347,650	900	395	50 10:35 "	" 24	390,130	900	395	49 10:00 "
" 21		348,860	800	395	50 10:40 "	" 25	391,370	830	397	48 10:20 "
" 22		350,100	800	396	49 11:00 "	" 26	392,560	825	396	49 10:00 "
" 23		351,260	800	397	48 10:00 "	" 27	393,810	800	396	49 10:50 "
" 24		352,470	900	394	49 9:45 "	" 28	394,970	850	397	48 9:25 "
" 25		353,710	800	393	48 10:30 "	" 29	396,270	1050	398	48 11:10 "
" 26		355,050	900	394	47 11:10 P	May 1	397,490	910	396	46 11:40 "
" 27		356,150	900	394	48 10:45 A	" 2	398,600	900	395	50 9:35 "
" 28		357,390	900	395	50 11:10 A	" 3	399,850	850	397	48 10:15 "
" 29		358,600	800	395	50 10:55 "	" 4	401,050	825	396	63 10:00 "
" 30		359,800	800	390	49 10:50 "	" 5	402,290	900	397	50 10:35 "
" 31		361,000	850	385	50 10:25 "	" 6	403,470	825	396	49 9:30 "
Feb. 01		362,260	900	396	49 11:15 "	" 7	404,710	825	395	49 10:35 "
" 02		363,390	900	395	50 9:35 "	" 8	405,910	900	395	49 10:15 "
" 03		364,630	900	397	50 10:05 "	" 9	407,040	900	395	49 9:45 "
" 04		365,850	850	397	50 10:15 "	" 10	408,280	825	396	50 10:30 "
" 05		367,040	800	398	50 10:00 "	" 11	409,430	800	396	50 9:30 "
" 06		368,280	800	394	50 10:20 "	" 12	410,710	825	396	49 10:45 "
" 07		369,510	850	396	50 11:00 "	" 13	411,870	830	396	48 9:15 "
" 08		370,730	800	396	50 11:05 "	" 14	413,150	835	396	49 11:00 "
" 09		371,870	910	395	45 9:30 "	" 15	414,250	890	395	57 8:40 "
" 10		373,120	900	395	50 10:10 "	" 16	415,510	920	396	48 9:50 "
" 11		374,310	800	396	50 9:50 "	" 17	416,740	800	397	50 10:05 "
" 12		375,540	825	397	49 10:15 "	" 18	417,930	800	395	50 9:45 "
" 13		376,780	900	394	59 10:30 "	" 19	419,220	890	396	49 11:30 "
" 14		377,980	850	395	55 10:20 "	" 20	420,360	825	397	48 9:25 "
" 15		379,190	900	396	48 10:20 "	" 21	421,670	825	396	49 12:00 "
" 16		380,410	890	393	50 10:30 "	" 22	422,780	890	395	50 10:20 "

Oregon Trail

Oregon Trail

Date	Prod	Alt	Stops	Alt	Time	Date	Prod	Alt	Stops	Alt	Time
Mar 23	423,984,000	900	395	49	10:05 A	April 29	468,560	1000	46	10:00 A	
" 24	425,180	900	393	50	9:55	" 30	469,840	890	48	10:00	
" 25	426,360	910	396	49	9:30	MAY 1	470,980	890	394	9:30	
" 26	427,610	800	396	48	10:25	" 2	472,230	890	394	10:30	
" 27	428,770	800	390	48	9:30	" 3	473,360	890	394	9:40	
" 28	430,070	800	395	50	11:10	" 4	474,660	890	395	11:10	
" 29	431,210	850	390	48	10:05	" 5	475,870				
" 30	432,130	850	390	48	10:25	" 6	477,040	1200	390	10:30	
" 31	433,640	800	390	48	10:30	" 7	478,250	1200	405	10:30	
April 1	434,830	900	390	46	10:05	" 8	479,640	890	394	2:25 P	
" 2	436,160	850	391	46	11:05	" 9	480,700	800	396	11:30 A	
" 3	437,250	800	380	48	10:55	" 10	481,790	900	393	9:30 A	
" 4	438,540	850	395	45	11:15	" 11	483,070	875	393	11:25 A	
" 5	439,690	825	395	46	10:40	" 12	484,260	800	396	11:30	
" 6	440,930	800	395	48	10:45	" 13	485,380	850	395	10:05 A	
" 7	442,110	850	390	48	9:50	" 14	486,630	800	395	11:05 A	
" 8	443,300	900	395	47	10:40	" 15	487,790	875	393	10:15 A	
" 9	444,570	825	394	44	9:45	" 16	488,970		396	12:00	
" 10	445,730	800	391	52	9:45	" 17	490,170	900	393	11:45 A	
" 11	446,950	900	397	46	10:10	" 18	491,470	900	393	1:45 P	
" 12	448,160	850	395	50	10:15	" 19	492,630	830	396	4:05 P	
" 13	449,370	850	396	47	10:15	" 20	493,780	850	396	11:00 A	
" 14	450,590	900	400	40	9:50	" 21	495,020	850	394	11:55 A	
" 15	451,800	900		52	10:10	" 22	496,140	800	385	10:20 A	
" 16	452,950	900		52	9:40	" 23	497,470	800	395	12:50 P	
" 17	454,110	1000		54	9:40	" 24	498,500	825	393	9:25 A	
" 18	455,320	1000		61	9:20	" 25	499,750	900	395	9:50 A	
" 20	457,930	900		50	11:45	" 26	501,020	875	390	11:25 A	
" 21	459,010	1200	390	47	10:20	" 27	502,190	830	396	10:20	
" 22	460,140	1700	390	57	9:20	" 28	503,360	850	395	9:40	
" 23	461,390	1400	390	47	10:05	" 29	504,500	650		10:30	
" 24	462,610	1000	390	47	10:10	" 30	505,770	650	370	11:00	
" 25	463,900	1000	390	48	11:40	" 31	506,600	900	368	6:00	
" 26	465,020	900	394	52	10:20	June 01	507,930	700	387	9:20 A	
" 27	466,200	900	394	52	10:45	June 02	508,650	800	70	7:30	
" 28	467,490	1000	390	46	12:05 P						



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 1995

ED SQUIRES
UNITED WATER IDAHO
PO BOX 7488
BOISE ID 83707-1488

RE: Water Rights 63-08992 and 63-09029

Dear Ed:

A few weeks ago you stopped by to discuss the additional information needed before IDWR can issue licenses for the diversions from your Oregon Trail (63-08992) and Gowen (63-09029) wells. I am writing to remind you of the information I need and to request that you send it as soon as possible.

For the Oregon Trail well, I need records of the annual volume pumped prior to Nov. 5, 1979, the date proof of beneficial use was received. I know that providing the information may be complicated by the fact that the system did not go on line for Boise Water Corp. until March 15, 1979, which means that United Water may not possess records for a full year of diversions prior to 11/5/79. If an entire year of data prior to 11/5/79 is not available, records for 3/15/79 to 3/15/80 may be acceptable.

For the Gowen well, I need records of the annual volume pumped prior to Oct. 6, 1982, the date proof of beneficial use was received. Records for the period from 1/1/81 to 12/31/81 may be most appropriate. An earlier recommendation of 744.6 AF for this right comes from 1985 data submitted by Dan Brown. The 1985 data may not reflect development that occurred prior to proof of beneficial use being received.

This information is necessary to license rights 63-08992 and 63-09029 appropriately. Please forward it to me within fourteen (14) days. If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

JAN 31 1996

M E M O R A N D U M

DATE: September 13, 1995

TO: File 63-08992

FROM: Shelley W. Keen *(SWK)*

RE: Request for information from United Water Idaho

=====

A couple of weeks ago Ed Squires of United Water Idaho stopped by to discuss this permit. I explained to him that before the right can be licensed I need records of the annual volume pumped prior to Nov. 5, 1979, the date proof of beneficial use was received. Providing the information may be complicated by the fact that the system did not go on line for Boise Water Corp. until March 15, 1979. Therefore, United Water may not possess records for a full year of diversions prior to 11/5/79. I suggested that records for 3/15/79 to 3/15/80 may be acceptable. Ed said he would try to supply the information to me.

The 744.7 AF volume recommendation for this right is not substantiated by information in the file.

(Stamp: 63-08992)
JAN 31 1995

United Water**United Water Idaho**
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208 362 1300
facsimile 208 362 3858

Date: 7-5-95
To: Shelley Keen
From: I DWR
Subject: Oregon Trail
of pages: 3 plus this cover
cc: 327-7866
Shelley

Fax

Here are some pump house records from our 1979 production book. Apparently the well was turned into the system on March 15, 1979. Except for minor problems, such as power outages or main-line breaks, the well has pumped continuously until today (1995).

Thankyou for the water-rights portfolio for the well, it is much more complete than ours was.

Please let me know how we can resolve this ASAP.

Sincerely:

Ed Squires

JAN 31 1996

63-08992

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OREGON TRAIL

Date	Lead	APM	DD	DP	Time	
1	MAR 15	START IN SYSTEM	363	82	11:00 AM	
2	" 16	000,150,000		50	10:05 "	
3	" 20	001200	800	377	80	10:05 "
4	" 21	002400	900	390	58	10:05 "
5	" 22	003610	800	393	58	9:55 "
6	" 23	004800	890	390	58	10:15 "
7	" 24	006010	900	390	55	9:50 "
8	" 25	007240	900	392	52	10:20 "
9	" 26	008,500	800	375	59	11:36 "
10	" 27	009,640	800	394	58	10:25 "
11	" 28	010,860	900	375	60	10:44 "
12	" 29	012,020	900	390	58	10:15 "
13	" 30	013,210	880	391	56	9:55 "
14	" 31	014,410	890	391	58	9:45 "
15	April 1	015,640	880	391	59	10:30 "
16	" 2	016,880	800	390	69	10:55 "
17	" 3	018,030	800	385	58	10:40 "
18	" 4	019,240	800	390	58	10:15 "
19	" 5	020,400	800	391	57	9:15 "
20	" 6	021,620	850	390	59	10:20 "
21	" 7	022,770	880	391	58	9:35 "
22	" 8	024,030	880	390	58	10:30 "
23	" 9	025,210	820	390	60	10:15 "
24	" 10	026,390	820	391	60	9:35 "
25	" 11	027,620	900	391	60	10:50 "
26	" 12	028,840	900	391	61	11:20 "
27	" 13	030,000	875	391	58	10:45 "
28	" 14	031,170		392	55	10:20 "
29	" 15	032,380	880	391	57	10:25 "
30	" 16	033,610	800	385	58	10:55 "
31	" 17	034,770	850	385	57	10:05 "
32	" 18	036,010	840	392	58	10:45 "
33	" 19	037,180	840	394	54	10:10 "

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Oregon Trail

Date	Read	HPM	DO	DP Time	
April 20	038,420,000	860	392	57	11:00 P
" 1	039,620	890	392	55	10:35 " 1
" 2	040,810	880	391	56	10:45 " 2
" 3	041,970	875	391	57	10:55 " 3
" 4	043,190	900	392	57	11:05 " 4
" 5	044,410	900	391	57	11:15 " 5
" 6	045,440	900	390	56	9:40 " 6
" 7	046,710	900	390	55	10:50 " 7
" 8	047,890	925	395	48	10:00 " 8
" 9	048,910	800	391	60	6:45 " 9
" 10	050,210	900	392	58	9:30 " 10
May 1	051,500	850	390	55	10:35 " 11
" 2	052,750	850	390	55	11:00 " 12
" 3	053,970	850	395	50	11:05 " 13
" 4	055,230	800	395	53	10:30 " 14
" 5	056,440	800	395	50	11:30 " 15
" 6	057,630	800	391	59	11:10 " 16
" 7	058,810	850	385	58	11:15 " 17
" 8	059,900	800	392	40	9:55 " 18
" 9	61080	800	392	50	10:15 " 19
" 10	62370	850	392	60	12:10 P 20
" 11	63530	800	393	58	11:25 P 21
" 12	64800	900	393	56	12:00 Noon 22
" 13	66000	800	394	54	11:50 P 23
" 14	67230	940	398	43	11:25 " 24
" 15	68330	800	385	72	10:55 " 25
" 16	69440	750	396	72	10:50 " 26
" 17	70,530	800	398	76	10:45 " 27
" 18	71540	825	138	41	9:00 P 28
" 19	072800	750	399	74	12:15 P 29
" 20	073890	800	399	72	12:35 " 30
" 21	074940	750	390	73	11:55 " 31
" 22	075,990	800	390	74	11:00 " 32
" 23	077080	800	392	71	10:50 " 33

JAN 31 1996

63-08992

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Oregon Trail

Date	Prod	APM	800	DP	Time
Dec 20	309840	820	395	49	9:10 A
" 21	311410	800	396	49	10:40 "
1 " 22	312360	800	379	47	10:40 "
2 " 23	313520	800	395	50	10:45 "
3 " 24	314710	800	378	47	10:35 "
4 " 25	315980	800	396	50	10:15 "
5 " 26	317220	900	395	48	10:45 "
6 " 27	318360	875	395	49	9:20 "
7 " 28	319890	800	398	49	2:50 P
8 " 29	320870	800	396	47	10:30 H
9 " 30	322110	800	396	47	11:10 "
10 " 31	323310	800	395	48	10:30 "
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JAN 31 1996

63-08992

FAX NO. (208) 362-1479

FAX COVER LETTERDate: 6-26-95Time: 9:00

Please Deliver to:

From:

Name: S.W. KeenE. SquiresFirm: IDWRNo. of page(s) transmitted including
this cover sheet

CC: _____

FAX NO: 327-78662 Page(s)

If you have any problem receiving, please call:

Operator: _____ Tele. No. (208) 362-1704

MESSAGE:

Shelley,
Here is the hydrograph and
production data for our Oregon Trail well
beginning in 1978. The well is, and has
always been used for municipal purposes. Please
let me know if you need more information.
I would appreciate your getting back to me ASAP
on the Oregon Trail and Gowan water rights.

Thank you

Ed

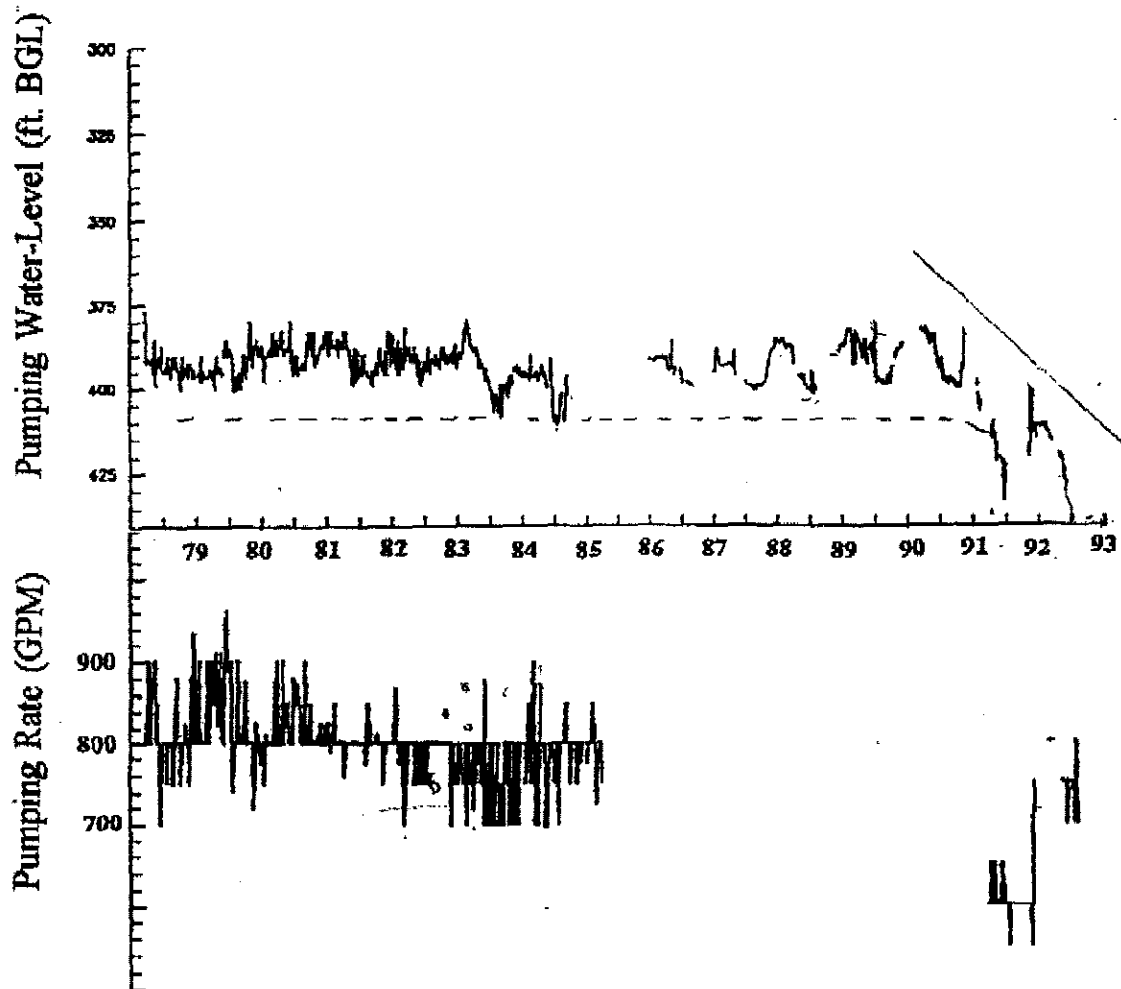
BWC-Oregon Trail Production Well

Figure 32. The pumping-water-level hydrograph for the 1978 BWC Oregon Trail production well may be the best long-term water-level data for the southwest Boise area. Water-level in the well has been measured continuously since the well was put into production in 1978. The hydrograph strongly suggests that deep water-levels of this part of the Boise aquifer system are not influenced by drought (1984-1992) or wet-periods (1978-1984). Overlooking the minor annual fluctuation on the order of 15-to-20 feet, the water-level in the well has remained relatively constant over the period 1978 to 1991. Beginning in the winter of 1991/1992, significant and unprecedented lowering of the pumping-water-level was observed. The lower part of the diagram shows that discharge from the well has also been relatively constant until 1991. Yield from the well has been reduced to compensate for declining water-levels.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 19, 1995

United Water Idaho
PO Box 7488
Boise, ID 83707

RE: Water Right 63-08992

Dear Right Holder:

Permit 63-08992, which authorizes diversion from your Oregon Trails well, is in the process of being licensed. The file shows that in 1991 you filed an application to amend the nature of use of the water right to municipal purposes. Additional review indicates that the proposed amendment is unsatisfactory. Specifically, the maximum annual diversion volume figure of 744.7 acre feet is not supported by information in the file.

Proof of beneficial use, which signifies completion of development, was filed for this right in 1979. When licensing a water right, the department cannot consider any development that occurred after proof of beneficial use is submitted. Information in our file indicates that the well served only 195 residential lots in the Oregon Trails subdivision in 1979. According to our estimates, 195 residential lots would beneficially use about 234 acre feet per year. Therefore, we are proposing to license right 63-08992 with a maximum annual diversion volume of 234 acre feet.

Most water rights for municipal purposes in Idaho are issued without an annual diversion volume limit. However, because permit 63-08892 was not originally issued for municipal purposes, it carried an implied maximum annual volume limited to that volume beneficially used for the intended purposes. Changing the nature of use of the right to municipal purposes does not erase that implied annual volume limit. Therefore, unlike water rights intended for municipal use from the outset, this right must carry a maximum annual volume limit.

Permit 63-08892 must still be amended before it can be licensed. The enclosed application for amendment contains a description of your water use as verified by the field examiner. Please review the form carefully. If you concur with the information presented, sign the amendment and return it within 14 days. Because this amendment will replace the one you filed previously, no fee is required.

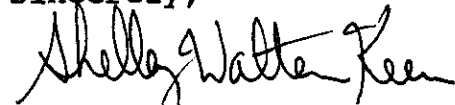
JAN 31 1996

United Water Idaho
Re: Water Right 63-08892
June 19, 1995
Page 2

The last page of the application for amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you have any questions, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosure

JUN 21 1995

MEMORANDUM

Date: June 16, 1995
From: Jim Johnson
To: Shelley
Subject: Municipal Permit 63-08992

=====

I talked to Norm about this permit. He is in agreement on the following general aspects of converting permits originally from subdivision use to municipal use.

1. The license must have a volume listed. The volume is limited to the amount used by the subdivision.
2. The place of use maybe expanded to cover the municipality's service area.
3. If additional volume is needed or desired over the amount developed by the subdivision, a new filing is required.
4. In this case, the well is located within the South East Boise Groundwater Management Area, and new applications will not be approved.

Norm has asked me to confirm the above positions with Phil R.

The above positions are consistent with the message of your letter and I think you can send it after I talk to Phil. I think United Water Idaho will have difficulty in agreeing with our request in light of the creation of the SE Boise CGWA.

If you have questions let me know.

*Phil is in agreement to our position.
Send your letter.*

MEMORANDUM

Date: June 14, 1995
From: Jim Johnson
To: File 63-08992
Subject: Licensing of right

=====

During the process for licensing this right questions arose as to the proper listing of the place of use. After considerable delay a decision was reached to simplify the place of use by using a general statement. The amendment of permit was sent to the permit holder containing the extended place of use description. Since the place of use has not changed but rather generalized on the license another amendment to replace the first one was not requested.

730

1 1996



BOISE WATER CORPORATION

October 1, 1991

RECEIVED
OCT 03 1991

Department of Water Resources

Ms. Sharla Curtis
Technical Records Specialist
Department of Water Resources
State of Idaho
Statehouse Mail
Boise, ID 83720-9000

RE: Water Right No. 63-08992

Dear Ms. Curtis:

Enclosed is the signed Application for Amendment for the Oregon Trail Water Right License, Water Right No. 63-08992. Also enclosed is check No. 105366 in the amount of \$20 to cover the filing fee for said license.

Sincerely,

BOISE WATER CORPORATION

Benjamin M. Hepler

Benjamin M. Hepler
Manager

BMH:smg

Enclosures

JAN 31 1992

September 27, 1991

BOISE WATER CORP
PO BOX 7488
BOISE ID 83707

RE: WATER RIGHT NO. 63-08992

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

JAN 31 1992

Kelly K. Christensen

63-8992

PERMIT IS FOR: DOMESTIC (1700 HOMES)
FIRE PROTECTION @ 7 CFS

FOUND: 195 LOTS DEVELOPED UNDER PERMIT
SYSTEM TIED INTO MUNICIPAL SYSTEM
PEAK DIVERSION - 2.38 CFS
OBSERVED DIVERSION - 1.60 CFS
THEORETICAL CALCULATION - 1.97 CFS

PROOF: SUBMITTED BY BOISE WATER CORP
FOR MUNICIPAL USE

LEGAL LIMIT CONSIDERATIONS CFS AFA

1. FOR 195 DOMESTIC UNITS ONLY (FROM CHART) ≈ 0.59 CFS
 $1.2 \times 195 = 234$ AFA

2. PERMIT INTENTIONS LEGAL LIMIT

FROM CHART (CURVE ENDS @ 1000 HOMES) THEREFORE ESTIMATE
IS MADE FOR 1700 HOMES. ASSUMPTION MADE IS THAT
FROM 1000 TO 1700 HOMES, THE GROWTH RATE IS STEADY
AND CORRESPONDS TO THE RATE OF CHANGE FROM 900
TO 1000 HOMES (0.05 CFS) THIS WILL OVERESTIMATE THE
DIVERSION RATE SOMEWHAT. FOR 1000 HOMES = 1.30 CFS

FOR 700 HOMES @ (0.05 CFS/PERIOD) = 0.35 CFS

TOTAL = 1.65 CFS

JAN 31 1996

ATTACHMENT: A.

BOISE WATER CORPORATION

1985 Production

(x 1000 Gal.)

ZONE 3	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL
COLE	0	0	0	1160	7140	26760	35620	27040	172	0	0	0	97892
COUNTRY CLUB	9720	9210	10070	12990	14600	19030	20550	19350	11128	8099	6420	9897	151064
HILLCREST	19370	18420	20180	25180	28080	37320	46170	37940	22874	16271	15147	18801	305753
HUMMEL	0	0	0	6760	15210	25490	25920	15840	753	159	0	0	90132
KIRKWOOD	970	1100	1460	7260	6090	8240	11830	10090	13864	13633	9164	2045	85746
OVERLAND #6	0	0	0	70	10210	9280	12020	10650	6012	0	0	0	48242
TOTAL	30060	28730	31710	53420	81330	126120	152110	120910	54803	38162	30731	30743	778829

ZONE 4	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL
AMITY	0	0	0	4510	25930	31590	34830	25220	1698	1134	0	0	122912
BYRD	0	0	0	0	0	0	0	0	0	0	0	0	0
COMMERCE	0	0	0	0	0	0	0	0	0	0	0	0	0
JUNKER	0	0	0	0	2470	4820	7360	2260	1907	7207	4723	6734	37481
OREGON TRAILS	33920	29160	34710	33040	16130	29150	34660	33860	34035	32820	32229	31541	375255
SUNSET WEST	0	0	0	5760	4770	21370	28180	24980	3131	68	317	0	88576
TOTAL	47390	43390	52350	61640	79150	117080	146450	115780	65254	52199	43501	42685	866869

SYSTEM TOTAL 411,350 384,930 429,570 675,070 992,100 1,466,410 1,825,800 1,423,730 690,229 542,898 440,600 440,467 9723154

Submitted By: D. Brown
12/20/89



BOISE WATER CORPORATION

November 2, 1989

RECEIVED
NOV 03 1989

Mr. Jim Johnson
State of Idaho Dept. of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

RE: Permit No. 63-08992

Dear Mr. Johnson:

This is in response to your letter dated October 26, 1989, regarding the license proposed to be issued on the above referenced water right. We have no conflict with the maximum diversion rate of 1.97 cfs. We do have concerns regarding the maximum diversion volume of 234 acre feet per year and the beneficial use should be changed to municipal.

This well is a part of Boise Water Corporation's municipal water system and is intertwined with the balance of this system. Boise Water Corporation acquired the well from Dennis Baker during negotiations for extending water service to the Oregon Trail Subdivision. The pump, pumphouse, and appurtenances were constructed by Boise Water Corporation in 1978.

As a result of the above, we would propose the beneficial use be modified to municipal, the period of use remain as January 1 to December 31, the maximum rate of diversion as 1.97 cfs and the annual volume being non applicable. The place of use would be within the city limits of Boise and the area outside the city limits as listed on the attached exhibit. These considerations would modify several of the conditions and remarks listed on the proposed license. Please let us know what steps need to be taken to modify this water right.

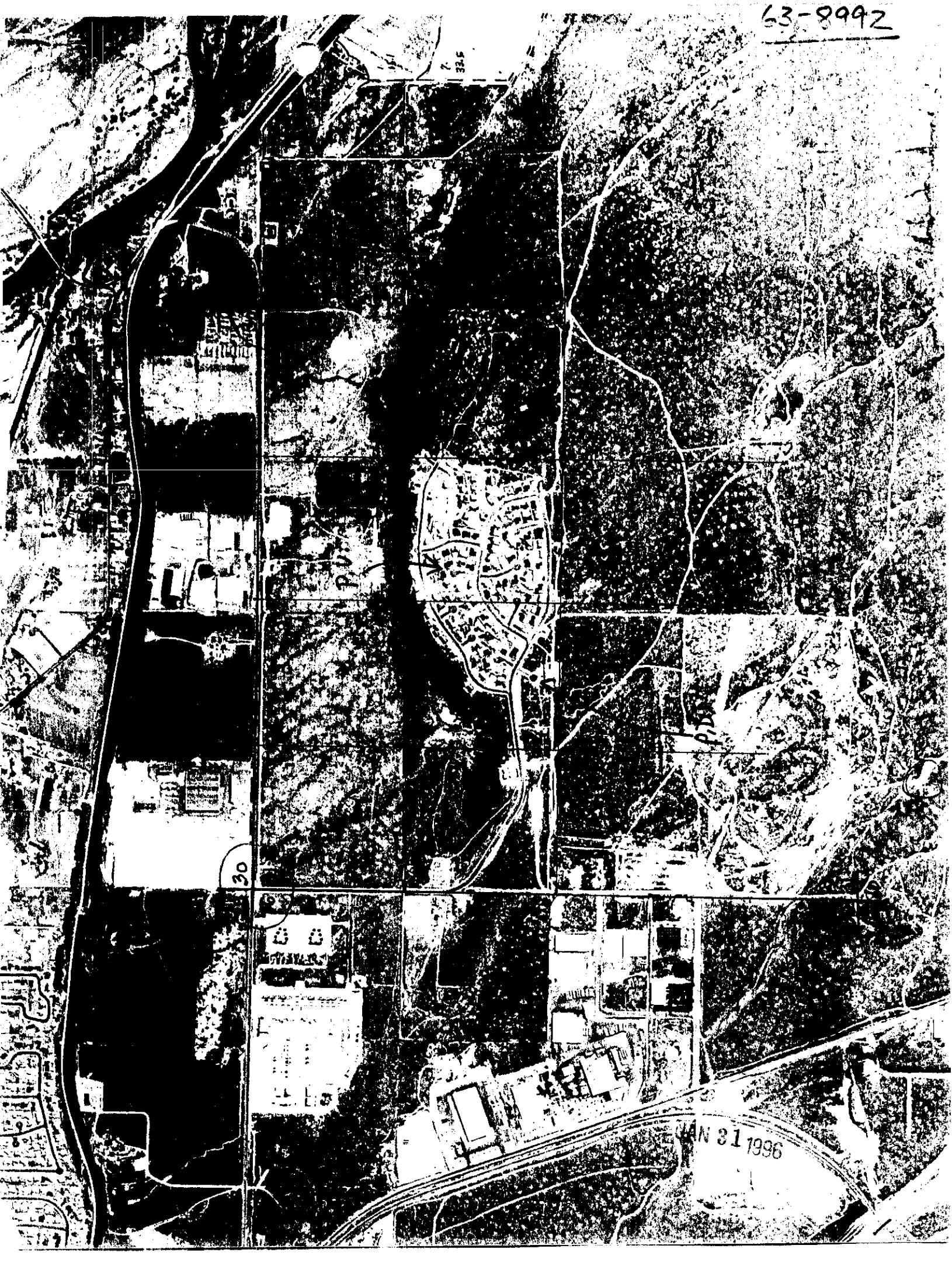
Very truly yours,

Daniel Brown, P.E.

DB:ce

JAN 31 1990

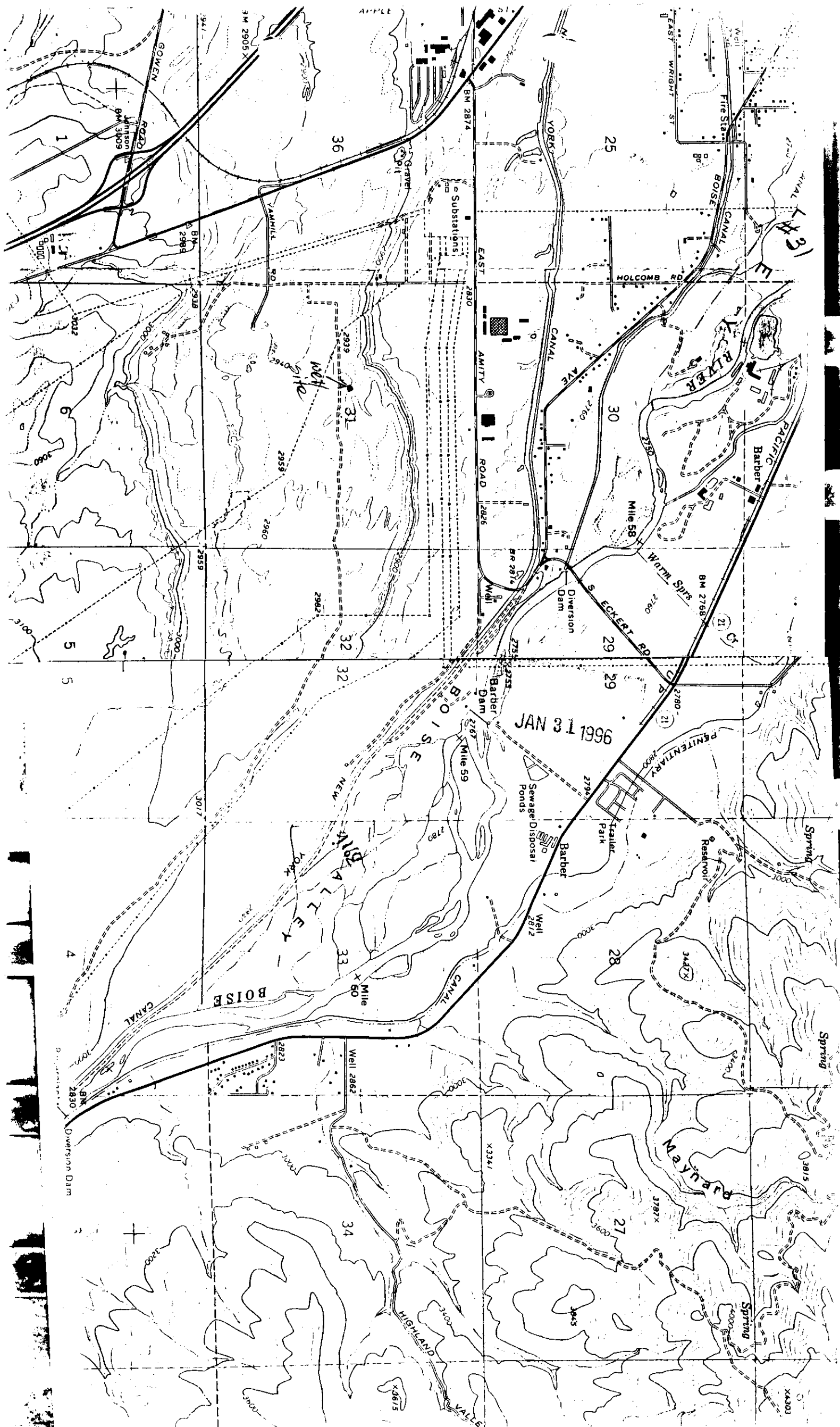
63-8992



32.5

30

31 1996



October 26, 1989

BOISE WATER CORP.
P.O. BOX 7488
BOISE, ID 83707

RE: PERMIT NO. 63-08992

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

JAN 31 1990

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	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	
2N	1E	1	✓																
2N	2E	1	✓	✓		✓					✓	✓	✓	✓	✓	✓	✓	✓	
2N	2E	2							✓	✓	✓	✓	✓						
3N	1E	2	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
		3	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		10	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		11					✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		13							✓	✓		✓	✓						
		14		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		24	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		25	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		35	✓	✓	✓	✓									✓	✓	✓	✓	
		36	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
3N	2E	2	✓			✓													
		12	✓	✓		✓	✓	✓							✓	✓		✓	
		13			✓	✓			✓		✓				✓	✓	✓	✓	
		19						✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		20											✓	✓					
		24																✓	
		25	✓								✓	✓		✓					
		26							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		27												✓					
		29						✓			✓	✓							
		30	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		31	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		32			✓		✓			✓	✓	✓	✓		✓	✓	✓		
		33											✓	✓					
		35	✓	✓	✓	✓	✓								✓				
		36	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		5	✓	✓		✓													

Total number of acres irrigated

JAN 31 1996

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	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	
3N	3E	7					✓	✓	✓	✓	✓	✓	✓	✓					
		19											✓						
		30			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		31	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		32	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
4N	1E	25		✓	✓		✓	✓	✓	✓	✓	✓	✓			✓	✓		
		26	✓	✓	✓	✓	✓	✓		✓					✓			✓	
		27											✓	✓			✓		
		33														✓	✓	✓	
		34			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
4N	2E	19	✓	✓		✓	✓			✓									
		20	✓	✓	✓	✓	✓	✓	✓						✓	✓	✓	✓	
		26	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓	✓	✓	✓	
		27	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
		28	✓			✓					✓			✓	✓	✓	✓	✓	
		29	✓	✓															
		33	✓																
		34					✓	✓	✓	✓									
		35	✓	✓	✓	✓				✓			✓						
		30			✓	✓				✓	✓					✓			
		32															✓	✓	

Total number of acres irrigated _____

JAN 31 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPUNCHED

RECEIVED
FEB 06 1990
Department of Water Resources

A. GENERAL INFORMATION

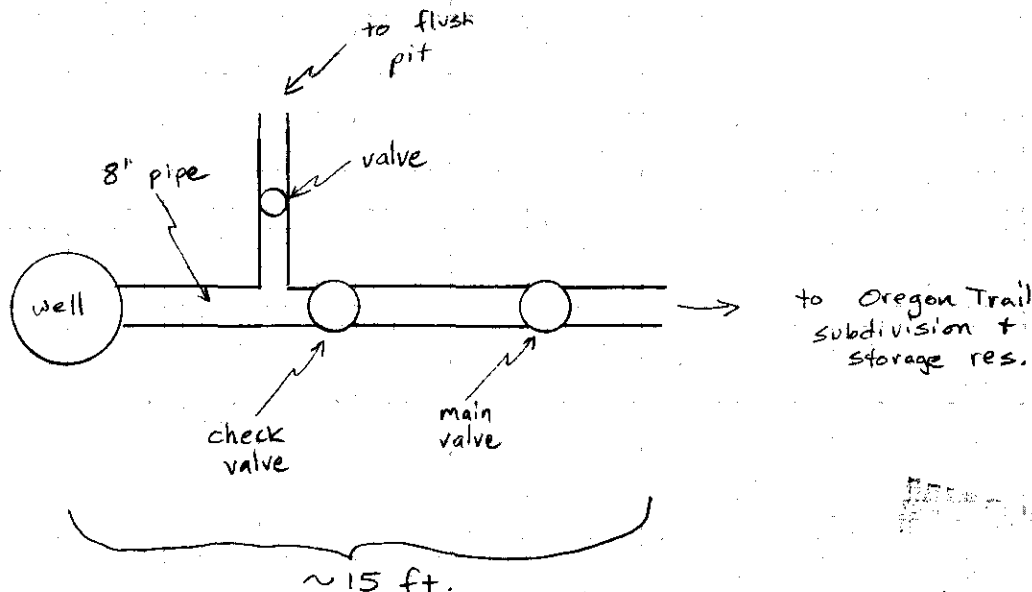
1. Owner: Boise Water Corporation Permit No. 65-8992
Current Address: P.O. Box 7488, Boise, ID 83707 Phone No. 862-1300
2. Accompanied by: Jim Mooney EXAM. DATE: 6/24/86
Address: as above Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: none
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JAN 31 1996

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Source is a well, about 900 ft. deep with 14" casing to pump and 10" casing below pump. Top of pump bowls are 440 ft. below the surface. Pump is 150 HP and is an 8" submersible. Pumping water level is 398 ft. 8" pipe carries water to check valve where water may be directed to a flush pit or Oregon Trail Subdivision system. Upon initial pumping, water is diverted to flush pit to avoid shocking main system; check valve is gradually

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Byron Jackson	150	7815 0254	Byron Jackson	
			(submersible pump)		

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NN	31	3N	3E	Ada	Topog. Map

6. **Place(s) of Use:**

Indicate Method of Determination aerial photo

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	
3N	3E	31			D	D				D									
					F	F				F									

Do not use this space

JAN 31 1996

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

720 GPM diversion rate observed on flow meter.
 However, higher rates are diverted from well;
 e.g. 1068 GPM on July 10, 1985.
 See attached computer printouts.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: Theoretical: 60 PSI, 398' lift, 80% efficiency

$$\frac{HP \times \text{Effic.} \times 8.8}{11.4 + (2.3 \times PSI)} = \frac{150 \times .8 \times 8.8}{398 + (2.3 \times 60)} = \frac{1056}{536} = 1.97 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses: *see subdivision plat map*

domestic: 195 lots ; allow 1.2 afa per lot

$195 \times 1.2 = 234 \text{ afa}$

JAN 31 1996

H. REMARKS AND OVERLAP REVIEW ANALYSIS

opened to direct water into subdivision system and storage tank. During exam, well was being pumped ~~at~~ 720 gpm @ 60 psi. Water is chlorinated within the well.

Entire system is operated & monitored electronically with a computer system at BWC office on Victory Ave.

Note: water is pumped at higher rates during peak demand times; see attached computer printouts.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
domestic	1/1	12/31	2.0	234.0
fire protection	1/1	12/31	2.0	
MUNICIPAL	1-1	12-31		
Totals:			2.0	234.0

2. Recommended Amendments

- | | | |
|---|--|--------------------------------|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

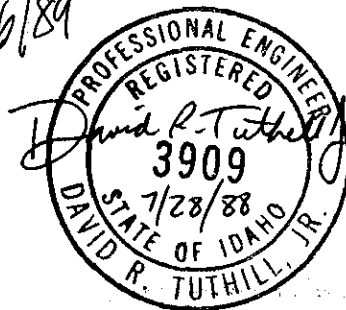
J. AUTHENTICATION

Field Examiner's Name Brad E. Dingee
Signature Brad E. Dingee
Certification Date _____
Field Report Preparation Date 6/16/88

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAM 8/16/89



JAM 8/16/89

63-8992



P.D.



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JAN 31 1996

AFA COMPARISON FOR LICENSING RECOMMENDATION

PERMIT 1700 HOMES $\times 1.2 =$ 2040 AFA

FOUND. (LOTS DEVELOPED UNDER

PERMIT LISTING { 195 HOMES $\times 1.2$ } = 234 AFA

FOUND, USE INCLUDING MUNICIPAL

(1986 EXAM YEAR ACTUAL PUMPING

VOLUME) TOTAL PUMPED IS $\frac{374,690 \times 10^3}{325,581} = 1150.8 \text{ AFA}$

SYSTEM CAPACITY ASSUMING LEGAL LIMIT FOR 1700 HOMES
IS 1.65 CFS (SEE Pg 1 LEGAL LIMIT CONSIDERATIONS #2)

$1.65 \text{ CFS} \times 365 \times 1.9835 = 1194.6 \text{ AFA}$

RECOMMENDATIONS FOR LICENSING

AMMEND THIS RIGHT TO CONVERT THE DOMESTIC/FIRE PROT.
USE TO MUNICIPAL WITH THE FOLLOWING CONDITION
OF APPROVAL. " VOLUME DIVERTED UNDER THIS MUNICIPAL
RIGHT IS LIMITED TO 2700 "

THIS LIMIT IS BASED ON THE PERMIT INTENT
TO DIVERT A MAXIMUM 2040 AFA; THE FOUND SYSTEM
DIVERSION FOR MUNICIPAL USE IN 1986 (THE EXAM YEAR)
WAS 1150.8 AFA; AND THE SYSTEM CAPACITY OF 1194.6 AFA
(BASED ON THE ASSUMPTION OF A 1.65 CFS DIVERSION RATE LIMITOR
FOR 1700 HOMES)

MUNICIPAL DIVERSION RATE RECOMMENDATION
IS THE PEAK DIVERSION RATE OF 2700

I concur with this analysis. *Dr* 1/18/90

JAN 31 1990

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FEB 6 1990

Department of Water Resources

RECEIVED

AUG 15 1986

Form 219
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Boise Water Corporation Permit No. 68-8992
 Current Address: P.O. Box 7488, Boise, ID 83707 Phone No. 362-1300
 2. Accompanied by: Jim Mooney EXAM. DATE: 6-24-86
 Address: as above Phone No. as above
 Relationship to Permit Holder: _____

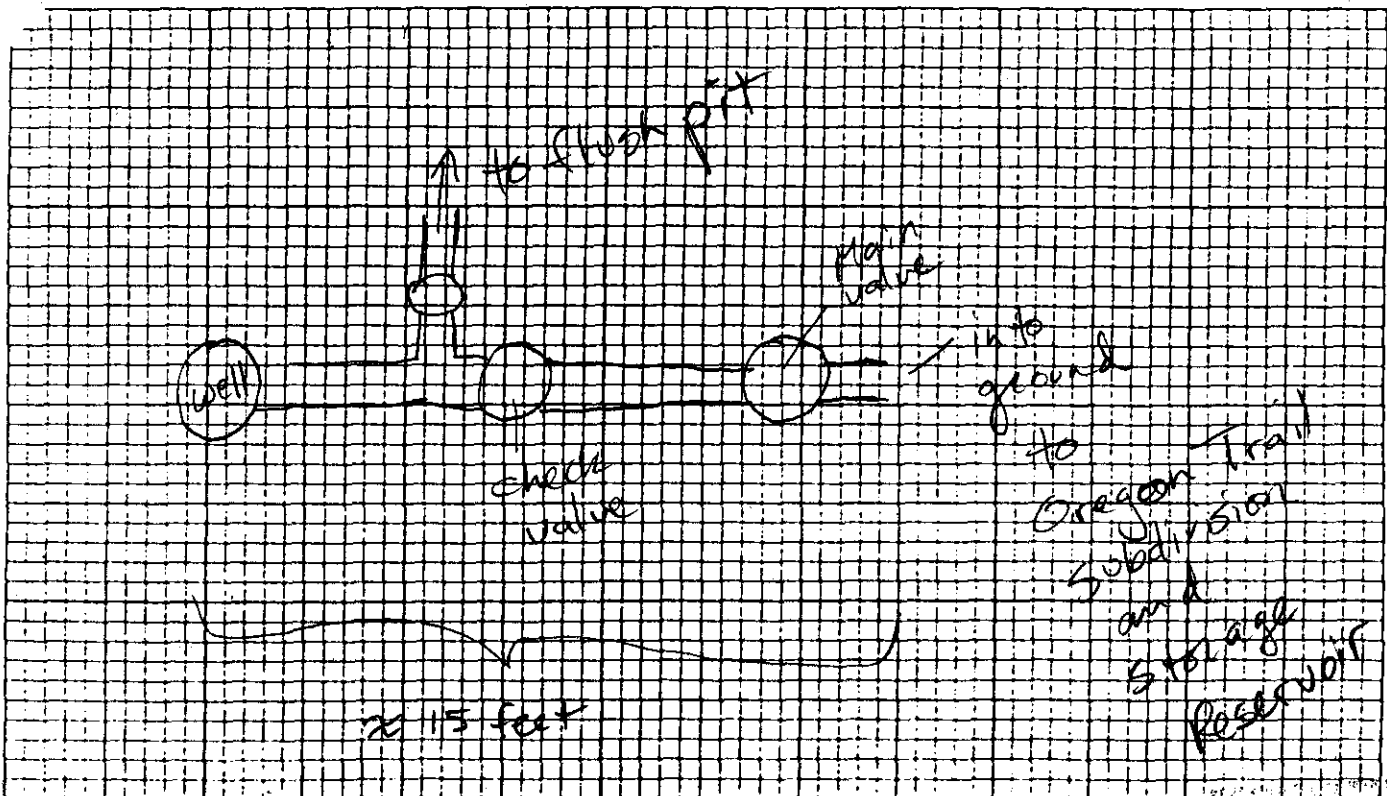
3. Source: well tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
 2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)
☐ Aerial Photo Attached (required for irrigation of 10 acres or more)
☐ Photo of Diversion and System Attached

JAN 31 1996

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

source is a well: ~ 900+ ft. deep with 14" casing to pump and 10" casing below pump.

Top of Pump bowls are 440 ft. below surface. Pump is 150 HP and is an 8" submersible. Pumping water level is 398'. 8" pipe leads from well to check valve where water may be directed to a flush pit or Oregon Trail subdivision system. Upon initial pumping, water

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Byrm Jackson	150	781 S 0254	Byrm Jackson	
			(submersible pump)		

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	31	3N	3E	Ada	topo. map

6. Place(s) of Use:

Indicate Method of Determination *topo map.*

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	
3N	3E	31																	
			Within Boise City Limits																

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

inline propeller flow meter, 720 gpm
pumps up to 900 gpm at
peak demand times.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$720 \text{ gpm} - (\text{flow meter}) = 1.60 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\text{Theoretical: } \frac{HP \times \text{Eff.} \times 8.8}{\text{Lift} + (PSI \times 2.3)} = \frac{150 \times .8 \times 8.8}{398 + (60 \times 2.3)} = \frac{1056}{536} = 1.97 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERVIEW REVIEW ANALYSIS

is diverted to flush pit to avoid shocking main system. check valve is gradually opened to direct water into subdivision system and storage tank. Water was pumping @ 720 gpm @ 60 PSI. Water is chlorinated ~~at~~ in the well near the pump.

Entire system is operated and monitored electronically via computer at main office on Victory Ave.

- Water ~~is~~ pumped at 800 to 900 gpm at peak demand times (morning and evening).

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
domestic	Jan. 1	Dec. 31	2.0 cfs	NA
fire protection	Jan. 1	Dec. 31	2.0 cfs	NA
Totals:			2.0 cfs	NA

i.e. 900 gpm

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Brad E. Dingee

Signature

Brad E. Dingee

Certification Date

Field Report Preparation Date

6-24-86

DRT
7/30/86

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

081036



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

63-8992
BOISE WATER CORP.
P.O. BOX 7488
BOISE, ID 83707

Mailing address:
Statehouse
Boise, Idaho 83720

130877

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

JAN 31 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
JAN 21 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 22, 1979

Boise Water Corp.
500 W. Idaho St.
Boise, ID 83702

Gentlemen:

RE: Permit No. 63-8992

This is to acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed accordingly.

Enclosed for your records is a copy of the permit. Please note the conditions of approval on the fourth page.

Sincerely,

MICROFILMED

JAN GROVER
Water Rights Supervisor

JG:rr

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

11-1-78

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-8992

Name(s) of Permit Holder: Boise Water Corporation

Post Office Address: P.O. Box 7488, Boise, Idaho 83707

Tel. No. 345-3100

Source of Water: Ground Water Oregon Trail Well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Municipal

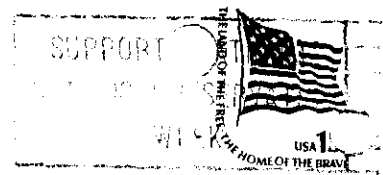
Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

Nov 5, 1979
 Date

[Signature]
 Signature of Permit Holder

BOISE, IDAHO
P.O. BOX 1200
BOISE, IDAHO 83720



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NOV 6 1979



~~Department of Water Resources~~ IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

January 24, 1980

Boise Water Corporation
P. O. Box 7488
Boise, ID 83707

RE: **Permit 63-8992**

Dear **Gentlemen:**

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

Sincerely,

Kay Walker
Secretary

NOT RECORDED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 14, 1978

Re: Permit No. 63-8992

Dennis M. Baker
1523 E. Boise Ave.
Boise, ID 83706

Dear Mr. Baker

Your approved copy of Application for Permit No. 63-8992 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

March 13, 1978

Re: Permit No. 63-8992

Dennis M. Baker
1523 E. Boise Avenue
Boise, ID 83706

Dear Mr. Baker:

Enclosed is a copy of your approved Application for Permit No. 63-8992 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Order.

You should be aware that any person who does not agree with the decision may request a re-hearing before the Director of the Department of Water Resources within 20 days, or may appeal directly to the District Court within 60 days of the date of the decision.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw

Enc: Copy of permit w/decision & order

cc: Boise Water Corporation
Burton Guiles
Robert Walker-Boise Water Corp.

Enc: Copy of Memorandum Decision & Order

Memorandum

TO: File No. 65-8992
FROM: David R. Tuthill, Jr.
DATE: November 10, 1977
RE: Hearing

Conference

On November 9, 1977 a ~~hearing~~ was held in the Conference Room of the state office of the Department of Water Resources. Persons present are identified on the attached Roster of Attendance.

After the preliminary observations and reading of the application, the representative from Boise Water Corporation, Robert Walker, explained that they made an agreement with the applicant, Dennis Baker, which will allow for Boise Water Corporation to take over control of the well in question. Therefore, Boise Water Corporation is no longer a protestant, but rather supports the application.

Mr. Walker explained that the Baker well is 835 feet deep, the last 80 feet of which is screen. The well is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, T. 3N, R. 3E at an elevation of 2940 feet. He also stated that a test pumping of this well yielded a lowered level of the nearby Tertling well, 642 feet deep, of which 32 feet is screen. For this reason, Boise Water Corporation desires to control all wells in the area to provide for optimum use of the groundwater resources.

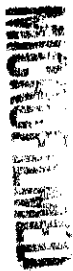
Mr. Burton Guiles was also present as the sole protestant. He explained that he has a 72-foot deep well which was installed in 1927. The static water level in this well has been 12 to 14 feet deep consistently. The well is located on Holcomb Road in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, T. 3N, R. 3E, which is approximately 3/4 of a mile from the well in question. Water from this well is used to irrigate 16 acres. The well is located just below the New York Canal, but Mr. Guiles stated that he notices no change in the water table when no water was flowing in this canal.

Mr. Guiles is concerned that development of the Baker well will affect the water level in his well. He indicated that during a discussion last week, Mr. Baker agreed to provide him with water should his well go dry as a result of pumping from the Baker well.

The conference was concluded with Mr. Walker and Mr. Guiles signing the attached agreement, which gives them 60 days to reach an agreement of special provisions for replacement water for Mr. Guiles by Mr. Baker.

File No. 65-8992
Page 2
November 10, 1977

If this office has not heard from the applicant or protestant by Monday, January 9, 1978, we will prepare a memorandum decision based on the information provided herein.



IN THE MATTER OF PROTESTED

APPLICATION NO. 63-8992

AGREEMENT

We the undersigned, hereby agree to allow the Department of Water Resources to reach a decision in the above captioned matter based upon the information presented at the conference held on November 9, 1977, at Boise, Idaho, at the Department of Water Resources conference room, and based on the official files and records of the Department, if we have not resolved our differences by means of an agreement within 60 days of this date.

We understand we reserve the right to appeal such decision to the appropriate district court.

Signed this 9th day of November, 1977, at Boise, Idaho.

Robert P. Walker, DIST. ENGR.
BOISE WATER CORP.
Burton L. Smith - Protest

RECEIVED

63-8992 - DENNIS M. BAKER

Conference Room, Department of Water Resources, Boise, ID

Wednesday, November 9, 1977 - 10:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
ROBERT WALKER	500 IDAHO ST.	BOISE WATER CORP.
Kenneth L. Pursley-attly	8th & Washington	Dennis Baker
Burton Guilt.	3960 Helicon Rd	protest
DAVE TOTHILL & DAVE SELAW	DEPT	

NAME AND ADDRESS OF SENDER	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	Indicate type of mail			Affix stamp here if issued as certificate of mailing or for additional copies of this bill.									
			REGISTERED	INSURED	CERTIFIED	POSTAGE	FEE	Handling Charge (if Registered)	DUE SENDER IF C.O.D.	R.R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS	
1	1	1000 1st St. N.W.				13	10								
2		1000 1st St. N.W.													
3		1000 1st St. N.W.													
4		1000 1st St. N.W.													
5	1	1000 1st St. N.W.				13	10								
6		1000 1st St. N.W.													
7		1000 1st St. N.W.													
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9	1	1000 1st St. N.W.				13	10								
10		1000 1st St. N.W.													
11		1000 1st St. N.W.													
12		1000 1st St. N.W.													
13		1000 1st St. N.W.				13	10								
14		1000 1st St. N.W.													
15		1000 1st St. N.W.													
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		Declaration of value is required on international registered mail. Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.									

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

* U. S. GOVERNMENT PRINTING OFFICE: 1975 O - 572-715

RECEIVED
 1000 1st St. N.W.
 1000 1st St. N.W.
 1000 1st St. N.W.

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL }
OF THE APPLICATION FOR PERMIT NO. 63-8992 }
IN THE NAME OF DENNIS M. BAKER }

NOTICE OF CONFERENCE
AND/OR HEARING

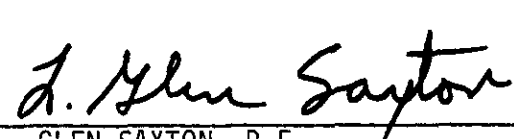
On July 25, Dennis M. Baker filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 5, 1977, the Department received a protest against approval of said application from Wayne L. Booe, Vice President, Boise Water Corporation. Another protest was received from Burton Guiles on August 19, 1977.

The Department has set the matter of protests for conference and/or hearing for Wednesday, November 9, 1977 at 10:00 a.m. in the conference room of the state office of the Idaho Department of Water Resources, 373 West Franklin Street Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 25th day of October, 1977.

L. GLEN SAXTON, P.E.

Western Regional Supervisor

MEMORANDUM

TO: File 63-8992

FROM: Rita Fleck *RF*

RE: Hearing scheduled for September 29, 1977

On September 27, 1977 Wayne L. Booe, Vice-President of Boise Water Corporation contacted this office to request that the hearing scheduled be postponed. I contacted the applicant, Dennis M. Baker and he was in agreement. It seems that the applicant and the protestant, Boise Water Corporation are doing a study on the proposed well and that the study would not be completed in time for the hearing.

I also contacted Burton Guiles and told him of the postponed hearing. Mr. Guiles is very concerned that the applicant and the protestant, Boise Water Corporation will work out an agreement and that the Department will disregard his protest.

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval
of the Application for Permit No. 63-8992
in the name of Dennis M. Baker.

NOTICE OF CONFERENCE
AND/OR HEARING

On July 25, 1977 Dennis M. Baker filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 5, 1977, the Department received a protest against approval of said application from Wayne L. Booe, Vice President, Boise Water Corporation. Another protest was received from Burton Guiles on August 19, 1977.

The Department has set the matter of protests for conference and/or hearing for September 29, 1977 at 1:00 p.m., in the Conference Room of the Department of Water Resources, 373 W. Franklin St., Boise, ID 83701. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 9th day of September, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.

Western Regional Supervisor



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 1, 1977

Dennis M. Baker
1523 E. Boise Avenue
Boise, ID 83706

Dear Mr. Baker:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~63-8982~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 1, 1977

Re: Application for Permit No. 63-8992
(Burton Guiles)

Burton Guiles
3960 Holcomb Road
Boise, ID 83705

Dear Mr. Guiles:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment
801 Reserve Street
Boise, ID 87302

RECEIVED
AUG 22 1977

August 19, 1977

MEMORANDUM

Department of Water Resources
Western Regional Office

TO: L. Glen Saxton
FROM: Frank Keller
RE: Permit Nos. 63-8992, 65-7912, 63-8986, and 63-8987

63-8992: This department will have to review and approve the well design before construction is begun. A letter to this effect is being prepared and is being send to Mr. Baker.

65-7912: We had been led to believe that this water supply had been permitted a long time back. The system design had been approved based on the flows given by the permit.

63-8986 and 63-8987: We are aware of these changes in Caldwell and have no comment to make on them.

Frank Keller

FK/ds

RECEIVED
AUG 30 1977

**Department of Water Resources
Western Regional Office**

P R O T E S T

I, Burton Guiles of 3960 Holcomb Road, Boise, Idaho wish to protest Application for Permit No. 63-8992 in the name of Dennis M. Baker.

I feel the granting of this permit and the drilling of a new large capacity well in the area indicated would greatly effect the older established wells. I feel there is insufficient water in this area for large withdrawals and development.

Aug. 19, 1977 Burton Guiles
204-4-1007

August 9, 1977

Re: Permit Nos. 63-8992 and 65-7912

Department of Health & Welfare
Statehouse
Boise, ID 83720

Dear Sir:

Enclosed are copies of the above referenced applications for permit which may be of interest to your agency. Please review the applications 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.

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

Sincerely,

L. Glen Saxton
Western Regional Supervisor

LGS:la

RECEIVED
AUG 14 1977
FBI - BOISE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

August 9, 1977

Dennis M. Baker
1523 E. Boise Avenue
Boise, ID 83706

Dear Mr. Baker:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~63-2002~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

August 9, 1977

Re: Application for Permit No. 63-8992
(Dennis M. Baker)

Wayne L. Booe,
Vice President
Boise Water Corporation
P. O. Box 7488
Boise, ID 83707

Dear Mr. Booe:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

August 4, 1977



Department of Water Resources
Western Regional Office

Mr. C. Stephen Allred, Director
State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Allred:

Re: Baker Permit No. 63-8992

On August 4, 1977, Boise Water Corporation noted in the Idaho Statesman, that an application for water permit to appropriate seven cubic feet per second of water from a ground water source and by means of a well, had been submitted by Mr. Dennis M. Baker.

Further investigation revealed his request, if granted, would supply domestic water and fire protection to approximately 500 acres which is to be developed into approximately 1,700 residential units and limited office and school buildings.

Boise Water Corporation placed a new well into service within this vicinity less than one year ago. We now have reason to believe this particular source has influenced some of our other sources within the area.

It is our opinion, another well in this particular area could greatly decrease the capacities of our existing wells.

Boise Water Corporation therefore, wishes to register an official protest against the granting of a permit to Mr. Dennis Baker at this time. It is our opinion Mr. Baker should first furnish a ground water availability study to show what effect the installation of such a well would have upon existing wells within the area. We further recommend such a study be conducted by professional consultants which are skilled in this type of study.

Yours truly,

BOISE WATER CORPORATION


Wayne L. Booe
Vice President

WLB:1b

cc: Dennis Baker

P.S. Please acknowledge receipt of this letter.

A handwritten mark or signature is located in the bottom right corner of the page.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

C. STEPHEN ALLRED

Director

August 5, 1977

Dennis H. Baker
1523 E. Boise Avenue
Boise, ID 83706

Dear Mr. Baker:

Enclosed is your Receipt No. 3171 in the amount of \$ 35.00
for Application for Permit No. 63-8992 which was received in
this office on July 27, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

July 29, 1977

RE: SEE ATTACHED SHEET

63-8992

The Idaho Statesman
Box 40
Boise, Idaho 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before August 22, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
8-31-77
y

RECEIVED

PUBLISHED IN THE IDAHO STATESMAN, BOISE, IDAHO on August 4, 1977 and August 11, 1977

CLAIM TO A WATER RIGHT

63-4540 Kenton L. &/or Meredith Brandel

63-4541 Alex &/or Caroline Brown

APPLICATION FOR WATER PERMIT

63-8990 Boise Water Corporation

63-8991 Alex &/or Caroline Brown

63-8992 Dennis M. Baker

63-8993 Charles H. Howarth, M.D.

63-8994 Larry G. &/or Linda M. Blanchard

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DENNIS H. BAKER
1523 East Boise Avenue, Boise, Idaho
has on July 25, 1977 submitted Application No. 63-8992
for a permit to appropriate 7.0 cubic feet per second acres feet
XXXXXXXXXX per annum of water from a groundwater source
by means of well, pump, motor, wellhouse, pressure tank, & distribution system.
within the SE 1/4, Sec 31 T3N-R3E B.M., Ada County

to be used from Jan 1 to Dec 31
for domestic and fire protection purposes
within the SE 1/4, S 1/4, Sec 31; SW 1/4, SW 1/4, Sec 32; T3N-R3E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before August 22, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho Statesmen, Boise, Idaho
on August 4, 1977 and August 11, 1977.