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NOV 22 2023

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 188654MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Nampa & Meridian Irrigation DistrictCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

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DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Nampa & Meridian Irrigation District Phone 208-629-7447
Mailing address c/o Bryce Farris, Sawtooth Law Offices PLLC, PO Box 7985, Boise, ID 83707 Email bryce@sawtoothlaw.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative HDR Inc, Attn: Lori Graves Phone 208-387-7000
Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

W. Patterson
Signature of Applicant or Authorized Representative

BOARD PRESIDENT
Print Name and Title if applicable

11.21.23
Date

[Signature]
Signature of Applicant or Authorized Representative

MICHAEL O'NESEY, SECRETARY
Print Name and Title if applicable

11.21.2021
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☒ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?

If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

See attached Part 1A.3

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	63-199B	169.6 cfs	Irrigation	3/1 to 11/15	Boise R. trib. to Snake R.,
☐ ☐		2.6 cfs	Industrial	3/15 to 11/15	Mores Cr. trib. to Boise R.,
☐ ☐		6.7 cfs	Groundwater Recharge	3/1 to 11/15	& Rock Cr. trib. to SF
☒ ☐	63-200B	361.94 cfs	Irrigation	3/15 to 11/15	Boise R.
☐ ☐		5.4 cfs	Industrial	3/15 to 11/15	same as above
☐ ☐		14.3 cfs	Groundwater Recharge	3/15 to 11/15	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 531.54 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 8.0 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3E	8							40	40	40	40		40					200
		17					40	40	40	40	20	20							200
Total Acres (for irrigation use)																			400

Proposed place of use includes the current service area plus an additional 400-acre area described above.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

No changes to the existing diversion system are proposed. Measuring devices and lockable controlling works have been accommodated.

- b. Who owns the property at the point(s) of diversion? No changes proposed

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Water rights proposed for transfer are from lands no longer irrigated with NMID water supplies. These water rights have been made available through exclusion of said lands from the irrigation district.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Associated Ridenbaugh natural flow rights 63-30181 & 63-198AJ for irrigation use.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-199b

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT

Priority Date: 5/1/1878

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER
MORES CREEK
ROCK CREEK

Tributary

SNAKE RIVER
BOISE RIVER
SOUTH FORK BOISE RIVER

Beneficial Use

IRRIGATION
GROUND WATER
RECHARGE
INDUSTRIAL

From To

03/01 to 11/15
03/01 to 11/15
03/15 to 11/15
Total Diversion

Diversion Rate

169.6 CFS
5.11 CFS
1.6 CFS
169.6 CFS

Annual Volume

Location of Point(s) of Diversion

ROCK CREEK

ELMORE County

BOISE RIVER

ADA County

BOISE RIVER

ADA County

MORES CREEK

BOISE County

NE1/4NW1/4 Sec. 14, Twp 01N, Rge 07E B.M.

L8(NW1/4NE1/4) Sec. 4, Twp 02N, Rge 03E B.M.

L6(NW1/4SW1/4) Sec. 29, Twp 03N, Rge 03E B.M.

SW1/4NE1/4 Sec. 35, Twp 05N, Rge 04E B.M.

Place of Use

IRRIGATION Within CANYON County

T01N R07E S10	Lot 4	NWSW
T01N R07E S10	Lot 7	SESW
T01N R07E S15	Lot 4	SWNE
T02N R03E S5	Lot 1	NENE
T02N R03E S5		SWNE
T02N R03E S5	Lot 3	NENW
T02N R03E S5		SENW
T02N R03E S5		NWSW
T02N R03E S5		SESW
T02N R03E S5		NWSE
T02N R03E S5		SESE
T02N R03E S6		SENE

T01N R07E S10	Lot 8	SWSW
T01N R07E S15	Lot 1	NWNE
T01N R07E S15	Lot 2	NENW
T02N R03E S5	Lot 2	NWNE
T02N R03E S5		SENE
T02N R03E S5		SWNW
T02N R03E S5		NESW
T02N R03E S5		SWSW
T02N R03E S5		NESE
T02N R03E S5		SWSE
T02N R03E S6		SWNE
T02N R03E S6		SENW

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T02N R03E S6		NESW
T02N R03E S6	Lot 7	SWSW
T02N R03E S6		NESE
T02N R03E S6		SWSE
T02N R03E S7		NENE
T02N R03E S7		SWNE
T02N R03E S7		NENW
T02N R03E S7	Lot 2	SWNW
T02N R03E S7		NESW
T02N R03E S7		NESE
T02N R03E S7		SWSE
T02N R03E S8		SWSW
T02N R03E S18		SWNE
T02N R01W S3	Lot 1	NENE
T02N R01W S3		SWNE
T02N R01W S3	Lot 3	NENW
T02N R01W S3		SWNW
T02N R01W S3		NESW
T02N R01W S3		SWSW
T02N R01W S4	Lot 1	NENE
T02N R01W S4		SWNE
T02N R01W S4	Lot 3	NENW
T02N R01W S4		SWNW
T02N R01W S4		NESW
T02N R01W S4		SWSW
T02N R01W S4		NESE
T02N R01W S4		SWSE
T02N R01W S5	Lot 1	NENE
T02N R01W S5		SWNE
T02N R01W S5	Lot 3	NENW
T02N R01W S5		SWNW
T02N R01W S5		NESW
T02N R01W S5		SWSW
T02N R01W S5		NESE
T02N R01W S5		SWSE
T02N R01W S6	Lot 1	NENE
T02N R01W S6		SWNE
T02N R01W S6	Lot 3	NENW
T02N R01W S6	Lot 5	SWNW
T02N R01W S6		NESW
T02N R01W S6	Lot 7	SWSW
T02N R01W S6		NESE
T02N R01W S6		SWSE
T02N R01W S7		NENE
T02N R01W S7		SWNE
T02N R01W S7		NENW
T02N R01W S7	Lot 2	SWNW
T02N R01W S7		NESW

T02N R03E S6	Lot 6	NWSW
T02N R03E S6		SESW
T02N R03E S6		NWSE
T02N R03E S6		SESE
T02N R03E S7		NWNE
T02N R03E S7		SENE
T02N R03E S7	Lot 1	NWNW
T02N R03E S7		SENW
T02N R03E S7		SESW
T02N R03E S7		NWSE
T02N R03E S7		SESE
T02N R03E S18		NWNE
T02N R03E S18		NENW
T02N R01W S3	Lot 2	NWNE
T02N R01W S3		SENE
T02N R01W S3	Lot 4	NWNW
T02N R01W S3		SENW
T02N R01W S3		NWSW
T02N R01W S3		SESW
T02N R01W S4	Lot 2	NWNE
T02N R01W S4		SENE
T02N R01W S4	Lot 4	NWNW
T02N R01W S4		SENW
T02N R01W S4		NWSW
T02N R01W S4		SESW
T02N R01W S4		NWSE
T02N R01W S4		SESE
T02N R01W S5	Lot 2	NWNE
T02N R01W S5		SENE
T02N R01W S5	Lot 4	NWNW
T02N R01W S5		SENW
T02N R01W S5		NWSW
T02N R01W S5		SESW
T02N R01W S5		NWSE
T02N R01W S5		SESE
T02N R01W S6	Lot 2	NWNE
T02N R01W S6		SENE
T02N R01W S6	Lot 4	NWNW
T02N R01W S6		SENW
T02N R01W S6	Lot 6	NWSW
T02N R01W S6		SESW
T02N R01W S6		NWSE
T02N R01W S6		SESE
T02N R01W S7		NWNE
T02N R01W S7		SENE
T02N R01W S7	Lot 1	NWNW
T02N R01W S7		SENW
T02N R01W S7	Lot 3	NWSW

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T02N R01W S7	Lot 4	SWSW
T02N R01W S7		NESE
T02N R01W S7		SWSE
T02N R01W S8		NENE
T02N R01W S8		SWNE
T02N R01W S8		NENW
T02N R01W S8		SWNW
T02N R01W S8		NESW
T02N R01W S8		SWSW
T02N R01W S8		NESE
T02N R01W S8		SWSE
T02N R01W S9		NENE
T02N R01W S9		SWNE
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T02N R01W S9		NESW
T02N R01W S9		NESE
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T02N R02W S1	Lot 4	NWNW
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T02N R02W S2		NWSW
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T02N R02W S3		NESE

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T02N R01W S7		NWSE
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T02N R01W S8		SENE
T02N R01W S8		NWSW
T02N R01W S8		SESW
T02N R01W S8		NWSE
T02N R01W S8		SESE
T02N R01W S9		NWNE
T02N R01W S9		SENE
T02N R01W S9		NWNW
T02N R01W S9		SENE
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T02N R01W S18	Lot 2	SWNW
T02N R01W S18		NESW
T02N R01W S18		NESE
T02N R02W S1	Lot 1	NENE
T02N R02W S1		SWNE
T02N R02W S1	Lot 3	NENW
T02N R02W S1		SWNW
T02N R02W S1		NESW
T02N R02W S1		SWSW
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T02N R02W S1		SWSE
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T02N R02W S2		NESE
T02N R02W S2		SWSE
T02N R02W S3	Lot 1	NENE
T02N R02W S3		SWNE
T02N R02W S3	Lot 3	NENW
T02N R02W S3		SWNW
T02N R02W S3		NESW
T02N R02W S3		SESW
T02N R02W S3		NWSE

Page _____ of _____

T02N R02W S3		SWSE
T02N R02W S4	Lot 1	NENE
T02N R02W S4		SENE
T02N R02W S4	Lot 4	NWNW
T02N R02W S7	Lot 3	NWSW
T02N R02W S7		SESW
T02N R02W S8		SESE
T02N R02W S9		SESW
T02N R02W S9	Lot 1	NWSE
T02N R02W S9		SESE
T02N R02W S10		NWNE
T02N R02W S10		SENE
T02N R02W S10		SENW
T02N R02W S10		SWSW
T02N R02W S10		NESE
T02N R02W S10		SWSE
T02N R02W S11		NENE
T02N R02W S11		SWNE
T02N R02W S11		NENW
T02N R02W S11		SWNW
T02N R02W S11		NESW
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T02N R02W S11		NESE
T02N R02W S11		SWSE
T02N R02W S12		NENE
T02N R02W S12		SWNE
T02N R02W S12		NENW
T02N R02W S12		SWNW
T02N R02W S12		NESW
T02N R02W S12		SWSW
T02N R02W S12		NESE
T02N R02W S12		SWSE
T02N R02W S13		NENE
T02N R02W S13		SWNE
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T02N R02W S13		SESW
T02N R02W S13		NWSE
T02N R02W S13		SESE
T02N R02W S14		NWNE
T02N R02W S14		SENE
T02N R02W S14		NWNW
T02N R02W S14		SENW
T02N R02W S14		NWSW
T02N R02W S14		SESW
T02N R02W S14		NWSE
T02N R02W S14		SESE

T02N R02W S3		SESE
T02N R02W S4	Lot 2	NWNE
T02N R02W S4	Lot 3	NENW
T02N R02W S4		SWNW
T02N R02W S7	Lot 4	SWSW
T02N R02W S7		SWSE
T02N R02W S9		SWSW
T02N R02W S9		NESE
T02N R02W S9		SWSE
T02N R02W S10		NENE
T02N R02W S10		SWNE
T02N R02W S10		NENW
T02N R02W S10		NWSW
T02N R02W S10		SESW
T02N R02W S10		NWSE
T02N R02W S10		SESE
T02N R02W S11		NWNE
T02N R02W S11		SENE
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T03N R01E S32		SWNE	T03N R01E S32		SENE
T03N R01E S32		SENW	T03N R01E S32		NESE
T03N R01E S32		NWSE	T03N R01E S33		NENE
T03N R01E S33		NENW	T03N R01E S33		NWNW
T03N R01E S33		SWNW	T03N R01E S33		SENW
T03N R01E S33		NESW	T03N R02E S5	Lot 4	SWNW
T03N R02E S5	Lot 6	SWNW	T03N R02E S5	Lot 9	NESW
T03N R02E S5	Lot 10	NESW	T03N R02E S5	Lot 7	NWSW
T03N R02E S5	Lot 8	NWSW	T03N R02E S5		SWSW
T03N R02E S5	Lot 14	SESW	T03N R02E S5	Lot 15	SESW
T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5	Lot 16	SWSE	T03N R02E S5	Lot 12	SESE
T03N R02E S6	Lot 1	NENE	T03N R02E S6	Lot 2	NENE
T03N R02E S6	Lot 3	NWNE	T03N R02E S6		SWNE
T03N R02E S6	Lot 9	SENE	T03N R02E S6	Lot 10	SENE
T03N R02E S6	Lot 4	NENW	T03N R02E S6	Lot 5	NWNW
T03N R02E S6	Lot 6	SWNW	T03N R02E S6		SENW
T03N R02E S6		NESW	T03N R02E S6	Lot 7	NWSW
T03N R02E S6	Lot 8	SWSW	T03N R02E S6		SESW
T03N R02E S6		NESE	T03N R02E S6		NWSE
T03N R02E S6		SWSE	T03N R02E S6		SESE
T03N R02E S7		NENE	T03N R02E S7		NWNE

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T03N R02E S7		SWNE
T03N R02E S7		NENW
T03N R02E S7	Lot 2	SWNW
T03N R02E S7		NESW
T03N R02E S7	Lot 4	SWSW
T03N R02E S7		NESE
T03N R02E S7		SWSE
T03N R02E S8	Lot 1	NENE
T03N R02E S8	Lot 2	NWNE
T03N R02E S8		SWNE
T03N R02E S8		NENW
T03N R02E S8		SWNW
T03N R02E S8		NESW
T03N R02E S8		SWSW
T03N R02E S8		NESE
T03N R02E S8		SWSE
T03N R02E S9		SWNW
T03N R02E S9		NESW
T03N R02E S9		NWSE
T03N R02E S17		NENE
T03N R02E S17		SWNE
T03N R02E S17		NENW
T03N R02E S17		SWNW
T03N R02E S17		NESW
T03N R02E S17		SWSW
T03N R02E S17		NWSE
T03N R02E S18		NENE
T03N R02E S18		SWNE
T03N R02E S18		NENW
T03N R02E S18	Lot 2	SWNW
T03N R02E S18		NESE
T03N R02E S22		NESE
T03N R02E S23		SENE
T03N R02E S23		NWSW
T03N R02E S23		SESW
T03N R02E S23		NWSE
T03N R02E S23		SESE
T03N R02E S24		SESW
T03N R02E S25		NENW
T03N R02E S25		SWNW
T03N R02E S26		NENE
T03N R02E S26		SWNE
T03N R02E S26		NENW
T03N R02E S26		SENE
T03N R01W S1	Lot 2	NWNE
T03N R01W S1		SENE
T03N R01W S1	Lot 4	NWNW
T03N R01W S1		SENE

T03N R02E S7		SENE
T03N R02E S7	Lot 1	NWNW
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T03N R02E S7	Lot 3	NWSW
T03N R02E S7		SESW
T03N R02E S7		NWSE
T03N R02E S7		SESE
T03N R02E S8	Lot 4	NENE
T03N R02E S8	Lot 3	NWNE
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T03N R02E S8		NWNW
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T03N R02E S8		SESE
T03N R02E S9	Lot 8	SENE
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T03N R02E S15		NESW
T03N R02E S17		NWNE
T03N R02E S17		SENE
T03N R02E S17		NWNW
T03N R02E S17		SENE
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T03N R02E S17		SWSE
T03N R02E S18		NWNE
T03N R02E S18		SENE
T03N R02E S18	Lot 1	NWNW
T03N R02E S18		SENE
T03N R02E S18		NWSE
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T03N R02E S24		SWSE
T03N R02E S25		NWNW
T03N R02E S25		SENE
T03N R02E S26		NWNE
T03N R02E S26		SENE
T03N R02E S26		NWNW
T03N R01W S1	Lot 1	NENE
T03N R01W S1		SWNE
T03N R01W S1	Lot 3	NENW
T03N R01W S1		SWNW
T03N R01W S1		NESW

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T03N R01W S1	NWSW	T03N R01W S1	SWSW
T03N R01W S1	SESW	T03N R01W S1	NESE
T03N R01W S1	NWSE	T03N R01W S1	SWSE
T03N R01W S1	SESE	T03N R01W S2	Lot 1 NENE
T03N R01W S2	Lot 2 NWNE	T03N R01W S2	SWNE
T03N R01W S2	SENE	T03N R01W S2	Lot 3 NENW
T03N R01W S2	Lot 4 NWNW	T03N R01W S2	SWNW
T03N R01W S2	SENW	T03N R01W S2	NESW

Place of Use: INDUSTRIAL same as IRRIGATION

Place of Use: GROUND WATER RECHARGE same as IRRIGATION

Conditions of Approval:

1. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
4. 127 Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
5. Water shall not be diverted under this right at the Danskin diversion if such diversion would cause injury to rights senior in priority to December 22, 2021 that are authorized to divert from Rock Creek and its tributaries.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion, the Green Ranch diversion, and the Danskin diversion must also be reduced by an equivalent proportion.
8. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
9. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.
10. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.00 cfs.

11. X61 The period of use for Industrial use described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early season use and a priority date earlier than the date of this approval.
12. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
13. This right when combined with Right Nos. 63-198AJ, 63-200B, 63-2392B, 63-2968, 63-30181 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
14. The number of acres available for Irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
15. The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by December 31 of each year.
16. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
17. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
18. The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
19. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
20. Rights 63-115, 63-19756, 63-31296, 63-31290A, and 63-31290B, and the following rights when diverted from the Danskin diversion, 63-198AJ, 63-199B, 63-200B, 63-30181, when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 155 acres.
21. SD1 This right originated as all or part of right no. 67 in the Stewart Decree and the historic Boise River Water Masters records.
22. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
23. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
24. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Danskin Diversion shall not exceed a combined total of 1.55 cfs.
25. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

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26. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
27. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Danskin diversion for irrigation purposes shall be calculated at a diversion rate of 0.01 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis or to limit the rate water may be applied to less than 0.02 cfs per acre at the field headgate.
28. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
29. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 3/30/2011

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-200b

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT
Priority Date: 8/20/1888
Origin: Water Right
Status: Active
Basis: Decreed

Source

BOISE RIVER
MORES CREEK
ROCK CREEK

Tributary

SNAKE RIVER
BOISE RIVER
SOUTH FORK BOISE RIVER

Beneficial Use

	<u>From To</u>
INDUSTRIAL	03/15 to 11/15
IRRIGATION	03/15 to 11/15
GROUND WATER RECHARGE	03/15 to 11/15

Diversion Rate

3.4 CFS
361.94 CFS
10.89 CFS

Annual Volume

Total Diversion

361.94 CFS

Location of Point(s) of Diversion

ROCK CREEK ELMORE County	NE1/4NW1/4	Sec. 14,	Twp 01N,	Rge 07E B.M.
BOISE RIVER ADA County	L8(NW1/4NE1/4)	Sec. 4,	Twp 02N,	Rge 03E B.M.
BOISE RIVER ADA County	L6(NW1/4SW1/4)	Sec. 29,	Twp 03N,	Rge 03E B.M.
MORES CREEK BOISE County	SW1/4NE1/4	Sec. 35,	Twp 05N,	Rge 04E B.M.

Place of Use

IRRIGATION Within ELMORE County

T01N R07E S10	Lot 4	NWSW	T01N R07E S10	Lot 8	SWSW
T01N R07E S10	Lot 7	SESW	T01N R07E S15	Lot 1	NWNE
T01N R07E S15	Lot 4	SWNE	T01N R07E S15	Lot 2	NENW
T02N R03E S5	Lot 1	NENE	T02N R03E S5	Lot 2	NWNE
T02N R03E S5		SWNE	T02N R03E S5		SENE
T02N R03E S5	Lot 3	NENW	T02N R03E S5		SWNW
T02N R03E S5		SENW	T02N R03E S5		NESW
T02N R03E S5		NWSW	T02N R03E S5		SWSW
T02N R03E S5		SESW	T02N R03E S5		NESE
T02N R03E S5		NWSE	T02N R03E S5		SWSE
T02N R03E S5		SESE	T02N R03E S6		SWNE
T02N R03E S6		SENE	T02N R03E S6		SENW

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T02N R03E S6		NESW
T02N R03E S6	Lot 7	SWSW
T02N R03E S6		NESE
T02N R03E S6		SWSE
T02N R03E S7		NENE
T02N R03E S7		SWNE
T02N R03E S7		NENW
T02N R03E S7	Lot 2	SWNW
T02N R03E S7		NESW
T02N R03E S7		NESE
T02N R03E S7		SWSE
T02N R03E S8		SWSW
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T02N R01W S3		NESW
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T02N R01W S4		SWNE
T02N R01W S4	Lot 3	NENW
T02N R01W S4		SWNW
T02N R01W S4		NESW
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T02N R01W S4		SWSE
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T02N R01W S6	Lot 1	NENE
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T02N R01W S7		SWNE
T02N R01W S7		NENW
T02N R01W S7	Lot 2	SWNW
T02N R01W S7		NESW

T02N R03E S6	Lot 6	NWSW
T02N R03E S6		SESW
T02N R03E S6		NWSE
T02N R03E S6		SESE
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T02N R03E S18		NWNE
T02N R03E S18		NENW
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T02N R01W S3		SENE
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T02N R01W S3		NWSW
T02N R01W S3		SESW
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T02N R01W S5		NWSE
T02N R01W S5		SESE
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T02N R01W S6		SENE
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T02N R01W S6		SESE
T02N R01W S7		NWNE
T02N R01W S7		SENE
T02N R01W S7	Lot 1	NWNW
T02N R01W S7		SENW
T02N R01W S7	Lot 3	NWSW

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T02N R01W S7	Lot 4	SWSW
T02N R01W S7		NESE
T02N R01W S7		SWSE
T02N R01W S8		NENE
T02N R01W S8		SWNE
T02N R01W S8		NENW
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T02N R01W S8		NESW
T02N R01W S8		SWSW
T02N R01W S8		NESE
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T02N R02W S2	Lot 2	NWNE
T02N R02W S2		SENE
T02N R02W S2	Lot 4	NWNW
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T02N R02W S2		SESE
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T02N R02W S3		SENE
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T02N R02W S3		SENE
T02N R02W S3		NWSW
T02N R02W S3		NESE

T02N R01W S7		SESE
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T02N R01W S18	Lot 2	SWNW
T02N R01W S18		NESW
T02N R01W S18		NESE
T02N R02W S1	Lot 1	NENE
T02N R02W S1		SWNE
T02N R02W S1	Lot 3	NENW
T02N R02W S1		SWNW
T02N R02W S1		NESW
T02N R02W S1		SWSW
T02N R02W S1		NESE
T02N R02W S1		SWSE
T02N R02W S2	Lot 1	NENE
T02N R02W S2		SWNE
T02N R02W S2	Lot 3	NENW
T02N R02W S2		SWNW
T02N R02W S2		NESW
T02N R02W S2		SWSW
T02N R02W S2		NESE
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T03N R01E S20		NESW
T03N R01E S20		SWSW
T03N R01E S20		NESE
T03N R01E S20		SWSE
T03N R01E S21		NENE
T03N R01E S21		SWNE
T03N R01E S21		NENW
T03N R01E S21		SWNW
T03N R01E S21		NESW
T03N R01E S21		SWSW
T03N R01E S21		NESE
T03N R01E S21		SWSE
T03N R01E S22		NENE
T03N R01E S22		SWNE
T03N R01E S22		NENW
T03N R01E S22		SWNW
T03N R01E S22		NESW
T03N R01E S22		SWSW
T03N R01E S22		NESE

Page _____ of _____

T03N R01E S22	NWSE	T03N R01E S22	SWSE
T03N R01E S22	SESE	T03N R01E S23	NENE
T03N R01E S23	NWNE	T03N R01E S23	SWNE
T03N R01E S23	SENE	T03N R01E S23	NENW
T03N R01E S23	NWNW	T03N R01E S23	SWNW
T03N R01E S23	SENW	T03N R01E S23	NESW
T03N R01E S23	NWSW	T03N R01E S23	SWSW
T03N R01E S23	SESW	T03N R01E S23	NESE
T03N R01E S23	NWSE	T03N R01E S23	SWSE
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T03N R01E S29	NENE	T03N R01E S29	NWNE
T03N R01E S29	SWNE	T03N R01E S29	SENE
T03N R01E S29	NENW	T03N R01E S29	NWNW
T03N R01E S29	SWNW	T03N R01E S29	SENW
T03N R01E S29	NESW	T03N R01E S29	NWSW
T03N R01E S29	SWSW	T03N R01E S29	SESW
T03N R01E S29	NESE	T03N R01E S29	NWSE
T03N R01E S29	SWSE	T03N R01E S29	SESE
T03N R01E S30	NENE	T03N R01E S30	NWNE
T03N R01E S30	SWNE	T03N R01E S30	SENE
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T03N R01E S32	SWNE	T03N R01E S32	SENE
T03N R01E S32	SENW	T03N R01E S32	NESE
T03N R01E S32	NWSE	T03N R01E S33	NENE
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T03N R02E S6	Lot 8 SWSW	T03N R02E S6	SESW
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T03N R02E S6	SWSE	T03N R02E S6	SESE
T03N R02E S7	NENE	T03N R02E S7	NWNE

Page _____ of _____

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T03N R01W S1		SWNW
T03N R01W S1		NESW

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T03N R01W S1		NWSW	T03N R01W S1		SWSW
T03N R01W S1		SESW	T03N R01W S1		NESE
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T03N R01W S1		SESE	T03N R01W S2	Lot 1	NENE
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T03N R01W S2		SENE	T03N R01W S2	Lot 3	NENW
T03N R01W S2	Lot 4	NWNW	T03N R01W S2		SWNW
T03N R01W S2		SENE	T03N R01W S2		NESW

Place of Use: INDUSTRIAL same as IRRIGATION

Place of Use: GROUND WATER RECHARGE same as IRRIGATION

Conditions of Approval:

1. The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs/acre.
6. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion, the Green Ranch diversion, and the Danskin diversion must also be reduced by an equivalent proportion.
7. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
8. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

9. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Danskin diversion for irrigation purposes shall be calculated at a diversion rate of 0.01 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis or to limit the rate water may be applied to less than 0.02 cfs per acre at the field headgate.
10. Water shall not be diverted under this right at the Danskin diversion if such diversion would cause injury to rights senior in priority to December 22, 2021 that are authorized to divert from Rock Creek and its tributaries.
11. X61 The period of use for irrigation, industrial, and ground water recharge uses described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early season use and a priority date earlier than the date of this approval.
12. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
13. 127 Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
14. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch and Danskin diversions on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
15. The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by December 31 of each year.
16. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
17. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Danskin Diversion shall not exceed a combined total of 1.55 cfs.
18. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
19. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.
20. Prior to March 1 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
21. Rights 63-115, 63-19756, 63-31296, 63-31290A, and 63-31290B, and the following rights when diverted from the Danskin diversion, 63-198AJ, 63-199B, 63-200B, 63-30181, when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 155 acres.
22. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

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23. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for Irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
24. SD1 This right originated as all or part of right no. 106 in the Stewart Decree and the historic Boise River Water Masters records.
25. This right when combined with Right Nos. 63-198AJ, 63-199B, 63-2392B, 63-2968, 63-30181 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
26. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for Irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for Irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
27. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.00 cfs.
28. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
29. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Decreed Date: 3/30/2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Km Date 11/22/23 Preliminary check by _____ Date _____

Fee paid \$1310.00 Date 11/22/23 Received by KM Receipt # C117396

Add'l fee paid	Date	Received by	Receipt #
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Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Transfer Narrative, Part 1A.3

Micron Technology Inc. (Micron) and J.R. Simplot Company annexed 1300 acres into Nampa & Meridian Irrigation District (NMID) in 1998; Micron annexed 870 acres and Simplot annexed 430 acres. The total flow rate NMID apportioned to the 1300 acres in 1998 was 20.34 cfs (0.0156 cfs/ac). As part of the annexation, a transfer application was required and filed on NMID natural flow water rights. The resulting transfer approval (No. 5273) changed the nature of use of 2 cfs from irrigation to industrial and 8 cfs from irrigation to recharge. This change was not additive with irrigation (i.e., the irrigation flow rate for the entire NMID portfolio did not decrease).

In 2021, NMID agreed to modify 1998 agreement to increase the apportionment of benefits to the 1300 Micron/Simplot acres from 20.34 cfs to 26.00 cfs, change the beginning period of use from March 15 to March 1 and increase the total rates allocated to industrial use from 2 cfs to 5 cfs and recharge use from 8 cfs to 16 cfs. These changes were approved under Transfer No. 84173.

The NMID water rights are conditioned as follows to prevent enlargement.

- *The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 26.0 cfs.*
- *Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.*
- *The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.02 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.*
- *The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.02 cfs per acre.*
- *Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.*
- *Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.*

NMID has recently approved annexation of 400 additional Micron acres at 0.02 cfs/acre. As part of the annexation agreement, the amount of water currently allocated to industrial and recharge uses under natural flow rights 63-199B and 63-200B is proposed for increase as shown in Table 1.

Table 1: Current and Proposed Flow Rates

Right Number	Priority Date	Total (cfs)	Current			Proposed		
			Irrigation (cfs)	Industrial (cfs)	Recharge (cfs)	Irrigation (cfs)	Industrial (cfs)	Recharge (cfs)
63-30181	6/1/1864	0.2	0.2	0.00	0.00	0.20	0.00	0.00
63-198AJ	6/1/1877	0.4	0.4	0.00	0.00	0.40	0.00	0.00
63-199B	5/1/1878	169.6	169.6	1.60	5.11	169.60	2.55	6.70
63-200B	8/20/1888	361.94	361.94	3.40	10.89	361.94	5.44	14.30
		532.14	532.14	5.00	16.00	532.14	8.00	21.00

As a result of this transfer, only the following conditions will need modified:

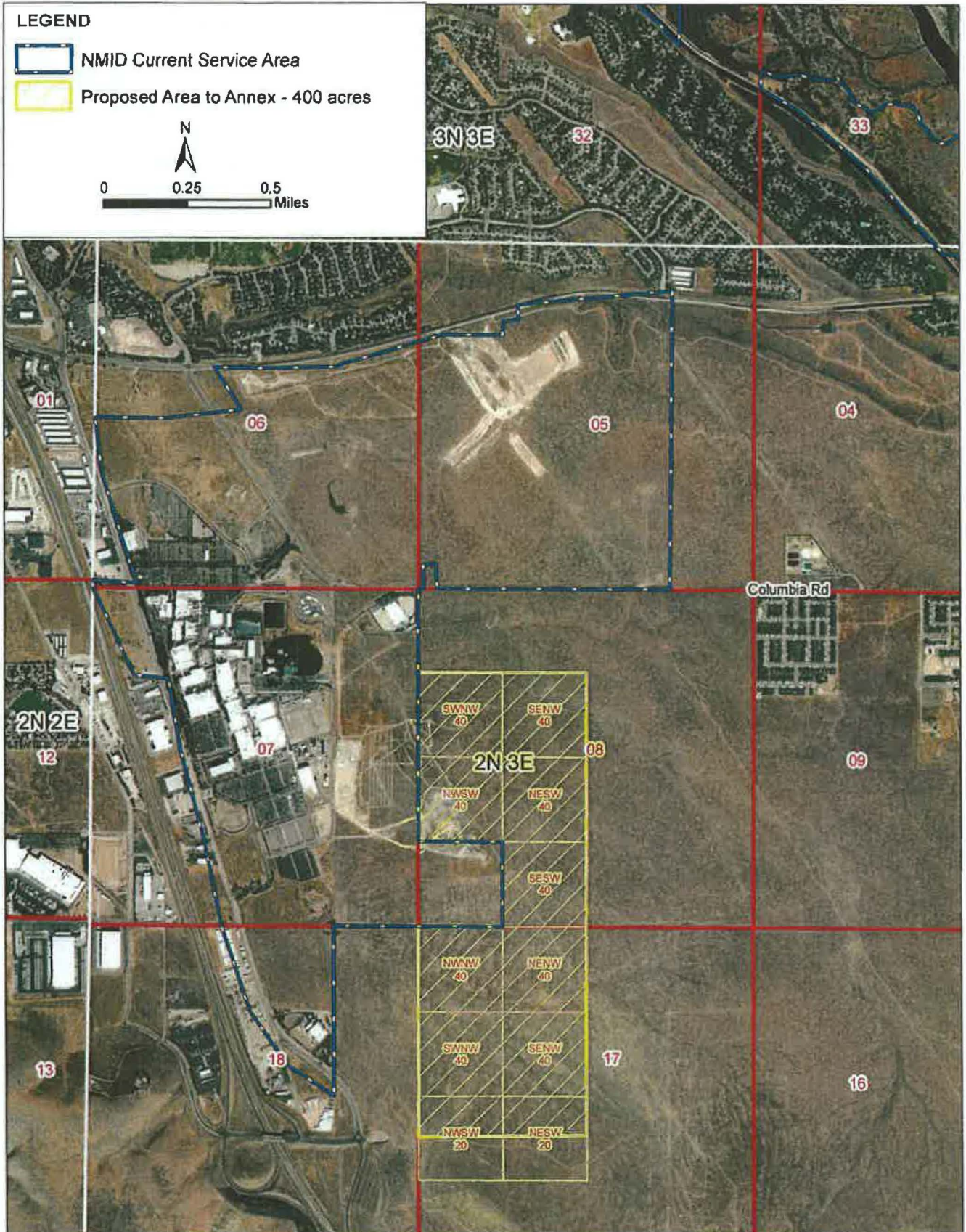
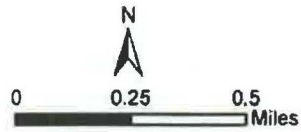
- The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of ~~1300~~ 1700 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by per acre.
- The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of ~~26.00~~ 34.00 cfs.

LEGEND



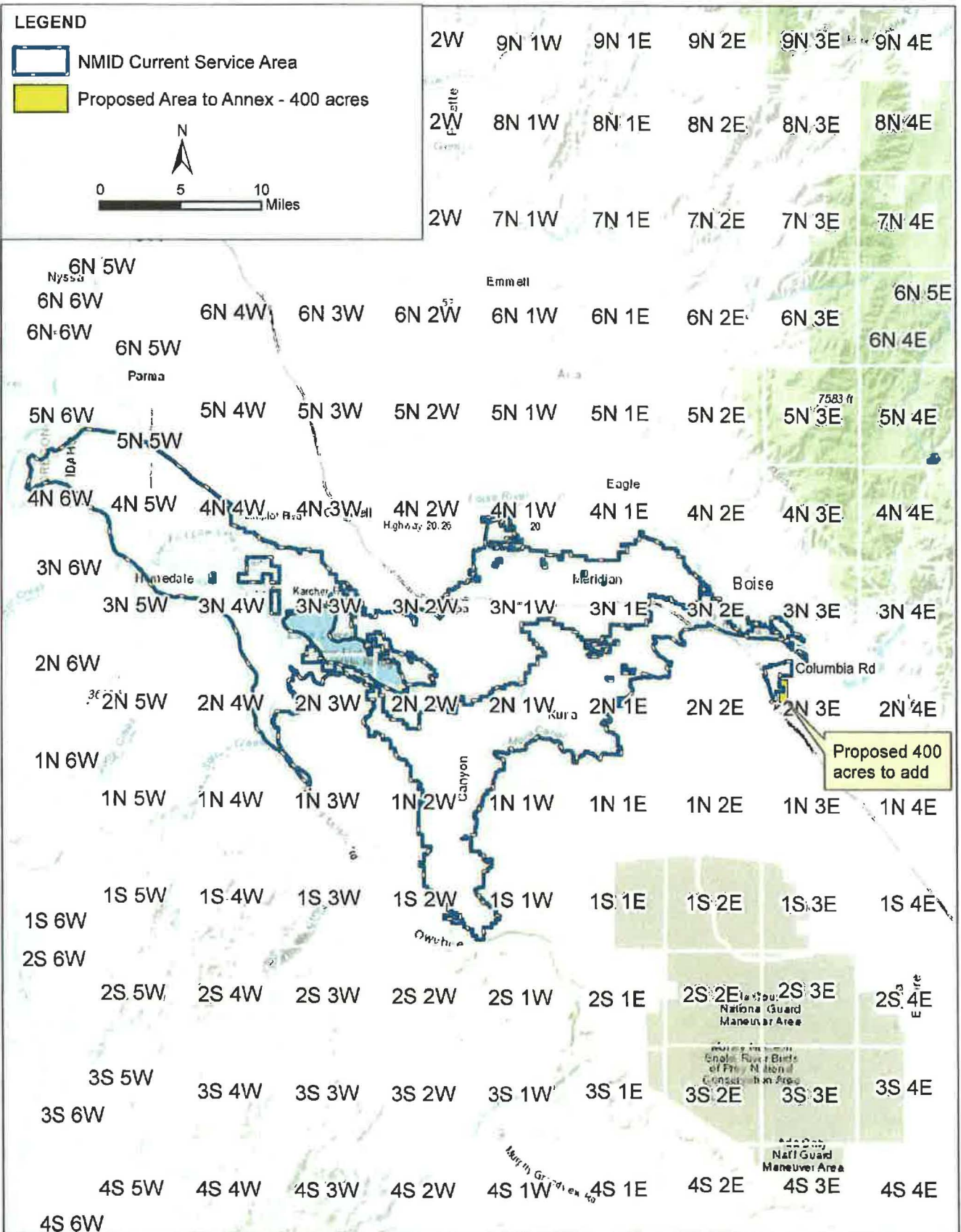
NMID Current Service Area

Proposed Area to Annex - 400 acres



HDR

TRANSFER ATTACHMENT 7A PROPOSED SERVICE AREA EXPANSION



TRANSFER ATTACHMENT 7B
NMID CURRENT SERVICE AREA

Attachment 8a – Water Balance

The water rights proposed for change have historically been used for irrigation of agricultural crops within the Treasure Valley. Estimated consumptive use for irrigation has been approximately 50 percent. The water is fully diverted to the extent it is available, and must be supplemented with storage water to provide a full season of irrigation.

There will be no increase in consumptive use as part of this transfer.

- The proposed industrial use will be at Micron Technology, Inc (Micron). At Micron, industrial water is utilized for manufacturing of semiconductor products after which the water is pre-treated and discharged to the City of Boise municipal wastewater system. The City of Boise discharges the treated wastewater to the Boise River. Estimated consumptive use of industrial water at Micron is less than 20 percent.
- The proposed groundwater recharge use is non-consumptive. The recharged groundwater is eventually diverted under Micron decreed and licensed groundwater rights to be used for industrial purposes and then discharged to the City of Boise municipal wastewater system. As previously noted, the estimated consumptive use of industrial water at Micron is less than 20 percent.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

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Governor Brad Little

Director Mathew Weaver

February 15, 2024

NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
PO BOX 7985
BOISE ID 83707-1985

RE: Transfer No. 88654; Water Right No(s). 63-199B, 63-200B
Transfer No. 88656; Water Right No(s). 63-198AJ, 63-199B, 63-200B, 63-30181

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATESMAN, IDAHO WORLD, MOUNTAIN HOME NEWS on 2/21/2024 and 2/28/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

CC: LORI GRAVES, HDR INC

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, February 15, 2024 5:52 PM
To: IWRB Water Use Reviews
Subject: Application for Transfer Nos. 88654, 88656
Attachments: 88654 Transfer Application.pdf; 88656 Transfer Application.pdf

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from the IDWR Planning Bureau regarding the above referenced water right application. You can find more information about the applications at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. I have also attached copies of the applications for your reference.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, February 15, 2024 5:51 PM
To: Daniel Hoke; Mike Meyers
Subject: Application for Transfer Nos. 88654, 88656
Attachments: 88654 WM.docx; 88656 WM.docx; 88654 Transfer Application.pdf; 88656 Transfer Application.pdf

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. You can find more information about the applications at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. I have also attached copies of the applications for your reference. Please review the applications, then complete the enclosed recommendation forms and return them to this office by March 11, 2024.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by March 11, 2024, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 88654
Water Right No(s). 63-199B, 63-200B

Transfer Applicant's Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O BRYCE FARRIS
SAWTOOTH LAW OFFICES PLLC
PO BOX 7985
BOISE ID 83707-1985

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, _____.

Watermaster's Signature

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, February 15, 2024 12:21 PM
To: BOI Legals
Subject: Legal Notice: Application for Transfer Nos. 88654, 88656
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho Statesman on the dates indicated (2/21 & 2/28, 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 3/11/2024. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, February 15, 2024 12:21 PM
To: Idaho World Editor
Subject: Legal Notice: Application for Transfer Nos. 88654, 88656
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho World on the dates indicated (2/21 & 2/28, 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 3/11/2024. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, February 15, 2024 12:21 PM
To: legaldept@mountainhomenews.com
Subject: Legal Notice: Application for Transfer Nos. 88654, 88656
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Mountain Home News on the dates indicated (2/21 & 2/28, 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 3/11/2024. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88654

NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O BRYCE FARRIS, SAWTOOTH LAW OFFICES PLLC, PO BOX 7985, BOISE, ID 83707 has filed Application No. 88654 for changes to the following water rights within ADA, BOISE, ELMORE County(s): Right No(s). 63-199B, 63-200B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

To convert an 8.0 cfs portion of water rights from irrigation to industrial and groundwater recharge. Diversion of the proposed use will occur at the Surprise Valley Pump Station in Lot 8, NWNE, Sec 4, T2N, R3E. The rate of flow diverted under water rights 65-198AJ, 63-199B, 63-200B, and 63-30181 at the Surprise Valley Pump Station shall not exceed a combined total of 34.56 cfs. The proposed place of use is 400 acres to be annexed into the irrigation district located in SWNW, SENW, NESW, NWSW, & SESW, Sec 8, T2N, R3E and NENW, NWNW, SWNW, SENW, NESW, & NWSW Sec 17, T2N, R3E.

TRANSFER NO. 88656

NAMPA & MERIDIAN IRRIGATION DISTRICT, C/O BRYCE FARRIS, SAWTOOTH LAW OFFICES PLLC, PO BOX 7985, BOISE, ID 83707 has filed Application No. 88656 for changes to the following water rights within ADA, BOISE, ELMORE County(s): Right No(s). 63-198AJ, 63-199B, 63-200B, 63-30181; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes an expansion to the Nampa and Meridian Irrigation District service area boundary and adds a point of diversion approximately 5.1 miles south of Prairie, Idaho. The proposed place of use annexation is 220 acres located in SESW, Sec 1, T1N, R7E and NWNE, SWNE, NENW, SWNW, SENW, NWSW, Sec 12, T1N, R7E. The point of diversion is in NWSE, Sec 7, T1N, R8E, for 2.2 cfs from Rock Creek, tributary to South Fork Boise River.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/11/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 2/21/2024 and 2/28/2024



RECEIVED

NOV 22 2023

DEPARTMENT OF
WATER RESOURCES

RECEIVED

NOV 27 2023

WATER RESOURCES
WESTERN REGION

November 22, 2023

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer - NMID

Enclosed on behalf Nampa and Meridian Irrigation District (NMID) is an *Application for Transfer* proposing a service area expansion to include 400 additional Micron acres and diversion of an additional 8.0 cfs of their authorized flow rate from the Surprise Valley pump station. The water will be used for industrial and recharge uses serving Micron as described in the transfer narrative included as Part 1A.3.

The \$1,310 filing fee is being provided by credit card upon submittal and was calculated based the greater of the following per Transfer Processing Memo No. 23:

Section IV, Part D:

NMID combined water right irrigation flow rate: 532.14 cfs and 69,495 acres

Additional area to include: 400 acres

Fee amount: $400 \text{ acres} / 69,495 \text{ acres} \times 532.14 \text{ cfs} = 3.06 \text{ cfs} = \740

Section IV, Part E:

Proposed additional diversion rate from the Surprise Valley pump station = 8.0 cfs

Fee amount for 8.0 cfs = **\$1,060**

An additional \$250 for the proposed changes in nature of use is also included.

Thank you for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Bryce Farris, Kevin Beaton

Enclosure: transfer application

hdrinc.com

HDR, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000