Rev. 07/18

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NOV 22 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 88650

MINIMUM 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 District

Check 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: NMID Annexation Agreement with L. G. Davison & Sons Inc. (Attachment 10) and Part 1.5.B.f (Attachment 11)

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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 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.

Signature of Applicant or Authorized Representative — Print Name and Title if applicable: BOARD PRESIDENT — Date: 11.21.23

Signature of Applicant or Authorized Representative — Print Name and Title if applicable: MICHAEL COMESKEY, SECRETARY/TREASURER — Date: 11.21.2023

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☑ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. 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 **Part1A.2.**

3. 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 Annexation Agreement included as Attachment 10.

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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. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑ ☐	63-198AJ	0.4 cfs	Irrigation	3/15 to 11/15	Rock Cr. trib. to SF Boise R. Boise R. trib. to Snake R. Mores Cr. trib. to Snake R.
☑ ☐	63-199B	169.6 cfs	Irrigation	3/1 to 11/15	same as above
☐ ☐		1.6 cfs	Industrial	3/15 to 11/15	
☐ ☐		5.11 cfs	Groundwater Recharge	3/1 to 11/15	
☑ ☐	63-200B	361.94 cfs	Irrigation	3/15 to 11/15	same as above
☐ ☐		3.4 cfs	Industrial	3/15 to 11/15	
☐ ☐		10.89 cfs	Groundwater Recharge	3/15 to 11/15	
☑ ☐	63-30181	0.2 cfs	Irrigation	3/15 to 11/15	same as above
☐ ☐				to	

Total authorized under rights 532.14 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.20 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 #
N			NE	NW	14	1N	7E	Elmore	Rock Creek	Danskin Diversion
N	8		NW	NE	4	2N	3E	Ada	Boise River	
N	6		NW	SW	29	3N	3E	Ada	Boise River	
N			SW	NE	35	5N	4E	Boise	Mores Creek	
Y			NW	SE	7	1N	8E	Elmore	Rock Creek	Davison Diversion

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	
1N	7E	1												30					30
1N	7E	12		20	20		30		40	40		40							190

Total Acres (for irrigation use) *69,495

*Proposed place of use includes the current service area plus an additional 220 acres described above. Note, changes proposed on applicant's pending transfer applications are not included.

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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 will be accommodated per items 3, 4 and 10 of the Annexation Agreement included as Attachment 10.

b. Who owns the property at the point(s) of diversion? L. G. Davison & Sons Inc.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Annexation Agreement included as Attachment 10.

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 for transfer through exclusion of said lands from the irrigation district. See Section 2 of the Annexation Agreement included as Attachment 10.

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:
None.

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:

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

Current Water Right No.: 63-198aj

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT

Priority Date: 6/1/1877

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BOISE RIVER	SNAKE RIVER
MORES CREEK	BOISE RIVER
ROCK CREEK	SOUTH FORK BOISE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.4 CFS	
	Total Diversion	0.4 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 CANYON 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
T02N R03E S6		NESW	T02N R03E S6	Lot 6	NWSW
T02N R03E S6	Lot 7	SWSW	T02N R03E S6		SESW

T02N R03E S6		NESE	T02N R03E S6		NWSE
T02N R03E S6		SWSE	T02N R03E S6		SESE
T02N R03E S7		NENE	T02N R03E S7		NWNE
T02N R03E S7		SWNE	T02N R03E S7		SENE
T02N R03E S7		NENW	T02N R03E S7	Lot 1	NWNW
T02N R03E S7	Lot 2	SWNW	T02N R03E S7		SENW
T02N R03E S7		NESW	T02N R03E S7		SESW
T02N R03E S7		NESE	T02N R03E S7		NWSE
T02N R03E S7		SWSE	T02N R03E S7		SESE
T02N R03E S8		SWSW	T02N R03E S18		NWNE
T02N R03E S18		SWNE	T02N R03E S18		NENW
T02N R01W S3	Lot 1	NENE	T02N R01W S3	Lot 2	NWNE
T02N R01W S3		SWNE	T02N R01W S3		SENE
T02N R01W S3	Lot 3	NENW	T02N R01W S3	Lot 4	NWNW
T02N R01W S3		SWNW	T02N R01W S3		SENW
T02N R01W S3		NESW	T02N R01W S3		NWSW
T02N R01W S3		SWSW	T02N R01W S3		SESW
T02N R01W S4	Lot 1	NENE	T02N R01W S4	Lot 2	NWNE
T02N R01W S4		SWNE	T02N R01W S4		SENE
T02N R01W S4	Lot 3	NENW	T02N R01W S4	Lot 4	NWNW
T02N R01W S4		SWNW	T02N R01W S4		SENW
T02N R01W S4		NESW	T02N R01W S4		NWSW
T02N R01W S4		SWSW	T02N R01W S4		SESW
T02N R01W S4		NESE	T02N R01W S4		NWSE
T02N R01W S4		SWSE	T02N R01W S4		SESE
T02N R01W S5	Lot 1	NENE	T02N R01W S5	Lot 2	NWNE
T02N R01W S5		SWNE	T02N R01W S5		SENE
T02N R01W S5	Lot 3	NENW	T02N R01W S5	Lot 4	NWNW
T02N R01W S5		SWNW	T02N R01W S5		SENW
T02N R01W S5		NESW	T02N R01W S5		NWSW
T02N R01W S5		SWSW	T02N R01W S5		SESW
T02N R01W S5		NESE	T02N R01W S5		NWSE
T02N R01W S5		SWSE	T02N R01W S5		SESE
T02N R01W S6	Lot 1	NENE	T02N R01W S6	Lot 2	NWNE
T02N R01W S6		SWNE	T02N R01W S6		SENE
T02N R01W S6	Lot 3	NENW	T02N R01W S6	Lot 4	NWNW
T02N R01W S6	Lot 5	SWNW	T02N R01W S6		SENW
T02N R01W S6		NESW	T02N R01W S6	Lot 6	NWSW
T02N R01W S6	Lot 7	SWSW	T02N R01W S6		SESW
T02N R01W S6		NESE	T02N R01W S6		NWSE
T02N R01W S6		SWSE	T02N R01W S6		SESE
T02N R01W S7		NENE	T02N R01W S7		NWNE
T02N R01W S7		SWNE	T02N R01W S7		SENE
T02N R01W S7		NENW	T02N R01W S7	Lot 1	NWNW
T02N R01W S7	Lot 2	SWNW	T02N R01W S7		SENW
T02N R01W S7		NESW	T02N R01W S7	Lot 3	NWSW
T02N R01W S7	Lot 4	SWSW	T02N R01W S7		SESW
T02N R01W S7		NESE	T02N R01W S7		NWSE

T02N R01W S7		SWSE	T02N R01W S7		SESE
T02N R01W S8		NENE	T02N R01W S8		NWNE
T02N R01W S8		SWNE	T02N R01W S8		SENE
T02N R01W S8		NENW	T02N R01W S8		NWNW
T02N R01W S8		SWNW	T02N R01W S8		SENW
T02N R01W S8		NESW	T02N R01W S8		NWSW
T02N R01W S8		SWSW	T02N R01W S8		SESW
T02N R01W S8		NESE	T02N R01W S8		NWSE
T02N R01W S8		SWSE	T02N R01W S8		SESE
T02N R01W S9		NENE	T02N R01W S9		NWNE
T02N R01W S9		SWNE	T02N R01W S9		SENE
T02N R01W S9		NENW	T02N R01W S9		NWNW
T02N R01W S9		SWNW	T02N R01W S9		SENW
T02N R01W S9		NESW	T02N R01W S9		NWSW
T02N R01W S9		NESE	T02N R01W S9		NWSE
T02N R01W S10		NWNW	T02N R01W S10		SWNW
T02N R01W S10		NWSW	T02N R01W S17		NWNW
T02N R01W S17		SWNW	T02N R01W S18		NENE
T02N R01W S18		NWNE	T02N R01W S18		SWNE
T02N R01W S18		SENE	T02N R01W S18		NENW
T02N R01W S18	Lot 1	NWNW	T02N R01W S18	Lot 2	SWNW
T02N R01W S18		SENW	T02N R01W S18		NESW
T02N R01W S18	Lot 3	NWSW	T02N R01W S18		NESE
T02N R01W S18		NWSE	T02N R02W S1	Lot 1	NENE
T02N R02W S1	Lot 2	NWNE	T02N R02W S1		SWNE
T02N R02W S1		SENE	T02N R02W S1	Lot 3	NENW
T02N R02W S1	Lot 4	NWNW	T02N R02W S1		SWNW
T02N R02W S1		SENW	T02N R02W S1		NESW
T02N R02W S1		NWSW	T02N R02W S1		SWSW
T02N R02W S1		SESW	T02N R02W S1		NESE
T02N R02W S1		NWSE	T02N R02W S1		SWSE
T02N R02W S1		SESE	T02N R02W S2	Lot 1	NENE
T02N R02W S2	Lot 2	NWNE	T02N R02W S2		SWNE
T02N R02W S2		SENE	T02N R02W S2	Lot 3	NENW
T02N R02W S2	Lot 4	NWNW	T02N R02W S2		SWNW
T02N R02W S2		SENW	T02N R02W S2		NESW
T02N R02W S2		NWSW	T02N R02W S2		SWSW
T02N R02W S2		SESW	T02N R02W S2		NESE
T02N R02W S2		NWSE	T02N R02W S2		SWSE
T02N R02W S2		SESE	T02N R02W S3	Lot 1	NENE
T02N R02W S3	Lot 2	NWNE	T02N R02W S3		SWNE
T02N R02W S3		SENE	T02N R02W S3	Lot 3	NENW
T02N R02W S3	Lot 4	NWNW	T02N R02W S3		SWNW
T02N R02W S3		SENW	T02N R02W S3		NESW
T02N R02W S3		NWSW	T02N R02W S3		SESW
T02N R02W S3		NESE	T02N R02W S3		NWSE
T02N R02W S3		SWSE	T02N R02W S3		SESE
T02N R02W S4	Lot 1	NENE	T02N R02W S4	Lot 2	NWNE

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
T02N R02W S11		SWSW
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
T02N R02W S13		NENW
T02N R02W S13		SWNW
T02N R02W S13		NESW
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 S15		NWNE
T02N R02W S15		SENE
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
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T02N R02W S10		NWSE
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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
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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
T03N R02E S7		SWNE	T03N R02E S7		SENE
T03N R02E S7		NENW	T03N R02E S7	Lot 1	NWNW

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T03N R02E S7	Lot 2	SWNW	T03N R02E S7		SENW
T03N R02E S7		NESW	T03N R02E S7	Lot 3	NWSW
T03N R02E S7	Lot 4	SWSW	T03N R02E S7		SESW
T03N R02E S7		NESE	T03N R02E S7		NWSE
T03N R02E S7		SWSE	T03N R02E S7		SESE
T03N R02E S8	Lot 1	NENE	T03N R02E S8	Lot 4	NENE
T03N R02E S8	Lot 2	NWNE	T03N R02E S8	Lot 3	NWNE
T03N R02E S8		SWNE	T03N R02E S8		SENE
T03N R02E S8		NENW	T03N R02E S8		NWNW
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T03N R02E S8		NESW	T03N R02E S8		NWSW
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T03N R02E S8		SWSE	T03N R02E S8		SESE
T03N R02E S9		SWNW	T03N R02E S9	Lot 8	SENW
T03N R02E S9		NESW	T03N R02E S9		NWSW
T03N R02E S9		NWSE	T03N R02E S15		NESW
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T03N R02E S17		NESW	T03N R02E S17		NWSW
T03N R02E S17		SWSW	T03N R02E S17		SESW
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T03N R02E S18		SWNE	T03N R02E S18		SENE
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T03N R02E S18	Lot 2	SWNW	T03N R02E S18		SENW
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T03N R02E S23		NWSE	T03N R02E S23		SWSE
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T03N R02E S26		SENW	T03N R01W S1	Lot 1	NENE
T03N R01W S1	Lot 2	NWNE	T03N R01W S1		SWNE
T03N R01W S1		SENE	T03N R01W S1	Lot 3	NENW
T03N R01W S1	Lot 4	NWNW	T03N R01W S1		SWNW
T03N R01W S1		SENW	T03N R01W S1		NESW
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

Conditions of Approval:

1.	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).
2.		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.
3.		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.
4.		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.
5.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6.	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.
7.		Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.
8.		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.
9.		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.
10.	127	Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

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11.	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.
12.	X61	The period of use for the irrigation 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 irrigation use and a priority date earlier than the date of this approval.
13.		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.
14.	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.
15.		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.
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.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
18.		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.
19.	SD1	This right originated as all or part of right no. 65 in the Stewart Decree and the historic Boise River Water Masters records.
20.		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.
21.	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.
22.	K06	This right is limited to the irrigation of 40 acres within the authorized place of use.
23.		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.

24. 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.

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 its tributaries.

26. This right when combined with Right Nos. 63-199B, 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.

27. 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.

Decreed Date: 3/30/2011

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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	Tributary
BOISE RIVER	SNAKE RIVER
MORES CREEK	BOISE RIVER
ROCK CREEK	SOUTH FORK BOISE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
INDUSTRIAL	03/15 to 11/15	1.6 CFS	
IRRIGATION	03/01 to 11/15	169.6 CFS	
GROUND WATER RECHARGE	03/01 to 11/15	5.11 CFS	
	Total Diversion	169.6 CFS	

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION Within CANYON 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 6	NWSW
T02N R03E S6	Lot 7	SWSW	T02N R03E S6		SESW
T02N R03E S6		NESE	T02N R03E S6		NWSE
T02N R03E S6		SWSE	T02N R03E S6		SESE
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T02N R03E S7	Lot 2	SWNW	T02N R03E S7		SENW
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T02N R01W S7		NESW	T02N R01W S7	Lot 3	NWSW

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T02N R02W S2		SENE	T02N R02W S2	Lot 3	NENW
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T02N R02W S2		NWSE	T02N R02W S2		SWSE
T02N R02W S2		SESE	T02N R02W S3	Lot 1	NENE
T02N R02W S3	Lot 2	NWNE	T02N R02W S3		SWNE
T02N R02W S3		SENE	T02N R02W S3	Lot 3	NENW
T02N R02W S3	Lot 4	NWNW	T02N R02W S3		SWNW
T02N R02W S3		SENW	T02N R02W S3		NESW
T02N R02W S3		NWSW	T02N R02W S3		SESW
T02N R02W S3		NESE	T02N R02W S3		NWSE

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T02N R02W S3		SWSE
T02N R02W S4	Lot 1	NENE
T02N R02W S4		SENE
T02N R02W S4	Lot 4	NWNW
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T02N R02W S8		SESE
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T03N R01E S23		SESW	T03N R01E S23		NESE
T03N R01E S23		NWSE	T03N R01E S23		SWSE
T03N R01E S24		NWSW	T03N R01E S27		NWNE
T03N R01E S28		NENW	T03N R01E S28		NWNW
T03N R01E S28		SWNW	T03N R01E S28		SENW
T03N R01E S28		NESW	T03N R01E S28		NWSW
T03N R01E S29		NENE	T03N R01E S29		NWNE
T03N R01E S29		SWNE	T03N R01E S29		SENE
T03N R01E S29		NENW	T03N R01E S29		NWNW
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T03N R01E S29		NESW	T03N R01E S29		NWSW
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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
T03N R01E S30		NENW	T03N R01E S30	Lot 1	NWNW
T03N R01E S30		SENW	T03N R01E S30		NESE
T03N R01E S30		NWSE	T03N R01E S30		SESE
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
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T03N R02E S5		NWSE	T03N R02E S5	Lot 13	SWSE
T03N R02E S5	Lot 16	SWSE	T03N R02E S5	Lot 12	SESE
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T03N R02E S6	Lot 3	NWNE	T03N R02E S6		SWNE
T03N R02E S6	Lot 9	SENE	T03N R02E S6	Lot 10	SENE
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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
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T03N R02E S26		NWNW
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T03N R01W S1		SWNW
T03N R01W S1		NESW

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
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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.		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.
3.		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.
4.		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.
5.	127	Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
6.	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.
7.		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.
8.		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.
9.		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.
10.	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.

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11.		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.
12.		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.
13.		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.
14.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15.	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).
16.		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.
17.		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.
18.	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.
19.		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.
20.	SD1	This right originated as all or part of right no. 67 in the Stewart Decree and the historic Boise River Water Masters records.
21.		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.
22.		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.
23.	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.
24.		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.
25.		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.

26.	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.
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.		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.

Decreed Date: 3/30/2011

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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	Tributary
BOISE RIVER	SNAKE RIVER
MORES CREEK	BOISE RIVER
ROCK CREEK	SOUTH FORK BOISE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
INDUSTRIAL	03/15 to 11/15	3.4 CFS	
IRRIGATION	03/15 to 11/15	361.94 CFS	
GROUND WATER RECHARGE	03/15 to 11/15	10.89 CFS	
	Total Diversion	361.94 CFS	

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION Within CANYON 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 6	NWSW
T02N R03E S6	Lot 7	SWSW	T02N R03E S6		SESW
T02N R03E S6		NESE	T02N R03E S6		NWSE
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T02N R01W S4		SWSE	T02N R01W S4		SESE
T02N R01W S5	Lot 1	NENE	T02N R01W S5	Lot 2	NWNE
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T02N R01W S6	Lot 1	NENE	T02N R01W S6	Lot 2	NWNE
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T02N R01W S7		NENW	T02N R01W S7	Lot 1	NWNW
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T02N R01W S7		NESW	T02N R01W S7	Lot 3	NWSW

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T02N R01W S7	Lot 4	SWSW	T02N R01W S7		SESW
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T02N R01W S8		NENE	T02N R01W S8		NWNE
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T02N R01W S8		NENW	T02N R01W S8		NWNW
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T02N R01W S8		NESW	T02N R01W S8		NWSW
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T02N R01W S8		NESE	T02N R01W S8		NWSE
T02N R01W S8		SWSE	T02N R01W S8		SESE
T02N R01W S9		NENE	T02N R01W S9		NWNE
T02N R01W S9		SWNE	T02N R01W S9		SENE
T02N R01W S9		NENW	T02N R01W S9		NWNW
T02N R01W S9		SWNW	T02N R01W S9		SENW
T02N R01W S9		NESW	T02N R01W S9		NWSW
T02N R01W S9		NESE	T02N R01W S9		NWSE
T02N R01W S10		NWNW	T02N R01W S10		SWNW
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T02N R01W S18		SENE	T02N R01W S18		NENW
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T02N R02W S3		NESE	T02N R02W S3		NWSE

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T03N R01E S4	Lot 1	NENE

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T03N R01E S19		SENE	T03N R01E S19		NENW
T03N R01E S19	Lot 1	NWNW	T03N R01E S19	Lot 2	SWNW
T03N R01E S19		SENW	T03N R01E S19		NESW
T03N R01E S19	Lot 3	NWSW	T03N R01E S19	Lot 4	SWSW
T03N R01E S19		SESW	T03N R01E S19		NESE
T03N R01E S19		NWSE	T03N R01E S19		SWSE
T03N R01E S19		SESE	T03N R01E S20		NENE
T03N R01E S20		NWNE	T03N R01E S20		SWNE
T03N R01E S20		SENE	T03N R01E S20		NENW
T03N R01E S20		NWNW	T03N R01E S20		SWNW
T03N R01E S20		SENW	T03N R01E S20		NESW
T03N R01E S20		NWSW	T03N R01E S20		SWSW
T03N R01E S20		SESW	T03N R01E S20		NESE
T03N R01E S20		NWSE	T03N R01E S20		SWSE
T03N R01E S20		SESE	T03N R01E S21		NENE
T03N R01E S21		NWNE	T03N R01E S21		SWNE
T03N R01E S21		SENE	T03N R01E S21		NENW
T03N R01E S21		NWNW	T03N R01E S21		SWNW
T03N R01E S21		SENW	T03N R01E S21		NESW
T03N R01E S21		NWSW	T03N R01E S21		SWSW
T03N R01E S21		SESW	T03N R01E S21		NESE
T03N R01E S21		NWSE	T03N R01E S21		SWSE
T03N R01E S21		SESE	T03N R01E S22		NENE
T03N R01E S22		NWNE	T03N R01E S22		SWNE
T03N R01E S22		SENE	T03N R01E S22		NENW
T03N R01E S22		NWNW	T03N R01E S22		SWNW
T03N R01E S22		SENW	T03N R01E S22		NESW
T03N R01E S22		NWSW	T03N R01E S22		SWSW
T03N R01E S22		SESW	T03N R01E S22		NESE

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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
T03N R01E S24		NWSW	T03N R01E S27		NWNE
T03N R01E S28		NENW	T03N R01E S28		NWNW
T03N R01E S28		SWNW	T03N R01E S28		SENW
T03N R01E S28		NESW	T03N R01E S28		NWSW
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
T03N R01E S30		NENW	T03N R01E S30	Lot 1	NWNW
T03N R01E S30		SENW	T03N R01E S30		NESE
T03N R01E S30		NWSE	T03N R01E S30		SESE
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		SENE
T03N R02E S7		NENW	T03N R02E S7	Lot 1	NWNW
T03N R02E S7	Lot 2	SWNW	T03N R02E S7		SENW
T03N R02E S7		NESW	T03N R02E S7	Lot 3	NWSW
T03N R02E S7	Lot 4	SWSW	T03N R02E S7		SESW
T03N R02E S7		NESE	T03N R02E S7		NWSE
T03N R02E S7		SWSE	T03N R02E S7		SESE
T03N R02E S8	Lot 1	NENE	T03N R02E S8	Lot 4	NENE
T03N R02E S8	Lot 2	NWNE	T03N R02E S8	Lot 3	NWNE
T03N R02E S8		SWNE	T03N R02E S8		SENE
T03N R02E S8		NENW	T03N R02E S8		NWNW
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T03N R02E S8		NESW	T03N R02E S8		NWSW
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T03N R02E S8		NESE	T03N R02E S8		NWSE
T03N R02E S8		SWSE	T03N R02E S8		SESE
T03N R02E S9		SWNW	T03N R02E S9	Lot 8	SENW
T03N R02E S9		NESW	T03N R02E S9		NWSW
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T03N R02E S17		NESW	T03N R02E S17		NWSW
T03N R02E S17		SWSW	T03N R02E S17		SESW
T03N R02E S17		NWSE	T03N R02E S17		SWSE
T03N R02E S18		NENE	T03N R02E S18		NWNE
T03N R02E S18		SWNE	T03N R02E S18		SENE
T03N R02E S18		NENW	T03N R02E S18	Lot 1	NWNW
T03N R02E S18	Lot 2	SWNW	T03N R02E S18		SENW
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T03N R02E S23		SENE	T03N R02E S23		NESW
T03N R02E S23		NWSW	T03N R02E S23		SWSW
T03N R02E S23		SESW	T03N R02E S23		NESE
T03N R02E S23		NWSE	T03N R02E S23		SWSE
T03N R02E S23		SESE	T03N R02E S24		SWSW
T03N R02E S24		SESW	T03N R02E S24		SWSE
T03N R02E S25		NENW	T03N R02E S25		NWNW
T03N R02E S25		SWNW	T03N R02E S25		SENW
T03N R02E S26		NENE	T03N R02E S26		NWNE
T03N R02E S26		SWNE	T03N R02E S26		SENE
T03N R02E S26		NENW	T03N R02E S26		NWNW
T03N R02E S26		SENW	T03N R01W S1	Lot 1	NENE
T03N R01W S1	Lot 2	NWNE	T03N R01W S1		SWNE
T03N R01W S1		SENE	T03N R01W S1	Lot 3	NENW
T03N R01W S1	Lot 4	NWNW	T03N R01W S1		SWNW
T03N R01W S1		SENW	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.		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.
2.		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.
3.		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.
4.		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.
5.		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.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7.		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.
8.		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.
9.		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.

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10.	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.
11.		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.
12.		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.
13.	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.
14.	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).
15.		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.
16.		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.
17.	127	Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
18.		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.
19.	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.
20.	SD1	This right originated as all or part of right no. 106 in the Stewart Decree and the historic Boise River Water Masters records.
21.		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.
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.
23.	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.

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24.		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.
25.		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.
26.	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.
27.		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.
28.		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.
29.	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.

Decreed Date: 3/30/2011

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

Current Water Right No.: 63-30181

Current Owner: NAMPA & MERIDIAN IRRIGATION DISTRICT

Priority Date: 6/1/1864

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BOISE RIVER	SNAKE RIVER
MORES CREEK	BOISE RIVER
ROCK CREEK	SOUTH FORK BOISE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.2 CFS	
	Total Diversion	0.2 CFS	

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION Within CANYON 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
T02N R03E S6		NESW	T02N R03E S6	Lot 6	NWSW
T02N R03E S6	Lot 7	SWSW	T02N R03E S6		SESW

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T02N R03E S6		NESE	T02N R03E S6		NWSE
T02N R03E S6		SWSE	T02N R03E S6		SESE
T02N R03E S7		NENE	T02N R03E S7		NWNE
T02N R03E S7		SWNE	T02N R03E S7		SENE
T02N R03E S7		NENW	T02N R03E S7	Lot 1	NWNW
T02N R03E S7	Lot 2	SWNW	T02N R03E S7		SENW
T02N R03E S7		NESW	T02N R03E S7		SESW
T02N R03E S7		NESE	T02N R03E S7		NWSE
T02N R03E S7		SWSE	T02N R03E S7		SESE
T02N R03E S8		SWSW	T02N R03E S18		NWNE
T02N R03E S18		SWNE	T02N R03E S18		NENW
T02N R01W S3	Lot 1	NENE	T02N R01W S3	Lot 2	NWNE
T02N R01W S3		SWNE	T02N R01W S3		SENE
T02N R01W S3	Lot 3	NENW	T02N R01W S3	Lot 4	NWNW
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T02N R01W S3		NESW	T02N R01W S3		NWSW
T02N R01W S3		SWSW	T02N R01W S3		SESW
T02N R01W S4	Lot 1	NENE	T02N R01W S4	Lot 2	NWNE
T02N R01W S4		SWNE	T02N R01W S4		SENE
T02N R01W S4	Lot 3	NENW	T02N R01W S4	Lot 4	NWNW
T02N R01W S4		SWNW	T02N R01W S4		SENW
T02N R01W S4		NESW	T02N R01W S4		NWSW
T02N R01W S4		SWSW	T02N R01W S4		SESW
T02N R01W S4		NESE	T02N R01W S4		NWSE
T02N R01W S4		SWSE	T02N R01W S4		SESE
T02N R01W S5	Lot 1	NENE	T02N R01W S5	Lot 2	NWNE
T02N R01W S5		SWNE	T02N R01W S5		SENE
T02N R01W S5	Lot 3	NENW	T02N R01W S5	Lot 4	NWNW
T02N R01W S5		SWNW	T02N R01W S5		SENW
T02N R01W S5		NESW	T02N R01W S5		NWSW
T02N R01W S5		SWSW	T02N R01W S5		SESW
T02N R01W S5		NESE	T02N R01W S5		NWSE
T02N R01W S5		SWSE	T02N R01W S5		SESE
T02N R01W S6	Lot 1	NENE	T02N R01W S6	Lot 2	NWNE
T02N R01W S6		SWNE	T02N R01W S6		SENE
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T02N R01W S7		NESE	T02N R01W S7		NWSE

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T02N R02W S4	Lot 1	NENE	T02N R02W S4	Lot 2	NWNE

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T03N R01E S22		NWSE	T03N R01E S22		SWSE
T03N R01E S22		SESE	T03N R01E S23		NENE

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T03N R01E S23		NWNE	T03N R01E S23		SWNE
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T03N	R01W	S1		NWSE	T03N	R01W	S1		SWSE
T03N	R01W	S1		SESE	T03N	R01W	S2	Lot 1	NENE
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T03N	R01W	S2	Lot 4	NWNW	T03N	R01W	S2		SWNW
T03N	R01W	S2		SENW	T03N	R01W	S2		NESW

Conditions of Approval:

1.		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.
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.	P32	This right is former right no. 63-120J.
4.	127	Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
5.		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.
6.		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.
7.		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.
8.	SD1	This right originated as all or part of right no. 1 in the Stewart Decree and the historic Boise River Water Masters records.
9.		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.
10.		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.
11.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
12.		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.
13.		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.

14.	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.
15.		This right when combined with Right Nos. 63-198AJ, 63-199B, 63-200B, 63-2392B, 63-2968 and 63-32695 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.
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.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
18.		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.
19.		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.
20.	X61	The period of use for the irrigation 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 irrigation use and a priority date earlier than the date of this approval.
21.		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.
22.	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.
23.		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.

24.	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).
25.		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.
26.		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.
27.	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.

Decreed Date: 3/30/2011

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: ______________

1. amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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	

Total Acres (for irrigation use) ______

88656

Rev. 07/18

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 rights(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:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

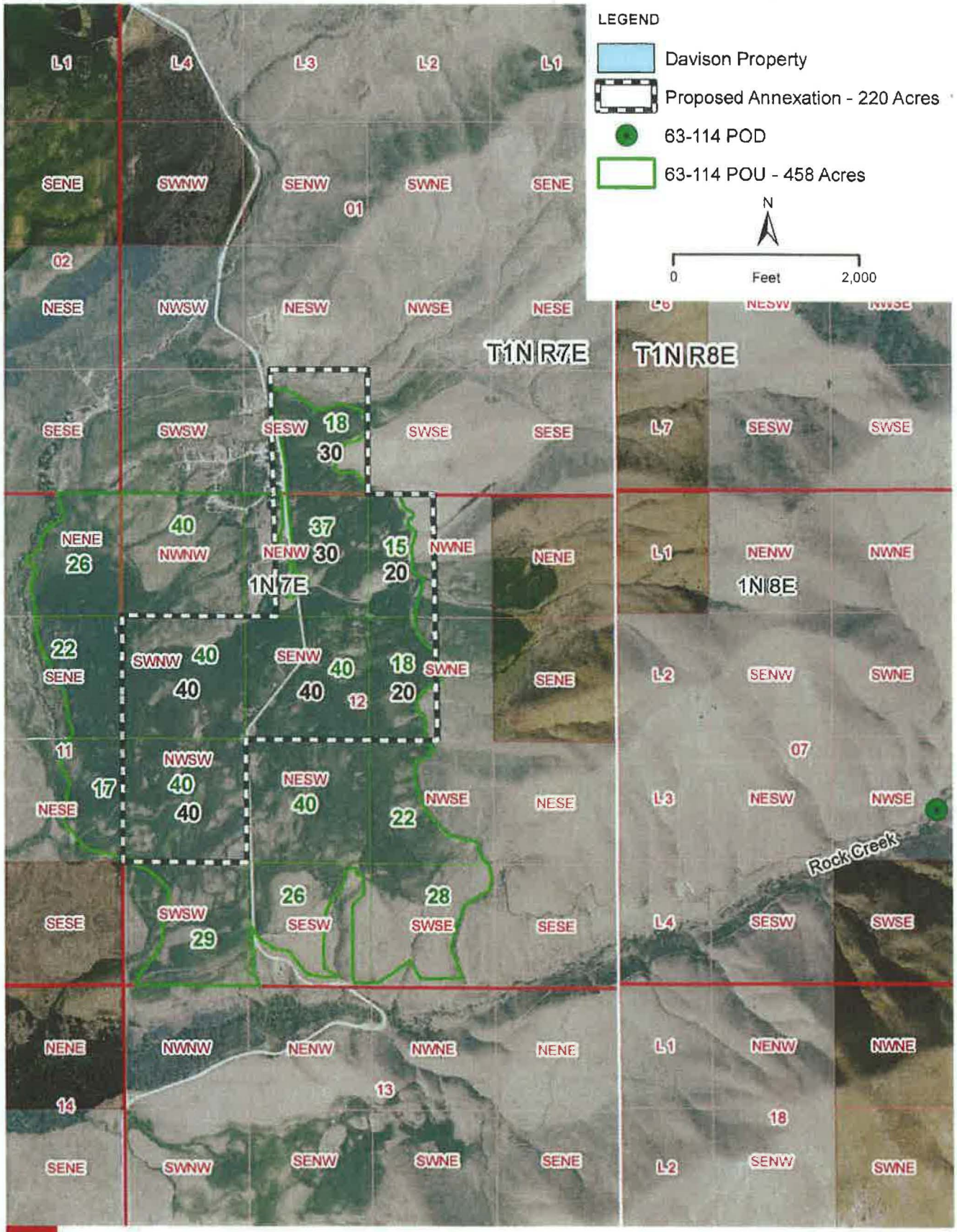
Received by RM Date 11/22/23 Preliminary check by _____ Date _____

Fee paid $660.00 Date 11/22/23 Receipted by RM Receipt # CII 7395

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

h88650



DATA SOURCE: Elmore NAIP 2021

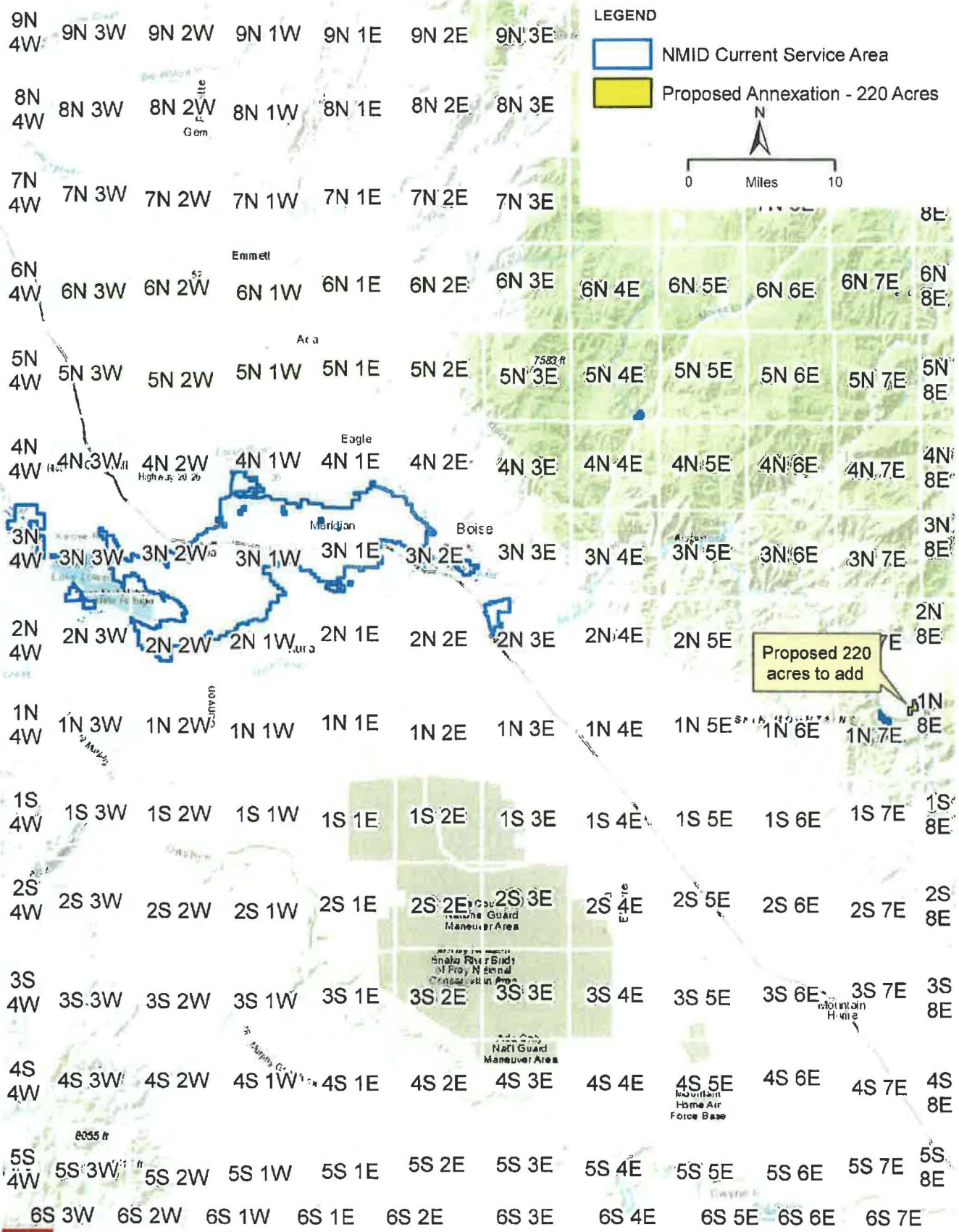
TRANSFER ATTACHMENT 7A

NMID PROPOSED SERVICE AREA EXPANSION

PROJECT # 10342435

PATH: S:\PROJECTS\A THRU D PROJECTS\D PROJECTS\DAVISON 10342435\PROJECT\GIS\ARCMAP_PROJECTS\XFR 7A MAP.MXD - USER: LGRAVES - DATE: 10/13/2023

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DATA SOURCE: Elmore NAIP 2021

TRANSFER ATTACHMENT 7B

NMID PROPOSED SERVICE AREA EXPANSION

DAVISON ANNEXATION

PATH: S:\PROJECTS\A THRU D PROJECTS\D PROJECTS\DAVISON 10342435\PROJECTGIS\ARCMAP_PROJECTS\XFR 7B MAP.MXD - USER: LGRAVES - DATE: 10/5/2023

Project #10342435

Attachment 10

Annexation Agreement

AGREEMENT OF TERMS AND CONDITIONS FOR ANNEXATION

AGREEMENT OF TERMS AND CONDITIONS FOR ANNEXATION, made and entered into this 21 day of November, 2023, by and among NAMPA & MERIDIAN IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, hereinafter referred to as the "NMID", and

L G DAVISON & SONS INC., an Idaho corporation,
Whose address is: c/o Randy Davison, 2019 Prairie Road, Prairie, Idaho 83647,

hereinafter referred to as "Davison",

W I T N E S S E T H:

WHEREAS, Davison owns approximately 21,610 acres of real property located in Elmore County, Idaho, generally known as the Davison Ranch; and,

WHEREAS, Davison filed the Petition for Annexation of Lands attached hereto as **Exhibit F** pursuant to Idaho Code Section 43-1001 with the board of directors of NMID requesting annexation of 220 acres, more or less, within the Davison Ranch and which is legally described in **Exhibit A** attached hereto and by this reference incorporated herein (hereinafter, the "Annexed Lands"); and,

WHEREAS, the NMID and Davison wish to establish terms and conditions for the proposed annexation of said lands to NMID,

NOW, THEREFORE, for and in consideration of the premises and of the covenants, agreements and conditions hereinafter set forth, the parties agree as follows:

1. **Description of proposed annexation and uses.** Upon completion of the statutory annexation process in Title 43, Chapter 10, Idaho Code, NMID's boundaries will be changed to add the Annexed Lands. Davison seeks annexation to receive water from NMID for use in irrigation of the Annexed Lands. Water will be diverted from the existing diversion works from Rock Creek, which is tributary to the South Fork of the Boise River, and through the existing irrigation ditch and irrigation system utilized by Davison for irrigation purposes on the Annexed Lands (hereinafter referred to as the "Davison diversion") under NMID's Ridenbaugh Canal natural flow water rights (hereinafter referred to as "Ridenbaugh Natural Flow Water Rights" which are more particularly described in the attached **Exhibit B**, attached hereto and by this reference made a part hereof) and a proportional amount of NMID's Ridenbaugh supplemental storage water rights (hereinafter referred to as "Storage Water Rights" which are more particularly set forth in **Exhibit C**, attached hereto and by this reference made a part hereof).

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2. **Water Rights for Annexed Lands.** Water is available for the Annexed Lands as a result of exclusions exceeding 220 acres of land from NMID pursuant to Title 43, Chapter 11 of the Idaho Code. The total quantity of water previously apportioned and delivered to the excluded lands under the Ridenbaugh Natural Flow Water Rights, and available for delivery to the Annexed Lands, is 2.20 cfs or 110.0 miner's inches (the District is apportioning .5 miner's inches per acre for the Annexed Lands). The total quantity of Storage Water Rights apportioned and available for delivery to the Annexed Lands is 228.90 Ridenbaugh acre feet of storage water, as further specified in Sections 5 and 6(c) hereto. Delivery and use of the Ridenbaugh Natural Flow Water Rights and the Ridenbaugh Storage Water Rights to the Annexed Lands shall be in accordance with the terms set forth below.

3. **Davison Diversion.** Davison shall not order and divert more water than can be put to beneficial use. Davison will be responsible for compliance with all reporting requirements associated with its diversion and use of NMID water. Davison shall designate a person to report to NMID's water superintendent the quantity of water which will be ordered at the beginning of the irrigation season, and thereafter to report on a weekly basis the measurements and/or flow meter data or readings to NMID. NMID will report the measurements and flow readings to the Watermaster for Water District 63 as necessary. NMID shall continue to have the right to divert through its diversion for the Ridenbaugh Canal any portion of the water rights which are apportioned to the Annexed Lands and is not ordered and diverted by Davison to the Annexed Lands.

4. **Delivery and Measurement.** Davison's diversion of water from NMID shall be from the Davison diversion as defined in Section 1. As provided in paragraph 9 below, Davison shall be responsible for the operation, maintenance and repair of the Davison diversion and thus Davison shall be responsible for any agreements, authorization or permission for the Davison diversion, including, but not limited to any permits or rights-of-way from the United States Forest Service ("USFS") or any other government entity or private party to utilize the Davison diversion. Davison shall indemnify, defend and hold harmless NMID from any claims, assertions or complaints related to or arising from the diversion, use, operation, maintenance or repair of the Davison diversion or irrigation system. Notwithstanding and without waiving the foregoing, Davison shall install and maintain a measurement device, flow meter or other device approved by NMID, which shall be available for NMID to inspect, regulate, measure and confirm the amount of Ridenbaugh Natural Flow Rights and Storage Water Rights diverted by Davison to the Annexed Lands pursuant to Section 17 hereto.

5. **Storage Water Use.** This Agreement apportions a portion of NMID's Ridenbaugh Storage Water Rights to the Annexed Lands and allows Davison to supplement the Ridenbaugh Natural Flow Water Rights with NMID's Storage Water Rights when NMID's Ridenbaugh Natural Flow Water Rights are reduced by the Watermaster for Water District 63. Davison shall have no right to order or call for the delivery of NMID's Storage Water Rights to the Davison diversion or for delivery to the Annexed Lands when Storage Water Rights are not otherwise being diverted into the Ridenbaugh Canal. Instead, Davison shall be allowed to supplement its deliveries of Ridenbaugh Natural Flow Water Rights with NMID's Storage Water Rights only when NMID is calling for or ordering Storage Water Rights at the Ridenbaugh Canal. For example, if NMID is supplementing its Ridenbaugh Natural Flow Water Rights with its Storage Water Rights at the

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Ridenbaugh Canal then Davison shall also be entitled to divert and use its proportional amount of NMID's Storage Water Rights at the Davison diversion. Once NMID ceases diverting NMID's Storage Water Rights at the Ridenbaugh Canal then Davison's right to divert NMID's Storage Water Rights shall also cease (note: this does not prevent Davison from diverting Davison's own Rock Creek water rights to lands of Davison which are not being annexed by NMID). Davison shall be further responsible for allocating water use within the Davison diversion to ensure that Davison is diverting/receiving only its proportional share of NMID's Storage Water Rights when available and such water is not being diverted by or delivered to Annexed Lands which have not been apportioned any of NMID's Storage Water Rights, if any.

6. **Period of Diversion.** Diversion of water through the Davison diversion by Davison pursuant to the Ridenbaugh Natural Flow Water Rights shall begin no sooner during any irrigation season than NMID begins to divert water through its diversion for the Ridenbaugh Canal, and shall end no later than NMID ceases diverting water through its Ridenbaugh Canal diversion. Diversion of water by Davison shall be as follows:

a. Annually, and prior to any diversion of water though the Davison diversion, Davison shall contact NMID's water superintendent to determine when NMID intends to begin diverting water through the Ridenbaugh Canal. NMID's water superintendent shall then notify Davison when NMID intends to begin diverting water through the Ridenbaugh Canal and confirm when Davison may also begin diverting NMID water through the Davison diversion. Davison may then begin diverting its proportionate amount of NMID water through the Davison diversion at the same time as NMID begins diverting water through the Ridenbaugh Canal and such right shall continue until NMID ceases diverting water through the Ridenbaugh Canal. In other words, Davison's NMID period of use and diversions shall be the same period or irrigation season as NMID diverts water through the Ridenbaugh Canal. As provided in paragraph 3 above, Davison shall report to NMID's water superintendent on a weekly basis the NMID measurements and/or flow meter data or readings for the Davison diversion to NMID and NMID may report said information to the Watermaster for Water District No. 63;

b. During the irrigation season for the Ridenbaugh Natural Flow Water Rights, the diversion through the Davison diversion shall be reduced as directed by NMID's water superintendent and/or the Watermaster for Water District No. 63 in the same proportion that diversions are reduced by the Watermaster for Water District No. 63 through the Ridenbaugh Canal diversion in accordance with NMID's Ridenbaugh Natural Flow Water Rights (hereinafter referred to as "Diversion Allocation"). NMID shall notify Davison of any diversion reductions as soon as practical, but in any event no later than twenty-four (24) hours from the time NMID receives notice of a Diversion Allocation; and

c. Once NMID's water superintendent notifies Davison of the Diversion Allocation, the water superintendent shall also notify Davison of NMID's intent to call for or order NMID's Storage Water Rights at the Ridenbaugh Canal to supplement NMID's Ridenbaugh Natural Flow Water Rights. While NMID is calling for or

ordering NMID's Storage Water Rights then Davison shall be entitled to divert and deliver its proportionate amount of NMID's Storage Water Rights at the Davison diversion. NMID's water superintendent shall subsequently notify Davison when NMID shall cease ordering NMID's Storage Water Rights at the Ridenbaugh Canal and Davison's right to NMID's Storage Water Rights shall also cease. Any out of priority diversions by Davison, except those authorized herein while NMID is ordering storage water, shall not result in an additional diminishment or reduction of NMID's Storage Water Rights and it shall be the obligation of Davison to mitigate for any out of priority diversions.

7. **Existing Landowners Not Affected.** This annexation will not affect the apportionment of NMID's water rights or the delivery of water pursuant to such apportionment to the lands within NMID prior to annexation. Those lands will continue to receive the benefits previously apportioned when water is available. Davison will be equally entitled to receive its 2.20 cfs portion of the Ridenbaugh Natural Flow Water Rights and its portion of the Storage Water Rights, consistent with I.C. § 43-1010 and this Agreement.

8. **Status of Annexed Lands.** Pursuant to I.C.§ 43-1010, upon recording of the order changing NMID's boundaries pursuant to this annexation, the Annexed Lands shall be a part of NMID as though they had been included in the original organization of NMID and subject to the levies and assessments of NMID. Thereafter, all landowners within NMID, including the owners of the Annexed Lands, shall be entitled to the same consideration and treatment in the delivery of NMID's water so far as may be consistent with the terms and conditions of annexation, NMID's apportionment of benefits, and the priority of the Ridenbaugh Natural Flow Water Rights and the use and contract entitlements to the Storage Water Rights as recognized and protected by the Constitution of the State of Idaho.

9. **Ownership, Operation, and Maintenance of Facilities.** Davison shall construct, install, own, operate, maintain, repair and in every respect be responsible for:

a. all diversion works that are part of the Davison diversion, including measurement devices,

b. all delivery facilities from the Davison diversion to the Annexed Lands,

c. all facilities necessary for the drainage of surface water from the Annexed Lands, and

e. all facilities necessary for the discharge of water used on or within the Annexed Lands.

NMID will not own, control, operate, maintain or have any rights in, or in any way be responsible for such facilities. Provided, however, NMID shall have the right to inspect, regulate, measure the Ridenbaugh Natural Flow Water Rights and Storage Water Rights delivered to the Annexed Lands pursuant to this Agreement.

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10. **Diversion, Drainage, and Discharge.** Davison shall be solely responsible for the diversion and delivery of water from the Davison diversion to the Annexed Lands, groundwater recharge and surface drainage within the Annexed Lands, and the discharge of water used within the Annexed Lands. NMID will not control, use, operate, or maintain, or in any way be responsible for such diversion, delivery, drainage, and discharge. Davison does not, by this annexation or any term or condition hereof, assume any responsibility, liability or authority for any portion of NMID's irrigation works or NMID's water diversion, use, drainage or discharge, except for the voting rights and assessment obligations of any other NMID landowner whose lands have been apportioned Ridenbaugh Natural Flow Water Rights and Storage Water Rights. Davison further acknowledges that irrigation water is not always reliable. Irrigation water may not be available due to drought, harsh weather conditions, governmental actions or other causes, including, but not limited to operation and maintenance of the facilities described in paragraph nine (9) herein and/or the availability and flows in Rock Creek, and NMID shall have no liability under this Agreement for the lack of water for the reasons described above, over and above those that are otherwise established by Idaho law.

11. **Conditions Precedent to the Apportionment of Benefits.** NMID shall not apportion benefits to the Annexed Lands until and unless an Application for Transfer of Ridenbaugh Natural Flow Water Rights, if required, is approved by Idaho Department of Water Resources ("IDWR") with terms and conditions acceptable to NMID and Davison, and all judicial and administrative appeals are exhausted (hereinafter referred to as "Final Approval").

12. **Exclusion of Annexed Lands.** If the Conditions Precedent in paragraph 11 are not satisfied, and NMID has not already annexed Davison's lands, the Terms and Conditions of Annexation are terminated automatically. If the Conditions Precedent in paragraph 11 are not satisfied, and NMID has already annexed Davison's lands, then Davison shall file a written petition to exclude the lands described in Exhibit A from NMID. Davison and NMID agree that, without Final Approval, the lands described in Exhibit A will not be benefitted by NMID's water rights or receive any other benefits from NMID. NMID shall grant Davison's petition to exclude the lands described in Exhibit A because the lands are not susceptible of irrigation from NMID's water system. NMID agrees that there is no necessity to survey the land described in Exhibit A which will be the subject of the exclusion petition, and that the exclusion will not diminish NMID's existing O&M revenues. NMID agrees that Davison will only pay the fees incurred under paragraph 19 and the actual cost of the exclusion process. The balance of any exclusion fee which may accompany the exclusion petition in excess of such costs shall be returned to Davison.

13. **Annexation Fee.** Davison shall make a one-time annexation fee payment to NMID of Four Hundred Dollars ($400.00) at the time of the execution of this Agreement. This annexation fee is non-refundable and shall not be reimbursed to Davison even if the Conditions Precedent are not met and/or this Agreement is subsequently terminated.

14. **Apportionment of Benefits.** Upon payment of the annexation fee, and Final Approval of the Conditions Precedent provided in paragraph 11, NMID shall proceed to apportion benefits to the Annexed Lands. The apportionment to lands annexed for irrigation use shall be equivalent to the apportionment to the lands which have been excluded from NMID and Davison will be assessed as other landowners of NMID based upon apportionment of benefits provided

herein. There will be no apportionment of benefits for NMID's functions as a drainage district.

15. **Compliance with Law.** Davison shall comply with the approved water right transfer and all federal, state, or other local laws, rules, regulations, and requirements regarding the diversion, delivery, use, drainage or discharge of NMID's water. Davison shall not suffer or permit the delivery of NMID water to any lands not identified in Exhibit A, and shall install and maintain such devices as may be required by NMID to monitor and ensure that such delivery does not occur.

16. **Existing Water Right.** Davison currently owns Water Right No. 63-114 to divert water from Rock Creek via the existing Davison diversion for irrigation of portions of the Davison Ranch (hereinafter collectively referred to as the "Rock Creek Right"). The Rock Creek right is used to irrigate areas within the Annexed Lands and additional areas that are outside the Annexed Lands. Upon the apportionment of benefits by NMID to the Annexed Lands, Davison shall convey the proportionate share of the Rock Creek Right attributable to irrigation of the Annexed Lands by Water Right Deed to NMID, retaining for its own ownership and use the proportionate share of the Rock Creek Right used to irrigate areas outside of the Annexed Lands. After conveyance, NMID, in its sole discretion and subject to IDWR approval, may determine how to and whether to utilize its share of the Rock Creek Right on the Annexed Lands or other lands, including, but not limited to, allowing Davison to continue to utilize NMID's share of the Rock Creek Right on the Annexed Lands, transferring its share of the Rock Creek Right to other lands, transferring its share of the Rock Creek Right to NMID's Ridenbaugh Diversion, conveying or selling its share of the Rock Creek Right, or placing its share of the Rock Creek Right in the Idaho Water Supply Bank for lease. After IDWR approval of a transfer of the proportionate share of the Rock Creek Right away from the Annexed Area, Davison shall no longer utilize that portion of the Rock Creek Right. The parties agree that the Water Right Deed should allocate the Rock Creek Right as reflected in **Exhibit E** hereto.

17. **Easement to Access the Davison Diversion.** Davison hereby grants, confirms and acknowledges an easement or right-of-way to NMID and its necessary personnel and staff, including vehicles, across the Davison Ranch to access the Davison diversion for the purpose of inspecting, regulating or measuring the Davison diversion. Said easement shall endure for so long as the Annexed Lands are within NMID and shall automatically terminate upon an approved and recorded exclusion of the Annexed Lands from NMID. Said easement shall be located in the same location as the existing roadways or access on the Davison Ranch which Davison utilizes to access the Davison diversion and measurement devices, generally depicted on **Exhibit D** hereto. NMID agrees to provide reasonable advance notice to Davison prior to accessing or inspecting the Davison diversion and to the extent possible to coordinate a mutually agreeable time and date with Davison, so that Davison may accompany NMID on the inspection. Davison shall remain responsible for maintenance of the easement area in order to preserve access to the Davison diversion. However, NMID acknowledges and agrees that it has observed and evaluated the existing access to the Davison diversion, and that said existing access to the Davison diversion in its present condition is adequate for NMID's purposes. Further, NMID shall use reasonable care when accessing the Davison diversion in order to avoid damage to any Davison property, equipment, or infrastructure.

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18. **Davison Indemnification.** Davison agrees to indemnify, defend and hold NMID harmless from all claims against NMID arising from: (1) the apportionment of benefits and/or delivery of NMID water to Davison's land annexed into NMID; (2) the diversion, delivery, use, or discharge of NMID water by Davison; (3) any environmental matters relating to the diversion, delivery, use or discharge of NMID water by Davison; and (4) the ownership, operation, maintenance, and repair of facilities described in paragraph nine (9) herein.

19. **Costs and Fees.** Davison agrees to pay all reasonable costs and attorney fees charged by NMID's attorney in connection with the preparation of this agreement, the annexation of Davison's lands into NMID, and the review, filing, and obtaining final approval of the application to transfer the point of diversion and place of use of 2.20 cfs of the District's Ridenbaugh Natural Flow Water Rights. Davison shall, at its own expense, prepare the initial draft of the transfer application for NMID's review. Billings by NMID's attorney shall be made directly to NMID, and then NMID shall submit those monthly billings to Davison for reimbursement. All reasonable amounts billed shall be paid prior to the Apportionment of Benefits. If at any time prior to the apportionment of benefits to the Annexed Lands Davison determines that the costs of the annexation process exceed its value to Davison, Davison may terminate this Agreement without penalty upon written notice of its desire to terminate this Agreement. Provided, however, Davison shall remain responsible to pay any costs and attorney fees charged or incurred prior to Davison providing written notice and for any costs or fees which are reasonably necessary to withdraw the application for transfer and/or complete the termination of this Agreement.

20. **Assignment.** Davison shall have no right, power or authority to assign this Agreement or any privileges or obligations hereunder to any person or entity prior to the apportionment of benefits without prior written approval of NMID. After the apportionment of benefits, the Annexed Lands will be within NMID, and no approval is necessary or required for the benefits of this Agreement to accrue to subsequent owners of the Annexed Lands.

21. **Notice.** Any notice given under this Agreement is sufficient if delivered in writing, directed as follows:

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TO NMID:
NAMPA & MERIDIAN IRRIGATION DISTRICT
1503 FIRST STREET SOUTH
NAMPA, ID 83651

Attention: Secretary/Treasurer

TO DAVISON:
2019 Prairie Road
Prairie, Idaho 83647

Attention: Randy Davison

22. **Covenants, Conditions and Agreements.** This Agreement shall be recorded in the records of Elmore County, Idaho and the covenants, conditions and agreements contained herein shall constitute covenants to run with, and running with, all of the lands identified in **Exhibit A** of this Agreement attached hereto, and shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, NMID has hereunto caused its corporate name to be subscribed by its officers first hereunto duly authorized by resolution of its Board of Directors and Davison has caused its name to be subscribed, all as of the day and year herein first above written.

NAMPA & MERIDIAN IRRIGATION DISTRICT

By _____
Will Patterson, Its President

ATTEST:

_____
Its Secretary

L.G. DAVISON & SONS, INC., an Idaho corporation.

By _____
Randy Davison, Its Vice-President

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STATE OF IDAHO)
) ss:
County of Canyon)

On this 21 day of November, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Will Patterson and Michael Comeskey, known to me to be the President and Secretary, respectively, of NAMPA & MERIDIAN IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument and acknowledged to me that such irrigation district executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

LACEE SHARPE NOTARY PUBLIC Comm. No. 20211452 STATE OF IDAHO

Lacee Sharpe
Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires: April 9, 2027

STATE OF IDAHO)
) ss:
County of Ada)

On this 7th day of November, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Randy Davison, known to me to be the Vice President of L.G. DAVISON & SONS, INC., the entity that executed the foregoing instrument, and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

WENDY W. RODOCKER NOTARY PUBLIC Comm. No. 20213462 STATE OF IDAHO

Wendy W. Rodocker
Notary Public for Idaho
Residing at Canyon, Idaho
My Commission Expires: 8/18/2027

Exhibit A
Annexed Lands

The following described real property in Elmore County, Idaho:

Township 1 North, Range 7 East, Boise Meridian

- Section 1
  - E½ of the W½ of the SE¼ of the SW¼, 10 acres, and the
  - E½ of the SE¼ of the SW¼, 20 acres

- Section 12
  - W½ of the NW¼ of the NE¼, 20 acres, and the
  - W½ of the SW¼ of the NE¼, 20 acres, and the
  - E½ of the W½ of the NE¼ of the NW¼, 10 acres, and the
  - E½ of the NE¼ of the NW¼, 20 acres, and the
  - SW¼ of the NW¼, 40 acres, and the
  - SE¼ of the NW¼, 40 acres, and the
  - NW¼ of the SW¼, 40 acres

Totaling 220.0 acres, more or less.

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Exhibit B
NMID Natural Flow Rights

NMID Natural flow rights:

63-198AJ
63-199B
63-200B
63-30181

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Exhibit C
NMID Ridenbaugh Storage

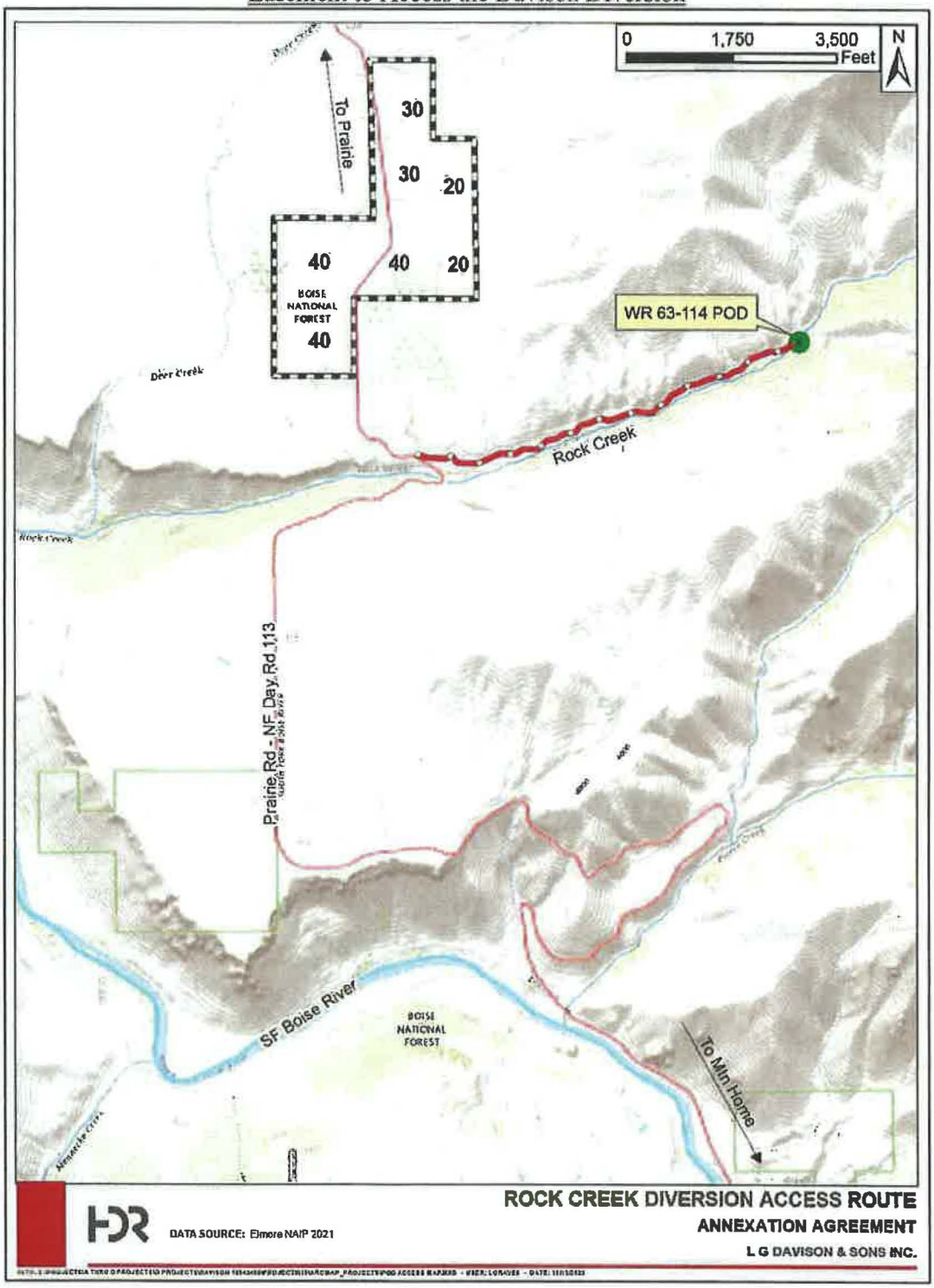
Anderson Ranch Reservoir	4,785 acre feet
Arrowrock Reservoir	3,794 acre feet

(Note: This list does not prevent or limit the District from supplementing deliveries to District landowners with additional storage entitlements).

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Exhibit D

Easement to Access the Davison Diversion



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Exhibit E
Split of the Rock Creek Rights

Water Right	Priority Date	Total cfs	Total Acres	Annexed WR Acres	Non-Annexed WR Acres	Annexed cfs	Non-Annexed cfs
63-114	10/12/1906	8.90	458	198	260	3.85	5.05

Twp	Rng	Sec	Q-Q	63-114 Before Annexation	63-114 After Annexation	
					NMID Annexed Acres	Davison Retained Acres
1N	7E	1	SESW	18	18	0
1N	7E	11	NENE	26	0	26
1N	7E	11	SENE	22	0	22
1N	7E	11	NESE	17	0	17
1N	7E	12	NWNE	15	15	0
1N	7E	12	SWNE	18	18	0
1N	7E	12	NENW	37	27	10
1N	7E	12	NWNW	40	0	40
1N	7E	12	SWNW	40	40	0
1N	7E	12	SENW	40	40	0
1N	7E	12	NESW	40	0	40
1N	7E	12	NWSW	40	40	0
1N	7E	12	SWSW	29	0	29
1N	7E	12	SESW	26	0	26
1N	7E	12	NWSE	22	0	22
1N	7E	12	SWSE	28	0	28
Total				458	198	260

Exhibit F

Petition for Annexation of Lands

TO THE BOARD OF DIRECTORS OF NAMPA & MERIDIAN IRRIGATION DISTRICT:

The petition of the L. G. Davison & Sons Inc., respectfully represents:

That your petitioner owns the lands situated in Elmore County, Idaho, described as follows:

Township 1 North, Range 7 East, Boise Meridian

- Section 1
  - E½ of the W½ of the SE¼ of the SW¼, 10 acres, and the
  - E½ of the SE¼ of the SW¼, 20 acres

- Section 12
  - W½ of the NW¼ of the NE¼, 20 acres, and the
  - W½ of the SW¼ of the NE¼, 20 acres, and the
  - E½ of the W½ of the NE¼ of the NW¼, 10 acres, and the
  - E½ of the NE¼ of the NW¼, 20 acres, and the
  - SW¼ of the NW¼, 40 acres, and the
  - SE¼ of the NW¼, 40 acres, and the
  - NW¼ of the SW¼, 40 acres

Totaling 220 acres, more or less.

Your petitioner desires that said lands, together with the other lands, if any, hereinafter described, be annexed to and be included within the boundaries of said District and made liable for the payment of the assessments of the lands of said District the same as other lands within the said District. The other lands which petitioner desires to be annexed to said District and which are within the same body of lands as those owned by the petitioner and hereinbefore described, are situated in _____ County, Idaho, and described as follows: NONE

That irrigation water may be delivered to petitioner by way of an existing diversion and pipeline from Rock Creek, said point of diversion being located in the northwest quarter of the southeast quarter of Section 7, Township 1 North, Range 8 East, Boise Meridian.

That said lands owned by your petitioner constitute one-half (1/2) or more of the body of lands last hereinbefore described.

WHEREFORE, the undersigned petitions that said described lands be annexed to and be included within the boundaries of Nampa & Meridian Irrigation District.

PETITIONER:
L. G. DAVISON & SONS INC.

By Davison
Randy G. Davison, Vice President

STATE OF IDAHO)
)ss.
County of Ada)

On this 7th day of November, 2023, before me Wendy W Rodocker, personally appeared Randy G. Davison, known or identified to me (or proved to me by oath of Drivers License), to be the Vice President of L. G. Davison & Sons Inc., that such entity is the petitioner named in the within and foregoing Petition for Annexation of Land, that he has read the within and foregoing Petition for Annexation of Land, knows the contents thereof and believes the facts therein stated to be true.

SUBSCRIBED AND SWORN to before me this 7th day of November, 2023.

WENDY W. RODOCKER NOTARY PUBLIC Comm. No. 20213462 STATE OF IDAHO

Notary public for the State of Idaho
Residing at Canyon, Idaho
My commission expires: 8/18/2027

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IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

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. 88656
Water Right No(s). 63-198AJ, 63-199B, 63-200B, 63-30181

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 27 2023
WATER RESOURCES
WESTERN REGION

HDR

RECEIVED
NOV 22 2023
DEPARTMENT OF
WATER RESOURCES

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 an expansion to their service area boundary and adding a point of diversion at Rock Creek, a tributary to the South Fork Boise River.

The $660 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: 220 acres
Fee amount: 220 acres/69,495 acres x 532.14 cfs = 1.68 cfs = $580

Section IV, Part E:

The annexation agreement contemplates a maximum diversion rate of 2.2 cfs from the new point of diversion
Fee amount for a 2.2 cfs = $660

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,

Enclosure: transfer application

Project: 10342435

hdrinc.com

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