

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 89499 IN THE NAME OF
VEOLIA WATER IDAHO, INC.

**FINAL ORDER AMENDING
TRANSFER APPROVAL**

BACKGROUND

On October 16, 2025, the Idaho Department of Water Resources (“Department”) approved Transfer No. 89499 (“*Transfer Approval*”) for Veolia Water Idaho, Inc. (“Veolia”). The *Transfer Approval* was issued as a preliminary order from the Department.

On October 30, 2025, Veolia sent a letter to the Department entitled *Integrated Municipal Application Package (“IMAP”) / Transfer No. 89499 – Response to Preliminary Order approving Transfer No. 89499 (“Letter”)*. In the *Letter*, Veolia identified three errors in the *Transfer Approval*.

First, Veolia asserts that Water Right No. 63-2576 incorrectly lists the Maple Hills 1 well as the original point of diversion (“POD”), claiming that the Orchid well was the original POD and the Maple Hills 1 well should be an additional POD. *Letter*, at 2. Second, Veolia asserts that Water Right No. 63-3457 incorrectly lists the Mesa 2 well as an additional POD, and it should be removed as an additional POD but retained as one of the two original PODs. *Id.* Third, Veolia asserts that Water Right No. 63-11950 should list the Taggart 1 well as the original POD instead of the Taggart 2 well. *Id.*

Veolia did not file a petition for reconsideration or exceptions with the Director on the *Transfer Approval* by the October 30, 2025 deadline.¹ Accordingly, pursuant to Rule 730.01 of the Department’s Rules of Procedure (“Rules”), the preliminary order became a final order by operation of law on October 30, 2025. IDAPA 37.01.01.730.01.

Pursuant to Rule 760, the Director has the authority to substitute this final order in place of the preliminary order that became a final order. IDAPA 37.01.01.760. The Director is exercising his authority to do so in this order and finds, concludes, and orders as follows.

FINDINGS OF FACT

Water Right No. 63-2576

1. On November 4, 2009, the presiding judge of the Snake River Basin Adjudication (“SRBA”) Court partially decreed Water Right No. 63-2576. That right contained the following condition:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically

¹ Veolia also did not file a request for a hearing on the *Transfer Approval* by October 31, 2025.

connected surface sources, ground water was first diverted under this right from the Orchid Well located in T03N, R0, S14, NENE.

2. The *Transfer Approval* designates the Maple Hills 1 well as the original POD under Condition 11 of Water Right No. 63-2576.

Water Right No. 63-3457

3. The Department issued a license for Water Right No. 63-3457 on February 4, 1972 to Warm Springs Mesa, Inc. That license identified two authorized PODs located in T03N, R02E, S24, SWNE, but did not name the two wells.

4. On November 18, 2009, the presiding judge of the SRBA Court partially decreed Water Right No. 63-3457 to Veolia's predecessor, United Water Idaho Inc. The decree identified the same location as the license for the two authorized PODs but did not name either well.

5. The *Transfer Approval* designates the Mesa 1 and Mesa 2 wells as the original PODs and includes the Mesa 2 well as an additional POD.

Water Right No. 63-11950

6. The Department issued a license for Water Right No. 63-11950 on August 16, 1999 to Veolia's predecessor, United Water Idaho Inc.

7. The *Beneficial Use Field Report* ("Report")² for licensing that right indicates that the Taggart 1 and Taggart 2 wells were drilled as part of an integrated system to replace an old well. *Report*, at 36. The *Report* specifically states that:

This permit is for [Taggart 2] – which is considered to be the additional well drilled at the site. [Taggart 1] would be the replacement well under the old right of 63-03128.

Id.

8. The *Transfer Approval* designates the Taggart 2 well as the original POD and an additional POD.

ANALYSIS

Water Right No. 63-2576

Veolia asserts that the original POD for Water Right No. 63-2576 is the Orchid Well instead of the Maple Hills 1 well. *Letter*, at 2. That right was decreed identifying the Orchid Well as the original POD.³ Accordingly, Condition 11 of Water Right No. 63-2576 should be amended

² References to the *Report* indicate the page of the PDF copy of the 63-11950 *Water Right Backfile* scanned and profiled to the Department's database.

³ The decree failed to include a range number in the legal description; however, the license describes the Orchid well location as T03N R02E Sec. 14 NENE, which should be included on this approval.

to describe the original POD as the Orchid Well and add the Maple Hills 1 well as an additional POD authorized by the transfer.

Water Right No. 63-3457

Veolia asserts that the Mesa 2 well should be removed from the additional POD list because it is also listed as an original POD for Water Right No. 63-3457. *Letter*, at 2. The *Transfer Approval* inadvertently included the Mesa 2 well as an authorized additional POD. Therefore, Condition 11 of Water Right No. 63-3457 should be amended to remove the Mesa 2 well from the list of authorized additional PODs.

Water Right 63-11950

Veolia asserts that the original POD for Water Right No. 63-11950 should be the Taggart 1 well instead of the Taggart 2 well. *Letter*, at 2. The *Report* for that right indicates that the Taggart 1 and Taggart 2 wells were drilled as part of an integrated system to replace an old well for a separate water right. *Report*, at 36. Specifically, the *Report* indicates that the Taggart 1 well replaced the original well for right no. 63-3128 (a different water right), and the Taggart 2 well serves as an additional POD for that right. *Id.* Additionally, the *Report* identifies the Taggart 2 well as the original POD for right no. 63-11950. *Id.* Because the two wells were drilled as part of an integrated system, the Taggart 1 well would be considered an additional POD to right no. 63-11950. Therefore, Condition 11 of Water Right No. 63-11950 should (1) retain the Taggart 2 well as the original POD, (2) be amended to add the Taggart 1 well as an additional POD, and (3) remove the Taggart 2 well from the list of additional PODs.

CONCLUSIONS OF LAW

1. Condition 11 of Water Right No. 63-2576 should be amended to (a) list the Orchid Well as the original POD, and (b) add the Maple Hills 1 well to the list of additional PODs authorized by the transfer.
2. Condition 11 of Water Right No. 63-3457 should be amended to remove the Mesa 2 well from the list of additional PODs authorized by the transfer.
3. Condition 11 of Water Right No. 63-11950 should be amended to (a) add the Taggart 1 well to the list of additional PODs authorized by the transfer, and (b) remove the Taggart 2 well from the list of additional PODs.

ORDER

IT IS ORDERED that Transfer Approval No. 89499 is hereby AMENDED to reflect the conclusions made in this order.

Dated this 26th day of November 2025.



Mathew Weaver
Director



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

November 26, 2025

VEOLIA WATER IDAHO INC
8248 W VICTORY RD
BOISE, ID 83709-4165

RE: Transfer No. 89499

Final Order Amending Transfer Approval

Dear Water Right Holder:

The Director of the Department of Water Resources has issued a *Final Order Amending Transfer Approval* for Transfer No. 89499. A copy of the order is attached. Based on the conclusions made in that order, the amended approval document may be found at:

- <https://research.idwr.idaho.gov/apps/Shared/LfRelatedDocs/Home/DownloadDoc?eid=3099368>

The amended approval document is being provided through a link because it is over 370 pages. Please be sure to thoroughly review the conditions of approval and remarks listed on the amended approval document.

The attached order issued by the Director is a FINAL ORDER without further action by the Department unless the party petitions for reconsideration or requests a hearing as described in the enclosed information sheet.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Cody Parker

Cody Parker
Water Resources Supervisor

Parker, Cody

From: Parker, Cody
Sent: Wednesday, November 26, 2025 11:32 AM
To: Christopher H Meyer; Michael P. Lawrence; Bryce Farris; andy@sawtoothlaw.com; abarker@martenlaw.com; cmchugh@mchughbromley.com; Chris Bromley; boisecityattorney@cityofboise.org; sburgos@cityofboise.org; publicworks@cityofeagle.org; rmacdonald@cityofcaldwell.org; kradek@meridiancity.org; wstewart@meridiancity.org; rmorgan@staridaho.org; rroats@kunaid.gov; chris@yorgasonlaw.com
Cc: Scott King; Ajeti, Sara; Keen, Shelley; Hobson, Susy
Subject: Final Order Amending Transfer Approval
Attachments: Cover Letter.pdf; Final Order Amending Transfer Approval.pdf

Dear Parties,

Attached is a Final Order Amending Transfer Approval for Transfer No. 89499. Physical copies will be sent in today's mail. Please review the attached documents and contact me with any questions.

Thank you,



Cody Parker
Water Rights Supervisor
Idaho Dept of Water Resources

2735 Airport Way, Boise, ID 83705
(208)-605-4629

**EXPLANATORY INFORMATION TO ACCOMPANY A
FINAL ORDER**

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a "Final Order" issued by the Idaho Department of Water Resources ("Department") pursuant to Idaho Code § 67-5246.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director, and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to Idaho Code § 42-1701A(3). A written petition to the Director contesting this final order and requesting a hearing must be filed with the Department by any aggrieved person **within fifteen (15) days after service of this final order.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

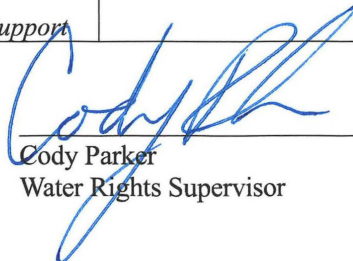
All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of November 2025, the above and foregoing, was served by the method indicated below, and addressed to the following:

Christopher H. Meyer Michael P. Lawrence GIVENS PURSLEY, LLP PO Box 2720 Boise, ID 83701-2720 chrismeyer@givenspursley.com mpl@givenspursley.com <i>Attorneys for Veolia Water Idaho, Inc., Applicant</i>	☒ U.S. Mail, postage prepaid ☒ Email
S. Bryce Farris Andrew J. Waldera SAWTOOTH LAW OFFICES PLLC PO Box 7985 Boise, ID 83707 bryce@sawtoothlaw.com andy@sawtoothlaw.com <i>Attorneys for Nampa & Meridian Irrigation District and Settlers Irrigation District, Intervenor</i>	☒ U.S. Mail, postage prepaid ☒ Email
Albert P. Barker MARTEN LAW LLP PO Box 2139 Boise, ID 83701-2139 abarker@martenlaw.com <i>Attorney for Boise Project Board of Control, Big Bend Irrigation District, Boise-Kuna Irrigation District, and Wilder Irrigation District, Protestants</i>	☒ U.S. Mail, postage prepaid ☒ Email
Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC PO Box 107 Boise, ID 83702 cmchugh@mchughbromley.com cbromley@mchughbromley.com <i>Attorneys for the City of Boise and City of Meridian, Intervenor in Support</i>	☒ U.S. Mail, postage prepaid ☒ Email
Scott Muir CITY OF BOISE PO Box 500 Boise, ID 83701-0500 boisecityattorney@cityofboise.org cc: Stephan L. Burgos, Public Works Director CITY OF BOISE sburgos@cityofboise.org <i>For the City of Boise, Intervenor in Support</i>	☒ U.S. Mail, postage prepaid ☒ Email

Eric Ziegenfuss Public Works Director CITY OF EAGLE 660 E. Civic Ln. Eagle, ID 83616 publicworks@cityofeagle.org <i>For the City of Eagle, Interested Party</i>	☒ U.S. Mail, postage prepaid ☒ Email
Robb MacDonald Public Works Director CITY OF CALDWELL PO Box 1179 Caldwell, ID 83606 rmacdonald@cityofcaldwell.org <i>For the City of Caldwell, Intervenor in Support</i>	☒ U.S. Mail, postage prepaid ☒ Email
Kyle Radek, P.E. Warren Stewart, P.E. City Engineers CITY OF MERIDIAN 33 E. Broadway Ave., Ste 200 Meridian, ID 83642 kradek@meridiancity.org wstewart@meridiancity.org <i>For the City of Meridian, Intervenor in Support</i>	☒ U.S. Mail, postage prepaid ☒ Email
Ryan Morgan, P.E. City Engineer CITY OF STAR PO Box 400 Star, ID 83669 rmorgan@staridaho.org <i>For the Star Sewer & Water District, Intervenor</i>	☒ U.S. Mail, postage prepaid ☒ Email
Richard T. Roats CITY OF KUNA PO Box 13 Kuna, ID 83634 rroats@kunaaid.gov <i>Attorney for the City of Kuna, Interested Party</i>	☒ U.S. Mail, postage prepaid ☒ Email
Christopher E. Yorgason YORGASON LAW OFFICES, PLLC 6200 N. Meeker Pl. Boise, ID 83713 chris@yorgasonlaw.com <i>Attorney for the City of Middleton, Intervenor in Support</i>	☒ U.S. Mail, postage prepaid ☒ Email


Cody Parker
Water Rights Supervisor