

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82412**

This is to certify that: BRIDGETOWER INVESTMENTS
398 E COPPER RIDGE ST
MERIDIAN, ID 83646-1204

BRIDGETOWER WEST HOMEOWNERS ASSN LLC
C/O MGM MANAGEMENT
289 SW 5TH AVE
MERIDIAN, ID 83642-2997

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-34760	WR/DECREED	5/6/1977	0.430 cfs	148.2 af	32.9	161.5	GROUND WATER
63-34762	WR/LICENSE	10/4/1988	0.570 cfs	128.2 af	28.4	161.5	GROUND WATER
63-34763	WR/LICENSE	8/1/1989	0.040 cfs	23.4 af	5.4	161.5	GROUND WATER
63-35156	WR/DECREED	5/6/1977	0.600 cfs	210.0 af	46.7	161.5	GROUND WATER
63-35159	WR/LICENSE	10/4/1988	0.800 cfs	181.6 af	40.3	161.5	GROUND WATER
63-35160	WR/LICENSE	8/1/1989	0.070 cfs	33.0 af	7.7	161.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-34760	NO	NO	YES	YES	NO	NO
63-34762	NO	NO	YES	YES	NO	NO
63-34763	NO	NO	YES	YES	NO	NO
63-35156	NO	NO	YES	YES	NO	NO
63-35159	NO	NO	YES	YES	NO	NO
63-35160	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-34760	63-34760	0.430 cfs	148.2 af	32.9	95.6	N/A	N/A	N/A	N/A	N/A
63-34762	63-34762	0.570 cfs	128.2 af	28.4	95.6	N/A	N/A	N/A	N/A	N/A
63-34763	63-34763	0.040 cfs	23.4 af	5.4	95.6	N/A	N/A	N/A	N/A	N/A
63-35156	63-35156	0.600 cfs	210.0 af	46.7	117.5	N/A	N/A	N/A	N/A	N/A
63-35159	63-35159	0.800 cfs	181.6 af	40.3	117.5	N/A	N/A	N/A	N/A	N/A
63-35160	63-35160	0.070 cfs	33.0 af	7.7	117.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.510 cfs	724.4 af	161.4	213.1		N/A	N/A	N/A	N/A

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SUPPORT DATA

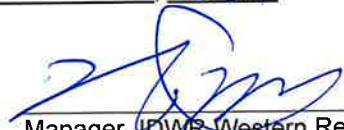
IN FILE # 63-34760

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82412

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 30th day of November, 2021.



Manager, IDWR Western Region



WATER RIGHT NO. 63-35156
As Modified by Transfer No. 82412

In accordance with the approval of Transfer No. 82412, Water Right No. 63-35156 is now described as follows:

Right Holder: BRIDGETOWER WEST HOMEOWNERS ASSN LLC
 C/O MGM MANAGEMENT
 289 SW 5TH AVE
 MERIDIAN, ID 83642-2997

Priority Date: 5/6/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.600 cfs	210.0 af
			0.600 cfs	210.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27									31	21		8.1		20	3		83.1
04N	01W	34	2.4	32															34.4

Right Acre Limit: 46.7
 POU Total Acres: 117.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 46.7 acres within the authorized place of use in a single irrigation season.
2. Rights 63-35156, 63-35159, and 63-35160 when combined shall not exceed the irrigation of 94.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 05/29/2007.

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WATER RIGHT NO. 63-35156

As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

WATER RIGHT NO. 63-35159
As Modified by Transfer No. 82412

In accordance with the approval of Transfer No. 82412, Water Right No. 63-35159 is now described as follows:

Right Holder: BRIDGETOWER WEST HOMEOWNERS ASSN LLC
 C/O MGM MANAGEMENT
 289 SW 5TH AVE
 MERIDIAN, ID 83642-2997

Priority Date: 10/4/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.800 cfs	181.6 af
			0.800 cfs	181.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27									31	21		8.1		20	3		83.1
04N	01W	34	2.4	32															34.4

Right Acre Limit: 40.3
 POU Total Acres: 117.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.3 acres within the authorized place of use in a single irrigation season.
2. Rights 63-35156, 63-35159, and 63-35160 when combined shall not exceed the irrigation of 94.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

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WATER RIGHT NO. 63-35159

As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-35160**As Modified by Transfer No. 82412**

In accordance with the approval of Transfer No. 82412, Water Right No. 63-35160 is now described as follows:

Right Holder: BRIDGETOWER WEST HOMEOWNERS ASSN LLC
C/O MGM MANAGEMENT
289 SW 5TH AVE
MERIDIAN, ID 83642-2997

Priority Date: 8/1/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.070 cfs	33.0 af
			0.070 cfs	33.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27									31	21		8.1		20	3		83.1
04N	01W	34	2.4	32															34.4

Right Acre Limit: 7.7
POU Total Acres: 117.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.7 acres within the authorized place of use in a single irrigation season.
2. Rights 63-35156, 63-35159, and 63-35160 when combined shall not exceed the irrigation of 94.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

Transfer No. 82412

WATER RIGHT NO. 63-35160

As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-34760
As Modified by Transfer No. 82412

In accordance with the approval of Transfer No. 82412, Water Right No. 63-34760 is now described as follows:

Right Holder: BRIDGETOWER INVESTMENTS
 398 E COPPER RIDGE ST
 MERIDIAN, ID 83646-1204

Priority Date: 5/6/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.430 cfs	148.2 af
			0.430 cfs	148.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27													39	15	13	9.6	76.6
04N	01W	34	19																19
Right Acre Limit:			32.9																
POU Total Acres:			95.6																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32.9 acres within the authorized place of use in a single irrigation season.
2. Rights 63-34760, 63-34762, and 63-34763 when combined shall not exceed the irrigation of 66.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 05/29/2007.

Transfer No. 82412

WATER RIGHT NO. 63-34760

As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

WATER RIGHT NO. 63-34762**As Modified by Transfer No. 82412**

In accordance with the approval of Transfer No. 82412, Water Right No. 63-34762 is now described as follows:

Right Holder: BRIDGETOWER INVESTMENTS
398 E COPPER RIDGE ST
MERIDIAN, ID 83646-1204

Priority Date: 10/4/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.570 cfs	128.2 af
			0.570 cfs	128.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27													39	15	13	9.6	76.6
04N	01W	34	19																19

Right Acre Limit: 28.4

POU Total Acres: 95.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.4 acres within the authorized place of use in a single irrigation season.
2. Rights 63-34760, 63-34762, and 63-34763 when combined shall not exceed the irrigation of 66.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 63-34762

As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-34763**As Modified by Transfer No. 82412**

In accordance with the approval of Transfer No. 82412, Water Right No. 63-34763 is now described as follows:

Right Holder: BRIDGETOWER INVESTMENTS
398 E COPPER RIDGE ST
MERIDIAN, ID 83646-1204

Priority Date: 8/1/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.040 cfs	23.4 af
			0.040 cfs	23.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NWSE	Sec 27 Twp 04N Rge 01W ADA County
GROUND WATER	NENE	Sec 34 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	27													39	15	13	9.6	76.6
04N	01W	34	19																19

Right Acre Limit: 5.4
POU Total Acres: 95.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.4 acres within the authorized place of use in a single irrigation season.
2. Rights 63-34760, 63-34762, and 63-34763 when combined shall not exceed the irrigation of 66.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

Transfer No. 82412

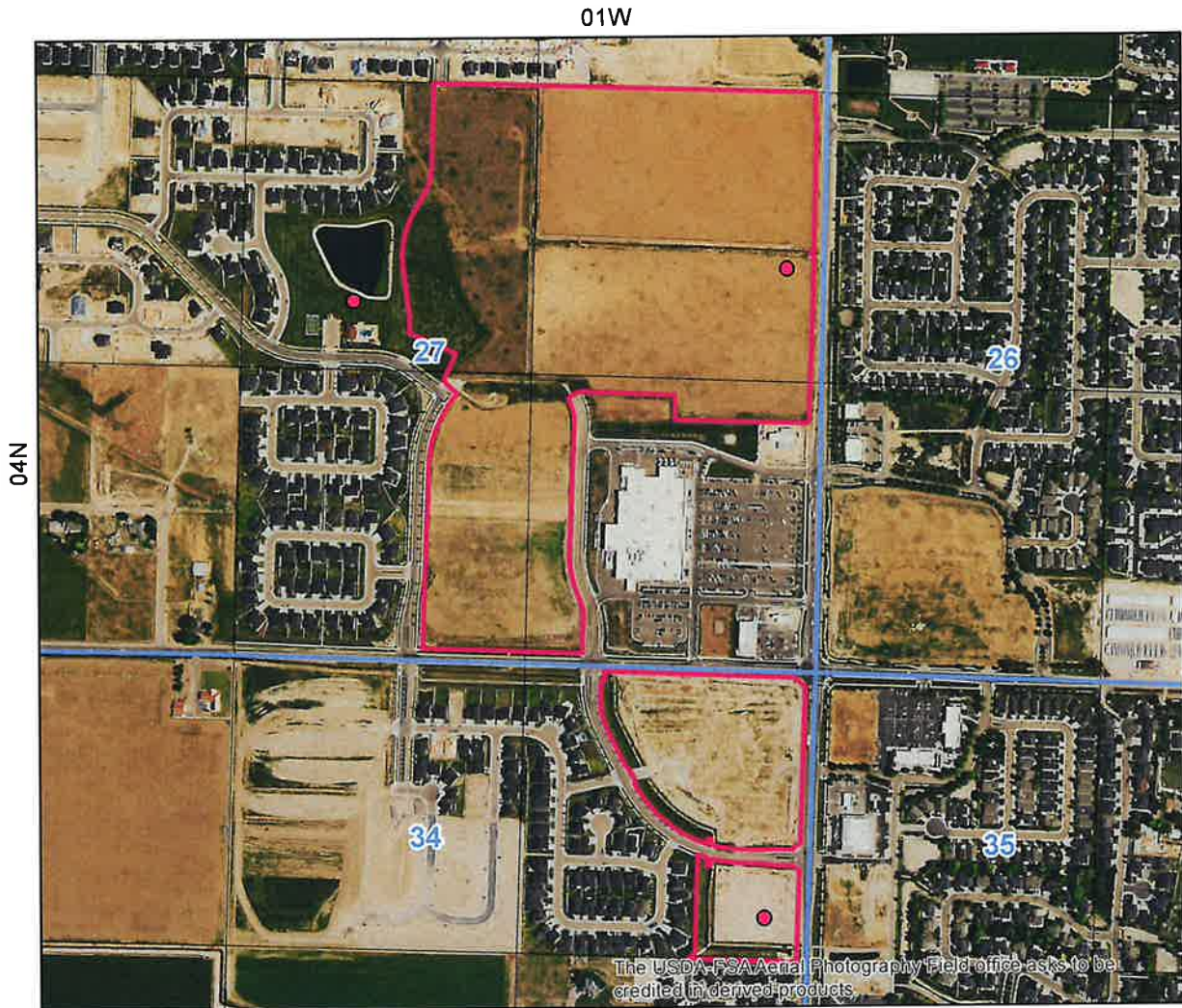
WATER RIGHT NO. 63-34763
As Modified by Transfer No. 82412

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
10. The diversion and use of water described in Transfer 82412 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 82412
WRs: 63-34760, 63-34762, and 63-34763

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Transfer ppu
- Transfer POD
- Townships
- PLS Sections
- Quarter Quarters

0 0.1 0.2 0.4 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 82412
WRs: 63-3156, 63-35159, and 63-35160

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Transfer ppu
- Transfer POD
- Townships
- PLS Sections
- Quarter Quarters

0 0.125 0.25 0.5 Miles





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 Gary Spackman

November 30, 2021

BRIDGETOWER INVESTMENTS
398 E COPPER RIDGE ST
MERIDIAN ID 83646-1204

BRIDGETOWER WEST HOMEOWNERS ASSN LLC
C/O MGM MANAGEMENT
289 SW 5TH AVE
MERIDIAN ID 83642-2997

RE: Transfer No: 82412
Water Right No(s): 63-34760, 63-34762, 63-34763, 63-35156, 63-35159,
63-35160

Transfer Approval Notice

Dear Water Right Holders and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,



DENISE LAUERMAN

for Nick Miller
Western Regional Manager

Enclosures

CC:

SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE ID 83706

CITY OF MERIDIAN
C/O HONSINGER LAW PLLC
ATTN CHARLES L HONSINGER
PO BOX 517
BOISE ID 83701

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2021, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the persons listed below:

Re: Transfer No.: 82412

Water Right Nos.: 63-34760, 63-34762, 63-34763, 63-35156, 63-35159, 63-35160

BRIDGETOWER INVESTMENTS
398 E COPPER RIDGE ST
MERIDIAN ID 83646-1204

BRIDGETOWER WEST HOMEOWNERS ASSN LLC
C/O MGM MANAGEMENT
289 SW 5TH AVE
MERIDIAN ID 83642-2997

SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE ID 83706

CITY OF MERIDIAN
C/O HONSINGER LAW PLLC
ATTN CHARLES L HONSINGER
PO BOX 517
BOISE ID 83701



Denise Lauerman
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.