STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81871

This is to certify that: CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
63-34223	WR/DECREED	7/11/1963	0.400 cfs	95.2 af	28.2	147.0	GROUND WATER
63-34224	WR/DECREED	12/10/1971	0.690 cfs	81.9 af	24.2	147.0	GROUND WATER
63-34225	WR/LICENSE	9/23/1986	0.460 cfs	77.2 af	22.9	147.0	GROUND WATER
63-34226	WR/LICENSE	7/8/1992	0.340 cfs	62.4 af	18.5	147.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
63-10383	WR/LICENSE	9/23/1986	4.760 cfs	2195.3 af	128.1	1139.0	GROUND WATER
63-11347	WR/LICENSE	7/8/1992	1.890 cfs	486.6 af	103.5	1139.0	GROUND WATER
63-7531	WR/DECREED	12/10/1971	3.600 cfs	744.6 af	135.8	1139.0	GROUND WATER
63-3362	WR/DECREED	7/11/1963	2.270 cfs	741.8 af	157.8	1139.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-34223	NO	YES	NO	NO	NO	NO
63-34224	NO	YES	NO	NO	NO	NO
63-34225	NO	YES	NO	NO	NO	NO
63-34226	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-34223	63-34223	0.400 cfs	95.2 af	28.2	147.0	N/A	N/A	N/A	N/A	N/A
63-34224	63-34224	0.690 cfs	81.9 af	24.2	147.0	N/A	N/A	N/A	N/A	N/A
63-34225	63-34225	0.460 cfs	77.2 af	22.9	147.0	N/A	N/A	N/A	N/A	N/A
63-34226	63-34226	0.340 cfs	62.4 af	18.5	147.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**1.890 cfs**	**316.7 af**	**93.8**	**147.0**		**N/A**	**N/A**	**N/A**	**N/A**

Transfer No. 81871

SUPPORT DATA
IN FILE # 63-34223

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81871

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 27th day of July, 2018.

Water Rights Supervisor

WATER RIGHT NO. 63-34223

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-34223 is now described as follows:

Right Holder: CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

Priority Date: 7/11/1963

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	0.400 cfs	95.2 af
				0.400 cfs	95.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6									40.0			40.0		34.0	33.0		147.0

Right Acre Limit: 28.2
POU Total Acres: 147.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.2 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 63-34223, 63-34224, 63-34225, and 63-34226 when combined shall not exceed the irrigation of 93.8 acres.
4. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 63-34223

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/16/2007.

7. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 63-34224

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-34224 is now described as follows:

Right Holder: CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

Priority Date: 12/10/1971

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.690 cfs	81.9 af
				0.690 cfs	81.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6									40.0			40.0		34.0	33.0		147.0

Right Acre Limit: 24.2
POU Total Acres: 147.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 24.2 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

3. Rights 63-34223, 63-34224, 63-34225, and 63-34226 when combined shall not exceed the irrigation of 93.8 acres.

4. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 63-34224

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

6. 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 or late irrigation use and a priority date earlier than July 30, 2009.

7. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 63-34225

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-34225 is now described as follows:

Right Holder: CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

Priority Date: 9/23/1986

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.460 cfs	77.2 af
				0.460 cfs	77.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6									40.0			40.0		34.0	33.0		147.0

Right Acre Limit: 22.9
POU Total Acres: 147.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22.9 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

3. Rights 63-34223, 63-34224, 63-34225, and 63-34226 when combined shall not exceed the irrigation of 93.8 acres.

4. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 63-34225

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

6. 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 or late irrigation use and a priority date earlier than 03/13/2000.

7. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

10. 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. 63-34226

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-34226 is now described as follows:

Right Holder: CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707

Priority Date: 7/8/1992

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.340 cfs	62.4 af
				0.340 cfs	62.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L7 (SWSW)	Sec 6	Twp 01N Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6									40.0			40.0		34.0	33.0		147.0

Right Acre Limit: 18.5
POU Total Acres: 147.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.5 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 63-34223, 63-34224, 63-34225, and 63-34226 when combined shall not exceed the irrigation of 93.8 acres.

WATER RIGHT NO. 63-34226

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

4. 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 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 Section 42-222, Idaho Code, or other Department approval.

5. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

6. After specific notification by the Department, the right holder shall record the quantity of water diverted 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 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 or late irrigation use and a priority date earlier than 03/13/2000.

8. Diversion and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

11. 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. 63-10383

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-10383 is now described as follows:

Right Holder: SUSAN MONTIERTH And
RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686

Priority Date: 9/23/1986

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
INDUSTRIAL	01/01	to	12/31	2.200 cfs	1593.0 af
IRRIGATION	03/15	to	11/15	2.560 cfs	602.3 af
				4.760 cfs	2195.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L4 (SWSW)	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L2 (NWNE)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NENW)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	SWSE	Sec 31	Twp 02N	Rge 02E	ADA County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	X	X	X	X	X			X						X	X		
			L 1	L 2			L 3												
01N	02E	7					X	X	X		X		X	X			X		
								L 1	L 2				L 4						
01N	02E	18	X	X		X	X	X	X	X	X	X	X	X					
								L 1	L 2			L 3	L 4						
02N	02E	31									X	X	X	X			X		
												L 3	L 4						

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0	40.0	40.0	40.0	40.0			40.0						6.0	6.0		247.0
			L 1	L 2			L 3												
01N	02E	7					40.0	40.0	40.0		40.0		36.0	32.0			32.0		260.0
								L 1	L 2				L 4						
01N	02E	18	32.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					432.0
								L 1	L 2			L 3	L 4						
02N	02E	31									40.0	40.0	40.0	40.0			40.0		200.0
												L 3	L 4						

Transfer No. 81871

WATER RIGHT NO. 63-10383

As Modified by Transfer No. 81871

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

Right Acre Limit: 128.1
POU Total Acres: 1139.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 128.1 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

3. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined shall not exceed a total diversion rate of 8.88 cfs.

4. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined are limited to the irrigation of 525.2 total acres under the irrigation components of the rights in the 1139.0 acre place of use described above in a single irrigation season. This condition does not limit the acreage upon which wastewater from the industrial and commercial uses under the rights may be land applied for wastewater treatment purposes to satisfy water quality requirements.

5. Rights 63-7531 and 63-10383 when combined shall not exceed a total diversion rate of 5.87 cfs.

6. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.

7. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

8. 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 03/15 Is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/13/2000.

9. A single new point of diversion is authorized in either Lot 4 (SWSW) or SESW, S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.

10. Use of water under rights 63-7531 and 63-10383 shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

WATER RIGHT NO. 63-10383

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

11. The place of industrial use authorized by this approval includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the industrial and commercial components of rights 63-7531 and 63-10383 shall not be land applied unless the water is first used for the commercial/industrial purposes as authorized under these rights.

12. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E

13. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

15. 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. 63-11347

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-11347 is now described as follows:

Right Holder: SUSAN MONTIERTH And
RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686

Priority Date: 7/8/1992

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	1.890 cfs	486.6 af
				1.890 cfs	486.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L4 (SWSW)	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L2 (NWNE)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NENW)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	SWSE	Sec 31	Twp 02N	Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0	40.0	40.0	40.0	40.0			40.0						6.0	6.0		247.0
			L 1	L 2			L 3												
01N	02E	7					40.0	40.0	40.0		40.0		36.0	32.0			32.0		260.0
								L 1	L 2				L 4						
01N	02E	18	32.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					432.0
								L 1	L 2			L 3	L 4						
02N	02E	31									40.0	40.0	40.0	40.0			40.0		200.0
												L 3	L 4						

Right Acre Limit: 103.5
POU Total Acres: 1139.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 103.5 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 81871

WATER RIGHT NO. 63-11347

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

3. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined shall not exceed a total diversion rate of 8.88 cfs.

4. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined are limited to the irrigation of 525.2 total acres under the irrigation components of the rights in the 1139.0 acre place of use described above in a single irrigation season.This condition does not limit the acreage upon which wastewater from the industrial and commercial uses under the rights may be land applied for wastewater treatment purposes to satisfy water quality requirements.

5. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.

6. 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 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 Section 42-222, Idaho Code, or other Department approval.

7. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

8. 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 or late irrigation use and a priority date earlier than 03/13/2000.

9. A single new point of diversion is authorized in either Lot 4 (SWSW) or SESW, S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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. 63-7531

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-7531 is now described as follows:

Right Holder: SUSAN MONTIERTH And
RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686

Priority Date: 12/10/1971

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	3.200 cfs	720.0 af
DOMESTIC	01/01	to	12/31	0.200 cfs	11.2 af
IRRIGATION	03/15	to	11/15	2.510 cfs	638.1 af
STOCKWATER	01/01	to	12/31	0.200 cfs	13.4 af
				3.600 cfs	744.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L4 (SWSW)	Sec 18	Twp 01N	Rge 02E	ADA County
GROUND WATER	L2 (NWNE)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NENW)	Sec 6	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N	Rge 02E	ADA County
GROUND WATER	SWSE	Sec 31	Twp 02N	Rge 02E	ADA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7										X							
												L 3							

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7										X							
												L 3							

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0	40.0	40.0	40.0	40.0			40.0						6.0	6.0		247.0
			L 1	L 2			L 3												

Transfer No. 81871

WATER RIGHT NO. 63-7531

As Modified by Transfer No. 81871

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7					40.0	40.0	40.0		40.0		36.0	32.0			32.0		260.0
								L 1	L 2				L 4						
01N	02E	18	32.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					432.0
								L 1	L 2			L 3	L 4						
02N	02E	31									40.0	40.0	40.0	40.0			40.0		200.0
												L 3	L 4						

Right Acre Limit: 135.8
POU Total Acres: 1139.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7										X							
												L 3							

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135.8 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

3. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined shall not exceed a total diversion rate of 8.88 cfs.

4. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined are limited to the irrigation of 525.2 total acres under the irrigation components of the rights in the 1139.0 acre place of use described above in a single irrigation season. This condition does not limit the acreage upon which wastewater from the industrial and commercial uses under the rights may be land applied for wastewater treatment purposes to satisfy water quality requirements.

5. Rights 63-7531 and 63-10383 when combined shall not exceed a total diversion rate of 5.87 cfs.

6. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.

7. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 63-7531

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

8. 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 or late irrigation use and a priority date earlier than July 30, 2009.

9. A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.

10. Use of water under rights 63-7531 and 63-10383 shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

11. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under the industrial and commercial components of rights 63-7531 and 63-10383 shall not be used for irrigation unless the water is first used in the commercial/industrial purposes as authorized by these water rights.

12. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.

13. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

16. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 63-3362

As Modified by Transfer No. 81871

In accordance with the approval of Transfer No. 81871, Water Right No. 63-3362 is now described as follows:

Right Holder: SUSAN MONTIERTH And
RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686

Priority Date: 7/11/1963

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	2.270 cfs	741.8 af
				2.270 cfs	741.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 18	Twp 01N Rge 02E	ADA County
GROUND WATER	L4 (SWSW)	Sec 18	Twp 01N Rge 02E	ADA County
GROUND WATER	L2 (NWNE)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L3 (NENW)	Sec 6	Twp 01N Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N Rge 02E	ADA County
GROUND WATER	L3 (NWSW)	Sec 7	Twp 01N Rge 02E	ADA County
GROUND WATER	SWSE	Sec 31	Twp 02N Rge 02E	ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0	40.0	40.0	40.0	40.0			40.0						6.0	6.0		247.0
			L 1	L 2			L 3												
01N	02E	7					40.0	40.0	40.0		40.0		36.0	32.0			32.0		260.0
								L 1	L 2				L 4						
01N	02E	18	32.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					432.0
								L 1	L 2			L 3	L 4						
02N	02E	31									40.0	40.0	40.0	40.0			40.0		200.0
												L 3	L 4						

Right Acre Limit: 157.8
POU Total Acres: 1139.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 157.8 acres within the authorized place of use in a single irrigation season.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 81871

WATER RIGHT NO. 63-3362

As Modified by Transfer No. 81871

CONDITIONS OF APPROVAL

3. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined shall not exceed a total diversion rate of 8.88 cfs.

4. Rights 63-3362, 63-7531, 63-10383, and 63-11347 when combined are limited to the irrigation of 525.2 total acres under the irrigation components of the rights in the 1139.0 acre place of use described above in a single irrigation season. This condition does not limit the acreage upon which wastewater from the industrial and commercial uses under the rights may be land applied for wastewater treatment purposes to satisfy water quality requirements.

5. Right holder is required to urtilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.

6. Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04/01 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/16/2007.

8. A single new point of diversion is authorized in either Lot 4 (SWSW) or SESW, S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

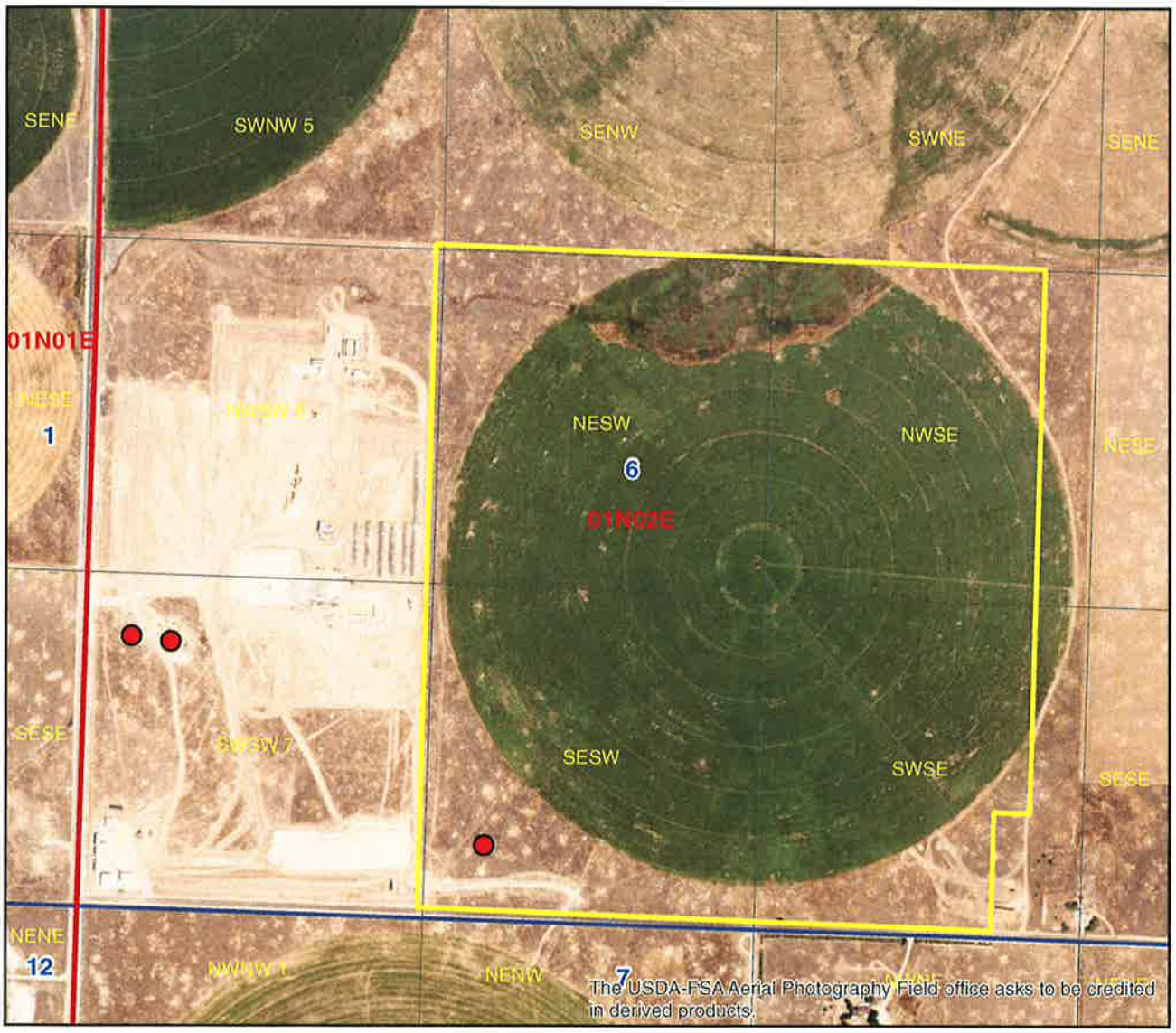
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 81871

Water Right(s): 63-34223, 63-34224, 63-34225, and 63-34226

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.



Place of Use Boundary
Transfer POD
Township/Range
Sections
QQ

0 0.075 0.15 0.3 Miles

N

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region • 2735 Airport Way • Boise, Idaho 83705-5082
Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 27, 2018

CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE ID 83707

Re: Transfer No: 81871
Water Right No(s).: 63-3362, 63-7531, 63-10383, 63-11347, 63-34223, 63-34224, 63-34225, 63-34226

Transfer Approval Notice

Dear Water Right Holder 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,

Rachel Neely for:

Nick Miller

Regional Manager

Enclosure

CC:

SUSAN MONTIERTH
RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

WELLS FARGO BANK
FOOD & AGRIBUSINESS COMMERCIAL BANKING OFFICE
905 S FILLMORE STE 701
MAC T3005-072
AMARILLO TX 79101

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 81871
Water Right No(s).: 63-3362, 63-7531, 63-10383, 63-11347, 63-34223, 63-34224, 63-34225, 63-34226

CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE ID 83707

SUSAN MONTIERTH
RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

WELLS FARGO BANK
FOOD & AGRIBUSINESS COMMERCIAL BANKING OFFICE
905 S FILLMORE STE 701
MAC T3005-072
AMARILLO TX 79101

Rachel Neely
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.

MEMORANDUM

TO: Transfer No. 81871

FROM: Phill Hummer

DATE: 07/27/2018

RE: Evaluation of Sufficiency of Information Submitted

The applicant proposes to replace the current points of diversion on each of the 4 water rights with 2 different ones. The proposed change will remove the points of diversion that are on property not owned by CS Properties and replace them with 2 existing wells located on property they do own.

The new well site is located on S Cole Rd about 20 kilometers south of Boise ID between Kuna Mora Rd and Barker Rd.

Summary of Information Submitted

Authority to File:
The application is signed by Thomas Basabe. The most recent annual report form shows the members of CS Property Development LLC are Caviness CEV Idaho LLC and Simplot BP Idaho LLC. The only member of Simplot BP Idaho LLC is J. R. Simplot Company. The officers and members listed on 2017 annual report for J. R. Simplot Company does not include Mr. Basabe. However, the applicant's representative submitted information on 10/16/2017 that shows Mr. Basabe was appointed as one of the directors of CS Property Development LLC when the company was formed in 2014. Although the more recent officers and members list does not include Mr. Basabe the information submitted by Vic Conrad shows he was involved with the company at one time. Additionally, Mr. Conrad works on and submits information for CS Property/Simplot applications and water rights regularly and I feel confident in giving him the benefit of any doubt in this particular matter.

Water Right Validity:
The 4 water rights involved with this transfer were decreed greater than 5 years ago and have not been leased to the water supply bank. However, aerial imagery of the place of use shows beneficial use of water has been as recent as 2015. These water rights are presumed to be valid.

Overlap Analysis:
The water rights are currently part of a rather complex diversion system that includes many water rights and permits.
If approved these 4 water rights will be removed from that system and will instead be diverted out of the same wells as the following rights and permits all owned by CS Properties:

Permits no. 63- 34221, 63-34222, 63-34038, and 63-33207. Rights no. 63-34223, 63-34224, 63-34225, and 63-34226.

Injury to Other Water Rights:
Local concerns were addressed through advertisement of the transfer applicant, no protests were filed. Historically water diverted under a portion of the Montierth rights was LTG. The CS Property water rights are being removed from this diversion system but they still should be condition to make it clear the use of LTG water can not be developed or used under these rights.

Enlargement of Use:
The rights were split based on the amounts sold as listed in the deed provided with the ownership change documents. The deed provided the specific rate, volume and acres sold instead of being split proportionally by acres. Therefore these rights will have no combined limits for rate and volume and the face value will reflect the portions deeded. They should have a combined limit for the authorized acres because of the permissible place of use. The combined limits on the associated rights (remaining portions from the split) will be reduced by the portions of the CS Property rights.

Local Public Interest:
The application proposes changes that are within the public interest.

Beneficial Use/Conservation of Water Resources:
The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

If approved the following changes should be made to the conditions of water rights:

- Update condition C18 to T19.
- Add standard transfer conditions T07 and T08.
- Add condition 073.
- Replace T17 (inactive) with 214.
- Add 01Q per transfer flow chart.
- Update condition X35 to remove rights not associated with the new diversion system and remove rate and volume limits. Reduce acres to the number associated with CS Property rights (93.8 acres).

If approved the following changes should be made to the conditions of the associated water rights:

- Update any combined limit condition to remove the CS Property portions, specifically reduce the rate from 10.77 cfs to 8.88 cfs, reduce the acres from 619 acres within a 1286 acre PPU to 525.2 with a 1139.0 acre PPU.
- Replace T17 (inactive) with 214.

Right no. 63-34223 has condition x61 but states that the use of water would be subordinated to dates with priority dates earlier than 11/25/2008. It is unclear where this date comes from since the condition was on the partial decree when it was issued on 2/16/07 and on the amended partial decree issued 09/02/08. Transfer 5442 retained the original language of the condition, transfer 79803 added the specific date. However, the date that should be used in the condition is the date the partial decree was issued. It should be changed on both the CS Property right and the parent through this transfer process.

Right nos. 63-34225 and 65-34226 have condition T19 but it should be removed. The condition was added to the parent rights no. 63-10383 and 63-11347 as part of the approval process for transfer no. 79803. However, that right was not claimed in the SRBA it was licensed afterwards. Therefore the condition is not applicable and was added in error. It should be removed from both the CS Property rights and the parent rights as part of the approval process of this transfer.

Idaho Statesman
The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM
PO Box 40, Boise, ID 83707-0040

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263978	0003521810	LEGAL NOTICE The following applications have	CityNampa	$248.15	2	78

Attention: RACHEL NEELY

IDAHO DEPT OF WATER RESOURCES / WEST
2735 AIRPORT WAY
BOISE, ID 837055082

RECEIVED
FEB 26 2018
WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82046

CITY OF NAMPA, 411 3RD ST S, NAMPA, ID 83651; has filed Application No. 82046 for changes to the following water rights within CANYON County(s): Right No(s). 63-2449, 63-2450, 63-2484, 63-2780, 63-2787, 63-2943, 63-5257, 63-7003, 63-7708, 63-8312, 63-9853, 63-9889. The purpose of this transfer is to add an additional well to City of Nampa's municipal system as well as correcting/changing the legal description for 7 other POD's to 12 of City of Nampa's Municipal water rights. All proposed POD changes fall within the City of Nampa's service boundary.

VOKRN 3/7/18

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81871

CS PROPERTY DEVELOPMENT LLC, PO BOX 27, BOISE, ID 83707; has filed Application No. 81871 for changes to the following water rights within ADA County(s): Right No(s). 63-34223, 63-34224, 63-34225, 63-34226. The applicant proposes to replace the current points of diversion on each of the 4 water rights with 3 different wells. The change will remove the points of diversion from property owned by another party onto property they own. The new wells are located on S Cole Rd about 20 kilometers south of Boise ID between Kuna Mora Rd and Barker Rd.

VOKRN 3/7/18

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO Box 27 Boise ID 83707 filed application no. 81872 on 08/16/2017 to amend a water permit no. 63-34222 with a 09/02/1999 priority to divert groundwater totaling 0.62 cfs for irrigation purposes. The permit provides irrigation water for property located on S Cole RD about 20 kilometers south of Boise ID between Kuna Mora RD and Barker RD. The applicant proposes to amend the permit to replace the 6 current points of diversion with 3 different ones. 2 of the new points of diversion are existing wells located in the Govt Lot 7 (SWSW) of section 6 of township 01N and range 02E. A new well is proposed in the SESW of section 6 of township 01N and range 02E.

VOKRN 3/7/18

PROPOSED AMENDMENT OF WATER PERMIT

CS Property Development LLC of PO Box 27 Boise ID 83707 filed application no. 81873 on 08/16/2017 to amend a water permit no. 63-34221 with a 02/02/2015 priority to divert groundwater totaling 0.44 cfs for irrigation purposes. The permit provides irrigation water for property located on S Cole RD about 20 kilometers south of Boise ID between Kuna Mora RD and Barker RD. The applicant proposes to amend the permit to replace the 8 current points of diversion with 3 different ones. 2 of the new points of diversion are existing wells located in the Govt Lot 7 (SWSW) of section 6 of township 01N and range 02E. A new well is proposed in the SESW of section 6 of township 01N and range 02E.

VOKRN 3/7/18

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s) or amendment(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of $25.00 for each application on or before 3/5/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Feb. 15,22, 2018

0003521810-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 02/15/2018

Ending issue of: 02/22/2018

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF ADA)

On this 23rd day of February in the year of 2018 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna Gomm
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 08/17/2022

ANNA GOMM NOTARY PUBLIC STATE OF IDAHO