

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81366**

This is to certify that: **LAGUNA POINTE HOA INC**
9601 W STATE ST #203
BOISE, ID 83714

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>
63-144A	WR/DECREED	6/1/1865	2.030 cfs	251.0 af	23.7	117.2	BOISE RIVER
63-32918	WR/DECREED	6/1/1865	0.320 cfs	46.8 af	10.4	117.2	BOISE RIVER

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>
63-144A	NO	YES	NO	NO	NO	NO
63-32918	NO	YES	NO	NO	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>
63-144A	63-144A	2.030 cfs	251.0 af	23.7	117.2	N/A	N/A	N/A	N/A	N/A
63-32918	63-32918	0.320 cfs	46.8 af	10.4	117.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.350 cfs	297.8 af	34.1	117.2		N/A	N/A	N/A	N/A

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 25th day of January, 2012.


for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-144A

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WATER RIGHT NO. 63-144A**As Modified by Transfer No. 81366**

In accordance with the approval of Transfer No. 81366, Water Right No. 63-144A is now described as follows:

Right Holder: LAGUNA POINTE HOA INC
9601 W STATE ST #203
BOISE, ID 83714

Priority Date: 6/1/1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.720 cfs	106.7 af
MITIGATION BY NON-USE	01/01	to 12/31	0.000	144.3 af
MITIGATION BY NON-USE	03/01	to 11/15	2.030 cfs	0.0
			2.030 cfs	251.0 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L1 (SENE) Sec 21 Twp 04N Rge 01E 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	01E	16											0.2	0.2					0.4
04N	01E	21		22.4	19.6		28.5	24.7	9.2	12.4									116.8
				L 2	L 2		L 3	L 4	L 4	L 3									

Right Acre Limit: 23.7

POU Total Acres: 117.2

PLACE OF USE: MITIGATION BY NON-USE

			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	01E	21		X	X		X	X		X									
				L 2	L 2		L 3	L 4		L 3									

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23.7 acres within the place of use described above in a single irrigation season.
2. Rights 63-144A and 63-32918 when combined shall not exceed the irrigation of 34.1 acres.

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WATER RIGHT NO. 63-144A

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CONDITIONS OF APPROVAL

3. This right authorizes an annual diversion volume of 144.3 af for replacement for evaporation losses from aesthetic ponds authorized under Right 63-32229.
4. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. Within any 24-hour period, redirection from the pond(s) for irrigation purposes shall not exceed the total volume of water delivered to the pond from the Boise River for irrigation purposes pursuant to this right within the same 24-hour period.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to diversion and use of water for irrigation purposes under this right, the right holder shall install a totalizing measuring device of a type approved by the department on the system for redirecting water from the pond(s) for irrigation. The measuring device shall be read and recorded on a daily basis and the right holder must record and maintain records of all irrigation diversions from the ponds identifying the amount of water diverted by date and the total annual volume. These records must be made available for inspection by the department upon request. Each annual record must be maintained for a minimum of 10 years.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide for the delivery of water through the Coast 2 Coast Subdivision to other users of the common conveyance system.
10. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

WATER RIGHT NO. 63-144A

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CONDITIONS OF APPROVAL

11. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
12. Place of use is the Coast 2 Coast Subdivision.
13. This right originated as all or part of right no. 12 in the Stewart Decree and the historic Boise River Water Masters records.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 8/26/2014.

WATER RIGHT NO. 63-32918**As Modified by Transfer No. 81366**

In accordance with the approval of Transfer No. 81366, Water Right No. 63-32918 is now described as follows:

Right Holder: LAGUNA POINTE HOA INC
9601 W STATE ST #203
BOISE, ID 83714

Priority Date: 6/1/1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 11/15

Diversion Rate
0.320 cfs
0.320 cfs

Diversion Volume
46.8 af
46.8 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L1 (SENE) Sec 21 Twp 04N Rge 01E 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	01E	16											0.2	0.2					0.4
														L 1					
04N	01E	21		22.4	19.6		28.5	24.7	9.2	12.4									116.8
				L 2	L 2		L 3	L 4	L 4	L 3									

Right Acre Limit: 10.4
POU Total Acres: 117.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.4 acres within the place of use described above in a single irrigation season.
2. Rights 63-144A and 63-32918 when combined shall not exceed the irrigation of 34.1 acres.
3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER RIGHT NO. 63-32918

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CONDITIONS OF APPROVAL

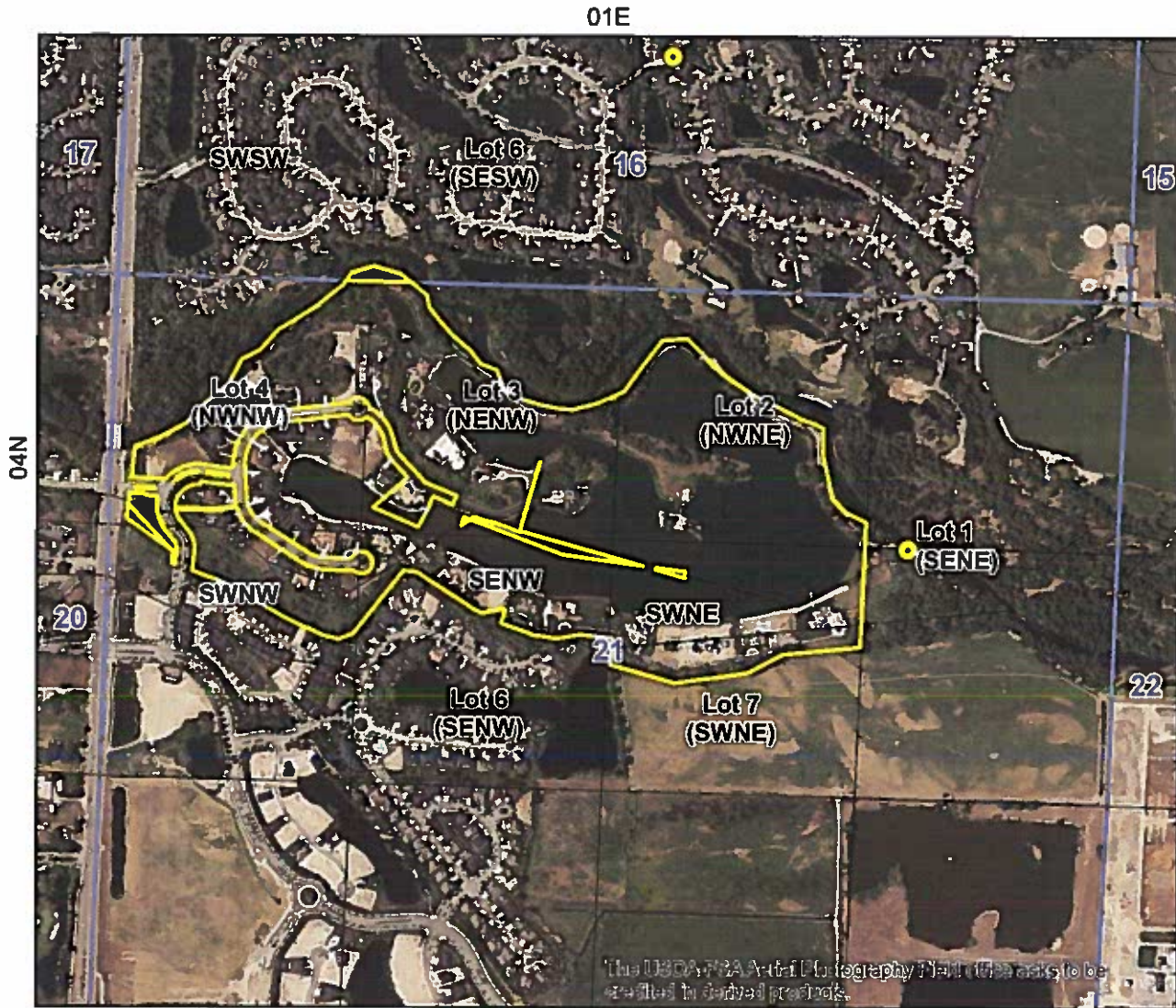
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the amount of water released from the reservoir.
7. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
9. This right originated as all or part of right no. 12 in the Stewart Decree and the historic Boise River Water Masters records.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 8/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 81366

Rights 63-144A and 63-32918

This map depicts the IRRIGATION place of use boundary for the water rights at the time of this approval and is attached to the approval document solely for illustrative purposes. Right 63-144A MITIGATION BY NON-USE place of use boundary is retired use within the IRRIGATION place of use boundary.



Point of Diversion



Place Of Use Boundary



Townships



PLS Sections



Quarter Quarters

