

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78885

This is to certify that: GARDNER MACE RANCH LC
101 S CAPITOL BLVD STE 1201
BOISE, ID 83702

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>
63-182	WR/DECREED	6/1/1870	2.600 cfs	N/A	N/A	130.0	BOISE RIVER
63-216A	WR/DECREED	6/1/1889	0.800 cfs	N/A	N/A	40.0	BOISE RIVER

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

<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>
63-16273	WR/DECREED	12/31/1944	0.220 cfs	34.7 af		6.5	GROUND WATER
63-161CF	WR/DECREED	5/1/1866	0.120 cfs	N/A		52.0	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>
63-182	NO	YES	YES	YES	YES	YES
63-216A	NO	YES	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>
63-182	63-182	2.600 cfs	N/A	106.0	183.0	N/A	N/A	N/A	N/A	N/A
63-216A	63-216A	0.800 cfs	N/A	40.0	183.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.400 cfs	0.0 af	146.0	183.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 63-182

Transfer No. 78885

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78885

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 8th day of November, 2016.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 63-182
As Modified by Transfer No. 78885

In accordance with the approval of Transfer No. 78885, Water Right No. 63-182 is now described as follows:

Right Holder: GARDNER MACE RANCH LC
 101 S CAPITOL BLVD STE 1201
 BOISE, ID 83702

Priority Date: 6/1/1870

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to 11/15	2.120 cfs	
AESTHETIC STORAGE	01/01	to 12/31		56.5 af
RECREATION STORAGE	01/01	to 12/31		56.5 af
DIVERSION TO STORAGE	03/01	to 11/15	0.480 cfs	
			2.600 cfs	

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER	L5 (SWNW)	Sec 16 Twp 04N Rge 01E ADA County
BOISE RIVER	L2 (NWNE)	Sec 21 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

			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	17			X	X													0
					L2	L1													

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	17	6.0	17.0	26.0	11.0	24.0	30.0	36.0	30.0									180.0
			L1	L2	L2	L1			L4	L3									
04N	01E	18	1.0			2.0													3.0
			L1			L1													

Right Acre Limit: 106.0

POU Total Acres: 183.0

PLACE OF USE: RECREATION STORAGE

			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	17			X	X													0
					L2	L1													

Transfer No. 78885

WATER RIGHT NO. 63-182
As Modified by Transfer No. 78885

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 106 acres within the authorized place of use in a single irrigation season.
2. Rights 63-182, 63-216A, 63-16273, and 63-161CF when combined shall not exceed the irrigation of 146.0 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. Transfer 78885 authorizes the diversion and delivery of 0.48 cfs and 56.5 af of water to storage for replacement of evaporation losses from twelve ponds authorized by Right 63-33864.
5. 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.
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 diversion(s).
7. 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.
8. This right originated as all or part of right no. 48 in the Stewart Decree and the historic Boise River Water Masters records.
9. 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.
10. This right is delivered through the Conway-Hamming and Mace-Mace ditches.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 78885

WATER RIGHT NO. 63-182
As Modified by Transfer No. 78885

CONDITIONS OF 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 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 08/26/2014.



WATER RIGHT NO. 63-216A**As Modified by Transfer No. 78885**

In accordance with the approval of Transfer No. 78885, Water Right No. 63-216A is now described as follows:

Right Holder: GARDNER MACE RANCH LC
101 S CAPITOL BLVD STE 1201
BOISE, ID 83702

Priority Date: 6/1/1889

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.800 cfs

0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER
BOISE RIVER

L5 (SWNW)
L2 (NWNE)

Sec 16 Twp 04N Rge 01E ADA County
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	17	6.0	17.0	26.0	11.0	24.0	30.0	36.0	30.0									180.0
			L1	L2	L2	L1			L4	L3									
04N	01E	18	1.0			2.0													3.0
			L1			L1													

Right Acre Limit: 40.0
POU Total Acres: 183.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 63-182, 63-216A, 63-16273, and 63-161CF when combined shall not exceed the irrigation of 146.0 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. 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.

Transfer No. 78885

WATER RIGHT NO. 63-216A
As Modified by Transfer No. 78885

CONDITIONS OF APPROVAL

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).
6. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
7. This right originated as all or part of right no. 116 in the Stewart Decree and the historic Boise River Water Masters records.
8. 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.
9. This right is delivered through the Conway-Hamming and Mace-Mace ditches.
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 08/26/2014.

WATER RIGHT NO. 63-16273
As Modified by Transfer No. 78885

In accordance with the approval of Transfer No. 78885, Water Right No. 63-16273 is now described as follows:

Right Holder: GARDNER MACE RANCH LC
 101 S CAPITOL BLVD STE 1201
 BOISE, ID 83702

Priority Date: 12/31/1944

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
 STOCKWATER

From

03/01
 01/01

To

to 11/15
 to 12/31

Diversion Rate

0.130 cfs
 0.090 cfs
 0.220 cfs

Diversion Volume

29.3 af
 5.4 af
 34.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (SENW) Sec 17 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	17					0.5							8.0					6.5
										L3									

POU Total Acres: 6.5

PLACE OF USE: STOCKWATER

			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	17					X							X					
										L3									

CONDITIONS OF APPROVAL

- 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 08/26/2014.
- Rights 63-182, 63-216A, 63-16273, and 63-161CF when combined shall not exceed the irrigation of 146.0 acres.

Transfer No. 78885

WATER RIGHT NO. 63-16273
As Modified by Transfer No. 78885

CONDITIONS OF APPROVAL

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. Stockwater use is for 250 range cattle and 150 horses.



WATER RIGHT NO. 63-161CF
As Modified by Transfer No. 78885

In accordance with the approval of Transfer No. 78885, Water Right No. 63-161CF is now described as follows:

Right Holder: GARDNER MACE RANCH LC
101 S CAPITOL BLVD STE 1201
BOISE, ID 83702

Priority Date: 5/1/1866

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.120 cfs

0.120 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER
BOISE RIVER

L5 (SWNW)
L2 (NWNE)

Sec 16 Twp 04N Rge 01E ADA County
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	17							30.0	22.0									52.0
									L 4	L 3									

POU Total Acres: 52.0

CONDITIONS OF APPROVAL

1. 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 08/26/2014.
2. Rights 63-182, 63-216A, 63-16273, and 63-161CF when combined shall not exceed the irrigation of 146.0 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.

Transfer No. 78885

WATER RIGHT NO. 63-161CF
As Modified by Transfer No. 78885

CONDITIONS OF APPROVAL

4. 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.
5. This right originated as all or part of right no. 30 in the Stewart Decree and the historic Boise River Water Masters records.
6. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. Parcel Nos. S0517141807 and S0517122500

State of Idaho
Department of Water Resources
Attachment to Transfer No. 78885
63-182 and 63-216A

This map depicts the 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.

