

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80028**

This is to certify that: **M & C STANLEY LLC**
2224 N RAM AVE
EAGLE, ID 83616

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>
63-33243	WR/DECREED	9/13/1874	0.060 cfs	N/A	N/A	2.7	DRY CREEK
63-33246	WR/DECREED	7/14/1959	0.030 cfs	12.2 af	N/A	2.7	GROUND WATER
63-9003	WR/DECREED	8/15/1977	0.090 cfs	33.5 af	N/A	2.5	GROUND WATER

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>
63-31738	WR/DECREED	9/13/1874	0.200 cfs	N/A		10.0	DRY CREEK
63-31740	WR/DECREED	7/14/1959	0.108 cfs	45.0 af		10.0	GROUND WATER
63-32403	WR/DECREED	9/13/1874	0.130 cfs	N/A		6.2	DRY CREEK
63-32404	WR/DECREED	9/13/1874	0.190 cfs	N/A		9.7	DRY CREEK
63-32405	WR/DECREED	9/13/1874	0.200 cfs	N/A		10.0	DRY CREEK
63-32407	WR/DECREED	9/13/1874	0.520 cfs	N/A		26.0	DRY CREEK
63-32408	WR/DECREED	9/13/1874	0.200 cfs	N/A		10.0	DRY CREEK
63-32412	WR/DECREED	7/14/1959	0.070 cfs	27.9 af		6.2	GROUND WATER
63-32413	WR/DECREED	7/14/1959	0.110 cfs	43.6 af		9.7	GROUND WATER
63-32414	WR/DECREED	7/14/1959	0.110 cfs	45.0 af		10.0	GROUND WATER
63-32416	WR/DECREED	7/14/1959	0.280 cfs	117.0 af		26.0	GROUND WATER
63-32417	WR/DECREED	7/14/1959	0.100 cfs	45.0 af		10.0	GROUND WATER
63-32638	WR/DECREED	9/13/1874	0.180 cfs	N/A		9.0	DRY CREEK
63-32639	WR/DECREED	7/14/1959	0.095 cfs	40.5 af		9.0	GROUND WATER
63-32640	WR/DECREED	7/14/1959	0.095 cfs	40.5 af		9.0	GROUND WATER
63-32707	WR/DECREED	9/13/1874	0.200 cfs	N/A		10.0	DRY CREEK
63-32708	WR/DECREED	9/13/1874	0.170 cfs	N/A		10.0	DRY CREEK
63-32709	WR/DECREED	9/13/1874	0.180 cfs	N/A		9.3	DRY CREEK
63-32710	WR/DECREED	9/13/1874	0.180 cfs	N/A		9.3	DRY CREEK
63-32712	WR/DECREED	7/14/1959	0.110 cfs	45.0 af		10.0	GROUND WATER
63-32713	WR/DECREED	7/14/1959	0.090 cfs	45.0 af		10.0	GROUND WATER
63-32714	WR/DECREED	7/14/1959	0.100 cfs	41.6 af		9.9	GROUND WATER

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SUPPORT DATA
IN FILE # 63-9003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80028

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>
63-32715	WR/DECREED	7/14/1959	0.100 cfs	41.6 af		9.3	GROUND WATER
63-32637	WR/DECREED	9/13/1874	0.180 cfs	N/A		9.0	DRY CREEK
63-33244	WR/DECREED	9/13/1874	0.190 cfs	N/A		7.9	DRY CREEK
63-33247	WR/DECREED	7/14/1959	0.100 cfs	35.5 af		7.9	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>
63-33243	NO	YES	YES	NO	NO	NO
63-33246	NO	YES	YES	NO	NO	NO
63-9003	YES	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>
63-33243	63-33243	0.060 cfs	N/A	N/A	2.7	N/A	N/A	N/A	N/A	N/A
63-33246	63-33246	0.030 cfs	12.2 af	N/A	2.7	N/A	N/A	N/A	N/A	N/A
63-9003	63-34196	0.080 cfs	11.3 af	N/A	2.5	63-9003	0.010 cfs	7.2 af	N/A	N/A
COMBINED TOTALS		0.140 cfs	N/A	N/A	5.2		0.01 cfs	7.2 af	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 14th day of October, 2016.


for Chief, Water Allocation Bureau

WATER RIGHT NO. 63-33243
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-33243 is now described as follows:

Right Holder: M & C STANLEY LLC
 2224 N RAM AVE
 EAGLE, ID 83616

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.060 cfs
 0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SWNW Sec 35 Twp 05N 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	
05N	01E	35					2.7												2.7

POU Total Acres: 2.7

CONDITIONS OF APPROVAL

1. Rights 63-33243 and 63-33246 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 2.7 acres.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. 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.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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WATER RIGHT NO. 63-33243
As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

7. 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. 63-33246
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-33246 is now described as follows:

Right Holder: M & C STANLEY LLC
 2224 N RAM AVE
 EAGLE, ID 83616

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.030 cfs	12.2 af
			0.030 cfs	12.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 35 Twp 05N Rge 01E	ADA County
GROUND WATER	NENW	Sec 35 Twp 05N Rge 01E	ADA County
GROUND WATER	NENW	Sec 35 Twp 05N 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	
05N	01E	35						27												27

POU Total Acres: 2.7

CONDITIONS OF APPROVAL

1. Rights 63-33243 and 63-33246 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 2.7 acres.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 12.2 af at the field headgate for the place of use.
4. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.

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WATER RIGHT NO. 63-33246
As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 63-9003**As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-9003 is now described as follows:

Right Holder: M & C STANLEY LLC
2224 N RAM AVE
EAGLE, ID 83616

Priority Date: 8/15/1977

Source: GROUND WATER

BENEFICIAL USE
DOMESTIC

From 01/01 **To** 12/31

Diversion Rate
0.010 cfs
0.010 cfs

Diversion Volume
7.2 af
7.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 23 Twp 03N Rge 02E ADA County
GROUND WATER SWNE Sec 23 Twp 03N Rge 02E ADA County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	23			X														

CONDITIONS OF APPROVAL

- Domestic use is for 37 homes and does not include lawn, garden, landscape, or other types of irrigation.
- Property also known as Cloverleaf Trailer Court
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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.

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WATER RIGHT NO. 63-34196
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-34196 is now described as follows:

Right Holder: M & C STANLEY LLC
 2224 N RAM AVE
 EAGLE, ID 83616

Priority Date: 8/15/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.080 cfs	11.3 af
			0.080 cfs	11.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 35 Twp 05N Rge 01E	ADA County
GROUND WATER	NENW	Sec 35 Twp 05N Rge 01E	ADA County
GROUND WATER	NENW	Sec 35 Twp 05N 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	
05N	01E	35					2.5												2.5

POU Total Acres: 2.5

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.

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WATER RIGHT NO. 63-31738
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-31738 is now described as follows:

Right Holder: WAYNE MEULEMAN OR
 SUSAN MEULEMAN
 5854 W DRY CREEK RD
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.200 cfs
 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			10.0														10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-31738 and 63-31740 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. Place of use is located within Lot 9, Blk. 1 Echanove Ranch Subdivision No. 1.
4. 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.

Transfer No. 80028

WATER RIGHT NO. 63-31740 **As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-31740 is now described as follows:

Right Holder: SUSAN MEULEMAN Or
 WAYNE MEULEMAN
 5854 W DRY CREEK RD
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.108 cfs	45.0 af
			0.108 cfs	45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			10.0														10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-31738 and 63-31740 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. Place of use is located within Lot 9, Blk. 1 Echanove Ranch Subdivision No. 1.
4. 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.

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WATER RIGHT NO. 63-32403

As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32403 is now described as follows:

Right Holder: MARION D GROOTHUIS OR
JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.130 cfs
0.130 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			3.3					2.9									6.2

POU Total Acres: 6.2

CONDITIONS OF APPROVAL

1. Rights 63-32403 and 63-32412 when combined shall not exceed a total diversion rate of 0.13 cfs and the irrigation of 6.2 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32404
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32404 is now described as follows:

Right Holder: JAMES PARKER AND/OR
 CELIA FITZWATER
 3844 W DEERPATH DR
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

From
 03/01

to 11/15

Diversion Rate
 0.190 cfs
 0.190 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					2.0			7.7									9.7

POU Total Acres: 9.7

CONDITIONS OF APPROVAL

1. Rights 63-32404 and 63-32413 when combined shall not exceed a total diversion rate of 0.19 cfs and the irrigation of 9.7 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32405
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32405 is now described as follows:

Right Holder: LISA WARDLE OR
 SCOTT WARDLE
 1141 W HEMPSTEAD DR
 EAGLE, ID 83616

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.200 cfs
 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			10.0														10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32405 and 63-32414 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32407
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32407 is now described as follows:

Right Holder: GAYLON BALL
 14180 W BALL MANOR PL
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.520 cfs

0.520 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK

SESENE

Sec 31 Twp 05N Rge 02E 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	
05N	02E	31		24.0	2.0														26.0

POU Total Acres: 26.0

CONDITIONS OF APPROVAL

1. Rights 63-32407 and 63-32416 when combined shall not exceed a total diversion rate of 0.52 cfs and the irrigation of 26.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32408
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32408 is now described as follows:

Right Holder: ECHANOVE DRIVE LLC
 C/O GAYLON BALL
 14180 W BALL MANOR PL
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.200 cfs
 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31																	10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32408 and 63-32417 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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. 63-32412
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32412 is now described as follows:

Right Holder: MARION D GROOTHUIS OR
JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.070 cfs	27.9 af
			0.070 cfs	27.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			3.3					2.9									6.2

POU Total Acres: 6.2

CONDITIONS OF APPROVAL

1. Rights 63-32403 and 63-32412 when combined shall not exceed a total diversion rate of 0.13 cfs and the irrigation of 6.2 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32413
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32413 is now described as follows:

Right Holder: JAMES PARKER AND/OR
 CELIA FITZWATER
 3844 W DEERPATH DR
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.110 cfs
 0.110 cfs

Diversion Volume
 43.6 af
 43.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					2.0			7.7									9.7

POU Total Acres: 9.7

CONDITIONS OF APPROVAL

1. Rights 63-32404 and 63-32413 when combined shall not exceed a total diversion rate of 0.19 cfs and the irrigation of 9.7 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32414
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32414 is now described as follows:

Right Holder: SCOTT WARDLE Or
 LISA WARDLE
 1141 W HEMPSTEAD DR
 EAGLE, ID 83616

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.110 cfs
 0.110 cfs

Diversion Volume
 45.0 af
 45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			10.0														10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32405 and 63-32414 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32416
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32416 is now described as follows:

Right Holder: GAYLON BALL
 14180 W BALL MANOR PL
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.280 cfs

0.280 cfs

Diversion Volume

117.0 af

117.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNE

Sec 31 Twp 05N Rge 02E 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	
05N	02E	31		24.0	2.0														26.0

POU Total Acres: 26.0

CONDITIONS OF APPROVAL

1. Rights 63-32407 and 63-32416 when combined shall not exceed a total diversion rate of 0.52 cfs and the irrigation of 26.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works. The measuring device shall record the instantaneous rate of flow and total volume diverted.
5. After notification by the Department, the right holder shall use the 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.

Transfer No. 80028

WATER RIGHT NO. 63-32416

As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

6. For the first five (5) years of irrigation under this right, the right holder shall:
 - (a) During March and prior to initial irrigation for the year, measure water levels in the new irrigation well authorized for this right;
 - (b) Repeat the water level measurement for the well one time during the month of August;
 - (c) Record rate and volume data from the measuring device on some periodic basis and keep records of the data; and
 - (d) Data from a, b and c shall be available to members and officers of the Echanove Ranch Homeowners' Association, Inc., upon request.
7. After notification by the Department, the right holder shall provide the above data to the Department.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
11. The following rights are diverted through point of diversion described above: 63-32416 and 63-32417 .
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 63-32417
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32417 is now described as follows:

Right Holder: ECHANOVE DRIVE LLC
 C/O GAYLON BALL
 14180 W BALL MANOR PL
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.100 cfs	45.0 af
			0.100 cfs	45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					10.0												10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32408 and 63-32417 when combined shall not exceed a total diversion rate of 0.20 cfs and the irrigation of 10.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works. The measuring device shall record the instantaneous rate of flow and total volume diverted.

Transfer No. 80028

WATER RIGHT NO. 63-32417
As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

5. After notification by the Department, the right holder shall use the 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.
6. For the first five (5) years of irrigation under this right, the right holder shall:
 - (a) During March and prior to initial irrigation for the year, measure water levels in the new irrigation well authorized for this right;
 - (b) Repeat the water level measurement for the well one time during the month of August;
 - (c) Record rate and volume data from the measuring device on some periodic basis and keep records of the data; and
 - (d) Data from a, b and c shall be available to members and officers of the Echanove Ranch Homeowners' Association, Inc., upon request.
7. After notification by the Department, the right holder shall provide the above data to the Department.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
11. The following rights are diverted through point of diversion described above: 63-32416 and 63-32417.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 63-32638
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32638 is now described as follows:

Right Holder: JIM CLEARY OR
 TERESA CLEARY
 6029 ECHANOVE DR
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.180 cfs
 0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31		4.0			5.0												9.0

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Rights 63-32638 and 63-32640 when combined shall not exceed a total diversion rate of 0.18 cfs and the irrigation of 9.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32639 **As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32639 is now described as follows:

Right Holder: SUZIE BOHME Or
 SCOTT BOHME
 4389 W FARM VIEW RD
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.095 cfs
 0.095 cfs

Diversion Volume
 40.5 af
 40.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					9.0												9.0

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Rights 63-32637 and 63-32639 when combined shall not exceed a total diversion rate of 0.18 cfs and the irrigation of 9.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32640
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32640 is now described as follows:

Right Holder: JIM CLEARY Or
TERESA CLEARY
6029 ECHANOVE DR
BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.095 cfs
0.095 cfs

Diversion Volume
40.5 af
40.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31		4.0			5.0												9.0

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Rights 63-32638 and 63-32640 when combined shall not exceed a total diversion rate of 0.18 cfs and the irrigation of 9.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32707
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32707 is now described as follows:

Right Holder: SARA PATTERSON OR
 MIKE MC MILLEN
 6237 W ECHANOVE DR
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

From 03/01 **to** 11/15

Diversion Rate
 0.200 cfs
 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					10.0												10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32708 **As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32708 is now described as follows:

Right Holder: JULIA WHITING AND
 ROBERT WHITING
 6122 W DRY CREEK RD
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.170 cfs
 0.170 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					0.9			9.1									10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32709 **As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32709 is now described as follows:

Right Holder: ERIC HOLLEY
 13016 N SHAFER WAY
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.180 cfs

0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK

SESENE

Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			9.3														9.3

POU Total Acres: 9.3

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32710 **As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32710 is now described as follows:

Right Holder: DOUGLAS MILLER OR
 PATRICIA MILLER
 14150 N BROKEN HORN RD
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.180 cfs
 0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					9.3												9.3

POU Total Acres: 9.3

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32712**As Modified by Transfer No. 80028**

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32712 is now described as follows:

Right Holder: SARA PATTERSON Or
MIKE MC MILLEN
6237 W ECHANOVE DR
BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.110 cfs

0.110 cfs

Diversion Volume

45.0 af

45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SEWNNE

Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					10.0												10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32713
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32713 is now described as follows:

Right Holder: ROBERT WHITING AND
 JULIA WHITING
 6122 W DRY CREEK RD
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.090 cfs
 0.090 cfs

Diversion Volume
 45.0 af
 45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					0.9			9.1									10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

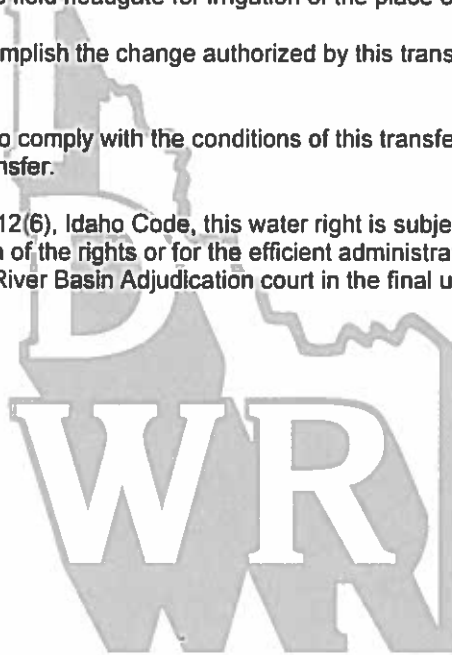
1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Transfer No. 80028

WATER RIGHT NO. 63-32713
As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 63-32714
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32714 is now described as follows:

Right Holder: ERIC HOLLEY
 13016 N SHAFER WAY
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.100 cfs	41.6 af
			0.100 cfs	41.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			9.3														9.3

POU Total Acres: 9.3

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32715
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32715 is now described as follows:

Right Holder: DOUGLAS MILLER OR
 PATRICIA MILLER
 14150 N BROKEN HORN RD
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.100 cfs
 0.100 cfs

Diversion Volume
 41.6 af
 41.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					9.3												9.3

POU Total Acres: 9.3

CONDITIONS OF APPROVAL

1. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-32637
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-32637 is now described as follows:

Right Holder: SCOTT BOHME OR
 SUZIE BOHME
 4389 W FARM VIEW RD
 BOISE, ID 83714

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

to 11/15

To

Diversion Rate

0.180 cfs

0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK

SESENE

Sec 31 Twp 05N Rge 02E 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	
05N	02E	31					9.0												9.0

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Rights 63-32637 and 63-32639 when combined shall not exceed a total diversion rate of 0.18 cfs and the irrigation of 9.0 acres.
2. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
3. 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.

Transfer No. 80028

WATER RIGHT NO. 63-33244
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-33244 is now described as follows:

Right Holder: JUDY L GROOTHUIS AND
MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616

Priority Date: 9/13/1874

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.190 cfs
0.190 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK SESENE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			3.9					4.0									7.9

POU Total Acres: 7.9

CONDITIONS OF APPROVAL

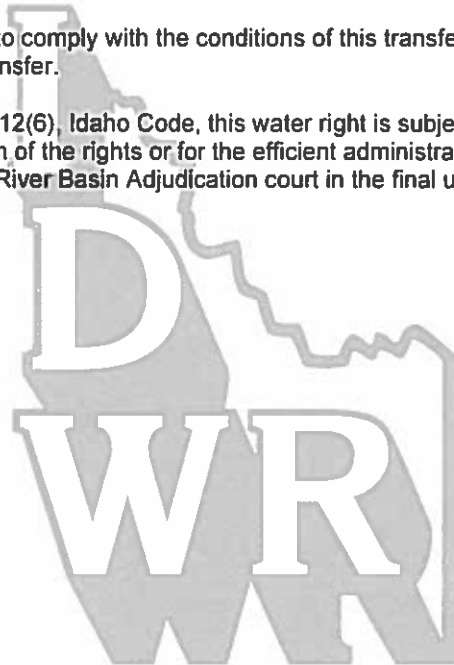
1. Rights 63-33244 and 63-33247 when combined shall not exceed the irrigation of 7.9 acres.
2. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
3. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
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. 80028

WATER RIGHT NO. 63-33244
As Modified by Transfer No. 80028

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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 63-33247
As Modified by Transfer No. 80028

In accordance with the approval of Transfer No. 80028, Water Right No. 63-33247 is now described as follows:

Right Holder: MARION D GROOTHUIS AND
 JUDY L GROOTHUIS
 3490 N SADDLEMAN PL
 EAGLE, ID 83616

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.100 cfs	35.5 af
			0.100 cfs	35.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 31 Twp 05N Rge 02E 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	
05N	02E	31			3.9					4.0									7.9

POU Total Acres: 7.9

CONDITIONS OF APPROVAL

1. Rights 63-33244 and 63-33247 when combined shall not exceed the irrigation of 7.9 acres.
2. Rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, 63-32715, 63-33244 and 63-33247 when combined shall not exceed a total diversion rate of 0.92 cfs and the irrigation of 46.4 acres.
3. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 when combined shall not exceed a total diversion rate of 2.72 cfs and the irrigation of 136.3 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 35.5 af at the field headgate for the lands above.

Transfer No. 80028

WATER RIGHT NO. 63-33247

As Modified by Transfer No. 80028

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water rights appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

State of Idaho
Department of Water Resources

Attachment to Application for Transfer No. 80028

Water Right Nos. 63-33243, 63-33246, 63-63-34196 (split portion of 63-9003)



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Legend

- 63-33243 POD
- 63-33246 & 63-34196 POD
- 63-34196 POU
- 63-33243 & 63-33246 POU
- Township/Range
- Sections
- QQ



0 0.04 0.08 0.16 Miles

State of Idaho
Department of Water Resources
to Application for Transfer
Water Right Nos. 63-9003 (remaining portion)



Legend

-  63-9003 POD
 63-9003 POU
 Township/Range
 Sections
 QQ



0 0.0275 0.055 0.11 Miles



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 14, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

M C STANLEY LLC
2224 N RAM AVE
EAGLE ID 83616

Re: Transfer No: 80028

Water Right No(s): 63-9003, 63-31738 , 63-31740 , 63-32403 , 63-32404 ,
63-32405 , 63-32407 , 63-32408 , 63-32412 , 63-32413 , 63-32414 , 63-
32416 , 63-32417 , 63-32637 , 63-32638 , 63-32639 , 63-32640 , 63-
32707 , 63-32708 , 63-32709 , 63-32710 , 63-32712 , 63-32713 , 63-
32714 , 63-32715 , 63-33243, 63-33244 , 63-33247 , 63-33247

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

Western Regional Manager

Enclosure

CC:

SPF WATER ENGINEERING LLC

WATERMASTER OF DISTRICT 63

ASSOCIATED WATER RIGHT OWNERS

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80028

Water Right No(s): 63-9003, 63-31738 , 63-31740 , 63-32403 , 63-32404 , 63-32405 , 63-32407 , 63-32408 , 63-32412 , 63-32413 , 63-32414 , 63-32416 , 63-32417 , 63-32637 , 63-32638 , 63-32639 , 63-32640 , 63-32707 , 63-32708 , 63-32709 , 63-32710 , 63-32712 , 63-32713 , 63-32714 , 63-32715 , 63-33243, 63-33244 , 63-33247 , 63-33247

**M C STANLEY LLC
2224 N RAM AVE
EAGLE ID 83616**

**SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706**

**BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
7402 TOBI ST
BOISE ID 83714**

**SUSAN MEULEMAN
WAYNE MEULEMAN
5854 W DRY CREEK RD
BOISE ID 83714**

**PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703**

**ELENA ANITA GIBBENS
7481 N BOGART LN
BOISE ID 83703**

**BETTY L ECHANOVE
RT 1 DRY CREEK RD
BOISE ID 83703**

**MARION D GROOTHUIS
JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616**

**THOMAS W MAILHOT
MEGAN MAILHOT
401 N SIERRA VIEW WY
EAGLE ID 83616**

**JAMES PARKER
CELIA FITZWATER
3844 W DEERPATH DR
BOISE ID 83714**

**SCOTT WARDLE
LISA WARDLE
1141 W HEMPSTEAD DR
EAGLE ID 83616**

**GAYLON BALL
14180 W BALL MANOR PL
BOISE ID 83714**

**PAT REILLY
JANELLE REILLY
5897 W ECHANOVE DR
BOISE ID 83714**

**SUZIE BOHME
SCOTT BOHME
4389 W FARM VIEW RD
BOISE ID 83714**

**TERESA CLEARY
JIM CLEARY
6029 ECHANOVE DR
BOISE ID 83714**

**TINA STRODE
MARK A STRODE
SARA PATTERSON
MIKE MC MILLEN
6237 W ECHANOVE DR
BOISE ID 83714**

**ROBERT WHITING
JULIA WHITING
6122 W DRY CREEK RD
BOISE ID 83714**

**ERIC HOLLEY
13016 N SHAFER WAY
BOISE ID 83714**

**DOUGLAS MILLER
PATRICIA MILLER
14150 N BROKEN HORN RD
BOISE ID 83714**

**REX R. BARRIE
10769 W STATE ST
PO BOX 767
STAR ID 83669**



**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

Date: October 5, 2016
To: Transfer 80028
From: Angie Grimm
Re: Associated Water Rights Smaller Combo Limit Modified

Associated water rights 63-32707, 63-32708, 63-32709, 63-32710, 63-32712, 63-32713, 63-32714, and 63-32715 combined use limit conditions were confusing as they appeared on the rights before processing of Transfer 80028. Right 63-32706 and 63-32711 are not associated water rights in Transfer 80028, because they are no longer active water right records. Right 63-32706 was split into 63-33243 and 63-33244 while right 63-32711 was split into 63-33246 and 63-33247 respectively during processing of Transfer 74412. However, surface water right 63-32707 has conditions when combined with ground water rights 63-32711, 63-32712, 63-32713, 63-32714 and 63-32715 diversion is limited to 0.98 cfs and irrigation of 49.1 acres. Surface water rights 63-32708, 63-32709 and 63-32710 also have the same limiting conditions that 63-32707. Meanwhile ground water right 63-32712 has conditions when combined with surface water rights 63-32706, 63-32707, 63-32708, 63-32709 and 63-32710 diversion is limited to 0.98 cfs and irrigation of 49.1 acres. It appears the combined use conditions on these associated rights was not correctly updated when Transfer 74412 was processed. Transfer 74412 was a place of use transfer and did not create a separate distribution system for the changed portions of parent rights 63-32706 and 63-32711 (63-33244 and 63-33247). Therefore, it appears the new water right numbers (63-33244 and 63-33247) should have been included in the condition after the parent rights were split. The unchanged portions of parent water rights 63-32706 and 63-32711 (63-33243 and 63-33246) are being changed to a different distribution system via Transfer 80028. Therefore, the proportionate share for these rights 0.06 cfs and 2.7 acres will be removed from the combined limit. Since all rights involved in the combined limit conditions are included in Transfer 80028, the conditions on all rights involved will be modified to reflect the correct water right numbers associated with the combined limit condition.

MEMORANDUM

TO: Transfer No. 80028
FROM: D. Merriman
DATE: July 21, 2016
RE: Evaluation of Application

The transfer proposes changing the place of use and points of diversion for water rights 63-9003, 63-33243, and 63-33246. Water right 63-9003 will be split. All 2.5 acres of irrigation from water right 63-9003 will be moved approximately 11 miles downstream of original location to M & C Stanley's property. Two additional points of diversion will be added at this proposed location and the domestic use and original two points of diversion will remain at the original location. The surface water POD for water right 63-33243 and the ground water POD for 63-33243 and their matching 2.7 acre POU will move approximately 2.5 miles downstream of original location.

The site is of the proposed use is in T05N R01E Sec 35, the NENW corner. The 5.2 acres proposed are immediately north of Dry Creek on the west side of Highway 55.

Contact person for the applicant is Lori Graves of SPF Engineering at 300 E Mallard Dr. Suite 350, Boise ID 83706.

Additional Information Requested

The locations of the proposed points of diversion are within the Basin 63 Groundwater Restricted Area. The water bearing zones of the water rights to be transferred and proposed PODs were requested to ensure they were within the same range. It was confirmed that the transferred wells are within the same shallow zones as the proposed wells. It was also confirmed that the applicant wished to split water right 63-9003 and leave the domestic use as well as the two PODs at the original location. Two additional groundwater PODs are to be added to the split portion of the right (63-34196.)

Summary of Information Submitted

Authority to File: M & C Stanley purchased water right 63-9003 from Targee Properties on 2/17/15 and water rights 63-33243 and 63-33246 from Bull Development on 3/17/15. On 3/20/15, Notices of Change of Water Right Ownership were filed for all three water rights. These Ownership Changes were completed the same day, putting the rights in the name of M & C Stanley and, thus, authorizing them to apply for this transfer.

Water Right Validity:

- Water right 63-9003 was decreed on 2/16/07 and placed in the Water Supply Bank on 11/7/08, protecting the right from forfeiture.
- Water right 63-33243 was decreed on 1/15/2009 and placed in the Water Supply Bank on 1/1/15, which is within the Department standard of 6 years from the decreed date and protects the right from forfeiture.
- Water right 63-33246 was decreed on 1/15/2009 and placed in the Water Supply Bank on 11/14/14, which is within the Department standard of 6 years from the decreed date and protects the right from forfeiture.
- All three rights were removed from the Water Supply Bank on 12/31/15 and are available to transfer

Injury to Other Water Rights: Transfer proposes changes to the point of diversion for surface water right 63-33246 to a point further downstream on the same creek. Three points of groundwater diversion will occur, one moved from water right 63-33243 and two added to 63-9003. The water bearing zones of these existing water rights are 0 to 60 feet and 111 to 203 feet respectively. The new wells have proposed water bearing zones between 70 feet and 500 feet. Both the transferring PODs and proposed PODs are within the Basin 63 Groundwater Restricted Area and have water bearing zones that may be tributary to the Boise River. Changes to water supply do not appear to occur and injury to other water rights is not apparent.

Enlargement of Use: Transfer proposes to move a total of 0.17 cfs, 23.5 AF, and 5.2 acres from water rights 63-9003, 63-33243, and 63-33246. Two points of diversion will be added, but the quantity will not increase. No enlargement is anticipated as a result of the proposed changes.

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the local 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

Watermaster Comments: Water master comments were requested on 4/1/16. The water master replied on 4/7/16 stating that he has no objections to the transfer as long as standard water master rules apply.

Overlap Analysis: Water application 63-34105 proposes 141 acres of supplemental and primary groundwater that includes the 5.2 acres described in this transfer. Water permit 63-34005 has been approved for 132 acres of supplemental and primary ground water and also includes the 5.2 acres described. The northern most POD is to be shared with water permit 63-34005. Surface water POD overlaps with 63-4023A, 63-4086A, 63-4219G, 63-4219J, 63-4247, 63-4980, 63-4981, and 63-4982.

Unchanged Portion of 63-9003: Water right 63-9003 was split. The right originally authorized 0.09 cfs and 33.5 AF for domestic and irrigation combined. The transfer requested the whole irrigation portion (0.08 cfs) to be moved to the new location. In order to avoid a combined use limit between two distant systems, an approval was drafted to split the quantities and approve only 0.01 cfs for domestic use. The new water right, 63-34196 includes two new PODs, 0.08 cfs, 11.3 AF, and 2.5 acres of irrigation. The remaining portion of 63-9003 includes the original two PODs, 0.01 cfs, 7.2 AF, and 37 households.

The acre-foot volume for 63-9003 will be changed from 22.2 AF to 7.2 AF per new diversion rate. Only 7.2 AF is physically able to be diverted in a year at a rate of 0.01 cfs. The 37 homes under the domestic portion are now served by a municipal system, so the higher diversion rate is not needed for a beneficial use.

If the transfer is approved, the conditions on water right 63-9003 would need to be changed to account for the removal of irrigation from the right. Condition 132 would be changed to WB5 and R69 would be removed.

Water Supply Bank: Water rights 63-9003, 63-33243, and 63-33246 were removed from the Water Supply Bank on 12/31/15 and are eligible to be transferred. It appears that M & C Stanley LLC may put the remaining domestic portion of 63-9003 back into the bank upon approval of the transfer.

Associated Water Rights: Water rights 63-33243 and 63-33246 have an additive combined use limit of 2.78 cfs and 139 acres with 26 other groundwater and surface water rights in Echanove Ranch Subdivision (list attached). Given that this system is approximately 2.5 miles away from the proposed POU, it was deemed that monitoring the combined use limits on the two systems would be administratively impractical and there could be a potential for enlargement. Therefore, water rights 63-33243 and 63-33246 would need to be removed and the combined use limits would be reduced by the amount of 63-33243 to leave a remaining limit of 2.72 cfs and 136.3 ^{acres} cfs.

In order to remove the rights, the other 26 water rights must be added to the transfer workflow as associated rights. Transfer processing memo 24 states that documentation must be provided authorizing the applicant to make changes on behalf of the current water right holders. It was determined that, in this case where the two rights are removed and the combined use limit is altered accordingly, the change would not affect the other 26 rights. Therefore, the applicant will not be required to provide documentation that states their authority to change the rights. The Department will make the change to the combined use condition and will provide notice to the water right holders at the time of approval. The other water right holder may chose to petition for reconsideration at that time.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

80028 Combined Use Analysis

	Rate	Acres	Priority Date	Source List	Water Use List	Current Owner	Volume
63-33243	0.060	2.7	9/13/1874	DRY CREEK	IRRIGATION	M & C STANLEY LLC	
63-33246	0.030	2.7	7/14/1959	GROUND WATER	IRRIGATION	M & C STANLEY LLC	12.2
63-32412	0.070	6.2	7/14/1959	GROUND WATER	IRRIGATION	GROOTHUIS, JUDY L; GROOTHUIS, MARION D	27.9
63-32403	0.13	6.2	9/13/1874	DRY CREEK	IRRIGATION	GROOTHUIS, JUDY L; GROOTHUIS, MARION D	
63-33244	0.190	7.9	9/13/1874	DRY CREEK	IRRIGATION	GROOTHUIS, JUDY L; GROOTHUIS, MARION D	
63-33247	0.100	7.9	7/14/1959	GROUND WATER	IRRIGATION	GROOTHUIS, JUDY L; GROOTHUIS, MARION D	35.5
63-32637	0.180	9.0	9/13/1874	DRY CREEK	IRRIGATION	BOHME, SCOTT; BOHME, SUZIE	
63-32638	0.180	9.0	9/13/1874	DRY CREEK	IRRIGATION	CLEARY, JIM; CLEARY, TERESA	
63-32639	0.095	9.0	7/14/1959	GROUND WATER	IRRIGATION	BOHME, SCOTT; BOHME, SUZIE	40.5
63-32640	0.095	9.0	7/14/1959	GROUND WATER	IRRIGATION	CLEARY, JIM; CLEARY, TERESA	40.5
63-32709	0.180	9.3	9/13/1874	DRY CREEK	IRRIGATION	HOLLEY, ERIC	
63-32710	0.180	9.3	9/13/1874	DRY CREEK	IRRIGATION	MILLER, DOUGLAS; MILLER, PATRICIA	
63-32714	0.100	9.3	7/14/1959	GROUND WATER	IRRIGATION	HOLLEY, ERIC	0
63-32715	0.100	9.3	7/14/1959	GROUND WATER	IRRIGATION	MILLER, DOUGLAS; MILLER, PATRICIA	41.6
63-32404	0.190	9.7	9/13/1874	DRY CREEK	IRRIGATION	FITZWATER, CELIA; PARKER, JAMES	
63-32413	0.110	9.7	7/14/1959	GROUND WATER	IRRIGATION	FITZWATER, CELIA; PARKER, JAMES	43.6
63-31738	0.200	10.0	9/13/1874	DRY CREEK	IRRIGATION	MEULEMAN, SUSAN; MEULEMAN, WAYNE	
63-31740	0.108	10.0	7/14/1959	GROUND WATER	IRRIGATION	MEULEMAN, SUSAN; MEULEMAN, WAYNE	45.0
63-32405	0.200	10.0	9/13/1874	DRY CREEK	IRRIGATION	WARDLE, LISA; WARDLE, SCOTT	
63-32408	0.200	10.0	9/13/1874	DRY CREEK	IRRIGATION	ECHANOVE DRIVE LLC	
63-32414	0.110	10.0	7/14/1959	GROUND WATER	IRRIGATION	WARDLE, LISA; WARDLE, SCOTT	45.0
63-32417	0.100	10.0	7/14/1959	GROUND WATER	IRRIGATION	ECHANOVE DRIVE LLC	45.0
63-32707	0.200	10.0	9/13/1874	DRY CREEK	IRRIGATION	MC MILLEN, MIKE; PATTERSON, SARA	
63-32708	0.170	10.0	9/13/1874	DRY CREEK	IRRIGATION	WHITING, JULIA; WHITING, ROBERT	
63-32712	0.110	10.0	7/14/1959	GROUND WATER	IRRIGATION	MC MILLEN, MIKE; PATTERSON, SARA	45.0
63-32713	0.090	10.0	7/14/1959	GROUND WATER	IRRIGATION	WHITING, JULIA; WHITING, ROBERT	45.0
63-32407	0.520	26.0	9/13/1874	DRY CREEK	IRRIGATION	BALL, GAYLON	
63-32416	0.280	26.0	7/14/1959	GROUND WATER	IRRIGATION	BALL, GAYLON	117.0
	4.278	278.0					
Surface water	2.78	139.1					

Merriman, Danielle

From: Merriman, Danielle
Sent: Wednesday, July 13, 2016 3:56 PM
To: Hersley, Jean
Subject: RE: Transfer 80028 M & C Stanley LLC

I think that makes a lot of sense.

You are right, no protests were received. The transfer has been held up pending associated water right permissions to change the combined use limits on another right in the transfer. Those issues were resolved earlier this week and I hope to have the transfer buttoned up by the end of this week or early next week. I will give it to Nick Miller at that point for approval and will keep you in the loop on its status.

From: Hersley, Jean
Sent: Wednesday, July 13, 2016 3:49 PM
To: Merriman, Danielle
Subject: RE: Transfer 80028 M & C Stanley LLC

That doesn't seem like a lot of rate for 37 homes. I think I'll hold on to this until the transfer is approved. There aren't any protests scanned and the protest period ended in April so do you when this will be approved? Please let me know when Nick signs this so I can go ahead with the lease. Thank you.

Jean

From: Merriman, Danielle
Sent: Wednesday, July 13, 2016 3:37 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: RE: Transfer 80028 M & C Stanley LLC

We will edit the condition to not include the irrigation portion of the right. It will likely be similar to standard condition WB5 and read, "Domestic use is for 37 homes and does not include lawn, garden, landscape, or other types of irrigation." It is also important to note that the rate and volume of the domestic right are going to change. The domestic part will be limited to 0.01 cfs and 7.2 AF. The total diversion on the face of the right is 0.09 cfs, but 0.08 cfs of that will be going to irrigation in the transfer. The remaining 0.01 cfs rate will limit the domestic acre feet volume to 7.2 AF, the most they can physically divert in a year.

From: Hersley, Jean
Sent: Wednesday, July 13, 2016 11:35 AM
To: Merriman, Danielle
Subject: RE: Transfer 80028 M & C Stanley LLC

Thanks.

There is a condition on the water right: Domestic use is for 37 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right. How is this going to change since there will no longer be an irrigation portion to the right?

From: Merriman, Danielle
Sent: Wednesday, July 13, 2016 11:23 AM

To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>

Subject: RE: Transfer 80028 M & C Stanley LLC

Hi Jean,

Yes, the domestic portion will remain 63-9003. The irrigation portion will get a new number.

Good luck processing!

-Danie

From: Hersley, Jean

Sent: Wednesday, July 13, 2016 7:32 AM

To: Merriman, Danielle

Subject: Transfer 80028 M & C Stanley LLC

We received a WSB Lease application for the domestic portion of 63-9003. It looks like the irrigation portion of this right is being split. Will the domestic portion still be under water right 63-9003. Please let me know so I can process this application. Thanks.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

Merriman, Danielle

From: Lori Graves [LGraves@spfwater.com]
Sent: Wednesday, June 22, 2016 8:03 AM
To: Miller, Nick
Cc: Grimm, Angie; Merriman, Danielle
Subject: RE: M & C Stanley transfer 80028

What's it feel like to make someone's day...you just made ours. Thanks Nick.

From: Miller, Nick [mailto:Nick.Miller@idwr.idaho.gov]
Sent: Tuesday, June 21, 2016 6:50 PM
To: Lori Graves <LGraves@spfwater.com>
Cc: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>; Merriman, Danielle <Danielle.Merriman@idwr.idaho.gov>
Subject: RE: M & C Stanley transfer 80028

Lori,

I apologize for how long it has taken to get you a good response on this issue. It is a good thing, in my opinion, that we do not rush to an answer that is expedient, but fails to adequately consider protecting the rights of others. So, after much lively debate and consideration, the short answer is that we can modify the combined limit conditions on the associated rights in this transfer without getting prior affirmative consent from the right holders.

This doesn't mean we've done away in all cases with the requirement to document legal authority to change conditions on a water right the applicant does not own. We will consider it on a case by case basis. In this case, the change is a simple subtraction and it is fairly clear that it does not affect the exercise of their rights. We can and will provide notice to the right holders at the time of approval and they can choose to petition for reconsideration or exercise whatever other legal remedies they may have available if they object.

Again, sorry for the delay, but I trust you are satisfied with the outcome.

Nick.

From: Lori Graves [mailto:LGraves@spfwater.com]
Sent: Tuesday, May 03, 2016 3:31 PM
To: Grimm, Angie; Merriman, Danielle
Cc: Terry Scanlan; Mark Urness
Subject: RE: M & C Stanley transfer 80028

Angie and Danie,

We do not feel it is the responsibility of our client to obtain authorization from the associated water right holders in order for the Department to modify the combined use conditions for the following reasons we listed in our previous email response:

- We agree that the combined use limit needs to be modified after this water right is removed from the system. However, we do not believe that we need to obtain permission from the other water right holders to make this change. The water rights are delivered through a piped system, so there are not any delivery losses to impact other users. The current place of use for these water rights is no longer irrigable, so the subdivision cannot beneficially use the water on the place of use. If the subdivision continues to use this water, without a place of

use, it seems that the subdivision will be exceeding the 0.02 cfs/ac duty of water. Also, If the Subdivision HOA wants to object to the move, they have the opportunity to protest.

We question whether the other water right holders have authority to disapprove of this requested change. Perhaps Department notification to these other right holders would suffice?

From: Merriman, Danielle [<mailto:Danielle.Merriman@idwr.idaho.gov>]
Sent: Monday, May 02, 2016 10:58 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: FW: M & C Stanley transfer 80028

Good Morning Lori,

Thank you for your reply. We received the upgrade fee and will make a note of it in the transfer file.

I'm glad you agree that the combined use limit needs to be modified. In order to do so, changes must be made to the conditions of water rights 63-33243 and 63-33246. Not included in this transfer are 26 associated rights in the name of 13 different owners. Together these 28 rights exist with combined use limits of 2.78 cfs and the irrigation of 139 acres. The Department's Transfer Processing Memo 24 states the application must list all associated rights so that conditions and combined use limits may be edited to emulate Department standards. Conditions of the associated water rights must be edited to ensure no enlargement will take place and that the proposal can be administered among owners benefitting the local public interest. To add the associated water rights, documentation must be provided authorizing the applicant to make changes on behalf of the current owners of the associated rights. To allow for further processing of your client's transfer application, please submit written confirmation from the current owner(s) of rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, and 63-33247 stating your client (M & C Stanley) is authorized to request change(reduction) to the combined use limit condition(s).

Thank you for attention to this. Please let me know if you have any questions.

Danie Merriman
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Fax: (208) 334-2348
Email: danie.merriman@idwr.idaho.gov

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Tuesday, April 05, 2016 12:34 PM
To: Merriman, Danielle
Cc: Mark Urness; Terry Scanlan
Subject: RE: M & C Stanley transfer 80028

Danielle,

Thank you for getting transfer No. 80028 into advertising.

The following is in response to your email below:

- We agree that the combined use limit needs to be modified after this water right is removed from the system. However, we do not believe that we need to obtain permission from the other water right holders to make this change. The water rights are delivered through a piped system, so there are not any delivery losses to impact other users. The current place of use for these water rights is no longer irrigable, so the subdivision cannot beneficially use the water on the place of use. If the subdivision continues to use this water, without a place of use, it seems that the subdivision will be exceeding the 0.02 cfs/ac duty of water. Also, if the Subdivision HOA wants to object to the move, they have the opportunity to protest.
- There are actually two wells that have been drilled in the NENW; one under tag #D0066090 and the other under tag #D0066091. Attached are the well logs. Please note the driller listed the wrong qtr tracts for the well locations, however his latitude and longitude locations appear correct. On behalf of the client, SPF will submit a check for \$250 to cover the well upgrade fee for both wells.

Thanks again Danielle.

From: Merriman, Danielle [<mailto:Danielle.Merriman@idwr.idaho.gov>]
Sent: Wednesday, March 30, 2016 11:18 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: M & C Stanley transfer 80028

Hi Lori,

Transfer 80028 for M & C Stanley has been data entered and put forth to advertising and should appear in the newspaper the first and second weeks of April. While it is advertised, I was hoping to address the combined use limits of water rights 63-33243 and 63-33246. These rights, combined with 26 other rights in Echanove Ranch Subdivision, are limited to 2.78 cfs and 139 acres. The transfer proposes moving 2.7 acres and .09 cfs (.06 cfs surface water) off the communal irrigation system. If the transfer is approved, it does not seem administratively feasible to maintain the combination limit between two entirely different systems that are approximately 2 miles apart. For this reason, it would be ideal to remove the two transferred rights from the combined use limit group. In order to do so, we need to get permission from the other water right holders to lower the rate and acre total.

All the other rights are in the individual lot owners name, but are used through the central subdivision system. Could you please obtain a letter from the Home Owners Association of Echanove Ranch Subdivision that authorizes the removal of water rights 63-33243 and 63-33246 from the irrigation system and the combined use limit?

Also, it looks like M & C Stanley has already drilled a well with tag number D0066090 in close proximity to the proposed location of one of the three wells proposed under this transfer. Is this one of the wells that they are planning on using for irrigation? If so, a well drilling upgrade fee is required. The well was drilled in 2014 under a domestic 42-111b card and would need \$125 to be submitted to upgrade the well to an irrigation well. Have any of the other wells described in the transfer been drilled?

Please let me know if you have any questions. Thanks Lori.

Danie Merriman

Water Resource Agent

Idaho Department of Water Resources

Phone: (208) 334-2190

Fax: (208) 334-2348

Email: danie.merriman@idwr.idaho.gov

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263978	0002369217	LEGAL NOTICE The following applications	Home Capital Resources	\$724.00	5	88

Attention: RACHEL NEELY

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

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: 04/07/2016

Ending issue of: 04/14/2016

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)
) ss

COUNTY OF ADA)

On this 14th day of April in the year of 2016 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.

Heidi B. Campbell
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 7/23/2021

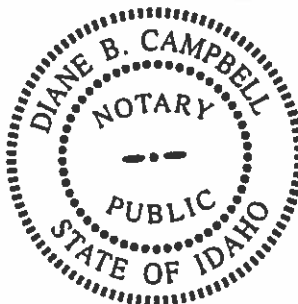
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APR 18 2016

WATER
WESTERN REGION

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WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

63-34017 HOME CAPITAL RESOURCES

PO BOX 832
BOISE, ID 83701
Point of Diversion SWSE S11 T04N R01W ADA County Source GROUND WATER Tributary
BOISE RIVER
Point of Diversion L2(NWNE) S14 T04N R01W ADA County Source GROUND WATER Tributary
BOISE RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 8 AF
Total Diversion: 8 AF
Date Filed: 11/24/2014
Place of Use: AESTHETIC STORAGE
T04N R01W S11 SWSE
T04N R01W S14 L2(NWNE)
Water bearing zone to be appropriated is from 0 to 20 feet. Mitigation is proposed for consumptive use via Transfer No. 79691.

✓ OK RN 4/26/16

63-34025 CITY OF BOISE DEPT OF PARKS & RECREATION

1104 ROYAL BLVD
BOISE, ID 83706-2898
Point of Diversion NWSW S13 T04N R01E ADA County Source GROUND WATER Tributary
BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.3 CFS
Use: MUNICIPAL FROM STORAGE 03/01 to 11/15 42 AF
Use: MUNICIPAL STORAGE 01/01 to 12/31 42 AF
Total Diversion: 0.3 CFS 42 AF
Date Filed: 12/23/2014
Places of Use: MUNICIPAL STORAGE, MUNICIPAL FROM STORAGE
T04N R01E S13 NWSW
Water bearing zone to be appropriated is from 200 to 500 feet.
Mitigation is proposed for consumptive use.
Municipal from storage use is for supplemental irrigation of 6.5 acres within Magnolia Park.
Water bearing zone to be appropriated is from 130 to 190 feet.

✓ OK RN 4/26/16

63-34134 AMERICA FIRST FEDERAL CREDIT UNION

4646 S 1500 W STE 130
RIVERDALE, UT 84405
Point of Diversion SESE S15 T05N R01E ADA County Source GROUND WATER
Point of Diversion SWNW S22 T05N R01E ADA County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 4.8 CFS
Total Diversion: 4.8 CFS
Date Filed: 8/21/2015
Place of Use: IRRIGATION
T05N R01E S15 SWSE SESE
T05N R01E S21 SENE NESW SWSW SESE NESE NWSE
T05N R01E S22 NENE NWNE NENW SWNW SENW NWSW
T05N R01E S28 NENW NWNW
Total Acres: 237
Water bearing zone to be appropriated is from 50 to 300 feet.

✓ OK RN 4/26/16

63-34180 AMERICA FIRST FEDERAL CREDIT UNION

4646 S 1500 W STE 130
RIVERDALE, UT 84405
Point of Diversion SESE S15 T05N R01E ADA County Source GROUND WATER
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.67 CFS
Use: STOCKWATER STORAGE 01/01 to 12/31 13.7 AF
Total Diversion: 0.67 CFS
Date Filed: 12/18/2015
Place of Use: STOCKWATER STORAGE
T05N R01E S14 SWSW
T05N R01E S22 NWNE
Water bearing zone to be appropriated is from 175 to 246 feet.

✓ OK RN 4/26/16

63-34182 AMERICA FIRST FEDERAL CREDIT UNION

4646 S 1500 W STE 130
RIVERDALE, UT 84405
(3) Points of Diversion SWSW S14 T05N R01E ADA County Source SPRING Tributary
SINKS
Point of Diversion SESE S15 T05N R01E ADA County Source SPRING Tributary SINKS
Use: STOCKWATER 01/01 to 12/31 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 12/18/2015
Place of Use: STOCKWATER
T05N R01E S14 SWSW
T05N R01E S15 SESE

✓ OK RN 4/26/16

63-34183 BEL AIR EAGLE LLC

2500 N DALLAS PKWY
STE 424
PLANO, TX 75093
Point of Diversion L1(NENE) S14 T04N R01W ADA County Source GROUND WATER Tributary
BOISE RIVER
Use: AESTHETIC STORAGE 01/01 to 12/31 20 AF
Total Diversion: 20 AF
Date Filed: 12/23/2015
Place of Use: AESTHETIC STORAGE
T04N R01W S14 L1(NENE)
Water bearing zone to be appropriated is from 0 to 30 feet. Mitigation is proposed for consumptive losses.

✓ OK RN 4/26/16

63-34208 CITY OF BOISE PUBLIC WORKS DEPT

150 N CAPITOL BLVD
PO BOX 500
BOISE, ID 83701-0500
Point of Diversion SWSW S22 T04N R01E ADA County Source GROUND WATER Tributary
BOISE RIVER
Use: INDUSTRIAL 01/01 to 12/31 0.67 CFS
Total Diversion: 0.67 CFS
Date Filed: 3/16/2016
Place of Use: INDUSTRIAL
T04N R01E S22 NESW NWSW
Water bearing zone to be appropriated is from 50 to 150 feet.
Industrial use proposed to be non-consumptive.

✓ OK RN 4/26/16

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

TRANSFER NO. 79691

MIDDLETON MILL DITCH CO, PO BOX 848, MIDDLETON, ID 83644; has filed Application No. 79691 for changes to the following water rights within ADA County(s): Right No(s). 63-125G; to see a full description of these rights and the proposed transfer, please see: www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Transfer 79691 proposes to change the nature of use of a portion of water right 63-125G to provide mitigation for evaporative losses associated with excavated ponds within the Middleton Mill Ditch Company service area. The transfer is being processed concurrently with Application for Permit 63-34017. The aesthetic storage pond site is located 0.25 miles west of intersection Linder Rd. and W State St., immediately north of Eagle Island and the Boise River.

✓ OK RN 4/26/16

TRANSFER NO. 80028

M & C STANLEY LLC, 2224 N RAM AVE, EAGLE, ID 83616; has filed Application No. 80028 for changes to the following water rights within ADA County(s): Right No(s). 63-33243, 63-33246, 63-9003; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfer.aspx. The purpose of the transfer is to change the Place of Use and Points of Diversion for 63-33243 and 63-33246 from Echanove Ranch Subdivision irrigation system to the applicant's property. Transfer will also split right 63-9003 to separate irrigation and domestic rights. The irrigation use will move to the applicant's property and will add two new groundwater diversion points. The domestic use will stay at the original location with the two original PODs. The site of the proposed 5.2 acre POU and PODs is immediately north of Dry Creek on the west side of Highway 55.

✓ OK RN 4/26/16

Permits will be subject to all prior water rights. 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) please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(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 4/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Apr. 7, 14, 2016

0002369217-01



SPF WATER
ENGINEERING

April 7, 2016

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WATER RESOURCES
WESTERN REGION

Danielle Merriman
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: M & C Stanley Transfer No. 80028

Dear Danie,

Per my information response email sent to you 4/5/2016, enclosed on behalf of M & C Stanley, is Check No. 010541 for \$250 to cover the well upgrade fees required for two domestic wells proposed as irrigation points of diversion on the transfer application. The wells were drilled under tag numbers D006600 and D0066091. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Mark Urness

Enclosures

SPF file number: 1062.0020

Neely, Rachel

From: Rex Barrie [waterdistrict63@qwestoffice.net]
Sent: Thursday, April 07, 2016 8:10 AM
To: Neely, Rachel
Subject: RE: Applications for Permits, & Applications for Transfers

Rachel,

I have reviewed these and have no objections as long as standard watermaster rules apply.

Rex R. Barrie
Boise River Watermaster

From: Neely, Rachel [<mailto:Rachel.Neely@idwr.idaho.gov>]
Sent: Friday, April 01, 2016 9:34 AM
To: waterdistrict63@qwestoffice.net
Subject: Applications for Permits, & Applications for Transfers

April 1, 2016

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Applications for Permit No's. 63-34017, 63-34025, 63-34148, 63-34182, & 63-34208
Applications for Transfer No's. 79391 & 80028

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form for each, and submit your reply, if any, to this office by April 25, 2016.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov