

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 08 2015

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s)
 ☒ Add diversion point(s)
 ☐ Ownership change
 ☐ Ownership split

1. **APPLICANT(S)** Eureka Ditch Co. No. 2 Phone 208-454-2303

2. **MAILING ADDRESS** c/o Bill Doramus, 21766 Howe Road City Caldwell

State ID Zip 83607 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 63-222D, 63-223K, 63-3572, 63-21361, 63-21362, 63-21363, 63-32241

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is *3.22 cubic feet per second and/or _____ acre-feet per annum.
*see attached explanation page (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			SW	NE	10	4N	4W	Canyon	Unnamed Drain	
No			SE	NW	17	4N	3W	Canyon	Boise River	
No			SE	SW	7	4N	3W	Canyon	Boise River	re-diversion
No			NE	SE	12	4N	4W	Canyon	Boise River	re-diversion
Yes	2		NW	NE	6	4N	4W	Canyon	Boise River	injection
Yes	1		NE	NE	6	4N	4W	Canyon	Boise River	re-diversion
Yes	1		NE	NE	1	4N	5W	Canyon	Boise River	re-diversion

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Injection point can be equipped with a weir. Re-diversion points can be equipped with weirs or flow meters. Pump controls can be locked.
- b. Who owns the property at the point(s) of diversion? Proposed points: Dixie Land, LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Transfer application is being filed at the request of Dixie Land, LLC
- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
- | Yes | No | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right(s), or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the right(s)? |
- If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
- ☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)
7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.
8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.
- | | | |
|--|---|------------------------|
| <u>Inclun Shaw</u>
Signature of applicant or authorized agent | <u>TUCKER SHAW - MEMBER</u>
Print name and title if applicable | <u>8-28-15</u>
Date |
| <u>Sam Shaw</u>
Signature of applicant or authorized agent | <u>Sam Shaw - member</u>
Print name and title if applicable | <u>8/28/15</u>
Date |
9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by [Signature] Date 9/8/15

Fee paid \$740⁰⁰ Date 9/8/15 Received by [Signature] Receipt # WD43471

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-222d

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 6/1/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

1.7 CFS

1.7 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

BOISE RIVER

CANYON County

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

BOISE RIVER

CANYON County

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENW
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENW
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENW
T04N R04W S6		NESW	T04N R04W S6		SESW
T04N R04W S6		NESE	T04N R04W S6		NWSE
T04N R04W S6		SWSE	T04N R04W S6		SESE
T04N R04W S7		NENE	T04N R04W S7		SENE
T04N R04W S8		NENE	T04N R04W S8		NWNE
T04N R04W S8		SWNE	T04N R04W S8		SENE
T04N R04W S8		NENW	T04N R04W S8		NWNW
T04N R04W S8		SWNW	T04N R04W S8		SENW
T04N R04W S8		NESE	T04N R04W S8		NWSE
T04N R04W S9		NENE	T04N R04W S9		SENE
T04N R04W S9		NESE	T04N R04W S10		NENE
T04N R04W S10		NWNE	T04N R04W S10		SWNE
T04N R04W S10		SENE	T04N R04W S10		NENW
T04N R04W S10		NWNW	T04N R04W S10		SWNW
T04N R04W S10		SENW	T04N R04W S10		NESW
T04N R04W S10		NWSW	T04N R04W S10		NESE
T04N R04W S10		NWSE	T04N R04W S11		SWNE
T04N R04W S11		NENW	T04N R04W S11		NWNW
T04N R04W S11		SWNW	T04N R04W S11		SENW
T04N R04W S11		NESW	T04N R04W S11		NWSW
T04N R04W S11		NWSE	T04N R05W S1	Lot 1	NENE
T04N R05W S1	Lot 2	NWNE	T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESW	T05N R05W S36		SWSE
T05N R05W S36		SESE			

Total Acres: 2990

80380

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4. This right when combined with Rights No. 63-223K, 63-3572, 63-21361, 621362, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.
5. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
6. SD1 This right originated as all or part of right no. 88 in the Stewart Decree and the historic Boise River Water Masters records.

Decreed Date: 1/15/2009

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-223k

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 11/9/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

18.3 CFS

18.3 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

BOISE RIVER

CANYON County

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

BOISE RIVER

CANYON County

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENW
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENW
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENW
T04N R04W S6		NESW	T04N R04W S6		SESW
T04N R04W S6		NESE	T04N R04W S6		NWSE
T04N R04W S6		SWSE	T04N R04W S6		SESE
T04N R04W S7		NENE	T04N R04W S7		SENE
T04N R04W S8		NENE	T04N R04W S8		NWNE
T04N R04W S8		SWNE	T04N R04W S8		SENE
T04N R04W S8		NENW	T04N R04W S8		NWNW
T04N R04W S8		SWNW	T04N R04W S8		SENW
T04N R04W S8		NESE	T04N R04W S8		NWSE
T04N R04W S9		NENE	T04N R04W S9		SENE
T04N R04W S9		NESE	T04N R04W S10		NENE
T04N R04W S10		NWNE	T04N R04W S10		SWNE
T04N R04W S10		SENE	T04N R04W S10		NENW
T04N R04W S10		NWNW	T04N R04W S10		SWNW
T04N R04W S10		SENW	T04N R04W S10		NESW
T04N R04W S10		NWSW	T04N R04W S10		NESE
T04N R04W S10		NWSE	T04N R04W S11		SWNE
T04N R04W S11		NENW	T04N R04W S11		NWNW
T04N R04W S11		SWNW	T04N R04W S11		SENW
T04N R04W S11		NESW	T04N R04W S11		NWSW
T04N R04W S11		NWSE	T04N R05W S1	Lot 1	NENE
T04N R05W S1	Lot 2	NWNE	T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESW	T05N R05W S36		SWSE
T05N R05W S36		SESE			

Total Acres: 2990

80380

Conditions of Approval:

1. This right when combined with Rights No. 63-222D, 63-3572, 63-21361, 621362, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
6. SD1 This right originated as all or part of right no. 89 in the Stewart Decree and the historic Boise River Water Masters records.

Decreed Date: 1/15/2009

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-3572

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 1/9/1967

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED DRAIN

Tributary

DIXIE DRAIN

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

2.6 CFS

2.6 CFS

Annual Volume

Location of Point(s) of Diversion

UNNAMED DRAIN

CANYON County

SW1/4NE1/4

Sec. 10, Twp 04N, Rge 04W B.M.

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENW
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENW
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENW
T04N R04W S6		NESW	T04N R04W S6		SESW
T04N R04W S6		NESE	T04N R04W S6		NWSE
T04N R04W S6		SWSE	T04N R04W S6		SESE
T04N R04W S7		NENE	T04N R04W S7		SENE
T04N R04W S8		NENE	T04N R04W S8		NWNE
T04N R04W S8		SWNE	T04N R04W S8		SENE
T04N R04W S8		NENW	T04N R04W S8		NWNW
T04N R04W S8		SWNW	T04N R04W S8		SENW
T04N R04W S8		NESE	T04N R04W S8		NWSE
T04N R04W S9		NENE	T04N R04W S9		SENE
T04N R04W S9		NESE	T04N R04W S10		NENE
T04N R04W S10		NWNE	T04N R04W S10		SWNE
T04N R04W S10		SENE	T04N R04W S10		NENW
T04N R04W S10		NWNW	T04N R04W S10		SWNW
T04N R04W S10		SENW	T04N R04W S10		NESW
T04N R04W S10		NWSW	T04N R04W S10		NESE
T04N R04W S10		NWSE	T04N R04W S11		SWNE
T04N R04W S11		NENW	T04N R04W S11		NWNW
T04N R04W S11		SWNW	T04N R04W S11		SENW
T04N R04W S11		NESW	T04N R04W S11		NWSW
T04N R04W S11		NWSE	T04N R05W S1	Lot 1	NENE
T04N R05W S1	Lot 2	NWNE	T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESW	T05N R05W S36		SWSE
T05N R05W S36		SESE			

Total Acres: 2990

80780

Page _____ of _____

Conditions of Approval:

1. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
2. This right when combined with Rights No. 63-222D, 63-223K, 63-21361, 621362, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.
3. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 1/15/2009

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-21361

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 10/1/1887

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

28.6 CFS

28.6 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

BOISE RIVER

CANYON County

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

BOISE RIVER

CANYON County

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW
T04N R04W S3		SWSW
T04N R04W S3		NWSE
T04N R04W S3		SESE
T04N R04W S4		SENE
T04N R04W S4		SWNW
T04N R04W S4		NESW
T04N R04W S4		SWSW
T04N R04W S4		NESE
T04N R04W S4		SWSE
T04N R04W S5	Lot 1	NENE
T04N R04W S5		SWNE
T04N R04W S5	Lot 3	NENW
T04N R04W S5		SWNW
T04N R04W S5		NESW
T04N R04W S5		SWSW
T04N R04W S5		NESE
T04N R04W S5		SWSE
T04N R04W S6	Lot 1	NENE
T04N R04W S6		SWNE
T04N R04W S6	Lot 3	NENW
T04N R04W S6	Lot 5	SWNW
T04N R04W S6		NESW
T04N R04W S6		NESE
T04N R04W S6		SWSE
T04N R04W S7		NENE
T04N R04W S8		NENE
T04N R04W S8		SWNE
T04N R04W S8		NENW
T04N R04W S8		SWNW
T04N R04W S8		NESE
T04N R04W S9		NENE
T04N R04W S9		NESE
T04N R04W S10		NWNE
T04N R04W S10		SENE
T04N R04W S10		NWNW
T04N R04W S10		SWNW
T04N R04W S10		NESW
T04N R04W S10		NWSW
T04N R04W S10		NWSE
T04N R04W S11		NENW
T04N R04W S11		SWNW
T04N R04W S11		NESW
T04N R04W S11		NWSE
T04N R05W S1	Lot 2	NWNE
T05N R04W S31		SESW
T05N R05W S36		SESW
T05N R05W S36		SESE

T04N R04W S3		NWSW
T04N R04W S3		SESW
T04N R04W S3		SWSE
T04N R04W S4		SWNE
T04N R04W S4	Lot 3	NENW
T04N R04W S4		SENW
T04N R04W S4		NWSW
T04N R04W S4		SESW
T04N R04W S4		NWSE
T04N R04W S4		SESE
T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SENE
T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SENW
T04N R04W S5		NWSW
T04N R04W S5		SESW
T04N R04W S5		NWSE
T04N R04W S5		SESE
T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SENE
T04N R04W S6	Lot 4	NWNW
T04N R04W S6		SENW
T04N R04W S6		SESW
T04N R04W S6		NWSE
T04N R04W S6		SESE
T04N R04W S7		SENE
T04N R04W S8		NWNE
T04N R04W S8		SENE
T04N R04W S8		NWNW
T04N R04W S8		SENW
T04N R04W S8		NWSE
T04N R04W S9		SENE
T04N R04W S10		NENE
T04N R04W S10		SWNE
T04N R04W S10		NENW
T04N R04W S10		SWNW
T04N R04W S10		NESW
T04N R04W S10		NESE
T04N R04W S11		SWNE
T04N R04W S11		NWNW
T04N R04W S11		SENW
T04N R04W S11		NWSW
T04N R05W S1	Lot 1	NENE
T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SWSE
T05N R05W S36		SWSE

Total Acres: 2990

80380

Page _____ of _____

Conditions of Approval:

1. SD1 This right originated as all or part of right no. 96 in the Stewart Decree and the historic Boise River Water Masters records.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
5. This right when combined with Rights No. 63-222D, 63-223K, 63-3572, 621362, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 1/15/2009

80380

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-21362

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 6/1/1865

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

BOISE RIVER

CANYON County

BOISE RIVER

CANYON County

Tributary

SNAKE RIVER

Diversion Rate

1.4 CFS

1.4 CFS

Annual Volume

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENW
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENW
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENW
T04N R04W S6		NESW	T04N R04W S6		SESW
T04N R04W S6		NESE	T04N R04W S6		NWSE
T04N R04W S6		SWSE	T04N R04W S6		SESE
T04N R04W S7		NENE	T04N R04W S7		SENE
T04N R04W S8		NENE	T04N R04W S8		NWNE
T04N R04W S8		SWNE	T04N R04W S8		SENE
T04N R04W S8		NENW	T04N R04W S8		NWNW
T04N R04W S8		SWNW	T04N R04W S8		SENW
T04N R04W S8		NESE	T04N R04W S8		NWSE
T04N R04W S9		NENE	T04N R04W S9		SENE
T04N R04W S9		NESE	T04N R04W S10		NENE
T04N R04W S10		NWNE	T04N R04W S10		SWNE
T04N R04W S10		SENE	T04N R04W S10		NENW
T04N R04W S10		NWNW	T04N R04W S10		SWNW
T04N R04W S10		SENW	T04N R04W S10		NESW
T04N R04W S10		NWSW	T04N R04W S10		NESE
T04N R04W S10		NWSE	T04N R04W S11		SWNE
T04N R04W S11		NENW	T04N R04W S11		NWNW
T04N R04W S11		SWNW	T04N R04W S11		SENW
T04N R04W S11		NESW	T04N R04W S11		NWSW
T04N R04W S11		NWSE	T04N R05W S1	Lot 1	NENE
T04N R05W S1	Lot 2	NWNE	T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESW	T05N R05W S36		SWSE
T05N R05W S36		SESE			

Total Acres: 2990

80320

Conditions of Approval:

1. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. S49 Diversion for Irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. SD1 This right originated as all or part of right no. 24 in the Stewart Decree and the historic Boise River Water Masters records.
6. This right when combined with Rights No. 63-222D, 63-223K, 63-3572, 63-21361, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.

Decreed Date: 1/15/2009

80380

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-21363

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 5/11/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Diversion Rate

46 CFS

46 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

BOISE RIVER

CANYON County

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

BOISE RIVER

CANYON County

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

Place of Use

IRRIGATION Within CANYON County

80380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENW
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENW
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENW
T04N R04W S6		NESW	T04N R04W S6		SESW
T04N R04W S6		NESE	T04N R04W S6		NWSE
T04N R04W S6		SWSE	T04N R04W S6		SESE
T04N R04W S7		NENE	T04N R04W S7		SENE
T04N R04W S8		NENE	T04N R04W S8		NWNE
T04N R04W S8		SWNE	T04N R04W S8		SENE
T04N R04W S8		NENW	T04N R04W S8		NWNW
T04N R04W S8		SWNW	T04N R04W S8		SENW
T04N R04W S8		NESE	T04N R04W S8		NWSE
T04N R04W S9		NENE	T04N R04W S9		SENE
T04N R04W S9		NESE	T04N R04W S10		NENE
T04N R04W S10		NWNE	T04N R04W S10		SWNE
T04N R04W S10		SENE	T04N R04W S10		NENW
T04N R04W S10		NWNW	T04N R04W S10		SWNW
T04N R04W S10		SENW	T04N R04W S10		NESW
T04N R04W S10		NWSW	T04N R04W S10		NESE
T04N R04W S10		NWSE	T04N R04W S11		SWNE
T04N R04W S11		NENW	T04N R04W S11		NWNW
T04N R04W S11		SWNW	T04N R04W S11		SENW
T04N R04W S11		NESW	T04N R04W S11		NWSW
T04N R04W S11		NWSE	T04N R05W S1	Lot 1	NENE
T04N R05W S1	Lot 2	NWNE	T05N R04W S31	Lot 7	SWSW
T05N R04W S31		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESW	T05N R05W S36		SWSE
T05N R05W S36		SESE			

Total Acres: 2990

Page _____ of _____

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
4. 129 This right when combined with Rights No. 63-222D, 63-223K, 63-3572, 63-21361, 621362, and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.

Decreed Date: 1/15/2009

80380

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-32241

Current Owner: EUREKA DITCH CO NO 2

Priority Date: 7/20/1959

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Total Diversion

Location of Point(s) of Diversion

BOISE RIVER

ADA County

BOISE RIVER

ADA County

BOISE RIVER

ADA County

Tributary

SNAKE RIVER

Diversion Rate

24 CFS

24 CFS

Annual Volume

NE1/4SE1/4 Sec. 12, Twp 04N, Rge 04W B.M.
(Rediversion)

SE1/4NW1/4 Sec. 17, Twp 04N, Rge 03W B.M.

SE1/4SW1/4 Sec. 7, Twp 04N, Rge 03W B.M.
(Rediversion)

Place of Use

IRRIGATION Within CANYON County

84380

Page _____ of _____

T04N R04W S3		SWNW	T04N R04W S3		NWSW
T04N R04W S3		SWSW	T04N R04W S3		SESW
T04N R04W S3		NWSE	T04N R04W S3		SWSE
T04N R04W S3		SESE	T04N R04W S4		SWNE
T04N R04W S4		SENE	T04N R04W S4	Lot 3	NENW
T04N R04W S4		SWNW	T04N R04W S4		SENE
T04N R04W S4		NESW	T04N R04W S4		NWSW
T04N R04W S4		SWSW	T04N R04W S4		SESW
T04N R04W S4		NESE	T04N R04W S4		NWSE
T04N R04W S4		SWSE	T04N R04W S4		SESE
T04N R04W S5	Lot 1	NENE	T04N R04W S5	Lot 2	NWNE
T04N R04W S5		SWNE	T04N R04W S5		SENE
T04N R04W S5	Lot 3	NENW	T04N R04W S5	Lot 4	NWNW
T04N R04W S5		SWNW	T04N R04W S5		SENE
T04N R04W S5		NESW	T04N R04W S5		NWSW
T04N R04W S5		SWSW	T04N R04W S5		SESW
T04N R04W S5		NESE	T04N R04W S5		NWSE
T04N R04W S5		SWSE	T04N R04W S5		SESE
T04N R04W S6	Lot 1	NENE	T04N R04W S6	Lot 2	NWNE
T04N R04W S6		SWNE	T04N R04W S6		SENE
T04N R04W S6	Lot 3	NENW	T04N R04W S6	Lot 4	NWNW
T04N R04W S6	Lot 5	SWNW	T04N R04W S6		SENE
T04N R04W S6		NESW	T04N R04W S6		NWSW
T04N R04W S6		NESE	T04N R04W S6		SESW
T04N R04W S6		SWSE	T04N R04W S6		NWSE
T04N R04W S7		NENE	T04N R04W S6		SESE
T04N R04W S8		NENE	T04N R04W S7		SENE
T04N R04W S8		SWNE	T04N R04W S8		NWNE
T04N R04W S8		NENW	T04N R04W S8		SENE
T04N R04W S8		SWNW	T04N R04W S8		NWNW
T04N R04W S8		NESE	T04N R04W S8		SENE
T04N R04W S9		NENE	T04N R04W S8		NWSE
T04N R04W S9		NESE	T04N R04W S9		SENE
T04N R04W S10		NWNE	T04N R04W S10		NENE
T04N R04W S10		SENE	T04N R04W S10		SWNE
T04N R04W S10		NWNW	T04N R04W S10		NENW
T04N R04W S10		SENE	T04N R04W S10		SWNW
T04N R04W S10		NWSW	T04N R04W S10		NESW
T04N R04W S10		NWSE	T04N R04W S10		NESE
T04N R04W S11		NENW	T04N R04W S11		SWNE
T04N R04W S11		SWNW	T04N R04W S11		NWNW
T04N R04W S11		NESW	T04N R04W S11		SENE
T04N R04W S11		NWSE	T04N R04W S11		NWSW
T04N R05W S1	Lot 2	NWNE	T04N R05W S1	Lot 1	NENE
T05N R04W S31		SESW	T05N R04W S31	Lot 7	SWSW
T05N R05W S36		SESW	T05N R04W S31		SWSE
T05N R05W S36		SESE	T05N R05W S36		SWSE

Total Acres: 2990

80380

Page _____ of _____

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. This right when combined with Rights No. 63-222D, 63-223K, 63-3572, 63-21361, 63-21362, and 63-21363 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.

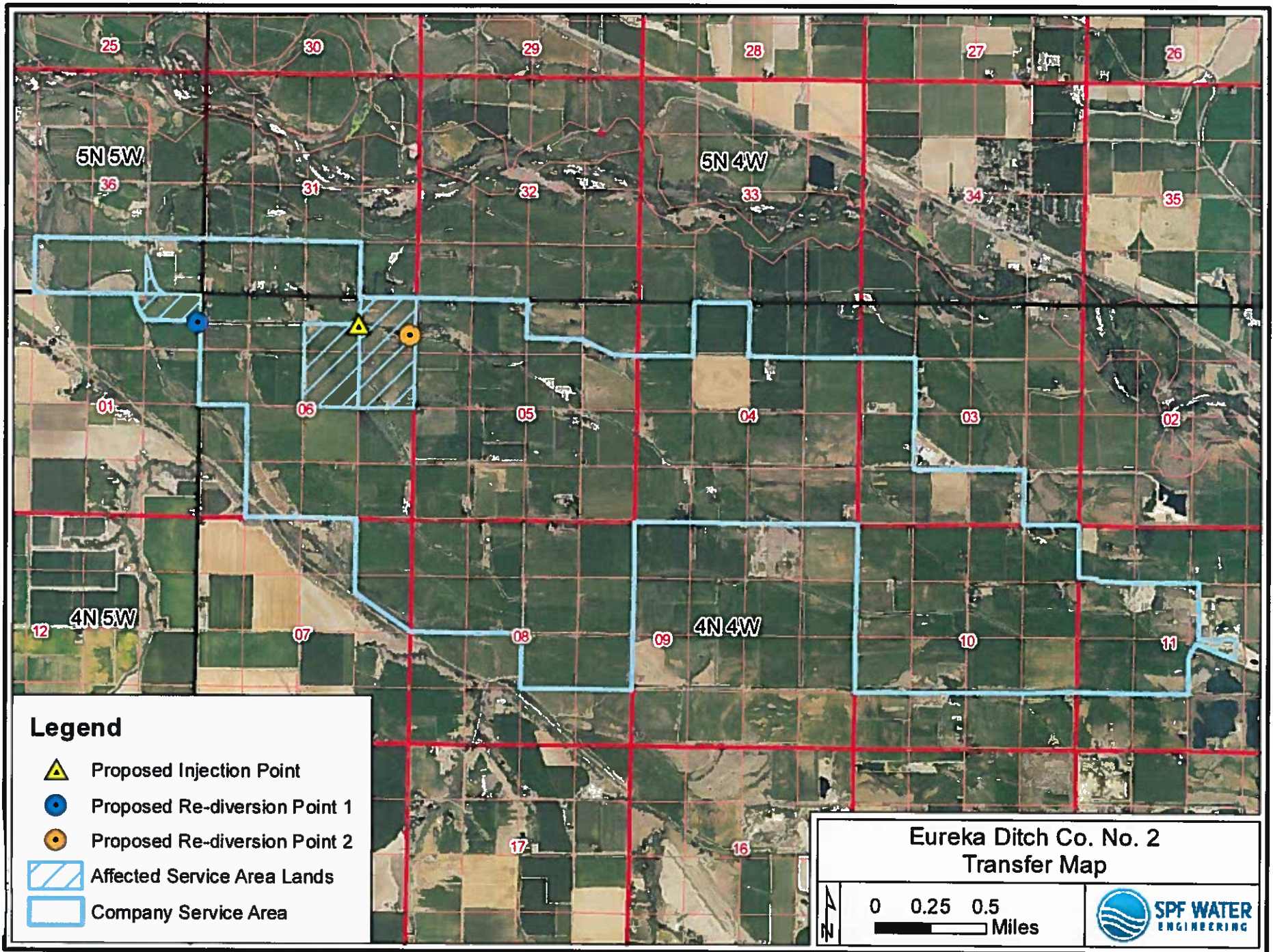
Decreed Date: 1/15/2009

80380

Transfer Explanation:

Eureka Ditch Co. No. 2 seeks authorization to inject Company water from Eureka Canal into North Drain and re-divert to shareholder lands located in the NE, S1, T4N, R5W and the NE, S6, T4N, R4W within the Company's service area as identified on the attached transfer map.

The transfer filing fee is based on 161 inches (shares) of water affected by the transfer proposal; 21 inches/shares assessed to acres in S1 and 140 inches/shares assessed to acres in S6.



Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Application for Transfer (Eureka Ditch Co. No. 2)

To Whom It May Concern:

Drainage District No. 6 does not object to Eureka Ditch Co.'s proposed use of North Drain for injection and re-diversion of Eureka Ditch Co. water to be used for irrigation on lands owned by Dixie Land, LLC.

Sincerely,



Mike Houston, Drainage District No. 6 Chairman

May 28, 2015
Date

80380



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 13, 2016

EUREKA DITCH CO NO 2
C/O BILL DORAMUS
21766 HOWE RD
CALDWELL, ID 83607

RE: Transfer No. 80380
Water Right No(s). 63-21361, 63-21362, 63-21363, 63-222D, 63-223K, 63-32241, 63-3572

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 5/19/2016 and 5/26/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

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

Neely, Rachel

From: Neely, Rachel
Sent: Friday, May 13, 2016 8:52 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 5/19/2016 & 5/26/2016.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

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

May 13, 2016

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 63-34217
 Application for Permit No. 63-34215
 Application for Permit No. 63-33952
 Application for Transfer No. 80380,
 Water Right No(s): 63-21361, 63-21362, 63-21363, 63-222D, 63-223K, 63-32241, 63-3572

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/6/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

63-34217

B & S INVESTMENTS LLC
1980 S MERIDIAN RD STE 140
MERIDIAN, ID 83642

Point of Diversion NESW S36 T05N R05W CANYON County Source DIXIE SLOUGH Tributary BOISE RIVER

Use: IRRIGATION 03/01 to 11/15 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 4/14/2016

Place of Use: IRRIGATION

T05N R05W S36 NESW

Total Acres: 25

Application proposes 20 acres of irrigation within a total 25 acre permissible place of use.

63-34215

MICHELLE G VAN LITH
JOEL S VAN LITH
18641 CHICKEN DINNER RD
CALDWELL, ID 83607

Point of Diversion NESE S35 T04N R04W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.56 CFS

Total Diversion: 0.56 CFS

Date Filed: 4/8/2016

Place of Use: IRRIGATION

T04N R04W S35 NENE NWNE SENE NESE

Total Acres: 82

Water bearing zone to be appropriated is from 170 ft to 325 ft.

63-33952

SNAKE RIVER DAIRIES LLC
15188 S CAN ADA RD
MELBA, ID 83641

Point of Diversion NESE S24 T01S R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 1.6 CFS

Total Diversion: 1.6 CFS

Date Filed: 5/15/2014

Place of Use: IRRIGATION

T01S R02W S24 SWNW SENW NESW NWSW NESE NWSE

Total Acres: 227

Application seeks to irrigate 162 acres within a 227 acre place of use. Water bearing zone to be appropriated is from 145 to 173 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80380

EUREKA DITCH CO NO 2, C/O BILL DORAMUS 21766 HOWE RD, CALDWELL, ID 83607; has filed Application No. 80380 for changes to the following water rights within CANYON County(s): Right No(s). 63-21361, 63-21362, 63-21363, 63-222D, 63-223K, 63-32241, 63-3572; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Add one point of injection from the Eureka Canal into the North Drain and add two points of re-diversion from the North Drain. A total of 3.22 cfs is sought to be transferred based on the pro-rated amount of water allocated for ground served by the two new re-diversion points. General location is approximately 3 miles west of Notus, ID.

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 6/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/19/2016 and 5/26/2016

Neely, Rachel

From: Neely, Rachel
Sent: Friday, May 13, 2016 8:44 AM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Permit No. 63-33864 and Transfer Nos. 78885 and 80380
Attachments: Watermaster Recommendation Form.docx; Application for Permit No. 63-33864.pdf; Application for Transfer No. 78885.pdf; Application for Transfer No. 80380.pdf

May 13, 2016

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

RE: Application for Permit No. 63-33864 & Applications for Transfer Nos. 78885 and 80380

Application for Transfer No. 78885 is mitigating from the evaporative losses from the ponds Application for Permit No. 63-33864 purposes.

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, and submit your reply, if any, to this office by June 6, 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



SPF WATER
ENGINEERING

September 4, 2015

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED

SEP 08 2015

WATER RESOURCES
WESTERN REGION

Subject: *Application for Permit (Dixie Land Co.)*
Application for Transfer (Eureka Ditch Co. No. 2)
Ownership Change Notices (3)

Dear Angie,

Enclosed on behalf of Dixie Land, LLC is an (1) *Application for Permit* proposing diversion from the North Drain from a new pump station for supplemental irrigation, (2) *Application for Transfer* in the name of Eureka Ditch Co. No. 2 proposing adding one new injection point and two new re-diversion points to the Company's water rights for more efficient water delivery to Dixie Land property, and (3) two *Notices for Change in Water Right Ownership* for water rights associated with two farms recently purchased by Dixie Land.

The following checks are enclosed for the associated filing fees:

1. Check No. 1013 for \$290 for the permit application
2. Check No. 1014 for \$740 for the transfer application
3. Check No. 1011 for \$175 for the two ownership change notices

Also enclosed is a *Notice for Change in Water Right Ownership* for Shaw Holdings, LLC, for a domestic/stockwater right associated with a recently purchased farm. Check No. 1098 is enclosed for the filing fee.

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: Shaw Cattle Co.

Enclosures

SPF file number: 684.0020