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JUN 08 2015

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78885MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AMENDED

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a *Statement received 10/23/13 - N/A*
Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

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WATER RESOURCE STATE OF IDAHO
WESTERN DEPARTMENT OF WATER RESOURCESTransfer No. 76885

Amended

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Gardner Mace Ranch LC Phone 208-246-8909Mailing address 101 S. Capitol Blvd, Suite 1201, Boise, ID 83702 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Scott King, SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email sking@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

J. Thomas August
Print Name and Title if applicable

6/2/15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. 1) change place of use to allow irrigation flexibility within Mace Ranch Subdivision. 2) change nature of use on a portion of water right 63-216A to mitigate consumptive uses resulting from ponds proposed on an accompanying application for permit. 3) add diversion points so both ditches can be used for both rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	63-182	2.6 cfs	Irrigation	3/1 to 11/15	Boise River / Snake River
☒ ☐	63-216A	0.32 cfs	Irrigation	3/1 to 11/15	Boise River / Snake River
☒ ☐	63-216A	56.5 ac-ft	Rec/Aesthetic Storage	1/1 to 12/31	Boise River / Snake River
☒ ☐	63-216A	0.48 cfs	Diversion to Storage	3/1 to 11/15	Boise River / Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.4 cfs and/or 56.5 ac-ft (storage)

2. Total amount of water proposed to be transferred or changed 3.4 cubic feet per second and/or 56.5 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N	2		NW	NE	21	4N	1E	Ada	Boise River	Conway-Hamming
N	5		NW	SW	16	4N	1E	Ada	Boise River	Mace-Mace

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	17	6	17	26	11	24	30	36	30									180
					J/R	J/R													
			L1	L2	L2	L1			L4	L3									
		18	1			2													3
			L1			L1													

Total Acres (for irrigation use) * 183

J/R = Aesthetic and Recreation Storage Ponds

146 acres irrigation within a 183-acre permissible place of use

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Water is diverted from from the Boise River using existing structures equipped with lockable controlling works and measuring devices. Diversions are locally known as Conway-Hamming (Accounting Site 13206270) and Mace-Mace (Accounting Site 13206295) ditches.

- b. Who owns the property at the point(s) of diversion? n/a

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
No changes proposed to the historical diversion system.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Approving statement on file with IDWR.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Crop area will be replaced with pond area that will result in similar annual water consumption.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Ground water right 63-16273 supplements 6.5 acres in Government Lot 3, Section 17. This supplemental relationship will not change.

- f. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

78885

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

Current Water Right No.: 63-182

Current Owner: GARDNER MACE RANCH LC

Priority Date: 6/1/1870

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

2.6 CFS

2.6 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

SE1/4NE1/4

Sec. 21, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S17	Lot 1	NENE	7.00	T04N R01E S17	Lot 2	NWNE	17.00
T04N R01E S17	Lot 2	SWNE	25.00	T04N R01E S17	Lot 1	SENE	15.00
T04N R01E S17	Lot 4	SWNW	35.00	T04N R01E S17	Lot 3	SENE	30.00
T04N R01E S17		NWSW	1.00				

Total Acres: 130

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Conditions of Approval:

1. E62 This right when combined with Right No. 63-16273 shall provide no more than .02 cfs per acre.
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. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. SD1 This right originated as all or part of right no. 48 in the Stewart Decree and the historic Boise River Water Masters records.
5. 155 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.
6. This right is delivered through the Conway-Hamming ditch.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Decreed Date: 2/16/2007

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

Current Water Right No.: 63-216a

Current Owner: GARDNER MACE RANCH LC
Priority Date: 6/1/1889
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

0.8 CFS

0.8 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

L5(SW1/4NW1/4)

Sec. 16, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S17

NENW

20.00

T04N R01E S17

NWNW

20.00

Total Acres: 40

Conditions of Approval:

1. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
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. 155 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.
5. E62 This right when combined with Right No. 63-16273 shall provide no more than .02 cfs per acre.
6. Use of this right is combined with water from Mace-Catlin Ditch Co.
7. SD1 This right originated as all or part of right no. 116 in the Stewart Decree and the historic Boise River Water Masters records.
8. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Decreed Date: 2/16/2007

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a Part 2A report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____	(cfs/ac-ft) for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____
amount _____	for _____	purposes from _____	to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) _____
 78885

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #7b. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it Attachment #8a.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 3 attachments.

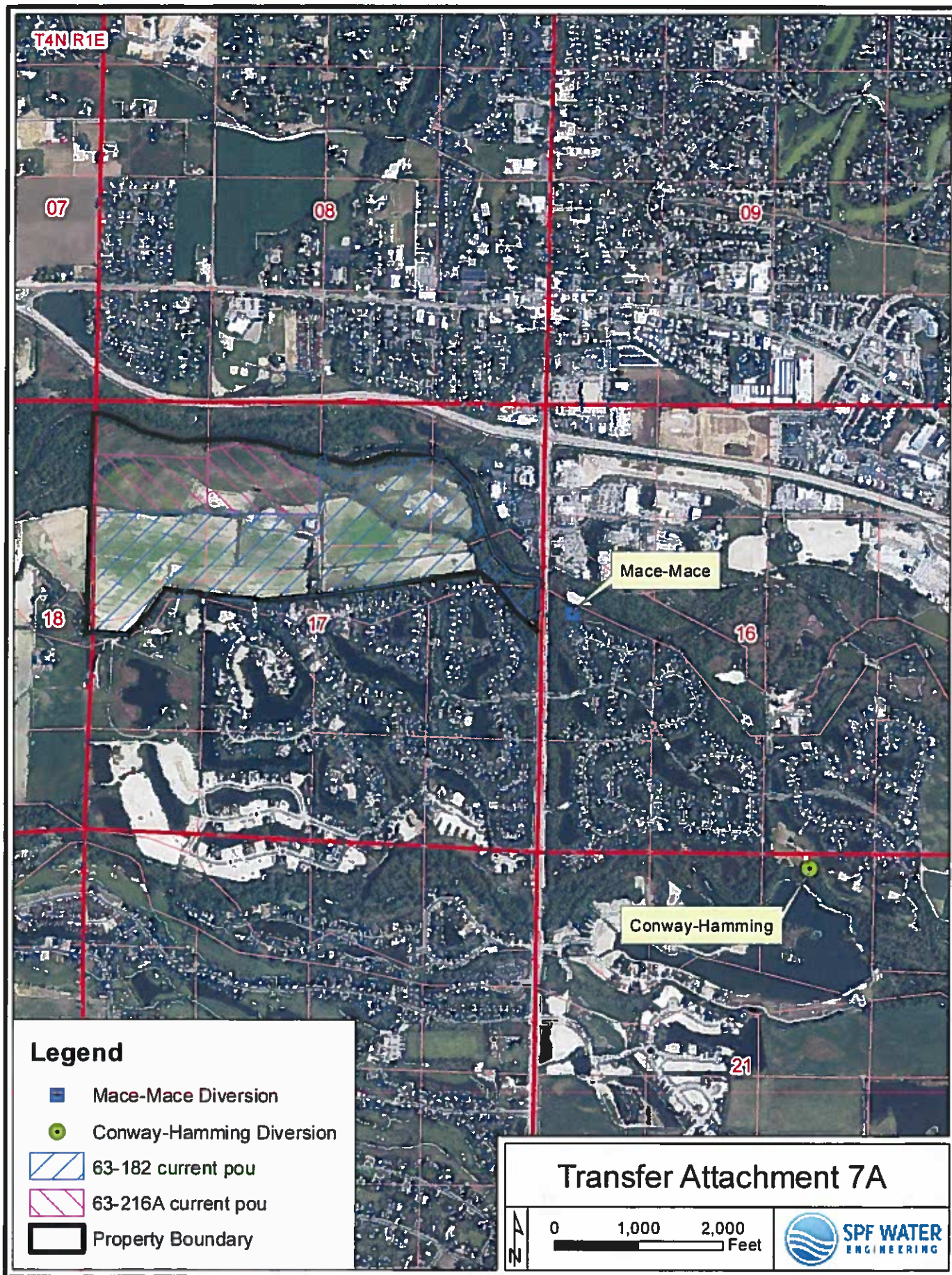
Received by MG Date 10/11/13 Prelim. Check by NLD Date 5/4/16

Fee Paid \$740⁰⁰ Date 10/11/13 Received by MG Receipt # 6041578

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

*Fee paid on original filing

78885



2011 Photo

78885

78885



2013 Photo

78885

78885

Attachment 8a

WATER BALANCE AND CHANGES TO 63-216A

ET _{Idaho} 2012, Boise WSFO Airport (NWS--101022)
Precipitation Deficit Requirements

Field Corn - moderate season length															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^j	-0.27	0.19	-0.04	0.04	0.42	3.19	7.82	6.73	4.09	1.56	-0.37	-0.52	713	-27	686

Open water - shallow systems (ponds, streams)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^j	-0.66	0.08	0.74	2.01	2.65	4.05	4.79	4.05	2.79	1.54	-0.43	-0.89	634	0	634
days / month	31	28	31	30	31	30	31	31	30	31	30	31			365
mm / month		2.2	22.9	60.3	82.2	121.5	148.5	125.6	83.7	47.7					695

- a 695 mm/yr, Net annual positive-month precipitation-deficit pond consumptive use (from above, open water, annual use)
- b 2.28 ft/yr, Net annual precipitation-deficit pond consumptive use (b = a / 304.8)
- c 24.8 acres, pond surface area (from pond permit application)
- d 56.5 af/yr, total annual pond consumptive use (d = b x c) and changed to aesthetic and recreation storage by transfer
- e 713 mm/yr, net annual precipitation-deficit irrigated crop land consumptive use (from above, Field Corn^{*}, growing season)
- f 2.34 ft/yr, Net annual precipitation-deficit crop land consumptive use (f = e / 304.8)
- g 24 acres of crop land consumptive use required to offset pond consumptive use (g = d / f)
- h 0.02 cfs/acre, duty of water for changed water right
- i 0.48 cfs, quantity of irrigation component changed to aesthetic and recreation storage by transfer (i = g x h)

Changes to 63-216A			
	Pre-Transfer	Changed by Transfer	Post-Transfer
Irrigation, cfs	0.80	-0.48	0.32
Aesthetic Storage, afa	0.0	56.5	56.5
Diversions to Storage, cfs	0.00	0.48	0.48
Total, cfs	0.80	0.48	0.80
Acres, combined limit	40	-24	16
Duty, cfs/acre	0.02	0.02	0.02

*Field corn was grown during 2012 with corn stubble observed by Scott King during November 2012 site visit with Watermaster Rex Barrie.

7885

RECEIVED

OCT 11 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78885

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

* SEE 6/8/15 AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78885APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

OCT 11 2013

Name of Applicant(s) Gardner Mace Ranch LCPhone 208-246-8909Mailing address 101 S. Capitol Blvd, Suite 1201, Boise, ID 83702

Email _____

WATER RESOURCES
WESTERN REGION

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Scott King, SPF Water EngineeringPhone 208-383-4140Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706Email sking@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

J. Thomas Anquist
 Print Name and Title if applicable

10/8/13
 Date

 Signature of Applicant or Authorized Representative

 Print Name and Title if applicable

 Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2.1) change place of use to allow irrigation flexibility within Mace Ranch Subdivision. 2) change nature of use on a portion of water right 63-216A to mitigate consumptive uses resulting from ponds proposed on an accompanying application for permit. 3) add diversion points so both ditches can be used for both rights.**

RECEIVED

OCT 11 2013

WATER RESOURCES
WESTERN REGION

Rev. 07/11

Page 2 of 9STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒	☐ 63-182	2.6 cfs	Irrigation	3/1 to 11/15	Boise River / Snake River
☒	☐ 63-216A	0.36 cfs	Irrigation	3/1 to 11/15	Boise River / Snake River
☒	☐ 63-216A	51.3 ac-ft	Rec/Aesthetic Storage	1/1 to 12/31	Boise River / Snake River
☒	☐ 63-216A	0.44 cfs	Diversion to Storage	3/1 to 11/15	Boise River / Snake River
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights 3.4 cfs and/or 51.3 ac-ft (storage)2. Total amount of water proposed to be transferred or changed 3.4 cubic feet per second and/or 51.3 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N	2		NW	NE	21	4N	1E	Ada	Boise River	Conway-Hamming
N	5		NW	SW	16	4N	1E	Ada	Boise River	Mace-Mace

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	17	6	17	26	11	24	30	36	30									180
					J/R	J/R													
			L1	L2	L2	L1			L4	L3									
		18	1			2													3
			L1			L1													

Total Acres (for irrigation use) * 183

J/R = Aesthetic and Recreation Storage Ponds

148 acres irrigation within a 183-acre permissible place of use

78885
W041578 MG 10/11/13 \$1110

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Water is diverted from from the Boise River using existing structures equipped with lockable controlling works and measuring devices. Diversions are locally known as Conway-Hamming (Accounting Site 13206270) and Mace-Mace (Accounting Site 13206295) ditches.

- b. Who owns the property at the point(s) of diversion? n/a

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
No changes proposed to the historical diversion system.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: Approving statement is forthcoming. → statement received 10/23/13
- NVJ

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Crop area will be replaced with pond area that will result in similar annual water consumption.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Ground water right 63-16273 supplements 6.5 acres in Government Lot 3, Section 17. This supplemental relationship will not change.

- f. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

78885

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

Current Water Right No.: 63-182

Current Owner: GARDNER MACE RANCH LC

Priority Date: 6/1/1870

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

2.6 CFS

2.6 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

SE1/4NE1/4

Sec. 21, Twp 04N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S17	Lot 1	NENE	7.00	T04N R01E S17	Lot 2	NWNE	17.00
T04N R01E S17	Lot 2	SWNE	25.00	T04N R01E S17	Lot 1	SENE	15.00
T04N R01E S17	Lot 4	SWNW	35.00	T04N R01E S17	Lot 3	SENE	30.00
T04N R01E S17		NWSW	1.00				

Total Acres: 130

70085

Conditions of Approval:

1. E62 This right when combined with Right No. 63-16273 shall provide no more than .02 cfs per acre.
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. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. SD1 This right originated as all or part of right no. 48 in the Stewart Decree and the historic Boise River Water Masters records.
5. 155 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.
6. This right is delivered through the Conway-Hamming ditch.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Decreed Date: 2/16/2007

78885

Page 6 of 9

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

Current Water Right No.: 63-216a

Current Owner: GARDNER MACE RANCH LC

Priority Date: 6/1/1889

Origin: Water Right

Status: Active

Basis: Decreed

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.8 CFS

Annual Volume

Total Diversion

0.8 CFS

Location of Point(s) of Diversion

BOISE RIVER

L5(SW1/4NW1/4)

Sec. 16, Twp 04N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S17

NENW

20.00

T04N R01E S17

NWNW

20.00

Total Acres: 40

78885

Conditions of Approval:

1. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
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. 155 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.
5. E62 This right when combined with Right No. 63-16273 shall provide no more than .02 cfs per acre.
6. Use of this right is combined with water from Mace-Catlin Ditch Co.
7. SD1 This right originated as all or part of right no. 116 in the Stewart Decree and the historic Boise River Water Masters records.
8. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Decreed Date: 2/16/2007

78885

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 100 100 100

78885

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

2 If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

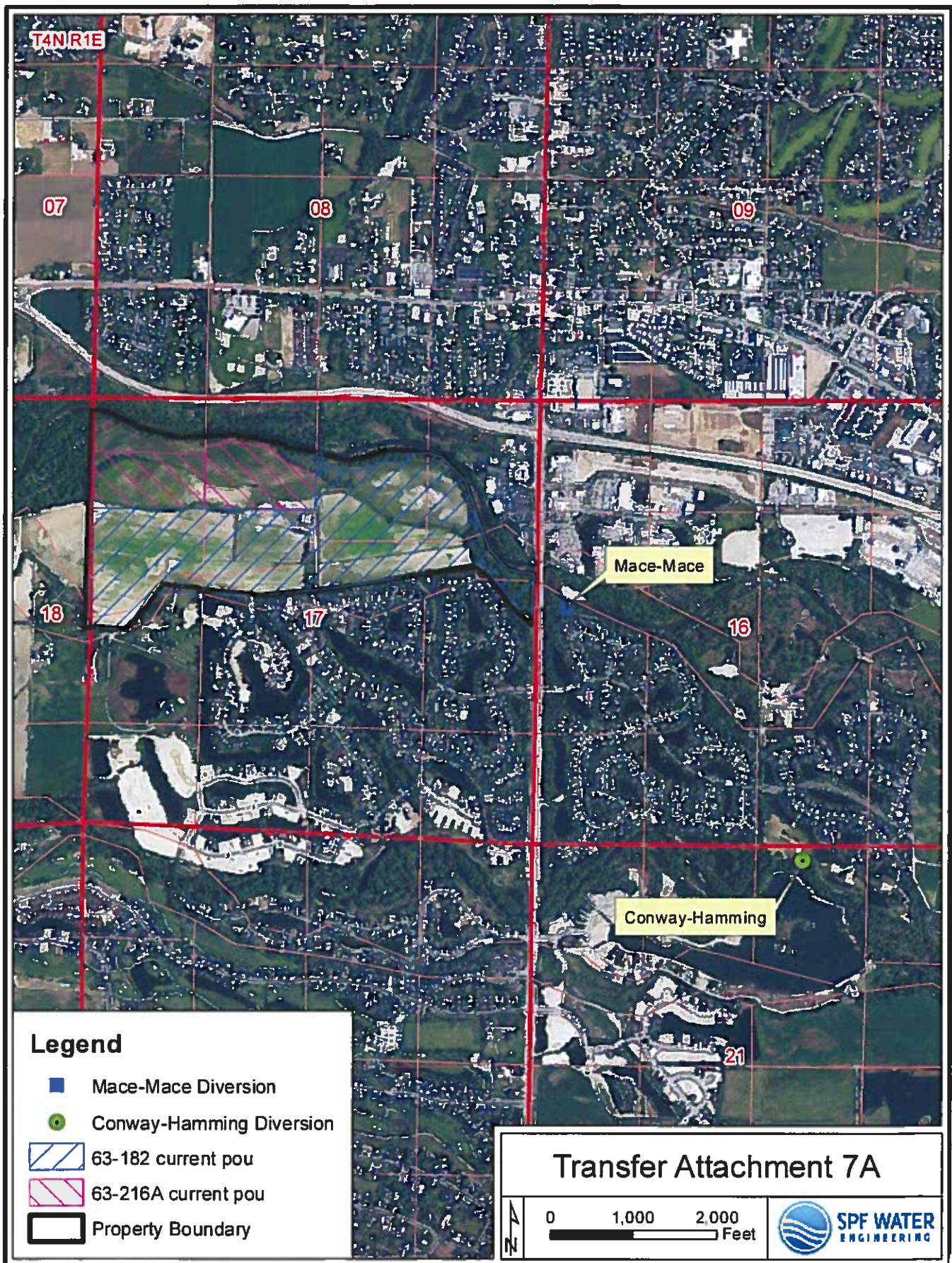
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

Transfer contains 9 pages and 3 attachments.
 Received by MB Date 10-11-13 Prelim. Check by NLS Date 10/31/2014
 Fee Paid 740.00 Date 10-11-13 Received by MB Receipt # W041578
 Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

79885

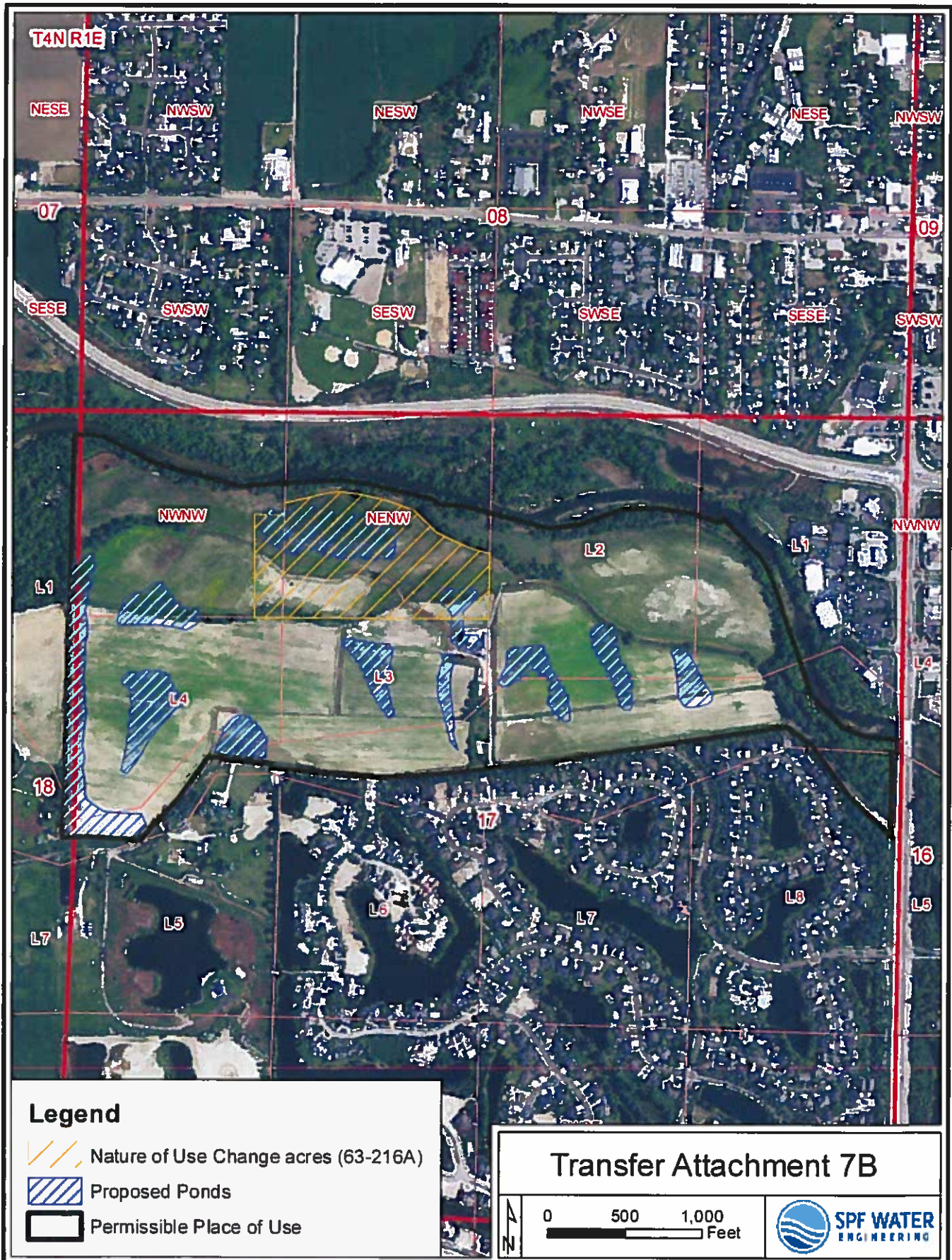


2011 Photo

7885

OCT 11 2013

WATER RESOURCES
WESTERN REGION



2011 Photo

78885

Attachment 8a

WATER BALANCE AND CHANGES TO 63-216A

ET, Idaho 2012, Boise W5FO Airport (NWS--101022)

Precipitation Deficit Requirements

Field Corn - moderate season length															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^c	-0.27	0.19	-0.04	0.04	0.42	3.19	7.32	6.73	4.06	2.54	-0.37	-0.52	713	-27	686

Open water - shallow systems (ponds, streams)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ⁱ	mm/day												mm		
Monthly ^c	-0.66	0.08	0.76	2.01	2.65	4.05	4.79	4.05	2.79	1.54	-0.43	-0.89	694	0	694
days / month	31	28	31	30	31	30	31	31	30	31	30	31			365
mm / month		2.2	23.9	60.3	82.2	121.5	148.5	125.6	83.7	47.7					895

- a 695 mm/yr, Net annual positive-month precipitation-deficit pond consumptive use (from above, open water, annual use)
- b 2.28 ft/yr, Net annual precipitation-deficit pond consumptive use ($b = a / 304.8$)
- c 22.5 acres, pond surface area (from pond permit application)
- d 51.3 af/yr, total annual pond consumptive use ($d = b \times c$) and changed to aesthetic and recreation storage by transfer
- e 713 mm/yr, net annual precipitation-deficit irrigated crop land consumptive use (from above, Field Corn^a, growing season)
- f 2.34 ft/yr, Net annual precipitation-deficit crop land consumptive use ($f = e / 304.8$)
- g 22 acres of crop land consumptive use required to offset pond consumptive use ($g = d / f$)
- h 0.02 cfs/acre, duty of water for changed water right
- i 0.44 cfs, quantity of irrigation component changed to aesthetic and recreation storage by transfer ($i = g \times h$)

Changes to 63-216A			
	Pre-Transfer	Changed by Transfer	Post-Transfer
Irrigation, cfs	0.80	-0.44	0.36
Aesthetic Storage, afa	0.0	51.3	51.3
Diversion to Storage, cfs	0.00	0.44	0.44
Total, cfs	0.80	0.44	0.80
Acres, combined limit	40	-22	18
Duty, cfs/acre	0.02	0.02	0.02

*Field corn was grown during 2012 with corn stubble observed by Scott King during November 2012 site visit with Watermaster Rex Barrie.

78885



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

May 13, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

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

Application for Permit No. 63-33864
Application for Transfer No. 78885
Water Right No(s). 63-182, 63-216A

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

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

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

Please contact this office if you have any questions regarding these applications.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Friday, May 13, 2016 8:49 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Notice.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

The following application has been filed to appropriate the public waters of the State of Idaho:

63-33864

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

(3)Points of Diversion L4(SWNW) S17 T04N R01E ADA County Source GROUND WATER

Points of Diversion NWNW NWNW NENW NENW S17 T04N R01E ADA County Source GROUND WATER

(3)Points of Diversion L2(SWNE) S17 T04N R01E ADA County Source GROUND WATER

(2)Points of Diversion L3(SENW) S17 T04N R01E ADA County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 397.5 AF

Use: RECREATION STORAGE 01/01 to 12/31 397.5 AF

Total Diversion: 397.5 AF

Date Filed: 10/11/2013

Places of Use: AESTHETIC STORAGE, RECREATION STORAGE

T04N R01E S17 L1(NENE) L2(NWNE) L2(SWNE) L1(SENE) NENW NWNW L4(SWNW) L3(SENW)

T04N R01E S18 L1(SENE)

Water bearing zone to be appropriated is from 0 to 37 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78885

GARDNER MACE RANCH LC, 101 S CAPITOL BLVD STE 1201, BOISE, ID 83702; has filed Application No. 78885 for changes to the following water rights within ADA County(s): Right No(s). 63-182, 63-216A; 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: The place of use for both rights will be changed to allow 146 acres of irrigation within the 183 acre boundary of the Mace River Ranch subdivision in Eagle, ID, near the intersection of Eagle Rd and Hwy 44. Also proposed is for both rights to utilize either of the same two points of diversion, known locally as the Conway-Hamming and Mace-Mace ditches, from the Boise River. Additionally, a 24 acre portion of right no. 63-216A will be changed from irrigation use to storage purposes to mitigate for evaporative losses from twelve new ponds proposed by application for permit no. 63-33864.

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

The following application has been filed to appropriate the public waters of the State of Idaho:

63-33864

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

(3)Points of Diversion L4(SWNW) S17 T04N R01E ADA County Source GROUND WATER

Points of Diversion NWNW NWNW NENW NENW S17 T04N R01E ADA County Source GROUND WATER

(3)Points of Diversion L2(SWNE) S17 T04N R01E ADA County Source GROUND WATER

(2)Points of Diversion L3(SENW) S17 T04N R01E ADA County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 397.5 AF

Use: RECREATION STORAGE 01/01 to 12/31 397.5 AF

Total Diversion: 397.5 AF

Date Filed: 10/11/2013

Places of Use: AESTHETIC STORAGE, RECREATION STORAGE

T04N R01E S17 L1(NENE) L2(NWNE) L2(SWNE) L1(SENE) NENW NWNW L4(SWNW) L3(SENW)

T04N R01E S18 L1(SENE)

Water bearing zone to be appropriated is from 0 to 37 feet.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78885**

GARDNER MACE RANCH LC, 101 S CAPITOL BLVD STE 1201, BOISE, ID 83702; has filed Application No. 78885 for changes to the following water rights within ADA County(s): Right No(s). 63-182, 63-216A; 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: The place of use for both rights will be changed to allow 146 acres of irrigation within the 183 acre boundary of the Mace River Ranch subdivision in Eagle, ID, near the intersection of Eagle Rd and Hwy 44. Also proposed is for both rights to utilize either of the same two points of diversion, known locally as the Conway-Hamming and Mace-Mace ditches, from the Boise River. Additionally, a 24 acre portion of right no. 63-216A will be changed from irrigation use to storage purposes to mitigate for evaporative losses from twelve new ponds proposed by application for permit no. 63-33864.

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**

June 3, 2015

RECEIVED

JUN 08 2015

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

**WATER RESOURCES
WESTERN REGION**

***Subject: Amendment of Transfer Application No. 78885
Amendment of Application for Permit No. 63-33864***

Dear Angie,

Enclosed on behalf of Gardner Mace Ranch, LC, is (1) an Amendment of Transfer Application No. 7885 and (2) an Amendment of Application for Permit No. 63-33864. Both applications were submitted in October, 2013 and are waiting to be processed. The amendments account for a little more pond area than originally proposed, however the increased amounts are not significant enough to require additional fees.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Scott King
Supervising Engineer

Cc: Weston Arnell

Enclosures

SPF file number: 998.0010



SPF WATER
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OCT 23 2013
WATER RESOURCES
WESTERN REGION

October 23, 2013

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Gardner Mace Ranch Transfer Lien Holder Acknowledgment,

Dear Steve,

Enclosed on behalf of Gardner Mace Ranch, LC, is letter from Zion's Bank acknowledging and agreeing to the water right changes proposed on a transfer application we submitted on behalf of Gardner Mace Ranch October 8, 2013. Please include this letter as Attachment 6 to the transfer application.

Thank you for your assistance in this matter. Please call Scott King if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Weston Arnell

Enclosures

SPF file number: 998.0010

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OCT 23 2013

WATER RESOURCES
WESTERN REGION



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WESTERN REGION

ATTACHMENT 6
LIEN HOLDER ACKNOWLEDGEMENT

October 16, 2013

To whom it may concern,

This letter is to acknowledge and agreement to the proposed changes to the water rights held by Gardner Mace Ranch LC as submitted in the October 2013 application package. Should you have any questions please feel free to contact me.

Thanks,

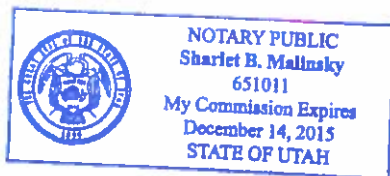


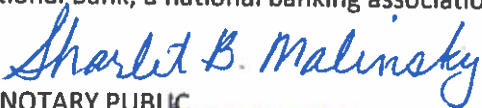
Jeffrey Holt

Senior Vice President

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 16th day of October, 2013, by Jeffrey A. Holt, Senior Vice President of Zions First National Bank, a national banking association.




NOTARY PUBLIC
Residing in Salt Lake County, Utah



SPF WATER
ENGINEERING

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OCT 11 2013

WATER RESOURCES
WESTERN REGION

October 10, 2013

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

via hand-delivery

Subject: Gardner Mace Ranch LC applications for Permit and Transfer

Enclosed on behalf of Gardner Mace Ranch LC please find applications for Permit and Transfer associated with a property located near Eagle, Idaho. The permit application proposes development of aesthetic and recreation storage in a system of eleven ponds. The ponds will intercept shallow ground water with depths ranging approximately from 10 to 42 feet. Total anticipated pond surface area is 22.5 acres.

The Transfer application changes two water rights appurtenant to the property. A 22-acre portion of water right 63-216A is changed from irrigation to aesthetic and recreation storage. Because it is presumed that ground water in these shallow ponds is tributary to the Boise River above Star Bridge and that evaporation from the ponds could potentially reduce flows in the Boise River, this nature of use change provides the mitigation necessary to offset evaporative losses from pond surfaces required for approval of the permit application described above. The water balance provided in Transfer Attachment 8a is based on historic consumptive use of a field corn crop. I personally witnessed field corn on the property during a November 2012 site visit with Watermaster Rex Barrie.

The Transfer application proposes creating a 183-acre permissible place of use for water right 63-182 and the portion of 63-216A not changed to aesthetic and recreation storage as described above. These water rights will be used for residential lot and open-space irrigation of up to 148 acres within the proposed subdivision development.

The Transfer application also proposes changing and addition diversion points by listing both *existing* points of diversion to both rights. Water right 63-216A currently lists the Mace-Mace ditch diversion at T4N R1E Section 16 Lot 5 (NWSW). Upon transfer approval, this diversion will be authorized for both transferred rights. Water right 63-182 lists a diversion at T4N R1E Section 21 SENE and described as the

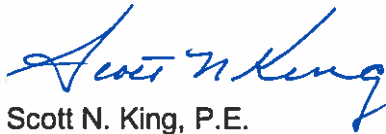
October 11, 2013

Conway-Hamming ditch. However, per my site visit with Rex Barrie and confirmed by review of IDWR's Water Rights Accounting mapping, the Conway-Hamming ditch is located at T4N R1E Section 21 Lot 2 (NWNE). It appears water right 63-182 incorrectly lists a diversion at Section 21 SENE. Upon transfer approval, the actual Conway-Hamming ditch will be authorized for both transferred rights

Also enclosed is a check for \$1,110 for the application fees, based on \$370 for the permit application and \$740 for the transfer application.

Please contact me if you have any questions.

Sincerely,



Scott N. King, P.E.
Supervising Engineer

cc: Weston Arnell

File: 998.0010