

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79654

This is to certify that: WARM SPRINGS DITCH CO
C/O BRIAN HOFF
1840 N LAKES AVE
MERIDIAN, ID 83646

SUPPORT DATA
IN FILE # 63-192

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-192	WR/DECREED	6/1/1876	2.300 cfs	N/A	N/A	435.0	BOISE RIVER
63-19425	WR/DECREED	6/1/1882	5.060 cfs	N/A	N/A	435.0	BOISE RIVER
63-216C	WR/DECREED	6/1/1889	0.400 cfs	N/A	N/A	435.0	BOISE RIVER

Purpose of Transfer (Changes Proposed)

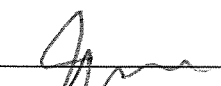
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-192	NO	NO	NO	NO	YES	YES
63-19425	NO	NO	NO	NO	YES	YES
63-216C	NO	NO	NO	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-192	63-192	2.300 cfs	N/A	431.5	N/A	N/A	N/A	N/A	N/A	N/A
63-19425	63-19425	5.060 cfs	N/A	431.5	N/A	N/A	N/A	N/A	N/A	N/A
63-216C	63-216C	0.400 cfs	N/A	431.5	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.760 cfs	N/A	431.5	431.5		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 18th day of May, 2015.


JEFF PEPPERSACK
Interim Western Region Manager

Transfer No. 79654

WATER RIGHT NO. 63-192

As Modified by Transfer No. 79654

In accordance with the approval of Transfer No. 79654, Water Right No. 63-192 is now described as follows:

Right Holder: WARM SPRINGS DITCH CO
C/O BRIAN HOFF
1840 N LAKES AVE
MERIDIAN, ID 83646

Priority Date: 6/1/1876

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC STORAGE
DIVERSION TO STORAGE
IRRIGATION

From

01/01 to 12/31
03/01 to 11/15
03/01 to 11/15

To

Diversion Rate

0.150 cfs
2.150 cfs
2.300 cfs

Diversion Volume

26.3 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L11 (NESE) Sec 5 Twp 03N Rge 02E ADA County
BOISE RIVER L6 (SENV) Sec 22 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	19	X			X													0
			L 1																
04N	01E	20			X			X	X	X					X	X			0
					L 7			L 5		L 6									
04N	01E	21			X				X	X	X	X							0
					L 7			L 5	L 6										

CONDITIONS OF APPROVAL

1. 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. Place of use is within the area served by Warm Springs Ditch Co.
3. This right is limited to the irrigation of 431.5 acres within the boundary of Warm Springs Ditch Co.

Transfer No. 79654

WATER RIGHT NO. 63-192

As Modified by Transfer No. 79654

CONDITIONS OF APPROVAL

4. Rights 63-192, 63-216C and 63-19425 authorize the diversion of an annual total of 48.0 af to be used for the replacement of losses caused by evaporation from the 16.5 acre total surface area of ponds established under Right 63-31690 and Right 63-34002.
5. Rights 63-192, 63-216C and 63-19425 also authorize the diversion of an annual total of 40.7 af to be used for the replacement of losses caused by evaporation from the 14.0 acre total surface area of ponds established under Right 63-32366.
6. 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 Reservoir 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.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
8. Water is delivered through the Thurman Mill Canal and the Warm Springs Canal.
9. 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
10. The following rights are diverted through point of diversion described above as the NESE, S5, T3N, R2E: 63-135, 63-176, 63-192, 63-193, 63-210, 63-211, 63-216C, 63-221, 63-250, 63-19425, 63-30125, 63-30129, 63-30130, 63-30131, and 63-31936.
11. The following rights are diverted through point of diversion described above as the SENW, S22, T4N, R1E: 63-192, 63-216C and 63-19425.
12. This right originated as all or part of right no. 61 in the Stewart Decree and the historic Boise River Water Masters records.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 63-192
As Modified by Transfer No. 79654

CONDITIONS OF APPROVAL

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 63-216C**As Modified by Transfer No. 79654**

In accordance with the approval of Transfer No. 79654, Water Right No. 63-216C is now described as follows:

Right Holder: WARM SPRINGS DITCH CO
C/O BRIAN HOFF
1840 N LAKES AVE
MERIDIAN, ID 83646

Priority Date: 6/1/1889

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC STORAGE
DIVERSION TO STORAGE
IRRIGATION

From

01/01 to 12/31
03/01 to 11/15
03/01 to 11/15

To**Diversion Rate**

0.030 cfs
0.370 cfs
0.400 cfs

Diversion Volume

4.6 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L11 (NESE) Sec 5 Twp 03N Rge 02E ADA County
BOISE RIVER L6 (SENV) Sec 22 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	19	X			X													
			L 1																0
04N	01E	20			X			X	X	X					X	X			
					L 7			L 5		L 6									0
04N	01E	21			X			X	X	X	X	X							
					L 7			L 5	L 6										0

CONDITIONS OF APPROVAL

1. 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. Place of use is within the area served by Warm Springs Ditch Co.
3. This right is limited to the irrigation of 431.5 acres within the boundary of Warm Springs Ditch Co.

Transfer No. 79654

WATER RIGHT NO. 63-216C
As Modified by Transfer No. 79654

CONDITIONS OF APPROVAL

4. Rights 63-192, 63-216C and 63-19425 authorize the diversion of an annual total of 48.0 af to be used for the replacement of losses caused by evaporation from the 16.5 acre total surface area of ponds established under Right 63-31690 and Right 63-34002.
5. Rights 63-192, 63-216C and 63-19425 also authorize the diversion of an annual total of 40.7 af to be used for the replacement of losses caused by evaporation from the 14.0 acre total surface area of ponds established under Right 63-32366.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
7. 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 Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. Water is delivered through the Thurman Mill Canal and the Warm Springs Canal.
9. 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
10. The following rights are diverted through point of diversion described above as the NESE, S5, T3N, R2E: 63-135, 63-176, 63-192, 63-193, 63-210, 63-211, 63-216C, 63-221, 63-250, 63-19425, 63-30125, 63-30129, 63-30130, 63-30131, and 63-31936.
11. The following rights are diverted through point of diversion described above as the SENW, S22, T4N, R1E: 63-192, 63-216C and 63-19425.
12. This right originated as all or part of right no. 116 in the Stewart Decree and the historic Boise River Water Masters records.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 63-216C
As Modified by Transfer No. 79654

CONDITIONS OF APPROVAL

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 63-19425
As Modified by Transfer No. 79654

In accordance with the approval of Transfer No. 79654, Water Right No. 63-19425 is now described as follows:

Right Holder: WARM SPRINGS DITCH CO
 C/O BRIAN HOFF
 1840 N LAKES AVE
 MERIDIAN, ID 83646

Priority Date: 6/1/1882

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC STORAGE
 DIVERSION TO STORAGE
 IRRIGATION

From

01/01
 03/01
 03/01

to 12/31
 to 11/15
 to 11/15

Diversion Rate

0.330 cfs
 4.730 cfs
 5.060 cfs

Diversion Volume

57.8 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L11 (NESE) Sec 5 Twp 03N Rge 02E ADA County
 BOISE RIVER L6 (SENV) Sec 22 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	19	X			X													
			L 1																0
04N	01E	20			X			X	X	X					X	X			
					L 7			L 5		L 6									0
04N	01E	21			X				X	X	X	X							
					L 7				L 5	L 6									0

CONDITIONS OF APPROVAL

1. 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. Place of use is within the area served by Warm Springs Ditch Co.
3. This right is limited to the irrigation of 431.5 acres within the boundary of Warm Springs Ditch Co.

WATER RIGHT NO. 63-19425

As Modified by Transfer No. 79654

CONDITIONS OF APPROVAL

4. Rights 63-192, 63-216C and 63-19425 authorize the diversion of an annual total of 48.0 af to be used for the replacement of losses caused by evaporation from the 16.5 acre total surface area of ponds established under Right 63-31690 and Right 63-34002.
5. Rights 63-192, 63-216C and 63-19425 also authorize the diversion of an annual total of 40.7 af to be used for the replacement of losses caused by evaporation from the 14.0 acre total surface area of ponds established under Right 63-32366.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
7. 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 Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. Water is delivered through the Thurman Mill Canal and the Warm Springs Canal.
9. 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
10. The following rights are diverted through point of diversion described above as the NESE, S5, T3N, R2E: 63-135, 63-176, 63-192, 63-193, 63-210, 63-211, 63-216C, 63-221, 63-250, 63-19425, 63-30125, 63-30129, 63-30130, 63-30131, and 63-31936.
11. The following rights are diverted through point of diversion described above as the SENW, S22, T4N, R1E: 63-192, 63-216C and 63-19425.
12. This right is a combination of old Water Right Nos. 63-217, 63-218, 63-220 and parts of 63-214 and 63-219.
13. This right originated as all or part of right no.81, 82, 83, 84 and 85 in the Stewart Decree and the historic Boise River Water Masters records.

WATER RIGHT NO. 63-19425
As Modified by Transfer No. 79654

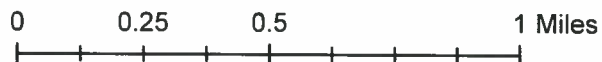
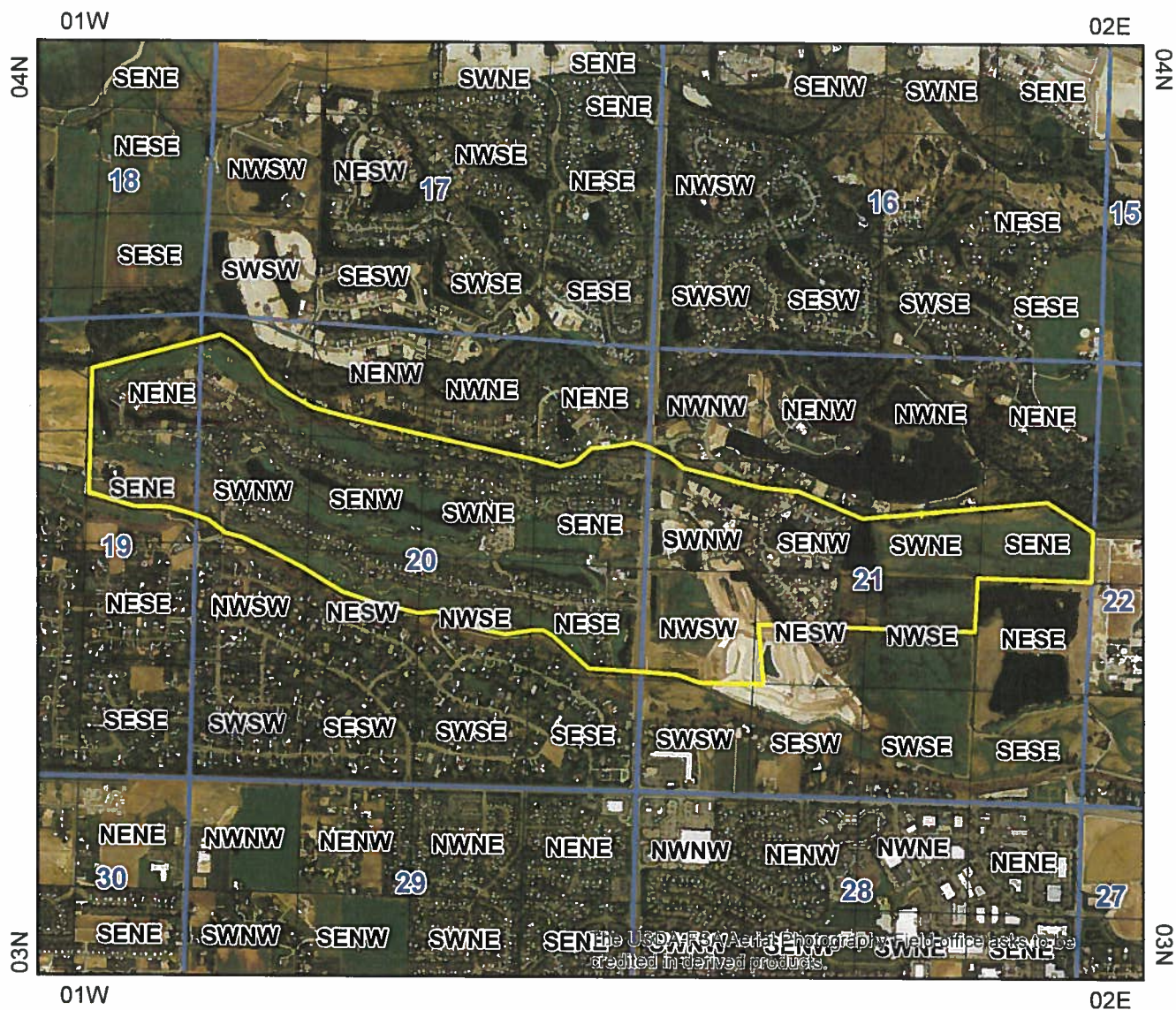
CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



Transfer No. 79654

Water Service Area Boundary for Warm Springs Ditch Co
Rights: 63-192, 63-19425, 63-216C



-  Place Of Use Boundary
 Townships
 PLS Sections
 Quarter Quarters

