

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79628**

This is to certify that: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

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>
63-125K	WR/DECREED	6/1/1871	1.010 cfs	N/A	N/A	2964.0	BOISE RIVER
63-126G	WR/DECREED	6/1/1891	0.480 cfs	N/A	N/A	2964.0	BOISE RIVER
63-161L	WR/DECREED	5/1/1866	0.540 cfs	N/A	N/A	2964.0	BOISE RIVER
63-205	WR/DECREED	6/1/1879	31.320 cfs	N/A	N/A	2964.0	BOISE RIVER
63-206	WR/DECREED	6/1/1886	15.220 cfs	N/A	N/A	2964.0	BOISE RIVER
63-258B	WR/DECREED	5/1/1893	0.690 cfs	N/A	N/A	2964.0	BOISE RIVER
63-263	WR/DECREED	6/1/1880	1.816 cfs	N/A	N/A	2964.0	BOISE RIVER
63-286	WR/DECREED	4/1/1897	0.540 cfs	N/A	N/A	2964.0	BOISE RIVER
63-288B	WR/DECREED	4/1/1880	0.440 cfs	N/A	N/A	2964.0	BOISE RIVER
63-28977	WR/DECREED	6/1/1864	0.400 cfs	N/A	N/A	2964.0	BOISE RIVER
63-31778	WR/DECREED	6/1/1888	8.950 cfs	N/A	N/A	2964.0	BOISE RIVER
63-31806	WR/DECREED	5/1/1883	0.680 cfs	N/A	N/A	2964.0	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>
63-125K	NO	NO	YES	NO	NO	NO
63-126G	NO	NO	YES	NO	NO	NO
63-161L	NO	NO	YES	NO	NO	NO
63-205	NO	NO	YES	NO	NO	NO
63-206	NO	NO	YES	NO	NO	NO
63-258B	NO	NO	YES	NO	NO	NO
63-263	NO	NO	YES	NO	NO	NO
63-286	NO	NO	YES	NO	NO	NO
63-288B	NO	NO	YES	NO	NO	NO
63-28977	NO	NO	YES	NO	NO	NO
63-31778	NO	NO	YES	NO	NO	NO
63-31806	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 63-125K

Transfer No. 79628

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79628

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-125K	63-125K	1.010 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-126G	63-126G	0.480 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-161L	63-161L	0.540 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-205	63-205	31.320 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-206	63-206	15.220 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-258B	63-258B	0.690 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-263	63-263	1.816 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-286	63-286	0.540 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-288B	63-288B	0.440 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-28977	63-28977	0.400 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31778	63-31778	8.950 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31806	63-31806	0.680 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		62.090 cfs	N/A	N/A	2964.0		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 November, 2014.


STEVE LESTER, Interim Western Region Manager

Transfer No. 79628

WATER RIGHT NO. 63-125K
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-125K is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1871

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.010 cfs
1.010 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-125K
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 54 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-28977
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-28977 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1864

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.400 cfs
0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-28977

As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 3 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-31778
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-31778 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1888

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
8.950 cfs
8.950 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-31778

As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right nos . 97, 102 and 103 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-31806
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-31806 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 5/1/1883

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.680 cfs
0.680 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-31806

As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 85C, 85D and 85E in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-126G
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-126G is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1891

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.480 cfs
0.480 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-126G
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 120 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-205
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-205 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1879

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
31.320 cfs
31.320 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79628

WATER RIGHT NO. 63-205
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 72 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-161L
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-161L is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 5/1/1866

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.540 cfs
0.540 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-161L
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
9. This right originated as all or part of right no. 30 in the Stewart Decree and the historic Boise River Water Masters records.
10. Water is delivered through the New Dry Creek Ditch.
11. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-206
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-206 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1886

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
15.220 cfs
15.220 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79628

WATER RIGHT NO. 63-206

As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 93 in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-258B
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-258B is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 5/1/1893

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.690 cfs
0.690 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-258B
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 124A in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-263
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-263 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 6/1/1880

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.816 cfs
1.816 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79628

WATER RIGHT NO. 63-263

As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 74A in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-286
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-286 is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 4/1/1897

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.540 cfs
0.540 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79628

WATER RIGHT NO. 63-286
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

8. Pursuant to a call in times of scarcity, this right is senior to Bryan decreed Right No 63-297 and any future splits of this right.
9. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
10. 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.
11. This right originated as all or part of right no. 129A in the Stewart Decree and the historic Boise River Water Masters records.
12. Water is delivered through the New Dry Creek Ditch.
13. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

WATER RIGHT NO. 63-288B
As Modified by Transfer No. 79628

In accordance with the approval of Transfer No. 79628, Water Right No. 63-288B is now described as follows:

Right Holder: NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR, ID 83669

Priority Date: 4/1/1880

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.440 cfs
0.440 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L7 (NESE) Sec 23 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. This right is limited to the irrigation of 2964 acres within the boundary of New Dry Creek Ditch Co.
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.

Transfer No. 79628

WATER RIGHT NO. 63-288B
As Modified by Transfer No. 79628

CONDITIONS OF APPROVAL

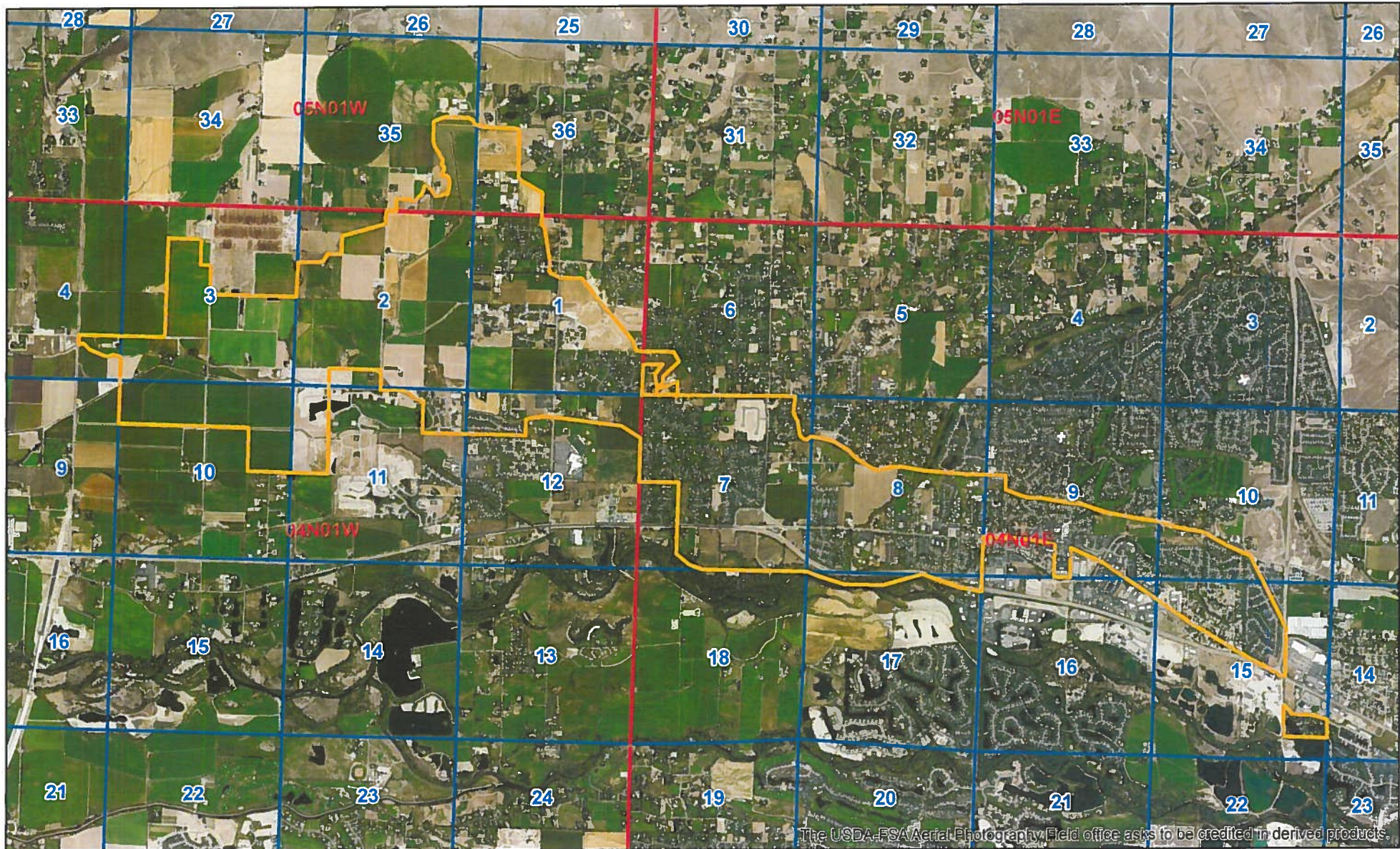
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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.
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. This right originated as all or part of right no. 73A in the Stewart Decree and the historic Boise River Water Masters records.
11. Water is delivered through the New Dry Creek Ditch.
12. The following rights are diverted through point of diversion described above: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806 and 63-31937

New Dry Creek Ditch Co. Transfer 79628

Legend

-  POU Boundary
-  Township/Range
-  Sections

0 0.5 1 2 Miles



RECEIVED

OCT 15 2014

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79628MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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 www.idwr.idaho.gov.

Name of Applicant(s) New Dry Creek Ditch Co.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 applicant as the current water right owner. **
- ☐ ☒ #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 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: _____

Page 1 of Transfer No. 79628SUPPORT DATA
IN FILE # 63-125K

RECEIVED

Rev. 07/13

OCT 15 2014

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) New Dry Creek Ditch Co. Phone 208-286-7685

Mailing address c/o Kari Rosti, 1460 N. Pollard Ln., Star, ID 83669 Email skrosti@speedyquick.net

- ☐ 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 Representative

Name of Representative SPF Water Engineering, LLC Phone 208-383-4140

Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@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.

Ron Sedlack
Signature of Applicant or Authorized Representative

Ron Sedlack Pres. NDcDC 10-6-2014
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. 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**.
- Modify applicant's current service area boundary to include lands that will receive surface water under Certificate 1066 and a portion of Certificate 1154.

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OCT 15 2014

WATER RESOURCES
WESTERN REGIONSTATE 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 ☒ ☐					
☒ ☐	63-125K	1.01 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-126G	0.48 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-161L	0.54 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-205	31.32 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-206	15.22 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-258B	0.69 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-263	1.816 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-286	0.54 cfs	Irrigation	3/1 to 11/15	Boise River
☒ ☐	63-288B	0.44 cfs	Irrigation	3/1 to 11/15	Boise River

Total authorized under rights 62.086 cfs and/or _____ acre-feet.2. Total amount of water proposed to be transferred or changed 0.32 cubic feet per second and/or _____ 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 #

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	6											X						
													L7						

Total Acres (for irrigation use)

*Add tract to applicant's current service area. No other changes proposed.

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:

No changes to existing diversion system proposed.

- 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:

- 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: _____

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:

Lands will no longer be irrigated due to development (i.e., pave over).

- 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:

Surface water from Farmers Union Ditch Co.

- 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:

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

Current Water Right No.: 63-125k

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1871
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

1.01 CFS

1.01 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

Page _____ of _____

T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENE
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENE	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESE	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENE	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESE	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENE	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESE	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENE	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESE

Total Acres: 2964

Conditions of Approval:

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
2. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.63-125B & 63-125D
3. SD1 This right originated as all or part of right no. 54 in the Stewart Decree and the historic Boise River Water Masters records.
4. 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.
5. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.
6. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
7. 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.
8. 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 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.
9. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.
10. 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 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.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-126g

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1891
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

0.48 CFS

0.48 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

Page _____ of _____

T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

Conditions of Approval:

1. SD1 This right originated as all or part of right no. 120 in the Stewart Decree and the historic Boise River Water Masters records.
2. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
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. 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 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.
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 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.
6. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
7. 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.
8. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
9. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-126.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-1611

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 5/1/1866
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

0.54 CFS

0.54 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW
T04N R01E S6		SWSE
T04N R01E S7		NWNE
T04N R01E S7		SENE
T04N R01E S7	Lot 1	NWNW
T04N R01E S7		SENW
T04N R01E S7	Lot 3	NWSW
T04N R01E S7	Lot 5	SESW
T04N R01E S7		NWSE
T04N R01E S7		SESE
T04N R01E S8		SENE
T04N R01E S8		SWNW
T04N R01E S8		NESW
T04N R01E S8		SWSW
T04N R01E S8		NESE
T04N R01E S8		SWSE
T04N R01E S9		SWNW
T04N R01E S9		NWSW
T04N R01E S9		SESW
T04N R01E S9		NWSE
T04N R01E S9		SESE
T04N R01E S10		NWSW
T04N R01E S10		SESW

T04N R01E S6		SESW
T04N R01E S7		NENE
T04N R01E S7		SWNE
T04N R01E S7		NENW
T04N R01E S7	Lot 2	SWNW
T04N R01E S7		NESW
T04N R01E S7	Lot 4	SWSW
T04N R01E S7		NESE
T04N R01E S7		SWSE
T04N R01E S8		SWNE
T04N R01E S8		NWNW
T04N R01E S8		SENW
T04N R01E S8		NWSW
T04N R01E S8		SESW
T04N R01E S8		NWSE
T04N R01E S8		SESE
T04N R01E S9		NESW
T04N R01E S9		SWSW
T04N R01E S9		NESE
T04N R01E S9		SWSE
T04N R01E S10		NESW
T04N R01E S10		SWSW
T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

Conditions of Approval:

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
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. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.
5. 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 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.
6. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-161
7. 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.
8. SD1 This right originated as all or part of right no. 30 in the Stewart Decree and the historic Boise River Water Masters records.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-205

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1879
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

31.32 CFS

31.32 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENE
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENE	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESE	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENE	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESE	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENE	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESE	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENE	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESE

Total Acres: 2964

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
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. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
4. 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 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.
5. 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.
6. 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 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.
7. SD1 This right originated as all or part of right no. 72 in the Stewart Decree and the historic Boise River Water Masters records.
8. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH

Decreed Date: 12/10/2007

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

Conditions of Approval:

1. 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.
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. 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 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.
4. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
6. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
7. SD1 This right originated as all or part of right no. 93 in the Stewart Decree and the historic Boise River Water Masters records.
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 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.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-258b

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 5/1/1893
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

0.69 CFS

0.69 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENE
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENE	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESE	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENE	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESE	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENE	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESE	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENE	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESE

Total Acres: 2964

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-258.
2. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
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 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.
5. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
6. 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.
7. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
8. SD1 This right originated as all or part of right no. 124-A in the Stewart Decree and the historic Boise River Water Masters records.
9. 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 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.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-263

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1880
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

1.816 CFS

1.816 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW
T04N R01E S6		SWSE
T04N R01E S7		NWNE
T04N R01E S7		SENE
T04N R01E S7	Lot 1	NWNW
T04N R01E S7		SENW
T04N R01E S7	Lot 3	NWSW
T04N R01E S7	Lot 5	SESW
T04N R01E S7		NWSE
T04N R01E S7		SESE
T04N R01E S8		SENE
T04N R01E S8		SWNW
T04N R01E S8		NESW
T04N R01E S8		SWSW
T04N R01E S8		NESE
T04N R01E S8		SWSE
T04N R01E S9		SWNW
T04N R01E S9		NWSW
T04N R01E S9		SESW
T04N R01E S9		NWSE
T04N R01E S9		SESE
T04N R01E S10		NWSW
T04N R01E S10		SESW

T04N R01E S6		SESW
T04N R01E S7		NENE
T04N R01E S7		SWNE
T04N R01E S7		NENW
T04N R01E S7	Lot 2	SWNW
T04N R01E S7		NESW
T04N R01E S7	Lot 4	SWSW
T04N R01E S7		NESE
T04N R01E S7		SWSE
T04N R01E S8		SWNE
T04N R01E S8		NWNW
T04N R01E S8		SENW
T04N R01E S8		NWSW
T04N R01E S8		SESW
T04N R01E S8		NWSE
T04N R01E S8		SESE
T04N R01E S9		NESW
T04N R01E S9		SWSW
T04N R01E S9		NESE
T04N R01E S9		SWSE
T04N R01E S10		NESW
T04N R01E S10		SWSW
T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

Conditions of Approval:

1. SD1 This right originated as all or part of right no. 74-A in the Stewart Decree and the historic Boise River Water Masters records.
2. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-286, 63-288B, 63-28977, 63-146, 63-31937
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. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
5. 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.
6. 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 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. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
8. 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 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.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-286

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 4/1/1897
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

0.54 CFS

0.54 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

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. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-288B, 63-28977, 63-146, 63-31937
3. SD1 This right originated as all or part of right no. 129-A in the Stewart Decree and the historic Boise River Water Masters records.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
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 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.
6. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
7. 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.
8. Pursuant to a call in times of scarcity, this right is senior to Bryan decreed Right No 63-297 and any future splits of this right.
9. 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 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.

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-288b

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 4/1/1880
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

0.44 CFS

0.44 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

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 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.
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. SD1 This right originated as all or part of right no. 73-A in the Stewart Decree and the historic Boise River Water Masters records.
4. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-28977, 63-146, 63-31937
5. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
6. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
7. 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.
8. 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 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.
9. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-288

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-28977

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1864
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

0.4 CFS

0.4 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S8		SWNW	T04N R01E S9		NESW
T04N R01E S8		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE
T04N R01E S15		NENW
T04N R01E S15		SWNW
T04N R01E S15		NESE
T04N R01E S15	Lot 1	SESE
T04N R01E S16		NENW
T04N R01E S17	Lot 1	NENE
T04N R01E S17		NENW
T04N R01E S18	Lot 1	NENE
T04N R01W S1		SWNE
T04N R01W S1	Lot 4	NWNW
T04N R01W S1		SENW
T04N R01W S1		NWSW
T04N R01W S1		SESW
T04N R01W S1		NWSE
T04N R01W S1		SESE
T04N R01W S2	Lot 2	NWNE
T04N R01W S2		SENE
T04N R01W S2	Lot 4	NWNW
T04N R01W S2		SENW
T04N R01W S2		NWSW
T04N R01W S2		SESW
T04N R01W S2		NWSE
T04N R01W S2		SESE
T04N R01W S3		SENE
T04N R01W S3	Lot 4	NWNW
T04N R01W S3		SENW
T04N R01W S3		NWSW
T04N R01W S3		SESW
T04N R01W S3		NWSE
T04N R01W S3		SESE
T04N R01W S4		SESE
T04N R01W S10		NWNE
T04N R01W S10		NENW
T04N R01W S11		NENE
T04N R01W S11		SENE
T04N R01W S11		SWNW
T04N R01W S12		NWNE
T04N R01W S12		NWNW
T04N R01W S12		SENW
T05N R01W S35		NESE
T05N R01W S35		SESE
T05N R01W S36		SWSW

T04N R01E S15		SWNE
T04N R01E S15		NWNW
T04N R01E S15		SENW
T04N R01E S15		NWSE
T04N R01E S16		NENE
T04N R01E S16		NWNW
T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NWNW
T04N R01E S18	Lot 2	NWNE
T04N R01W S1	Lot 3	NENW
T04N R01W S1		SWNW
T04N R01W S1		NESW
T04N R01W S1		SWSW
T04N R01W S1		NESE
T04N R01W S1		SWSE
T04N R01W S2	Lot 1	NENE
T04N R01W S2		SWNE
T04N R01W S2	Lot 3	NENW
T04N R01W S2		SWNW
T04N R01W S2		NESW
T04N R01W S2		SWSW
T04N R01W S2		NESE
T04N R01W S2		SWSE
T04N R01W S3		SWNE
T04N R01W S3	Lot 3	NENW
T04N R01W S3		SWNW
T04N R01W S3		NESW
T04N R01W S3		SWSW
T04N R01W S3		NESE
T04N R01W S3		SWSE
T04N R01W S4		NESE
T04N R01W S10		NENE
T04N R01W S10		SENE
T04N R01W S10		NWNW
T04N R01W S11		NWNE
T04N R01W S11		NWNW
T04N R01W S12		NENE
T04N R01W S12		NENW
T04N R01W S12		SWNW
T05N R01W S35		SENE
T05N R01W S35		SWSE
T05N R01W S36		NWSW
T05N R01W S36		SESW

Total Acres: 2964

Conditions of Approval:

1. SD1 This right originated as all or part of right no. 3 in the Stewart Decree and the historic Boise River Water Masters records.
2. 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 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.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
4. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-286, 63-288B, 63-263, 63-146, 63-31937
5. 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.
6. 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 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. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-124B & 63-124D.
8. 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.
9. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH

Decreed Date: 12/10/2007

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

Current Water Right No.: 63-31778

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 6/1/1888
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

8.95 CFS

8.95 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENE	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENE
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

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T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

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. 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 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.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
4. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
5. 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 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.
6. SD1 This right originated as all or part of right nos. 97, 102 and 103 in the Stewart Decree and the historic Boise River Water Masters records.
7. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
8. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-207, 63-238A, 63-239B & 63-239C.
9. 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: 12/10/2007

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

Current Water Right No.: 63-31806

Current Owner: NEW DRY CREEK DITCH CO
Priority Date: 5/1/1883
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

0.68 CFS

0.68 CFS

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NE1/4SE1/4

Sec. 23, Twp 04N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01E S6	Lot 7	SWSW	T04N R01E S6		SESW
T04N R01E S6		SWSE	T04N R01E S7		NENE
T04N R01E S7		NWNE	T04N R01E S7		SWNE
T04N R01E S7		SENE	T04N R01E S7		NENW
T04N R01E S7	Lot 1	NWNW	T04N R01E S7	Lot 2	SWNW
T04N R01E S7		SENW	T04N R01E S7		NESW
T04N R01E S7	Lot 3	NWSW	T04N R01E S7	Lot 4	SWSW
T04N R01E S7	Lot 5	SESW	T04N R01E S7		NESE
T04N R01E S7		NWSE	T04N R01E S7		SWSE
T04N R01E S7		SESE	T04N R01E S8		SWNE
T04N R01E S8		SENE	T04N R01E S8		NWNW
T04N R01E S8		SWNW	T04N R01E S8		SENW
T04N R01E S8		NESW	T04N R01E S8		NWSW
T04N R01E S8		SWSW	T04N R01E S8		SESW
T04N R01E S8		NESE	T04N R01E S8		NWSE
T04N R01E S8		SWSE	T04N R01E S8		SESE
T04N R01E S9		SWNW	T04N R01E S9		NESW
T04N R01E S9		NWSW	T04N R01E S9		SWSW
T04N R01E S9		SESW	T04N R01E S9		NESE
T04N R01E S9		NWSE	T04N R01E S9		SWSE
T04N R01E S9		SESE	T04N R01E S10		NESW
T04N R01E S10		NWSW	T04N R01E S10		SWSW
T04N R01E S10		SESW	T04N R01E S10		SWSE

Page _____ of _____

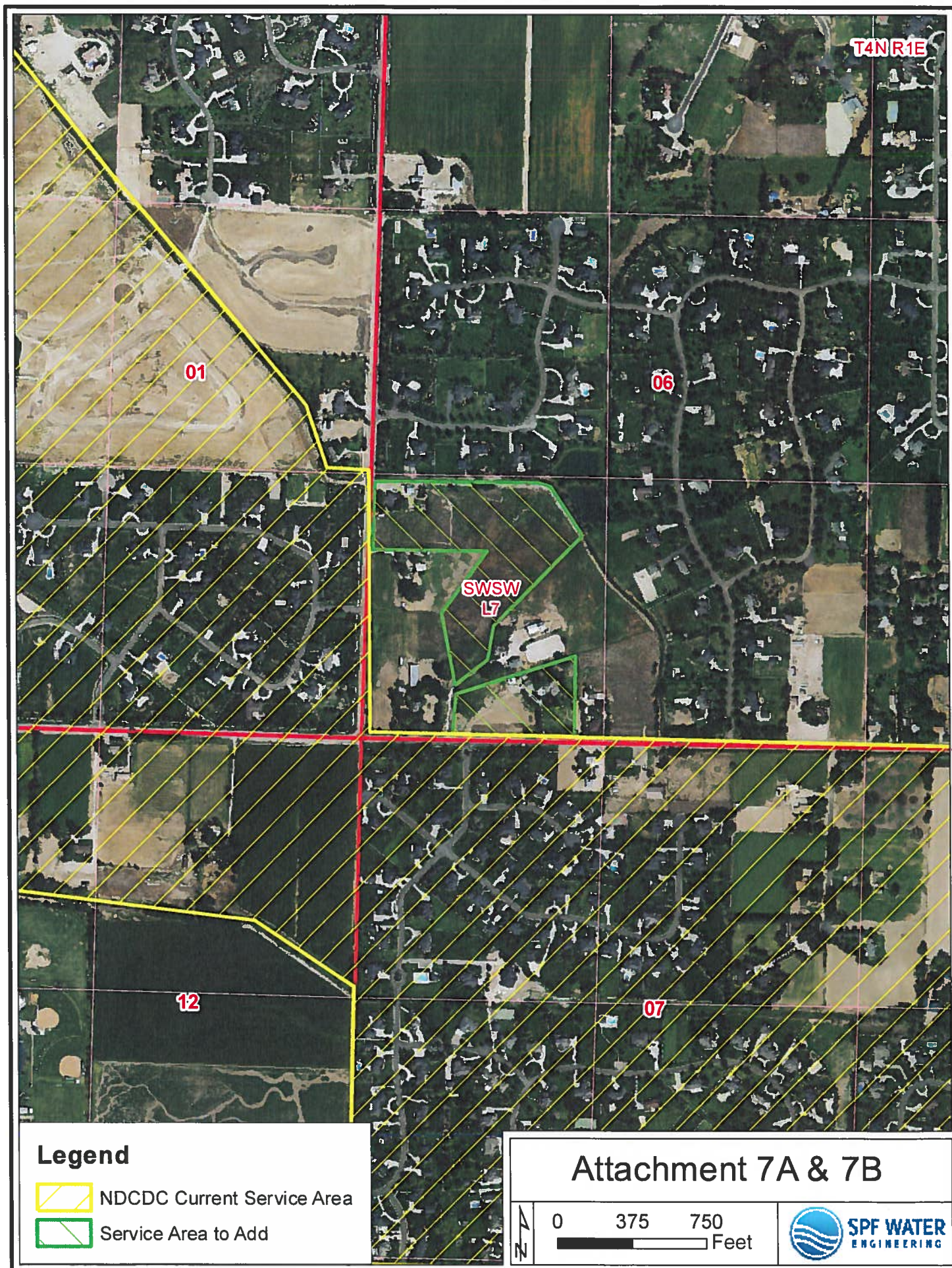
T04N R01E S15		NWNE	T04N R01E S15		SWNE
T04N R01E S15		NENW	T04N R01E S15		NWNW
T04N R01E S15		SWNW	T04N R01E S15		SENW
T04N R01E S15		NESE	T04N R01E S15		NWSE
T04N R01E S15	Lot 1	SESE	T04N R01E S16		NENE
T04N R01E S16		NENW	T04N R01E S16		NWNW
T04N R01E S17	Lot 1	NENE	T04N R01E S17	Lot 2	NWNE
T04N R01E S17		NENW	T04N R01E S17		NWNW
T04N R01E S18	Lot 1	NENE	T04N R01E S18	Lot 2	NWNE
T04N R01W S1		SWNE	T04N R01W S1	Lot 3	NENW
T04N R01W S1	Lot 4	NWNW	T04N R01W S1		SWNW
T04N R01W S1		SENW	T04N R01W S1		NESW
T04N R01W S1		NWSW	T04N R01W S1		SWSW
T04N R01W S1		SESW	T04N R01W S1		NESE
T04N R01W S1		NWSE	T04N R01W S1		SWSE
T04N R01W S1		SESE	T04N R01W S2	Lot 1	NENE
T04N R01W S2	Lot 2	NWNE	T04N R01W S2		SWNE
T04N R01W S2		SENE	T04N R01W S2	Lot 3	NENW
T04N R01W S2	Lot 4	NWNW	T04N R01W S2		SWNW
T04N R01W S2		SENW	T04N R01W S2		NESW
T04N R01W S2		NWSW	T04N R01W S2		SWSW
T04N R01W S2		SESW	T04N R01W S2		NESE
T04N R01W S2		NWSE	T04N R01W S2		SWSE
T04N R01W S2		SESE	T04N R01W S3		SWNE
T04N R01W S3		SENE	T04N R01W S3	Lot 3	NENW
T04N R01W S3	Lot 4	NWNW	T04N R01W S3		SWNW
T04N R01W S3		SENW	T04N R01W S3		NESW
T04N R01W S3		NWSW	T04N R01W S3		SWSW
T04N R01W S3		SESW	T04N R01W S3		NESE
T04N R01W S3		NWSE	T04N R01W S3		SWSE
T04N R01W S3		SESE	T04N R01W S4		NESE
T04N R01W S4		SESE	T04N R01W S10		NENE
T04N R01W S10		NWNE	T04N R01W S10		SENE
T04N R01W S10		NENW	T04N R01W S10		NWNW
T04N R01W S11		NENE	T04N R01W S11		NWNE
T04N R01W S11		SENE	T04N R01W S11		NWNW
T04N R01W S11		SWNW	T04N R01W S12		NENE
T04N R01W S12		NWNE	T04N R01W S12		NENW
T04N R01W S12		NWNW	T04N R01W S12		SWNW
T04N R01W S12		SENW	T05N R01W S35		SENE
T05N R01W S35		NESE	T05N R01W S35		SWSE
T05N R01W S35		SESE	T05N R01W S36		NWSW
T05N R01W S36		SWSW	T05N R01W S36		SESW

Total Acres: 2964

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 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.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
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. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-31778, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
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 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.
6. 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.
7. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
8. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-259, 63-260A, & 63-261.
9. SD1 This right originated as all or part of right nos. 85-C, 85-D and 85-E in the Stewart Decree and the historic Boise River Water Masters records.

Decreed Date: 12/10/2007





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

November 20, 2014

NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR ID 83669

Re: Transfer No. 79628

Water Right No's: 63-125K , 63-126G , 63-161L , 63-205, 63-206, 63-258B ,
63-263, 63-286, 63-288B , 63-28977, 63-31778, 63-31806.

Transfer Approval Notice

Dear Water Right Holders:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

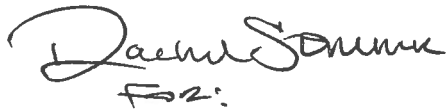
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". Below the signature, the letters "SL" are written in a smaller, cursive script.

Steve Lester
Interim Western Region Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No. 79628

**Water Right No's: 63-125K , 63-126G , 63-161L , 63-205, 63-206, 63-258B ,
63-263, 63-286, 63-288B , 63-28977, 63-31778, 63-31806.**

**NEW DRY CREEK DITCH CO
C/O KARI ROSTI
1460 N POLLARD LN
STAR ID 83669**

**LIZ.CRESTO@IDWR.IDAHO.GOV
ID DEPT OF WATER RESOURCES**



**Rachel Sommer
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, November 20, 2014 12:12 PM
To: Cresto, Liz
Subject: Transfer Approval 79628
Attachments: Transfer Approval 79628.pdf

Dear Liz Cresto,

Per the request of Rex Barrie, I have attached Transfer Approval No. 79628.

Please let me know if you have any questions.

Sincerely,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

Curtis, Sharla

From: Rex Barrie [waterdistrict63@qwestoffice.net]
Sent: Friday, October 24, 2014 7:47 AM
To: Curtis, Sharla
Cc: Cresto, Liz
Subject: RE: Pending Transfer

Just be sure and let Liz Cresto know about this incase she needs to adjust for it in the accounting.

Thank You,

Rex R. Barrie
Boise River Watermaster

From: Curtis, Sharla [<mailto:Sharla.Curtis@idwr.idaho.gov>]
Sent: Thursday, October 23, 2014 1:37 PM
To: WATERDISTRICT63@QWESTOFFICE.NET
Subject: Pending Transfer

Rex,

Attached is a draft copy of a transfer we have reviewed. Because it only serves to include lands to NDCDC's service area boundary, we are not going to advertise it. If we did, that's when you would be asked to comment on it. Since we're not advertising, however, I am just sending you a copy of the draft for your review and ask that you send your comments back to me within the next week.

Let me know if you have questions or problems opening the document.

Sharla Curtis

MEMORANDUM

TO: Transfer No. 79628
FROM: Sharla Curtis
DATE: October 23, 2014
RE: Evaluation of Application

The transfer proposes to modify the applicant's current service area boundary to include lands that will receive water under Certificate 1066 and a portion of Certificate 1154.

Deviations from Transfer Policy Standards

Because this transfer only proposes to modify the large POU service boundary, the transfer will not be advertised.

Summary of Information Submitted

Authority to File: Applicant is owner of record for all rights and therefore has the authority to file the transfer.

Water Right Validity: Rights presumed to be valid. The decrees were issued in 2007 but the number of acres the ditch company can serve remains the same, even though the transfer is to include other lands within their boundary. The Boise River watermaster has been asked to comment on the application; if there is a question of delivery and use, he will notify the department of such.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement should occur; all parameters of the right are unchanged except the inclusion of lands within the service area boundary; the total number of acres authorized for irrigation under New Dry Creek Ditch Co. remains the same.

Local Public Interest: Agriculture use is considered to be in the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.



RECEIVED

OCT 15 2014

WATER RESOURCES
WESTERN REGION

October 14, 2014

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

Subject: Application for Transfer

Dear Steve,

Enclosed on behalf of New Dry Creek Ditch Company (New Dry Creek), is an *Application for Transfer* seeking authorization to add 16.34 acres into the New Dry Creek service area consisting of four parcels located within the SWSW, Section 6, T4N, R1E. A portion of this area is currently served by Farmers Union Ditch Company. The purpose of this change is to allow the four properties to be served by a single pressurized irrigation system with a continuous flow delivery from the New Dry Creek Canal. The portion of the 16.34 acres served by Farmers Union is currently on a 14-day rotation. Landscape irrigation proposed for these lands is not compatible with a 14-day rotation. Commingling of Farmers Union and New Dry Creek water is not proposed. The pressurized irrigation system will deliver New Dry Creek water only, and there will be no delivery of Farmers Union water to the 16.34 acres. Upon approval of the transfer application, the 16.34-acre area can be removed from the Farmers Union service area.

A copy of the enclosed transfer application was sent to the Farmers Union Ditch Company for their review, and was subsequently discussed at their board meeting on September 9. The Farmers Union Board is not opposed to the proposed transfer.

Check No. 8802 for \$500 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,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written over a light blue horizontal line.

Lori Graves
Water Rights Specialist

Cc: Ron Sedlacek – President, New Dry Creek Ditch Co.
Bryce Farris – Attorney, New Dry Creek Ditch Co.
Brian Harm – President, Farmers Union Ditch Co.
David Yorgason - Tall Timber Consulting

Enclosures

SPF file number: 1101.0010