

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 73824

This is to certify that: MC CONNEL ISLAND DITCH CO LTD  
PO BOX 729  
PARMA ID 83660  
(208)722-5210

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 Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 63-4632F     | WR/Decreed          | 03/15/1894      | 0.18 cfs    | 28.8 af       | N/A               | 1,206.0            | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-4632F              | NO           | NO         | NO         | NO             | YES                  | YES                  |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-4632F              | <b>63-4632F</b>                  | 0.18 cfs             | 27.4 af                | N/A               | N/A                |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.18 cfs</b>      | <b>27.4 af</b>         | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This transfer approval also modifies conditions of 13 associated water rights owned by Mc Connel Island Ditch Company LTD as shown below.

Rights 63-4632A, 63-4632B, 63-4632C, 63-4632D, 63-4632E, 63-4632G, 63-4632H, 63-4632J, 63-4632K, 63-4632L, 63-4632M, and 63-4632N when combined can be used to irrigate up to 1,198.4 acres within the boundary of McConnell Island Ditch Co LTD.

Right 63-4632A, 63-4632B, 63-4632C, 63-4632D, 63-4632E, 63-4632G, 63-4632H, 63-4632J, 63-4632K, 63-4632L, 63-4632M, 63-4632N, and 63-32537 when combined can be used to irrigate up to 1226.4 acres within the boundary of McConnell Island Ditch Co LTD.

SUPPORT DATA  
IN FILE # 63-4632F

**SCANNED**  
FEB 15 2012

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 73824

Detailed Water Right Description(s) attached

Dated this 8<sup>th</sup> day of February, 2012

*for* Camela S Skaggs  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 63-4632F**  
**As Modified by Transfer No. 73824**

In accordance with the approval of Transfer No. 73824, Water Right No. 63-4632F is now described as follows.

**Right Holder:** MC CONNELL ISLAND DITCH CO LTD  
 PO BOX 729  
 PARMA ID 83660

**Priority Date:** March 15, 1894

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| DIVERSION TO STORAGE  | 03/15 to    | 11/15     | 0.18 CFS              |               |
| WILDLIFE STORAGE      | 01/01 to    | 12/31     |                       | 27.4 AF       |
| STOCKWATER STORAGE    | 01/01 to    | 12/31     |                       | 27.4 AF       |
|                       |             |           | 0.18 CFS              | 27.4 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

BOISE RIVER                      L1 (SESE)                      Sec. 7   Twp 05N   Rge 05W CANYON County

**PLACE OF USE:**    WILDLIFE STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N 06W 12  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE:**    STOCKWATER STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N 06W 12  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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.
2. 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(s).

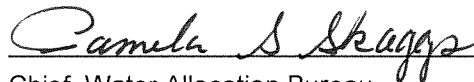
**WATER RIGHT NO. 63-4632F**  
**As Modified by Transfer No. 73824**

**CONDITIONS OF APPROVAL**

3. Diversion under this water right prior to March 15 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
4. Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
5. This right authorizes the diversion of an annual total of 27.4 acre-feet for the replacement of losses caused by evaporation from the ponds associated with Rights 63-32560 and 63-32561.
6. The following rights are diverted through point(s) of diversion described above: 63-4632A, 63-4632B, 63-4632C, 63-4632D, 63-4632E, 63-4632F, 63-4632G, 63-4632H, 63-4632J, 63-4632K, 63-4632L, 63-4632M, 63-4632N, 63-32537.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

This water right 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.

Dated this 8<sup>th</sup> day of February, 20 12

  
Chief, Water Allocation Bureau