

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74508

This is to certify that: SOUTH BOISE WATER CO
 PO BOX 6005
 BOISE ID 83707
 (208)467-0079

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>
63-185B	AJC/Decreed	06/01/1871	1.06 cfs	N/A	N/A	871.78	BOISE RIVER

Purpose of Transfer (Changes Proposed)

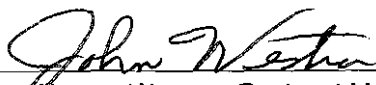
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-185B	NO	NO	NO	NO	NO	YES

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>
63-185B	63-185B	1.06 cfs	N/A	N/A	871.28		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.06 cfs	N/A	N/A	871.28		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of April, 2009


 John Westra, Western Regional Manager

This approval document also contains 5 pages of associated water rights whose conditions have been updated as a result of this transfer (shown as pages 4 thru 8). These associated rights are as follows: 63-148C, 63-150 and 63-2392C

WATER RIGHT NO. 63-185B
As Modified by Transfer No. 74508

In accordance with the approval of Transfer No. 74508, Water Right No. 63-185B is now described as follows.

Right Holder: SOUTH BOISE WATER CO
 PO BOX 6005
 BOISE ID 83707

Priority Date: June 01, 1871

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
AESTHETIC	03/01	to 11/15	0.01 CFS
IRRIGATION	03/01	to 11/15	1.05 CFS
			1.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER	L5 (NENWSE)	Sec. 24 Twp 03N	Rge 02E	ADA County
BOISE RIVER	L6 (SWSWSW)	Sec. 19 Twp 03N	Rge 03E	ADA County

PLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03E	19											X						
													L 6						

PLACE OF USE: IRRIGATION (See conditions 1 and 2 below)

CONDITIONS OF APPROVAL

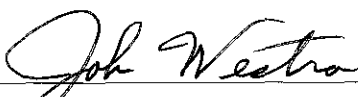
1. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. This right is limited to the irrigation of 871.28 acres within the place of use described above in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-185B
As Modified by Transfer No. 74508
CONDITIONS OF APPROVAL

5. 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.
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 diversions.
8. This right authorizes the diversion rate of 0.01 cfs for ground water recharge as replacement of losses caused by evaporation from the aesthetic channels associated with Right 63-31878.
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. This right is designated as No. 53 in the Boise River Water Masters records and the Stewart Decree.
13. The following rights are diverted through points of diversion described above: 63-149A, 63-150, 63-164C, 63-185A, 63-148C, 63-2392C, 63-2392D, 63-9386B, and 63-185B.

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 1st day of April, 20 09


John Westra, Western Regional Manager

State of Idaho
Department of Water Resources
WATER RIGHT NO. 63-148C

Priority: June 1, 1865

Maximum Diversion Rate: 3.13 CFS
Maximum Diversion Volume: 704.2 AF

Right Holder: SOUTH BOISE WATER CO
C/O EVELYN HOLDER SECRETARY
PO BOX 6005
BOISE ID 83707

SOURCE

BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

3/1 to 11/15

DIVERSION RATE

9.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L5 (NE1/4NW1/4SE1/4) Sec. 24, Twp 03N, Rge 02E, B.M. ADA County
BOISE RIVER L6 (SW1/4SW1/4SW1/4) Sec. 19, Twp 03N, Rge 03E, B.M. ADA County

PLACE OF USE: IRRIGATION (See conditions 1 and 6)

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 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.
3. The following rights are also diverted through points of diversion described above: 63-149A, 63-150, 63-164C, 63-185A, 63-185B, 63-2392C, 63-2392D, 63-9386B.
4. Water is delivered through the Rossi-Mill Ditch and an unnamed stream known locally as Loggers Creek.

State of Idaho
Department of Water Resources
WATER RIGHT NO. 63-148C

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 871.28 acres within the boundary of the South Boise Water Co.
6. 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.
7. 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.
8. This right is designated as No. 16 in the Boise River Water Masters records and the Stewart Decree.

Dated this 1st day of April, 2009.



John Westra, Western Regional Manager

**State of Idaho
Department of Water Resources**

WATER RIGHT NO. 63-150

Priority: June 01, 1865

Maximum Diversion Rate: 0.80 CFS

Right Holder: SOUTH BOISE WATER CO
C/O EVELYN HOLDER SECRETARY
PO BOX 6005
BOISE ID 83707

SOURCE

BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

3/1 to 11/15

DIVERSION RATE

0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L5 (NE1/4NW1/4SE1/4) Sec. 24, Twp 03N, Rge 02E, B.M. ADA County

BOISE RIVER L6 (SW1/4SW1/4SW1/4) Sec. 19, Twp 03N, Rge 03E, B.M. ADA County

PLACE OF USE: IRRIGATION (See conditions 1 and 5)

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 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.
3. The following rights are also diverted through points of diversion described above:
63-149A, 63-148C, 63-164C, 63-185A, 63-185B, 63-2392C, 63-2392D, 63-9386B.
4. Water is delivered through the Rossi-Mill Ditch and an unnamed stream known locally as Loggers Creek.
5. This right is limited to the irrigation of 871.28 acres within the boundary of the South Boise Water Co.

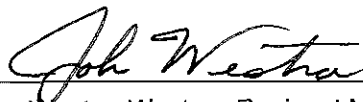
State of Idaho
Department of Water Resources

WATER RIGHT NO. 63-150

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. This right is designated as No. 18 in the Boise River Water Masters records and the Stewart Decree.

Dated this 1st day of April, 2009.



John Westra, Western Regional Manager

State of Idaho
Department of Water Resources
WATER RIGHT NO. 63-2392C

Priority: September 13, 1927

Maximum Diversion Rate: 15.40 CFS

Right Holder: SOUTH BOISE WATER CO
C/O EVELYN HOLDER SECRETARY
PO BOX 6005
BOISE ID 83707

SOURCE

WASTE WATER

Tributary: BOISE RIVER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

3/1 to 11/15

DIVERSION RATE

1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER L5 (NE1/4NW1/4SE1/4) Sec. 24, Twp 03N, Rge 02E, B.M. ADA County
WASTE WATER L6 (SW1/4SW1/4SW1/4) Sec. 19, Twp 03N, Rge 03E, B.M. ADA County

PLACE OF USE: IRRIGATION (See conditions 1 and 5)

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. The following rights are also diverted through points of diversion described above:
63-149A, 63-148C, 63-164C, 63-185A, 63-185B, 63-150, 63-2392D, 63-9386B.
3. Water is delivered through the Rossi-Mill Ditch and an unnamed stream known locally as Loggers Creek.
4. This right is limited to the irrigation of 871.28 acres within the boundary of the South Boise Water Co.
5. 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. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Dated this 1st day of April, 2009.


John Westra, Western Regional Manager