

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73786

This is to certify that: DYVER DEVELOPMENT LLC
 1977 E OVERLAND RD
 MERIDIAN ID 83642
 (208) 288-5560

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>
63-32323	AJC/License	06/09/1961	0.62 cfs	173.25 af	N/A	38.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

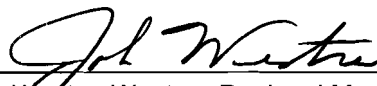
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-32323	NO	YES	YES	NO	NO	NO

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>
63-32323	63-32323	0.62 cfs	173.3 af	38.5	84.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.62 cfs	173.3 af	38.5	84	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of August, 20 08


 John Westra, Western Regional Manager

WATER RIGHT NO. 63-32323
As Modified by Transfer No. 73786

In accordance with the approval of Transfer No. 73786, Water Right No. 63-32323 is now described as follows.

Right Holder: DYVER DEVELOPMENT LLC
1977 E OVERLAND RD
MERIDIAN ID 83642
(208) 288-5560

Priority Date: June 09, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.62 CFS	173.3 AF
			0.62 CFS	173.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 10 Twp 03N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

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 03W 10													40.0	31.0	11.0	2.0	84.0

Total Acres: 84

CONDITIONS OF APPROVAL

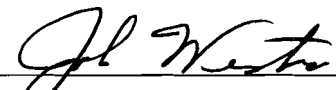
1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

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5. Use of this right is combined with water from Wilder Irrigation District.
6. Use of this right is combined with water from Pioneer Irrigation District.
7. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. This right is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. Place of use is located within Kingsview and Quail Ridge Subdivisions.
12. Point of diversion is located within Kingsview Subdivision.
13. This right does not grant any right-of-way or easement across the land of another.

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 26th day of August, 20 08



John Westra, Western Regional Manager