

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED

**TRANSFER OF WATER RIGHT
TRANSFER NO. 73959**

AMENDED

This is to certify that: COAST 2 COAST LLC
1676 STEAM POINT LN
EAGLE ID 83616
(208) 559-3240

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>
63-144A	WR/Decreed	06/01/1865	2.03 cfs	301.5 af	N/A	67.0	BOISE RIVER
63-144C	WR/Decreed	06/01/1865	0.76 cfs	112.5 af	N/A	25.0	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>
63-144A	NO	NO	YES	NO	YES	YES
63-144C	YES	NO	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>
63-144A	63-144A	2.03 cfs	251 af	23.7	117.2		N/A	N/A	N/A	N/A
63-144C	63-32918	0.32 cfs	46.8 af	10.4	117.2	63-32917	0.44 cfs	65.7 af	N/A	14.6
COMBINED TOTALS		2.35 cfs	297.8 af	34.1	117.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1ST day of May, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-144A

WATER RIGHT NO. 63-144A
As Modified by Transfer No. 73959

In accordance with the approval of Transfer No. 73959, Water Right No. 63-144A is now described as follows.

Right Holder: COAST TO COAST LLC
 1676 STEAM POINT LN
 EAGLE ID 83616

Priority Date: June 01, 1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC STORAGE	01/01 to	12/31		144.3 AF
DIVERSION TO STORAGE	03/01 to	11/15	2.03 CFS	
IRRIGATION	03/01 to	11/15	0.72 CFS	106.7 AF
			2.03 CFS	251.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L8 (SENE) Sec. 21 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	21	X	X			X	X		X									
			L2	L2			L3	L4		L3									

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	
04N	01E	16											.2	.2					.4
													L1						
04N	01E	21	22.4	19.6			28.5	24.7	9.2	12.4									116.8
			L2	L2			L3	L4	L4	L3									

Total Acres: 117.2

WATER RIGHT NO. 63-144A
As Modified by Transfer No. 73959

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).
3. The following rights are diverted through the point of diversion described above: 63-144D, 63-32917, 63-32918
4. Within any 24-hour period, rediversion from the pond(s) for irrigation purposes shall not exceed the total volume of water delivered to the pond from the Boise River for irrigation purposes pursuant to this right within the same 24-hour period.
5. Prior to diversion and use of water for irrigation purposes under this right, the right holder shall install a totalizing measuring device of a type approved by the department on the system for rediverting water from the pond(s) for irrigation. The measuring device shall be read and recorded on a daily basis and the right holder must record and maintain records of all irrigation diversions from the ponds identifying the amount of water diverted by date and the total annual volume. These records must be made available for inspection by the department upon request. Each annual record must be maintained for a minimum of 10 years.
6. 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 for the delivery of water through the Coast 2 Coast Subdivision to other users of the common conveyance system.
7. This right is limited to the irrigation of 23.7 acres within the place of use described above in a single irrigation season.
8. Rights 63-144A and 63-32918 when combined shall not exceed a total diversion rate of 2.35 cfs, a total annual maximum diversion volume of 297.8 af at the field headgate, and the irrigation of 34.1 acres.
9. This right authorizes an annual diversion volume of 144.3 af for aesthetic storage as replacement for evaporation losses from aesthetic ponds authorized under Right 63-32229.
10. 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 Reservoirs 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.

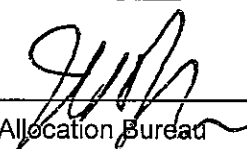
WATER RIGHT NO. 63-144A
As Modified by Transfer No. 73959

CONDITIONS OF APPROVAL

11. 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.
12. This right is also designated as Right No. 12 in the Boise River Stewart Decree and Boise River Water Distribution Report.
13. Place of use is the Coast 2 Coast Subdivision.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-32917
As Modified by Transfer No. 73959

In accordance with the approval of Transfer No. 73959, Water Right No. 63-32917 is now described as follows.

Right Holder: NAGY SPRINGCREEK, LLC
 80 W COTTONWOOD CT, STE 150
 EAGLE ID 83616

Priority Date: June 01, 1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to	11/15	0.44 CFS	65.7 AF
			0.44 CFS	65.7 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L8 (SENE) Sec. 21 Twp 04N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	20	13.1			1.5													14.6
			L 1																

Total Acres: 14.6

WATER RIGHT NO. 63-32917
As Modified by Transfer No. 73959

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. 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.
3. 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 Reservoirs 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.
4. This right is also designated as Right No. 12 in the Boise River Stewart Decree and Boise River Distribution Report.

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 May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-32918
As Modified by Transfer No. 73959

In accordance with the approval of Transfer No. 73959, Water Right No. 63-32918 is now described as follows.

Right Holder: COAST 2 COAST LLC
 1665 W HILL RD
 BOISE ID 83702

Priority Date: June 01, 1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.32 CFS	46.8 AF
			0.32 CFS	46.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L8 (SENE) Sec. 21 Twp 04N Rge 01E ADA 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	
04N	01E	16											.2	.2					.4
04N	01E	21		22.4	19.6		28.5	24.7	9.2	12.4				L 1					116.8
				L 2	L 2		L 3	L 4	L 4	L 3									

Total Acres: 117.2

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).
3. 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 amount of water released from the reservoir.
4. This right is limited to the irrigation of 10.4 acres within the place of use described above in a single irrigation season.
5. Rights 63-144A and 63-32918 when combined shall not exceed a total diversion rate of 2.35 cfs, a total annual maximum diversion volume of 297.8 af at the field headgate, and the irrigation of 34.1 acres.

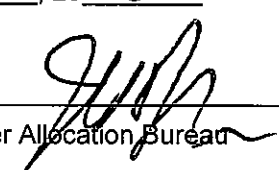
WATER RIGHT NO. 63-32918
As Modified by Transfer No. 73959

CONDITIONS OF APPROVAL

6. 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.
7. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. The following rights are diverted through point of diversion described above: 63-144A, 63-144D, 63-32917.
9. This right is also designated as Right No. 12 in the Boise River Stewart Decree and Boise River Water Distribution Report.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 1st day of May, 20 08



Chief, Water Allocation Bureau