

WITHDRAWNTransfer No. 73767**RECEIVED****STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES****FEB 08 2007****WATER RESOURCES
WESTERN REGION****APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant Boise-Highland Development Co. Phone (208) 853-1222Post Office address 6100 Pierce Park Ln., Boise, ID 83703**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 the reason for the proposed changes A portion of water right 61-7208 will be moved to provide water for the Sterling Sage
Subdivision.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

<u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>61-7208</u>	<u>11/18/1974</u>	<u>1.36 cfs/621 ac-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
		<u>0.60 cfs/44 ac-ft</u>	<u>domestic</u>	<u>1/01</u> to <u>12/31</u>
		<u>0.04 cfs/10 ac-ft</u>	<u>commercial</u>	<u>1/01</u> to <u>12/31</u>
				to _____

2. Total amount of water being transferred 1.48 cubic feet per second and/or 675 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

<u>Lot</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	<u>Local name for diversion</u>
		SW	NE	11	01S	04E	Elmore	
		SE	SE	02	01S	04E	Elmore	
		NW	SE	11	01S	04E	Elmore	
		NE	NE	11	01S	04E	Elmore	

5. Lands irrigated or place of use:

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE ¼</u>				<u>NW ¼</u>				<u>SW ¼</u>				<u>SE ¼</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01S	04E	2													40		40	40	120
															D		D	D	
															C		C	C	
		11	40	40	37	40										16			173
			D	D	D	D										D			
			C	C	C	C										C			

Total Acres 138 acres within a 293 acre PPU

PART 1

6. General Information:
- a. Description of diversion system wells and electric pumps

 - b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
 - c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
150 acres of the original place of use will no longer be irrigated.

 - d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (see attached copy of Partial Decree 61-7208)

1. Right as evidenced by:
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership.
Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:
- | | | | |
|-----------------------------|-----------|---------------------|----------|
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above None

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.36 cfs/621 ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount 0.60 cfs/44 ac-ft for domestic purposes from 1/01 to 12/31
 (cfs/ac-ft)
 amount 0.04 cfs/10 ac-ft for commercial purposes from 1/01 to 12/31
 (cfs/ac-ft)

Total amount of water being transferred 1.48 cubic feet per second and/or 675 acre-feet per annum.

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	11	01S	04E	Elmore	
		SE	SE	02	01S	04E	Elmore	
		NW	SE	11	01S	04E	Elmore	
		NE	NE	11	01S	04E	Elmore	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	04E	2													40		40	40	120
															D		D	D	
															C		C	C	
		11	40	40	37	40										16			173
			D	D	D	D										D			
			C	C	C	C										C			

Total Acres 138 acres within a 293 acre PPU

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.08 cfs/495 ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	36	04S	05E	Elmore	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	36	40	40	40	40													160

Total Acres 110 acres within a 160 acre PPU

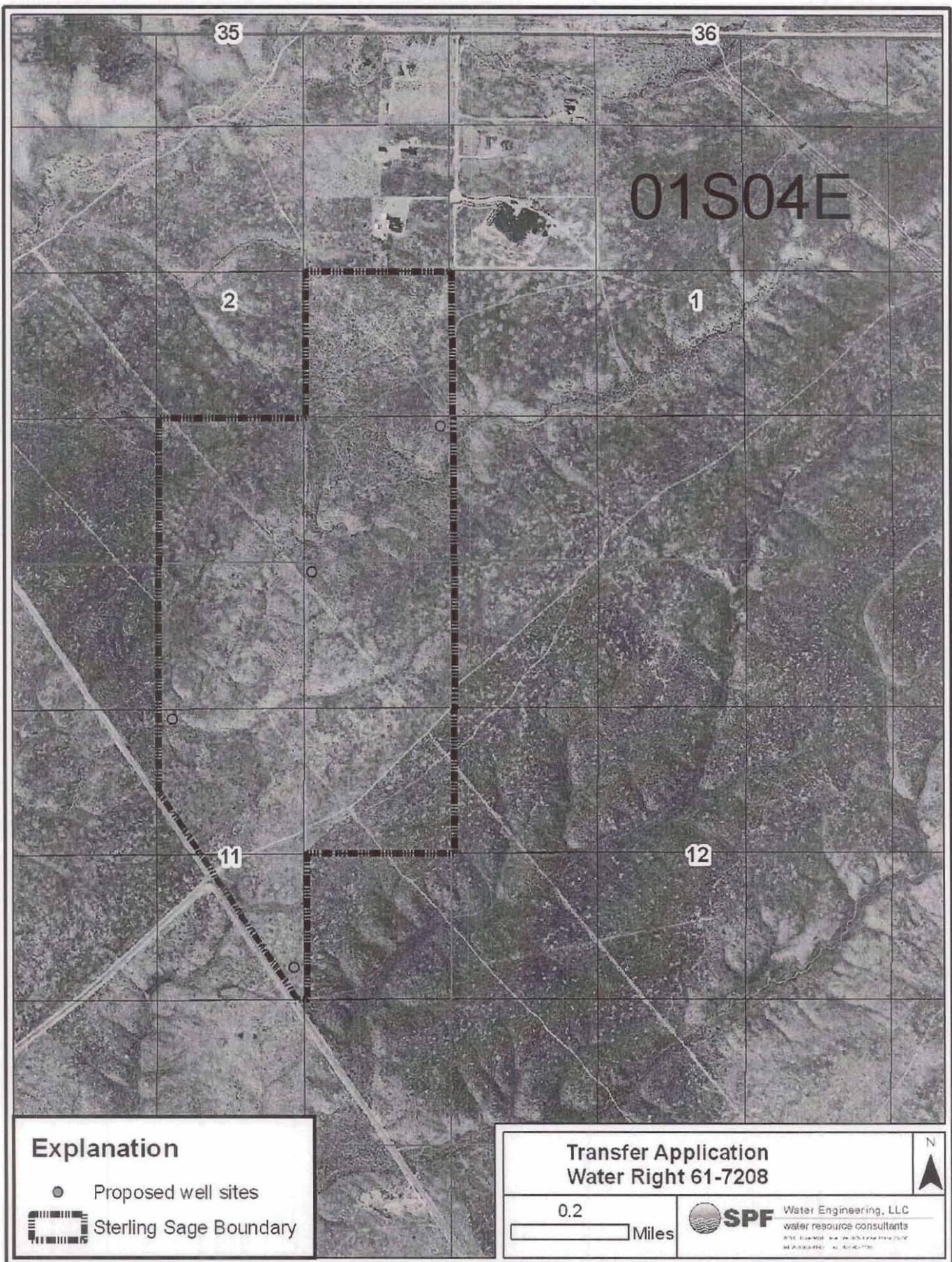
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

A large grid for drawing a map, consisting of 16 columns and 16 rows of squares. The grid is divided into four 4x4 quadrants by a central horizontal and vertical line. In the center of the grid, there is a rectangular box containing the text "See attached map." The grid is intended for drawing a map or attaching a USGS map, with the text indicating that the map is already attached.

Scale: 2 inches equal 1 mile. Draw plan in ink.



PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>domestic</u>	<u>0.06* cfs/44 ac-ft</u>	<u>24 hrs/day, 365 days</u>	<u>1/01</u> to <u>12/31</u>
	<u>commercial</u>	<u>0.01* cfs/10 ac-ft</u>	<u>24 hrs/day, 365 days</u>	<u>1/01</u> to <u>12/31</u>

* average diversion rate

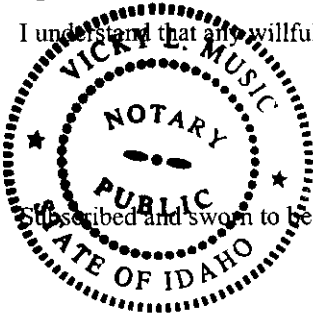
Quantity and quality of return flows and location of discharge: Effluent will be treated to local water quality standards.

2. Describe effects on other water uses resulting from the proposed change:

Twelve acres of the original place of use will no longer be irrigated

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of March, 2007.

[Signature]
(Notary Public)

My commission expires 1-27-2012

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date 2-8-07

Protest filed by _____

Prelim. Check by _____ Fee \$290.00Received by *[Signature]* Date Feb 8 2007

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____