

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72756

This is to certify that: BOULDER IRRIGATION CO
C/O SCHENCK REMSEN
PO BOX 450
MC CALL ID 83638
(208)634-3238

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>
65-2308	WR/Decreed	11/06/1925	24.00 cfs	N/A	1,224.0	N/A	BOULDER CREEK
65-2916	WR/Decreed	09/16/1925	N/A	361 af	N/A	N/A	LOUIE LAKE

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>
65-2308	NO	NO	YES	NO	NO	NO
65-2916	NO	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>
65-2308	65-2308	24.00 cfs	N/A	1,224.0	N/A		N/A	N/A	N/A	N/A
65-2916	65-2916	N/A	361.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		24.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of December, 20 06



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 65-2308

WATER RIGHT NO. 65-2308
As Modified by Transfer No. 72756

In accordance with the approval of Transfer No. 72756, Water Right No. 65-2308 is now described as follows.

Right Holder: BOULDER IRRIGATION CO
C/O SCHENCK REMSEN
PO BOX 450
MC CALL ID 83638

Priority Date: November 06, 1925

Source: BOULDER CREEK

Tributary: NORTH FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	24.00 CFS	
			24.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOULDER CREEK L2 (SWNW) Sec. 30 Twp 18N Rge 04E VALLEY County

CONDITIONS OF APPROVAL

1. Place of use is within the area served by Boulder Irrigation Company.
2. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.
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. This right is limited to the irrigation of 1224.0 acres within the place of use described above in a single irrigation season.
7. This right does not grant any right-of-way or easement across the land of another.
8. 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. 65D.
9. 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. 65-2308
As Modified by Transfer No. 72756

CONDITIONS OF APPROVAL

10. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
11. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/23/2004.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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 27th day of December, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 65-2916
As Modified by Transfer No. 72756

In accordance with the approval of Transfer No. 72756, Water Right No. 65-2916 is now described as follows.

Right Holder: BOULDER IRRIGATION CO
 C/O SCHENCK REMSEN
 PO BOX 450
 MC CALL ID 83638

Priority Date: September 16, 1925

Source: LOUIE LAKE

Tributary: LOUIE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01 to	12/31		361.0 AF
IRRIGATION FROM STORAGE	04/15 to	10/15		361.0 AF
				361.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LOUIE LAKE SENE Sec. 33 Twp 18N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION 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	
18N 04E 27							X			X							
18N 04E 28			X	X									X	X			

CONDITIONS OF APPROVAL

1. Irrigation From Storage place of use is within the area served by Boulder Irrigation Company.
2. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.
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. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 65-2916
As Modified by Transfer No. 72756

CONDITIONS OF APPROVAL

7. 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. 65D.
8. 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).
9. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
10. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/23/2004.
11. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
12. Points of re-diversion and places of use within the lands of Roseberry Irrigation District. Boulder Irrigation Company exchanges water with Roseberry Irrigation District.

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 27th day of December, 20 06


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

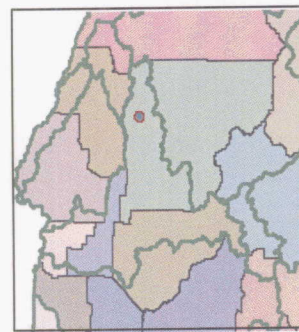
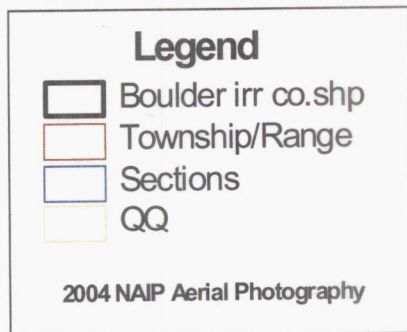
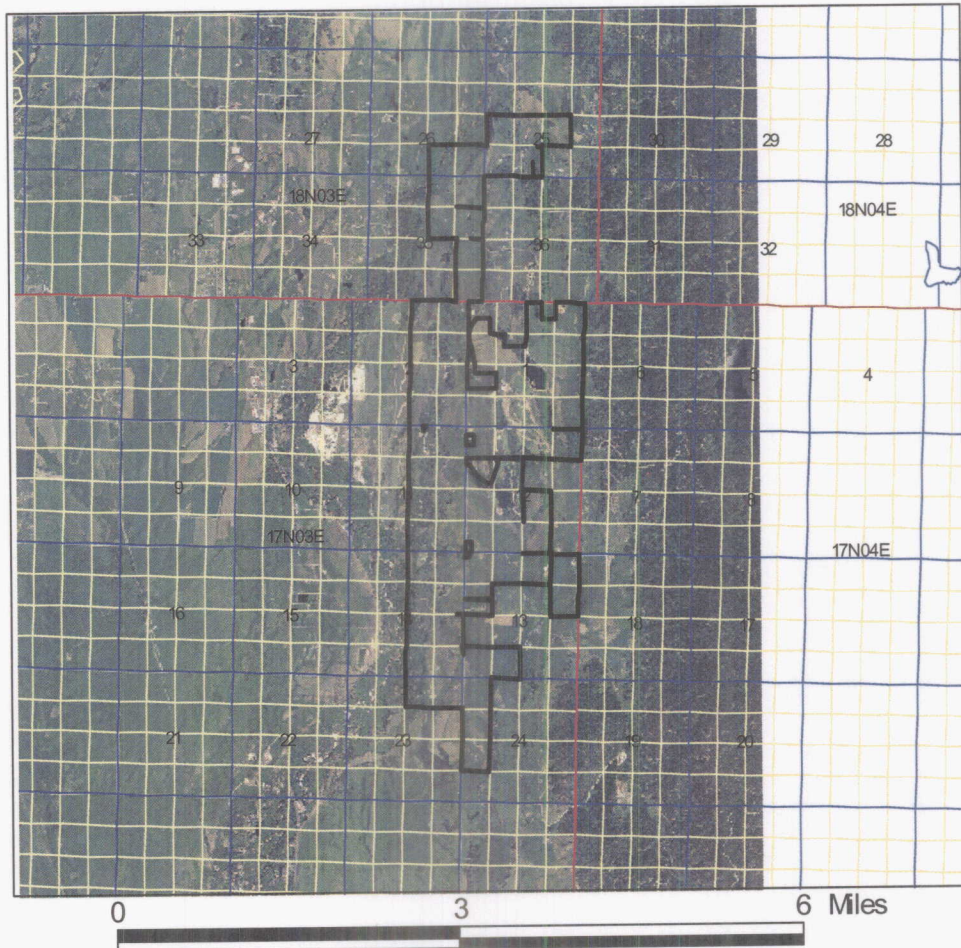
TRANSFER OF WATER RIGHT

TRANSFER NO. 72756

Digital Boundary for Boulder Irrigation Company

Rights 65-2308 & 65-2916

December 27, 2006



Valley County
IDWR Basin 65