

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72169

This is to certify that: MACE CATLIN DITCH CO

C/O BOB KELL
1820 MACE RD
EAGLE ID 83616
(208)939-4618

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>
63-132	AJC/Decreed	06/01/1864	2.692 cfs	N/A	N/A	546.0	BOISE RIVER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<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>
63-133	AJC/Decreed	06/01/1871	7.788 cfs	N/A	N/A	546.0	BOISE RIVER
63-382B	AJC/Decreed	06/14/1912	0.44 cfs	N/A	N/A	546.0	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>
63-132	NO	NO	NO	NO	YES	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>
63-132	63-132	2.69 cfs	N/A	N/A	545.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.69 cfs	N/A	N/A	545.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of September, 20 06



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-132

WATER RIGHT NO. 63-132
As Modified by Transfer No. 72169

In accordance with the approval of Transfer No. 72169, Water Right No. 63-132 is now described as follows.

Right Holder: MACE CATLIN DITCH CO
 C/O BOB KELL
 1820 MACE RD
 EAGLE ID 83616

Priority Date: June 01, 1864

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		3.0 AF
DIVERSION TO STORAGE	03/01	to 11/15	0.02 CFS	
IRRIGATION	03/01	to 11/15	2.67 CFS	
			2.69 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER SESWSW Sec. 16 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 17										X							
										L 5							
04N 01E 18														X			
														L 7			

CONDITIONS OF APPROVAL

1. 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.
2. Transfer 72169 authorizes the diversion of water for aesthetic storage in the amount of 3.0 af to be used for replacement of losses caused by evaporation from one acre total surface area of one aesthetic pond authorized for aesthetic storage under right 63-32151.
3. Total acres authorized for irrigation under Rights 63-132, 63-133 and 63-382B are reduced by 1.0 acre per approval of Transfer 72169 to a total of 545 acres based on the acres claimed under these rights in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized and the validity of these rights in the ongoing Snake River Basin Adjudication.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

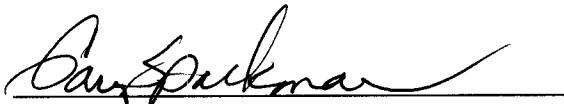
WATER RIGHT NO. 63-132
As Modified by Transfer No. 72169

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
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. 63.
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.
9. 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.
10. 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.
11. Rights 63-133, 63-382B, 63-31312 and 63-31313 are also diverted through the point of diversion described above.
12. This right is designated as right no. 5 in the Stewart Decree and the Boise River watermasters records.
13. Water is delivered through the Mason-Catlin Canal.

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 12th day of September, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-133
As Modified by Transfer No. 72169

In accordance with the approval of Transfer No. 72169, Water Right No. 63-133 is now described as follows.

Right Holder: MACE CATLIN DITCH CO
C/O BOB KELL
1820 MACE RD
EAGLE ID 83616

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>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	7.79 CFS	
			7.79 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER SESWSW Sec. 16 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. 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.
2. Total acres authorized for irrigation under Rights 63-132, 63-133 and 63-382B are reduced by 1.0 acre per approval of Transfer 72169 to a total of 545 acres based on the acres claimed under these rights in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized and the validity of these rights in the ongoing Snake River Basin Adjudication.
3. 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.
4. 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.

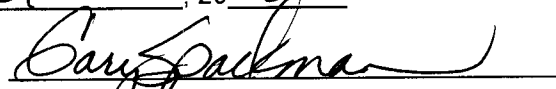
WATER RIGHT NO. 63-133
As Modified by Transfer No. 72169

CONDITIONS OF APPROVAL

5. Rights 63-132, 63-382B, 63-31312 and 63-31313 are also diverted through the point of diversion described above.
6. This right is designated as Right No. 52 in the Stewart Decree and the Boise River watermasters records.
7. Water is delivered through the Mason-Catlin Canal.

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 12th day of September, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-382B
As Modified by Transfer No. 72169

In accordance with the approval of Transfer No. 72169, Water Right No. 63-382B is now described as follows.

Right Holder: MACE CATLIN DITCH CO
C/O BOB KELL
1820 MACE RD
EAGLE ID 83616

Priority Date: June 14, 1912

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	
			0.44 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER SESWSW Sec. 16 Twp 04N Rge 01E ADA County

CONDITIONS OF APPROVAL

1. 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.
2. Total acres authorized for irrigation under Rights 63-132, 63-133 and 63-382B are reduced by 1.0 acre per approval of Transfer 72169 to a total of 545 acres based on the acres claimed under these rights in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized and the validity of these rights in the ongoing Snake River Basin Adjudication.
3. 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.
4. 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.

WATER RIGHT NO. 63-382B
As Modified by Transfer No. 72169

CONDITIONS OF APPROVAL

5. Pursuant to a call in times of scarcity, this right is senior to Bryan decreed Right No.s 63-297, 63-372, 63-301, 63-294, 63-296, 63-298, 63-295, 63-302, 63-367, 63-373, 63-299, 63-304, 63-303 and any future splits of these rights.
6. Rights 63-132, 63-133, 63-31312 and 63-31313 are also diverted through the point of diversion described above.
7. This right is designated as Right No. 138 in the Stewart Decree and the Boise River watermasters records.
8. Water is delivered through the Mason-Catlin Canal.

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.

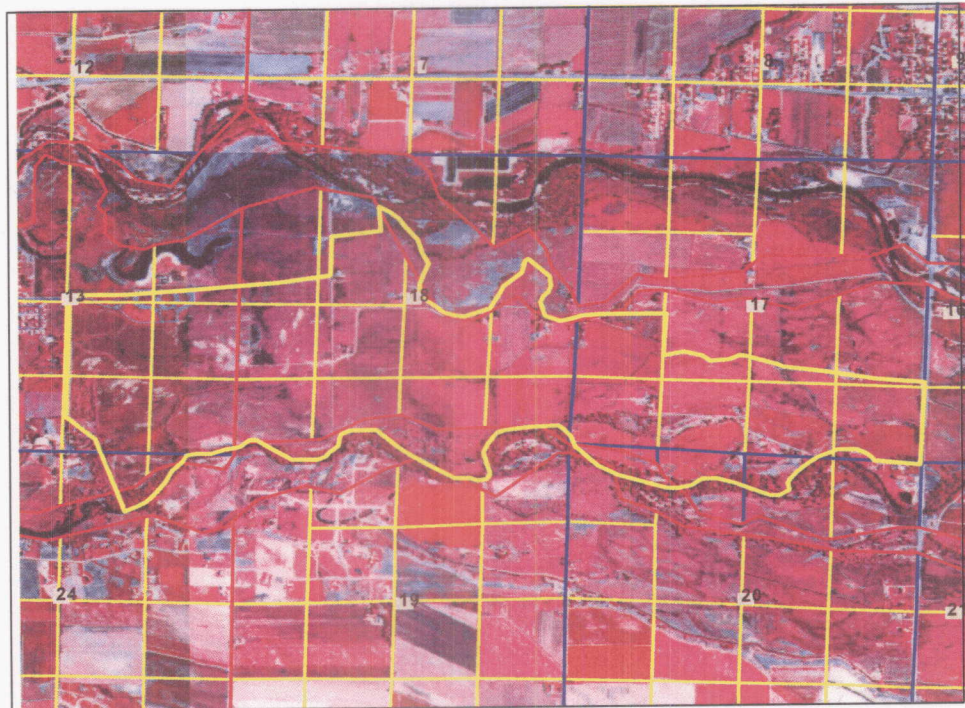
Dated this 12th day of September, 2006



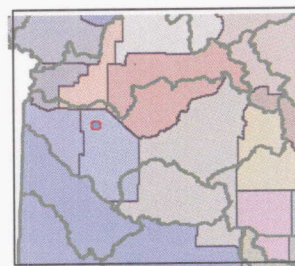
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72169

Digital Boundary for Mace Catlin Ditch Company
Rights 63-132, 63-133 & 63-382B
September 12, 2006



TO4N R01W T04N R01E



Ada County
IDWR Basin 63