

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70604

This is to certify that: ARIES DEVELOPMENT LLC
PO BOX 6887
BOISE ID 83707
(208)336-2200

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>
63-5087	AJC/Beneficial Use	10/08/1962	0.31 cfs	29.4 af	N/A	N/A	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>
63-5087	YES	YES	YES	NO	NO	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>
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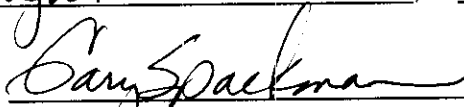
63-5087	63 -31726	0.04 cfs	14 af	N/A	N/A	63-31725	0.27 cfs	15.4 af	N/A	N/A
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COMBINED

TOTALS		0.04 cfs	14 af	N/A	N/A		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 8th day of August, 2006


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-5087

WATER RIGHT NO. 63-31725
As Modified by Transfer No. 70604

In accordance with the approval of Transfer No. 70604, Water Right No. 63-31725 is now described as follows.

Right Holder: RICHARD M HORMAECHEA And
 MARY B HORMAECHEA
 PO BOX 6887
 BOISE ID 83707

Priority Date: October 08, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.04 CFS	
STOCKWATER	01/01	12/31	0.27 CFS	15.4 AF
			0.27 CFS	15.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3(NENW) Sec. 3 Twp 04N Rge 01W ADA County

PLACE OF USE: DOMESTIC

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	01W	3																	

PLACE OF USE: STOCKWATER

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	01W	3																	

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

WATER RIGHT NO. 63-31725
As Modified by Transfer No. 70604

CONDITIONS OF APPROVAL

4. Domestic use is for 1 home.
5. Place of use is located within Parcel No. S0403213500.

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 8th day of August, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31726
As Modified by Transfer No. 70604

In accordance with the approval of Transfer No. 70604, Water Right No. 63-31726 is now described as follows.

Right Holder: MARY B HORMAECHEA And
 RICHARD M HORMAECHEA
 PO BOX 6887
 BOISE ID 83707

Priority Date: October 08, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC STORAGE	01/01	12/31		14.0 AF
DIVERSION TO STORAGE	01/01	12/31	0.04 CFS	
			0.04 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 4 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<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>	
04N	01E	4									X		X	X	X	X	X	X	

CONDITIONS OF APPROVAL

1. Right 63-31726 authorizes the diversion of an annual total of 14.0 af to be used for the replacement of losses caused by evaporation from the 5.2 acre total surface area of six (6) ponds established under Right 63-32169.
2. Rights 63-31726 and 63-31689 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 40.0 af.
3. The diversion and use of water described in Transfer 70604 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

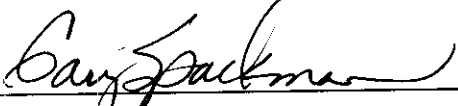
WATER RIGHT NO. 63-31726
As Modified by Transfer No. 70604

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 8th day of August, 2006



Chief, Water Allocation Bureau