

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72109

This is to certify that: CANYON COUNTY WATER CO LTD
 PO BOX 11
 STAR ID 83669
 (208)455-1735

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>
63-21761	AJC/Decreed	06/01/1867	76.77 cfs	N/A	N/A	4,015.5	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>
63-21761	NO	NO	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>
63-21761	63-21761	76.77cfs	N/A	N/A	3,986.2		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		76.77cfs	N/A	N/A	3986.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of September, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 63-21761
As Modified by Transfer No. 72109

In accordance with the approval of Transfer No. 72109, Water Right No. 63-21761 is now described as follows.

Right Holder: CANYON COUNTY WATER CO LTD
 PO BOX 11
 STAR ID 83669

Priority Date: June 01, 1867

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	76.18 CFS	
GROUND WATER RECHARGE	03/15 to	11/15	0.59 CFS	87.9 AF
			76.77 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NWSWSW Sec. 17 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION, see conditions

PLACE OF USE: GROUND WATER RECHARGE

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 02W 13			X					X	X						X		
								L 3							L 2		

CONDITIONS OF APPROVAL

1. Total acres authorized for irrigation under this right are reduced by 29.3 acres per approval of Transfer 72109 to a total of 3986.2 acres based on the acres claimed under this right in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized under this right in the ongoing Snake River Basin Adjudication.
2. Transfer 72109 authorizes the diversion of water for ground water recharge in the amount of 50.4 af to be used for replacement of losses caused by evaporation from the 16.8 acre total surface area of three (3) aesthetic ponds and the diversion of an additional 37.5 af of water for groundwater recharge to mitigate for the diversion and use of 37.5 af of water for supplemental irrigation on 75 acres authorized for irrigation use under Right 63-32142.
3. At the point where water is diverted from the Canyon County Water Company lateral into the pond for groundwater recharge purposes, the right holder shall install and maintain a measuring and recording device that records the total volume of water diverted into the pond annually. The right holder shall make the device and /or records available to the Department for inspection at any time.
4. Whenever requested by the Department, the right holder shall report the total volume of water diverted into the pond for ground water recharge purposes during the year.

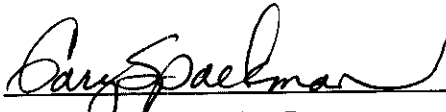
WATER RIGHT NO. 63-21761
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CONDITIONS OF APPROVAL

5. 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.
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 the watermaster suitable control of the diversion.
7. The period of use for the irrigation and ground water recharge described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 12th day of September, 2005



Chief, Water Allocation Bureau