

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66602

This is to certify that: **CAPITOL WATER CORP**
2626 EL DORADO ST
BOISE ID 83704
(208)375-0931

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-11528	WR/License	05/01/1991	3.4 cfs	N/A			GROUND WATER
63-3152	AJC/License	03/25/1959	0.92 cfs	N/A			GROUND WATER
63-3002	AJC/License	09/01/1954	0.886 cfs	N/A			GROUND WATER
63-3071	AJC/License	12/27/1955	0.8 cfs	N/A			GROUND WATER
63-3166	AJC/License	08/25/1959	3.34 cfs	N/A			GROUND WATER
63-7108	AJC/License	05/21/1968	4.9 cfs	960 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-11528	NO	NO	YES	YES	NO	NO
63-3152	NO	NO	YES	YES	NO	YES
63-3002	NO	NO	YES	YES	NO	YES
63-3071	NO	NO	YES	YES	NO	NO
63-3166	NO	NO	YES	YES	NO	NO
63-7108	NO	NO	YES	YES	NO	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-11528	63-11528	3.4 cfs	2461 af	N/A			N/A	N/A	N/A	N/A
63-3152	63-3152	0.92 cfs	666 af	N/A			N/A	N/A	N/A	N/A
63-3002	63-3002	0.89 cfs	643 af	N/A			N/A	N/A	N/A	N/A
63-3071	63-3071	0.8 cfs	579 af	N/A			N/A	N/A	N/A	N/A
63-3166	63-3166	3.34 cfs	2418 af	N/A			N/A	N/A	N/A	N/A
63-7108	63-7108	3.34 cfs	960 af	N/A			N/A	N/A	N/A	N/A
COMBINED										
TOTALS		12.69 cfs	7727 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12 day of March, 2003


 For Chief, Water Allocation Bureau

WATER RIGHT NO. 63-7108
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-7108 is now described as follows.

Right Holder: CAPITOL WATER CORP
2626 EL DORADO
BOISE ID 83704

Priority Date: May 21, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.34 CFS	960.0 AF
			3.34 CFS	960.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1	Twp 03N	Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESENW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36	Twp 04N	Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36	Twp 04N	Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

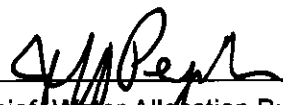
WATER RIGHT NO. 63-7108
As Modified by Transfer No. 66602

CONDITIONS OF APPROVAL

9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.
11. A portion of this right in the amount of 1.56 cfs shall be considered forfeited through approval of Transfer 66602.

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 12 day of March, 20 03

For  _____
Chief Water Allocation Bureau

WATER RIGHT NO. 63-3002
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-3002 is now described as follows.

Right Holder: CAPITOL WATER CORP
 2626 EL DORADO
 BOISE ID 83704

Priority Date: September 01, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	0.89 CFS	643.0 AF
			0.89 CFS	643.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1	Twp 03N	Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESENW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36	Twp 04N	Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36	Twp 04N	Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 63-3002
As Modified by Transfer No. 66602

CONDITIONS OF APPROVAL

9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

10. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.

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 12 day of March, 20 03


For _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 63-11528
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-11528 is now described as follows.

Right Holder: CAPITOL WATER CORP
 2626 EL DORADO
 BOISE ID 83704

Priority Date:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.40 CFS	2,461.0 AF
			3.40 CFS	2,461.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1	Twp 03N	Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESENW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36	Twp 04N	Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36	Twp 04N	Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

WATER RIGHT NO. 63-11528
As Modified by Transfer No. 66602

CONDITIONS OF APPROVAL

9. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.

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 12 day of March, 2003

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 63-3071
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-3071 is now described as follows.

Right Holder: CAPITOL WATER CORP
 2626 EL DORADO
 BOISE ID 83704

Priority Date: December 27, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	0.80 CFS	579.0 AF
			0.80 CFS	579.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1 Twp 03N Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NESENE	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36 Twp 04N Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36 Twp 04N Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 63-3071
As Modified by Transfer No. 66602
CONDITIONS OF APPROVAL

9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.

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 12 day of March, 20 03


for Chief, Water Allocation Bureau

WATER RIGHT NO. 63-3166
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-3166 is now described as follows.

Right Holder: CAPITOL WATER CORP
2626 EL DORADO
BOISE ID 83704

Priority Date: August 25, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.34 CFS	2,418.0 AF
			3.34 CFS	2,418.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1	Twp 03N	Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NESENW	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6	Twp 03N	Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36	Twp 04N	Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36	Twp 04N	Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 63-3166
As Modified by Transfer No. 66602

CONDITIONS OF APPROVAL

9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.

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 12 day of March, 2003

For Chief, Water Allocation Bureau

WATER RIGHT NO. 63-3152
As Modified by Transfer No. 66602

In accordance with the approval of Transfer No. 66602, Water Right No. 63-3152 is now described as follows.

Right Holder: CAPITOL WATER CORP
2626 EL DORADO
BOISE ID 83704

Priority Date: March 25, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	0.92 CFS	666.0 AF
			0.92 CFS	666.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (SWNWNE)	Sec. 1 Twp 03N Rge 01E	ADA County
GROUND WATER	SESWNE	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NESWNW	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NESENW	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	NENESE	Sec. 6 Twp 03N Rge 02E	ADA County
GROUND WATER	SWNESE	Sec. 36 Twp 04N Rge 01E	ADA County
GROUND WATER	SESESE	Sec. 36 Twp 04N Rge 01E	ADA County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-3002, 63-3071, 63-3166, 63-3152, 63-7108 and 63-11528 shall not exceed 12.69 cfs, nor total combined annual volume of 7727 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 63-3152
As Modified by Transfer No. 66602

CONDITIONS OF APPROVAL

9. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
10. Place of use is within the service area of Capitol Water Corporation as provided for under Idaho law.

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 12 day of March, 20 03


for Chief, Water Allocation Bureau