

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 71032

This is to certify that: BOISE VALLEY IRRIGATION DITCH CO
8750 N BOGART LN
BOISE ID 83714
(208)853-5288

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>
63-31197	AJC/Decreed	06/01/1865	49.71 cfs	10311 af	N/A	2,789.5	BOISE RIVER

Purpose of Transfer (Changes Proposed)

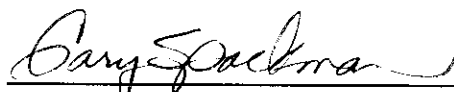
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31197	YES	YES	YES	YES	NO	NO

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>
63-31197	63-31833	0.2 cfs	45 af	10.0	30.5	63-31832	49.51cfs	10266 af	N/A	2,779.9
COMBINED										
TOTALS		0.2 cfs	45 af	10.0	30.5		49.51 cfs	10266 af	N/A	2,779.5

Detailed Water Right Description(s) attached

Dated this 16th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31832
As Modified by Transfer No. 71032

In accordance with the approval of Transfer No. 71032, Water Right No. 63-31832 is now described as follows.

Right Holder: BOISE VALLEY IRRIGATION DITCH CO
 8750 N BOGART LN
 BOISE ID 83714

Priority Date: June 01, 1865

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC	03/15 to	11/15	0.17 CFS	
AESTHETIC STORAGE	01/01 to	12/31		14.5 AF
IRRIGATION STORAGE	01/01 to	12/31		14.5 AF
IRRIGATION FROM STORAGE	03/15 to	11/15		14.5 AF
IRRIGATION	03/15 to	11/15	49.34 CFS	10,251.5 AF
			49.51 CFS	10,266.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NESENE Sec. 5 Twp 03N Rge 02E ADA 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	
04N	01E	14																	
							X												

PLACE OF USE: AESTHETIC, same as Irrigation Storage

PLACE OF USE: AESTHETIC STORAGE, same as Irrigation Storage

PLACE OF USE: IRRIGATION FROM 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	14																	
							17.2												17.2

Total Acres: 17.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2779.5 acres within the boundary of the Boise Valley Irrigation Ditch Co.
2. Water is delivered through the Farmers Union and Boise Valley canals.
3. 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.

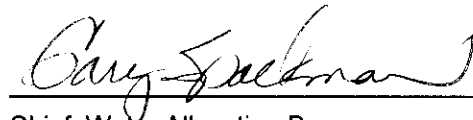
WATER RIGHT NO. 63-31832
As Modified by Transfer No. 71032

CONDITIONS OF APPROVAL

4. 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.
5. 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 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 Anderson Ranch Reservoir, Arrowrock Reservoir, Lucky Peak Reservoir or Lake Lowell as decreed in SRBA Case No. 39576.
6. The period of use for irrigation, irrigation from storage and aesthetic uses 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. Irrigation, irrigation from storage and aesthetic uses before 3/15 are subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. 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.
8. The portion of Right 63-31832 used for conveyance losses is 5.94 cfs.
9. Rights 63-120G, 63-123, 63-123C, 63-123D, 63-124Q, 63-125J, 63-126F, 63-164E, 63-165M, 63-192, 63-198AG, 63-216C, 63-248, 63-297, 63-2360, 63-16767, 63-18700, 63-21729 and 63-21730 are also diverted through the point of diversion described above.
10. This right does not grant any right-of-way or easement across the land of another.
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 16th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31833
As Modified by Transfer No. 71032

In accordance with the approval of Transfer No. 71032, Water Right No. 63-31833 is now described as follows.

Right Holder: BOISE VALLEY IRRIGATION DITCH CO
 8750 N BOGART LN
 BOISE ID 83714

Priority Date: June 01, 1865

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	0.20 CFS	45.0 AF
			0.20 CFS	45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER	SWSWSW	Sec. 28 Twp 03N	Rge 03E	ADA County
BOISE RIVER	SWSWSW	Sec. 28 Twp 03N	Rge 03E	ADA County
BOISE RIVER	SESE	Sec. 29 Twp 03N	Rge 03E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03E	28											22.4						22.4
													L 2						
03N	03E	29																8.1	8.1
																		L 1	

Total Acres: 30.5

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. This right does not grant any right-of-way or easement across the land of another.
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.

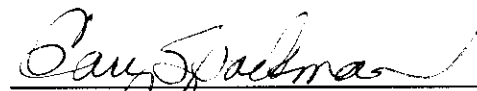
WATER RIGHT NO. 63-31833
As Modified by Transfer No. 71032

CONDITIONS OF APPROVAL

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 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 Anderson Ranch Reservoir, Arrowrock Reservoir, Lucky Peak Reservoir or Lake Lowell as decreed in SRBA Case No. 39576.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. The total instantaneous diversion of water from all points of diversion under Right 63-31833 shall not exceed 0.20 cfs, nor a total combined annual volume of 45.0 af.
9. This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation 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.
11. 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.

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 16th day of April, 20 04



Chief, Water Allocation Bureau