

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87437**

This is to certify that: **MICRON TECHNOLOGY INC**
PO BOX 6
BOISE, ID 83707-0006

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-10208	WR/DECREED	11/22/1983	0.610 cfs	441.6 af	N/A	N/A	GROUND WATER
63-11293	WR/DECREED	4/19/1990	2.250 cfs	1628.9 af	N/A	N/A	GROUND WATER
63-12420	WR/LICENSE	6/6/1997	5.000 cfs	402.0 af	N/A	N/A	BOISE RIVER
63-31183	WR/LICENSE	1/24/2001	9.130 cfs	N/A	39.8	906.0	GROUND WATER
63-8992	WR/DECREED	7/27/1977	2.090 cfs	1267.9 af	100.0	906.0	GROUND WATER
63-9029	WR/DECREED	9/9/1977	4.000 cfs	806.3 af	N/A	N/A	GROUND WATER
63-9357	WR/DECREED	3/12/1980	0.600 cfs	362.0 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>
63-10208	NO	YES	YES	YES	NO	NO
63-11293	NO	YES	YES	YES	NO	NO
63-12420	NO	NO	YES	NO	NO	NO
63-31183	NO	YES	YES	YES	NO	NO
63-8992	NO	YES	YES	YES	NO	NO
63-9029	NO	YES	YES	YES	NO	NO
63-9357	NO	YES	YES	YES	NO	NO

SUPPORT DATA

Summary Of Water Rights After the Approved Change

IN FILE # **63-8992**

<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>
63-10208	63-10208	0.610 cfs	441.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-11293	63-11293	2.250 cfs	1628.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-12420	63-12420	5.000 cfs	402.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31183	63-31183	9.130 cfs	N/A	39.8	998.4	N/A	N/A	N/A	N/A	N/A
63-8992	63-8992	2.090 cfs	1267.9 af	100.0	998.4	N/A	N/A	N/A	N/A	N/A
63-9029	63-9029	4.000 cfs	806.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-9357	63-9357	0.600 cfs	362.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		14.550 cfs	N/A	100.0	998.4		N/A	N/A	N/A	N/A

Transfer No. 87437

SCANNED

MAY 26 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87437

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 23rd day of May, 2023


SCOTT STORMS, Water Right Supervisor

Transfer No. 87437

RECEIVED

MAY 26 2023

WATER RIGHT NO. 63-8992**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-8992 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 7/27/1977

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
INDUSTRIAL	01/01	to 12/31	2.090 cfs	1267.9 af
IRRIGATION	03/01	to 11/15	1.500 cfs	450.0 af
			2.090 cfs	1267.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X				X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									1.0	6.0	21.0	40.0			23.0	0.1	91.1
												L 6	L 7						
02N	03E	7	40.0	40.0	40.0	40.0	40.0	8.0	0.1	35.0	22.0			9.0	40.0	40.0	40.0	40.0	434.1
								L 1	L 2										
02N	03E	8							40.0	40.0	40.0	40.0	40.0	40.0					240.0
02N	03E	17					40.0	40.0	40.0	40.0	19.0	19.0							198.0
02N	03E	18		35.0			0.2												35.2

Right Acre Limit: 100.0

POU Total Acres: 998.4

Transfer No. 87437

SCANNED

MAY 26 2023

WATER RIGHT NO. 63-8992
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

1. Rights 63-8992, 63-10221 and 63-31183 when combined shall not exceed a total irrigation of 100 acres.
2. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
3. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
4. This right is limited to the irrigation of a specific 100 acres within the 998.4 acre place of use authorized by this right in a single irrigation season. The specific 100 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 100 acres to be irrigated within the 998.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 450 af at the field headgate for the place of use.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
8. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.
9. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.

WATER RIGHT NO. 63-8992
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

10. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
11. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-9029**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-9029 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 9/9/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	01/01	to 12/31	4.000 cfs	806.3 af
			4.000 cfs	806.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X				X	X
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

CONDITIONS OF APPROVAL

1. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
2. Administration of water distribution to this right during times of scarcity shall recognize the provisions of the letter dated February 6, 2002 from the right holder to the department.
3. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.

Transfer No. 87437

JUN 26 2002

WATER RIGHT NO. 63-9029
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

4. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-9357**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-9357 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 3/12/1980

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
FIRE PROTECTION	1/01	to 12/31	0.600 cfs	
INDUSTRIAL	1/01	to 12/31	0.500 cfs	362.0 af
			0.600 cfs	362.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8						X	X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18	X	X	X		X												

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8						X	X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

Transfer No. 87437

FOUNDED

MAY 16 1980

WATER RIGHT NO. 63-9357
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

1. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
2. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.
3. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. Industrial use is for microchip manufacturing.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-11293**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-11293 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 4/19/1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1/01	to 12/31	2.250 cfs	1628.9 af
			2.250 cfs	1628.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

CONDITIONS OF APPROVAL

1. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
2. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.
3. Industrial use is for microchip manufacturing.

Transfer No. 87437

SCANNED

MAY 26 2022

WATER RIGHT NO. 63-11293

As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

4. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-10208**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-10208 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 11/22/1983

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DOMESTIC	1/01	to 12/31	0.040 cfs	28.9 af
INDUSTRIAL	1/01	to 12/31	0.610 cfs	441.6 af
			0.610 cfs	441.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X	X	X	X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X			X	X						
02N	03E	18		X			X												

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

Transfer No. 87437

WATER RIGHT NO. 63-10208

As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

1. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
2. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Ground Water Management Area and any management plan adopted by the director.
3. Domestic use is for restroom facilities.
4. Industrial use is for microchip manufacturing.
5. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-12420
As Modified by Transfer No. 87437

In accordance with the approval of Transfer No. 87437, Water Right No. 63-12420 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
 PO BOX 6
 BOISE, ID 83707-0006

Priority Date: 6/6/1997

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
GROUND WATER RECHARGE	01/01	to 12/31	3.340 cfs	162.0 af
INDUSTRIAL	01/01	to 12/31	5.000 cfs	240.0 af
			5.000 cfs	402.0 af

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER L6 (NWNE) Sec 4 Twp 02N Rge 03E ADA County

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8						X	X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18	X	X	X		X												

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2										
02N	03E	8							X	X	X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

Transfer No. 87437

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APR 1997

WATER RIGHT NO. 63-12420

As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

1. 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(s).
2. Use of water under this right may 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.
3. This right does not grant any right-of-way or easement across the land of another.
4. If measured or calculated Boise River flows at the point of diversion are less than 240 cfs during the period beginning June 16 and ending February 29, water shall not be diverted pursuant to this right. If measured or calculated Boise River flows at the point of diversion are less than 1,100 cfs during the period beginning March 1 and ending May 31, water shall not be diverted pursuant to this water right. Measured or calculated Boise River flows at the point of diversion shall be based on gauged Lucky Peak Dam discharge minus the gauged diversion of the New York Canal.
5. Pursuant to Section 42-234(3), Idaho Code, the Director may reduce the amount of water that may be diverted for recharge purposes under this right even though there is sufficient water to supply the entire amount authorized for appropriation under this right.
6. Pursuant to Section 42-234(4), Idaho Code, to ensure that other water rights are not injured by the operations of the recharge project authorized by this right, the Director has authority to approve, disapprove, or require alterations in the methods employed to achieve ground water recharge.
7. The right holder shall exercise this right only when authorized by the District 63 watermaster when the Boise River is on flood release below Lucky Peak dam/outlet. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law, or for any purpose of use authorized under the water rights for Lucky Peak Reservoir.
8. Industrial use is for computer chip production.
9. This right is subject to all prior water rights, including those water rights for power purposes that may otherwise be subordinated by contract entered into by the governor and Idaho Power Company on October 25, 1984, and ratified by the legislature pursuant to section 42-203B, Idaho Code.

WATER RIGHT NO. 63-12420
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

10. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-31183**As Modified by Transfer No. 87437**

In accordance with the approval of Transfer No. 87437, Water Right No. 63-31183 is now described as follows:

Right Holder: MICRON TECHNOLOGY INC
PO BOX 6
BOISE, ID 83707-0006

Priority Date: 1/24/2001

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate
INDUSTRIAL	01/01	to 12/31	9.130 cfs
IRRIGATION	03/01	to 11/15	0.800 cfs
			9.130 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 6	Twp 02N Rge 03E	ADA County
GROUND WATER	NENE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	L2 (SWNW)	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWSE	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	NESW	Sec 7	Twp 02N Rge 03E	ADA County
GROUND WATER	SWNW	Sec 8	Twp 02N Rge 03E	ADA County
GROUND WATER	NWSE	Sec 8	Twp 02N Rge 03E	ADA County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									X	X	X	X			X	X	
												L 6	L 7						
02N	03E	7	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
								L 1	L 2		X	X	X	X					
02N	03E	8									X	X	X	X					
02N	03E	17					X	X	X	X	X	X							
02N	03E	18		X			X												

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03E	6									1.0	6.0	21.0	40.0			23.0	0.1	91.1
												L 6	L 7						
02N	03E	7	40.0	40.0	40.0	40.0	40.0	8.0	0.1	35.0	22.0			9.0	40.0	40.0	40.0	40.0	434.1
								L 1	L 2										
02N	03E	8								40.0	40.0	40.0	40.0						240.0
02N	03E	17					40.0	40.0	40.0	40.0	19.0	19.0							198.0
02N	03E	18		35.0			0.2												35.2

Right Acre Limit: 39.8
POU Total Acres: 998.4
Transfer No. 87437

SCANNED

MAY 26 2023

WATER RIGHT NO. 63-31183
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

1. Industrial use under this right shall not exceed a total annual maximum diversion volume of 3200 af.
2. Irrigation use under rights 63-8992, 63-10221, and 63-31183 when combined shall not exceed a total annual maximum diversion volume of 450 af at the field headgate, and the irrigation of 100 acres.
3. Rights 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, and 63-31183 when combined shall not exceed a total diversion rate of 9.55 cfs, and a total annual maximum diversion volume of 4506.7 af.
4. This right is limited to the irrigation of 39.8 acres within the authorized place of use in a single irrigation season.
5. This right when combined with all other rights for irrigation purposes shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 179 af at the field headgate for the irrigation place of use.
6. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
7. The water right holder must comply with the measuring and reporting requirements of the Southeast Boise Groundwater Management Area (SEBGWMA) and any management plan adopted by the director.
8. Water diverted from the points of diversion for this right shall be considered water authorized for withdrawal under other existing water rights to their full extent, as deliverable, unless otherwise requested by the water right holder.
9. In the event of water right curtailments in the SEBGWMA, out-of-priority diversions may be allowed under this right to the extent that (1) the diversions under this right are mitigated by groundwater recharge activities, and (2) diversions under this right do not injure senior water rights through direct well interference.
10. When mitigation is required, the entire volume of water injected by the right holder into the SEBGWMA aquifer for ground water recharge pursuant to right 63-12420 or pursuant to diversions of storage water, up to the total amounts authorized by this right, can be diverted from the aquifer under this right during the calendar year it is injected. Water not diverted during the year it is injected can be carried over for future withdrawal and beneficial use associated with this right. The volume authorized for withdrawal will be reduced by 10% each calendar year following the first calendar year the water is injected.

WATER RIGHT NO. 63-31183
As Modified by Transfer No. 87437

CONDITIONS OF APPROVAL

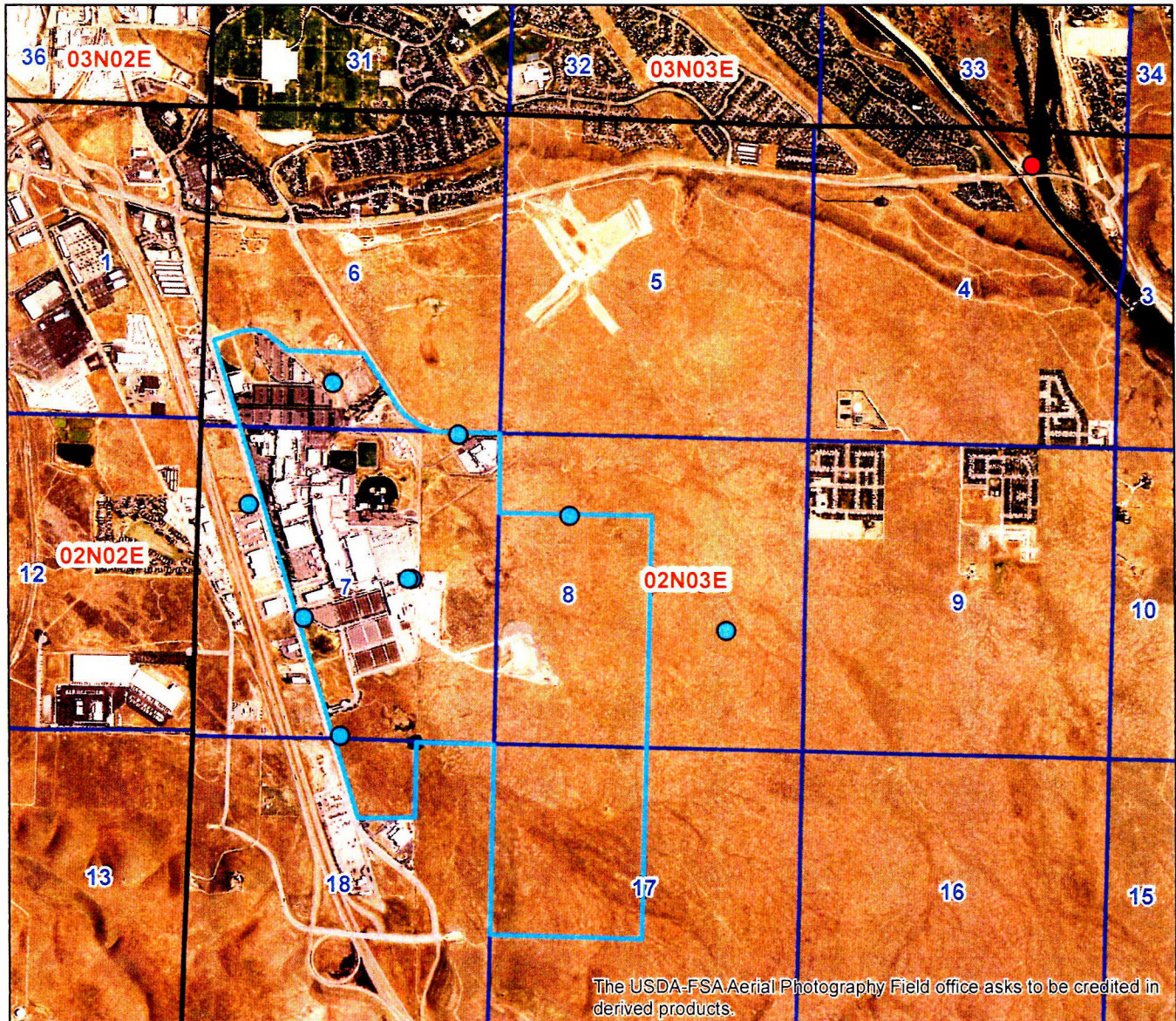
11. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
12. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
13. Industrial use is for semiconductor and related manufacturing.
14. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87437

Water Rights: 63-8992, 63-9029, 63-9357, 63-10208, 63-11293, 63-12420, and 63-31183.

This map depicts the integrated permissible place of use (PPU) boundary for the water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Points of Diversion
- 63-12420 Point of Diversion
- PPU Boundary
- Townships
- PLS Sections

0 0.35 0.7 1.4 Miles

