

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85639**

This is to certify that: **IMH BOISE CIMARRON LLC**
1808 ASTON AVE STE 220
CARLSBAD, CA 92008-7365

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>
63-3298	WR/DECREED	6/12/1962	3.280 cfs	738.0 af	164.0	240.0	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>
63-3298	YES	NO	YES	YES	YES	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>
63-3298	63-35189	0.520 cfs	82.2 af	N/A	N/A	63-3298	2.760 cfs	621.0 af	138.0	240.0
COMBINED TOTALS		3.280 cfs	738.0 af	138.0	240.0		N/A	N/A	N/A	N/A

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 15th day of July, 2024.

Shelley W. Keen
Hearing Officer

WATER RIGHT NO. 63-3298**As Modified by Transfer No. 85639**

In accordance with the approval of Transfer No. 85639, Water Right No. 63-3298 is now described as follows:

Right Holder: IMH BOISE CIMARRON LLC
1808 ASTON AVE STE 220
CARLSBAD, CA 92008-7365

Priority Date: 6/12/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.760 cfs	621.0 af
			2.760 cfs	621.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 08 Twp 02N Rge 03W CANYON County
GROUND WATER	SESW	Sec 08 Twp 02N Rge 03W CANYON County

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	03W	7																40.0	40.0
02N	03W	8											40.0	40.0					80.0
02N	03W	17					40.0	40.0	40.0										120.0

Right Acre Limit: 138.0

POU Total Acres: 240.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 138 acres within the place of use described above in a single irrigation season.
2. 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.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 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 1/29/2009.

Transfer No. 85639

WATER RIGHT NO. 63-3298
As Modified by Transfer No. 85639

CONDITIONS OF APPROVAL

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. 63-35189**As Modified by Transfer No. 85639**

In accordance with the approval of Transfer No. 85639, Water Right No. 63-35189 is now described as follows:

Right Holder: IMH BOISE CIMARRON LLC
1808 ASTON AVE STE 220
CARLSBAD, CA 92008-7365

Priority Date: 6/12/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.520 cfs	82.2 af
			0.520 cfs	82.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 17 Twp 02N Rge 03W CANYON County
GROUND WATER	NWNW	Sec 17 Twp 02N Rge 03W CANYON 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	03W	7																X	0.0
02N	03W	8											X	X					0.0
02N	03W	17					X	X	X										0.0

CONDITIONS OF APPROVAL

- Domestic use is for 240 homes and does not include lawn, garden, landscape, or other types of irrigation.
- After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- Water bearing zone to be appropriated is 300 feet or more below ground surface.
- The wells used as points of diversion for this right shall be constructed and maintained with unperforated casing and sealed to a depth of 300 feet or more below ground surface.
- Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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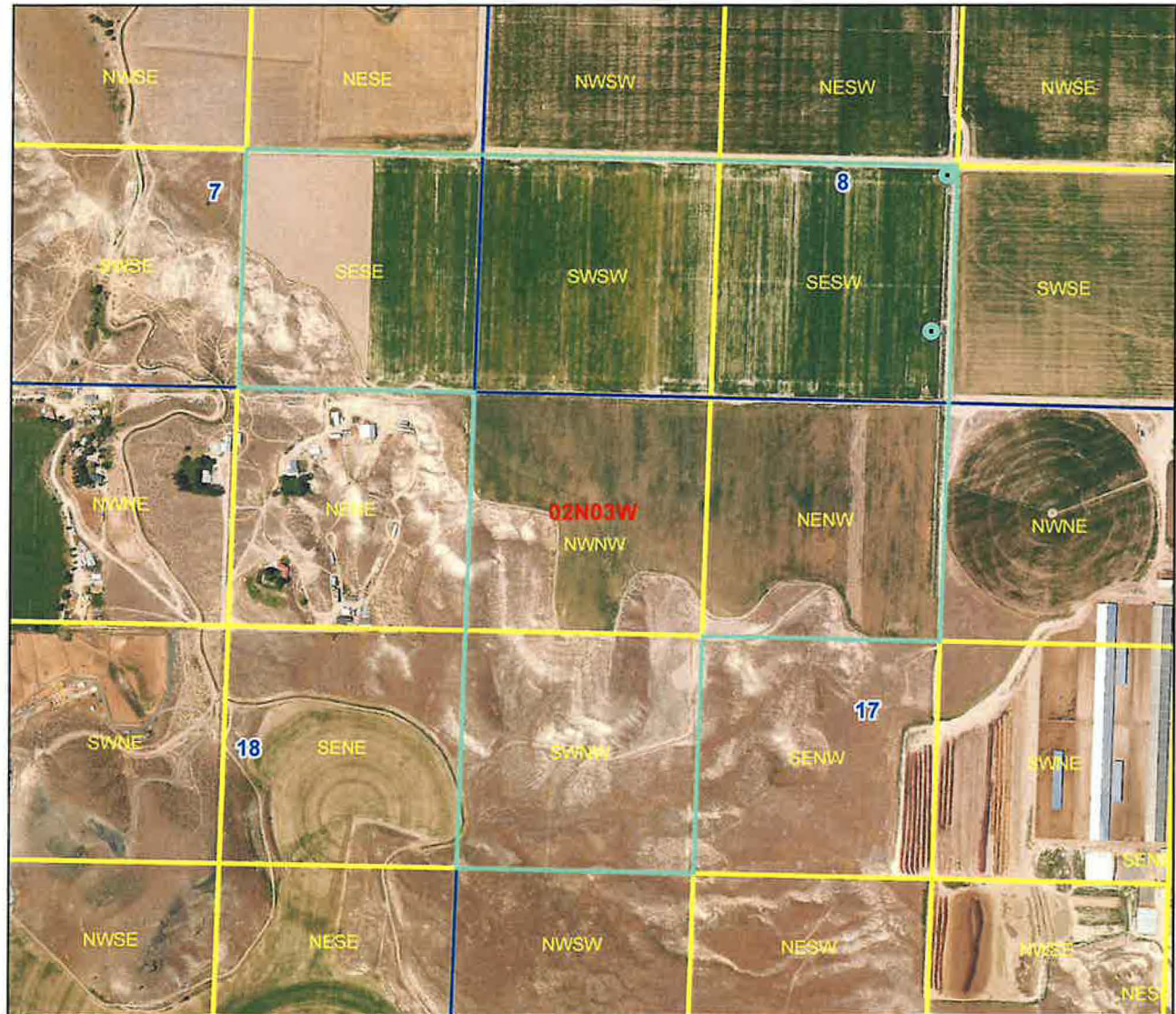
WATER RIGHT NO. 63-35189
As Modified by Transfer No. 85639

CONDITIONS OF APPROVAL

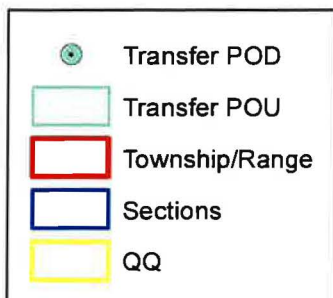
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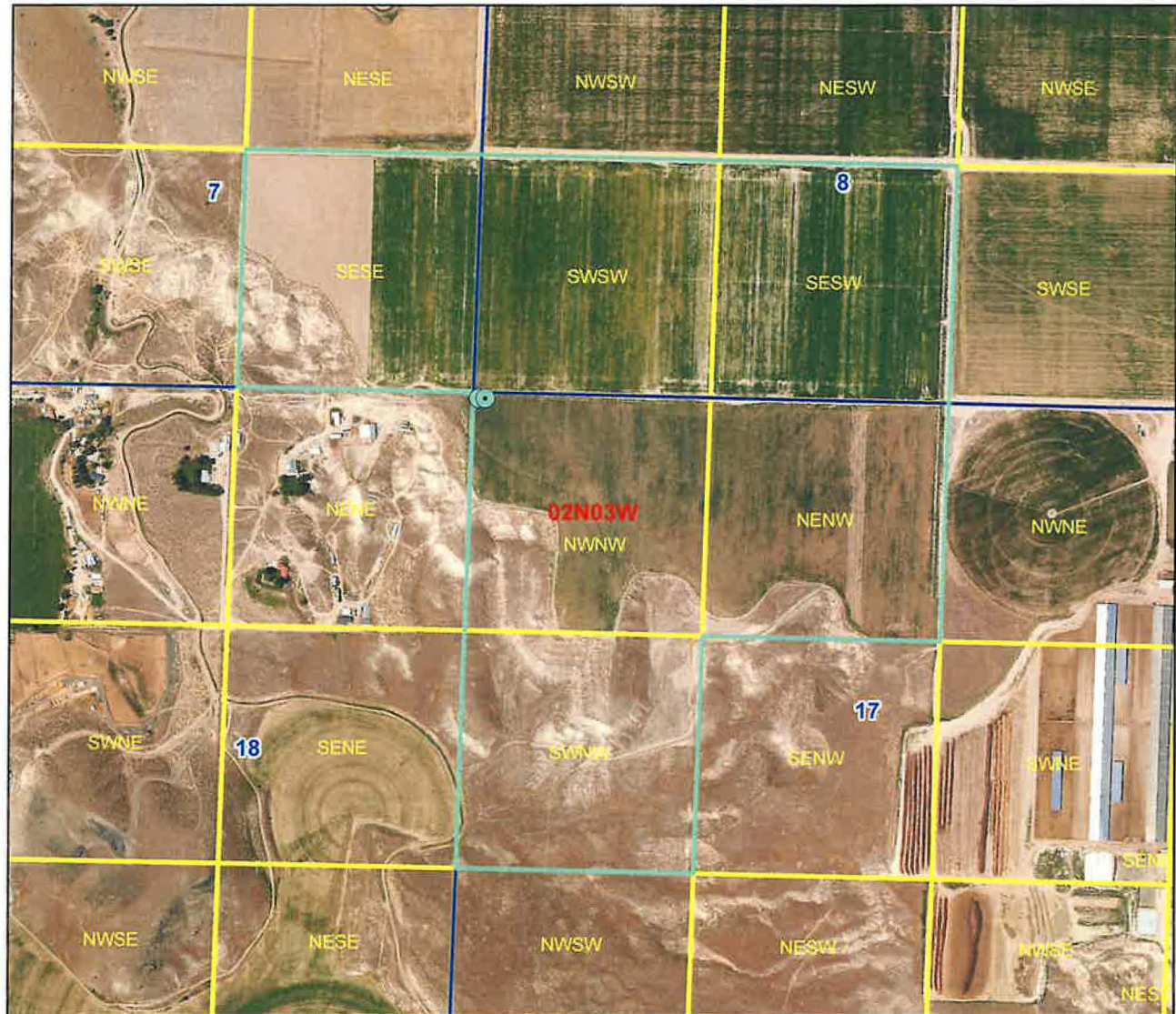
State of Idaho
Department of Water Resources
Attachment to Transfer
Water Right(s): 63-3298



0 0.1 0.2 0.4 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer
Water Right(s): 63-35189



0 0.1 0.2 0.4 Miles

