

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90202**

This is to certify that: **B RIVER RANCH LLC**
6325 HAVENFIELD LN
CALDWELL, ID 83607-1006

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>
63-35692	WR/DECREED	6/1/1881	1.540 cfs	N/A	N/A	77.0	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>
63-35692	NO	NO	NO	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>
63-35692	63-35692	1.540 cfs	N/A	N/A	77.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.540 cfs	N/A	77.0	77.0		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 26th day of May, 2026.



Scott King, Western Regional Manager

WATER RIGHT NO. 63-35692
As Modified by Transfer No. 90202

In accordance with the approval of Transfer No. 90202, Water Right No. 63-35692 is now described as follows:

Right Holder: B RIVER RANCH LLC
6325 HAVENFIELD LN
CALDWELL, ID 83607-1006

Priority Date: 6/1/1881

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

1.540 cfs
1.540 cfs

LOCATION OF POINT(S) OF DIVERSION

BOISE RIVER
BOISE RIVER

SENE
NESW

Sec 17 Twp 05N Rge 05W CANYON County
Sec 22 Twp 05N Rge 05W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	17		40.0	5.5	31.5													77.0

POU Total Acres: 77.0

CONDITIONS OF APPROVAL

1. Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, 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 Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
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 place of use.
3. 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.
4. 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).

Transfer No. 90202

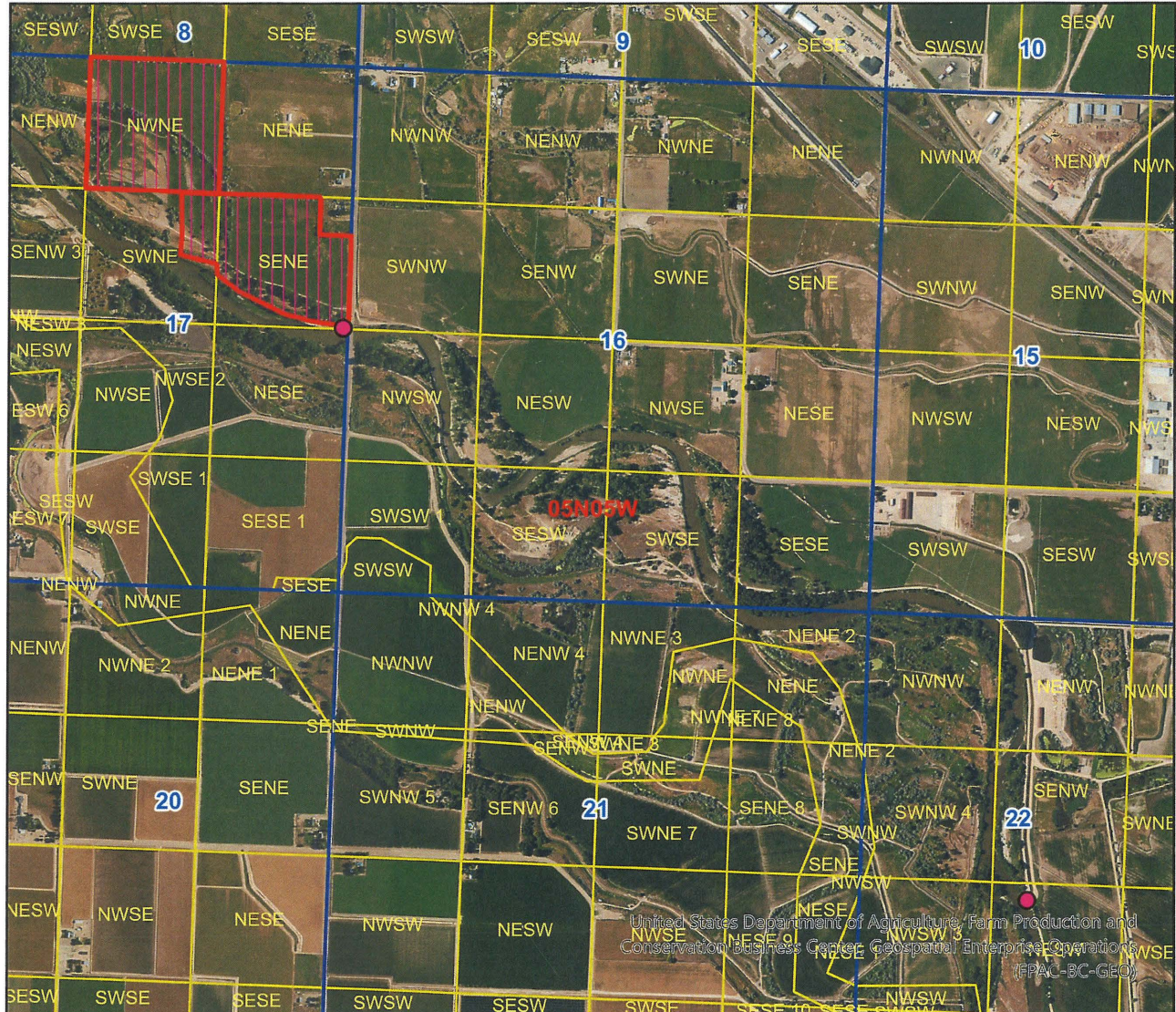
WATER RIGHT NO. 63-35692
As Modified by Transfer No. 90202

CONDITIONS OF APPROVAL

5. Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
6. This right originated as all or part of right no. 77-A in the Stewart Decree and the historic Boise River Water Masters records.
7. Right is diverted at the Parma Ditch Company headgate and delivered by the Parma Ditch Company.
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.
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.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 90202
Water Right: 63-35692

This map depicts the IRRIGATION point of diversion for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.2 0.4 0.8 Miles

Legend

- Transfer POD
- ▨ Transfer POU
- ▭ Township/Range
- ▭ Sections
- ▭ QQ



Hobson, Susy

From: Hobson, Susy
Sent: Tuesday, May 26, 2026 12:36 PM
To: getrocked@att.net
Subject: Transfer Approval Notice 90202
Attachments: Transfer Approval 90202 B River Ranch for 63-35692.pdf

Hi Cynthia,

Attached is the approved transfer for B River Ranch and water right #63-35692. A hard copy will be mailed via USPS.

Please let us know if you have any questions.

Kind Regards,

Susy

Susy Hobson
Technical Records Specialist



Western Region
2735 W. Airport Way, Boise ID 83705
(208) 605-4631 susy.hobson@idwr.idaho.gov



May 26, 2026

B RIVER RANCH LLC
6325 HAVENFIELD LN
CALDWELL ID 83607-1006

Re: Transfer No: 90202, Water Right No.: 63-35692

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact this office and ask to speak with Izzy Crichton,
(208) 334-2190.

Sincerely,

Susan E Hobson

Susy Hobson
Technical Records Specialist

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer, 90202) to the person listed below:

B RIVER RANCH LLC
6325 HAVENFIELD LN
CALDWELL ID 83607-1006



Susy Hobson
Technical Records Specialist

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.

MEMORANDUM

TO: Transfer No. 90202

FROM: Izzy Crichton

DATE: December 12, 2025

RE: Evaluation of Application

The purpose of this transfer is to add a point of diversion on the Boise River. The transfer proposes adding a point of diversion to water right 63-35692 ~2.2 miles downstream of the current point of diversion. New point of diversion is shared with water right permit 63-35528.

The new point of diversion is in T05N R05W Sec.17 SENE. The current point of diversion is in T05N R05W Sec. 22 NESW. The place of use is located at T05N R05W Sec.17.

Summary of Information Submitted

Authority to File:

The transfer application was submitted by B River Ranch LLC. The owner of the water right is B River Ranch LLC. The application was signed and submitted by Cynthia Gann Kelly who is the current registered agent with the Idaho Secretary of State.

Water Right Validity:

Water right no. 63-35692 was decreed in the SRBA in 2009. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery.

Injury to Other Water Rights:

Transfer 90202 proposes no changes in nature of use or quantity diverted at the new or current point of point of diversion. There are two points of diversion for other water rights upstream of the new point of diversion. 63-35692 is senior to the other two water rights and should not cause injury because 63-35692 would historically receive water prior to reaching the other two points of diversion. No injury is anticipated.

Enlargement of Use:

The proposed changes will not result in an increase in the diversion rate, or acres irrigated. There are no major tributaries between the original and new points of diversion so the amount of water should not change significantly while diverting from the new location. Enlargement does not appear to be an issue.

Local Public Interest:

This transfer is not anticipated to cause potential water quality issues, impact current land use requirements on non-private land or impact fish/wildlife resources. For these reasons this application proposes a change consistent with the local public interest.

Comment letters will be sent to Fish and Game and District 63 Water Master.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Water right 63-35692 was created from a split from 63-272. The current point of diversion is from a canal to the place of use. The new point of diversion is on the property of the applicant and would pump water directly from the Boise River. The new point of diversion for water right 63-35692 is currently used for a storage and recreation water right permit 63-35528.

Water Right Overlap

Possible POD overlap with B River Ranch LLC's permitted water right 63-35528. Donald and Tressa Tredway's domestic water right and B River Ranch LLC's permitted recreation/storage water right 63-35528 overlaps the place of use but are not significant since they are not irrigation rights.

Discussion

If approved, condition C18 should be updated to T19 and standard transfer conditions T07 and T08 should be added to the conditions of water right no. 63-35692. Conditions C05 and C03 are explanatory conditions that no longer apply to the water right and will be removed. Conditions R43 and R05 will be added since the new point of diversion may be regulated by a watermaster and associated measuring conditions would apply. Condition R65 should be added to explain the standard duty of water in the area. Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Note

If the application should be **rejected or denied**, adapt the memo to document the basis for this action. Regional Manager can issue the order effective July 2007.