

06/22/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-30130

NAME AND ADDRESS: THURMAN MILL DITCH CO LTD
10611 W TREELINE CT
BOISE ID 83713

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 15.480 CFS

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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1868

POINT OF DIVERSION:
T03N R02E S5 NESE Lot 11 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	15.480 CFS
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 for flood control 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 Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

1782 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1782 ACRES WITHIN THE BOUNDARY OF THURMAN MILL DITCH COMPANY

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE THURMAN MILL CANAL

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-176, 63-193, 63-210, 63-211, 63-221, 63-250, 63-31936, 63-135, 63-30129, 63-30125, 63-30131, 63-192, 63-19425, 63-216C

DESIGNATED AS NOS 36 AND 37 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-169E AND 63-170B

RECEIVED

JUN 23 2005

WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 24, 2005

Water Right Number: 63-30130

THURMAN MILL DITCH CO LTD
10611 W TREELINE CT
BOISE, ID 83713
Telephone Number: (208)376-3769

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Place of use:
1373.6 ACRES TOTAL
2. Describe the changes you wish to make in the proposed recommendation:
Place of Use: 1782 ACRES TOTAL
3. Give a brief explanation as to why you disagree with these portions:
Based on an application of one inch to the acre, the total irrigated acres for any given season should be 1782.

_____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 6/22/05

SIGNATURE: 

Please print your name: S. Bryce Farris

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-30130Owner: Thurman Mill Ditch Co. Phone No. See 63-135

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER See 63-135
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6-1-1868 = same as decrees(If priority date, based on your exam, seems questionable, explain below.)

_____Source: Bowse River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	11		NE	SE	5	3N	2E	Ada	GPS + USGS topo map

Description of diverting works

See 63-135**OVERLAP REVIEW**

Other water rights with the same point of diversion:

See 63-135

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☐ No change☐ Different Uses

* Use Irrigation From 3-1 To 11-15 Amount 15.48 CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only NA☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☐ Changes shown below:

<i>Limited to 1782 within TMDC</i> Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Designated as Nos 36 & 37

Combines 63-169E + 63-170B

* *Diversion rate is overclaimed by the amounts reduced in transfers 736, 871, 872, and 3373 (see attached copies). The correct amount should total 15.48 cfs after the approved transfers.*

63-30130

(16)

XXXI.

That the defendant, THE BOISE CITY CANAL COMPANY a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on said river above the city of Boise for use on the lands lying under its canal system, in the following amount from the following date;
 63 0165 T 370, 373, 1048, 1059
 1903 inches, from June 1, 1866; and hereby designated as Right No. 33.
 And be adjudged to pay \$133.21 costs in addition to the costs incurred by it.

XXXII

That the defendant THE FRANKLIN DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted at a point on the William Frost farm in Sec. 18, T. 4 N. R. 1 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;
 63 0166
 770 inches, from July 3, 1866; and hereby designated as Right No. 34.
 63 0167
 1380 inches, from Oct. 29, 1880; and hereby designated as Right No. 77.
 And be adjudged to pay \$150.50 costs in addition to the costs incurred by it.

XXXIII.

That the defendant THE CANYON COUNTY WATER COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near where the east line of Canyon County intersects said north bank, for use upon the lands lying under its canal system, in the following amount from the following date;
 63 0168
 3790 inches, from June 1, 1867; and hereby designated as Right No. 35.
 And be adjudged to pay \$265.30 costs in addition to the costs incurred by it.

XXXIV.

That the defendant MARTHA E. McCARTHY be, and she is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river on SE 1/4 of NE 1/4, Sec. 5, T. 3 N. R. 3 E. B.M., through what is known as the Thurman Mill Slough or ditch, for use upon lands lying under said ditch, in the following amount from the following date;

63 0169 14,1066
 705 inches, from June 1, 1868; and hereby designated as Right No. 36.
 And be adjudged to pay \$49.35 costs in addition to the costs incurred by her.

JUN 21 1936

XXXV.

That the defendants H. D. GOODMAN and DORA GOODMAN be, and they are hereby awarded the use of the waters of Boise River, diverted from a point on said river in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 5, T. 3 N.R. 2 E. B.M., through what is known as the Thurman Mill Ditch or slough, for use upon lands situated in Secs. 31 and 32, T. 4 N. R. 2 E. B.M., in the following amount and from the following date;

63 0170 185 inches, from June 1, 1868; and hereby designated as Right No. 37.
 7-736
 And be adjudged to pay \$12.95 costs in addition to the costs incurred by them.

XXXVI.

That the defendant T. T. JOHNSON be, and he is hereby awarded the use of the waters of Boise River, diverted at a point in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 12, and SE $\frac{1}{4}$ of Sec. 2, T. 4 N. R. 4 W. B.M., for use upon the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, and lots 2 and 3 in Sec. 3, T. 4 N. R. 4 W. B.M., in the following amount from the following date;

63 0171 160 inches, from June 1, 1868; and hereby designated as Right No. 38.
 7 A.D. 3
 And be adjudged to pay \$11.20 costs in addition to the costs incurred by him.

XXXVII.

That the defendants C. B. ROSS, C. H. ALLEN, EDGAR DILLEY and W. H. ROSS, be and they are hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river near the NE corner of Sec. 21, through what is known as the Haas canal, for use upon lands in Secs. 16, 17, 20 and 21, T. 5 N. R. 5 W. B.M., in the following amount from the following date;

63 0172 427 inches, from June 1, 1868; and hereby designated as Right No. 39
 And be adjudged to pay \$29.89 costs in addition to the costs incurred by them

XXXVIII.

That the defendant S. S. GRAY be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point at the head of the Middleton Mill ditch, on NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 13, T. 4 N. R. 1 W. B.M., for use upon the N. $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 10, T. 4 N. R. 1 W. B.M., in the following amount and from the following date;

63 0173 70 inches, from June 1, 1868.; and hereby designated as Right No. 40.
 And be adjudged to pay \$4.90 costs in addition to the costs incurred by him.

MICROFILMED

JUN 21 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-30130

WATER RIGHT NUMBER: 63-30130

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THURMAN MILL DITCH co LTD 10611 W TREELINE COURT BOISE, ID 83713 (208)376-3769

Priority Date: 06/01/1868

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	17.800 CFS	
	<u>Total Diversion:</u>		17.800 CFS	} should be 15.48 cfs !

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 5, Twp 03N, Rge 02E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01E S21	NESE	40.0	T04N R01E S21	SESE	28.6
T04N R01E S22	SWSW	35.0			
Total Acres: 103.6					

Conditions of Approval:Remarks:

1. General DESC. OF DIVERTING WORKS: BOISE RIVER: CEMENT HEADGATE WITH LOCKED GATES AND APRON EXTENDING ACROSS BOISE RIVER WITH COLLAPSIBLE STEEL STANCHIONS. JUNCTION DRAIN: 24" PIPE ABOUT 50 FEET LONG USING A SMALL EARTH DAM AS OCCASION MAY REQUIRE.
REMARKS: THE HARTSON DECREE DATED AUGUST 13, 1925 DIRECTED DIVERSION OF 570.98' (11.42 CFS) OF DRAINAGE WATERS FROM THE JUNCTION DRAIN INTO THE THURMAN MILL DITCH (CLAIM NO. A63-19084). NOTE: THIS RIGHT IS A COMBINATION OF RIGHT NOS. 63-00169E AND 63-00170B. THESE TWO RIGHTS TOTAL 15.48 CFS RATHER THAN THE 17.8 CFS CLAIMED BECAUSE THE DITCH COMPANY DID NOT DEDUCT WATER TAKEN AWAY BY TRANSFER NO. 736 ON RIGHT NO. 63-00170(1.00 CFS) AND BY TRANSFER NOS. 871(.288 CFS), 872(.22 CFS), & 3373(.814 CFS) FOR RIGHT NO. 63-00169. AKA RIGHT NOS. 36 & 37 IN BOISE RIVER BOOK. ACTUAL IRRIGATED ACRES CLAIMED UNDER THIS RIGHT = 395 ACRES.
LAND OWNED BY INDIVIDUAL SHAREHOLDERS IN THE THURMAN MILL DITCH CO.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-30130

Dates and Other Information:

Claim Received Date: 10/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Right Report 63-169E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARTHA E MC CARTHY
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	12.780 CFS	
	<u>Total Diversion:</u>	12.780 CFS	

<u>Location of Point(s) of Diversion</u>			
BOISE RIVER	NW1/4NW1/4	Sec. 9,	Twp 03N, Rge 02E, B.M.
ADA County			

Place of Use

Conditions of Approval:

Remarks:

1. General LANDS UNDER THURMAN MILL DITCH.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-170B

WATER RIGHT NUMBER: 63-170B

Owner Type Name and Address

Current Owner H D GOODMAN

, ID

Current Owner DORA GOODMAN

, ID

Priority Date: 06/01/1868

Basis: Decreed

Status: Active

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

2.700 CFS

Annual Volume

DOMESTIC

/ to /

Total Diversion: 2.700 CFSLocation of Point(s) of Diversion

BOISE RIVER

SE1/4NE1/4

Sec. 5, Twp 03N, Rge 02E, B.M.

ADA County

Place of UseIRRIGATION Within ADA County

T04N R02E S31

T04N R02E S32

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General TRANS. 736.
WATER CARRIED IN THURMAN MILL DITCH.

Comments:Dates and Other Information:

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	McCarthy, Martha E.	14.1		63-0169
871	Bryce, Frank J.	0.288		63-0169 B
	McCarthy, Martha E.	13.812		63-0169 A
872	Keyser, George D.	0.22		63-0169 D
	McCarthy, Martha	13.592		63-0169 C
2448 (Denied)	Howard D. Austin	1.22		63-0169-
	McCarthy, Martha	12.372		~~63-0169~~
3373	Boise Water Corp.	0.814		63-0169F
	McCarthy, Martha	12.778		63-0159E

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 736

THIS IS TO CERTIFY THAT AIRCRAFT SERVICE COMPANY, of Boise, Idaho, is the owner of and using a certain water right in the amount of 3.7 cubic feet per second (or 185 inches) of the waters of Boise River, with priority of June 1, 1868, decreed to H. P. Goodman and Fore Goodman by Judge George Stewart, of the District Court of the 7th Judicial District of the State of Idaho in and for the county of Canyon, in the case of

FARMERS' COOPERATIVE DITCH COMPANY, et al

Plaintiff,

vs.

RIVERSIDE IRRIGATING DISTRICT, LTD.,
a Corporation, et al

Defendants.

said decree bearing date of January 18, 1908, and being appurtenant to the following described lands, to-wit:

Lot 8, Section 30,
NE $\frac{1}{4}$ NE $\frac{1}{4}$; Lots 2-5-11; Fr. Lot 4;
Fr. SE $\frac{1}{4}$ NW $\frac{1}{4}$; Fr. NE $\frac{1}{4}$ SW $\frac{1}{4}$; Fr. SE $\frac{1}{4}$ SW $\frac{1}{4}$;
& Fr. Lot 7, described as being Northerly
of the rim of the first bench; Fr. Lot 13;
Fr. NW $\frac{1}{4}$ SE $\frac{1}{4}$; & SW $\frac{1}{4}$ NE $\frac{1}{4}$; lying South and
West of Slough, in Section 31, all in
all in Township 4 N., Range 2 E., B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5, of Decrees, beginning at Page 410 thereof.

That said Aircraft Service Company has become the owner of said water right through purchase.

And that now upon the application of Aircraft Service Company, by its President, John D. Bradley, of Boise, Idaho, for the transfer of One (1) cubic foot per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of One (1) cubic foot per second of the waters of Boise River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

.50 cubic foot per second to E $\frac{1}{2}$ SE $\frac{1}{4}$, and N. 30 acres Lot 1, Section 24
.10 cubic foot per second to N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26,
.40 cubic foot per second to E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 24,
All in Township 4 North, Range 1 West, B.M.

63-170 → A = 1.0
(3.70 cfs) B = 2.70

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

One (1) cubic foot per second, bearing
date of priority of June 1, 1888.

That the water right hereby transferred has heretofore been conducted from Boise River to the first above described lands through the Thurman Mill Ditch with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Township 3 North, Range 2 East, B.M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Settlers' Irrigation District Canal with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, Township 3 North, Range 2 East, B.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 9th day of March, A. D. 1949.

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 872

THIS IS TO CERTIFY, That George D. Keyser, Jr., of Route No. 1, Meridian, Idaho, is the owner of and using a certain water right for 11 inches, or 0.22 cubic foot per second, of the waters of Boise River, with priority of June 1, 1868, decreed to Martha E. McCarty, by Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS CO-OPERATIVE DITCH COMPANY,
A Corporation,

Plaintiff,

Vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.
A Corporation, et al.,

Defendants

said decree bearing date of January 13, 1906, and being appurtenant to the following described lands, to-wit:

N¹ NE¹ Section 25,
Twp. 4 North, Range 1 East, B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 5 of Decrees, beginning at page 410 thereof.

That the said George D. Keyser, Jr., has become the owner of said water right through purchase.

And that now, upon the application of George D. Keyser, Jr., of Meridian, Idaho, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 11 inches or 0.22 cubic foot per second of the waters of Boise River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

S¹ SE¹ Section 21,
Twp. 4 North, Range 1 West, B. M.

That the said water is to limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

11 inches, or 0.22 cubic foot per
second, with priority of June 1, 1868.

That the water right hereby transferred has heretofore been conducted to the first above described land through the Thurman Mill Ditch, with point of diversion in the SE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 5, Township 3 North, Range 2 East, B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Settlers Irrigation District Canal, with point of diversion in the NW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 9, Township 3 North, Range 2 East, B. M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 2nd day of October, A. D. 1956.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 871

THIS IS TO CERTIFY, That J. Frank Bryce, of Route No. 1, Meridian, Idaho, is the owner of and using a certain water right for 14.4 inches, or 0.288 cubic foot per second of the waters of Boise River, with a priority of June 1, 1898, decreed to Martha E. McCarty, by Judge George M. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS' CO-OPERATIVE DITCH COMPANY,
A Corporation,
Plaintiff

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,
A Corporation, et al.,

Defendants,

said decree bearing date of January 18, 1906, and being appurtenant to the following described lands, to-wit:

That portion of Lots 5 and 6 lying
Northerly of the right-of-way of State
Highway as shown by deed recorded in Book 231
of Deeds, at page 485, records of Ada
County;
Also Lots 7, 8 and 9;
All of said lots being in the Strawberry
Glean Subdivision, located in Section 25,
Township 4 North, Range 1 East, B. M.

That said decree has been entered in the records of the
Department of Reclamation of the State of Idaho in Volume 5 of Decrees,
beginning at Page 410 thereof.

That the said J. Frank Bryce has become the owner of said
water right through purchase.

And that now, upon the application of J. Frank Bryce, of
Meridian, Idaho, for a Certificate of Transfer of Water Right, made
before the State Reclamation Engineer of the State of Idaho, and the
said application having been granted, the right to the use of 14.4
inches, or 0.288 cubic foot per second of the waters of Boise River
upon the above described lands is hereby abandoned, and the lands
to be irrigated under such right, and to which the water right HEREBY
CONFIRMED, shall become appurtenant by this certificate, for irrigation
and domestic purposes, are described as follows, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ and that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$
lying South of Phyllis Canal, in
Section 22,
Twp. 4 North, Range 1 West, B. M.

That the said water is to be limited at any given time to
an amount actually needed and beneficially used for such purposes,
and shall not exceed the following amount, to-wit:

14.4 inches or 0.288 cubic foot per
second, with priority of June 1, 1868.

That the water right hereby transferred has heretofore
been conducted to the first above described lands through the Thurman
Mill Ditch, with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5,
Township 3 North, Range 2 East, B. M.

That the water right hereby transferred will hereafter
be conducted to the last above described lands through the Settlers
Irrigation District Canal, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 9, Township 3 North, Range 2 East, B. M.

That the right to the use of the water aforesaid, hereby
confirmed, is restricted to the lands or place of use last above
described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused
the official seal of the Department of Reclamation of the State of
Idaho to be hereunto affixed, at Boise, Idaho, this 2nd day of October
A. D. 1956.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3373Amended

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Boise Water Corporation Phone 362-1300
Post Office address P.O. Box 7488 Boise, Idaho 83707

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To change the nature of use, place of use and point of diversion under 46-1/2 shares of stock in the Thurman Mill Ditch Company, Ltd., in order to make these waters available for diversion by Boise Water Corporation ("BWC") through BWC's three Marden Street Ranney Collectors, each as an alternate point of diversion for the others.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac ft)	Nature of Use	Period of Use
<u>63-0169F</u>	<u>June 1, 1868</u>	<u>0.814</u>	<u>Municipal</u>	<u>Apr. 1</u> to <u>Oct. 31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Boise River tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	NE	14	3N	2E	Ada	Marden Street Ranney Collectors
								Nos. 1-3

5. Lands irrigated or place of use:
- Boise Water Corporation service area

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

PART 1

6. General Information:

a. Description of diversion system The Marden Street Ranney Collectors Nos. 1 - 3 draw shallow ground water from the alluvium near the north bank of the Boise River in East Boise. The system consists of three such collector systems with pumps, lines and distribution systems.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The lands historically irrigated by these Thurman Mill shares are being developed as the Willowbrook Subdivision. No further irrigation is occurring there except for lawn and shrub sprinkling with water from a commercial supplier. The subdivision covers approximately 43 acres.

d. Remarks:

The Willowbrook Homeowners Association, and the majority of the individual landowners in the subdivision, have authorized the transfer of this portion of the water right from these lands.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-0169F

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable controlling device and totalizing flow measuring device acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Diversion of water under this right is limited to a maximum total volume of 199 acre-feet per annum at a maximum rate of flow of 0.814 cfs.
3. Use of water under this right is subject to control by the watermaster of State Water District 63, Boise River.

Witness my hand this 25th day of February, 19 88.

J. Glen Saxton
Chief, Operations Bureau

PART 3**B. CHANGES IN NATURE OF USE**

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
<u>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|-------------------------------------|------------------------|---|
| | <u>municipal</u> | <u>0.8985 cfs</u> | <u>24 hrs/day</u> | <u>April 1 to October 31</u> |
| | | | | <u> to </u> |
2. Quantity and quality of return flows and location of discharge:
Approximately 65% of this amount will return to the Boise River in relatively good
quality, primarily as treated effluent discharged from the Boise City sewer treatment
plants.
3. Describe effects on other water uses resulting from the proposed change:
None anticipated. Since this water no longer will be available for diversion through
the Thurman Mill Ditch, BWC recognizes that there could be some effect on the carriage
water available in that ditch. However, since this transfer involves only a small
portion of the Thurman Mill right such effects are not anticipated.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Wayne Bone, President
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of September, 1987.

Charles Eaton
(Notary Public)

My commission expires 8-12-91

FOR DEPARTMENT USE ONLY

Transfer contains pages and attachments

Received by re Date 9-7-87 Protest filed by

Prelim. check by Fee \$0.143935

Received by SE Date 9-28-87

Published in Copies of protest forwarded by

Pub. dates Hearing held by Date

Watermaster recommendation requested on Recommended for ☐ approval ☐ denial

 rec'd. by

Copy of transfer sent to lien holder

**T03N, R02E
SEC 5**

**POINT OF DIVERSION
THURMAN MILL DITCH CO,
WARM SPRINGS DITCH CO &
DRAINAGE DISTRICT #4**

**NESE
LT 11**

The map is an aerial photograph overlaid with a grid. A yellow boundary line follows a winding path across the grid. The area within this boundary is filled with a red dotted pattern. A blue line, likely representing a waterway, runs parallel to the yellow boundary. Black lines represent roads or other infrastructure. The map is divided into sections labeled with numbers 23, 25, 26, 27, and 30. Township and Range labels 'T04N, R01E' and 'T04N, R02E' are also present.

**THURMAN MILL DITCH CO
BOUNDARY AND PLACE OF USE MAP**

27
T04N, R01E

30
T04N, R02E

ADJUDICATION MEMORANDUM

CLAIM NO.: See Below

SUBJECT: Request to See Files

EMPLOYEE: Mel Schulte

DATE: 9-20-95

Mr. Dale Merrick (342-3563) was in the office on 9-20-95 and requested to review the files for the claims filed by the Thurman Mill Ditch Company listed on the attached summary report. Mr. Merrick reviewed the files independently on this date and indicated he obtained the information he needed.

03/26/1996: An employee of Marcus, Merrick, & Montgomery came in today for copies of the following original claims (no correspondence was copied):

A63-00135 A63-00176 A63-00193 A63-00210 A63-00211

A63-00221 A63-00250 A63-19084 A63-30125 A63-30129

A63-30130 A63-30131 (TT)

MICROFILMED
OCT 18 1996

OD-5816
AJ5816NP
SELECTION FILE: THUR_MILL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION SOURCE SUMMARY REPORT
BY WATER SOURCE/CURRENT OWNER LAST NAME

DATE: 08/08/95
TIME: 14:27:36
PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
=====								
WATER SOURCE: BOISE RIVER								
A63-20040	BOISE CITY CANAL COMPANY	09/01/1921	D	03N 02E 5	SENE	3.010 CFS	575.1	01
A63-20041	BOISE CITY CANAL COMPANY	06/01/1866	D	03N 02E 24	NWNE 1	36.370 CFS	575.1	01,04,19,20,40
A63-20040	BOISE CITY CANAL COMPANY	09/01/1921	D	03N 02E 14	SENE	3.010 CFS	575.1	01
A63-20041	BOISE CITY CANAL COMPANY	06/01/1866	D	03N 02E 5	SENE	36.370 CFS	575.1	01,04,19,20,40
A63-20040	BOISE CITY CANAL COMPANY	09/01/1921	D	03N 02E 24	NWNE 1	3.010 CFS	575.1	01
A63-20041	BOISE CITY CANAL COMPANY	06/01/1866	D	03N 02E 14	SENE	36.370 CFS	575.1	01,04,19,20,40
A63-02360	BOISE VALLEY IRRIGATION DITCH CO	07/19/1921	L	03N 02E 5	NESENE	1.200 CFS	45.0	01
A63-00147	BOISE VALLEY IRRIGATION DITCH CO	06/01/1865	D	03N 02E 5	NESENE	54.580 CFS	2501.0	01
A63-00169F	BOISE WATER CORP	06/01/1868	D	03N 02E 14	NWSENE	0.814 CFS		40
A63-00169F	BOISE WATER CORP	06/01/1868	D	03N 02E 5	SENE	0.814 CFS		40
A63-00165L	BOISE WATER CORP	06/01/1866	D	03N 02E 14	NWSENE 7	0.680 CFS		40
A63-00165L	BOISE WATER CORP	06/01/1866	D	03N 02E 5	SENE	0.680 CFS		40
A63-00123C	FARMERS UNION DITCH CO LTD	06/01/1864	D	03N 02E 5	NESENE	20.000 CFS	8394.0	01
A63-00297	FARMERS UNION DITCH CO LTD	07/02/1894	D	03N 02E 5	NESENE	54.460 CFS	8394.0	01
A63-00124Q	FARMERS UNION DITCH CO LTD	06/01/1864	D	03N 02E 5	NESENE	0.100 CFS	8394.0	01
A63-00198AG	FARMERS UNION DITCH CO LTD	06/01/1877	D	03N 02E 5	NESENE	3.120 CFS	8394.0	01
A63-00126F	FARMERS UNION DITCH CO LTD	06/01/1891	D	03N 02E 5	NESENE	0.080 CFS	8394.0	01
A63-00164E	FARMERS UNION DITCH CO LTD	06/01/1866	D	03N 02E 5	NESENE	1.800 CFS	8394.0	01
A63-00125J	FARMERS UNION DITCH CO LTD	06/01/1871	D	03N 02E 5	NESENE	0.260 CFS	8394.0	01
A63-00165M	FARMERS UNION DITCH CO LTD	06/01/1866	D	03N 02E 5	NESENE	1.690 CFS	8394.0	01
A63-00120G	FARMERS UNION DITCH CO LTD	06/01/1864	D	03N 02E 5	NESENE	1.800 CFS	8394.0	01
A63-00248	FARMERS UNION DITCH CO LTD	07/02/1894	D	03N 02E 5	NESENE	110.000 CFS	8394.0	01
A63-00176	THURMAN MILL DITCH COMPANY LTD	06/01/1869	D	03N 02E 5	NESE	1.600 CFS		01
A63-30131	THURMAN MILL DITCH COMPANY LTD	06/01/1882	D	03N 02E 5	NESE	5.600 CFS	382.6	01
A63-00193	THURMAN MILL DITCH COMPANY LTD	06/01/1876	D	03N 02E 5	NESE	0.440 CFS	12.0	01
A63-00135	THURMAN MILL DITCH COMPANY LTD	06/01/1864	D	03N 02E 5	NESE	3.300 CFS		01
A63-00221	THURMAN MILL DITCH COMPANY LTD	06/01/1883	D	03N 02E 5	NESE	0.900 CFS	37.8	01
A63-19084	THURMAN MILL DITCH COMPANY LTD	08/13/1925	D	04N 01E 23	SWSE	11.420 CFS	938.0	01
A63-30130	THURMAN MILL DITCH COMPANY LTD	06/01/1868	D	03N 02E 5	NESE	17.800 CFS		01
A63-00250	THURMAN MILL DITCH COMPANY LTD	07/01/1895	D	03N 02E 5	NESE	0.660 CFS	38.1	01
A63-30125	THURMAN MILL DITCH COMPANY LTD	06/01/1865	D	03N 02E 5	NESE	1.860 CFS	72.4	01
A63-00210	THURMAN MILL DITCH COMPANY LTD	06/01/1880	D	03N 02E 5	NESE	2.400 CFS	103.6	01
A63-19084	THURMAN MILL DITCH COMPANY LTD	08/13/1925	D	03N 02E 5	NESE	11.420 CFS	938.0	01
A63-30129	THURMAN MILL DITCH COMPANY LTD	06/01/1872	D	03N 02E 5	NESE	2.100 CFS	34.1	01
A63-00211	THURMAN MILL DITCH COMPANY LTD	10/20/1880	D	03N 02E 5	NESE	0.900 CFS	35.0	01
A63-19425	WARM SPRINGS DITCH COMPANY	06/01/1882	D	04N 01E 22		4.200 CFS	210.0	01
A63-00192	WARM SPRINGS DITCH COMPANY	06/01/1876	D	03N 02E 5	SENE	2.300 CFS	115.0	01
A63-00216C	WARM SPRINGS DITCH COMPANY	06/01/1889	D	03N 02E 5	SENE	1.200 CFS	55.0	01
A63-00192	WARM SPRINGS DITCH COMPANY	06/01/1876	D	04N 01E 22		2.300 CFS	115.0	01
A63-00216C	WARM SPRINGS DITCH COMPANY	06/01/1889	D	04N 01E 22		1.200 CFS	55.0	01
A63-19425	WARM SPRINGS DITCH COMPANY	06/01/1882	D	03N 02E 5	SENE	4.200 CFS	210.0	01

WATER SOURCE: JUNCTION DRAIN

84 THURMAN MILL DITCH COMPANY LTD
084 THURMAN MILL DITCH COMPANY LTD

08/13/1925 D 04N 01E 23 SWSE
08/13/1925 D 03N 02E 5 NESE

11.420 CFS 938.0 01
11.420 CFS 938.0 01

Gale Merrick
342-3563

08/13/1925
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COMMUNICATION DOCUMENTATION

Claim No. THURMAN MILL DITCH CO.
CLAIMS

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN SHURTE Date 11-1-94Contact Person(s) MIKE HORKLEYNature of Contact TELEPHONESubstance of Communication MR. HORKLEY PHONED

REQUESTING COPIES OF ALL THURMAN
MILL DITCH CO. RIGHTS, PLUS HE WANTED
IDWR TO CHANGE THE NAME FOR IN
CARE OF FROM HIS WIFE'S, MITZI HORKLEY
TO HIMSELF, MIKE HORKLEY, SECRETARY.
I TOLD HIM WE WOULD SEND HIM A
COPY.

MICROFILMED
OCT 18 1996

Law Offices
Timothy J. Gass
Counselor & Attorney at Law
Main Street Plaza, Suite 204
1655 Fairview Ave.
Boise, Idaho 83702

RECEIVED
OCT 04 1989

Department of Water Resources
Western Regional Office

Elbert E. Gass
of Counsel

Area Code 208
345-3817

October 2, 1989

Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705

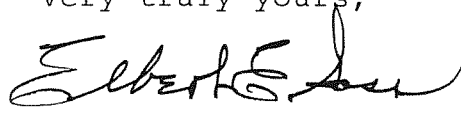
Re: Thurman Mill Ditch Company, Ltd

Gentlemen:

I enclose eleven Notices of Claim to a Water Right based upon the Stewart Decree and a Notice of Claim to a Water Right based on the Hartson Decree.

After removing subdivided properties from the acreage within its original delivery system, the Thurman ascertained that there were 1,575 irrigable acres. Thus, I enclose the Thurmans check in the amount of \$1,625.00.

Very truly yours,


Elbert E. Gass

EEG/mg

Enclosures

MICROFILMED
OCT 18 1990

SEP 06 1989

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

THURMAN MILL DITCH COMPANY, LTD. (208) 939-2323
Name of Claimant Phone Number
c/o ROBERT C. CARRICO, ROUTE NO. 4, Boise, Idaho 83704
Mailing Address City State Zip

ADA August 18, 1989
County(s) where place of use is located Date claim originally due
1,973.4 inches (39.468 cfs) awarded by the Stewart Decree of 1-18-1906
and 570.98 inches of drainage water from Drainage District No. 4
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Registered Agent confused due date of Claim to Water Right with that of another entity.
Ditch Company and Attorney thought he had obtained Extension of Time. Have been collecti
all information (the Stewart Decree, Licenses, Minutes and Boise River Master Reports) t
submit a proper claim. Verification of land now under irrigation required due to change
of land use and impact of growth in Garden City and Boise City.

Claimant requests an extension to October 1, 19 89
Elbert E. Gass September 1, 19 89
Signature ELBERT E. GASS Date of request
ATTORNEY
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [____ denied] for the following reasons:

and if granted the filing deadline is extended to October 1 19 89
Signed this 8 day of September 19 89
David B. Shaw
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

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OCT 18 1989

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 10/03/94
Time: 15:18:33

Rec/No - W006153 AR/No -
From: - THURMAN MILL DITCH CO.

Receipt Type - CK Doc/No - 311
Remarks - FEE STILL DUE - \$550

MOST CURRENT RECEIPT

Receipt Date: 10/05/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION CLAIM FEES	9337		410162	6490		1625.00

Total Due - 1625.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6319084	1075.00	A6300210	50.00	A6330125	50.00
A6300250	50.00	A6300193	50.00	A6330129	50.00
A6300211	50.00	A6300135	50.00	A6330130	50.00
A6330131	50.00	A6300221	50.00	A6300176	50.00

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*Paid for 1575 acres + 1 \$50 claim - A63-19084
all other \$50 flat fees for remaining
11 claims paid under CO22320.*

MICROFILMED
OCT 18 1996

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 10/03/94
Time: 15:27:56

Rec/No - C022320 AR/No -
From: - THURMAN MILL DITCH COMPAN

Receipt Type - CK Doc/No - 126
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 11/14/1991

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEES	9337		410162	6490		550.00

Total Due - 550.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6300135	50.00	A6300176	50.00	A6300193	50.00
A6300210	50.00	A6300211	50.00	A6300221	50.00
A6300250	50.00	A6330125	50.00	A6330129	50.00
A6330130	50.00	A6330131	50.00		

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

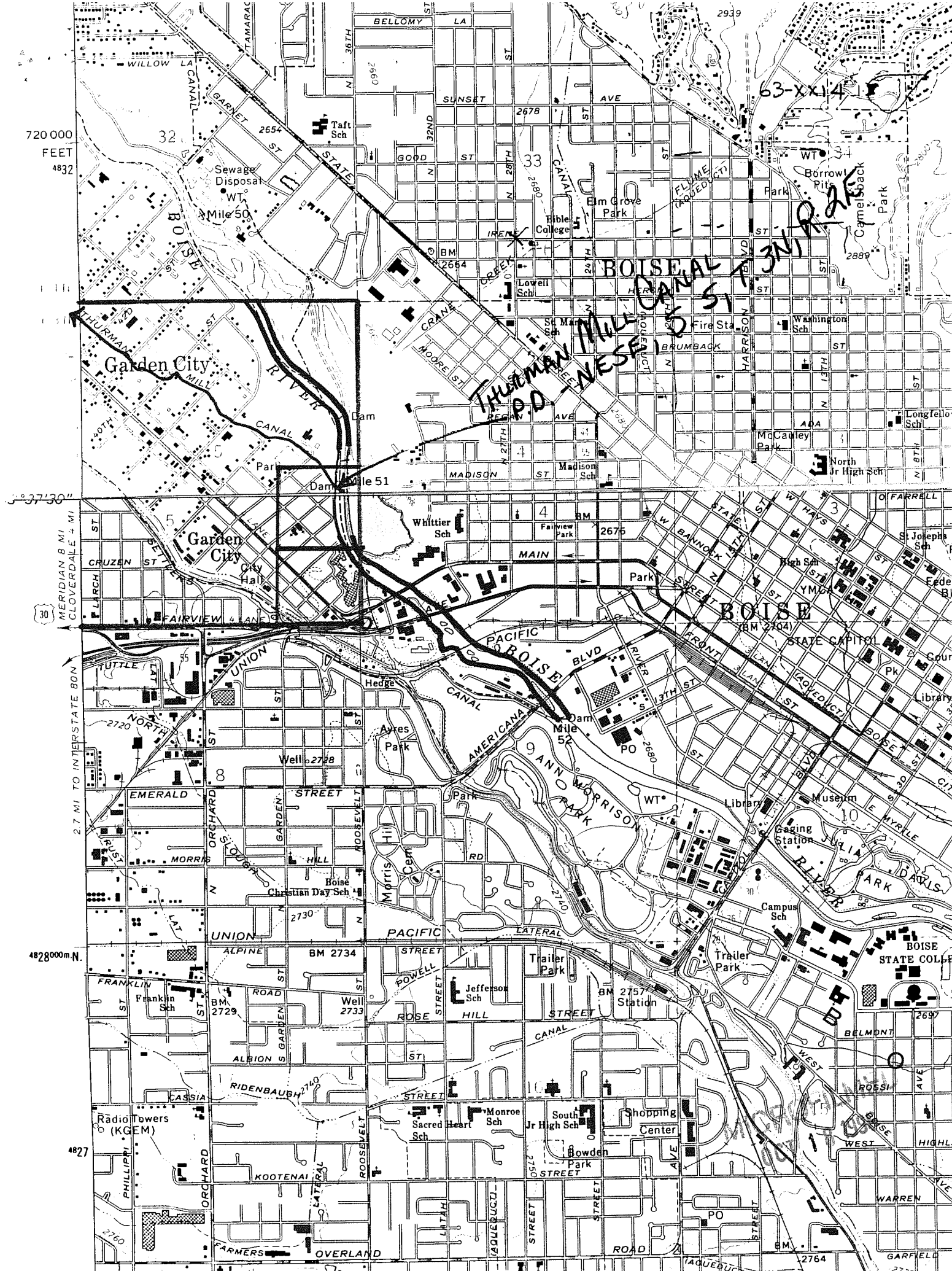
*\$50 flat fees paid under this receipt
for only the above 11 claims.*

MICROFILMED
OCT 18 1996

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY		INTERVENORS			TOTAL SEC. FT.
			NO.	DATE	STEWART	STEWART	BRYAN	
					DECREE	DECREE	DECREE	INCHES
SIEBENBERG			9	6-1-1865	13.42			671
		105*	9	6-1-1865	.50*			25*
		717*	9	6-1-1865	.64*			32*
								12.28
THURMAN MILL			7	6-1-1864	3.30	A63-00135		165
			10	6-1-1865	1.20	A63-30125 (combo)		60
			11	6-1-1865	.66			33
			36	6-1-1868	14.10	A63-30130 (combo)		705
			37	6-1-1868	3.70			185
			42	6-1-1869	1.60	A63-00170		80
			55	6-1-1872	.70	A63-30129 (combo)		35
			56	6-1-1872	1.40			70
			62	6-1-1876	.44	A63-00193		22
			75	6-1-1880	2.40	A63-00210		120
			76	10-20-1880	.90	A63-00211		45
			78	6-1-1882	.90	A63-30131 (combo)		45
			79	6-1-1882	.60			30
			81	6-1-1882	2.60			130
			84	6-1-1882	1.50			75
			87	6-1-1883	.90	A63-00221		45
			128	7-1-1895	.66	A63-00250		33
		412*	81	6-1-1882	.40*	SUBTRACTED THRU TRANSFERS TO OTHERS		20*
		736*	37	6-1-1868	1.00*			50*
		871*	36	6-1-1868	.288*			14.4*
		872*	36	6-1-1868	.22*			11*
		3373*	36	6-1-1868	.814*			40.7*
								34.83
UPPER CENTER POINT			23	6-1-1865	3.20			160
			24	6-1-1865	2.40			120
			25	6-1-1865	3.94			197
			26	6-1-1865	1.60			80
			27	6-1-1865	1.58			79
		71*	24	6-1-1865	.80*			40*
		85*	24	6-1-1865	.50*			25*
		148	96	10-1-1887	3.00			150
		159*	24	6-1-1865	.10*			5*
		289	89	11-9-1883	.50			25
								14.82

*SUBTRACT

MICROFILMED
OCT 18 1996



720 000
FEET
4832

63-XX14

THURMAN MILL CANAL
BOISEAL CANAL
3N1R 2E

37°30' N
30

4828000m N.

4827

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-30130
Date Received: 10/5/1989
Receipt No: W006153
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

THURMAN MILL DITCH CO LTD Phone: (208)376-3769
10611 W TREELINE CT
BOISE ID USA 83713

2. Date of Priority: 06/01/1868

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	5	NE SE	ADA	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	17.8	

7. Total Quantity Appropriated is:
17.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	01E	25		IRRIGATION	
04N	01E	26		IRRIGATION	

04N	02E	31	IRRIGATION
04N	02E	32	IRRIGATION

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Attorney name added per request. DH 4/17/2003

DESC. OF DIVERTING WORKS: BOISE RIVER: CEMENT HEADGATE WITH LOCKED GATES AND APRON EXTENDING ACROSS BOISE RIVER WITH COLLAPSIBLE STEEL STANCHIONS. JUNCTION DRAIN: 24" PIPE ABOUT 50 FEET LONG USING A SMALL EARTH DAM AS OCCASION MAY REQUIRE. REMARKS: THE HARTSON DECREE DATED AUGUST 13, 1925 DIRECTED DIVERSION OF 570.98 (11.42 CFS) OF DRAINAGE WATERS FROM THE JUNCTION DRAIN INTO THE THURMAN MILL DITCH (CLAIM NO. A63-19084). NOTE: THIS RIGHT IS A COMBINATION OF RIGHT NOS. 63-00169E AND 63-00170B. THESE TWO RIGHTS TOTAL 15.48 CFS RATHER THAN THE 17.8 CFS CLAIMED BECAUSE THE DITCH COMPANY DID NOT DEDUCT WATER TAKEN AWAY BY TRANSFER NO. 736 ON RIGHT NO. 63-00170(1.00 CFS) AND BY TRANSFER NOS. 871(.288 CFS), 872(.22 CFS), & 3373(.814 CFS) FOR RIGHT NO. 63-00169. AKA RIGHT NOS. 36 & 37 IN BOISE RIVER BOOK. ACTUAL IRRIGATED ACRES CLAIMED UNDER THIS RIGHT = 395 ACRES.
LAND OWNED BY INDIVIDUAL SHAREHOLDERS IN THE THURMAN MILL DITCH CO.

15. Basis of Claim: Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-30130**
Date Received: 10/ 5/1989
Receipt No: W006153
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: THURMAN MILL DITCH COMPANY LTD 208-939-0490
Address: C/O MIKE HORKLEY, SEC
11532 WEST JOPLIN RD
BOISE ID 83714

2. Date of Priority: JUN 1, 1868

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02E	5		NE	SE		ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	17.800		

7. Total Quantity Appropriated is:
17.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1382.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01E	25				IRR	
		26				IRR	
	02E	31				IRR	
		32				IRR	

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OCT 18 1996

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A63-00135/176/193/210/211/221/250/19084/30125/30129/31.

14. Remarks:

DESC. OF DIVERTING WORKS: BOISE RIVER: CEMENT HEADGATE WITH LOCKED GATES AND APRON EXTENDING ACROSS BOISE RIVER WITH COLLAPSIBLE STEEL STANCHIONS. JUNCTION DRAIN: 24" PIPE ABOUT 50 FEET LONG USING A SMALL EARTH DAM AS OCCASION MAY REQUIRE.

REMARKS: THE HARTSON DECREE DATED AUGUST 13, 1925 DIRECTED DIVERSION OF 570.98' (11.42 CFS) OF DRAINAGE WATERS FROM THE JUNCTION DRAIN INTO THE THURMAN MILL DITCH (CLAIM NO. A63-19084).

NOTE: THIS RIGHT IS A COMBINATION OF RIGHT NOS. 63-00169E AND 63-00170B. THESE TWO RIGHTS TOTAL 15.48 CFS RATHER THAN THE 17.8 CFS CLAIMED BECAUSE THE DITCH COMPANY DID NOT DEDUCT WATER TAKEN AWAY BY TRANSFER NO. 736 ON RIGHT NO. 63-00170(1.00 CFS) AND BY TRANSFER NOS. 871(.288 CFS), 872(.22 CFS), & 3373(.814 CFS) FOR RIGHT NO. 63-00169. AKA RIGHT NOS. 36 & 37 IN BOISE RIVER BOOK. ACTUAL IRRIGATED ACRES CLAIMED UNDER THIS RIGHT = 395 ACRES. LAND OWNED BY INDIVIDUAL SHAREHOLDERS IN THE THURMAN MILL DITCH CO.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED
OCT 18 1996

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 18 1996

COMMUNICATION DOCUMENTATION

Claim No. THURMAN MILL DITCH CO.

CLAIM

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN SHURTE Date 11-1-94Contact Person(s) MIKE HORKLEYNature of Contact TELEPHONE

Substance of Communication MR. HORKLEY PHONED
REQUESTING COPIES OF ALL THURMAN
MILL DITCH CO. RIGHTS; PLUS HE WANTED
IDWR TO CHANGE THE NAME FOR IN
CARE OF FROM HIS WIFE'S, MITZI HORKLEY
TO HIMSELF, MIKE HORKLEY, SECRETARY.
I TOLD HIM WE WOULD SEND HIM A
COPY.

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OCT 18 1996

RECEIVED

APR 16 2003

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

April 15, 2003

Mel Schulte
Sr. Adjudication Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Attorney of record filings

Dear Mr. Schulte:

Enclosed please find a Claimant Acknowledgment of Change in Attorney form from Thurman Mill Ditch Company, Ltd., which we recently received, for your file.

Please contact me if you have any questions or comments regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

✓
DH
4-17-03

RECEIVED

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

APR 16 2003

WATER RESOURCES
WESTERN REGION

Name(s) of Claimant (please print):

Thurman Mill Ditch Company, Ltd.

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

Ringeret Clark, Chartered Lawyers
4550 South Third Street.
P.O. Box 2773
Boise, Idaho 83701
 Attorney's Phone 342-4591 Attorneys: Dan Steenson
+ S. Bryce Farris

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

ALL WATER RIGHTS AND WATER RIGHT MATTERS IN THE SRBA.

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am Secretary/Treas of Thurman Mill Ditch Co. Ltd and I

Title

Organization

have signed the foregoing document in the space below as

Same

of

Same

Title

Organization

Signature of Authorized Agent Bonnie L. DeckerTitle Sec/Treas.Date March 24, 03Organization Thurman Mill Ditch Co., Ltd.

IDWR Use:

Date Received 4.16.03Data Entry DH

References

[Contact Help Desk](#)

[Document Management Search](#)

[Launch ArcView](#)

[Administrative Rules](#)

[Query Tools](#)

[Data Entry Standards](#)

Show Help

Screen ID
424

Process:
Information
Search

B...	Sequ...	S...	V...	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Ap
63	135			wrAdjudicationClaim	Decreed	Active	1864-06-01	3.30	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	176			wrAdjudicationClaim	Decreed	Active	1869-06-01	1.60	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	193			wrAdjudicationClaim	Decreed	Active	1876-06-01	0.44	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	210			wrAdjudicationClaim	Decreed	Active	1880-06-01	2.40	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	211			wrAdjudicationClaim	Decreed	Active	1880-10-20	0.90	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	221			wrAdjudicationClaim	Decreed	Active	1883-06-01	0.90	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	250			wrAdjudicationClaim	Decreed	Active	1895-07-01	0.66	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	3618	M		wrAdjudicationClaim	Permit	Active	1955-01-01		BOISE RIVER	IRRIGATION F...	THURMAN MILL DITCH ...	
63	19084			wrAdjudicationClaim	Decreed	Active	1925-08-13	11...		IRRIGATION	THURMAN MILL DITCH ...	
63	30125			wrAdjudicationClaim	Decreed	Active	1865-06-01	1.86	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	30129			wrAdjudicationClaim	Decreed	Active	1872-06-01	2.10	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	30130			wrAdjudicationClaim	Decreed	Active	1868-06-01	17...	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	
63	30131			wrAdjudicationClaim	Decreed	Active	1882-06-01	5.60	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH ...	

The number of records is 13

View Documents

Print Proof Report

Print Transfer Part 2

Parameters

Results

Hide References

Next Step

Previous Steps:

Screen ID 424

Done

Local intranet

Start

Inbox - Microsoft Outlook

http://wenet/apps/ap...

8:33 AM

Microsoft

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-30130
Date Received: 10/ 4/1989
Receipt No: W006153 0022320
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: THURMAN MILL DITCH COMPANY LTD 208-939-0490
Address: C/O MITZI HORKLEY
11532 WEST JOPLIN RD
BOISE ID 83714

2. Date of Priority: JUN 1, 1868

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	5	NE	SE			ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	17.800		

7. Total Quantity Appropriated is:
17.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1382.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	25				IRR	
		26				IRR	
	02E	31				IRR	
		32				IRR	

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OCT 18 1996

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A63-00135/176/193/210/211/221/250/19084/30125/30129/31.

14. Remarks:

DESC. OF DIVERTING WORKS: BOISE RIVER: CEMENT HEADGATE WITH LOCKED GATES AND APRON EXTENDING ACROSS BOISE RIVER WITH COLLAPSIBLE STEEL STANCHIONS. JUNCTION DRAIN: 24" PIPE ABOUT 50 FEET LONG USING A SMALL EARTH DAM AS OCCASION MAY REQUIRE. REMARKS: THE HARTSON DECREE DATED AUGUST 13, 1925 DIRECTED DIVERSION OF 570.98' (11.42 CFS) OF DRAINAGE WATERS FROM THE JUNCTION DRAIN INTO THE THURMAN MILL DITCH (CLAIM NO. A63-19084). NOTE: THIS RIGHT IS A COMBINATION OF RIGHT NOS. 63-00169E AND 63-00170B. THESE TWO RIGHTS TOTAL 15.48 CFS RATHER THAN THE 17.8 CFS CLAIMED BECAUSE THE DITCH COMPANY DID NOT DEDUCT WATER TAKEN AWAY BY TRANSFER NO. 736 ON RIGHT NO. 63-00170(1.00 CFS) AND BY TRANSFER NOS. 871(.288 CFS), 872(.22 CFS), & 3373(.814 CFS) FOR RIGHT NO. 63-00169. AKA RIGHT NOS. 36 & 37 IN BOISE RIVER BOOK. ACTUAL IRRIGATED ACRES CLAIMED UNDER THIS RIGHT = 395 ACRES. LAND OWNED BY INDIVIDUAL SHAREHOLDERS IN THE THURMAN MILL DITCH CO.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED
OCT 18 1996

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____
Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 18 1996

36
37

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A63-30130
Date Received 10-4-89
Receipt Number W006153

RECEIVED
OCT 04 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) THURMAN MILL DITCH COMPANY, LTD Phone (208) 939-0490
c/o Mitzi Horkley
Mailing Address 11532 West Joplin Road, Boise, Idaho Zip 83714
2. Date of Priority (Only one (1) per claim) June 1, 1868 (McCarthy & Goodman per Stewart Decree)
3. Source of water supply (a) Boise River
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 3N Range 2E Section 5,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Ada
Juntion Drain of Drainage District No. 4 of Ada County,
Additional points of diversion if any: Idaho--SW 1/4 SE 1/4 of Section 23 of T4N, R 1E of BM, Idaho
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Boise River: Cement headgate with locked gates and apron extending across Boise River
with collapsible steel stanchions.
Juntion Drain: 24" pipe about 50 feet long using a small earth dam as occasion
may require

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OCT 18 1989

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 17.80 or 35.32

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 17.80 (cfs) and/or (b) 35.32 (acre feet)

8. Total consumptive use claimed is ~~35.32~~ 1,387.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T4N	R2E	31																	
		32																	185
T4N	R2E	25																	
		26		SEE MAP ATTACHED															210

Total number of acres irrigated 395

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes No ☒
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 Junction Drain: see Remarks or None ()

14. Remarks: The Hartson Decree dated August 13, 1925 directed diversion of 570.98 inches (11.42 cfs) of drainage waters from the Junction Drain into the Thurman Mill Ditch

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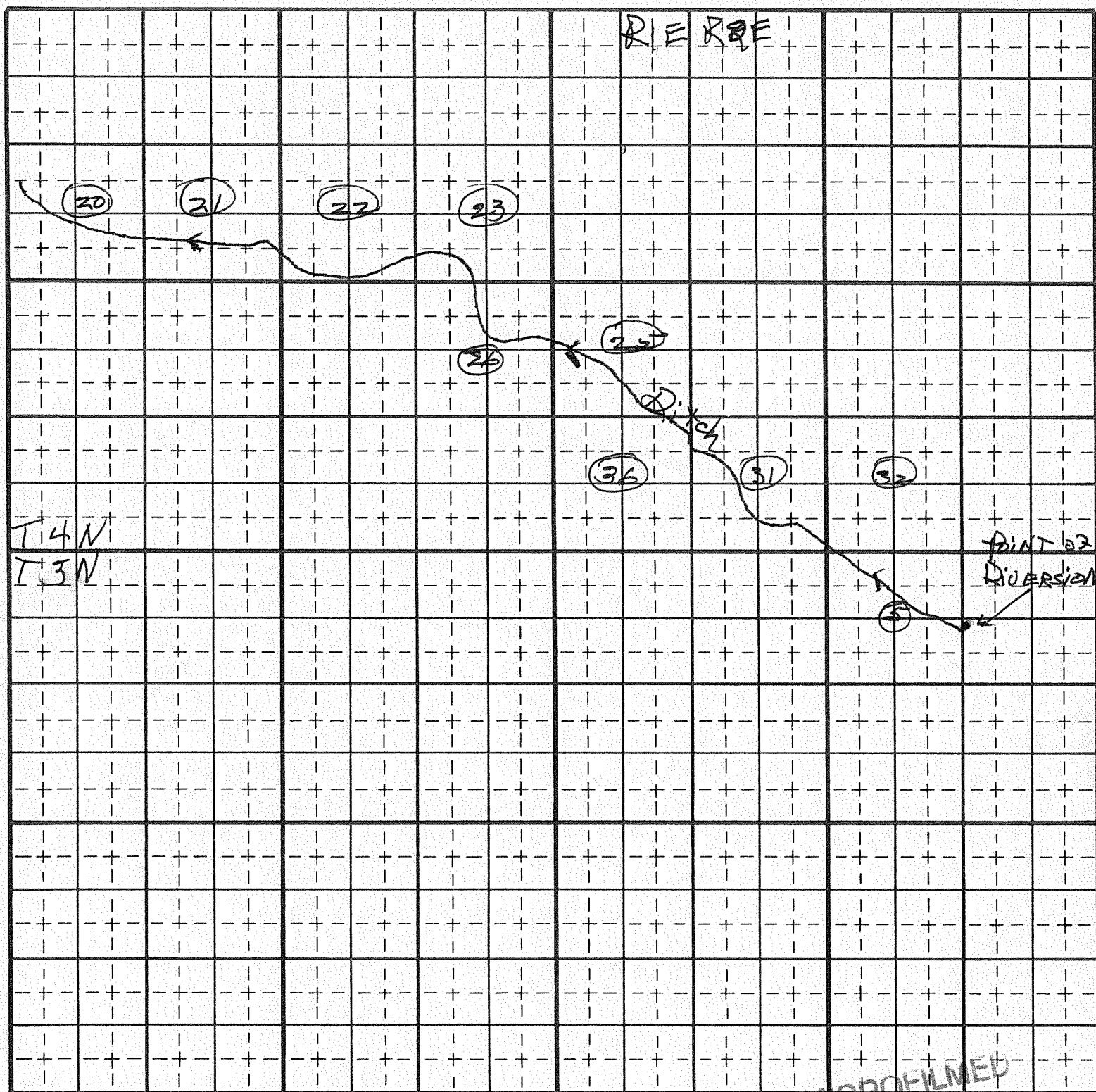
Last Name Thurman Mill Ditch Co Ident No.

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE MAP ATTACHED



MICROFILMED
OCT 18 1996

Last Name Thurman Mill Ditch Co. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____
Court _____ District Court _____ Case Number _____ Decree Date Jan. 18, 1906
Plaintiff vs Defendant Farmer's Cooperative Ditch Company vs.
Riverside Irrigating District

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ the Attorney
_____ Title
of Thurman Mill Ditch Company, Ltd , that I have signed the foregoing
Organization
document in the space below as _____ the attorney _____ of _____ the Thurman Mill
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Elbert E. Gass

Title and Organization Attorney for the Date 10-2-89
Thurman Mill Ditch Company, Ltd

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of October 19 89

SEAL

Notary Public Timothy J. Gass

Residing at Boise, Idaho

My Commission Expires 9/6/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Elbert E. Gass will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Elbert E. Gass

Address 1655 Fairview Ave., #204, Boise, Idaho 83702

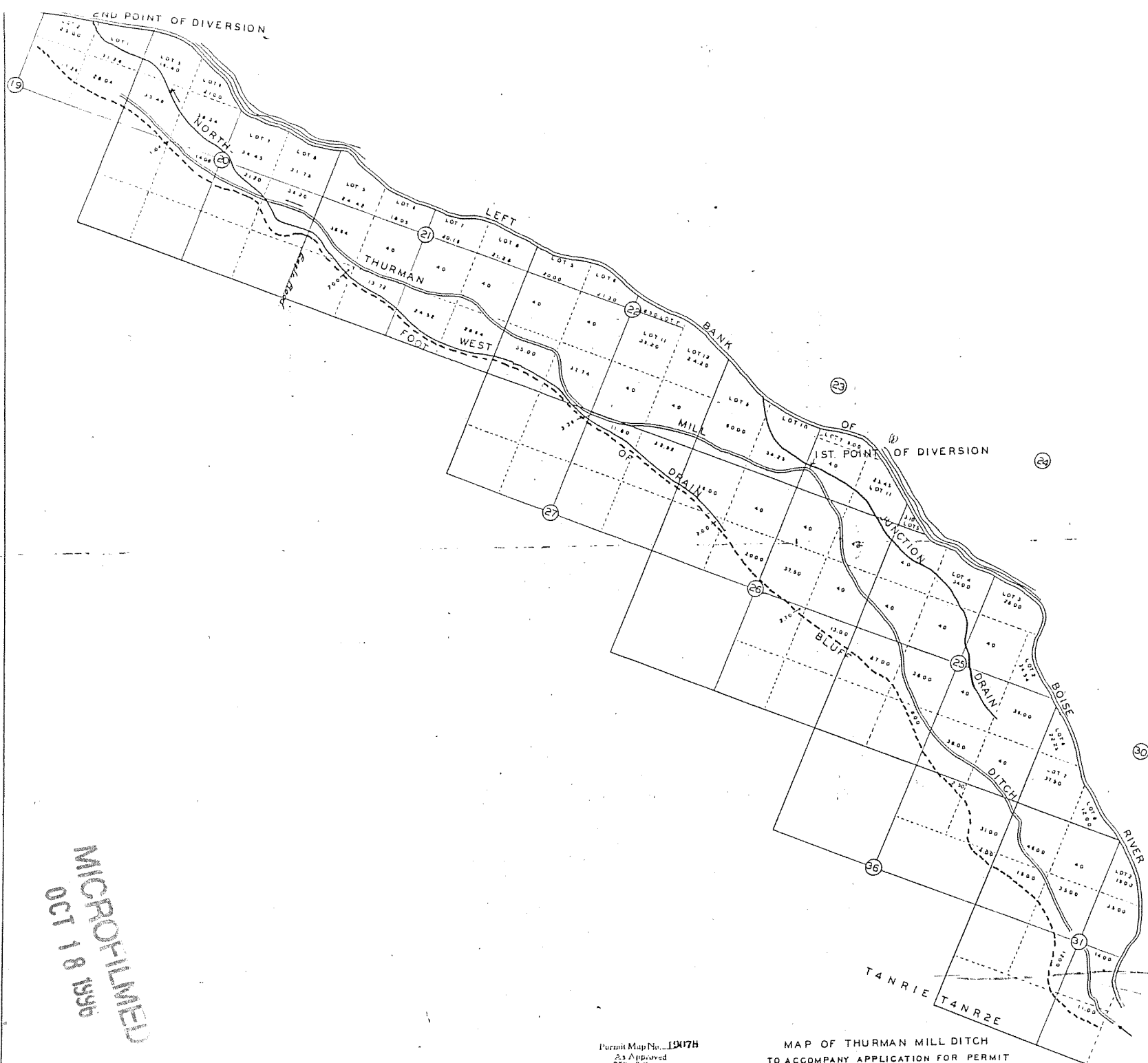
Date 10/2/89

MICROFILMED
OCT 18 1996

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 18 1996



Permit Map No. 1947B
23 Approved
DEC 2 1940
E. B. SMITH TRUSTEE

MAP OF THURMAN MILL DITCH
TO ACCOMPANY APPLICATION FOR PERMIT
BY E. B. SMITH TRUSTEE
BOISE IDAHO AUGUST 28 1940
SCALE 1" = 1000'

#36
WR0749NP
No. 63-00169E

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTHA E. MC CARTHY	06/01/1868	IRRIGATION	04-01 11-01	12.78 CFS	

TOTAL DIVERSION: 12.78 CFS

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R02E S09

NWNW

ADA County

Pou County:

Remarks: LANDS UNDER THURMAN MILL DITCH.

Dates:	App. Received:	Priority Date:	06/01/1868
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 63 Field Exam Fee:

MICROFILMED
OCT 18 1996

#37
WR0749NP
No. 63-00170B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/03/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	H. D. GOODMAN	06/01/1868	IRRIGATION	00-00 00-00	2.70 CFS	
C	DORA GOODMAN		DOMESTIC	00-00 00-00		
TOTAL DIVERSION:					2.70 CFS	

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T03N R02E S05

SENE

ADA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE										
T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
04N	02E 31	:		:		:		:		:		:		:		:		:		:		:		:
04N	02E 32	:		:		:		:		:		:		:		:		:		:		:		:

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Remarks: TRANS. 736.
WATER CARRIED IN THURMAN MILL DITCH.

Dates:	App. Received:	Priority Date:	06/01/1868
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 63 Field Exam Fee:

MICROFILMED
OCT 18 1996

THURMAN MILL DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: Mel Schulte

The main contacts for Thurman Mill Ditch Company are Bart DeChambeau, President, and his wife Bonnie, Secretary (376-3769). They became officers mid-way through the claim review process. I met with them personally to explain the importance of the boundary/place of use map and requested they provide us with the number of shares in the company's records. I made several telephone requests for a boundary/place of use map that had been reviewed by the company and the shareholder information previously requested. The amended map was not provided until the notice of error period and we still have not received the shareholder information.

The place of use for Thurman Mill is made up mostly of land in the heart of Garden City that has experienced a great deal of change through the years from irrigated farms to residential, commercial and light industrial uses. A lot of the irrigated land is composed of small lawn and garden areas that are very difficult to estimate the acres irrigated. It was my intention to use the shareholder information and digitized information to cover the company's decreed rights but without cooperation from the company it is not possible to use this approach.

Another problem associated with Thurman Mill is the fact their ditch system carries not only their own water, but also the rights owned by Warm Springs Ditch Company and Drainage District No. 4. After the water is co-mingled it is impossible to know whose water is delivered to which entities users. It appears their delivery ditch is inadequate to carry all of the decreed and other water allocated to it in any one single diversion. Also, the volume of water diverted into the Thurman Mill canal has decreased through the years.

The Thurman Mill delivery system is made up of numerous smaller laterals and ditches in addition to the main canal. The main canal is approximately 9-10 miles long and the amount of water required as carry water in order to push water from the river diversion to the end could be substantial.

The acreage limitation of 1782 acres is based on one acre per inch of decreed water as we have used in other recommendations. The number of digitized acres for larger parcels within the boundary is 1271.1 acres but this number does not include all of the smaller uses and subdivisions.

There may be an overlap of boundaries between Thurman Mill and Fairview Acres Water Users west of Veterans Parkway. This determination cannot be made until Thurman Mill provides us with a boundary map.

63-19084 was disallowed in favor of Drainage District No 4's claim for the same right. Ringert & Clark represents both DD #4 and Thurman Mill and attorney Bryce Farris has discussed this matter with both organizations.

The diversion rate for 63-30131 was increased from 5.6 cfs to 6.0 cfs because 63-214B right was understated in the water master's records. It is described as having a rate of 2.60 cfs and should be 3.0 cfs. Copies of the water right records are in the file.

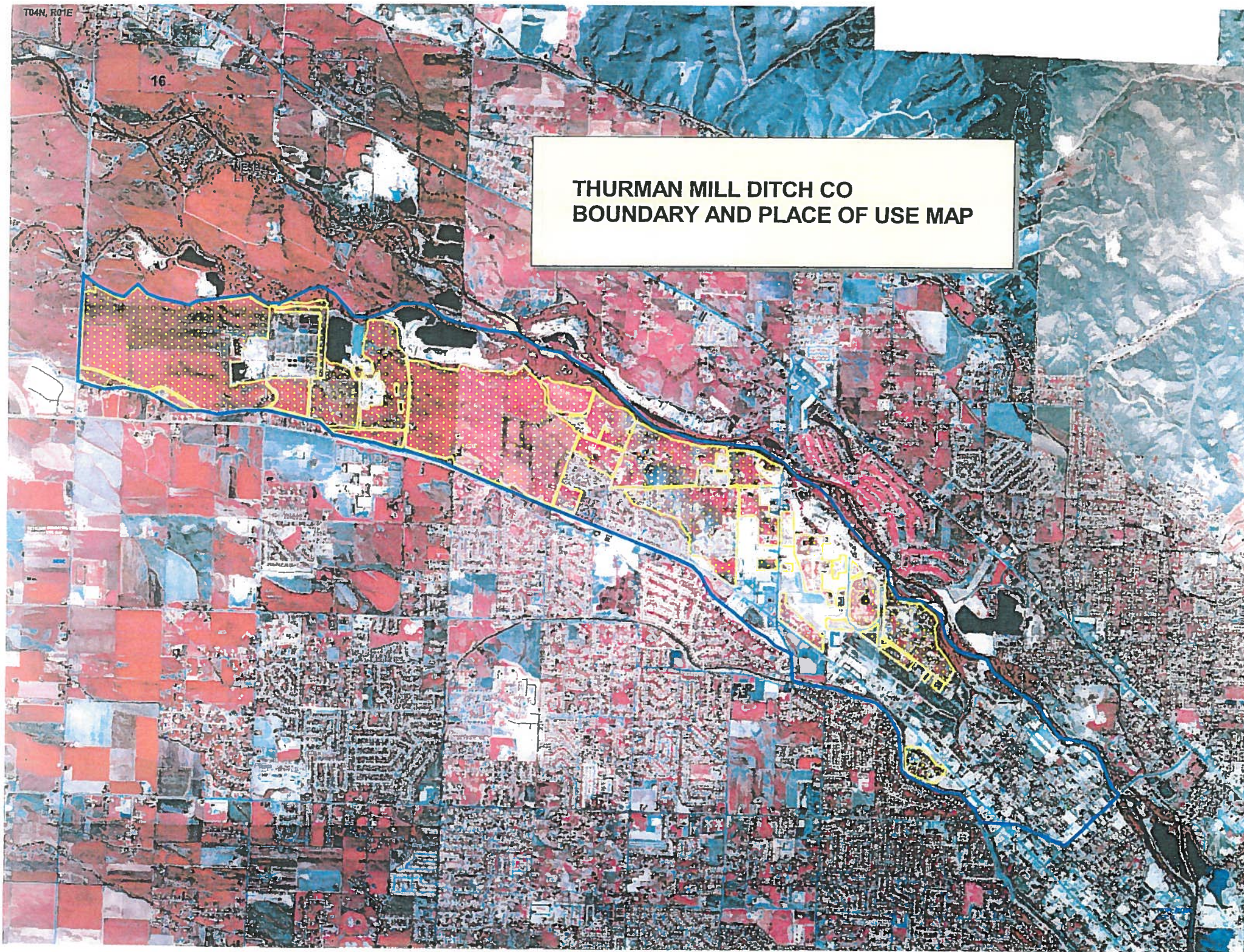
The recommendations for Thurman Mill are open for scrutiny.

MTS

T04N, R01E

16

**THURMAN MILL DITCH CO
BOUNDARY AND PLACE OF USE MAP**

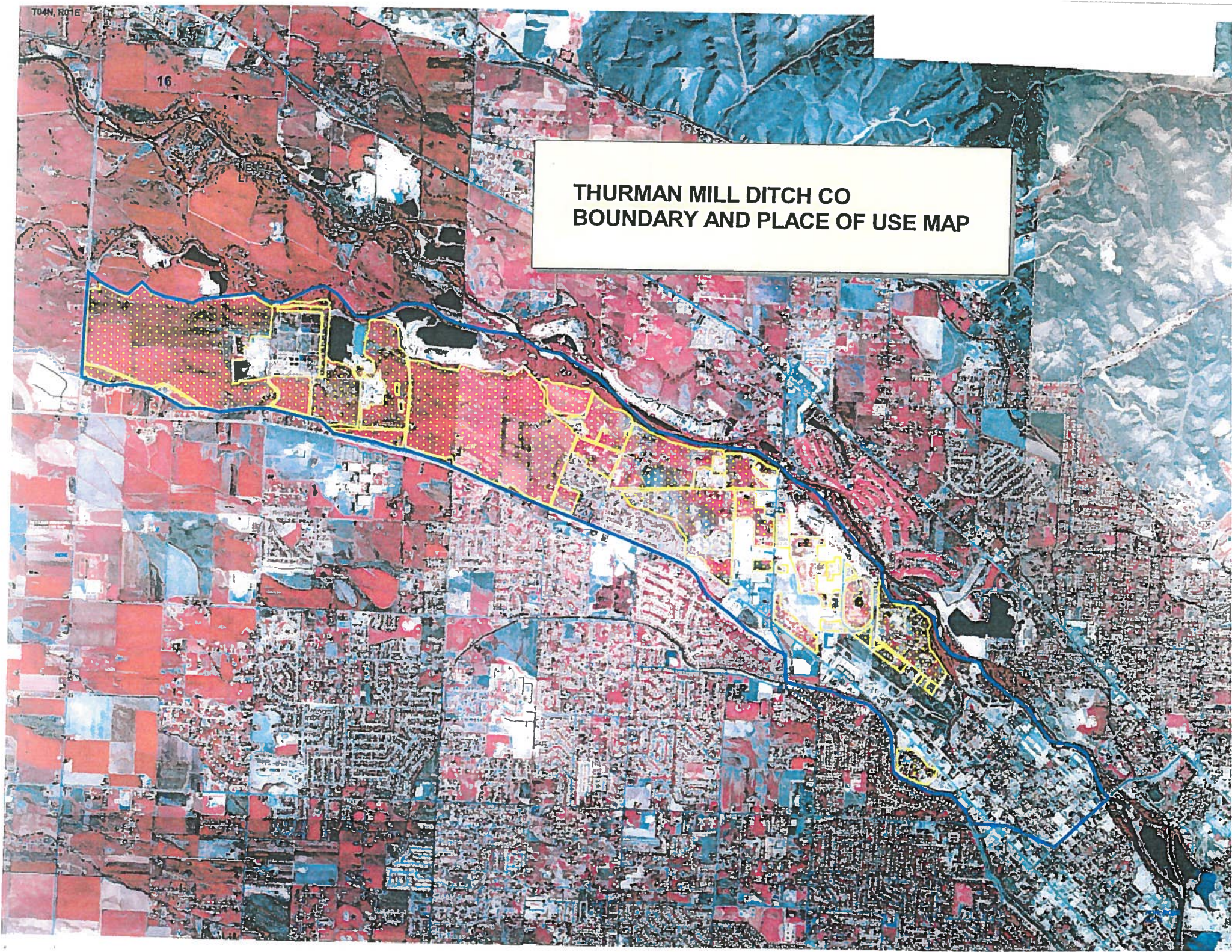


T04N, R01E

16

NE 1/4
Sec 16

**THURMAN MILL DITCH CO
BOUNDARY AND PLACE OF USE MAP**



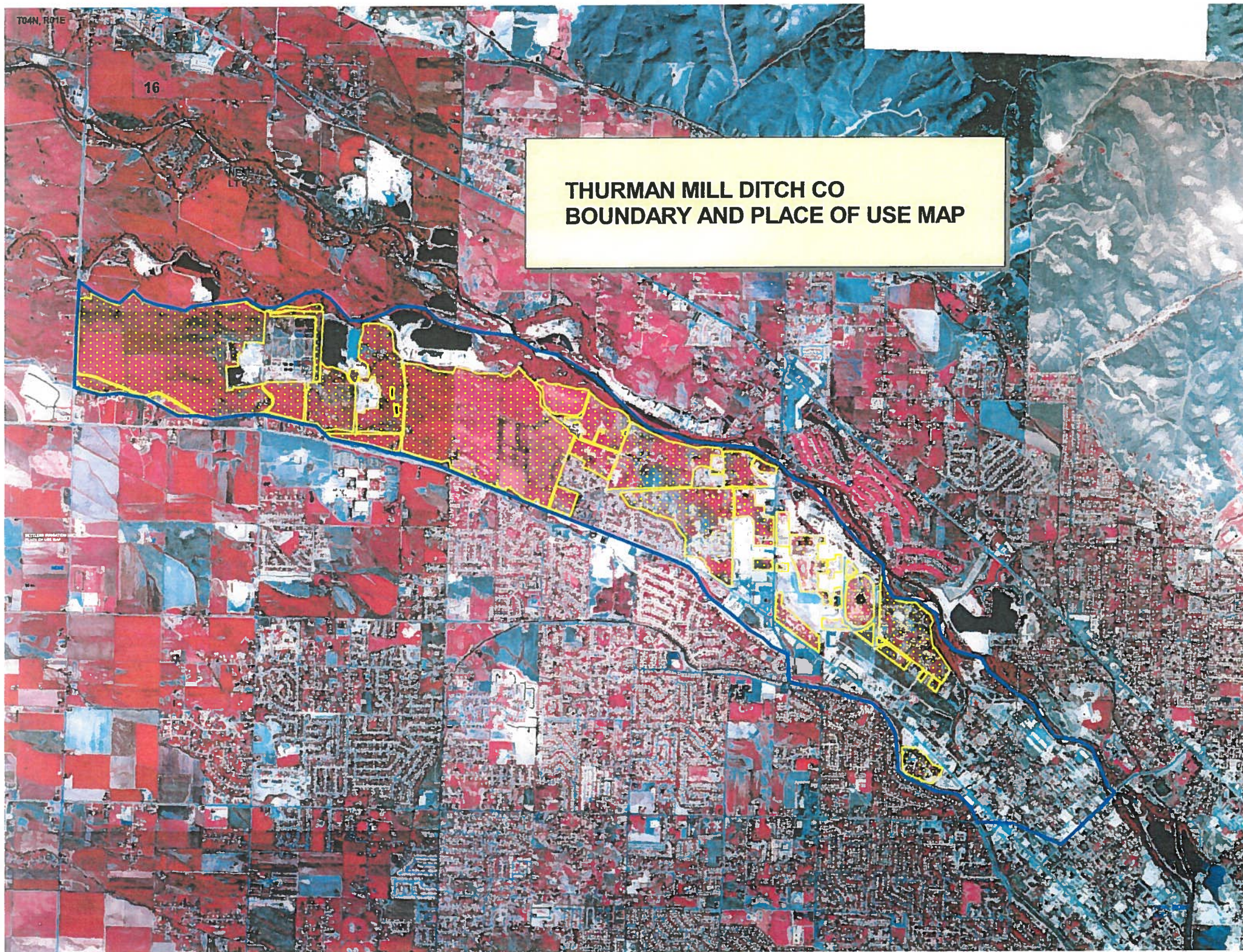
T04N, R01E

16

NE 1/4
LT 1

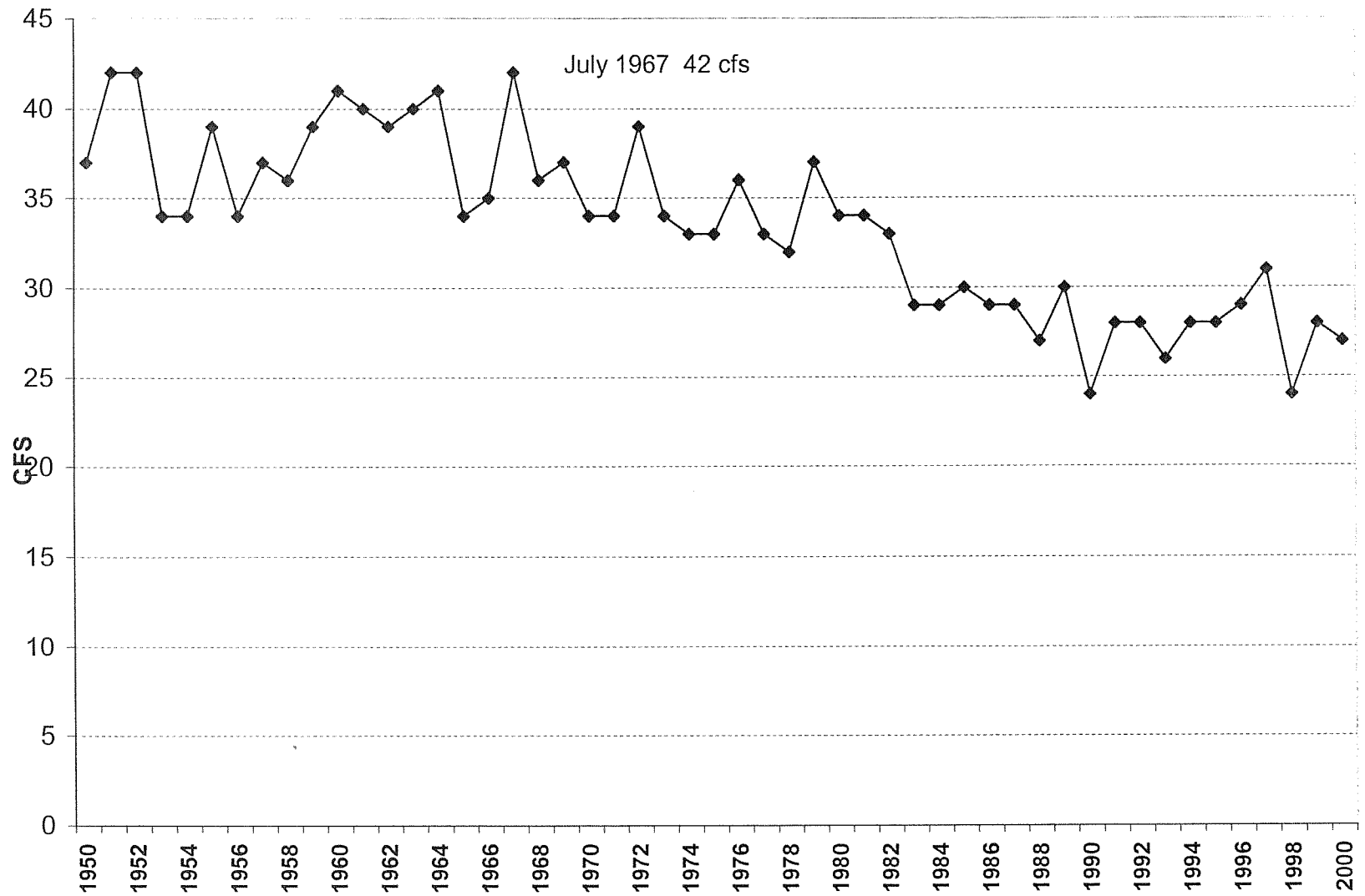
**THURMAN MILL DITCH CO
BOUNDARY AND PLACE OF USE MAP**

YELLOW HATCHED
AREA IS PLACE OF USE MAP



MAXIMUM MONTHLY DIVERSION 1950-2000

13205622 THURMAN MILL CANAL



13205622 HISTORIC DIVERSION OF THURMAN MILL CANAL													(CFS)
W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	5	0	0	0	0	0	12	36	37	36	31	18	175
1951	7	0	0	0	0	0	18	42	34	33	28	18	180
1952	7	0	0	0	0	0	8	31	42	31	28	20	167
1953	7	0	0	0	0	0	17	33	20	34	24	17	151
1954	5	0	0	0	0	0	10	34	29	29	24	20	152
1955	7	0	0	0	0	0	0	16	39	29	36	24	150
1956	7	0	0	0	0	0	12	33	24	34	31	20	160
1957	7	0	0	0	0	0	3	31	30	37	31	22	164
1958	8	0	0	0	0	0	2	28	32	36	31	20	156
1959	7	0	0	0	0	0	18	28	37	39	33	15	176
1960	3	0	0	0	0	0	8	31	39	41	33	18	173
1961	7	0	0	0	0	0	8	37	40	29	31	24	176
1962	3	0	0	0	0	0	15	34	37	39	31	29	188
1963	7	0	0	0	0	0	0	36	40	39	29	20	171
1964	7	0	0	0	0	0	7	34	32	39	41	24	183
1965	7	0	0	0	0	0	2	31	34	31	29	29	173
1966	16	0	0	0	0	0	13	28	35	31	28	22	173
1967	8	0	0	0	0	0	3	34	32	42	31	22	173
1968	8	0	0	0	0	0	17	36	34	33	21	24	172
1969	5	0	0	0	0	0	20	37	37	34	21	22	190
1970	7	0	0	0	0	0	7	34	29	31	31	17	155
1971	2	0	0	0	0	0	5	34	34	26	33	18	151
1972	8	0	0	0	0	0	0	39	37	37	33	18	173
1973	8	0	0	0	0	0	17	34	34	33	28	20	173
1974	3	0	0	0	0	0	2	33	32	20	28	22	137
1975	5	0	0	0	0	0	0	23	30	33	28	22	140
1976	8	0	0	0	0	0	3	31	30	36	29	17	155
1977	0	0	0	0	0	0	22	29	32	28	24	17	160
1978	0	0	0	0	0	0	0	28	32	26	28	17	127
1979	11	0	0	0	0	0	5	36	37	31	28	25	173
1980	8	0	0	0	0	0	13	31	30	34	33	22	171
1981	7	0	0	0	0	0	13	34	34	34	31	29	181
1982	7	0	0	0	0	0	0	33	27	29	28	25	148
1983	8	0	0	0	0	0	7	24	29	26	24	20	138
1984	10	0	0	0	0	0	5	21	29	29	29	27	150
1985	10	0	0	0	0	0	12	28	30	29	26	18	153
1986	7	0	0	0	0	0	15	23	29	23	23	17	142
1987	5	0	0	0	0	0	13	29	29	28	26	20	150
1988	8	0	0	0	0	0	12	26	27	24	21	17	135
1989	7	0	0	0	0	0	8	29	30	28	24	20	147
1990	7	0	0	0	0	0	12	24	20	21	21	18	124
1991	7	0	0	0	0	0	13	24	27	28	26	20	145
1992	7	0	0	0	0	0	12	28	24	23	21	20	134
1993	0	0	0	0	0	0	8	26	24	26	23	20	127
1994	13	0	0	0	0	0	13	28	27	26	24	24	155
1995	16	0	0	0	0	0	12	26	27	28	24	24	157
1996	13	0	0	0	0	0	10	21	29	29	23	20	150
1997	10	0	0	0	0	0	12	21	29	31	24	22	148
1998	10	0	0	0	0	0	15	16	20	24	24	24	134
1999	10	0	0	0	0	0	13	28	27	24	24	22	148
2000	10	0	0	0	0	0	7	26	27	24	23	20	137
AVERAGE : 1950-2000	7	0	0	0	0	0	9	30	31	31	28	21	157

Thurman Mello

1. Water delivered North of Boise River? ^{NO!}
2. " " above River South of Chinden? ^{NO!}
3. Water delivered to river North of Chinden & East of Eagle Lake? ^{NO!}
4. Shores still appurtenant to gravel Beds and sewer pond area? ^{Yes}
5. Fairgrounds included in boundary - shores appurtenant? ^{Yes!}
6. Boundary overlap with Fairview across West of Veterans Parkway?

→ Paid for 1575 acres

Stewart decree map = 1810 acres - approx

Need 1782 acres @ 1" / acre for 35.64 cfs -

Gain acres total ~~1782~~ ?

Digitized acres = 1373.6 1271 + subdivisions and small parcels

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY NO.	DATE	AMOUNT DECREED				TOTAL SEC. FT.
					STEWART DECREE	INTERVENORS		INCHES	
						STEWART DECREE	BRYAN DECREE		
SIEBENBERG			9	6-1-1865	13.42			671	
		105*	9	6-1-1865	.50*			25*	
		717*	9	6-1-1865	.64*			32*	12.28
THURMAN MILL			7	6-1-1864	3.30 -			165	
			10	6-1-1865	1.20 - +.40			60	
			11	6-1-1865	.66 -			33	
			36	6-1-1868	14.10 -			705	
			37	6-1-1868	3.70 -			185	
			42	6-1-1869	1.60 -			80	
			55	6-1-1872	.70 -			35	
			56	6-1-1872	1.40 -			70	
			62	6-1-1876	.44 -			22	
			75	6-1-1880	2.40 -			120	
			76	10-20-1880	.90 -			45	
			78	6-1-1882	.90 -			45	
			79	6-1-1882	.60 -			30	
			81	6-1-1882	2.60 - (3.0)			130	
			84	6-1-1882	1.50 -			75	
			87	6-1-1883	.90 -			45	
			128	7-1-1895	.66 -			33	
		412*	81	6-1-1882	.40*			20*	
		736*	37	6-1-1868	1.00* -			50*	
		871*	36	6-1-1868	.288* -			14.4*	
		872*	36	6-1-1868	.22* -			11*	
	3373*	3373*	36	6-1-1868	.814* -			40.7*	34.838

*SUBTRACT

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Source	Water Use(s)	Source Table
63	135		Decreed	Active	1864-06-01	3.3		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	176		Decreed	Active	1869-06-01	1.6		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	193		Decreed	Active	1876-06-01	0.44		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	210		Decreed	Active	1880-06-01	2.4		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	211		Decreed	Active	1880-10-20	0.9		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	221		Decreed	Active	1883-06-01	0.9		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	250		Decreed	Active	1895-07-01	0.66		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	3618	M	Permit	Active	1/1/1955		800	BOISE RIVER	IRRIGATION FROM STORAGE, IRRIGATION STORAGE	THURMAN MILL DITCH CO LTD (Current)
63	19084		Decreed	Active	8/13/1925	11.42		waste wtr	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	30125		Decreed	Active	1865-06-01	1.86		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	30129		Decreed	Active	1872-06-01	2.1		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	30130		Decreed	Active	1868-06-01	* 17.8	= 15.48	BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)
63	30131		Decreed	Active	1882-06-01	5.6		BOISE RIVER	IRRIGATION	THURMAN MILL DITCH CO LTD (Current)

* 37.56 cfs = Boise River decrees as claimed
 11.42 " = credited waste water

* Overclaimed by 2.32 35.24 = correct amount after deducting 2.32 cfs
 35.24 ÷ 0.2 = 1762 acres

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner/ Version</u>	<u>Source Table</u>
63	135	OK	Decreed	1864-06-01	103.6	3.3	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	176		Decreed	1869-06-01	169	1.6	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	193		Decreed	1876-06-01	12	0.44	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	210		Decreed	1880-06-01	103.6	2.4	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	211		Decreed	1880-10-20	35	0.9	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	221		Decreed	1883-06-01	37.7	0.9	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	250		Decreed	1895-07-01	38.1	0.66	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	3618	M	Permit	1/1/1955			BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	19084		Decreed	8/13/1925	738	11.42		IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	30125		Decreed	1865-06-01	68.9	1.86	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	30129		Decreed	1872-06-01	34.1	2.1	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	30130		Decreed	1868-06-01	103.6	(17.8)	BOISE RIVE	IRRIGATION*	THURMAN MILL DITCH CO LT	wrAdjudicationClaim
63	30131		Decreed	1882-06-01	281.9	5.6	BOISE RIVE	IRRIGATION	THURMAN MILL DITCH CO LT	wrAdjudicationClaim

$$\begin{array}{r}
 1925.5 \quad 48,98 \text{ cfs } * \text{ overclaimed} \\
 - 11.42 = \text{waste water} \\
 \hline
 37.56 * = \text{decrees} - \text{should be } 35.24
 \end{array}$$

$$35.24 \div 0.2 = 1762 \text{ acres}$$

7/8/2002

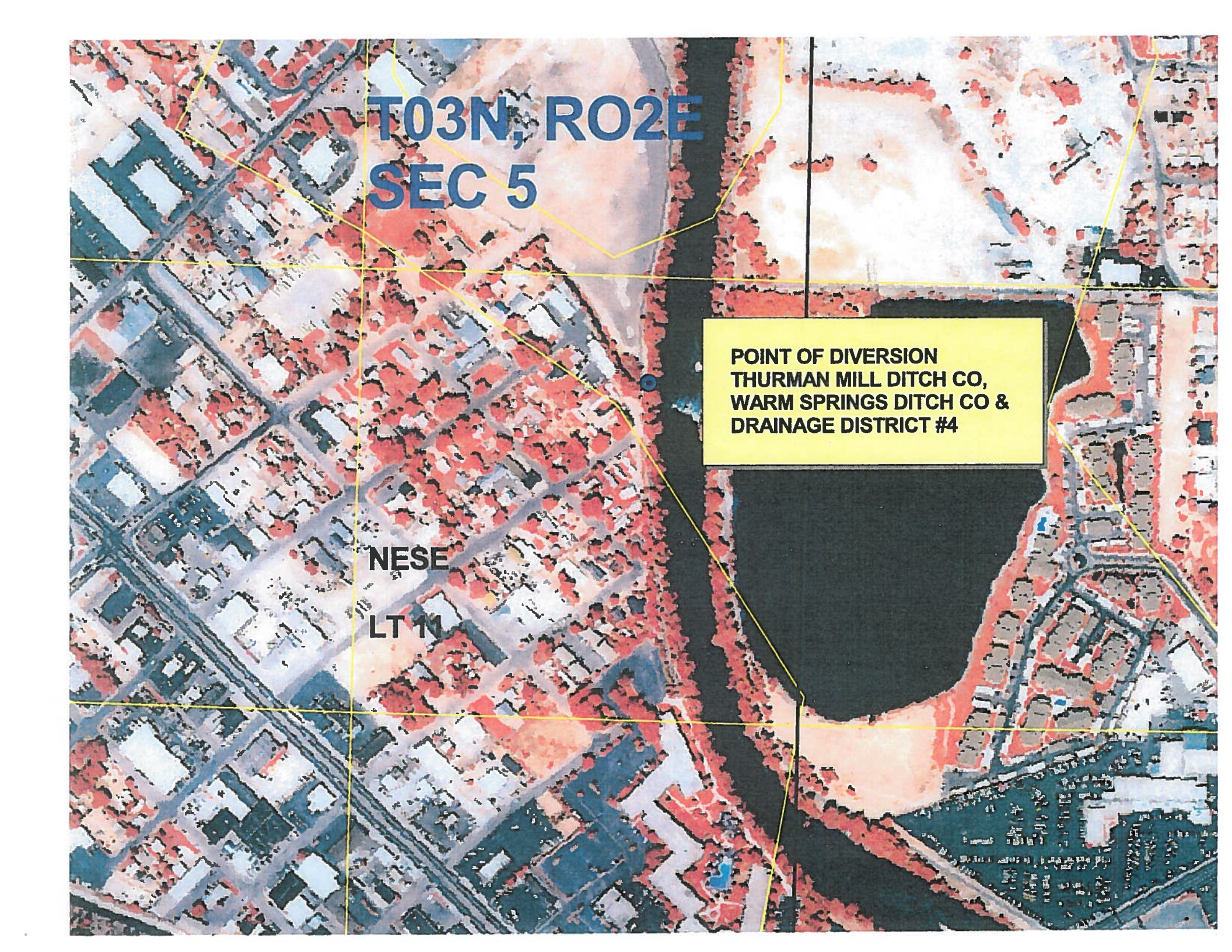
BasinNumber	SequenceNum	SplitSuffix	OrganizationName	Agent
63	✓ 135		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 176		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 193		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 210		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 211		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 221		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 250		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 19084		THURMAN MILL DITCH COMPANY LT	Mel
~~63~~	~~19084~~		THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 30125	139 & 141	THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 30129	142 & 143	THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 30130	169B & 170B	THURMAN MILL DITCH COMPANY LT	Mel
63	✓ 30131	140, 212,	THURMAN MILL DITCH COMPANY LT	Mel

*Copy part of
214B & 219*

THURMAN MILL DITCH COMPANY
BOUNDARY AND PLACE OF USE MAP
DIGITIZED ACRES = 1373.6

8-2-04

The company failed to
provide a boundary and
place of use map. The
draft is the best guess
possible using the water
right claims and the
physical nature of the
area.



**T03N, R02E
SEC 5**

**POINT OF DIVERSION
THURMAN MILL DITCH CO,
WARM SPRINGS DITCH CO &
DRAINAGE DISTRICT #4**

**NESE
LT 11**

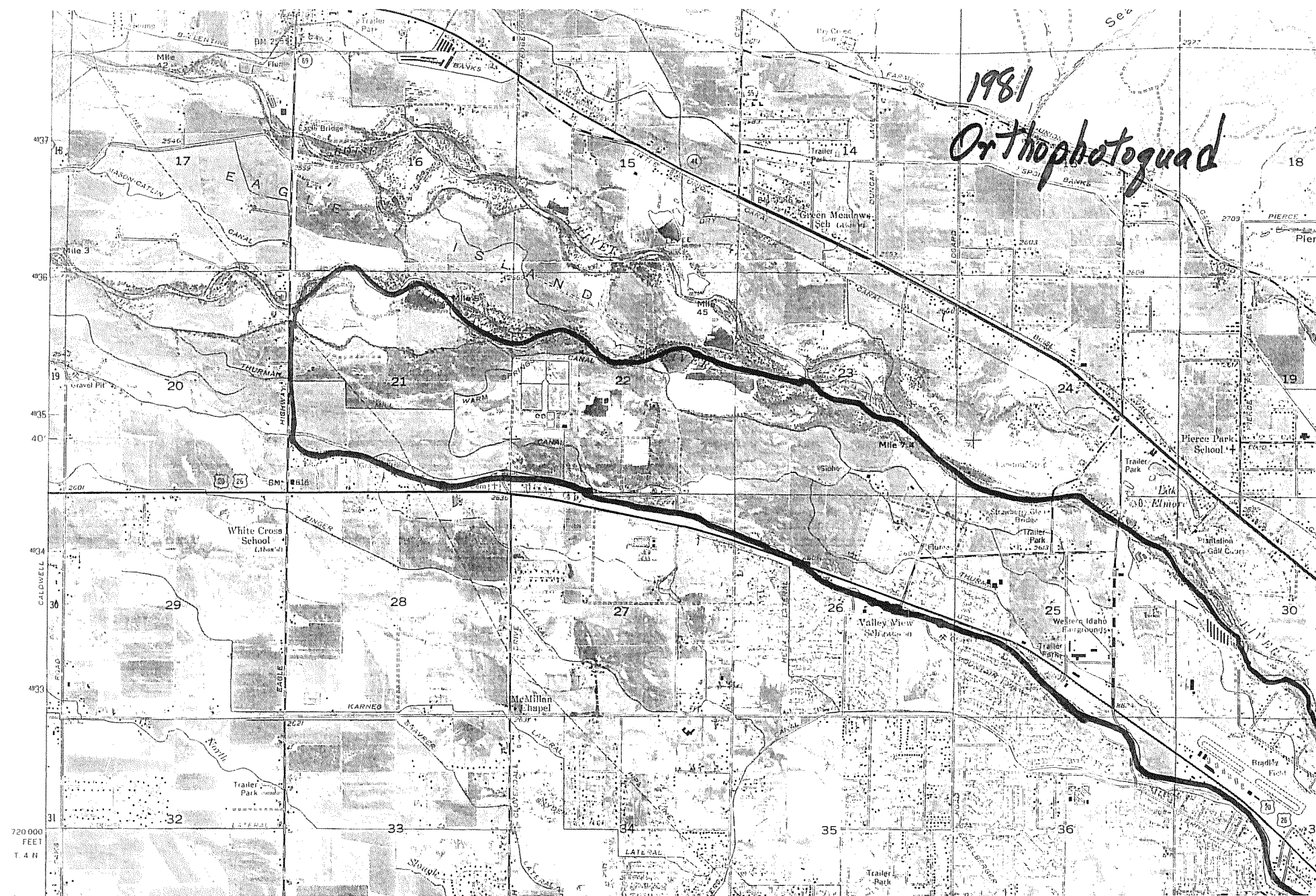


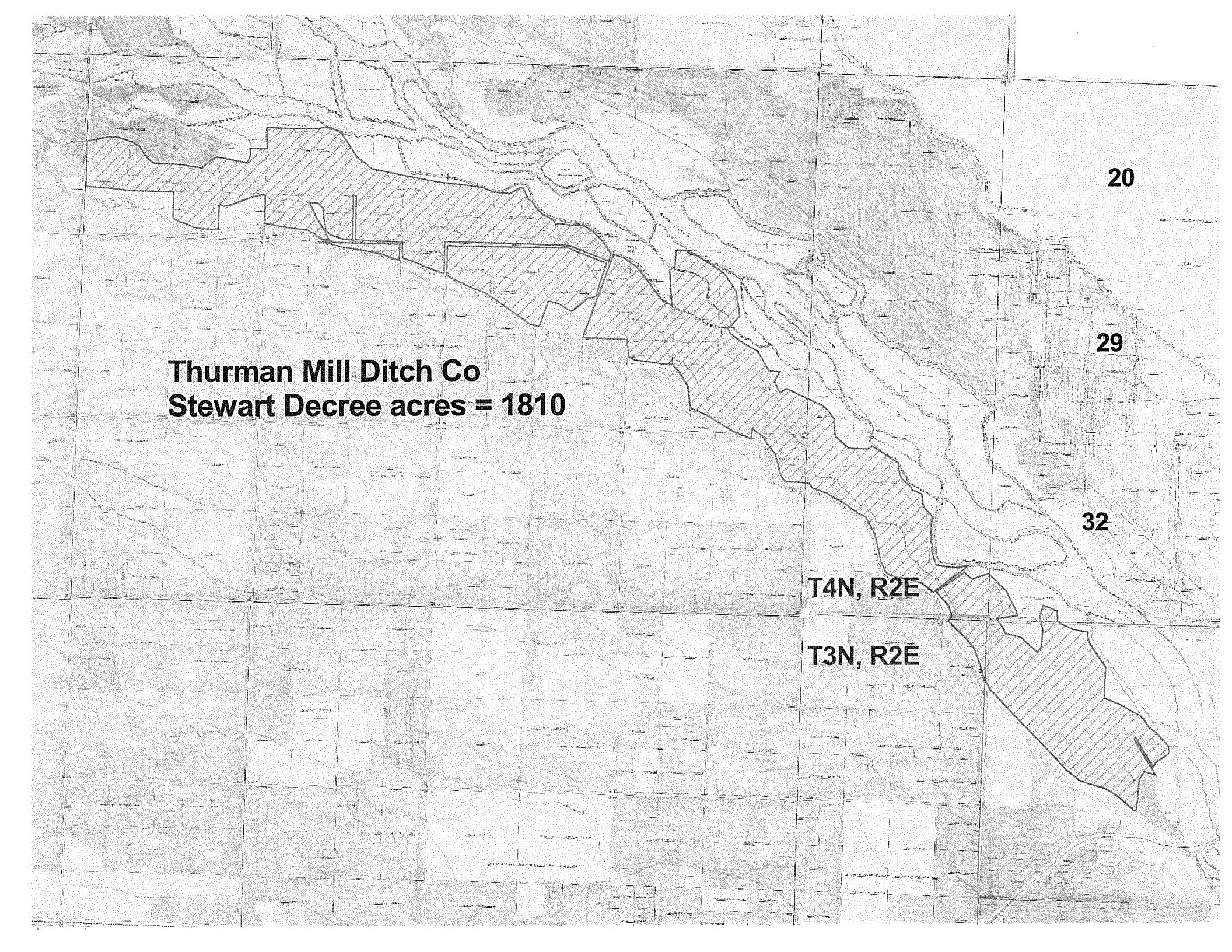
**THURMAN MILL DITCH CO.
BOUNDARY ON 1964 MAP**

T04N, R01E

8-2-04
POD search for 3N, 2E, 5, NESE

[illegible]





This is a topographic map showing a section of land with a grid of section numbers. A large, irregularly shaped area is highlighted with diagonal hatching, representing the Stewart Decree acres. The area starts in the upper left and extends southeast, following a winding path. The map includes contour lines and a grid of section numbers. The text 'Thurman Mill Ditch Co' and 'Stewart Decree acres = 1810' is overlaid on the map. Section numbers 20, 29, and 32 are visible in the upper right. Township and Range labels 'T4N, R2E' and 'T3N, R2E' are visible in the lower right.

Thurman Mill Ditch Co
Stewart Decree acres = 1810

20

29

32

T4N, R2E

T3N, R2E

Thurman Mill Ditch Co
Stewart Decree acres = 1810

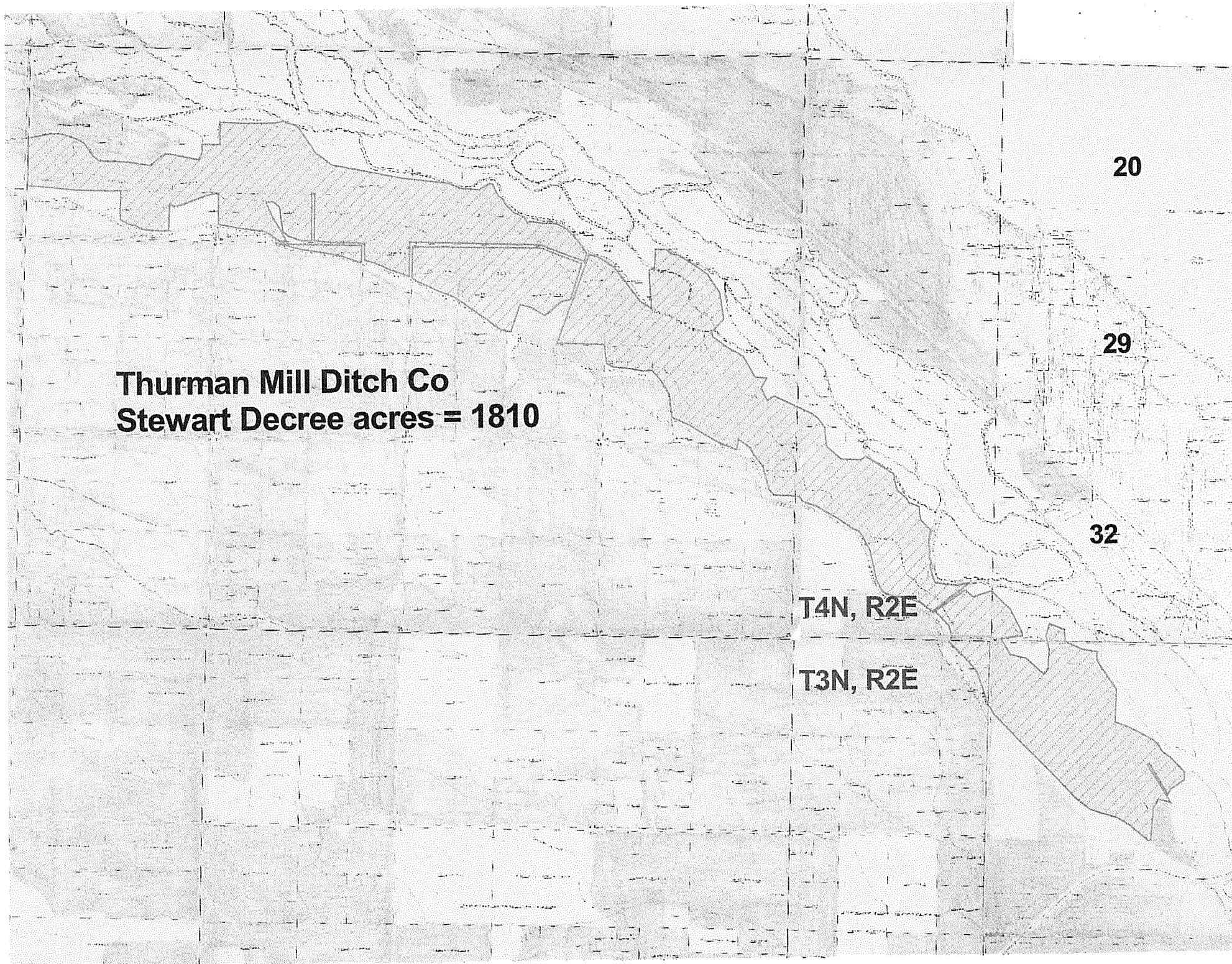
20

29

32

T4N, R2E

T3N, R2E



Thurman Mill Ditch Co
Stewart Decree acres = 1810

20

29

32

T4N, R2E

T3N, R2E

