

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-34873

4/2/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BBB WINGSHOOTERS LLC 8050 W INNSBROOK CT BOISE, ID 83704-4490 (208) 724-4947
Original Owner	R H STOCKTON PARMA, ID 83660
Original Owner	ORVIL SMYSER PARMA, ID 83660
Previous Owner	SAM H SMYSER 28403 WAMSTAD RD PARMA, ID 83660 (208) 722-5713

Priority Date: 6/1/1878

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>Volume</u>
IRRIGATION	03/01	11/15	0.320 CFS	
	<u>Total Diversion</u>		0.320 CFS	

Source and Point(s) of Diversion

BOISE RIVER NESW Sec. 22, Twp 05N, Rge 05W, CANYON County

Place Of Use

IRRIGATION within CANYON County

			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	8															20.0		20.0

POU Total Acres: 20.0

Conditions of Approval:

1. S49 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. 183 Whenever it becomes necessary for the watermaster to deliver this right the following

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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.

3. C18 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.
4. E52 The rights listed below are limited to a total combined diversion rate of 0.4 cfs. Combined Right Nos.: 63-34873 & 63-34874.
5. E55 Right Nos. 63-34873 & 63-34874 are limited to the irrigation of a combined total of 20 acres in a single irrigation season.
6. SD1 This right originated as all or part of right no. 71 in the Stewart Decree and the historic Boise River Water Masters records.

Comments:

1. jhersley 3/31/2020 Split Right
This right is the result of split from 63-32801 due to change in ownership.

Dates and Other Information

Decreed Date: 1/30/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 63
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A