

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-32801

4/2/2020

After Split

Owner Type **Name and Address**
 Current Owner SAM H SMYSER
 28403 WAMSTAD RD
 PARMA, ID 83660
 (208) 722-5713

Original Owner ORVIL SMYSER
 PARMA, ID 83660

Original Owner R H STOCKTON
 PARMA, ID 83660

Priority Date: 6/1/1878

Basis: Decreed

Status: Active

Source
 BOISE RIVER

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.870 CFS	
	<u>Total Diversion</u>		0.870 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												15.0				40.0	55.0

POU Total Acres: 55.0

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 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

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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 1.2 cfs. Combined Right Nos.: 63-32801 and 63-32803.
5. E55 Right Nos. 63-32801 and 63-32803 are limited to the irrigation of a combined total of 55 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. vmusic 8/2/2007 SHAPES
NEW SHAPES LINKED PER CHANGE OF OWNERSHIP
2. Ownership Change 7/2/2018 Split Right
Split into 63-32801 & 63-34563 due to change in ownership.
3. jhersley 7/2/2018 POU
Updated Shape
4. jhersley 3/31/2020 Split Right
Split into 63-32801 & 63-34873 due to change in ownership.
5. jhersley 4/2/2020 POU
Updated Shape

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

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.600		75.0
63-32801 , 63-32803		

SubCase:

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N/A

Water Supply Bank:

N/A

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3/31/2020

Below Split

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 (208) 722-5713

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 PARMA, ID 83660

Original Owner R H STOCKTON
 PARMA, ID 83660

Priority Date: 6/1/1878

Basis: Decreed

Status: Active

Source
 BOISE RIVER

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	1.190 CFS	
	<u>Total Diversion</u>		1.190 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												15.0			20.0	40.0	75.0

POU Total Acres: 75.0

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 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

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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 1.60 cfs. Combined Right Nos.: 63-32801 and 63-32803.
5. E55 Right Nos. 63-32801 and 63-32803 are limited to the irrigation of a combined total of 75 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:

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Mitigation Plan: False

Combined Use Limits

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1.600		75.0
63-32801 ,63-32803		

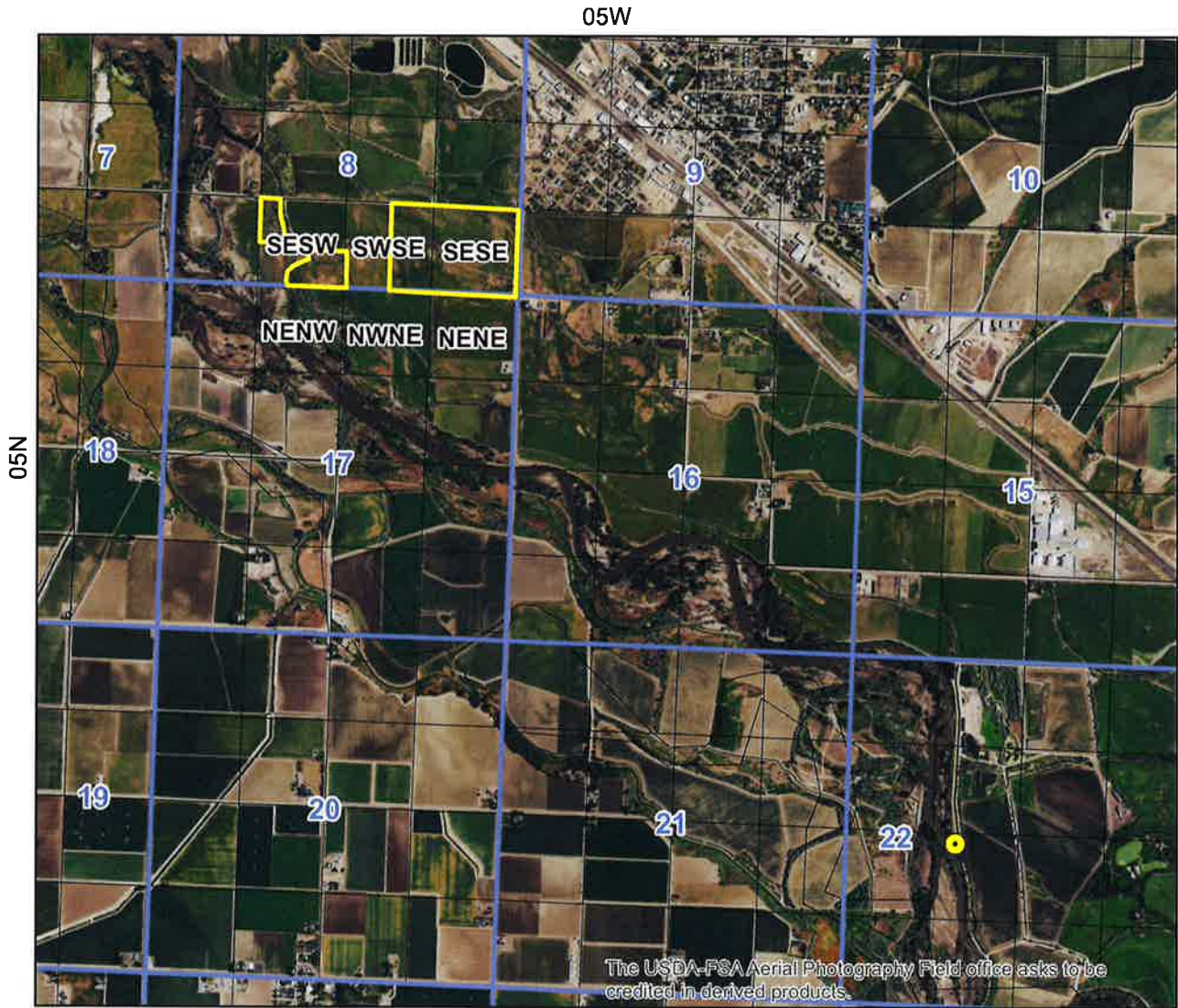
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
63-32801



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.325 0.65 1.3 Miles

