

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/26/2019

Water Right 63-30130

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

Priority Date: 6/1/1868

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>Volume</u>
IRRIGATION	03/01	11/15	15.400 CFS	
MITIGATION BY NON-USE	01/01	12/31	0.080 CFS	
	<u>Total Diversion</u>		15.480 CFS	

Source and Point(s) of Diversion

BOISE RIVER	L11(NESE)	Sec. 5, Twp 03N, Rge 02E, ADA County
BOISE RIVER	L11(NESE)	Sec. 5, Twp 03N, Rge 02E, ADA County

Place Of Use

IRRIGATION

Large POU not Displayed

Total Acres = 1,782.0

Conditions of Approval:

1. 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. 129 Place of use is within the area served by Thurman Mill Ditch Co.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. X27 This right is limited to the irrigation of 1769.8 acres within the authorized place of use in a single irrigation season.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

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8. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. 155 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.
11. S45 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.
12. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
13. F06 The following rights are diverted through points of diversion described above: 63-135, 63-176, 63-193, 63-210, 63-211, 63-221, 63-250, 63-30125, 63-30129, 30130, 63-30131.
14. F01 Water is delivered through the Thurman Mill Canal.
15. This right is a combination of Rights 63-169E and 63-170B.
16. SD1 This right originated as all or part of right no. 36 and 37 in the Stewart Decree and the historic Boise River Water Masters records.

Comments:

1. jhersley 1/13/2012 Transferred Right
This is now an approved transfer, transfer number = 77545
2. mciscell 4/19/2012 POD
Updated Shape
3. cparker 8/26/2019 Mit by Non-Use
0.08 cfs and 4 acres were changed from irrigation to mitigation by non-use to mitigate the consumptive use of groundwater under water right permit no. 63-34722

Dates and Other Information

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Decreed Date: 3/24/2009
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>
		1,773.8
63-135 ,63-176 ,63-193 ,63-210 ,63-211 ,63-221 ,63-250 ,63-30125 ,63-30129 ,63-30130 ,63-30131		

SubCase:

N/A

Water Supply Bank:

N/A