



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 27, 2019

THURMAN MILL DITCH CO LTD
10611 W TREELINE CT
BOISE ID 83713

RE: Irrigation rights dedicated to Mitigation by Non-Use.

Dear water right owner,

The Idaho Department of Water Resources (IDWR) has updated your water rights to reflect mitigation agreements you have entered into with owners of certain water rights and permits. As detailed in the attached water right reports, Thurman Mill Ditch Co has agreed to mitigate for water rights 63-34659, 63-34713, 63-34714, and 63-34722 by non-use of a portion of your water rights. Specifically, under the mitigation agreements you will cease diverting 0.78 cfs and will idle 39 acres of irrigation.

Please contact this office if you have questions regarding this matter.

Sincerely,

Nick Miller
Manager, IDWR Western Region

enclosure

cc: City of Boise c/o John Roldan
Lori Graves, SPF Water Engineering
City Of Garden City
Donald and Joy Knickrehm

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/26/2019

Water Right 63-135

<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: 6/1/1864

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	3.300 CFS	
	<u>Total Diversion</u>		3.300 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for

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- 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.
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. SD1 This right originated as all or part of right no. 7 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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>
		1,734.8
63-135 ,63-176 ,63-193 ,63-210 ,63-211 ,63-221 ,63-250 ,63-30125 ,63-30129 ,63-30130		

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,63-30131

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 63-176

<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: 6/1/1869

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	1.600 CFS	
	<u>Total Diversion</u>		1.600 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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. SD1 This right originated as all or part of right no. 42 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

Decreed Date: 3/24/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 63
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

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<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1,734.8
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

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Water Right 63-193

<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: 6/1/1876**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	0.440 CFS	
	<u>Total Diversion</u>		0.440 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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. SD1 This right originated as all or part of right no. 62 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

Decreed Date: 3/24/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 63

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.5

Mitigation Plan: False

Combined Use Limits

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<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1,734.8
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

IDAHO DEPARTMENT OF WATER RESOURCES
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12/26/2019

Water Right 63-210

<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: 6/1/1880

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	2.400 CFS	
	<u>Total Diversion</u>		2.400 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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. SD1 This right originated as all or part of right no. 75 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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

Rate

Volume

Acres

1,734.8

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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

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12/26/2019

Water Right 63-211

<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: 10/20/1880

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	0.900 CFS	
	<u>Total Diversion</u>		0.900 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 = 1,734.8

Conditions of Approval:

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Proof Report

12/26/2019

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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).
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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. SD1 This right originated as all or part of right no. 76 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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>
		1,734.8

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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

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Water Right 63-221

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

Priority Date: 6/1/1883

Basis: Decreed

Status: Active

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	0.900 CFS	
	Total Diversion		0.900 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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. SD1 This right originated as all or part of right no. 87 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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

Rate

Volume

Acres

1,734.8

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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

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12/26/2019

Water Right 63-250

<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: 7/1/1895

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	0.500 CFS	
AESTHETIC STORAGE	01/01	12/31		23.9 AF
DIVERSION TO STORAGE	03/01	11/15	0.160 CFS	
<u>Total Diversion</u>			0.660 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right

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- 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.
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.
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. Pursuant to a call in times of scarcity, this right is senior to Bryan decreed Right No. 63-297 and any future splits of this right.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. 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.
12. 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.
13. 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.
14. 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.
15. F01 Water is delivered through the Thurman Mill Canal.
16. SD1 This right originated as all or part of right no. 128 in the Stewart Decree and the historic Boise River Water Masters records.
17. Aesthetic storage is for amenity ponds in Lakemoor Subdivision.

Dates and Other Information

Decreed Date: 3/24/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 63

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Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1,734.8
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

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Water Right 63-30125

<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: 6/1/1865

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	1.860 CFS	
	<u>Total Diversion</u>		1.860 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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 63-139 and 63-141.
16. SD1 This right originated as all or part of right no. 10 and 11 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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**Rate****Volume****Acres**

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1,734.8
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

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Water Right 63-30129

<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: 6/1/1872

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	2.100 CFS	
	<u>Total Diversion</u>		2.100 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have been dedicated to mitigate right no. 63-34722.

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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.
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 63-142 and 63-143.
16. SD1 This right originated as all or part of right no. 55 and 56 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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

Rate

Volume

Acres

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1,734.8
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

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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	14.860 CFS	
MITIGATION BY NON-USE	03/01	11/15	0.780 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 = 1,734.8

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 1734.8 of the 1782 acres decreed for this right within the authorized place of use in a single irrigation season. Transfer 73900 changed the nature of use of 8.2 acres to non-irrigation. Additionally, 27 acres have been dedicated to mitigate right 63-34659, 5 acres have been dedicated to mitigate right 63-34713, 3 acres have been dedicated to mitigate right 63-34714, and 4 acres have

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- been dedicated to mitigate right no. 63-34722.
7. 193 This right mitigates for the depletion of water resulting from the diversion and use of water under the rights listed below. To prevent injury to other water right holders, the right holder shall cease diverting 0.78 cfs of this right from the Boise River. If the mitigation portion of this right is used for any purpose, then water shall not be diverted under the rights listed below. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of the rights listed below that are being mitigated shall be reduced by the same proportion as the reduction to this right. The rights being mitigated are as follows: 63-34713, 63-34714, 63-34659, and 63-34722.
8. 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.
9. 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).
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. 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.
12. 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.
13. 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.
14. 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.
15. F01 Water is delivered through the Thurman Mill Canal.
16. This right is a combination of Rights 63-169E and 63-170B.
17. 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.

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Dates and Other Information

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>
		1,734.8
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

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Water Right 63-30131

<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: 6/1/1882

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	6.000 CFS	
	<u>Total Diversion</u>		6.000 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 = 1,734.8

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 1734.8 acres within the authorized place of use in a single irrigation season. 4 acres have been dedicated to mitigate right nos. 63-34722, 27 acres have been dedicated to mitigate right 63-34659, 3 acres have been dedicated to mitigate right 63-34717, and 5 acres have been dedicated to mitigate right 63-34713.
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

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- approval, this water right is within State Water District No. 63.
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 63-140, 63-212, 63-214B and 63-219 (part).
 16. SD1 This right originated as all or part of right no. 78, 79, 81 and 84 in the Stewart Decree and the historic Boise River Water Masters records.

Dates and Other Information

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**Rate****Volume****Acres**

1,734.8

63-135 ,63-176 ,63-193 ,63-210 ,63-211 ,63-221 ,63-250 ,63-30125 ,63-30129 ,63-30130

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,63-30131

SubCase:

N/A

Water Supply Bank:

N/A