

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/3/2019

Water Right 63-213

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CREIGHTON WOODS DEVELOPMENT INC PO BOX 95 MERIDIAN, ID 83680-0095 (208) 866-1100

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>
MITIGATION BY NON-USE	03/01	11/15	0.780 CFS	
	<u>Total Diversion</u>		0.780 CFS	

Source and Point(s) of Diversion

BOISE RIVER NWNE Sec. 19, Twp 04N, Rge 01E, ADA County

Place Of Use

MITIGATION BY NON-USE within ADA County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	19		26.0	13.0														
				L2															

POU Total Acres: 39.0

Conditions of Approval:

1. 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.
2. 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 Reservoirs 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.
3. 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

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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.

4. SD1 This right originated as all or part of right no. 80 in the Stewart Decree and the historic Boise River Water Masters records.
5. 193 This right mitigates for the depletion of water resulting from the diversion and use of water under Right 63-34667. 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 other than conveyance loss, then water shall not be diverted under Right 63-34667. 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 Right 63-34667 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

Comments:

1. kbrown 5/11/2005 Parcel Number
Parcel No: S0519120910 and a portion of S0519131310.
2. kbrown 5/11/2005 Transfer 1647
The point of diversion under this water right was changed under Transfer No. 1647 (Exhibit A).
3. kbrown 5/11/2005 Property Address
Property Address: 7307 W. Joplin Rd., Meridian 83642.
4. kbrown 5/11/2005 #63-25732
Water Right No. 63-25732 covers domestic and stockwater use (0.06 cfs) from a ground water source (artesian well) at property address 7307 W. Joplin Rd., Meridian.
5. JShearer 6/3/2019 POU
Updated Shape
6. JShearer 6/3/2019 Mitigation
0.78 cfs and 39 acres have been removed from irrigation under this right and recorded as mitigation by non-use for recently approved permit 63-34667.

Dates and Other Information

Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 63

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Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A