

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-34506**

2/28/2018

| <u>Owner Type</u> | <u>Name and Address</u>                                                               |
|-------------------|---------------------------------------------------------------------------------------|
| Current Owner     | GREG L CUNNINGHAM<br>2244 S BELLWETHER LN<br>EAGLE, ID 83616-4950<br>(303) 818-0429   |
| Current Owner     | MARGARET S CLEMENTS<br>2244 S BELLWETHER LN<br>EAGLE, ID 83616-4950<br>(303) 818-0429 |
| Original Owner    | STEPHANIE A MAULIN<br>1727 TROUT RD<br>EAGLE, ID 83616<br>(208) 939-8374              |
| Original Owner    | JACK D MAULIN<br>2050 ARTESIAN RD<br>EAGLE, ID 83616<br>(208) 939-0447                |

**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     | 0.200 CFS             | 42.8 AF       |
|                       | <b><u>Total Diversion</u></b> |           | 0.200 CFS             | 42.8 AF       |

**Source and Point(s) of Diversion**

|             |      |                                       |
|-------------|------|---------------------------------------|
| BOISE RIVER | NENE | Sec. 24, Twp 04N, Rge 01W, ADA County |
|-------------|------|---------------------------------------|

**Place Of Use**

IRRIGATION within ADA 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 |        |
| 04N | 01W | 24  |    |    |    |    | 9.3 |    |    | 0.2 |    |    |    |    |    |    |    |    | 9.5    |
|     |     |     |    |    |    |    | L3  |    |    |     |    |    |    |    |    |    |    |    |        |

POU Total Acres: 9.5

**Conditions of Approval:**

1. J01 Property is also known as Lot 30 R/S 1957, Stein's 2nd Subdivision.
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

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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. SD1 This right originated as all or part of right nos. 57 and 58 in the Stewart Decree and the historic Boise River Water Masters records.
4. 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.
5. 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 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.

**Comments:**

1. jhersley 2/28/2018 split right  
This water right is the result of split from 63-30136 due to a change in ownership.
2. jhersley 2/28/2018 POD  
Updated Shape
3. jhersley 2/28/2018 POU  
Updated Shape

**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  
Mitigation Plan: False

**Combined Use Limits**

N/A

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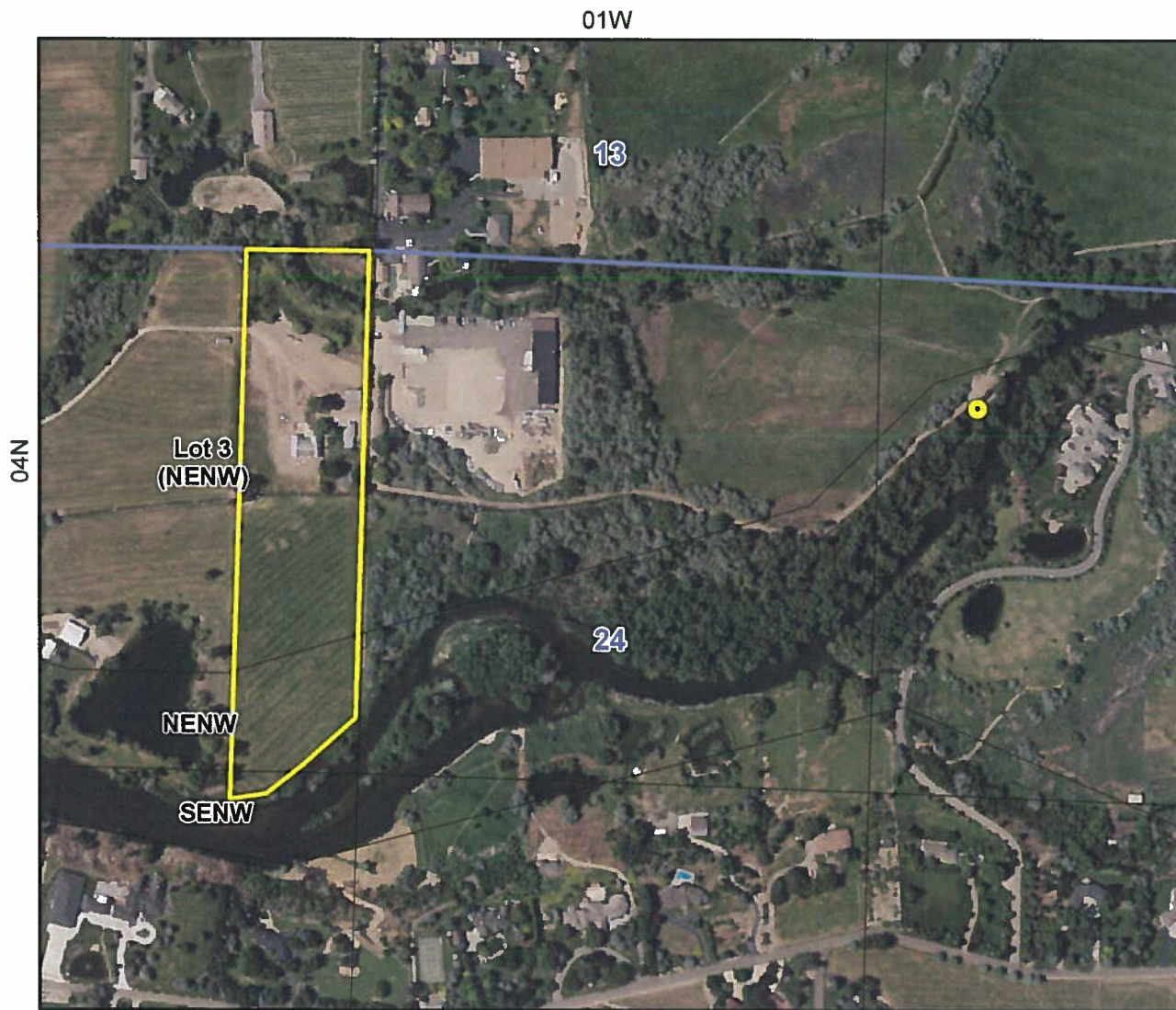
**SubCase:**

N/A

**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources  
**Water Right License**  
63-34506



0 0.05 0.1 0.2 Miles

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

