

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-34309**

11/15/2016

|                          |                                                                                  |
|--------------------------|----------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                   |
| Current Owner            | NICHOLSON PROPERTIES LP<br>18106 S CLOVERDALE<br>KUNA, ID 83634                  |
| Original Owner           | ANDERSON BROTHERS<br>C/O BOYD ANDERSON<br>RT 2<br>KUNA, ID 83634                 |
| Original Owner           | W H WEATHERBY<br>6900 MC MULLEN ST<br>BOISE, ID 83709                            |
| Previous Owner           | ANDERSON ENTERPRISES<br>17220 S CLOVERDALE RD<br>KUNA, ID 83634<br>(208)570-5531 |

**Priority Date:** 6/4/1963

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GROUND WATER         |                         |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 0.680 CFS                    | 171.1 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 0.680 CFS                    | 171.1 AF             |

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

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | NWNE | Sec. 10, Twp 01N, Rge 01E, ADA County |
| GROUND WATER | SWNE | Sec. 10, Twp 01N, Rge 01E, ADA County |
| GROUND WATER | SWSW | Sec. 3, Twp 01N, Rge 01E, ADA County  |

**Place Of Use**

IRRIGATION 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 |        |
| 01N | 01E | 3   |    |      |    |      |    |    |      |    | 3.0 | 15.0 | 30.0 | 37.0 |    |    | 30.0 |    | 115.0  |
| 01N | 01E | 10  |    | 39.0 |    | 20.0 |    |    |      |    |     |      |      |      |    |    |      |    | 59.0   |
| 01N | 01E | 11  |    |      |    |      |    |    | 40.0 |    |     |      |      |      |    |    |      |    | 40.0   |

Right Acre Limit: 38.0

POU Total Acres: 214.0

**Conditions of Approval:**

1. Rights 63-34307, 63-34309, 63-34310 and 63-34312 when combined shall not exceed

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- a total diversion rate of 1.19 cfs, a total annual maximum diversion volume of 267 af at the field headgate, and the irrigation of 59.33 acres in a single irrigation season.
2. 261 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
  3. 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.
  4. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 937.43 af at the field headgate for the place of use.
  5. Rights 63-34303, 63-34305, 63-34306, 63-34307, 63-34308, 63-34309, 63-34310, 63-34311, and 63-34312 when combined shall not exceed a total diversion rate of 3.54 cfs, a total annual maximum diversion volume of 937.43 af at the field headgate, and the irrigation of 210.7 acres in a single irrigation season.
  6. X27 This right is limited to the irrigation of 61.5 acres within the authorized place of use in a single irrigation season.
  7. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
  8. 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.
  9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
  10. 260 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**Comments:**

- |                                                                                   |          |            |             |
|-----------------------------------------------------------------------------------|----------|------------|-------------|
| 1.                                                                                | jhersley | 11/14/2016 | split right |
| This water right is the result of split from 63-33825 due to change in ownership. |          |            |             |
| 2.                                                                                | jhersley | 11/14/2016 | POD         |
| Updated Shape                                                                     |          |            |             |
| 3.                                                                                | jhersley | 11/14/2016 | POU         |
| Updated Shape                                                                     |          |            |             |

**Dates and Other Information**

Decreed Date: 2/16/2007  
State or Federal: S  
Generic Max Rate Per Acre: 0.020  
Generic Max Volume Per Acre: 4.5

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Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 1.190                                                                                              | 267.0         | 59.3         |
| 63-34307 ,63-34309 ,63-34310 ,63-34312                                                             |               |              |
| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
| 3.540                                                                                              | 937.4         | 210.7        |
| 63-34303 ,63-34304 ,63-34305 ,63-34306 ,63-34307 ,63-34308 ,63-34309 ,63-34310 ,63-34311 ,63-34312 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A