

8/17/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAGUNA POINTE HOA INC 9601 W STATE ST #203 BOISE, ID 83714 (208)939-6000

Status: Active

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.720 CFS	106.7 AF
MITIGATION BY NON-USE	01/01	12/31		144.3 AF
MITIGATION BY NON-USE	03/01	11/15	2.030 CFS	
Total Diversion			2.030 CFS	251.0 AF

BOISE RIVER L8(ENE) Sec. 21, Twp 04N, Rge 01E, ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	21		X L2	X L2		X L3	X L4		X L3									

[illegible]

POU Total Acres: 117.2

1. 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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2. 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).
3. F06 The following rights are diverted through the point of diversion described above:
63-144D, 63-32917, 63-32918
4. Within any 24-hour period, redirection from the pond(s) for irrigation purposes shall not exceed the total volume of water delivered to the pond from the Boise River for irrigation purposes pursuant to this right within the same 24-hour period.
5. Prior to diversion and use of water for irrigation purposes under this right, the right holder shall install a totalizing measuring device of a type approved by the department on the system for redirecting water from the pond(s) for irrigation. The measuring device shall be read and recorded on a daily basis and the right holder must record and maintain records of all irrigation diversions from the ponds identifying the amount of water diverted by date and the total annual volume. These records must be made available for inspection by the department upon request. Each annual record must be maintained for a minimum of 10 years.
6. 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 for the delivery of water through the Coast 2 Coast Subdivision to other users of the common conveyance system.
7. X27 This right is limited to the irrigation of 23.7 acres within the place of use described above in a single irrigation season.
8. X35 Rights 63-144A and 63-32918 when combined shall not exceed a total diversion rate of 2.35 cfs, a total annual maximum diversion volume of 297.8 af at the field headgate, and the irrigation of 34.1 acres.
9. This right authorizes an annual diversion volume of 144.3 af for aesthetic storage as replacement for evaporation losses from aesthetic ponds authorized under Right 63-32229.
10. 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.
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 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.
12. X59 Place of use is the Coast 2 Coast Subdivision.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year

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- of the date of this approval.
14. 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.
15. 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.
16. SD1 This right originated as all or part of right no. 12 in the Stewart Decree and the historic Boise River Water Masters records.

Comments:

1. scurtis 12/10/2007 POD
Updated shape
2. scurtis 12/10/2007 POU
Updated Shape
3. nvandyke 4/25/2008 Transferred Right
This is now an approved transfer, transfer number = 73959
4. nvandyke 5/1/2008 Amended Approval
At time of transfer approval government lot was incorrectly listed as 1 for the point of diversion.
Correct lot is 8.
5. segbert 2/25/2011 POD
PODID 704913 correlated from SpatialDataID 66498 to SpatialDataID 342570
6. scurtis 4/1/2013 POU
Updated Shape
7. psdaggs 8/16/2016 POU
Updated Shape
8. psdaggs 8/16/2016 Mitigation for 63-32229
Right 63-32229 was licensed 08-16-2016 identifying portions of Right 63-144A dedicated to mitigation by non-use.

Dates and Other Information

Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 63
Mitigation Plan: False