

AMENDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDED

**TRANSFER OF WATER RIGHT**

**TRANSFER NO. 77545**

This is to certify that: THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713  
(208)376-3769

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 63-135       | WR/Decreed          | 06/01/1864      | 3.3 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-176       | WR/Decreed          | 06/01/1869      | 1.6 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-193       | WR/Decreed          | 06/01/1876      | 0.44 cfs    | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-210       | WR/Decreed          | 06/01/1880      | 2.4 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-211       | WR/Decreed          | 10/20/1880      | 0.9 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-221       | WR/Decreed          | 06/01/1883      | 0.9 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-250       | WR/Decreed          | 07/01/1895      | 0.66 cfs    | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-30125     | WR/Decreed          | 06/01/1865      | 1.86 cfs    | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-30129     | WR/Decreed          | 06/01/1872      | 2.1 cfs     | N/A           | N/A               | 1,773.8            | BOISE RIVER   |
| 63-30130     | WR/Decreed          | 06/01/1868      | 15.48 cfs   | N/A           |                   | 1,773.8            | BOISE RIVER   |
| 63-30131     | WR/Decreed          | 06/01/1882      | 6 cfs       | N/A           |                   | 1,773.8            | BOISE RIVER   |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-135                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-176                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-193                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-210                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-211                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-221                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-250                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-30125              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-30129              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-30130              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 63-30131              | NO           | NO         | YES        | YES            | NO                   | NO                   |

SUPPORT DATA

IN FILE # 63-135

**Summary of Water Rights After the Approved Change**

| Existing Right  | New No. (changed portion) | Transfer Rate    | Transfer Volume | Acre Limit | Total Acres   | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|-----------------|---------------------------|------------------|-----------------|------------|---------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 63-135          | <b>63-135</b>             | 3.3 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-176          | <b>63-176</b>             | 1.6 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-193          | <b>63-193</b>             | 0.44 cfs         | N/A             | N/A        | 1,777.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-210          | <b>63-210</b>             | 2.4 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-211          | <b>63-211</b>             | 0.9 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-221          | <b>63-221</b>             | 0.9 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-250          | <b>63-250</b>             | 0.66 cfs         | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-30125        | <b>63-30125</b>           | 1.86 cfs         | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-30129        | <b>63-30129</b>           | 2.1 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-30130        | <b>63-30130</b>           | 15.48 cfs        | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 63-30131        | <b>63-30131</b>           | 6.0 cfs          | N/A             | N/A        | 1,773.8       |                             | N/A            | N/A              | N/A                  | N/A                   |
| <b>COMBINED</b> |                           |                  |                 |            |               |                             |                |                  |                      |                       |
| <b>TOTALS</b>   |                           | <b>35.64 cfs</b> | <b>N/A</b>      | <b>N/A</b> | <b>1773.8</b> |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 15<sup>th</sup> day of September, 20 14

  
 John Westra, Western Regional Manager

**WATER RIGHT NO. 63-135**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-135 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1864

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 3.30 CFS              |
|                       |             |           | 3.30 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

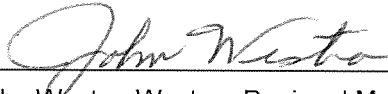
**WATER RIGHT NO. 63-135**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 7 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-176**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-176 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1869

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 1.60 CFS              |
|                       |             |           | 1.60 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-176**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 42 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-193**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-193 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1876

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 0.44 CFS              |
|                       |             |           | 0.44 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

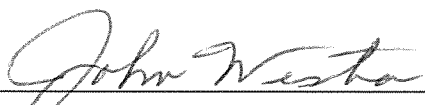
**WATER RIGHT NO. 63-193**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 62 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
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John Westra, Western Regional Manager

**WATER RIGHT NO. 63-210**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-210 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1880

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 2.40 CFS              |
|                       |             |           | 2.40 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-210**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 75 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
\_\_\_\_\_  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-211**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-211 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** October 20, 1880

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 0.90 CFS              |
|                       |             |           | 0.90 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-211**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 76 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
\_\_\_\_\_  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-221**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-221 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1883

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 0.90 CFS              |
|                       |             |           | 0.90 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-221**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as No. 87 in the Stewart Decree and the Boise River Water Masters records.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
\_\_\_\_\_  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-250**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-250 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** July 01, 1895

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/01       | to 11/15  | 0.50 CFS              |               |
| DIVERSION TO STORAGE  | 03/01       | to 11/15  | 0.16 CFS              |               |
| AESTHETIC STORAGE     | 01/01       | to 12/31  |                       | 23.9 AF       |
|                       |             |           | 0.66 CFS              |               |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-250**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
11. 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. 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. 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. 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, 63-30130, 63-30131.
15. Water is delivered through the Thurman Mill Canal.
16. This right is designated as No. 128 in the Stewart Decree and the Boise River Water Masters records.
17. Aesthetic storage is for amenity ponds in Lakemoor Subdivision.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
\_\_\_\_\_  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-30125**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-30125 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1865

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 1.86 CFS              |
|                       |             |           | 1.86 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-30125**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as Nos. 10 and 11 in the Stewart Decree and the Boise River Water Masters records. This right is a combination of Rights 63-139 and 63-141.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 2014

  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-30129**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-30129 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1872

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 2.10 CFS              |
|                       |             |           | 2.10 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-30129**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as Nos. 55 and 56 in the Stewart Decree and the Boise River Water Masters records. This right is a combination of Rights 63-142 and 63-143.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
\_\_\_\_\_  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-30130**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-30130 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1868

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 15.48 CFS             |
|                       |             |           | 15.48 CFS             |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

**WATER RIGHT NO. 63-30130**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as Nos. 36 and 37 in the Stewart Decree and the Boise River Water Masters records. This right is a combination of Rights 63-169E and 63-170B.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
John Westra, Western Regional Manager

**WATER RIGHT NO. 63-30131**  
**As Modified by Transfer No. 77545**

In accordance with the approval of Transfer No. 77545, Water Right No. 63-30131 is now described as follows.

**Right Holder:** THURMAN MILL DITCH CO LTD  
10611 W TREELINE CT  
BOISE ID 83713

**Priority Date:** June 01, 1882

**Source:** BOISE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/01       | to 11/15  | 6.00 CFS              |
|                       |             |           | 6.00 CFS              |

**LOCATION OF 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 |

**CONDITIONS OF APPROVAL**

1. 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. Place of use is within the area served by Thurman Mill Ditch Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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. 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. This right is limited to the irrigation of 1773.8 acres within the authorized place of use in a single irrigation season.
7. 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.

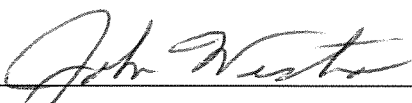
**WATER RIGHT NO. 63-30131**  
**As Modified by Transfer No. 77545**

**CONDITIONS OF APPROVAL**

8. 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. This right does not grant any right-of-way or easement across the land of another.
10. 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. 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. 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. 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, 63-30130, 63-30131.
14. Water is delivered through the Thurman Mill Canal.
15. This right is designated as Nos. 78, 79 81 and 84 in the Stewart Decree and the Boise River Water Masters records. This right is a combination of Rights 63-140, 63-212, 63-214B and 63-219(part).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15<sup>th</sup> day of September, 20 14

  
John Westra, Western Regional Manager