



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Director

December 24, 2012

SOUTH BOISE MUTUAL IRRIGATION CO LTD
1120 CHAMERLAIN
BOISE ID 83706

Re: Ditch Company Shares for Mitigation

Dear Director/Board Members:

Your ditch company authorized shares to remain unused in the Boise River to mitigate new ponds that were proposed to cover 6 acres at Marianne Williams Parks. The ponds are identified under water right no. 63-33052. The amount of water dedicated to mitigation is identified under your water right no. 63-243G. In this case, you identified 6 shares totaling 6 inches or 0.12 cfs that would not be diverted from the Boise River to mitigate for the ponds.

A recent field exam of the pond system resulted in 63-33052 being licensed for ponds covering 5 acres. This means 1 leftover share is not mitigating anything. The extra share (1 inch or 0.02 cfs) could be used to mitigate some other project in your service area if necessary. Alternately, these shares could be used to mitigate something downstream from your service area if necessary. Either alternative would require some coordination with the Idaho Department of Water Resources to approve a change in the mitigation plan.

The share cannot mitigate anything upstream from your point of diversion at the river. This share might not be protected against forfeiture if left unused in the river but not mitigating anything. Another use of this single share would be to restore it to irrigation use so it can be delivered into your service area. This could be done by a letter from you requesting that single share be restored to irrigation use.

Please let me know at your earliest convenience how you want to deal with this matter. I will be glad to discuss it in more detail if that will help. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester
Water Rights Supervisor

Cc: Rex Barrie, Boise River Watermaster