

AMENDED
FORM 202

Ident. No. 63-33052 12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

SEP 02 2009

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1. Name of Applicant City of Boise, Parks & Recreation Department Phone (208) 384-4240
Mailing address 1104 Royal Blvd., Boise, ID 83706-2898

2. Source of water supply Ground water which is a tributary of _____

3. Location of point of diversion is Township 3N Range 3E Sec. 19, in the _____ 1/4,

* SW 1/4, SW 1/4, Govt. Lot _____, B.M., Ada County;

additional points of diversion if any: 3N 3E S19, SESW; 3N 3E S30 NWNE

4. Water will be used for the following purposes:

Amount 70 ac-ft for municipal storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) _____ and/or (b) 70
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Two excavated ponds will fill with shallow
ground water

b. Height of storage dam 0 feet; active reservoir capacity 70 acre-feet;
total reservoir capacity 70 acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Municipal storage use for two ponds in Marianne Williams Park

* SEE 5/12/11 Email, Attached
e change

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3E	19											M	M					
		30		M															

M = Municipal Storage

10. Describe any other water rights used for the same purposes as described above. None

11.a. Who owns the property at the point of diversion? City of Boise

b. Who owns the land to be irrigated or place of use? City of Boise

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This application is for municipal storage use in excavated ponds at the new Marianne Williams Park on Warm Springs Blvd. The ponds will fill with shallow ground water. The City of Boise will mitigate the consumptive use portion of this use with a purchase of shares from an irrigation company, or an agreement with an irrigation district. Proposed ponds have a surface area of 6 acres.

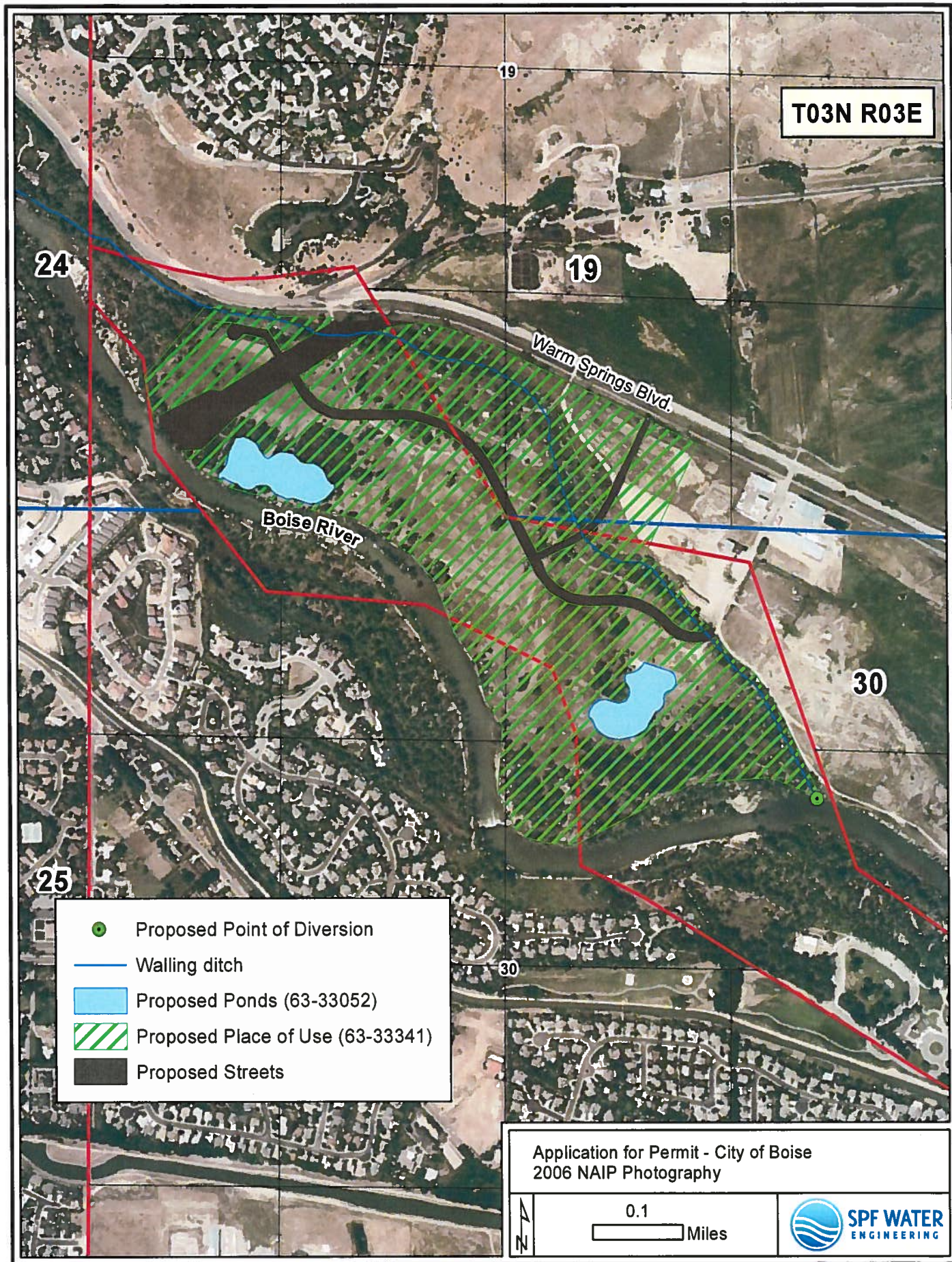
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James R. Hall, DIRECTOR
Signature of Applicant (and title, if applicable)

Received by SL Date 9/2/09 Time 1:00 Preliminary check by SL
Fee \$ 250 Received by DB # W036516 Date 5/20/2008
Publication prepared by DB Date 6/9/2011 Published in IDAHO STATESMAN
Publication approved _____ Date JUNE 16 & 23, 2011

per original



63-33052 e ponds

Lester, Steve

From: John Marshall [john@marshalllaw.com]
Sent: Thursday, May 12, 2011 4:38 PM
To: Lester, Steve
Subject: Applications for permit 63-33052 and 33341
Attachments: MWP Irrigation Permit Application (1) SPF map.pdf

Steve,

This email responds to your letter dated April 20, 2011 to Maria Minicucci concerning the applications referenced above. I have attached a map that I believe addresses the issues raised. If this is not acceptable, please let me know and we will try again. Regarding the legal for the pond in Section 19 in application for permit 63-33052, please designate the SESW of Section 19 as the point of diversion. The water bearing zone for the ponds is from 1 to 35 feet. The assumptions made concerning application 63-33341 in your letter are all correct.

If you require any additional information, please let me know.

63-33052 e Pond POD
 e Wb zone

w/ new map

-JC 5/16/11

RECEIVED

MAY 20 2008

FORM 202

WATER RESOURCES
WESTERN REGIONIdent. No. 63-33052 12/99STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant City of Boise, Parks & Recreation Department Phone (208) 384-4240
Mailing address 1104 Royal Blvd., Boise, ID 83706-2898
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is Township 3N Range 3E Sec. 19, in the _____ 1/4,
SW 1/4, SW 1/4, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: 3N 3E S19, SESW; 3N 3E S30 NWNE
4. Water will be used for the following purposes:
Amount 60 ac-ft for municipal storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 60
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Two excavated ponds will fill with shallow
ground water
 - b. Height of storage dam 0 feet; active reservoir capacity 60 acre-feet;
total reservoir capacity 60 acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Municipal storage use for two ponds in Marianne Williams Park

-Superceded

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3E	19											M	M					
		30		M															

M = Municipal Storage

10. Describe any other water rights used for the same purposes as described above. None

11.a. Who owns the property at the point of diversion? City of Boise

b. Who owns the land to be irrigated or place of use? City of Boise

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This application is for municipal storage use in excavated ponds at the new Marianne Williams Park on Warm Springs Blvd. The ponds will fill with shallow ground water. The City of Boise will mitigate the consumptive use portion of this use with a transfer of shares (to be owned by the City) in the South Boise Water Co., delivered in the Walling side channel of the Boise River. Proposed ponds have a surface area of 6 acres and an average depth of 10 feet.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

Received by [Signature] Date May 20 08 Time 1:00pm Preliminary check by _____
 Fee \$ 250- Receipted by DB # W0310516 Date 5-20-08
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____



63-33052

Buffington, Denise

From: Buffington, Denise
Sent: Friday, June 10, 2011 8:25 AM
To: Rex Barrie, WD-63
Subject: Comment Letters
Attachments: Comment Letter to WD 63.Doc; 63-33052 APP.pdf; 63-33341 APP.pdf

Attached is a cover letter and a copy of an Application(s), for your review &/or comment. Please feel free to use the attached recommendation form as needed. If you have any questions regarding the attached information, please do not hesitate to contact our office.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

June 10, 2011

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR, ID 83669-0767

RE: Application for Permit: 63-33052 & 63-33341

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 10, 2011

SOUTH BOISE MUTUAL IRRIGATION CO.
1120 CHAMBERLAIN
BOISE ID 83706

Re: Application No(s). 63-33052 & 63-33341

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by July 5, 2011.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is written in a cursive, flowing style.

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, June 09, 2011 1:18 PM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Ada County - Cover Letter.Doc; Ada County Ads - COMBINED.Doc

Attached please find one (1) legal notice being submitted for publication. We are experiencing some technical problems with our Legal Notice database, so please feel free to let me know if you have any problems regarding the formatting of the attached notice(s).

Also, please contact me if you have any other questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

June 9, 2011

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No(s): 63-33052, 63-33341, 63-33469, 63-33474, 63-33481 & 63-32644

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 5, 2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-32644

STAR SEWER & WATER DISTRICT

PO BOX 400

STAR, ID 83669

Point of Diversion NWNW S16 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SESW S8 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SESW S5 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNW S8 T04N R01W ADA County Source GROUND WATER Tributary

Point of Diversion SWNW S11 T04N R02W CANYON County Source GROUND WATER Tributary

Use: MUNICIPAL 01/01 to 12/31 7.31 CFS

Total Diversion: 7.31 CFS

Date Filed: 4/11/2007

Place Of use: MUNICIPAL

Application previously published in June 2010 for 5 cfs. Now amended for higher diversion rate and priority date therefore advanced to 5/24/2011. Municipal use is for the district service area in Ada and Canyon Counties. Water bearing zone to be appropriated is 150-190 ft. for 1 existing well and 450-650 ft. for 2 existing plus 2 proposed wells. Proposed wells will be near Hwy 44/Plummer Road and Hwy 44/Kingsbury Road. Proposed use is for reasonably anticipated future needs in a 25 year planning horizon based on 1996 Municipal Water Rights Act (IC 42-202B etc.). Published in the Idaho Statesman & Idaho Press Tribune on 6/16 & 6/23/2011

63-33052

CITY OF BOISE

PARKS & RECREATION DEPT

1104 ROYAL BLVD

BOISE, ID 83706-2898

Point of Diversion L5(SESW) S19 T03N R03E ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion L9(NWNE) S30 T03N R03E ADA County Source GROUND WATER Tributary BOISE RIVER

Use: MUNICIPAL STORAGE 01/01 to 12/31 70 AF

Total Diversion: 70 AF

Date Filed: 5/20/2008

Place Of Use: MUNICIPAL STORAGE

T03N R03E S19 SWSW L5(SESW)

T03N R03E S30 L9(NWNE)

Two shallow ground water ponds covering 6 acres will be mitigated by leaving a 6-acre portion of South Boise Mutual Irrigation Co. Ltd. irrigation right undiverted in the Boise River. Water bearing zone to be appropriated is from 1 to 35 feet. Use is for Marianne Williams Park near the new Parkcenter Blvd. Bridge and Warm Springs Avenue.

63-33341

CITY OF BOISE

PARKS & RECREATION DEPT

1104 ROYAL BLVD

BOISE, ID 83706-2898

Point of Diversion L8(ENE) S30 T03N R03E ADA County Source BOISE RIVER Tributary SNAKE RIVER

Use: IRRIGATION 03/01 to 11/15 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 2/18/2010

Place Of Use: IRRIGATION

T03N R03E S19 SWSW L5(SESW) SWSE

T03N R03E S30 NE(ALL) NENW SENW

Total Acres: 117

Limited to 40 acres of irrigation in 117 acre area. Diversion via the Walling Ditch. Mitigated by leaving a 40-acre portion of South Boise Mutual Irrigation Co. Ltd. right undiverted in the Boise River. Use is for Marianne Williams Park near the new Parkcenter Blvd. Bridge and Warm Springs Avenue.

63-33469

ROBERT H WEST

ALASYA N WEST

5035 WILLOW CREEK RD

EAGLE, ID 83616

Point of Diversion NESE S29 T05N R01E ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.11 CFS

Total Diversion: 0.11 CFS

Date Filed: 1/14/2011

Place Of Use: IRRIGATION

T05N R01E S29 NESE

Total Acres: 3.5

Water bearing zone to be appropriated is from 300 to 350 feet.

63-33474

ROGER K JORGENSEN

10124 W COLTON LN

EAGLE, ID 83616

Point of Diversion NESE S8 T05N R01W ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.12 CFS

Use: STOCKWATER 01/01 to 12/31 0.08 CFS

Use: HEATING 01/01 to 12/31 0.2 CFS

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 1/25/2011

Place Of Use: IRRIGATION, STOCKWATER, HEATING & DOMESTIC

T05N R01W S8 NESE

Total Acres: 6

Water bearing zone to be appropriated is from 478 to 503 feet.

63-33481

HIGHLAND LIVESTOCK & LAND CO LTD

PO BOX 488

EMMETT, ID 83617

Point of Diversion NENW S25 T05N R02W CANYON County Source GROUND WATER Tributary

Point of Diversion NWSW S19 T05N R01W ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 2.23 CFS

Total Diversion: 2.23 CFS

Date Filed: 2/9/2011

Place Of Use: IRRIGATION

T05N R02W S24 SWSW SESW

T05N R02W S25 NENW NWNW

Total Acres: 111.5

Water bearing zone to be appropriated is from 265 to 585 feet.

For a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25 for each application on or before July 5, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 6/16 & 6/23/2011



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, Interim Director

April 20, 2011

MARIA MINICUCCI
BOISE PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

Re: Application for Permit Nos. 63-33052 and 63-33341, Marianne Williams Park

Dear Maria:

A mitigation plan for these applications was recently submitted. The plan appears viable without changes. The October 2011 deadline for an acceptable mitigation plan to be submitted as noted in my October 28, 2010 letter is, of course, no longer applicable. The applications can be processed once clarified as discussed in this letter.

Application Maps

Application 63-33052 includes a map showing the proposed ponds. The map adequately illustrates the points of diversion and place of use for this application. The map also shows the proposed point of diversion but not the place of use for application 63-33341. The map in 63-33052 includes $\frac{1}{4}$ $\frac{1}{4}$ lines.

The application 63-33341 map does not show a diversion point or $\frac{1}{4}$ $\frac{1}{4}$ lines. Although it is not entirely clear, the map indicates the irrigation place of use as the green (park) and red (Barber Station) areas. Assuming those two areas constitute the maximum extent of irrigation, it is possible to interpret correct legal descriptions for the irrigation boundary by comparing both maps.

An application map is acceptable if it confirms the written legal descriptions for the diversion point(s) and place of use in the application. Perhaps one clearly labeled map including $\frac{1}{4}$ $\frac{1}{4}$ lines and showing everything can be submitted and used for both applications. The enclosed draft mock-up is an example.

* Application 63-33052 Details

The Section 19 pond straddles a $\frac{1}{4}$ $\frac{1}{4}$ line. The written description of the diversion point lists both tracts. A point of diversion for an excavated pond is debatable. One approach defines the entire pond as the diversion. Another approach assumes an estimated center point for the pond as the single diversion point. The best fit between written and spatial diversion points is a single center point as the diversion for an excavated pond. If the point is close to a $\frac{1}{4}$ $\frac{1}{4}$ line, assume the point is on one side of the line. This results in a single written point corresponding to a single spatial point for one pond. The other method results in multiple written points and multiple spatial points for a single pond – can lead to confusion in interpreting department records ("how many ponds are there?").

* OK per 5/12/11 Email Reply added to Amendment
App. Form -JZ

Although not required, please consider designating either SWSW or SESW Section 19 as the diversion point for that pond. This can be done by letter or email without amending the application form.

The application states the ponds will cover 6 acres and hold 70 af of water. This implies an average depth of about 12 ft. ($70/6 = 11.67$). The water bearing zone for the shallow ground water should be defined. Please list the proposed water bearing zone from 1 to ____ ft. (maximum depth).

Application 63-33341 Details

The application states that river water diverted into the Walling Ditch will be routed to a storage pond and then into an irrigation system. The department assumes this means the following:

- ditch water to one of the ponds identified in application 63-33052
- pond acts as a regulating facility for efficient irrigation
- ditch water will not increase pond capacity
- surface water storage is not involved ("water in, water out" instead of storage)
- shallow ground water is not used for irrigation (full extent of irrigation can be determined by administration of surface water).

Please confirm if those assumptions are correct. If not, please explain why the assumptions are not correct.

Please provide your response by **August 1, 2011**. You may seek more time to provide the information if you prefer. Your attention to this deadline will protect the applications. Otherwise, the applications must be voided per Idaho statutes and department Water Appropriation Rules. Refunds are typically not issued for voided applications.

A copy of this letter is provided to Attorney John Marshall and Consultant Roxanne Brown based on prior conversations and/or correspondence with them about this project.

I look forward to working with you in this regard. Please let me know if you need more information. Thank you for your attention to these matters.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

C: John Marshall
Roxanne Brown

Lester, Steve

From: John Marshall [john@jmarshalllaw.com]
Sent: Friday, April 15, 2011 3:41 PM
To: Lester, Steve
Cc: Burrows Kelly; Maria Minicucci; Mollie Holt; Jay Walker; Amanda Schaus
Subject: Marianne Williams Park Mitigation Plans
Attachments: Executed SBMIC Mitigation Plan - Irrigation.pdf; Executed SBMIC mitigation for ponds.pdf; POD map.pdf

Steve,

Please find attached two mitigation plans submitted on behalf of the City of Boise, Parks and Recreation Department, in conjunction with permit applications 63-33341 and 63-33052 currently on file with the Department. The mitigation plans, executed by the South Boise Mutual Irrigation Company, Ltd explain that a portion of its water rights that authorize the irrigation of 40 and 6 acres respectively should be changed to mitigation to offset the depletions contemplated by the two pending permit applications associated with the Marianne Williams Park. I also attach a notated aerial photograph that shows the locations of the South Boise Mutual point of diversion and the diversion locations contemplated in the permit applications. As you can see, the location of the proposed Boise River point of diversion under permit 63-33341 is slightly upstream from the South Boise Mutual point of diversion, and there are no intervening PODs. Please contact me if you have questions or if you need me to submit any of the attached in hard copy. Please proceed with processing permit applications 63-33341 and 63-33052 pursuant to the attached mitigation plans.

Thank you,

John

✓ 63-33052 > Mitigation Plan
63-33341

Also see similar plan & same
parties in 63-33454

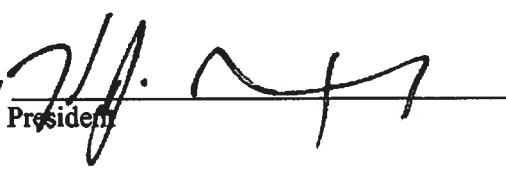
**MITIGATION PLAN
APPLICATION FOR PERMIT 63-33052**

The City of Boise, Parks and Recreation Department ("Applicant") submits this plan to provide for the mitigation of the consumptive use of ground water that will occur as a result of the storage use proposed by the above referenced permit application. Mitigation is required because the proposed ponds, which will have a surface area of approximately 6 acres, will intercept and evaporate ground water that is tributary to a reach of the Boise River that is fully appropriated by senior rights except during times when upstream reservoirs are being emptied for flood control purposes.

This mitigation plan proposes to mitigate the depletive effects of the proposed ponds on the Boise River by ceasing the irrigation of six acres of irrigation under water right 63-243G, which is held in the name of the South Boise Mutual Irrigation Co., Ltd. ("SBMIC"). Applicant and SBMIC have an agreement whereby Applicant will acquire 6 SBMIC shares, each of which entitle the holder to the delivery of water sufficient to irrigate 1 acre at a rate of one-inch per acre. SBMIC agrees that the 6 acres associated with the 6 shares being acquired by Applicant will no longer be used for irrigation and instead will be used for mitigation of the permit 63-33052, and appropriate remarks on right 63-243G to this effect is authorized. SBMIC and the Applicant agree that the designation of a single water right held by SBMIC for mitigation under this Plan is for administrative convenience only, and that for purposes of actual water administration, Applicant's diversions made pursuant to 63-20041 are mitigated proportionally by all of SBMIC's water rights.

SBMIC has reviewed and approves this mitigation plan.

THE SOUTH BOISE MUTUAL IRRIGATION CO. LTD

By 
Its President

**MITIGATION PLAN
APPLICATION FOR PERMIT 63-33341**

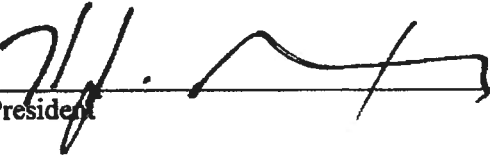
The City of Boise, Parks and Recreation Department ("Applicant") submits this plan to provide for the mitigation of the consumptive use of water that will occur as a result of the irrigation use proposed by the Application for Permit no. 63-33341. Mitigation is required because the reach of the Boise River from which the Applicant proposes to divert under the permit application is fully appropriated by senior rights during the irrigation season except during times when the upstream reservoirs are being emptied for flood control purposes.

This mitigation plan proposes to mitigate the depletive effects on the Boise River of the proposed irrigation use of 40 acres by ceasing the irrigation of a corresponding number of acres of irrigation under water right 63-243G, which is held in the name of the South Boise Mutual Irrigation Co., Ltd. ("SBMIC"). Applicant and SBMIC (or assigns) have an agreement whereby Applicant will acquire 40 SBMIC shares, each of which entitle the holder to the delivery of water sufficient to irrigate 1 acre at a rate of one-inch per acre. SBMIC agrees that the 40 acres associated with the 40 shares being acquired by Applicant will no longer be used for irrigation and instead will be used for mitigation of the permit 63-33341, and appropriate remarks on right 63-243G to this effect is authorized. SBMIC and the Applicant agree that the designation of a single water right held by SBMIC for mitigation under this Plan is for administrative convenience only, and that for purposes of actual water administration, Applicant's diversions made pursuant to 63-33341 are mitigated proportionally by all of SBMIC's water rights.

SBMIC has reviewed and approves this mitigation plan.

THE SOUTH BOISE MUTUAL IRRIGATION CO. LTD

By _____
Its President



Date	Review



MARIANNE WILLIAMS PARK

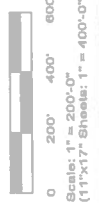
IRRIGATION FACILITIES

AERIAL
SHEET

Sheet No.	1 of 1
Date	10/1/10
Scale	1" = 400'-0"



Sheet Number
CI.1



Date	Review



MARIANNE WILLIAMS PARK
IRRIGATION FACILITIES

AERIAL
SHEET

Project No.	
Drawn By: JTB	Scale: 1"=400'-0"
Date: 1/11/11	



Sheet Number
CL1





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, Interim Director

October 28, 2010

MARIA MINICUCCI
BOISE PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

Re: Application for Permit Nos. 63-33052 and 63-33341, Marianne Williams Park

Dear Maria:

The above referenced applications were filed in May 2008 and February 2010. The applications propose shallow ground water tributary to the Boise River or direct diversion from the river for new consumptive uses. As you know, mitigation is required for the proposed consumptive uses.

Mitigation efforts have been in process for a considerable amount of time without success to date. I met with John Marshall, Terry Scanlan and Roxanne Brown on May 17, 2010 to discuss a mitigation plan provided by SPF Water Engineering. The plan features non-use of water under Boise City Canal Company (BCCC) irrigation rights to mitigate consumptive uses for the park located upstream from the BCCC diversion point. The plan does not appear approvable at this point.

Based on the meeting this May, I understood mitigation efforts would continue until an approvable plan could be provided to Idaho Department of Water Resources (IDWR). The applications could be processed at that time.

IDWR will delay processing the applications for one year to provide more time for the applicant to develop and submit an acceptable mitigation plan. The one year period expires **October 31, 2011**. An alternative to providing an acceptable mitigation plan would be to seek more time before the deadline. Your attention to this deadline will protect the applications. Otherwise, the applications must be voided per Idaho statutes and IDWR Water Appropriation Rules. Refunds are typically not issued for voided applications.

Please do not hesitate to contact me if you have any questions or need more information.

Sincerely,

Steve Lester
Water Rights Supervisor

Cc: John Marshall
Terry Scanlan
Roxanne Brown

Lester, Steve

From: Bruce M. Smith [BMS@msbtlaw.com]
Sent: Tuesday, June 08, 2010 10:54 AM
To: Lester, Steve
Subject: Boise City Canal Company

Steve—Thought I'd give you a head's up and try to clarify a couple of items. It has come to BCCC's attention that Brighton Corp, SPF and John Marshall met with you on May17, 2010 regarding an injury analysis prepared by SPF that purports to deal with use of BCCC water as mitigation for the City of Boise/Brighton applications. That meeting and the analysis were not authorized nor approved by BCCC, and BCCC did not know of the meeting or that the analysis had been sent to you without BCCC review as had been previously agreed to. The understanding was that any discussions with the IDWR about BCCC's water rights or mitigation activities would involve BCCC. That obviously did not happen. BCCC met with Brighton and the City on June 3, 2010 and was not even told at that time about the May 17, 2010 meeting. BCCC only learned of the analysis when the draft was never forthcoming for review and BCCC inquired about the status. Neither Brighton nor the City of Boise is authorized to speak for BCCC, and BCCC is not in a position to comment on the analysis or any discussions or issues raised in the May17, 2010 meeting. If you have any questions about BCCC's willingness to cooperate in providing mitigation or BCCC's water rights, I'd suggest contacting me and I will make arrangements for any discussions that might be necessary. Bruce

Attorney concerns



SPF WATER
ENGINEERING

RECEIVED

MAY 14 2010

WATER RESOURCES
WESTERN REGION

May 13, 2010

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Injury Analysis for Mitigation Proposal
Applications for Permit 63-33341 and 63-33052

Dear Steve,

We are happy to submit the enclosed memorandum in support of the permit applications for the Marianne Williams Park site. Please contact SPF Water Engineering if you have any questions concerning this analysis.

Sincerely,

Roxanne Brown
Sr. Water Rights Specialist

Enclosures

SPF file number: 513.0010

this report N/A PER 4/15/2011 mitigation plan submitted -JZ



MEMORANDUM

RECEIVED

MAY 14 2010

WATER RESOURCES
WESTERN REGION

TO: John Marshall
Roxanne Brown

FROM: Terry Scanlan, P.E., P.G.

RE: Injury Analysis for Marianne Williams Park Mitigation Proposal

DATE: May 11, 2010

SPF JOB: 513.0010

Background

1. Diversions quantities proposed for use at Marianne Williams Park total 0.8 cfs for irrigation of 40 acres and 60 acre feet annually for municipal storage in two ponds with a total surface area of 6 acres. Sources of water are the Boise River for irrigation and ground water (assumed to be in hydraulic connection with the Boise River) for municipal storage. Separate applications for permit have been submitted for irrigation (63-33341) and for municipal storage (63-33052). Both applications propose mitigation for out-of-priority diversions.
2. For purposes of determining mitigation requirement, the diversion rate from the river to the park is assumed to total 0.92 cfs, consisting of direct diversion of 0.80 cfs for irrigation and an indirect depletion of 0.12 cfs of shallow ground water (tributary to the river) through evaporation from 6 acres of pond surface. The 0.12 cfs assumed depletion rate overestimates the actual depletion rate from evaporation, and is therefore considered a conservative assumption.
3. The City of Boise Parks and Recreation Department and Brighton Corporation currently propose to mitigate for Marianne Williams Park diversions through non-use of 0.92 cfs of Boise City Canal Company water right 63-20041. This mitigation is based on the premise that the 0.92 cfs of mitigation water would otherwise be diverted and consumed in the Boise City Canal. The mitigating water right currently provides 0.02 cfs per acre for irrigation within the Boise City Canal Company boundary.
4. Mitigating water right 63-20041 has a priority date of June 1, 1866. The mitigating right is subject to priority cuts to 75% and 60% during the latter portion of the irrigation season. At such times, the water right is supplemented as needed using Boise City Canal Company storage water from Lucky Peak Reservoir.
5. Any reductions in delivery to Boise City Canal Company due to reduction in natural flow and storage delivery will be proportionately made to the Marianne Williams delivery.

Injury Analysis Regarding Water Right Priority

6. Water rights deliveries to diversion points on the Boise River reach between Lucky Peak Dam and Star are based on delivery requests by the water right holders. The Watermaster releases water from Lucky Peak to meet delivery requests, and determines whether to allocate the delivery to natural flow or storage based on water right priority.
7. Water right priority is determined based on flow rate upstream from Lucky Peak, Arrowrock, and Anderson Ranch reservoirs at gages on Mores Creek near Robie Creek, Middle Fork Boise River near Twin Springs, and South Fork Boise River near Featherville. Therefore, actual flow rate in the Boise River reach between Lucky Peak Dam and Star has no impact on water right priority.
8. Given that determination of priority for delivery to water rights in the Boise River upstream from Star is based on natural flows above the three reservoirs (rather than on flow in the river below Lucky Peak Dam), irrigation water rights in the Boise River above Star can be transferred upstream without injury to other users. Examples of previously approved upstream transfers of Boise River irrigation water rights include Boise Valley Irrigation Ditch Company transferred upstream from Farmer's Union headgate to Surprise Valley pump station (T5119, 3.97 cfs) and to the Shakespeare Festival pump (T71032, 0.20 cfs). Both of these transfers were from a point of diversion below the Boise City Canal to points of diversion above Marianne Williams.

Injury Analysis Regarding River Flow

9. July 2009 average diversions from the sub-reach of the Boise River between the proposed Marianne Williams Park headgate (river mile 57.8), and Boise City Canal Company headgate (river mile 56.0) are listed below, and total 35.7 cfs.

Bubb	5.3 cfs
Herrick	0.0 cfs
Meeves	2.0 cfs
Rossi Mill	10.4 cfs
River Run	<u>18.0 cfs</u>
	35.7 cfs

10. July 2009 average diversions from the sub-reach of the Boise River between Boise City Canal Company headgate and Glenwood Bridge (river mile 47.5) are listed below, and total 458.9 cfs.

Boise City Canal	24.2 cfs
United Water	20.6 cfs
Settlers	144.2 cfs
Fairview Acres	6.2 cfs
Drainage District No.	33.3 cfs
Thurman Mill	17.3 cfs
Farmers Union	206.7 cfs
Boise Valley	36.1 cfs
Boise Sewer	-7.0 cfs
Boise City Parks	0.3 cfs
Capitol View	<u>7.0 cfs</u>
	458.9 cfs

11. The 2009 July average flow at the Glenwood Bridge was 942 cfs (July average flow at Glenwood Bridge since 1981 was 1,240 cfs).¹ Adding July 2009 average diversions (Marianne Williams Park to BCCC headgate, and BCCC headgate to Glenwood Bridge) to July 2009 average river flow at Glenwood results in an average flow of 1436.6 cfs in July at the Marianne Williams headgate (942 cfs + 35.7 cfs + 458.9 cfs = 1,466.6 cfs).
12. The impact of the proposed mitigation is the change in river flow from prior to implementation of the mitigation plan (assuming the 0.92 cfs portion of the Boise City Canal water right is diverted and consumed through the Boise City Canal) and after implementation of the mitigation plan (assuming the 0.92 cfs portion of the Boise City Canal water right is diverted and consumed at Marianne Williams Park).
13. The diversion and consumption of 0.92 cfs at Marianne Williams has the impact of reducing July flow by approximately 0.06% in the 1.8-mile river sub-reach between Marianne Williams and the Boise City Canal ($0.92 \text{ cfs} / 1,466.6 \text{ cfs} * 100 = 0.06\%$). If 0.92 cfs of Boise City Canal water right is not diverted at the Boise City Canal headgate, there is no impact to Boise River flows below the Boise City Canal headgate.
14. If 0.92 cfs is diverted and consumed at Marianne Williams, and an additional 0.92 cfs is diverted at the Boise City Canal, not consumed, and 0.92 cfs is delivered back to the Boise River through Sand Creek (above Glenwood Bridge at river mile 48.7), the impact in the 9.1-mile sub-reach from Marianne Williams to Sand Creek (based on average July 2009 flows) is a flow reduction ranging from 0.07% at Boise City Canal ($0.92 \text{ cfs} / (942 \text{ cfs} + 458.9) * 100 = 0.07\%$) to 0.10% at the mouth of Sand Creek ($0.92 \text{ cfs} / 942 \text{ cfs} * 100 = 0.10\%$). There is no impact to River flows downstream from Sand Creek.

¹ Information taken from the website "USGS Surface-Water Daily Statistics for the Nation", USGS Gage 13206000 (Boise River at Glenwood Bridge), copies attached.

15. The impact of diversions at the Marianne Williams Park site will vary throughout the irrigation season and from year to year. Generally, the impact of the diversion on river flows will be greater during low flow periods. For example, in October during a drought year, flows at the Glenwood Bridge can be 200 cfs or less. The impacts of a Marianne Williams diversion of 0.92 cfs under drought-year, low-river flow conditions could approach 0.5% at Glenwood ($0.92 \text{ cfs} / 200 \text{ cfs} * 100 = 0.5\%$) and perhaps 0.2% of river flow at Marianne Williams ($0.92 \text{ cfs} / (200 \text{ cfs} + 230(+/-) \text{ cfs}) * 100 = 0.2\%$). However, under drought-year, low-river flow, Marianne Williams diversions will likely be less than 0.92 cfs. Therefore, it is unlikely that the impact will ever exceed 0.5% in any reach.
16. Regardless of the impact at the Marianne Williams Park site on river flows within the sub-reaches between the Park and the mouth of Sand Creek, there is adequate water in the river for existing diversions to continue to function, and there is no impact to existing water rights. Existing diversions continue to receive their natural flow water rights based on natural flow in the river above the three reservoirs. Any diversions in excess of in-priority natural flow are assessed to storage accounts. The accounting for other water rights is unchanged whether diversion occurs at Marianne Williams or not.
17. Although not necessarily significant to this injury analysis, it should be noted that the Boise River is a gaining stream between Lucky Peak Dam and the Snake River. Stream gains between Lucky Peak and the Logger's Creek diversion (located between Boise City Canal and Marianne Williams Park diversions) are estimated to be between 7 and 12 cfs². Stream gains between Loggers Creek diversion and Glenwood are greater, probably in the range of 23 to 39 cfs (based on an average gain of 3 to 5 cfs per mile).³

Conclusions

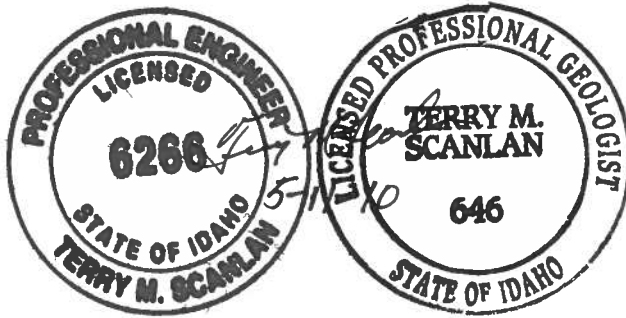
18. There will be no impact or injury to other water rights by the proposed mitigation plan.
19. Reduction in Boise River flows during the irrigation season between Sand Creek and Marianne Williams Park resulting from the proposed mitigation plan will be less than 0.5% of river flow. Such a reduction in flow should have an insignificant impact on wildlife and recreation uses. No impacts to operation of existing diversion facilities are anticipated.

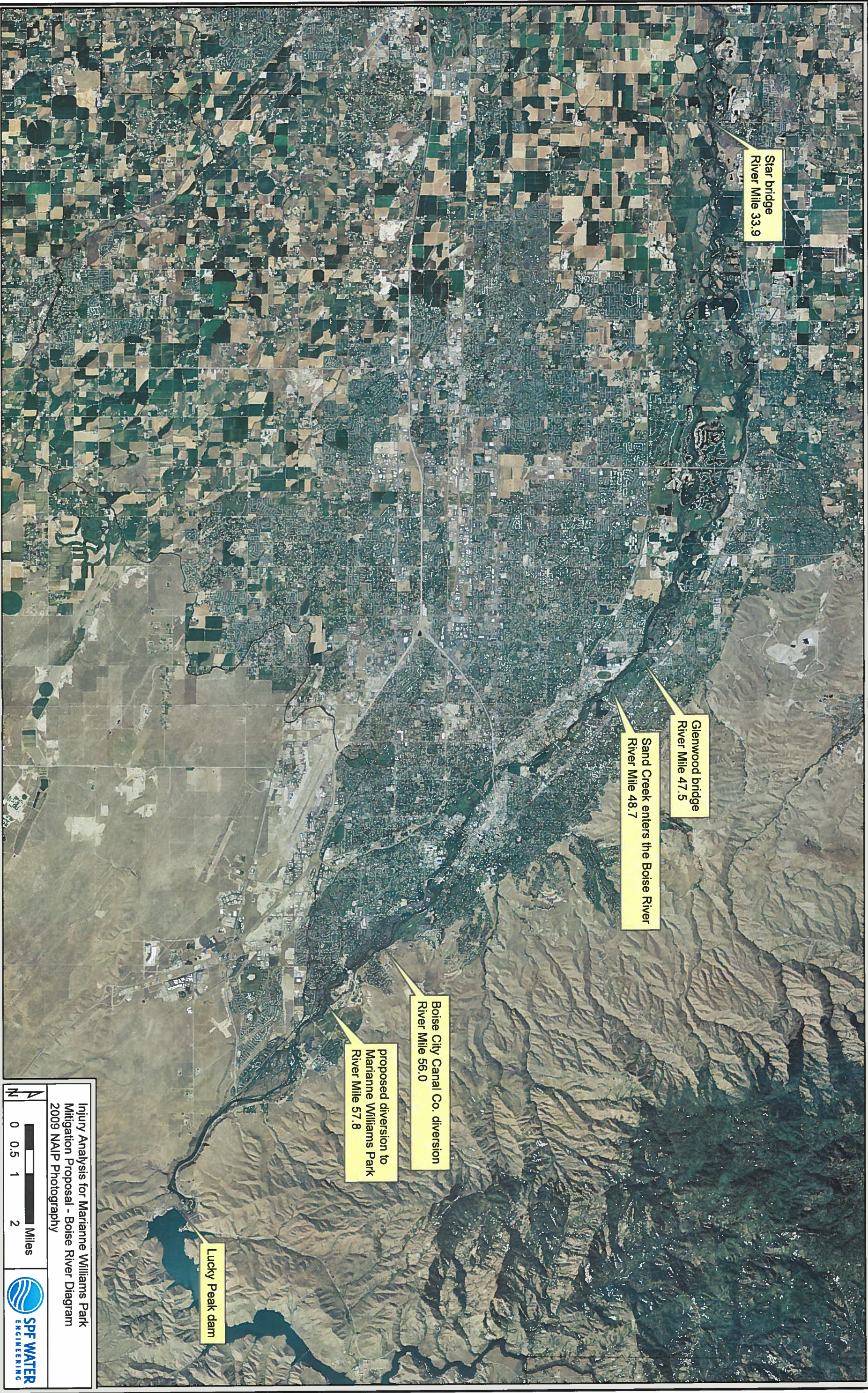
² "Final Order in the Matter of Application to Appropriate Water No. 63-31878", pg. 2, copy attached.

³ "Streamflow Gains and Losses in the Lower Boise River Basin, Idaho, 1996-97", Charles Berenbrock, USGS

Attachments

1. Water Application Report 63-33341
2. Water Application Report 63-33052
3. SF5 Water Right 63-20041
4. 2009 Boise River Diversions Between Marianne Williams and Glenwood Bridge
5. Glenwood Bridge Flow Data





Star bridge
River Mile 33.9

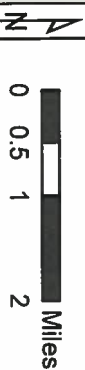
Glenwood bridge
River Mile 47.5

Sand Creek enters the Boise River
River Mile 48.7

Boise City Canal Co. diversion
River Mile 56.0

proposed diversion to
Marianne Williams Park
River Mile 57.8

Lucky Peak dam



Injury Analysis for Marianne Williams Park
Mitigation Proposal - Boise River Diagram
2009 NAIP Photography



Water Application Report 63-33341

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

5/3/2010

WATER RIGHT NO. 63-33341

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240
Representative	SPF WATER ENGINEERING LLC C/O ROXANNE BROWN 300 E MALLARD DR, STE 350 BOISE, ID 83706 (208)383-4140

Priority Date: 02/18/2010

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	0.8 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

BOISE RIVER	SENE	Sec. 30	Township 03N	Range 03E	ADA County
-------------	------	---------	--------------	-----------	------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03E	19		SWSW	11		SESW	29						
		30		SWSE	17									
				NENE	2.7		NWNE	31		SWNE	13		SENE	2.3
				NENW	10		SENW	0.3						

Total Acres: 116.3

Dates:

Date Application Received: 02/18/2010

Date Application Denied:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Application Type: New Appropriation

Applicant Remarks: Mitigation plan attached to application.

Other Water Rights:

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Water Application Report 63-33052

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report

5/3/2010

WATER RIGHT NO. 63-33052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240
Representative	SPF WATER ENGINEERING LLC C/O ROXANNE BROWN 300 E MALLARD DR, STE 350 BOISE, ID 83706 (208)383-4140

Priority Date: 05/20/2008

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL STORAGE	01/01	12/31		60 AFA
Total Diversion			60 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 19	Township 03N	Range 03E	ADA County
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GROUND WATER	SESW	Sec. 19	Township 03N	Range 03E	ADA County
GROUND WATER	NWNE	Sec. 30	Township 03N	Range 03E	ADA County

Place(s) of use:

Place of Use Legal Description: MUNICIPAL STORAGE ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03E	19		SWSW			SESW							
		30		NWNE										

Dates:

Date Application Received: 05/20/2008

Date Application Denied:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Application Type: New Appropriation

Applicant Remarks: This application is for municipal storage use in excavated ponds at the new Marianne Williams Park on Warm Springs Blvd. The ponds will fill with shallow ground water. The City of Boise will mitigate the consumptive use portion of this use with a transfer of shares (to be owned by the city) in the South Boise Water Co., delivered in the Walling side channel of the Boise River. Proposed ponds have a surface area of 6 acres and an average depth of 10 ft.

Other Water Rights:

Time to Complete Works: 1

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SF5 Water Right 63-20041

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-20041
 NAME AND ADDRESS: BOISE CITY CANAL CO
 PO BOX 2157
 BOISE ID 83701-2157
 SOURCE: BOISE RIVER
 QUANTITY: 36.370 CFS
 46.440 AFY
 TRIBUTARY: SNAKE RIVER

NBS
 MCA
 A/S

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.

PRIORITY DATE: 06/01/1866

POINT OF DIVERSION:

T03N R02E S14 SENE Within ADA County
 T03N R02E S24 NWNE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
AESTHETIC	03/01 11/15	6.350 CFS
DIVERSION TO STORAGE	03/01 11/15	6.350 CFS
AESTHETIC STORAGE	03/01 11/15	46.44 AFY
STOCKWATER	03/01 11/15	0.170 CFS
MUNICIPAL	03/01 11/15	0.680 CFS
IRRIGATION	03/01 11/15	29.340 CFS

Diversion for irrigation, stockwater, and municipal 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.

~~THE AESTHETIC COMPONENTS OF THIS RIGHT ARE LIMITED TO AND
CONDITIONED UPON THE CONTINUED EXISTENCE OF THE PONDS AT WARM
SPRINGS GOLF COURSE LOCATED IN T03N, R02E, SEC 13, SWNW, SESEW,
THE POND AT JULIA DAVIS PARK LOCATED IN T03N, R02E, SEC 10, SESE,
NWSE, SWE, SESEW, THE VETERANS PARK SLOUGH POND LOCATED IN
T04N, R02E, SEC 32, NESE, SESE, SWSE. THE AESTHETIC COMPONENT
DIVERSION RATE OF 6.35 CFS IS FOR THE FLOW OF WATER THROUGH
THE PONDS DESCRIBED ABOVE WHEN THE PONDS ARE FULL AND THIS
COMPONENT IS CONDITIONED UPON THE EXISTENCE OF THE PONDS
DESCRIBED ABOVE.~~

APB
DL HBS
J
MCW

During March and November 1 through November 15 water may be diverted
for aesthetic use at Julia Davis Pond or into storage for later use at the
Pond. If during those periods measured or calculated Boise River flows at
the point of diversion are less than 240 cfs. (1) diversion of water under
this right shall be limited to 1 cfs and (2) the total volume diverted shall
be limited to 25 acre feet during March, and 12.5 acre feet from November 1
through November 15. Measured or calculated Boise River flows at the
point of diversion shall be based on gauged Lucky Peak Dam discharge
minus the gauged diversion to the New York Canal.

PLACE OF USE:

AESTHETIC in ADA County

T03N R02E S10	SESW	T03N R02E S10	NWSE
T03N R02E S10 Lot 10	SWSE	T03N R02E S10 Lot 11	SESE
T03N R02E S13	SWNW	T03N R02E S13 Lot 2	SBSW
T04N R02E S32	NESE	T04N R02E S32 Lot 1	SWSE
T04N R02E S32	SESE		

AESTHETIC STORAGE in ADA County

T03N R02E S10	SESW	T03N R02E S10	NWSE
T03N R02E S10 Lot 10	SWSE	T03N R02E S10 Lot 11	SESE
T03N R02E S13	SWNW	T03N R02E S13 Lot 2	SESW
T04N R02E S32	NESE	T04N R02E S32 Lot 1	SWSE
T04N R02E S32	SESE		

STOCKWATER same as AESTHETIC

MUNICIPAL same as AESTHETIC

1467 ACRES TOTAL 915 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1467 915 ACRES WITHIN THE
BOUNDARY OF THE BOISE CITY CANAL COMPANY

The boundary encompassing the place of use for this water right is
described with a digital boundary as defined by I.C. Section 42-202B(2) and
authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the
digital boundary are incorporated herein by reference and are stored on a
CD-ROM disk issued in duplicate originals on file with the SRBA District Court
and the Idaho Department of Water Resources. A map depicting the place
of use is attached hereto to illustrate the place of use described by the
digital boundary.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

SF5 Right No. 63-20041

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS DESIGNATED AS NO 33 IN THE STEWART DECREE AND THE RECORDS OF THE BOISE RIVER WATER MASTER

RIGHT 63-31937 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S24, NWNE, LOT 1.

THE STOCKWATER COMPONENT IS INCIDENTAL TO THE IRRIGATION COMPONENT

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-165K AND 63-165L WATER IS DELIVERED THROUGH THE BOISE CITY CANAL

THE AESTHETIC COMPONENTS OF THIS RIGHT ARE LIMITED TO AND CONDITIONED UPON THE CONTINUED EXISTENCE OF THE PONDS AT WARM SPRINGS GOLF COURSE LOCATED IN T03N, R02E, SEC 13, SWNW, SESW; THE POND AT JULIA DAVIS PARK LOCATED IN T03N, R02E, SEC 10, SESE, NWSE, SWSE, SESW; THE VETERANS PARK SLOUGH POND LOCATED IN T04N, R02E, SEC 32, NESE, SESE, SWSR. THE AESTHETIC COMPONENT DIVERSION RATE OF 6.35 CFS IS FOR THE FLOW OF WATER THROUGH THE PONDS DESCRIBED ABOVE WHEN THE PONDS ARE FULL AND THIS COMPONENT IS CONDITIONED UPON THE EXISTENCE OF THE PONDS DESCRIBED ABOVE.

THE MUNICIPAL COMPONENT IS USED WITHIN THE SERVICE AREA OF UNITED WATER

NBS
J MW
OK
CPS

SF5 Right No. 63-20041

**2009 Boise River Diversions Between Marianne
Williams and Glenwood Bridge**

13204005 BUBB

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	5.67	3.37	4.66	4.47	3.57	3.37
2	---	---	---	---	---	---	5.59	3.57	4.56	4.3	3.77	3.37
3	---	---	---	---	---	---	5.5	3.77	4.45	4.13	3.97	3.37
4	---	---	---	---	---	---	5.42	3.97	4.34	4.22	4.17	3.37
5	---	---	---	---	---	---	5.33	4.17	4.24	4.31	4.37	3.37
6	---	---	---	---	---	---	5.33	4.37	4.13	4.4	4.57	3.43
7	---	---	---	---	---	---	5.33	4.57	4.3	4.5	4.77	3.48
8	---	---	---	---	---	0	5.33	4.77	4.47	4.59	4.57	3.54
9	---	---	---	---	---	0.69	5.33	4.68	4.64	4.68	4.37	3.6
10	---	---	---	---	---	1.38	5.33	4.59	4.82	4.77	4.17	3.66
11	---	---	---	---	---	2.07	5.33	4.5	4.99	4.68	3.97	3.71
12	---	---	---	---	---	2.75	5.16	4.4	5.16	4.59	3.77	3.77
13	---	---	---	---	---	3.44	4.99	4.31	5.33	4.5	3.57	2.51
14	---	---	---	---	---	4.13	4.82	4.22	5.25	4.4	3.37	1.26
15	---	---	---	---	---	4.02	4.64	4.13	5.17	4.31	3.37	0
16	---	---	---	---	---	3.91	4.47	4.13	5.09	4.22	3.37	0
17	---	---	---	---	---	3.8	4.3	4.13	5.01	4.13	3.37	0
18	---	---	---	---	---	3.7	4.13	4.13	4.93	4.13	3.37	0
19	---	---	---	---	---	3.59	4.21	4.13	4.85	4.13	3.37	0
20	---	---	---	---	---	3.48	4.29	4.13	4.77	4.13	3.37	0
21	---	---	---	---	---	3.37	4.37	4.13	4.85	4.13	3.37	0
22	---	---	---	---	---	3.68	4.45	4.13	4.93	4.13	3.37	0
23	---	---	---	---	---	3.99	4.53	4.13	5.01	4.13	3.37	0
24	---	---	---	---	---	4.3	4.61	4.22	5.09	4.13	3.37	0
25	---	---	---	---	---	4.61	4.69	4.31	5.17	4.02	3.37	0
26	---	---	---	---	---	4.91	4.77	4.4	5.25	3.91	3.37	0
27	---	---	---	---	---	5.22	4.54	4.5	5.33	3.8	3.37	0
28	---	---	---	---	---	5.53	4.3	4.59	5.16	3.7	3.37	0
29	---	---	---	---	---	5.84	4.07	4.68	4.99	3.59	3.37	0
30	---	---	---	---	---	5.76	3.84	4.77	4.82	3.48	3.37	0
31	---	---	---	---	---	---	3.6	---	4.64	3.37	---	0
TOTAL	0.0	---	---	---	---	84.2	148.3	127.9	150.4	130.0	110.9	45.8
MEAN	0.0	---	---	---	---	3.7	4.8	4.3	4.9	4.2	3.7	1.5
MIN	0.0	---	---	---	---	0.0	3.6	3.4	4.1	3.4	3.4	0.0
MAX	0.0	---	---	---	---	5.8	5.7	4.8	5.3	4.8	4.8	3.8
AC-FT	0.0	---	---	---	---	167.0	294.2	253.7	298.3	257.9	220.0	90.8

13204015 HERRICK

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	---	---	---	---	---	---
2	---	---	---	---	---	---	---	---	---	---	---	---
3	---	---	---	---	---	---	---	---	---	---	---	---
4	---	---	---	---	---	---	---	---	---	---	---	---
5	---	---	---	---	---	---	---	---	---	---	---	---
6	---	---	---	---	---	---	---	---	---	---	---	---
7	---	---	---	---	---	---	---	---	---	---	---	---
8	---	---	---	---	---	---	---	---	---	---	---	---
9	---	---	---	---	---	---	---	---	---	---	---	---
10	---	---	---	---	---	---	---	---	---	---	---	---
11	---	---	---	---	---	---	---	---	---	---	---	---
12	---	---	---	---	---	---	---	---	---	---	---	---
13	---	---	---	---	---	---	---	---	---	---	---	---
14	---	---	---	---	---	---	---	---	---	---	---	---
15	---	---	---	---	---	---	---	---	---	---	---	---
16	---	---	---	---	---	---	---	---	---	---	---	---
17	---	---	---	---	---	---	---	---	---	---	---	---
18	---	---	---	---	---	---	---	---	---	---	---	---
19	---	---	---	---	---	---	---	---	---	---	---	---
20	---	---	---	---	---	---	---	---	---	---	---	---
21	---	---	---	---	---	---	---	---	---	---	---	---
22	---	---	---	---	---	---	---	---	---	---	---	---
23	---	---	---	---	---	---	---	---	---	---	---	---
24	---	---	---	---	---	---	---	---	---	---	---	---
25	---	---	---	---	---	---	---	---	---	---	---	---
26	---	---	---	---	---	---	---	---	---	---	---	---
27	---	---	---	---	---	---	---	---	---	---	---	---
28	---	---	---	---	---	---	---	---	---	---	---	---
29	---	---	---	---	---	---	---	---	---	---	---	---
30	---	---	---	---	---	---	---	---	---	---	---	---
31	---	---	---	---	---	---	---	---	---	---	---	---
TOTAL	---	---	---	---	---	---	---	---	---	---	---	---
MEAN	---	---	---	---	---	---	---	---	---	---	---	---
MIN	---	---	---	---	---	---	---	---	---	---	---	---
MAX	---	---	---	---	---	---	---	---	---	---	---	---
AC-FT	---	---	---	---	---	---	---	---	---	---	---	---

13204020 MEEVES

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	0.4	1	0.58	1.29	1.43	0
2	---	---	---	---	---	---	0.35	1.14	0.67	1.14	1.36	0
3	---	---	---	---	---	---	0.3	1.29	0.75	1	1.29	0
4	---	---	---	---	---	---	0.25	1.43	0.83	0.86	1.21	0
5	---	---	---	---	---	---	0.2	1.57	0.92	0.71	1.14	0
6	---	---	---	---	---	---	0.17	1.71	1	0.57	1.07	0
7	---	---	---	---	---	---	0.13	1.86	0.86	0.43	1	0
8	---	---	---	---	---	0	0.1	2	0.71	0.29	0.86	0
9	---	---	---	---	---	0	0.07	1.71	0.57	0.14	0.71	0
10	---	---	---	---	---	0	0.03	1.43	0.43	0	0.57	0
11	---	---	---	---	---	0	0	1.14	0.29	0.14	0.43	0
12	---	---	---	---	---	0	0.5	0.86	0.14	0.29	0.29	0
13	---	---	---	---	---	0	0.5	0.57	0	0.43	0.14	0
14	---	---	---	---	---	0	0.5	0.29	0.14	0.57	0	0
15	---	---	---	---	---	0.07	0.5	0	0.29	0.71	0.14	0
16	---	---	---	---	---	0.14	0.5	0.13	0.43	0.86	0.29	0
17	---	---	---	---	---	0.21	0.5	0.25	0.57	1	0.43	0
18	---	---	---	---	---	0.29	0.5	0.38	0.71	1	0.57	0
19	---	---	---	---	---	0.36	0.56	0.5	0.86	1	0.71	0
20	---	---	---	---	---	0.43	0.63	0.63	1	1	0.86	0
21	---	---	---	---	---	0.5	0.69	0.75	1.14	1	1	0
22	---	---	---	---	---	0.5	0.75	0.88	1.29	1	0.86	0
23	---	---	---	---	---	0.5	0.81	1	1.43	1	0.71	0
24	---	---	---	---	---	0.5	0.88	0.93	1.57	1	0.57	0
25	---	---	---	---	---	0.5	0.94	0.86	1.71	1.07	0.43	0
26	---	---	---	---	---	0.5	1	0.79	1.86	1.14	0.29	0
27	---	---	---	---	---	0.5	1	0.71	2	1.21	0.14	0
28	---	---	---	---	---	0.5	1	0.64	1.86	1.29	0	0
29	---	---	---	---	---	0.5	1	0.57	1.71	1.36	0	0
30	---	---	---	---	---	0.45	1	0.5	1.57	1.43	0	0
31	---	---	---	---	---	---	1	---	1.43	1.5	---	0
TOTAL	0.0	---	---	---	---	6.5	16.8	27.5	29.3	26.4	18.5	0.0
MEAN	0.0	---	---	---	---	0.3	0.5	0.9	0.9	0.9	0.6	0.0
MIN	0.0	---	---	---	---	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MAX	0.0	---	---	---	---	0.5	1.0	2.0	2.0	1.5	1.4	0.0
AC-FT	0.0	---	---	---	---	12.9	33.3	54.5	58.1	52.4	36.7	0.0

13204060 ROSSI MILL

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	4.65	6.49	6.14	6.19	5.87	5.87
2	---	---	---	---	---	---	4.58	6.45	6.08	6.19	5.87	5.87
3	---	---	---	---	---	---	4.51	6.4	6.03	6.19	5.87	5.87
4	---	---	---	---	---	---	4.44	6.36	5.98	6.19	5.87	5.87
5	---	---	---	---	---	---	4.37	6.32	5.92	6.19	5.87	5.87
6	---	---	---	---	---	---	4.56	6.28	5.9	6.19	5.87	5.82
7	---	---	---	---	---	---	4.76	6.23	6.5	6.19	5.87	5.77
8	---	---	---	---	---	0	4.95	6.19	7.2	6.19	5.87	5.72
9	---	---	---	---	---	0.46	5.14	6.19	7.8	6.19	5.87	5.68
10	---	---	---	---	---	0.92	5.34	6.19	8.5	6.19	5.87	5.63
11	---	---	---	---	---	1.38	5.53	6.19	9.1	6.19	5.87	5.58
12	---	---	---	---	---	1.84	5.58	6.19	9.8	6.19	5.87	5.53
13	---	---	---	---	---	2.3	5.63	6.19	10.4	6.19	5.87	3.69
14	---	---	---	---	---	2.76	5.68	6.19	9.8	6.19	5.87	1.84
15	---	---	---	---	---	2.92	5.72	6.19	9.2	6.19	5.87	0
16	---	---	---	---	---	3.09	5.77	6.23	8.6	6.19	5.87	0
17	---	---	---	---	---	3.25	5.82	6.27	8	6.19	5.87	0
18	---	---	---	---	---	3.42	5.87	6.3	7.4	6.19	5.87	0
19	---	---	---	---	---	3.58	5.95	6.34	6.8	6.19	5.87	0
20	---	---	---	---	---	3.75	6.03	6.38	6.2	6.19	5.87	0
21	---	---	---	---	---	3.91	6.1	6.42	6.2	6.19	5.87	0
22	---	---	---	---	---	4.02	6.18	6.45	6.2	6.19	5.87	0
23	---	---	---	---	---	4.13	6.26	6.49	6.2	6.19	5.87	0
24	---	---	---	---	---	4.24	6.34	6.45	6.19	6.19	5.87	0
25	---	---	---	---	---	4.35	6.41	6.4	6.19	6.14	5.87	0
26	---	---	---	---	---	4.46	6.49	6.36	6.19	6.1	5.87	0
27	---	---	---	---	---	4.57	6.49	6.32	6.19	6.05	5.87	0
28	---	---	---	---	---	4.68	6.49	6.28	6.19	6.01	5.87	0
29	---	---	---	---	---	4.79	6.49	6.23	6.19	5.96	5.87	0
30	---	---	---	---	---	4.72	6.49	6.19	6.19	5.92	5.87	0
31	---	---	---	---	---	---	6.49	---	6.19	5.87	---	0
TOTAL	0.0	---	---	---	---	73.5	175.1	189.2	219.5	190.6	176.1	74.6
MEAN	0.0	---	---	---	---	3.2	5.6	6.3	7.1	6.1	5.9	2.4
MIN	0.0	---	---	---	---	0.0	4.4	6.2	5.9	5.9	5.9	0.0
MAX	0.0	---	---	---	---	4.8	6.5	6.5	10.4	6.2	5.9	5.9
AC-FT	0.0	---	---	---	---	145.8	347.3	375.3	435.4	378.1	349.3	148.0

13204070 RIVER RUN

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	18	18	18	18	18	18
2	---	---	---	---	---	---	18	18	18	18	18	18
3	---	---	---	---	---	---	18	18	18	18	18	18
4	---	---	---	---	---	---	18	18	18	18	18	18
5	---	---	---	---	---	---	18	18	18	18	18	18
6	---	---	---	---	---	---	18	18	18	18	18	18
7	---	---	---	---	---	---	18	18	18	18	18	18
8	---	---	---	---	---	0	18	18	18	18	18	18
9	---	---	---	---	---	3	18	18	18	18	18	18
10	---	---	---	---	---	6	18	18	18	18	18	18
11	---	---	---	---	---	9	18	18	18	18	18	18
12	---	---	---	---	---	12	18	18	18	18	18	18
13	---	---	---	---	---	15	18	18	18	18	18	12
14	---	---	---	---	---	18	18	18	18	18	18	6
15	---	---	---	---	---	18	18	18	18	18	18	0
16	---	---	---	---	---	18	18	18	18	18	18	0
17	---	---	---	---	---	18	18	18	18	18	18	0
18	---	---	---	---	---	18	18	18	18	18	18	0
19	---	---	---	---	---	18	18	18	18	18	18	0
20	---	---	---	---	---	18	18	18	18	18	18	0
21	---	---	---	---	---	18	18	18	18	18	18	0
22	---	---	---	---	---	18	18	18	18	18	18	0
23	---	---	---	---	---	18	18	18	18	18	18	0
24	---	---	---	---	---	18	18	18	18	18	18	0
25	---	---	---	---	---	18	18	18	18	18	18	0
26	---	---	---	---	---	18	18	18	18	18	18	0
27	---	---	---	---	---	18	18	18	18	18	18	0
28	---	---	---	---	---	18	18	18	18	18	18	0
29	---	---	---	---	---	18	18	18	18	18	18	0
30	---	---	---	---	---	18	18	18	18	18	18	0
31	---	---	---	---	---	---	18	---	18	18	---	0
TOTAL	---	---	---	---	---	351.0	558.0	540.0	558.0	558.0	540.0	234.0
MEAN	---	---	---	---	---	15.3	18.0	18.0	18.0	18.0	18.0	7.5
MIN	---	---	---	---	---	0.0	18.0	18.0	18.0	18.0	18.0	0.0
MAX	---	---	---	---	---	18.0	18.0	18.0	18.0	18.0	18.0	18.0
AC-FT	---	---	---	---	---	696.2	1,106.8	1,071.1	1,106.8	1,106.8	1,071.1	464.1

13204190 BOISE CITY

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	15.5	17.8	19.1	26.5	23.9	15.3
2	---	---	---	---	---	---	14.8	18.4	21.4	26.1	23.3	15.5
3	---	---	---	---	---	---	14	18.9	23.6	25.7	22.7	15.6
4	---	---	---	---	---	---	13.3	19.5	25.8	25.5	22.1	15.8
5	---	---	---	---	---	---	12.6	20.1	28.1	25.4	21.5	15.9
6	---	---	---	---	---	---	13.2	20.7	30.3	25.2	20.9	15.6
7	---	---	---	---	---	---	13.7	21.2	27.8	25	20.3	15.3
8	---	---	---	---	---	11	14.3	21.8	25.2	24.8	20.5	15
9	---	---	---	---	---	11.8	14.8	21.3	22.7	24.7	20.7	14.7
10	---	---	---	---	---	12.6	15.4	20.9	20.2	24.5	20.9	14.4
11	---	---	---	---	---	13.5	15.9	20.4	17.7	23.5	21.2	14.1
12	---	---	---	---	---	14.3	17.3	20	15.1	22.6	21.4	13.8
13	---	---	---	---	---	15.1	18.7	19.5	12.6	21.6	21.6	9.2
14	---	---	---	---	---	15.9	20.1	19.1	14.8	20.7	21.8	4.6
15	---	---	---	---	---	16.1	21.5	18.6	17	19.7	21.5	0
16	---	---	---	---	---	16.2	22.9	18.1	19.2	18.8	21.1	0
17	---	---	---	---	---	16.4	24.3	17.7	21.5	17.8	20.8	0
18	---	---	---	---	---	16.5	25.7	17.2	23.7	18.4	20.5	0
19	---	---	---	---	---	16.7	24.1	16.8	25.9	18.9	20.2	0
20	---	---	---	---	---	16.8	22.4	16.3	28.1	19.5	19.8	0
21	---	---	---	---	---	17	20.8	15.8	28.2	20.1	19.5	0
22	---	---	---	---	---	17	19.2	15.4	28.2	20.7	18.8	0
23	---	---	---	---	---	17	17.5	14.9	28.3	21.2	18.2	0
24	---	---	---	---	---	17	15.9	15.2	28.4	21.8	17.5	0
25	---	---	---	---	---	17	14.2	15.5	28.5	22.2	16.9	0
26	---	---	---	---	---	16.9	12.6	15.8	28.5	22.6	16.2	0
27	---	---	---	---	---	16.9	13.5	16	28.6	23	15.6	0
28	---	---	---	---	---	16.9	14.3	16.3	28.2	23.3	14.9	0
29	---	---	---	---	---	16.9	15.2	16.6	27.8	23.7	15	0
30	---	---	---	---	---	16.2	16.1	16.9	27.4	24.1	15.2	0
31	---	---	---	---	---	---	16.9	---	26.9	24.5	---	0
TOTAL	0.0	---	---	---	---	361.7	530.7	542.7	748.8	702.1	594.5	194.8
MEAN	0.0	---	---	---	---	15.7	17.1	18.1	24.2	22.6	19.8	6.3
MIN	0.0	---	---	---	---	11.0	12.6	14.9	12.6	17.8	14.9	0.0
MAX	0.0	---	---	---	---	17.0	25.7	21.8	30.3	26.5	23.9	15.9
AC-FT	0.0	---	---	---	---	717.4	1,052.6	1,076.4	1,485.2	1,392.6	1,179.2	386.4

13204200 UNITED WATER

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	9.14	7.71	9.03	4.99	7.17	8.43	12.3	20.1	25.6	20.8	16.2	12.4
2	9	7.92	8.93	4.67	8	7.61	11.8	14.7	24.8	20.7	16.4	11.5
3	9.12	7.96	7.34	5.01	9.16	7.49	12.4	14.6	25.6	20	17.6	11.5
4	8.91	8.48	9.06	6.8	9.09	7.51	12.2	14.5	25.3	19.1	17.5	11.1
5	7.37	7.76	9.24	8.13	8.45	8.23	12.3	14.4	23.4	19.4	13.4	9.78
6	8.61	6.03	9.26	7.91	7.93	7.73	12.6	11.3	20.4	12.6	13.8	11.2
7	8.49	6.08	8.85	7.79	8.04	8.08	12.4	10.5	19.6	13.6	13.4	10.6
8	7.58	7.24	8.33	8.56	8.35	8.62	12.5	11.8	20.8	10.2	12.9	11.6
9	7.45	7.7	7.31	8.58	7.84	8.92	12.9	12.5	20.1	11.8	14.4	11
10	7.67	8.27	8.24	8.36	7.54	8.7	13.2	12.8	19.7	12.3	14.6	10.7
11	7.56	7.49	9.1	7.59	7.81	8	13.1	13.5	18.6	14.7	15	10.7
12	8.24	8.73	6.79	8.39	7.27	8.65	12.8	13.7	17.5	14.2	14.4	10.1
13	7.64	6.79	6.91	8.47	7.67	8.38	13.7	12.9	17.2	13.1	12.5	9.95
14	7.69	7.84	6.15	7.73	7.89	8.58	9.1	12.2	17.4	12.5	11.8	10.7
15	7.11	8.38	6.68	7.8	8.12	8.55	11.2	8.91	20.6	13	11.6	9.83
16	7.11	8.66	6.51	7.78	8.04	9.14	13.1	13.4	19.4	12.9	12.8	9.84
17	7.31	7.89	6.48	7.48	7.47	8.67	14	13	20.2	13.4	13.7	9.5
18	7.6	7.61	6.6	8.26	7.58	8.18	13.9	16	20.7	14	17.6	9.38
19	7.93	7.5	6.62	9.01	7.27	9.4	19.7	14.9	21.4	14.8	17.5	9.43
20	7.93	6.97	6.49	7.69	8.81	9.93	18.3	15	21.3	14.8	16.9	9.65
21	7.67	7.21	7.27	7.75	6.96	8.98	19.6	15	20.2	16.7	17.9	10
22	7.71	8.86	6.51	7.78	7.15	9.58	19.1	15.9	20.4	14.6	16.1	9.67
23	7.87	8.54	6.46	7.3	7.75	10.1	17.6	19.4	20.5	13.8	15.4	10.1
24	8.02	8.45	6.46	8.35	6.93	10.5	17.1	20.3	21.2	15	12.2	9.66
25	8.81	6.78	6.6	7.53	7.97	9.93	17.6	22.2	20.4	15.6	14	8.88
26	7.27	6.61	5.1	8.83	7.99	10.4	17.7	24	19.3	15.4	13.6	7.54
27	7.5	7.63	4.98	7.82	7.69	10.5	17	24.1	19.7	16.9	13.5	7.88
28	7.51	8.56	5.09	7.41	7.88	10.1	17.7	25.2	18.3	18	13	8.07
29	7.39	9.11	4.79	---	7.89	11	19.3	26.1	19.9	15	9.41	8.61
30	7.48	9.28	5.63	---	8.06	12.8	18.5	26.3	19.6	16.4	10.1	8.52
31	---	9.57	5.57	---	7.58	---	19	---	20	16.9	---	8.67
TOTAL	236.7	243.6	218.4	213.8	243.4	272.7	463.7	489.2	639.1	472.2	429.2	308.1
MEAN	7.9	7.9	7.0	7.6	7.9	9.1	15.0	16.3	20.6	15.2	14.3	9.9
MIN	7.1	6.0	4.8	4.7	6.9	7.5	9.1	8.9	17.2	10.2	9.4	7.5
MAX	9.1	9.6	9.3	9.0	9.2	12.8	19.7	26.3	25.6	20.8	17.9	12.4
AC-FT	469.5	483.2	433.2	424.1	482.8	540.9	919.7	970.3	1,267.7	936.6	851.3	611.1

13205515 SETTLERS

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	92	113	150.7	134	105.7	94.7
2	---	---	---	---	---	---	92.5	114.7	150.3	134	106.4	94.3
3	---	---	---	---	---	---	93	116.4	150	134	107.1	93.9
4	---	---	---	---	---	---	93.5	118.1	149.7	129.6	107.9	93.4
5	---	---	---	---	---	---	94	119.9	149.3	125.1	108.6	93
6	---	---	---	---	---	---	93.5	121.6	149	120.7	109.3	91.1
7	---	---	---	---	---	---	93	123.3	148.6	116.3	110	89.3
8	---	---	---	---	---	0	92.5	125	148.1	111.9	109.4	87.4
9	---	---	---	---	---	17.5	92	124.3	147.7	107.4	108.9	85.6
10	---	---	---	---	---	35	91.5	123.6	147.3	103	108.3	83.7
11	---	---	---	---	---	52.5	91	122.9	146.9	103.1	107.7	81.9
12	---	---	---	---	---	70	92.1	122.1	146.4	103.3	107.1	80
13	---	---	---	---	---	87.5	93.3	121.4	146	103.4	106.6	0
14	---	---	---	---	---	105	94.4	120.7	146.1	103.6	106	0
15	---	---	---	---	---	100.7	95.6	120	146.3	103.7	104.3	0
16	---	---	---	---	---	96.4	96.7	124.3	146.4	103.9	102.6	0
17	---	---	---	---	---	92.1	97.9	128.5	146.6	104	100.9	0
18	---	---	---	---	---	87.9	99	132.8	146.7	104.9	99.1	0
19	---	---	---	---	---	83.6	99.6	137	146.9	105.7	97.4	0
20	---	---	---	---	---	79.3	100.3	141.3	147	106.6	95.7	0
21	---	---	---	---	---	75	100.9	145.5	145.1	107.4	94	0
22	---	---	---	---	---	77	101.5	149.8	143.3	108.3	94.3	0
23	---	---	---	---	---	79	102.1	154	141.4	109.1	94.6	0
24	---	---	---	---	---	81	102.8	153.6	139.6	110	94.9	0
25	---	---	---	---	---	83	103.4	153.1	137.7	109.3	95.1	0
26	---	---	---	---	---	85	104	152.7	135.9	108.6	95.4	0
27	---	---	---	---	---	87	105.5	152.3	134	107.9	95.7	0
28	---	---	---	---	---	89	107	151.9	134	107.1	96	0
29	---	---	---	---	---	91	108.5	151.4	134	106.4	95.6	0
30	---	---	---	---	---	91.5	110	151	134	105.7	95.1	0
31	---	---	---	---	---	---	111.5	---	134	105	---	0
TOTAL	---	---	---	---	---	1,746.0	3,044.6	3,986.2	4,469.0	3,443.0	3,059.7	1,068.3
MEAN	---	---	---	---	---	75.9	98.2	132.9	144.2	111.1	102.0	34.5
MIN	---	---	---	---	---	0.0	91.0	113.0	134.0	103.0	94.0	0.0
MAX	---	---	---	---	---	105.0	111.5	154.0	150.7	134.0	110.0	94.7
AC-FT	---	---	---	---	---	3,463.2	6,039.0	7,906.6	8,864.3	6,829.2	6,068.9	2,119.0

13205517 Fairview Acres

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	5.42	6.67	6.35	6.48	6.04	6.31
2	---	---	---	---	---	---	5.42	6.76	6.29	6.45	6.04	6.4
3	---	---	---	---	---	---	5.42	6.86	6.23	6.41	6.04	6.49
4	---	---	---	---	---	---	5.42	6.95	6.16	6.39	6.04	6.58
5	---	---	---	---	---	---	5.42	7.05	6.1	6.38	6.04	6.67
6	---	---	---	---	---	---	5.46	7.14	6.04	6.36	6.04	6.49
7	---	---	---	---	---	---	5.5	7.24	6.04	6.34	6.04	6.31
8	---	---	---	---	---	0	5.55	7.33	6.04	6.32	5.95	6.13
9	---	---	---	---	---	0	5.59	7.24	6.04	6.31	5.86	5.96
10	---	---	---	---	---	0	5.63	7.14	6.04	6.29	5.77	5.78
11	---	---	---	---	---	0	5.67	7.05	6.04	6.34	5.69	5.6
12	---	---	---	---	---	0	5.72	6.95	6.04	6.4	5.6	5.42
13	---	---	---	---	---	0	5.78	6.86	6.04	6.45	5.51	0
14	---	---	---	---	---	0	5.83	6.76	6.04	6.51	5.42	0
15	---	---	---	---	---	0	5.88	6.67	6.04	6.56	5.56	0
16	---	---	---	---	---	0	5.93	6.67	6.04	6.62	5.7	0
17	---	---	---	---	---	0	5.99	6.67	6.04	6.67	5.84	0
18	---	---	---	---	---	0	6.04	6.67	6.04	6.67	5.99	0
19	---	---	---	---	---	0	6.12	6.67	6.04	6.67	6.13	0
20	---	---	---	---	---	0	6.2	6.67	6.04	6.67	6.27	0
21	---	---	---	---	---	0	6.28	6.67	6.13	6.67	6.41	0
22	---	---	---	---	---	0.68	6.36	6.67	6.22	6.67	6.36	0
23	---	---	---	---	---	1.36	6.43	6.67	6.31	6.67	6.3	0
24	---	---	---	---	---	2.03	6.51	6.63	6.4	6.67	6.25	0
25	---	---	---	---	---	2.71	6.59	6.6	6.49	6.58	6.2	0
26	---	---	---	---	---	3.39	6.67	6.56	6.58	6.49	6.15	0
27	---	---	---	---	---	4.07	6.67	6.52	6.67	6.4	6.09	0
28	---	---	---	---	---	4.74	6.67	6.48	6.63	6.31	6.04	0
29	---	---	---	---	---	5.42	6.67	6.45	6.6	6.22	6.13	0
30	---	---	---	---	---	5.42	6.67	6.41	6.56	6.13	6.22	0
31	---	---	---	---	---	---	6.67	---	6.52	6.04	---	0
TOTAL	---	---	---	---	---	29.8	186.2	203.7	192.8	200.1	179.7	74.1
MEAN	---	---	---	---	---	1.3	6.0	6.8	6.2	6.5	6.0	2.4
MIN	---	---	---	---	---	0.0	5.4	6.4	6.0	6.0	5.4	0.0
MAX	---	---	---	---	---	5.4	6.7	7.3	6.7	6.7	6.4	6.7
AC-FT	---	---	---	---	---	59.1	369.3	404.0	382.4	396.9	356.4	147.0

13205617 DRAINAGE DISTRICT No3

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	3	2.33	5	3.75	4.29	4	3.75
2	---	---	---	---	---	2.9	2.5	5.07	3.5	4.14	4	4
3	---	---	---	---	---	2.8	2.67	5.14	3.25	4	4	4.25
4	---	---	---	---	---	2.7	2.83	5.21	3	4.14	4	4.5
5	---	---	---	---	---	2.6	3	5.29	2.75	4.29	4	4.75
6	---	---	---	---	---	2.5	2.67	5.36	2.5	4.43	4	5
7	---	---	---	---	---	2.4	2.33	5.43	2.5	4.57	4	4.83
8	---	---	---	---	---	2.3	2	5.5	2.5	4.71	4.14	4.67
9	---	---	---	---	---	2.2	1.67	5.57	2.5	4.86	4.29	4.5
10	---	---	---	---	---	2.1	1.33	5.64	2.5	5	4.43	4.33
11	---	---	---	---	---	2	1	5.71	2.5	4.86	4.57	4.17
12	---	---	---	---	---	1.9	1.43	5.79	2.5	4.71	4.71	4
13	---	---	---	---	---	1.8	1.86	5.86	2.5	4.57	4.86	4.13
14	---	---	---	---	---	1.7	2.29	5.93	2.57	4.43	5	4.25
15	---	---	---	---	---	1.75	2.71	6	2.64	4.29	5	4.38
16	---	---	---	---	---	1.8	3.14	5.75	2.71	4.14	5	4.5
17	---	---	---	---	---	1.85	3.57	5.5	2.79	4	5	4.63
18	---	---	---	---	---	1.9	4	5.25	2.86	4	5	4.75
19	---	---	---	---	---	1.95	4.13	5	2.93	4	5	4.88
20	---	---	---	---	---	2	4.25	4.75	3	4	5	5
21	---	---	---	---	---	2.05	4.38	4.5	3.29	4	5	4.67
22	---	---	---	---	---	2.04	4.5	4.25	3.57	4	4.71	4.33
23	---	---	---	---	---	2.04	4.63	4	3.86	4	4.43	4
24	---	---	---	---	---	2.03	4.75	4	4.14	4	4.14	3.67
25	---	---	---	---	---	2.03	4.88	4	4.43	4	3.86	3.33
26	---	---	---	---	---	2.02	5	4	4.71	4	3.57	3
27	---	---	---	---	---	2.01	5	4	5	4	3.29	2.8
28	---	---	---	---	---	2.01	5	4	4.86	4	3	2.6
29	---	---	---	---	---	2	5	4	4.71	4	3.25	2.4
30	---	---	---	---	---	2.17	5	4	4.57	4	3.5	2.2
31	---	---	---	---	---	---	5	---	4.43	4	---	2
TOTAL	0.0	---	---	---	---	64.6	104.9	149.5	103.3	131.4	128.8	124.3
MEAN	0.0	---	---	---	---	2.2	3.4	5.0	3.3	4.2	4.3	4.0
MIN	0.0	---	---	---	---	1.7	1.0	4.0	2.5	4.0	3.0	2.0
MAX	0.0	---	---	---	---	3.0	5.0	6.0	5.0	5.0	5.0	5.0
AC-FT	0.0	---	---	---	---	128.1	208.1	296.5	204.9	260.6	255.5	246.5

13205622 THURMAN MILL

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	17.8	21.1	16.1	17.5	17.6	10
2	---	---	---	---	---	---	17.7	21.3	16	17.1	16.3	10
3	---	---	---	---	---	---	17.6	21.5	15.9	16.8	15.1	10
4	---	---	---	---	---	---	17.5	21.7	15.8	16.5	13.8	10
5	---	---	---	---	---	---	17.4	21.9	15.7	16.3	12.5	10
6	---	---	---	---	---	---	16.5	22.1	15.6	16	11.3	9.7
7	---	---	---	---	---	---	15.6	22.3	15.9	15.8	10	9.4
8	---	---	---	---	---	0	14.7	22.5	16.1	15.5	10	9.1
9	---	---	---	---	---	1	13.7	21.9	16.4	15.3	10	8.9
10	---	---	---	---	---	2	12.8	21.3	16.6	15	10	8.6
11	---	---	---	---	---	3	11.9	20.7	16.9	14.9	10	8.3
12	---	---	---	---	---	4	13.1	20	17.1	14.8	10	8
13	---	---	---	---	---	5	14.4	19.4	17.4	14.7	10	5.33
14	---	---	---	---	---	6	15.6	18.8	17.4	14.5	10	2.67
15	---	---	---	---	---	7.4	16.9	18.2	17.4	14.4	10	0
16	---	---	---	---	---	8.7	18.1	17.9	17.4	14.3	10	0
17	---	---	---	---	---	10.1	19.4	17.6	17.4	14.2	10	0
18	---	---	---	---	---	11.5	20.6	17.2	17.4	15	10	0
19	---	---	---	---	---	12.9	20.5	16.9	17.4	15.7	10	0
20	---	---	---	---	---	14.2	20.5	16.6	17.4	16.5	10	0
21	---	---	---	---	---	15.6	20.4	16.3	17.6	17.3	10	0
22	---	---	---	---	---	15.9	20.4	15.9	17.9	18.1	10	0
23	---	---	---	---	---	16.2	20.3	15.6	18.1	18.8	10	0
24	---	---	---	---	---	16.5	20.2	15.7	18.4	19.6	10	0
25	---	---	---	---	---	16.8	20.2	15.8	18.6	19.7	10	0
26	---	---	---	---	---	17.1	20.1	15.9	18.9	19.8	10	0
27	---	---	---	---	---	17.4	20.3	15.9	19.1	19.9	10	0
28	---	---	---	---	---	17.7	20.4	16	18.8	19.9	10	0
29	---	---	---	---	---	18	20.6	16.1	18.4	20	10	0
30	---	---	---	---	---	17.9	20.8	16.2	18.1	20.1	10	0
31	---	---	---	---	---	---	20.9	---	17.8	18.8	---	0
TOTAL	0.0	---	---	---	---	254.9	556.9	560.3	535.0	522.8	326.6	120.0
MEAN	0.0	---	---	---	---	11.1	18.0	18.7	17.3	16.9	10.9	3.9
MIN	0.0	---	---	---	---	0.0	11.9	15.6	15.6	14.2	10.0	0.0
MAX	0.0	---	---	---	---	18.0	20.9	22.5	19.1	20.1	17.6	10.0
AC-FT	0.0	---	---	---	---	505.6	1,104.6	1,111.4	1,061.2	1,037.0	647.8	238.0

13205640 FARMERS UNION

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	167	190	205.8	204.3	177.7	147.7
2	---	---	---	---	---	---	165.5	190.7	206.7	204.1	177.4	145.3
3	---	---	---	---	---	---	164	191.4	207.5	204	177.1	142.9
4	---	---	---	---	---	---	162.5	192.1	208.3	202.7	176.9	140.4
5	---	---	---	---	---	---	161	192.9	209.2	201.4	176.6	138
6	---	---	---	---	---	---	160.8	193.6	210	200.1	176.3	137.6
7	---	---	---	---	---	---	160.7	194.3	210	198.9	176	137.1
8	---	---	---	---	---	45	160.5	195	210	197.6	173.7	136.7
9	---	---	---	---	---	49.8	160.3	193.6	210	196.3	171.4	136.3
10	---	---	---	---	---	54.7	160.2	192.1	210	195	169.1	135.9
11	---	---	---	---	---	59.5	160	190.7	210	193.9	166.9	135.4
12	---	---	---	---	---	64.3	163.1	189.3	210	192.7	164.6	135
13	---	---	---	---	---	69.2	166.3	187.9	210	191.6	162.3	90
14	---	---	---	---	---	74	169.4	186.4	209	190.4	160	45
15	---	---	---	---	---	83	172.6	185	208	189.3	160	0
16	---	---	---	---	---	92	175.7	186.3	207	188.1	160	0
17	---	---	---	---	---	101	178.9	187.5	206	187	160	0
18	---	---	---	---	---	110	182	188.8	205	188.1	160	0
19	---	---	---	---	---	119	182.1	190	204	189.3	160	0
20	---	---	---	---	---	128	182.3	191.3	203	190.4	160	0
21	---	---	---	---	---	137	182.4	192.5	203.3	191.6	160	0
22	---	---	---	---	---	141.1	182.5	193.8	203.6	192.7	159.3	0
23	---	---	---	---	---	145.3	182.6	195	203.9	193.9	158.6	0
24	---	---	---	---	---	149.4	182.8	196.4	204.1	195	157.9	0
25	---	---	---	---	---	153.5	182.9	197.9	204.4	192.6	157.1	0
26	---	---	---	---	---	157.6	183	199.3	204.7	190.1	156.4	0
27	---	---	---	---	---	161.8	184.2	200.7	205	187.7	155.7	0
28	---	---	---	---	---	165.9	185.3	202.1	204.9	185.3	155	0
29	---	---	---	---	---	170	186.5	203.6	204.7	182.9	152.6	0
30	---	---	---	---	---	168.5	187.7	205	204.6	180.4	150.1	0
31	---	---	---	---	---	---	188.8	---	204.4	178	---	0
TOTAL	0.0	---	---	---	---	2,599.6	5,383.6	5,795.2	6,407.1	5,975.4	4,928.7	1,803.3
MEAN	0.0	---	---	---	---	113.0	173.7	193.2	206.7	192.8	164.3	58.2
MIN	0.0	---	---	---	---	45.0	160.0	185.0	203.0	178.0	150.1	0.0
MAX	0.0	---	---	---	---	170.0	188.8	205.0	210.0	204.3	177.7	147.7
AC-FT	0.0	---	---	---	---	5,156.3	10,678.4	11,494.8	12,708.5	11,852.2	9,776.1	3,576.8

13205641 BOISE VALLEY

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	26.1	36.7	35.9	34.1	32.9	31.3
2	---	---	---	---	---	---	25.8	36.5	36.1	33.5	32.9	31.2
3	---	---	---	---	---	---	25.5	36.4	36.2	33	32.8	31.1
4	---	---	---	---	---	---	25.3	36.2	36.4	33	32.7	31.1
5	---	---	---	---	---	---	25	36.1	36.5	33	32.6	31
6	---	---	---	---	---	---	25.3	35.9	36.7	33	32.6	30.9
7	---	---	---	---	---	---	25.5	35.8	36.7	33	32.5	30.9
8	---	---	---	---	---	0	25.8	35.6	36.7	33	32.7	30.8
9	---	---	---	---	---	0	26	35.6	36.7	33	32.9	30.7
10	---	---	---	---	---	0	26.3	35.6	36.7	33	33.1	30.6
11	---	---	---	---	---	0	26.5	35.6	36.7	33.2	33.4	30.6
12	---	---	---	---	---	0	28	35.6	36.7	33.3	33.6	30.5
13	---	---	---	---	---	0	29.4	35.6	36.7	33.5	33.8	10
14	---	---	---	---	---	0	30.9	35.6	36.5	33.6	34	5
15	---	---	---	---	---	3.3	32.3	35.6	36.2	33.8	33.7	0
16	---	---	---	---	---	6.7	33.8	35.5	36	33.9	33.4	0
17	---	---	---	---	---	10	35.2	35.5	35.8	34.1	33.1	0
18	---	---	---	---	---	13.4	36.7	35.4	35.6	34.2	32.9	0
19	---	---	---	---	---	16.7	36.7	35.4	35.3	34.4	32.6	0
20	---	---	---	---	---	20.1	36.7	35.3	35.1	34.5	32.3	0
21	---	---	---	---	---	23.4	36.7	35.2	35.3	34.7	32	0
22	---	---	---	---	---	23.8	36.7	35.2	35.6	34.8	31.9	0
23	---	---	---	---	---	24.2	36.7	35.1	35.8	35	31.9	0
24	---	---	---	---	---	24.6	36.7	35.2	36	35.1	31.8	0
25	---	---	---	---	---	25	36.7	35.3	36.2	34.8	31.7	0
26	---	---	---	---	---	25.4	36.7	35.4	36.5	34.5	31.6	0
27	---	---	---	---	---	25.8	36.7	35.4	36.7	34.2	31.6	0
28	---	---	---	---	---	26.2	36.7	35.5	36.2	33.9	31.5	0
29	---	---	---	---	---	26.6	36.7	35.6	35.6	33.6	31.4	0
30	---	---	---	---	---	26.3	36.7	35.8	35.1	33.3	31.4	0
31	---	---	---	---	---	---	36.7	---	34.6	33	---	0
TOTAL	0.0	---	---	---	---	321.5	986.5	1,069.2	1,118.8	1,047.0	977.3	385.7
MEAN	0.0	---	---	---	---	14.0	31.8	35.6	36.1	33.8	32.6	12.4
MIN	0.0	---	---	---	---	0.0	25.0	35.1	34.6	33.0	31.4	0.0
MAX	0.0	---	---	---	---	26.6	36.7	36.7	36.7	35.1	34.0	31.3
AC-FT	0.0	---	---	---	---	637.7	1,956.7	2,120.8	2,219.1	2,076.7	1,938.5	765.0

13205642 BOISE SEWER

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	7	7	7	7	7	7	7
2	---	---	---	---	---	7	7	7	7	7	7	7
3	---	---	---	---	---	7	7	7	7	7	7	7
4	---	---	---	---	---	7	7	7	7	7	7	7
5	---	---	---	---	---	7	7	7	7	7	7	7
6	---	---	---	---	---	7	7	7	7	7	7	7
7	---	---	---	---	---	7	7	7	7	7	7	7
8	---	---	---	---	---	7	7	7	7	7	7	7
9	---	---	---	---	---	7	7	7	7	7	7	7
10	---	---	---	---	---	7	7	7	7	7	7	7
11	---	---	---	---	---	7	7	7	7	7	7	7
12	---	---	---	---	---	7	7	7	7	7	7	7
13	---	---	---	---	---	7	7	7	7	7	7	7
14	---	---	---	---	---	7	7	7	7	7	7	7
15	---	---	---	---	---	7	7	7	7	7	7	7
16	---	---	---	---	---	7	7	7	7	7	7	7
17	---	---	---	---	---	7	7	7	7	7	7	7
18	---	---	---	---	---	7	7	7	7	7	7	7
19	---	---	---	---	---	7	7	7	7	7	7	7
20	---	---	---	---	---	7	7	7	7	7	7	7
21	---	---	---	---	---	7	7	7	7	7	7	7
22	---	---	---	---	---	7	7	7	7	7	7	7
23	---	---	---	---	---	7	7	7	7	7	7	7
24	---	---	---	---	---	7	7	7	7	7	7	7
25	---	---	---	---	---	7	7	7	7	7	7	7
26	---	---	---	---	---	7	7	7	7	7	7	7
27	---	---	---	---	---	7	7	7	7	7	7	7
28	---	---	---	---	---	7	7	7	7	7	7	7
29	---	---	---	---	---	7	7	7	7	7	7	7
30	---	---	---	---	---	7	7	7	7	7	7	7
31	---	---	---	---	---	---	7	---	7	7	---	7
TOTAL	0.0	---	---	---	---	210.0	217.0	210.0	217.0	217.0	210.0	217.0
MEAN	0.0	---	---	---	---	7.0	7.0	7.0	7.0	7.0	7.0	7.0
MIN	0.0	---	---	---	---	7.0	7.0	7.0	7.0	7.0	7.0	7.0
MAX	0.0	---	---	---	---	7.0	7.0	7.0	7.0	7.0	7.0	7.0
AC-FT	0.0	---	---	---	---	416.5	430.4	416.5	430.4	430.4	416.5	430.4

13205613 BOISE CITY PARKS

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.17
2	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.13
3	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.09
4	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.04
5	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0
6	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0
7	---	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0
8	---	---	---	---	---	0	0.3	0.3	0.3	0.3	0.3	0
9	---	---	---	---	---	0.05	0.3	0.3	0.3	0.3	0.3	0
10	---	---	---	---	---	0.1	0.3	0.3	0.3	0.3	0.3	0
11	---	---	---	---	---	0.15	0.3	0.3	0.3	0.3	0.3	0
12	---	---	---	---	---	0.2	0.3	0.3	0.3	0.3	0.3	0
13	---	---	---	---	---	0.25	0.3	0.3	0.3	0.3	0.3	0
14	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
15	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
16	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
17	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
18	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
19	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
20	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
21	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
22	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
23	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
24	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
25	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
26	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
27	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
28	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0
29	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.26	0
30	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.21	0
31	---	---	---	---	---	---	0.3	---	0.3	0.3	---	0
TOTAL	---	---	---	---	---	5.9	9.3	9.0	9.3	9.3	8.9	0.4
MEAN	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0.0
MIN	---	---	---	---	---	0.0	0.3	0.3	0.3	0.3	0.2	0.0
MAX	---	---	---	---	---	0.3	0.3	0.3	0.3	0.3	0.3	0.2
AC-FT	---	---	---	---	---	11.7	18.4	17.9	18.4	18.4	17.7	0.8

13205643 CAPITOL VIEW

DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 2008 TO OCTOBER 2009
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	---	---	---	---	---	7	7	7	7	7	7
2	---	---	---	---	---	---	7	7	7	7	7	7
3	---	---	---	---	---	---	7	7	7	7	7	7
4	---	---	---	---	---	---	7	7	7	7	7	7
5	---	---	---	---	---	---	7	7	7	7	7	7
6	---	---	---	---	---	---	7	7	7	7	7	7
7	---	---	---	---	---	---	7	7	7	7	7	7
8	---	---	---	---	---	0	7	7	7	7	7	7
9	---	---	---	---	---	1.17	7	7	7	7	7	7
10	---	---	---	---	---	2.33	7	7	7	7	7	7
11	---	---	---	---	---	3.5	7	7	7	7	7	7
12	---	---	---	---	---	4.67	7	7	7	7	7	7
13	---	---	---	---	---	5.83	7	7	7	7	7	4.67
14	---	---	---	---	---	7	7	7	7	7	7	2.33
15	---	---	---	---	---	7	7	7	7	7	7	0
16	---	---	---	---	---	7	7	7	7	7	7	0
17	---	---	---	---	---	7	7	7	7	7	7	0
18	---	---	---	---	---	7	7	7	7	7	7	0
19	---	---	---	---	---	7	7	7	7	7	7	0
20	---	---	---	---	---	7	7	7	7	7	7	0
21	---	---	---	---	---	7	7	7	7	7	7	0
22	---	---	---	---	---	7	7	7	7	7	7	0
23	---	---	---	---	---	7	7	7	7	7	7	0
24	---	---	---	---	---	7	7	7	7	7	7	0
25	---	---	---	---	---	7	7	7	7	7	7	0
26	---	---	---	---	---	7	7	7	7	7	7	0
27	---	---	---	---	---	7	7	7	7	7	7	0
28	---	---	---	---	---	7	7	7	7	7	7	0
29	---	---	---	---	---	7	7	7	7	7	7	0
30	---	---	---	---	---	7	7	7	7	7	7	0
31	---	---	---	---	---	---	7	---	7	7	---	---
TOTAL	0.0	---	---	---	---	136.5	217.0	210.0	217.0	217.0	210.0	91.0
MEAN	0.0	---	---	---	---	5.9	7.0	7.0	7.0	7.0	7.0	3.0
MIN	0.0	---	---	---	---	0.0	7.0	7.0	7.0	7.0	7.0	0.0
MAX	0.0	---	---	---	---	7.0	7.0	7.0	7.0	7.0	7.0	7.0
AC-FT	0.0	---	---	---	---	270.7	430.4	416.5	430.4	430.4	416.5	180.5

Glenwood Bridge Flow Data



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USGS 13206000 BOISE RIVER AT GLENWOOD BRIDGE NR BOISE ID

Available data for this site

Ada County, Idaho Hydrologic Unit Code 17050114 Latitude 43°39'38", Longitude 116°16'45" NAD83 Drainage area 2,800 square miles Contributing drainage area 2,800 square miles Gage datum 2,600 feet above sea level NGVD29	Output formats HTML table of all data Tab-separated data Reselect output format
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00060, Discharge, cubic feet per second,												
YEAR	Monthly mean in cfs (Calculation Period: 1982-04-01 -> 2009-09-30)											
	Calculation period restricted by USGS staff due to special conditions at/near site											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1982				6,379	6,023	3,334	2,689	848.2	517.9	1,042	468.4	1,415
1983	3,090	3,237	5,211	6,259	6,253	6,749	2,412	1,183	802.7	859.2	214.0	1,685
1984	4,476	2,083	2,213	3,955	6,780	3,820	1,753	921.9	1,893	1,559	1,516	1,265
1985	1,069	257.7	216.6	789.2	1,159	928.7	835.7	634.3	380.0	304.0	216.8	917.6
1986	366.1	1,668	6,372	6,753	4,872	3,784	817.9	706.1	477.4	268.5	1,406	583.1
1987	187.3	187.7	189.1	586.0	754.6	620.0	673.2	583.9	466.8	276.1	173.8	171.5
1988	146.2	149.7	173.6	619.5	847.4	763.5	727.1	645.8	372.6	205.8	177.5	170.0
1989	176.2	187.6	244.5	2,933	1,297	833.4	819.0	734.9	503.1	248.7	171.1	175.1
1990	175.5	173.0	165.0	677.6	655.1	684.6	762.3	695.2	535.0	229.8	178.6	168.2
1991	171.4	164.6	169.5	578.8	740.0	879.6	875.5	661.9	342.7	224.3	152.5	143.9
1992	140.6	139.2	110.5	639.4	773.5	650.0	554.2	499.7	266.4	150.2	105.9	106.0

1993	107.4	108.2	166.1	949.2	3,654	1,188	1,173	911.8	681.7	388.6	271.4	276.0
1994	274.1	251.6	236.2	766.9	811.3	804.3	1,178	913.3	412.4	222.0	166.3	194.4
1995	150.6	185.9	168.7	1,440	4,195	2,586	2,331	1,068	802.0	433.1	268.6	983.3
1996	924.9	4,208	6,538	5,256	4,751	4,045	1,277	1,223	768.9	479.4	251.7	542.0
1997	5,903	7,059	7,037	6,850	5,262	3,861	1,315	1,443	870.6	435.7	181.4	261.8
1998	275.7	1,295	1,919	1,836	5,314	5,116	1,734	1,332	845.8	424.6	255.9	242.8
1999	186.9	1,616	6,437	4,846	1,870	2,686	1,390	1,241	861.2	514.5	257.9	265.3
2000	268.5	279.9	1,294	2,498	1,103	1,123	970.3	1,070	739.8	416.2	273.8	271.8
2001	270.8	266.4	276.6	460.1	886.1	874.4	800.4	785.9	435.0	204.9	181.0	183.0
2002	184.3	191.9	188.4	752.8	1,254	1,240	1,125	886.5	700.3	409.2	249.4	235.7
2003	252.8	279.9	260.4	680.0	942.3	1,204	1,292	1,216	757.7	495.0	259.5	264.0
2004	300.8	603.4	330.7	799.4	897.0	1,022	1,201	1,015	638.6	442.4	290.3	277.3
2005	274.5	272.9	259.2	500.0	734.5	836.8	1,015	1,143	673.8	335.4	279.4	268.8
2006	442.3	3,793	3,372	5,413	6,482	2,776	1,275	1,176	646.3	372.0	282.9	260.5
2007	354.3	261.4	254.3	741.7	820.8	1,118	1,401	881.2	558.5	286.5	237.6	237.0
2008	236.9	234.1	241.6	661.6	2,762	1,093	1,344	1,179	669.7	335.6	264.0	374.6
2009	253.5	241.4	245.0	548.1	1,749	3,439	953.1	779.1	669.4			
Mean of monthly Discharge	765	1,090	1,640	2,330	2,630	2,070	1,240	942	653	428	324	442
** No Incomplete data have been used for statistical calculation												

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USGS Surface-Water Daily Statistics for the Nation

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USGS 13206000 BOISE RIVER AT GLENWOOD BRIDGE NR BOISE ID

Available data for this site

Ada County, Idaho Hydrologic Unit Code 17050114 Latitude 43°39'38", Longitude 116°16'45" NAD83 Drainage area 2,800 square miles Contributing drainage area 2,800 square miles Gage datum 2,600 feet above sea level NGVD29	Output formats HTML table of all data Tab-separated data Reselect output format
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00060, Discharge, cubic feet per second,											
Day of month	Mean of daily mean values for each day for 27 - 28 years of record in, cfs (Calculation Period 1981-10-01 -> 2009-)										
	Calculation period restricted by USGS staff due to special conditions at/near site										
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
1	638	835	1,440	1,880	2,600	2,450	1,640	1,030	765	575	345
2	661	866	1,420	1,890	2,600	2,470	1,610	1,030	751	571	327
3	679	882	1,430	1,880	2,570	2,510	1,570	1,020	744	560	310
4	691	831	1,480	1,860	2,510	2,510	1,570	1,020	736	559	303
5	690	824	1,530	1,890	2,490	2,530	1,590	1,010	723	541	304
6	701	855	1,550	1,950	2,480	2,550	1,560	1,020	713	517	310
7	771	894	1,570	1,980	2,460	2,550	1,470	1,020	705	532	307
8	809	901	1,610	2,010	2,470	2,560	1,440	1,010	703	560	309
9	830	892	1,620	2,030	2,460	2,520	1,390	1,000	698	620	300
10	829	887	1,610	2,050	2,450	2,450	1,340	1,000	695	593	305
11	815	907	1,620	2,090	2,470	2,370	1,350	1,000	676	555	304
12	812	923	1,830	2,120	2,490	2,260	1,310	989	662	521	304
13	808	956	1,830	2,190	2,530	2,190	1,230	980	653	487	297
14	792	998	1,830	2,180	2,610	2,140	1,180	966	650	467	260
15	798	1,050	1,850	2,380	2,680	2,100	1,150	967	641	458	258
16	824	1,070	1,840	2,400	2,760	2,010	1,120	969	633	381	259
17	821	1,120	1,840	2,430	2,790	1,900	1,100	965	631	371	296
18	791	1,200	1,850	2,510	2,870	1,830	1,090	956	621	325	301
19	760	1,280	1,860	2,570	2,870	1,770	1,090	939	616	263	312
20	761	1,300	1,860	2,600	2,860	1,710	1,070	925	616	333	338
21	769	1,350	1,860	2,650	2,820	1,700	1,070	917	610	321	344
22	777	1,370	1,880	2,700	2,850	1,680	1,060	909	607	314	357
23	774	1,400	1,880	2,720	2,840	1,660	1,050	901	608	315	359
24	741	1,390	1,880	2,710	2,810	1,650	1,050	891	604	318	370
25	745	1,340	1,880	2,660	2,770	1,660	1,050	879	599	312	373
26	757	1,330	1,880	2,730	2,740	1,650	1,040	859	602	309	371
27	766	1,330	1,900	2,750	2,680	1,680	1,040	846	595	310	367
28	769	1,390	1,930	2,730	2,590	1,710	1,050	827	591	311	374
29	768	1,480	1,910	2,670	2,490	1,740	1,040	808	580	314	374
30	776		1,890	2,630	2,470	1,690	1,040	789	568	326	385
31	796		1,880		2,460		1,040	772		333	

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USGS Surface-Water Daily Statistics for the Nation

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USGS 13206000 BOISE RIVER AT GLENWOOD BRIDGE NR BOISE ID

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00060, Discharge, cubic feet per second,											
Day of month	05 th percentile of daily mean values for each day for 27 - 28 years of record in, cfs (Calculation Period 1981-10-01)										
	Calculation period restricted by USGS staff due to special conditions at/near site										
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	No
1	119	118	111	124	643	494	616	652	360	211	
2	119	117	111	125	663	479	595	647	335	187	
3	117	118	112	157	655	465	575	642	329	198	
4	116	118	112	149	637	468	575	629	330	194	
5	119	93	113	163	637	496	579	584	337	194	
6	120	119	113	175	635	573	582	612	339	187	
7	118	119	113	180	646	655	581	647	344	185	
8	122	121	114	204	695	681	585	644	348	178	
9	125	121	113	208	706	693	588	642	341	165	
10	121	123	115	206	693	672	604	652	358	160	
11	117	124	117	187	691	645	629	654	334	166	
12	115	120	115	205	685	649	625	652	319	156	
13	105	123	114	236	707	665	611	633	296	146	
14	108	122	119	290	725	657	604	595	271	144	
15	110	121	121	285	714	656	606	585	270	144	
16	105	123	119	305	705	644	614	572	251	164	
17	100	120	135	368	695	621	612	563	236	150	
18	98	121	137	359	678	592	611	545	233	137	
19	96	130	135	332	681	600	617	515	234	144	
20	107	136	130	360	682	551	610	481	234	144	
21	110	125	131	591	661	546	602	438	234	148	
22	136	119	130	581	640	554	577	401	233	138	
23	126	115	130	578	624	580	568	401	225	145	
24	123	115	128	609	616	583	570	404	230	146	
25	119	112	127	607	611	633	561	392	218	147	
26	119	110	127	652	618	624	571	370	226	126	
27	118	111	128	669	632	577	600	367	229	147	
28	120	110	128	667	609	578	619	372	225	146	
29	118		125	640	595	581	664	374	225	150	
30	117		126	650	557	623	666	381	220	144	
31	117		125		528		664	385		129	

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Lester, Steve

From: John Marshall [john@jmarshalllaw.com]
Sent: Tuesday, April 27, 2010 6:02 PM
To: Lester, Steve
Subject: Re: Mitigation for upstream activity

Thanks for your follow up Steve,

Upon further reflection, I agree that the gaining reach analysis probably doesn't have any bearing on irrigation season administration. However, I continue to be convinced, although unable to articulate it well, that the upstream nature of the proposed diversion should not be an issue under the circumstances presented in the Boise. I understand in theoretical terms why intervening PODs would have less water available to them in the situation we are discussing, but the water administration on the Boise, in my view, does not fit the theoretical situation because the manner in which the river is managed with storage releases. Because of the storage releases, there is never a situation where the intervening PODs have less water available to them. The only "hit" the rights in the Boise take is to their storage accounts, and this is administered through accounting based on priority, not based on flow management with headgate adjustments. As a practical matter, there is always sufficient water available to the intervening PODs, and they won't get unduly tagged with storage releases because their priority would not be affected by the proposed mitigation. We're working on a more technical explanation that we'll present to explain this better. I appreciate your thoughts and comments and look forward to continuing the dialogue.

- John

On Tue, Apr 27, 2010 at 7:56 AM, Lester, Steve <Steve.Lester@idwr.idaho.gov> wrote:

John:

Some follow up thoughts –

I don't see how the full BCCC right can mitigate for a new upstream use absent a transfer to move water upstream. Under your example, the full BCCC right is flowing down the river plus a new upstream use is introduced. There is no compensatory water provided in the upstream reach to counteract the new use between its location and any downstream mitigation location. Somebody takes a hit.

For more than 20 years I've heard people talk about the gaining reach of the river between Lucky Peak & Glenwood etc. but the concept makes no sense to me. The river is already over-appropriated, some natural flow rights are curtailed every year, and any gain should serve rights being cut instead of being used for new uses. I don't think this approach holds much promise.

I could be wrong on both counts but that's how it appears to me. Glad to discuss/meet for more detailed conversation anytime.

Thanks for your good thoughts on this.

Steve

From: John Marshall [mailto:john@jmarshalllaw.com]
Sent: Monday, April 26, 2010 3:23 PM
To: Lester, Steve
Subject: Re: Mitigation for upstream activity

Steve,

Thanks for the clarification. On a purely conceptual level, that seems to make sense and is something that occurred to me after we spoke. However, it also occurred to me that the priorities of the water rights in question will make a difference. For instance, if the BCCC right is senior to the rights between the proposed diversion for the park and the BCCC, diversion, the BCCC diversion is "calling" the water past the intervening points of diversion, and there would be no injury because the intervening points of diversion are not being deprived of water that otherwise would be available. The same would seem to be true if we could show that other rights exist downstream of the reach where BCCC water returns to the river that are senior to the rights that divert between the Park and BCCC. If that is true, then these rights would be calling the water downstream past these intervening points of diversion and the rights would not be injured. SPF and I are working on pulling together these facts to see if these scenarios exist. Another factor that could come into play is hydrology showing that the reach in question is a "gaining" reach, which could affect the injury analysis. Unless you see that either or both of these ideas is a complete dead end, we are working on them now and hope to meet with you and John Westra soon to discuss.

In the event we are unable to convince IDWR that mitigation is acceptable, is it your view that a transfer is the only option? And if so, have you all had an further discussion about the streamlined transfer concept for moving decreed water around?

Thanks

John

On Mon, Apr 26, 2010 at 2:47 PM, Lester, Steve <Steve.Lester@idwr.idaho.gov> wrote:

Hi John:

Recently we discussed mitigating new upstream actions by not using some portion of a downstream right. There was general agreement that non-use of a senior right, whether diverted & returned as unused or simply left undiverted in the source, should mitigate for new actions within or downstream from the existing service area of the senior right.

I'm not sure but perhaps I said leaving some of the senior right undiverted in the source probably would mitigate for a new upstream action. If so, I probably misspoke. Simply diverting or not diverting the full downstream right does nothing to add flow to the upstream reach. Thus the new upstream action would injure other rights under those circumstances.

For example, without transferring some of Boise City Canal water to an upstream site, it's hard to see how it can mitigate for a new upstream action.

Maybe I'm remembering incorrectly - but thought I might have indicated otherwise when we last talked. Just wanted to pass that on.

Steve



SPF WATER
ENGINEERING

August 31, 2009

RECEIVED

SEP 02 2009

WATER RESOURCES
WESTERN REGION

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Amended Application for Permit 63-33052
City of Boise/Marianne Williams Park

Dear Steve,

Enclosed on behalf of the City of Boise, is an amended *Application for Permit* to develop a water right for municipal storage use on the site of the new Marianne Williams Park. The amendment more accurately describes the final design volume of two ponds at that location. The surface area of the ponds has not changed.

As we previously discussed, the City continues working on an associated mitigation plan for evaporative losses from the pond surface. We understand the application for permit will not be processed until a suitable mitigation plan is submitted.

Please contact me if there are any questions about this application.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne Brown".

Roxanne Brown
Sr. Water Rights Specialist

CC: David Koga, The Land Group
City of Boise, Parks & Recreation Dept.
John Marshall, Givens Pursley

Enclosures
Application

SPF file number: 513.0010

Lester, Steve

From: Lester, Steve
Sent: Thursday, June 26, 2008 10:57 AM
To: 'Roxanne Brown'
Cc: tscanlan@spfwater.com
Subject: RE: Application for Permit 63-33052

Hi Roxanne:

You're right - we will make the correction so all will be ok.

It might work better for all concerned to avoid possible confusion in this regard by not using 2 consultant names in a given letter. Multiple people on this end do data entry and that level of detail is easy to miss when dealing with several hundred filings per year. Perhaps your office could achieve the same result by having a person in your office prepare a letter for the actual consultant's signature, avoiding the dual-name approach. For example in this case: maybe Lori could have typed the letter for your signature, her name left out?

This is similar to an example like "I'm replying for Christian but he is still the contact person" - wouldn't it be better for the letter to appear to come from Christian (even if he didn't write it, he approved it & signed it), other person's name not included?

Thanks for considering this suggestion. I copied Terry on this since it involves a procedural suggestion.

Steve

From: Roxanne Brown [mailto:RBrown@spfwater.com]
Sent: Thursday, June 26, 2008 9:35 AM
To: Lester, Steve
Subject: Application for Permit 63-33052

Hi Steve,

I just noticed IDWR has the wrong SPF representative shown in the database for this one. I've attached a copy of the cover letter Lori sent on my behalf with the application. I thought we'd want to change it so correspondence gets delivered easily on this end.

Thank you!

Roxanne Brown
SPF Water Engineering, LLC
600 E. River Park Ln., Ste. 105
(208) 383-4140 x216
(208) 383-4156 fax
rbrown@spfwater.com
www.spfwater.com

a base updated, now OK ✓

6/26/2008



SPF Water Engineering, LLC
water resource consultants

RECEIVED

MAY 20 2008

WATER RESOURCES
WESTERN REGION

May 19, 2008

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit
City of Boise, Parks & Recreation Dept.

Dear Steve,

Enclosed on behalf of the City of Boise, is an *Application for Permit* to develop a water right for municipal storage use. The fee for this application is \$250; please find a check for that amount enclosed.

Roxanne Brown is the contact for this application. Please let her know if there are any questions.

Sincerely,

Lori Graves for Roxanne Brown
Water Rights Specialist

Enclosures
Application, Check No. 275478

SPF file number: 513.0010

contact = Roxanne
(not Lori)

JL 6/26/08