

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-32397

WATER RIGHT NUMBER: 63-32397

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARION SCHMELZEL RT 1 NEW PLYMOUTH, ID 83655
Current Owner	TUSCANY DEVELOPMENT INC C/O GREG JOHNSON PO BOX 344 MERIDIAN, ID 83680 (208)888-9946
Original Owner	RALPH J MELLIN 4500 N TUMBLEWEED LN BOISE, ID 83713-2500 (208)322-7500
Original Owner	MELLIN PROPERTIES LIMITED PARTNERSHIP RALPH MELLIN, GENERAL PARTNER 4500 N TUMBLEWEED LN BOISE, ID 83713-2500 (208)322-7500

Priority Date: 02/07/1969

Basis: Decreed

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>Annual Volume</u>
MITIGATION	04/01 to 11/01	0.050 CFS	12.60 AF
	<u>Total Diversion:</u>	0.050 CFS	12.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 01N, Rge 01W, B.M.
ADA County		

Place of Use

MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01W	21				X													

Conditions of Approval:

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1. C18 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.
2. P21 This right is a split from former right 63-32093.
3. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Remarks:Comments:

1. Igagnon 8/24/2006 CHANGE IN OWNERSHIP

Comment: THE DATA IN THE NAME FIELD HAS BEEN CHANGED TO SHOW THAT THIS RIGHT HAS A CHANGE IN OWNERSHIP

2. kwalker 1/14/2010 Mitigation

Comment: This water right mitigates use of water under Permit No. 63-32052 in the name of Tuscany Development Inc. issued June 9, 2005. The water use has been changed to reflect this as stated in a condition of approval on the permit.

Dates and Other Information:

Licensed Date:

Decreed Date: 5/16/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

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SubCase:

SubCase Number: 63-32397
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 3/12/2008
Attorney Assigned:
Adjudication Agent: kbrown (N/A)
Basis of Claim: License

Water Supply Bank: