

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-35868

9/8/2026

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BOISE PUBLIC WORKS DEPT PO BOX 500 150 N CAPITOL BLVD BOISE, ID 83702-5920 (208) 608-3200
Previous Owner	H & H RANCHES PO BOX 125 BOISE, ID 83701-0125 (208) 344-2574
Previous Owner	HARRIS FAMILY LTD PARTNERSHIP 877 W MAIN ST STE 501 BOISE, ID 83702-6018 (208) 344-1131

Priority Date: 3/21/1977

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>Volume</u>
IRRIGATION	03/15	11/15	1.270 CFS	617.4 AF
	<u>Total Diversion</u>		1.270 CFS	617.4 AF

Source and Point(s) of Diversion:

GROUND WATER	NESW	Sec. 20, Twp 03N, Rge 03E, ADA County(R)
GROUND WATER	NESW	Sec. 20, Twp 03N, Rge 03E, ADA County(I)
GROUND WATER	SESW	Sec. 20, Twp 03N, Rge 03E, ADA County(R)
GROUND WATER	NESW	Sec. 20, Twp 03N, Rge 03E, ADA County

Place Of Use:

IRRIGATION within ADA County

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
03N	03E	19									4.4 L5				0.4 L5	19.0		12.4	31.1	67.3
03N	03E	20									6.3	22.0	38.5	20.0						86.8
03N	03E	29					11.9	29.0												40.9

Right Acre Limit: 174.50
POU Total Acres: 195.0

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Conditions of Approval:

1. E53 Use of this right with Right No. 63-7103 & 63-8627 shall not exceed a maximum combined annual diversion volume of 1054.7 AF at the field headgate.
2. The right holder shall comply with the requirements of Sections 42-222 and 42-233 Idaho Code, when proposing any future change to the use of water under this right.
3. Water diverted under this right is injected into Warm Springs Creek and is rediverted from Warm Springs Creek in the NESW S20, T3N, R3E, or in the SESW, S20, T3N, R3E, at the intersection of the creek and the Penitentiary Canal.
4. 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.
5. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/21/2008.
6. E55 Use of this right with Right No. 63-7103 and 63-8627 is limited to the irrigation of a combined total of 238.5 acres in a single irrigation season.
7. When the appurtenant surface water rights are not available, the portion of the place of use located east of the diversion points may be irrigated under this right by diverting water from the Penitentiary Canal in exchange for replenishing the Penitentiary Canal with an equal amount of water diverted under this right, so long as the arrangement is acceptable to the owners/operators of the Penitentiary Canal.
8. 101 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
10. X49 The right holder shall install and maintain measuring devices and lockable controlling works at the point of diversion from Warm Springs Creek into the Penitentiary Canal and at the point where Penitentiary Canal is diverted in exchange for water diverted under this right.
11. B05 Water temperature measured at 180 degrees F.
12. B07 Water is low temperature geothermal water.
13. E61 Use of this right with rights listed below is limited to a total combined diversion rate of 7.00 cfs and to a total combined annual diversion volume of 1575.5 AF. Combined Right Nos.: 63-365, 63-2973, 63-7103, 63-8627, & 63-35867.
14. E11 Use of this right with Right Nos. 63-2973, 63-7103, and 63-8627 is limited to the irrigation of a combined total of 350.1 acres in a single irrigation season.

Comments:

1 jhersley 9/8/2026 Split Right
This right is the result of split from 63-8627.

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Dates and Other Information:

Decreed Date: 4/21/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A