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Department of Water Resources

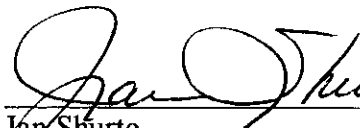
**OBJECTOR(s):**

Boise Project Board of Control

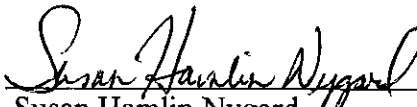
  
Albert P. Barker  
Attorney for Objector(s)

8/20/03  
Date

**IDWR Concurrence:**

  
Jan Shurte  
Adjudication Supervisor

8-26-03  
Date

  
Susan Hamlin Nygard  
Deputy Attorney General

8/26/03  
Date

## CERTIFICATE OF MAILING

I certify that on August 26, 2003, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

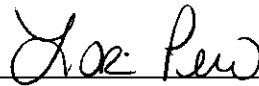
2. Copies to:

USDI Bureau of Reclamation  
US Department of Justice  
Environment & Natural Resources  
550 West Fort Street, MSC 033  
Boise, ID 83724

Michael C. Creamer  
Givens Pursley LLP  
P.O. Box 2720  
Boise, ID 83701-2720

Albert P. Barker  
Barker, Rosholt & Simpson LLP  
P.O. Box 2139  
Boise, ID 83701-2139

IDWR Repository  
P.O. Box 83720  
Boise, ID 83720



\_\_\_\_\_  
Signature of person or attorney mailing the form

08/11/2003

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

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

RIGHT NUMBER: 63-31336  
NAME AND ADDRESS: WILDERNESS RANCH OWNERS ASSN INC  
46 WILDERNESS RANCH RD  
BOISE ID 83716

AUG 28 2003

SOURCE: MORES CREEK  
QUANTITY: 0.120 CFS

TRIBUTARY: BOISE RIVER

By \_\_\_\_\_ Clerk  
Deputy Clerk

Use of this right with Right No. 63-31335 is limited to a total combined diversion rate of .50 cfs.

PRIORITY DATE: 07/26/1920

POINT OF DIVERSION:

T04N R04E S28 SESW Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 04/01 11/01   | 0.120 CFS |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Watermaster and only when water is being released 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 or Lake Lowell as decreed in SRBA Case No. 39576.

The use of water for irrigation under this right may begin as early as March 15 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.

PLACE OF USE: IRRIGATION Within BOISE County  
T04N R04E S28 SESW 3.5

3.5 ACRES TOTAL

Use of this right with Right No. 63-31335 is limited to the irrigation of a combined total of 15 acres in a single irrigation season.

*Dehn*  
*MCC*  
*WPS*  
*JP*

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.

EXPLANATORY MATERIAL: License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

*See  
MCC  
APP  
Dr  
[Signature]*