

(Internet)

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MAY 14 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources  
Adjudication Bureau

**IN RE THE GENERAL ADJUDICATION  
OF RIGHT TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576  
Ident. Number 63-7954  
Date Received \_\_\_\_\_  
Receipt Number \_\_\_\_\_

**AMENDED** **NOTICE OF CLAIM** **AMENDED**  
**TO A**  
**WATER RIGHT**  
**ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant(s) City of Nampa (Nampa) Phone (208) 468-5420  
Mailing Address 411 3rd Street South, Nampa, ID Zip 83651
2. Date of Priority (only one (1) per claim) March 20, 1974
3. Source of water supply (a) Elijah Drain  
which is tributary to (b) (not applicable)
4. a. Location of existing point of diversion is: Township 3N Range 2W Section 21,  
1/4 of NW 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_  
Additional points of diversion if any: \_\_\_\_\_  
b. If instream flow, beginning point of claimed instream flow is:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_  
ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_  
1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. The wells listed in Exhibit A are all connected to  
Nampa's integrated municipal delivery system for non-potable water.

ORIGINAL

6. Water is claimed for the following purposes

|     |                  |               | (both dates are inclusive) |    |              | (cfs)  |             | (acre feet)   |
|-----|------------------|---------------|----------------------------|----|--------------|--------|-------------|---------------|
| For | <b>Municipal</b> | purposes from | <b>4/15</b>                | to | <b>10/15</b> | amount | <b>4.00</b> | or <b>800</b> |
| For |                  | purposes from |                            | to |              | amount |             | or            |
| For |                  | purposes from |                            | to |              | amount |             | or            |
| For |                  | purposes from |                            | to |              | amount |             | or            |

7. Total quantity claimed (a) **4.00** (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is **(not applicable)** acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) **Municipal uses within municipal service area**

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |        |        |        | NW 1/4                                              |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|-----|-----|--------|--------|--------|--------|-----------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4                                              | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        | <b>Within the Service Area of the City of Nampa</b> |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |                                                     |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated **(not applicable)**

11. In which county(ies) are lands listed above as place of use located? **Canyon County**

12. Do you own the property listed above as place of use? Yes ☐ No ☒

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as describe above.

**See "Remarks" section** or None ( )

14. Remarks:

1. **Nampa is a municipal water provider and claims this right as a municipal right under the Municipal Water Rights Act of 1996 and/or the common law.**

2. **Nampa operates an integrated water supply network involving numerous ground water rights throughout its service area.**

3. **This claim includes an accomplished transfer of the purpose of use and place of use. To prevent enlargement, we include the volume limit based on the diversion volume associated with the 200 acres of irrigation authorized under original the right.**

Last Name **City of Nampa** Ident. Number **63-7954**

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile **Please see Exhibit B**

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_  
Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

16. Signature(s)

(a.) by signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am Paul Raymond  
Title \_\_\_\_\_

of the City of Nampa, that I have signed the foregoing

Organization

document in the space below as Director, Public Works Department of the City of Nampa

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director, Public Works Dept, City of Nampa Date 5/11/04

State of Idaho/or \_\_\_\_\_ )

) SS.

County of CARLE )

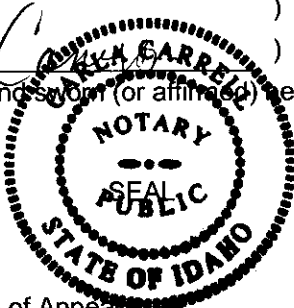
Subscribed and sworn (or affirmed) before me this

11 day of May 2004

Notary Public

Residing at

My Commission Expires



17. Notice of Appearance.

Please Print Name

Notice is hereby given that, Christopher H. Meyer and John M. Marshall will be acting as attorneys at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to us at the address listed below.

Signature [Signature]

Christopher H. Meyer

[Signature]

John M. Marshall, Givens Pursley LLP

Address 601 W. Bannock, PO Box 2720, Boise, ID 83702

Telephone 208-388-1200

Date 5/12/04

Last Name City of Nampa Ident. Number 63-7954

## Exhibit A

### List of Alternate Points of Diversion for City of Nampa Municipal System for Non-Potable Water

| Map Index | Well Name              | TWN | RGE | SEC | Tract | Water right associated with well | Priority date associated with well | Diversion rate associated with well (cfs) |
|-----------|------------------------|-----|-----|-----|-------|----------------------------------|------------------------------------|-------------------------------------------|
| 1         | MAYORS                 | 3N  | 2W  | 23  | SENW  | 63-02449                         | 8/13/1931                          | 0.80                                      |
| 2         | UNKNOWN                | 3N  | 2W  | 23  | SENW  | 63-02450                         | 8/13/1931                          | 1.00                                      |
| 3         | 6TH SOUTH              | 3N  | 2W  | 22  | SWSW  | 63-02484                         | 8/22/1933                          | 1.62                                      |
| 4         | LAKEVIEW               | 3N  | 2W  | 23  | SWNW  | 63-02780                         | 9/2/1949                           | 2.50                                      |
| 5         | UNKNOWN                | 3N  | 2W  | 22  | SWNE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 6         | PHYLLIS                | 3N  | 2W  | 22  | SENE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 7         | KOHLER LAWN CEMETERY 1 | 3N  | 2W  | 15  | NESW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 8         | KOHLER LAWN CEMETERY 2 | 3N  | 2W  | 15  | SWSE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 9         | EAST POWERLINE         | 3N  | 2W  | 23  | SWSE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 10        | 19TH AVE. NORTH        | 3N  | 2W  | 23  | SWSW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 11        | 15TH AVE. NORTH        | 3N  | 2W  | 23  | NWSW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 12        | 14TH NORTH             | 3N  | 2W  | 22  | NESE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 13        | INDIAN                 | 3N  | 2W  | 23  | SWSW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 14        | SOUTH POWERLINE        | 3N  | 2W  | 25  | NWNW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 15        | MEYER                  | 3N  | 2W  | 26  | NWSW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 16        | CHESTNUT               | 3N  | 2W  | 34  | NENE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 17        | KURTZ                  | 3N  | 2W  | 34  | NWNE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 18        | 12TH & ROOSEVELT       | 3N  | 2W  | 28  | NESE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 19        | MAPLE                  | 3N  | 2W  | 27  | SWNW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 20        | HOLLY                  | 3N  | 2W  | 27  | SENW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 21        | FERN                   | 3N  | 2W  | 27  | SWNE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 22        | 19TH SOUTH             | 3N  | 2W  | 27  | SENE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 23        | 14TH SOUTH             | 3N  | 2W  | 27  | NENW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 24        | HIGH STREET            | 3N  | 2W  | 21  | NESE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 25        | HUDSON                 | 3N  | 2W  | 21  | NESE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 26        | PARK LANE & ORR        | 3N  | 2W  | 21  | NWNE  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 27        | 4TH ST. SOUTH          | 3N  | 2W  | 22  | SESW  | 63-02787                         | 9/2/1949                           | 30.00                                     |
| 28        | CANYON                 | 3N  | 2W  | 21  | SENE  | 63-02943                         | 6/3/1953                           | 1.74                                      |
| 29        | BIRDSEYE               | 3N  | 2W  | 22  | NENW  | 63-07003                         | 6/9/1967                           | 7.68                                      |
| 30        | STATE ST.              | 3N  | 2W  | 28  | NWNE  | 63-07708                         | 2/14/1973                          | 0.40                                      |
| 31        |                        |     |     |     |       |                                  |                                    |                                           |
| 32        | MORGAN                 | 3N  | 2W  | 20  | NESE  | 63-08312                         | 5/24/1976                          | 0.50                                      |
| 33        | GRANGE PARK            | 3N  | 2W  | 17  | NWSE  | 63-09853                         | 1/17/1982                          | 1.00                                      |
| 34        | COLORADO               | 3N  | 2W  | 34  | NWNW  | 63-09889                         | 3/30/1982                          | 1.50                                      |
| 35        | MEADOWBROOK #1         | 2N  | 2W  | 3   | NWNW  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 36        | SWEETWOOD              | 3N  | 2W  | 20  | NESE  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 37        | BOONE                  | 3N  | 2W  | 17  | SESE  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 38        | WINTHER                | 3N  | 2W  | 20  | SENE  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 39        | VENICE                 | 3N  | 2W  | 23  | NWSE  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 40        | YOUNG                  | 3N  | 2W  | 28  | SENE  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 41        | WESTPARK               | 3N  | 2W  | 28  | NENW  | 63-10211                         | 3/9/1984                           | 8.69                                      |
| 42        | JUNIPER                | 3N  | 2W  | 34  | SWSW  | 63-10211                         | 3/9/1984                           | 8.69                                      |

\*\* Shaded row indicates an abandoned well

\*\* Map index number 31 is a pump from the Elijah drain and is not included as an alternate point of diversion for ground water rights.



FIGURE 1  
NAPRA WATER RIGHTS PRIOR TO NOVEMBER 19, 1987  
IRRIGATION GROUND WATER RIGHT

