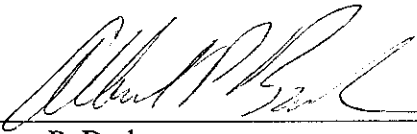


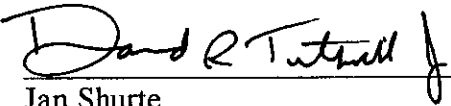
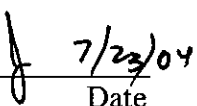


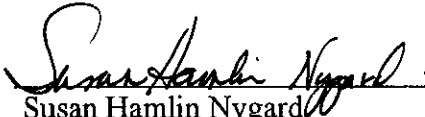
**OBJECTOR(s):**

Boise Project Board of Control

  
\_\_\_\_\_  
Albert P. Barker Date  
Attorney for Objector(s)

**IDWR Concurrence:**

  7/23/04  
for Jan Shurte Date  
Adjudication Supervisor

 7/22/04  
Susan Hamlin Nygard Date  
Deputy Attorney General

## CERTIFICATE OF MAILING

I certify that on August 16, 200~~8~~<sup>7</sup>, 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

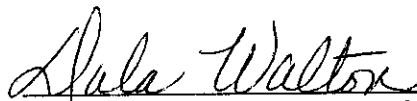
2. Copies to:

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

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

Jay & Marilyn Priest  
P.O. Box 122  
Idaho City, ID 83631

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



Signature of person or attorney mailing the form

08/12/2003

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

RIGHT NUMBER: 63-15395

NAME AND ADDRESS: MARILYN PRIEST  
PO BOX 122  
IDAHO CITY ID 83631

JAY R PRIEST  
PO BOX 122  
IDAHO CITY ID 83631

SOURCE: THORN CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.100 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-5101 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF .10 CFS.

PRIORITY DATE: 04/26/1889

POINT OF  
DIVERSION: T05N R04E S24 SESE Lot 5 Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                                                                                                                                                                                                                                                                                                                                                                                                                                              | PERIOD OF USE | QUANTITY  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4/01 11/01    | 0.100 CFS |
| THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS<br>EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER<br>15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.<br>THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER<br>THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO<br>SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY<br>DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR<br>THIS RIGHT. |               |           |

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 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 and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S24 Lot 5 SESE 5.0

5 ACRES TOTAL

*Am*  
*DL*  
*Seher*  
*APB*

08/12/2003

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

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USE OF THIS RIGHT WITH RIGHT NO. 63-5101 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 5 ACRES IN A SINGLE IRRIGATION  
SEASON.

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: BASIS OF CLAIM - Decreed

*Don*  
*DL*  
*sch*  
*APB*