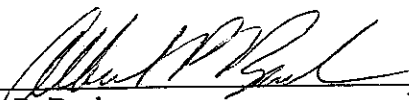
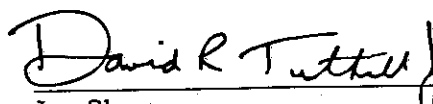


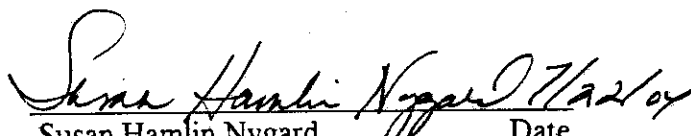


**OBJECTOR(s):**  
Boise Project Board of Control

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

**IDWR Concurrence:**

*for*  7/23/04  
\_\_\_\_\_  
Jan Shurte Date  
Adjudication Supervisor

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

## CERTIFICATE OF MAILING

I certify that on August 18, 200<sup>4</sup>3, 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

David & Toni Peterson  
14 Homestead Ct  
Boise, ID 83716

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: 63-31320

NAME AND ADDRESS: DAVID PETERSON  
14 HOMESTEAD CT  
BOISE ID 83716

TONI PETERSON  
14 HOMESTEAD CT  
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: CLEAR CREEK

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1912

POINT OF  
DIVERSION: T05N R04E S32 NWSESE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DOMESTIC              | 01/01 12/31          | 0.020 CFS       |
| IRRIGATION            | 03/15 11/15          | 0.020 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 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 S32 SESE 1.5  
DOMESTIC Within BOISE County  
T05N R04E S32 SESE

1.5 ACRES TOTAL

08/12/2003

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

---

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use  
DOMESTIC USE IS I HOME

*Da*  
*DE*  
*per*  
*01/13*