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Attorney for Boise City

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

In Re SRBA

Case No. 39576

Water Right Claim 63-18216

**AFFIDAVIT IN SUPPORT OF
CORRECTING THE LEGAL
DESCRIPTION OF DECREED
CLAIM, WATER RIGHT 63-18216**

DOMESTIC RIGHT

STATE OF IDAHO)
County of Ada)

Beth Baird, being first duly sworn upon oath, states as follows:

1. I am a Program Coordinator of the Groundwater Program for the Environmental Division of the Boise City Public Works Department and as such have personal knowledge of the matters contained herein.

AFFIDAVIT IN SUPPORT OF CORRECTING
THE LEGAL DESCRIPTION OF DECREED
CLAIM, WATER RIGHT 63-18216 - 1

2. That as Program Coordinator, I am responsible for coordinating Boise City's water rights.

3. That on January 19, 2000, a partial decree was issued that identified the point of diversion and place of use of water right number 63-18216 as T03N R02E S30 NENW and T03N R02E S30 NENW, respectively.

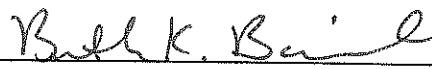
4. That in January 1996 Boise City purchased water right number 63-18216 from the owners, Warren and Maggie Sohrakoff.

5. That on January 30, 2003, I prepared, and Airport Director John W. Anderson filed with the Idaho Department of Water Resources ("IDWR"), a Notice of Change in Water Right Ownership to reflect Boise City's purchase of water right number 63-18216 from the Sohrakoff's.

6. That in 2004, IDWR notified Director Anderson by letter that the partial decree for water right number 63-18216 described the place of use for this water right differently than alleged by Boise City. Specifically, Boise City contends that the place of use and point of diversion are actually in Tract NWNE, not in Tract NENW, with the Township, Range, and Section listed in the partial decree being accurately described.

7. It is my information and belief that the partial decree for water right number 63-18216 erroneously described the Tract as NENW, rather than NWNE, due to a clerical error.

DATED this 5th day of May, 2005.



Beth Baird
Program Coordinator
Boise City Public Works Department

CERTIFICATE OF SERVICE

I hereby certify that I have on this 5th day of May, 2005, served the foregoing Affidavit in Support of Correcting the Legal Description of Decreed Claim, Water Right 63-18216 on all parties of record in this proceeding, as follows:

Eric Wildman
Staff Attorney
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail
- ☐ Personal Delivery
- ☒ Facsimile
- ☐ Other: _____

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ U.S. Mail
- ☐ Personal Delivery
- ☐ Facsimile
- ☐ Other: _____



Matthew K. Wilde
Assistant City Attorney