

No Color

Documents

In File

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00585
Date Received: 11/09/1988
Receipt No: X999999
Received By: Forrest

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE CASCADE CORPORATION 208-384-6450
Address: ATTN.: JOE MUNSON-LEGAL DEPT.
P.O. BOX 50
BOISE, ID 83702

2. Date of Priority: JUN 01, 1934

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	12	SE	NE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.670		40.40

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) 40.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	12	SE	NE		DOMEST	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

_____ and that the statements contained in the

Organization

foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. No.

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) Boise Cascade Corporation
ATTN: Joe Munson - Legal Department

Mailing Address P.O. Box 50
(include Zip Code) Boise, Idaho 83728

Phone Number (208) 384 - 6450

MICROFILMED
SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-00585
DATE RECEIVED: 12-22-89
RECEIPT NO: X9999
RECEIVED BY: _____

RECEIVED
DEC 22 1989
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: BOISE CASCADE CORP.
ADDRESS: TIMBER & WOOD PRODUCTS DIV.
1010 JEFFERSON STREET
BOISE, ID 83702

RECEIVED
DEC 8 1989
Department of Water Resources

2. DATE OF PRIORITY: JUN 01, 1934

3. SOURCE: GROUNDWATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	02W	12	SE	NE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.670		40.40

7. TOTAL QUANTITY APPROPRIATED IS:
0.670 C.F.S. (AND/OR) 40.40 A.F.A.

8. TOTAL CONSUMPTIVE USE IS _____ ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	02W	12	SE	NE		DOMEST	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE DEFENDANT

MICROFILMED

SEP 15 1992

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: _____

FOR INDIVIDUALS:

I/WE 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 Herbert S. Malany OF
Boise Cascade Corporation TITLE
ORGANIZATION, THAT I HAVE SIGNED THE FOREGOING
DOCUMENT IN THE SPACE BELOW AS Chief Region Forester OF
Boise Cascade Corporation TITLE
ORGANIZATION AND THAT THE STATEMENTS CONTAINED IN THE
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Herbert S. Malany
SIGNATURE OF AUTHORIZED AGENT
Chief Region Forester
Boise Cascade Corporation
TITLE AND ORGANIZATION

December 4, 1989
DATE

STATE OF IDAHO)
) SS.
COUNTY OF Gem)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 4th DAY
OF December 19 89

Sharon J. Jeffers
NOTARY PUBLIC

SEAL

RESIDING AT Emmett, Idaho

MY COMMISSION EXPIRES August 20, 1991
DATE: 10/28/89 1325

MICROFILMED

SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED
NOV 09 1988

Ident. Number: A65-00585
Date Received: 8/22/1988
Receipt No: X9999999
Received By: _____

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

Department of Water Resources

1. Name: BOISE CASCADE CORP.
Address: TIMBER & WOOD PRODUCTS DIV.
1010 JEFFERSON STREET
BOISE, ID 83702

2. Date of Priority: JUN 01, 1934

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	12	SE	NE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.670		40.40

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) 40.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	12	SE	NE		DOMEST	

11. Place of use in counties: GEM

A65-00585

Page 1

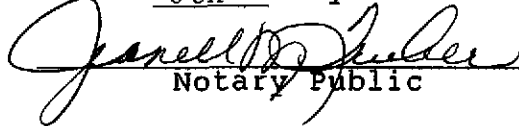
Date: 08/22/88

MICROFILMED

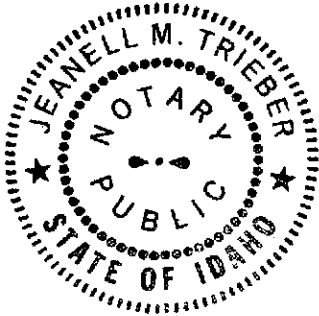
SFP 15 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 88


Notary Public

Seal




Residing at Boise

My Commission Expires 10/1/91

CERTIFICATE OF MAILING

I certify that on January 4, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Boise Cascade Corp
Region Environmental Engineer
PO Box 476
Emmett ID 83617
3. One Copy to:
Each party in the subcase or attorney of record:
Bruce M Smith
Moore, Smith, Buxton & Turcke, Chartered
225 N 9th St, Suite 420
Boise ID 83702
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED

DEC 24 2001

WATER RESOURCES
WESTERN REGION

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number(s): See attached sheet.

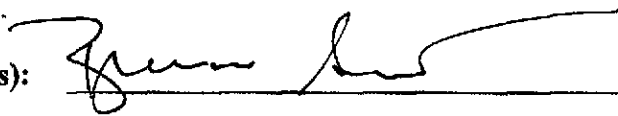
Previous Mailing Address: Boise Cascade Corp.

P.O. Box 50

Boise, Idaho 83707

New Mailing Address: Boise Cascade Corp.
Region Environmental Engineer
P.O. Box 476
Emmett, Idaho 83617

Telephone Number: (208) 365-4431

Signature of Claimant(s): 

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

Claim Number(s):

RECEIVED

DEC 24 2001

WATER RESOURCES
WESTERN REGION

- 63-04062 shelf
- 63-04063 "
- 63-04064 "
- 63-04065 "
- 63-04066 decreed
- 63-07664 shelf
- 63-05335 Mel
- 63-05336 not found on bc
- 63-05337 Mel
- 63-05338 not on bc
- 63-05339 " "
- 63-05340 Mel
- 63-05342 mel
- 63-15291 mel
- 63-15292 Mel
- 67-00081AB shelf
- 67-02053AB "
- 67-04009 "
- 67-04086 "
- 67-04087 "
- 67-04570 "
- 67-04571 "
- 67-04572 "
- 67-04573 "
- 67-04574 "
- 67-04576 "
- 67-04577 "
- 78-04294 "
- 78-04295 "
- 78-04296 "
- 78-04297 "
- 78-04298 "
- 78-04298A "
- 78-04299 "
- 78-04300 "
- 78-04301 "
- 78-04302 "
- 78-04303 "
- 78-04304 "
- 78-04305 "
- 78-04306 "
- 65-00585 Ron
- 65-00586 Ron
- 65-00587 Sue
- 65-02950 Sue
- 65-02622 Sue
- 65-02706 Sue

} NCAP required

RECEIVED

DEC 17 2001

Department of Water Resources

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

RECEIVED

JAN 04 2002

WATER RESOURCES
WESTERN REGION

Attorney for Boise Cascade Corporation

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

) NOTICE OF APPEARANCE

)

)

)

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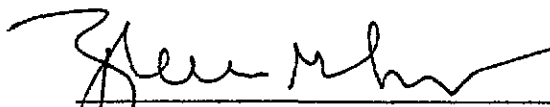
)

Subcases: 63-04066, 65-00585, 65-
00586, 65-00587, 65-00593, 65-
00594, 65-00595, 65-00597, 65-
02622, 65-02706, 65-02950, 65-
05787, 65-07094, 65-07884, 65-
08003, 65-12755

COMES NOW Bruce M. Smith of the firm Moore Smith Buxton & Turcke,
Chartered, and gives Notice of Appearance on behalf of Boise Cascade Corporation in the
above subcases.

DATED this 12 day of December, 2001.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



BRUCE M. SMITH
Attorney for Boise Cascade Corporation

COPY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12 day of December, 2001, I caused to be served a true and correct copy of the foregoing Notice of Appearance by the method indicated below, and addressed to the following:

1. Original to:

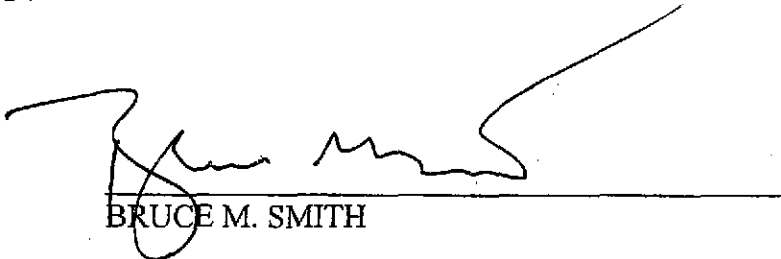
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



BRUCE M. SMITH



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 4, 2002

BOISE CASCADE CORP
REGION ENVIRONMENTAL ENGINEER
PO BOX 476
EMMETT ID 83617

RE: Water Right No. 65-585, 65-586, 65-587, 65-2622, 65-2706 & 65-2950

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects the change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

cc: Bruce M Smith @ Moore, Smith, Buxton & Turcke, Chartered

AJ0749NP
No. R65-00585

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/15/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	BOISE CASCADE CORP PO BOX 50 BOISE ID 83707 (208) 384-6450	06/01/1934	DOMESTIC	01-01	12-31	0.670 CFS	40.40 AFA
TOTAL DIVERSION:						0.670 CFS	40.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R02W S12

SENE

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06N	02W	12	:																
			:																

POU County: GEM

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: USE DOMESTIC USE IS DRINKING WATER & VARIOUS FACILITIES WITHIN
COMPLEX.

Dates: Exam Made Date:

Verified Date: 06/15/2000

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18

Rdh
6-15-00

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM TO A WATER RIGHT
 IDENT. NO. 65-0585
 MAP NO. Department of Water Administration

Notice is hereby given that **BOISE CASCADE CORPORATION, TIMBER & WOOD PRODUCTS DIVISION** (Name of Claimant) **1010 Jefferson Street, Boise, Idaho 83702** (Mailing Address) claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River; The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6-1-1934
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Well G-10
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use DOMESTIC Drinking Water Period of Use From January 1 To December 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: .67 Cubic Feet Per Second, or 40.4 Acre Feet Per Annum, and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source S.E. 1/4 N.E. 1/4, Sec. 12, Twp. 6 N, Rge. 2 W, B.M.; additional points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well and centrifugal pump. Well is 480 feet deep with 6" casing. Delivery lines 1 1/2"
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL	
			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		
6 N	2 W	12				X														

- Total No. of acres _____
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Drinking water piped throughout plant
- (7) Effluent, sewage waste or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization BOISE CASCADE CORPORATION
- (9) Remarks _____
- (10) Basis of claim (Check one) A) Right based on diversion and beneficial use.
 B) Right decreed by court, cite title of case _____
 C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual _____ (Date) 8-11-70
 Signature of Claimant _____
 Signature of Spouse _____

Organization BOISE CASCADE CORPORATION
 Signature of Authorized Agent _____

State of Idaho ss. _____
 County of Ada _____
 On this 24th day of July, in the year 1970, before me, a notary public, personally appeared J.E. Clute, Vice President known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Boise, Idaho
 My commission expires 8-12-73

ADJUDICATION DIVISION

REPORT OF EXAMINERS

Claim No. 65-0585

1. Name of Applicant: Boise Cascade Corporation

2. Priority: 1-21-1939

3. Source of Water: Groundwater

4. Determine Purpose and Quantity of Water Found Used:

(Quantity) (Dom., Irr., Stk. water, etc.) (Mo.-Day) (Mo.-Day)

0.367 Use Domestic Period of Use From 1/1 To 12/31

Use _____ Period of Use From _____ To _____

Use _____ Period of Use From _____ To _____

5. Location of Point of Diversion: SE NE of Section 12

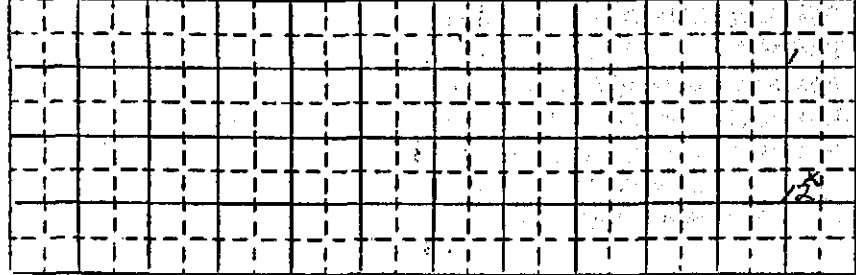
Top. 6N, Rge. 2W, County of Gem

6. Describe Diversion Works: Well with a Pump

7. Describe Location of Use:

TWP.	RGE.	SEC.	NE 1/4		NW 1/4		SW 1/4		SE 1/4		TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	
<u>6N</u>	<u>2W</u>	<u>12</u>			X						

TWP. 6N RGE. 2W COUNTY Gem SCALE: 1" = 1 MILE



8. Purpose Other Than Irrigation: Domestic use for tubs
facilities within mill complex

9. Remarks: Well & pumping system located within
mill complex

This examination was made on the 23 day of May, 1972.

(Signed) M. Claude Brown
 Examiner.

$.67 \times 1.98 \times 365 \div 12 = 40.4$



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 23, 1988

Gretchen Hoy
Boise Cascade Corp.
P.O. Box 8328
Boise, Idaho 83707

Dear Ms. Hoy,

In response to your telephone request of August 22, 1988, I have researched our computer database for all records of water rights in the Snake River Basin in the name of Boise Cascade.

Enclosed are 11 notices of claims to water rights from the Payette River Drainage in Valley County (65-0589, 65-0590, 65-0591, 65-0592, 65-0593, 65-0595, 65-0596, 65-0597, 65-5787, 65-8003, and 65-7884). These water rights were decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. Notices of claims for these water rights are required to be filed by November 23, 1988.

Also enclosed are 5 notices of claims to water rights from the Payette River Drainage in Gem County (65-7094, 65-2950, 65-0585, 65-0586, and 65-0587) and two notices of claims to water rights from the Payette River Drainage in Boise County (65-2706 and 65-2622). These water rights were also decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. First round service has not been done in Gem and Boise Counties yet, so notices of claims for these water rights are not required to be filed at this time. They will have to be filed later, though, so you may want to go ahead and file them when you do your Valley County notices of claims.

Enclosed is one notice of claim to a water right from the Payette River Drainage in Valley County (65-12755). This water right was established subsequent to the Payette River Adjudication, so the filing fee will apply. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$168.00. A notice of claim for this water right is required to be filed by November 23, 1988.

Also enclosed is one notice of claim to a water right in Cassia County (45-2760). First round service has not been done in Cassia County yet, so a notice of claim for this water right is not required to be filed at this time. It will have to be filed later, though, so you may want to go ahead and file it when you do your Valley County claims. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$70.00

I also found records of water rights in the name of Boise Cascade in Adams County, numbered 78-4294 through 78-4306. Notices of claims to water rights in Adams County were already filed by Herb Malaney on behalf of Boise Cascade.

There are four other records as to filings by Boise Cascade in IDWR records. One is for a water right claim that was disallowed by the decree in the Payette River Adjudication (65-0588). Two are for permits that have lapsed and have not been reinstated (65-12695 and 65-7865). One is for an application for permit that has not yet been approved (65-12563.) A notice of claim may not be filed based solely upon an application for permit until the application has been approved.

There are also records of water rights from the Boise and Weiser River Drainages in the name of Boise Cascade. As I explained on the phone, an appeal of the commencement order was filed seeking to exclude the Boise and Weiser River Drainages from the SRBA. An order was entered staying the SRBA in those drainages pending the outcome of the appeal, so we cannot accept notices of claims to water rights from those drainages until a decision affirming the commencement order is issued. Argument was held in May, 1988, and we expect a decision any time.

Please note that my research extended only to records in the name of Boise Cascade. IDWR may have records as to water rights appurtenant to land owned by Boise Cascade which are not in the name of Boise Cascade. The only way to identify such records is by using a legal description (by 40 acre tract) of the place of use of the water rights. Boise Cascade may also have beneficial use water rights (established by diversion and beneficial use of the water) of which there is no record at IDWR.

Finally, a document is enclosed entitled "How You Will Receive Notices in the SRBA." The person filing the notices of claims on behalf of Boise Cascade will be asked to indicate that they have read and understood the document, and whether the claimant wishes to subscribe to the docket sheet (described in the document). Herb Malaney of Boise Cascade already has a subscription to the docket sheet.

My suggestion is that you review the notices of claims enclosed, determine if there are any changes you wish to make or any additional claims you wish to file, and then call and make an appointment with Don Shaff. He will be able to assist you with the actual filing.

Sincerely,

A. Lynne Krogh-Hampe

A. Lynne Krogh-Hampe
Deputy Attorney General