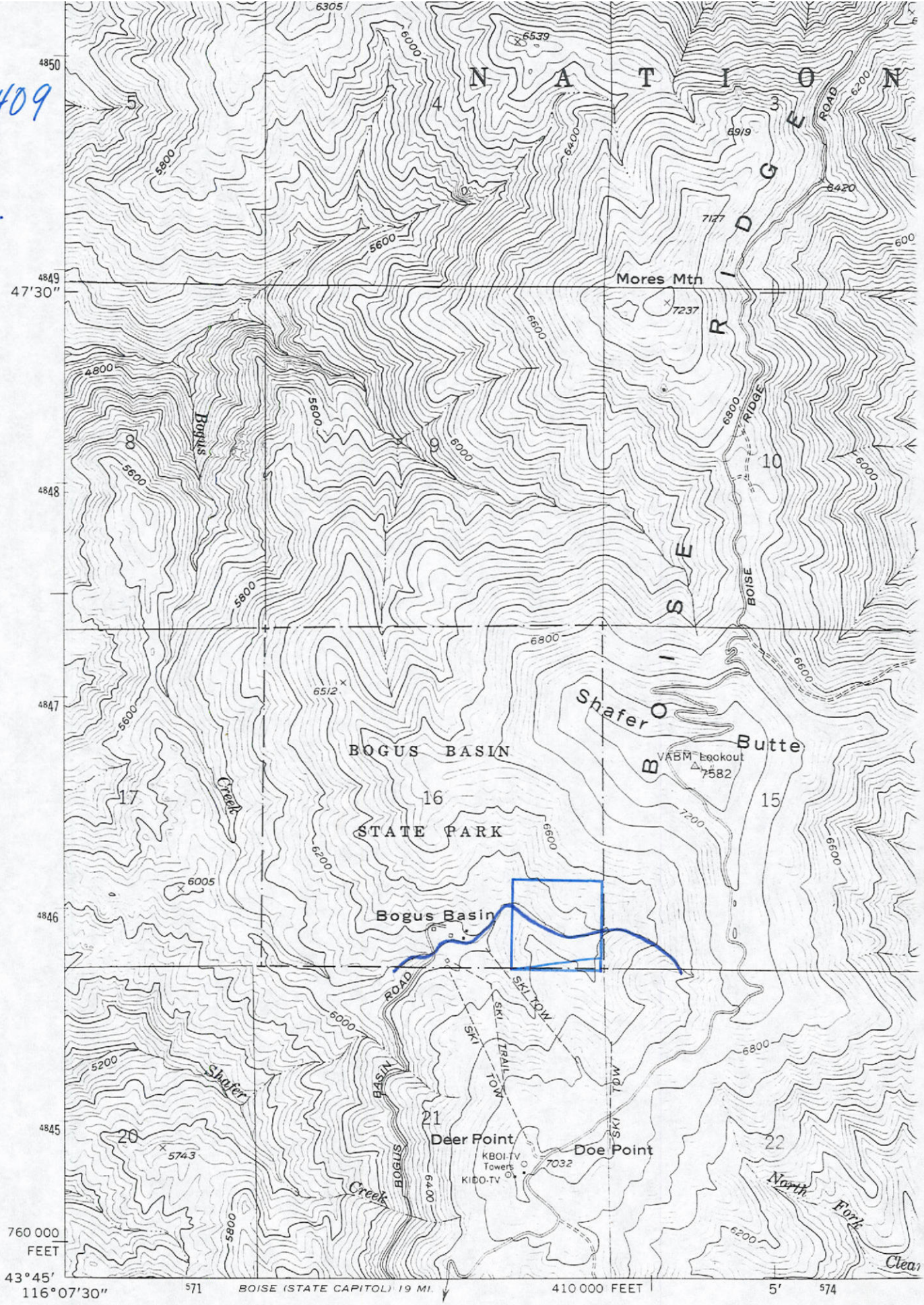


AQ5-09409

5N, 3E

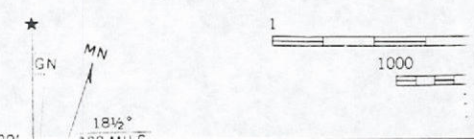
W60
1957



Mapped by U. S. Forest Service
Edited and published by the Geological Survey
Control by USGS, USC&GS, and USFS

Topography from aerial photographs by KEK plotter
Aerial photographs taken 1938-1939. Field check by USGS 1957

(BOISE NORTH)
2771 II NW



DRT 6-19-77 / DRT 6-4-78

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: A65-09409
Date Received: 3-7-89 *cl*
Receipt No: 2005687
Received By: _____
Cl 2-17-89
Fec 3-65

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 07 1989

1. Name: BOGUS BASIN RECREATIONAL ASSOC., INC.
Address: 731 NORTH 15TH STREET
BOISE, ID 83702

Department of Water Resources

2. Date of Priority: DEC 01, 1965

3. Source: BOGUS CREEK Trib. to: SHAFER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03E	16	SE	SE			BOISE

5. Description of diverting works:
COLLECTION PIPE, SAND FILTER, PIPELINE, PUMP, STORAGE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE, BOGUS BASIN RECREATION AREA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	16	SW	NE		DOMEST	
			SE	NW		DOMEST	
			SE	SE		DOMEST	

A65-09409

Page 1

Date: 02/17/89

MICROFILMED

SEP 24 1992

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
65-04015B, 65-04036, 65-09408

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

MICROFILMED

SEP-24-1992

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 Organizations:

I do solemnly swear or affirm that I am General Manager of Bogus Basin Recreational Assn., that I have signed the foregoing Organization document in the space below as General Manager of Bogus Basin Recreational Assn. and that the statements contained in the foregoing document are true and correct.

Harry B. Howard
Signature of Authorized Agent

General Manager/Bogus Basin Rec.
Title and Organization

February 24, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of February 19 89

Shirley Duce
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 9/94

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be
Print Name

acting as attorney 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 me at the address listed below.

Signature Scott L. Campbell

Address Elam Burke + Boyd P.O. B. 1539

Date March 6, 1989

03/06/2001

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

**Notice of Error
Reply**

Please type or print clearly, fill out this completely and mail.

Return this reply to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number 65-9409

BOGUS BASIN RECREATIONAL ASSN INC
2405 BOGUS BASIN RD
BOISE, ID 83702
Telephone Number (208) 336-4500

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Change the place of use to be consistent with place of use claimed (within Boise County):

Township	Range	Section	¼ of	¼	Lot	Use	Acres
05N	03E	16	SW	NE		Domestic	
05N	03E	16	SE	NW		Domestic	
05N	03E	16	SE	SE		Domestic	

As opposed to the place of use as preliminarily recommended (within Boise County):

Township	Range	Section	¼ of	¼	Lot	Use	Acres
05N	03E	16	SE	SE		Domestic	

3. Give a brief explanation as to why you disagree with these portions:

Because the preliminary recommendation is incorrect as to the place of use. The preliminary recommendation appears to incorrectly list the point of diversion as *both* point of diversion and place of use. The correct place of use was included in the Notice of Claim and is described above.

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 4/13/01 SIGNATURE: 
Please print your name: Scott L. Campbell
Attorneys for: Bogus Basin Recreational Assoc. Inc.

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

April 13, 2001

VIA HAND-DELIVERY

Ms. Lori Harris
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705

Re: Bogus Basin Recreational Association, Inc.
E&B No.: 0580-9002

Dear Lori:

Enclosed for filing please find the original and one copy of the Notice of Error forms which our office is submitting on behalf of Bogus Basin Recreational Association concerning water right nos. 65-04015B, 65-04036, 65-09408, and 65-09409. Also enclosed is a copy of each of the Notice of Error forms. Please receive-stamp the additional copies and return them to this office in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me or Scott Campbell.

Very truly yours,

ELAM & BURKE
A Professional Association


Tiffany Hudak
Paralegal

th:drj
Encl.
cc: Clent (w/encl.)

Copy of T5571
sent to Tiffany.

Advised her we are using
more info. or we could
not change the name --

08/30/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW**

RIGHT NUMBER: 65-9409

NAME AND ADDRESS: BOGUS BASIN RECREATIONAL ASSOC INC
731 NORTH 15TH STREET
BOISE, ID 83702

SOURCE: BOGUS CREEK **TRIBUTARY:** SHAFER CREEK

QUANTITY: 0.15 CFS
41 AFY

PRIORITY DATE: 12/01/1965

POINT OF DIVERSION: T05N R03E S16 SESE 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	0.15 CFS 41.0 AFY

THE USE IS IN THE BOGUS BASIN RECREATION AREA

PLACE OF USE:

DOMESTIC Within BOISE County
T05N R03E S16 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

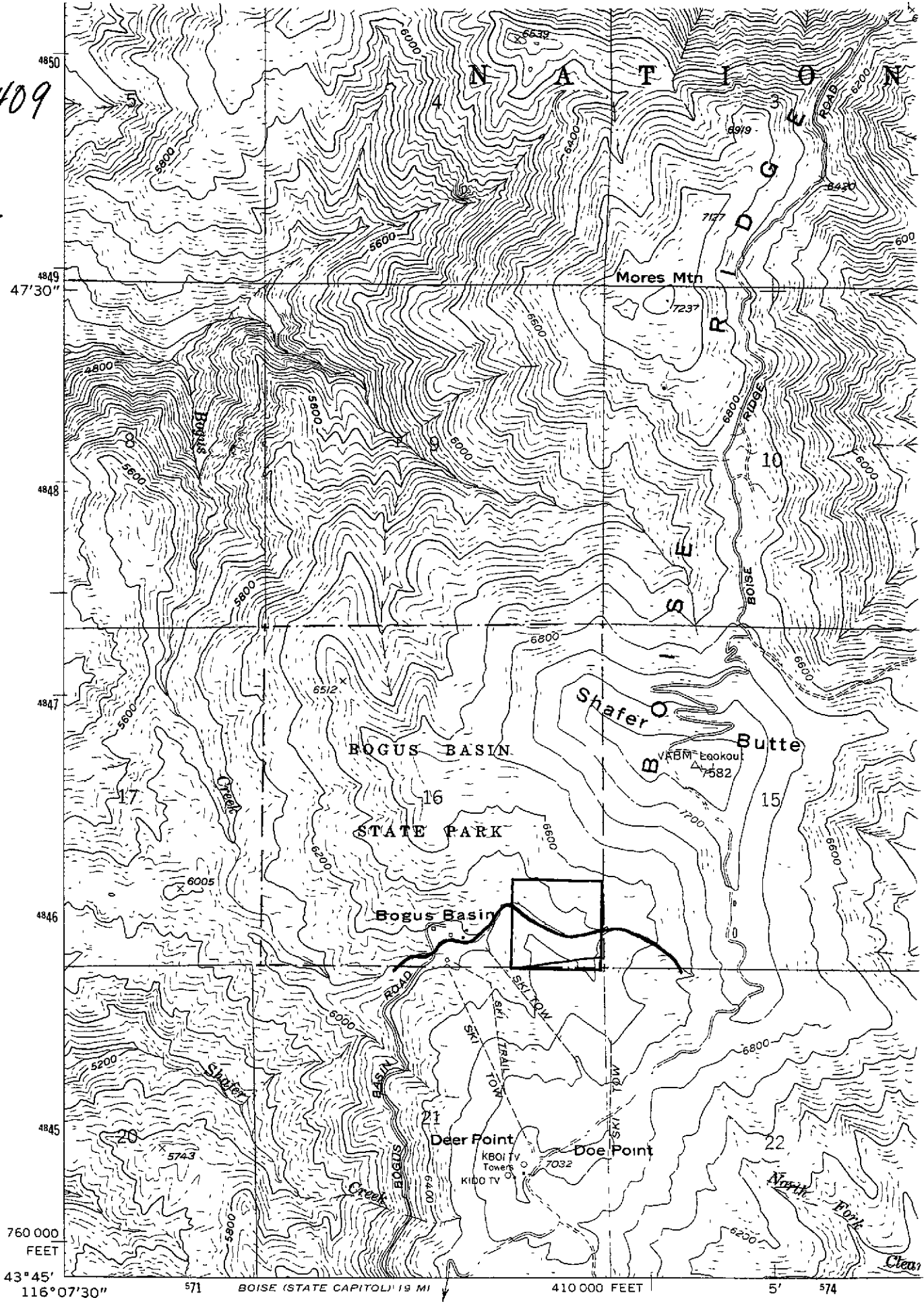
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PARCEL NO. SC 090503010 A

AQ5-09409

5N, 3E

W60
1957

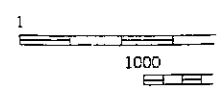


Mapped by U S Forest Service
Edited and published by the Geological Survey
Control by USGS, USC&GS, and USFS

Topography from aerial photographs by KEK plotter
Aerial photographs taken 1956-1957
Field work 1956-1957

(BOISE NORTH)
2771' NW

★
IGN
MN
184°



A65-09049

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 72

INDICATES TOTAL

SOURCE: BOGUS CREEK

TRIBUTARY TO: SHAFER CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TC	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-4015A	ADAMS, RICHARD L. 123 CRESTLINE DRIVE, BOISE, IDAHO 83702	7/ 7/1882	DOMESTIC	1/ 1 12/31	2.60 AFA .03 CFS	SESW S16 T 5N R 3E	SENE S29 T 5N R 3E	BENEFICIAL USE
65-4015B	BUGUS BASIN RECREATIONAL ASSN., INC. 731 NORTH 15TH, BOISE, IDAHO 83702 REMARKS: PLACE OF USE WITHIN BUGUS BASIN RECREATIONAL ASSOCIATION, INC.	7/ 7/1882	DOMESTIC	1/ 1 12/31	8.80 AFA .10 CFS	SESE S16 T 5N R 3E		BENEFICIAL USE
65-4036	BUGUS BASIN RECREATIONAL ASSN., INC. 731 NORTH 15TH STREET, BOISE, IDAHO 83702	12/ 1/1940	DOMESTIC	1/ 1 12/31	36.14 AFA .05 CFS	SESF S16 T 5N R 3E	SESE S16 T 5N R 3E	BENEFICIAL USE
65-9408	BUGUS BASIN RECREATIONAL ASSOC., INC. 731 NORTH 15TH STREET, BOISE, IDAHO 83702	12/ 1/1955	DOMESTIC	1/ 1 12/31	18.00 AFA .10 CFS	SESE S16 T 5N R 3E	SESE S16 T 5N R 3E	BENEFICIAL USE
65-9409	BUGUS BASIN RECREATIONAL ASSOC., INC. 731 NORTH 15TH STREET, BOISE, IDAHO 83702	12/ 1/1965	DOMESTIC	1/ 1 12/31	41.00 AFA .15 CFS	SESE S16 T 5N R 3E	SESE S16 T 5N R 3E	BENEFICIAL USE
65-7159	BUGUS BASIN RECREATIONAL ASSOC., INC. 731 NORTH 15TH STREET, BOISE, IDAHO 83702 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	9/16/1970	DOMESTIC	1/ 1 12/31	70.10 AFA .29 CFS	SESE S16 T 5N R 3E	SESW S16 T 5N R 3E	PERMIT

AJ5809NP
No. R65-09409

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/09/98
PAGE: 23

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOGUS BASIN RECREATIONAL ASSOC INC 731 NORTH 15TH STREET BOISE ID 83702	12/01/1965	DOMESTIC	01-01 12-31	0.15 CFS	41.00 AFA
TOTAL DIVERSION:					0.15 CFS	41.00

Water Source: BOGUS CREEK

Tributary to: SHAFER CREEK

Stage: DECREED

Point(s) of Diversion:

T05N R03E S16

SESE

BOISE 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	:
05N	03E	16	:																	:

POU County: BOISE

Non-Irrigation Uses: RECREATION AREA

Other Rights: 65-04015B, 65-04036, 65-09408

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP SC 090503010 A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag: C

Audit: 03/10/97 CORR3 03/13/97 CORR5

C18
USE

WR5809NP
No. 65-09409

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/09/98
PAGE: 20

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOGUS BASIN RECREATIONAL ASSN. INC. 731 NORTH 15TH STREET BOISE ID 83702	12/01/1965	DOMESTIC	01/01 12/31	0.150 CFS	41.00 AFA
TOTAL DIVERSION:					0.150 CFS	41.00 AFA

Water Source: BOGUS CREEK

Tributary to: SHAFER CREEK

Stage: DECREED

Point(s) of Diversion:

T05N R03E S16

SESE

BOISE 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	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
05N	03E	16	:																	:

Pou County: BOISE

Dates:	App. Received:	Priority Date:	12/01/1965
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

WATER RIGHT NUMBER - A65-09409

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BOGUS BASIN RECREATIONAL ASSOC., INC.1 - 731 NORTH 15TH STREET
2 -
3 -
CITY- BOISE
PHONE - 208-000-0000

STATE- ID ZIP- 83702

*** A - ATTORNEY ***
CAMPBELL

SCOTT L.

1 - ELAM, BURKE, AND BOYD
2 - P.O. BOX 1539
3 -
CITY- BOISE
PHONE - 208-343-5454

STATE- ID ZIP- 83701

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
12/01/1965 14 WESTERN D - DECREED+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
BOGUS CREEK SHAFER CREEK+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

05N 03E 16 SE SE (15) BOISE

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.150 41.00

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.150 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY05N 03E 16 SW NE 43 DOMESTIC (15) BOISE
05N 03E 16 SE NW 43 DOMESTIC (15) BOISE
05N 03E 16 SE SE 43 DOMESTIC (15) BOISE

+ - - DIVERSION MEANS - COLLECTION PIPE, SAND FILTER, PIPELINE, PUMP, STORAGE TANK

+ - - NON-IRRIGATION USE - DOMESTIC USE, BOGUS BASIN RECREATION AREA

+ - - OTHER RIGHTS FOR SAME USE - 65-04015B, 65-04036, 65-09408

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A65-09409

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - AUDIT FIELDS - 03/07/89 FRITSCHL

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/07/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C005687	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	- C
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

* SC 0905 03010 A

DATA ENTRY 3/10
ENTERED 7/12/92
CHECKED 7/12/92

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUL 12 1992

CERTIFIED
DEC 27 1992
WATER EXAMINER

DRT 6-19-77 / DRT 6-4-78