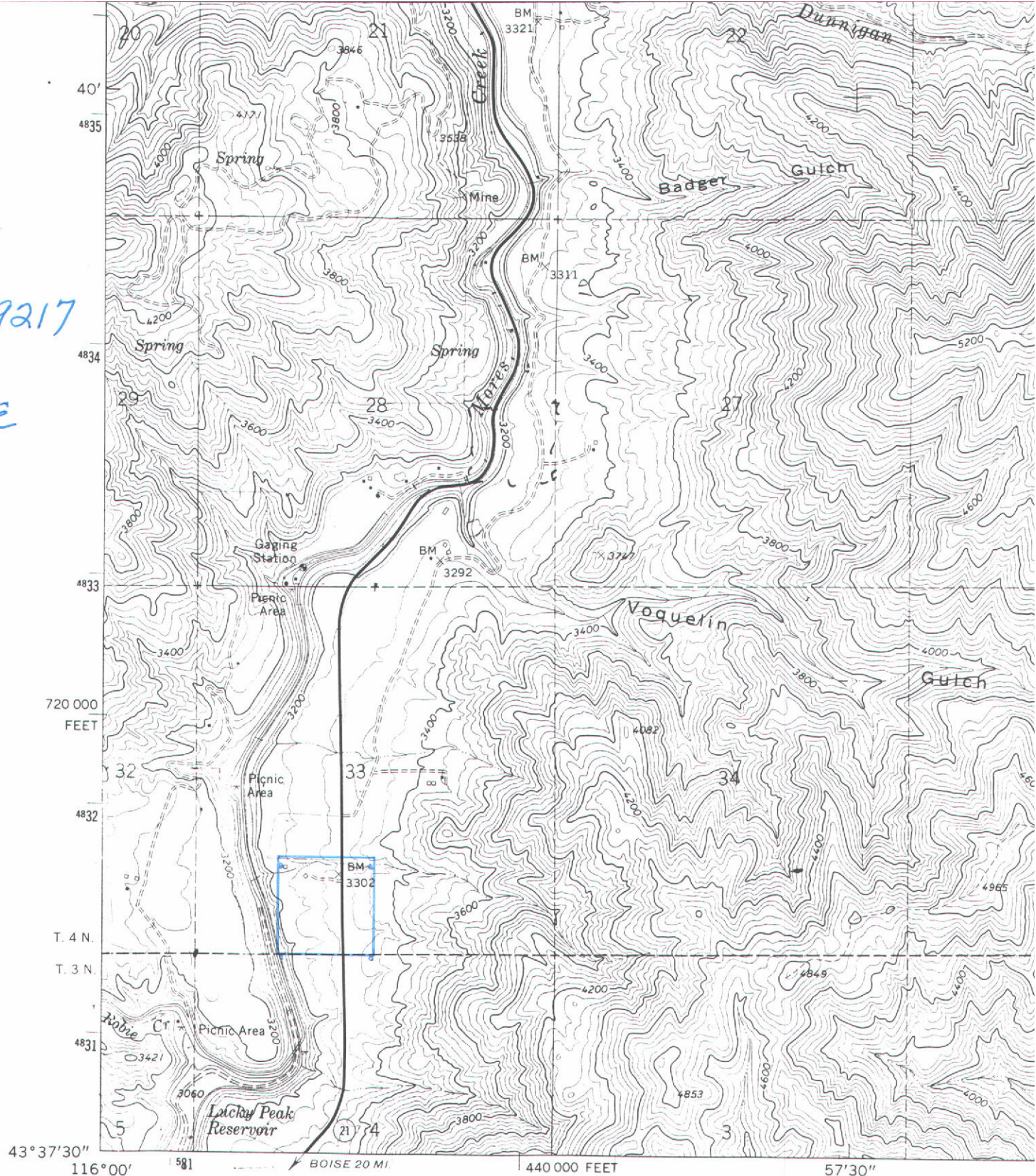


A63-09217

4N, 4E



(BOISE 1:62 500)
2771 II

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

Topography by photogrammetric methods from aerial
photographs taken 1963. Field checked by USGS 1969
Underwater contours by USCE

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Fine red dashed lines indicate selected fence lines



UTM GRID AND 1969 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP
FOR SALE BY U. S. GEOLOGICAL SURVEY
A FOLDER DESCRIPTION

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: A63-09217
Date Received: 5/18/1989
Receipt No: W002906
Received By: _____

RECEIVED
FEB 22 1993
Department of Water Resources
Boise Regional Office

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DEER CREEK WATER FUND
Address: HC 33 BOX 1112
BOISE ID

208-343-2716

83706

2. Date of Priority: MAR 7, 1979

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	33	SE	SW			BOISE

5. Description of diverting works:
WELL AND PUMP, STORAGE TANK AND PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		4.80

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

4.80 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 6 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	33	SE	SW		DOMEST	

11. Place of use in counties: BOISE

MICROFILMED

JUL 25 1994

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

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 A 63-09217Date Received 5-18-89Receipt Number 0002906 *JP*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 18 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Deer Creek Water Fund Phone (208) 343-2716
c/o Olsson
Mailing Address HC 33 Box 1112 Boise, Idaho Zip 83706

2. Date of Priority (Only one (1) per claim) ~~4/12/82~~ 3/7/79

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 4E Section 33
SW and SE 1/4's of
1/4 of SE 1/4 of SW 1/4, Govt Lot, B.M., County of Boise

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well, pump, storage tank and pipes.
Well driller's report is on file at Dept. of Water Resources.

MICROFILMED

JUL 25 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1/1 to 12/31 amount .06 cfs or 4.80

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 cfs (cfs) and/or (b) 4.80 AFA (acre feet)

8. Total consumptive use claimed is 4.80 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: 6 homes

10. Description of place of use:

a. If water is for irrigation, Indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	4E	33												D					

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Boise

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

See License #63-09900

or None ()

14. Remarks:

The Deer Creek Water Fund is the homeowner's association which pays for pumping costs and maintains well, pump and storage tanks, and pipes.

MICROFILMED

Last Name Deer Creek Water Fund Ident No. 63-09217

JUL 25 1994
Copies: White - State, Yellow - Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

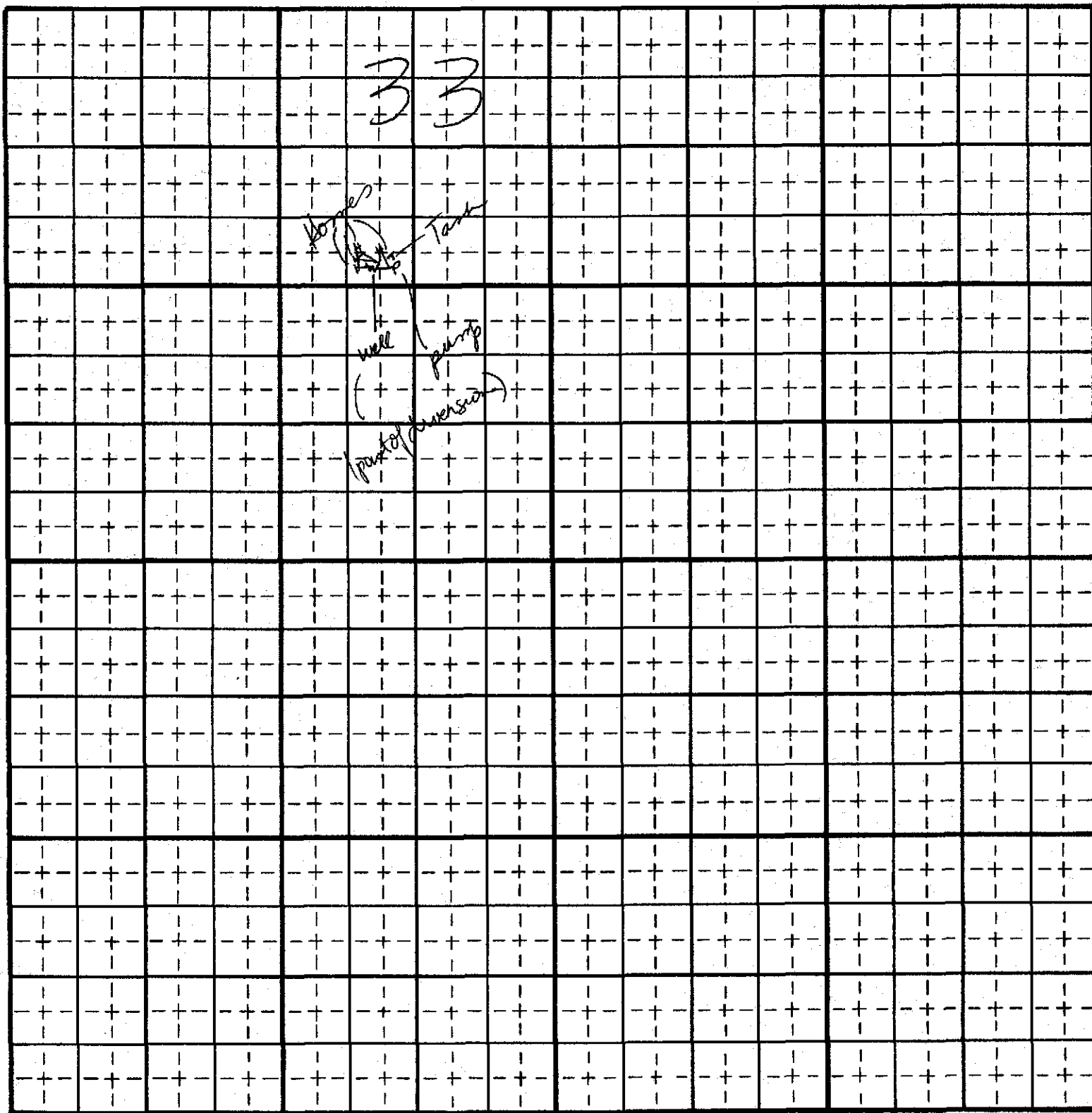
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SE 1/4 of SW 1/4 of Sec 33, T4N, R4E BM



MICROFILMED

Last Name Deer Creek Water Fund

Ident No. 63-09217

Copies: White-State, Yellow-Claimant
JUL 25 1994

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-09217

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Patricia M. Olson Date 5/17/89

Secretary, Deer Creek Water Fund Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary Title _____

of Deer Creek Water Fund Organization _____, that I have signed the foregoing

document in the space below as Secretary Title _____ of Deer Creek Water Fund Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Patricia M. Olson

Title and Organization Secretary, Deer Creek Water Fund Date 5/17/89

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 89

SEAL

Notary Public Lynette A. Cochran

Residing at Borise ID

My Commission Expires 1-8-95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be 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 _____

Address _____

Date _____

Last Name Deer Creek Water Fund Ident. Number 63-09217

MICROFILMED

Copies White-State, Yellow-Claimant

JUL 25 1994

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

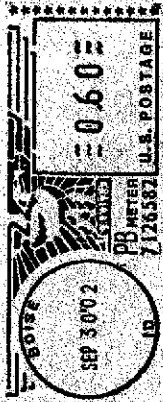
OCT - 2 2002

Department of Water Resources

RECEIVED

OCT 09 2002

WATER RESOURCES
WESTERN REGION



NO SUCH
ADDRESS

DEER CREEK WATER FUND
C/O OLSSON
HC 33 BOX 1112
BOISE ID 83706

63-9900
63-9217

5 matches found



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2002

RE: Water Rights in Reporting Area 13, Basin 63
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 63 for the Boise River drainage basin above Lucky Peak dam. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have until January 31, 2003, in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Boise, Fairfield, Idaho City, and Mountain Home, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

09/24/2002

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

RIGHT NUMBER: 63-9217

NAME AND ADDRESS: DEER CREEK WATER FUND
C/O OLSSON
HC 33 BOX 1112
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
4.80 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-9900 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .06 CFS.

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

PRIORITY DATE: 03/07/1979

POINT OF
DIVERSION: T04N R04E S33 SESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.060 CFS
4.80 AFY

PLACE OF USE: DOMESTIC Within BOISE County
T04N R04E S33 SESW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

DOMESTIC USE IS FOR 8 HOMES WHEN COMBINED WITH 63-9900.

04/16/2002

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

RIGHT NUMBER: 63-9217

NAME AND ADDRESS: DEER CREEK WATER FUND
HC 33 BOX 1112
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS
4.8 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-9900 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .06 CFS.

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

PRIORITY DATE: 03/07/1979

POINT OF DIVERSION:

T04N R04E S33 SESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.060 CFS

4.80 AFY

PLACE OF USE: DOMESTIC Within BOISE County

T04N R04E S33 SESW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

DOMESTIC USE IS FOR 8 HOMES WHEN COMBINED WITH 63-9900.



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

FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

FAX 385-5384

DATE: 4-16-02

TO: MOFFATT THOMAS BARRATT
Rock & FIELDS, CHTD.

FROM: RON HOWERTON

ATTN: PATRICIA M. OLSSON

REF: SRBA CLAIMS 63-9217 & 63-9900

DOCUMENT DESCRIPTION/NOTES: I HAVE modified your 2-CLAIMS
ABOVE WITH A "MODIFIED" REMARK TO CLARIFY THE COMBINED TOTAL
OF HOMES WITH REGARD TO YOUR NOTICE OF ERROR REQUEST...
HOPE THIS "NEW" REMARK IS SATISFACTORY TO YOU. IT
IS SLIGHTLY MODIFIED FROM YOUR REQUEST TO MEET OUR STANDARD
FORMAT FOR THIS TYPE OF USE: THE REMARK BELOW --
"DOMESTIC USE IS FOR 8 HOMES WHEN COMBINED WITH
63-9900 / 63-9217. SEE NEW PRELIMINARY RECOMMENDATIONS
with this FAX, FOR ACTUAL
REMARK...

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT: RON H.

CLAIM NO. 63 - 9217 & 9900

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☐ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☐ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☐ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☐ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☐ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS NOE REQUEST TO "MODIFY REMARK" WITH CLARIFICATION
to domestic use. MODIFIED REMARK AS SHOWN BELOW
FOR EACH CLAIM.

CONDITIONS DOMESTIC USE IS 8 HOMES when combined with 63-9217

Reviewer RON HOUTON Date 4-16-02 63-9900

03/19/98

4-16-02 FAXED COPY(S) BACK TO MUFFATT THOMAS

02/28/2002

NOTICE OF ERROR
REPLY

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

Return this reply form 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 5, 2002

Water right number: 63-9217

DEER CREEK WATER FUND

HC 33 BOX 1112

BOISE ID 83706

Telephone Number: (208)343-2716

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

See Attachment A

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

See Attachment A

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

See Attachment A

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

DATE:

4/5/02

SIGNATURE:

Patricia Molisso

Please print your name:

Patricia Molisso

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

RECEIVED

APR 09 2002

WATER RESOURCES
WESTERN REGION

ATTACHMENT A
SRBA CLAIM NUMBER 63-09900

Deer Creek Water Fund disagrees with the "Explanatory Materials" portion of the preliminary recommendation. The phrase "domestic use is for eight homesites, in conjunction with Right No. 63-9217" should be added to the "Explanatory Materials" section.

That phrase will more accurately reflect the terms of water right numbers 63-9217 and 63-9900 as licensed, and will also more accurately reflect the way in which the land served by the two water rights is subdivided. The quantity element of this right already states that use is combined with water right number 63-09217. The requested explanatory material will further clarify that element.

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

FAX

Return Mailing address:

Return Delivery address:

PO Box 829

Boise ID 83701 0829

101 S Capitol Blvd 10th Fl

Boise ID 83702

Fax: 208 385 5384

Voice: 208 345 2000

Direct: 208 385 5323

5 Pages (including this cover page)

Sent: April 5, 2002

File No.: Office

TO:

Organization: **Idaho Department of Water Resources**

City State: **Boise, ID**

Fax Number: **334-2348**

Voice Number: **334-2190**

RECEIVED

APR 08 2002

**WATER RESOURCES
WESTERN REGION**

FROM:

Patricia M. Olsson

Description: **SRBA Claims 63-09217 and 63-09900**

Comment: **Please see attached Notice of Error Reply with Attachment A for each of the above-referenced claims. The originals are being mailed today to:**

Idaho Department of Water Resources

PO Box 83720

Boise, ID 83707-9815

Attn: SRBA Western.

Thank you.

PLEASE DELIVER IMMEDIATELY

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately notify us by telephone to arrange for return of the original document to us. Thank you.

02/26/2002

RECEIVED

APR 08 2002

WATER RESOURCES
WESTERN REGIONNOTICE OF ERROR
REPLY

Please type or print clearly. Fill out this form completely and mail.

Return this reply form 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 5, 2002

Water right number: 63-9900

DEER CREEK WATER FUND

C/O OLSSON

HC 33 BOX 1112

BOISE ID 83706

Telephone Number: (208)343-2716

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

See Attachment A

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

See Attachment A

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

See Attachment A

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

DATE:

4/5/02

SIGNATURE:

Patricia M. Olson

Please print your name:

Patricia M. Olson

IDWR Regional Office, 2735 Airport Wy. Boise, ID 83705. 2083342190

RECEIVED**APR 08 2002****WATER RESOURCES
WESTERN REGION**

**ATTACHMENT A
SRBA CLAIM NUMBER 63-09900**

Deer Creek Water Fund disagrees with the "Explanatory Materials" portion of the preliminary recommendation. The phrase "domestic use is for eight homesites, in conjunction with Right No. 63-9217" should be added to the "Explanatory Materials" section.

That phrase will more accurately reflect the terms of water right numbers 63-9217 and 63-9900 as licensed, and will also more accurately reflect the way in which the land served by the two water rights is subdivided. The quantity element of this right already states that use is combined with water right number 63-09217. The requested explanatory material will further clarify that element.

02/28/2002

RECEIVED

APR 08 2002

WATER RESOURCES
WESTERN REGIONNOTICE OF ERROR
REPLY

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

Return this reply form 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 5, 2002

Water right number: 63-9217

DEER CREEK WATER FUND

HC 33 BOX 1112

BOISE ID 83706

Telephone Number: (208)343-2716

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

See Attachment A

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

See Attachment A

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

See Attachment A

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

DATE:

4/5/02

SIGNATURE:

John M. Olson

Please print your name:

John M. Olson

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

RECEIVED

ATTACHMENT A
SRBA CLAIM NUMBER 63-09217

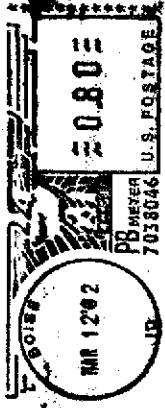
APR 08 2002**WATER RESOURCES
WESTERN REGION**

Deer Creek Water Fund disagrees with the "Explanatory Materials" portion of the preliminary recommendation. The phrase "domestic use is for six homes" should be changed to read "domestic use is for eight homesites, in conjunction with Right No. 63-9900."

That phrase will more accurately reflect the terms of water right numbers 63-9217 and 63-9900 as licensed, and will also more accurately reflect the way in which the land served by the two water rights is subdivided. The quantity element of this right already states that use is combined with water right number 63-09900. The requested explanatory material will further clarify that element.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

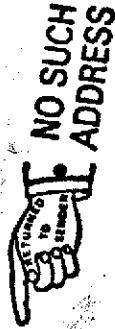


RECEIVED

MAR 14 2002

WATER RESOURCES
WESTERN REGION

DEER CREEK WATER FUND
C/O OLSSON
IDAHO CITY STAGE
BOISE ID 83702



c/o Carl Olsson
15 Canyon Trail
Boise 83716

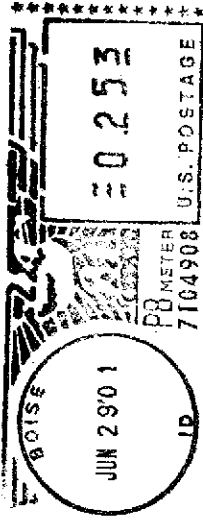
63-9217
9900

Sent again 3/15/02

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

PRIORITY
FIRST CLASS



RECEIVED

JUL 03 2001

WATER RESOURCES
WESTERN REGION

DEER CREEK WATER FUND
C/O OLSSON
HC 33 BOX 1112
BOISE, ID 83706

Carl E. Patricia

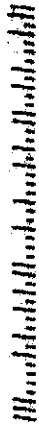
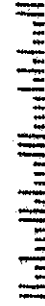


NO SUCH
ADDRESS

63-9217

Boise City } 15 Canyon Trail
Assessor } Boise 83716

63-9217-5082



06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-9217

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEER CREEK WATER FUND HC 33 BOX 1112 BOISE, ID 83706 (208)343-2716
Original Owner	EDWARD W JENKINS JR
Original Owner	EDWARD W JENKINS SR , ID
Original Owner	EDWARD W JENKINS SR
Original Owner	WILLIAM H JENKINS PO BOX 2512 BOISE, ID 83701

Priority Date: 03/07/1979
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>		<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	<i>6 Homes</i>	1/01	12/31	0.06 CFS	4.8 AFA	
Total Diversion				0.06 CFS	4.8 AFA	

Location of Point(s) of Diversion:

GROUND WATER SESW Sec. 33 Township 04N Range 04E BOISE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	33		SESW							

Dates:

Licensed Date: 04/12/1982
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

C18 + N11 + N13

Other Information:

Receipt Number(s): W002906
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:

*EOI w. 9900 @ .06.**Recommended as licensed.*

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-9217

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDWARD W JENKINS JR , ID
Current Owner	EDWARD W JENKINS SR
Current Owner	DEER CREEK WATER FUND
Current Owner	WILLIAM H JENKINS
	PO BOX 2512
	BOISE, ID 83701
Original Owner	EDWARD W JENKINS JR
Original Owner	EDWARD W JENKINS SR
Priority Date:	03/07/1979
Basis:	License
Status:	Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.06 CFS	4.8 AFA	
Total Diversion			0.06 CFS	4.8 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 33	Township 04N	Range 04E	BOISE County
--------------	------	---------	--------------	-----------	--------------

Place(s) of use:

Place of Use Legal Description: DOMESTIC	BOISE County
--	--------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	33		SESW										

Dates:

Licensed Date:	04/12/1982
Decreed Date:	
Permit Proof Due Date:	4/1/84
Permit Proof Made Date:	1/1/1900
Permit Approved Date:	4/9/79
Permit Moratorium Expiration Date:	
Enlargement Use Priority Date:	
Enlargement Statute Priority Date:	
Application Received Date:	
Protest Deadline Date:	
Number of Protests:	0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9217 Priority March 7, 1979 Amount .06 cfs

THIS IS TO CERTIFY, that EDWARD W. JENKINS SR. &/or EDWARD W. JENKINS JR. &/or
WILLIAM H. JENKINS DEER CREEK WATER FUND
of Boise, Idaho, has complied with the terms and conditions of Permit

No. 63-9217 issued pursuant to Application for Permit dated March 7, 1979,

and has submitted proof to the Department of Water Resources on November 25, 1980,

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of .06 cfs of water from a groundwater source,

tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(6 units)</u>	from <u>January 1</u> to <u>December 31</u> at	<u>.06</u> cfs and	<u>4.8 acre feet</u>
	from _____ to _____ at _____ cfs and		
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than .06 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

4.8 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 4N,
Rge. 4E, B.M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	4E	33																	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
June, 19 81.

Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Jenkins, Edward W.
RD: 3030, S. 33
T 4N, R. 4E
domestic - 6 homes.

63-9217
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	1/20/81	rel	no app. made
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 29 APR 1981 Accompanied by phone call of neighbor Total Q measured .06 CFS
If source is surface water, estimate total flow of source
Methods of measurement CALCULATION Meets Permit requirements? YES

Measurement calculations: 1.5HP
$$\frac{1.5 \times .8 \times 8.8}{140 \times 29.43} = .06 \text{ CFS}$$

4 units x 1.2 = 4.8 AF

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1.5	TACUZZE		submersible				

System Description well pump to 4 houses

*Code with map on reverse side. Disregard code if only one.

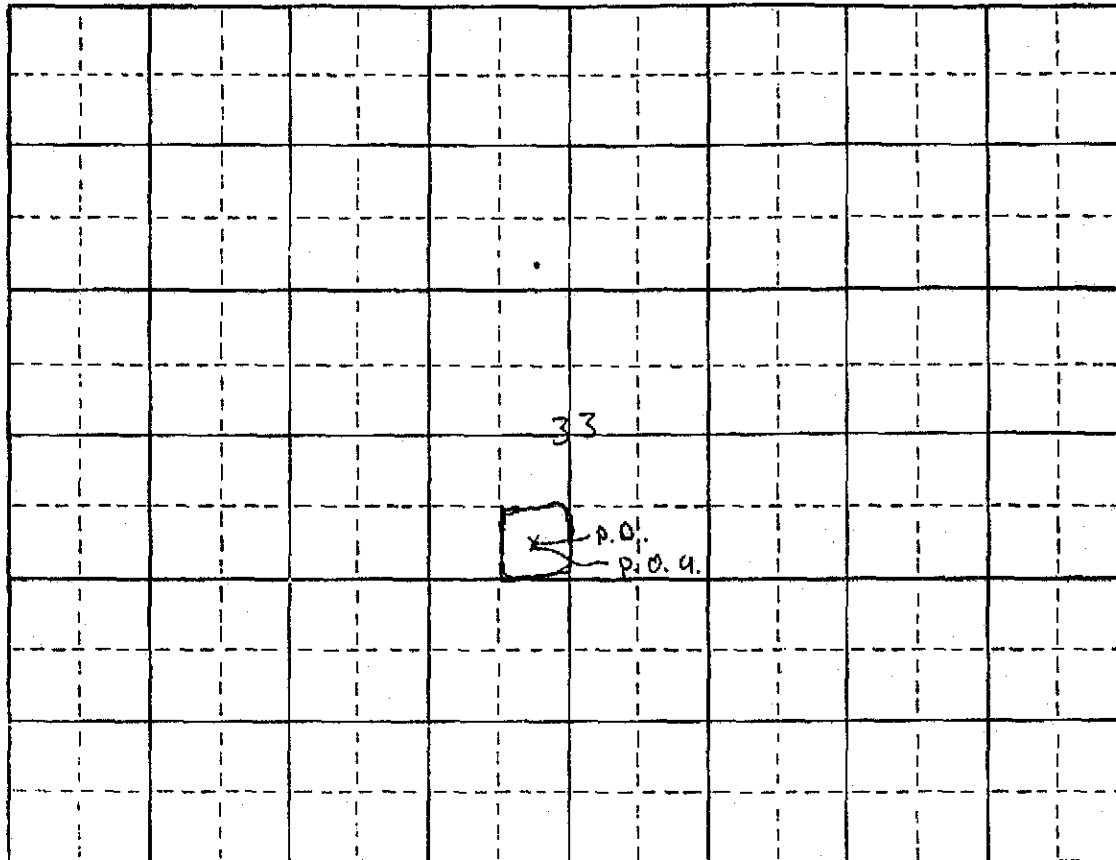
RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (af/yr)	FROM	TO
<u>Domestic</u>	<u>.06</u> ✓	<u>4.8</u> ✓	<u>1/1</u>	<u>12/31</u>

Remarks 4 Houses on the site. One owner stated that there was not enough water for everyone to water lawns at the same time. Also, sometimes not much water available if all houses occupied.

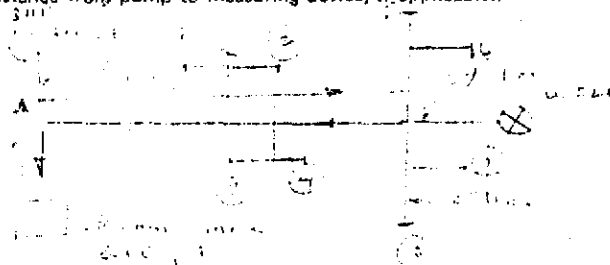
Called Mr Jenkins on 11 May. Found the following:
well 200' deep, 6" casing, static water 140', pump @ 172, 1.5HP TACUZZE

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE SW 33 AN 1E

Place(s) of Use

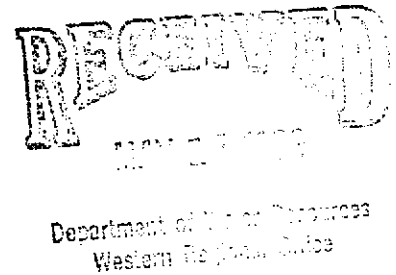
TRP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
AN	4E	33												X					

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature: Carl E. M... Date: 11 MAY 1981
 Checked by: DBS Date: 5/27/81
 Approved by: [Signature] Date: 6/4/81

PATRICIA M. OLSSON
HC 33, Box 1112
BOISE, ID 83706



May 17, 1989

Ms. Linda A. Werner
Senior Water Resource Agent
Idaho Dept. of Water Resources
2337 Airport Way
Boise, Idaho 83705

Dear Linda:

Enclosed please find two Notices of Claim to a Water Right which I have prepared in my capacity as Secretary of the Deer Creek Water Fund. One claim refers to a water right under license number 63-09217; the other right to license number 63-09900. The Deer Creek Water Fund is a homeowner's association claiming on behalf of the homeowners served by the wells.

I also enclose a check in the amount of \$100.00, representing a filing fee of \$50.00 for each of the claims.

Please feel free to contact me should there be any problem with the notices I have prepared. I can be reached most easily at work at 345-2000.

Thank you again for all your assistance with regard to preparation of these notices.

Very truly yours,

A handwritten signature in cursive script that reads "Patricia M. Olsson".

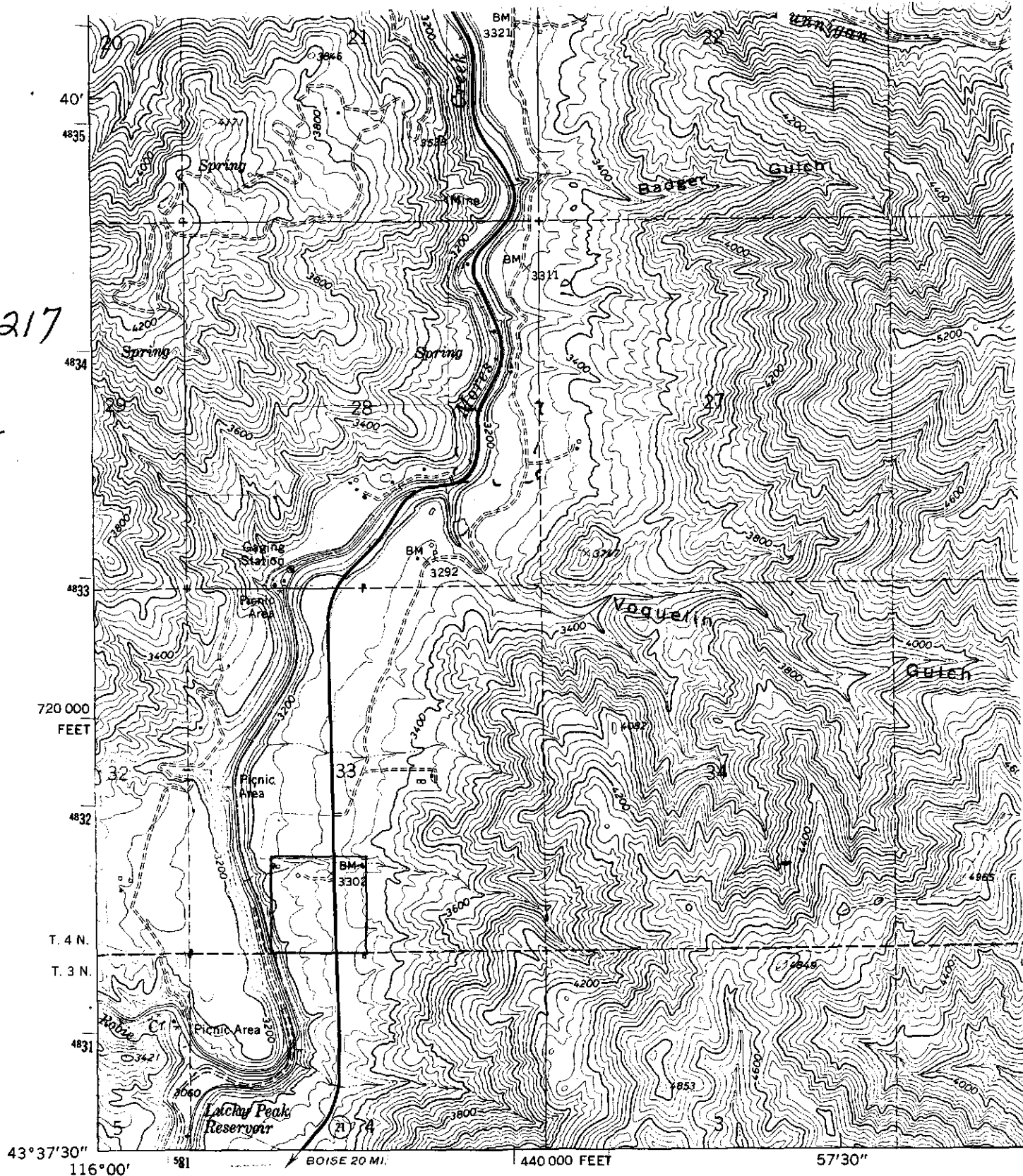
Patricia M. Olsson

PMO:jl
cc: Jenkins
O'Connor
Ardinger

MICROFILMED
JUL 25 1994

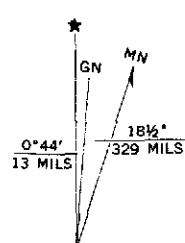
A63-09217

4N, 4E



BOISE 1:62 500
2771 II

Mapped by the U. S. Forest Service
 Edited and published by the Geological Survey
 Control by the USGS, USC&GS, and USFS
 Topography by photogrammetric methods from aerial
 photographs taken 1963. Field checked by USGS 1969
 Underwater contours by USCE
 Polyconic projection. 1927 North American datum
 10,000-foot grid based on Idaho coordinate system,
 west zone
 1000-meter Universal Transverse Mercator grid ticks,
 zone 11, shown in blue
 Fine red dashed lines indicate selected fence lines

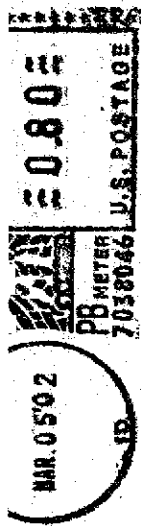


UTM GRID AND 1969 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

THIS M.
 FOR SALE BY U. S. GEOLOGICAL SURVEY
 A FOLDER DESCRIBES THE CONTENTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

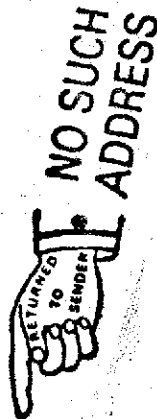
ADDRESS SERVICE
REQUESTED



RECEIVED

MAR 11 2002

WATER RESOURCES
WESTERN REGION



DEER CREEK WATER FUND
C/O OLSSON
HC 33 BOX 1112
BOISE ID 83706

63-9217
63-9900

Idaho City Stage
Boise 83702

Resent

3-12-02