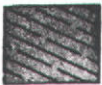


IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



Private groundwater diversions



Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



Nampa - Meridian Irrigation District (Boise River diversion)



New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED
AUG 14 1992

EXHIBIT

B

Shimberg No. 5119

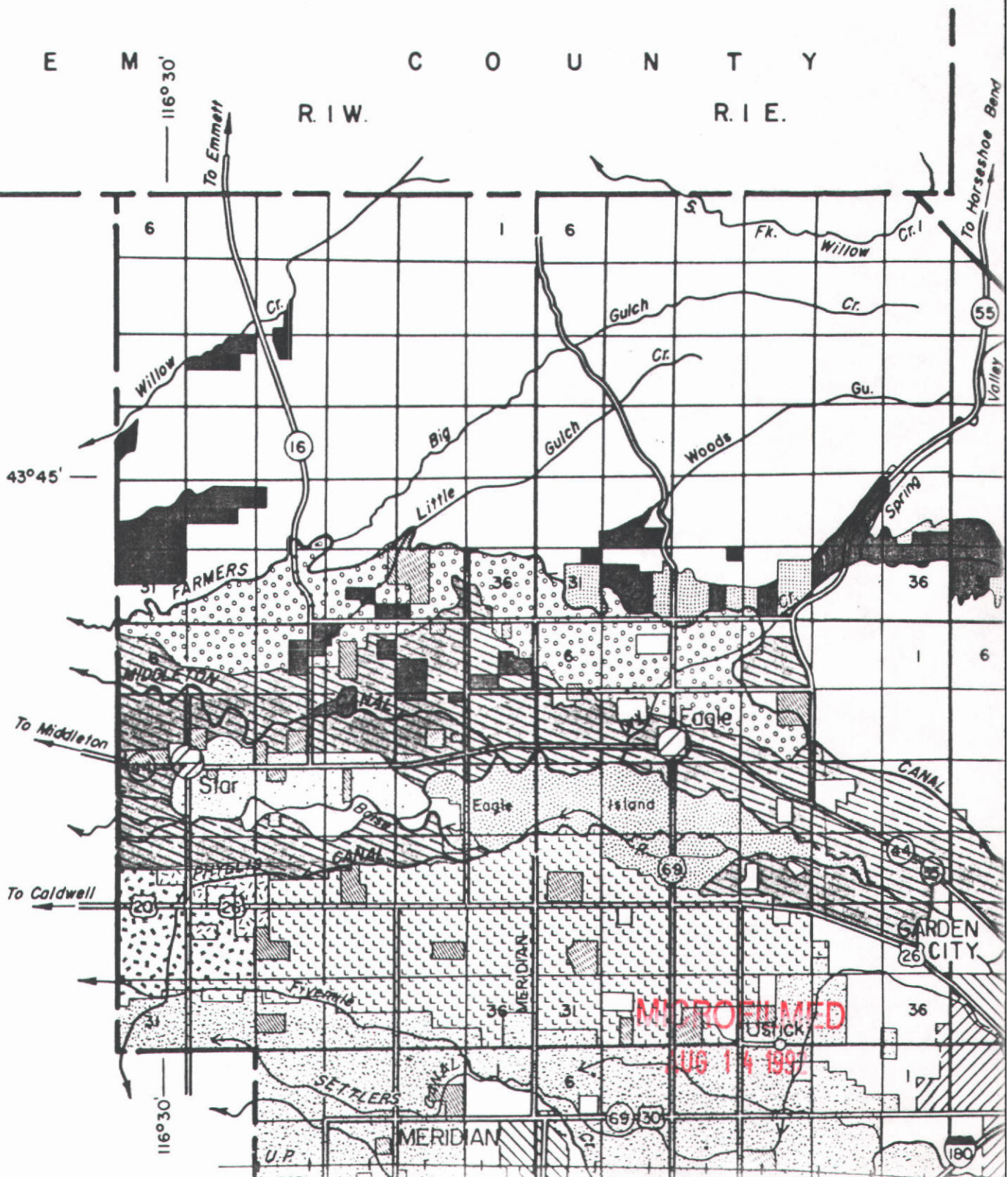


G E M C O U N T Y

R. I. W.

R. I. E.

Y
T
N
U
O
C



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No.

63--161AJ

Prepared by:

Jan Shurte

Date: 4-30-05

4N 1W Sec 36

SENE

1987 Photography



Place of Use



Section Lines



1/41/4



Pt of Diversion



1320 Feet

0

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: A63-00161AJ
Date Received: 5/08/1990
Receipt No: C011305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAY WHITE
Address: 4015 N. MERIDIAN ROAD
MERIDIAN, ID 83642

2. Date of Priority: MAY 01, 1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	NW	NW			ADA

5. Description of diverting works:
CONCRETE DIVERSION DAM AND EARTHEN LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	36	SE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

63-230. 63-231, 63-5262, 63-3618, 63-03614

14. Remarks:

TRANS. 906.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.
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 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: _____

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

9-08-89001305NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Fay White Phone () _____Mailing Address 4015 N. Meridian Rd., Meridian, ID Zip 836422. Date of Priority (Only one (1) per claim) May 1, 18663. Source of water supply (a) Boise River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

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. Reinforced concrete diversion dam
in river to earthen canal, to earthen lateral ditch system.

MICROFILMED

AUG 14 199

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 irrigation purposes from 3/15 to 11/15 amount .1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	1W	36				40													40

Total number of acres irrigated 40

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

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.
Water Right Nos. 63-0230 and 63-0231, 63-05262, 63-03618, and 63-03614 or None ()

14. Remarks: A power of attorney (Exhibit A) provides written authorization for the Chairman of Settlers Irrigation District to file this claim.
This water right is evidenced by transfer no. 906 (Exhibit C)

MICROFILMED

AUG 14 1993

Last Name White Ident No. _____

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.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-0161
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 3

For Individuals: I 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 Chairman Title
of Settlers Irrigation District Organization, that I have signed the foregoing
document in the space below as Chairman Title of Settlers Irrigation District Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Don Smitcher
Title and Organization President / Chairman Date 9/5/89

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Sept 19 89

SEAL

Notary Public Zoe Ann M. Biscardi

Residing at Meridian, ID

My Commission Expires 8-1-93

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 _____

MICROFILMED
AUG 14 1995

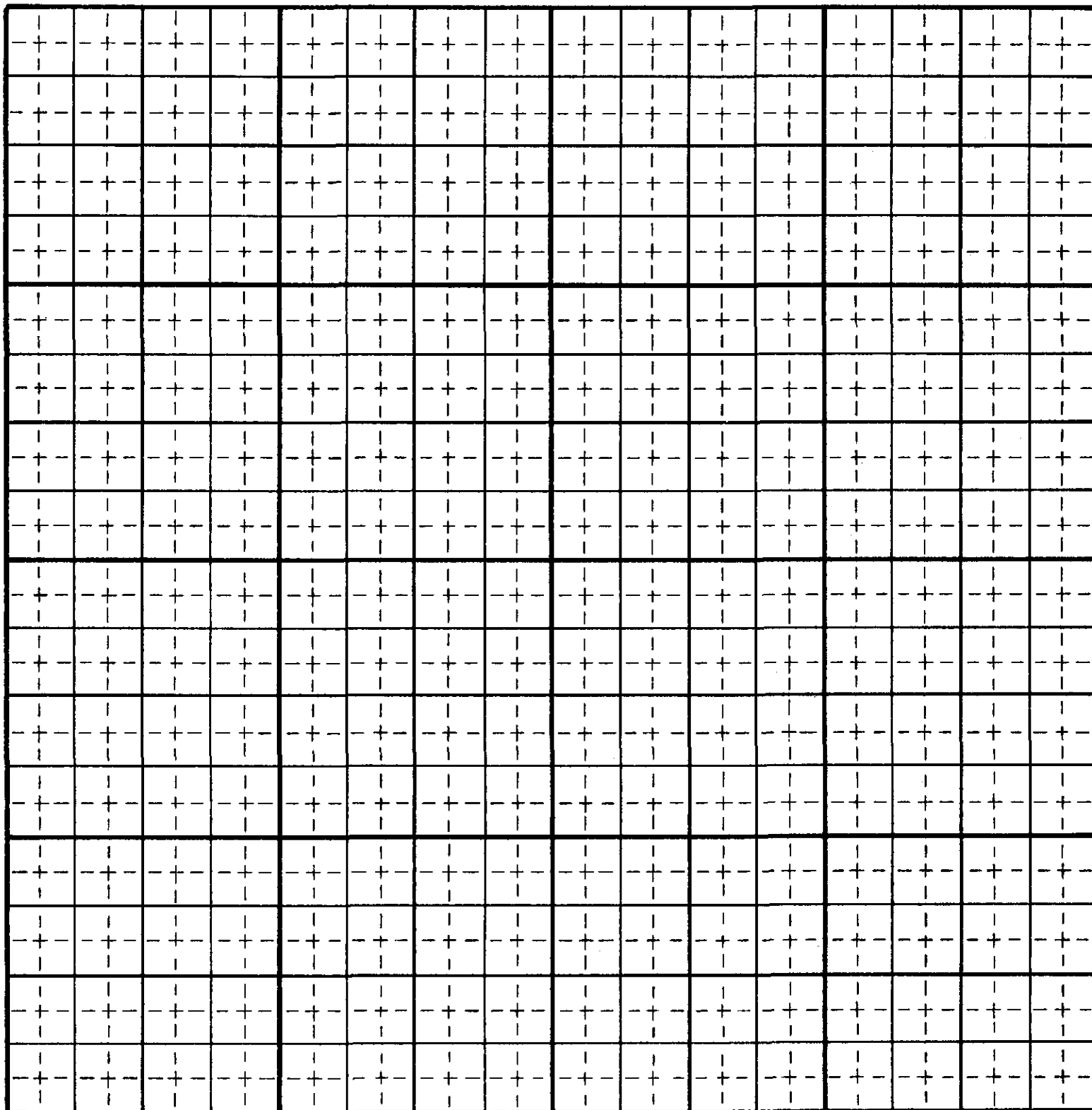
Last Name White Ident. Number _____

Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

See Exhibit B



MICROFILMED

AUG 14 1997

Last Name White Ident No. _____

Copies: White-State, Yellow-Claimant

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

Date 8/3/89

Jay M. White
Signature
Jay M. White
(Please print full name)

Date 8/3/89

Wanda White
Signature
Wanda White
(Please print full name)

MICROFILMED
AUG 14 1989

EXHIBIT A

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



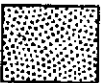
Private groundwater diversions



Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



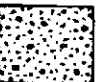
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



Nampa - Meridian Irrigation District (Boise River diversion)



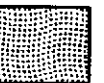
New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED
AUG 14 1985

EXHIBIT

B

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 906

THIS IS TO CERTIFY, That Consumers' Water Corporation, of Boise, Idaho, is the owner of and using a certain water right for 2400 inches, or 50 cubic feet per second, of the waters of Boise River, with priority of May 1, 1866, decreed to Joseph Perrault and Richard Z. Johnson, by Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS' CO-OPERATIVE DITCH COMPANY,
A Corporation,

Plaintiff,

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,
A Corporation, et al.,

Defendants,

said decree bearing date of January 18, 1906 and being appurtenant to the following described lands, to-wit:

Town lots and agricultural lands lying under what is known as the Walling Ditch or Boise Valley Water Ditch, or Consumers' Canal, in Sections 11, 12, 13 and 14, Township 3 North, Range 2 East, B. M., and Sections 28, 29, 32, 33 and 34, Township 4 North, Range 2 East, B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at Page 410 thereof.

That the said Consumers' Water Corporation has become the owner of said water right through mesne conveyance.

And that now, upon the application of the Consumers' Water Corporation, through Frank Neitsel, President, of Boise, Idaho, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 0.10 cubic feet per second or 5 miners inches of the waters of Boise River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this certificate, for irrigation and domestic purposes, and described as follows, to-wit:

The R. W. White Tract described as the SE 1/4 of Section 36, Township 4 North, Range 1 West, B. M.

EXHIBIT C

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

0.10 cubic feet per second or 5 miners inches,
with priority of May 1, 1866.

That the water right hereby transferred has heretofore been conducted to the first above described lands through what is known as the Walling Ditch, or Consumers' Canal, with point of diversion in Section 24, Township 3 North, Range 2 East, B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Settlers' Canal, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, Township 3 North, Range 2 East, B. M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 3rd day of April, A. D., 1958.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Water Right Number - 63-00161AJ

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - - - - - - +

*** C - CURRENT OWNER ***
CONSUMERS WATER CORP.1 -
2 -
3 -
City-
Phone -

State- Zip-

*** O - ORIGINAL OWNER ***
PERRAULT

JOSEPH

1 -
2 -
3 -
City-
Phone -

State- Zip-

JOHNSON

RICHARD Z.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + - - - Status - - - +
05/01/1866 D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - - - - - - +
BOISE RIVER SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 02E 9 NW NW (1) ADA

+ - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.100

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.100+ - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04N 01W 36 SE NE 01 IRRIGATION (1) ADA

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED

AUG 14 1990

Water right number - 63-00161AJ Adj. flag translation: Standard Water Right Number

TRANS. 906.

Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

Conditions of Approval - - - - -
No Conditions of Approval found.

Decree Plaintiff - - - - -
FARMERS CO-OP DITCH CO.
+ - - - - Decree Defendant - - - - -
RIVERSIDE IRR. DIST.

+ - Decree Date - +
01/18/1906

Audit Fields - 06/18/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

| | | | | | |
|------------------|--------------|------------------|--------------|-----------------------|------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 06/18/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 63 |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - P |
| Decree Date | - 01/18/1906 | Presumption Flag | - | Microfilm Roll Number | - |

MICROFILMED
AUG 14 1990

MEMORANDUM

June 22, 1995

TO: SRBA Claims Submitted by Settler's Irrigation District

FROM: KAY WALKER *Kay*

RE: Correspondence prior to June 22, 1995

See File A63-00230F for all correspondence concerning
Settler's claims and claims they submitted for private individuals.

*RECEIVED
SEP 17 1996*

OK DBS
11/10/05

11/02/2005

RECEIVED

NOV 14 2005

WATER RESOURCES
WESTERN REGION

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: November 18, 2005

Water right number: 63-161AJ

FAY M WHITE
4015 N MERIDIAN RD
MERIDIAN ID 83642

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

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

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

I agree

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

DATE: 11/10/05 SIGNATURE: Fay M White

Please print your name: Fay M. White

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

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

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

THIS RIGHT IS DELIVERED VIA THE SETTLERS IRRIGATION DISTRICT
CANAL.

This right is also designated as Right No. 30 in the Boise River Stewart
Decree and Boise River Water Distribution Report.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AJ V1

WATER RIGHT NUMBER: 63-161AJ V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Original Owner | RICHARD Z JOHNSON |
| | BOISE, ID |
| Original Owner | CONSUMERS WATER CORP |
| | BOISE, ID |
| Current Owner | FAY M WHITE |
| | 4015 N MERIDIAN RD |
| | MERIDIAN, ID 83642 |
| Original Owner | JOSEPH PERRAULT |
| | BOISE, ID |

Priority Date: 05/01/1866

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BOISE RIVER | SNAKE RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 03/01 to 11/15 | 0.100 CFS | |
| | <u>Total Diversion:</u> | 0.100 CFS | |

Location of Point(s) of Diversion

| | | |
|-------------|-----------------|--------------------------------|
| BOISE RIVER | L7 (SW1/4NE1/4) | Sec. 9, Twp 03N, Rge 02E, B.M. |
| ADA County | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|------|----|----|----|--------|
| 04N | 01W | 36 | 37.0 | | | | 37.0 |

Total Acres: 37

Conditions of Approval:

- E52 The rights listed below are limited to a total combined diversion rate of 1.42 cfs.
Combined Right Nos.: 63-200H & 63-8695
- C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AJ V1

3. S45 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, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-120H & 63-8695
5. E55 Use of this right with Right No. 63-120H is limited to the irrigation of a combined total of 37 acres in a single irrigation season.
6. THIS RIGHT IS DELIVERED VIA THE SETTLERS IRRIGATION DISTRICT CANAL.
7. This right is also designated as Right No. 30 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 63
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 1.42 | | 71 |

Combined Water Rights: 63-8695 , 63-120H , 63-161AJ

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 1.42 | | 71 |

Combined Water Rights: 63-8695 , 63-120H , 63-161AJ

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AJ V1

| | | | |
|---------------|----------------------|--------------------|--------|
| Contacts | 1/25/2005 4:31:26 PM | jshurte | Active |
| Priority Date | 1/25/2005 4:34:33 PM | jshurte | Active |
| POD | 1/25/2005 4:42:20 PM | jshurte | Active |
| POU | 1/25/2005 4:42:22 PM | jshurte | Active |
| Source | 1/25/2005 4:42:26 PM | jshurte | Active |
| Season | 1/25/2005 4:42:27 PM | jshurte | Active |
| Use | 1/25/2005 4:42:27 PM | jshurte | Active |
| Quantity | 1/25/2005 4:42:28 PM | jshurte | Active |
| Contacts | 1/28/2005 3:28:48 PM | jshurte | Active |
| Priority Date | 1/28/2005 3:29:52 PM | jshurte | Active |
| POD | 1/28/2005 3:31:16 PM | jshurte | Active |
| Source | 1/28/2005 3:32:43 PM | jshurte | Active |
| POU | 1/28/2005 3:37:59 PM | jshurte | Active |
| Use | 1/28/2005 3:38:37 PM | jshurte | Active |
| Season | 1/28/2005 3:39:58 PM | jshurte | Active |
| Quantity | 1/28/2005 3:41:42 PM | jshurte | Active |
| Summary | | 01/28/2005 jshurte | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|--|
| Source | 1/28/2005 3:32:43 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(Yes) 5. Can the claimed source be verified using the water right file?
(No) 11. Is a Source remark and/or condition required? |
| Contacts | 1/28/2005 3:28:48 PM | jshurte | (No) 1. Do you want to schedule an appointment?

Comment for 1: In-office review |
| Priority Date | 1/28/2005 3:29:52 PM | jshurte | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?
(Yes) 4. Is the basis of claim decree or license?
(Yes) 5. Does the decree or license have a Priority Date?
(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
(Yes) 15. Is the basis of claim coded correctly?
(No) 16. Is a Priority Date remark and/or condition required? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AJ V1

| | | | |
|----------|----------------------|---------|---|
| POD | 1/28/2005 3:31:17 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 4. Does the Decree or License have a POD?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> |
| POU | 1/28/2005 3:34:49 PM | jshurte | Edited shape boundary |
| POU | 1/28/2005 3:37:59 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(Yes) 14. Is a POU remark and/or condition required?</p> |
| Use | 1/28/2005 3:38:37 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> |
| Quantity | 1/28/2005 3:41:43 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(No) 8. Does the parent right have an annual diversion volume limit?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> |
| Summary | 1/28/2005 3:48:31 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(Yes) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AJ V1

| | | | |
|---------------|----------------------|---------|---|
| Season | 1/28/2005 3:39:58 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License?
(No) 4. Does the Decree or License have a Period of Use?
(No) 6. Is there evidence that there has been a change in the Period of Use?
(No) 12. Does the file contain all the necessary information to verify the Period of Use?
(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?
(Yes) 15. Is irrigation claimed as a Purpose of Use?
(Yes) 18. Is a Period of Use remark and/or condition required? |
| Contacts | 1/25/2005 4:31:27 PM | jshurte | (No) 1. Do you want to schedule an appointment?

Comment for 1: Desk Review |
| POU | 1/25/2005 4:42:23 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file? |
| Use | 1/25/2005 4:42:28 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Quantity | 1/25/2005 4:42:29 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Priority Date | 1/25/2005 4:34:34 PM | jshurte | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?
(Yes) 4. Is the basis of claim decree or license?
(Yes) 5. Does the decree or license have a Priority Date?
(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
(Yes) 15. Is the basis of claim coded correctly?
(No) 16. Is a Priority Date remark and/or condition required? |
| POD | 1/25/2005 4:38:16 PM | jshurte | Edited point location |
| POD | 1/25/2005 4:42:21 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a POD?
(Yes) 5. Can the claimed POD be verified using the water right file?
(Yes) 10. Is a POD remark and/or condition required? |
| Source | 1/25/2005 4:42:27 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(Yes) 5. Can the claimed source be verified using the water right file? |
| Season | 1/25/2005 4:42:28 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License? |

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-161AJ V1

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

**Water Right No.
63--161AJ**

***Prepared by:
Jan Shurte
Date: 4-30-05***

**4N 1W Sec 36
SENE**

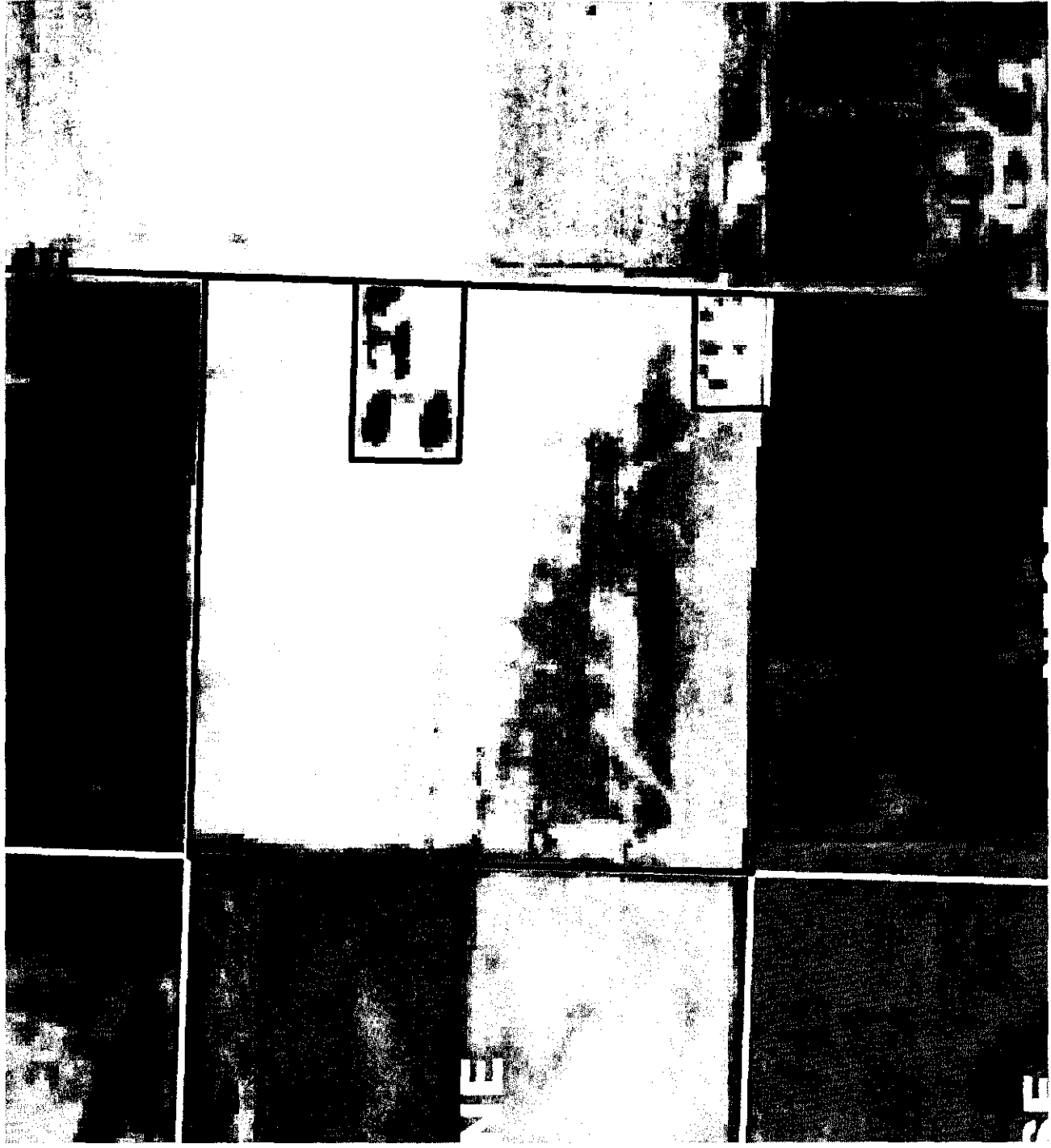
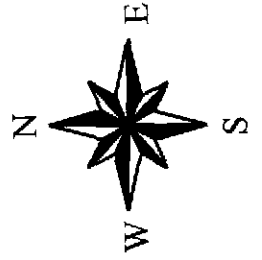
1987 Photography

 **Place of Use**

 **Section Lines**

1/41/4

⊙ Pt of Diversion



0 1320 Feet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 03-161AT

1. No Change NAME IS SAME ☒
NEW OWNER: _____
No Change ADDRESS ☒
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted *Decreed*
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 5-1-1866 - per Boise River
(If the priority date, based on your exam, seems questionable, explain below.)

decree, RE # 30

3. No Change — SAME SOURCE ☒
Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION *Changed to Settler's POD*
Point of diversion is different than the claim and/or new P/D's:

Township 3N Range 2E Section 9 1/4 SW 1/4 NE 1/4 LOT 7
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

Settler's Canal per agreement w/ Settler's
See file for details - Claim had
power of attorney + Settler submitted.
See 63-230 for further info.

6. No Change - WATER USES ✓
Different uses, (list uses found):

| | | | | | |
|-----------|------------|----------|--------------|-----------|-----------|
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |
| Use _____ | From _____ | To _____ | Amount _____ | CFS _____ | AFA _____ |

7. No Change - TOTAL VOLUME *N/A*
Incomplete on claim, the total is, Amount _____ CFS _____ AFA
Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES: ✓
Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____
Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.) ✓

| | | | | | |
|------------|----------------|-------------|---------------|-----------|-----------|
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |
| Use: _____ | Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ |

Remarks: (Comments pertinent to field examination) See additional attachment

SYSTEM DIAGRAM INCLUDED NA
Shown on GIS Layout

CK IF IN OFFICE EXAM ✓
DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

JAN SHULTE
Print Name
JAN SHULTE
Signature

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-161AJ

WATER RIGHT NUMBER: 63-161AJ

Owner Type Name and Address
Original Owner RICHARD Z JOHNSON

BOISE, ID
Current Owner CONSUMERS WATER CORP

BOISE, ID
Original Owner JOSEPH PERRAULT

BOISE, ID

Priority Date: 05/01/1866
Basis: Decreed
Status: Active

Source
BOISE RIVER

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

From To
4 to 1

Diversion Rate
0.100 CFS

Annual Volume

Total Diversion: 0.100 CFS

Location of Point(s) of Diversion
BOISE RIVER
ADA County

NW1/4NW1/4

Sec. 9, Twp 03N, Rge 02E, B.M.

Place of Use
IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 04N | 01W | 36 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | X | | | | | | | | | | | | | |

Conditions of Approval:

Remarks:

1. General TRANS. 906.

*add
stepdown
- Uncertain right -
Need documentation
from water users to
remove stepdown
remark per
DRT.*

*Recommended
map 08
3-1 to 11-15
Remark
545 for
BOR 4-1 to
10-31*

Change to Settlers

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-161AJ

Comments:

Water Supply Bank:

add
COP.
Rt # 30 +
Used via Little's Spring
Dist. Canal per
agreement.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

WATER RIGHT NUMBER: 63-120H V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Representative | SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE, ID 83707
(208)344-2471 |
| Original Owner | THOMAS DAVIS
4555 WEST GREEN
KUNA, ID 83634 |
| Original Owner | BOISE TRUST CO

, ID |
| Current Owner | FAY M WHITE
4015 N MERIDIAN RD
MERIDIAN, ID 83642 |

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BOISE RIVER | SNAKE RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 03/01 to 11/15 | 0.200 CFS | |
| | <u>Total Diversion:</u> | 0.200 CFS | |

Location of Point(s) of Diversion

| | | | | |
|-------------|-----------------|---------|----------|---------------|
| BOISE RIVER | L7 (SW1/4NE1/4) | Sec. 9, | Twp 03N, | Rge 02E, B.M. |
| ADA County | | | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 04N | 01W | 36 | | | | 37.0 | | | | | | | | | | | | | 37.0 |

Total Acres: 37

Conditions of Approval:

1. This right is also designated as Right No. 1 in the Boise River Stewart Decree and Boise River Water Distribution Report.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.42 CFS. COMBINED RIGHT NOS.: 63-161AJ and 63-8695.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-161AJ & 63-8695
5. E55 Use of this right with Right No. 63-161AJ is limited to the irrigation of a combined total of 37 acres in a single irrigation season.
6. F01 WATER IS DELIVERED THROUGH THE SETTLERS IRRIGATION DISTRICT SYSTEM.
7. S45 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, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. C18 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.

Remarks:Comments:

1. jshurte 1/27/2005 Delivery thru Settlers

Comment: There is an agreement in the file that allows this water right to be privately filed and delivered through Settlers Irrigation District. This agreement is signed by Settlers. There is also a correction to a previous transfer limiting the cfs amount on this right to .20 cfs. The other .20 cfs previously recorded on this right was to Nampa Meridian Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-120H V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|---|---------------|--------------|
| 1.42 | | 71 |
| Combined Water Rights: 63-8695 , 63-120H , 63-161AJ | | |

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|---|---------------|--------------|
| 1.42 | | 71 |
| Combined Water Rights: 63-8695 , 63-120H , 63-161AJ | | |

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts | 1/11/2005 11:13:39 AM | jshurte | | | Active |
| Priority Date | 1/11/2005 11:14:32 AM | jshurte | | | Active |
| Source | 1/11/2005 12:17:58 PM | jshurte | | | Active |
| POU | 1/11/2005 12:22:52 PM | jshurte | | | Active |
| Summary | | | 01/11/2005 | jshurte | Active |
| Summary | | | 01/11/2005 | jshurte | Active |
| POD | 1/11/2005 12:32:29 PM | jshurte | | | Active |
| Use | 1/11/2005 12:32:30 PM | jshurte | | | Active |
| Season | 1/11/2005 12:32:33 PM | jshurte | | | Active |
| Quantity | 1/11/2005 12:32:34 PM | jshurte | | | Active |
| Summary | | | 01/27/2005 | jshurte | Active |
| Summary | | | 01/27/2005 | jshurte | Active |
| Priority Date | 1/28/2005 3:49:32 PM | jshurte | | | Active |
| POU | 1/28/2005 3:50:00 PM | jshurte | | | Active |
| Summary | | | 01/28/2005 | jshurte | Active |
| POD | 1/28/2005 3:54:26 PM | jshurte | | | Active |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

| | | | |
|----------|----------------------|--------------------|--------|
| Source | 1/28/2005 3:54:28 PM | jshurte | Active |
| Use | 1/28/2005 3:54:29 PM | jshurte | Active |
| Season | 1/28/2005 3:54:30 PM | jshurte | Active |
| Quantity | 1/28/2005 3:54:31 PM | jshurte | Active |
| Summary | | 03/29/2005 jshurte | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|--|
| Contacts | 1/11/2005 11:13:40 AM | jshurte | (No) 1. Do you want to schedule an appointment?

Comment for 1: In office review |
| POU | 1/11/2005 12:22:53 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file?
(No) 14. Is a POU remark and/or condition required? |
| Quantity | 1/11/2005 12:32:35 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Summary | 1/27/2005 11:39:24 AM | jshurte | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(Yes) 5. Does this right have any combined use limits with other rights? |
| POU | 1/27/2005 12:37:39 PM | jshurte | Edited shape boundary |
| Summary | 1/27/2005 12:52:54 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(Yes) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

| | | | |
|---------------|----------------------|---------|---|
| POU | 1/28/2005 3:50:01 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file?
(Yes) 14. Is a POU remark and/or condition required? |
| Priority Date | 1/28/2005 3:49:32 PM | jshurte | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?
(Yes) 4. Is the basis of claim decree or license?
(Yes) 5. Does the decree or license have a Priority Date?
(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
(Yes) 15. Is the basis of claim coded correctly?
(No) 16. Is a Priority Date remark and/or condition required? |
| POD | 1/28/2005 3:54:27 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Use | 1/28/2005 3:54:29 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Quantity | 1/28/2005 3:54:31 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Summary | 1/28/2005 3:53:46 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(Yes) 5. Does this right have any combined use limits with other rights?
(No) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date? |
| Source | 1/28/2005 3:54:28 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License? |
| Season | 1/28/2005 3:54:30 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

| | | | |
|---------------|-----------------------|---------|--|
| Summary | 3/29/2005 11:24:18 AM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(Yes) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(Yes) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| POD | 1/11/2005 12:17:14 PM | jshurte | Edited point location |
| Source | 1/11/2005 12:17:59 PM | jshurte | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> |
| POD | 1/11/2005 12:32:30 PM | jshurte | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(No) 5. Can the claimed POD be verified using the water right file?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> |
| Use | 1/11/2005 12:32:31 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree or License? |
| Priority Date | 1/11/2005 11:14:33 AM | jshurte | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |
| Season | 1/11/2005 12:32:33 PM | jshurte | (Yes) 1. Is the basis of claim Decree or License? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-120H V1

| | | | |
|---------|-----------------------|---------|---|
| Summary | 1/11/2005 12:29:26 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right? |
| Summary | 1/11/2005 12:29:43 PM | jshurte | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8695 V1

WATER RIGHT NUMBER: 63-8695 V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Current Owner | WANDA WHITE
4015 N MERIDIAN RD
MERIDIAN, ID 83642 |
| Current Owner | FAY M WHITE
4015 N MERIDIAN RD
MERIDIAN, ID 83642 |

Priority Date: 04/18/1977

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER | |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 03/15 to 11/15 | 1.340 CFS | 319.50 AF |
| | <u>Total Diversion:</u> | 1.340 CFS | 319.50 AF |

Location of Point(s) of Diversion

| | | |
|--------------|------------|---------------------------------|
| GROUND WATER | SE1/4NE1/4 | Sec. 36, Twp 04N, Rge 01W, B.M. |
| ADA County | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|------|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 04N | 01E | 31 | | | | | | | 15.0 | 19.0 | | | | | | | | | 34.0 |
| | | | | | | | | | L 2 | | | | | | | | | | |
| 04N | 01W | 36 | | | | 37.0 | | | | | | | | | | | | | 37.0 |

Total Acres: 71

Conditions of Approval:

1. W54 Use of this right is combined with water from Settlers Irrigation District.
2. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.42 CFS. COMBINED RIGHT NOS.: 63-120H & 63-161AJ.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8695 V1

4. C18 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.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-120H & 63-161AJ.

Remarks:Comments:

1. kbrown 10/17/2003 Accomplished Transfer

Comment: There is an error in licensing. It appears the error is due to mapping techniques not available in the 1980s and the field examiner not being aware that a Government Lot is located in Section 31, SWNW. This POU Accomplished Transfer is based on 2002 Ada County Tax Lot information and 1987 NAPP photography.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|---|---------------|--------------|
| 1.42 | | 71 |
| Combined Water Rights: 63-8695 , 63-120H , 63-161AJ | | |

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|---|---------------|--------------|
| 1.42 | | 71 |
| Combined Water Rights: 63-8695 , 63-120H , 63-161AJ | | |

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts | 10/17/2003 10:06:41 AM | kbrown | | | Active |
| Priority Date | 10/17/2003 10:07:14 AM | kbrown | | | Active |
| POD | 10/17/2003 10:10:35 AM | kbrown | | | Active |
| Source | 10/17/2003 10:11:02 AM | kbrown | | | Active |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8695 V1

| | | | |
|----------|------------------------|--------|--------|
| POU | 10/17/2003 10:15:40 AM | kbrown | Active |
| Use | 10/17/2003 10:16:03 AM | kbrown | Active |
| Season | 10/17/2003 10:16:54 AM | kbrown | Active |
| Quantity | 10/17/2003 10:17:38 AM | kbrown | Active |
| Summary | 10/17/2003 | kbrown | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|--|
| Contacts | 10/17/2003 10:06:42 AM | kbrown | (No) 1. Do you want to schedule an appointment?

Comment for 1: Licensed. |
| Priority Date | 10/17/2003 10:07:15 AM | kbrown | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?
(Yes) 4. Is the basis of claim decree or license?
(Yes) 5. Does the decree or license have a Priority Date?
(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
(Yes) 15. Is the basis of claim coded correctly?
(No) 16. Is a Priority Date remark and/or condition required? |
| POD | 10/17/2003 10:10:37 AM | kbrown | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a POD?
(Yes) 5. Can the claimed POD be verified using the water right file?
(No) 10. Is a POD remark and/or condition required? |
| Source | 10/17/2003 10:11:03 AM | kbrown | (Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(Yes) 5. Can the claimed source be verified using the water right file?
(No) 11. Is a Source remark and/or condition required? |
| POU | 10/17/2003 10:15:41 AM | kbrown | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file?
(Yes) 14. Is a POU remark and/or condition required? |
| Use | 10/17/2003 10:16:05 AM | kbrown | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a Purpose of Use?
(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
(No) 13. Is a Purpose of Use remark and/or |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8695 V1

| | | | |
|----------|------------------------|--------|--|
| Season | 10/17/2003 10:16:55 AM | kbrown | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(Yes) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(Yes) 14. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?</p> <p>(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> |
| Quantity | 10/17/2003 10:17:39 AM | kbrown | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(No) 8. Does the parent right have an annual diversion volume limit?</p> <p>(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(Yes) 10. Is a irrigation a purpose of use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 10 - Same as licensed.</p> |
| POD | 10/17/2003 10:23:00 AM | kbrown | Edited point location |
| POU | 10/17/2003 10:24:57 AM | kbrown | Edited shape boundary |
| Summary | 10/17/2003 10:31:11 AM | kbrown | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |

Water Supply Bank: