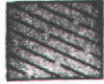


IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



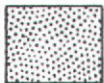
Private groundwater diversions



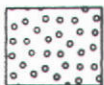
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



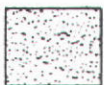
Eagle Island Water Users (Boise River diversion)



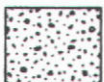
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



Nampa - Meridian Irrigation District (Boise River diversion)



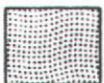
New York Irrigation District (Boise River diversion)



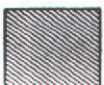
Pioneer Irrigation District (Boise River diversion)



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

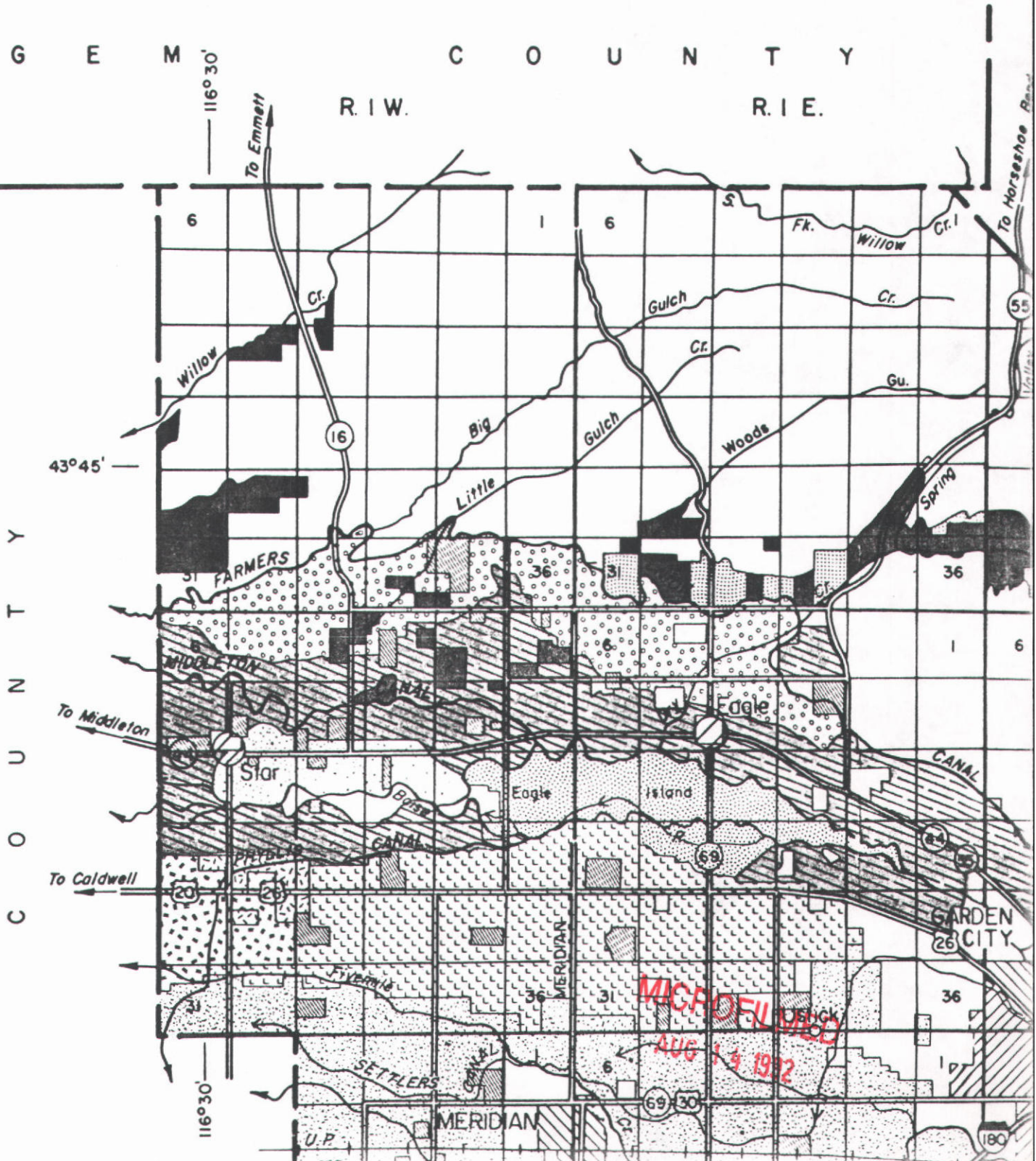
Shumberg No. 5119



G E M C O U N T Y

R. I. W.

R. I. E.



IDAHO DEPT OF WATER RESOURCES

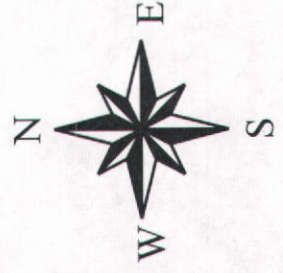
Claim No. 63-161AX

Twp.4N, Rge. 1E
Sec. 28



-  Place of Use
-  1/41/4 Lines
-  Section Lines
-  Pt. of Diversio

Prepared by: Jan Shurt
10-22-2005



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: A63-00161AX
Date Received: 9/08/1989
Receipt No: C011305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. B. SCOTT
Address: 380 E. PARK CENTER BLVD.
BOISE, ID 83706

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 DIV. 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	01E	28	NW	SW		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, 63-3614

14. Remarks:
TRANS. 979.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
Decree Defendant

vs

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

9-08-89

CO/1305

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) J. B. Scott Phone () _____Mailing Address 380 E. Parkcenter Blvd., Boise, ID Zip 837062. 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 1992

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:

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	1E	28										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. 979 (Exhibit C).

MICROFILMED

AUG 14 1992

Last Name Scott 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.

RECEIVED

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 Smith
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 James M. Biondi

Residing at Meridian, ID

My Commission Expires 8-1-93

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Bell 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 1992

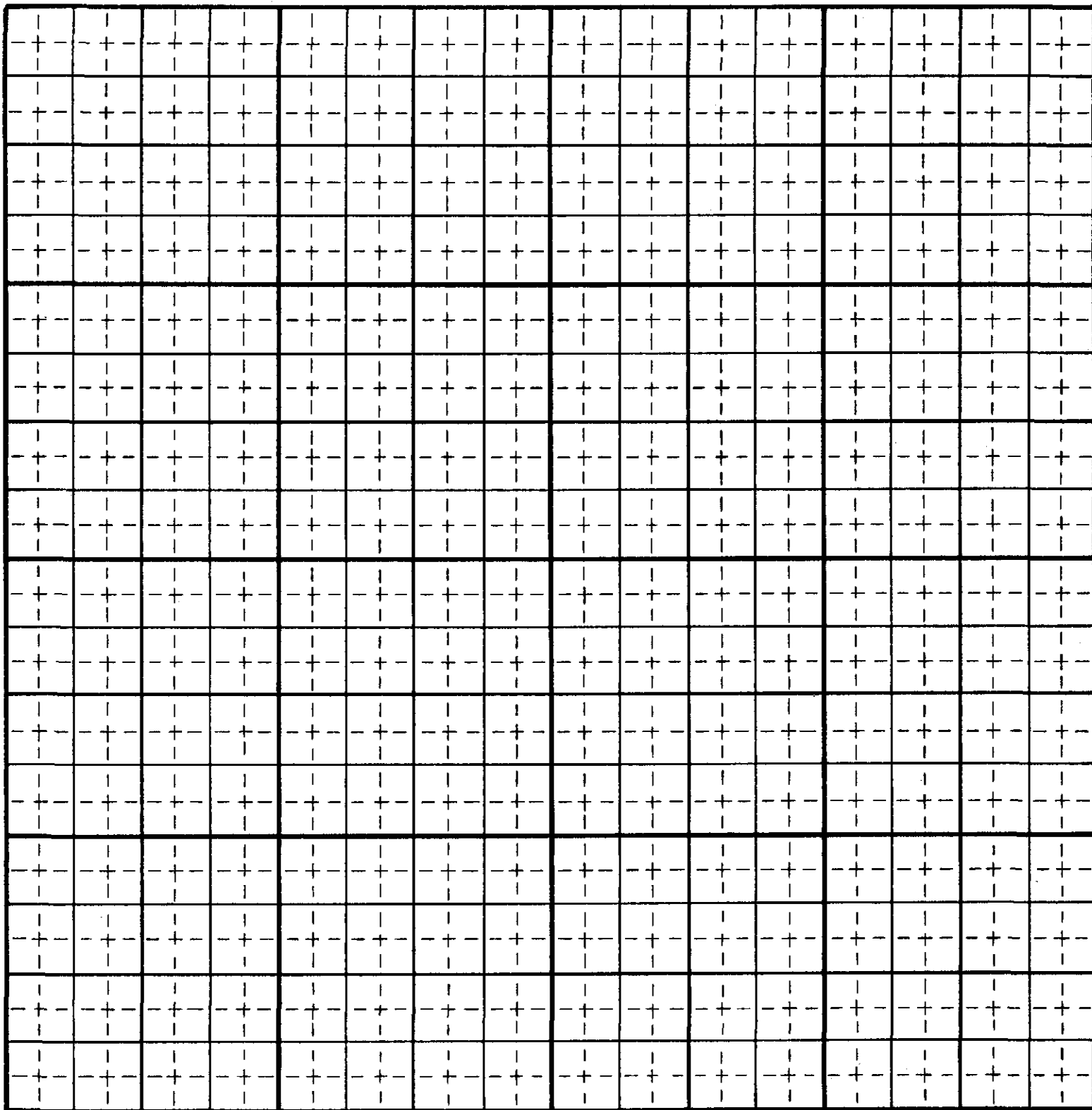
Last Name Scott Ident. Number _____

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



Last Name Scott Ident No. _____

MICROFILMED
SEP 27 1996
Copies: White-State, Yellow-Chairman

Water Right Number - 63-00161AX 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 14 D - DECREED

+ - - Source - - - - - + + - - Tributary - - - - - + + - -
BOISE RIVER SNAKE RIVER

+ - - Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code) + - -

03N 02E 9 NW NW (1) ADA

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

01 - IRRIGATION

0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.100

+ - - - - Rng Sec Tract Lot Acres Code Description County + - -

04N 01E 28 NW SW 01 IRRIGATION (1) ADA

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED

AUG 14 1992

Water right number -	63-00161AX	Adj. flag translation:	Standard Water Right Number
+	TRANS. 979.	+	Remarks -
+		+	Old Water Right Numbers -
+		+	No Old Water Right Numbers found.
+		+	Conditions of Approval -
+		+	No Conditions of Approval found.
+	Decree Plaintiff -	+	Decree Defendant -
+	FARMERS CO-OP DITCH CO.	+	RIVERSIDE IRR. DIST.
+	Audit Fields -	05/01/88	CONVERT
+		+	Water Rights Dates and Flags Area -
	Proof Due Date -	00/00/0000	Field Exam Made -
	Approved/Denied -	00/00/0000	Protested Date -
	Proof Made Date -	00/00/0000	Hearing Date -
	Start Work Date -	00/00/0000	Verified Date -
	Order Show Cause -	00/00/0000	Receipt Number -
	Licensed Date -	00/00/0000	Appl Received -
	Decree Date -	01/18/1906	Presumption Flag -
			Field Exam Fee -
			Swan Falls -
			Temporary Right -
			DLE/Carey Act -
			Water District -
			Transfer/Amended -
			Microfilm Roll Number -

MICROFILMED
AUG 14 1992

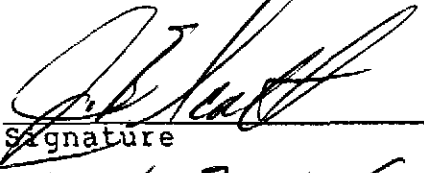
979

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.

8/29/89
Date


Signature
Joseph Duell Scott
(Please print full name)

Date

Signature

(Please print full name)

MICROFILMED

AUG 14 1992

EXHIBIT A

NU SW

0000000000

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



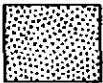
Private groundwater diversions



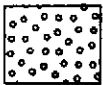
Combined small district and private Boise River diversions



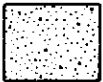
Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



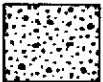
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



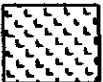
Nampa-Meridian Irrigation District (Boise River diversion)



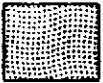
New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



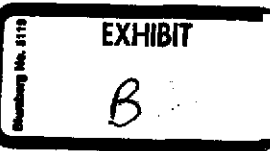
Private Boise River tributary diversions

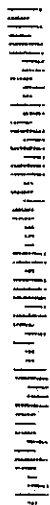


District surface water and supplemental private groundwater diversion

MICROFILMED

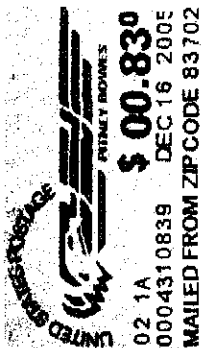
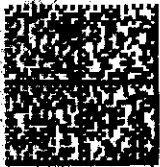
AUG 14 1992





Dept. of water resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



02 1A

0004310839

\$ 00.83⁰⁰

DEC 16 2005

MAILED FROM ZIP CODE 83702

RECEIVED

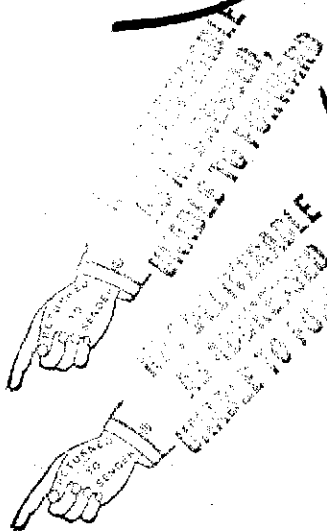
DEC 20 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 19 2005

DEPARTMENT OF
WATER RESOURCES



JOE B SCOTT
380 E PARKCENTER BLVD
STE 100
BOISE ID 83706

63-161AX

UAF *1031*



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

November 8, 2005

LEGENDS HOMEOWNERS ASSOC. INC.
PO BOX 5714
BOISE ID 83705

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-161AX

Dear Sir or Madam:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership for a portion of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosures

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

FIRST CLASS



RECEIVED

NOV 08 2005

WATER RESOURCES
WESTERN REGION

Joe B Scott

JOE B SCOTT
380 E PARKCENTER BLVD
STE 100
BOISE ID 83706

63-161AX

Legends Homeowners Assoc. Inc
PO Box 5714
Boise 83705

Resent 11-8-05

10/23/2005

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

RIGHT NUMBER: 63-161AX

NAME AND ADDRESS: JOE B SCOTT
380 E PARKCENTER BLVD
STE 100
BOISE ID 83706

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.100 CFS

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 Reservoirs 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.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S28 NWSW 35.0

35 ACRES TOTAL

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.

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 63-161AX V1

WATER RIGHT NUMBER: 63-161AX V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOE B SCOTT 380 E PARKCENTER BLVD STE 100 BOISE, ID 83706 (208)342-2712
Original Owner	JOSEPH PERRAULT BOISE, ID
Original Owner	RICHARD Z JOHNSON BOISE, ID
Original Owner	CONSUMERS WATER CORP 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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	28																	35.0

Total Acres: 35

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AX V1

1. 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 Reservoirs 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.
2. 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.
3. This right is delivered via the Settlers Irrigation District Canal.
4. 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: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	10/4/2005 9:50:34 AM	jshurte			Active
Priority Date	10/4/2005 10:13:59 AM	jshurte			Active
Source	10/4/2005 10:16:22 AM	jshurte			Active
POD	10/4/2005 10:16:27 AM	jshurte			Active
POU	10/4/2005 10:16:54 AM	jshurte			Active
Use	10/4/2005 10:20:06 AM	jshurte			Active
Season	10/4/2005 10:33:40 AM	jshurte			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AX V1

Quantity	10/4/2005 10:34:06 AM	jshurte		Active
Summary			10/04/2005	jshurte Active
POU	10/23/2005 12:29:04 PM	jshurte		Active
Summary			10/23/2005	jshurte Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	10/4/2005 9:50:35 AM	jshurte	(No) 1. Do you want to schedule an appointment? Comment for 1: In office verification - unable to locate current owner - see comments.
General	10/4/2005 10:13:59 AM	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?
Season	10/4/2005 10:33:40 AM	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?
Summary	10/4/2005 10:34:21 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?
POU	10/4/2005 11:18:23 AM	jshurte	Updated shape from PLS
Source	10/4/2005 10:16:22 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AX V1

POD	10/4/2005 10:16:28 AM	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? (No) 10. Is a POD remark and/or condition required?
POU	10/4/2005 10:16:54 AM	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?
Use	10/4/2005 10:20:07 AM	jshurte	(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 condition required?
Quantity	10/4/2005 10:34:06 AM	jshurte	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a diversion rate and/or volume? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POU	10/23/2005 12:27:19 PM	jshurte	Updated shape for Active POU
POU	10/23/2005 12:29:04 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-161AX V1

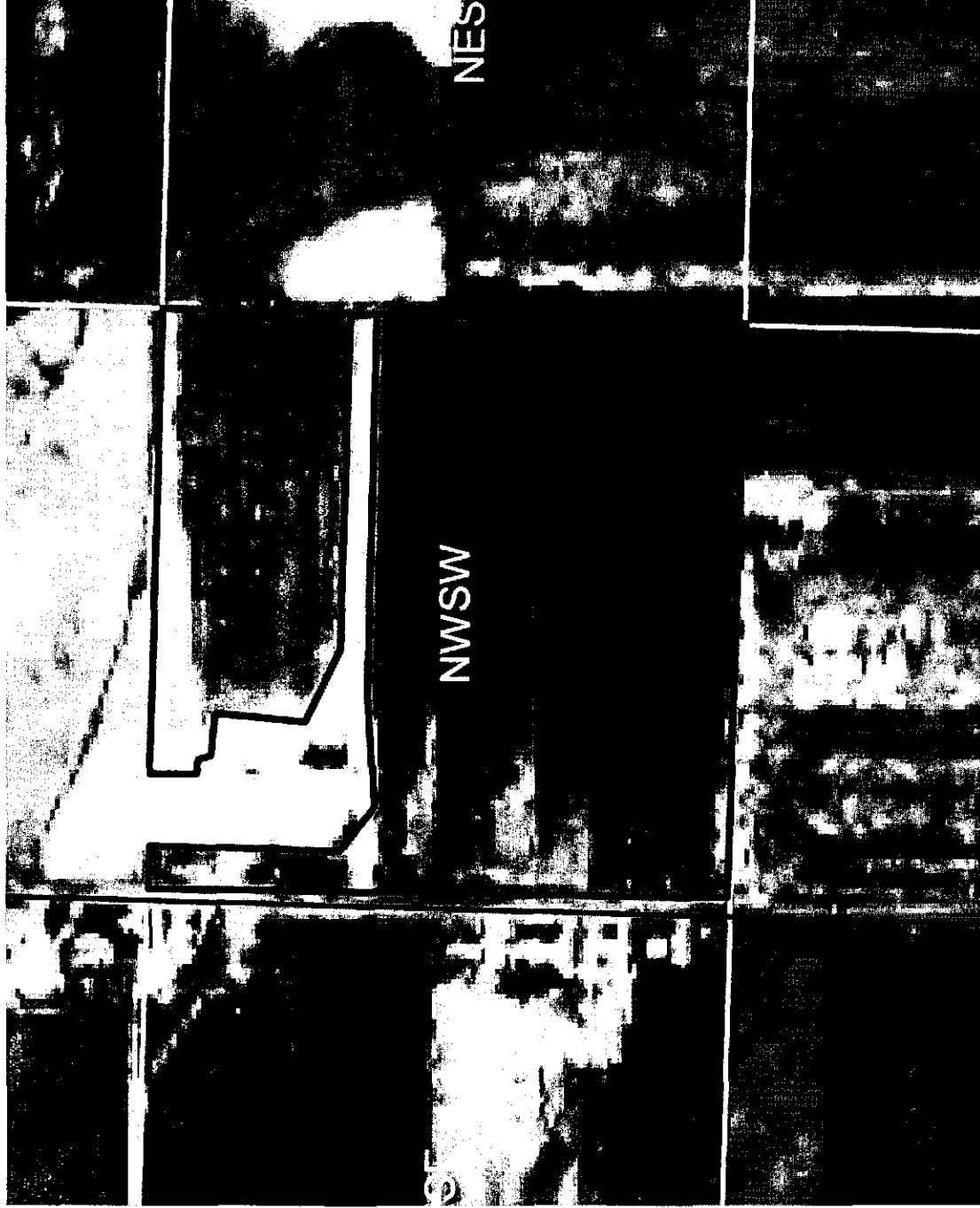
Summary	10/23/2005 12:36:32 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. <i>Would you like to view the recommended right?</i>
POD	10/23/2005 12:34:12 PM	jshurte	Updated shape

Water Supply Bank:

IDAHO DEPT OF WATER RESOURCES

Claim No. 63-161AX

Twp. 4N, Rge. 1E
Sec. 28



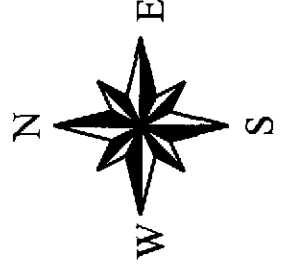
☐ Place of Use

1/41/4 Lines

☐ Section Lines

☐ Pt. of Diversion

Prepared by: Jan Shurt
10-22-2005



1000 Feet

0

1000

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

CLAIM NO(s). 63-161A7

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

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ 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: OK per decree
(If the priority date, based on your exam, seems questionable, explain below.)

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

Source found: _____

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

Township 3N Range 2E Section 29 1/4 _____ 1/4 SW 1/4 NE LOT 7
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

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

Use Orig. 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: N/A

☐ 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

Overlaps POU - Settlers only - this H&O is
delivered via Settlers Canal - See
file. 35 acres irrigated. #30

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☒ TICK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Signature

63-0161

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 979

THIS IS TO CERTIFY, That Consumers Water Corporation, through G. S. Taylor, President, 111 First National Bank Building, Boise, Idaho, is the owner of and using a certain water right for 2500 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 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 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 E. 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 G. S. Taylor, President, 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 0.1 cubic feet per second 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 ABANDONED shall become appurtenant by this Certificate for irrigation and domestic purposes is described as follows, to-wit:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 4 North, Range 1 E. B. M., and known as the R. E. Thompson and Daisy M. Thompson Tract;

EXHIBIT C

EXHIBIT C

That 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:

0.1 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 the Consumers Canal with point of diversion in Section 24, Township 3 North, Range 2 E. 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 NW¹/₄, Section 9, Township 3 North, Range 2 E. 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 23rd day of February, 1962.

Ralph W. Thomas

RALPH W. THOMAS
Deputy State Reclamation Engineer

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-161AX

10/23/2005

1

Water Right #	Type	Twtp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-161AX	Claim	04N	01E	28	NW	SW		IRRIGATION	40/40	JOE B SCOTT
63-161AX	Water Right	04N	01E	28	NW	SW		IRRIGATION		CONSUMERS WATER CORP
63-3614B	Claim	04N	01E	28	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
63-3618B	Claim	04N	01E	28	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
63-5262B	Claim	04N	01E	28	NW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83706
Boise, Idaho 83720-0098

Return Service Requested



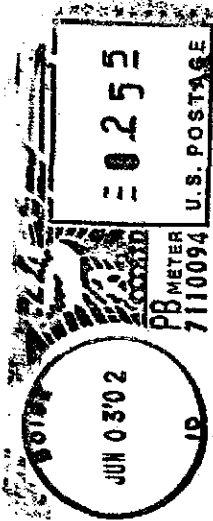
NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO FORWARD

603-161 AX

501 Baybrook Ct
Boise 83706

JOE B SCOTT
380 E PARKCENTER BLVD
STE 100
BOISE ID 83706

PRESORTED
FIRST CLASS



RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION

Sent again 6/12/02

DACTM 2378534

Unlabeled/Unlabeled/Unlabeled/Unlabeled/Unlabeled



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

4-14. He'll sign & return in ltr.

DIRK KEMPTHORNE
GOVERNOR

March 26, 1999

KARL J. DREHER
DIRECTOR

J B SCOTT
PO BOX 70001
BOISE ID 83707-0101

Dennis Meyer 424-3865
424-3850 FAX
Legends Subd., Eagle

Re: Snake River Basin Adjudication (SRBA)
Water Rights #63-17185, 63-17186, A63-00161AX, A65-02923B,
A65-02923C and A65-17332
Change of Address

Fall Cr.

all sold

Fall Cr.

Sold to Kathryn Sheraton - mailed to DWR
in Feb. '99.

Dear Mr. Scott:

Thank you for responding to my letter of March 18, 1999, so promptly. I have changed your water right #77-10054 to reflect your current address. However, I neglected to include all of your water rights in my previous letter. Our database shows you as owner of the water rights referenced above, all of which have the E. ParkCenter Blvd. address.

I can't change the address on your water rights without your signature. If you are still the owner of the above water rights, please sign your name at the bottom of this letter and return it to this office by April 5, 1999. Thank you for your help.

If there has been a change in ownership of the property connected with any of the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

RECEIVED

MAY 26 1999

WATER RESOURCES
WESTERN REGION

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-5400

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

DATE: April 14, 1999

TO: Dennis Moyer
FAX 208/424-3850

FROM: Sally Sherman
208/327-7862
FAX 208/327-5400
ssherman@idwr.state.id.us

DOCUMENT DESCRIPTION: 3/26/1999 letter to J. B. Scott

Thanks, Dennis.
[Signature]

return
to sender

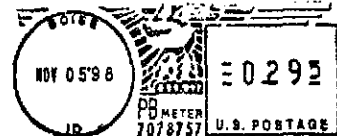
fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERV.
REQUESTED

PRESORTED
FIRST CLASS



U.S. POSTAL SERVICE
PS FORM 3547

IMPORTANT WATER RIGHT INFORMATION

+77-10054, 63-17185
A63-00161AX

63-17185
J B SCOTT
380 E PARKCENTER BLVD
BOISE ID 83706

~~65-07971~~
A65-02923B
✓ -02923C
✓ -17332

SCOT380X 837062221 1C97 05 11/07/98
J B SCOTT
PO BOX 70001
BOISE ID 83707-0101
FORM 3547

83706-3962 31



return
to sender

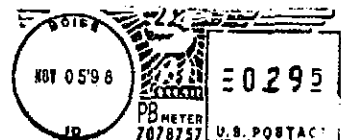
fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERV.
REQUESTED

PRESORTED
FIRST CLASS



U.S. POSTAL SERVICE
PS FORM 3547

IMPORTANT WATER RIGHT INFORMATION

+77-10054, A63-00161AX, A65-02923B,
✓ -02923C
✓ -17332

63-17185
J B SCOTT
380 E PARKCENTER BLVD
BOISE ID 83706

SCOT380X 837062221 1C97 05 11/07/98
J B SCOTT
PO BOX 70001
BOISE ID 83707-0101
FORM 3547

83706-3962 31



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.

Handwritten:
10/11/95