

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



Private groundwater diversions



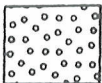
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



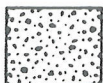
Farmers Union Ditch Co. (Boise River diversion)



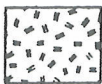
Little Pioneer Ditch Co. (Boise River diversion)



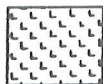
Nampa - Meridian Irrigation District (Boise River diversion)



New York Irrigation District (Boise River diversion)



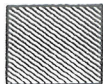
Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED
OCT 02 1996

EXHIBIT

B

Blumberg No. 8119



G E M C O U N T Y

R. I. W.

R. I. E.



IDAHO DEPARTMENT OF WATER RESOURCES

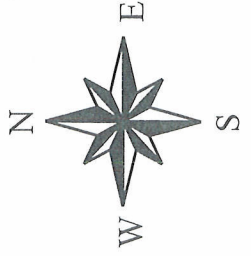
Water Right No.
63--230B

Prepared by:
Jan Shurte
Date: 5-15-05

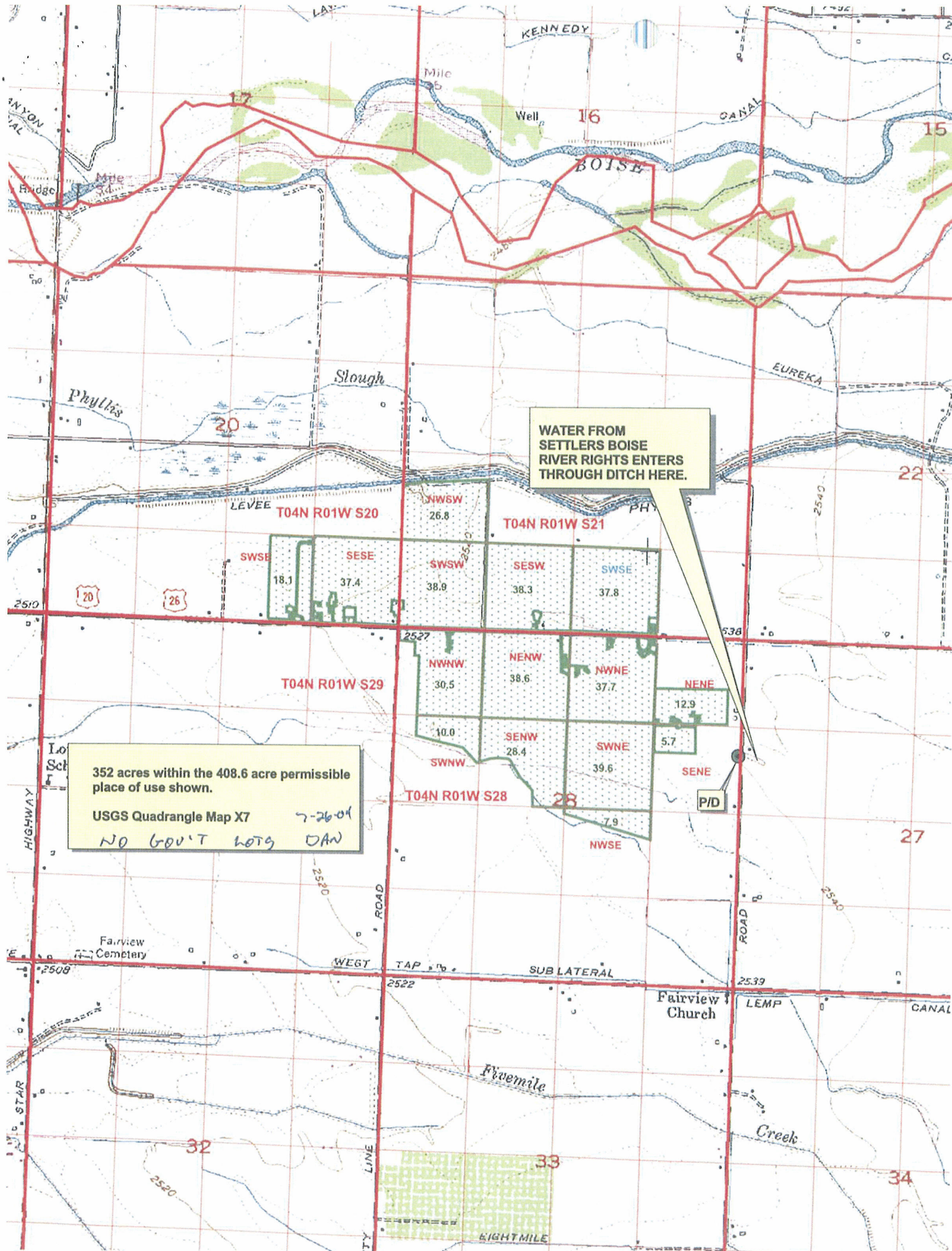
4N 1W Sec 28
NWNW

1987 Photography

-  **Place of Use**
-  **Section Lines**
-  **1/41/4**
-  **Pt of Diversion**



0 1320 Feet



WATER FROM
SETTLERS BOISE
RIVER RIGHTS ENTERS
THROUGH DITCH HERE.

352 acres within the 408.6 acre permissible
place of use shown.
USGS Quadrangle Map X7 7-26-04
NO GOV'T LOTG DAN

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 63-230B
Date Received: 9/8/1989
Receipt No: C011305
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THOMAS J MC COLLUM Phone: (208)394-2138
8 CHINOOK DR
SHOUP ID USA 83469

ALVIN E LUTZ Phone:
6280 N MC DERMOTT RD
MERIDIAN ID USA 83642

ERNEST PERRY Phone: (208)344-2330
3409 N 32ND ST
BOISE ID USA 83703

TERRY OWENS Phone: (208)870-0533
6175 W. CHINDEN
MERIDIAN ID USA 83642

2. Date of Priority: 10/17/1884

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	Type
03N	02E	9	NW NW	ADA	

5. Description of diverting works:

REINFORCED CONCRETE DIVERSION DAM IN RIVER TO EARTHEN CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.115	

7. Total Quantity Appropriated is:
0.115 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	28	NW	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

A POWER OF ATTORNEY (EXHIBIT A) PROVIDES WRITTEN AUTHORIZATION FOR THE CHAIRMAN OF SETTLERS IRR. DIST. TO FILE THIS CLAIM.
THIS WATER RIGHT IS EVIDENCED BY TRANSFER NO. 45 (EXHIBIT C).

15. Basis of Claim: Decreed

05/31/2005 RECEIVED
JUL 11 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: July 15, 2005

Water right number: 63-230B

ERNEST PERRY
3409 N 32ND ST
BOISE ID 83703
Telephone Number: (208)344-2330

THOMAS J MC COLLUM
6100 N MC DERMOTT
MERIDIAN ID 83642
Telephone Number: (208)286-7163

ROBERT RUBLE
6175 W CHINDEN BLVD
MERIDIAN ID 83642
Telephone Number: (208)286-7395

ALVIN E LUTZ
6280 N MC DERMOTT RD
MERIDIAN ID 83642

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

LISTED owner @ 6175 W CHINDEN BLVD

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

*Change ownership to Terry Owens
6175 W Chinden Blvd.*

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

Purchased property 6-1-05

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

DATE: *6-22-05*

SIGNATURE: *Terry Owens*

Please print your name: *Terry Owens*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUL 11 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-234B					
63-7823 - DONE					
63-231B					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) DAWN WAGONER ?
4. New Owner/Claimant(s) Terry Owens
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 8231 SAN MARINO DR 6175 W CHANDEN
- City, State and ZIP Code MERIDIAN, ID 83642
- New Telephone Number (208) 870-0533
5. Date you acquired the property June 1st 2005

STEWART TITLE COMPANY SHOULD HAVE SENT
COPY OF DEED. IF NOT CONTACT Sally Lyke

@ 387-0355

FAX # 387-4919

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____ 6-20-65
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

For Value Received Dawn L. Starry Waggoner, an unmarried person

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Terry Owens, an unmarried person

the grantee, whose current address is 6175 W Clenden Blvd., Meridian, ID 83642

the following described premises, to wit:

The North 434 feet of the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 04 North, Range 01 West, Boise Meridian.

Except the West 648 feet thereof

Also except the North 40 feet of subject property located in Ada County, Idaho

Parcel Number: S0428221000

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due or payable; Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it as the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 25th day of May, 2005.


Dawn L. Starry Waggoner

STATE OF Montana)

) ss.

COUNTY OF Madison)

On this 26th day of May, 2005, before me, the undersigned, a Notary Public, in and for said State, personally appeared Dawn L. Starry Waggoner known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

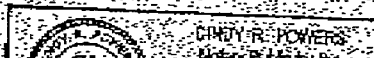
WITNESS MY HAND AND OFFICIAL SEAL.


Cindy R. Powers

Notary Public, Montana

Residing at, Erwin, ID

My commission expires 11-22-2006



21

OWENS
5.9 ACRES

28

RECEIVED

MAR 15 1995

WATER RESOURCES
WESTERN REGION

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: A63-00230B
Date Received: 9/ 8/1989
Receipt No: C011305
Received By: updated 3-17-95
kw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	TOM MC COLLUM	208-286-7163
Address:	6100 N MC DERMOTT MERIDIAN ID	83642
OR		
Name:	ERNEST PERRY	208-344-2330
Address:	3409 N 32ND ST BOISE ID	83703
OR		
Name:	ROBERT RUBLE	208-286-7395
Address:	6175 W CHINDEN BLVD MERIDIAN ID	83642
OR		
Name:	ALVIN LUTZ	208-286-7636
Address:	6280 N MC DERMOTT MERIDIAN ID	83642

2. Date of Priority: OCT 17, 1884

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:
REINFORCED CONCRETE DIVERSION DAM IN RIVER TO EARTHEN CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.115		

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

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OCT 02 1996

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	28	NW	NW		IRR	40.0
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? NO

13. Other Water Rights Used:

63-00230, 63-00231, 63-05262, 63-03618, 63-03614

14. Remarks:

A POWER OF ATTORNEY (EXHIBIT A) PROVIDES WRITTEN AUTHORIZATION FOR THE CHAIRMAN OF SETTLERS IRR. DIST. TO FILE THIS CLAIM.

THIS WATER RIGHT IS EVIDENCED BY TRANSFER NO. 45 (EXHIBIT C).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/18/1906

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs 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: _____

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OCT 02 1996

For Organizations:

I do solemnly swear or affirm that I am President of
Settlers' Irrigation District that I have signed the foregoing
Settlers' Irrigation District document in the space below as President of
Settlers' Irrigation District and that the statements contained in the
foregoing document are true and correct.

Tom Smith
Signature of Authorized Agent

President Settlers' Irrigation District
Title and Organization

MARCH 13, 1995
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of March 19 95

Malcolm A. Nelson
Notary Public

Seal

Residing at Boise

My Commission Expires 1-14-99

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OCT 02 1996

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

See Nos. A63-00230B & 00231B

Ident. Number: ~~A63-27516~~ KW
Date Received: 9/ 8/1989 3-20-95
Receipt No: C011305
Received By: DE-KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TOM MC COLLUM 208-286-7163
Address: 6100 N MC DERMOTT
MERIDIAN ID 83642
AND/OR
Name: ERNEST PERRY 208-344-2330
Address: 3409 N 32ND ST
BOISE ID 83703
AND/OR
Name: ROBERT RUBLE 208-286-7395
Address: 6175 W CHINDEN BLVD
MERIDIAN ID 83642
AND/OR
Name: ALVIN LUTZ 208-286-7636
Address: 6280 N MC DERMOTT
MERIDIAN ID 83642

2. Date of Priority: OCT 17, 1884

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, CANAL AND DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

MICROFILMED
OCT 02 1996

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	28	NW	NW	IRR	40.0
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? NO

13. Other Water Rights Used:

63-05262, 63-03618, 63-03614, 63-00230, 63-00231

14. Remarks:

THIS RIGHT IS EVIDENCED BY TRANSFER NO. 45.

15. Basis of Claim: DECREED

Case Number:

Court : THIRD

Decree date: 1/19/1906

FARMERS CO-OP DITCH COMPANY

Decree Plaintiff

RIVERSIDE IRRIG. DIST.

vs 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: _____

MICROFILMED
OCT 02 1996

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 _____

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OCT 02 1996

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OCT 02 1996

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 .2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .2 (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	1W	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, 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. 45 (Exhibit C).

MICROFILMED
OCT 02 1996

Last Name McCollum, etc. Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-0231
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 4

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 Chairman / President

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. Biondi

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
OCT 02 1996

Last Name McCollum, etc. Ident. Number _____

Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

MICROFILMED

MICROFILMED
OCT 02 1996

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.

7-27-89
Date

Tom McCollum
Signature

THOMAS J. MCCOLLUM
(Please print full name)

Date

Signature

(Please print full name)

MICROFILMED
OCT 02 1996

EXHIBIT A

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.

8/8/89
Date

Ernest L. Perry
Signature

Ernest L. Perry
(Please print full name)

8-8-89
Date

Geraldine Perry
Signature

GERALDINE PERRY
(Please print full name)

MICROFILMED
OCT 02 1996

EXHIBIT A

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.

8/9/89
Date

Robert H. Ruble
Signature
Robert H. Ruble
(Please print full name)

8/9/89
Date

Carolyn J. Ruble
Signature
Carolyn J. Ruble
(Please print full name)

MICROFILMED
OCT 02 1996

EXHIBIT A

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.

Aug. 4, 1989
Date

Alvin E. Lutz
Signature

ALVIN E. LUTZ
(Please print full name)

Aug. 4, 1989
Date

Nancy A. Lutz
Signature

NANCY A. LUTZ
(Please print full name)

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



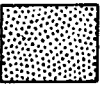
Private groundwater diversions



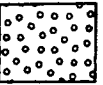
Combined small district and private Boise River diversions



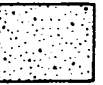
Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



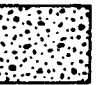
Farmers Union Ditch Co. (Boise River diversion)



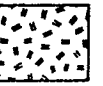
Little Pioneer Ditch Co. (Boise River diversion)



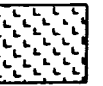
Nampa-Meridian Irrigation District (Boise River diversion)



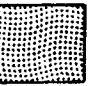
New York Irrigation District (Boise River diversion)



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

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EXHIBIT

B

-----Office of State Engineer-----

Certificate No. 43, authorizing transfer of Use of Water Right.

Permission is hereby granted J.E. Moore, of Meridian, Ada County, Idaho, to transfer the use of Ten (10) inches of the waters of Boise River from the lands upon which is now used i.e., West Half of West Half of Southeast quarter (W2 of W2 of SW4) and East Half of East Half of Southwest quarter (E2 of E2 of SW4) Section 30, Township 4 North, Range 1 East of Boise Meridian, to the following described tract: to-wit: The Northwest quarter of the north-west quarter (NW4 NW4) of Section 28, Township 4 North, Range 1 West of Boise Meridian, said water to be diverted from said stream at the headgate of the Settlers' Canal in Section 9, Township 3 North, Range 2 East of Boise Meridian, and conducted to the above described land through the Settlers' Canal.

The water right appurtenant to the above described lands was adjudged by Decree, dated January 18, 1906, of George H. Stewart, Judge of the Third Judicial District, of the State of Idaho, in and for Ada County, in the matter of Farmer's Co-operative Ditch Company, Plaintiff, vs. Riverside Irrigation District, Ltd., Defendant.

I, WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this fifth day of February, 1910.

Jas. Stephenson, Jr.

State Engineer

EXHIBIT C

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EXHIBIT D

The claimants to this Notice of Claim to a Water Right (Water Right No. 63-0231/Water Right Transfer No. 45) are:

Names and Addresses

1. Tom McCollum
6100 North McDermott
Meridian, Idaho 83642
Telephone: (208) 286-7163
2. Ernest Perry
3409 North 32nd Street
Boise, Idaho 83703
Telephone: (208) 344-2330
3. Robert Ruble
6175 West Chinden Blvd.
Meridian, Idaho 83642
Telephone: (208) 286-7395
4. Alvin Lutz
6280 North McDermott
Meridian, Idaho 83642
Telephone: (208) 286-7636

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EXHIBIT D

The claims to this Notice of Claim to a Water Right (Water Right No. 63-0231/Water Right Transfer No. 45) are:

Names and Addresses

1. Tom McCollum
6100 North McDermott
Meridian, Idaho 83642
Telephone: (208) 286-7163
2. Ernest Perry
3409 North 32nd Street
Boise, Idaho 83703
Telephone: (208) 344-2330
3. Robert Ruble
6175 West Chinden Blvd.
Meridian, Idaho 83642
Telephone: (208) 286-7395
4. Alvin Lutz
6280 North McDermott
Meridian, Idaho 83642
Telephone: (208) 286-7636

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Settlers-

4-3-91

CLAIMANT'S NAME McCollum, Perry, Rable, Lutz CLAIM IDENT. NO. A63-27516

DATE RECEIVED 9-8-89 RECEIPT # C011305 AMOUNT \$ 90.

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form	☒	☐	*
Is the period of use included?			
Is a quantity claimed for each use?			
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?			
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☒	☐	*
22. Is the fee enclosed correct?	☐	☐	*

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23. Should this claim be data entered?

YES ☒ NO ☐

Claim reviewed by: Ray Walker Date 11-18-92

Claim data entered by: kw Date 11-18-92

Claim is being returned to claimant: (Yes) ☒ (No)

Claimant is being notified of modifications: (Yes) ☒ (No)

Comments: Existing right (Trans. #45) compared to
claim). Includes a portion of Rts. #63-00230
& 63-00231, equaling 0.20 cys. Need to
advance priority date to latest right
(i.e. 63-00231 → 6/1/1891)

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.

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 20, 1995

RE: Notice of Claims to Water Rights Submitted by Settlers Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

We have received the amended claim forms for Rights Nos. A63-00231, A63-00161AC and A63-22227 and our computer records have been updated accordingly.

We are also in receipt of Claims A63-00230B and A63-00231B which were submitted to replace A63-27516; and A63-00231C and A63-00230C which were to replace A63-22192. Since the two additional claims arrived without a filing fee I have used \$100.00 of the fee submitted under Receipt W018420 for these claims so I could update our records. Also, I am once again requesting a copy of "Exhibit D" that was attached to the claim (previously number A63-22192) for Jessie Allen, Earl Holbert, Fred Wilhelm and/or Esther Strain.

I still need to have the original forms of Claims A63-00161Q (Trans. No. 737), A63-00161J (Trans. No. 712), A63-00170A (Trans. No. 736) and A63-00169A (Trans. No. 871) returned to me. Troy and I went over the place of use to be assigned to each of these claims on January 6, 1995, but he did not have the original claim forms in his possession.

I am also awaiting submittal of the claims you were to re-submit for the storage water under Right Nos. 63-03614, 63-03618, and 63-05262. As stated above, I have assigned monies from Receipt No. W018420 to Claims A63-00231C and A63-00231B so Settler's only has an unused balance of \$50.00.

If you have any questions in regard to this letter please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

cc: Settlers Irrigation District

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

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

SCOTT L. CAMPBELL

RECEIVED

MAR 15 1995

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

March 14, 1995

Ms. Kay Walker
Senior Water Resource Agent
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

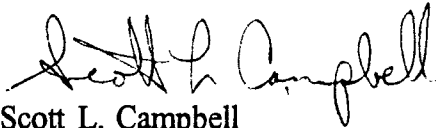
Re: Notice of SRBA Claims to Water Rights

Dear Ms. Walker:

Enclosed please find executed Notices of Claim which were prepared by you on behalf of Settlers' Irrigation District. Please do not hesitate to contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma
Enclosures

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COMMUNICATION DOCUMENTATION

IDWR Agent: Kay Walker

Date: January 6, 1995

Contact Person: Vicki and Troy at Settlers Irrigation District Office

Nature of Contact: Vicki called and asked if we could meet to discuss my correspondence of 12/22/1994; I went to their office so they could access their records if necessary.

Substance of Communication:

1. We went over the place of use descriptions that need to be added to Claims referencing Transfer Nos. 712, 871, 736, and 737 as discussed under paragraph 2 of my letter. Settler's did not have possession of the original claim forms so we could not insert the information on the forms; Scott Campbell has the original claims so we will have to add the place of use descriptions when the claim forms are brought in. Troy gave me the legal descriptions to be inserted. We did not check the descriptions to see if additional fees will be required.

2. We discussed the amended claim forms that I had sent to Scott with my correspondence (see paragraphs 3 and 4). We went over the reasons for amending the claims so that they knew why the claims were being amended.

3. We discussed the splitting of Claims A63-22192 and A63-27516. I again explained that the priority of the combined claims would require a loss in priority for portions of the combined claims and the splitting would resolve any loss of priority. We also discussed the matter of an additional \$100. fee to submit the "split" claims (see paragraph 5 of 12/22/94 correspondence).

4. Regarding paragraph 6 of my letter: We determined that it was up to Scott to decide if Claim A63-22192 had been underclaimed. I told them how I had printed the claims from our water rights data base and that it appeared that they had only claimed 1/2 of the water that this claim was based on (i.e. Transfer No. 50). They did not know why only 0.20 cfs had been claimed.

5. We discussed paragraph 7 and that Scott had told me these claims would be re-submitted. Again, Scott has the original forms returned in 3/29/94 correspondence. They also inferred that Settler's had decided to go ahead and file these claims even though the Bureau of Reclamation has filed on the same rights.

6. Vicki and Troy said that Scott was checking into getting a map of the district's boundaries pursuant to paragraph 8.

Vicki and Troy said that I could contact them with any other questions that they could help me with, even though they know I have to go through Scott since he is shown as their representative on the claims. I told them they could contact me, too, if they had any questions, since the Judge had lifted the gag order and we could now communicate with claimants.

I also told them I would run a listing of all the claims once we had them in the data base.

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of SRBA Claims to Water Rights Submitted by Settlers
Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

I am a little confused as to which claims I am supposed to contact you about and which I am to contact Settler's about so I am going to include all the information, regarding my letter of March 29, 1994, in this correspondence. I hope this is not an inconvenience to you. I will try to keep this letter in the same format as the March 29th letter in order to respond to what has been done so far in regard to the claims and the information I had requested.

It is my understanding that Vicki and Troy are still in possession of the original claims for Rights A63-00161Q (Trans. No. 737), A63-00161J (Trans. No. 712), A63-00170A (Trans. No. 736) and A63-00169A (Trans. No. 871). I still need to have the place of use information attached to each of these claims and the original claims returned to me for data entry. Also, these claims may need additional filing fees if the acres they cover are not included on a claim that has been paid for.

Pursuant to my visit with Vicki and Troy, at Settler's office on August 19, 1994, I have prepared and enclosed amended claims for Rights A63-00161AC (Trans. No. 829) and A63-22227 (Trans. No. 940). I had made notes on these claims that the place of use needed to be modified, so this is what the amended claims are to accomplish.

Enclosed you will find an "amended" version of Claim A63-00231, as per our visit on November 29th. The amended form adds 200 acres to the place of use, as was done to Claim A63-00230F in March of 1992. The 200 acres are located within Twp. 3N, Rge. 1E, Sec. 5 and Twp. 3N, Rge. 1W, Sec. 5. The addition of these lands is the only change I have made to this claim.

Also enclosed are claims A63-00230C and A63-00231C which were combined under No. A63-22192 (Trans. No. 50) when originally submitted. Claims A63-00230B and A63-00231B, which were combined under number A63-27516 (Trans. No. 45), are also enclosed. Since

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one \$50.00 fee was submitted for each of the combined claims we will require an additional \$100.00 for submittal of the "separated" claim forms. The fees submitted for Claims A63-22192 and A63-27516 will be applied to the submittal of two of the "separated" claim forms.

Please note that the amount of water claimed under No. A63-22192 (0.20 cfs) does not match the amounts shown on A63-00230C and A63-00231C. Transfer No. 50 described an amount of 20" of water which would equal 0.40 cfs, which is what the combined amounts of A63-00230C and A63-00231C will be if submitted as prepared. I am not sure why the entire 20" of water was not claimed when A63-22192 was submitted so I have left the amount of water as shown in the water rights data base. If this is not correct, please change the forms to show the amount of water Settlers wants to claim. Also, I have misplaced my copy of "Exhibit D" that was attached to Claim A63-22192. If you have another copy could you please send me one?

In my March 29th correspondence, I returned the claims Settlers had submitted on Rights 63-03614, 63-03618 and 63-05262. These claims were submitted for storage water within federal facilities and I had returned them because the rights had already been claimed by the U.S. Dept. of Interior, Bureau of Reclamation. During your visit on November 29th, you stated that these claims would be pursued. I need to have the original claim forms back to proceed with them. Filing fees for these claims have been submitted under Receipt W018420 (part of the \$294.00 that I had requested).

I am also enclosing a copy of Page 18 of the Adjudications Rules and Regulations which says a map showing the boundaries of the irrigation district must be submitted with their claims. It is my understanding that Settlers were not intending to submit a map, which would be very useful in reviewing their claims. Hopefully this copy of the rules and regulations will persuade them.

Please have Settlers sign the amended and "separated" claim forms in the presence of a notary public and return them to me, along with the other claims mentioned above. Once I have received the signed forms I can update our records. If you find that changes need to be made to any of these forms, please make the changes prior to Settlers signing the forms and I will incorporate those corrections when I update our records. If you have any questions in regard to this letter please feel free to contact me.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

cc: Settlers Irrigation District

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OCT 02 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 29, 1994

RE: Notice of SRBA Claims to Water Rights Submitted by Settlers
Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

We have completed our initial review of the claims submitted by Settlers Irrigation District. During this review of the claims, we encountered several problems which must be clarified &/or addressed before we can process the information.

The claims submitted on Rights A63-00161Q, A63-00161J, A63-00170A and A63-00169A refer to Water Right Transfers Nos. 737, 712, 736 and 871 respectively. We cannot data enter these claims until we receive further information in regard to the place of use for these rights, so we are returning the original claims to you with this letter. Although the transfers attached to the claims identify legal descriptions of the place of use, they are not specific enough. We must have the number of irrigated acres in each 40-acre tract identified on the claims. To aid you and your clients in completing this, I have attached an ortho-photo quad to each of these claims which I have marked the place of use identified on the transfer for your convenience. Please mark the number of acres in each 40-acre tract on the ortho-photo quads and return the claims and quads to me.

I found that Claim Nos. A63-00161AN, A63-00161A, A63-00161AC, A63-00161BA, A63-00161T, A63-00198A and A63-22227 have been data entered with information contained on the transfer attachments. In reviewing these claims I believe that we need to confirm that the place of use has been accurately described. Copies of these claims and corresponding ortho-photo quads with the place of use marked are enclosed for your review. If you find that the legal descriptions are not correct, amended claims will need to be submitted.

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Enclosed for your files are the yellow copies of Notice of Claims to Water Right Nos. A63-00230 (amended by Settler's Irrigation District on March 18, 1992 to include 200 additional acres; and then renumbered to A63-00230F pursuant to our water right records), and A63-00231. Also enclosed are data entered copies of these claims. I am wondering if Claim A63-00231 should also be amended to include the 200 acres added to A63-00230F. If so, please advise me and I will prepare an amended claim for your convenience.

In reviewing Claims A63-00230F and A63-00231, along with other claims submitted on the original rights, I have found that the claims are in excess of the original decreed amount. Right 63-00230 was decreed for 99.06 cfs and was then split into parts by transfers of portions of the right. Right 63-00231 was decreed for 73.44 cfs and was then split into parts. The claims will be scrutinized when we conduct our field review to avoid showing an expansion of the decreed amounts.

We have received a claim, which we numbered A63-22192 (evidenced by Transfer No. 50), which is a combination of Rights 63-00230C (priority of 10/17/1884) and 63-00231C (priority of 6/1/1891), and a claim which we numbered A63-27516 (evidenced by Transfer No. 45) which is a combination of Rights 63-00230B and 63-00231B. Be advised that since these rights have been combined on one claim form the priority date may be advanced to the priority of the latter of the two rights (6/1/1891).

Enclosed are Claim Nos. A63-03614, A63-03618, and A63-05262 which are for storage of water within federal facilities. The original water rights are in the name of the U.S. Dept. of Interior, Bureau of Reclamation. Claims for these rights have been submitted by the Bureau of Reclamation, resulting in duplicate filings. As you can see, these claims are not included in the breakdown of the fees previously submitted and will require filing fees if pursued.

I did not locate a SRBA claim on Right 63-00287 (old number 85-A) which is for 36" of water to be delivered through Settlers Canal. I have included a listing of the current water right record for your information. A claim should be submitted if Settlers delivers this 36" of water through their system.

Enclosed is a breakdown of the fees submitted under Receipt No. C011305 as shown in our records. Please note that we have not received the correct filing fees for Settler's claims. I have found that some of the claims submitted are for irrigation of lands that are not included under the land list on Claim A63-00230F. Based on review of the claims that I could complete an overlap review on, the filing fees due are \$294.00. There are several claims (as discussed in paragraph 2) that I could not determine if the lands were previously paid for or not. I have also enclosed a summary to show where the additional fees are required.

It would be very helpful for our review of these claims if Settlers would submit a map showing all of the lands currently receiving water.

OCT 02 1996

from their system. We have found using ortho-photo quads for platting this information is helpful.

Please complete the above items, **initial and date any changes or additions** to the claim forms, and return them, with the requested fee, to our office. We will begin our field review of Basin 63 at the end of this summer and these claims need to be in our computer system by then. If you need help in completing the items identified or have any questions concerning this letter, please feel free to contact me. I would be happy to meet with you and/or board members from Settlers, if you would like to call and set up an appointment.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:kw
Enclosures

cc: Settlers Irrigation District

MICROFILMED
OCT 02 1996

11/29/2005

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

RIGHT NUMBER: 63-230B
NAME AND ADDRESS: THOMAS J MC COLLUM
8 CHINOOK DR
SHOUP ID 83469

ALVIN E LUTZ
6280 N MC DERMOTT RD
MERIDIAN ID 83642

ERNEST PERRY
3409 N 32ND ST
BOISE ID 83703

TERRY OWENS
6175 W. CHINDEN
MERIDIAN ID 83642

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.115 CFS

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 proceeding 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 proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Use of this right with rights listed below is limited to a total combined Diversion rate of .80 cfs at the field headgate. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

PRIORITY DATE: 10/17/1884

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	0.115 CFS

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

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 R01W S28 NWNW 40.0

40 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 40 acres in a single irrigation season. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

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

SPLIT RIGHT: SEE RIGHT NOS. 63-32207 and 63-32208.

This right is also designated as Right No. 92 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from Boise-Kuna Irrigation District.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 29, 2005

Terry Owens
6175 W. Chinden
Meridian, ID 83642

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-230B, 63-231B

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No.

63--230B

Prepared by:

Jan Shurte

Date: 5-15-05

4N 1W Sec 28

NWNW

1987 Photography



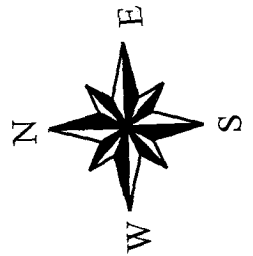
Place of Use



Section Lines

1/41/4

⊙ Pt of Diversion





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

October 26, 2005

Terry Owens
6175 W. Chinden
Meridian, ID 83642

RE: Notice of Change of Water Right Ownership No. 63-230B, 63-231B, 63-7823

Dear Mr. Owens:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was previously submitted to our office. However, After failed attempts to get a warranty deed from Stewart Title, we are returning it to you. If you can supply our office with a Warranty Deed then we will be able to complete this change, otherwise it will stay in the original owners name.

Please return the Change of ownership with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705

Feel free to contact this office if you have any further questions.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-230B V1

WATER RIGHT NUMBER: 63-230B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ERNEST PERRY 3409 N 32ND ST BOISE, ID 83703 (208)344-2330
Current Owner	THOMAS J MC COLLUM 8 CHINOOK DR SHOUP, ID 83469 (208)394-2138
Original Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471
Current Owner	ROBERT RUBLE 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7395
Current Owner	ALVIN E LUTZ 6280 N MC DERMOTT RD MERIDIAN, ID 83642

Priority Date: 10/17/1884

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	0.115 CFS	
	<u>Total Diversion:</u>	0.115 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
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N	01W	28																	40.0
																			40.0

Total Acres: 40

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-230B V1

Conditions of Approval:

1. 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 proceeding 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 proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
2. E56 Use of this right with the rights listed below is limited to the irrigation of a combined total of 40 acres in a single irrigation season. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.
3. 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.
4. This right is also designated as Right No. 92 in the Boise River Stewart Decree and Boise River Water Distribution Report.
5. W45 Use of this right is combined with water from Boise-Kuna Irrigation District.
6. E52 Use of this right with rights listed below is limited to a total combined diversion rate of .80 cfs at the field headgate. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.
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 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.



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

September 16, 2005

RECEIVED

SEP 26 2005

WATER RESOURCES
WESTERN REGION

THOMAS J MC COLLUM
8 CHINOOK
SHOUP ID 83469

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-230B, 63-231B
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

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

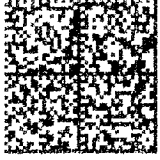
Thomas J McCollum
Signature of water right claimant

1-208-394-2138
Telephone number

Thomas J McCollum
8 Chinook Dr
Shoup Idaho 83469

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

FIRST CLASS



02 1A
0004389393
MAILED FROM ZII

THOMAS J MC COLLUM
6100 N MC DERMOTT
MERIDIAN ID 83642

NOT DELIVERABLE
ADDRESSEE
UNABLE TO FORWARD

No Address Forward

8 Chinook
Shoup 83469

63-2308
63-2309

RECEIVED
JUN 10 2005
WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED

05/21/2005

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

RIGHT NUMBER: 63-230B

NAME AND ADDRESS: ERNEST PERRY
3409 N 32ND ST
BOISE ID 83703

THOMAS J MC COLLUM
6100 N MC DERMOTT
MERIDIAN ID 83642

ROBERT RUBLE
6175 W CHINDEN BLVD
MERIDIAN ID 83642

ALVIN E LUTZ
6280 N MC DERMOTT RD
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.115 CFS

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 proceeding 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 proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Use of this right with rights listed below is limited to a total combined diversion rate of .80 cfs at the field headgate. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

PRIORITY DATE: 10/17/1884

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	0.115 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 R01W S28 NWNW 40.0

40 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 40 acres in a single irrigation season. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

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 also designated as Right No. 92 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from Boise-Kuna Irrigation District.

05/21/2005

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

RIGHT NUMBER: 63-230B

NAME AND ADDRESS: ERNEST PERRY
3409 N 32ND ST
BOISE ID 83703

THOMAS J MC COLLUM
6100 N MC DERMOTT
MERIDIAN ID 83642

ROBERT RUBLE
6175 W CHINDEN BLVD
MERIDIAN ID 83642

ALVIN E LUTZ
6280 N MC DERMOTT RD
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.115 CFS

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 proceeding 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 proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Use of this right with rights listed below is limited to a total combined diversion rate of .80 cfs. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

PRIORITY DATE: 10/17/1884

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	0.115 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 R01W S28 NWNW 40.0

40 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 40 acres in a single irrigation season. Combined Right Nos.: 63-231B, 63-4644, 63-7823 and 63-11185.

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 also designated as Right No. 92 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from Boise-Kuna Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-230B

WATER RIGHT NUMBER: 63-230B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ERNEST PERRY 3409 N 32ND ST BOISE, ID 83703 (208)344-2330
Current Owner	THOMAS J MC COLLUM 6100 N MC DERMOTT MERIDIAN, ID 83642 (208)286-7163
Original Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471
Current Owner	ROBERT RUBLE 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7395
Current Owner	ALVIN E LUTZ 6280 N MC DERMOTT RD MERIDIAN, ID 83642
Original Owner	J E MOORE

Priority Date: 10/17/1884 *OK*
Basis: Decreed
Status: Active

Source
BOISE RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.115 CFS	
	<i>3/1</i> <u>Total Diversion:</u>	0.115 CFS	<i>OK</i>

Location of Point(s) of Diversion

BOISE RIVER
ADA County

~~NW 1/4 NW 1/4~~

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

SW NE 107

Place of Use
IRRIGATION

→ Actual Settler POD

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	28	NE	NW	SW	SE	40.0
			NE	NW	SW	SE	40.0

Total Acres: 40

Needs
155 - Stepdown remark
#92 Boise River decr
545 Period of Use

*Overlaps w/ G.W.
right #'s 63-4644,
7823 + 11185 at field
headgals. Also overlaps
w/ additional Settlers I.P.
indiv. at # 63-2318 for .085
63-7823 indicates some
Boise River H2O is used in
this 1/4 plus additional
Settlers.*

OK

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-230B

Conditions of Approval:

1. A POWER OF ATTORNEY (EXHIBIT A) PROVIDES WRITTEN AUTHORIZATION FOR THE CHAIRMAN OF SETTLERS IRR. DIST. TO FILE THIS CLAIM.
THIS WATER RIGHT IS EVIDENCED BY TRANSFER NO. 45 (EXHIBIT C).

Remarks:Comments:Dates and Other Information:

Claim Received Date: 9/8/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-230B

05/21/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-230B	Claim	04N	01W	28	NW	NW		IRRIGATION	40/40	ERNEST PERRY
63-231B	Claim	04N	01W	28	NW	NW		IRRIGATION	40/40	ROBERT RUBLE
63-4644	Claim	04N	01W	28	NW	NW		IRRIGATION	30/35	WATERFIELD DEVELOPMENT CO LLC
63-7823	Claim	04N	01W	28	NW	NW		IRRIGATION	6/6	DAWN L STARRY WAGGONER
63-11185	Claim	04N	01W	28	NW	NW		IRRIGATION	31/410	SETTLERS IRRIGATION DISTRICT
63-230B	Water Right	04N	01W	28	NW	NW		IRRIGATION		J E MOORE
63-231B	Water Right	04N	01W	28	NW	NW		IRRIGATION		J E MOORE
63-4644	Water Right	04N	01W	28	NW	NW		IRRIGATION	30/35	THOMAS J MC COLLUM
63-5395	Water Right	04N	01W	28	NW	NW		IRRIGATION	6/6	ALVIN E LUTZ
63-7823	Water Right	04N	01W	28	NW	NW		IRRIGATION	6/6	VIRGIL C CALDWELL
63-11185	Water Right	04N	01W	28	NW	NW		IRRIGATION	31/410	SETTLERS IRRIGATION DISTRICT
63-3614B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
63-3618B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
63-5262B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT

Adjudication Recommendation Report 63-7823 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CAROLYN J RUBLE 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7395
Original Owner	KIM RUSSELL CHOURNOS 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-9562
Current Owner	DAWN L STARRY WAGGONER 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-9091
Original Owner	ROBERT H RUBLE 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7395
Original Owner	VIRGIL C CALDWELL RT 2 HWY 20 MERIDIAN, ID 83642
Original Owner	KATHALEEN CHOURNOS 6175 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-9562

Status: Active

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	0.60 AF
IRRIGATION	4/01 to 10/31	0.130 CFS	29.00 AF
	Total Diversion:	0.150 CFS	29.60 AF

GROUND WATER NW1/4NW1/4 Sec. 28, Twp 04N, Rge 01W, B.M.
ADA County

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7823 V1

Total Acres: 6.5

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. W54 Use of this right is combined with water from Settlers Irrigation District.
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. X02 Stockwater use is for 13 horses, 10 sheep, and 1 goat.
4. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
5. W45 Use of this right is combined with water from Boise-Kuna Irrigation District.

Remarks:

Comments:

1. WERNER 11/23/1992 OWNERSHIP

Comment: CHANGE OF OWNERSHIP FORM W/DEED VERIFYING OWNER SUBMITTED ON 06/11/92. CHANGE COMPLETED ON 11/20/92. "CONTRACTOR TO CONTINUE REVIEW"

2. dhatfield 2/25/2003 Ownership change

Comment: Ownership change by DH 2/25/2003.

3. kbrown 11/5/2003 Claim Review Checklist

Comment: Jan Shurte comments: Claimant filed showing stockwater and irrigation from the artesian well under this right. The original license included the home which is from a different well (6" casing w/ pump) (see attached field exam showing 2 wells). Claimant filed a separate claim (#63-17446) for the domestic well and use. This is a much cleaner approach and when these are recommended, this license should show stockwater and irrigation from the artesian well. Then, the domestic claim should show the domestic use from the domestic well.

4. kbrown 11/5/2003 Parcel Number

Comment: Parcel # S0428221000.

5. kbrown 11/5/2003 Irrigated Acres

Comment: The claimant claimed 6.47 acres and the field examiner used this amount in its calculations, but we are instructed to round to 6.5 when recommending. Fortunately, 6.5 acres calculates to comparable cfs and AFA amounts for irrigation use.

6. kbrown 5/21/2004 Point of Diversion

Comment: Water Right Nos. 63-4644, 63-4676, 63-5395, 63-5397, 63-5398, & 63-7823 all share the same point of diversion.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7823 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: NONE RECEIVED
 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: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	11/5/2003 1:21:59 PM	kbrown			Active
Priority Date	11/5/2003 1:22:48 PM	kbrown			Active
POD	11/5/2003 1:23:34 PM	kbrown			Active
Source	11/5/2003 1:24:21 PM	kbrown			Active
POU	11/5/2003 1:25:33 PM	kbrown			Active
Use	11/5/2003 1:26:02 PM	kbrown			Active
Season	11/5/2003 1:27:03 PM	kbrown			Active
Quantity	11/5/2003 1:27:59 PM	kbrown			Active
Summary			11/05/2003	kbrown	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	11/5/2003 1:24:21 PM	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	11/5/2003 1:25:33 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7823 V1

Priority Date	11/5/2003 1:22:48 PM	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?
Use	11/5/2003 1:26:02 PM	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 condition required?
Season	11/5/2003 1:27:03 PM	kbrown	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (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? (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? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	11/5/2003 1:27:59 PM	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 6.47 acres x 4.5 = 29.0 AFA
POD	11/5/2003 1:29:35 PM	kbrown	Edited point location
POU	11/5/2003 1:34:11 PM	kbrown	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7823 V1

Summary	11/5/2003 1:54:51 PM	kbrown	(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. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (No) 10. Would you like to set the verification date?
Contacts	11/5/2003 1:22:00 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: License.
POD	11/5/2003 1:23:34 PM	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?

Water Supply Bank:

License of Water Right No. 63-7823 Priority June 29, 1973 Amount 0.15 cfs

THIS IS TO CERTIFY, that VIRGIL C. CALDWELL
of Meridian, Idaho, has complied with the terms and conditions of Permit
No. 63-7823 issued pursuant to Application for Permit dated June 29, 1973,
and has submitted proof to the Department of Water Resources on August 15, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.15 of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and	<u>0.6 acre feet</u>	
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u> at <u>0.13</u> cfs and	<u>29.0 acre feet or</u> <u>4.5 af per acre</u>	
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.15 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
29.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28,

Twp. 4 N, Rge. 1 W, B. M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	1 W	28					X												6.47

Total number of acres irrigated 6.47

Separate acres

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

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

Witness the seal and signature of the Director affixed at Boise, Idaho, this 10



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 2, 1988

Vernon K. Smith
Attorney at Law
1900 Main Street
Boise, ID 83702

Re: Artesian Well Located in the NW1/4 NW1/4, Sec. 28, Twp. 4N., Rge. 1W.,
B.M., Ada County.

Dear Mr. Smith:

I am in receipt of your letter dated January 25, 1988, in which you provided information and expressed concerns regarding the above referenced well, on behalf of Mr. Robert H. Ruble. The purposes of this letter are to respond to your letter, and to document the current position of this Department with respect to this matter.

As a format for responding to your letter, I will first describe the information in the Department files, and our assessment of the situation at the well based on the information that has been provided to date. The second section of the letter will respond to points specifically identified in your letter, and the third section will provide summary information.

Current Filings

Please find enclosed as Attachment 1 a copy of a computer listing of a computer query of all water rights with point of diversion specified as NW1/4 NW1/4, Sec. 28, Twp. 4N., Rge. 1W. Note that within this 40 acre tract there are six recorded water rights. One of the water rights, No. 63-7823, has a stage recorded as "L", which stands for license. This is the licensed water right to which your letter referred. The other five recordings show a stage of "S", which represents statutory claim. Enclosed for your information, and for the benefit of the carbon copy recipients of this letter, are copies of all six filings.

Perhaps at this point a discussion of the differences between a license and a statutory claim is appropriate. Although you are likely familiar with this system, it may be new to some of the carbon copy recipients. In Idaho, since 1903 there have been two systems of developing water rights. One system is through the application, permit, license process established by State statutes. The other system is by diversion and beneficial use, which established a "constitutional", or "beneficial use" water right.

RECEIVED
MAR 14 1988

In the application, permit, license system, a water right applicant files a form with this Department, and the date of filing establishes the date of priority. In the case of Virgil Caldwell's filing, his application, which was submitted on June 29, 1973, established this date as the date of priority for his water right. The number assigned to the application is No. 63-7823. Under this system, the application was advertised, no protests were received, and a permit was issued. On August 15, 1974, the permit holder submitted to the Department proof of beneficial use. The Department conducted a field examination of the system, and on November 19, 1974, a water right license was issued as described on the license form. Mr. Caldwell's water right was established in this manner, and based on the information in our files it is still is a current and valid water right.

On the other hand, the "beneficial use", or "constitutional" system is the method by which many water rights in Idaho have been established. Under this system, a water user could establish a water right merely by diverting and beneficial using a flow of water. For many years, there was no means of recording this type of a water right, but in the late 1960's the legislature provided a system for recording such rights on a form entitled "Claim to a Water Right". The filing of a Claim to a Water Right is intended to record and describe a previously unrecorded beneficial use water right, for purposes of preserving information with respect to the water right. A claim is advertised by the Department, but is not inspected and a hearing is not held if the claim is protested.

When a court determination is made regarding water rights in a specific area via the water right adjudication process, both beneficial use water rights and water rights established by the application, permit, license process are reviewed and can result in adjudication and court verification. In the case of the well in question, adjudication has not taken place so court verification, thus, has not been completed.

A summary of the five claims to water rights from the artesian well is as follows:

Water Rt. No.	Last Name	Rate of Flow	Use	Priority Date
63-4644	McCollum	.60 cfs	Irrigation	8/20/1936
63-4676	Eby	.64 cfs	Irrigation	8/20/1936
63-5395	Lutz	.12 cfs	Irrigation	8/20/1936
63-5397	Kuehn	.14 cfs	Irrigation	8/20/1936
63-5398	Cope	.16 cfs	Irrigation	8/20/1936
		.02 cfs	Stockwater	8/20/1936

Note from this summary that the date of priority noted in each of the claims is August 20, 1936. The reason for this common date of priority is that the claimants all indicate that their property was irrigated as part of a combined irrigation operation. It is the contention of the claimants at one time all of the land was part of one common farm, and irrigation commenced on all of the land at the same time. This is a common scenario in situations where property has been subdivided.

One limitation of a beneficial use water right is that as of March 25,

MAR 14 1986

1963, the legislature terminated the opportunity to form new beneficial use rights from ground water sources, for any use other than single household domestic or stockwater use. Thus, the use of the well made prior to that date can be claimed in a beneficial use right, but use begun after that date cannot be claimed in this manner. It is probably not feasible to use the domestic exemption for the addition of more than one domestic use to an irrigation well.

Based on our initial assessment of the recorded water rights on the well, it is possible and likely that the claimed water rights are valid, at least to some extent, and that more than one water right currently exists from the well.

Response To Your Letter Dated January 25, 1988

The position of this office with respect to water right disputes, whether from surface or ground water sources, is to maximize the information that is provided to all interested parties, in order to encourage a solution developed by and enacted by the users of the system. Accordingly, copies of this letter are being sent to all known interested parties in this matter. The intent is to place all factual matters on the table for inspection by each of the parties, and to encourage a solution using those facts.

As a means of organizing this response, I will address your comments in the order in which they were raised. The intent of this response is not to reiterate those items that have been covered by the discussion of water rights above, but rather to add additional information that was not included as a part of that discussion.

With respect to the relationship between the Settlers Irrigation District ditch and the water provided by this artesian well, we acknowledge that Settlers Irrigation District personnel make no claim to the water from the artesian well. It is our understanding that some or all of the lands which are claimed to use water from the artesian well have as an additional supply water from Settlers Irrigation District. However, it is common within the Boise drainage and elsewhere throughout the state that water users located near the ends of laterals sometimes experience shortage in water supply due to upstream demands. It is therefore common for water users located at the end of laterals to develop alternate sources of supply, such as supplemental wells. In this case, the position of the well with respect to the Settlers Irrigation District lateral suggests that when the well was drilled, the purpose was to provide such augmentation flows for irrigation purposes. Thus, even though the Settlers Irrigation District personnel do not claim a water right with respect to the well, it is conceivable from our standpoint that such a water right may exist.

With respect to your paragraph VII, it is clear that Mr. Cope has attached a pipe to the artesian well for purposes other than irrigation and stockwater. The date of this attachment has been identified as sometime during the 1970s, so these uses are later in time than the aforementioned March 25, 1963 cut-off date. Thus, in order to establish a legal diversion for the heating and domestic uses that Mr. Cope apparently has initiated, he will need to either drill a separate well or establish a water right from this well through the proper procedures of filing an Application for Permit.

RECEIVED
MAY 14 1988

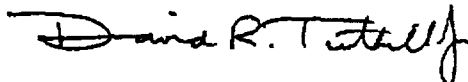
Such an application would be advertised and subject to protest. Mr. Cope visited the office recently, and I advised him of this factor and provided him with blank application for permit forms.

Summary Information

As a summary, I will review my understanding of the current status with respect to the recommendations A through D in my letter dated May 21, 1987. Regarding recommendation A, it appears that all users who had not recorded their irrigation water rights from the well have done so, in the form of claims to water rights. With respect to Item B, it is my understanding that non-irrigation uses from the well have ceased, perhaps because the uses were disconnected forcibly by Mr. Ruble. With respect to Item C, it is my understanding that the well head discharge has not yet been restored to its original elevation. With respect to Item D, I have not received information which indicates that the owners of land which receives water from the well have contacted an attorney to develop a contract regarding repair and modification of the well, and use of water therefrom. However, at this point with your involvement, Mr. Smith, and with the involvement of Mr. Bill Brauner, an attorney from Caldwell, there is perhaps a start toward establishment of a resolution of this matter.

As indicated in my earlier letter, this situation seems to be one which has the opportunity to be settled based on involved parties working together in a neighborly manner. I would encourage further discussions to be conducted by the parties in this matter, and I will be available to participate further in this matter if necessary.

Sincerely,



DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

c.c. Tom McCollum
Gene Eby
Robert Ruble
Dean Bentley
Peter K. Kuehn
Pete Cope
Alvin E. Lutz
Louis Asumendi
Wm. J. Brauner
Joe Jones
State Office - Bob Fleenor ✓

Enclosures: Copies of Water Rights Nos. 63-4644, 63-4676, 63-5395,
63-5397, 63-5398, 63-7823

MAR 14 1988

SETTLERS GW
OVERLAP 31 AC

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-11185

Priority: January 26, 1990

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume: 516.0 AF

It is hereby certified that SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE ID 83707 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated January 26, 1990; and has
submitted Proof of Beneficial Use on June 13, 1991. An examination indicates that the works have a
diversion capacity of 1.56 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	1.00 CFS	516.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, 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 01W 20															18.0	37.0	55.0
04N 01W 21										27.0	39.0	38.0				38.0	142.0
04N 01W 28	13.0	38.0	40.0	6.0	39.0	31.0	10.0	28.0						8.0			213.0

Total Acres: 410

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 352 acres within the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1580.0 af at the field headgate for the 352 acres of land authorized for irrigation under this right.
3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

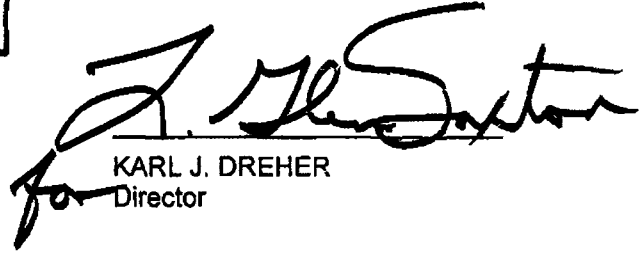
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-11185

4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of January, 2005.


KARL J. DREHER
Director

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 352 \text{ acres} \times 4.5 \text{ afa} = 1584 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 1.00 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 515.7 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 515.7 \text{ afa}$$

2. Volume Calculations for Other Uses:

NONE

G. NARRATIVE/REMARKS/COMMENTS

I was asked to complete this exam originally started by Sara West. A second review of the site was needed.

The water for this permit is diverted from a 15 inch well located on the north side of a private lane in the NESENE of S28 T4N R1W. The water is open discharged into the McMullen Lateral. The water from this point flows westward to a series of ditches and laterals that supply water to 408.6 acres on the west end of the Settlers Irrigation District system (please see system diagram). The well was developed to alleviate drainage problems in the area. A permit was filed for this well in May of 1963 to ensure the water users at the end of the system received their full supply of water. Proof of beneficial use was never filed on the earlier permit, but the well has been used as needed since that time.

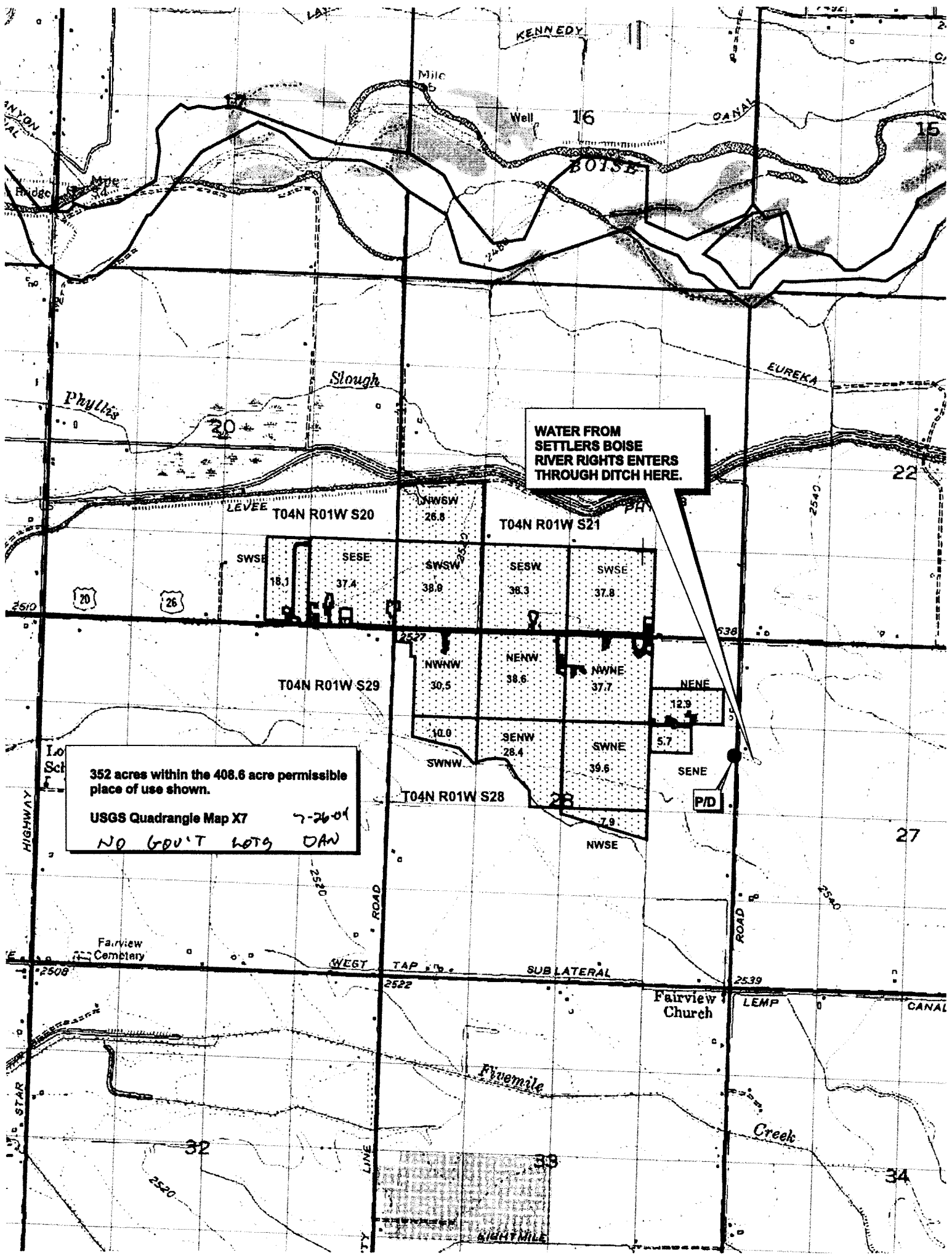
There was some confusion during the processing of this permit regarding the number of acres this system served and the diversion rate of the pump. It seems as though the diversion rate was reduced below the pump capacity after IDWR staff questioned the capacity. The acre amounts were also reduced. The permit does not seem to have been filed to the capacity of the irrigation districts system or the capacity of the well. Therefore, I have proposed to the irrigation district that we license this right for the amount requested under this permit of 1.00 cfs and 352 acres within the 408.6 acre permissible place of us. Since the well drilled and the irrigation use started in 1963, I have recommended that the irrigation district file for another permit to cover the remaining well capacity of 0.56 cfs and to cover the entire 408.6 acres where the well water can be used. This will allow them to use the full capacity of the system. A new application can be filed on this system, since it was developed prior to 1987.

There are several overlapping water rights under Settlers Irrigation District's portfolio of water rights. Most of these rights are from surface water sources and should not affect the licensing of this water right. There are several other supplemental water rights owned by individual landowners to supplement the Settlers Irrigation District water. None of these rights should affect the licensing of this permit. This permit is only used when Settlers is delivering water through their canal system, so the well is not used once their full delivery of the surface water has been accomplished. Therefore, the individual supplemental rights would not generally be in use while Settler's well is in operation.

I recommend that this applicant be licensed with the condition that they use the full allocation of surface water when available prior to using this well. The well can only be used when the system cannot supply a full allocation of surface water to the lands described in this permit. This well can only supply water to the 408.6 acres described above. Therefore, it should be limited directly to those acres and not be moved unless a formal transfer has been filed. When combined with all other water rights, this right should be limited to 0.02 cfs and 4.5 afa at the field headgate.

Have conditions of permit approval been met? X Yes ____ No

A cipoletti weir is available for measurement when needed. Due to power demand charges it was not reasonable to ask the permit holder to turn on the pump at this time for a measurement.



WATER FROM
SETTLERS BOISE
RIVER RIGHTS ENTERS
THROUGH DITCH HERE.

352 acres within the 408.6 acre permissible
place of use shown.
USGS Quadrangle Map X7 7-26-01
NO GOV'T LOTS CAN

GW OVERLAP
23 AC

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4644 V1

WATER RIGHT NUMBER: 63-4644 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS J MC COLLUM 6100 N MC DERMOTT MERIDIAN, ID 83642 (208)286-7163
Current Owner	WATERFIELD DEVELOPMENT CO LLC BARBARA L WATERFIELD 6100 N MC DERMOTT RD MERIDIAN, ID 83642-5008 (208)286-0537

Priority Date: 08/20/1936

Basis: Beneficial Use

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	03/01 to 11/15	0.500 CFS	153.00 AF
	<u>Total Diversion:</u>	0.500 CFS	153.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NW1/4	Sec. 28, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	28						23.0	11.0										34.0

Total Acres: 34

Conditions of Approval:

1. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
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. W45 Use of this right is combined with water from Boise-Kuna Irrigation District.
4. W54 Use of this right is combined with water from Settlers Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4644 V1

Comments:

1. kbrown 5/10/2004 Parcel Numbers

Comment: PARCEL NO: S0428212500 & PORTION OF S0428212600.

2. kbrown 5/10/2004 Point of Diversion

Comment: Water rights #63-4644, #63-4676, #63-05395, #63-5397, #63-05398, & #63-07823 all share the same POD.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-230B

WATER RIGHT NUMBER: 63-230B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J E MOORE
	, ID
Original Owner	SETTLERS IRRIGATION DISTRICT
	PO BOX 7571
	BOISE, ID 83707
	(208)344-2471

Priority Date: 10/17/1884

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	/ to /	0.115 CFS	
	<u>Total Diversion:</u>	0.115 CFS	

Location of Point(s) of Diversion

BOISE RIVER	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	28						X											

Conditions of Approval:Remarks:Comments:Dates and Other Information:

LXXVIII.

That the defendant the SETTLERS' CANAL COMPANY, Limited, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river at the head of the Government Hay Reservation, in Sec. 9, T. 3 N. R. 2 E. B.M., for use on the lands lying under its canal system, in the following amounts from the following dates;

63 0230 *Trans. .30* *Trans. .40* *7-34, 35, 50, 477, 483*

4953 inches, from Oct. 17, 1884. and hereby designated as Right No. 92.

63 0231 *745, 50, 34*

5672 inches, from June 1, 1891; and hereby designated as Right No. 122.

And be adjudged to pay \$303.75 costs in addition to the costs incurred by it.

LXXIX.

That the defendants WILLIAM C. YOUNG, LIZZIE YOUNG and ESTELLA YOUNG be, and they are hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river at or near the SE 1/4 of SW 1/4 of Sec. 10, T. 4 N. R. 3 W. B.M., through what is known as the Young ditch, for use upon lands lying under said ditch in sections 15 and 21, T. 4 N. R. 3 W. B.M., in the following amount from the following date;

63 0232

200 inches, from Jan. 25, 1887. and hereby designated as Right No. 95.

And be adjudged to pay \$14.00 costs in addition to the costs incurred by them.

LXXX.

That the defendant the AMERICAN DITCH ASSOCIATION, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river at or near the SE corner of SW 1/4 of Sec. 16, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63 0233 *Trans. 2.0 P.D.* *Trans. 1475"* *510"*

2390 inches, from Oct. 1, 1887. and hereby designated as Right No. 96.

And be adjudged to pay \$167.30 costs in addition to the costs incurred by it.

T- 62	P.D. 3
36	P.D. 36-A
47	P.D. 48
48	P.D. 148
111	P.D. 166
190	P.D. 172
38	P.D. 224
	P.D. 171

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-230B

02/23/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
230B	Claim	04N	01W	28	NW	NW		IRRIGATION	40/40	ERNEST PERRY
231B	Claim	04N	01W	28	NW	NW		IRRIGATION	40/40	ROBERT RUBLE
4644	Claim	04N	01W	28	NW	NW		IRRIGATION	30/35	WATERFIELD DEVELOPMENT CO LLC
7823	Claim	04N	01W	28	NW	NW		IRRIGATION	6/6	DAWN L STARRY WAGGONER
11185	Claim	04N	01W	28	NW	NW		IRRIGATION	42.5/760.6	SETTLERS IRRIGATION DISTRICT
230B	Water Right	04N	01W	28	NW	NW		IRRIGATION		J E MOORE
231B	Water Right	04N	01W	28	NW	NW		IRRIGATION		J E MOORE
4644	Water Right	04N	01W	28	NW	NW		IRRIGATION	30/35	THOMAS J MC COLLUM
5395	Water Right	04N	01W	28	NW	NW		IRRIGATION	6/6	ALVIN E LUTZ
7823	Water Right	04N	01W	28	NW	NW		IRRIGATION	6/6	VIRGIL C CALDWELL
11185	Water Right	04N	01W	28	NW	NW		IRRIGATION	31/410	SETTLERS IRRIGATION DISTRICT
1614B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01W	28	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
15759	Water Right	04N	01W	28	NW	NW		STOCKWATER		WATERFIELD DEVELOPMENT CO LLC
15761	Water Right	04N	01W	28	NW	NW		STOCKWATER		WATERFIELD DEVELOPMENT CO LLC
17446	Water Right	04N	01W	28	NW	NW		STOCKWATER		DAWN L STARRY WAGGONER
15761	Water Right	04N	01W	28	NW	NW		DOMESTIC		WATERFIELD DEVELOPMENT CO LLC
17446	Water Right	04N	01W	28	NW	NW		DOMESTIC		DAWN L STARRY WAGGONER

Receipt Details for ID C011305

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/8/1989 10:08:08 AM	9/8/1989	State	\$12,715.00	Check
Payer		SETTLERS' IRRIGATION DIST		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8265			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$12,715.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	230	F	\$10,675.00	Claim
63	161	G	\$50.00	Claim
63	161	N	\$50.00	Claim
63	22227		\$50.00	Claim
63	22226		\$70.00	Claim
63	22225		\$50.00	Claim
63	161	BG	\$50.00	Claim
63	161	V	\$100.00	Claim
63	161	AX	\$50.00	Claim

63	161	AV	\$50.00	Claim
63	161	Z	\$50.00	Claim
63	161	AJ	\$50.00	Claim
63	161	AL	\$70.00	Claim
63	161	AN	\$50.00	Claim
63	161	BA	\$50.00	Claim
63	161	A	\$50.00	Claim
63	161	T	\$50.00	Claim
63	231		\$50.00	Claim
63	230	C	\$50.00	Claim
63	124	F	\$50.00	Claim
63	124	H	\$50.00	Claim
63	214	A	\$50.00	Claim
63	199	A	\$130.00	Claim
63	124	K	\$50.00	Claim
63	198	A	\$64.00	Claim
63	257		\$90.00	Claim
63	161	AC	\$50.00	Claim
63	230	B	\$50.00	Claim
63	120	H	\$130.00	Claim
63	198	Y	\$70.00	Claim
63	170	A	\$50.00	Claim
63	169	A	\$50.00	Claim
63	161	J	\$50.00	Claim
63	161	Q	\$50.00	Claim
63	161	BW	\$50.00	Claim

[Print Report](#)