

IRRIGATION WATER SOURCES

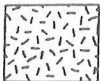
Data based on 1975 agricultural season



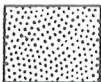
Private groundwater diversions



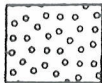
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



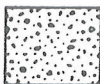
Farmers Union Ditch Co. (Boise River diversion)



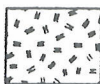
Little Pioneer Ditch Co. (Boise River diversion)



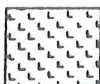
Nampa-Meridian Irrigation District (Boise River diversion)



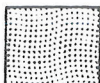
New York Irrigation District (Boise River diversion)



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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OCT 02 1996

Blumberg No. 6119

EXHIBIT

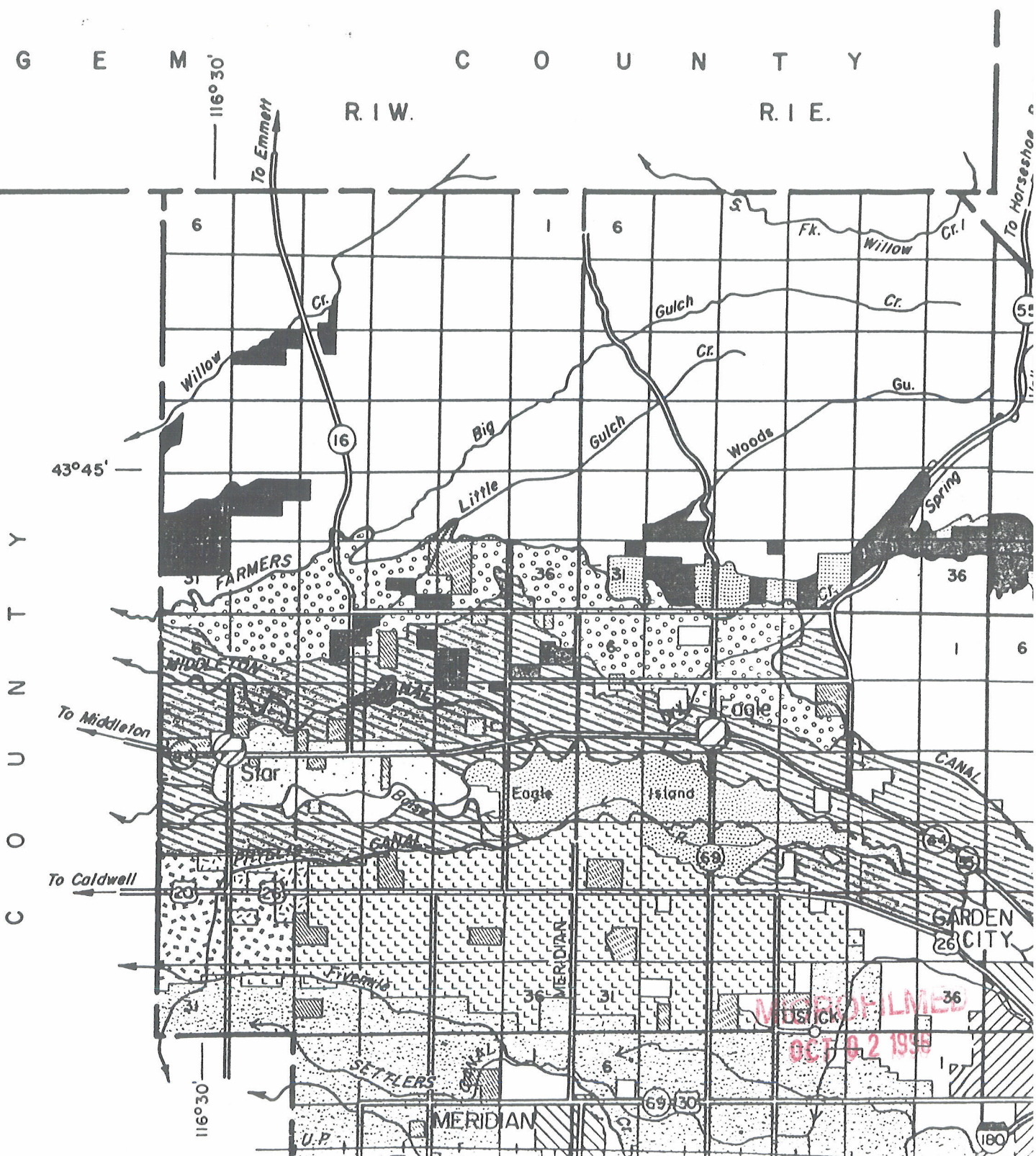
B



G E M C O U N T Y

R.I.W.

R.I.E.



IDAHO DEPARTMENT OF WATER RESOURCES

**Water Right No.
63--231C**

Prepared by:
Jan Shurte
Date: 5-22-05

**4N 1W Sec 20
SWSE & SESE**

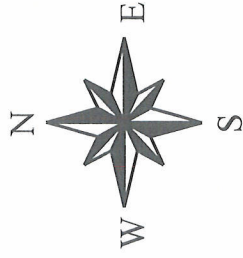
1987 Photography

 **Place of Use**

 **Section Lines**

 **1/41/4**

 **Pt of Diversion**



0 1320 Feet

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: A63-00231C

Date Received: 9/8/1989

Receipt No: W018420

Received By: updated
3-17-95
rw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	JESSIE M ALLEN	208-286-7065
Address:	6760 W CHINDEN BLVD	
	MERIDIAN ID	83642
OR		
Name:	EARL HOLBERT	208-286-7963
Address:	6700 W CHINDEN BLVD	
	MERIDIAN ID	83642
OR		
Name:	FRED WILHELM	208-286-7194
Address:	6620 W CHINDEN BLVD	
	MERIDIAN ID	83642
OR		
Name:	ESTHER STRAIN	208-286-7705
Address:	6880 W CHINDEN BLVD	
	MERIDIAN ID	83642

2. Date of Priority: JUN 1, 1891

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	0.170		

7. Total Quantity Appropriated is:

0.170 C.F.S. (and/or)

A.F.A.

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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	20	SW	SE		IRR	20.0
			SE	SE		IRR	20.0

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. 50, 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: _____

MICROFILMED
OCT 02 1998

For Organizations:

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

Don 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

Sheldon A. Anderson
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. A63-00230C & 00231C
Ident. Number: ~~A63-22192~~ *KW*
Date Received: 9/08/1989
Receipt No: C011305 *B-2095*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JESSIE M. ALLEN 208-286-7065
Address: 6760 WEST CHINDEN BLVD.
MERIDIAN, ID 83642
OR
Name: EARL HOLBERT 208-286-7963
Address: 6700 WEST CHINDEN BLVD.
MERIDIAN, ID 83642
OR
Name: FRED WILHELM 208-286-7194
Address: 6620 WEST CHINDEN
MERIDIAN, ID 83642
OR
Name: ESTHER STRAIN 208-286-7705
Address: 6880 WEST CHINDEN BLVD.
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 of	Lot	County
03N	02E	9	NW	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	0.200		

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

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

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	20	SW	SE	IRR	20.0
			SE	SE	IRR	20.0
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? YES

13. Other Water Rights Used:
63-0230, 63-0231, 63-5262, 63-3618, 63-3614

14. Remarks:

A POWER OF ATTORNEY (EXHIBIT A) PROVIDES WRITTEN AUTHORIZATION FOR THE CHAIRMAN OF SETTLER'S IRR. DIST TO FILE THIS CLAIM. THIS WATER RIGHT IS EVIDENCED BY TRANSFER NO. 50 EXHIBIT "C" AND IS THE COMBINATION OF WATER RIGHTS #63-00230C AND 63-00231C

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/18/1906

FARMERS CO-OP DITCH COMPANY
Decree Plaintiff

vs

RIVERSIDDE IRR. DIST
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN 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

Date Received**Receipt Number**

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) See Exhibit D Phone ()

Mailing Address _____ **Zip** _____

2. Date of Priority (Only one (1) per claim) October 17, 1884

3. Source of water supply (a) Boise River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,

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

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Reinforced concrete diversion dam in river to earthen canal, to earthen lateral ditch system.

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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 .20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (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	20															20	20	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. 50 (Exhibit C).

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OCT 02 1996

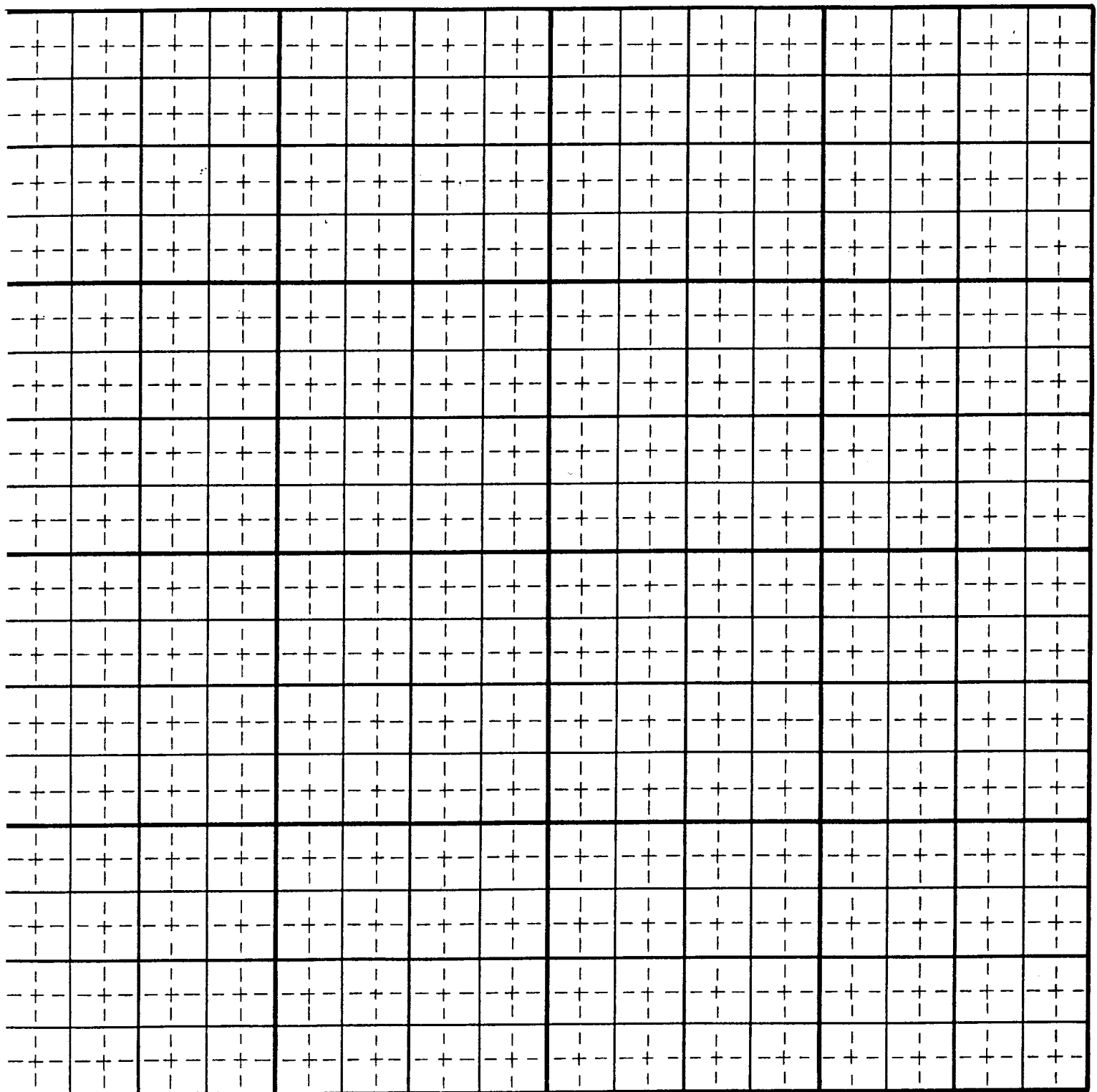
Last Name Allen, etc. Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE EXHIBIT B.



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OCT 02 1996

Last Name Allen, 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 63-0230
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 _____, that I have signed the foregoing
Organization
document in the space below as Chairman _____ of Settlers Irrigation District
Title Organization
and that the statements contained in the foregoing document are true and correct.

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

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

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

SEAL

Notary Public Zoe Ann M. Bickard

Residing at Meredian, 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 70 _____

Date _____

Last Name Allen, etc. Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 02 1996

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.

8-4-89
Date

Fred Wilhelm
Signature

FRED WILHELM
(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.

August 4, 1989
Date

Jessie M. Allen
Signature
JESSIE MARIE ALLEN
(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.

8/3/89
Date

Earl Holbert
Signature

EARL LEE HOLBERT
(Please print full name)

8/3/89
Date

Lois M Holbert
Signature

LOIS MAXINE HOLBERT
(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

Esther L. Strain
Signature
Esther L. Strain
(Please print full name)

Date

Signature

(Please print full name)

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OCT 02 1998

EXHIBIT A

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



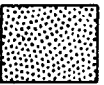
Private groundwater diversions



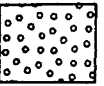
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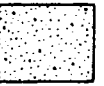
Boise-Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



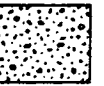
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



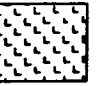
Nampa-Meridian Irrigation District (Boise River diversion)



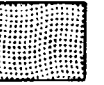
New York Irrigation District (Boise River diversion)



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

Exhibiting No. 5119

EXHIBIT

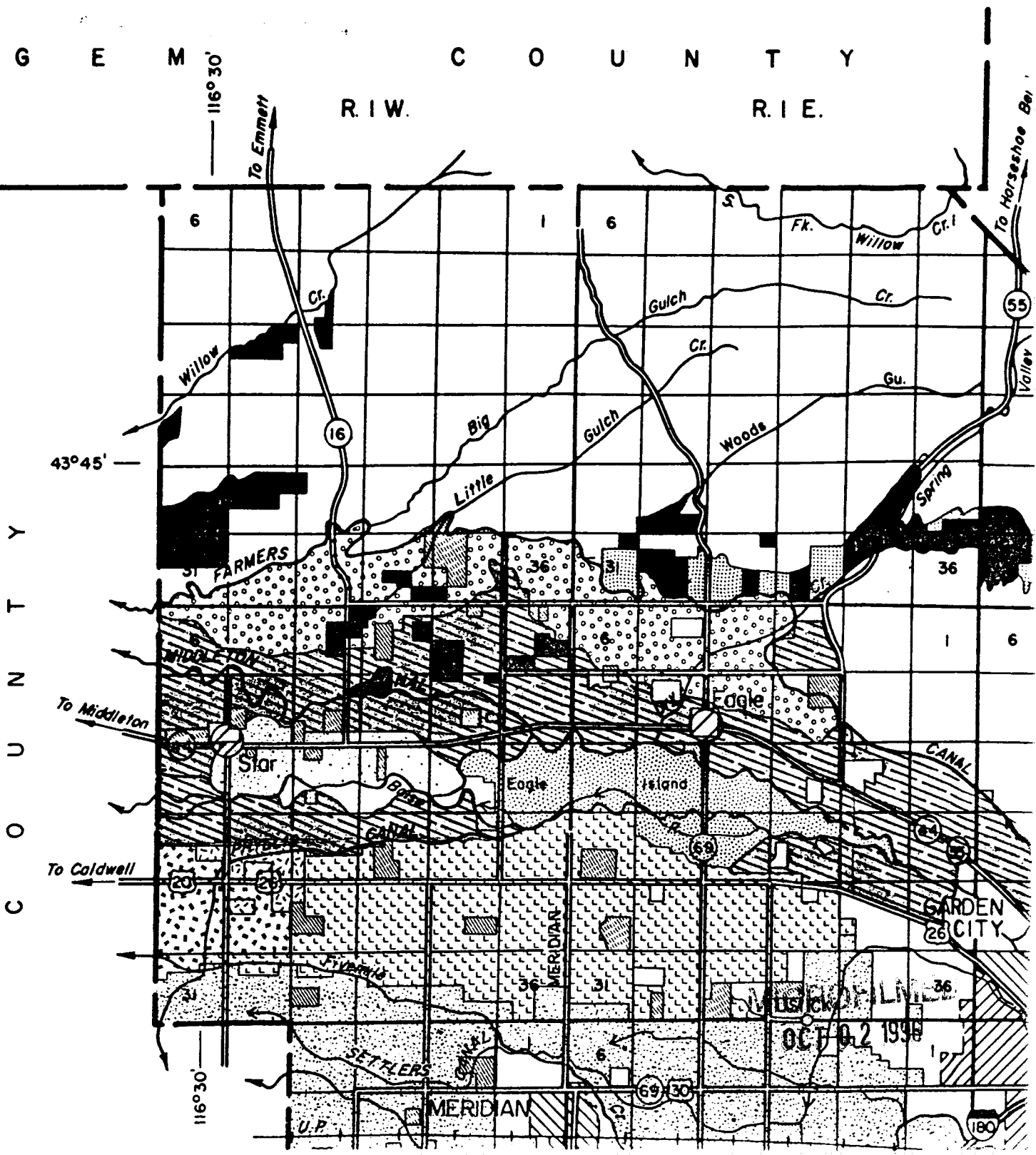
B



G E M C O U N T Y

R. I. W.

R. I. E.



File 63-F
63-0230
63-0231

STATE OF IDAHO

---Office of State Engineer---

CERTIFICATE NO. 50, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted JACOB P. CLEEK, of Meridian, Ada County, Idaho, to transfer the use twenty (20) inches of the water of SETTLERS' CANAL, from the land upon which it is now used, i.e., Southwest quarter (SW4) section 30, Township 3 North, Range 1 East of Boise Meridian, to the following described tract: East half of the southwest quarter of the southeast quarter (E2 SW4 SE4) and the West half of the southeast quarter of southeast quarter (W2 SE4 SE4) Section 20, Township 4 North, Range 1 West of Boise Meridian.

The water right appurtenant to the above described lands was adjudged by decree, dated January 18, 1906, of Geo. H. Stewart, Judge of the third Judicial District of the State of Idaho, in and for the county of Canyon, in the matter of the Farmers' Co-operative Ditch Co., plaintiff, vs. the Riverside Irrigation District, et.al. defendants. in the following words:

***** That the defendant the Settlers' Canal Company, limited, a corporation, be and it is hereby awarded the use of the waters of Boise River *****

In the following amounts from the following dates:

4953 inches from Oct. 17, 1884.*****

3672 inches from June 1, 1891 *****

IN THE MATTER OF THE ORGANIZATION OF THE SETTLERS IRRIGATION DISTRICT.

Ordered and adjudged (inter alia) that the organization of the Settlers Irrigation District, for the purposes of managing, controlling and operating the Settlers Canal, be approved, and that in the list of apportionments of water there is apportioned to F.A. Hourse 430 shares of water *****

Frank A. Hourse transferred 20 inches of the above water right to Jacob P. Cleek by deed dated April 25, 1910.

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

(SEAL)

D.G. Martin

State Engineer

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OCT 02 1996

MICROFILMED

EXHIBIT C

EXHIBIT D

RECEIVED

APR 14 1995

WATER RESOURCES
WESTERN REGION

Jessie M. Allen
6760 West Chinden Boulevard
Meridian, Idaho 83642

Earl Holbert
6700 West Chinden Boulevard
Meridian, Idaho 83642

Fred Wilhelm
6620 West Chinden Boulevard
Meridian, Idaho 83642

Esther Strain
6880 West Chinden Boulevard
Meridian, Idaho 83642

MICROFILMED

OCT 02 1995

A63-00231C

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Allen / Holbert, Wilhelm and Strain

CLAIM IDENT. NO.

A63-
~~A63-00230~~

DATE RECEIVED

4/8/89

CK #

0011305

AMOUNT \$

50

Required

- | | YES | NO | 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) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| N/A | ☒ | ☐ | |
| 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. 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.) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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 right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 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? | ☐ | ☐ | |
| Exempt | ☐ | ☐ | |

MICROFILMED

OCT 02 1996

YES NO

23. Should this claim be receipted and data entered?

Claim checked by:

Claim must be returned to claimant:

Claimant must be notified of modifications:

Date:

(Yes) (No)

(Yes) (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Checked by:

Date:

Sent to claimant by:

Date:

Comments:

As per Transfer 50 for Joseph P. Clerk, the basis of claim should be both 63-00730C and 63-00231C (see attached proof report).

Note also that priority date is as per 63-00230C which is the later of the two priority dates.

MICROFILMED
OCT 02 1996

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

RIGHT NUMBER: 63-231C

NAME AND ADDRESS: FRED WILHELM
6620 W CHINDEN BLVD
MERIDIAN ID 83642

ESTHER L STRAIN
6880 W CHINDEN BLVD
MERIDIAN ID 83642

JESSIE M ALLEN
6760 W CHINDEN BLVD
MERIDIAN ID 83642

BONNIE REITERMAN
770 W MC MILLAN RD
MERIDIAN ID 83642

CARL REITERMAN
770 W MC MILLAN RD
MERIDIAN ID 83642

~~EARL HOLBERT~~
~~6700 W CHINDEN BLVD~~
~~MERIDIAN ID 83642~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.170 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 Right Nos. 63-230C and 63-11185 is limited to a total combined diversion rate of .40 cfs.

PRIORITY DATE: 06/01/1891

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	0.170 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 S20	SWSE	20.00	T04N R01W S20	SESE	20.00
---------------	------	-------	---------------	------	-------

40 ACRES TOTAL

Use of this right with Right Nos. 63-230C and 63-11185 is limited to the irrigation of a combined total of 40 acres in a single irrigation season.

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. 122 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from Settlers Irrigation District.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 63-230C, 63-231C

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

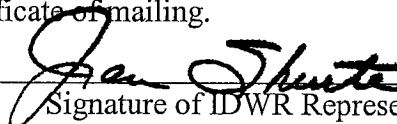
☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 5, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 5, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

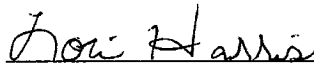
Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Carl Reiterman	☐	overnight mail
Bonnie Reiterman	☒	regular mail
770 W Mc Millan Rd.	☐	hand-delivered
Meridian ID 83642	☐	facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document



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

May 5, 2006

CARL REITERMAN
BONNIE REITERMAN
770 W MC MILLAN RD
MERIDIAN ID 83642

Re: Water Right Nos. 63-230C, 63-231C

Dear Mr. & Mrs. Reiterman:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

RECEIVED

FEB 02 2006

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

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
63-230C	63-231C				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A - SRBA
- 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)

Stan Hosac

6700 W. Chinden, Meridian, ID 83642

4. New Owner/Claimant(s)

Carl Reiterman Bonnie Reiterman

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

770 W. McMillan Rd

City, State and ZIP Code

Meridian, ID 83642

New Telephone Number

208 887-5624

5. Date you acquired the property

10/20/05

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)
(include title if applicable)

[Signature]
[Signature]
 Jamie Reiterman

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 N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by 22 AJ Date 5-4-06 WR _____ Date _____



A Pioneer Company

**PIONEER TITLE COMPANY
OF ADA COUNTY**

8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/21/05 04:27 PM
DEPUTY Heava Haney
RECORDED - REQUEST OF
Pioneer

AMOUNT 9.00 3



105158480

3

262 125 - DT/MH

WARRANTY DEED

For Value Received Stanley J. Hosac and Terri L. Baugh-Hosac Husband and Wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Carl J. Reiterman and Bonnie A. Reiterman Husband and Wife
hereinafter referred to as Grantee, whose current address is 6700 W. Chinden Blvd., Meridian, ID 83642
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

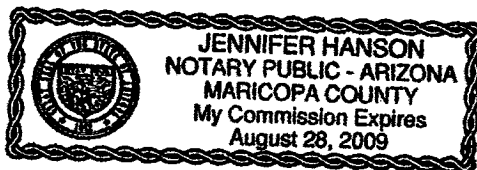
Dated: October 19, 2005

Stanley J. Hosac

Terri L. Hosac

STATE OF AZ County of Maricopa ss.

On this 19 day of October, in the year of 2005, before me The Undersigned, notary public personally appeared Terri L. Baugh-Hosac known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public of
Arizona
Residing at
4625 E McKellips Rd Mesa AZ
Commission expires:
Aug 28, 2009

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.

On this 20 day of October, in the year of 2005, before me

The Undersigned, a notary public,
personally appeared Stanley J. Hosae,
known or identified to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he executed the same.

DENICE B. THORNTON
NOTARY PUBLIC
STATE OF IDAHO

Notary Public:

Residing at:

Commission Expires:

Denice B. Thornton

Residing in: Meridian, Idaho

Commission Expires: 08-03-2010

EXHIBIT A

The West half of the Southeast quarter of the Southeast quarter of Section 20, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPT the East 165 feet and the West 165 feet;
AND EXCEPT that portion Deeded to State of Idaho in Book 229 of Deeds at Page 1, more particularly described as follows:

A strip of land 40 feet wide, being 40 feet on the North side of the following described center line of said Highway as surveyed and shown on the official plat of the Franklin Road (F.A.S. 161-B) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying over and across the East half Southwest quarter Southeast quarter and West half Southeast quarter Southeast quarter of Section 20, Township 4 North, Range 1 West, Boise Meridian; Beginning at Station 489+01.7 of the said Highway Survey, which Station is a point on tangent approximately 660 feet East from the South quarter corner of Section 20, Township 4 North, Range 1 West, Boise Meridian; thence running South 89°47' East, 1335.0 feet to Station 502+36.7 of said Survey, which Station is a point on tangent approximately 661.8 feet West from the Southeast corner of Section 20, Township 4 North, Range 1 West, Boise Meridian.



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

January 10, 2006

DANIEL HOHREIN
DAWN HOHREIN
6760 W CHINDEN BLVD
MERIDIAN ID 83642

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-230C, 63-231C

Dear Mr. & Mrs. Hohrein:

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

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

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

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 10, 2006

STANLEY HOSAC
TERRI HOSAC
8540 E MC DOWELL SPC 54
MESA AZ 85207-1431

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-230C, 63-231C

Dear Mr. & Mrs. Hosac:

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

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

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

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 10, 2006

TIMOTHY SHEHEE
KAREN SHEHEE
2450 N HICKORY WAY
MERIDIAN ID 83642

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-230C, 63-231C

Dear Mr. & Mrs. Shehee:

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

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

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

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosures

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

RECEIVED

DEC 22 2005

DEPARTMENT OF
WATER RESOURCES

04 12/17/05

HOLEB700 836422026 IN
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED

DEC 23 2005

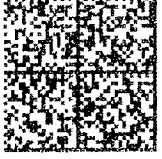
WATER RESOURCES
WESTERN REGION

RETURNED TO
SENDER

EARL HOLBERT
6700 W CHINDEN BLVD
MERIDIAN ID 83642

63-230C
63-231C

FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS
02 1A
0004389393
MAILED FROM ZIP CODE 837
\$ 00.83
DEC 15 2005

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

RECEIVED

DEC 22 2005

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 23 2005

WATER RESOURCES
WESTERN REGION

63-230C

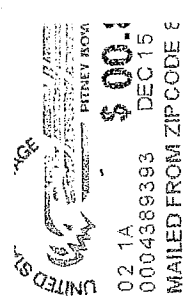
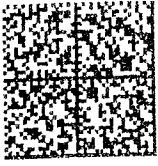
63-231C

ESTHER L STRAIN

ESTHER L STRAIN
6880 W CHINDEN BLVD
MERIDIAN ID 83642



FIRST CLASS



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

☐ Undelivered - Not Known
☐ No Return Address
☒ Account Closed
☐ No valid RA Number
☐ No valid RA Possible
☐ Bank Closed - No Valid
☐ Returned For Better Address
☐ Postage Due

63-230C
231C

EARL HOLBERT
315 S 1ST AVE E
MIDDLETON ID 83644

RECEIVED

JUL 01 2005

WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED



FIRST CLASS

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

NO SUCH
NUMBER

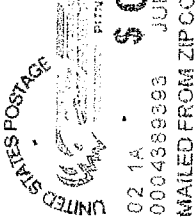
EARL HOLBERT
315 S 1ST AVENUE EAST
MERIDIAN ID 83642

↑
Middleton

6-29-05
6-29-05

Present 6-29-05

NSN
4205/05
6/23/05



FIRST CLASS

RECEIVED

JUN 29 2005

WATER RESOURCES
WESTERN REGION

IDAHO
MENT OF WATER RESOURCES
N REGIONAL OFFICE
PORT WAY
DAHO 83705

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 01.06
0004383393 JUN 06 2005
MAILED FROM ZIP CODE 83702

EARL HOLBERT
6700 W CHINDEN BLVD
MERIDIAN ID 83642

UNDELIVERABLE
RESSESSED
UNABLE TO FORWARD

315 S. 1 Avenue East
Middletown ID 83644

RECEIVED

JUN 10 2005

WATER RESOURCES
WESTERN REGION

63 - 230C
63 231C

ESS SERVICE
EQUESTED

1069 e Crossbill Ct
Meridian ID 83642

63-231C
63-230C

STRASS 836422017 IN 21 06/08/05
RETURN TO SENDER

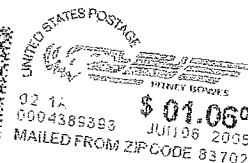
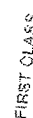
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

(The following information was obtained from the records of the Federal Bureau of Investigation.)

VAX

[Illegible handwritten notes]

DRESS SERVICE
REQUESTED



05/30/2005

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

RIGHT NUMBER: 63-231C

NAME AND ADDRESS: JESSIE M ALLEN
6760 W CHINDEN BLVD
MERIDIAN ID 83642

FRED WILHELM
6620 W CHINDEN BLVD
MERIDIAN ID 83642

EARL HOLBERT
6700 W CHINDEN BLVD
MERIDIAN ID 83642

ESTHER L STRAIN
6880 W CHINDEN BLVD
MERIDIAN ID 83642

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.170 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 Right Nos. 63-230C and 63-11185 is limited to a total combined diversion rate of .40 cfs.

PRIORITY DATE: 06/01/1891

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	0.170 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 S20 SWSE 20.0 T04N R01W S20 SESE 20.0

40 ACRES TOTAL

Use of this right with Right Nos. 63-230C and 63-11185 is limited to the irrigation of a combined total of 40 acres in a single irrigation season.

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. 122 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from Settlers Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-231C

WATER RIGHT NUMBER: 63-231C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JESSIE M ALLEN 6760 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7065
Original Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471
Current Owner	FRED WILHELM 6620 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7194
Current Owner	EARL HOLBERT 6700 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7963
Original Owner	JACOB P CLEEK
Current Owner	, ZZ ESTHER L STRAIN 6880 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7705

Priority Date: 06/01/1891
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	3/15 to 11/15	0.170 CFS	
	<u>Total Diversion:</u>	0.170 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4NW1/4	Sec. 9, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	20															20.0	20.0	40.0

Total Acres: 40

*See field report
report & all
documents in
63-230C.
NOTE! Split due
to transfer # 50.*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-231C

Conditions of Approval:Remarks:

1. General 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. 50, EXHIBIT "C".

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>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-231C

WATER RIGHT NUMBER: 63-231C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACOB P CLEEK
	, ZZ
Original Owner	SETTLERS IRRIGATION DISTRICT
	PO BOX 7571
	BOISE, ID 83707
	(208)344-2471

Priority Date: 06/01/1891

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 /	0.170 CFS	
	<u>Total Diversion:</u>		0.170 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SW1/4SW1/4	Sec. 20, 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															20.0	20.0	40.0

Total Acres: 40

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

IDAHO DEPARTMENT OF WATER RESOURCES

**Water Right No.
63--231C**

***Prepared by:
Jan Shurte
Date: 5-22-05***

**4N 1W Sec 20
SWSE & SESE**

1987 Photography



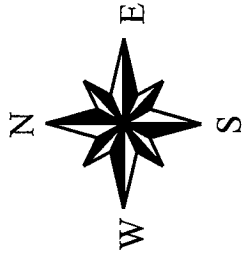
Place of Use



Section Lines

1/41/4

© Pt of Diversion



1320 Feet

0

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* *Trak. 40* *T-34, 35, 50, 477, 483*
4953 inches, from Oct. 17, 1884. and hereby designated as Right No. 92.

63 0231 *T-45, 50, 34*
3672 inches, from June 1, 1891; and hereby designated as Right No. 122.
And be adjudged to pay \$603.75 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. 23, 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. 1475⁴* *210⁴*
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
790 P.D. 172
38 P.D. 224
P.D. 171

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

SURFACE H₂O
OVERLAP

WATER RIGHT NUMBER: 63-230C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL HOLBERT 6700 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7963
Current Owner	JESSIE M ALLEN 6760 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7065
Current Owner	ESTHER L STRAIN 6880 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7705
Original Owner	JOSEPH P CLEEK MERIDIAN, ID
Current Owner	FRED WILHELM 6620 W CHINDEN BLVD MERIDIAN, ID 83642 (208)286-7194
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	03/01 to 11/15	0.230 CFS	
	<u>Total Diversion:</u>	0.230 CFS	

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	20															20.0	20.0	40.0

Total Acres: 40

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

Total Acres: 40

Conditions of Approval:

1. E55 Use of this right with Right Nos 63-231C and 63-11185 is limited to the irrigation of a combined total of 40 acres in a single irrigation season.
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. W54 Use of this right is combined with water from Settlers Irrigation District.
4. E51 Use of this right with Right Nos. 63-231C and 63-11185 is limited to a total combined diversion rate of .40 cfs.
5. This right is also designated as Right No. 92 in the Boise River Stewart Decree and Boise River Water Distribution Report.
6. 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.
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.

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-11185 V1

GW
 OVERLAP

WATER RIGHT NUMBER: 63-11185 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD C/O SCOTT CAMPBELL PO BOX 829 BOISE, ID 83706 (208)345-2000
Current Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471

Priority Date: 01/26/1990

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.000 CFS	516.00 AF
	<u>Total Diversion:</u>	1.000 CFS	516.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4NE1/4	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											13.0	20.0				15.0	48.0
04N	01W	28	18.0	40.0	20.0	14.0	40.0	12.0	40.0	40.0			40.0	40.0					304.0

Total Acres: 352

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-11185 V1

2. 065 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.
3. 104 If the surface water rights 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.

Remarks:

Comments:

1. mschulte 3/23/2005 claim amended by license
- Comment: This claim was amended by the license approved January 26, 2005

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-231C

02/23/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
230C	Claim	04N	01W	20	SW	SE		IRRIGATION	20/40	EARL HOLBERT
231C	Claim	04N	01W	20	SW	SE		IRRIGATION	20/40	JESSIE M ALLEN
11185	Claim	04N	01W	20	SW	SE		IRRIGATION	18.1/760.6	SETTLERS IRRIGATION DISTRICT
24098	Claim	04N	01W	20	SW	SE		IRRIGATION	13.7/1009	CREASON LATERAL ASSN
30424	Claim	04N	01W	20	SW	SE		IRRIGATION	13.7/1009	CREASON LATERAL ASSN
230C	Water Right	04N	01W	20	SW	SE		IRRIGATION	20/40	JOSEPH P CLEEK
231C	Water Right	04N	01W	20	SW	SE		IRRIGATION	20/40	JACOB P CLEEK
11185	Water Right	04N	01W	20	SW	SE		IRRIGATION	18/410	SETTLERS IRRIGATION DISTRICT
11491	Water Right	04N	01W	20	SW	SE		IRRIGATION	4/111.9	MAURICE E WOODARD
3614B	Claim	04N	01W	20	SW	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT
3618B	Claim	04N	01W	20	SW	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT
3262B	Claim	04N	01W	20	SW	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT
230C	Claim	04N	01W	20	SE	SE		IRRIGATION	20/40	EARL HOLBERT
231C	Claim	04N	01W	20	SE	SE		IRRIGATION	20/40	JESSIE M ALLEN
8417	Claim	04N	01W	20	SE	SE		IRRIGATION	17/93	DONALD K BRANDT
11185	Claim	04N	01W	20	SE	SE		IRRIGATION	52.4/760.6	SETTLERS IRRIGATION DISTRICT
15728	Claim	04N	01W	20	SE	SE		IRRIGATION	17/93	MARILYN I BRANDT
230C	Water Right	04N	01W	20	SE	SE		IRRIGATION	20/40	JOSEPH P CLEEK
231C	Water Right	04N	01W	20	SE	SE		IRRIGATION	20/40	JACOB P CLEEK
8417	Water Right	04N	01W	20	SE	SE		IRRIGATION	17/93	DONALD K BRANDT
11185	Water Right	04N	01W	20	SE	SE		IRRIGATION	37/410	SETTLERS IRRIGATION DISTRICT
3614B	Claim	04N	01W	20	SE	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT
3618B	Claim	04N	01W	20	SE	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT
3262B	Claim	04N	01W	20	SE	SE		IRRIGATION FROM STORAGE	20/10964.2	SETTLERS IRRIGATION DISTRICT

Receipt Details for ID W018420

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/8/1994 11:47:31 AM	12/8/1994	Western	\$294.00	Check
Payer		SETTLER'S IRRIGATION DIST		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
10088			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$294.00	ADJUDICATION CLAIM FEE	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	230	E	\$34.00	Claim
63	230	D	\$50.00	Claim
63	169	C	\$60.00	Claim
63	231	C	\$50.00	Claim
63	231	B	\$50.00	Claim
63	3614	B	\$50.00	Claim

Print Report

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) _____

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☐ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
- ☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: _____

4

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

Return Service Requested

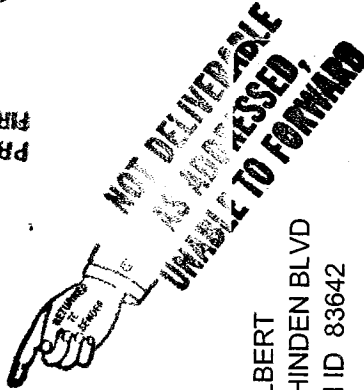
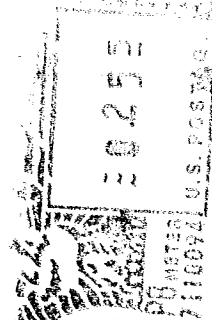
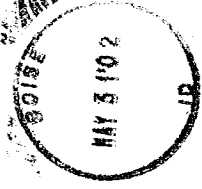
63-230 C
231 C

315 S 1st AVE E

Middleton 83644

Sent again 6/10/02

PRESORTED
FIRST CLASS



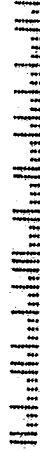
EARL HOLBERT
6700 W CHINDEN BLVD
MERIDIAN ID 83642

RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION

83642150#3642



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.

MICROFILMED

OCT 02 1996

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

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

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

April 12, 1995

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

RECEIVED

APR 14 1995

WATER RESOURCES
WESTERN REGION

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

Dear Ms. Walker:

In response to your correspondence dated March 20, 1995, I enclose the following documents:

- ✓ 1. Exhibit D to Water Right No. 63-22192;
2. Water Right Claims for Storage Water Nos. 63-03614, 63-03618, and 63-05262; and
3. Original Claims A63-00161Q (Transfer No. 737); A63-00161J (Transfer No. 712); A63-00170A (Transfer No. 736); and A63-00169A (Transfer No. 871).

Please contact me or Ms. Vicki Keen at Settlers' Irrigation District if you require money for filing fees or if you have any other questions. Thank you for your cooperation in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association



Melinda Anderson
Secretary to Scott L. Campbell

ma:
Enclosures

MICROFILMED
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

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
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

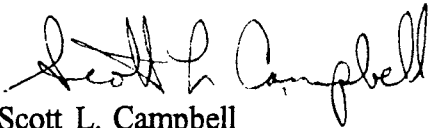
Re: Notice of SRBA Claims to Water Rights

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.



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.

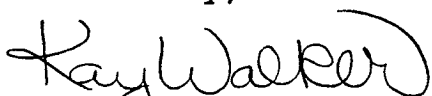
Please note that the amount of water claimed under No. A63-22192 (0.20 cfs) does not match the amounts shown on A63-00230C and A63-00231C. Transfer No. 50 described an amount of 20" of water which would equal 0.40 cfs, which is what the combined amounts of A63-00230C and A63-00231C will be if submitted 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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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

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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

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