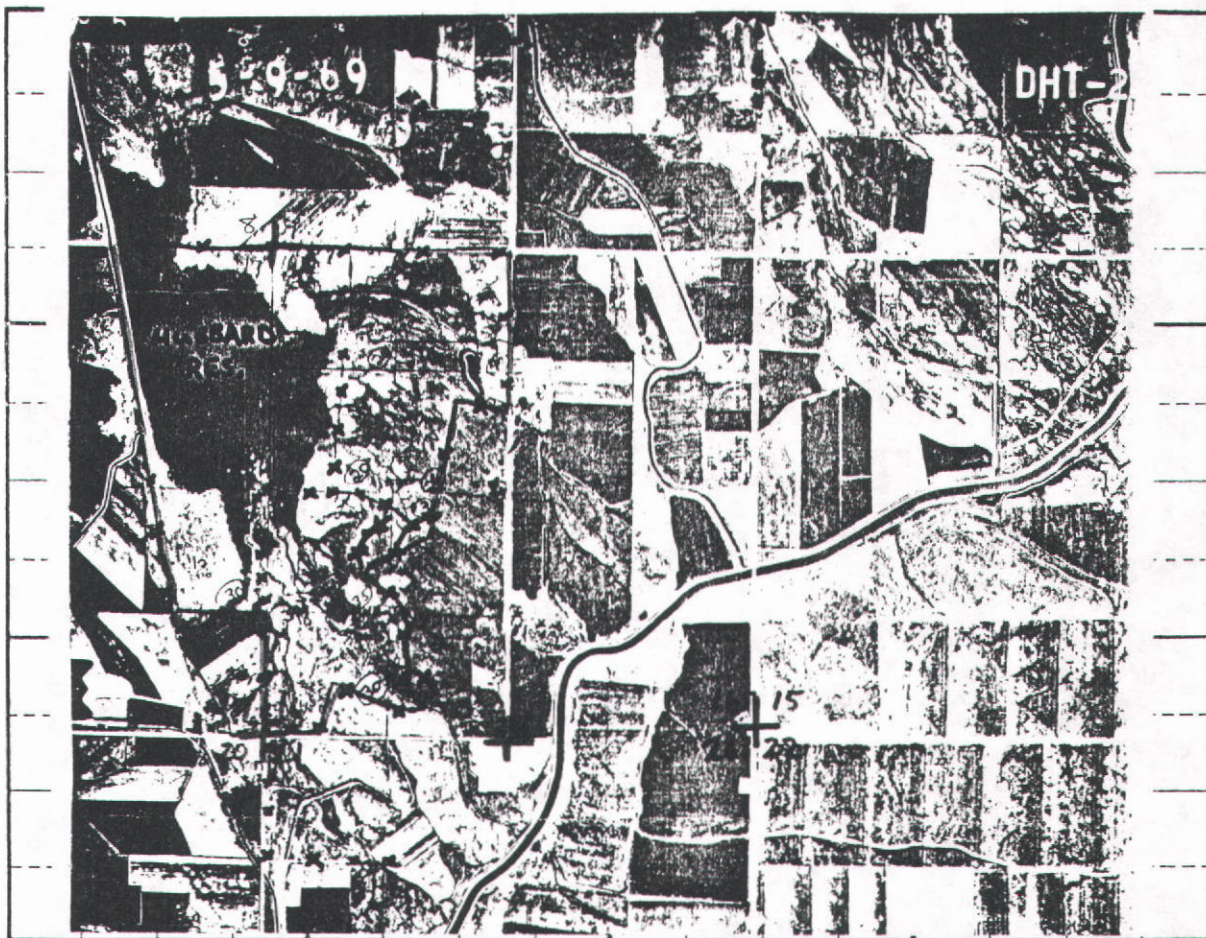


(8) Remarks \_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
 ) ss.  
County of Ada )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert L. Wmoff <sup>Area Supervisor, Id</sup>  
Dept of Lands  
(Claimant)

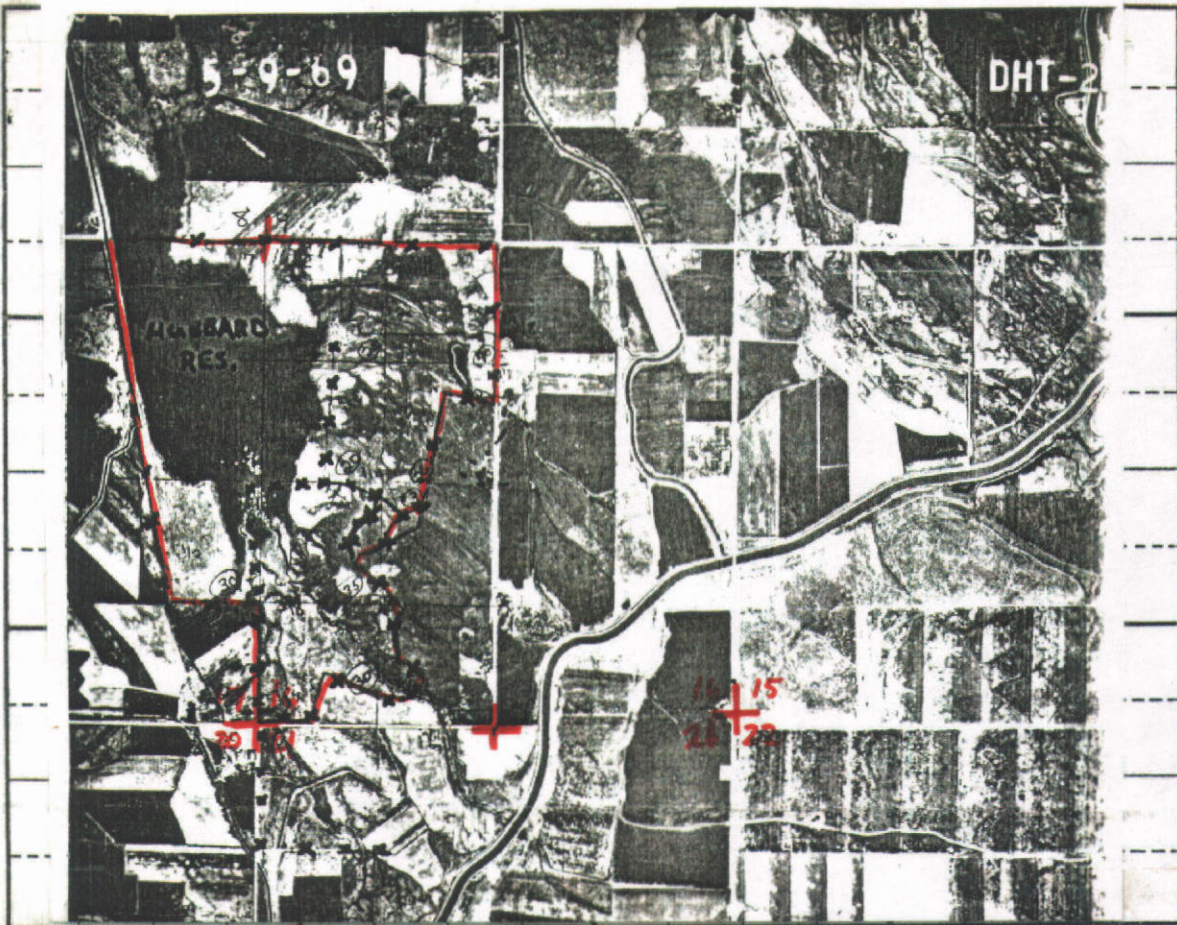
Sworn to before me this 5<sup>th</sup> day of August, 1986.

Sharon L. Phillips  
Notary Public  
Residing at Boise Idaho

My commission expires 2-15-87

Received by LS 9:09 a Date 8/21/86 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JS Date 8/27/86 claimant by: \_\_\_\_\_  
\$30.00 fee received by JS Date 8/20/86 #40562  
Published in Idaho Statesman  
Dates 9/18/86 9/25/86  
Raymond D. Givens, Atty.  
behalf of Boise Project Board of Control  
Randall C. Fred, Atty.  
behalf of Boise Irr. Dist.

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
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Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert L. Shaffer Asst. Area Supervisor, Id  
Dept. of Lands  
(Claimant)

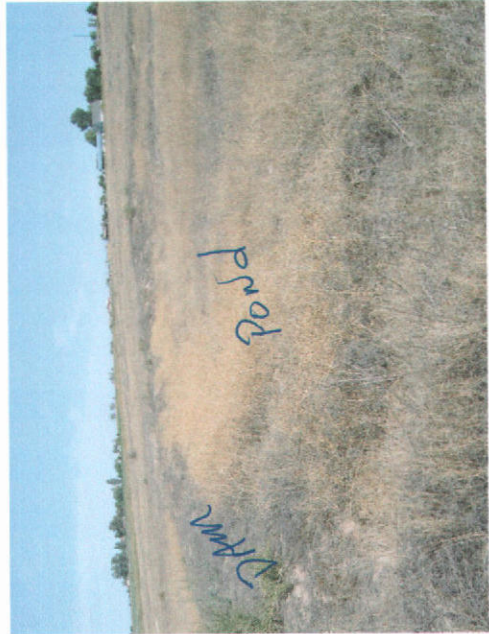
Sworn to before me this 5<sup>th</sup> day of August, 1986.

Sharon L. Phillips  
Notary Public  
Residing at Boise, Idaho

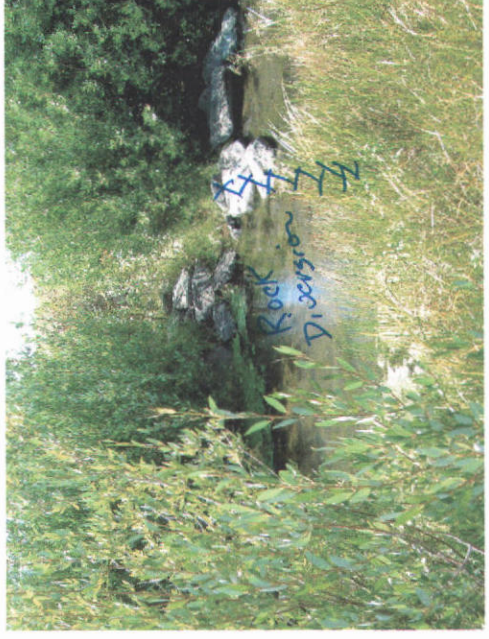
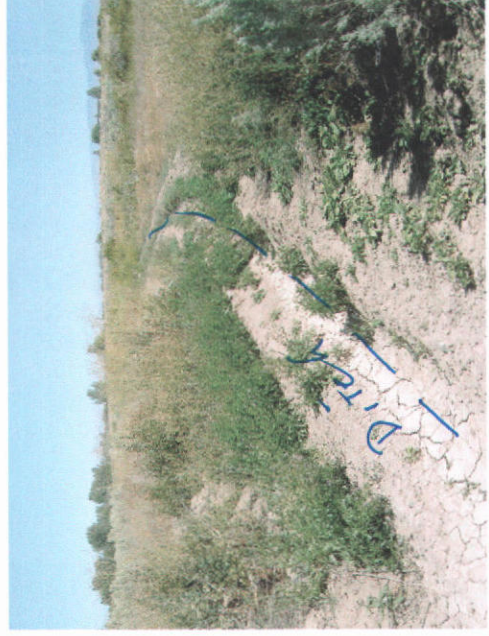
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Prelim. check by JS Date 8/27/86 claimant by: \_\_\_\_\_  
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Raymond D. Givens, Atty.  
behalf of Boise Project Board of Control  
Randall C. Fredricks, Atty.  
behalf of Boise Irr. Dist.

IDL 63-5389



IDL 63-5589



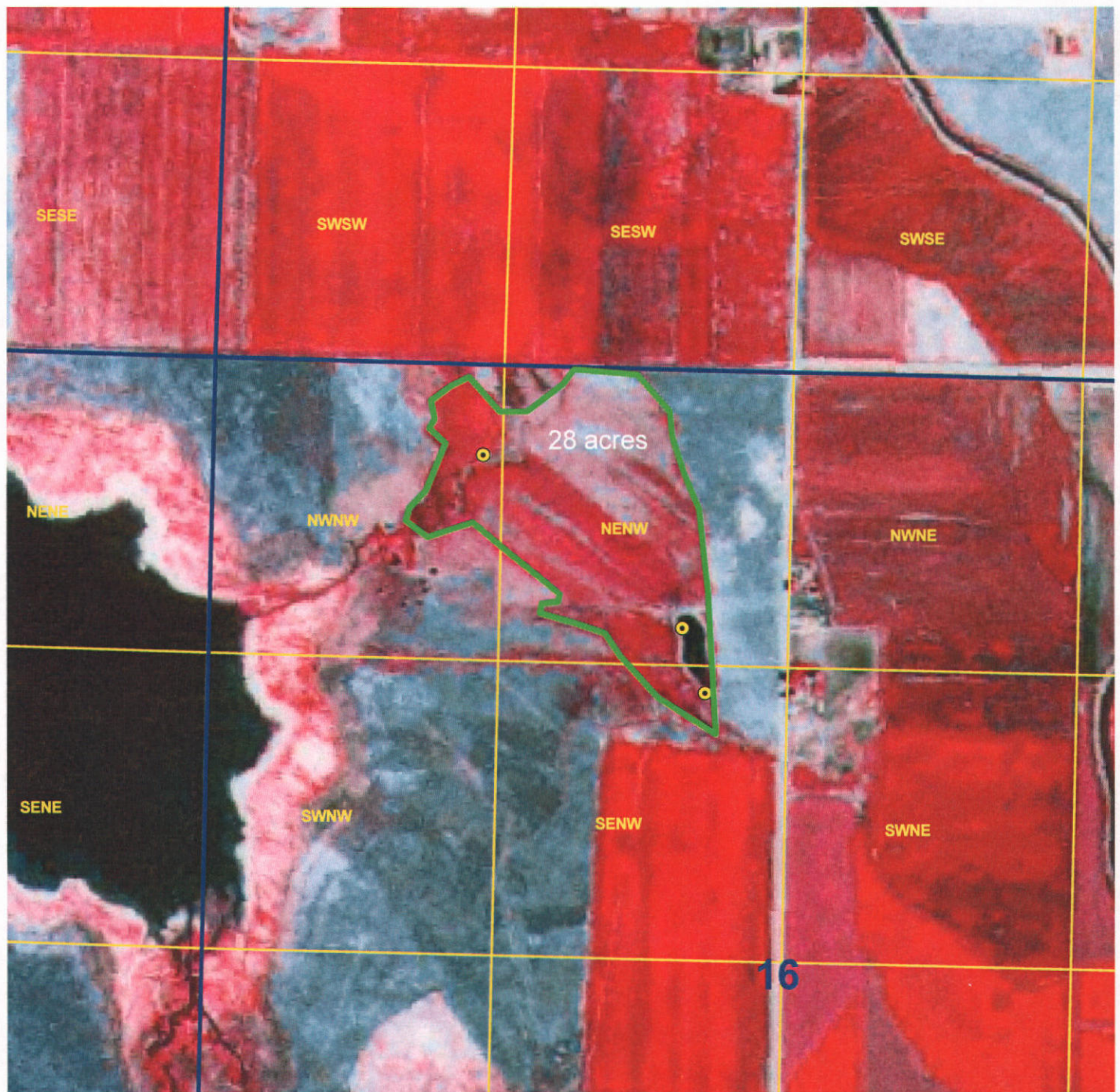
IDL 63-5389



# Idaho Department of Water Resources

## 63-5389

T02N R01E S16



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



700 0 700 1400 2100 Feet

IDWR

Prepared by: Sandy Egbert

Date: 10-26-05

1987 Photography

1986 ASCS Slide - Circled areas have been cropped.  
About 38.8 acres





Looking west from toward 1st Pod runs



Waste Water run off from field across road 1 Pod

GPS 43 30 855  
116 20 744

63-65389



Pond At First Pod



12 inch Culvert Seawing 1 Pod Pond

63-05389



2nd Pod 12 inch culvert runs into Pond.



24 inch Culvert that runs under Stewart Rd  
At 2nd Pod on East Side

63-65389



6 inch PVC Pipe from 3rd Pod



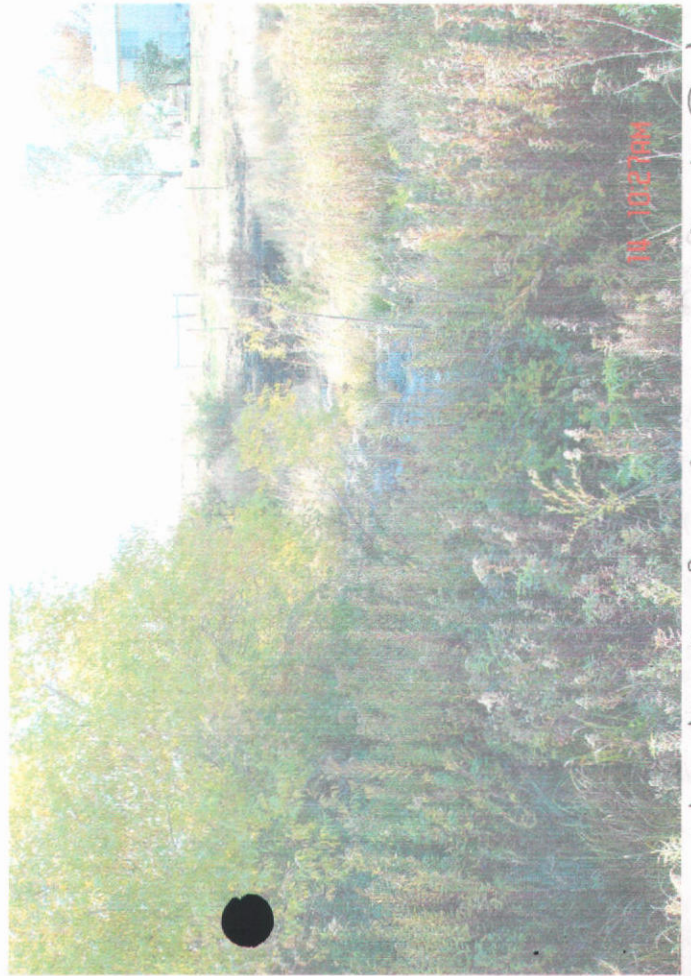
3rd Pod Pipe was being worked on.

63-05389

Old head Gate  
 Bay 4th Pod  
 Ditch silted in.  
 Has not been  
 used in years



14 10:30AM



14 10:27AM

Waste water from farm's Across Road At 4th Pod

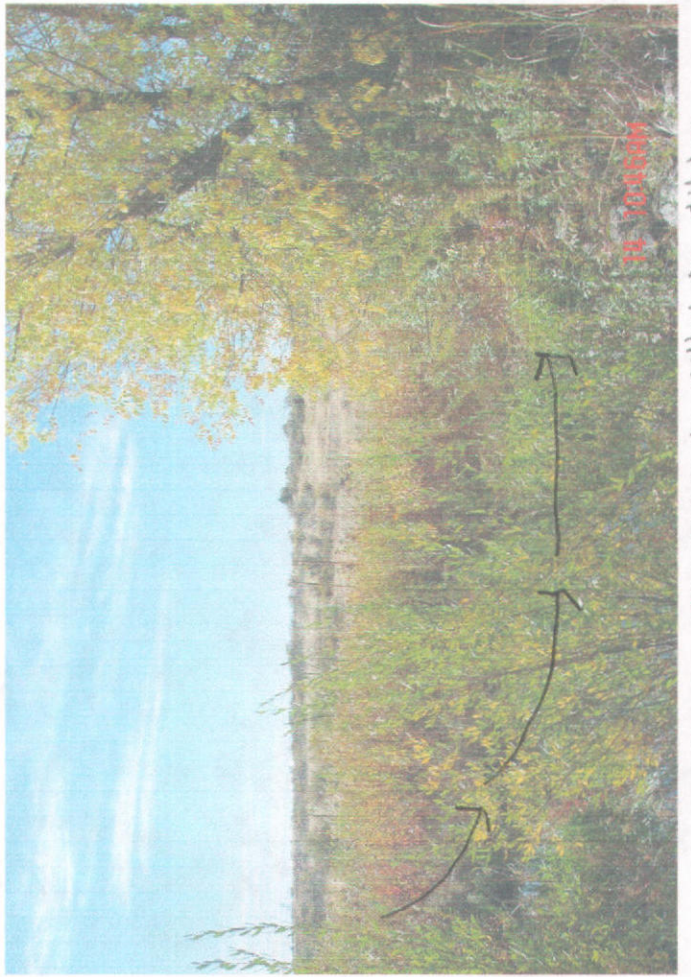


14 10:44AM

Where measurement was taken At 5 Pod

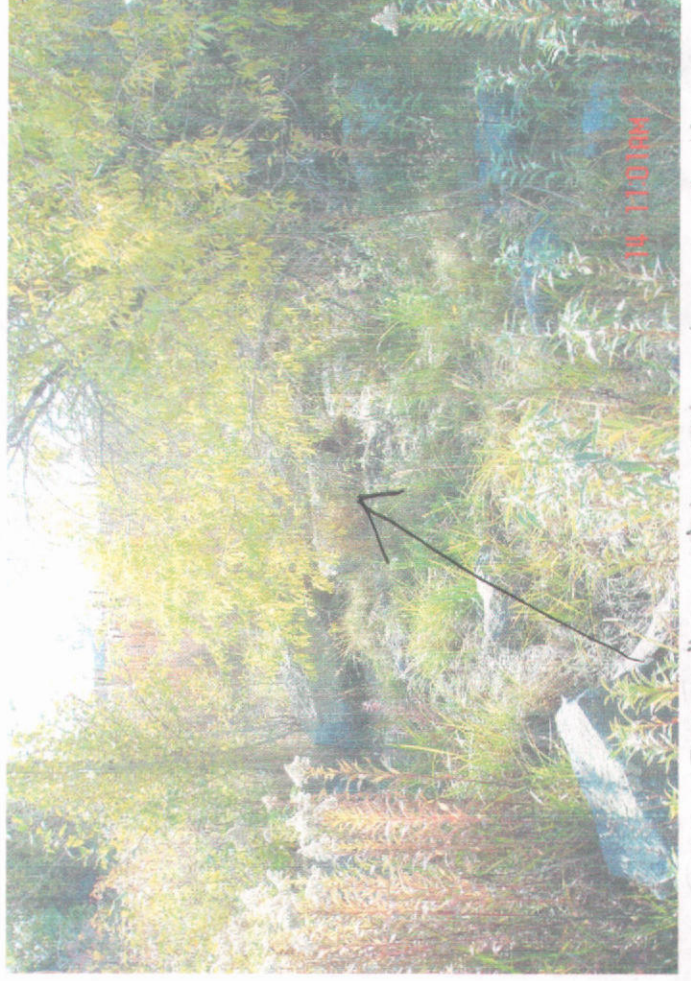
63-553-89

One of several Check Dams



Trees + Shrubs overgrown in silted in ditches

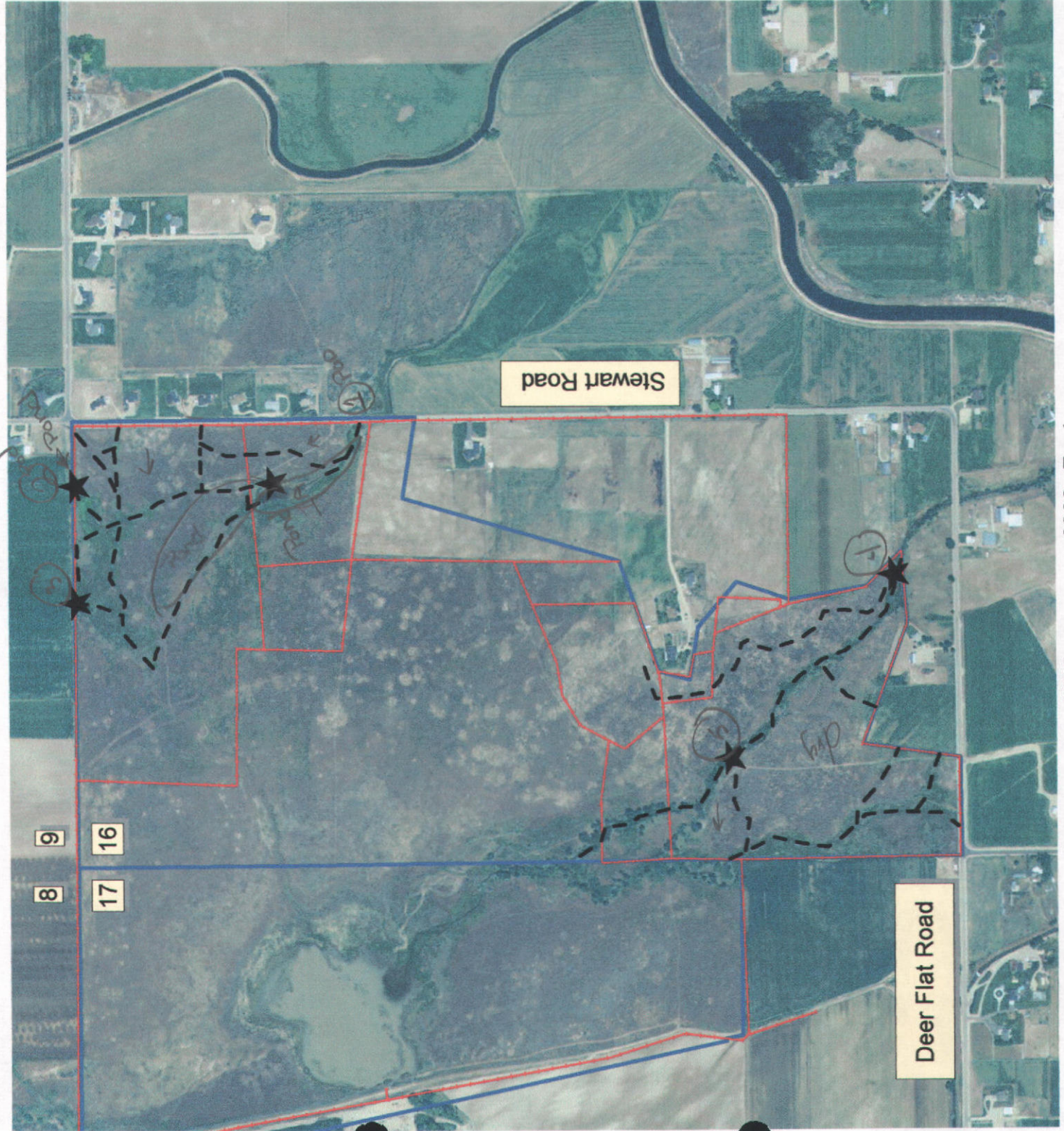
63-05389



5th POD where winter Ts and goes South when full.

# Points of Diversion Water Right 63-5389 Section 16, T2N, R1E

- ★ Points of Diversion
- - - Ditches and Drains
- Fences
- State Land

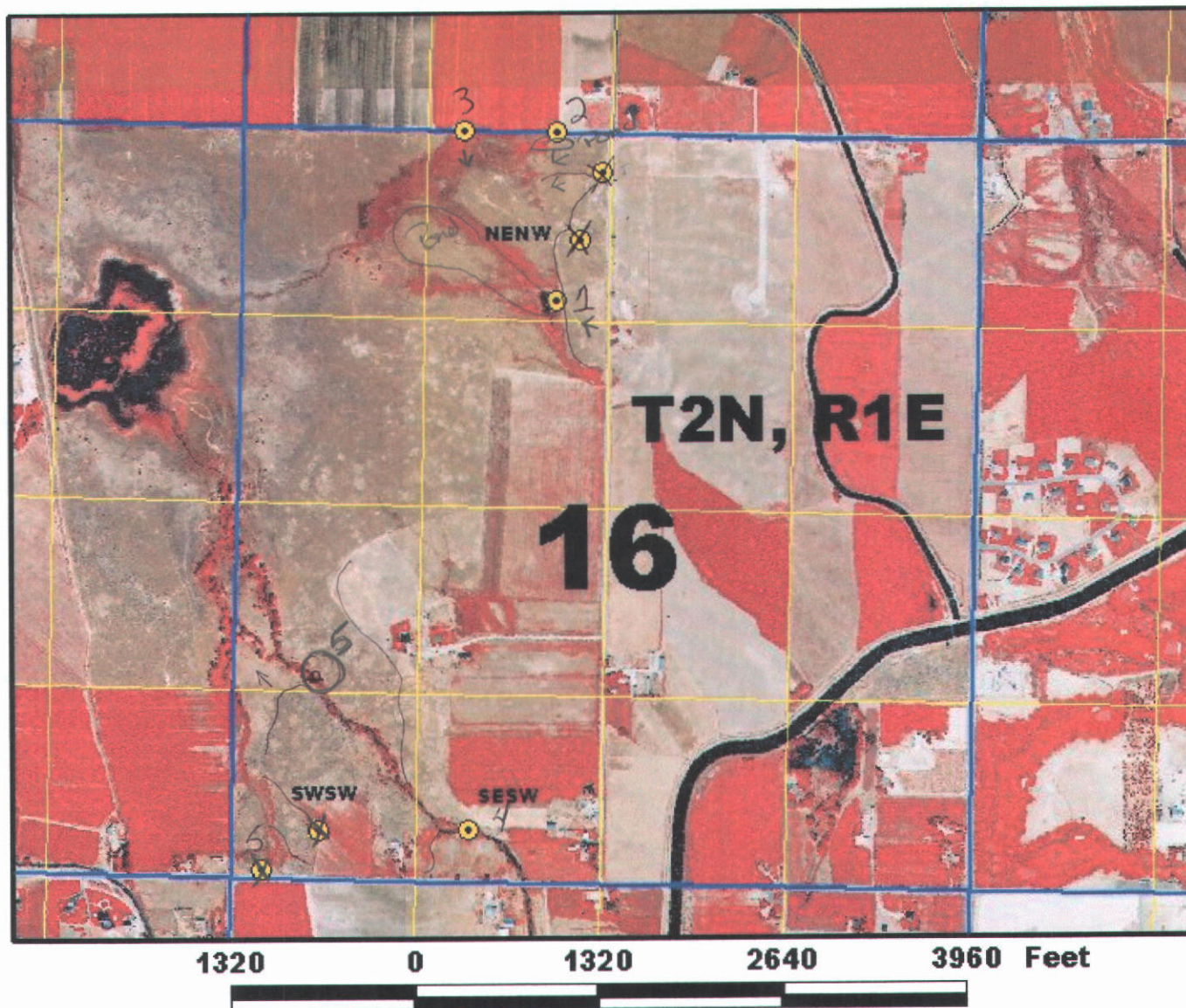


1000 0 1000 2000 Feet





# Dept of Lands POD Map 2000 Photography



Point of Diversion



Claimed Place of Use - N/A



Ada County Tax Lot Data - N/A

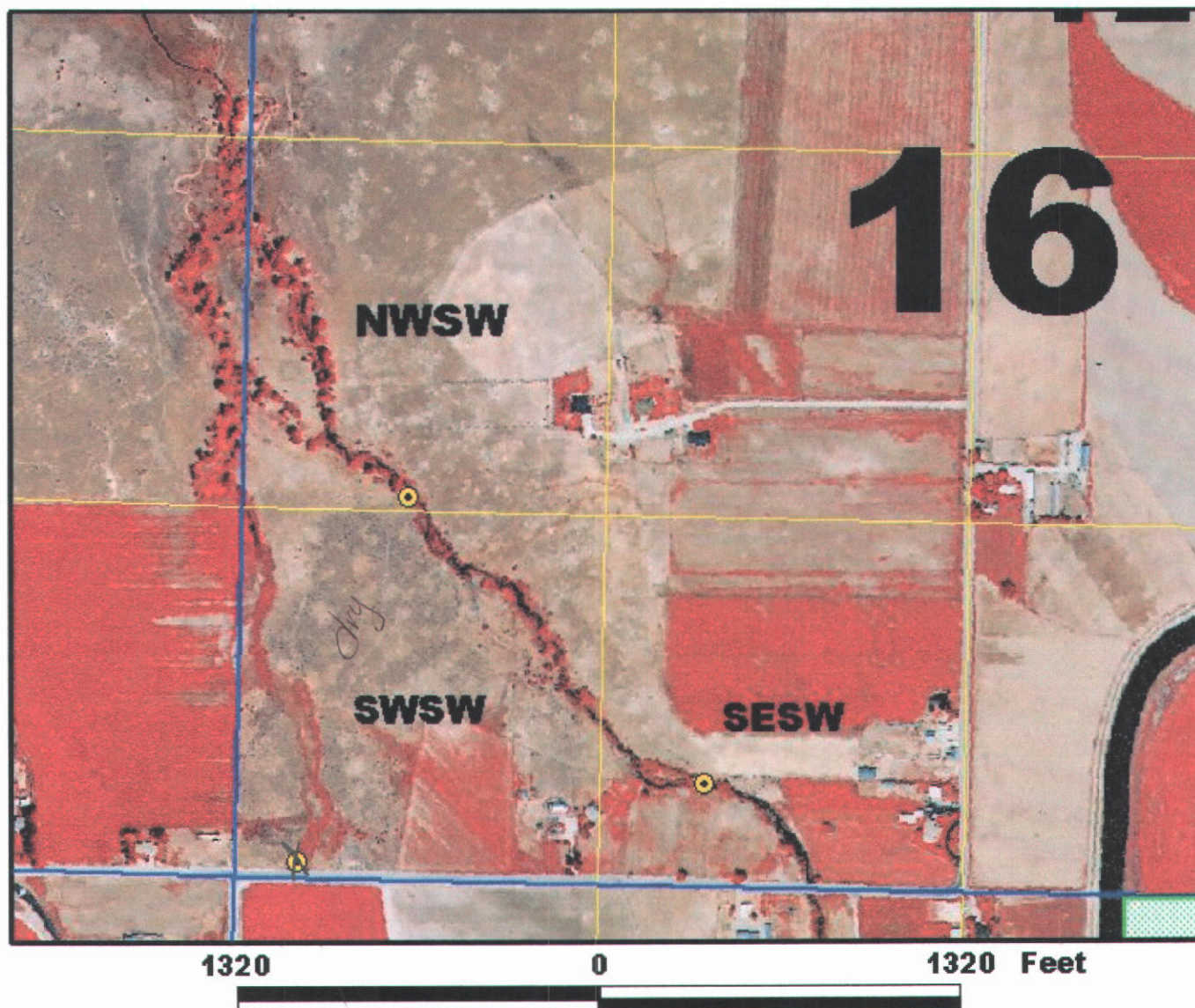
**Total Claimed Acres:**



9/1/2004



# Dept of Lands - South POD Map 2000 Photography



Point of Diversion



Claimed Place of Use - N/A

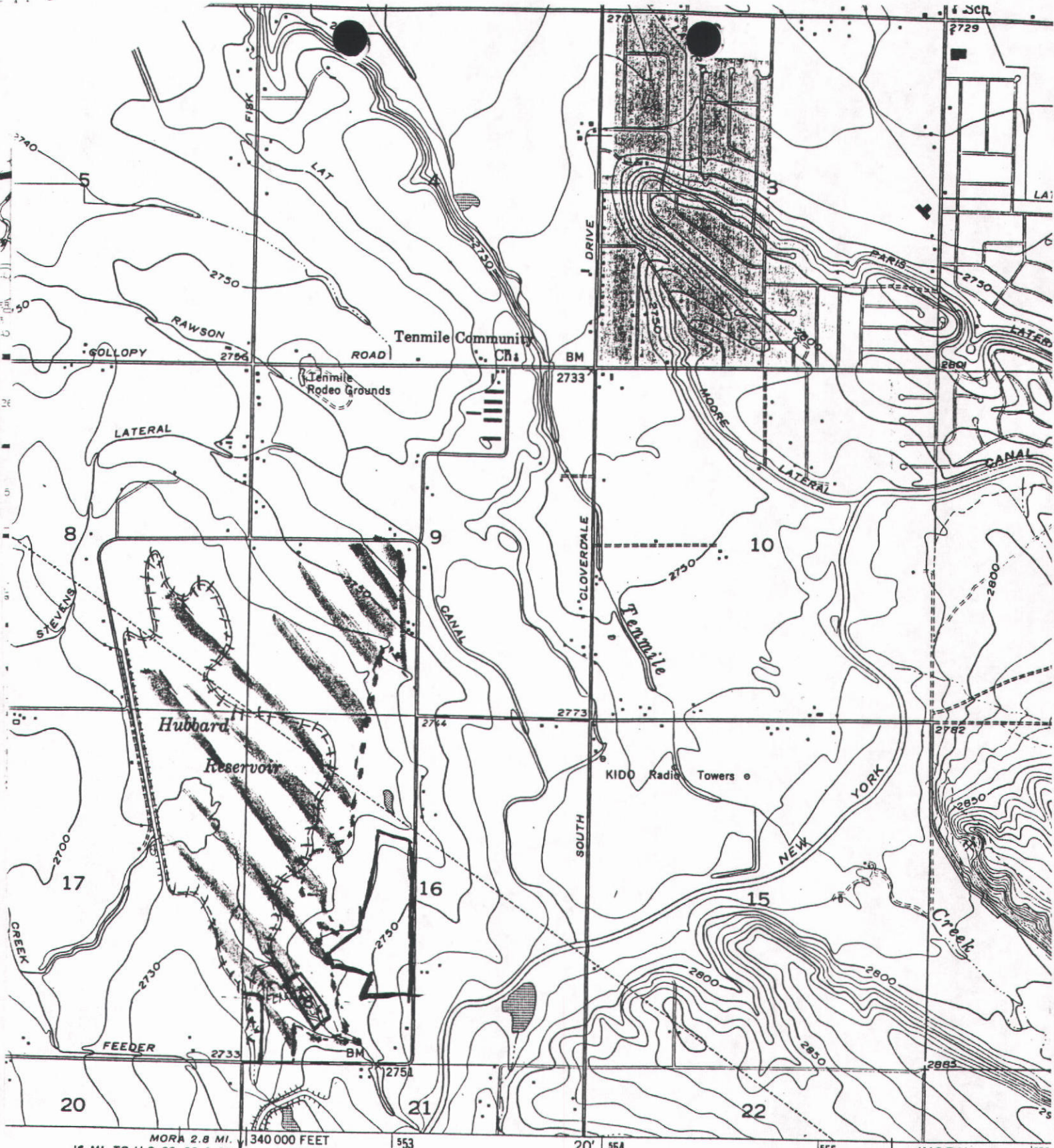


Ada County Tax Lot Data - N/A

**Total Claimed Acres:**



11/9/2004



and published by the Geological Survey

C&GS, and USFS

by multiplex methods

hs taken 1951

able surveys 1953

1927 North American datum

d on Idaho coordinate system, west zone

l Transverse Mercator grid ticks,

ue

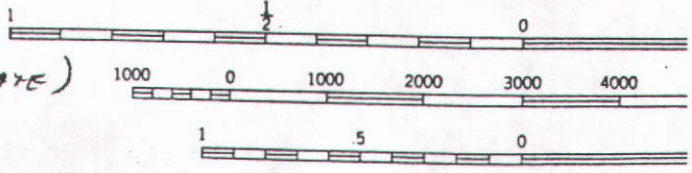
rple compiled from aerial photographs

source data. This information not

● U.S. STATE LAND BOUNDARY (APPROXIMATE)  
 - AREA OF INTEREST (N 65° 50' E)

UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24000



CONTOUR INTERVAL 10 FEET  
 NATIONAL GEODETIC VERTICAL DATUM 0

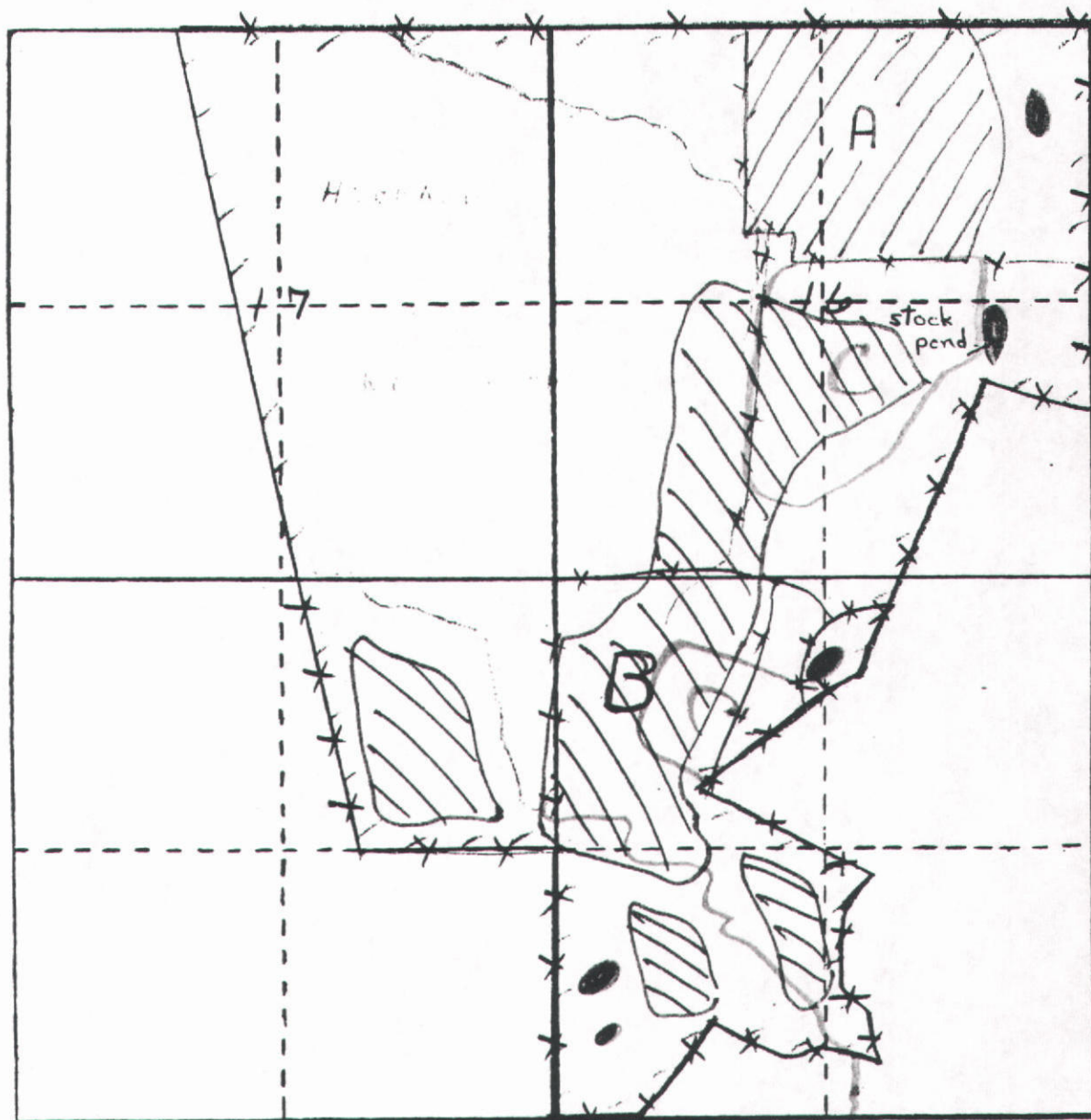
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY



Section 16, 17

Township 2N

Range 1E



Fencing in all stages of repair - see case file

● STOCK PONDS (PROPOSED)

MENTAL

PLAT

NO. 4

SEE ALSO

PLEMENTAL

PLAT

D286

NO. 6

D2156

D10387

8

9

NS

D7766

ESMT

108

ESMT

108

CS24372

D8614

ESMT 108

CS24391-B

CS24391-B

D3710

PS

PS

*Cropland*

*New fence*

ESMT

108

ESMT

108

D7907

D7083

ESMT 108

D3706

17

PS

PS

D8692

D7908

PS

D286

D3708

ESMT

108

ESMT

PS 108

PS UF

D2826

D6463

ESMT  
4425

D2156

D3604

D7524

D2830

D2627

D2829

D11012

ESMT 25

PB  
ESMT  
108

PB

D2826

D3709

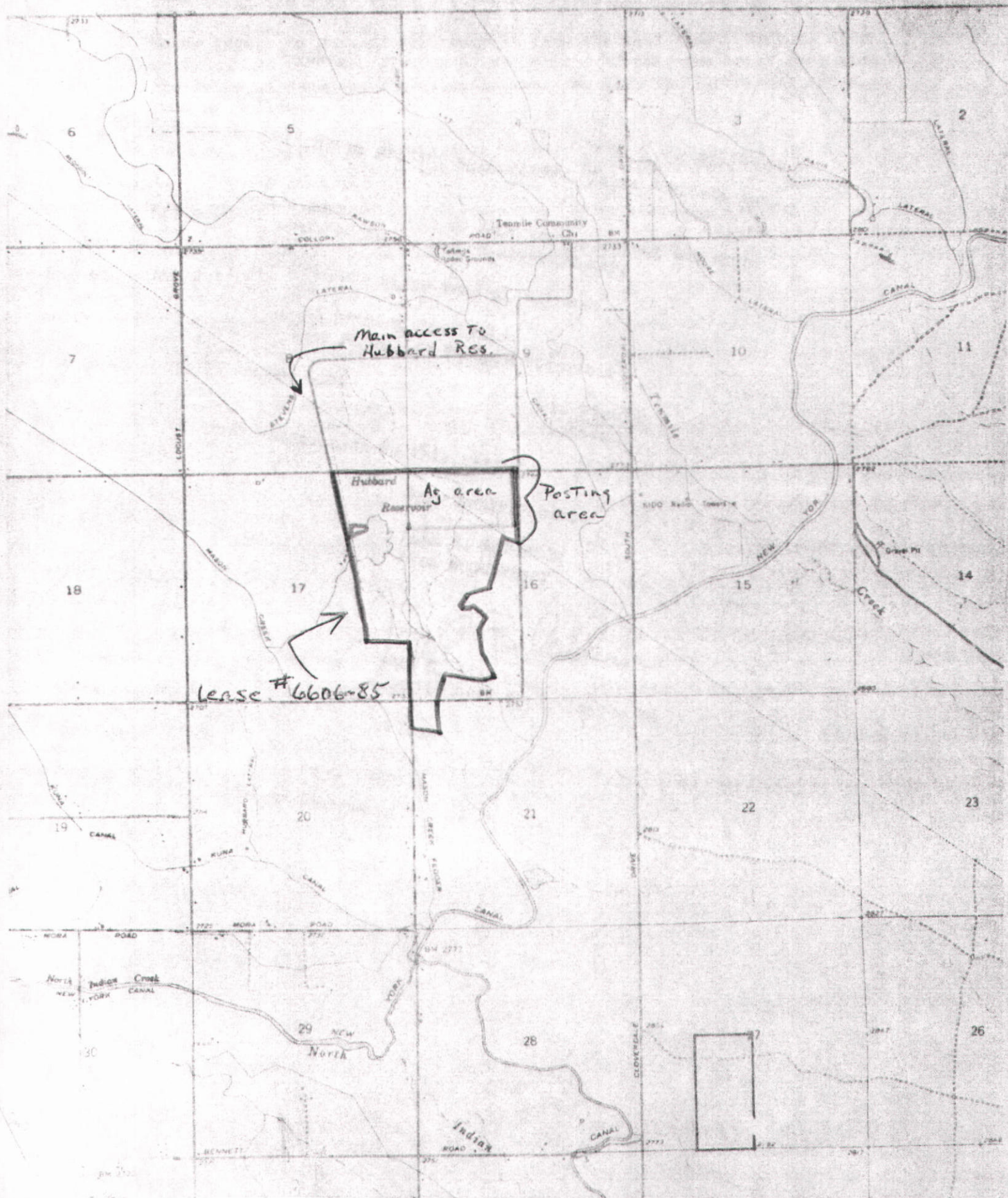
ESMT

108  
D10812

D8632

D10708

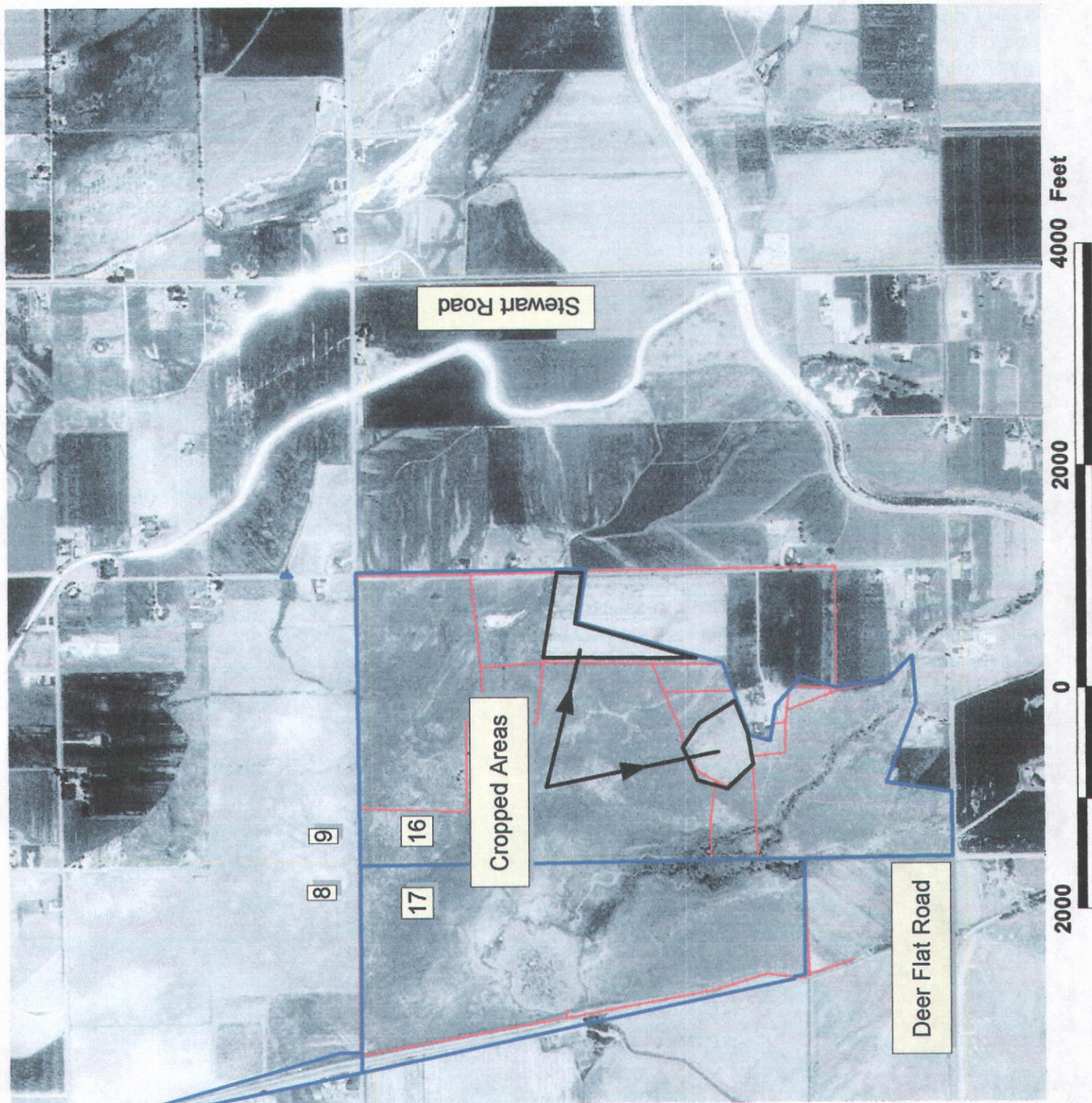




# Cropped Areas circa 1994

About 15.2 acres are  
under cultivation.

State Land  
Sections  
Fences



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: A63-05389  
Date Received: 7/10/89  
Receipt No: C008120  
Received By: 91

REC  
JUN 19 1989

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

REC  
JUN 13 1989

1. Name: STATE OF IDAHO  
Address: DEPARTMENT OF LANDS  
STATEHOUSE  
BOISE, ID

83720-0000

Department of Water Resources

2. Date of Priority: JUN 01, 1926

3. Source: WASTEWATER

Trib. to: HUBBARD RESERVOIR

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 02N      | 01E   | 16      | NE     | NW     |        |     | ADA    |
|          |       |         | NW     | NW     |        |     | ADA    |
|          |       |         | SE     | NW     |        |     | ADA    |
|          |       |         | SW     | SW     |        |     | ADA    |
|          |       |         | SE     | SW     |        |     | ADA    |

5. Description of diverting works:  
HEADGATES AND DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 3.560  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.130  |      |        |

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

A.F.A.

8. Total consumptive use is 623.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/150 DAIRY CATTLE

A63-05389

Page 1

Date: 05/30/89

MICROFILMED  
AUG 21 1992

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 02N      | 01E   | 16      | NE  |    | NW  |     | IRR | 38.0  |
|          |       |         | NW  |    | NW  |     | IRR | 20.0  |
|          |       |         | SW  |    | NW  |     | IRR | 20.0  |
|          |       |         | SE  |    | NW  |     | IRR | 26.0  |
|          |       |         | NE  |    | SW  |     | IRR | 3.0   |
|          |       |         | NW  |    | SW  |     | IRR | 35.0  |
|          |       |         | SW  |    | SW  |     | IRR | 30.0  |
|          |       |         | SE  |    | SW  |     | IRR | 6.0   |

Section Acres 178.0

Total Acres 178.0

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:  
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Chief, Bureau of Range Management of Idaho Department of Lands, that I have signed the foregoing

Organization document in the space below as Chief, Bureau of Range Management of Idaho Department of Lands and that the statements contained in the foregoing document are true and correct.

David E. Holbe  
Signature of Authorized Agent

Chief, Bureau of Range Management Idaho Department of Lands  
Title and Organization

JUN 6 1989  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 6 day  
of June 19 89

Seal

Virginia M. Peters  
Notary Public

Residing at Bonnie, Ia  
My Commission Expires 3/15/94

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that State of Idaho, Department of Lands  
(Name of Claimant)  
Room 121 Statehouse Boise, ID 83720 Telephone No. 334-3488  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 6/1/1926

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
wastewater tributary to Hubbard Reservoir

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| (cfs, af)                | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)         |                 |
|--------------------------|-------------------------------------|--------------------------------|-----------------|
|                          |                                     | (Mo., Day)                     | (Mo., Day)      |
| Quantity <u>3.56 cfs</u> | Use <u>irrigation</u>               | Period of Use From <u>3/15</u> | To <u>11/15</u> |
| Quantity <u>0.13 cfs</u> | Use <u>stockwater</u>               | Period of Use From <u>1/1</u>  | To <u>12/31</u> |
| Quantity _____           | Use _____                           | Period of Use From _____       | To _____        |
| Quantity _____           | Use _____                           | Period of Use From _____       | To _____        |
| Quantity _____           | Use _____                           | Period of Use From _____       | To _____        |

(4) 3.69 TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 NW 1/4, Sec. 16 Twp. 2N Rge. 1E B.M., County of Ada  
Additional points of diversion: NW 1/4 NW 1/4, SE 1/4 NW 1/4, SE 1/4 SW 1/4, SW 1/4 SW 1/4

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. This land lies at a lower elevation than neighboring irrigated tracts. It does not have appurtenant irrigation district water rights, and is irrigated on a piecemeal basis from a variety of wastewater inflows. As many as 54 small headgates on 13 ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

have historically been used for this irrigation.

| T  | R  | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|----|----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|    |    |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 2N | 1E | 16   |        |        |        |        | 38     | 20     | 20     | 26     | 3      | 35     | 30     | 6      |        |        |        |        | 178   |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 178   |

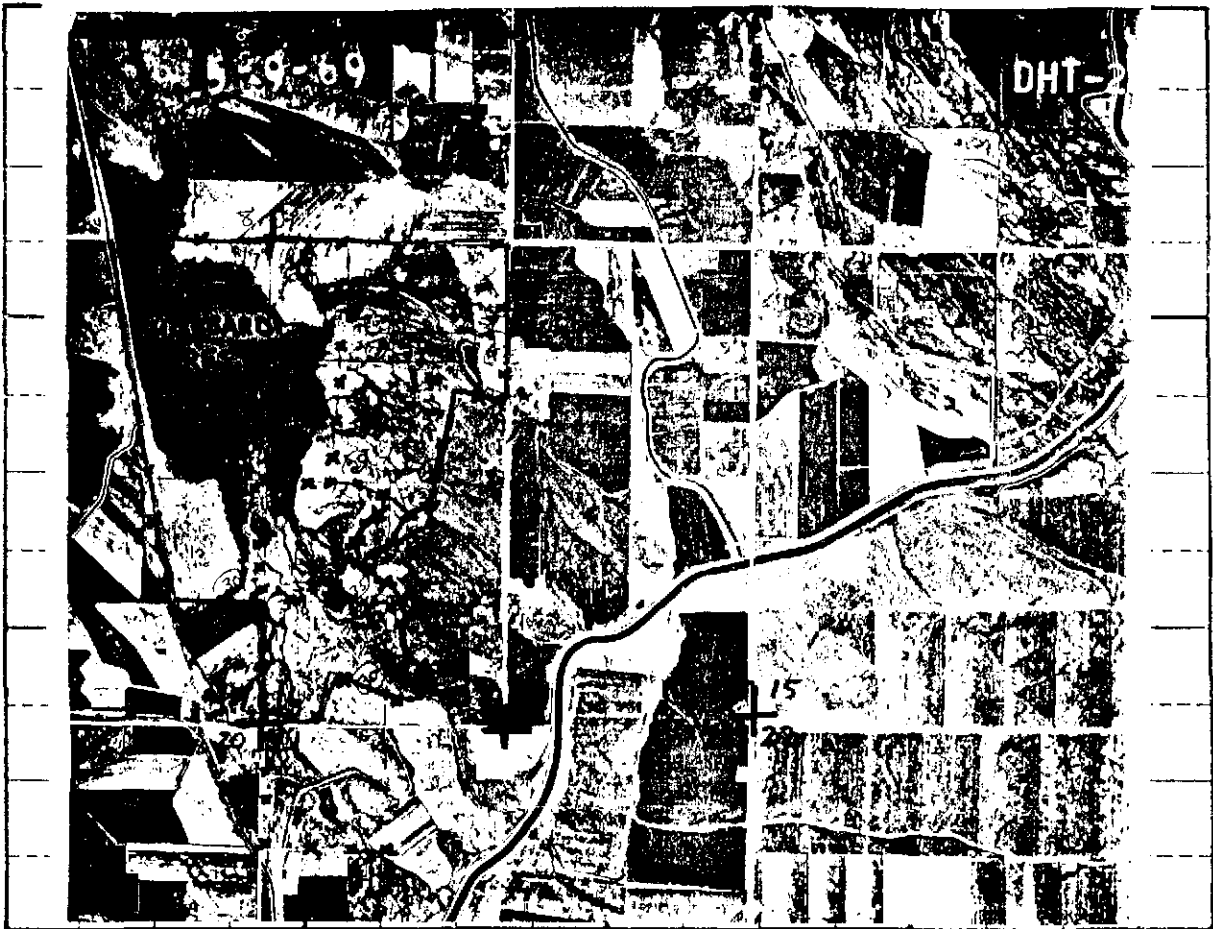
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

NOTE: Include here the type and number of stock watered: Up to 150 head dairy cattle

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(B) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
 ) ss.  
County of ADA )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert L. Lamm <sup>Asst Area Supervisor, Id</sup>  
 (Claimant) <sup>Dept of Lands</sup>

Sworn to before me this 5<sup>th</sup> day of August, 1986.

Sharon L. Phillips  
Notary Public  
Residing at Boise Idaho

My commission expires 2-15-87

| FOR DEPARTMENT USE ONLY             |                                          |                     |              |
|-------------------------------------|------------------------------------------|---------------------|--------------|
| Received by <u>LS</u>               | Date <u>8/21/86</u>                      | Exception filed by: | Forwarded to |
| Prelim. check by <u>JS</u>          | Date <u>8/27/86</u>                      | claimant by:        | Date         |
| \$30.00 fee received by <u>JS</u>   | Date <u>8/20/86</u>                      | #40562              |              |
| Published in <u>Idaho Statesman</u> | Raymond D. Givens, Atty.                 |                     |              |
| Dates <u>9/18/86-9/25/86</u>        | behalf of Boise Project Board of Control |                     |              |
|                                     | Randall C. Fred, Atty.                   |                     |              |
|                                     | behalf of Boise Project Board of Control |                     |              |

(8) Remarks \_\_\_\_\_



Scale: 2 inches equal 1 mile.

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State of Idaho

County of ADA

ss.

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Robert L. Shaffer  
Asst. Area Supervisor, Id  
Dept. of Lands  
(Claimant)

Sworn to before me this 5<sup>th</sup> day of August, 1986.

Sharon L. Phillips  
Notary Public  
Residing at Boise Idaho

My commission expires 2-15-87

Received by SS 9:09 a Date 8/21/86 FOR DEPARTMENT USE ONLY  
Prelim. check by JP Date 8/27/86  
\$30.00 fee received by JP Date 8/29/86 #40562

Published in Idaho Statesman  
Dates 9/18/86-9/25/86

Raymond D. Givens, Atty.  
behalf of Boise Project Board of Control  
Randall C. Fredricks, Atty.  
behalf of Boise Irr. Dist.

culvert



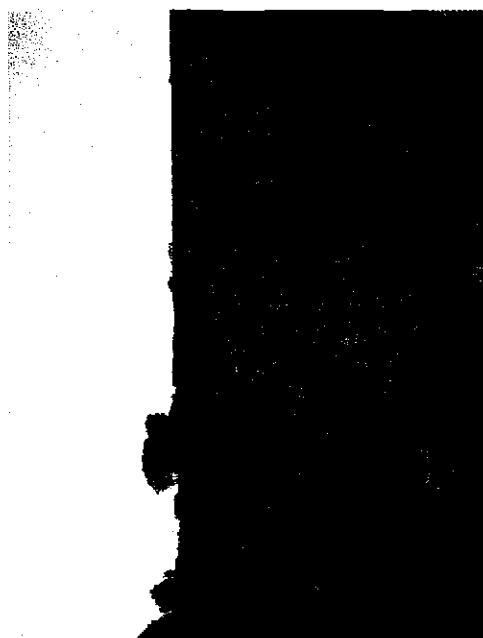
IDL 63-5389





IDL 63-5589

FDL 63-5389



10/26/2005

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

RIGHT NUMBER: 63-5389

NAME AND ADDRESS: STATE OF IDAHO  
DEPT OF LANDS  
954 W JEFFERSON  
PO BOX 83720  
BOISE ID 83720-0050

SOURCE: WASTE WATER

TRIBUTARY: HUBBARD RESERVOIR

QUANTITY: 0.560 CFS

PRIORITY DATE: 06/01/1926

POINT OF DIVERSION:

T02N R01E S16 NENW Within ADA County

T02N R01E S16 NWNW Within ADA County

T02N R01E S16 SENW 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          | 0.560 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.130 CFS       |

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S16 NENW 21.0 T02N R01E S16 NWNW 5.0

T02N R01E S16 SENW 2.0

STOCKWATER same as IRRIGATION

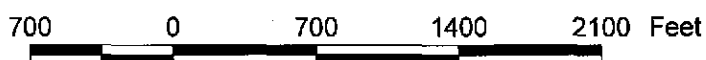
28 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

T02N R01E S16



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5389 V1

WATER RIGHT NUMBER: 63-5389 V1

|                   |                                                                                                             |
|-------------------|-------------------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                                     |
| Current Owner     | STATE OF IDAHO<br>DEPT OF LANDS<br>954 W JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0050<br>(208)334-0200 |

Priority Date: 06/01/1926

Basis: Beneficial Use

Status: Active

|               |                   |
|---------------|-------------------|
| <u>Source</u> | <u>Tributary</u>  |
| WASTE WATER   | HUBBARD RESERVOIR |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 03/01 to 11/15          | 0.560 CFS             |                      |
| STOCKWATER            | 01/01 to 12/31          | 0.130 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.560 CFS             |                      |

Location of Point(s) of Diversion

|             |            |                                 |
|-------------|------------|---------------------------------|
| WASTE WATER | NW1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M. |
| ADA County  |            |                                 |
| WASTE WATER | NE1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M. |
| ADA County  |            |                                 |
| WASTE WATER | SE1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, 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 |        |
| 02N | 01E | 16  |    |    |    |    | 21.0 | 5.0 |    | 2.0 |    |    |    |    |    |    |    |    | 28.0   |

Total Acres: 28

STOCKWATER same as IRRIGATIONConditions 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-5389 V1

Comments:

1. segbert 10/26/2005 Priority date

Comment: see memo in file. Based on the fact that New York Irrigation District water was put on the land to the east in 1924 creating waste water.

2. segbert 10/26/2005 POU

Comment: see memo in file. POU was reduced because only a small portion is irrigated with wastewater

3. segbert 10/26/2005 POD

Comment: Did not recommend 2 of the PODs that were claimed because they did not appear to be from the waste water.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 10/26/2005 3:03:28 PM     | segbert         |                           |                 | Active        |
| POD            | 10/26/2005 3:03:55 PM     | segbert         |                           |                 | Active        |
| Source         | 10/26/2005 3:06:27 PM     | segbert         |                           |                 | Active        |
| POU            | 10/26/2005 3:06:50 PM     | segbert         |                           |                 | Active        |
| Use            | 10/26/2005 3:09:38 PM     | segbert         |                           |                 | Active        |
| Season         | 10/26/2005 3:10:02 PM     | segbert         |                           |                 | Active        |
| Quantity       | 10/26/2005 3:16:37 PM     | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 10/26/2005                | segbert         | Active        |

Verification Log:

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

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-5389 V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------|-----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use     | 10/26/2005 3:09:38 PM | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                    |
| POD     | 10/26/2005 3:03:55 PM | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                 |
| POD     | 10/26/2005 3:05:41 PM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| POU     | 10/26/2005 3:06:50 PM | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                               |
| General | 10/26/2005 3:03:28 PM | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |
| POD     | 10/26/2005 3:05:04 PM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| POD     | 10/26/2005 3:05:23 PM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-5389 V1

|          |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|-----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 10/26/2005 3:06:28 PM | segbert | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                            |
| Season   | 10/26/2005 3:10:03 PM | segbert | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required?                           |
| Quantity | 10/26/2005 3:16:38 PM | segbert | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(Yes) 7. Is a flow measurement required?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 7 - no flow measurement was done since the system was no longer in use. |
| POU      | 10/26/2005 3:09:12 PM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Summary  | 10/26/2005 3:20:06 PM | segbert | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date?               |

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5389

WATER RIGHT NUMBER: 63-5389

Owner Type                      Name and Address  
 Current Owner                  STATE OF IDAHO ✓  
                                          DEPT OF LANDS  
                                          954 W JEFFERSON  
                                          PO BOX 83720  
                                          BOISE, ID 83720-0050  
                                          (208)334-0200

Priority Date: 06/01/1926 ✓

Basis: ~~Statutory Claim~~ *BU*

Status: Active

Source                                      Tributary  
 WASTE WATER                              HUBBARD RESERVOIR

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>               | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------------------|-----------------------|----------------------|
| IRRIGATION            | <i>3-1</i> <del>2/15</del> to 11/15 | <del>3.560</del> CFS  | <i>.56</i>           |
| STOCKWATER            | 1/01 to 12/31                       | 0.130 CFS             |                      |
|                       | <u>Total Diversion:</u>             | <del>3.690</del> CFS  | <i>.56</i>           |

Location of Point(s) of Diversion

|              |            |                                   |
|--------------|------------|-----------------------------------|
| WASTE WATER  | NW1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M.   |
| ADA County   |            |                                   |
| WASTE WATER  | SW1/4SW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M.   |
| ADA County ✓ |            |                                   |
| WASTE WATER  | NE1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M. ✓ |
| ADA County   |            |                                   |
| WASTE WATER  | SE1/4NW1/4 | Sec. 16, Twp 02N, Rge 01E, B.M. ✓ |
| ADA County   |            |                                   |
| WASTE WATER  | SE1/4SW1/4 | Sec. 16, Twp 02N, Rge 01E, 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 |        |
| 02N | 01E | 16  |    |    |    |    | 38.0 | 20.0 | 20.0 | 20.0 | 3.0 | 35.0 | 30.0 | 6.0 |    |    |    |    | 178.0  |
|     |     |     |    |    |    |    | 21   | 5    |      | 2    |     |      |      |     |    |    |    |    | 28     |

Total Acres: ~~178~~ 28STOCKWATER same as IRRIGATION

10-26-05

Recommended acres – Evidence of Priority – 63-5389

There is evidence to support the 1926 priority date on the lands located in the NENW and NWNW, S16. This is due to the fact that New York Irrigation District water was put on the land to the east in 1924 creating waste water which flows downhill to Hubbard Reservoir. Irrigation could have taken place in 1926 from a wastewater source. The 1987 aerial shows some irrigation.

However, the land in the SENW and NWSW could not have been irrigated until 1963 since the water right for those fields, also claimed under 63-161BX was transferred from north Boise under the Consumer's Water Corp Boise River filing #63-161 in 1963. This land is supplied by New York canal water not wastewater.

Evidence submitted by the Dept of Lands only supports a grazing permit in 1926 with no mention of what was irrigated.. We are using the fact that the New York canal irrigated lands would have created the wastewater for the above 1/41/4's only (NENW & NWNW).

Other lands listed in claim appear to have not been irrigated in 1986 photo and 1987 photo and 2003 photo. These are not being recommended. No evidence of priority to support these have been submitted.

1963 NFR

LANDS IN THE  
SHEW & NEWELL

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Transfer of Water Right  
Transferred Right No. 1010

THIS IS TO CERTIFY, That Consumers Water Corporation, through  
O. S. Taylor, President, 414 First National Bank Building, Boise, Idaho,  
is the owner of and using a certain water right for 2500 inches, or 50  
cubic feet per second, of the waters of the Boise River, with priority  
of May 1, 1866, decreed to Joseph Ferrault and Richard Johnson, by  
Judge George H. Stewart of the District Court of the Seventh Judicial  
District of the State of Idaho, in and for the County of Canyon, in the  
case of

FARMERS COOPERATIVE DITCH CO.,  
a corporation,

Plaintiff

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,  
a corporation, et al

Defendants

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

Town lots and agricultural lands  
lying under what is known as the  
Walling Ditch <sup>CONVEYANCE</sup> in Sec-  
tions 11, 12, 13 and 14, Town-  
ship 3 North, Range 2 E. B. M.,  
and Sections 28, 29, 32, 33 and 34,  
Township 4 North, Range 2 E. B. M.,

That said decree has been entered in the records of the Department  
of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at  
Page 110 thereof;

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

And that now, upon the application of the Consumers Water Corporation,  
through O. S. Taylor, for a Certificate of Transfer of Water Right, made before  
the State Reclamation Engineer of the State of Idaho, and the said application  
having been granted, the right to the use of 100 miners inches, or 2 cubic feet  
per second of the waters of Boise River upon the above described lands is here-  
by abandoned, and the lands to be irrigated under such right and to which the  
water right ~~HEREBY~~ <sup>CONFIRMED</sup>, shall become appurtenant by this Certificate for  
irrigation and domestic purposes is described as follows, to-wit:

E. 8.7 acres of SE $\frac{1}{4}$  and portions  
of E $\frac{1}{2}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ , East of Hubbard  
Lake Reservoir, and north of said  
Reservoir Feeder Canal, Section 16,  
Township 2 North, Range 1 E.B.M.,  
known as the John Dobson Tract;

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

100 inches, or 2 cubic feet per  
second, with priority of May 1,  
1866;

That the water right hereby transferred has heretofore been con-  
ducted to the first above described lands through the Consumers Canal with  
point of diversion in Section 24, Township 3 North, Range 2 E. B. M.,

That the water right hereby transferred will hereafter be conducted  
to the last above described lands through the New York Canal with point of  
diversion in Section 3, Township 2 North, Range 3 E.B.M.,

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the offi-  
cial seal of the Department of Reclamation of the State of Idaho to be here-  
unto affixed at Boise, Idaho, this 24th day of June, 1963.

CARL E. TAPPAN, Acting  
State Reclamation Engineer  
By

(SEAL)

s/ RALPH W. THOMAS

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

In the Matter of the Application of  
Consumers Water Corporation, through  
G. S. Taylor, President, of Boise,  
Idaho,

For a Transfer of Water Right in  
Water District No. 12-A, County of  
Ada;

ORDER GRANTING TRANSFER

NO. 1010

WHEREAS, On the 11th day of June, 1963, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Consumers Water Corporation, through G. S. Taylor, President, of Boise, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 24th day of June, 1963.

CARL E. TAPPAN, Acting  
State Reclamation Engineer  
By

(SEAL)

s/ RALPH W. THOMAS

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

1986 ASCS Slide - Circled areas have been cropped.

*About 38.8 acres*



State of Idaho  
Department Of Lands  
#63-05389

Site was inspected on 10-13-05 with Eric Wilson from the Dept of Lands. Five point of diversion are in the water right application and all were identified in the field exam. Evidence of beneficial use was present at all points of diversion at one time, but property has not been irrigated for years. GPS pod was already completed in 2004 by Glean Gibson at a prior field exam.

**Verified Acres** used for irrigation is unknown due not being irrigated for many years. Mr. Wilson will look up archives of past renters to supply us with that information. Total acres 17.8

**Verified Stock water** last evidence of verified grazing on the property was in 2000 with a lease adjustment evidence of priority (see attachments)

**Evidence of priority**

Eric Wilson of the Department of Lands sent in past rent agreements from ranchers/farmers dating back 1976. Eric is going to do some more research to provide 1926 priority date.

#### **First point of diversion**

The Field exam started on West Stewart Road in the NW1/4 Section 16. South of Stewart Road is a large drain ditch that goes under Stewart Road and onto the state Land. The ditch drains from several farm fields to the southeast of the property. GPS 43.30,771 11620.673 it then runs across Stewart Road through a 24 inch culvert into a pond that feeds several ditches (Point 1 see map) POU irrigation possible stock water

There was no water running at time of exam and all ponds where dry at this location. Shallow silted in feed ditches that run west allow the west area to have water that feeds from a 12 inch PVC pipe. (See point 1a on map).

#### **Second point of diversion**

A 12 inch culvert that also runs from waste water under Stewart Road down north fence line of property. Onto a small shallow pond and then continues to the west. (Point 2 see map) no water was present at time of exam. POU Stock Irrigation and possible stock water

#### **Third point of diversion**

Point 3 is under construction at time of exam it seems that the neighbors from the adjoining area have changed their irrigation system from gravity to sprinkler irrigation. The unknown size pipe is being replaced with 6 inch PVC pipe. (See map point 3). This is

a low spot in the field and the water flows south then southwest. This water then joins the water from the east. POU Irrigation possible stock water.

**Fourth point of Diversion.**

Point 4 (see Map) Drain water flows across the south side of the road in two places from farm field's east and also west of the property.

The water flows Northwest across the south end of the parcel. This creek had water running on this day. There where several check dams that pervade pool complexes. The 4th point of diversion is in the northwest upper end of the creek A head gate was present but hadn't been used for a long time and ditches where silted in with no water flowing to it. POU Irrigation and stock water

**Fifth point of diversion** The ditch flows north allowing the south land to be watered at one time.. Is present downstream where the creek splits into two channels a shallow silted in ditch leads west from the creek. The division allows at one time watering a few acres. POU Irrigation and stock water.

**Error on POD on maps** shows POD on the sw sw section of 16 but drain water flowed across the south access road in two places from a farm across from road it flows down into a southwestern drainage since these field drains were never diverted for beneficial use no water rights were applied for Some drain water also flows onto state land from a farm field to the west this southwest corner of state land do to the landscape it was never put to beneficial use so the state did not file on this. (See map)

**Measurement**

A flow measurement on the south east side of the property off of Deer Flat Road  
The ditch was 12 feet across at high point and 24 inches deep. Today the water was running at 5 feet wide and 2.25 deep velocity of \*\*\*\*\*

Other flow measurements where not completed do no water and ditches silted in.

63-05389

**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) ALB-05389Owner: Dept of Land Phone No. \_\_\_\_\_Current Address: Statehouse Boise ID 83720

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

Accompanied by: Eric Wilson (Field Agent w/ Dept of Lands)**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.)

Eric Wilson Dept of Land is going to do some more research to provide Evidence of PrioritySource: Waste water Tributary to Hubbard Reservoir

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

**POINT OF DIVERSION**

- ☐ No change
- ☒ POD found is different than claimed: error on map
- ☐ If different, when did POD change? \_\_\_\_\_

See map

# DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
| 1    |            | SE  | NW  |     | 16   | 2N   | 1E   |        |                                           |
| 2    |            | NW  | NW  |     |      |      |      |        |                                           |
| 3    |            | NW  | NW  |     |      |      |      |        |                                           |
| 4    |            | SE  | SW  |     |      |      |      |        |                                           |

5 NW SW  
Description of diverting works

See map Attached / Error on map

## OVERLAP REVIEW

Other water rights with the same point of diversion: None

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:

See Attachment

**AFTER EXAM THE FILE SHOULD CONTAIN:**

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED:

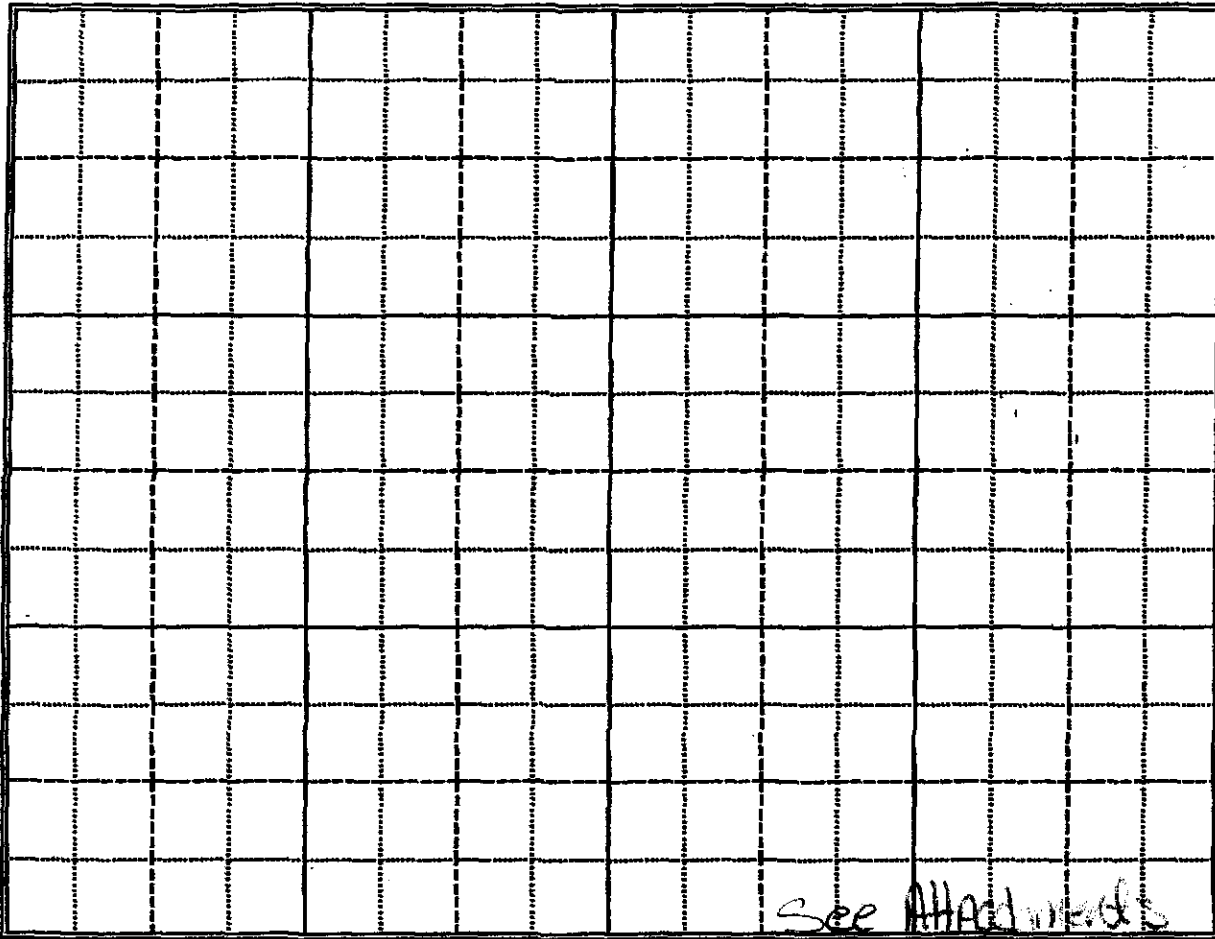
10-13-05

FIELD EXAMINER:

Michael Bishop

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.

*See Attach -*



Scale: 1" = \_\_\_\_\_

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: *See Attachments*

\_\_\_\_\_  
\_\_\_\_\_

## F. FLOW CALCULATIONS

Measured Method:

\_\_\_\_\_ Additional Computation Sheets Attached

## G. VOLUME CALCULATIONS

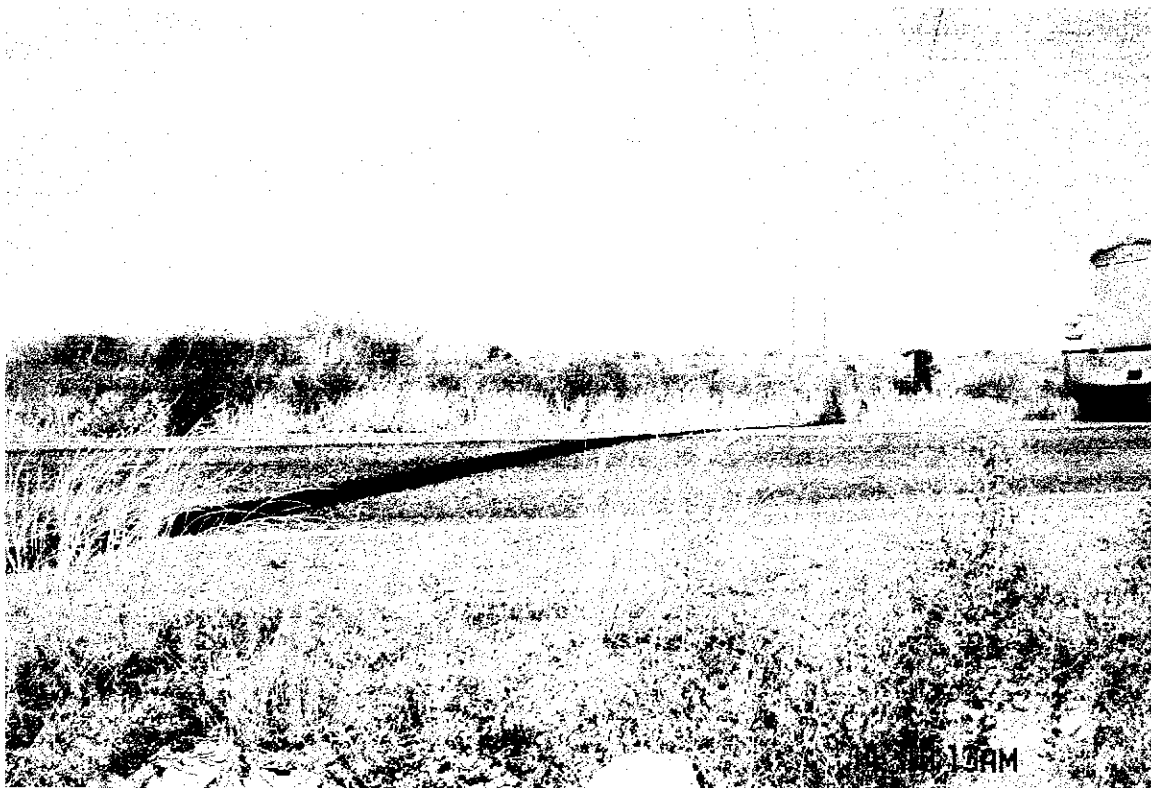
### 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{10em}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{10em}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{10em}}$$

### 2. Volume Calculations for Other Uses:



Looking west from toward 1st Pad runs



Waste water run off from field across road 1 Pad

GPS 43 30 855  
116 20 744

63-65389



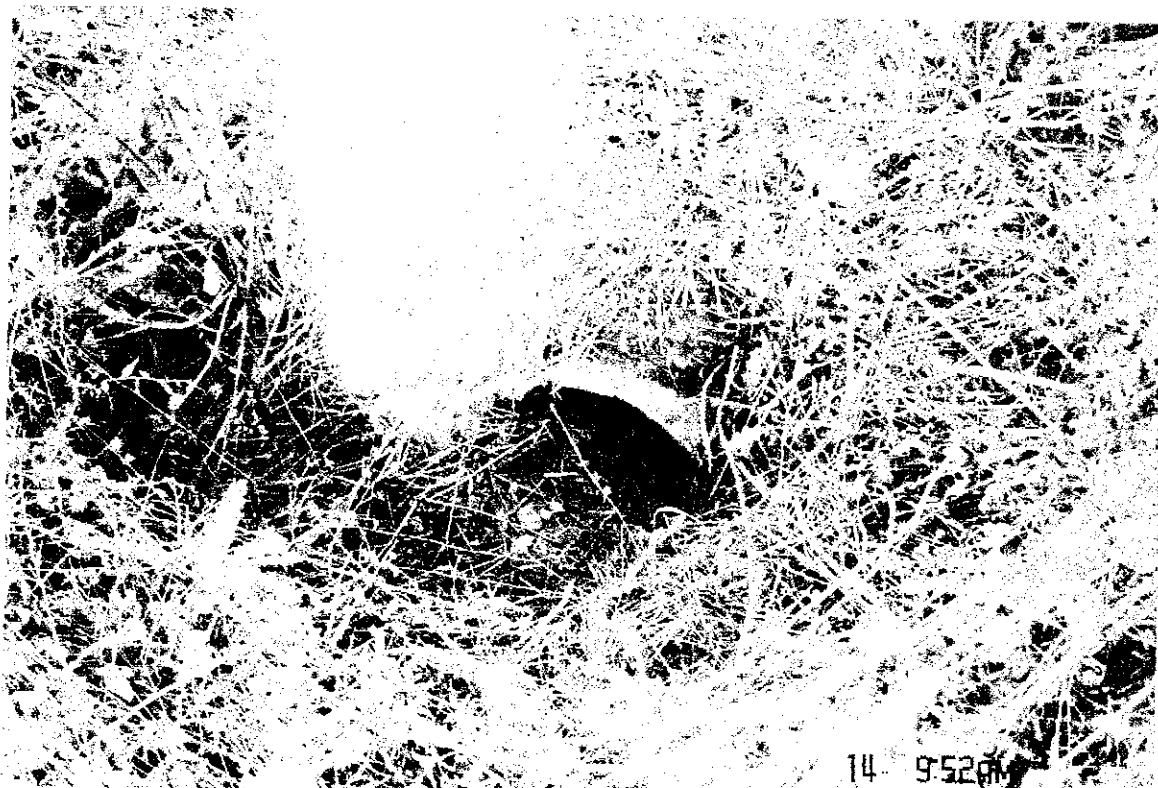
Pond At first Pod



14 9:37AM

12 inch Culvert leading 1 Pod Pond

63-05389



14 952AM  
2nd Pod 12 inch culvert runs into Pond.



24 inch Culvert that runs under Stewart Rd  
At 2nd Pod on East Side

63-65389



6 inch PVC Pipe from 3rd Pod.



3rd Pod Pipe was being worked on.

63-05389

Old head Gate  
 Bay 4th Pod  
 Ditch silled in.  
 Has not been  
 used in years



14 10:30 AM



Whole water from Pans Across Road At 4th Pod



Where measurement was taken At 5th Pod

63-653-89



One of Several Check Dams



Trees & Shrubs overgrown in silted in ditches

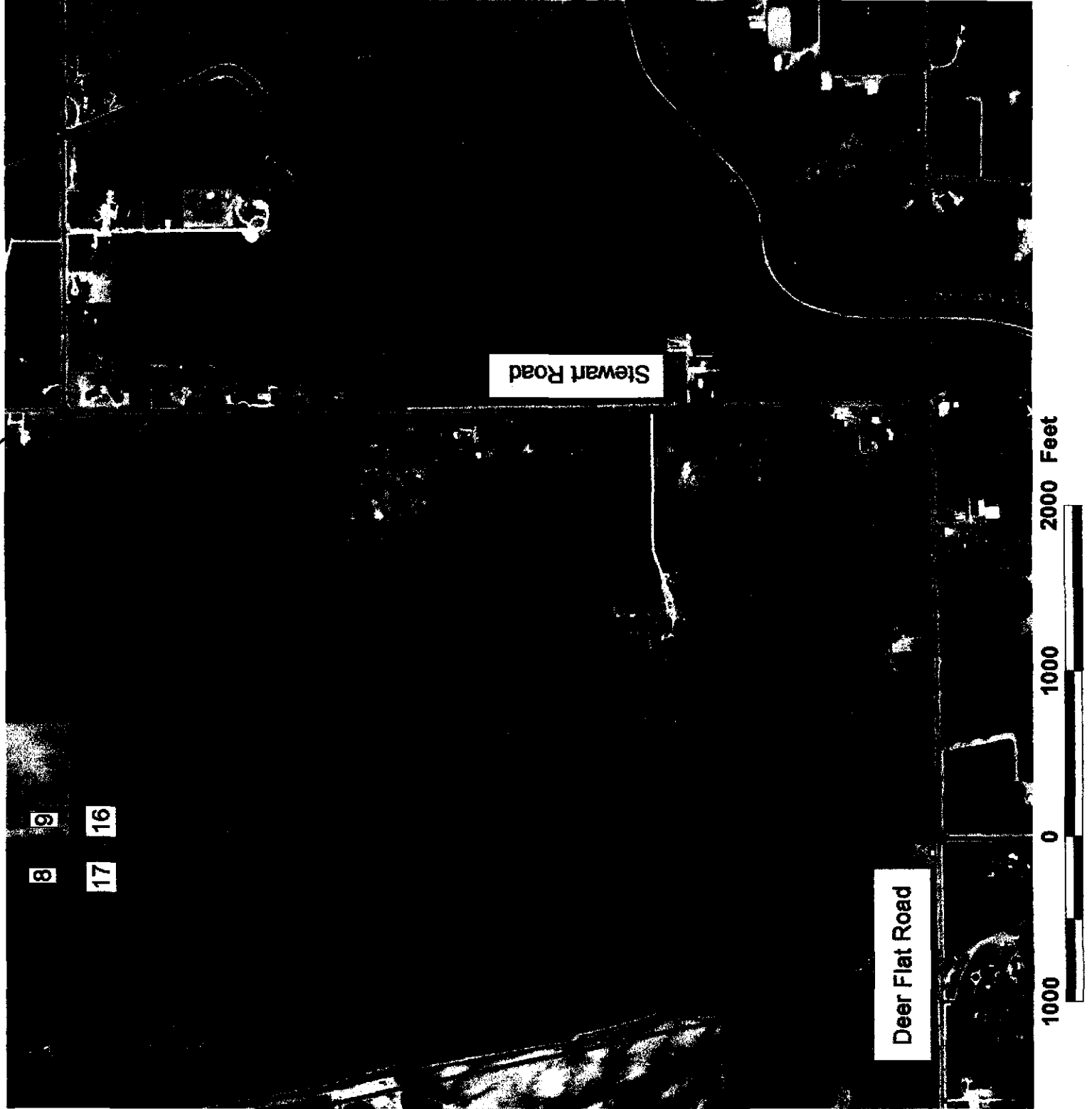
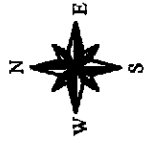
63-65389



5th Pond where water Ts and goes South when full.

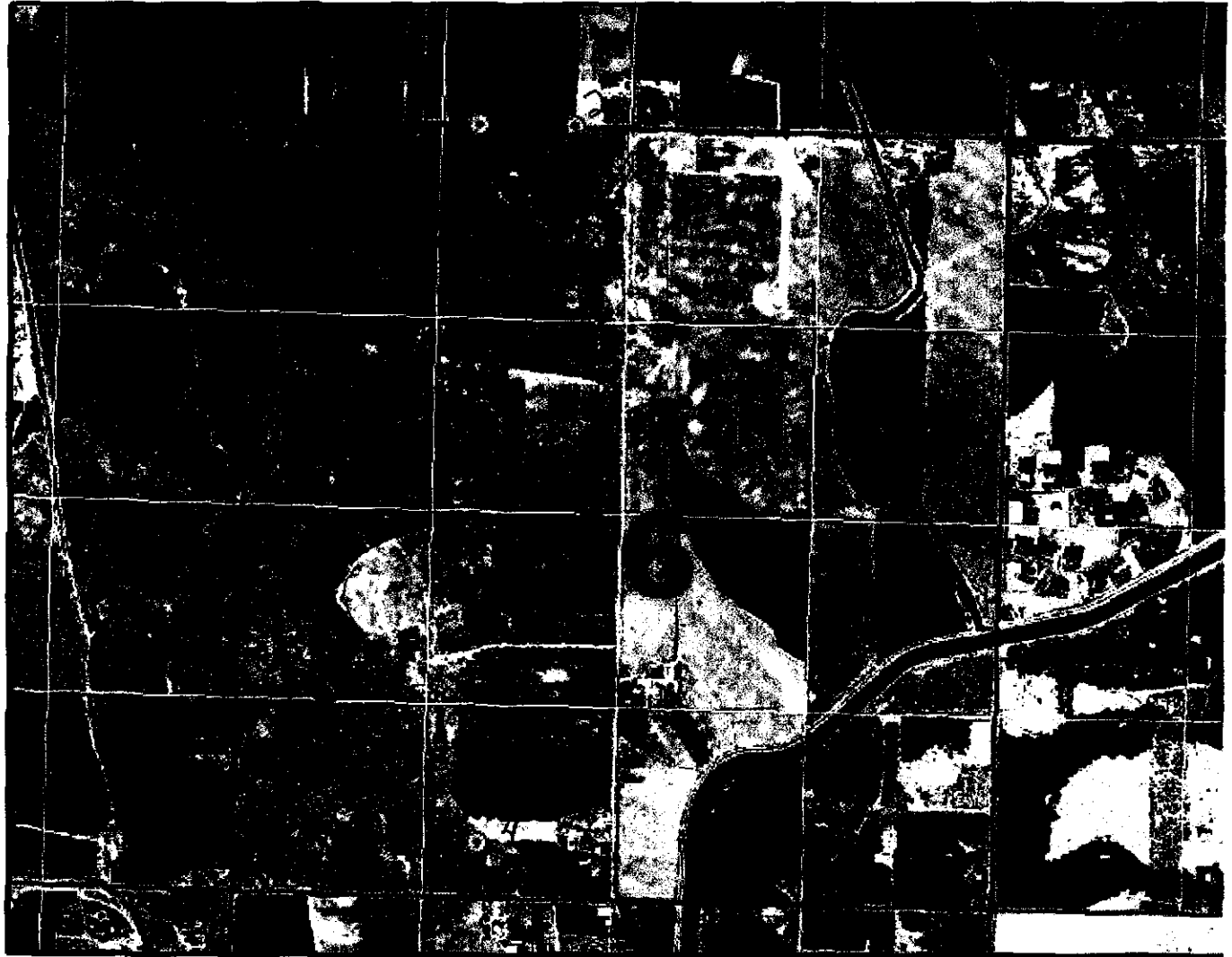
**Points of Diversion  
Water Right 63-5389  
Section 16, T2N, R1E**

- ★ Points of Diversion
- ^ Ditches and Drains
- \\ Fences
- State Land





# Dept of Lands POD Map 2000 Photography



1320 0 1320 2640 3960 Feet



⊙ Point of Diversion

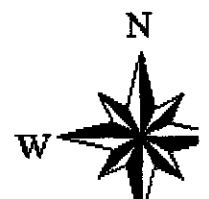


Claimed Place of Use - N/A



Ada County Tax Lot Data - N/A

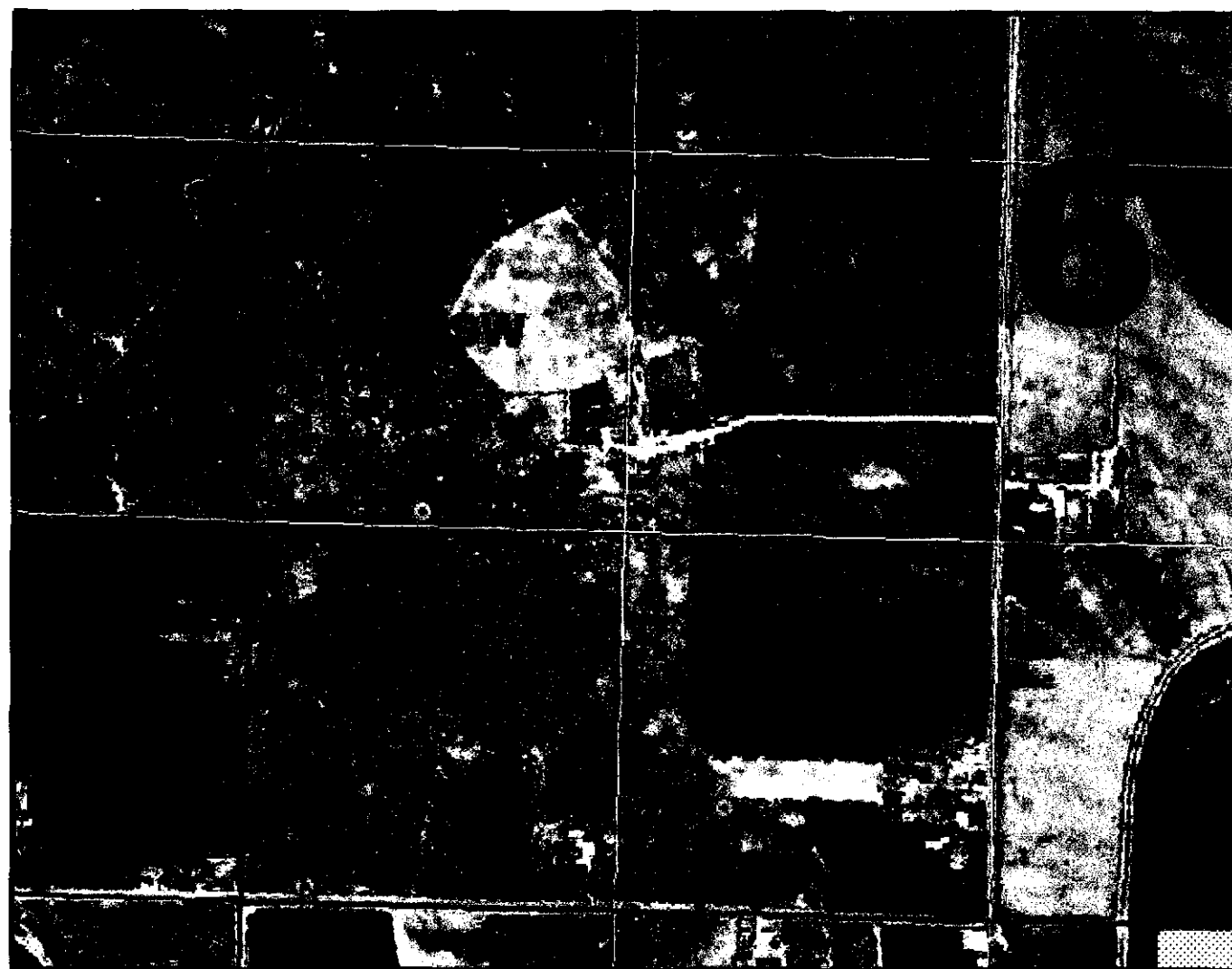
**Total Claimed Acres:**



9/1/2004



# Dept of Lands - South POD Map 2000 Photography



1320 0 1320 Feet

⊙ Point of Diversion

□ Claimed Place of Use - N/A

□ Ada County Tax Lot Data - N/A

**Total Claimed Acres:**



11/9/2004

# FILE INFORMATION MEMORANDUM

## Southwest Area Office

DATE: August 25, 2004

FROM: Eric Wilson

SUBJECT: Water Rights Investigation

FILE #: M-6065, Water Right 63-5389

1915 map shows 0.4 acres irrigated on state land in NE1/4NW1/4 Section 16.

1969 air photos show the large stock pond on state land in the SE1/4NW1/4 Section 16. This pond is fed by runoff that enters from private land to the east. Irrigation ditches appear to run north from the pond. More runoff enters the state parcel from private land to the north, and it runs directly to Hubbard Reservoir. The main feeder to the reservoir from the New York Canal is visible, as is another source of runoff water just west of the feeder.

1976 IDL correspondence and documents indicate 187.89 grazeable acres with approximately 50 AUMs utilized on state land in Section 16. A stock pond is shown on a map in E1/2NW1/4 Section 16 on state land. 50 acres were also to be converted to irrigated cropland. A map from June 29, 1976 indicates the irrigated cropland is in the N1/2NW1/4 Section 16, and a memo of the same date mentions irrigation dams in this same area.

1977 IDL correspondence and documents indicate 187.89 grazeable acres with approximately 25 AUMs utilized on state land in Section 16. At this time, only 35 of the permitted 50 acres were actually converted to irrigated cropland in N1/2NW1/4 Section 16. A map confirms that the cropland is in the N1/2NW1/4 Section 16.

1977 summaries of grazing leases contain a record of grazing leases on state land in Section 16 going back to 1926. *← SHOWS GRAZING ONLY - IRRIGATION NOT MENTIONED.*

A 1979 memo states that 175 acres of Hubbard Reservoir land are or had been irrigated. Some of this acreage must have been in Section 16. The memo also states that the state parcel is a natural low spot and receives runoff water from the north, northeast, east, southeast, and south. An average of 50 inches of water was available as runoff from land

north of the state parcel. A total of 425 inches of water was estimated to enter the state parcel from four locations. This does not include the Hubbard Reservoir Feeder.

A 1979 ownership judgment in favor of the State of Idaho states that the Hubbard Reservoir ground owned by the state has been used for farming and grazing.

A 1980 letter from the department indicates that 50 acres are still being cropped. These 50 acres certainly include land in Section 16.

A 1983 letter from our grazing lessee indicates that the AUMs for Section 16 could be tripled to 75. This letter also mentions planting a crop in the northeast corner of the lease (NE1/4NW1/4) and irrigating it.

A 1984 lease adjustment for the state grazing lease indicates that 50 acres are still cropland, and the AUMs are now approximately 75 for state land in Section 16.

A 1985 memo indicates that 50 acres under the state grazing lease are still cropland.

A 1986 usage plan from a state lessee mentions improving the irrigation distribution in N1/2NW1/4 Section 16 and continuing to farm this area. This plan also describes how the lessee has improved the distribution of sub-irrigation water from a creek and improved the livestock forage. Rock dams were used to slow the water down and spread it out over a wider area. Most of the run-off water from neighboring farms that came on to the state land apparently did not reach the reservoir, so the lessee suggested putting the water to beneficial use on state land. Several areas are described that could be irrigated with this water. Improving wildlife habitat with this water is also mentioned. Pond construction and deepening of creeks to provide winter water for livestock is also proposed. An existing stock pond is shown on a map with the plan, as well as the location of four more proposed ponds.

1986 ASCS slide (photo) show at least 7.2 acres in N1/2SW1/4 Section 16, 8.0 acres in SE1/4NW1/4 and NE1/4SW1/4 Section 16, and 23.6 acres in N1/2NW1/4 Section 16 that are irrigated cropland. This is a total of 38.8 acres.

A 1987 letter and map from the state lessee show that three new ponds were constructed on state land in Section 16, which made a total of four ponds on this state parcel. These ponds were used for stock water and irrigation. Many small dams were also constructed in a creek to provide better livestock watering, sub irrigation of forage, and improvement of wildlife habitat. The irrigation ditches were also improved and several head gates were installed. About 4.3 acres in the SE1/4NW1/4 were planted for wildlife. The irrigated acres were used for grazing in the summer, and the more arid lands were to be grazed in winter and spring.

A 1990 map shows a sub irrigated area on state land in the SW1/4SW1/4 Section 16.

1994 (?) orthophoto quadrangle shows at least 7.2 acres in N1/2SW1/4 Section 16 and 8.0 acres in SE1/4NW1/4 and NE1/4SW1/4 Section 16 that are irrigated cropland. These two fields were also in the 1986 photo. The date of the photo is estimated from comparing the level of activity on Mineral Lease 8288 to inspection reports in the file. The entire southwest corner of this lease area was stripped by 1995, and it is only partially stripped in this orthophoto. Much of the area was stripped between 1993 and 1994, so this photo was probably taken in 1994.

IDL documents from 2000 indicate that approximately 228 acres were grazed with a capacity of 93 AUMs on state land in Section 16. 10 acres of state land in this section were used for irrigated crops, although the water came from the lessee's adjacent private land.

The grazing lease on this state parcel expired on 12/31/00, ending 74 years of continuous grazing and cultivation.

On January 1, 2003 IDL leased this land to Ada County for a passive-use recreational facility for waterfowl and upland wildlife viewing. Hundreds of bird watchers flock to this state parcel every year to view greater than 120 different species of bird. This area has become an important nesting area, as well as a resting place for migratory birds. Other wildlife, such as deer, fox, coyote, and rabbit, can also be seen on this parcel.

Eric Wilson  
Det.  
Dept of Land  
334. 3488

✓ **Field Exam for 63-5389**

✓ Verify POD's already has been GPS'd D

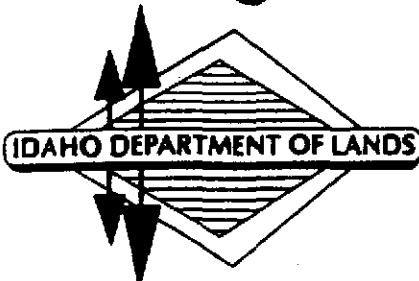
✓ Verify POU

✓ Verify stock water use

✓ There is lots of aerial photo-s just draw or verify shape on one and I'll throw the others away

✓ Need evidence of priority

✓ Flow Measurements



IDAHO DEPARTMENT OF LANDS

954 W. Jefferson St., PO Box 83720  
Boise, Idaho 83720-0050  
Phone (208) 334-0200 Fax (208) 334-2339

STANLEY F. HAMILTON - DIRECTOR

October 16, 2000

Ward Stables  
c/o Gail Ward  
5208 Hoodoo Lane  
Kuna ID 83634

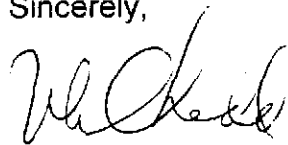
Re: Lease No. G-6252

Dear Lessee:

Your final copy of the Lease Adjustment for lease G-6252 is enclosed. The Idaho Department of Lands has made the adjustment to your lease. Please attach the Lease Adjustment to your copy of the lease and keep it in a safe place for future reference.

If you have any questions concerning your lease please contact the Southwest Area Office in Boise, Idaho at (208) 334-3488.

Sincerely,



Ula Chadd  
Senior Secretary  
Bureau of Range Management &  
Surface Leasing

Enclosure

cc: Southwest Area Supervisor

BOARD OF LAND  
COMMISSIONERS

DIRK KEMPTHORNE  
Governor

PETE T. CENARRUSA  
Secretary of State

ALAN G. LANCE  
Attorney General

J.D. WILLIAMS  
State Controller

MARILYN HOWARD  
Sup't of Public  
Instruction

# LEASE ADJUSTMENT

Lease No. G-6252

Name Ward Stables c/o Gail Ward

Address 5208 Hoodoo Lane, Kuna, ID 83634

We, the undersigned, do hereby agree that this adjustment shall become a part of State of Idaho Lease Number G-6252, and that beginning January 1, 2000, until December 31, 2000, the following rates, acreage's, and conditions shall apply.

Former Conditions Were:

364.80 acres dry grazing/150 AUMs

New Conditions Are:

354.80 acres dry grazing/146 AUMs

10.00 acres irrigated crop @ \$50/acre

364.80 acres

Justification: Better definition of the ownership lines for lease renewal and land exchange purposes discovered approximately 10 acres of irrigated alfalfa on the lease area that are fenced in with lessee's private lands. The lessee irrigates the lands with a wheel line sprinkler system using their water. Rental is calculated using 10 acres x 2.5 ton per acre average long term production x \$80 per ton average hay quality price x 25 percent lessor share. No pasturing of the stubble occurs so 4 AUMs were reduced by 4.

Gail Ward for Ward Stables  
Lessee

10-4-2000  
Date

[Signature]  
Acting Area Supervisor

10/11/2000  
Date

Bruce D Taylor  
Bureau

10/13/00  
Date

Distribution:  
Director's Office \_\_\_\_\_  
Lessee \_\_\_\_\_  
Area Office \_\_\_\_\_  
(1/97)

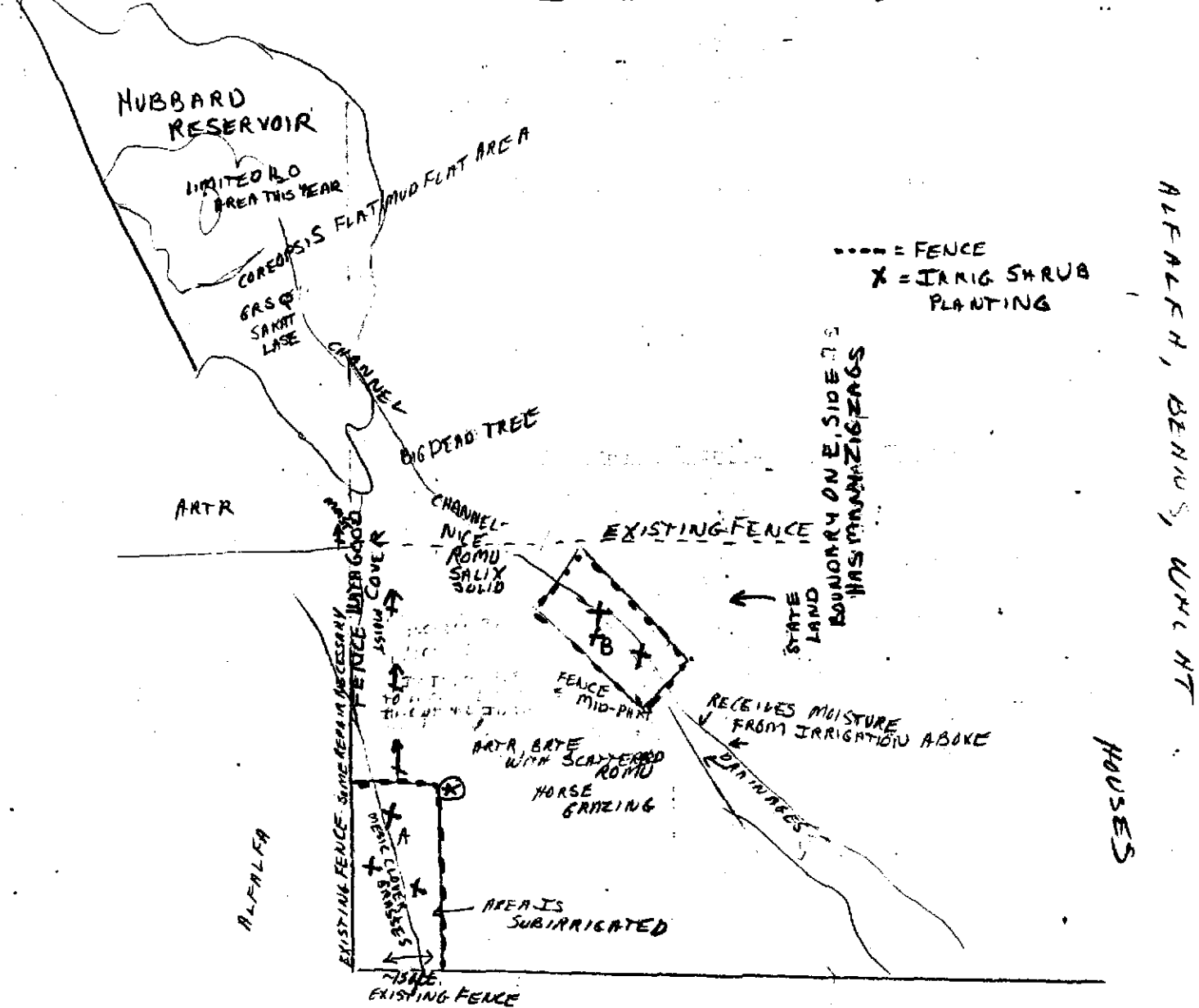
INVESTIGATION FOR POTENTIAL WILDLIFE TRAFFIC

District: BOISE Resource Area: CASCADE

Township 2N Range 1E Section 16 Subdivision            Date 9/6/90

PARTS SOLD - STATE LAND DIFFERS FROM THAT SHOWN ON LAND STATUS MAP

Acres: 200 Map Ref No.            Photo Ref No.           



(\*) IT IS POSSIBLE TO LOCATE EXCLOSURE FENCE IN VARIETY OF SITES IN THIS AREA (4)

Sketch of Tract\*

\*Include surrounding land use, land status, canals, water bodies, vegetation, fences, suspected agricultural trespass, power lines, note access, dumps, other significant features.

ALFALFA, BEANS, WHEAT

58-3363

Wetland, slough, riparian, or canal

Check if yes

✓ CR SLUGH, SUBIRRIGATED AREA

Potential for cooperative farm agreement

Livestock grazing ✓ Authorized HORSE Unauthorized

Rare Species:

Ground cover: % rock SOME ROCKY PATCHES % vegetation        % bare ground       

Vegetation Cover: (estimated) % shrubs 10-20 % grasses BATE % forbs       

Dominant Shrub sp. ARTR Dominant grass sp.       

Dominant forb sp. BATE

Average Shrub height: 0-1'        1-2'        2-3' ✓ 3-4' ARTR over 4'       

### Notes on Observed Wildlife and Habitat on Tract

15 GRAY PARTRIDGE  
20 QUAIL  
4 PHEASANTS  
2 MULE DEER  
BURROWING OWL

### Relative Value of Tract (Existing & Potential)

EXISTING VALUE - PART OF AREA HAS GOOD EXISTING VALUE AS WINTER COVER FOR PHEASANTS, QUAIL, PARTRIDGE (MOIST SITES. PROTECTED BY ROCKS, FENCE LINES)  
DRYLAND AREAS - MODERATE SHRUB COVER  
POTENTIAL VALUE - EXCELLENT, IF GRAZING IS EXCLUDED FROM MOIST AREAS

### Development Needs ESTIMATES

- ① EXCLUDE LIVESTOCK FROM PORTIONS OF MOIST AREAS (SEE MAP)

AREA: A  $800\text{ft} \times 200\text{ft} = 3.7 \text{ acres}$

B  $600\text{ft} \times 200\text{ft} = 2.8 \text{ acres}$

COST: A \$1000 - \$2000 - IT MAY BE POSSIBLE TO USE EXISTING FENCES ON W + E SIDES

B \$1600

Σ \$2600 - \$3600

- ② SUBSEQUENTLY PLANT DIVERSITY OF SHRUBS TO CREATE WINTER COVER THICKET IN MESIC FENCED AREAS

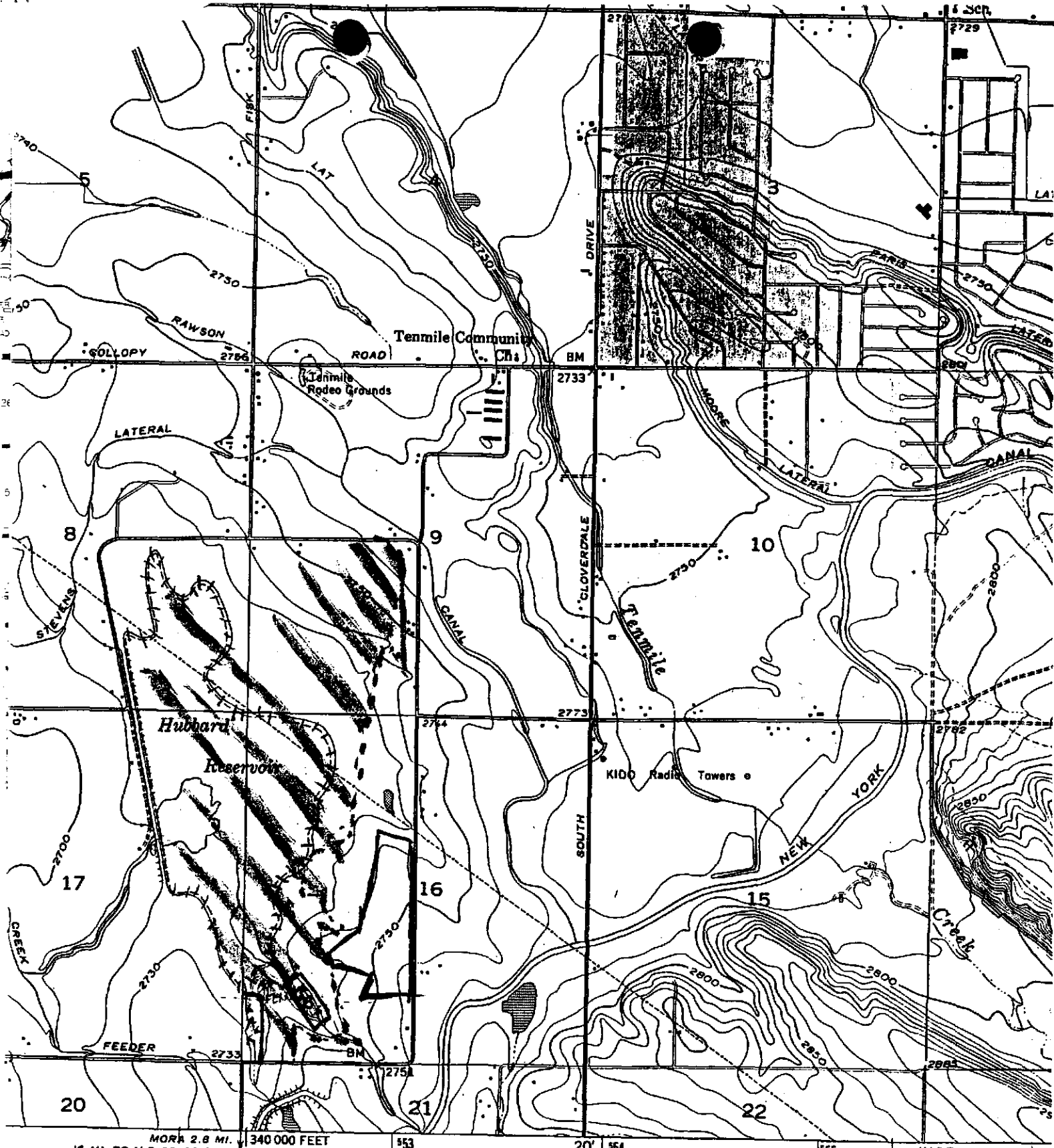
AREA: A 400 SHRUBS \$1.00 / SHRUB = \$400.00

B 300 SHRUBS \$1.00 / SHRUB = \$300.00

- ③ PLANT DRYLAND SHRUBS IN XERIC FENCED AREAS

A 0.5 acres

B 0.5 acres



and published by the Geological Survey

C&GS, and USFS

by multiplex methods

hs taken 1951

able surveys 1953

1927 North American datum

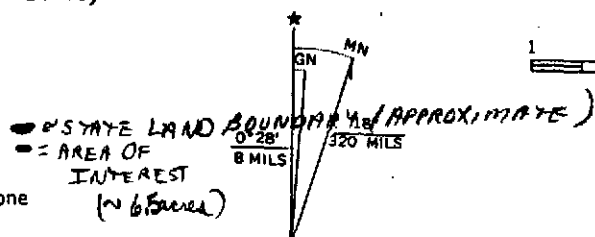
d on Idaho coordinate system, west zone

l Transverse Mercator grid ticks,

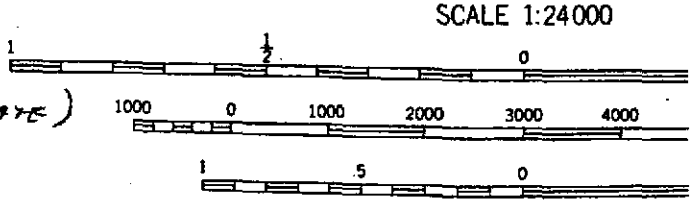
ue

rple compiled from aerial photographs

source data. This information not



UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM 0

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY

STATE OF IDAHO  
Department of Lands

PERMIT FOR CONSTRUCTION OF IMPROVEMENT

Lease No. 6252

July 29, 1987

Lease Type Grazing Location: Sec. 16,17, T.2N., R.1E., B.M.

Permission is hereby granted to:

Nick Bishop

343-4141

1471 Shoreline Drive, Suite 201  
Boise, Idaho 83702

Description of construction of improvement:

Approximately one mile of pasture division fence.

Seeding of approximately 120 acres to miscellaneous grasses and forbs for wildlife and livestock.

Construction of small "spill over dams" in feeder canal to improve forage production, sub-irrigation and wildlife habitat.

Improvement credit will be determined in case of land sale or lease auction. It will be based on utility, success and benefit.

Please submit a copy of your receipts or other cost information.

Mandatory Completion Date: December 31, 1987.

STANLEY F. HAMILTON  
Director

By

Don R. Stockton

June 14, 1987

Bob Snapp  
State of Idaho  
Department of Lands  
8355 State Street  
Boise, Idaho 83702

**RE: Update on Grazing lease #6252**

**Improvements made (since inception of lease)**

**Fences:** We have built approximately one mile of new fence on the lease property. About half of this was built to replace fence that was totally unusable by its condition. The other half was built to facilitate better pasture rotation. The new fencing will be represented by black lines on the enclosed.

**Pasture improvement:**

We planted approximately 120 acres of improved pasture in the early spring of this year with the Land Board's "no till" planter. We planted small Bernet, common sweet clover, and Tall Wheatgrass in the low laying damper areas (marked yellow on the enclosed map). We planted small Bernet and Crested Wheatgrass in the more arid shallow soil areas, and a "BLM mixture" of arid climate grasses in other areas (marked with brown slashes on the enclosed map). The unusually dry months of February, March, April and May appear to have prevented a decent stand of any of these plantings so far. Whether or not the recent rains have provided enough moisture to germinate the thus far unsprouted seeds is yet to be seen. I will enclose the invoices that involve the expenses on this project. If the seeding was a failure I will not be able to afford to attempt it again.

**Water Management:** We have done a considerable amount of work to better use and retain the water on this property. We have constructed three ponds for both stock water use and irrigation purposes. We also "cleaned" the largest (existing) pond for the same purpose. The ponds constructed are marked on the map in blue. So far the time and money spent on this project have been very beneficial to the management of pastures and irrigation.

We have also constructed numerous small "spill over" dams on the feeder canal or "creek". We did this to slow the water down to help prevent erosion, provide more reliable stock water, provide better waterfowl habitat, and hopefully get some subirrigation from the slower flow of the water. Thus far we are pleased with the results of this project.

We also have cleaned the majority of the irrigation ditches on the property and have installed concrete headgates in numerous places. (The headgates were left on the property.)

**Current Usage:** We are currently pasturing horses on the property. We are pasturing 6 of our own horses and approximately 20 horses for outside owners on a per month basis. We are using only the irrigatable acreage during the summer months. We will use the arid land for winter and spring pasture. We will also be pasturing the horses on our deeded land. The difficult part of this is determining the income earned (from the leased land) because the number of horses varies constantly and the horses go from deeded land to state land and back and forth. We charge \$25. per head per month unless the person has more than four head and then we may discount the monthly rate to \$20.

I hope that this will provide the department with enough information on what we are doing with the property. I will be glad to provide more information when ever needed.



Arid land grass seedings, Crested Wheatgrass, etc.

Tall Wheatgrass, small Bernet plantings



milo, millet, sun flowers small grains for wildgame bird cover.



ponds

—x—x—x—x—x— new fences





APPLIED ASSETS • 1471 SHORELINE DRIVE • SUITE 201 • BOISE, IDAHO 83702 • PHONE (208) 343-4141

NICHOLAS F. BISHOP  
VICE-PRESIDENT

August 4, 1986

Bob Snapp  
Idaho Department of Lands  
8355 West State  
Boise, ID 83703

Dear Bob:

Enclosed is the long awaited usage plan I had promised you. After you've had time to review it, we probably should get together and go over it. Though I have been restricted a great deal by finances, I still would like to pursue the fishing area concept. Also, I need to start laying plans to plant dry land grasses early this fall.

Thanks for your patience.

Sincerely,



Nick Bishop

NB/pw

Enc.

#### USAGE OVERVIEW:

When we bid for the lease on this property in October of 1985 we did so with the following goals in mind:

1. To expand the small (67 acre) farm we now own into a more agriculturally and financially feasible unit. We intend to do this by increasing pasture capacity and possible hay production.
2. To prevent encroachment of a neighbor's livestock and therefore protect our own crops, fences, and irrigation equipment.
3. To restore the wildlife habitat to this property after being over-pastured for a number of years.

We intend to accomplish these things by utilizing the following plans:

1. Drastically reduce the grazing pressure on the property.
2. Use progressive pasture management including rotation, grass variety improvement, water management, pond building and fencing improvement.
3. Establish permanent and annual upland wildlife cover and waterfowl habitat.

## I. PASTURE IMPROVEMENT

### A. Existing, improved fescue pasture:

This area (marked "A" on the map) needs to be rested, re-corrigated and the "run-off" irrigation water managed with ditch improvement. If hay price dictates, a fertilizer program would also help. This pasture will be used for late fall and winter pasture and hay production if possible.

### B. Annual wild grasses:

The vast majority of the non-wet, non-improved grass land on this property is made up of cheat grass and foxtail grasses. The best usage for these grasses is spring grazing or to be left for wildlife cover.

### C. Wetlands pasture:

Along the creek and swampy areas there is a substantial stand of improved volunteer grass and clovers that survive on sub-irrigation. We have expanded this area by damming the creek with "slow down" overflowing, lava rock dams. The water in the creek is now moving much slower, is deeper, and is providing more sub-irrigation over a wider area as a result.

### D. Improved dry land grasses:

Virtually all of the desirable dry land grasses on the property are now gone. We want to drill crested wheat and tall wheat grasses in the areas where the soil is good and rock is minimal. We may be able to eventually irrigate some of these areas. We will ask that the State of Idaho assist us in variety selection, seed availability sources, and equipment use (no-till grass land drill). We feel that all the acreage marked as "B" on the enclosed map could be planted to dry land improved grasses and vastly improve the livestock carrying capacity, soil erosion management and and wildlife habitat.

## WATER:

### A. Irrigation Water:

We believe that it is essential to the maintenance of a viable agricultural or wildlife unit that the rights to the "run-off" water from neighboring farms (including ours) be filed for immediately to belong permanently to this land. The vast majority of this water does not ever reach the reservoir now, and could be well used on this land. The areas marked on this map "C" could be irrigated with proper water capture and distribution techniques. Proper capture and distribution of this water would also enhance the wildlife habitat substantially.

## B. Livestock Water:

One of the major problems with winter pasture usage is water availability. We would like to establish winter water sources by building a few deep ponds and substantially deepening the creek in a number of places. Currently no winter water is available. This improvement would also improve the value of this property as an agricultural unit and wildlife habitat.

## C. Wildlife Water Uses:

Our plans to establish winter-suitable water sources, "run-over" dams on the creek and a properly managed irrigation system will all benefit the wildlife habitat by increasing cover for upland game and nesting areas for waterfowl. Since we started building "run over" dams on the creek, ducks have begun to nest and stay on the now slower, quieter water. Since spreading out "run off" water, we have noticed large numbers of ducks nesting and feeding in the fields that were once bare and dry. We plan to enlist the help of area Explorer scouts to build nesting platforms and boxes for Canadian Geese and Wood Ducks. We are also going to try and interest the scouts and other groups in habitat improvement projects.

## PASTURE USAGE:

It appears that considering the current depression in cattle prices the possibility of making a profit raising my own cattle or pasturing those of others is almost none. I have done a considerable amount of research into this situation and have concluded that the most desirable and economical way to use the pasture is to winter pasture horses for other persons. Our plans would be to begin taking horses the first week in October and pasture them until thru month of April. We feel that we can provide a feed, pasture and care program that will appeal to the "backyard horseowner" at \$45 per month on pasture and \$65 per month on hay. This would substantially increase the income that would be derived from a cattle grazing operation.

## FISHING WATERS:

The most challenging project we want to attempt is one in which we would buy and plant Rainbow Trout in the feeder creek. To do this with economics in mind we would have to determine how to recapture the expense incurred in building necessary facilities. We would like to do the following with the feeder creek:

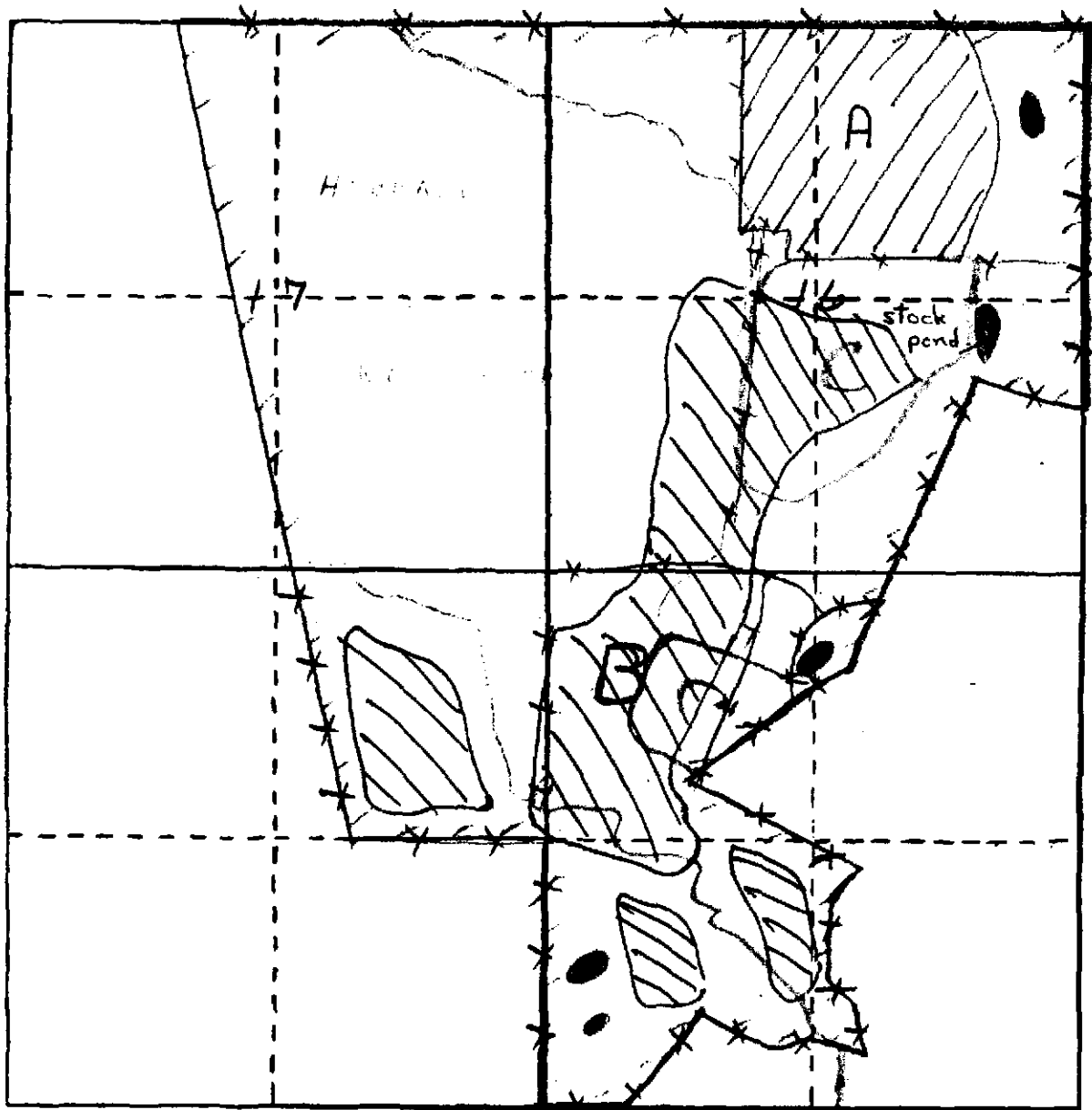
1. Build two "screening dams": one on the upstream end and downstream end (see plan enclosed) which in no way would hinder the streams flow but merely contain the trout in a specified area.
2. Build a number of "run-over" lava rock dams to provide slower, deeper "holes" more conducive to trout habitat.
3. Build (by excavation) at least one "in-the-stream" pond with depth enough to enable the winter "holdover" of the remaining trout.

To make this venture economically feasible, we will have to commercially sell the fish. The most reasonable and promising option appears to be the "pay-to-fish" idea. We would stock a high number (density) of trout in these waters and charge persons (by the inch or weight) to fish. The management details of this plan are many; and we would be glad to submit a detailed "plan" to the Land Board, Fish and Game Department, and any other officials deemed "interested parties" prior to embarking any further into the plan. We will first need the preliminary OK from the State Land Board before any more effort is spent on this project.

## Wildlife Management:

When we acquired the lease on this property the wildlife population was almost zero due to the lack of cover, i.e., no cover, no game. No pheasants, one pair of Huns, one small covey of quail and no ducks (except on the lake itself) were present. Since filling two ponds, slowing down the creek and allowing the vegetation to grow without grazing, the situation has changed a lot. As previously stated, the ducks are now nesting on the creek and in the fields. We have recently seen four coveys of quail and the pair of Huns have hatched a nice brood of chicks. A few pheasants have come in, but more will surely seek out this area as crop cover is harvested. We are in the process of purchasing quail, pheasants, chuckars, and huns to plant. We are excited about replenishing the game populations; but to remain interested in this project we must be allowed to control the hunting access to the property. We have already restricted access to the property to foot or horse travel only. No motor vehicles will be allowed except for agricultural purposes. We feel that we cannot use our time, effort and money to improve this habitat unless we are allowed to control access, especially considering the property's close proximity to Boise.

Section 16, 17 Township 2N Range 1E



Fencing in all stages of repair - see lease file

● STOCK PONDS (PROPOSED)

STATE OF IDAHO — DEPARTMENT OF LANDS, Statehouse, Boise, Idaho 83720

MEMORANDUM

TO: Chief, Bureau of Range Management

DATE: 11/14/85

FROM: Acting Area Supervisor SWI

FILE NO.:

SUBJECT: Improvement Appraisal for Lease Auction - Lease 6252-5

We have arrived at an improvement credit figure of \$4,000 for improvement value on Lease 6252-5, as per the following breakdown:

Cropland Conversion

50 acres @ \$25 \$1,250

Four-wire Fence at \$2,300/mi.  
(\$1400 materials + \$900 labor)

2 3/8 mi x \$2300 x 50% - \$2,731.25  
(avg. depreciation)

\$3,981.25

rounded to \$4,000

There are approximately four miles of fence on the tract. Some of this was constructed by neighbors and some lacks utility, therefore only 2 3/8 miles are considered creditable.

Upon your approval, we will contact the applicants and schedule an auction.

RLH  
RLH/RLS/slp

85 NOV 19 AM 0 28  
C.H.H.

## LEASE ADJUSTMENT

We, the undersigned, do hereby agree that this adjustment shall become a part of State of Idaho Lease number 6252-85, and that beginning January 1, 19 84, ~~until December 31, 19~~, the following rates, acreages, and conditions shall apply.

### Former conditions were:

|               |                                                          |                        |
|---------------|----------------------------------------------------------|------------------------|
| <u>50</u>     | acres at a dry cropland rate of ....\$10. per. acre..... | \$ <u>500.00</u>       |
|               | acres at an irrigated cropland rate of .....             | \$ _____               |
| <u>314.09</u> | acres at a grazing rate of 50 AUMs @ \$5.....            | \$ <u>250.00</u>       |
|               | acres at a wasteland rate of .....                       | \$ _____               |
| <u>364.09</u> | Total Acres                                              | Total \$ <u>750.00</u> |

### New conditions are:

|               |                                                        |                         |
|---------------|--------------------------------------------------------|-------------------------|
| <u>50</u>     | acres at a dry cropland rate of . \$10. per. acre..... | \$ <u>500.00</u>        |
|               | acres at an irrigated cropland rate of .....           | \$ _____                |
| <u>314.09</u> | acres at a grazing rate of ...150 AUMs @ \$5.....      | \$ <u>750.00</u>        |
|               | acres at a wasteland rate of .....                     | \$ _____                |
| <u>364.09</u> | Total Acres                                            | Total \$ <u>1250.00</u> |

### Special terms or conditions:

  
IDL - Area Supervisor

Date \_\_\_\_\_

\_\_\_\_\_  
Lessee

\_\_\_\_\_  
Lessee

\_\_\_\_\_  
Director, Idaho Department of Lands

Distribution:  
WHITE - Director  
CANARY - Lessee  
PINK - Area  
GOLDENROD - File

IDL 1535 July 1977

*Or 9*

April 1983

State of Idaho  
Department of Lands  
Statehouse, Boise, Idaho 83720

Dear Mr. Bob Snappe,

In reference to our discussion concerning the terms of the State land lease #6606:

I have studied your recommendations and have spent some time with the Ada County Extension Agent, Mr. Leon Church. After these studies we agreed on your suggestion of increasing from the present 50 AUM's to 150 AUM's. Mr. Church seems to have the same opinion as we did on figuring the young calves, with the supplementary feed that we are providing for these cattle, a fair value of the graze land would be represented at the 150 AUM figure.

The Boise Project Board of Control has elected to fill the reservoir to near capacity in the last several years, leaving less area for grazing. With the fluctuation of the water level also comes souring of the ground and a problem with insects and weed control. With these issues in mind, it makes it necessary to improve the grazeland that is left above the water level.

I wish to request permission to plant on the North East corner a crop that will be used for green manure in the fall with light grazing in the early fall and winter. I plan to do some major work before planting the crop as to make irrigation more practical in the future. The East center field will be planted into barley, this will consist of only about six acres. The remaining sage brush land will be seeded with a single grass-single legume mixture to discourage erosion and maintain weed control and increase productivity of the land.

I look forward to hearing from you concerning these matters.

Sincerely,  
*Joan Fleming Stirling*  
Joan Fleming Stirling  
Valor Ranch

STANDARD  
FARMING  
PRACTICE  
RELATED TO  
FARMING  
PERMIT NOT  
NECESSARY

*RF*

*impr. credit  
contingent upon success*

19 September 1980

Flemings Valor Ranch  
c/o Jean Fleming  
9225 Stewart Road  
Meridian, ID 83642

Dear Mrs. Fleming:

As per your request and our subsequent discussion, the following is our estimate of value of the improvements on your lease no. 6252-85:

|                                                  |              |
|--------------------------------------------------|--------------|
| fencing (labor & materials on approx. 9/10 mile) | \$1,750      |
| cropland conversion (approx. 50 acres)           | <u>1,250</u> |
| TOTAL VALUE                                      | \$3,000      |

Also, for your information, this parcel of State endowment land has been classified for disposal through sale.

If you have any questions or need further assistance, please contact this office.

Sincerely,

ROBERT L. SNAPP  
Ass't Area Supervisor RM

RLS/slp

C  
O  
P  
Y

Area Supervisor SWI

Hubbard Reservoir Data

As you requested, we are furnishing the following information pertaining to Hubbard Reservoir.

1. Inches of water available

The actual amount of waste water available varies from year to year. However, Lance Fleming has filed for 425" which would enter the State land at 4 locations. In addition, Lance estimates that an average of 50" is available as runoff from his land north of the parcel.

This pretty well covers all entry points to Hubbard (see attached plat) except for the Hubbard Reservoir Feeder. In the past, water was taken from the feeder through a ditch system for irrigation. This is currently not possible as the Board of Control has blocked the ditch and claims the feeder canal water is already spoken for.

2. Number of Irrigated Acres

There are approximately <sup>175</sup>225 acres that are irrigated or have been irrigated in the past. Approximately <sup>140</sup>140 acres are not irrigated because of elevation (high spots) and the normal reservoir line.

3. Sources of Runoff Water - location

Because the state parcel is a natural low spot, it receives runoff water from the north, NE, east, SE and south. The attached plat shows the entry points for the water and the amount Lance has filed on. Please notice the contour lines on the map. They point out the fact that Hubbard Reservoir is lower than most of the surrounding land.

4. Species List

Irrigated Areas

Grass

Poe pratensis (Kentucky bluegrass)  
Sitanion hystrix (bottlebrush squirreltail)  
Festuca elation (meadow fescue)  
Agrostis alba (redtop)  
Hordeum jubatum (foxtail barley)  
Bromus tectorum (cheatgrass)  
Agropyron repens (quackgrass)

Shrubs

Rosa spp (rose)

Forbs

Grindelia squarrosa (gumweed)  
Trifolium spp (clover)  
Plantago lanceolata (buckhorn)  
Habenaria dilatata (bog-orchard)  
Erodium cicutarium (storksbill)  
Verbascum thapsus (Mullein)  
Rumex crispus (curly dock)  
Cirsium vulgare (bull thistle)  
Artemisia ludoviciana (forb sage)  
Ranunculus testiculatus (burr buttercup)

Hubbard Reservoir Data

In addition to the above list, rabbitbrush and tumblemustard can be found. These however, are on the high dry sites where most of the cheatgrass and some squirreltail can also be found.

The dominant grass in the irrigated area is bluegrass followed by squirreltail. The most common forb is gumweed. A lot of clover can also be found in small concentrated areas and the buckhorn is fairly common throughout.

This is the best we could do on a species list. Undoubtedly there are more out there but we were either unable to identify them due to grazing and winter deterioration or find them during our survey (conducted 2/15/79).

If there is anything else you need, let me know.

AGA/JGB/slp

Attachment

STATE OF IDAHO  
DEPARTMENT OF PUBLIC LANDS

PERMIT FOR CONSTRUCTION OR IMPROVEMENT

Date 28 March 1977

Lease No. 6606-85

Location: Sec 16 Twp 2N Rge 1E

Lease Type Grazing & Cropland

Lot \_\_\_\_\_ Block \_\_\_\_\_ Sub \_\_\_\_\_

Permission is hereby granted to:

Name Flemings Valor Ranch c/o Lance Fleming Telephone 888-2870

Address 9225 Stewart Road

Town Meridian, Idaho Zip 83642

Description of construction or improvement (attach plats, drawings, and specifications):

Construct a new fence (3 strand barbed wire minimum) along the northeast boundary  
of Section 16, T2N, R1E, as shown on the attached plat (approximately 1,980 feet  
long).

The completion date on the permit issued to you by our office on 1 March 1976  
authorizing the conversion of 50 acres of grazing land to cropland and fencing  
said cropland is also extended to coincide with the completion date below.

Estimated Cost: \_\_\_\_\_

Mandatory Completion Date: 30 July 1977

State Land Commissioner  
Gordon C. Trombley

By Jay G. Biladeau  
JAY G. BILADEAU - Ass't Area Supervisor RM

Distribution:

White — Permittee

Pink — State Land Commissioner

Blue — Issuing Office



## CROPLAND INVENTORY

197 7

Lease Adjustment

6 AreaDate 1-18-77Lease No. 6606-85

Purpose:

Renewal \_\_\_\_\_

Assignment \_\_\_\_\_

Other updateLessee Flemings Valor Ranch c/o Lance FlemingAddress 9225 Steward Road Meridian Idaho 83642  
(Street or P.O.Box No.) (City) (State) (Zip)

| Legal Description:                                                    | Acres                               | Rate               |
|-----------------------------------------------------------------------|-------------------------------------|--------------------|
| N <del>W</del> 1/4, S <del>W</del> 1/4, Pt. NE <del>W</del> 1/4,      |                                     |                    |
| Pt. SE <del>W</del> 1/4, Pt. NW <del>W</del> 1/4, NE <del>W</del> 1/4 |                                     | \$187.50 - grazing |
| Pt. SW <del>W</del> 1/4, Pt. SE <del>W</del> 1/4                      | 16-2N-1E 237.89 - *50 ac. cropland  | 500.00 - cropland  |
| Pt. NW <del>W</del> 1/4, NE <del>W</del> 1/4, SE <del>W</del> 1/4,    |                                     | \$687.50           |
| Pt. SW <del>W</del> 1/4, Pt. NE <del>W</del> 1/4                      | 17-2N-1E 126.20                     |                    |
| Pt. NW <del>W</del> 1/4, Pt. NE <del>W</del> 1/4                      | 21-2N-1E 27.67 (no use - no charge) |                    |

364.09

adjust  
upon conversion  
just delete

|                      |                       |                               |
|----------------------|-----------------------|-------------------------------|
| Previous lease acres | <u>69</u> Cropland    | Rate <u>\$10/ac.</u> Cropland |
|                      | <u>322.76</u> Grazing | <u>\$375.00</u> Grazing       |
| Total                | <u>391.76</u>         | Total <u>\$1,065.00</u>       |

| New lease:<br>Type/acres  | Recommended<br>Rental/acre | Recommended<br>Annual/rental   |
|---------------------------|----------------------------|--------------------------------|
| Dryland _____             | _____                      | _____                          |
| Irrigated <u>50</u>       | <u>\$10.00</u>             | <u>\$500.00</u>                |
| Grazable <u>314.09</u>    | <u>150 AUM @ \$5.50</u>    | <u>750.00</u>                  |
| no use - no charge        | <u>no charge</u>           | <u>0</u>                       |
| no use - no charge        | <u>no charge</u>           | <u>0</u>                       |
| Total acres <u>391.76</u> |                            | Total rental \$ <u>1250.00</u> |

Legal description of cropland (Plat attached) Approximately 50 acres in NW1/4  
Section 16, 2 North, 1 East.

Improvements fencing; stockpond; cropland.Access Problems Good access.

Special provisions Cropland acreage is an estimate. Accurate acreage will be  
determined after lessee has completed cropland conversion. (see comments).

Recommended expiration date 1985

Comments: \*35 acres actually converted to cropland at this time. Lessee plans  
on adding an additional 15 acres to that this spring (50 acres of  
ag. land already approved by Director).  
\*\*Adjustment of 1976 lease resulted in a \$527.50 overpayment made by  
Mr. Fleming. Crediting this amount to his 1977 rental leaves a  
total of \$160.00 due (see attached agreement forms).

Prepared by: John G. Blandford - Asst Area Supervisor RM

TNI 1502

# RANGELAND INVENTORY AND CLASSIFICATION

197 7

LEASE ADJUSTMENT

6 Area

Date 1-18-77

Purpose:

Renewal \_\_\_\_\_

Assignment \_\_\_\_\_

Other update

Lease No 6606-85

Lessee Flemings Valor Ranch c/o Lance Fleming

Address 9225 Steward Road Meridian Idaho 83642  
(Street or P.O. Box No.) (City) (State) (Zip)

Potential lessees Leon Taylor; Ken Clark

## Legal description:

Acres

Rate

~~NW1/4, SW1/4, Pt. NE1/4, Pt. SE1/4, Pt. NW1/4, NE1/4, SW1/4, SE1/4, Pt. SW1/4, Pt. SE1/4, Pt. NW1/4, NE1/4, SE1/4, Pt. SW1/4, Pt. NE1/4, SE1/4, Pt. NW1/4, Pt. NE1/4~~  
16-2N-1E 237.89 (50 ac. cropland) \$3.75/AUM (50 AUM)  
17-2N-1E 126.20  
~~21-2N-1E 27.67 (no use - no charge)~~  
314.09  
~~314.09 acres~~

Total AUMs 150 Federal AUMs -

Adjusted rates/AUM \$5.00 1.15-81

Water available X Yes - No -

Season of use X X - -  
Spring Summer Fall Winter

Predominant types Sagebrush - rabbitbrush - perennial grass - Bunchgrass - forb.

Disposition Classification Sale

Higher Use Classification Cropland and possible development.

Management Plan No Agency -

Improvement Summary (Plat attached) Fencing, stock pond, cropland.

Suggested Improvements None

Access Problems Good access

Grazable acreage 314.09 Non-grazable acreage - Excluded acreage 50\*\*\*

Old rate \$375.00 /acre (100 AUMs) Recommended rate \$187.50 /acre (50 AUMs) Total rental \$27.67

Recommended Expiration date 1985 \$267.27 1.15-81

Comments: 150  
\*\*\*50 AUMs based on lessee's actual use. \$5.00  
\*\*Rental based on actual use (50 AUMs at \$3.75/AUM). Cost/acre is approximately \$187.50  
\*\*\*50 acres agricultural land (see attached ag. report) and 27.67 acres that lessee cannot use (no charge) in Section 21.

SOLD, ANYWAY

Prepared by: Jay G. Billaudeau  
JAY G. BILLADEAU - Ass't Area Supervisor - RM  
TNT 1502

11 January 1977

Flemings Valor Ranch  
c/o Lance Fleming  
9225 Steward Road  
Meridian, Idaho 83642

Dear Lance:

Enclosed are agreement forms for adjusting your 1977 rental rate on State lease #6606-85. As we discussed earlier, the new rates include \$0 acres of farm land at \$10.00/acre and 314.99 acres of grazing land at \$3.75/AUM for 50 AUMs. The total rental for 1977 comes to \$687.50. Subtracting your 1976 rental overpayment of \$527.50 from this amount leaves a total of \$160.00 due for 1977.

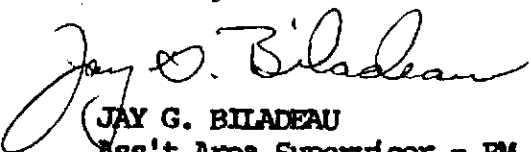
Please sign and date both copies of the agreement and return them with the remittance of \$160.00 to this office.

Please note that there is no charge for 27.67 acres of your lease. This acreage lies below the Deer Flat Road (in Section 21) and receives no use from you.

If you have any questions or if we can be of any assistance, please let us know.

Sincerely yours,

ALAN G. ATKINSON  
Area Supervisor

  
(JAY G. BILADEAU  
Ass't Area Supervisor - RM

JGB/slp

Enclosure

AGREEMENT

*Be a Copy*

We, the undersigned, do hereby agree that this agreement shall become a part of State of Idaho Lease No. 6606-85, and that beginning January 1, 1977, the following rates shall apply to said Lease No. 6606-85.

Former rates were:

|               |                                                     |                   |
|---------------|-----------------------------------------------------|-------------------|
| <u>69</u>     | acres at an agricultural rate of \$ <u>10/ac</u>    | <u>690.00</u>     |
| <u>322.76</u> | acres at a grazing rate of <u>3.75/AUM-100 AUMs</u> | <u>375.00</u>     |
| Total         |                                                     | <u>\$1,065.00</u> |

New rate is:

|               |                                                    |                                         |
|---------------|----------------------------------------------------|-----------------------------------------|
| <u>50</u>     | acres at an agricultural rate of \$ <u>10</u>      | \$ <u>500.00</u>                        |
| <u>314.09</u> | acres at a grazing rate of <u>3.75/AUM-50 AUMs</u> | <u>187.50</u>                           |
| <u>27.67</u>  | acres at no charge (no use)                        | <u>0 -0-</u>                            |
| Total         |                                                    | <u>*\$ 687.50</u> (\$160.00 due for 197 |

Income from these lease rates will total \$ 377.50 more/less than the previous rates.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
 \*Adjustment of 1976 ag. acres (69 to 35) and grazing AUMs (100 to 50) results in a \$527.50 overpayment made by Mr. Fleming. Crediting this amount to his 1977 rental leaves a total of \$160.00 due.

\_\_\_\_\_  
 Lessee

\_\_\_\_\_  
 Lessee

\_\_\_\_\_  
 Agent

\_\_\_\_\_  
 Date

STATE BOARD OF LAND COMMISSIONERS

By \_\_\_\_\_  
 State Land Commissioner

STATE OF IDAHO

Department of Public Lands

BOISE, IDAHO

Intra-Departmental Correspondence

11 April 1977

77 APR 13 PM 1 04

BOISE, IDAHO

To: Chief, Bureau of Range Management  
From: Area Supervisor - SWI  
Subject: Boise Project - Hubbard Reservoir Lease

Attached is a list of the grazing leases on Hubbard Reservoir dating from 1926. That portion of the reservoir lease in Sections 16 & 17 was the only land leased up to 1968 when Mr. Clark leased Pt. of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  (7.37 acres). The parcels known as the Kuna Reservoir and the Hubbard Reservoir Feeder were not leased.

Mr. Taylor entered the picture in 1971 when he acquired a lease on the Hubbard Reservoir lands in Sections 16 & 17. The NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  were not included on his lease. This was probably just an oversight as it was added in to his 1976 lease with no change in rentals.

Mr. Clark acquired a lease on the 7.37 acre parcel in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  in 1968. His lease expired in 1973. There was no record of it being leased again until 1976 when Mr. Clark again leased it.

Generally, the leases were for a five year period. At expiration they were advertized and sealed bids were accepted to determine the lessee.

If we can be of any further assistance, please let us know.

AGA/JGB/slp

Attachment

No →  
signed  
- Clark  
1973

HUBBARD RESERVOIR LEASE PAYMENTS: ~~PT~~ Section 16 + 17 T2N, R1E

| <u>Year</u> | <u>Lessee</u>        | <u>Receipt No.</u> | <u>Year</u> | <u>Amount</u> |
|-------------|----------------------|--------------------|-------------|---------------|
| 1926        | C.J. Auglund         | 127                | 1927        | 19.70         |
| 1927        | Thomas I. Green      | 129                | 1927        | 20.34         |
| 1927        | Lizzie Green         | 162                | 1927        | 20.00         |
| 1927        | J.R. Keyser          | 164                | 1927        | 12.40         |
| 1927        | T. J. Geraghty       | 167                | 1927        | 26.89         |
| 1927        | " " "                | 308                | 1928        | 26.89         |
| 1927        | J.R. Keyser          | 309                | 1928        | 21.10         |
| 1927        | Lizzie Green         | 315                | 1928        | 40.34         |
| 1928        | C.J. Anglund         | 323                | 1928        | 19.70         |
| 1928        | A.W. Roark           | 336                | 1928        | 21.38         |
| 1928        | Thomas I. Green      | 509                | 1929        | 63.09         |
| 1928        | J.R. Keyser          | 541                | 1929        | 66.79         |
| 4% — 1929   | J.R. Keyser          | 800                | 1930        | 66.79         |
| 1929        | Lizzie Green         | 803                | 1930        | 63.09         |
| 1930        | A.W. Roark           | 865                | 1930        | 68.34         |
| 1931        | A.W. Roark           | 1032               | 1931        | 68.34         |
| 1931        | J.R. Keyser          | 1059               | 1931        | 66.79         |
| 1931        | Lizzie Green         | 1275               | 1932        | 63.09         |
| 1932        | Isaac Palmer (Roark) | 1287               | 1932        | 68.34         |
| 1932        | J.R. Keyser          | 1333               | 1932        | 68.79         |
| 1932        | Lizzie Green         | 1515               | 1933        | 63.09         |
| 1933        | J.R. Keyser          | 1662               | 1933        | 66.79         |
| 1933        | Lizzie Green         | 1721               | 1934        | 63.09         |
| 1934        | J.R. Keyser          | 1749               | 1934        | 66.79         |
| 1934        | Isaac Palmer         | 1756               | 1933        | 75.40         |
| 1935        | Isaac Palmer         | 1995               | 1934        | 34.51         |
| 1935        | Price Brandenburg    | 2000               | 1935        | 1.00          |
| 1935        | Lizzie Green         | 2001               | 1935        | 63.09         |
| 1935        | J.R. Keyser          | 2042               | 1935        | 66.79         |
| 1935        | Lizzie Green         | 2193               | 1936        | 63.09         |
| 1935        | Price Brandenburg    | 2194               | 1936        | 1.00          |
| 1935        | Lizzie Green         | 2209               | 1936        | 12.00         |
| 1937        | Price Brandeburg     | 2229               | 1936        | 42.00         |
| 1937        | Lizzie Green         | 2466               | 1937        | 75.09         |
| 1937        | Price Brandenburg    | 2506               | 1937        | 43.00         |
| 1938        | Thomas I. Green      | 2695               | 1938        | 75.09         |
| 1938        | Price Brandenburg    | 2713               | 1938        | 43.00         |
| 1939        | Thomas I. Green      | 2951               | 1939        | 75.09         |
| 1939        | Price Brandenburg    | 3010               | 1939        | 42.00         |
| 1939        | " "                  | 3035               | 1939        | 1.00          |
| 1939        | " "                  | 3199               | 1940        | 1.00          |
| 1940        | " "                  | 3292               | 1940        | 43.00         |
| 1941        | Thomas I. Green      | 3569               | 1941        | 63.09         |
| 1941        | Price Brandenburg    | 3612               | 1941        | 43.00         |
| 1941        | Thomas I. Green      | 3821               | 1942        | 63.70         |
| 1942        | Price Brandenburg    | 3939               | 1942        | 43.00         |
| 1942        | Price Brandenburg    | 4139               | 1943        | 43.00         |
| 1943        | Thomas I. Green      | 4160               | 1943        | 63.09         |
| 1944        | Thomas I. Green      | 4469               | 1944        | 63.09         |
| 1944        | Price Brandenburg    | 4661               | 1944 & 1945 | 86.00         |

\$ 2,377.07

HUBBARD RESERVOIR LEASE PAYMENTS: PT. Sec's 16, 17 T2N, R1E

| <u>Year</u> | <u>Lessee</u> | <u>Receipt No.</u> | <u>Year</u> | <u>Amount</u> |
|-------------|---------------|--------------------|-------------|---------------|
| 1945        | John Dobson   | 4958               | 1946        | 43.00         |
| 1946        | " "           | 5147               | 1947        | 98.45         |
| 1947        | " "           | 5420               | 1948        | 63.09         |
| 1947        | " "           | 5425               | 1948        | 100.00        |
| 1948        | " "           | 5695               | 1949        | 163.09        |
| 1949        | " "           | 5934               | 1950        | 200.00        |
| 1950        | " "           | 6250               | 1951        | 200.00        |
| 1950        | " "           | 6286               | 1951        | 150.00        |
| 1951        | " "           | 6569               | 1952        | 250.00        |
| 1951        | " "           | 6570               | 1952        | 1,300.00      |
| 1952        | " "           | 6926               | 1953        | 1,550.00      |
| 1953        | " "           | 7305               | 1954        | 1,550.00      |
| 1954        | " "           | 7604               | 1955        | 250.00        |
| 1955        | " "           | 7631               | 1955        | 900.00        |
| 1955        | " "           | 7936               | 1956        | 1,150.00      |
| 1956        | " "           | 8308               | 1957        | 1,150.00      |
| 1957        | " "           | 8681               | 1958        | 1,150.00      |
| 1958        | " "           | 8989               | 1959        | 1,150.00      |
| 1959        | " "           | 9295               | 1960        | 1,150.00      |
| 1960        | " "           | 9590               | 1961        | 900.00        |
| 1961        | " "           | 9923               | 1962        | 2,060.00      |
| 1962        | " "           | 10269              | 1963        | 1,160.00      |
| 1963        | " "           | 10302              | 1963        | 1,470.00      |
| 1963        | " "           | 10583              | 1964        | 2,630.00      |
| 1964        | " "           | 10856              | 1965        | 2,630.00      |
| 1965        | " "           | 11164              | 1966        | 1,470.00      |
| 1966        | " "           | 11190              | 1966        | 600.00        |
| 1966        | " "           | 11487              | 1967        | 2,070.00      |
| 1967        | " "           | 11823              | 1968        | 600.00        |
| 1968        | " "           | 11860              | 1968        | 700.00        |
| 1968        | " "           | 12192              | 1969        | 1,300.00      |
| 1969        | " "           | 12522              | 1970        | 1,300.00      |
| 69- 1971    | " "           | 12906              | 1971        | 600.00        |
| 1971        | Leon Taylor   | 13194              | 1972        | 1,300.00      |
| 1973        | " "           | 13553              | 1973        | 600.00        |
| 1973        | " "           | 13586              | 1973        | 700.00        |
| 1974        | " "           | 13867              | 1974        | 1,300.00      |
| 1974        | " "           | 14232              | 1975        | 1,300.00      |
| 76- 1975    | Norma Taylor  | 14595              | 1976        | 700.00        |
| 1976        | Kenneth Clark | 14616              | 1976        | 700.00        |

38,657.63

PT. NW1/4 NW1/4 NW1/4 Section 21, T2N, R1E - 7.37 ac

|         |               |       |
|---------|---------------|-------|
| 1968-69 | Kenneth Clark | 36.85 |
| 1969-70 | "             | 36.85 |
| 1970-71 | "             | 36.85 |
| 1971-72 | "             | 36.85 |
| 1972-73 | "             | 36.85 |
| 1976    | "             | 36.85 |

221.10

Total Payments: \$41,255.80

29 June 1976

Chief, Bureau of Range Management

Area Supervisor - SWI

Posting of Grazing-Agricultural Lease #6606-85

Mr. Lance Fleming (Flemings Valor Ranch) has requested to post his State grazing-agricultural lease #6606-85 (see attached map). He has stated that the large amount of traffic going into Hubbard Reservoir (fishing, recreation, etc.) from the east side is causing problems with his grazing and farming operation. Gates being left open and irrigation dams being tampered with are two examples of the problems he is encountering.

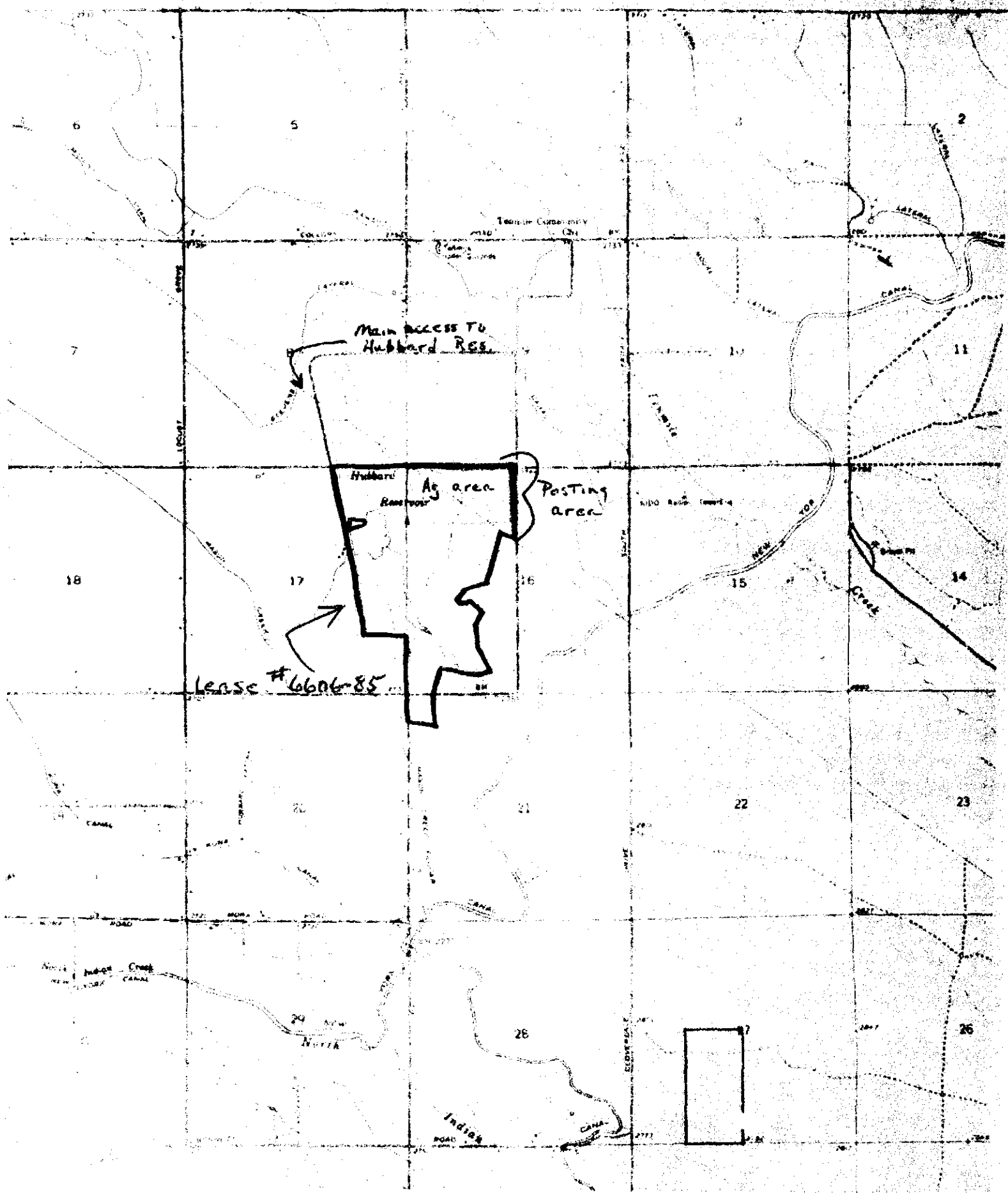
Major access to Hubbard Reservoir is from the west side. Because of this, we recommend that Mr. Fleming be authorized to post the upper east side of his lease as shown on the attached map. We also recommend that the sign read as follows:

No Trespassing Without Permission  
Please Use West Access to Hubbard Reservoir

State Leased Land

L. Fleming  
Lessee

AGA/JGB/rlm



1 March 1976

Mr. Lance Fleming  
Flemings Valor Ranch  
9225 Stewart Road  
Meridian, Idaho 83642

Dear Lance:

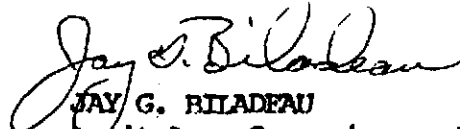
Enclosed is a permit for converting approximately 50 acres of Section 16, Township 2 North, Range 1 East from grazing land to irrigated cropland. Please remember that any additional conversion of grazing land to cropland will require a new permit.

Also, until the matter with the Boise Project Board of Control is resolved, there is no assurance that you may be granted improvement credit for permanent improvements which you install. As suggested before, until full improvement credit may be authorized, you may wish to remain in a position to remove any improvements which you install.

If you have any questions or if we can be of any assistance, please contact us at 384-3488 in Boise.

Very truly yours,

ALAN G. ATKINSON  
Area Supervisor

  
JAY G. BILADEAU  
Ass't Area Supervisor - RM

JGR/slp

Enclosure (1)

# RANGELAND INVENTORY AND CLASSIFICATION

1976

LEASE ADJUSTMENT

6 Area

Date 26 February 1976

Purpose:

Renewal \_\_\_\_\_  
Assignment \_\_\_\_\_  
Other \_\_\_\_\_

Lease No 6606-85

Lessee Flemings Valor Ranch c/o Lance Fleming

Address 9225 Steward Road Meridian Idaho 83642  
(Street or P.O. Box No.) (City) (State) (Zip)

Potential lessees Leon Taylor, Ken Clark

Legal description:

Acres

Rate

~~Pt. Section 8, Township 2 North, Range 1 East 9.42~~  
Pt. Section 16, " 2 North, Range 1 East 237.89 - 50 ac. proposed cropland  
Pt. Section 17, " 2 North, Range 1 East 136.23  
Pt. Section 21, " 2 North, Range 1 East 58.41 - 19 ac. cropland  
~~441.95~~  
391.76 some deleted

(293.95 acres grazable; actual use 100 AUMs at \$3.75/AUM = \$375.00 for grazing;  
see attached Ag. report for cropland rates).

(see attachment for breakdown of legal description)

Total AUMs \*100 Federal AUMs - Adjusted rates/AUM \$3.75

Water available X Yes \_\_\_\_\_ No \_\_\_\_\_

Season of use X X  
Spring Summer Fall Winter

Predominant types 2114, 6101

Disposition Classification Sale

Higher Use Classification Possible conversion of some of area to cropland.

Management Plan No Agency \_\_\_\_\_

Improvement Summary (Plat attached) Fencing, stock pond (see attached plat)

Suggested Improvements None (would want to sell land)

Access Problems Good access to area by primary roads.

Grazable acreage 293.95 Non-grazable acreage 79 Excluded acreage \*\*\* 69

Old rate \$25.00 /acre Recommended rate \$ \*\*wasteland /acre Total rental \$375.00  
minimum cropland

Recommended Expiration date 1985

Comments: \*100 AUMs is based on lessees projected actual use. Grazing will  
consist of 25 head for 4 months (100 AUMs).

\*\*Rental based on actual use (100 AUM) at \$3.75/AUM for a total rental of  
\$375.00. Cost per acre breaks down to \$1.27 - \$1.28.

\*\*\*See attached cropland adjustment form.

Prepared by: JG

JAY G. BILADEAU - Ass't Area Supervisor - RM

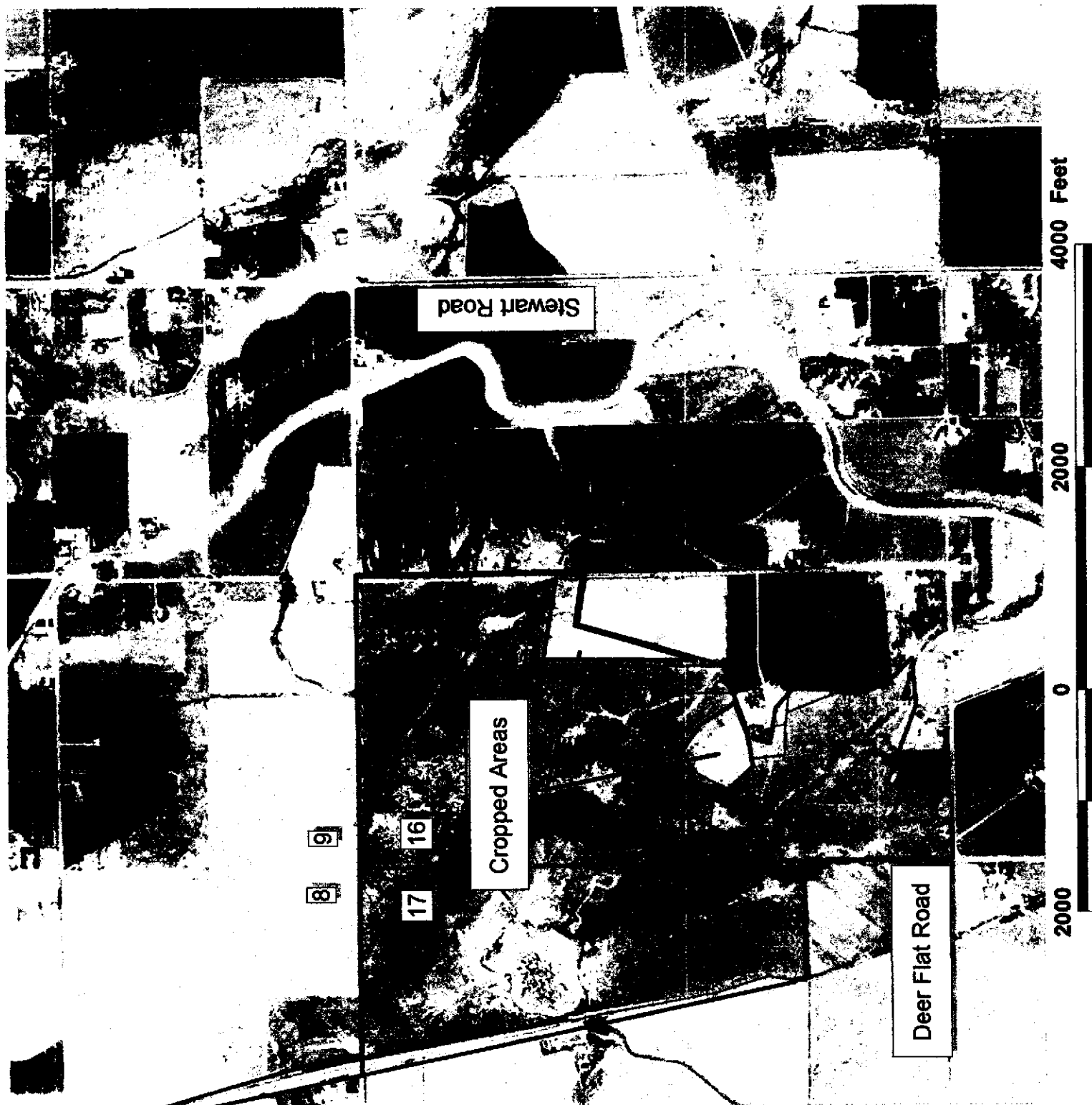
DL 1502

Jay Biladeau, 8355 N. State

# Cropped Areas circa 1994

About 15.2 acres are  
under cultivation.

- State Land
- Sections
- Fences



8-31-04 Church

3 Pic of Pump 2309244 - 1390652

Line 3"

Box 2309279 - 1390719

8-31-04 Pond Pic

Pile of Dirt?

Pipe Res 2310393 - 1370795

Ditch

NE Res Dry

Gate 2310446 1370927

Old Ditch to Res

NE culvert from Road Ditch runs  
West

3 Pic side of Culvert Sunflowers  
2310495 - 1371070

Lands

2 Pic

2310396 - 1371157



Low Spot : 2310193 - 1371161

SW Corner

2309743 (ulvert)

1369577)

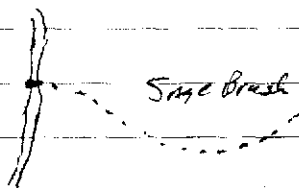


SE CON Structure Pic

rock Dig 2310194 1369660

Pic Ditch Auger  $\perp$

2309866 1369974



**Melvin Gibson**

---

**From:** "Saxton, Craig" <csaxton@idwr.state.id.us>  
**To:** "Gibson, Gene" <melvingib@msn.com>  
**Sent:** Wednesday, September 01, 2004 3:47 PM  
**Attach:** dept lands (1987).jpg; dept lands (1992).jpg; dept lands (2000).jpg  
**Subject:** Dept of Lands POD JPG's

Hey Gene,

Here it is. Let me know if you want some blown up versions of this. They are easy to make as I have created a shape file that contains all your points you have taken. I just didn't make any more at this time because I didn't want to bombard you with a lot of large files and lock up your E-mail system.

Thanks,

Craig

<<dept lands (1987).jpg>> <<dept lands (1992).jpg>> <<dept lands (2000).jpg>>

9/1/2004

## Saxton, Craig

---

**From:** Saxton, Craig  
**Sent:** Thursday, August 12, 2004 9:57 AM  
**To:** 'Gibson, Gene'  
**Subject:** New Field Exam

Hey Gene,

I got one right up your alley when your ready for it. You said you wanted the hard ones. It is waste water from 5 different POD's and stockwater use. This is a department of Lands claim and your contact is Eric Wilson. My understanding is you have worked with him before. 334-3488 - ewilson@idl.state.id.us.

I just got off the horn with him and told him you would be contacting him. He is going to do some research on the historical use and priority dates, so I got the ball rolling. The claim file will be in your slot on the desk across from Lori H. if you come in when I am not here.

Thanks Gene,

Craig

7-27-04 : Tim Duffner - WR Guy - Called and left message to have him call me back. He was in the field.

-Need Priority Evidence

-Confirmation of use, POU, POO, diversion Rate

: Dept of Lands #: 334-3488

7-29-04 : Tim called back and left message. Said that Eric Wilson will handle this and call me back sometime next week.

I called back to give the WR #: Gave it to Tim over the phone

8-12-04 : Got a phone message from Eric Wilson yesterday and called him back and left message to have him call me back. His # 334-3488.

ewilson@idl.state.id.us

: Eric called back and is going to start research.  
I told him that Gene would be contacting him  
10:00 Am



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

KARL J. DREHER  
DIRECTOR

July 7, 1995

A63-05389  
STATE OF IDAHO  
DEPT. OF LANDS  
STATEHOUSE  
BOISE

ID 83720-0000

Re: Claim No(s). A63-05389

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section  
Department of Water Resources  
Western Region Office

lh  
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

June 21, 1989

Mr. Donald E. Hobbs, Chief  
Bureau of Range Management  
Idaho Department of Lands  
Statehouse Mail  
Boise, Idaho 83720

Re: Snake River Basin Adjudication SRBA  
Valley/Washing/Adams/Ada County

Dear Mr. Hobbs:

We have received 121 claims submitted with your letter of June 9, 1989. Filing fees for these claims are as follows:

|                               |               |
|-------------------------------|---------------|
| 114 Basin 65 decreed rights   | Exempt        |
| 6 Basin 67 Stock Water Claims | \$150.00      |
| Claim #A63-05389              | <u>228.00</u> |
| TOTAL                         | \$378.00      |

Please let me know if you have any questions.

Sincerely,

*Jeff Peppersack*  
Jeff Peppersack  
Engineering Specialist

JP:mcc:state

MICROFILMED

JUL 25 1994

WHITE - State Auditor  
 BLUE - Purchasing Copy  
 GREEN - Office Distribution  
 YELLOW - Remittance Advice  
 PINK - State Auditor then Agency  
 GOLDENROD - Agency Copy

## EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO  
 Office of State Auditor

AGENCY USE

|                  |
|------------------|
| 1671             |
| Date<br>June 26  |
| Code<br>18 00 00 |

**VENDOR:** If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME:

Department of Lands

|                                |                            |
|--------------------------------|----------------------------|
| Document No.<br><b>2176732</b> |                            |
| Pre-Audit                      | Date<br><b>JUN 29 1989</b> |
| Warrant No.                    |                            |

PAY

Department of Water Resources

TO

BUILDING MAIL

CHECK ONE:

☒ MISCELLANEOUS EXPENDITURE☐ STATE CONTRACT☐ PURCHASE ORDER☐ MISCELLANEOUS ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: ☐ PARTIAL ☐ FINAL

| LINE No. | PROGRAM   | FUND | ACCT. |     | DESCRIPTION    | LINE AMOUNT | AGENCY USE |
|----------|-----------|------|-------|-----|----------------|-------------|------------|
|          |           |      | Maj   | Min |                |             |            |
| 1        | 04 01 002 | 1101 | 91    | 11  | Water Fillings | \$982.00    |            |
| TOTAL    |           |      |       |     |                | \$982.00    |            |

MICROFILMED  
 AUG 21 1992

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 21, 1989

Mr. Donald E. Hobbs, Chief  
Bureau of Range Management  
Idaho Department of Lands  
Statehouse Mail  
Boise, Idaho 83720

Re: Snake River Basin Adjudication SRBA  
Valley/Washing/Adams/Ada County

Dear Mr. Hobbs:

We have received 121 claims submitted with your letter of June 9, 1989. Filing fees for these claims are as follows:

|                               |               |
|-------------------------------|---------------|
| 114 Basin 65 decreed rights   | Exempt        |
| 6 Basin 67 Stock Water Claims | \$150.00      |
| Claim #A63-05389              | <u>228.00</u> |
| TOTAL                         | \$378.00      |

Please let me know if you have any questions.

Sincerely,

*Jeff Peppersack*  
Jeff Peppersack  
Engineering Specialist

JP:mcc:state

MICROFILMED

AUG 21 1992

IDAHO DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

RECEIVED  
JUN 13 1989

6/19/89 Y

STANLEY F. HAMILTON  
DIRECTOR

June 9, 1989

Department of Water Resources

RECEIVED  
JUN 13 1989

BOARD OF LAND  
COMMISSIONERS

CECIL D. ANDRUS  
Governor

PETE T. CENARRUSA  
Secretary of State

JIM JONES  
Attorney General

JOE R. WILLIAMS  
State Auditor

JERRY L. EVANS  
Sup't of Public  
Instruction

Department of Water Resources

Department of Water Resources  
STATEHOUSE MAIL

Enclosed you will find 114 claims to a water right acquired under State Law with Identification numbers starting A65. Also enclosed are 6 claims with Ident. Numbers starting A67 and one claim with Ident. Number A63 for a total of 121 claims.

Please let us know what the charges will be for these claims and we will submit the appropriate fees.

Sincerely yours,



DONALD E. HOBBS, Chief  
Bureau of Range Management and  
Surface Leasing

DEH:vp  
enc 121

RECEIVED  
JUN 13 1989

JUN 13 1989

Department of Water Resources

RECEIVED  
JUN 13 1989

JUN 13 1989

Department of Water Resources

MICROFILMED

AUG 21 1992

STANLEY F. HAMILTON  
DIRECTOR

May 31, 1989

RECEIVED

MAY 31 1989

BOARD OF LAND  
COMMISSIONERS

CECIL D. ANDRUS  
Governor

PETE T. CENARRUSA  
Secretary of State

JIM JONES  
Attorney General

JOE R. WILLIAMS  
State Auditor

JERRY L. EVANS  
Sup't of Public  
Instruction

Water Resources

Department of Water Resources  
STATEHOUSE MAIL

Enclosed you will find twenty-three (23) "Notice of Claim to a Water Right".

We have submitted a DA-8 to the State Auditor in the amount of \$575.00 in payment of these claims.

Our records show that the Nazerene Church Camp located in lot 7, Sec 34, Twp. 19 N., Rge. 3 E., was filed on in January 4, 1978 by this department and was assigned No. by your agency.

A65-18160

Sincerely,

*Donald E. Hobbs*

DONALD E. HOBBS, Chief  
Bureau of Range Management

DEH:vp  
enc.

MICROFILMED

AUG 21 1992

OWNER

CODE

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

DIVERSION

C

STATE OF IDAHO

DEPT. OF LANDS

STATEHOUSE

BOISE ID 837200000

06/01/1926

IRRIGATION

03-15 11-15

3.560 CFS

STOCKWATER

01-01 12-31

0.130 CFS

TOTAL DIVERSION:

3.690 CFS

623.00 AFA

CONSUMPTIVE USE:

Water Source: WASTEWATER

Tributary to: HUBBARD RESERVOIR

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T02N R01E S16

S16

SENW 51

SENW 50

ADA County

Place of use Legal Description for: IRRIGATION

| NE |  |  |  |  |  |  |  |  |  | SE |  |  |  |  |  |  |  |  |  |
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