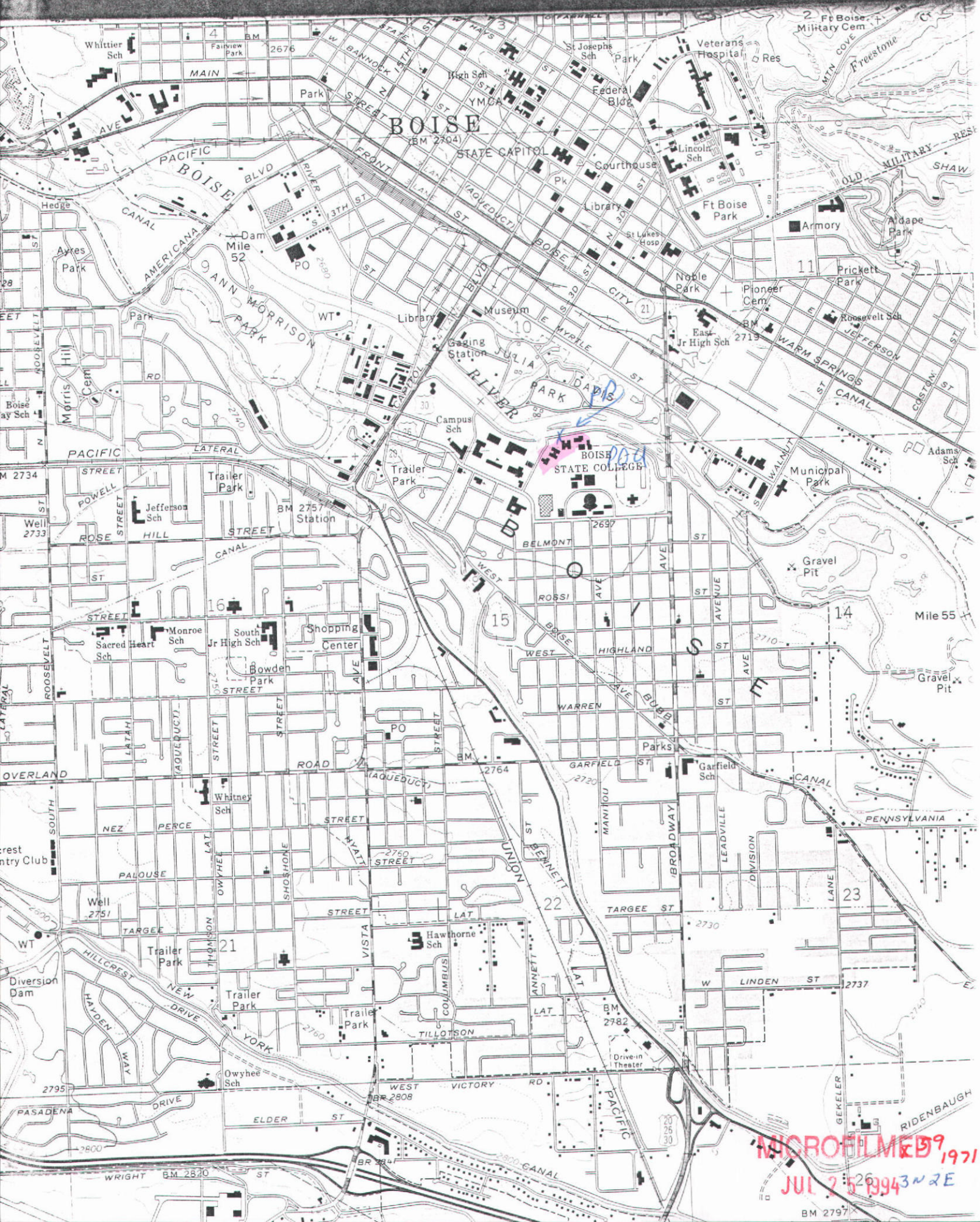
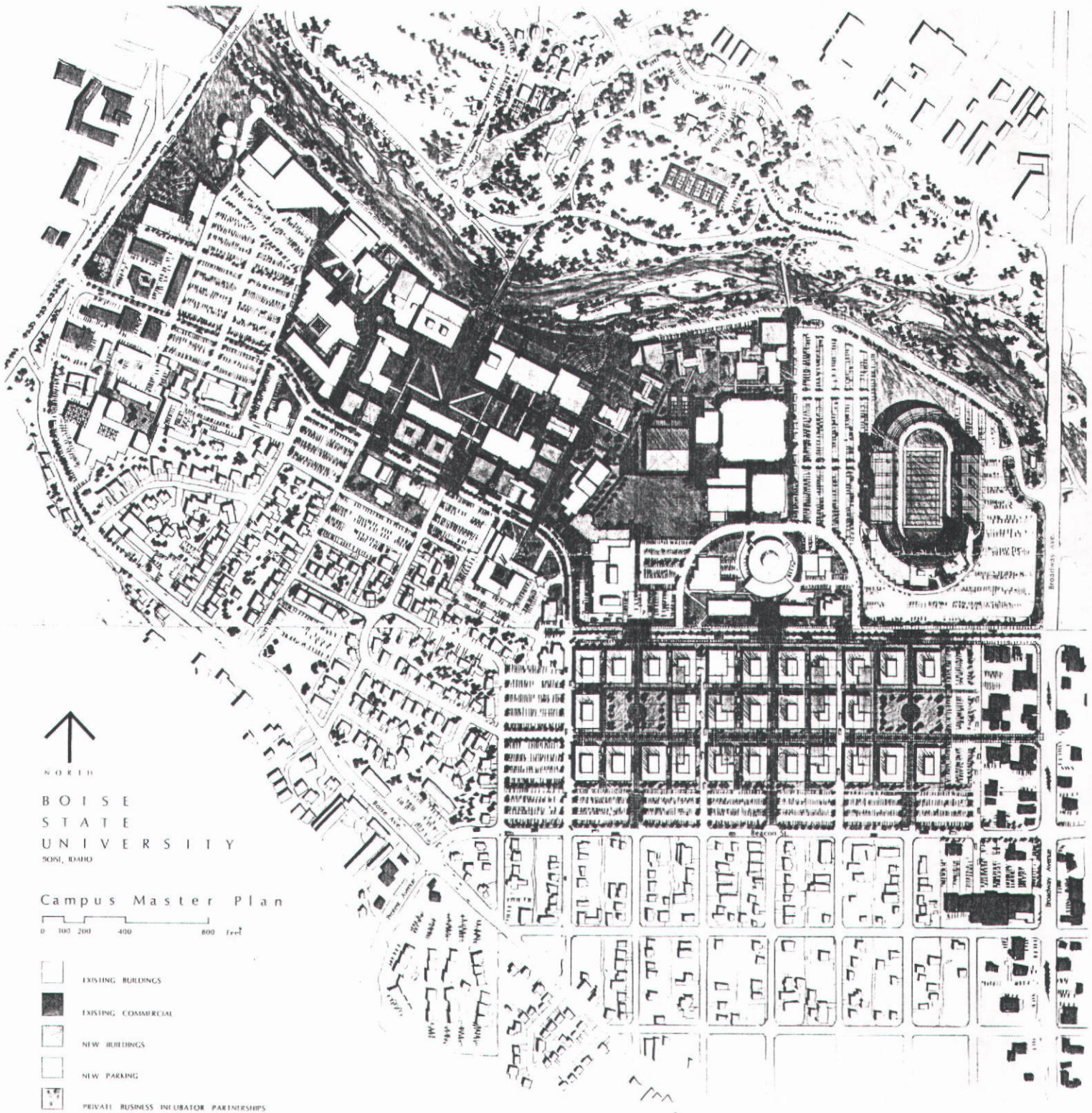


POOR ORIGINAL



MICROFILMED 1971
JUL 25 1994
BM 2797

POOR ORIGINAL



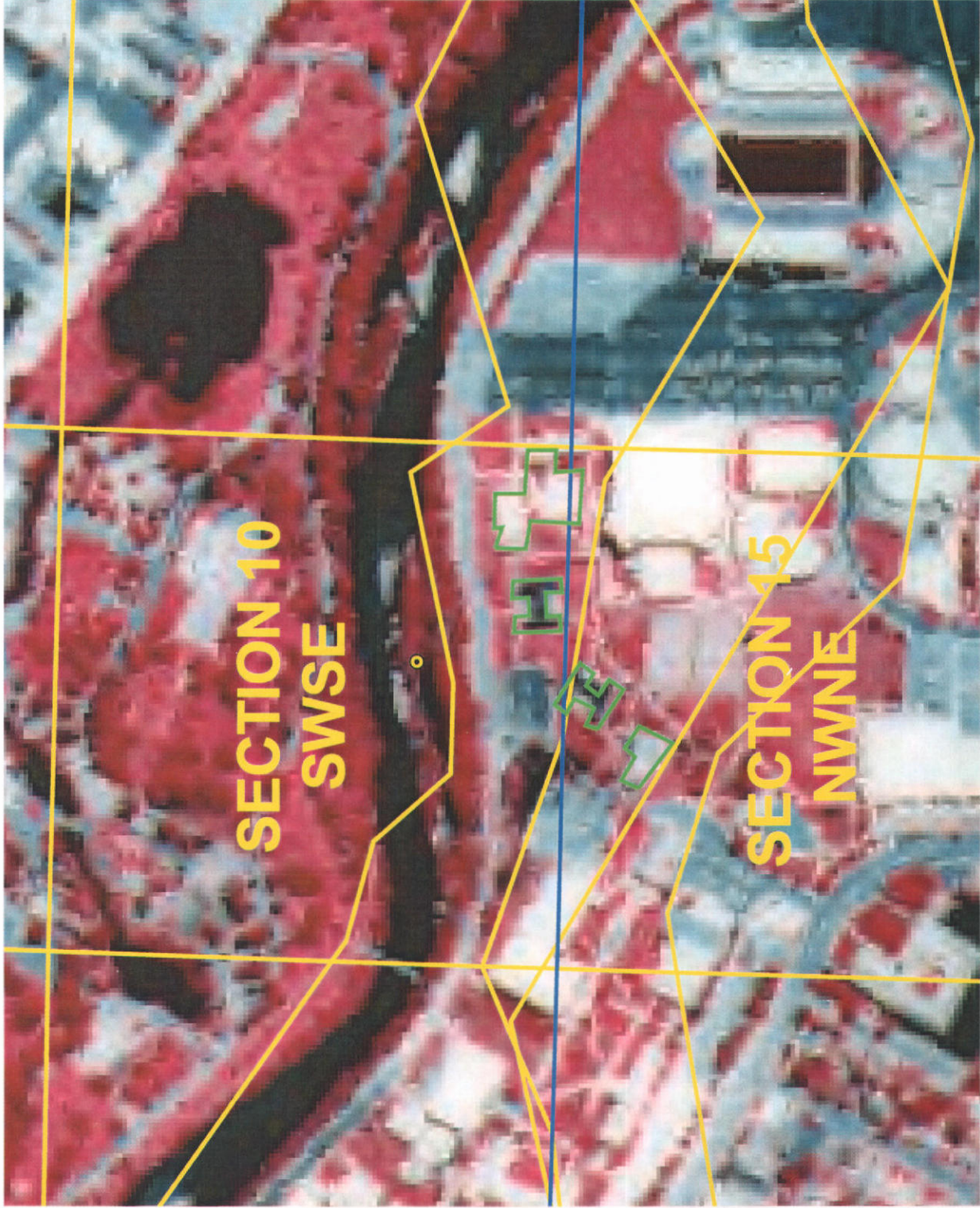
Planning Consultants: Chase-Hosford

6/787 Rev. 4/888

MICROFILMED
JUL 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-7091
Date Prepared: 08-26-03
Prepared By: Gene Gibson



T03N, R02E
S10 & S15



- Point of Diversion
- Place of use
- Section
- 1/4 1/4

1987 NAPP

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: A63-07091
Date Received: 9/ 8/1989
Receipt No: W005790
Received By: gpc

*Rec'd from SC
10-14-92*

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

1. Name: BOISE STATE UNIVERSITY 208-343-7733
Address: PO BOX 1712
BOISE ID 83701

2. Date of Priority: APR 9, 1968

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	10	SW	SE			ADA

5. Description of diverting works:
PUMP INTAKE IN RIVER DELIVERED TO BUILDINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	1.000		365.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 365.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I- AIR CONDITIONING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	10	SW	SE		INDUST	
		15	NW	NE		INDUST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-07287

14. Remarks:
PLACE OF USE HAS NOT CHANGED. POSSIBLE DIFFERENCE IN SURVEY VS.
MAP AVAILABLE AT THIS TIME RESULTED IN ADDING ANOTHER 1/4-1/4

15. Basis of Claim: LICENSE

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 X 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 Attorney of
Title
BOISE STATE UNIVERSITY, that I have signed the foregoing
Organization

document in the space below as Attorney of
Title
BOISE STATE UNIVERSITY and that the statements contained in the
Organization

foregoing document are true and correct.

(D.W. LOJEK)
Signature of Authorized Agent

Attorney for BOISE STATE UNIVERSITY
Title and Organization

8-31-92
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31 day

of Aug 19 92

John Sal Carter
Notary Public

Seal

Residing at Boise Tel

My Commission Expires 6/2/94

17. Notice of Appearance:

Notice is hereby given that I, DON LOJEK will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature DWL

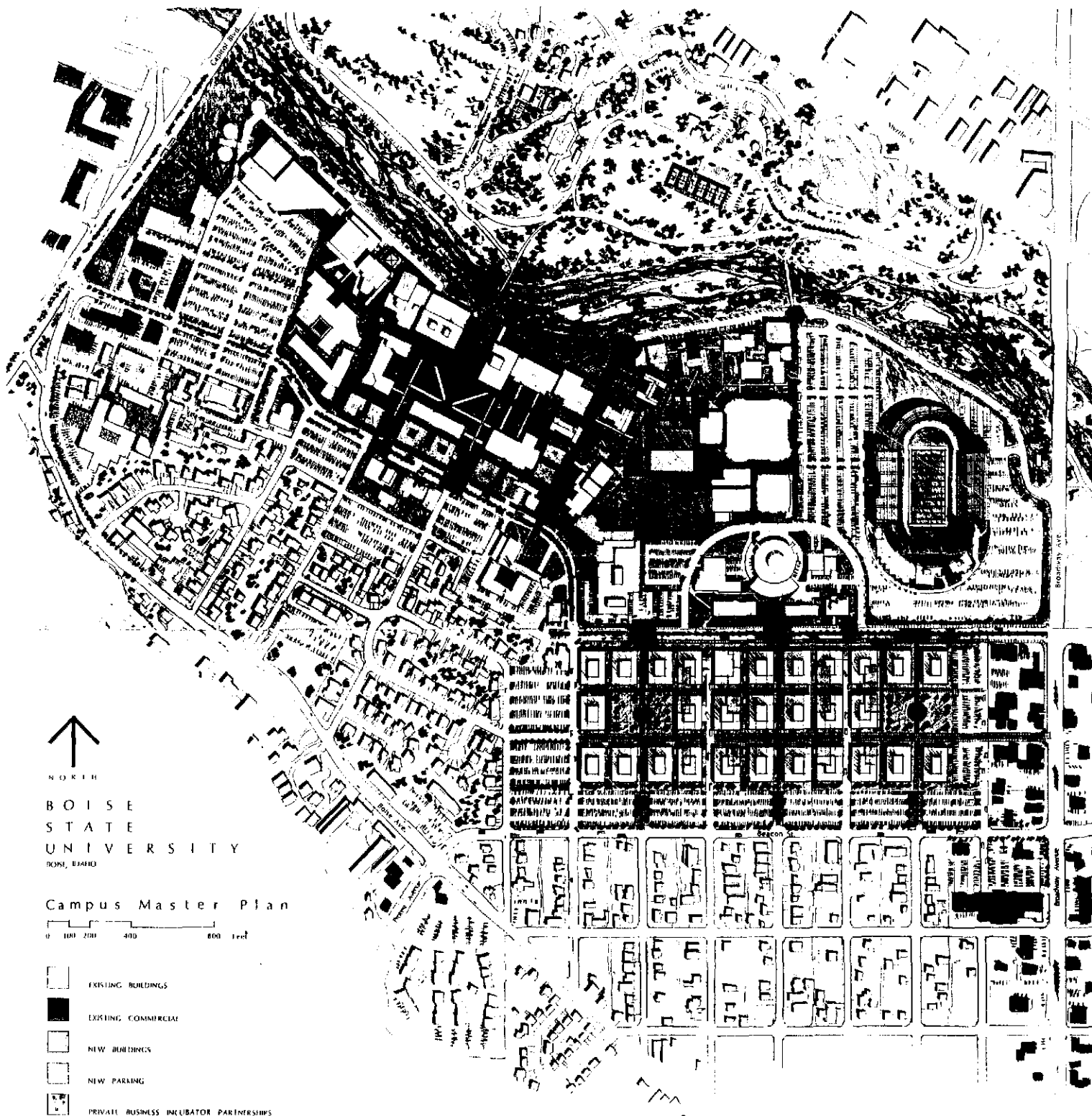
Address PO Box 1712 BOISE 83701

Date Aug 31, 1992



REPRODUCED 1971
JUL 26 1943
BM 2797

POOR ORIGINAL



Planning Consultants: Chase-Horsford

61287 Rev. 4/88

MICROFILMED
JUL 25 1994

ATTORNEYS AT LAW
LOJEK & GABBERT
CHARTERED

305 W. FORT P.O. BOX 1712
BOISE, IDAHO 83701

RECEIVED

OCT 05 1992

Department of Water Resources

Donald W. Lojek

October 2, 1992

Phone: (208) 343-7733
Facsimile: (208) 389-1294
Firm members licensed to practice
law in the following states:
Idaho, Colorado, Utah, Illinois

Mr. John D. Carlson
Adjudication Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, ID 83720-9000

*pd 10-6-92
CO25667
\$257.50*

Re: Snake River Basin Adjudication (SRBA)
Ada County - Notices of Claim #A63-07287, A63-07091 and Four
Unnumbered Claims for Boise State University (BSU)

Dear Mr. Carlson:

Enclosed is Boise State University's check in the amount of \$257.50 to cover the application for water rights under the Snake River Basin Adjudication Plan.

I also enclose for your files a special Power of Attorney issued by Boise State University to me for purposes of the Snake River Basin Adjudication. This enables me to sign any documents or to take whatever steps need to be taken in order to facilitate the position of the University's rights.

I will need a receipt of some kind from the Idaho Department of Water Resources so that I can document for the University the purposes to which the check is put. If you could send that to me at the above address, I would be grateful.

Thanks for all your help.

Very truly yours,



DONALD W. LOJEK

L:s

Enc.

MICROFILMED

JUL 25 1994

RECEIVED

OCT 05 1992

Department of Water Resources

SPECIAL POWER OF ATTORNEY

This Power of Attorney is made on the 27th day of September, 1992,

BETWEEN: the Principal, BOISE STATE UNIVERSITY, whose address is 1910 University Drive, Boise, ID 83725, referred to as "We" or "Our";

AND: the Agent, DONALD W. LOJEK, whose address is 305 West Fort Street, Boise, Idaho, referred to as "You" or "I".

GRANT OF AUTHORITY: We appoint You to act as Our Agent (called an Attorney in Fact) to do each and every act which We could personally do for the following uses and purposes:

To do those acts necessary in order to perfect and to protect any and all water rights held or to be acquired by Boise State University and which are or may be involved in that certain case now pending before the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls, styled "In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System."

POWERS: We give You all the power and authority which We may legally give to You for this purpose. You may revoke this Power of Attorney or appoint a new Agent in your place with notice. We approve and confirm all that You or your substitute may lawfully do on Our behalf in connection with the adjudication described above.

SIGNATURES: By signing below, I acknowledge that I have received a copy of this Power of Attorney.

BOISE STATE UNIVERSITY

LOJEK & GABBERT CHARTERED

By: Larry G. Selland
Larry G. Selland, President

By: DWL
Donald W. Lojek

SPECIAL POWER OF ATTORNEY

MICROFILMED

JUL 25 1994

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUL 14 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-7091

BOISE STATE UNIVERSITY
OFFICE OF THE PRESIDENT
1910 UNIVERSITY DR
BOISE ID 83725
Telephone Number: (208)426-1011

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

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

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

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

DATE: 7-10-05 SIGNATURE: 

Please print your name: Kevin Satterlee
General Counsel

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

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: **A63-07091**
Date Received: 9/ 8/1989
Receipt No: W005790
Received By: gpc

*Rec'd from SO
10-14-92*

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

1. Name: BOISE STATE UNIVERSITY 208-343-7733
Address: PO BOX 1712 *updated already in Comp*
BOISE ID 83701

2. Date of Priority: APR 9, 1968

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	10	SW	SE			ADA

5. Description of diverting works:
PUMP INTAKE IN RIVER DELIVERED TO BUILDINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	1.000		365.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 365.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I- AIR CONDITIONING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	10	SW	SE		INDUST	
		15	NW	NE		INDUST	

11. Place of use in counties: ADA

Added per 42-1425 (cos)

08/27/2003

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

RIGHT NUMBER: 63-7091

NAME AND ADDRESS: BOISE STATE UNIVERSITY
OFFICE OF THE PRESIDENT
1910 UNIVERSITY DR
BOISE ID 83725

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS
365.000 AFY

PRIORITY DATE: 04/09/1968

POINT OF DIVERSION:

T03N R02E S10 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

1/01 12/31

1.000 CFS
365.00 AFY

PLACE OF USE: INDUSTRIAL Within ADA County

T03N R02E S10

SWSE

T03N R02E S15

NWNE

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.

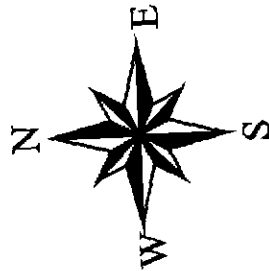
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-7091
Date Prepared: 08-26-03
Prepared By: Gene Gibson

T03N, R02E
S10 & S15



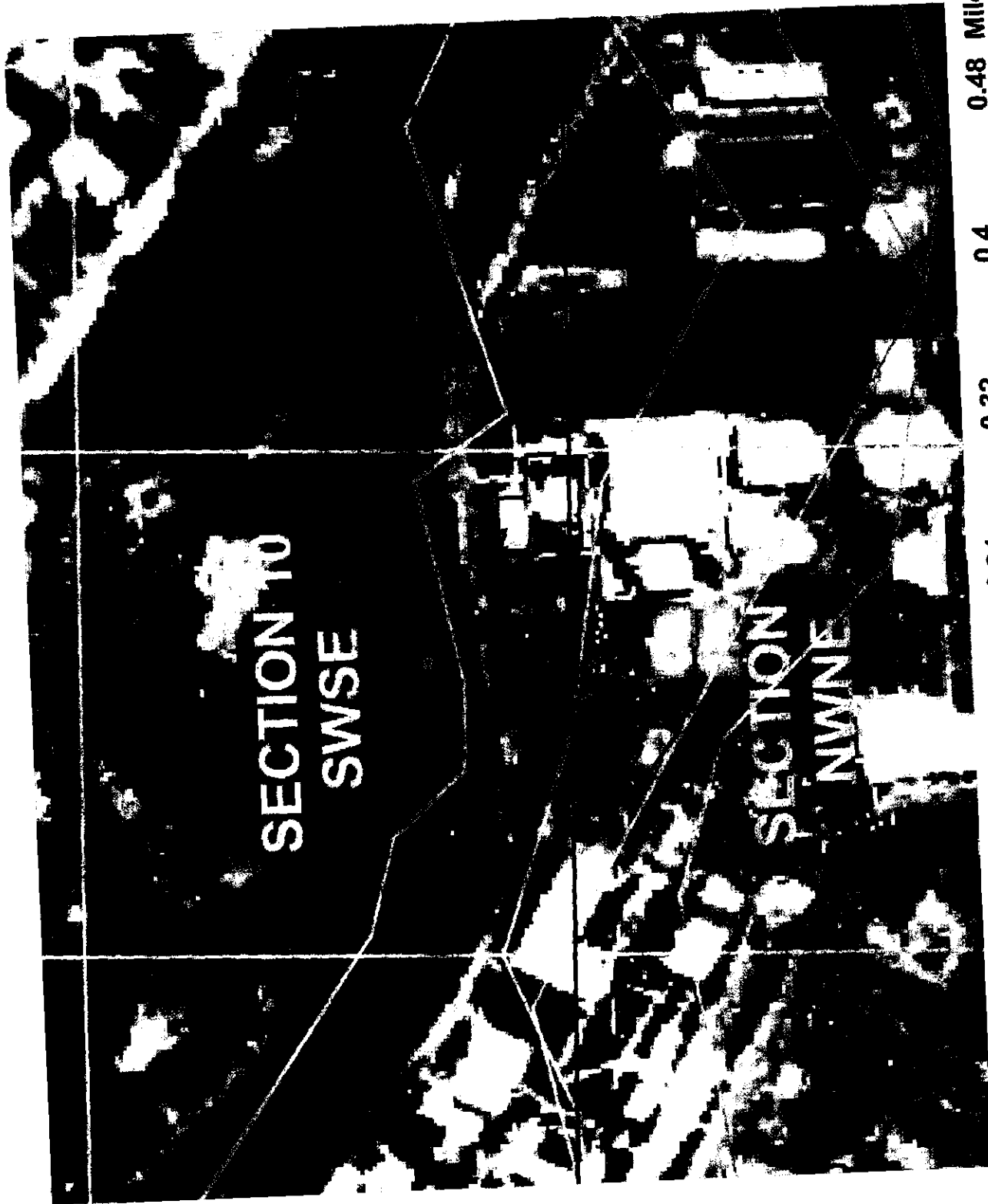
② Point of Diversion

Place of use

Section

1/4 1/4

1987 NAPP



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 63-7091 Priority April 9, 1968 Amount 1.0 cfs

THIS IS TO CERTIFY, that BOISE COLLEGE
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7091 issued pursuant to Application for Permit dated April 9, 1968,
and has submitted proof to the Department of Water Administration on June 1, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.3 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Boise River
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 1.0 cfs for Industrial from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.0 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 Sec. 10, Twp. 3 N, Rge. 2 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 365 acre feet per year ~~or~~

~~36500 per year~~

Description and location of place of use:

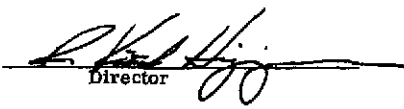
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	
3 N	2 E	10															X		

Total number of acres irrigated _____

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8 day of
December, 19 72.


Director

63 7091

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 63-7091
Examination for B/Y

- Max Rate of Diversion 1.0² cubic feet per second and annual volume _____ AF/Annum.

- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

Description of diverting works: Buried infiltration pipe (30' of 10" well screen) beneath Boise River connecting to pump station with sump. Pump capacity 150 g.p.m.

Measuring device required: yes ☒ no ☐ Budget water meter Model MDIM-G", magnetic drive

6. Lands to be irrigated or place of use.

[illegible]

63 7091

TOTAL ACREAGE

DATE OF EXAM 27 April 72

ACREAGE
Found -
Recommended -

Irrigation Requirement - Ac Ft/Ac

USE
Irrigation Q = - c.f.s. V = - AF/Ann. from - to -
Domestic Q = - c.f.s. V = - AF/Ann. from - to -
Livestock Q = - c.f.s. V = - AF/Ann. from - to -
Industrial Q = 1.0 cfs V = 550 AF/Ann from 1 Jan to 31 Dec

Is water co-mingled? yes no

Name source: Boise River
Twp. 2 N/S, Rge. 2 E/W, B.M., Sec. 10, Sub. SW 1/4 SE 1/4 Ada County

Exchange? yes no

Name source exchanged with: -
Twp. - N/S, Rge. - E/W, B.M., Sec. -, Sub. - 1/4 - - County

Point of injection:
Twp. - N/S, Rge. - E/W, B.M., Sec. -, Sub. - 1/4 - - County

Point of exchange:
Twp. - N/S, Rge. - E/W, B.M., Sec. -, Sub. - 1/4 - - County

Total Q measured 1.30 CFS Method of measurement Badger Meter

Total Q recommended 1.0 cfs Meter No. - Type - Condition good - protected

Total V recommended 550 Ac Ft/Ann
265

Recommended Amendments:

P.D.
Place of Use SW 1/4 SE 1/4 Sec 10 T3N R2E
Other -
None -

MEASUREMENT CALCULATION:

Badger Meter installed
Reading 3 1000 gals in 1 min 22 secs
 $1000 / 1022 = 1.30 \text{ CFS}$ $V = (1.30 \times 2) (275 \text{ days}) = 550 \text{ Ac Ft/Ann}$

SYSTEM DESCRIPTION:

6" Pipe from River into Air Cond System. Water cools
refrigerant into liquid form then returns to river. Two
complete systems cools library, learning center, and the
business building.

There are two cooling systems that are
identical. Both use the same water

REMARKS:

15 HP Hollowshaft Pump Motor 3 Ph 60 cyc 230/460 Volts 3600 RPM
Sen # NRE Model - 1008674 Jacuzzi Pump
7 1/2 HP GE Motor 3 phase 60 cycle 230/460 volt 3510 RPM
Sen # Adj 131331 Jacuzzi Pump 2, 6" gate valves installed
at the pump. Water is returned directly back to Boise River

Examiner's Signature James Barber Date 28 April 72

Checked by - Date -

Approved by - Date -

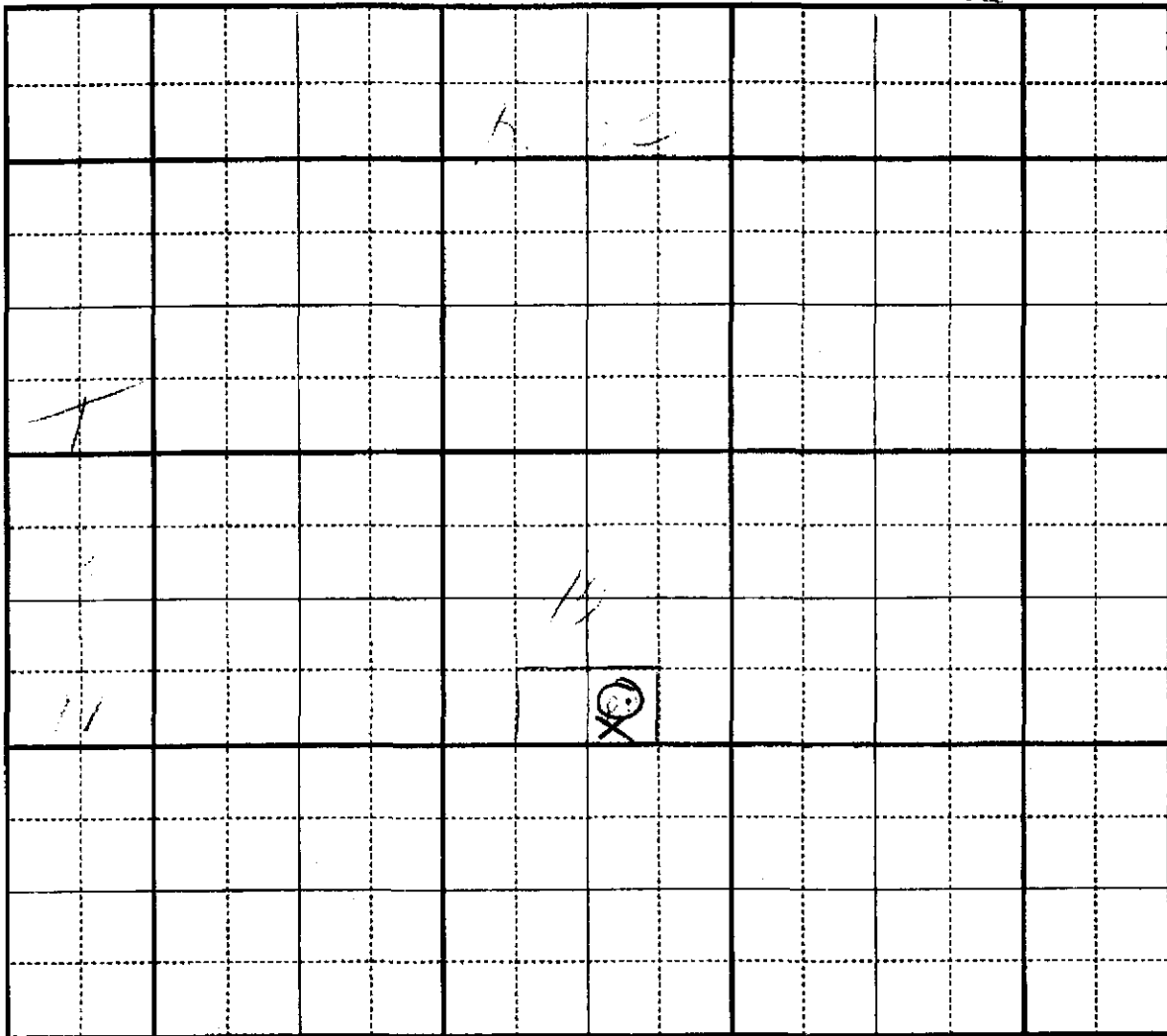


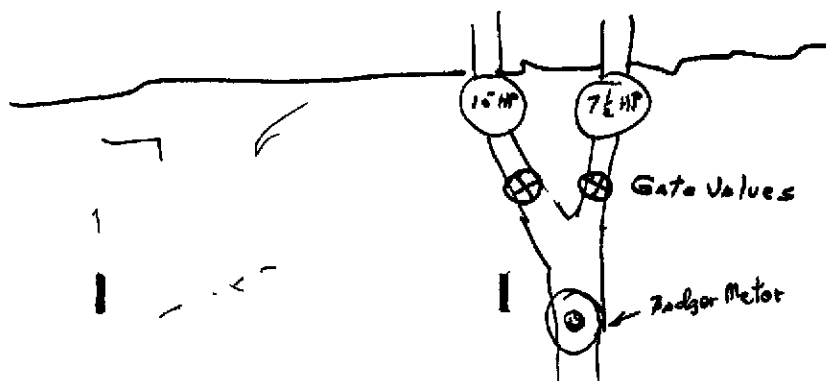
Diagram of System

DATE EXAMINATION RECORDS

_____	_____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____

Bus
319

Library



October 10, 1972

Boise College
Attn: Business Mgr.
1907 Campus Drive
Boise, Idaho 83707

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 63-7091 and has found the following:

Quantity of water diverted: 1.0 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 cfs

The maximum quantity diverted shall not exceed 365 acre feet per year.

Beneficial use: Industrial purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 3 N, Rge. 2 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 3 N, Rge. 2 E, B.M.

Priority date established: April 9, 1968

The place of use found by our field examiner differs from that listed on your permit, therefore, it will be necessary that the permit be amended before a license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 10 days of the date of this letter in order that we may issue your water license.

If you do not concur with these findings, please contact us within the 10-day limit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment form

63 7091

Identification No. _____

Permit No. 63-7091

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder BOISE STATE COLLEGE

b) Post Office Address _____

2. Permit Number 63-7091

3. Date of Priority that you are prepared to establish April 9, 1968

4. a) Source from which water was appropriated Boise River

b) Location of the point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10

Township 3N, Range 2E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount one (1) CFS for air conditioning purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated one (1) CFS cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: see remarks

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA

b) Describe the agreement or understanding by which you take water from the works: NA

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Buried infiltration pipe (30 ft. of 10" well screen) beneath Boise River connecting to pump station with sump. Pump capacity 150 G.P.M.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Water Meter Model MDIM-G", magnetic drive

c) Give well drillers name and address and date the well was completed Union Plumbing & Heating Co., 5514 Wylie Lane, Boise, Idaho. Date of acceptance: July 23, 1968.

63 7091

Stamped 10-17-71
mjl

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use. Application is for airconditioning condenser cooling water. All water diverted from Boise River by the system is returned to River via storm drain approx. 200 yards downstream from point of diversion. Place of use is Boise State College Campus, Boise, Idaho.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: NA

[illegible]

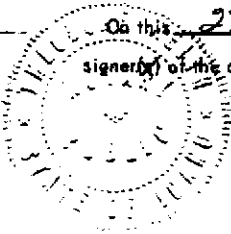
10. Remarks: Rate of flow varies with airconditioning demand by season and building occupancy.
Exact rate not yet determined. Request Department to inspect pumping station and read
meter at time of anticipated maximum flow O/A August 1, 1971. Regular readings of meter
will commence by BSC maintenance personnel on June 1, 1971.

May 27, 1921
(Date)

Brandon L Phillips
(Signature)

State of Idaho)
County of Ada) ss.

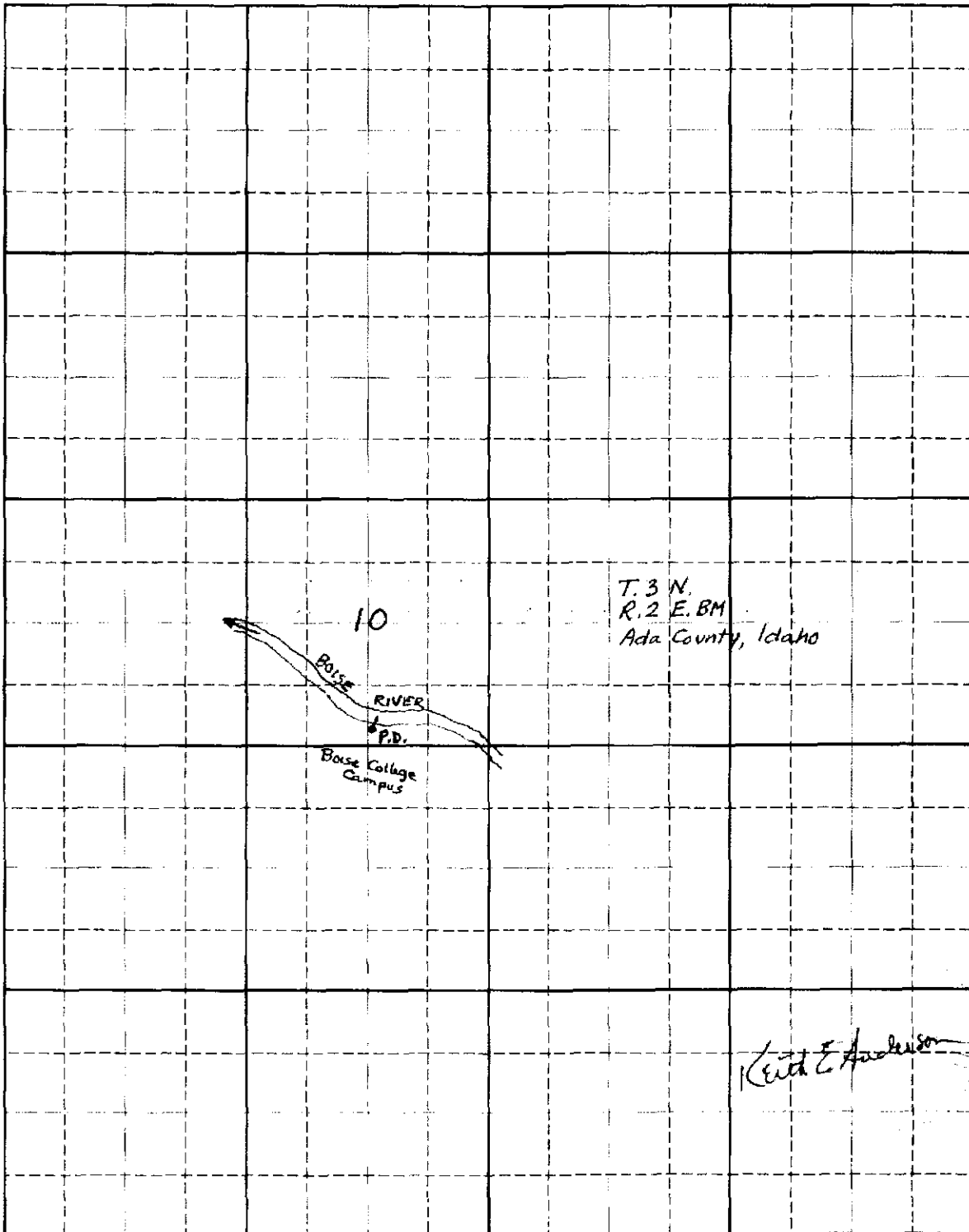
On this 27th day of May, 1974, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Notary Public residing at 2760 Christine St.
Boise, Idaho

My commission expires July 2, 1974

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Boise College
 (Applicant)
 Sec. - Treas. & Bus. Mgr.

63-7091

Identification No. 63-7091

Application No. 42431

LICENSE ISSUED FOR 1-0 SEC. 91.
 LICENSE FOR R.I.

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Boise College
 post office address Boise, Idaho
2. Source of water supply Boise River which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 3 N
2 E Range Ada B.M. County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Boise River at a point in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 3 N Range 2 E B.M.
4. Quantity to be appropriated:
 a. 1.0 cubic feet per second and/or
 b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Industrial (air conditioning) purpose from January 1 to December 31 (both dates inclusive)
 _____ purpose from _____ to _____ (both dates inclusive)
 _____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Buried infiltration screen pipe
beneath bed of Boise River, connecting to manhole pumping plant on
south (left) bank of river and to piping to College buildings.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.
 b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 3 N
2 E Range _____ B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
 (5) If water is to be used for other purposes describe: Industrial use (air conditioning)
in Boise College buildings

63-7091