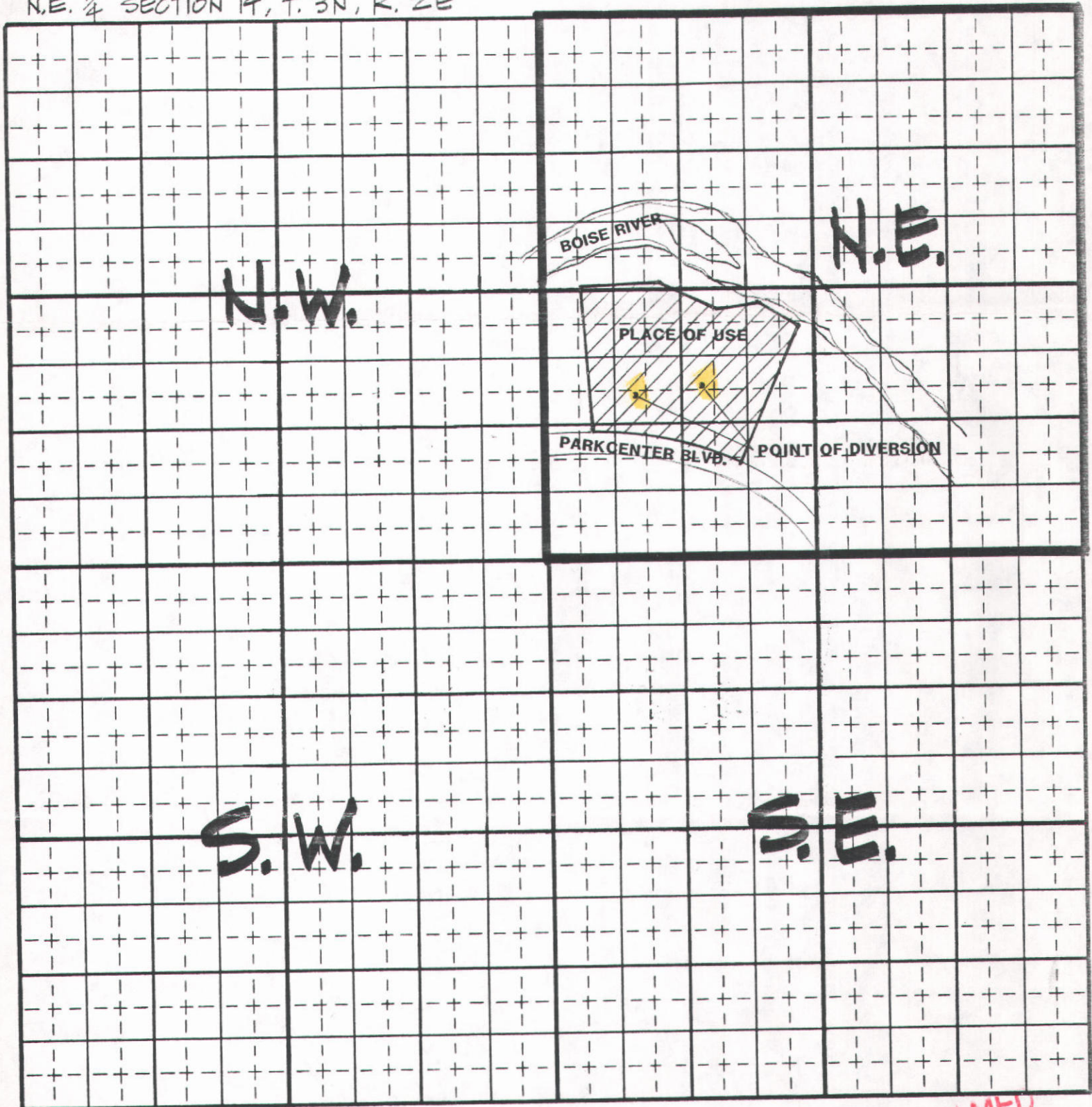


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{2}$ inches equals 1 mile

N.E. $\frac{1}{4}$ SECTION 14, T. 3N, R. 2E



MICROFILMED
OCT 08 1996

Last Name Albertson's, Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

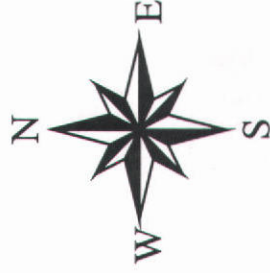
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-8866

Date Prepared: 09-11-03

Prepared By: Gene Gibson

T03N, R02E
S14



● Point of Diversion



Place of use



Section

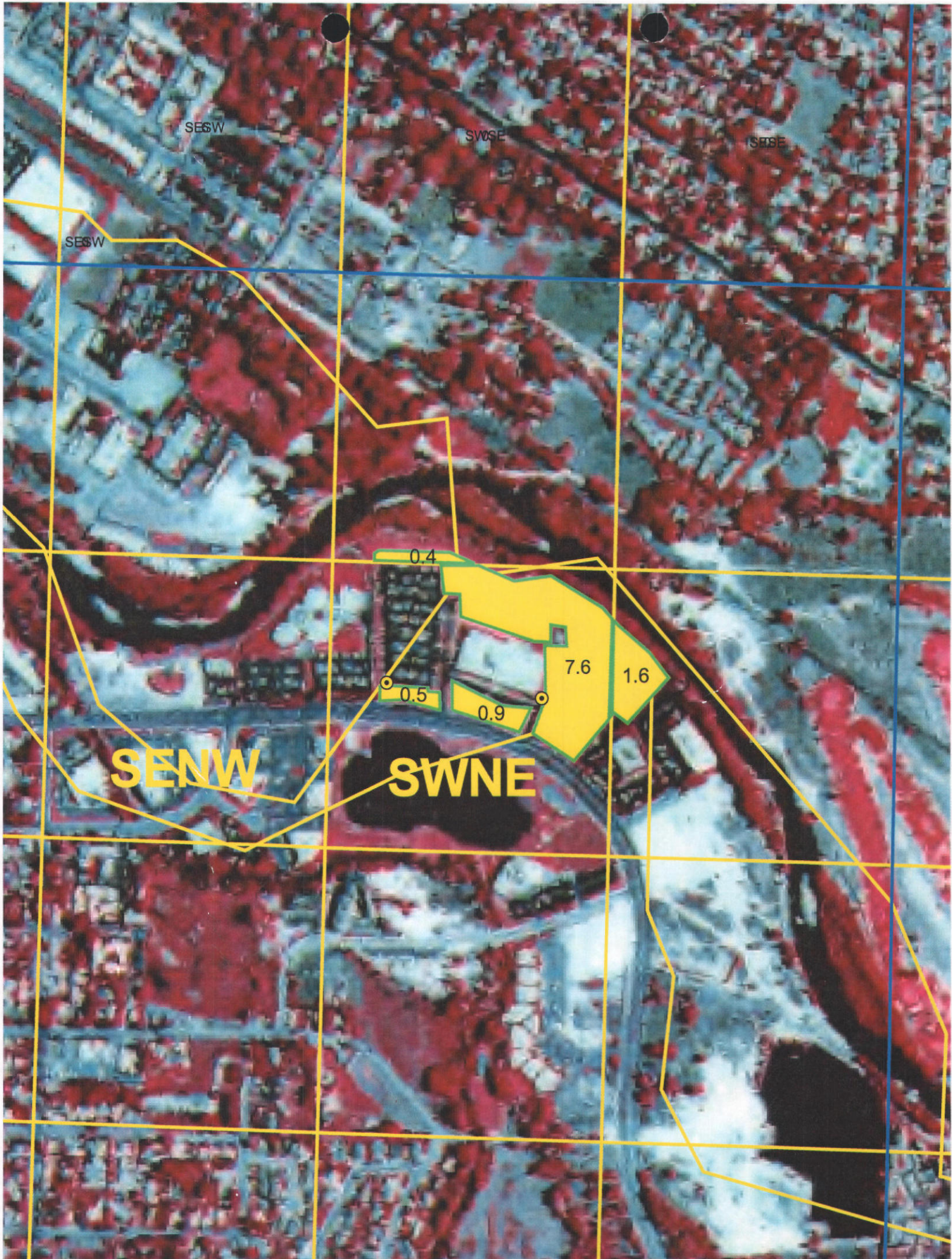


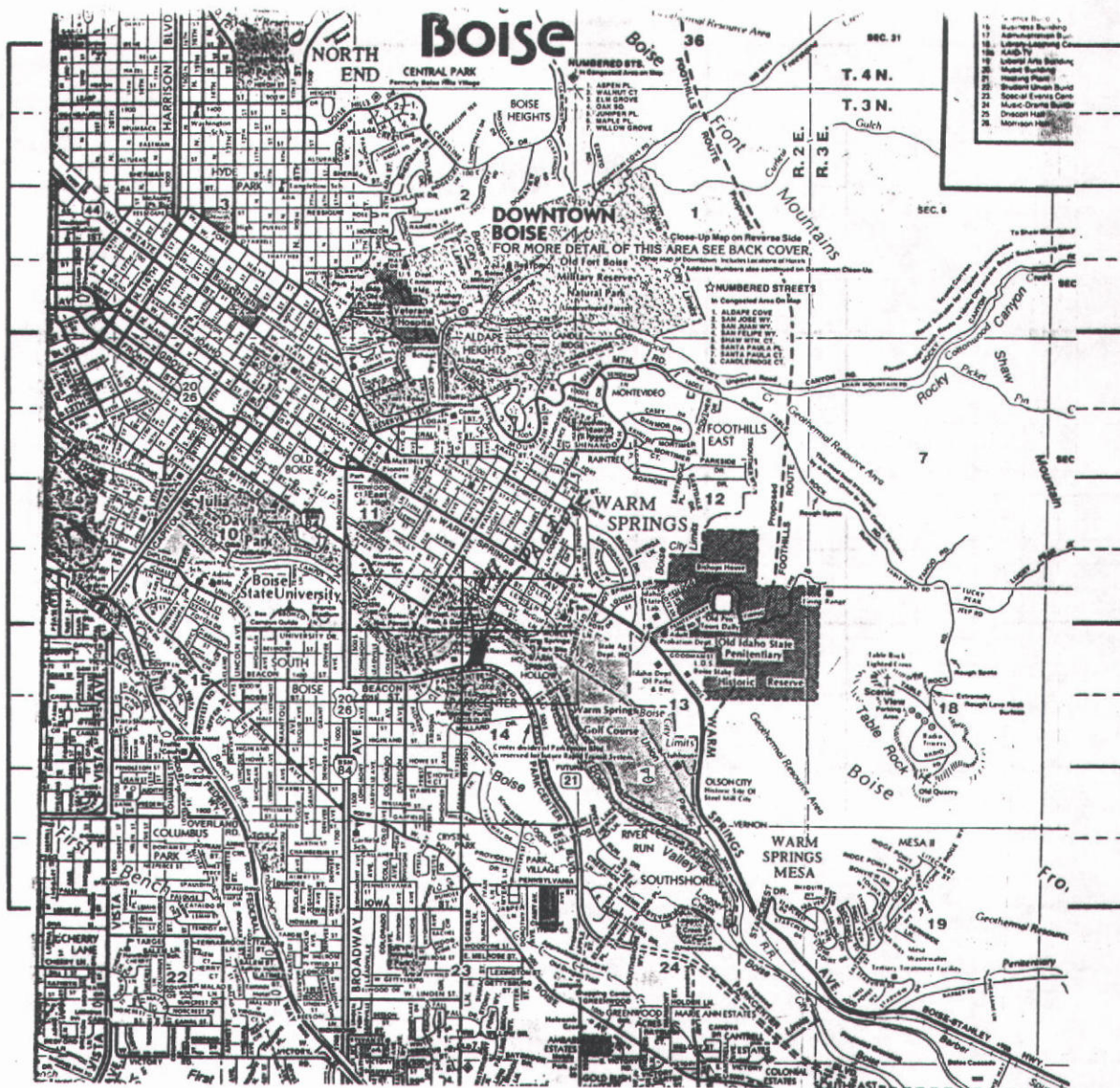
1/4 1/4

1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 0.6 Miles





Point(s) of diversion: SW 1/4 NE 1/4, S. 14, T. 3 N, R. 2 E.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
<u>3 N</u>	<u>2 E</u>	<u>14</u>			<u>2.5</u>														<u>2.5</u>
																			<u>2.5</u>

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Jan Grover
628

Date

4/10/85

Checked by

Date

1/15/86

Approved by

Date

MICROFILMED

OCT 09 1987

RECEIVED

SEP 10 2003

WATER RESOURCES
WESTERN REGION

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-8866
Date Received: 9/17/1990
Receipt No: W012720

Received By:

AMENDED

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

1. Name of Claimant(s)

ALBERTSON'S, INC. Phone: (208)385-6200

250 PARKCENTER BLVD
PO BOX 20
BOISE ID USA 83726

2. Date of Priority: 05/16/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	14	SW NE	ADA	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.22	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	14	SW	NE	IRRIGATION	11
Section Acres						11
Total Acres						11

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:

14. Remarks:

ITEM 5. THE DIVERSION WORKS CONSIST OF TWO WELLS, EACH WITH AN 8" STEEL WELL CASING 56' DEEP WITH A 7.5 HP SUBMERSIBLE PUMP AT A DEPTH OF APPROXIMATELY 50'. THE PUMPS ARE RATED FOR 30GPM AND THE STATIC WATER TABLE IS APPROXIMATELY 30' DOWN. NO CHANGES HAVE BEEN MADE TO THE SYSTEM AS ORIGINALLY CONSTRUCTED OTHER THAN ROUTINE CLEANING AND MAINTENANCE.

| THE ORIGINAL APPLICATION FOR PERMIT WAS FILED 5/10/77 BY EMKAY DEVELOPMENT AND REALTY CO., AND APPROVED BY IDWR ON 7/15/77.

EMKAY ASSIGNED THE PERMIT TO ALBERTSON'S, INC. ON 6/28/82; ALBERTSON'S, INC. FILED A PROOF OF BENEFICIAL USE ON 6/28/82. THE PROPERTY IS OWNED BY ALBERTSON'S REALTY, INC., (A SUBSIDIARY OF ALBERTSON'S, INC.) AND IS LEASED TO ALBERTSON'S, INC. UNDER A LONG-TERM LEASE. (THE PRIMARY TERM WILL EXPIRE 12/31/03; THERE ARE SIX OPTION TERMS OF FIVE YEARS EACH.)

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

15. Basis of Claim: Permit

16. Signature(s)

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Group Vice President, Business Law of Albertson's, Inc. ^{Title} Albertson's, Inc. ^{Organization}, that I have signed the foregoing document in the space below as Group Vice President, Business Law of Albertson's, Inc. ^{Title} Albertson's, Inc. ^{Organization} and that the statements contained in the foregoing document are true and correct. [Signature]

Signature of Authorized Agent

Group Vice President, Business Law, Albertson's, Inc.
Title and Organization

September 8, 2003

Date

State of Idaho)
County of Ada) SS.

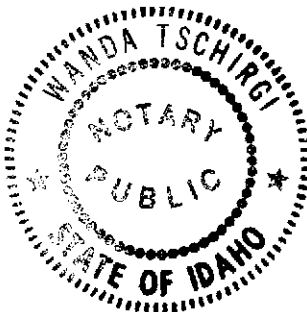
Subscribed and sworn (or affirmed) before me this 8th
of September 2003

[Signature]

Notary Public

Residing at Meridian, Idaho

My commission Expires May 1, 2006



RECEIVED

JUL 15 1994

WATER RESOURCES
WESTERN REGION

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08866

Date Received: 9/17/1990

Receipt No: W012720

Received By: *CO 30736 late*

fee.
ss

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ALBERTSONS INC
Address: PO BOX 20
BOISE ID

208-385-6200

83726

2. Date of Priority: MAY 16, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	14	SW	NE			ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.220		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NE		IRR	5.0

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OCT 08 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:

ITEM 5. THE DIVERSION WORKS CONSIST OF TWO WELLS, EACH WITH AN 8" STEEL WELL CASING 56' DEEP WITH A 7.5 HP SUBMERSIBLE PUMP AT A DEPTH OF APPROXIMATELY 50'. THE PUMPS ARE RATED FOR 30GPM AND THE STATIC WATER TABLE IS APPROXIMATELY 30' DOWN. NO CHANGES HAVE BEEN MADE TO THE SYSTEM AS ORIGINALLY CONSTRUCTED OTHER THAN ROUTINE CLEANING AND MAINTENANCE.

|
THE ORIGINAL APPLICATION FOR PERMIT WAS FILED 5/10/77 BY EMKAY DEVELOPMENT AND REALTY CO., AND APPROVED BY IDWR ON 7/15/77. EMKAY ASSIGNED THE PERMIT TO ALBERTSON'S, INC. ON 6/28/82; ALBERTSON'S, INC. FILED A PROOF OF BENEFICIAL USE ON 6/28/82. THE PROPERTY IS OWNED BY ALBERTSON'S REALTY, INC., (A SUBSIDIARY OF ALBERTSON'S, INC.) AND IS LEASED TO ALBERTSON'S, INC. UNDER A LONG-TERM LEASE. (THE PRIMARY TERM WILL EXPIRE 12/31/03; THERE ARE SIX OPTION TERMS OF FIVE YEARS EACH.)

15. Basis of Claim: PERMIT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A63-08866Date Received 9-17-90Receipt Number W012120C030736 late
fees
ps

RECEIVED

SEP 17 1990

Department of Water Resources
Western Regional OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Albertson's, Inc. Phone (208) 385-6200Mailing Address P. O. Box 20, Boise, ID Zip 837262. Date of Priority (Only one (1) per claim) May 16, 19773. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3 N Range 2 E Section 14,
SW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of AdaAdditional points of diversion if any: none

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The diversion works consist of two wells,
each with an 8" steel well casing 56' deep with a 7½ H.P. submersible pump
at a depth of approximately 50'. The pumps are rated for 30GPM and the
static water table is approximately 30' down. No changes have been made
to the system as originally constructed other than routine cleaning
maintenance.MICROFILMED
OCT 08 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from March 15 to Nov. 15 amount .22 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .22 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T3N	R2E	14			5														5

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

The original Application for Permit was filed 5/10/77 by EMKAY Development & Realty Co., and approved by IDWR on 7/15/77. EMKAY assigned the permit to Albertson's, Inc. on 6/28/82; Albertson's, Inc. filed a Proof of Beneficial Use on 6/28/82. The property is owned by Albertson's Realty, Inc., (a subsidiary of Albertson's, Inc.) and is leased to Albertson's, Inc. under a long term lease. (The primary term will expire 12/31/98, there are six option terms of five years each.)

MICROFILMED
OCT 08 1990

Last Name Albertson's, Inc. Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

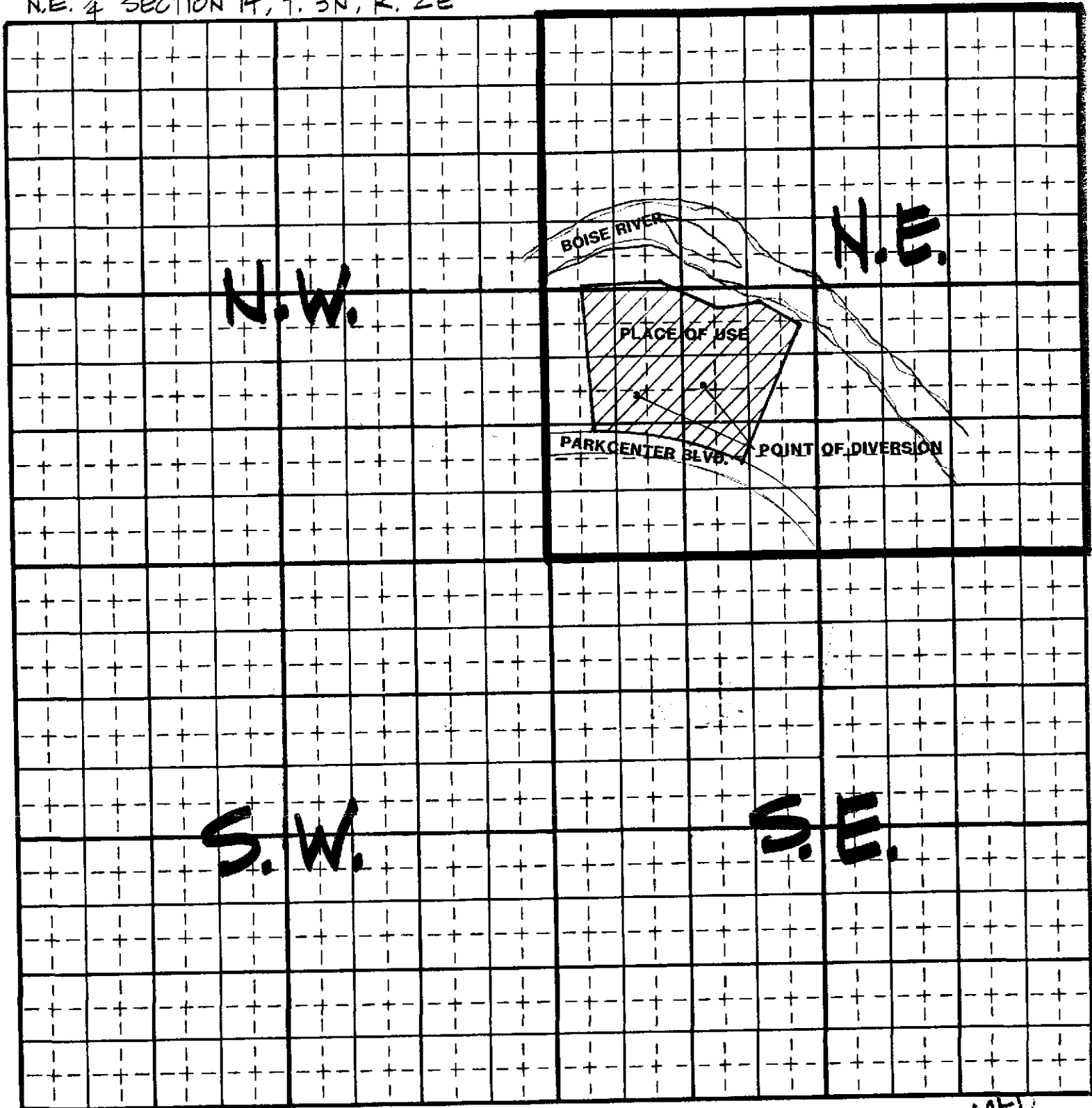
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Scale: $\frac{1}{2}$ inches equals 1 mile

N.E. $\frac{1}{4}$ SECTION 14, T. 3N, R. 2E



MICROFILMED
OCT 08 1996

Last Name Albertson's, Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit 63-8866
Decree _____
If applicable provide IDWR Water Right Number 63-8866
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Albertson's, Inc. Date _____
By: Thomas L. Sallin Date 9/13/90

For Organizations: I do solemnly swear or affirm that I am a Senior Vice President
Title
of Albertson's, Inc., that I have signed the foregoing
Organization
document in the space below as a Senior Vice President of Albertson's, Inc.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas L. Sallin
Title and Organization Sr. Vice Pres. Albertson's, Inc. Date 9/13/90

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

Subscribed and sworn (or affirmed) before me this 13th day of September 19 90

SEAL

Notary Public Wanda Tschirgi
Residing at Meridian, Idaho

My Commission Expires 5/1/94

Please Print Name WANDA TSCHIRGI

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
OCT 08 1996

Last Name Albertson's, Inc. Inddent. Number _____

Copies White-State, Yellow-Claimant

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

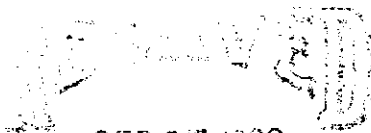
Ident. Number

Date Received

Receipt Number

9-11-90

WO 12720



SEP 17 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Albertson's, Inc. Phone (208) 385-6200
Mailing Address P. O. Box 20, Boise, ID Zip 83726

2. Date of Priority (Only one (1) per claim) May 23, 1977

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3 N Range 2 E Section 14,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: none

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The diversion works consist of two wells,

each with an 8" steel well casing 56' deep with a 7½ H.P. submersible pump
at a depth of approximately 50'. The pumps are rated for 30GPM and the
static water table is approximately 30' down. No changes have been made
to the system as originally constructed other than routine cleaning and
maintenance.

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OCT 08 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Apr. 1 to Oct. 31 amount .30 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .30 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T3N	R2E	14			5														5

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:
The original Application for Permit was filed 5/10/77 by EMKAY Development & Realty Co., and approved by IDWR on 7/15/77. EMKAY assigned the permit to Albertson's, Inc. on 6/28/82; Albertson's, Inc. filed a Proof of Beneficial Use on 6/28/82. The property is owned by Albertson's Realty, Inc., (a subsidiary of Albertson's, Inc.) and is leased to Albertson's, Inc. under a long term lease. (The primary term will expire 12/31/03. There are six option terms of five years each.)

Last Name Albertson's, Inc. Ident No. _____

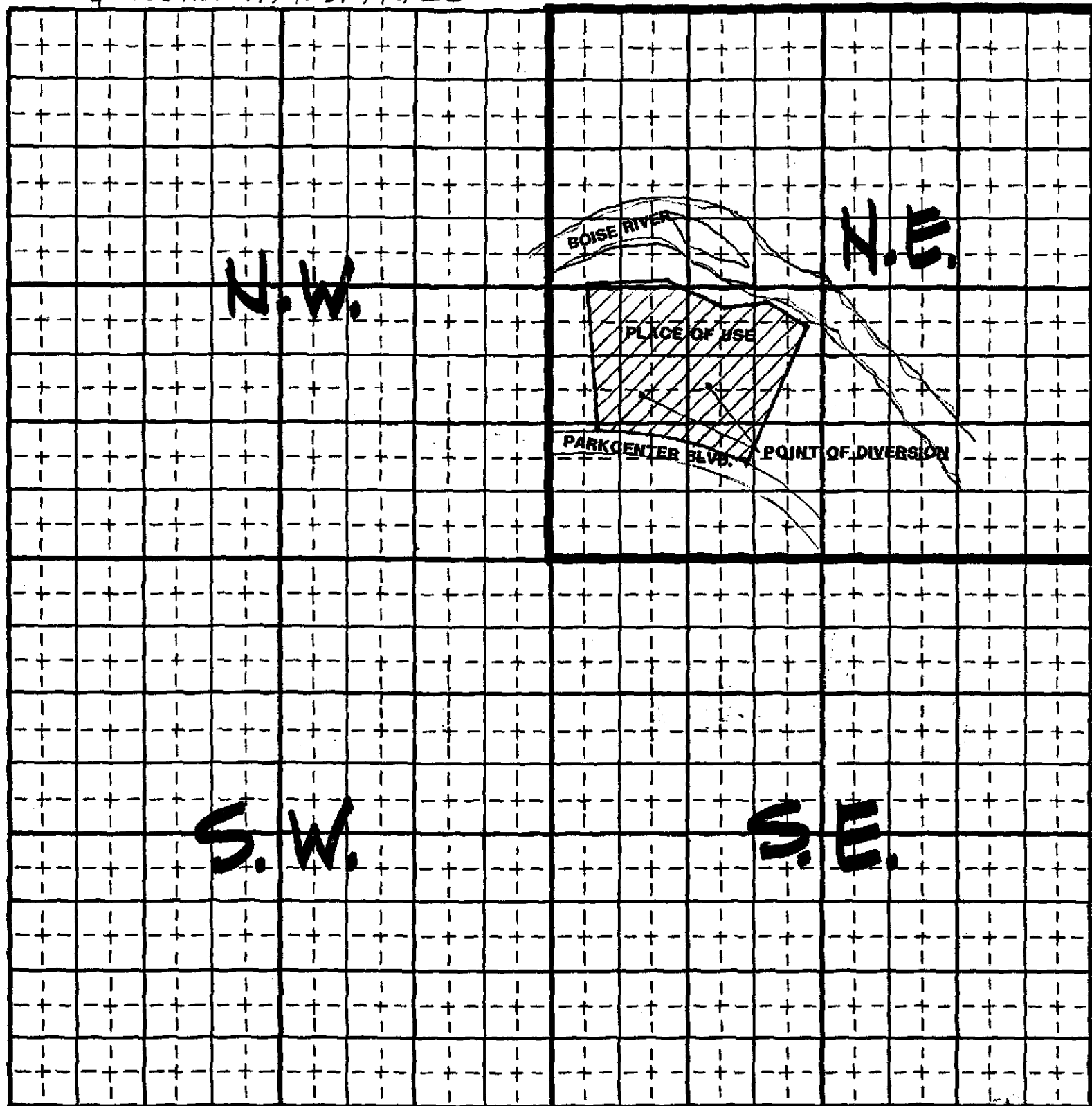
Copies: White-State, Yellow-Claimant

MICROFILMED
OCT 08 1996

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

Scale: ⁸/₂ inches equals 1 mile

N.E. $\frac{1}{4}$ SECTION 14, T. 3N, R. 2E



MICROFILMED
OCT 08 1996

Last Name Albertson's, Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit 63-8866
Decree _____
If applicable provide IDWR Water Right Number 63-8866
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Albertson's, Inc. Date _____

By: Thomas L. Salhin Date 9/13/90

For Organizations: I do solemnly swear or affirm that I am a Senior Vice President

Title

of Albertson's, Inc., that I have signed the foregoing
Organization

document in the space below as a Senior Vice President of Albertson's, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas L. Salhin

Title and Organization Sr. Vice Pres. Albertson's, Inc. Date 9/13/90

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

Subscribed and sworn (or affirmed) before me this 13th day of September 19 90

SEAL

Notary Public Wanda Tschirgi

Residing at Meridian, Idaho

My Commission Expires 5/1/94

Please Print Name WANDA TSCHIRGI

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
OCT 08 1996

Last Name Albertson's, Inc. Inddent. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-08866 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ALBERTSONS INC.

1 - 250 PARKCENTER BLVD.
2 -
3 -
City- BOISE State- ID Zip- 83706
Phone -

1 -
2 -
3 -
City- State- Zip-
Phone -

*** O - ORIGINAL OWNER ***
EMKAY DEVELOPMENT & REALTY CO.

+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
05/16/1977 14 WESTERN L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFLg County Stream Index (Blank if no Index Code)

03N 02E 14 SW NE (1) ADA

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

01 - IRRIGATION 03/15 11/15 0.220 49.50

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

0.220 49.50 1.970

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

03N 02E 14 SW NE 11.0 01 IRRIGATION (1) ADA

Total Acres: 11.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks

MICROFILMED
OCT 08 19962 points of diversion located in SWNE, S14, T3N, R2E.
Place of use also known as Lot 8, (parcels 1 & 2) Block 1,
Parkcenter Business Park.

Proof Due Date	- 07/01/1982	Field Exam Made	- 04/24/1984	Field Exam Fee	-
Approved/Denied	- 07/15/1977	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 06/28/1982	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 11/03/1987	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 09/24/1987	Appl Received	- 05/16/1977	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll	No -	Presumption Flag	-

MICROFILMED
OCT 08 1996

3/26/1990 :

SIDA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Albertsons, Inc.

CLAIM IDENT. NO. _____

DATE RECEIVED

9-17-90

CK #

W012720

AMOUNT \$

55.00

Required

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

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OCT 08 1990

23. Should this claim be receipted and data entered?

YES

NO

Claim checked by:

David

HHT 6-29-92

Date:

6-11-91

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Checked by:

Date:

Sent to claimant by:

Date:

Comments:

The claim was received late

also - note discrepancies between claim & WR -

No claim currently on computer for portion of 63-08866 HHT

MICROFILMED
OCT 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 6, 1994

Ms. Wanda Tschirgi
Legal Assistant
Albertson's, Inc.
P.O. Box 20
Boise, ID 83726

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A63-08866

Dear Wanda,

Enclosed is a copy of Notice of Claim A63-08866 and receipt #C030736 for your file. If you have any questions, please call me at 327-7862.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally Sherman'.

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

Enclosures:

Notice of Claim A63-08866

Receipt #C030736

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OCT 08 1996



RECEIVED
JUL 05 1994
Department of Water Resources

June 30, 1994

Ms. Sally Sherman
Adjudication Bureau
Department of Water Resources
1031 N. Orchard St.
Statehouse Mail
Boise, ID 83720-9000

Re: Claim #A63-08866 - Receipt #W012720

Dear Sally,

Per your letter of June 28, I'm enclosing our check #584814 for the late filing fee.
Thanks so much for your help in getting this claim filed at last.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Legal Assistant

Attachment: Check #584814

MICROFILMED
OCT 08 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 28, 1994

Wanda Tschirgi
Legal Assistant
Albertson's, Inc.
P.O. Box 20
Boise, ID 83726

RE: Snake River Basin Adjudication (SRBA)
Ada County - Notice of Claim #A63-08866
Receipt #W012720

Dear Wanda,

Following our telephone conversation of June 27, 1994, I am returning Albertson's check #581746, which I have voided as we agreed. Since the filing fee of \$55.00 was paid September 17, 1990 by Albertson's check #590773, only the late fee in the amount of \$50.00 is due.

Please mail the late fee to my attention at this office. I have the Notice of Claim also, which I will process upon receipt of the late fee and send you a copy for your file.

I'm glad Albertson's legal department is still in your capable hands, and hope you are doing well personally.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally'.

Sally Sherman (formerly Frazee)
Secretary, Adjudication Bureau
Department of Water Resources

SS:region:tf
Enclosures:

Voided Albertson's Check #581746

MICROFILMED
OCT 08 1990



GENERAL OFFICES

P.O. BOX 20

BOISE, ID 83726

PHONE (208) 385-6200

92-1
1241
WEST ONE BANK, IDAHO, N.A.
BOISE, IDAHO

DATE 3-18-94

CHECK NO. 581746

AMOUNT

**105.00

**105.00

PAY
TO THE
ORDER
OF

VOID
IDAHO DEPT. of WATER RESOURCES
WESTERN REGION OFFICE
2735 Airport Way
Boise, Idaho 83705

Albertsons
PAYABLE ACCOUNT

⑈581746⑈ ⑆124100019⑆ 110063020184⑈

MICROFILMED
OCT 08 1995

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. AL03-08866

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent L. Sherman Date 06-27-1994

Contact Person(s) Wanda Tschirgi, Legal Assistant
Alberdson, Inc.

Nature of Contact ph. call to her 425 p

Substance of Communication We have claim + check 581746,
voided rec'd 3-22-94. Wanda agreed to have
ALB issue another v for late fee only (\$50.-)
✓ I'll return v 581746 marked "void." Linda
Tracy had claim ✓ since 3-22-94.

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OCT 08 1996



RECEIVED

JUN 21 1994

WATER RESOURCES
WESTERN REGION

June 20, 1994

Jan Shurte
Water Rights Supervisor
Adjudication Section
Dept. of Water Resources
Western Region, 2735 Airport Way
Boise, ID 83705-5082

Re: Water Right No. A63-08866

Dear Ms. Shurte:

In response to your letter dated June 17, 1994, enclosed is a copy of my letter of March 18, 1994, and the revised Claim Form which was enclosed therewith. If you cannot locate the Claim Form and our check #581746, please let me know as soon as possible.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Legal Assistant

Enc.

MICROFILMED
OCT 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 17, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Albertsons, Inc.
Attn: Legal Division
P.O. Box 20
Boise, ID 83726

Dear Claimant(s):

In July, 1992, we returned your Notice of Claim to a Water Right No. A63-08866 due to a late filing fee needed and discrepancies between the claim filed and the license that had been issued earlier on that right. We did not hear from your office and another letter was sent stating that if you did not respond by returning the claim and late fee, the claim would be considered rejected and your original fee refunded. Your office did not respond during that time. However, your claim has not yet been rejected nor the fees refunded due to a misfiling of the correspondence.

Since the original correspondence was addressed to one person in your legal staff and the correspondence misfiled here, we felt a general letter should be sent to your legal division allowing another two weeks before rejecting the claim and refunding the fees. Enclosed are copies of all the original correspondence and claim submitted. Also enclosed is a new claim form attached to a copy of the licensed water right being claimed. Please complete the claim form, if the original cannot be located, and return it with the \$50 late fee due.

If we do not hear from you within two weeks from the date of this letter, we will reject the claim and refund the original \$55 filing fee paid. Please contact this office if you have any questions concerning this letter or the enclosed forms.

Sincerely,

A handwritten signature in cursive script that reads "Jan Shurte".

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED
OCT 08 1996



RECEIVED

MAR 22 1994

Department of Water Resources

March 18, 1994

Helen Harrington-Thornton
Sr. Water Rights Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Ms. Harrington-Thornton:

Albertson's claim #WO12720 was returned for failure to include the "late fee" and because there were some discrepancies between the claim form and what the State has of record. The original Application for Permit in our files (which was stamped "Approved" and signed by the Deputy Director of the Department of Water Resources on July 15, 1977) requested a priority date of May 23, 1977, a use period of April 1 through October 31, and .30 cfs for irrigation and 6.18 cfs for heating and cooling. I am advised that Albertson's is not using diverted water for heating and cooling purposes, and because of our recent expansion, much of the area previously irrigated with diverted water has been covered with building or paved areas. I have therefore corrected the Claim Form to conform with the information listed on the Department's records. Our check #581746 for the \$55 filing fee and \$50 late fee is enclosed.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Legal Assistant

Enc.

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OCT 08 1996



DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 15, 1992

Albertson's Inc.
Attn: Wanda Tschirgi
P.O. Box 20
Boise, ID 83726

Dear Claimant(s) :

On July 2, 1992 we sent a letter to you and returned your Notice of Claim submitted during the Snake River Basin Adjudication water right claims filing. This claim was returned to you as it needed further information before being acceptable for filing. The letter (copy enclosed) sent with the claim informed you of what information was needed and gave a 30 day response time, explaining that if no response was received we would refund the filing fee paid, if any, and consider your claim as rejected. The 30 day time period has passed and we have not yet received either a response to this letter, or the claim returned.

Therefore, we have initiated the refund process, if a filing fee was paid, and have marked your claim as rejected. If you decide to file in the future, the original filing fee that is now being refunded, plus a \$50 late fee will be required. This claim can be resubmitted until claims in this area are recommended to the court for decree.

Sincerely,

ROXANNE MC CARTHY
Sr. Water Rights Agent
Adjudication Section

RM:lh
Enclosures

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OCT 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

July 2, 1992

[Albertson's, Inc.
ATTN: Wanda Tschirgi
P.O. Box 20
Boise ID 83726]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

This office has received the Notice of Claim(s) to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the items checked below, we cannot process this claim(s). We are returning the claim(s) to you to complete only the following item(s) showing a checkmark in the blank for that item(s). Receipt No. W012720 in the amount of \$55⁰⁰ for the filing fee previously submitted is also enclosed.

_____ Fee - No fee received or inadequate fee received, fee due is _____.
See enclosed fee schedule for how this fee was computed.

☒ Late Notice of Claim - This claim was received on 9-17-1990 which is after the deadline for filing claims in Ada County. The deadline for this County was 9-8-1989, and the late fee now due is \$50⁰⁰. The enclosed Late Fee Notice explains the late fee and how it is computed.

_____ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

_____ Item No. 3 - Source of Water

_____ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range, except for spring sources which should be shown by quarter-quarter-quarter (10 acre tract), section, township and range. Lot and block for a subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 6 - Uses of Water

_____ Item No. 9 - Non-Irrigation Uses

_____ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 12 - Ownership of place of use.

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OCT 08 1996

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

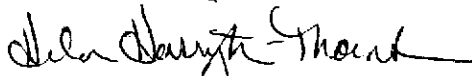
Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

✓ other: There are several discrepancies between the claim and the original license which is the basis of the claim. (I have highlighted them on the attached Profile Report. Please review this report and modify the claim, if appropriate. Also, please clarify: are you claiming a portion?
Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee (if one is required above), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact the agent listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any information needed, and the fee requested, if any to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to the attention of Helen.

Please feel free to contact this office if you have any questions concerning this letter. My phone number is 327-7935.

Sincerely,


HELEN HARRINGTON-THORNTON
Sr. Water Rights Agent
Adjudication Section

HHT:lh
Enclosures

MICROFILMED
OCT 08 1996



RECEIVED
SEP 17 1990

Department of Water Resources
Western Regional Office

September 14, 1990

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Albertson's General Office (#7000)
250 Parkcenter Blvd.
Boise, ID

Gentlemen:

Enclosed is a Notice of Claim to a Water Right which we request that you file in connection with the adjudication of rights to use of water in the Snake River system. Our check #590773 in the amount of \$55 is attached for the filing fee. We apologize for our delay in filing the claim. We were mistakenly under the impression that the perfection of our Application for Permit in 1982 made filing this claim unnecessary.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Legal Assistant

Enc.

MICROFILMED
OCT 08 1996

09/11/2003

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

RIGHT NUMBER: 63-8866

NAME AND ADDRESS: ALBERTSONS INC
250 PARKCENTER BLVD
PO BOX 20
BOISE ID 83726

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS
49.500 AFY

PRIORITY DATE: 05/16/1977

POINT OF DIVERSION:

T03N R02E S14 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.220 CFS
49.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE:

IRRIGATION Within ADA County

T03N R02E S14	NENE	0.4	T03N R02E S14	SWNE	9.0
T03N R02E S14	SENE	1.6			

11 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: License

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

PROPERTY IS ALSO KNOWN AS LOT 8, BLK 1, PARKCENTER SUBDIVISION
NUMBER 1.

~~504 WITH CORRECTIONS FOR WATER DATE~~ OK

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

CLAIM NO(s). 63-8866

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

2. No Change DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: SAME
(If the priority date, based on your exam, seems questionable, explain below.)

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

Source found: SAME

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

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

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

Shoulder remark added

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount SAME CFS 49.5 AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.) *remark added to add legal*

*SAME
Added
Added*

Use: <u>IRR</u> Township <u>Q3N</u> Range <u>Q2E</u> Section <u>14</u>	<u>1/4 SW 1/4 NE</u>	<u>9.0</u>
Use: <u>IRR</u> Township <u>Q3N</u> Range <u>Q2E</u> Section <u>14</u>	<u>1/4 NE 1/4 NE</u>	<u>.4</u>
Use: <u>IRR</u> Township <u>Q3N</u> Range <u>Q2E</u> Section <u>14</u>	<u>1/4 SE 1/4 NE</u>	<u>1.6</u>
Use: _____ Township _____ Range _____ Section _____	<u>1/4</u> <u>1/4</u>	<u>TOTAL 11 ACRES</u>

Remarks: (Comments pertinent to field examination) See additional attachment

Combined two claims
Albertson INC filed two claims originally 63-8866 & 63-8867
They thought they had to file a (claim) for WR. for each well
Field exam on 8866 - 7.5 acres 8867 - 3.8 acres for a total
of 11 acres. On adj claim only filed on 5 acres 8866 needed to
SYSTEM DIAGRAM INCLUDED NA file on additional acres.

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER: MGG Print Name

[Signature] Signature

IDAHO DEPARTMENT OF WATER RESOURCES

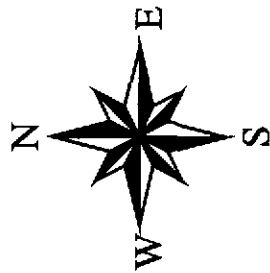
Claim: 63-8866

Date Prepared: 09-11-03

Prepared By: Gene Gibson



T03N, R02E
S14



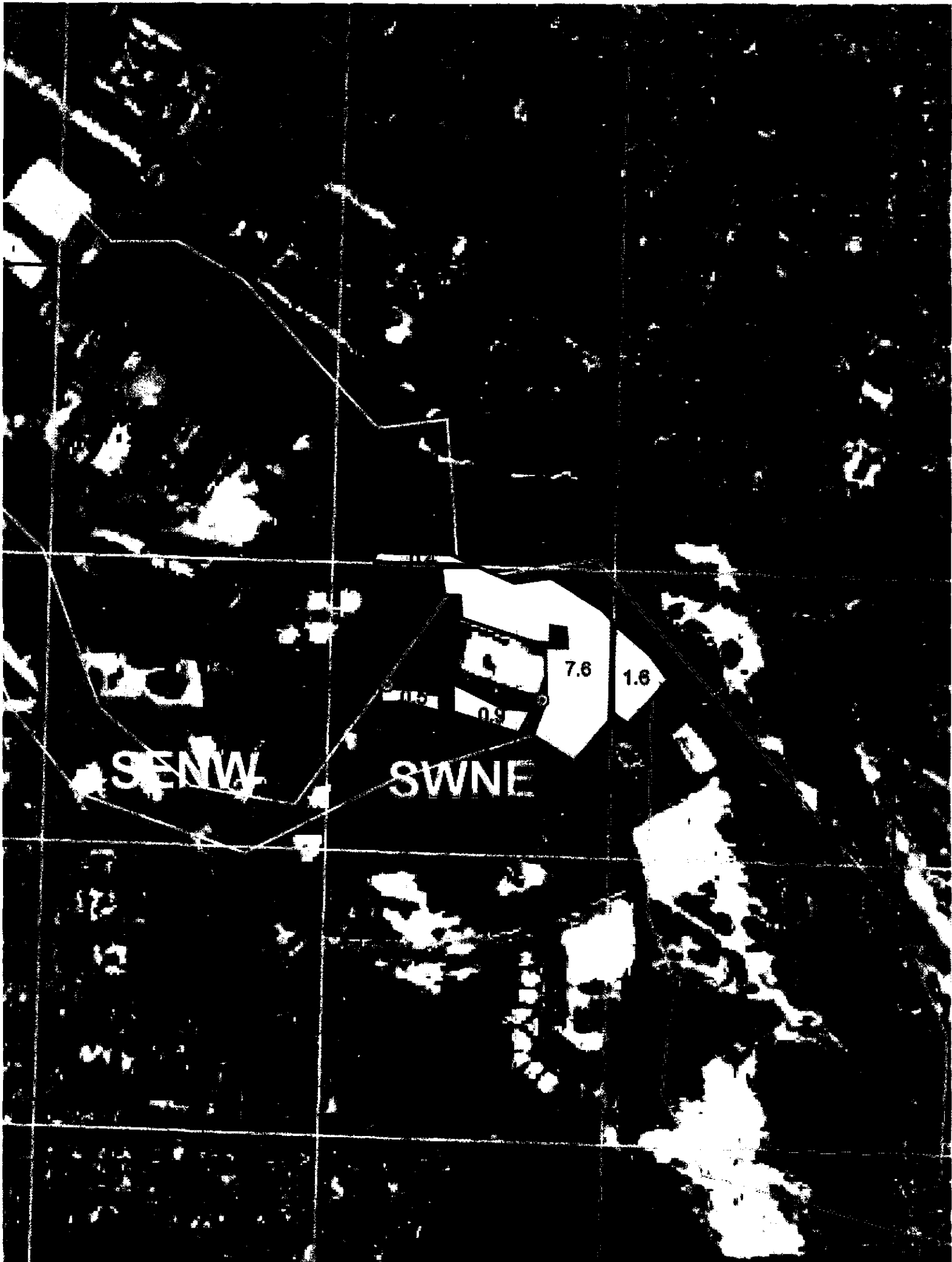
③ Point of Diversion

Place of use

Section

1/4 1/4

1987 NAPP





September 9, 2003

RECEIVED

SEP 10 2003

WATER RESOURCES
WESTERN REGION

Mr. Gene Gibson
Western Regional Office
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Snake River Water Rights Adjudication
Claim No. 63-8866

Dear Mr. Gibson:

I am enclosing the original Amended Notice of Claim to a Water Right which has been signed and acknowledged by Albertson's, Inc. Thank you very much for your assistance in getting this filed.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Senior Legal Assistant

Enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 5, 2003

Wanda Tschirgi
Senior Legal Assistant
Albertsons Inc.
P.O. Box 20
Boise, Idaho 83726

RE: Snake River Water Rights Agjudication
Claim Number 63-8866

Dear Ms. Tschirgi:

I have prepared the amended claim and need the signatures of the Authorized Agent and Notary.

If you have any questions, please contact this office or me at 334-2266 extension 109.

Sincerely,

M. Gene Gibson
Senior Water Right Agent
Western Regional Office

A handwritten signature in cursive script, appearing to read 'M. Gibson'.

MGG:g

Enclosure:



August 21, 2003

RECEIVED

AUG 28 2003

WATER RESOURCES
WESTERN REGION

Mr. Gene Gibson
Western Regional Office
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Snake River Water Rights Adjudication
Claim No. 63-08866

Dear Mr. Gibson:

Reference is made to Claim No. 63-08866 previously filed by Albertson's, Inc. with respect to irrigation water for 5 acres. That claim inadvertently excluded 6 acres owned by Albertson's Realty, Inc., a wholly owned subsidiary of Albertson's, Inc. I am enclosing Albertson's check No. 253065 in the sum of \$6.00. I understand that you will amend the claim to include the 6 acres owned by our subsidiary. Claim No. 63-08866 should be for irrigation water for a total of 11 acres. Thank you for your assistance.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Senior Legal Assistant

Enc.

Idaho Department of Water Resources Receipt

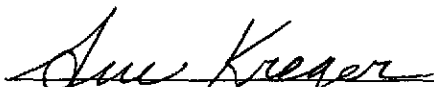
Receipt ID W030911

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$6.00	ADJUDICATION FILING FEE	0337	42503	1155	


Signature Line (Dept. Representative)

WATER RIGHT LICENSE

WATER RIGHT NO. 63-8866

Priority: May 16, 1977

Amount: .22 CFS

49.5 AFA

This is to certify, that ALBERTSONS INC.

250 PARKCENTER BLVD.

BOISE, ID 83706

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 16, 1977, and has submitted proof to the Department of Water Resources on June 28, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 1.97 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.22 cfs	49.5 afa

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 14, Township 3N, Range 2E
Ada County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
3N	2E	14	SWNE 11				11
Total number of acres irrigated:							11

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
5. 2 points of diversion located in SWNE, S14, T3N, R2E.
6. Place of use also known as Lot 8, (parcels 1 & 2) Block 1, Parkcenter Business Park.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24th day of SEPTEMBER, 1982.

MICROFILMED

[Signature]
Director

OCT 09 1987

Identification No. _____

Application No. 63-8866

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant EMKAY Development & Realty Co. Phone: 345-5000
post office address M-K Plaza 1, Boise, Idaho 83706
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township T3N
Range R2E B.M. Ada County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Boise River or Injection Well at a point in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 3N Range 2E B.M. _____
4. Water will be used for the following purposes:
Amount .30 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 6.18 for Heating & Cooling purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.48 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pumped well

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 40-600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 5,000-50,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 3N
Range 2E 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: Heating & Cooling of Buildings

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T3N	R2E	14			15.1														15.1

Total number of acres to be irrigated 15.1

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion EMKAY DEVELOPMENT & REALTY CO.

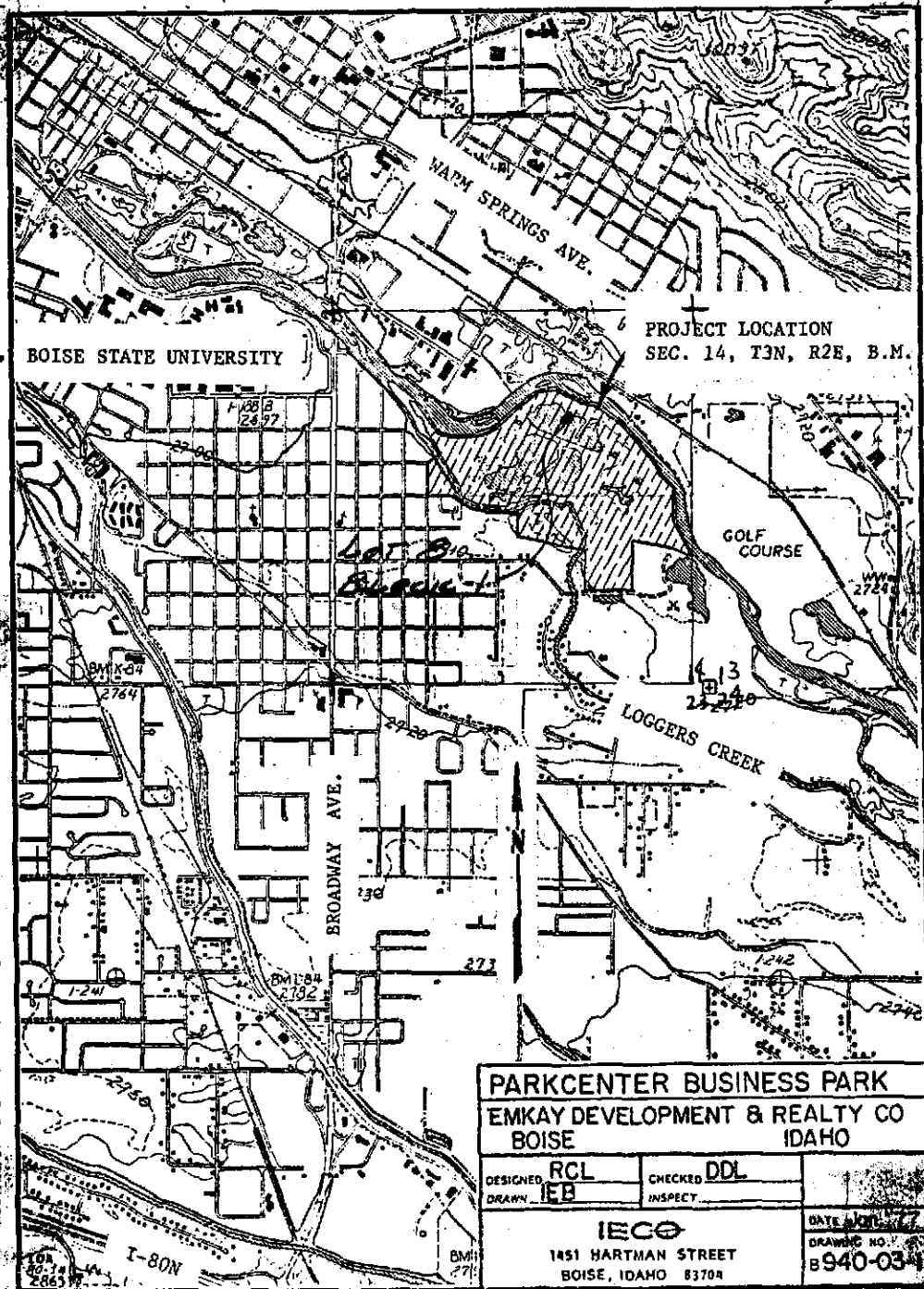
b. Who owns the land to be irrigated or place of use EMKAY DEVELOPMENT & REALTY CO.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

Lot 8 Block 1 Parkcenter Business Park.

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



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.

C. L. Winder
(Applicant)

District Manager

Proposed Priority 5/23/77

Received by W Date 5-16-77 Time 4:31

Preliminary check by WMM Fee \$ 75.00

Received by W Date 5-23-77 # 8008

Publication prepared by SP Date May 26, 1977

Published in Idaho Statesman

Publication dates June 2, 1977 & June 9, 1977

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WMM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8866, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 82.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of July, 1977.

[Signature]
Deputy Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORTgroundwater
Irr. = .30 15.1 cfs
heating 6.18
total. 6.48

RECEIVED

JAN 26 1988

63-8866
Permit No.

CONTACT WITH PERMIT HOLDER

Department of Water Resources

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	jp 10/12/82	jp	no appt. made
☐ Telephone call made: (List Telephone No. used)	4/23/84 385-6313	JG	Contact DeRay Knighton for exam (aka Eugene Rhoads)
☐ Appointment scheduled for: (Date, time, location)	4/24/84 PARK CENTER BUS. PARK	JG	

EXAMINATION

Date 4/24/84 Accompanied by EUGENE RHODS Total Q measured .62 cfs calc.
If source is surface water, estimate total flow of source GROUND MAINTENANCE
Methods of measurement CALCULATION Meets Permit requirements?

Measurement calculations:

$$\frac{90 \text{ HP} \times 8.8 \times .80}{155' + (30 \div .4333)} = \frac{140.8}{244.2} = .62 \text{ cfs}$$

$$7.5 \text{ AC} \times 4.5 \text{ AF/AC} = 33.8 \text{ AF/ANN} < 115 \times 1.98 \times 213.045 = 63.3 \text{ AF/ANN.}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	20	SUMMERSED W/NO DATA ON PUMP						

System Description Well is 165' DEEP - PUMP 153' DEEP. SPRINKLER IRRIGATION
VIA UNDERGROUND SYSTEM W/POP-UPS.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>IRRIGATION 1/2 ACRES</u>	<u>0.15 cfs</u>	<u>33.8 afa</u>	<u>4-1</u>	<u>10-31</u>
<u>NO HTG. OR COOLING USES.</u>				

Remarks Only 1/2 acres being irrigated with this pump as
originally filed on. **MICROFILMED**
OCT 09 1987

SEE AMENDED FIELD EXAM

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

JAN 21 1986

Albertson's Inc.
d: SWNE S14 T3N R2E
GW
Irr = .08 cfs 3.8 ac.
Heating = 1.56 cfs
total = 1.64 cfs

63-8867

Permit No.

63-8866

CONTACT WITH PERMIT HOLDER

Department of Water Resources

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	10/12/82	jp	no appt. made
☐ Telephone call made: (List Telephone No. used)	4/23/84	JP	
	385-6313		
☐ Appointment scheduled for: (Date, time, location)	4/24/84	JP	
	Palmer Center Bus. Park		

EXAMINATION

Date 4/24/84 Accompanied by EUGENE RHODOS Total Q measured 1.35 cfs - Calc.
If source is surface water, estimate total flow of source _____
Methods of measurement CALCULATED Meets Permit requirements? _____

Measurement calculations:

$$\frac{20 \text{ HP} \times 8.8 \times .80}{35' + (30' \div 4.333)} = \frac{140.8}{104.2} = 1.35 \text{ cfs}$$

$$4.5 \text{ cfs} \times 3.8 \text{ acres} = 17.1 \text{ afa/pump} \quad .08 \text{ cfs} \times 1.98 \times 2.13 \text{ dpa} = 33.7 \text{ cfs/knn.}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	20	SUBMERSED / NO DATA AVAILABLE						

System Description Well is 40' - Pump set at 35'. SPRINKLER IRRIGATION
VIA UNDERGROUND SYSTEM W/POP-UPS.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION - 3.8 ACRES	.08 cfs	17.1 AFA	4-1	10-31
NO HEATING OR COOLING USAGE				
Total	.08 cfs	17.1 AFA		

Remarks

All of the 3.8 acres are located in the SWNE rather
than in both the SWNE & SENE.

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OCT 09 1987

SEE AMENDED FIELD EXAM

MEMORANDUM

TO: Files 63-8866/8867/8868/8869/8870

FROM: Jim Johnson

DATE: July 6, 1987

RE: Meeting with Reed McKay (Albertson's Inc.) & Dave Porter (J.A. Albertson & Alscott)

On this date, Jan Shurte and I met with the above referenced individuals to clarify water rights covering lands owned by Albertsons, Inc., J.A. Albertson and Alscott, Inc.

The purpose of the meeting was to verify which of the three (3) permits should be used to reflect the irrigation developed by Albertsons, Inc.

Background

Originally the land developer, Emkay Development & Realty Co., filed water permit applications for each lot within the "Parkcenter Business Park" subdivision. Later when the lots were sold, assignments were made to the lot owners.

Apparently, when Albertsons, Inc. bought Lot 8, Block 1, which contained approximately 15 acres, they planned to drill three wells to irrigate this parcel. Accordingly, thinking that a permit was required for each well, Emkay Development Co. assigned three permits to Albertsons, Inc., Permit Nos. 63-8866, 63-8867 & 63-8868.

When the field exam was made, the examiner found that two (2) wells (not 3) had been developed. Each well irrigated their "own" parcel and were not inter-connected.

Based upon the fact that three permits were owned by Albertsons and due to the fact that the legal descriptions were essentially the same, two field exams were prepared, one for each well; the third permit was recommended by the examiner to be cancelled.

A review of correspondence in the file will show the above.

Adjustments

Based upon the meeting, we confirmed that only one permit, 63-8866, should have been assigned to Albertsons, Inc. Albertsons only owns Lot 8, Block 1, covering about 15 acres. The two wells are used to irrigate this land.

Right 63-8867 is appurtenant to Lot 9, Block 1, and is owned by Alscott, Inc. Right 63-8868 is appurtenant to Lot 10, Block 1, and is owned by J.A. Albertson. Assignments were made during this meeting reflecting this ownership.

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OCT 09 1987

30 days
(add 20 wks)

- Date 7/16/81

June 8-24-87