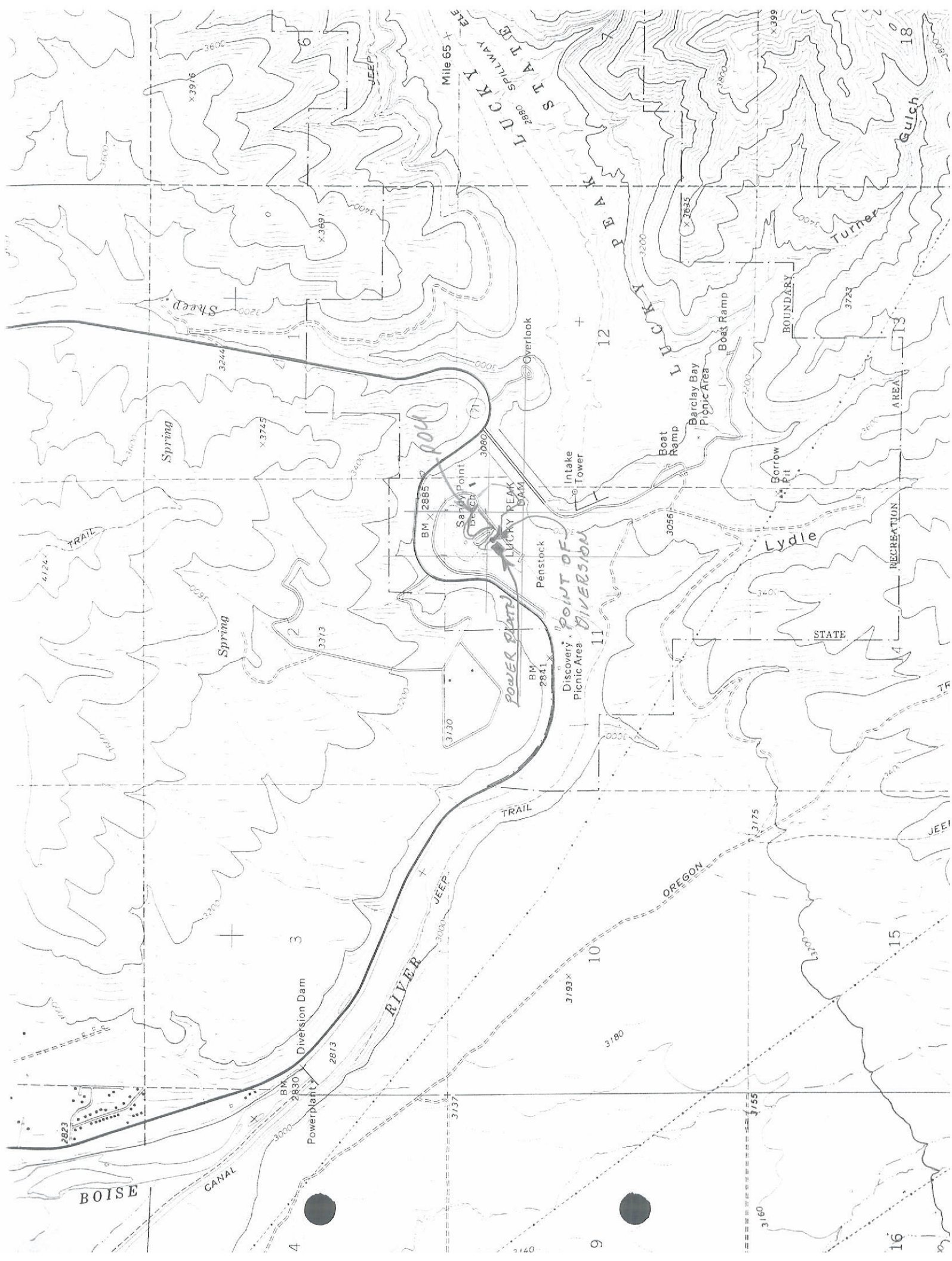




Idaho Department of Water Resources

63-31078

T03N R02E S11



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



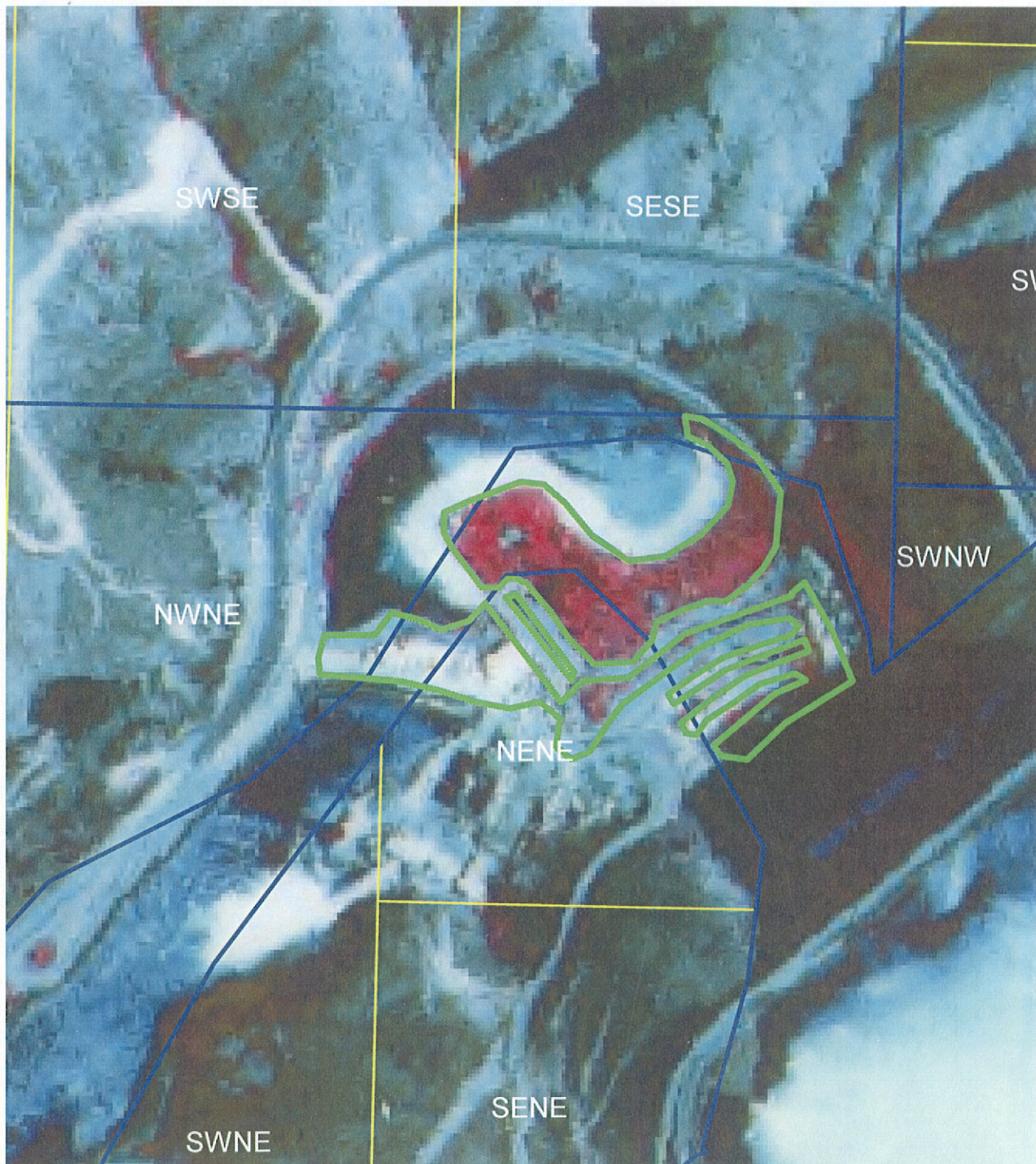
500 0 500 Feet

IDWR
Prepared by: Sandy Egbert
Date: 1-5-05
1987 NAPP Photography

Idaho Department of Water Resources

63-31078

T02N R03E S11



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



IDWR

Prepared by: Sandy Egbert

Date: 6-20-05

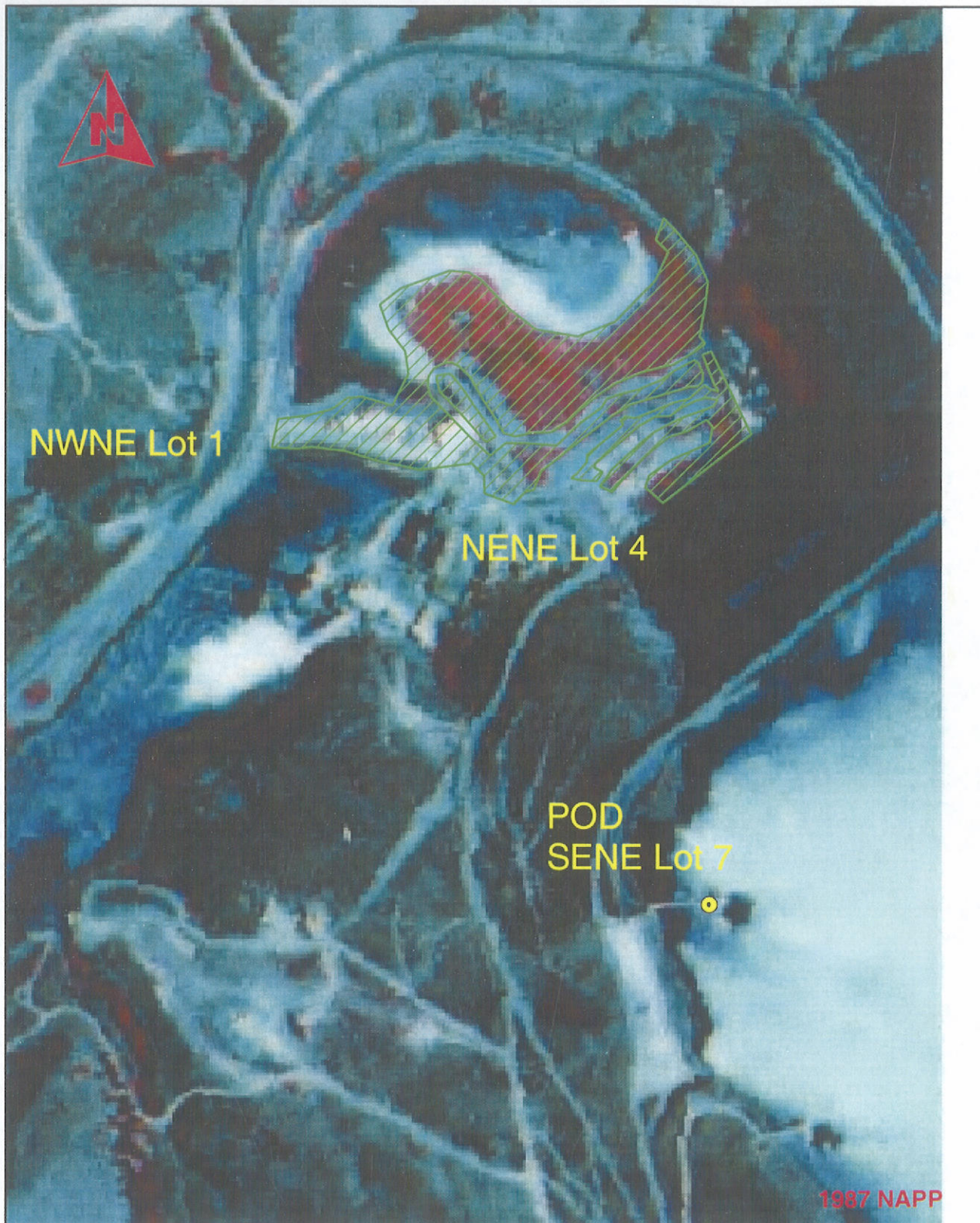
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



SANDY POINT IRRIGATION = 14 ACRES



IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



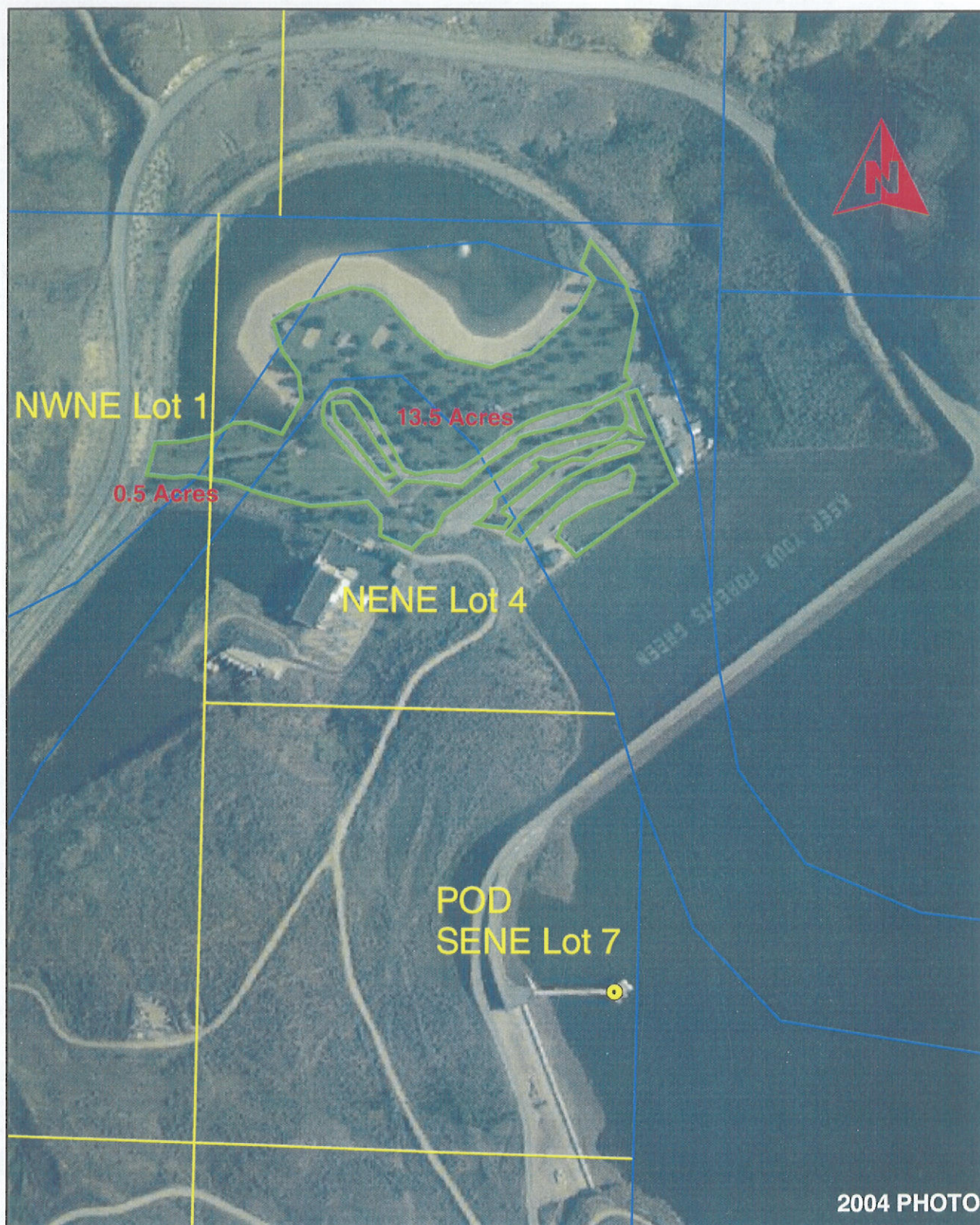
SANDY POINT IRRIGATION = 14 ACRES

0 0.05 0.1 0.2 0.3 Miles

IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



SANDY POINT IRRIGATION = 14 ACRES



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: **A63-31078**
Date Received: 12/ 9/1999
Receipt No: W025971
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: STATE OF IDAHO 208-334-4199
Address: DEPT OF PARKS & REC
PO BOX 83720
BOISE ID 83720-0065

2. Date of Priority: DEC 31, 1955

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	03E	11	SW	NE	NE		ADA

5. Description of diverting works:
10" DIAMETER PIPE COMING FROM TURBINE COOLING SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03E	11	NE	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
					Total Acres	17.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
THE DEPARTMENT HAS A LONG-TERM LEASE WITH THE ARMY CORPS OF
ENGINEERS TO OPERATE AND MAINTAIN THE PARK AND FACILITIES.

15. Basis of Claim: BENEFICIAL USE

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 H03-31078Date Received 12-9-99Receipt Number W025971NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Idaho Department of Parks and Recreation Phone (208) 334-4199
Mailing Address P.O. Box 83720, Boise, Idaho Zip 83720-0065

2. Date of Priority (Only one (1) per claim) 1955

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

4. a. Location of existing point of diversion is: Township 2N Range 3E Section 11,
SW 1/4 of NE 1/4 of NE 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 2N Range 3E Section 11, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of Ada

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. 10" diameter pipe coming from the turbine
cooling system. See Exhibit "A".

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct. 31 amount 0.34 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.34 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
2N	3E	11	17																17

Total number of acres irrigated 17

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.

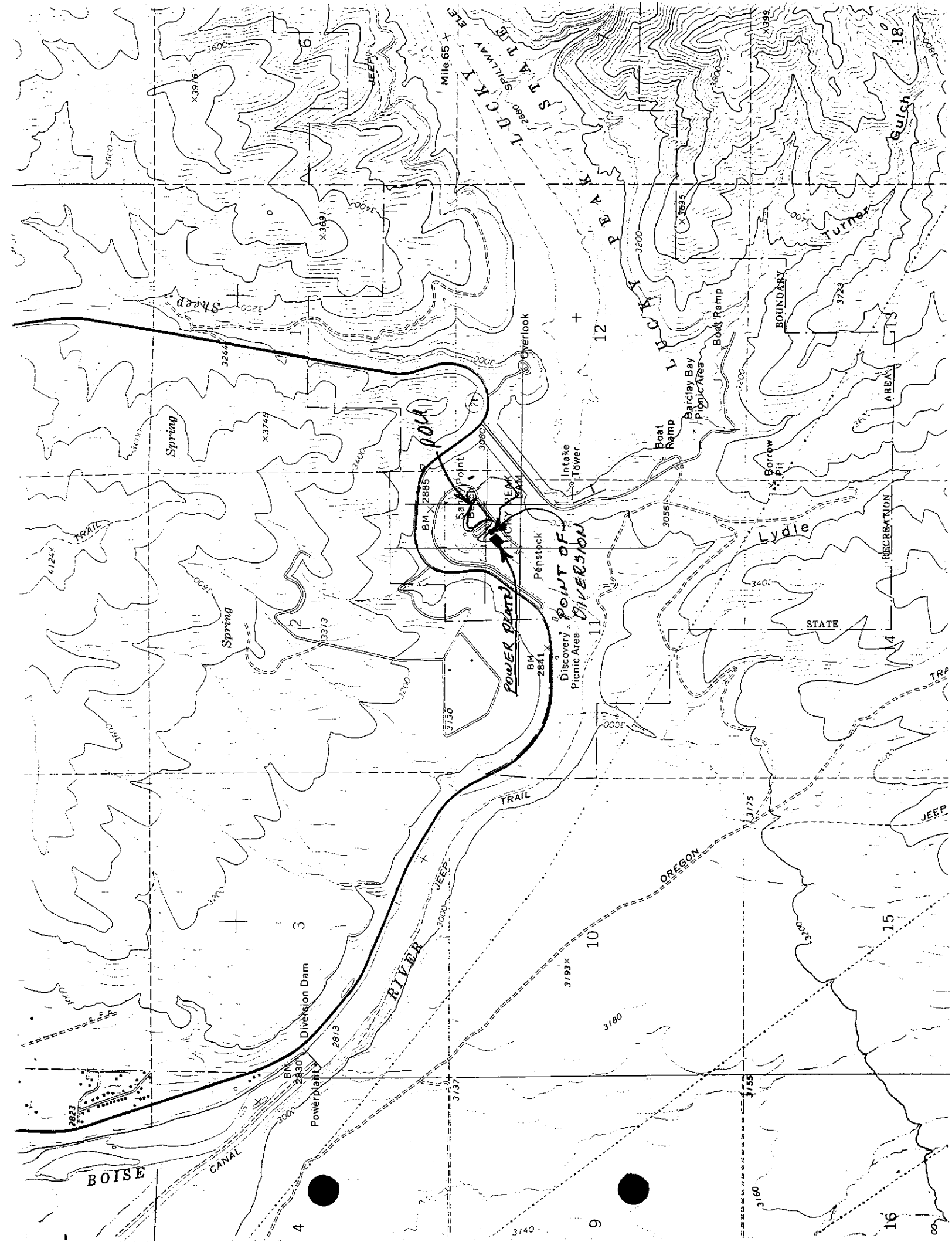
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

The Department has a long-term lease with the Army Corps of Engineers to operate and maintain the park and facilities.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant



Copies White-State, Yellow-Claimant

EXHIBIT "A"

During the original construction of Lucky Peak Dam in the first half of the 1950's, the Corps of Engineers and the Bureau of Reclamation installed a 4" diameter galvanized irrigation main line from the penstock of the dam to the Corps of Engineers office/maintenance area to provide irrigation for the lawn and shrubs. As the Sandy Point Recreation Area was developed over the next few years, this same 4" galvanized irrigation main line was utilized for irrigating the park as well as the Corps of Engineers area. When the Department of Parks & Recreation took over operation of Sandy Point Recreation area in 1965, the system was in place and in use. The Department has made several improvements to the system over the years including changing all sprinklers to pop-ups and making the entire system automatic.

When the Power Plant was constructed in the late 1980's, two (2) 10" diameter water lines were installed from the power plant turbine cooling system. One of the water lines runs to the swimming area and provides circulation water to help prevent stagnation of the water in the swimming area. This water runs directly into the Boise River from the swimming area. The second water line was tapped and valved to provide irrigation water to the park and the Corps area through both 2" and 4" diameter lateral mains.

This was all done with the knowledge and approval of the Corps of Engineers, Bureau of Reclamation, Boise-Kuna Irrigation District, Nampa & meridian Irrigation District, Wilder Irrigation District, and The Big Bend Irrigation District.

12/11/2005

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

RIGHT NUMBER: 63-31078

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 12/31/1955

POINT OF DIVERSION:
T02N R03E S11 SENE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.270 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County
T02N R03E S11 NENE 13.0

13 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

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUN 17 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: 63-31078

STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065
Telephone Number: (208)334-4180

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:

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

DATE: 6-15-05

SIGNATURE: Ron Howerton

Please print your name: RON HOWERTON

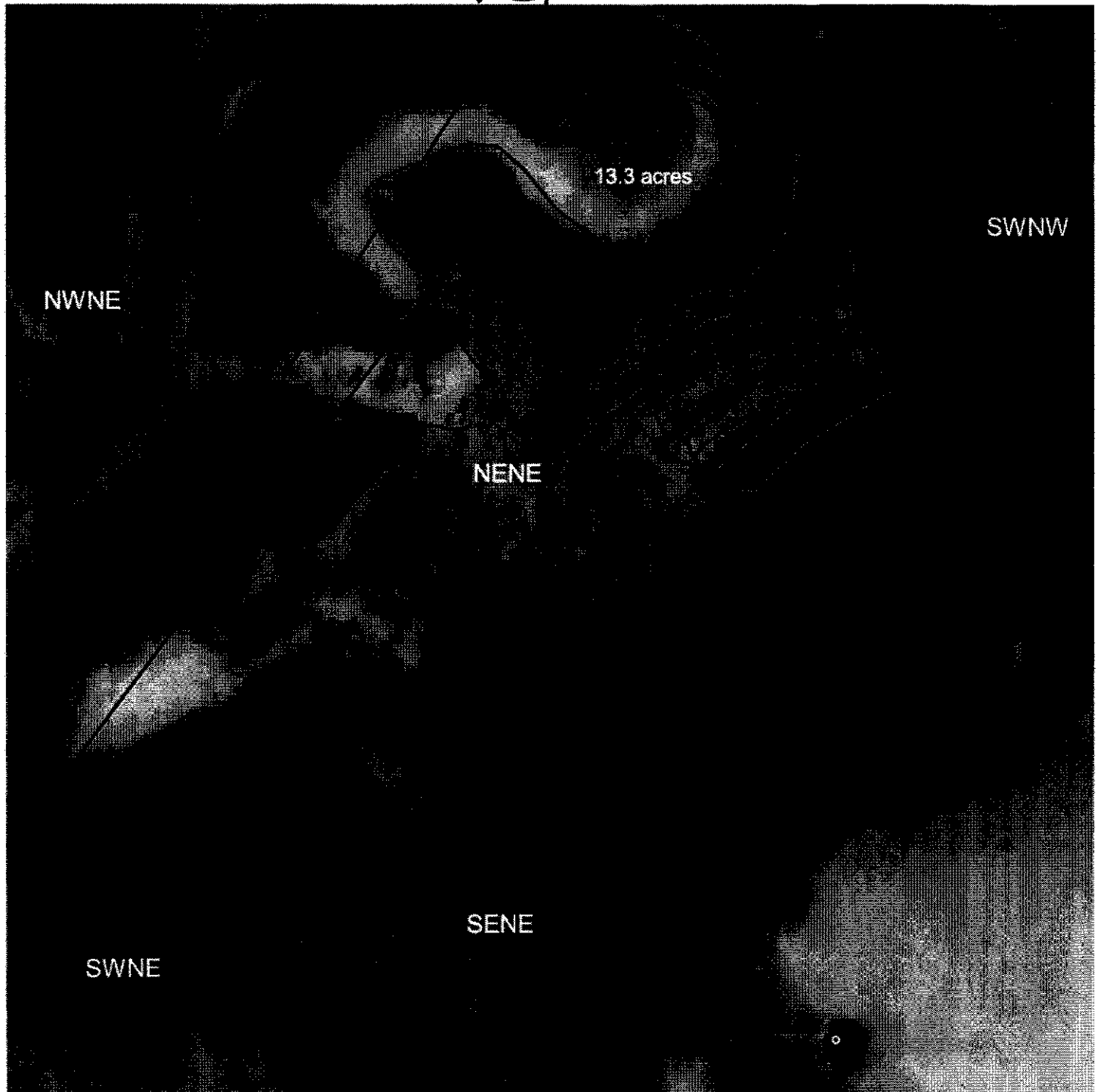
IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

RECOMMENDATION IS OK, HOWEVER, PLEASE CHANGE
LAYOUT SO THAT IT SHOWS TO2N, RO3E *pk*

Idaho Department of Water Resources

63-31078

T03N R02E S11



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



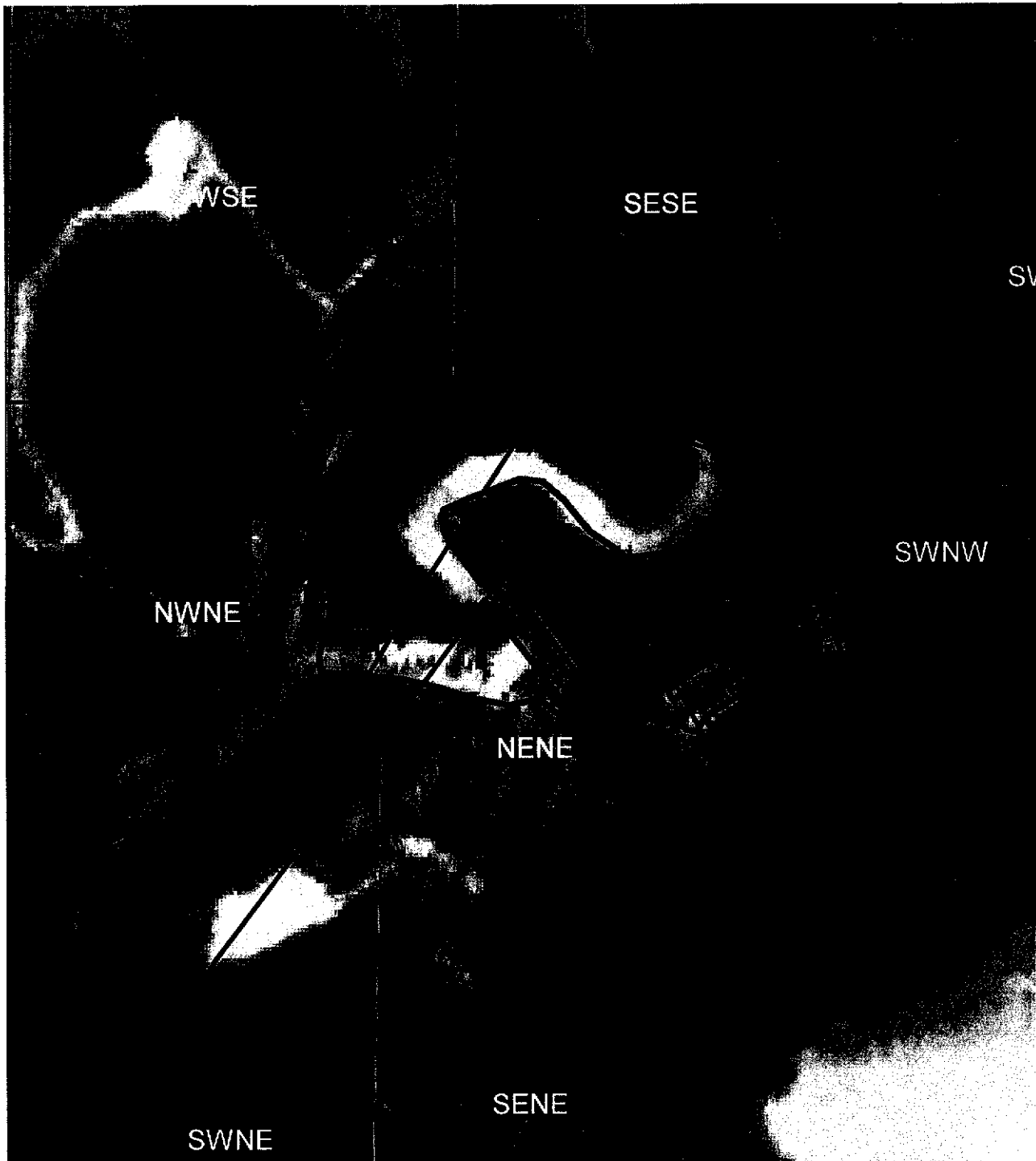
500 0 500 Feet

IDWR
Prepared by: Sandy Egbert
Date: 1-5-05
1987 NAPP Photography

Idaho Department of Water Resources

63-31078

T02N R03E S11



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



IDWR
Prepared by: Sandy Egbert
Date: 6-20-05
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

05/28/2005

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

RIGHT NUMBER: 63-31078

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 12/31/1955

POINT OF DIVERSION:
T02N R03E S11 SENE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.270 CFS

PLACE OF USE: IRRIGATION Within ADA County
T02N R03E S11 NENE 13.0

13 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

01/13/2005

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

RIGHT NUMBER: 63-31078

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 12/31/1955

POINT OF DIVERSION:

T02N R03E S11 SENE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.270 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T02N R03E S11 NENE 13.0

13 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: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31078 V1

WATER RIGHT NUMBER: 63-31078 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF PARKS & RECREATION STATEHOUSE MAIL PO BOX 83720 BOISE, ID 83720-0065 (208)334-4180

Priority Date: 12/31/1955

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.270 CFS	
	<u>Total Diversion:</u>	0.270 CFS	

Location of Point(s) of Diversion

BOISE RIVER	L7 (SE1/4NE1/4)	Sec. 11, Twp 02N, Rge 03E, 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	03E	11	13.0																13.0

Total Acres: 13

Conditions of Approval:

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

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31078 V1

Comments:

1. segbert 1/12/2005 POD

Comment: The POD has always been the intake tower but it was described wrong on the claim - per Ron Howerton of Parks and Rec. The recommendation POD was changed to correct this error.

2. segbert 1/13/2005 POU

Comment: Parks and Rec. claimed 17 acres but only 13.5 acres showed any irrigation on the 1987 and even the 2004 photography so the acreage was reduced to 13.5 acres and the cfs was reduced to .27

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>
POD	1/12/2005 9:28:52 AM	segbert			Active
Source	1/12/2005 9:32:51 AM	segbert			Active
Use	1/12/2005 9:34:37 AM	segbert			Active
Season	1/12/2005 9:35:38 AM	segbert			Active
Priority Date	1/13/2005 1:21:07 PM	segbert			Active
POU	1/13/2005 1:24:20 PM	segbert			Active
Quantity	1/13/2005 1:26:51 PM	segbert			Active
Summary			01/13/2005	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 63-31078 V1

POU	1/13/2005 1:24:21 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - 1987 Photography
Quantity	1/13/2005 1:26:52 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?
Summary	1/13/2005 1:29:20 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	1/13/2005 1:21:08 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit of a Parks and Rec. employee
POU	1/13/2005 1:25:00 PM	segbert	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31078 V1

POD	1/12/2005 9:28:53 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	1/12/2005 9:29:21 AM	segbert	Edited point location
Source	1/12/2005 9:32:52 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
Use	1/12/2005 9:34:38 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	1/12/2005 9:35:39 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
POD	1/12/2005 9:31:32 AM	segbert	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31078

WATER RIGHT NUMBER: 63-31078

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO ✓ DEPT OF PARKS & RECREATION STATEHOUSE MAIL PO BOX 83720 BOISE, ID 83720-0065 (208)334-4180

Priority Date: 12/31/1955 ✓

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER ✓	SNAKE RIVER ✓

standard 3-1 to 11-15

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31 ✓	0.340 CFS ✓	

Total Diversion: *0.340 CFS*
.27 CFS

Location of Point(s) of Diversion *

BOISE RIVER	<i>SENE</i> SW1/4NE1/4NE1/4	Sec. 11, Twp 02N, Rge 03E, B.M.
ADA County	<i>Good lot 7</i>	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	03E	11	17.0																17.0 ✓
																			13.5

Total Acres: 17

Conditions of Approval:Remarks:

- General THE DEPARTMENT HAS A LONG-TERM LEASE WITH THE ARMY CORPS OF ENGINEERS TO OPERATE AND MAINTAIN THE PARK AND FACILITIES.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31078

Claim Received Date: 12/9/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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

Verification Log:

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

**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 completeClaim No(s) 63-31078

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: error on claim - see comments
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 1.27 CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

The intake tower in the SENE, lot 7 has always been the correct PDD. It was described wrong on the claim - per Ron Haweston of Parks & Rec. The description of the PDD on the recommendation was changed to correct this error.

Could not find the 17 acres claimed - reduced the acres to 13.5 and the cfs to 1.27

[illegible]

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 ^{Review} ~~EXAM~~ CONDUCTED: 1-13-05

FIELD EXAMINER: Sandy Egbert

IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



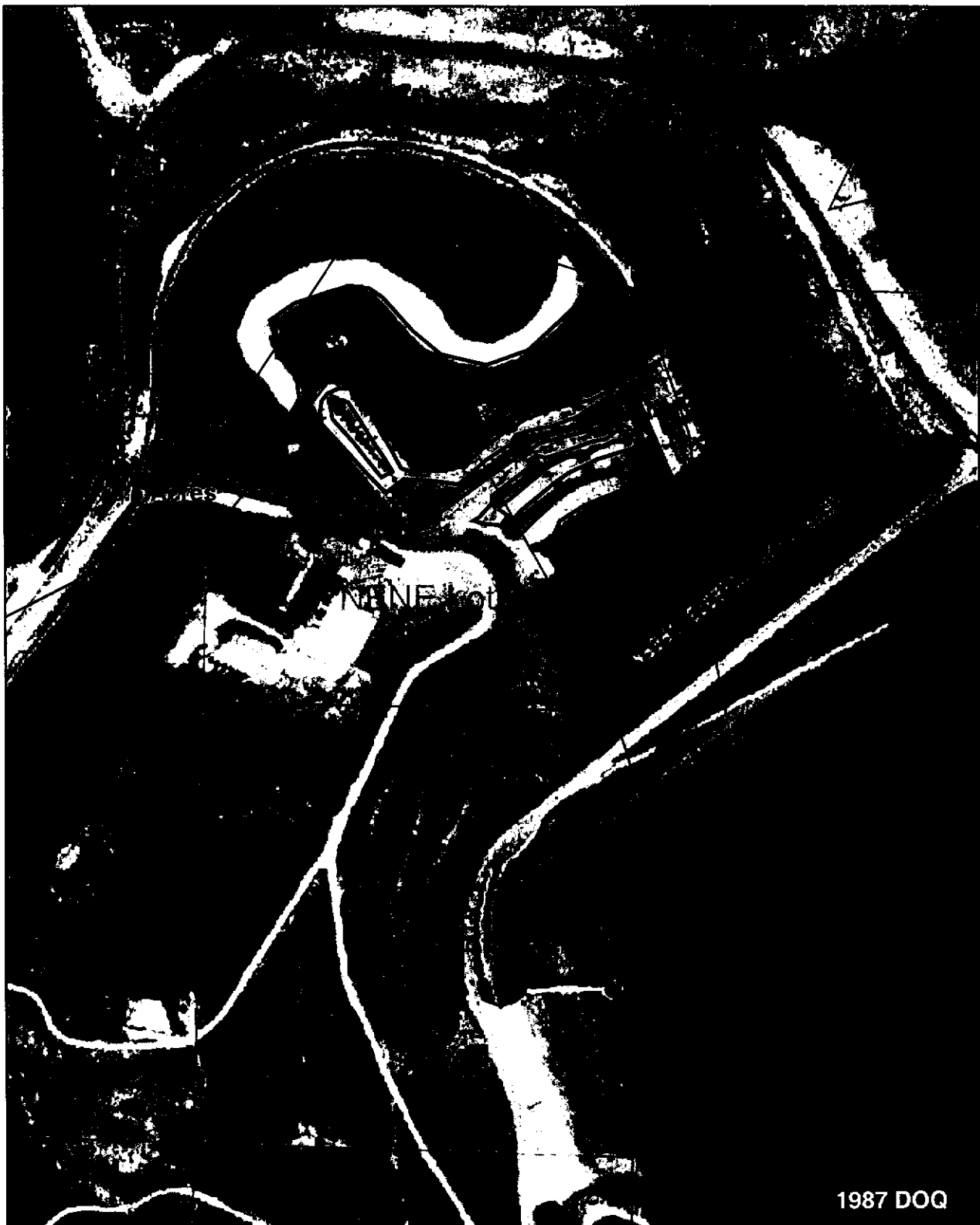
SANDY POINT IRRIGATION = 14 ACRES

0 0.05 0.1 0.2 0.3 Miles

IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



SANDY POINT IRRIGATION = 14 ACRES

0 0.05 0.1 0.2 0.3 Miles

IDAHO DEPT OF PARKS AND RECREATION

T02N, R03E, S11

WR ID = 63-31078



2004 PHOTO

SANDY POINT IRRIGATION = 14 ACRES

0 0.05 0.1 0.2 0.3 Miles



DIRK KEMPTHORNE
governor

Robert L. Meinen
director

Dean Sangrey, Administrator
operations division

Jane Wright, Acting Administrator
management services division

IDAHO PARK AND RECREATION
BOARD

Steve Klatt
region one

Randal F. Rice
region two

Ernest J. Lombard
region three

Latham Williams
region four

Jean S. McDevitt
region five

Douglas A. Hancey
region six

IDAHO DEPARTMENT OF PARKS
AND RECREATION

p.o. box 83720
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address
5657 Warm Springs Avenue

www.parksandrecreation.idaho.gov

January 10, 2005

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JAN 11 2005

WATER RESOURCES
WESTERN REGION

Attn: SANDY EGBERT
ADJUDICATION UNIT
WESTERN REGION

RE:

Evidence of priority for Irrigation of Discovery & Sandy Point State Parks
WATER RIGHT CLAIMS: 63-5168 & 63-31078.

Dear Sandy Egbert:

Per your request, Idaho Parks and Recreation would like to submit evidence of priority for Discovery & Sandy Point State Parks through the use of affidavits.

The two enclosed affidavits contain personal knowledge from Richard Cummins, an employee of Idaho Department of Parks and Recreation.

His personal observation was that of 1969. However, he also says "I also know from personal observation that the irrigation system had been in use for a number of years prior to 1969 based on the maturity of the trees, shrubs and turf being irrigated."

Hopefully this will satisfy the request for the irrigation priority date.

If you need any additional information or have other concerns please don't hesitate to contact me.

Thank you very much,

Ron Howerton

Ron Howerton
Engineering Technician
208-334-4180 x 294
208-334-3741

Encl: Two Affidavits
CC: File

RECEIVED

JAN 11 2005

WATER RESOURCES
WESTERN REGION

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A63-31078)

State of Idaho)

County of ADA)

Richard Cummins

being first duly sworn,

deposes and says:

From personal knowledge and participation
as an employee, Idaho State Parks and Recreation
used Boise River water to irrigate Sandy
Point Park From 1969 until present. I also
know from personal observation that the
irrigation system had been in use for a
number of years prior to 1969 based
on the maturity of trees, shrubs and
turf being irrigated

Richard Cummins

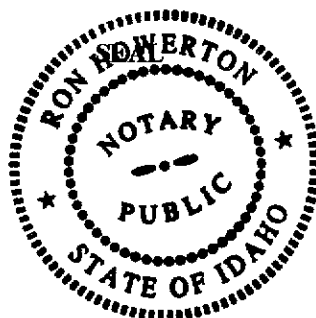
(Signature)

Subscribed and sworn to before me this

day 4 of January, 20 05.

Ron Howerton

(Notary Public)



Residing at _____

Ron Howerton

My Commission Expires _____

Residing at Boise, Idaho

My Commission Expires December 8, 2006