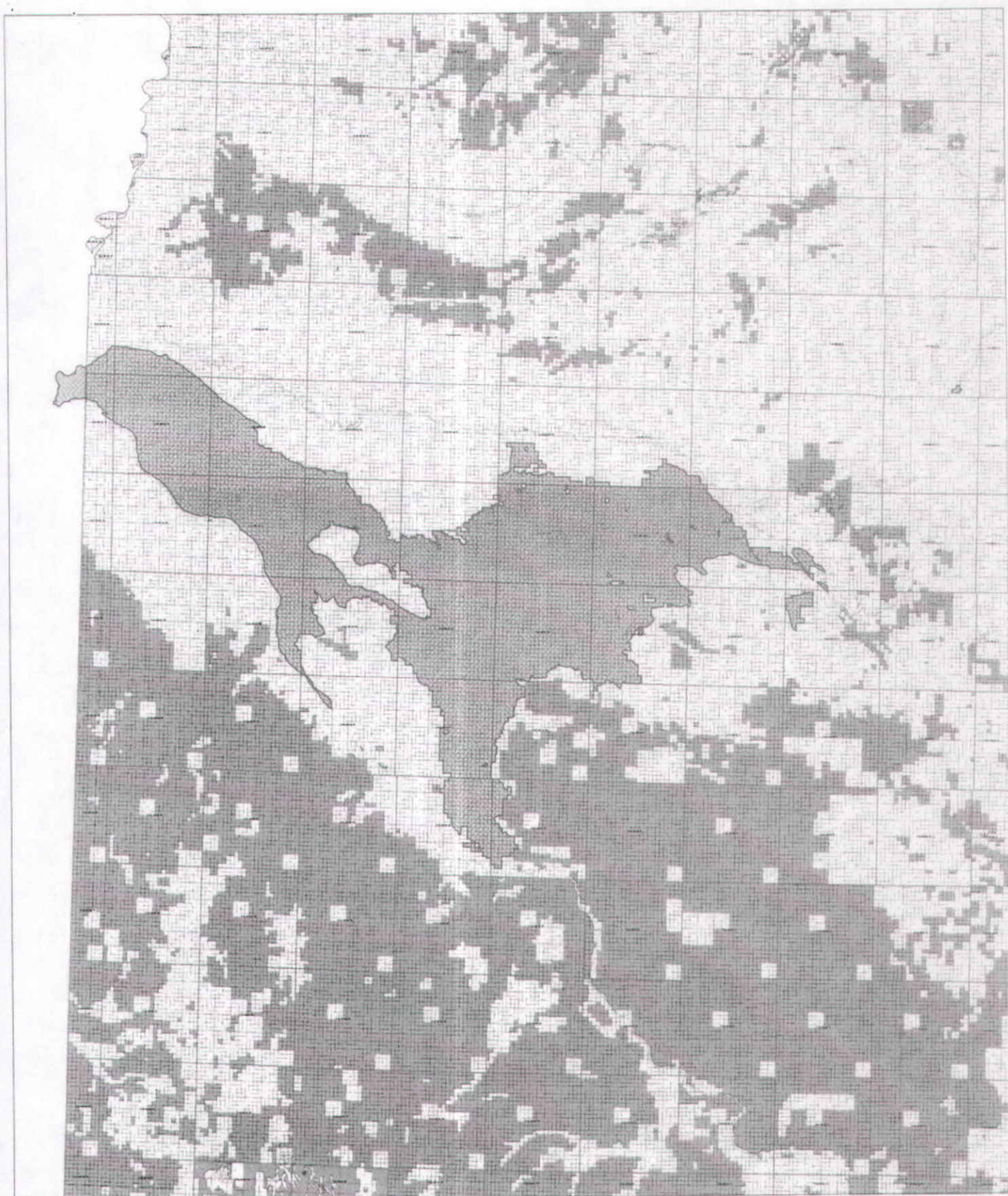
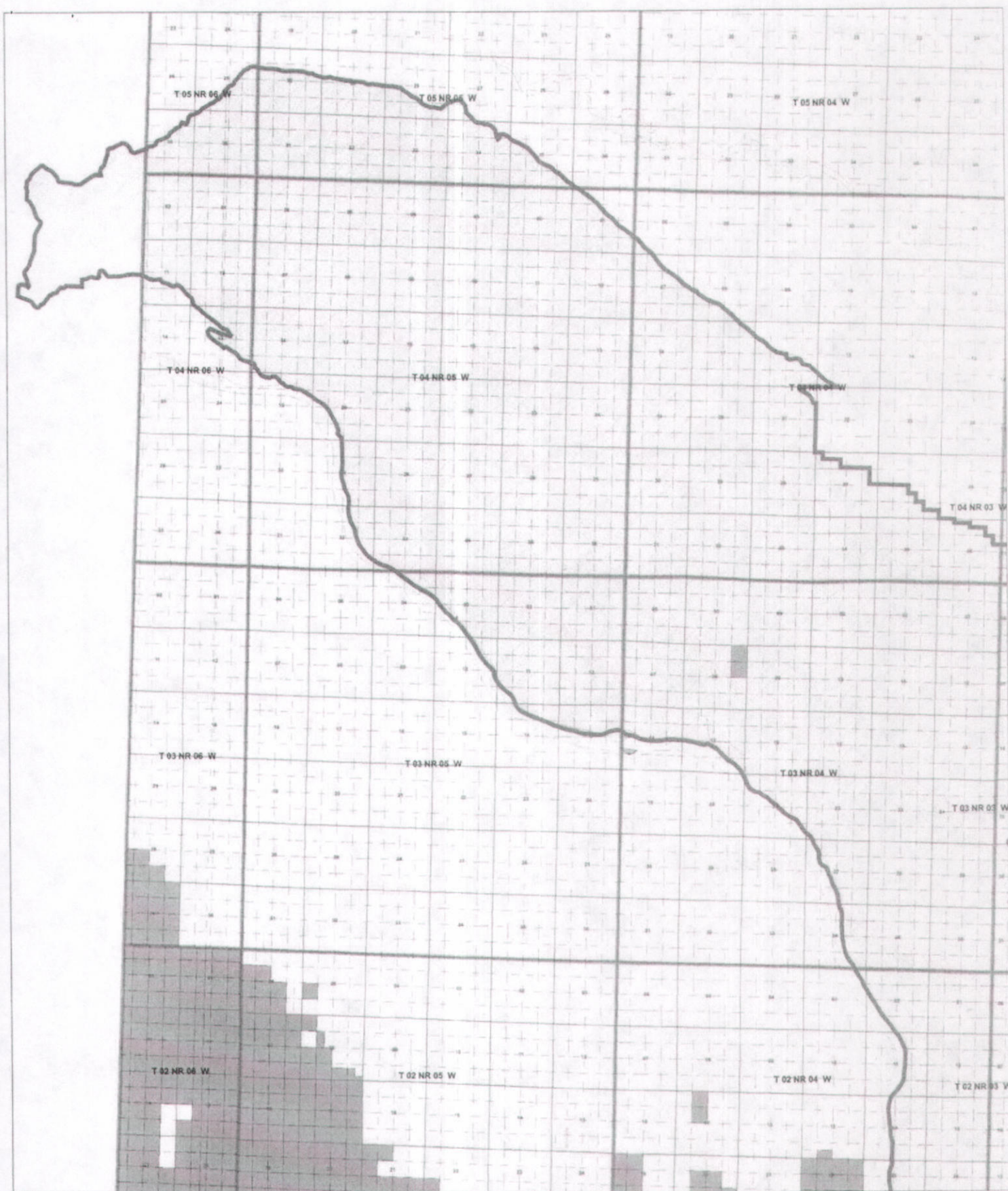




Legend

-  SECTIONS_ID24_POLY
 BLM
 TOWNSHIPS_ID24_POLY
 bpbcbndy 63-00136 et. al.





Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbcbndy 63-00136 et. al.

10,000 Feet
3.05 Miles



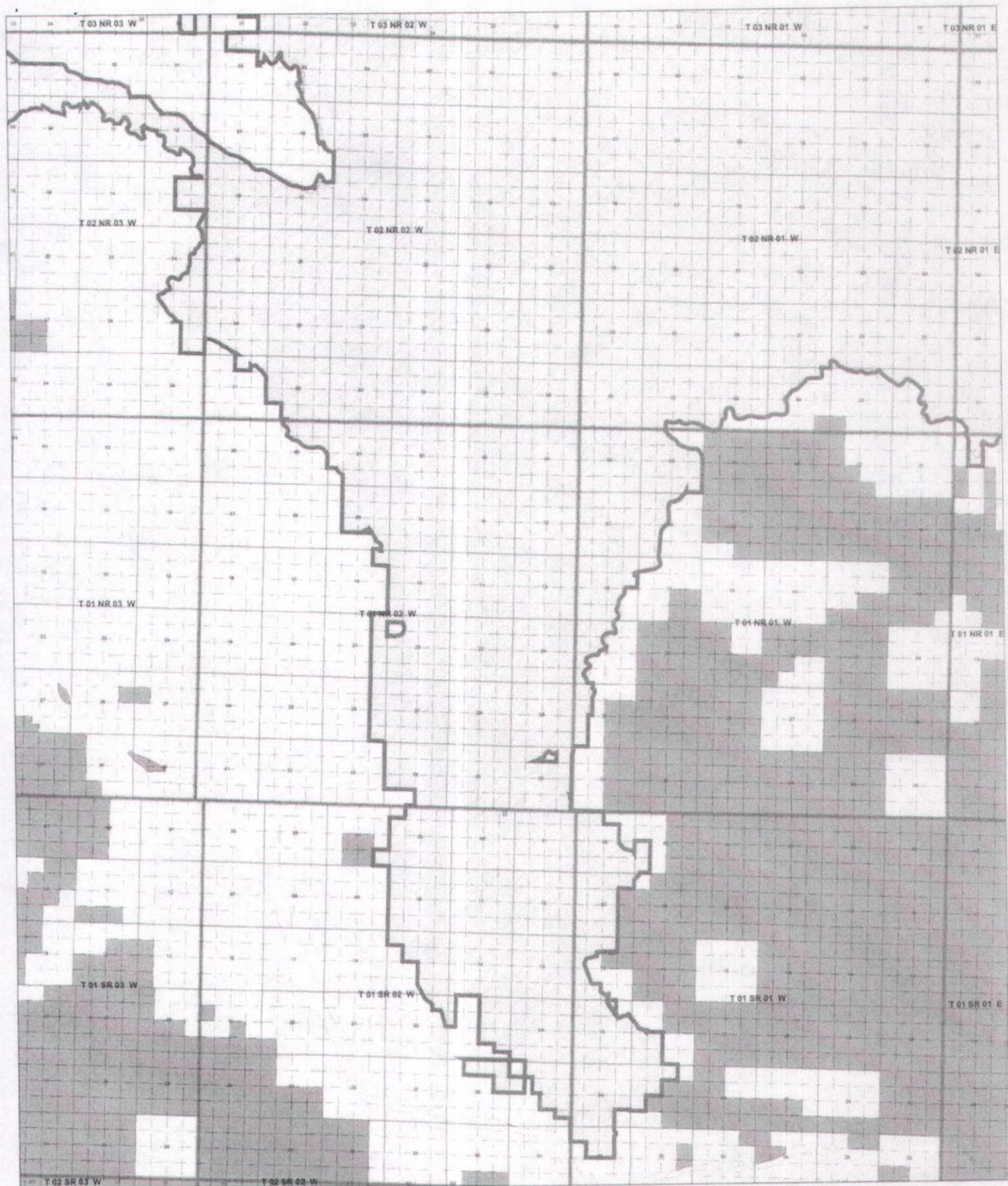


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbc_bndy 63-00136 et. al.

© 1995, 50.75 1
Miles



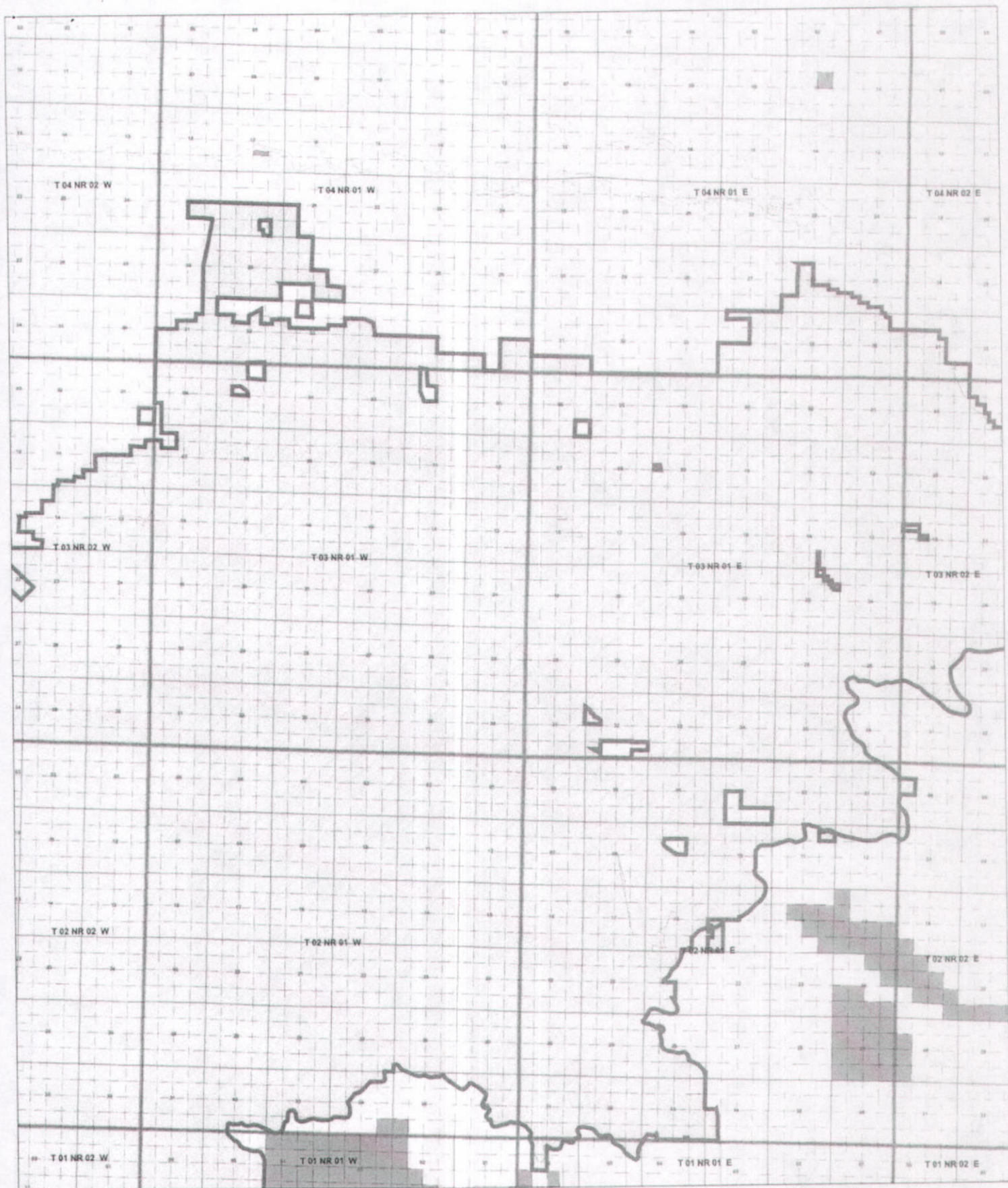


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbcbndy 63-00136 et. al.

12850.50751 Miles



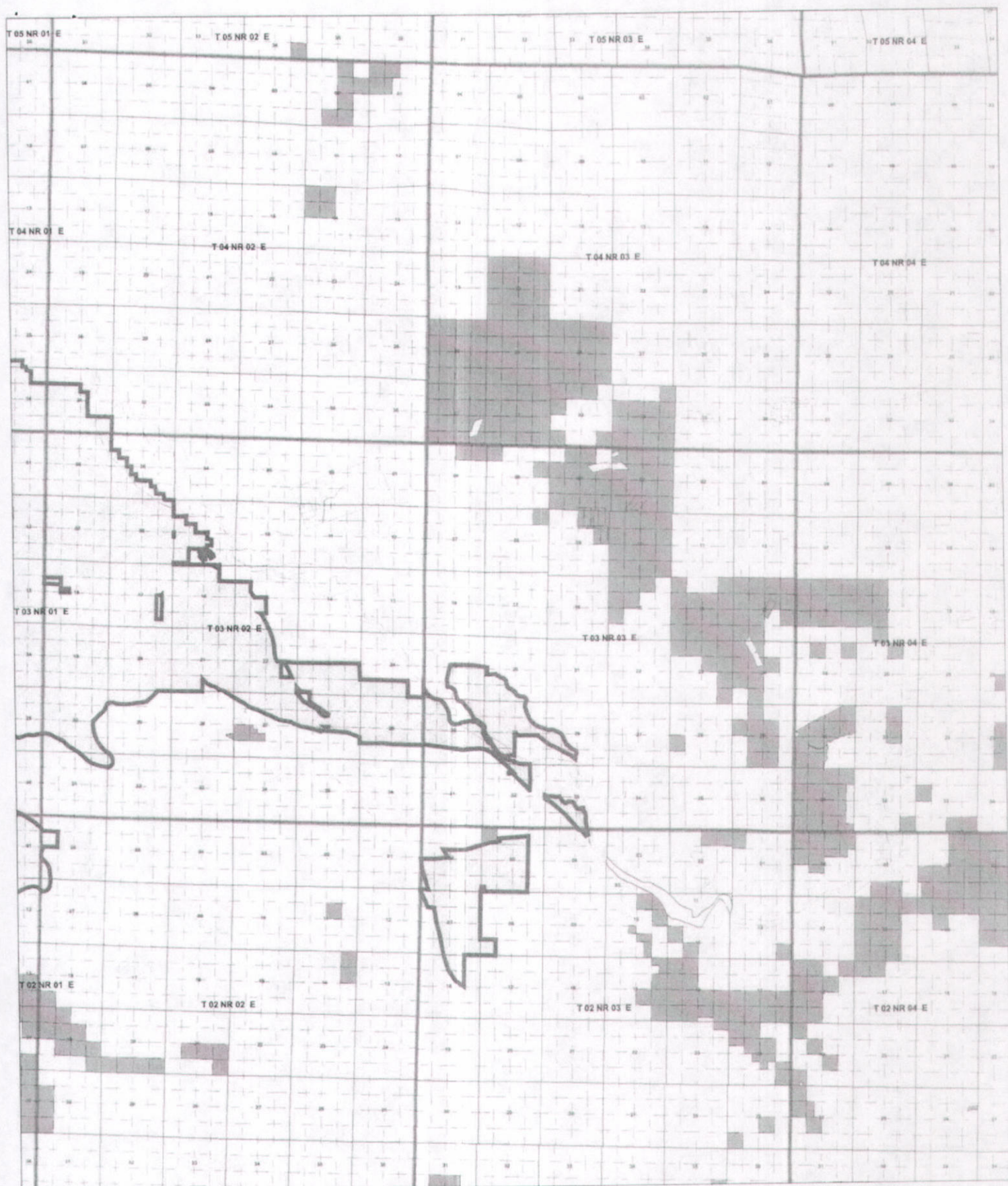


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbcbndy 63-00136 et. al.

© 12850.50.75 1
 10 Miles



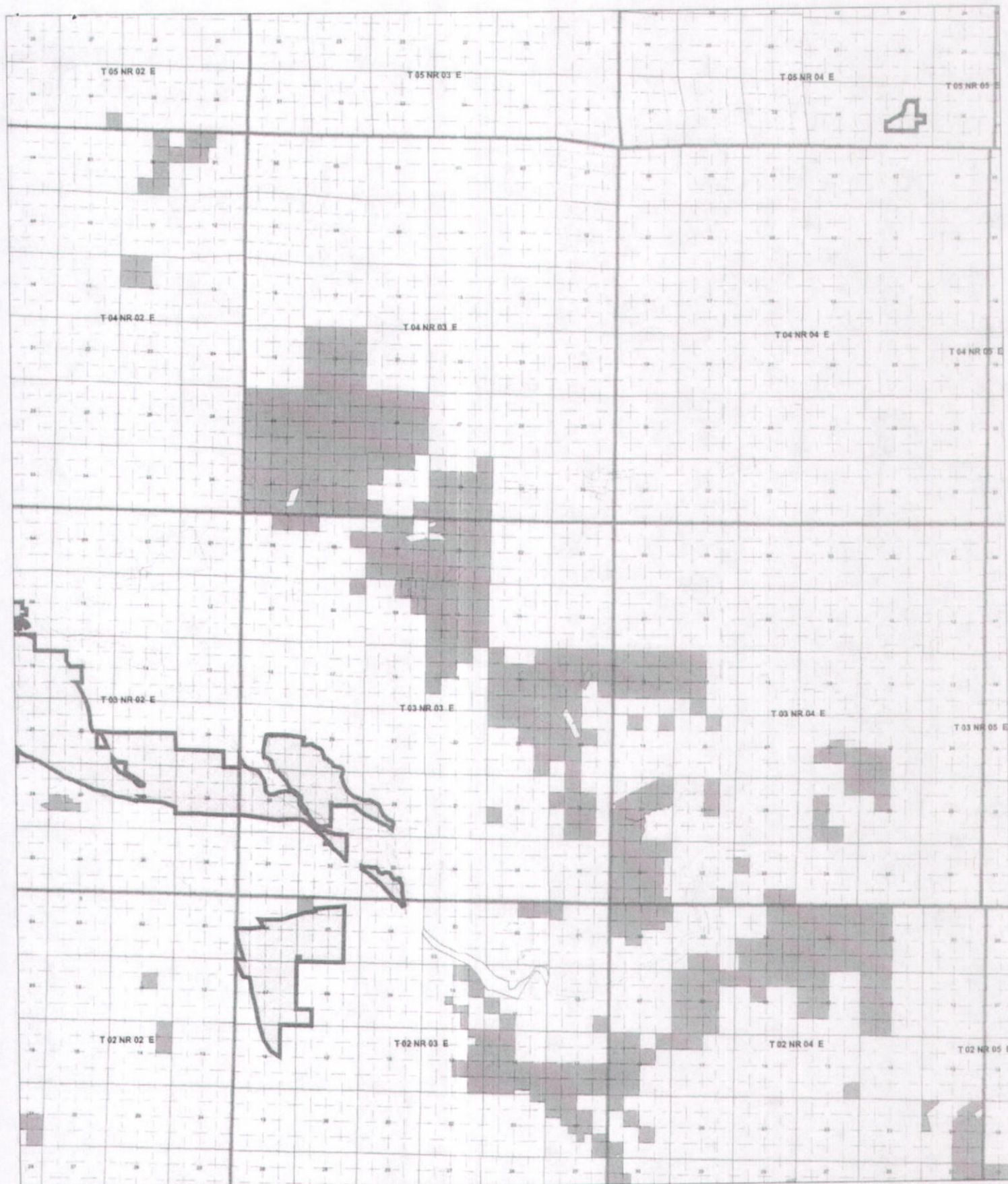


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bplc_bndy 63-00136 et. al.

0 1250 50.75 1
Miles





Legend

-  SECTIONS_ID24_POLY
-  BLM
-  TOWNSHIPS_ID24_POLY
-  bpbcbndy 63-00136 et. al.

© 1995, 50.75 1
Miles





Idaho Department of Water Resources

Adjudication Claim:

63-136

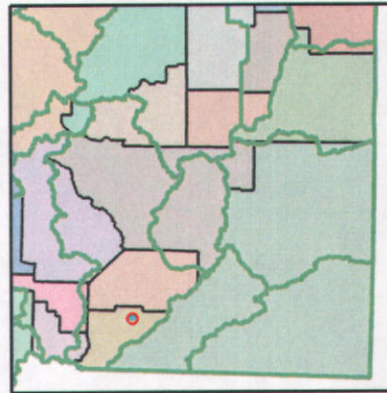
Legend

● Point of Diversion

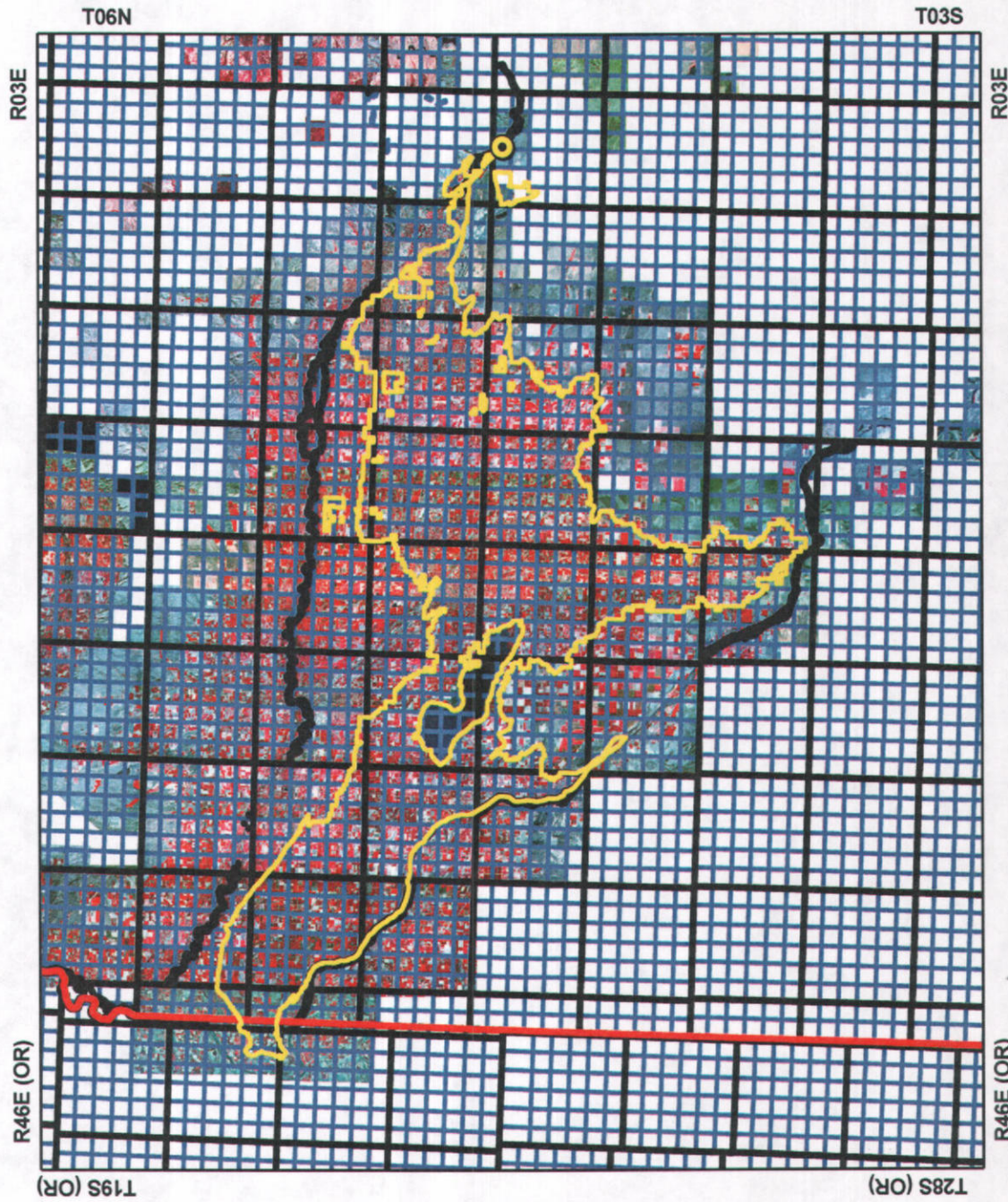
□ Place of Use

□ Townships

□ PLS Sections



Ada, Canyon, Owyhee Counties
IDWR Basin 63



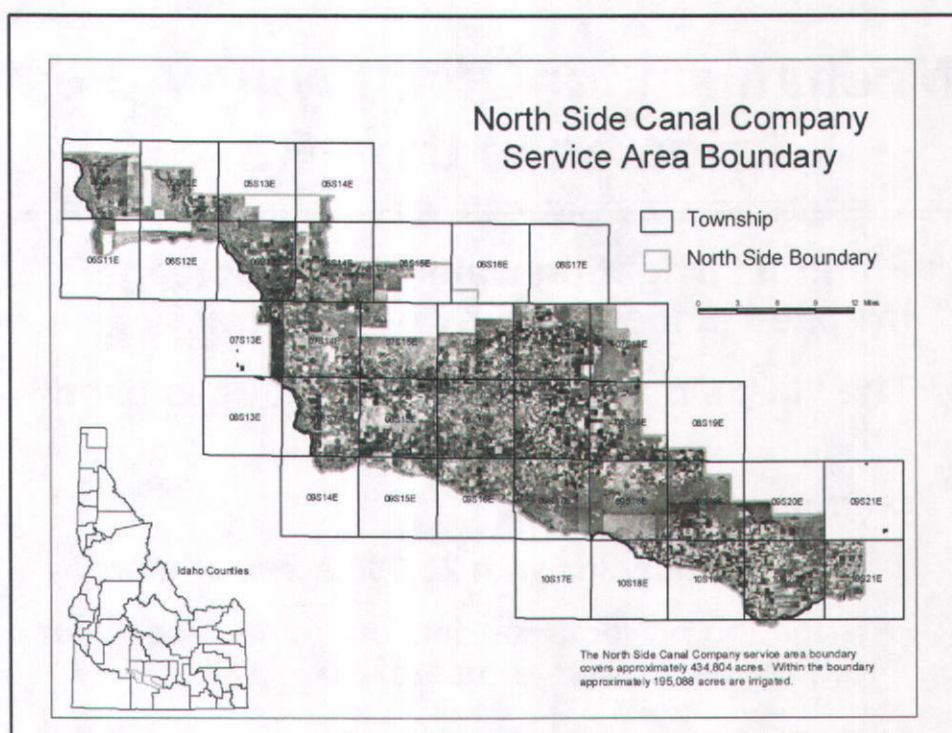
Prepared by A. Warnfjes
On Tuesday, April 4, 2006
1987/88 Aerial Photography

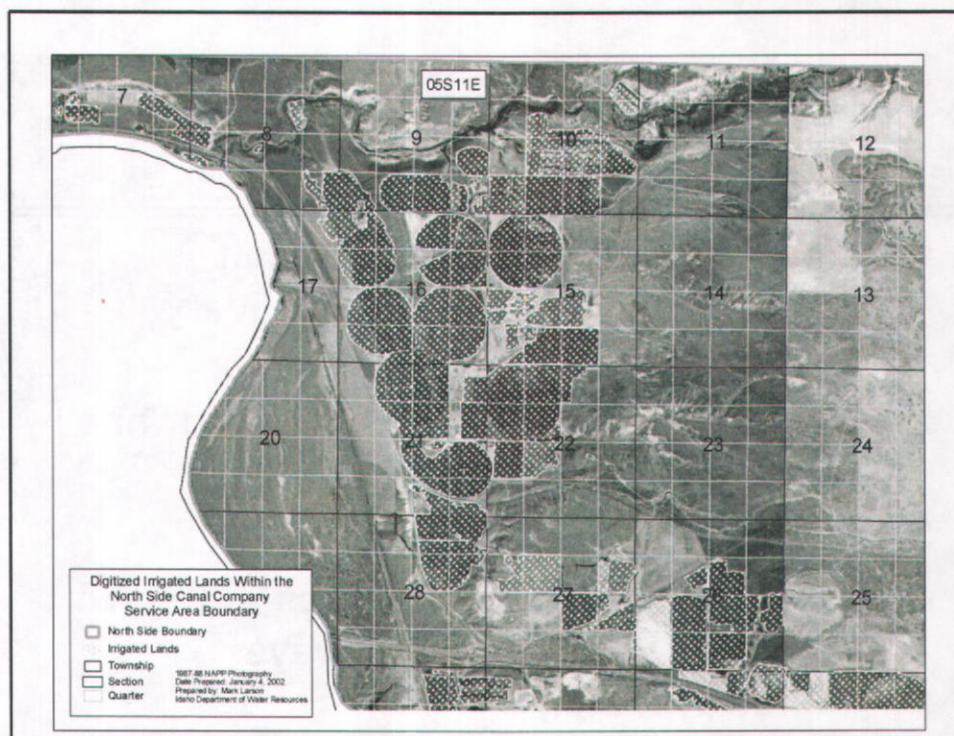
IDWR PROCESSING FORECAST FOR REMAINING IRRIGATION AND OTHER STATE-BASED CLAIMS					
	250	500	Totals		
Eastern (Idaho Falls)	01 - I	Michael Holliday	01 - II	746	
	614			614	
	21 Ryan Mikesell				
	300	1700		2000	
Soda Springs	22 - I	Al Ruberry	22 - II		
	133			133	
	24 Cindy Bird				
	735			594	
Southern (Twin Falls)	27 Cindy Bird				
	1832			1832	
	37 - III Kelly Christensen				
	1416			1416	
Western (Boise)	47 Southern Staff	Jan			
	2000			1800	
	63-II Western Staff				
	1617			1617	
Calendar Year	63-III Western Staff				
	2005 Dec Jan 2006 June			10,752	

IDWR PROCESSING FORECAST FOR REMAINING IRRIGATION AND OTHER STATE-BASED CLAIMS					
	900	145	Totals		
State Office	02 Steve Robischon	03	10		
	696		54		
Basin 37 Task Force	37- ISW	Carter Fritschle			
	568		56		
Weiser River Task Force	37 - II Steve Clelland		186		
	85	1784			
Upper Salmon Task Force	69	Craig Saxton	67		
	464		46		
Lewiston/Coeur d'Alene	73 Roxanne Brown		158		
	1581		133		
	74 Roxanne Brown				
	1333				
	75 Roxanne Brown				
	376		37		
	77 Ken Knoblock		64		
	645				
	78 Carter Fritschle				
	557		55		
	79 Greg Taylor				

“Large Place of Use” Technique

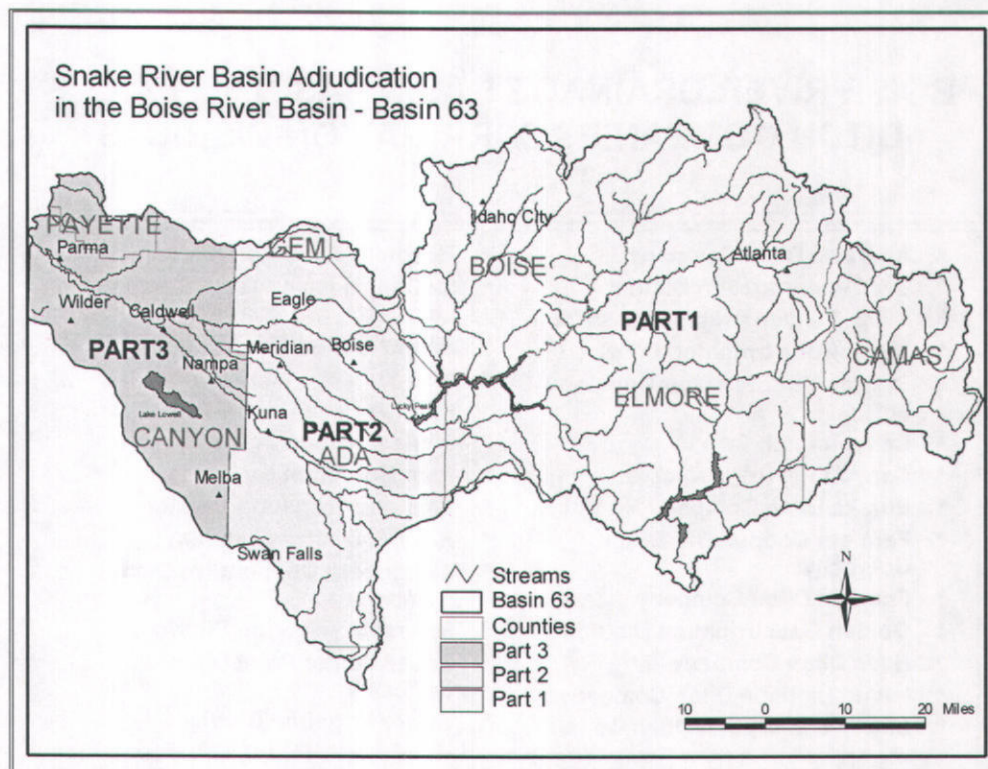
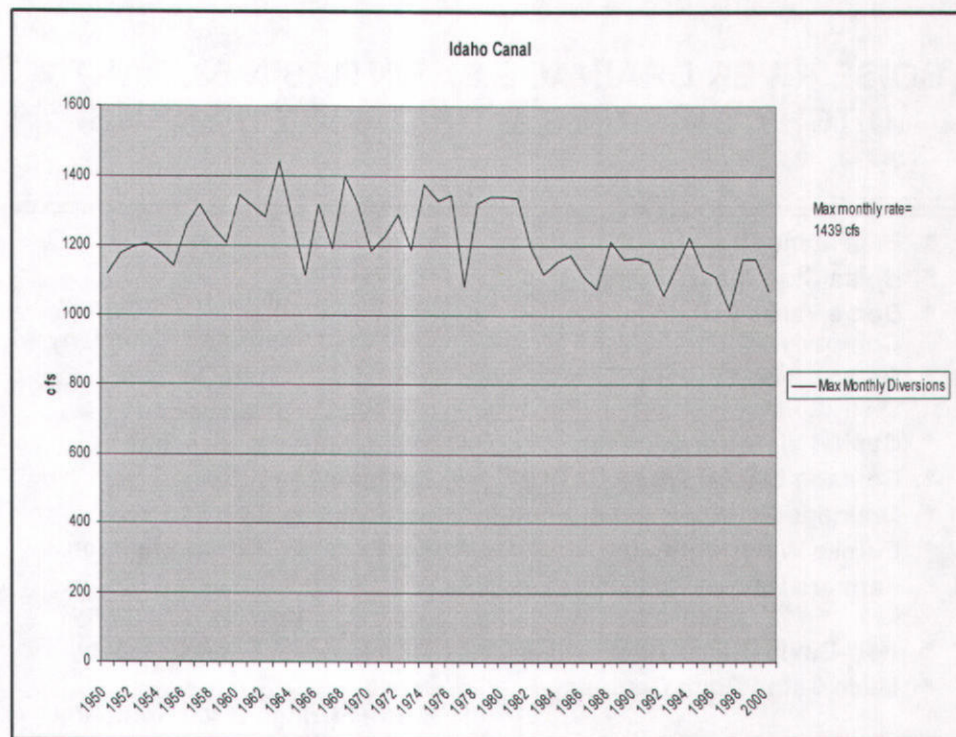
- 1. Determine boundary**
 - Use “digital boundary”
 - Work with Danielle Favreau
 - Based on input from organization
 - All organizations have completed this step
- 2. IDWR provides initial maps based on aerial survey. This is just a starting point and is not a final determination**





“Large Place of Use” Technique (cont.)

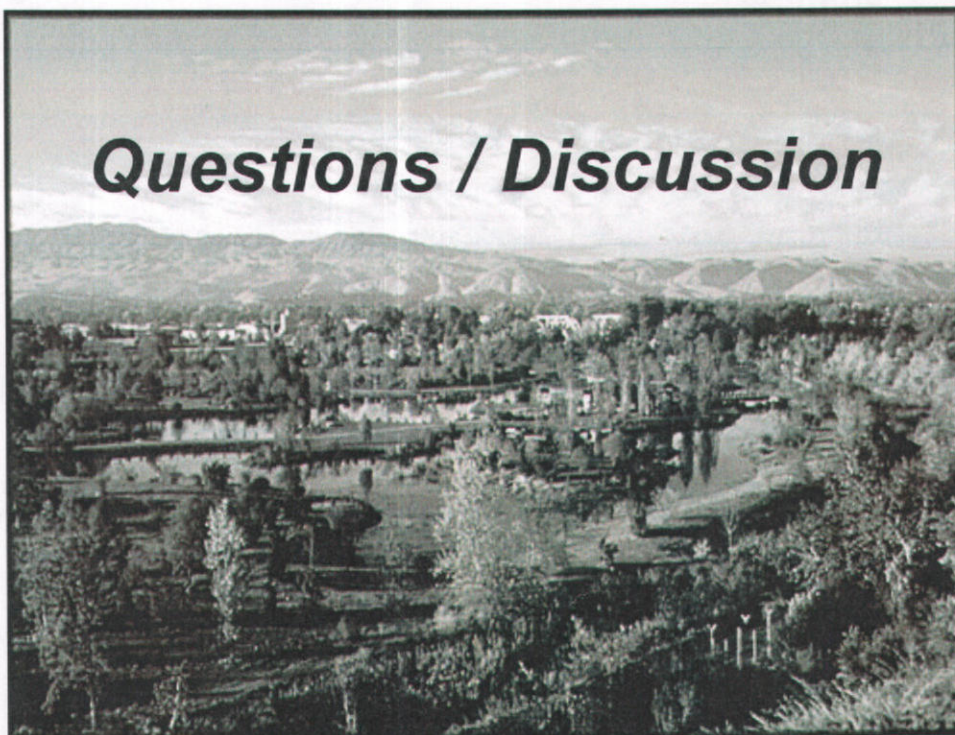
- 3. Organization provides feedback by marking maps**
- 4. IDWR negotiates acreage with organization**
- 5. Preliminary recommendation sent to organization**
- 6. Further negotiations as needed**
- 7. IDWR submits Director's Report, including digital boundary and acreage count**
- 8. Formal objections can be filed if necessary (experience shows that this seldom happens for water delivery organizations)**



Next Steps

- Feb 2006 -- Distribute preliminary recommendations for Basin 63 Part 3 canal companies and irrigation districts
- March and April 2006 -- Meet with companies and districts as invited/required
- June 2006 -- Director's Report with all other part 3 recommendations
- Late 2006 -- End date for objections
- Early 2007 -- Partial Decrees for uncontested recommendations

Questions / Discussion



BasinNumber	SequenceNum	SplitSuffix	OrganizationName	Agent
63	✓ 136	20.0	BOISE PROJECT BOARD OF CONTROL	Mel HAS
63	✓ 137B	.34	BOISE PROJECT BOARD OF CONTROL	Mel ~~PT3~~
63	✓ 200A	8.9	BOISE PROJECT BOARD OF CONTROL	Mel ~~PT3~~
63	✓ 31101	Dom.	BOISE PROJECT BOARD OF CONTROL	Mel HAS
63	✓ 233K	1.2	REC-IN PART 3	
63		30.44		

part 2

63-137 = 35.44 gfa

A = 35.10 gfa - Pioneer Pine Ditch
B = .34 cfs - BPBD

63-200 = 370.84 cfs
A = 8.90 cfs = BPBD
B = 301.94 cfs = NMIPD
370.84 cfs

trying to
summarize

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: A63-00136
Date Received: 8/ 8/1989
Receipt No: C009160
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BOISE PROJECT BOARD OF CONTROL 208-344-1141
Address: 2465 OVERLAND RD
BOISE ID 83705

2. Date of Priority: SEP 1, 1864

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	3		SW	NW		ADA
				NW	SW		ADA

5. Description of diverting works:
CONCRETE DIVERSION DAM AND HEAD OF NEW YORK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	20.000		

7. Total Quantity Appropriated is:
20.000 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	Lot	Use	Acres
65N	46E	36	NE	NW		IRR	

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:

FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.

THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS.
111 & 790 WHICH AFFECTED ENTIRE RIGHT.

|
ADDRESS CHANGE BY CLAIMANT LETTER 8/6/99 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

RECEIVED

JUL 28 1999

July 20, 1999

Department of Water Resources

To Whom it may concern;

Our present and current address is 2465 Overland Rd., Boise, Idaho 83705

Project Manager: Ken Henley
Asst. Project Manager: Paul Deveau
Secretary of Treasurer: Judith Jemmett
Asst. Secretary of Treasurer: Elva Fisher

Please take note to change your records.

Thank you,

Boise Project Board of Control

AJ5811NP
SELECTION FILE: SS-BOISEPROJECT

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

DATE: 08/06/99
TIME: 10:09:11
PAGE: 1

63-22098	63-22099	63-22101	63-22102	63-23844	63-23845	63-23846	63-23847	63-23848	63-23849
63-23850	63-23851	63-23852	63-23853	63-23854	A63-00136	A63-00137B	A63-00200A	A63-00233K	A63-22098
~~A63-22099~~	~~A63-22101~~	~~A63-22102~~	~~A63-23844~~	~~A63-23845~~	~~A63-23846~~	~~A63-23847~~	~~A63-23848~~	~~A63-23849~~	~~A63-23850~~
~~A63-23851~~	~~A63-23852~~	~~A63-23853~~	~~A63-23854~~						

TOTAL RECORDS IN SELECTION FILE: 34

Records changed, NCAP prepared.
8-6-99

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: A63-00136
Date Received: 8/08/1989
Receipt No: C009160
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE PROJECT BOARD OF CONTROL
Address: 214 BROADWAY
BOISE, ID 83706
2. Date of Priority: SEP 01, 1864
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	3	SW	NW			ADA
			NW	SW			ADA
5. Description of diverting works:
CONCRETE DIVERSION DAM AND HEAD OF NEW YORK CANAL
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	20.000		
7. Total Quantity Appropriated is:
20.000 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	Lot	Use	Acres
65N	46E	36	NE	NW		IRR	
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:

FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.
THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS.
111 & 790 WHICH AFFECTED ENTIRE RIGHT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs RIVERSIDE IRR. DIST.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 14 1992

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: A63-00136
Date Received: 8-8-89
Receipt No: C009160
Received By: RET

RECEIVED
AUG 08 1989

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE PROJECT BOARD OF CONTROL
Address: 214 BROADWAY
BOISE, ID 83706
2. Date of Priority: SEP 01, 1864
3. Source: BOISE R. Trib. to: SNAKE R.
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
030	030	030	NW $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ NW $\frac{1}{4}$		ADA
5. Description of diverting works:
Concrete diversion dam and head works of New York Canal
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION Supplemental			20.000		
7. Total Quantity Appropriated is:
20.000 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: Supplemental water to supply carriage loss in the New York Canal

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------
11. Place of use in counties: ADA AND CANYON COUNTIES
12. Do you own the property listed above as place of use? ~~X~~ NO
13. Other Water Rights Used:

A63-00136

Page 1

Date: 06/20/89

MICROFILMED

AUG 14 1992

14. Remarks:

FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.
THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS.
111 & 790 WHICH AFFECTED ENTIRE RIGHT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am MANAGER of
Title
BOISE PROJECT BOARD OF CONTROL, that I have signed the foregoing
Organization
document in the space below as MANAGER of
Title

BOISE PROJECT BOARD OF CONTROL and that the statements contained in the
Organization
foregoing document are true and correct.

Carl Padon
Signature of Authorized Agent

MANAGER, BOISE PROJECT BOARD OF
Title and Organization
CONTROL

Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of August 19 ⁸⁹

Raymond B. Bensen
Notary Public

Seal

Residing at BOISE, IDAHO

My Commission Expires 9/23/92

MICROFILMED
AUG 14 1992

Water Right Number - 63-00136

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

[illegible]

*** C - CURRENT OWNER ***
BOISE PROJECT BOARD OF CONTROL

RANDAL

H. L., ET. AL

*** O - ORIGINAL OWNER ***
PIONEER DIXIE DITCH CO.

RANDAL

H. L.

+	-	Priority Date	-	+	+	-	-	Region	-	-	+	+	-	-	Stage	-	-	+	+	-	-	Status
		09/01/1864						14							D - DECEED							

```

+ - - - - Source - - - - +
BOISE RIVER
+ - - - - Tributary - - - - +
SNAKE RIVER

```

[illegible]

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

01 - IRRIGATION

20.000

+ - Total Div. Rate	- +	+ ~ Total Div. Volume	- +	+ - Total Div. Capacity	- +	+ - Total Consumptive Use	- +	+ - KW Usage	- +
20-000									

	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
--	-----	-----	-----	-------	-----	-------	-------------------	-------------	--------

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

MICROFILMED

AUG 14 1992

Water right number - 63-00136	Adj. flag translation: Standard Water Right Number	
+ - - Other Rights for Same Use -		
+ - -	Remarks - - - - -	- - - - -
	FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.	- - - - -
	THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS.	- - - - -
	111 & 790 WHICH AFFECTED ENTIRE RIGHT.	- - - - -
+ - -	- - - - -	- - - - -
	- Old Water Right Numbers - - - - -	- - - - -
	No Old Water Right Numbers found.	- - - - -
+ - -	- - - - -	- - - - -
	- Conditions of Approval - - - - -	- - - - -
	No Conditions of Approval found.	- - - - -
+ - -	- - - - -	- - - - -
	+ - - - - Decree Plaintiff - - - - +	- - - - -
	FARMERS CO-OP DITCH CO.	- - - - -
	RIVERSIDE IRR. DIST.	- - - - -
+ - -	- - - - -	- - - - -
	05/01/88 CONVERT 06/23/89 CURTIS 08/01/89 CURTIS	- - - - -
	Audit Fields - 06/18/85	- - - - -
+ - -	- - - - -	- - - - -
	- Water Rights Dates and Flags Area - - - - -	- - - - -
	Proof Due Date - 00/00/0000	- - - - -
	Approved/Denied - 00/00/0000	- - - - -
	Field Exam Made - 00/00/0000	- - - - -
	Protested Date - 00/00/0000	- - - - -
	Hearing Date - 00/00/0000	- - - - -
	Start Work Date - 00/00/0000	- - - - -
	Order Show Cause - 00/00/0000	- - - - -
	Verified Date - 06/18/1985	- - - - -
	Receipt Number -	- - - - -
	App'l Received - 00/00/0000	- - - - -
	Decree Date - 01/18/1906	- - - - -
	Presumption Flag -	- - - - -
	Field Exam Fee -	- - - - -
	Swan Falls -	- - - - -
	Temporary Right - P	- - - - -
	DLE/Carey Act -	- - - - -
	Water District - 63	- - - - -
	Transfer/Amended - T	- - - - -
	Microfilm Roll Number -	- - - - -

MICROFILMED
AUG 14 1992

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

In Re SRBA

Case 39576

A. Subcase 63-136

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Ray Obendorf

Address: 24034 Batt Corner Road

Parma, Idaho 83660

Daytime Phone: (208) 482-7397

Name & Address of Attorney, if any:

Dana L. Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Boise Project Board of Control

Attn: Albert Barker

Barker Rosholt

Address: P.O. Box 2139

Boise, ID 83702-2139

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)):

1. ☒ **Name and Address**
Should be: Consistent with *United States of America v. Pioneer Irrigation Dist.*, Idaho Supreme Court Case No. 31790 (March 9, 2007)
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** *United States of America v. Pioneer Irrigation Dist.*, Idaho Supreme Court Case No. 31790 (March 9, 2007) applies.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

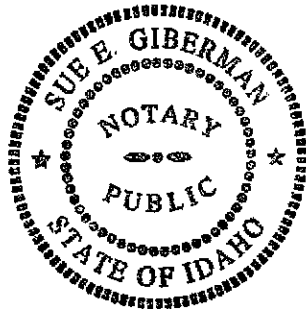
Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana Hofstetter
Attorney signing in representative capacity

Subscribed and sworn to before me on: June 15, 2007



Sue E. Giberman
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission expires: 2-25-09

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Albert Barker
Address: Barker Rosholt
P. O. Box 2139
Boise, Idaho 83702-2139

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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

In Re SRBA

Case No. 39576

A. Subcase 63-00136
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Boise Project Board of Control; attn Albert Barker
Address: P.O. Box 2139; Boise, Idaho 83702-2139
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

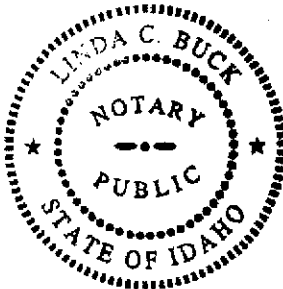
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 13, 2007
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUNE 13TH, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Boise Project Board of Control; attn Albert Barker

Address: P.O. Box 2139; Boise, Idaho 83702-2139

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

3. Copies to:

IDWR Document Depository

P.O. Box 83720

Boise, ID 83720-0098

Chief, Natural Resources Division

Office of the Attorney General

State of Idaho

P.O. Box 44449

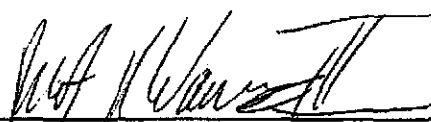
Boise, ID 83711-4449

United States Department of Justice

Environment and Natural Resource Division

550 West Fort Street, MSC 033

Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 63-116

NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE ID 83702-2139

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 20.000 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 09/01/1864

POINT OF

DIVERSION: T02N R03E S3 NWSW Lot 6 Within ADA County

T02N R03E S3 NWSW Lot 9 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	20.000 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:

167000 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

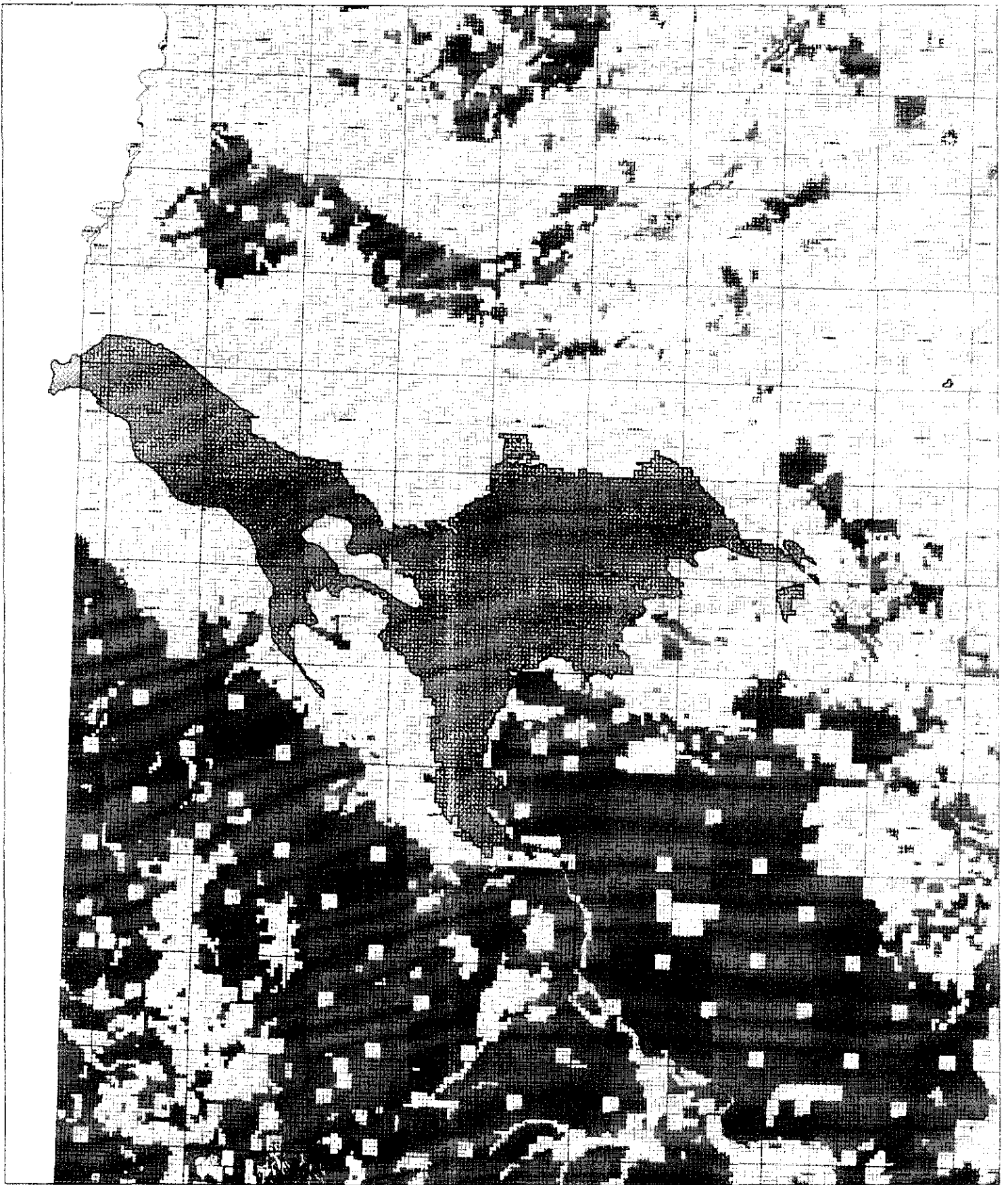
Place of Use is 195,526 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is designated as No. 8 in the Stewart Decree and the Boise Water Distribution Report.

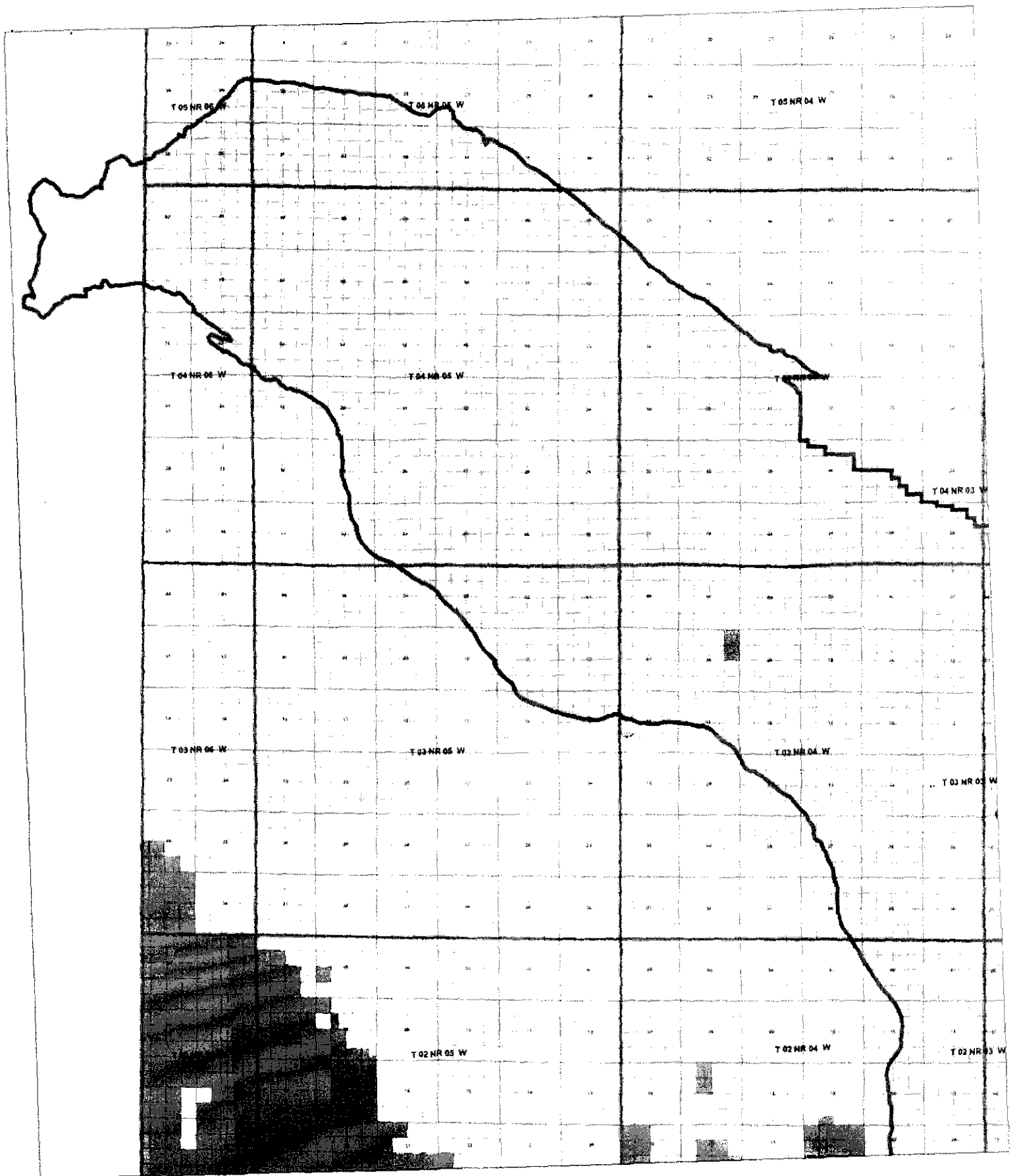


Legend

-  SECTIONS_ID24_POLY
-  BLM
-  TOWNSHIPS_ID24_POLY
-  bpbcbndy 63-00136 et. al.

0 1 2 3 4
Miles

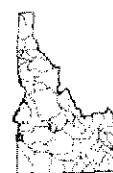




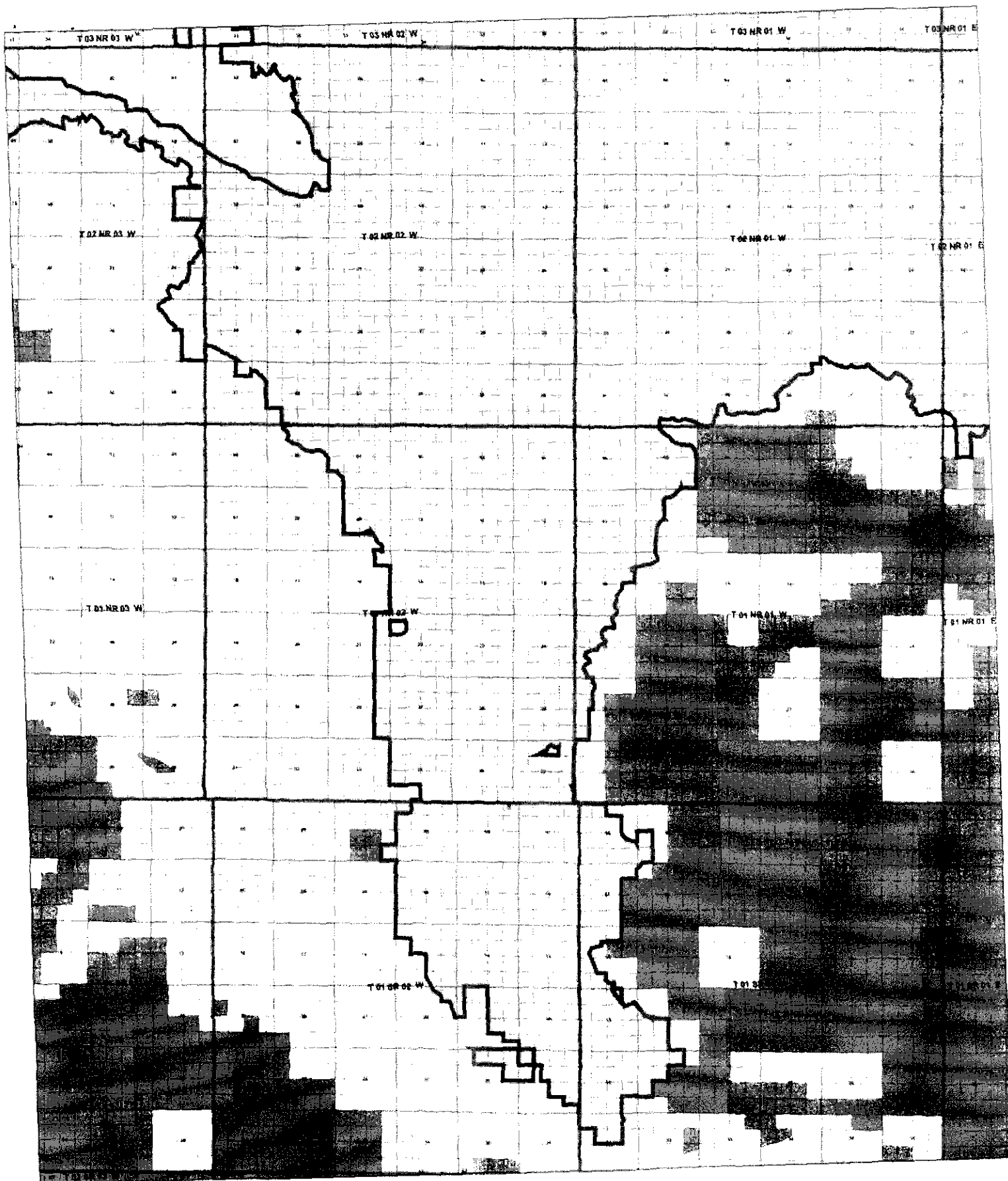
Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbcbndy 63-00136 et. al.

0 0.25 0.5 0.75 1 Miles



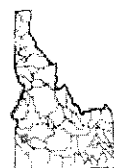


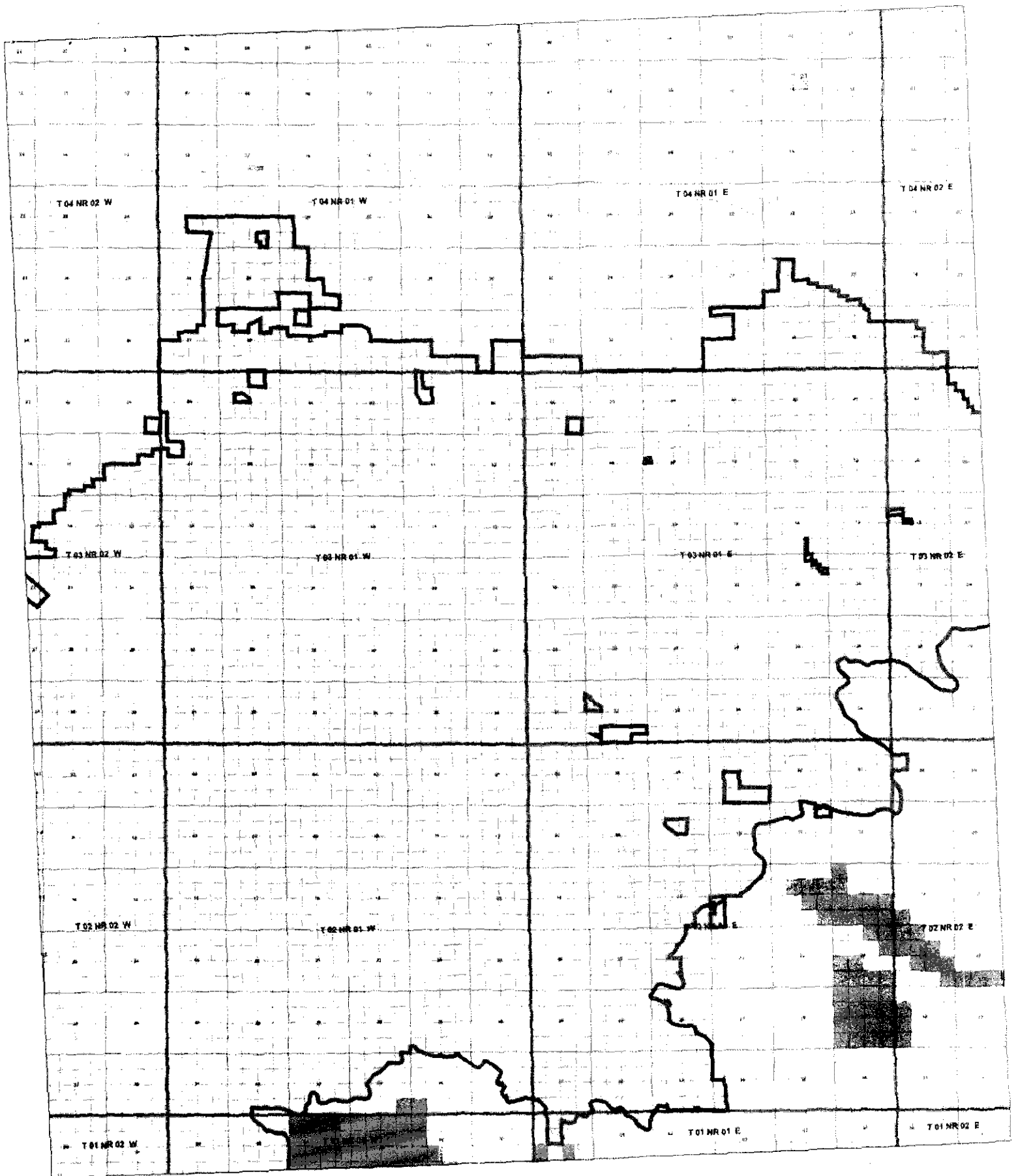


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbc_bndy 63-00136 et. al.

0 0.25 0.5 0.75 1 Miles

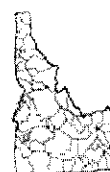


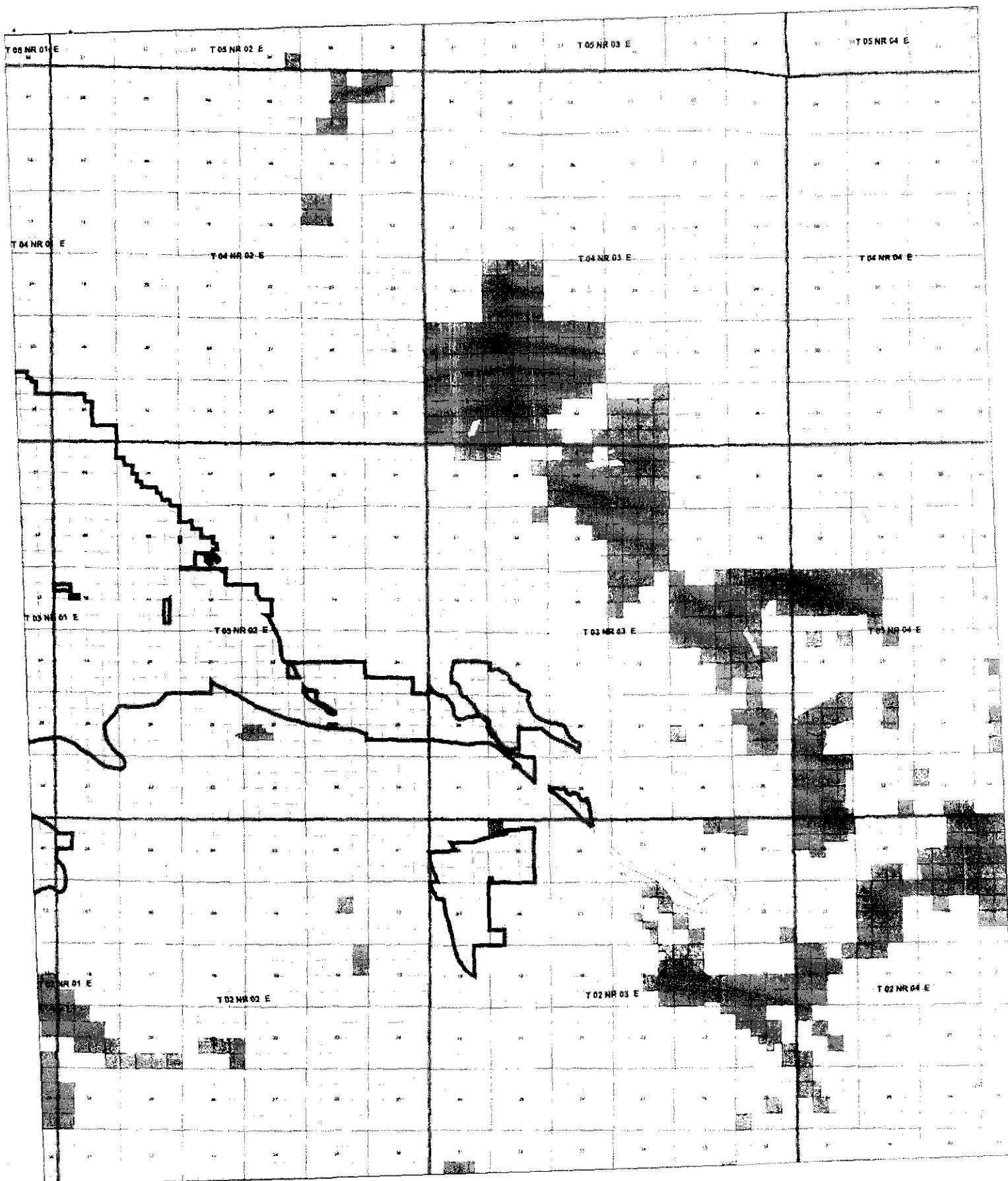


Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbcbndy 63-00136 et. al.

© 2015 05.03.75 1
Miles

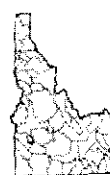




Legend

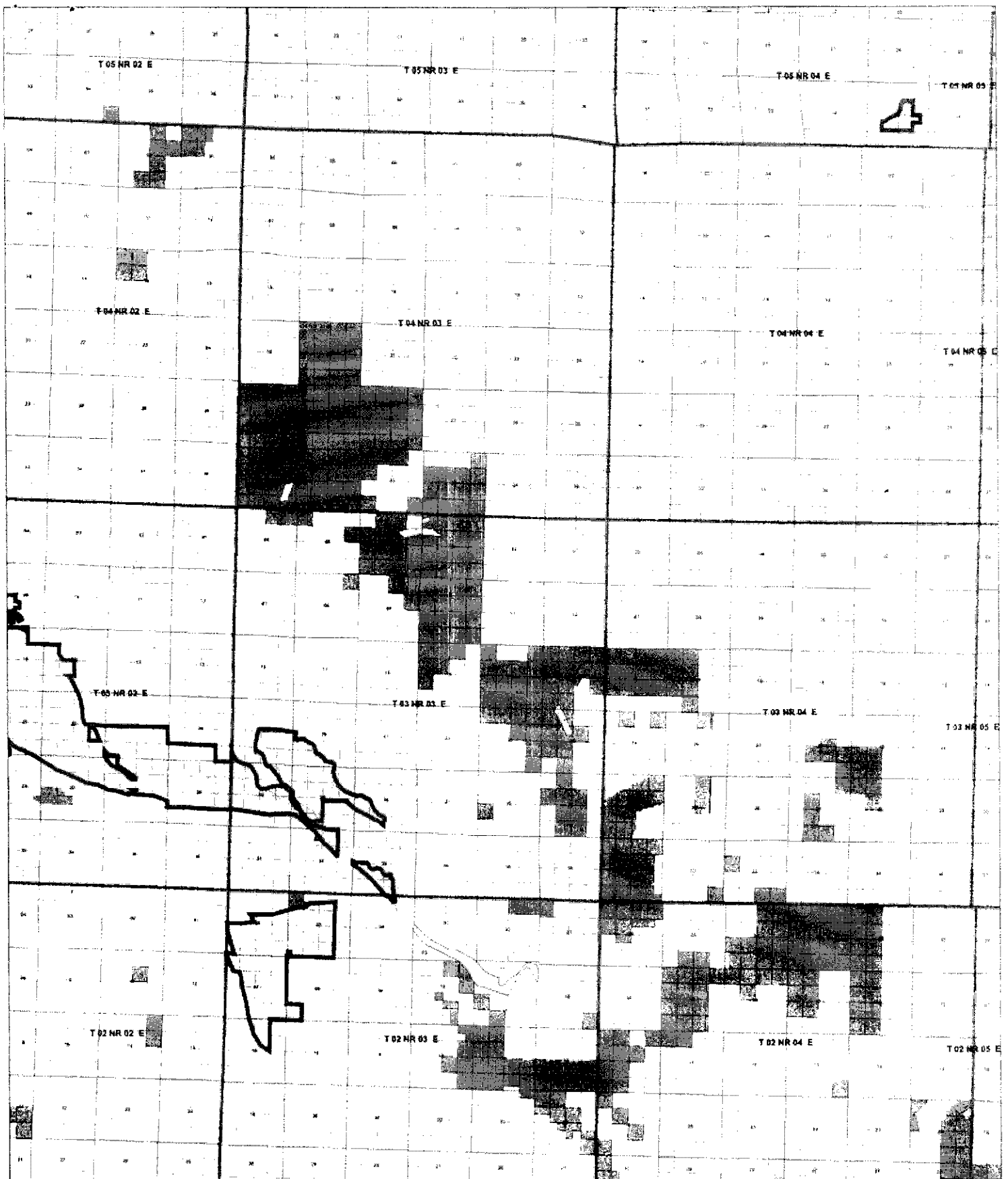
- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbc_bndy 63-00136 et. al.

0 0.25 0.5 0.75 1 Miles



Idaho Department of Lands
Bureau of Land Management
63-00136 et. al.

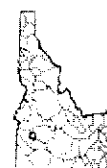




Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpbc_bndy 63-00136 et. al.

12350.50751
Miles



08/17/2006

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

RIGHT NUMBER: 63-136

NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE ID 83702-2139

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 20.000 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 09/01/1864

POINT OF DIVERSION:

T02N R03E S3 NWSW Lot 6 Within ADA County
T02N R03E S3 NWSW Lot 9 Within ADA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	20.000 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:

195526 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of Use is 195,526 irrigated acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa-Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District, and the Big Bend Irrigation District.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is designated as No. 8 in the Stewart Decree and the Boise Water Distribution Report.



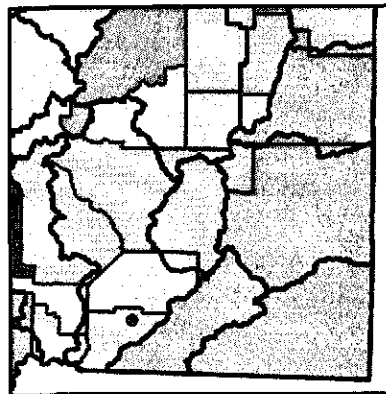
Idaho Department of Water Resources

Adjudication Claim:

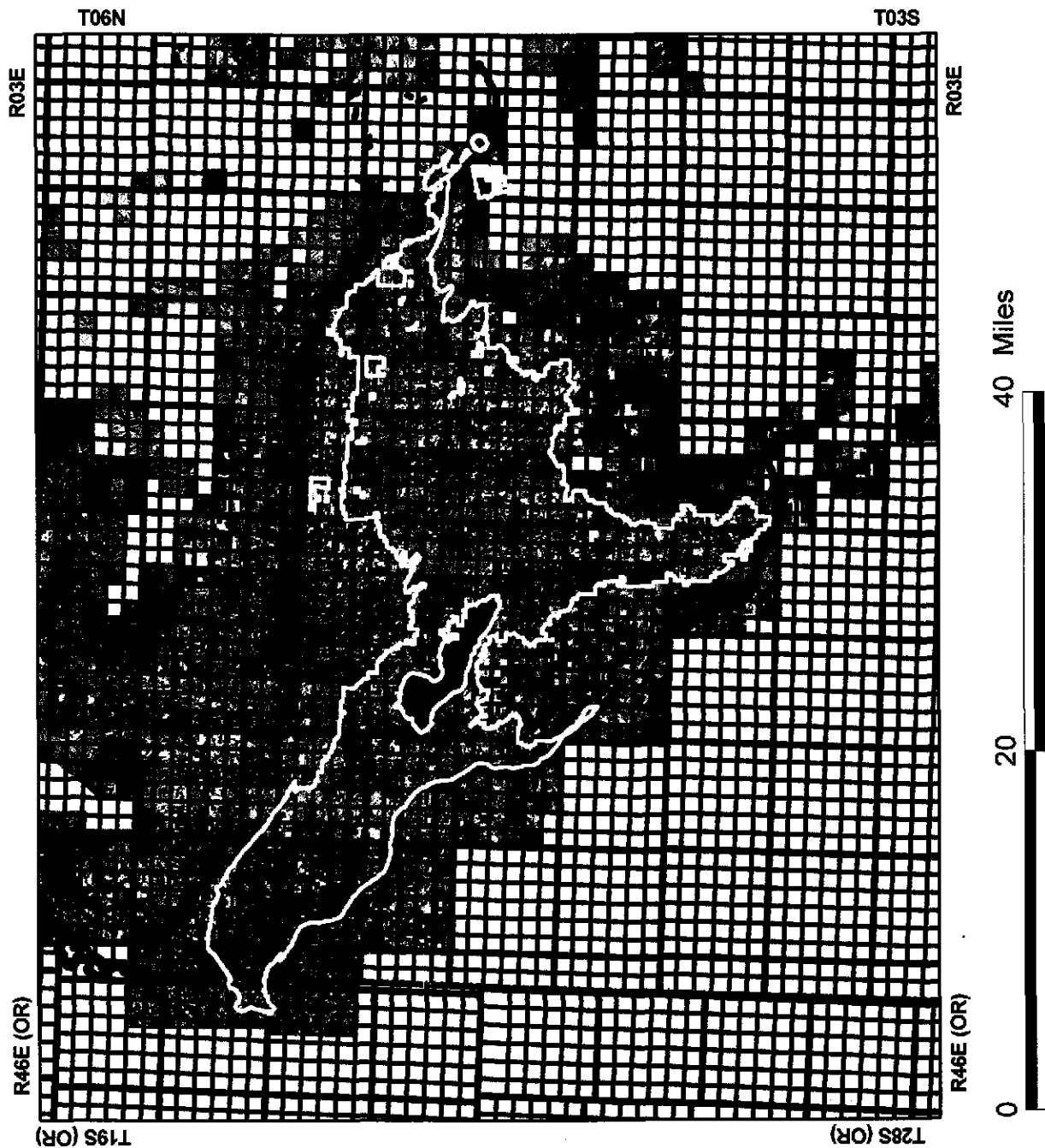
63-136

Legend

- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections



Ada, Canyon, Owyhee Counties
IDWR Basin 63



Prepared by A. Warnijes
On Tuesday, April 4, 2006
1987/88 Aerial Photography

Diversions Through New York Canal

Basin	Sequence	Suffix	Priority	Date	Rate of Flow	Subtotal	Claimant	Status	Shape	Action Required
63	251		3/23/1900		219.1	219.1	BOR	Recommendation	BPBOC	Standard Condition POU remark
63	301		12/14/1903		1354.58	1573.68	BOR	Recommendation	BPBOC	Standard Condition POU remark and link to shape
63	302		6/16/1909		634	2207.68	BOR	Recommendation	BPBOC	Standard Condition POU remark and link to shape
63	373		4/1/1909		292.5	2500.18	BOR	Recommendation	BPBOC	Standard Condition POU remark and link to shape
63	2388		8/18/1924		300	2800.18	BOR	Recommendation	BPBOC	Standard Condition POU remark and link to shape
63	136		9/1/1864		20	2820.18	BPBOC	Recommendation	BPBOC	Standard Condition POU remark
63	137 B		6/1/1869		0.34	2820.52	BPBOC	Recommendation	BPBOC	Standard Condition POU remark
63	233 K		10/1/1887		1.2	2821.72	BPBOC	Recommendation	BPBOC	Standard Condition POU remark
63	200 A		8/20/1888		8.9	2830.62	BPBOC	Recommendation	BPBOC	Standard Condition POU remark
63	372		3/23/1900		58.86	2889.48	NY & BK	Recommendation	NY & BK	Standard Condition POU remark
63	26671		5/1/1866		8	2897.48	BK	Recommendation ?		

Note: 2897.48 cfs is consistent with the historic diversion at New York Canal as measured on May 5 & 6, 1939, of 2860 cfs, considering that some of these rights also provide flow for the Penitentiary Canal for which the max. diversion rate is [contact Lee Sisco]

BK = Boise Kuna ID

NY = New York ID

NM = Nampa Meridian ID

BPBOC = Boise Project Board of Control

BOR = Bureau of Reclamation

From Spatial Info. POD at head of NY canal

- 1: Recommendation POD 63-136
- 2: Recommendation POD 63-137B
- 3: Recommendation POD 63-161BQ
- 4: Recommendation POD 63-161BQ
- 5: Recommendation POD 63-161BT
- 6: Recommendation POD 63-161BX
- 7: Recommendation POD 63-161BY
- 8: Recommendation POD 63-161BY
- 9: Recommendation POD 63-200A
- 10: Recommendation POD 63-200C
- 11: Recommendation POD 63-233K
- 12: Recommendation POD 63-251
- 13: Recommendation POD 63-301
- 14: Recommendation POD 63-302
- 15: Recommendation POD 63-372
- 16: Recommendation POD 63-372
- 17: Recommendation POD 63-373
- 18: Recommendation POD 63-2388

From Spatial Info. POD at head of Penitentiary Canal

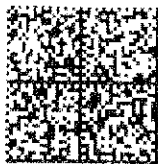
- Identify Results
- 1: Recommendation POD 63-136
 - 2: Recommendation POD 63-137B
 - 3: Recommendation POD 63-200A
 - 4: Recommendation POD 63-233K

2nd Action	Notes
Add lot 9 to POD	
Add lot 9 to POD	
Add lot 9 to POD	
Add lot 9 to POD	
Add lot 9 & Lot 6 to POD	NY Canal measured at 2860 cfs May 5 & 6, 1939
Add lot 9 & Lot 6 to POD	Both sides of river - Penitentiary Canal
Add lot 9 & Lot 6 to POD	Both sides of river - Penitentiary Canal
Add lot 9 & Lot 6 to POD	Both sides of river - Penitentiary Canal
Add lot 9 & Lot 6 to POD	Both sides of river - Penitentiary Canal - Also 200C NM
	63-161 - Need Jan's Input

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS PERMIT NO. 1000 BOISE, IDAHO

02 1A \$00.278
0004389390 JUL 08 2005
MAILED FROM ZIP CODE 83702

11-10



UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED

WILDER IRRIGATION DIST
709 CLEVELAND BLVD
CALDWELL ID 83605

RECEIVED
JUL 11 2005
Department of Water Resources

83720 0098 322 E FRONT ST BOISE ID 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 7, 2005

Distribution: See Enclosed List

RE: Invitation to Water Rights Meeting

Dear Boise River Basin 63 Part 3 Water Delivery Organization Representative:

As you are aware, the Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Boise River Basin in preparation for submittal of Director's Report recommendations to the Snake River Basin Adjudication (SRBA) Court. Many of the recipients of the distribution list enclosed herewith attended a Counting Acres Workshop held on January 13, 2004, where we distributed maps and discussed the process of preparing these recommendations.

Thus far we have had good success in receiving input regarding water rights from many of the water delivery organizations in the Boise River Basin. We plan to issue our preliminary recommendations for water rights for Basin 63 Part 3 water delivery organizations this fall. In preparation for these recommendations we seek input from your organization. As a step toward assisting you with providing needed input, we will be conducting a **meeting to discuss the water rights of your organization at the Caldwell Elks Lodge #1448, 1015 N. Kimball Ave., Caldwell, on Wednesday, July 20, from 10:00 am until no later than noon.** Our intent is to answer questions relative to the water rights of your organization, to ensure that they will be correctly reported to the SRBA Court. This is important because the SRBA decree will supercede earlier decrees, licenses and beneficial use rights.

Please plan to bring the maps that we distributed to your organization last year, and any questions that you might have concerning this process. Our experience is that this type of advance planning results in a much smoother and more efficient process when we prepare the SRBA recommendations for your specific basin. IDWR personnel from the Western Regional Office and the State Office look forward to meeting your organizational representatives in this important matter.

Sincerely,

David R. Tuthill, Jr.
Administrator, Water Management Division

Enclosure: Distribution List

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested



NO SUCH
ADDRESS

PRESORTED
FIRST CLASS



02 1A \$00.278
0004389390 JUL 08 2005
MAILED FROM ZIP CODE 83702

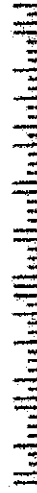
RECEIVED

JUL 11 2005

Department of Water Resources

BIG BEND IRRIGATION DIST
HC 33 BOX 1026
BOISE ID 83706

83720-0098





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 7, 2005

Distribution: See Enclosed List

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Sincerely,

David R. Tuthill, Jr.

Administrator, Water Management Division

Enclosure: Distribution List

Boise Project Board of Control

Snake River Basin Adjudication Update

Dave Tuthill, Danielle Favreau
Idaho Department of Water Resources

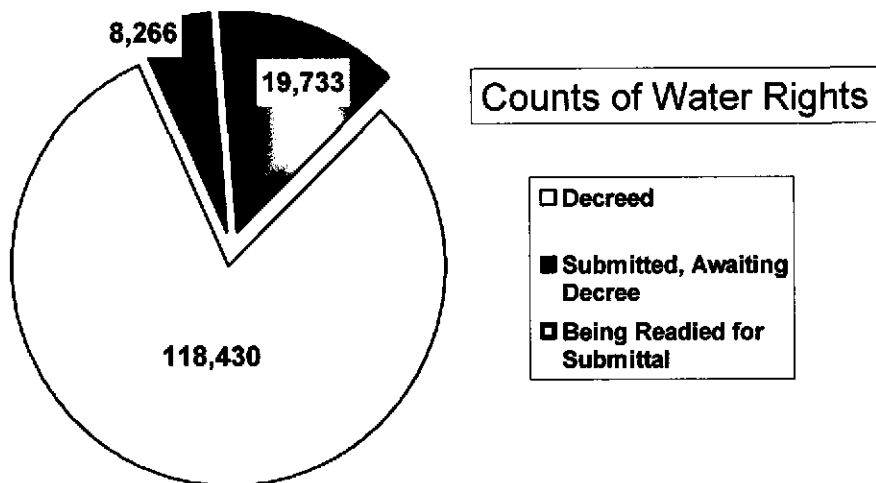
December 7, 2005



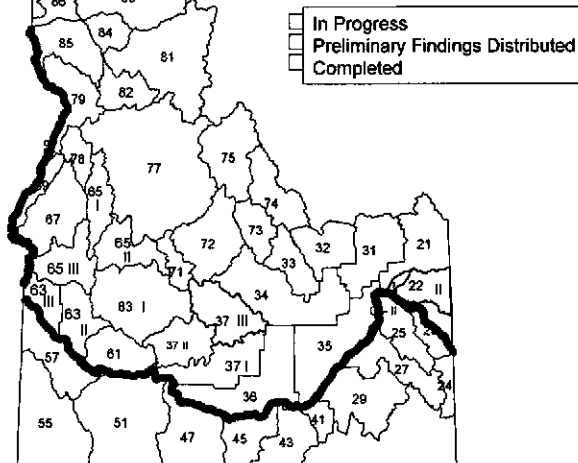
Discussion Outline

- **Quick update on SRBA**
- **IDWR Acreage Count Implementation process**
- **Counting acres guidelines**
- **Review of Boise Project and member organization SRBA Claims**
- **Next Steps**

SRBA Summary as of November 9, 2005



Snake River Basin Adjudication Director's Reports For Irrigation and Other Rights



IDWR PROCESSING FORECAST FOR REMAINING IRRIGATION AND OTHER STATE-BASED CLAIMS						
	250		500			Totals
Eastern (Idaho Falls)	01 - I	Michael Holliday	01 - II			746
	614					614
	21 Ryan Mikesell					
	300		1700			2000
	22 - I	Al Ruberry	22 - II			
		133				133
Soda Springs	24 Cindy Bird					
	735					594
	1832					1832
Southern (Twin Falls)	37 - III Kelly Christensen					1416
	1416					1416
	47 Southern Staff	Jan				
	2000					1800
Western (Boise)	63-II Western Staff					1617
	63-III Western Staff	1617				1617
Calendar Year	2005	Dec	Jan	2006	June	10,752

IDWR PROCESSING FORECAST FOR REMAINING IRRIGATION AND OTHER STATE-BASED CLAIMS						
	900		145			Totals
State Office	02 Steve Robischon	03				10
	696					54
Basin 37 Task Force		Carter Fritschle				
			568			56
	37 - II Steve Clelland					186
	85		1784			48
Weiser River Task Force	69	Craig Saxton	67			158
		464				133
Upper Salmon Task Force	73 Roxanne Brown					37
	1581					64
	74 Roxanne Brown					55
	1333					
	75 Roxanne Brown					
	376					
Lewiston/Coeur d'Alene	77 Ken Knoblock					
		645				
	78 Carter Fritschle					
	557					
	79 Greg Taylor					

Overall Principles of SRBA

- **Water right is based on the extent of beneficial use**
- **Water right recommendation is the maximum that can be justified and defended**
- **Delivery losses are part of recommended water rights**

IDWR Policy Guidelines

- **The SRBA determines the extent of beneficial use**
- **If it can be shown that lands were at one time irrigated, such lands are counted in the land list, even if the land was not shown to be irrigated in 1987, if the place of use has not been moved to another location**

History of Quantifying Acres Irrigated in Adjudications

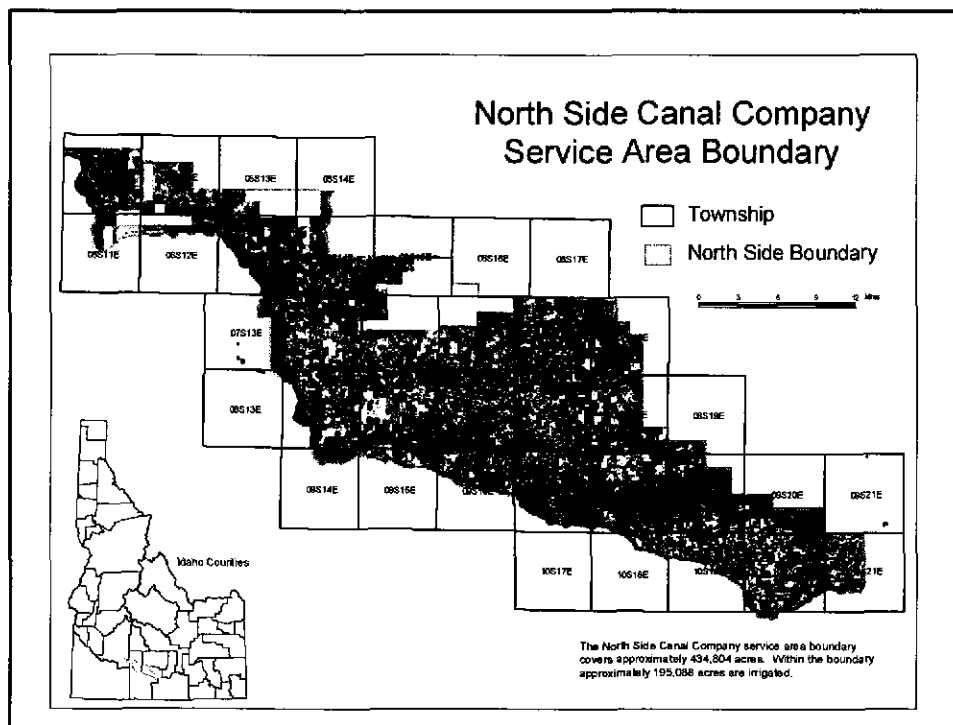
- **Irrigated acres have always been counted in IDWR adjudications**
 - κ **initially used map cards and planimeters**
 - κ **switched to ArcView (for accuracy) 5 years ago**

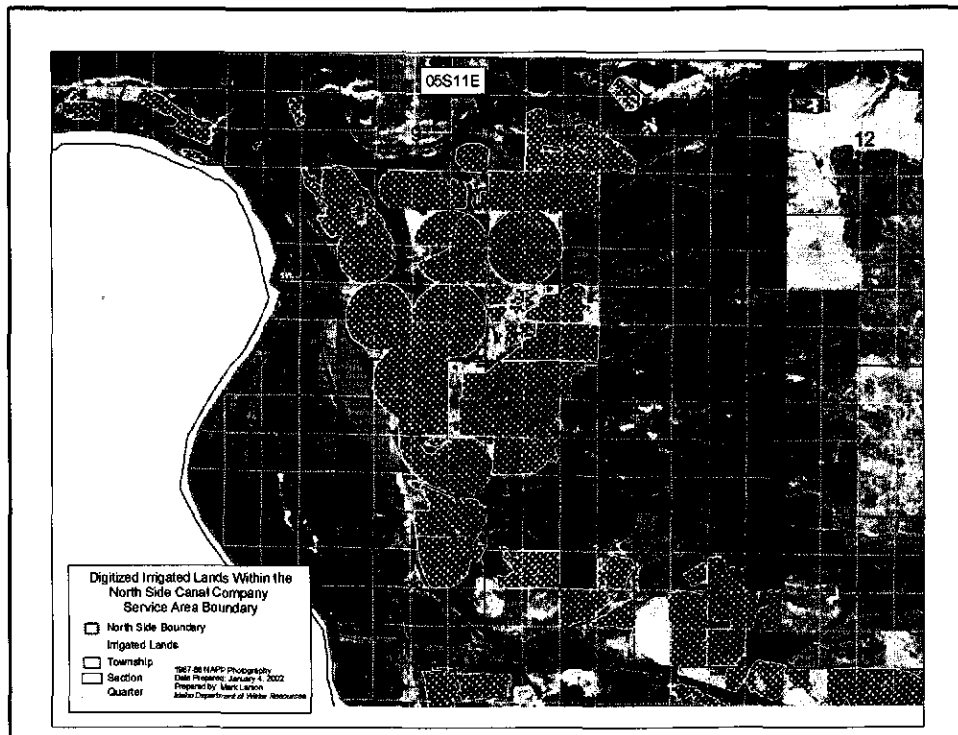
Mechanism for Quantifying Acres Irrigated in the SRBA

- **For most irrigation water rights, acreage irrigated is identified by 40 acre tract**
- **The “large place of use” technique is used for:**
 - **Irrigation districts**
 - **Canal companies with 25,000 acres or more**
 - **Irrigation projects for delivery of surface water to more than 5 water users**

“Large Place of Use” Technique

- 1. Determine boundary**
 - Use “digital boundary”
 - Work with Danielle Favreau
 - Based on input from organization
 - All organizations have completed this step
- 2. IDWR provides initial maps based on aerial survey. This is just a starting point and is not a final determination**





“Large Place of Use” Technique (cont.)

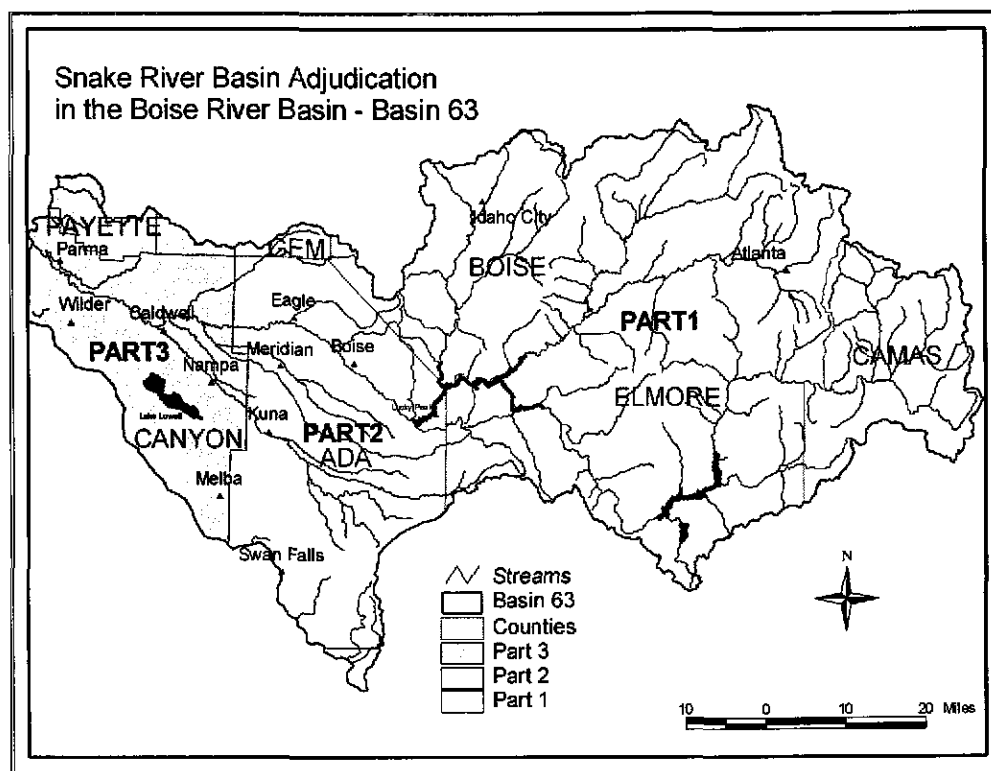
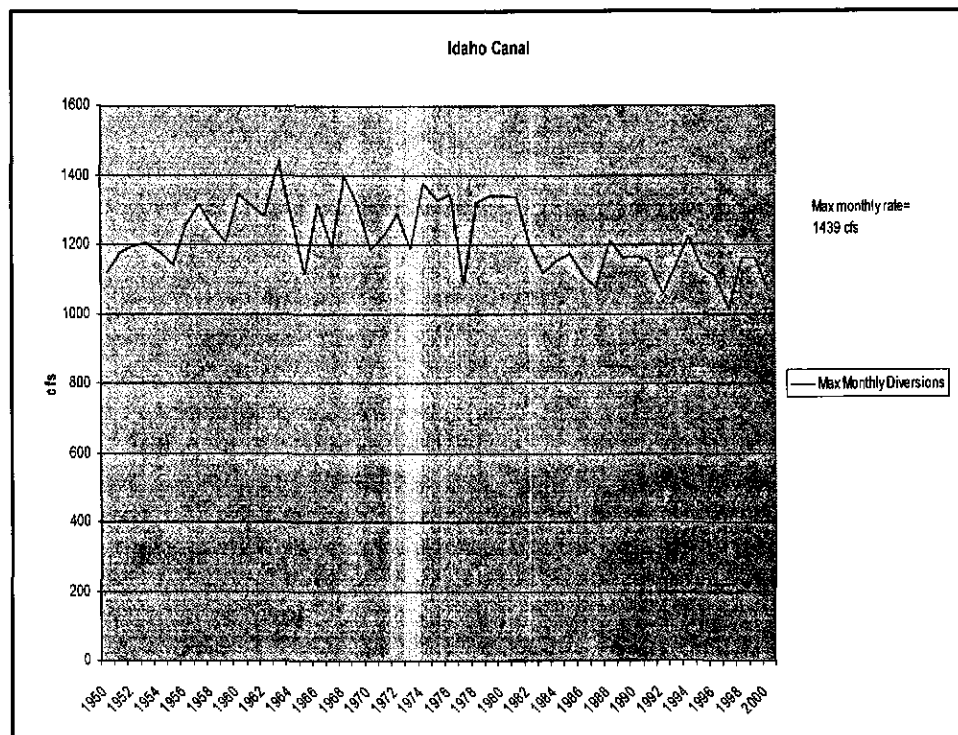
- 3. Organization provides feedback by marking maps**
- 4. IDWR negotiates acreage with organization**
- 5. Preliminary recommendation sent to organization**
- 6. Further negotiations as needed**
- 7. IDWR submits Director’s Report, including digital boundary and acreage count**
- 8. Formal objections can be filed if necessary (experience shows that this seldom happens for water delivery organizations)**

Counting Acres Guidelines

- 1. Count only acres that have been irrigated by water from the delivery organization**
- 2. Do not count acres for which water has been moved to another location**
- 3. Start with assessed acres**
- 4. Remove from the count acres that have never been irrigated (roadways, wasteways, etc.)**

Counting Acres Guidelines (cont.)

- 5. Almost never will we be able to count 640 acres irrigated in a section (at a minimum section line roads will need to be subtracted) except in the rare case that the organization can demonstrate that every acre was at one time irrigated**
- 6. Previous acreage determinations need to be reviewed as to acceptability**
- 7. IDWR will recommend the maximum number of acres that can be justified and supported**



BOISE RIVER DRAINAGE BASIN BASIN 63, PART 2 DITCH COMPANIES & IRRIGATION DISRICTS

- | | |
|--|--|
| <ul style="list-style-type: none"> • Ballentyne Ditch Company Ltd • Boise City Canal Company • Boise Valley Irrigation Ditch Company • Boise Warm Springs Water District • Capital View Irrigation Inc • Creason Lateral Assn • Drainage District Number Four • Eureka Water Company • Farmers Union Ditch Company Ltd • Hart-Davis Ditch Company Inc • Mace Catlin Ditch Company | <ul style="list-style-type: none"> • Middleton Irrigation Association • Middleton Mill Ditch Company • New Dry Creek Ditch Company • New Union Ditch Company • Pioneer Ditch Company Ltd • Pleasant Valley Irrigation Company • Settlers Irrigation District • South Boise Mutual Irrigation Co • South Boise Water Company • Thurman Mill Ditch Company Ltd • Warm Springs Ditch Company |
|--|--|

BOISE RIVER DRAINAGE BASIN BASIN 63, PART 3 DITCH COMPANIES & IRRIGATION DISRICTS

- | | |
|---|---|
| <ul style="list-style-type: none"> • Andrews Ditch Company • Big Bend Irrigation District • Black Canyon Irrigation District • Boise-Kuna Irrigation District • Canyon County Water Company Ltd • Canyon Ditch Co • Canyon Hill Irrigation Dist • Eureka Ditch Company No 2 • Farmers Cooperative Ditch Company • Franklin Ditch Company • Golden Gate Irrigation District • Haas Ditch Company • Island Highline Ditch Company • Lower Centerpoint Ditch Co. | <ul style="list-style-type: none"> • Mason Creek Ditch Company • McConnel Island Ditch Company Ltd • Nampa & Meridian Irrigation Dist • New York Irrigation District • Pioneer Dixie Ditch Company • Pioneer Irrigation District • Poor Boy Ditch • Reynolds Irrigation District • River Flat Ditch Company • Siebenberg Cooperative Ditch Company • Riverside Irrigation District Ltd • Upper Center Point Ditch Company • Wilder Irrigation District |
|---|---|

Boise Project Board of Control

<u>Basin No.</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Source Table</u>
63 136	Decreed	1864-09-01	20	BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63 137 B	Decreed	1869-06-01	0.34	BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63 200 A	Decreed	1888-08-20	8.9	BOISE RIVER	DOMESTIC, IRRIGATION	wrAdjudicationClaim
63 233 K	Decreed	1887-10-01	1.2	BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63 136	Decreed	1864-09-01	20	BOISE RIVER	IRRIGATION	wrWaterRight
63 137 B	Decreed	1869-06-01	0.34	BOISE RIVER	IRRIGATION	wrWaterRight
63 200 A	Decreed	1888-08-20	8.9	BOISE RIVER	DOMESTIC, IRRIGATION	wrWaterRight
63 233 K	Decreed	1887-10-01	1.2	BOISE RIVER	IRRIGATION	wrWaterRight

Acres Claimed:

Acres Paid: 0

Acres Found Thus Far:

63-163 was for the Hillcrest Irrigation District

New York ID

<u>Basin No.</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Vollm Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
63 372	Decreed	3/23/1900	58.66	BOISE RIVER	IRRIGATION	BOISE-KUNA IRRIG	wrAdjudicationClaim
63 11988		2/18/1993	2	110 BOISE RIVER	DIVERSION TO STOP	MAALOUF, KARLO	wrWaterApplication
63 372	Decreed	3/23/1900	58.66	BOISE RIVER	IRRIGATION	BOISE-KUNA IRRIG	wrWaterRight

Acres Claimed:

Acres Paid: 0

Acres Found Thus Far: 17,735

Boise-Kuna ID

<u>Basin</u>	<u>Sequen</u>	<u>Basin</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Vol(a)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Source Table</u>
63	372	Decreed	3/23/1900		58.86		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	26671	Decreed	1866-05-01		8		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	26671		1866-05-01		8		BOISE RIVER	IRRIGATION	wrAdjudicationRecommendation
63	372	Decreed	3/23/1900		58.86		BOISE RIVER	IRRIGATION	wrWaterRight
63	10345	License	3/7/1986		0.01	0.6	GROUND WATER	DOMESTIC	wrWaterRight

Acres Claimed: Acres Paid: 0

Acres Found Thus Far: 47,282

Wilder ID

<u>Basin</u>	<u>Sequen</u>	<u>Basin</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Vol(a)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Source Table</u>
63	10345	License	3/7/1986		0.01	0.6	GROUND WATER	DOMESTIC	wrWaterRight

Acres Claimed: Acres Paid: 0

Acres Found Thus Far: 57,823

Big Bend ID

Basin	Sequn	Suff	Basin	Priority Da	Rate(cfs)	Vol(a)	Source	Water Use(s)	Source Table
63	10345		License	3/7/1996	0.01	0.6	GROUND WATER	DOMESTIC	wrWaterRight

Acres Claimed: Acres Paid: 0

Acres Found Thus Far: 1,824

Nampa & Meridian ID

Basin No.		Basin	Priority Da	Rate(cfs)	Vol(a)	Source	Water Use Version	Source Table
63	198 A	Decreed	1877-06-01	0.4		BOISE RIVER , MORES	IRRIGATION	wrAdjudicationClaim
63	199 A	Decreed	1878-05-01	0.4		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	199 B	Decreed	1878-05-01	169.6		BOISE RIVER , MORES	GROUND WATER RE	wrAdjudicationClaim
63	199 C	Decreed	1878-05-01	0.4		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	200 B	Decreed	1888-08-20	361.94		BOISE RIVER , MORES	GROUND WATER RE	wrAdjudicationClaim
63	200 C	Decreed	1888-08-20	8.9		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	2392 B	License	9/13/1927	4.63		BOISE RIVER	IRRIGATION	wrAdjudicationClaim
63	30181	Decreed	1864-06-01	0.2		BOISE RIVER , MORES	IRRIGATION	wrAdjudicationClaim
63	2968	License	11/19/1953	0.46	103.5	GROUND WATER	IRRIGATION	wrAdjudicationClaim
63	3614 F	License	12/9/1940		92921	BOISE RIVER	IRRIGATION FROM S	wrAdjudicationClaim
63	3618 J	Permit	12/9/1940		35000	BOISE RIVER	IRRIGATION FROM S	wrAdjudicationClaim
63	5262 C	License	12/9/1940		65461	BOISE RIVER	IRRIGATION FROM S	wrAdjudicationClaim
63	198 A	Decreed	1877-06-01	0.4		BOISE RIVER , MORES	IRRIGATIC	1 wrAdjudicationRecommendation
63	199 A	Decreed	1878-05-01	0.4		BOISE RIVER	IRRIGATIC	1 wrAdjudicationRecommendation
63	199 B	Decreed	1878-05-01	169.6		BOISE RIVER , MORES	GROUND !	1 wrAdjudicationRecommendation
63	200 B	Decreed	1888-08-20	361.94		BOISE RIVER , MORES	GROUND !	1 wrAdjudicationRecommendation
63	30181	Decreed	1864-06-01	0.2		BOISE RIVER , MORES	IRRIGATIC	1 wrAdjudicationRecommendation
63	199 A	Decreed	1878-05-01	0.4		BOISE RIVER	IRRIGATION	wrWaterRight
63	200 A	Decreed	1888-08-20	8.9		BOISE RIVER	DOMESTIC, IRRIGAT	wrWaterRight
63	2968	License	11/19/1953	0.46	103.5	GROUND WATER	IRRIGATION	wrWaterRight
63	10345	License	3/7/1996	0.01	0.6	GROUND WATER	DOMESTIC	wrWaterRight

Acres Claimed: 22,622.38 Acres Paid: 27,142

Acres Found Thus Far: 41,864

BOR

- **BOR claims will be initially reviewed in a meeting on December 12, 2005**
- **Seeking Board of Control review of proposals for BOR recommendations early in 2006**

Issues

- **63-200A (Boise Project) and 63-200C (NMID) are for the same water**

Next Steps

- **Feb 2006 -- Distribute preliminary recommendations for Basin 63 Part 3 canal companies and irrigation districts**
- **March and April 2006 -- Meet with companies and districts as invited/required**
- **June 2006 -- Director's Report with all other part 3 recommendations**
- **Late 2006 -- End date for objections**
- **Early 2007 -- Partial Decrees for uncontested recommendations**

Questions / Discussion

A black and white photograph of a mountainous landscape. In the foreground, there is a dark, textured area that appears to be a river or stream. The middle ground shows a series of rolling hills or mountains with some vegetation. The background features a range of higher, more rugged mountains under a light sky. The overall tone is somber and naturalistic.

Note: BPB o c

might want
to file a claim
to 7.55 cfs

of 63-2392
See this page

DISTRIBUTION OF DRAINAGE WATER
TO VARIOUS CANALS

CHART NO. 6

DRAINAGE DISTRICT NO. 2

	PERCENT OF TOTAL		PERCENT OF TOTAL
FARMERS UNION	20.99	CANYON COUNTY	12.68
BOISE VALLEY	10.03	BALLENTYNE	3.04
NEW DRY CREEK	9.47	BOISE CITY	3.01
NEW UNION	1.21	CONSUMERS	.11
MIDDLETON CANAL	35.00	LITTLE PIONEER	4.46

THE CREDITS GIVEN ABOVE ARE BASED ON A DRAINAGE FLOW OF 100 SECOND FEET.

JUDGE BRINK ORDERS, AUGUST, 1928, GIVES 90 INCHES ADDITIONAL TO FARMERS UNION.

DRAINAGE DISTRICT NO. 3

	PERCENT OF TOTAL		PERCENT OF TOTAL
BOARD OF CONTROL	49.00	ROSSI MILL	10.00
RIDENBAUGH	24.00	MEEVES	2.00
BUBB (SOUTH BOISE MUTUAL)	15.00		

THE CREDITS GIVEN ARE BASED UPON A DRAINAGE DISCHARGE OF 15 SECOND FEET.

DRAINAGE DISTRICT NO. 4

THURMAN MILL	570.98 INCHES
RIDENBAUGH	51.34 "
WARM SPRINGS SLOUGH	127.68 "

THE CREDITS ABOVE ARE BASED ON A DRAINAGE DISCHARGE OF 750 INCHES, AND THE AMOUNTS ARE A DIRECT COURT ORDER.

1. Lake Lowell not
used in 1869

NOTICE OF ERROR

RECEIVED

SEP 29 2006

DEPARTMENT OF
WATER RESOURCES

REPLY

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: September 29, 2006

Water right number: 63-136

BOISE PROJECT BOARD OF CONTROL

ATTN: ALBERT BARKER

BARKER ROSHOLT & SIMPSON LLP

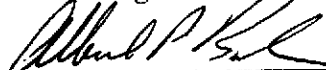
PO BOX 2139

BOISE ID 83702-2139

Telephone Number: (208)336-0700

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
 - (a) Period of use
 - (b) Place of use
2. Describe the changes you wish to make in the proposed recommendation:
 - (a) Period of use should not contain subordination language
 - (b) Place of use should be 167,000 acres
3. Give a brief explanation as to why you disagree with these portions:
 - (a) Water right is used to fill Lake Lowell via New York Canal in off-season
 - (b) Correct number of Boise Project acres within the five Irrigation Districts

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

DATE: 9/29/2006 SIGNATURE: 

Please print your name: ALBERT P. BARKER

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
OCT 03 2006

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Certificate of Water Right
Transferred Right No. 790.

THIS IS TO CERTIFY That BOISE PROJECT BOARD OF CONTROL, is the owner of and using the following water rights for the waters of Boise River

Twenty (20) cubic feet per second with priority of September 1, 1864, decreed to Pioneer Dixie Ditch Company.

Thirty-four hundredths (0.34) cubic foot per second with priority of June 1, 1869, decreed to Pioneer Dixie Ditch Company.

One and twenty-hundredths (1.20) cubic feet per second with priority of October 1, 1887, decreed to American Ditch Company,

by decree of Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, bearing date of January 18, 1906, in the case of

FARMERS' COOPERATIVE DITCH COMPANY

Plaintiffs,

vs.

RIVERSIDE IRRIGATING DISTRICT, et al,

Defendants,

being appurtenant to the following described land, situate, lying and being in Water District No. 12-A, County of Ada, and State of Idaho, by Certificate of Transfer No. 111, dated November 25, 1912, to-wit:

Lands within the Hillcrest Irrigation District, located in Sections 26, 27, 28, 29, 30, 31, 32, 33, and 34, Township 3 North, Range 2 East, B.M.

That the said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at page 410 thereof.

That the said Boise Project Board of Control has become the owner of said water right through purchase.

And that now, upon the application of the Boise Project Board of Control, through Forrest Sower, Manager, of Boise, Idaho, for a Certificate of Transfer of Water Right made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of Twenty-one and fifty-four hundredths (21.54) cubic feet per second of the waters of Boise River from the lands above described is HEREBY ABANDONED, and the tracts of land to be irrigated under such rights and to which the water rights HEREBY CONFIRMED shall be made appurtenant by this certificate, are described as follows, to-wit:

MICROFILMED

All Boise Project land operated by the Boise Project Board of Control, comprising lands within the New York Irrigation District, the Boise-Kuna Irrigation District, the Nampa-Meridian Irrigation District, the Wilder Irrigation District and the Big Bend Irrigation District.

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

20 cubic feet per second with priority of September 1, 1864.

0.34 cubic foot per second with priority of June 1, 1869.

1.20 cubic feet per second with priority of October 1, 1887.

That the water right hereby transferred has heretofore been conducted to the first above described lands through the New York Canal, with point of diversion near the Quarter corner common to Sections 3 and 4, Township 2 North, Range 5 East, B.M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the New York Canal and with the same point of diversion.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 28th day of March, 1952.

MAHEAR R. KULP
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

BOISE PROJECT BOARD OF CONTROL,
Through Forrest Sower, Manager
Boise, Idaho.)

ORDER GRANTING TRANSFER

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

No. 790

WHEREAS, On the 4th day of March, 1952, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Boise Project Board of Control, through Forrest Sower, Manager, of Boise, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 28th day of March, 1952.

MARK R. KULP
State Reclamation Engineer

63	✓ 136	20.0	BOISE PROJECT BOARD OF CONTRO	Mel	HAS
63	✓ 137B	.34	BOISE PROJECT BOARD OF CONTRO	Mel	PLT 3
63	✓ 200A	8.9	BOISE PROJECT BOARD OF CONTRO	Mel	PLT 3
63	✓ 31101	Dom.	BOISE PROJECT BOARD OF CONTRO	Mel	HAS
63	✓ 233K	1.2	REC. IN PART 3		
		30.44			

part 2

part 2

63-137 = 35.44 g/a
 A = 35.10 g/a - EPED
 B = 34 g/a - EPED

63-200 = 370.84 g/a
 A = 6.90 g/a = EPED
 B = 551.94 g/a = EPED
 370.84 g/a

adding in
 immediate

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHAPT NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	NO.	PRIORITY DATE	AMOUNT DECREED			INCHES	TOTAL SEC. FT.
					STEWART DECREE	STEWART DECREE	BRYAN DECREE		
NEW YORK			131	3-23-1900	219.10			10955	
				3-23-1900			58.86	2949	
				12-14-1903			1354.58	57729	
				6-16-1909			926.50	46325	
			(790-111) 8	9-1-1864	20.00			1000	
			45	6-1-1869	.34			17	
			(790-111) 96	10-1-1887	1.20			60	
			466	8-20-1888	8.90			445	
			701	5-1-1866	2.00			100	
			823	5-1-1866	6.00			300	
			976	5-1-1866	1.50			75	
			1007	5-1-1866	1.00			50	
			1010	5-1-1866	2.00			100	
			1017	5-1-1866	.60			30	
			1074	5-1-1866	2.00			100	2604.58
			71	6-1-1878	4.40			220	
			74	6-1-1880	1.76			88	
			125	6-1-1894	1.76			88	
PARMA DITCH			77-A	6-1-1881		1.60		80	
			77-E	6-1-1881		.34		17	
			77-C	6-1-1881		.80		40	
			77-D	6-1-1881		1.30		65	
	257		114-B	5-1-1889		.80		40	12.76
PENITENTIARY	46		50	6-1-1870	2.24			112	2.24
PHYLISS			90	6-1-1884	53.10			2655	
			117	9-1-1890	200.00			10000	
			135	4-1-1904	56.34			2817	
				4-1-1905			306.56	15328	
				4-1-1908			54.50	2725	
			1038	5-1-1866	21.715			1086	692.215

*SUBTRACT

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 790.

THIS IS TO CERTIFY That BOISE PROJECT BOARD OF CONTROL, is the owner of and using the following water rights for the waters of Boise River

Twenty (20) cubic feet per second with priority of September 1, 1884, decreed to Pioneer Dixie Ditch Company.

Thirty-four hundredths (0.34) cubic feet per second with priority of June 1, 1889, decreed to Pioneer Dixie Ditch Company.

One and twenty-hundredths (1.20) cubic feet per second with priority of October 1, 1887, decreed to American Ditch Company,

by decree of Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, bearing date of January 18, 1906, in the case of

FARMERS' COOPERATIVE DITCH COMPANY

Plaintiffs,

vs.

RIVERSIDE IRRIGATION DISTRICT, et al,

Defendants,

being appurtenant to the following described land, situate, lying and being in Water District No. 18-A, County of Ada, and State of Idaho, by Certificate of Transfer No. 111, dated November 28, 1912, to-wit:

Land within the Millerest Irrigation District, located in Sections 26, 27, 28, 29, 30, 31, 32, 33, and 34, Township 3 North, Range 4 East, E.M.

That the said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 8 of Decrees, beginning at page 110 thereof.

That the said Boise Project Board of Control has become the owner of said water right through purchase.

And that now, upon the application of the Boise Project Board of Control, through Forrest Sower, Manager, of Boise, Idaho, for a Certificate of Transfer of Water Right made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of Twenty and fifty-four hundredths (21.54) cubic feet per second of the waters of Boise River from the lands above described is HEREBY ABANDONED, and the tracts of land to be irrigated under such rights and to which the water rights HEREBY CONFIRMED shall be made appurtenant by this certificate, are described as follows, to-wit:

All Boise Project land operated by the Boise Project Board of Control, comprising lands within the New York Irrigation District, the Boise-Kuna Irrigation District, the Hampa-Meridian Irrigation District, the Wilder Irrigation District and the Big Bend Irrigation District.

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

80 cubic feet per second with priority of September 1, 1864.

0.84 cubic feet per second with priority of June 1, 1868.

1.20 cubic feet per second with priority of October 1, 1887.

That the water right hereby transferred has heretofore been conducted to the first above described lands through the New York Canal, with point of diversion near the Quarter corner common to Sections 3 and 4, Township 3 North, Range 3 East, S.N.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the New York Canal and with the same point of diversion.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 28th day of March, 1908.

MAINE H. KINLP
State Reclamation Engineer

63-136

(8)

VII.

That the defendant C. C. HAVIRD be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E., B.M., through the Thurman Mill Slough or ditch, for use upon 160 acres of land situated in sections 23 and 26, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

0135 165 inches, from June 1, 1864. and hereby designated as Right No. 7. And be adjudged to pay \$11.55 costs, in addition to the costs incurred by him

VIII.

That the defendant, the PIONEER DIXIE DITCH COMPANY, a corporation be, and it is hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river near the center of NE 1/4 of NW 1/4 of Sec. 20, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

0136 1000 inches, from Sept. 1, 1864. And hereby designated as Right No. 8. T-116, 79a P.D. 9, P.D. 35

0137 1772 inches, from June 1, 1869. And hereby designated as Right No. 45. And be adjudged to pay \$194.04 costs in addition to the costs incurred by it T-116, 79a P.D. 9, P.D. 35

VIII. IX

That the defendant the SIEBENBERG COOPERATIVE DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near the center of the NW 1/4 of Sec. 15, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

0138 671 inches, from June 1, 1865. And hereby designated as Right No. 9. T-105, 717

And be adjudged to pay \$46.97 costs, in addition to the costs incurred by it. P.D. 12

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JUN 21 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-136

WATER RIGHT NUMBER: 63-136

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	H L RANDAL
	, ID
Current Owner	BOISE PROJECT BOARD OF CONTROL 2465 OVERLAND RD BOISE, ID 837053173 (208)344-1141
Original Owner	PIONEER DIXIE DITCH CO
	, ID
Current Owner	H L ET AL RANDAL
	, ZZ

Priority Date: 09/01/1864

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	20.000 CFS	
	<u>Total Diversion:</u>	20.000 CFS	

Location of Point(s) of Diversion

BOISE RIVER

Place of UseConditions of Approval:Remarks:

1. General FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.
THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS. 111 & 790
WHICH AFFECTED ENTIRE RIGHT.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-136

Dates and Other Information:

Licensed Date:
Decreed Date: 1/18/1906
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-136

WATER RIGHT NUMBER: 63-136

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	H L ET AL RANDAL
	, ZZ
Current Owner	BOISE PROJECT BOARD OF CONTROL 2465 OVERLAND RD BOISE, ID 837053173 (208)344-1141
Attorney	RAYMOND D GIVENS GIVENS PURSLEY LLP 277 N 6TH ST #200 PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Attorney	BARKER RSHOLT & SIMPSON LLP 205 N 10TH ST STE 520 PO BOX 2139 BOISE, ID 83701-2139
Original Owner	PIONEER DIXIE DITCH CO
	, ID

Priority Date: 09/01/1864

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	20.000 CFS	
	<u>Total Diversion:</u>	20.000 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SW1/4	Sec. 3,	Twp 03N,	Rge 03E, B.M.
ADA County				
BOISE RIVER	SW1/4NW1/4	Sec. 3,	Twp 03N,	Rge 03E, B.M.
ADA County				

Place of UseIRRIGATION Within ADA County

T65N R46E S36 NENW

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-136

Remarks:

1. General FOR IRR. OF LANDS UNDER HILLCREST IRR. DIST.
THIS RIGHT WAS SPLIT BY TRANS 35 WHICH WAS SUPERCEDED BY TRANS. 111 & 790
WHICH AFFECTED ENTIRE RIGHT.
| ADDRESS CHANGE BY CLAIMANT LETTER 8/6/99 SS.

Comments:

Dates and Other Information:

Claim Received Date: 8/8/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SD-0601-2 Last Name: BOISE PROJECT

W.D.

STATE

S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
BOISE PROJECT BOARD OF CONTROL							
		C	A63-00136	09/01/1864	BOISE RIVER	20.000	01 IRR
		C	A63-00137B	06/01/1869	BOISE RIVER	0.340	01 IRR
		C	A63-00233K	10/01/1887	BOISE RIVER	1.200	01 IRR
		C	A63-22098	01/01/1987	GROUNDWATER	0.040	43 DOMEST
		C	A63-22099	01/01/1964	GROUNDWATER	0.040	43 DOMEST
		C	A63-22101	01/01/1949	GROUNDWATER	0.040	43 DOMEST
		C	A63-22102	01/01/1950	GROUNDWATER	0.040	43 DOMEST
		C	A63-23844	12/31/1948	GROUNDWATER	0.040	43 DOMEST
		C	A63-23845	12/31/1948	GROUNDWATER	0.040	43 DOMEST
		C	A63-23846	12/31/1980	GROUNDWATER	0.040	43 DOMEST
		C	A63-23847	12/31/1948	GROUNDWATER	0.040	43 DOMEST
		C	A63-23849	12/31/1947	GROUNDWATER	0.040	43 DOMEST
		C	A63-23850	12/31/1948	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A63-23853	12/31/1950	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

2 N.O.A.s
 Hauley Troxell
 and
 Givens as attorneys

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JUL 22 1994

SD-0601-2 Last Name: BOISE PROJECT

STATE

S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Desc

BOISE PROJECT BOARD OF CONTROL							
	C	A63-23854	12/31/1950	GROUNDWATER	0.040	43	DOMEST
	C	A63-00200A	08/20/1888	BOISE RIVER	8.900	01	IRR
						43	DOMEST
	C	A63-23848	12/31/1949	GROUNDWATER	0.040	43	DOMEST
	C	A63-23851	12/31/1958	GROUNDWATER	0.040	43	DOMEST
						04	STOCK
	C	A63-23852	12/31/1948	GROUNDWATER	0.040	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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JUL 22 1984

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
HAWLEY TROXELL ENNIS & HAWLEY
P.O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000
Fax: (208) 342-3829

COPY

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)

Case No. 39276

MOTION FOR LEAVE
TO FILE
NOTICE OF APPEARANCE

The State of Idaho, ex rel.)
R. Keith Higginson in his official)
capacity as director of the)
Idaho Department of Water)
Resources,)

Petitioner,)

vs.)

The United States;)
The State of Idaho;)
and All Claimants to the Use)
of Water from the Snake River)
Basin Water System,)

Defendants.)

COME NOW Wilder Irrigation District and the Boise
Project Board of Control, by and through their attorneys, Hawley
Troxell Ennis & Hawley, and, request that this Court grant them

MICROFILMED

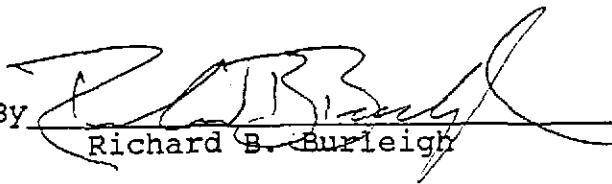
JUL 2 1991

leave to file a Notice of Appearance pursuant to the Order of this Court entered December 17, 1991. The Courts Order required that all interested parties file their Notice of Appearance by January 2, 1992. Due to scheduling errors this deadline was permitted to pass without filing a Notice of Appearance. Wilder Irrigation District and the Boise Project Board of Control wish to remain on the Certification of Mailing and to continue to receive all mailing at this point in the proceeding. The Notice of Appearance is filed in conjunction with this Motion.

DATED this 6TH day of January, 1992.

HAWLEY TROXELL ENNIS & HAWLEY

By


Richard B. Burleigh

MICROFILMED

JAN 27 1992

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of January, 1992, I caused to be served a true copy of the foregoing NOTICE OF APPEARANCE by the method indicated below, and addressed to each of the following:

Larry Echohawk
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

David Shaw
Adjudication Bureau Chief
Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720 (6 copies)

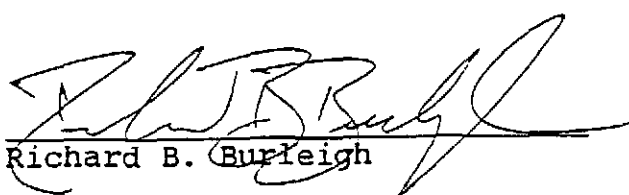
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☐ Hand Delivered
☐ Overnight Mail
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Peter C. Monson, Esq.
Assistant Attorney General
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Division
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☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)


Richard B. Burleigh

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JAN 22 1992

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 Jeffrey C. Fereday
 Michael C. Creamer
 Christopher H. Meyer
 Givens, Pursley, Webb & Huntley
 277 North 6th Street
 P.O. Box 2720
 Boise, ID 83701
 (208) 342-6571

RECEIVED
 JAN 02 1992

Department of Water Resources

Attorneys for Boise Project Board of Control, New York Irrigation District, Blaine
 Larsen and Other Parties

**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

Case No. 39576

The State of Idaho, ex rel. R. Keith Higginson
 in his official capacity as Director of the Idaho
 Department of Water Resources,

NOTICE OF APPEARANCE

Petitioner,

vs.

The United States; the State of Idaho; and all
 Claimants to the use of water from the Snake
 River Basin Water System

SUMMARY DESCRIPTION

Notice of Appearance of Raymond D. Givens, Jeffrey C. Fereday, Michael C.
 Creamer, and Christopher H. Meyer of the Firm of Givens, Pursley, Webb &
 Huntley as Attorneys for Boise Project Board of Control, New York Irrigation
 District, Blaine Larsen and Other Parties

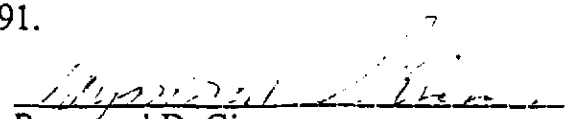
Raymond D. Givens, Jeffrey C. Fereday, Michael C. Creamer, and Christopher H.
 Meyer of the firm of Givens, Pursley, Webb & Huntley hereby enter their appearance as

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ALB-00372

attorneys for Boise Project Board of Control, New York Irrigation District, Blaine Larsen and other parties in the above matter.

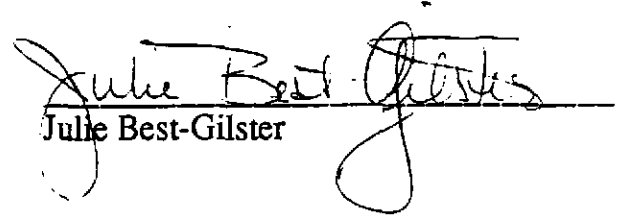
Dated this 30th day of December, 1991.


Raymond D. Givens
Givens, Pursley, Webb & Huntley

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Notice of Appearance was mailed this 30th day of December, 1991 in an envelope with sufficient first-class postage prepaid thereon to the following:

SEE ATTACHMENT A


Julie Best-Gilster

MICROFILMED
JUL 22 1994

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JUL 22 1984

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Portland, OR 97232

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Department of Agriculture
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14th and Independence Ave., N.W.
Washington, D.C. 20250

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Boise, ID 83709

Vic Conrad
Water Specialist
J.R. Simplot
P. O. Box 27
Boise, ID 83707

James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
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Carolyn Seneca Steele
Underwood & Steele
P. O. Box 387
Boise, ID 83701

Ed Thomas
Bureau of Reclamation
550 West Fort Street
Boise, ID 83724

The Honorable Darla Williamson
Judge, Magistrate Division
Valley County Courthouse
Cascade, ID 83611

U.S. Department of Justice
Environment & Natural Resources
Division
550 West Fort Street, Box 33
Boise, ID 83724

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Albert P. Barker
Richard B. Burleigh
HAWLEY TROXELL ENNIS & HAWLEY
P.O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000
Fax: (208) 342-3829

Boise Project
A63-22098 A63-23848
A63-22099 A63-23849
A63-22101 A63-23850
A63-22102 A63-23851
A63-00136 A63-23852
A63-00137B A63-23853
A63-00200A A63-23854
A63-00233K de complete
A63-23844 1-28-92
A63-23845 RTF
A63-23846
A63-23847

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

Case No. 39276

NOTICE OF APPEARANCE

The State of Idaho, ex rel.
R. Keith Higginson in his official
capacity as director of the
Idaho Department of Water
Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Defendants.

MICROFILMED
AUG 14 1992

COME NOW Wilder Irrigation District and the Boise
Project Board of Control, by and through their attorneys, Don A.
Olowinski, Albert P. Barker and Richard B. Burleigh, of the firm

MICROFILMED

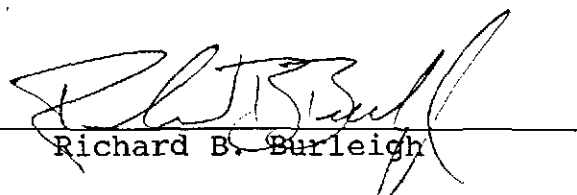
JUL 22 1992

Hawley Troxell Ennis & Hawley, and, pursuant to the Order of this Court entered December 17, 1991 enter their appearance in the above-captioned case.

DATED this 6th day of January, 1992.

HAWLEY TROXELL ENNIS & HAWLEY

By


Richard B. Burleigh

MICROFILMED

AUG 14 1991

MICROFILMED

JUL 22 1991

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of January, 1992, I caused to be served a true copy of the foregoing NOTICE OF APPEARANCE by the method indicated below, and addressed to each of the following:

Larry Echohawk
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

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David Shaw
Adjudication Bureau Chief
Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720 (6 copies)

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☐ Telecopy (Fax)

Peter C. Monson, Esq.
Assistant Attorney General
U.S. Department of Justice
Land and Natural Resources
Division
Indian Resources Section, Rm. 6317
P.O. Box 44378
Washington, D.C. 20026-4378

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James C. Tucker, Esq.
Nelson, Rosholt, Robertson,
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P.O. Box 2139
Boise, Idaho 83701

☒ U.S. Mail, Postage Prepaid
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☐ Overnight Mail
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Richard B. Burleigh

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JUL 22 1994

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AUG 14 1992

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AUG 14 1992