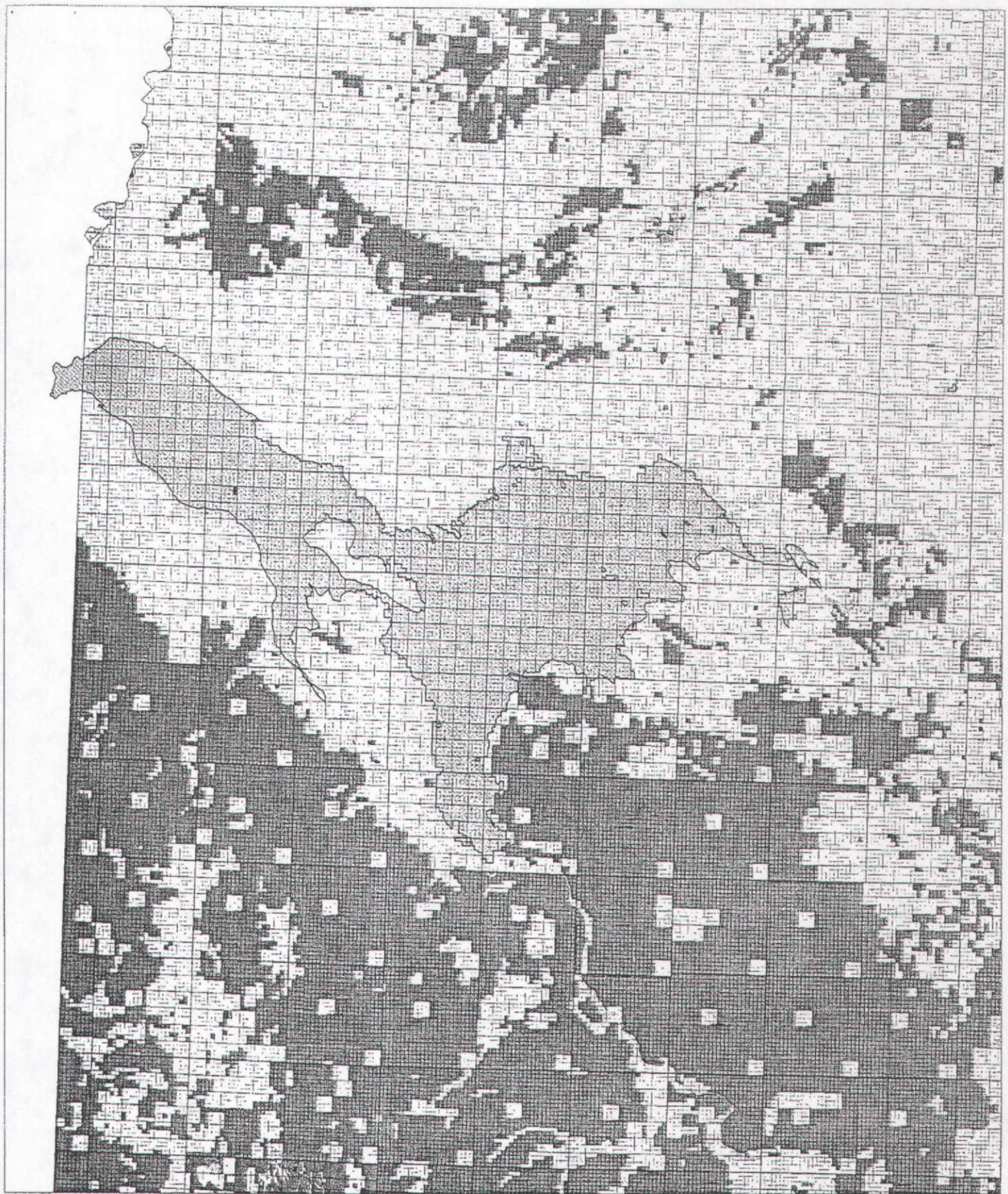


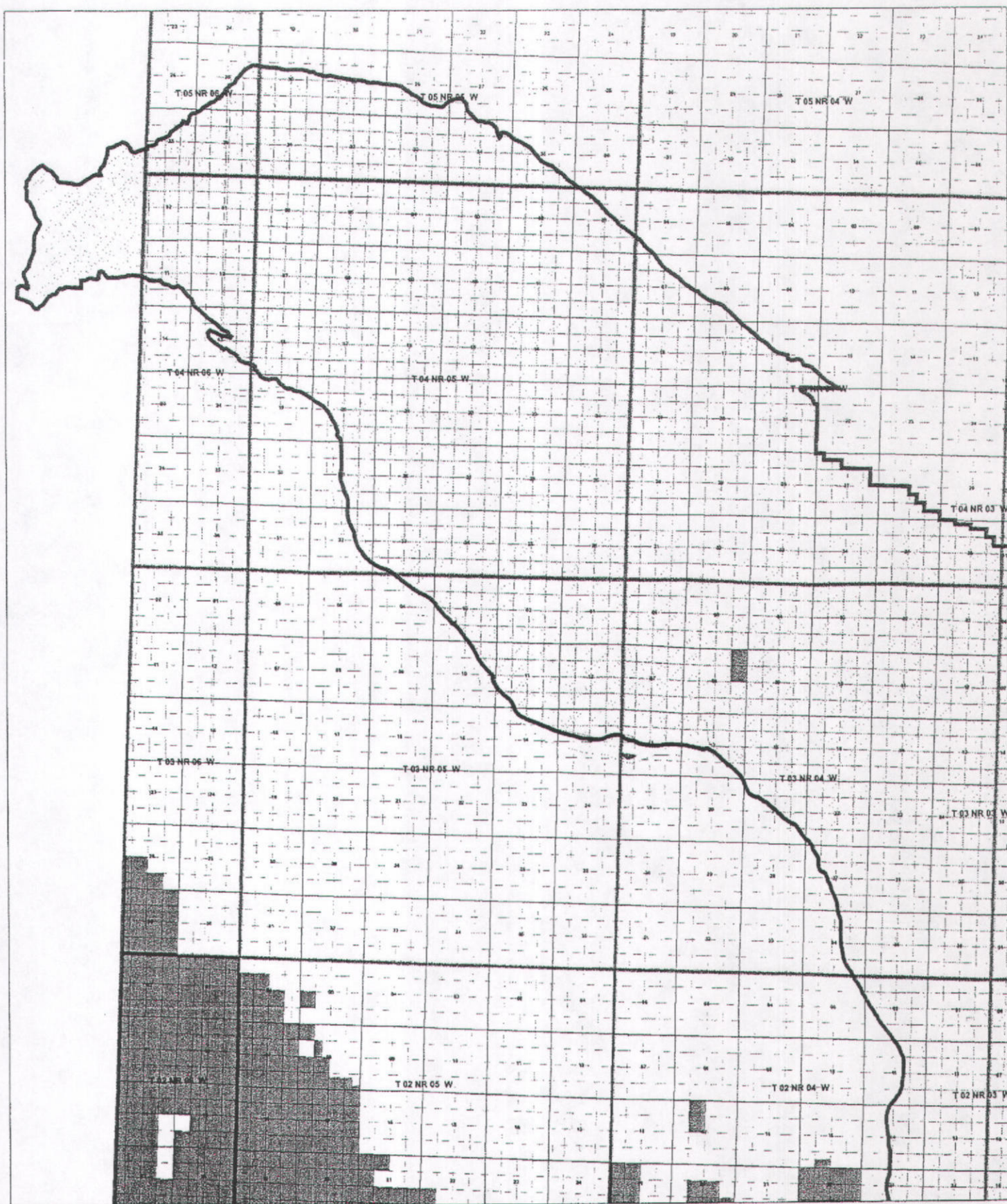


Legend

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

0.5 1 2 3 4
Miles





Legend

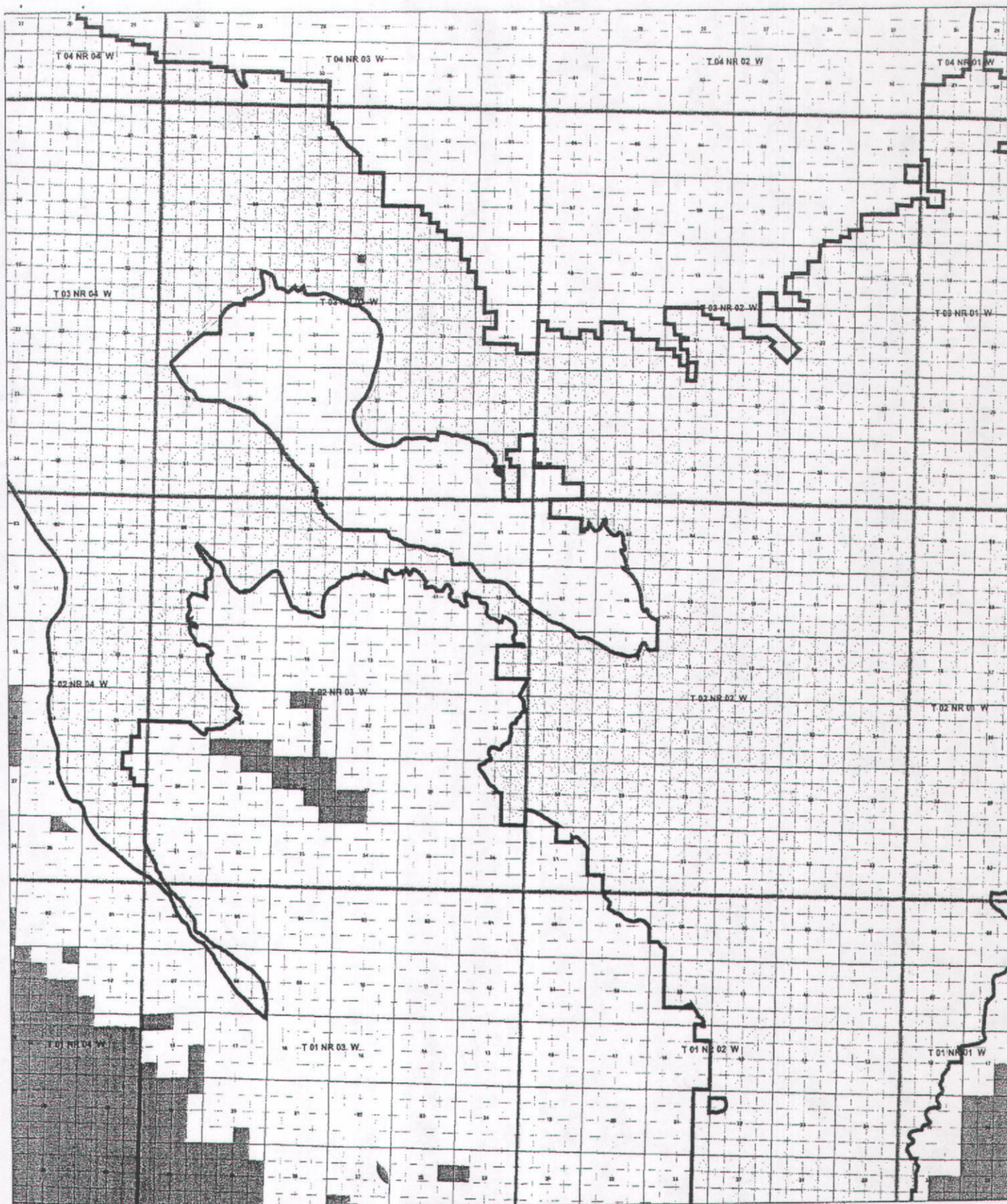
- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- bpsc_bndy 63-00136 et. al.

© 1995, 50.75 1
Miles



U.S. Department of the Interior
Bureau of Land Management
63-00136 et. al.
1995-1997



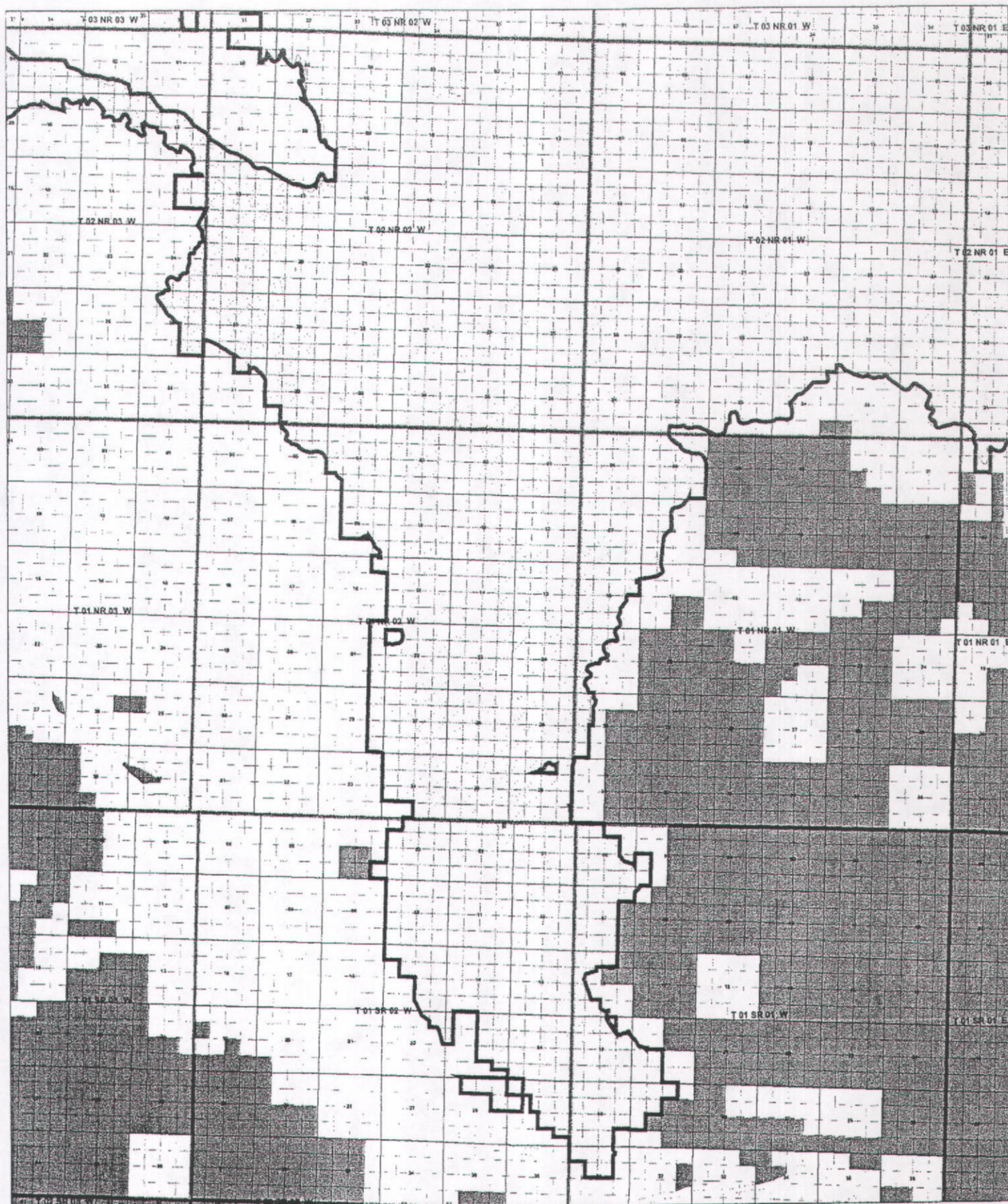


Legend

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

102850.50.75 1
Miles



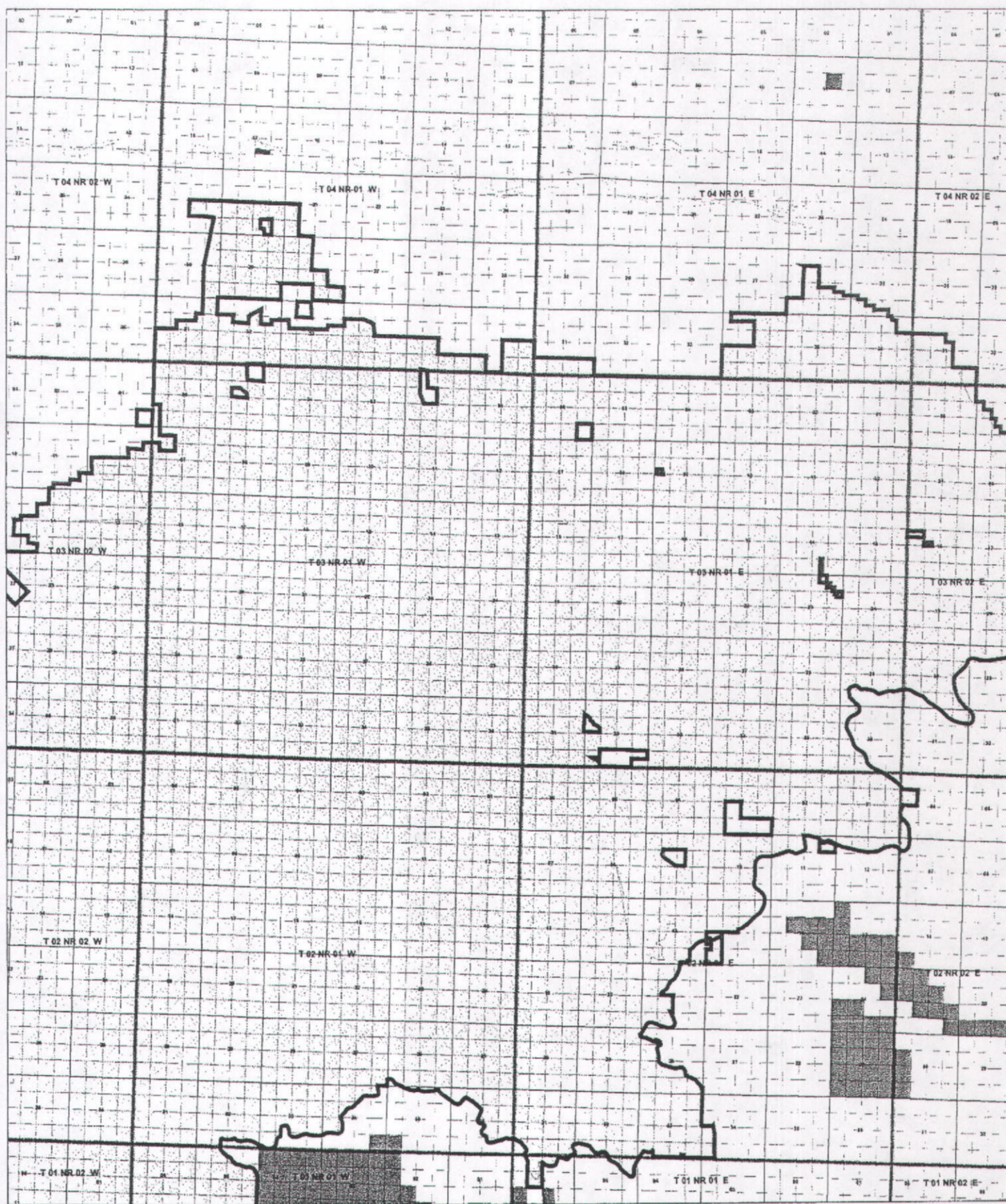


Legend

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

1:250,000
 1:250,000 Miles



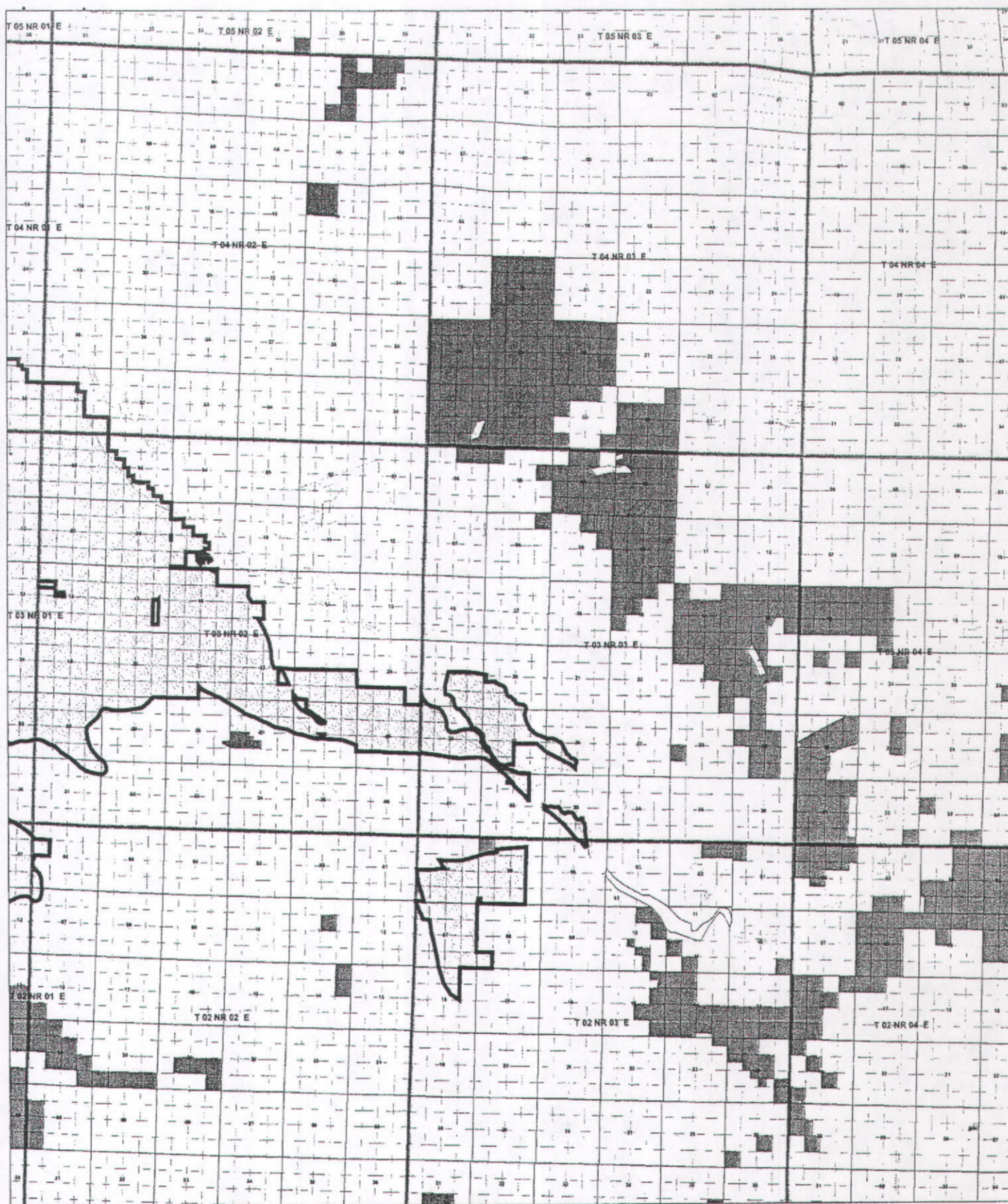


Legend

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

© 12850.50.75 1
 Miles



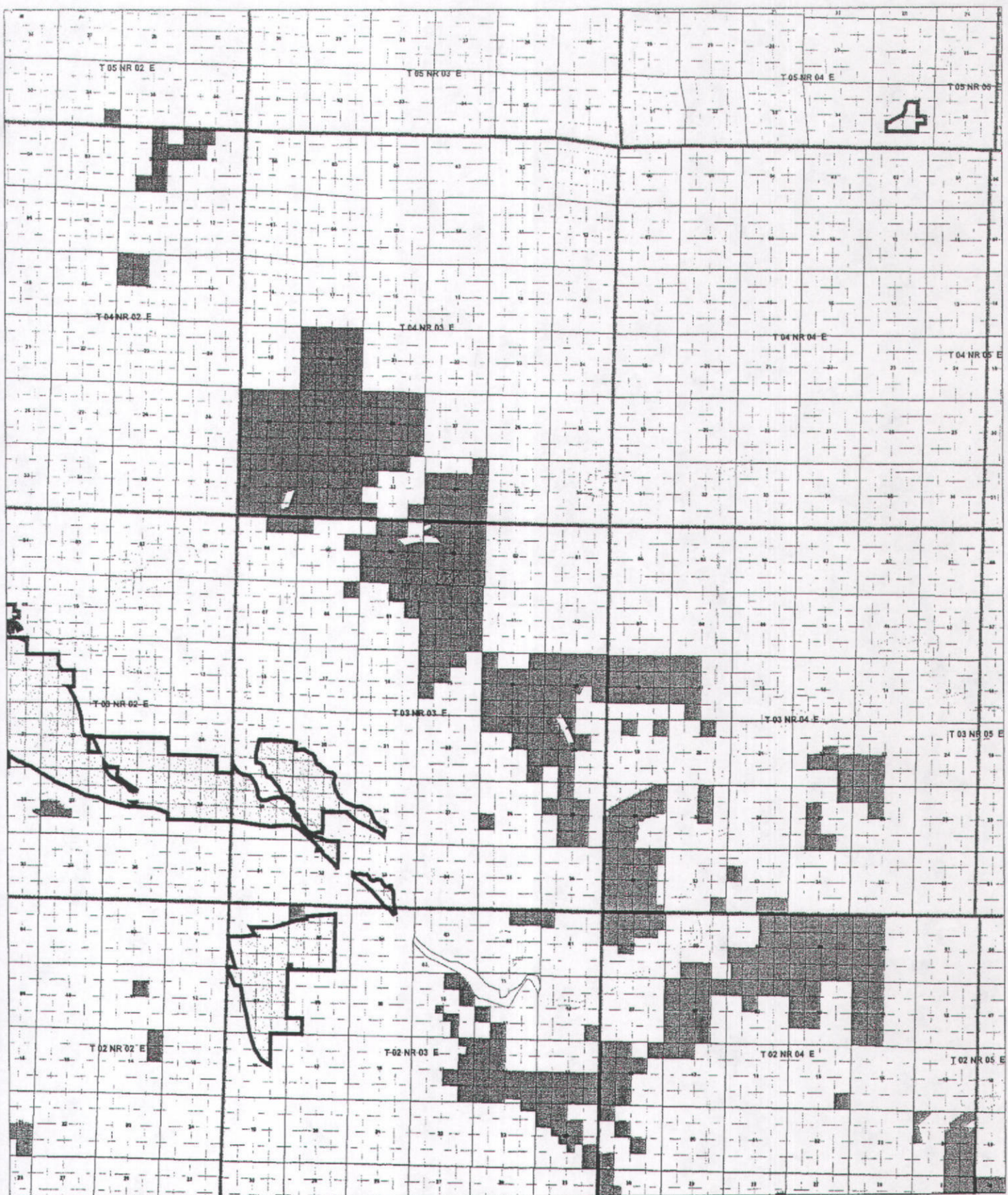


Legend

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

12850.5075 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:

63-137B

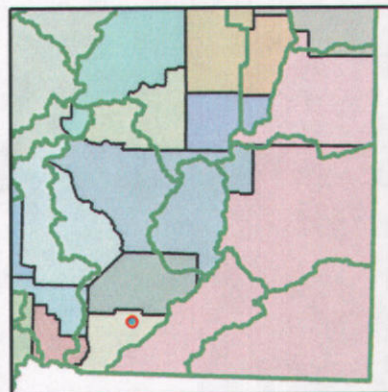
Legend

● Point of Diversion

□ Place of Use

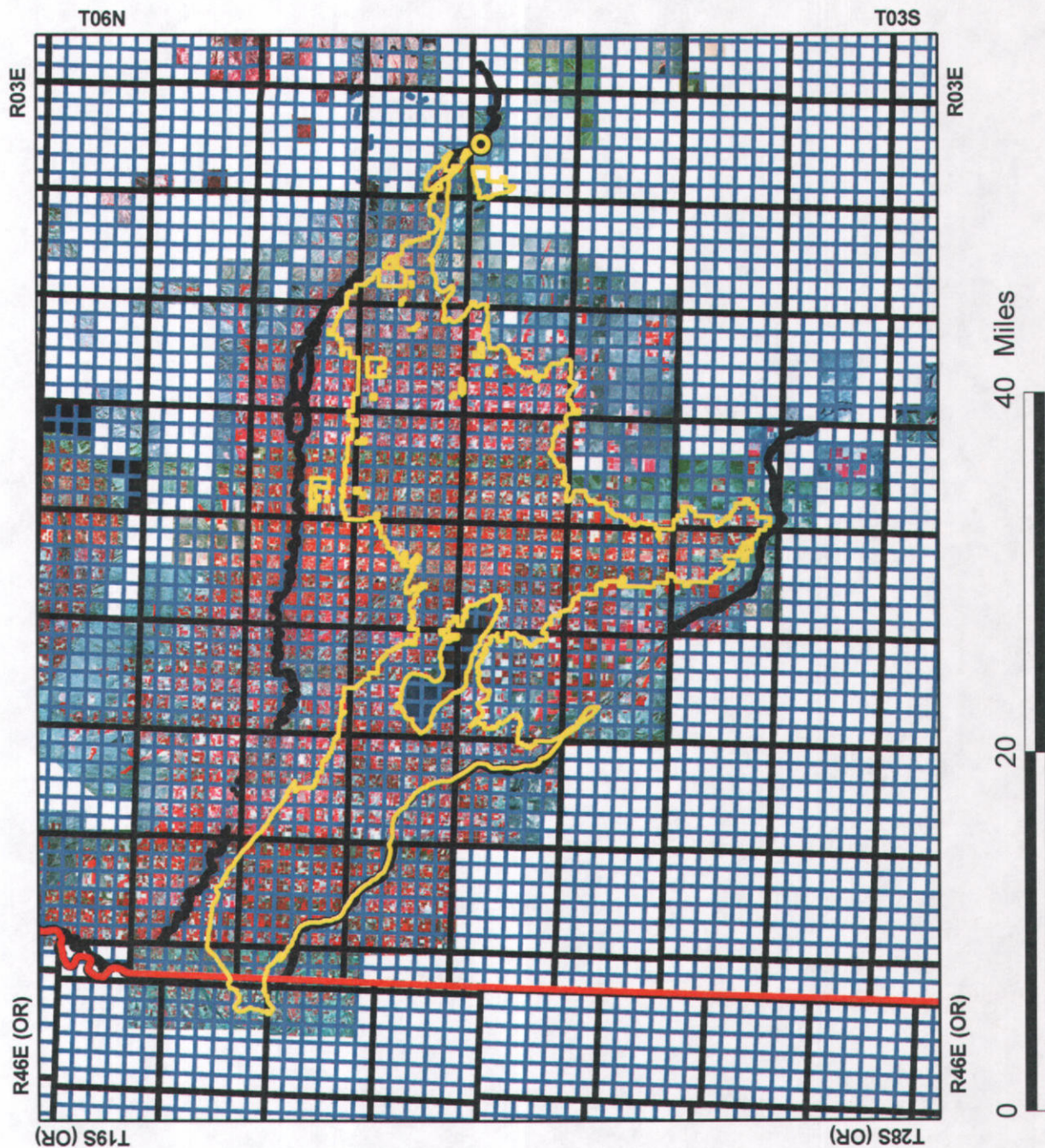
□ Townships

□ PLS Sections



Ada, Canyon, Owyhee Counties
IDWR Basin 63

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



A63-137B

(9)

VII

That the defendant ~~THURMAN MILL SLOUGH~~ 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.,

1. 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 ~~BOISE RIVER 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.

0137 1772 inches, from ~~June 1, 1864~~. And hereby designated as Right No. 45. And be adjudged to pay \$194.04 costs in addition to the costs incurred by it

VIII. IX

That the defendant the ~~BOISE RIVER 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, 1864~~. And hereby designated as Right No. 9.

And be adjudged to pay \$48.97 costs, in addition to the costs incurred by it.

35,44 cfs
B = .34 cfs = BPBC
A = 35,10 cfs = Pioneer Ditch

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: A63-00137B
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: JUN 1, 1869

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
02N	03E	3	SW	NW			ADA
			NW	SW			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	03/15	11/15	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	Lot	Use	Acres
65N	46E	36				IRR	

11. Place of use in counties: SUBSCRIPTION

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.

TRANS. 111 & 790.

P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.

|
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: A63-00137B
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: JUN 01, 1869

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
02N	03E	3	SW	NW			ADA
			NW	SW			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	03/15	11/15	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	Lot	Use	Acres
65N	46E	36				IRR	

11. Place of use in counties: SUBSCRIPTION

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.

TRANS. 111 & 790.

P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.

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 _____

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: A63-00137B
Date Received: 8-8-89
Receipt No: C009160
Received By: Chad

RECEIVED
AUG 08 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Department of Agriculture BOISE PROJECT BOARD OF CONTROL
Address: 214 BROADWAY
BOISE, ID 83706
2. Date of Priority: JUN 01, 1869
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
02N	03E	3	NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 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			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: 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? ~~YES~~ NO

13. Other Water Rights Used:

14. Remarks:

THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.

TRANS. 111 & 790.

P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.

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 Salomon
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

James D. Dineen
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 9/23/92

Water Right Number - 63-00137B

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
BOISE PROJECT BOARD OF CONTROL1 -
2 -
3 -
City- State- Zip-
Phone -*** O - ORIGINAL OWNER ***
PIONEER DIXIE DITCH CO.1 -
2 -
3 -
City- State- Zip-
Phone -

RANDALL

1 -
2 -
3 -
City- State- Zip-
Phone -+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1869 14 D - DECREED+ - - Source - - - - + + - - Tributary - - - - - + - - - -
BOISE RIVER SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot RFlg County

02N 03E 4 (1) ADA

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

01 - IRRIGATION

0.340

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.340+ - - - - - - - - - - - Place of Use - - - - - Description County - - - - - +
Twn Rng Sec Tract Lot Acres Code

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED

AUG 14 1992

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 63-137B

(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)

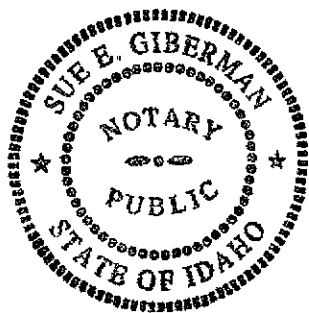
Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 L. 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)

A. Subcase 63-00137B

(Insert water right number)

Case No. 39576)

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.

E.

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)

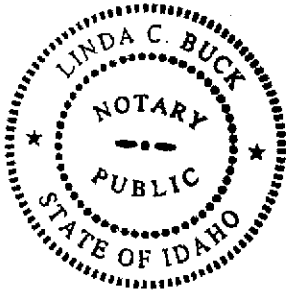
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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

12/14/2006

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

RIGHT NUMBER: 63-137B

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

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.340 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: 06/01/1869

POINT OF

DIVERSION: T03N R03E S3 NWSW Lot 6 Within ADA County
T03N 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 | 0.340 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. 45 in the Stewart Decree and the Boise Water Distribution Report.

6 235 12481510 75100

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

945374 v:1 dec refrigeration case (act of cong
05/11/1948) 0.0565 1.000 10
5651 5.6 0.9 10.22 34

Page 2415 7/25/1940 Vol. 5045, River Run, all US
2416/2417 to 2419 to 2420, River, PLG 3116, Leads 10, River
1st Run
2421 7/18/20, 21, 22, 23, 24

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG). The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG).

4300 Treaty of Accession to GSA 8/30/1972
Sec 34: Unpublished Meeting Held in South Africa

DL 015448 RQPF
Longville La Term 11/29/1983
Car A: B3NE

[illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a discrepancy, a problem is identified.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. *Chlorophyll a* (Chl *a*) is the primary photosynthetic pigment in most plants and algae. It is a green pigment that absorbs light energy in the blue and red regions of the visible spectrum. Chl *a* is located in the thylakoid membranes of chloroplasts and is essential for the light-dependent reactions of photosynthesis.

[illegible]

1. *Journal of the American Medical Association*, 1998; 279: 1000-1005.

[illegible]

Ad 1. In Bezug auf den ersten Teil des Beschlusses ist zu bemerken, dass die Kommission die in der ersten Phase der Untersuchung festgestellten Tatsachen nicht in Betracht gezogen hat, sondern nur die in der zweiten Phase festgestellten Tatsachen. Dies ist nicht zulässig, da die Kommission die in der ersten Phase festgestellten Tatsachen nicht in Betracht gezogen hat, sondern nur die in der zweiten Phase festgestellten Tatsachen.

1988. *Journal of the American Water Resources Association*, 24, 1, 1-12.

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was exposed to a control environment (CE) and the EG was exposed to an experimental environment (EE). The EE was designed to simulate a real-world environment with various stimuli (e.g., visual, auditory, and tactile) and a complex task (e.g., a driving task). The subjects were exposed to the EE for a period of 10 days. The subjects were then divided into two groups: the control group (CG) and the experimental group (EG). The CG was exposed to a control environment (CE) and the EG was exposed to an experimental environment (EE). The EE was designed to simulate a real-world environment with various stimuli (e.g., visual, auditory, and tactile) and a complex task (e.g., a driving task). The subjects were exposed to the EE for a period of 10 days. The subjects were then divided into two groups: the control group (CG) and the experimental group (EG). The CG was exposed to a control environment (CE) and the EG was exposed to an experimental environment (EE). The EE was designed to simulate a real-world environment with various stimuli (e.g., visual, auditory, and tactile) and a complex task (e.g., a driving task). The subjects were exposed to the EE for a period of 10 days.

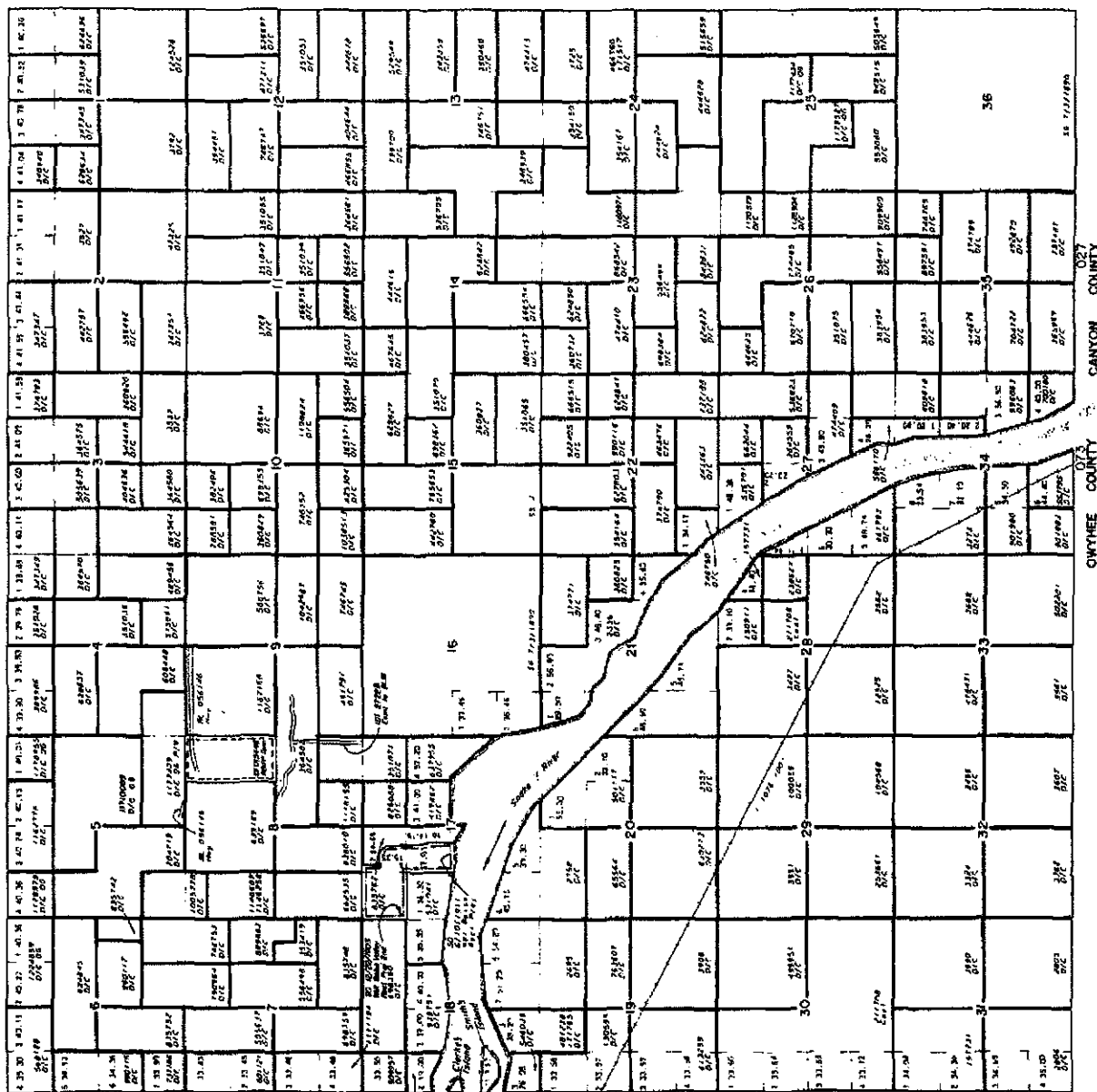
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

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| CLASSIFICATION | DATE | BY | REASON |
| CONFIDENTIAL | 10/10/01 | SP-1 | DECLASSIFIED TO |

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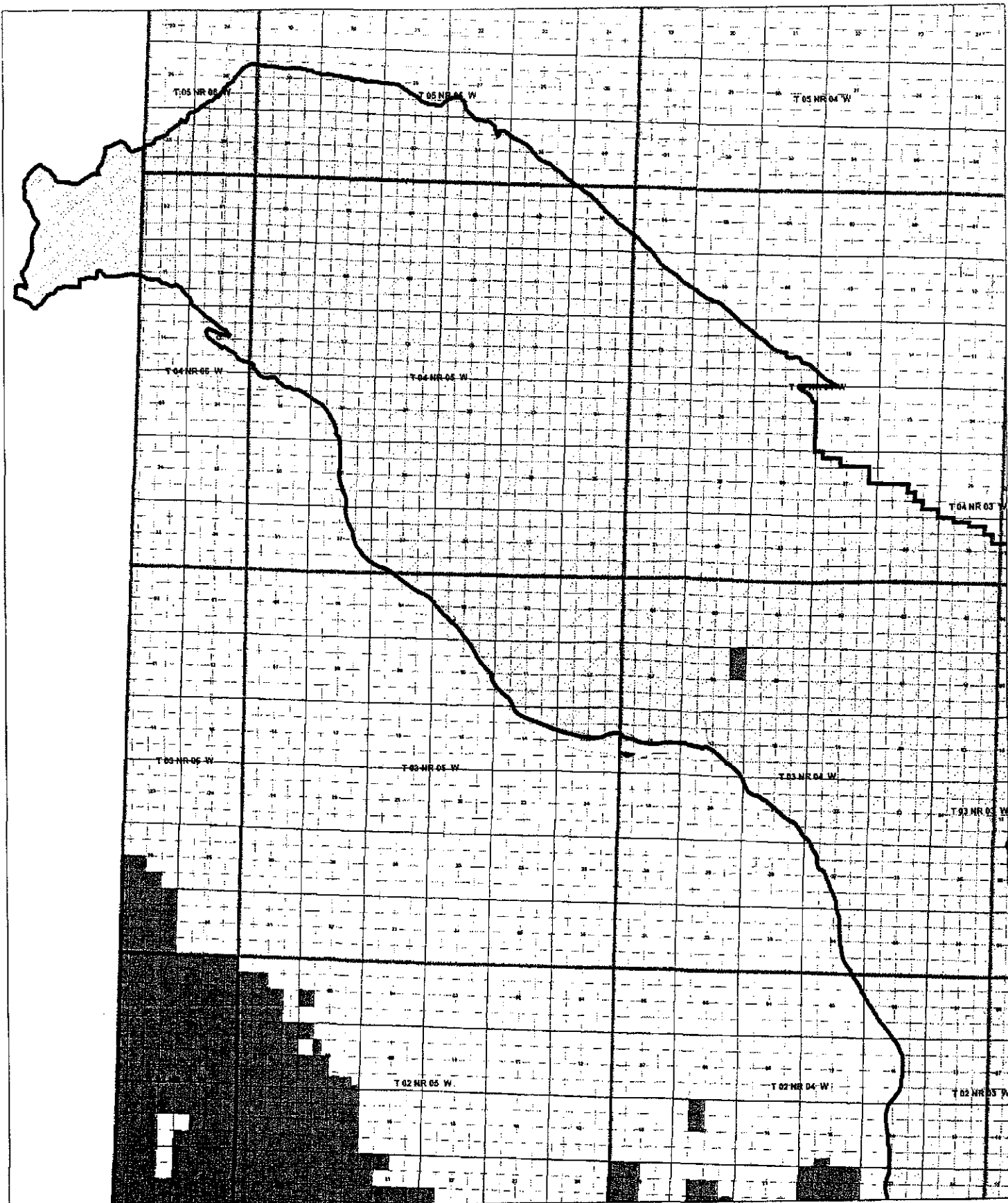
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U.S. Department of the Interior
Bureau of Land Management
1996





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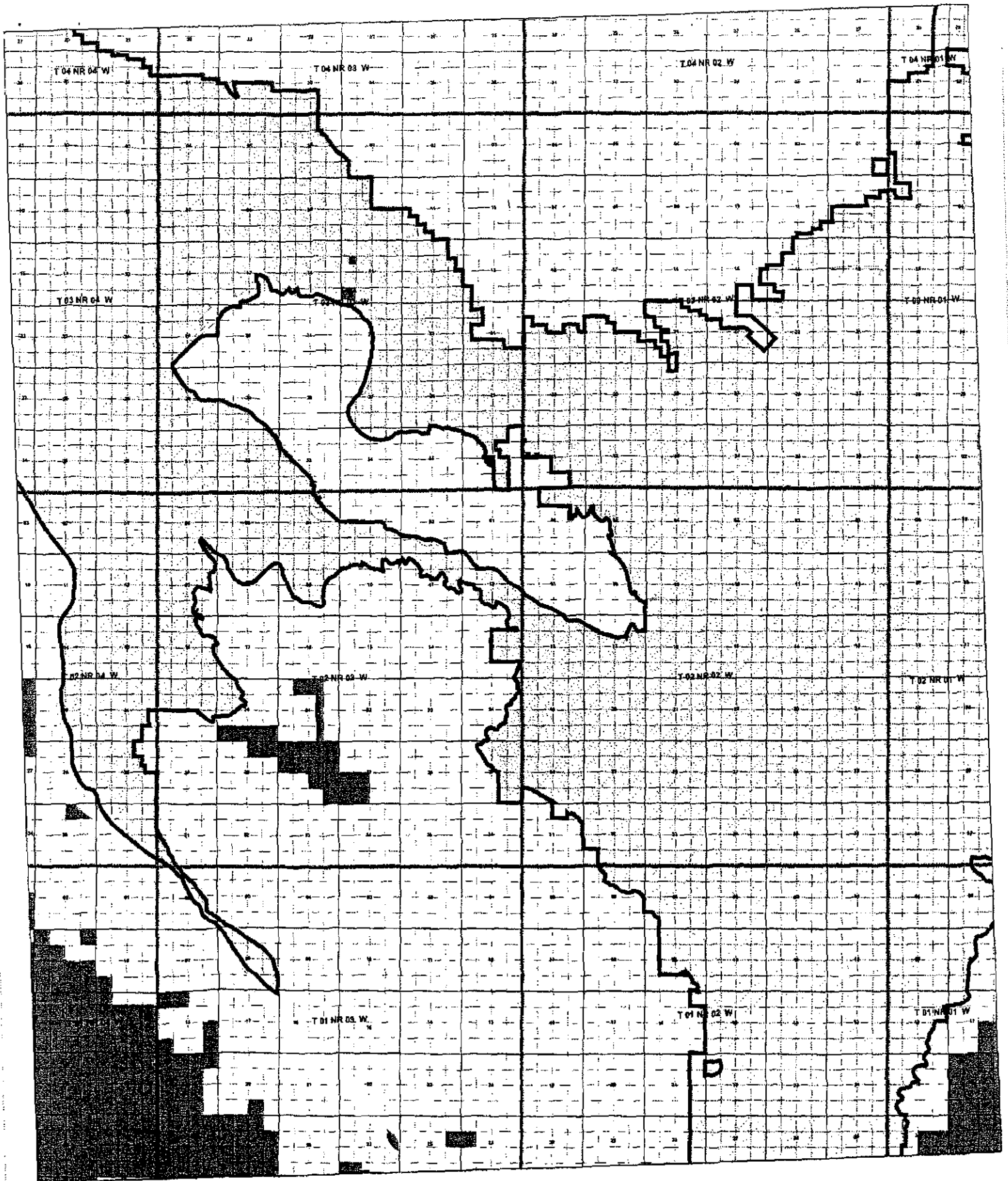
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BLM
BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR
1666 NORTH 2000 WEST
SALT LAKE CITY, UT 84143
801-225-7000



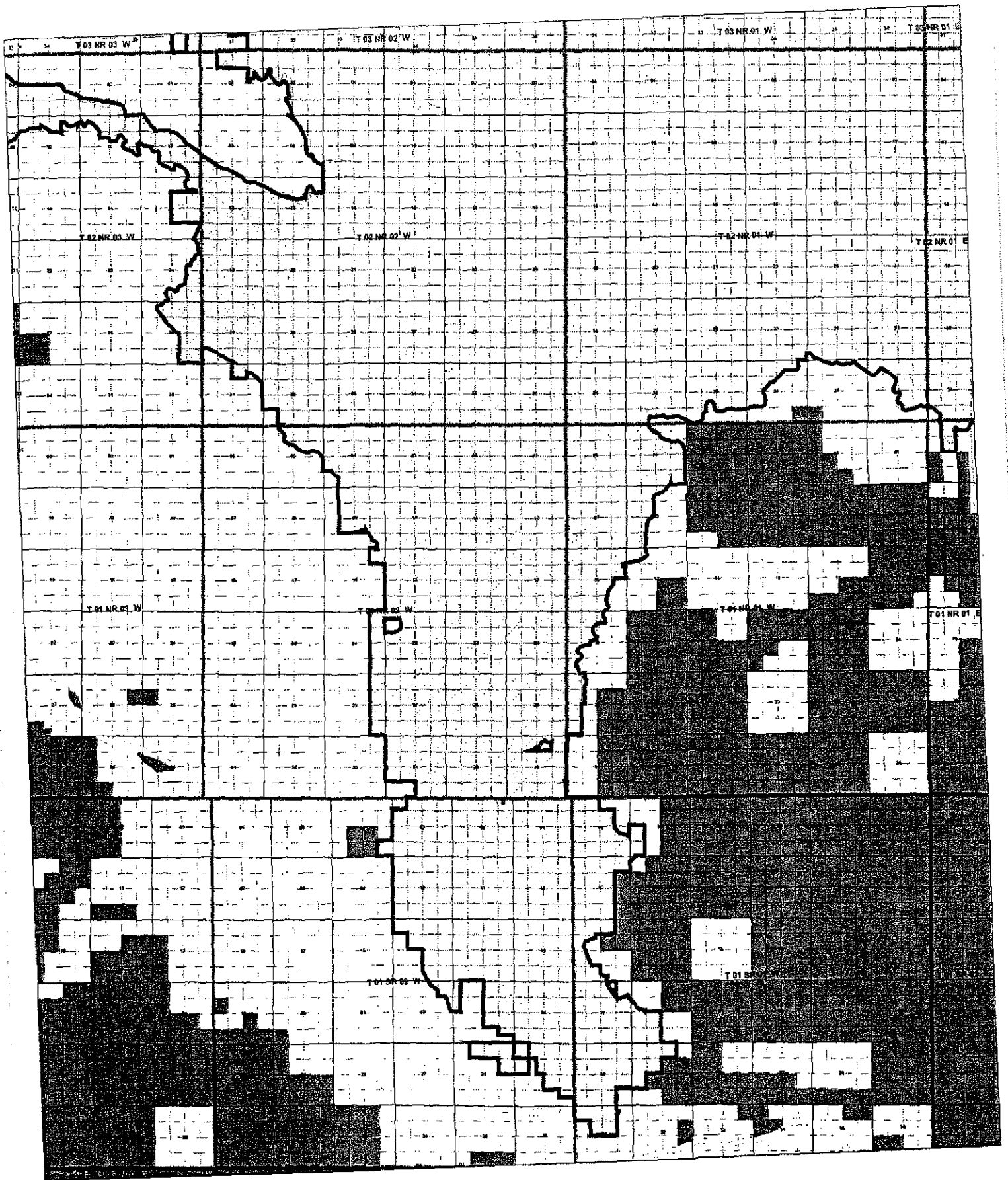


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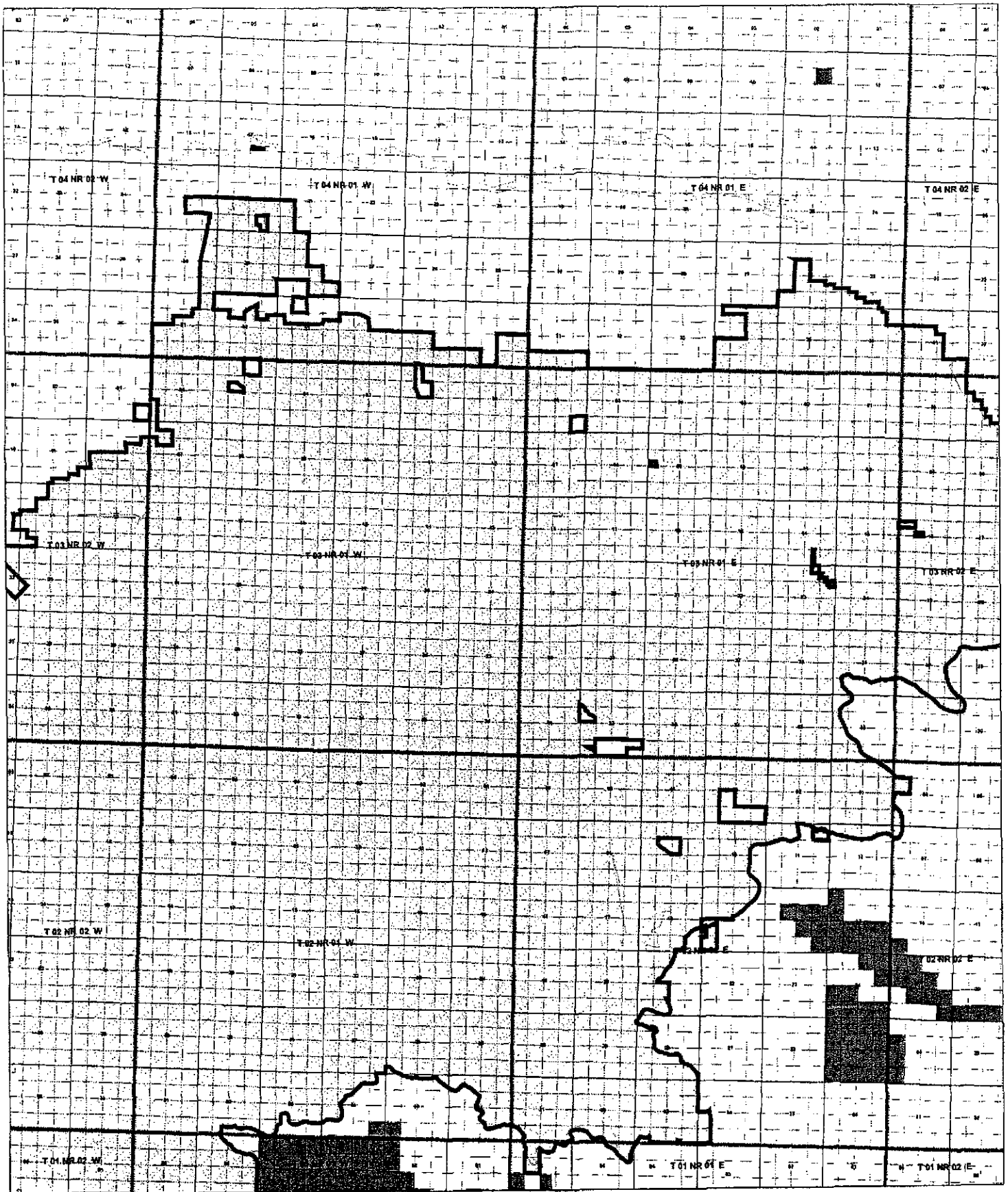


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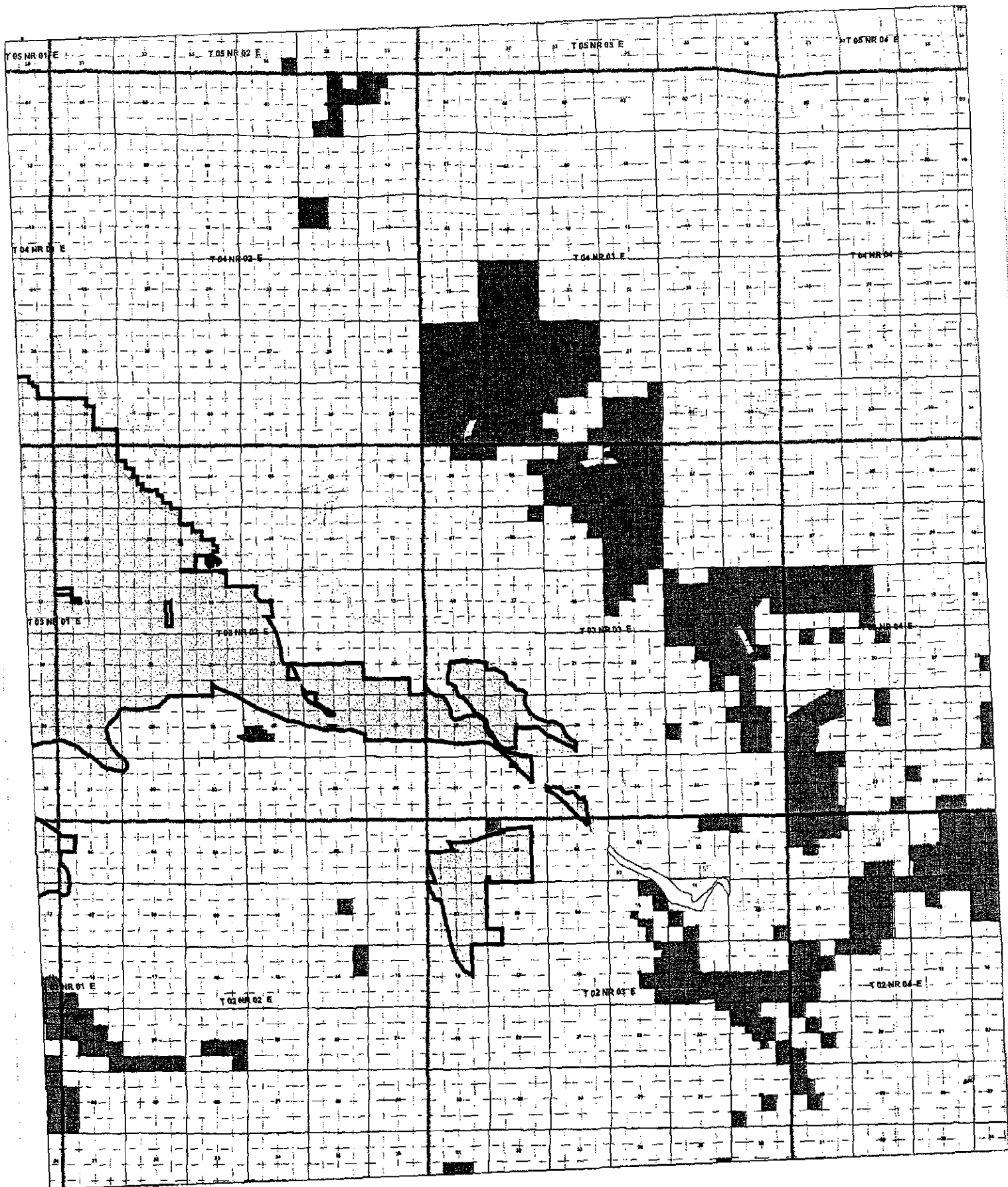
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Idaho Department of
Land Management
Bureau of Land Management
U.S. Department of the Interior



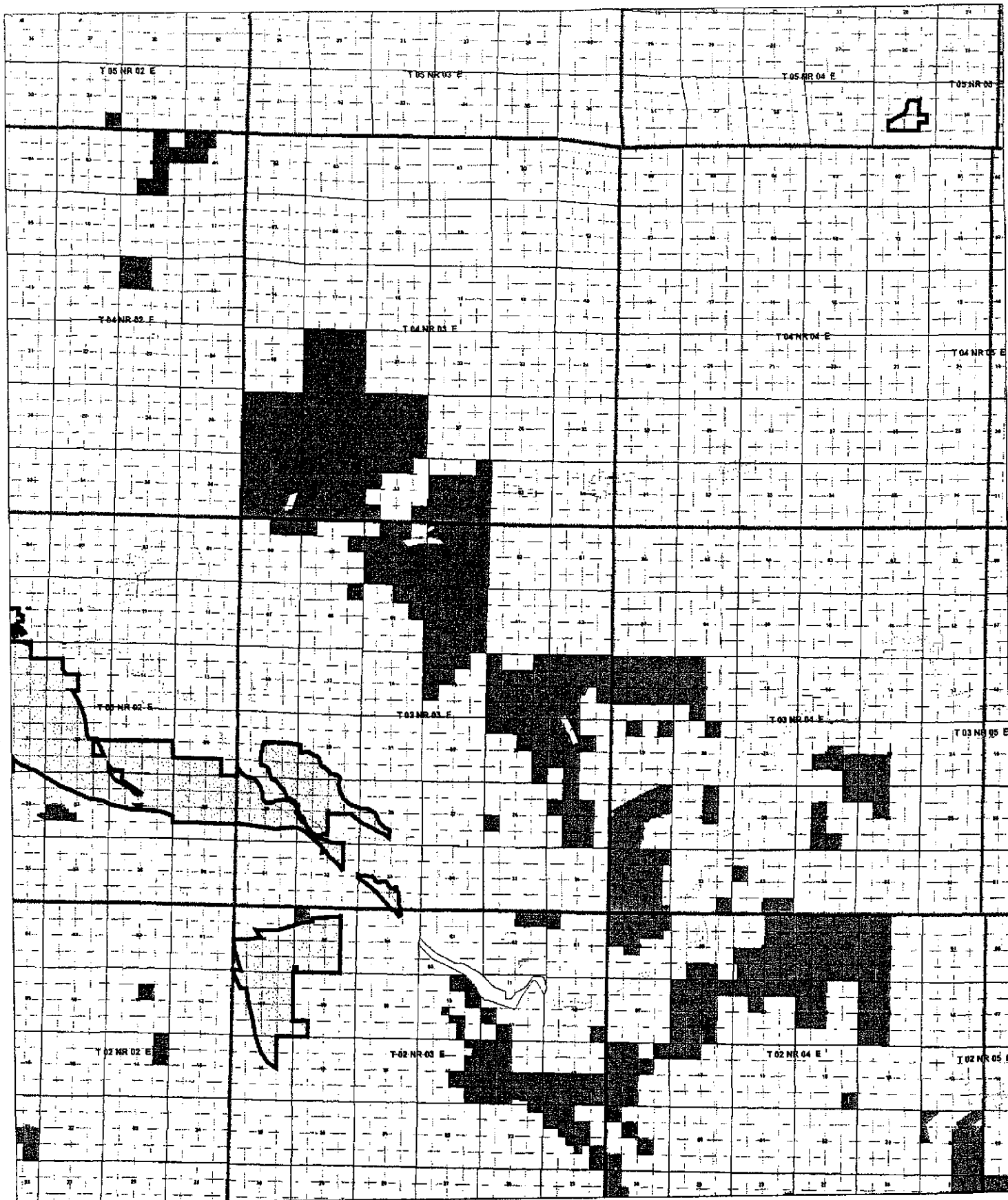


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Idaho Department of
Land Management
Bureau of Land Management
U.S. Department of the Interior
Washington, D.C. 20500



08/17/2006

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

RIGHT NUMBER: 63-137B
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: 0.340 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: 06/01/1869
POINT OF DIVERSION:
T03N R03E S3 NWSW Lot 6 Within ADA County
T03N 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 | 0.340 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. 45 in the Stewart Decree and the Boise Water Distribution Report.

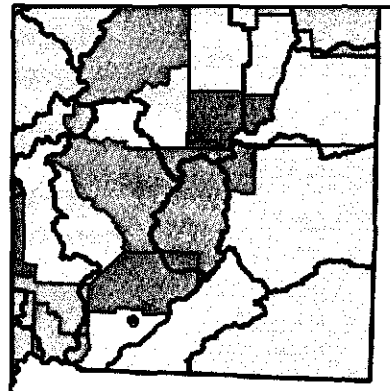


Idaho Department of Water Resources

Adjudication Claim:
63-137B

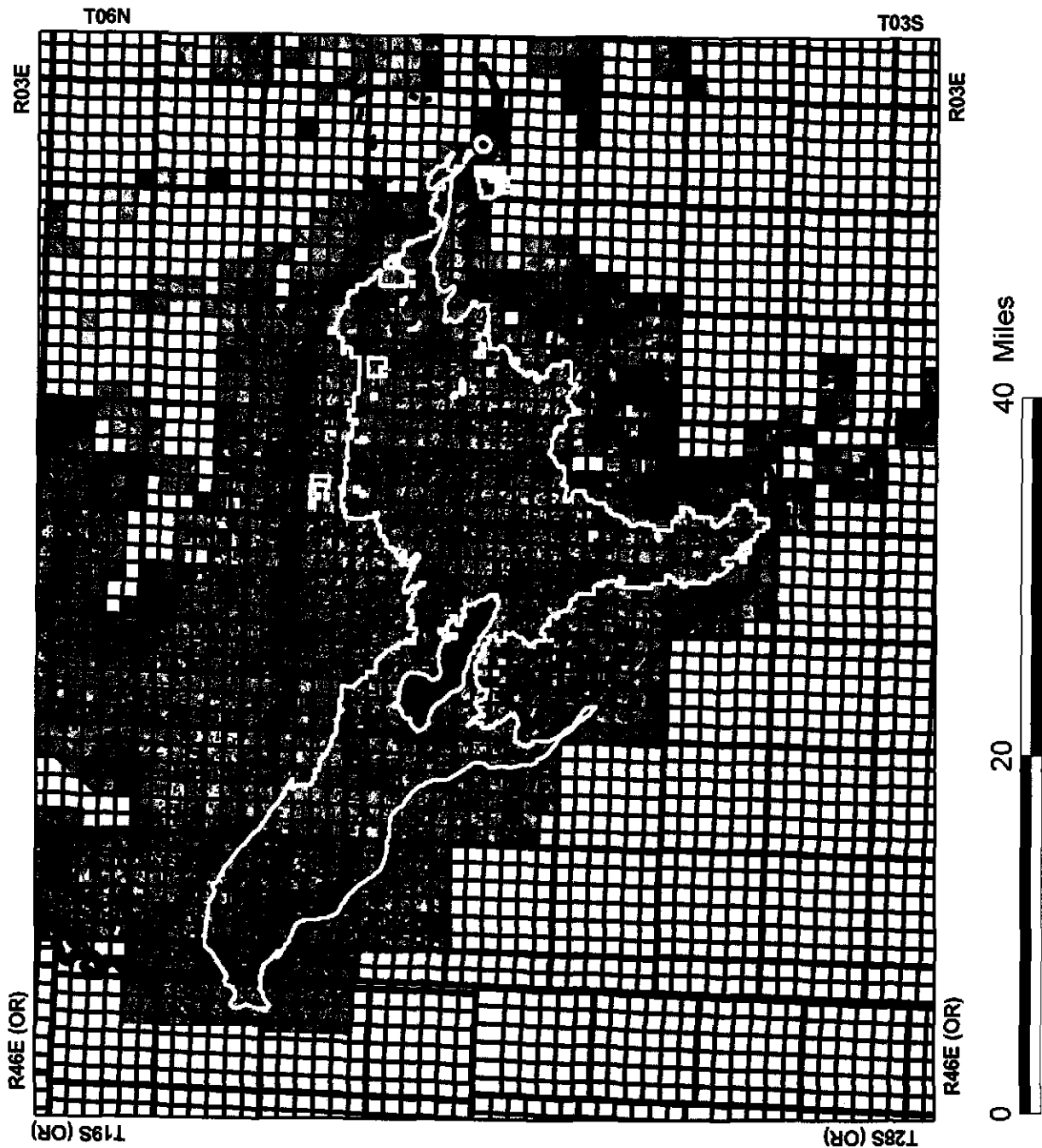
Legend

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



Ada, Canyon, Owyhee Counties
IDWR Basin 63

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



08/17/2006

RECEIVED

SEP 29 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR

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: 63-137B

**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

Boise Project Board of Control Claim Filings

The following claims will be recommended in Part 3 rather than Part 2 since they cover the Boise Project Board of Control filings for either or all of Boise-Kuna ID, New York ID, Wilder ID, Big Bend ID & Nampa-Meridian ID which are all being recommended in Part 3, Canyon County rather than Part 2, Ada County. The reason behind this is because the Boise Project contains and manages water rights for these 5 irrigation districts, of which, a portion of their lands are in Canyon County. It was decided that these would be recommended in Part 3.

63-137B

63-200A

63-233K

9-12-03

js

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

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

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

ORDER GRANTING TRANSFER

No. 790

WHEREAS, On the 4th day of March, 1958, 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, 1958.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

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. 12-A, County of Ada, and State of Idaho, by Certificate of Transfer No. 111, dated November 28, 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 7 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 3 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:

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, theampa 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.

0.54 cubic foot per second with priority of June 1, 1866.

1.20 cubic feet per second with priority of October 1, 1867.

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 column to Sections 3 and 4, Township 2 North, Range 3 East, N.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 23th day of March, 1937.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Adjudication Claim Report 63-137B

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-137B

1. General THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.
TRANS. 111 & 790.
P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.
| 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

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> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-137A

WATER RIGHT NUMBER: 63-137A

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Current Owner | PIONEER DIXIE DITCH co
C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL, ID 83606-1437
(208)495-3915 |

Priority Date: 06/01/1869

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 | 35.100 CFS | |
| <u>Total Diversion:</u> | | 35.100 CFS | |

Location of Point(s) of Diversion

| | | |
|---------------|------------|---------------------------------|
| BOISE RIVER | SE1/4SW1/4 | Sec. 10, Twp 04N, Rge 03W, B.M. |
| CANYON County | | |

Place of UseIRRIGATION Within CANYON County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T04N R03W S11 | SESW | 40.0 | T04N R03W S11 | SWSE | 40.0 |
| T04N R03W S11 | SESE | 40.0 | T04N R03W S12 | NESW | 40.0 |
| T04N R03W S12 | NWSW | 40.0 | T04N R03W S12 | SWSW | 40.0 |
| T04N R03W S12 | SESW | 40.0 | T04N R03W S12 | NESE | 40.0 |
| T04N R03W S12 | NWSE | 40.0 | T04N R03W S12 | SWSE | 40.0 |
| T04N R03W S12 | SESE | 40.0 | T04N R03W S13 | NENE | 40.0 |
| T04N R03W S13 | NWNE | 40.0 | T04N R03W S13 | SWNE | 40.0 |
| T04N R03W S13 | SENE | 40.0 | T04N R03W S13 | NENW | 40.0 |
| T04N R03W S13 | NWNW | 40.0 | T04N R03W S13 | SWNW | 40.0 |
| T04N R03W S13 | SENE | 40.0 | T04N R03W S13 | NESW | 40.0 |
| T04N R03W S13 | NWSW | 40.0 | T04N R03W S13 | SWSW | 40.0 |
| T04N R03W S13 | SESW | 40.0 | T04N R03W S13 | NESE | 40.0 |
| T04N R03W S13 | NWSE | 40.0 | T04N R03W S13 | SWSE | 40.0 |
| T04N R03W S13 | SESE | 40.0 | T04N R03W S14 | NENE | 40.0 |
| T04N R03W S14 | NWNE | 40.0 | T04N R03W S14 | SWNE | 40.0 |
| T04N R03W S14 | SENE | 40.0 | T04N R03W S14 | NENW | 40.0 |
| T04N R03W S14 | NWNW | 40.0 | T04N R03W S14 | SWNW | 40.0 |
| T04N R03W S14 | SENE | 40.0 | T04N R03W S14 | NESW | 40.0 |
| T04N R03W S14 | NWSW | 40.0 | T04N R03W S14 | NESE | 40.0 |
| T04N R03W S14 | NWSE | 40.0 | T04N R03W S14 | SESE | 40.0 |
| T04N R03W S17 | NESW | 40.0 | T04N R03W S17 | NWSW | 40.0 |
| T04N R03W S17 | SWSW | 40.0 | T04N R03W S17 | SESW | 40.0 |
| T04N R03W S18 | NENE | 40.0 | T04N R03W S18 | NWNE | 40.0 |
| T04N R03W S18 | SWNE | 40.0 | T04N R03W S18 | SENE | 40.0 |
| T04N R03W S18 | NENW | 40.0 | T04N R03W S18 | NWNW | 40.0 |
| T04N R03W S18 | SWNW | 40.0 | T04N R03W S18 | SENE | 40.0 |
| T04N R03W S18 | NESW | 40.0 | T04N R03W S18 | NWSW | 40.0 |
| T04N R03W S18 | SWSW | 40.0 | T04N R03W S18 | SESW | 40.0 |

| | | | | | |
|---------------|------|------|---------------|------|------|
| T04N R03W S18 | NESE | 40.0 | T04N R03W S18 | NWSE | 40.0 |
| T04N R03W S18 | SWSE | 40.0 | T04N R03W S18 | SESE | 40.0 |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-137A

| | | | | | |
|---------------|------|------|---------------|------|------|
| T04N R03W S18 | SWSE | 40.0 | T04N R03W S18 | SESE | 40.0 |
| T04N R03W S19 | NENE | 40.0 | T04N R03W S19 | NWNE | 40.0 |
| T04N R03W S19 | SWNE | 40.0 | T04N R03W S19 | SENE | 40.0 |
| T04N R03W S19 | NENW | 40.0 | T04N R03W S19 | NWNW | 40.0 |
| T04N R03W S19 | SWNW | 40.0 | T04N R03W S19 | SENE | 40.0 |
| T04N R03W S20 | NWNW | 40.0 | T04N R03W S20 | SWNW | 40.0 |
| T04N R03W S24 | NENE | 40.0 | T04N R03W S24 | NWNE | 40.0 |
| T04N R03W S24 | SWNE | 40.0 | T04N R03W S24 | SENE | 40.0 |

Total Acres: 2960

Conditions of Approval:Remarks:

1. General P/D FROM AFFIDAVIT OF PIONEER DIXIE DITCH CO.
TRANS. 111 & 790.
NOTE: POINT OF DIVERSION VIA RIVERSIDE CANAL, THEN REDIRECTED TO PIONEER
DIXIE DITCH.

Comments:Dates and Other Information:

Claim Received Date: 3/12/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 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

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> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-137B

WATER RIGHT NUMBER: 63-137B

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Original Owner | PIONEER DIXIE DITCH CO |
| | , ID |
| Current Owner | BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE, ID 83705-3173
(208)344-1141 |
| Original Owner | RANDALL |
| | , ZZ |

Priority Date: 06/01/1869

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 / | 0.340 CFS | |
| | <u>Total Diversion:</u> | 0.340 CFS | |

Location of Point(s) of Diversion

BOISE RIVER

ADA County

Sec. 4, Twp 02N, Rge 03E, B.M.

Place of UseConditions of Approval:Remarks:

1. General THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.
TRANS. 111 & 790.
P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-137A

WATER RIGHT NUMBER: 63-137A

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner | PIONEER DIXIE DITCH CO |
| | , ID |

Priority Date: 06/01/1869

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> |
|-----------------------|-------------|-----------|-----------------------|----------------------|
|-----------------------|-------------|-----------|-----------------------|----------------------|

| | | | | |
|-------------------------|--|--|------------|--|
| <u>Total Diversion:</u> | | | 35.100 CFS | |
|-------------------------|--|--|------------|--|

Location of Point(s) of Diversion

| | | |
|---------------|------------|---------------------------------|
| BOISE RIVER | SE1/4NE1/4 | Sec. 21, Twp 04N, Rge 03W, B.M. |
| CANYON County | | |

Place of UseConditions of Approval:Remarks:

1. General P/D FROM AFFIDAVIT OF PIONEER DIXIE DITCH CO.
TRANS. 111 & 790.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-137

WATER RIGHT NUMBER: 63-137

Owner Type Name and Address

Priority Date:

Basis:

Status: See Remarks

Source Tributary

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-----------------------|-----------------------|----------------------|
|-----------------------|-----------------------|-----------------------|----------------------|

Total Diversion:Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1. General SPLIT INTO 63-0137A & 63-0137B BY TRANS. 111 & 790 WHICH SUPERCEED TRANS. 85.

Comments:Dates and Other Information:

A63-137B

(9)

VII

That the defendant [REDACTED] 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 Thurnant 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.,

1. in the following amount from the following date;

0135165 inches, from [REDACTED] 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 [REDACTED], 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;

01361000 inches, from [REDACTED] And hereby designated as Right No. 8.
 7-116, 792 P.D. 9, P.D. 35

01371772 inches, from [REDACTED] And hereby designated as Right No. 45.
 11-114, 792 P.D. 9, P.D. 35
 And be adjudged to pay \$194.04 costs in addition to the costs incurred by it

VIII. IX

That the defendant the [REDACTED], 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;

0138671 inches, from [REDACTED] And hereby designated as Right No. 9.
 105, 717 P.D. 12

And be adjudged to pay \$48.97 costs, in addition to the costs incurred by it.

35.44 cfs
B = .34 cfs = 8 PBC
A = 35.10 cfs = 10 PBC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-137B

WATER RIGHT NUMBER: 63-137B

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

Priority Date: 06/01/1869

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 / | 0.340 CFS | |
| | <u>Total Diversion:</u> | 0.340 CFS | |

Location of Point(s) of Diversion

BOISE RIVER

Sec. 4, Twp 02N, Rge 03E, B.M.

ADA County

Place of UseConditions of Approval:Remarks:

1. General THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.
TRANS. 111 & 790.
P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-137B

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

Adjudication Claim Report 63-137B

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Original Owner | PIONEER DIXIE DITCH CO

, ID |
| Attorney | BARKER ROSHOLT & SIMPSON LLP
205 N 10TH ST STE 520
PO BOX 2139
BOISE, ID 83701-2139 |
| Attorney | RAYMOND D GIVENS
GIVENS PURSLEY LLP
277 N 6TH ST #200
PO BOX 2720
BOISE, ID 83701-2720
(208)388-1200 |
| Current Owner | BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE, ID 837053173
(208)344-1141 |

Status: Active

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 3/15 to 11/15 | 0.340 CFS | |
| | Total Diversion: | 0.340 CFS | |

| <u>Location of Point(s) of Diversion</u> | | | | |
|--|------------|---------|----------|---------------|
| BOISE RIVER
ADA County | SW1/4NW1/4 | Sec. 3, | Twp 02N, | Rge 03E, B.M. |
| BOISE RIVER
ADA County | NW1/4SW1/4 | Sec. 3, | Twp 02N, | Rge 03E, B.M. |

Place of Use
IRRIGATION Within County
T65N R46E S36

Conditions of Approval:

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-137B

1. General THIS WATER FOR USE ON LANDS UNDER CANAL SYSTEM.
TRANS. 111 & 790.
P/D NEAR 1/4 COR. COMMON TO SEC. 3 & 4, T2N, R3E.
] 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.O.

STATE

| First Name | Water Right No. | Priority Date | Source | Total Diversion | Use Code Desc |
|--------------------------------|-----------------|---------------|-------------|-----------------|---------------|
| 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 |
| C A63-23853 | | 12/31/1950 | GROUNDWATER | 0.040 | 04 STOCK |
| | | | | | 43 DOMEST |

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

2 N.O.A.s

Hawley Troxell
and

Givens as attorneys

MICROFILMED

JUL 22 1984

SD-0601-2 Last Name: BOISE PROJECT

STATE

| 3
E
L | First
Name | O
W
N | Water
Right No. | Priority
Date | Source | Total
Diversion | Use
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 _____)

MICROFILMED
JUL 22 1989

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 |) | Case No. 39276 |
| from the Snake River Basin |) | |
| Water System |) | MOTION FOR LEAVE |
| |) | TO FILE |
| |) | NOTICE OF APPEARANCE |
| <hr/> | | |
| The State of Idaho, <u>ex rel.</u> |) | |
| 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. |) | |
| <hr/> | | |

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

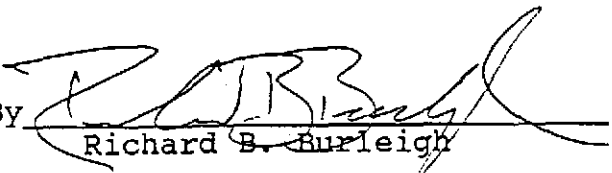
JUL 22 1994

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

JUL 22 1994

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)

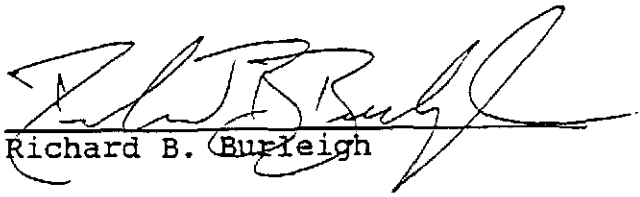
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

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

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

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

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


Richard B. Burleigh

MICROFILMED

JUL 22 1994

Raymond D. Givens
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

0125
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

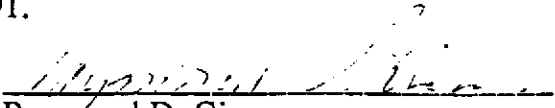
Raymond D. Givens, Jeffrey C. Fereday, Michael C. Creamer, and Christopher H.
Meyer of the firm of Givens, Pursley, Webb & Huntley hereby enter their appearance as

ALB-00372
MICROFILMED

JUL 22 1994

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

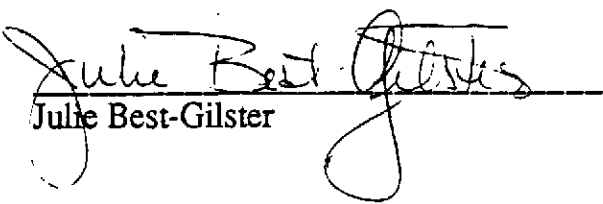
Dated this 30th day of December, 1991.


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 7 2 1994

Roger D. Ling
Ling, Nielsen & Robinson
P. O. Box 396
Rupert, ID 83350

Roy L. Eiguren
Josephine P. Beeman
Davis, Wright & Tremaine
Suite 700
702 West Idaho Street
Boise, ID 83702

Craig R. Zaiss, Esq.
P. O. Box 628
Parma, ID 83660-0628

Albert P. Barker
Don A. Olowinski
Steven R. Ormiston
Hawley, Troxell, Ennis & Hawley
P. O. Box 1617
Boise, ID 83701

Scott L. Campbell
Elam, Burke & Boyd
P. O. Box 1539
Boise, ID 83701

Bruce M. Smith
Rosholt, Robertson & Tucker
P. O. Box 2139
Boise, ID 83701-2139

William F. Ringert
David Hammerquist
Ringert, Clark, Harrington,
Reid, Christenson & Kaufman
P. O. Box 2773
Boise, ID 83701

Peter G. Monson
Indian Resources Section
Environment & Natural Resources
Division
U.S. Department of Justice
P. O. Box 44378
Washington, D.C. 20026-4378

John A. Rosholt
James C. Tucker
Rosholt, Robertson & Tucker
P. O. Box 1906
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A63-22099 A63-23849
A63-22101 A63-23850
A63-22102 A63-23851
A63-00136 A63-23852
A63-00137B A63-23853
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A63-23844 1-78-92
A63-23845 RTIF
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.

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

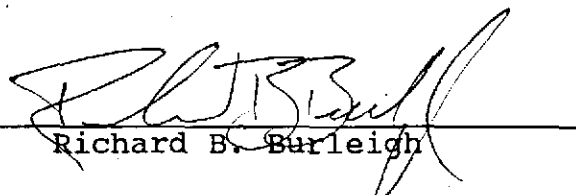
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Hawley Troxell Ennis & Hawley, and, pursuant to the Order of this Court entered December 17, 1991 enter their appearance in the above-captioned case.

DATED this 6th day of January, 1992.

HAWLEY TROXELL ENNIS & HAWLEY

By


Richard B. Burleigh

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:

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