



EXHIBIT "A"

Remarks. No. 1. The points of diversion, the amount of water obtained, the size and name of the canal carrying the water are as follows:

Point of diversion	Name of canal	Amount of water diverted	Size of headgate	Capacity of canal
(a) S. 33 40' N. 75' ft. from the southeast corner of Sec. 10 T4N R2E S.W.	Farmer's Union	(2005 in.) 57.77 ft. per sec.	20 ft. 4 gates	200 ft. per sec.
(b) S. 23 10' E. 1375 ft. from the North Quarter corner of Sec. 23 T4N R1E S.W.	Dry Creek Canal	(724 in.) 14.45 ft. per sec.	16 ft. 3 gates	80 ft. per sec.
(c) S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16 T4N R1E S.W.	Ballentine Ditch	(154 in.) 3.08 ft. per sec.	10 ft. 2 gates	20 ft. per sec.
(d) S. 20 45' E. 845 ft. from the North Quarter corner of Sec. 14 T4N R1E S.W.	Pioneer Canal	(343 in.) 6.86 ft. per sec.	10 ft. 2 gates	35 ft. per sec.
(e) N. 2255 ft. from the Southwest corner of Sec. 5 T4N R1E S.W.	Middleton Canal	(2384 in.) 47.68 ft. per sec.	8 ft.	50 ft. per sec.
(f) S. 53 45' W. 1465 ft. from the North Quarter corner of Sec. 9 T4N R2E S.W.	Canyon County	(1010 in.) 20.20 ft. per sec.	8 ft. 2 gates	50 ft. per sec.

No. 2. Seepage waters developed by Drainage District No. 2, together with return flow water to the Boise River during the irrigation season.

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.

*Based on the 7-13-1923
order not license 63-2406*

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.

DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR ADA COUNTY.

IN MATTER OF FRANKLIN
DISTRICT NO. 3, ADA COUNTY,
D.

1101329
J. E. D. H.

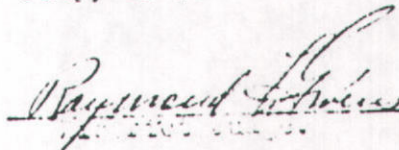
The petition of D. V. Sobers, H. A. Collin and Mill
ion, Commissioners of Drainage District No. 3, Ada
County, Idaho, having been presented and considered, and it
being therefrom that said commissioners, as trustees,
have before filed upon the levelled water course, by
construction of the drainage works within said district
the extent of 7,500 inches, for the benefit of the lands
in said district, which filing has been approved by the
Department of Reclamation of the State of Idaho, and a
certificate of the completion of the work under said permit
has been issued by said Department, and it further appear-
ing that the same is now available for distribution to the
lands which supply the irrigation water to lands in said
district 7,500 inches of said levelled water without
interfering with prior existing rights upon the Boise River.
Now therefore, it is ordered, That A. W. Million, Water-
master of the Boise River, be and he is hereby authorized to
equally distribute the water now available for irrigation
upon the lands of the construction of the drainage works
within said district to the lands supplying lands with
irrigation water within the boundaries of said district,
subject to the information which he now has and which may
hereafter be furnished by said district or otherwise provided.

however, that such distribution or diversion after making due allowance for evaporation and seepage, shall not interfere with any prior existing rights upon the Boise river, and

It is further ordered that such diversion and distribution as by said Water Master continued when the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 700 inches, according to the data and information which is now available to him or which may hereafter be furnished him by the petitioners or otherwise, until the further order of this court, and

It is further ordered that the petition be herein as soon as may be, provide proper means for and supply the Water Master with the necessary data and information upon which he may distribute said water in its suitable proportion to the respective irrigators entitled supplying irrigation water to lands within this district.

Dated this 13 day of July, 1903.


Raymond L. Jones

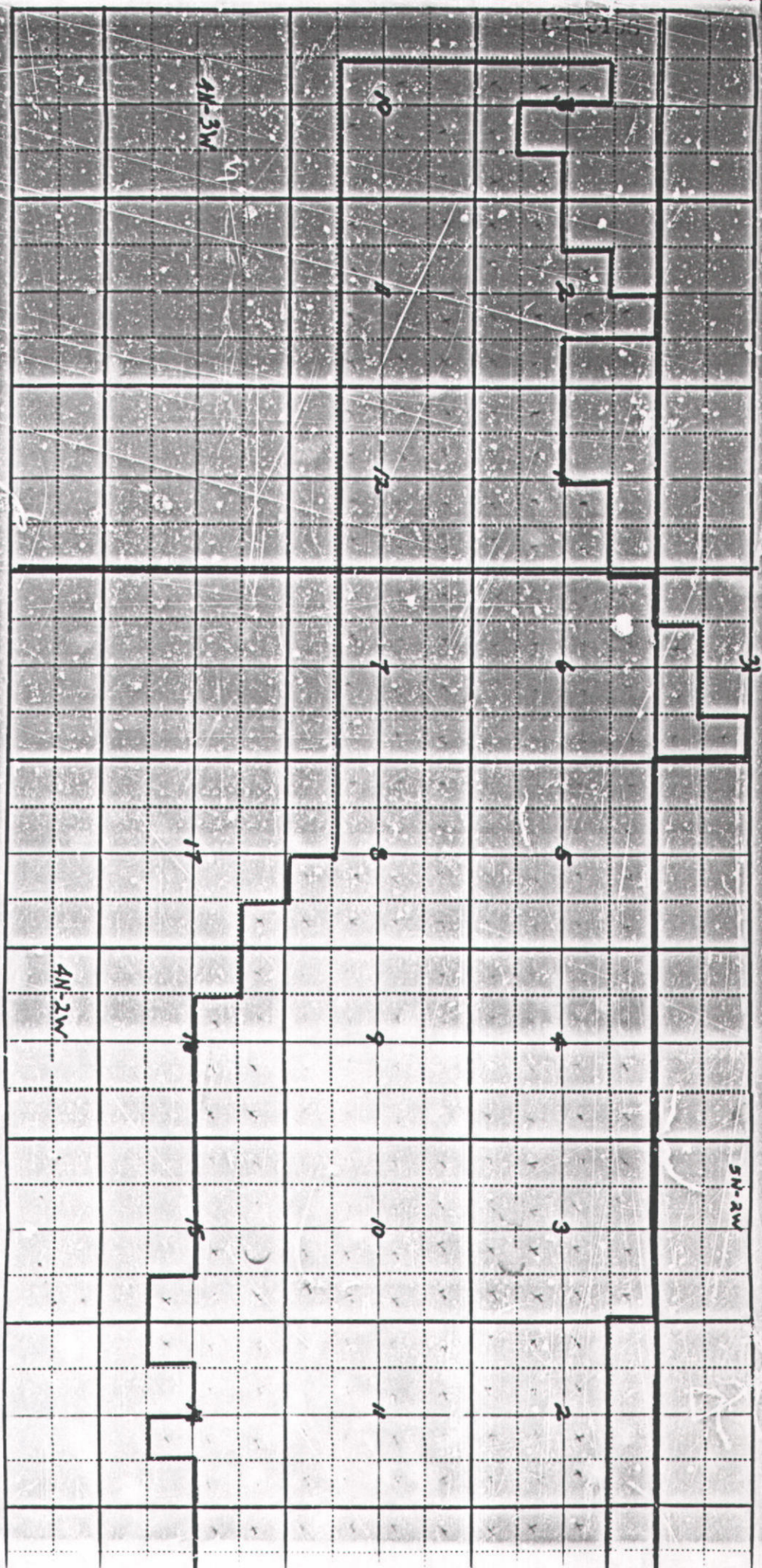


EXHIBIT "A"

Remarks. No. 1. The points of diversion, the amount of water claimed, the size and name of the canal carrying the water are as follows:

Point of diversion	Name of canal	Amount of water diverted	Size of headgate	Capacity of canal
(a) S. 33 45' E. 1465 ft. from the southeast corner of Sec. 22 T4N R23 E4E.	Farmer's Union	(2885 in.) 57.77 ft. per sec.	20 ft. 4 gates	250 ft. per sec.
(b) S. 23 10' E. 1575 ft. from the North Quarter corner of Sec. 23 T4N R13 E4E.	Dry Creek Canal	(724 in.) 14.45 ft. per sec.	16 ft. 3 gates	50 ft. per sec.
(c) S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16 T4N R13 E4E.	Zallentine Ditch	(154 in.) 3.03 ft. per sec.	10 ft. 2 gates	20 ft. per sec.
(d) S. 20 45' E. 645 ft. from the North Quarter corner of Sec. 14 T4N R1E E4E.	Pioneer Canal	(343 in.) 6.86 ft. per sec.	10 ft. 2 gates	35 ft. per sec.
(e) N. 2255 ft. from the Southwest corner of Sec. 5 T4N R1E E4E.	Widdleton Canal	(2384 in.) 47.68 ft. per sec.	8 ft.	50 ft. per sec.
(f) S. 53 45' E. 1465 ft. from the North Quarter corner of Sec. 9 T4N R2E E4E.	Canyon County	(1010 in.) 20.20 ft. per sec.	8 ft. 2 gates	50 ft. per sec.

No. 2. Seepage waters developed by Drainage District No. 2, together with return flow water to the Boise River during the irrigation season.

Total = 150 cfs

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 16717

This proof is for COMP. WORKS

In Water District No.

1. Name of applicant: Drainage District No. 2, Ada Co.
2. Source of water supply: Unnamed Stream (Waters of Drainage Dist. No. 2, Ada Co.)
3. Location of point of diversion: Is in the See attached slip of Section

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriate? finally reach? Boise River

Remarks:

This examination was made on the 23rd day of March 1932

(Signed)

Fred L. Johnson
16717

Examiner.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31937
Date Received: 4/14/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DRAINAGE DIST NO 2 Phone: (208)342-4591
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID USA 83701

2. Date of Priority: 03/12/1923

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	01E	16	SW	NE		ADA	
04N	01E	23	SW	NE		ADA	
04N	01W	14	NE	NW		ADA	
04N	02E	32	SE	SE		ADA	
04N	01W	5	NW	SW		ADA	
04N	02W	9	NE	NW		ADA	

5. Description of diverting works:

Drainage system, ditches, check gates and headgates.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	150	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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APR 14 2004

WATER RESOURCES
WESTERN REGION

Form No. 42-1409 (2) a 9/88 (Internet)

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
Indent. Number AG-31937
Date Received 4-14-04
Receipt Number 63-2406

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

Please type or print clearly

1. Name of Claimant(s) Drainage District No. 2 of Ada County Phone (208) 342-4591
Mailing Address c/o Bryce Farris, Ringier Clark Chartered, P.O. Box 2773, Boise, Idaho Zip 83701
2. Date of Priority only (1) per claim) March 12, 1923
3. Source of water supply (a) Surface and subsurface seepage and percolating waters developed by
Claimant's drainage system.
which is tributary to (b) Boise River
4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 _____ 1/4, Govt. Lot, _____ B.M., County of _____
Additional points of diversion if any: See Exhibit A
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Ect).
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. see Exhibit A.

Last Name Drainage District No. 2 Ident. Number 63-2406

Form No. 42-1409 (2) a 9/88 (Internet)

6. Water is claimed for the following purposes:

For irrigation purposes from 3/15 to 11/15 amount 150 cfs or _____
(both dates are inclusive) (cfs) (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 150 cfs (cfs) and/or (b) _____ (acre feet)

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

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater Type and number of livestock Ect.) _____

10. Description of place of use:

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

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

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			LANDS WITHIN THE BOUNDARIES OF DRAINAGE DISTRICT NO. 2																

Total number of acres irrigated 29,309.15

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

12. Do you own the property listed above as place of use? Yes _____ No X

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

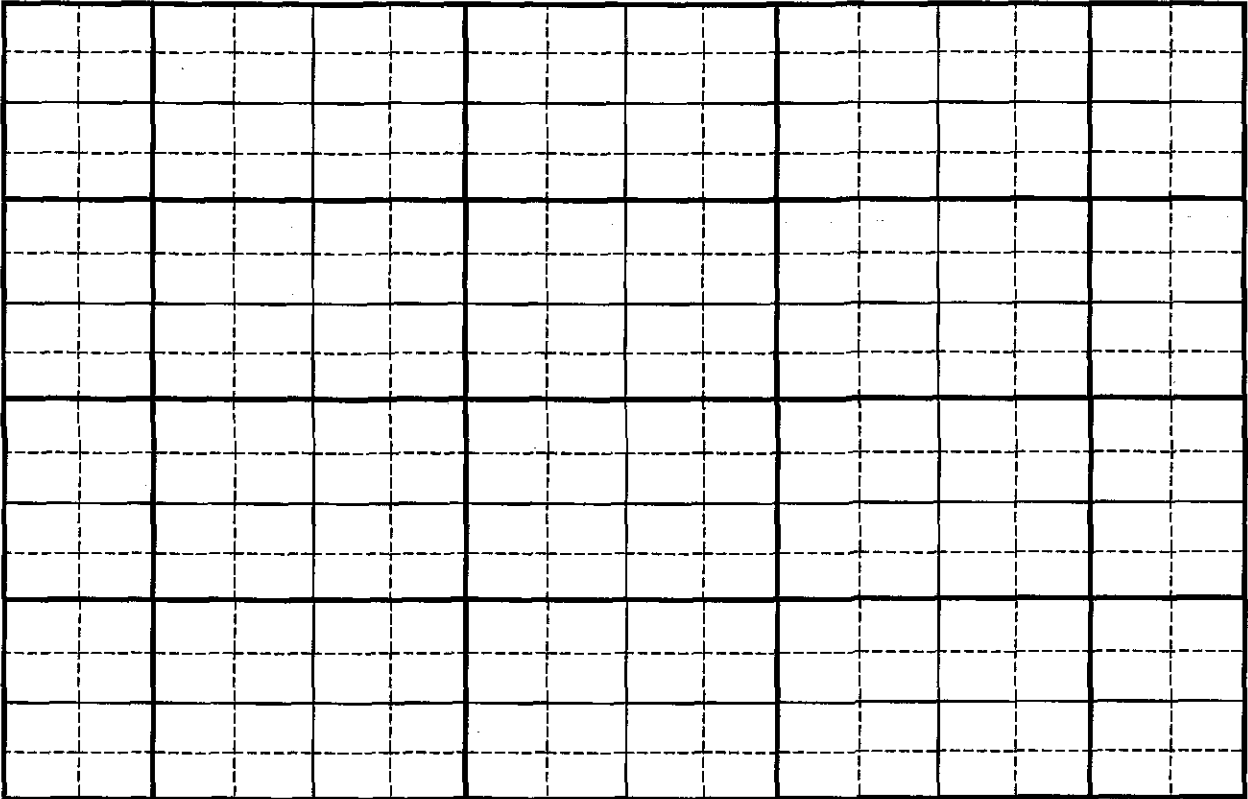
14. Remarks:

See Exhibit A

Form No. 42-1409 (2) a 9/88 (Internet)

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

SCALE: 2 inches equal 1 mile. Draw plan in ink. See Exhibit A



Last Name _____ Drainage District No. 2 Ident. Number 63-2406

15. Basis or Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number See Exhibit A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

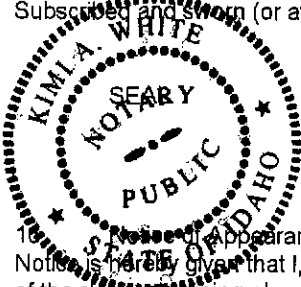
Signature or Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Chairman Title _____
of Drainage District No. 2 that I have signed the foregoing
Organization _____
document in the space below as Chairman of Drainage District No. 2
Title _____ organization _____
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent Eugene P. Muller
Title and Organization Chairman, DD#2 Date 4/7/04

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this April 7th day of April 20 04



Notary Public Kim A. White
Residing at Boise, Idaho
My Commission Expires 04/01/10

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

Signature [Signature]
Address 455 S. Third Street, P.O. Box 2773, Boise, Idaho 83701
Date 4/13/2004

EXHIBIT A

Claimant is a drainage district organized and existing by virtue of the laws of the State of Idaho, Title 42, Chapter 29, since 1918 and consisting of more than 29,000 acres in Ada and Canyon County. Claimant's drainage system, ditches, check gates and headgates have drained, developed and collected surface and subsurface water within the statutory boundaries of Claimant since 1922.

Claimant has the statutory authority to file upon and appropriate, "waters created or made available for irrigation purposes, by the construction of drainage works within" its boundaries pursuant to I.C. § 42-2902. Said water is then equitably and ratably distributed to the lands within the Claimant's boundaries by the delivery organizations/canal companies within the boundaries of the Claimant. The Boise River Watermaster has distributed the water to the following delivery organizations/canal companies for delivery and beneficial use by the landowners and/or shareholders: Farmers Union Canal Company, Boise Valley Irrigation Ditch Company, New Dry Creek Ditch Company, New Union Ditch Company, Middleton Canal Companies, Canyon County Water Company, Ballentyne Ditch Company, Boise City, Consumers and Little Pioneer Ditch Company since 1923. The water is then credited and delivered to the above delivery organizations/canal companies at their Boise River points of diversion. Thus, the points of diversion for this water right are the points of diversion for the above-referenced delivery organizations/canal companies.

This water right was confirmed by Court Order dated July 13, 1923 in The Matter of Drainage District No. 2 of Ada County, Idaho, District of Ada, Case No. 329, and later licensed as water right no. 63-2406. The priority date for the license was advanced to 1965 because of late proof of beneficial use. However, Claimant is claiming a priority date of 1923 based upon beneficial use and the date upon which it was statutorily authorized to appropriate the water developed in Claimant's drainage system.

COPY

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JUN 21 2007

DEPARTMENT OF
WATER RESOURCES

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 63-31937

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise City Canal

Address: PO Box 2157

Boise, ID 83701

Daytime Phone: attorney (208) 331-1800

Name and Address of Attorney, if any:

Bruce M. Smith

Moore Smith Buxton & Turcke, Chtd.

950 W. Bannock Street, Suite 520

Boise, ID 83702

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

Name: Drainage District No. 2 c/o Bryce Farris

Address: Ringert Clark Chtd.; PO Box 2773

Boise, ID 83701

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 of Diversion**
Should be: T3N, R2E, Section 24 NWNE is not a point of diversion
for this right.
- ☐ 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 OBJECTIONS(S): There is no waste water at the above
point of diversion. Objector reserves the right to further object based on
explanation of recommendation.

F.

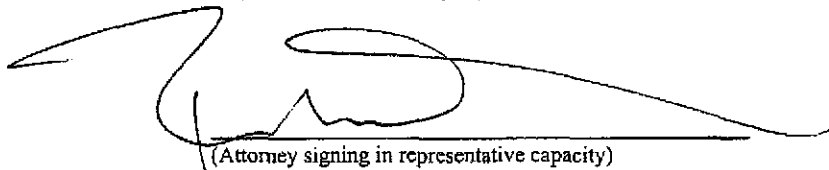
VERIFICATION (must be completed)

State of Idaho)
County of Ada) ss.

Bruce Smith, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

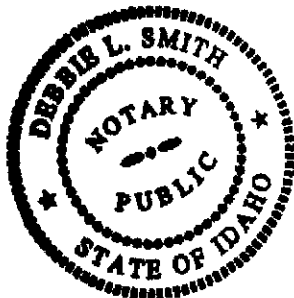
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

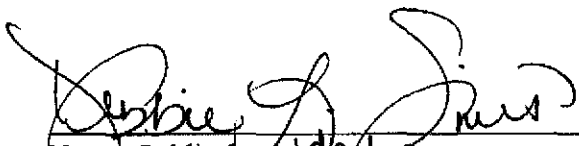
(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 20, 2007




Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 6/8/2013

G.

CERTIFICATE OF MAILING

I certify that on June 20, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

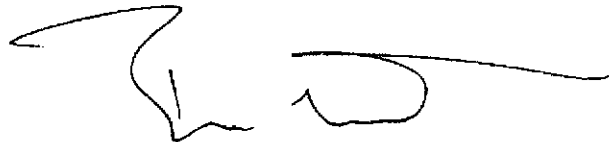
Name: Drainage District No. 2; c/o Bryce Farris
Address: Ringert Clark Chtd.; PO Box 2773
Boise, ID 83701

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

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



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 <u>63-31937</u>
	)	(Insert water right no.)
Case No. 39576	)	
	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: DRAINAGE DISTRICT NO. 2

Address: c/o Ringert Clark Chartered
P.O. Box 2773
Boise, Idaho 83701

Daytime Phone: (208) 342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU ARE RESPONDING

Name: Boise City Canal
Address: P.O. Box 2157
Boise, Idaho 83701

COPIES

D. I am responding to the objections to the following elements. (Please check the Appropriate box(es)).

1. ☐ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☒ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☐ **Recommendation:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (must be completed)

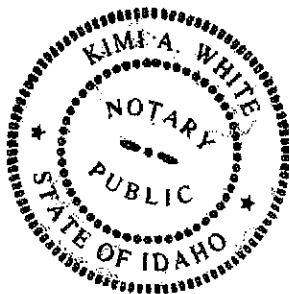
State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, 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 response, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: August 10, 2007



Kim A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/01/10

CERTIFICATE OF MAILING

I certify that on August 10th, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

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

Boise City Canal
P.O. Box 2157
Boise, Idaho 83701

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

Bruce M. Smith
Moore Smith Buxton & Turcke, Chtd.
950 W. Bannock Street, Ste. 520
Boise, Idaho 83702

A handwritten signature in dark ink, appearing to be "Bruce M. Smith", written over a horizontal line.

Signature of Respondent or attorney mailing on
Respondent's behalf

11/18/2006

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

RIGHT NUMBER: 63-31937
NAME AND ADDRESS: DRAINAGE DIST NO 2
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701
SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER
QUANTITY: 100.000 CFS
PRIORITY DATE: 07/13/1923
POINT OF DIVERSION:

T03N R02E S5 SENE Within ADA County
T03N R02E S24 NWNE Lot 1 Within ADA County
T04N R01E S16 NESE Lot 8 Within ADA County
T04N R01E S23 NESE Lot 1 Within ADA County
T04N R01W S13 NENE Lot 1 Within ADA County
T04N R01W S14 NENW Lot 3 Within ADA County
T04N R01W S17 SWSW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	100.000 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.

THE WATER AUTHORIZED BY THIS RIGHT IS CREDITED FOR DELIVERY TO THE FOLLOWING IRRIGATION CANALS AS A PERCENT OF THE TOTAL AUTHORIZED: FARMERS UNION CANAL--20.99 PERCENT; BOISE VALLEY CANAL--10.03 PERCENT; NEW DRY CREEK CANAL--9.47 PERCENT; NEW UNION CANAL--1.21 PERCENT; MIDDLETON CANAL--35.0 PERCENT; CANYON COUNTY CANAL--12.68 PERCENT; BALLENTYNE CANAL--3.04 PERCENT; BOISE CITY CANAL--3.01 PERCENT; PIONEER CANAL--4.46 PERCENT.

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29,309.15 ACRES WITHIN THE BOUNDARY OF DRAINAGE DISTRICT NO 2.

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

11/18/2006

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

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.

The source of this right is wastewater collected by the rightholder and returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at points of diversion by the delivery organizations listed above, in the percentages indicated, to be used on the place of use within the boundaries for each individual delivery organization's rights.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S13, NENE: 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S14, NENW: 63-1, 63-183.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S23, NESE: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-207, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S16, NESE: 63-195, 63-198AA, 63-258A, 63-260B, 63-264, 63-285, 63-31808.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S5, SENE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-2360, 63-18700, 63-21729, 63-31832.

THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S24, NWNE: 63-20041.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31937 V1

WATER RIGHT NUMBER: 63-31937 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DRAINAGE DIST NO 2 C/O BRYCE FARRIS RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701 (208)342-4591

Priority Date: 07/13/1923

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	100.000 CFS	
	<u>Total Diversion:</u>	100.000 CFS	

Location of Point(s) of Diversion

WASTE WATER	L8 (NE1/4SE1/4)	Sec. 16, Twp 04N, Rge 01E, B.M.
ADA County		
WASTE WATER	L1 (NE1/4SE1/4)	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		
WASTE WATER	L3 (NE1/4NW1/4)	Sec. 14, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	L4 (SW1/4SW1/4)	Sec. 17, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	L1 (NE1/4NE1/4)	Sec. 13, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	SE1/4NE1/4	Sec. 5, Twp 03N, Rge 02E, B.M.
ADA County		
WASTE WATER	L1 (NW1/4NE1/4)	Sec. 24, Twp 03N, Rge 02E, B.M.
ADA County		

Place of UseConditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S13, NENE: 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31937 V1

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29,309.15 ACRES WITHIN THE BOUNDARY OF DRAINAGE DISTRICT NO 2.
4. S45 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.
5. The source of this right is wastewater collected by the rightholder and returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at points of diversion by the delivery organizations listed above, in the percentages indicated, to be used on the place of use within the boundaries for each individual delivery organization's rights.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S14, NENW: 63-1, 63-183.
7. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S23, NESE: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-207, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806.
8. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S16, NESE: 63-195, 63-198AA, 63-258A, 63-260B, 63-264, 63-285, 63-31808.
10. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S5, SENE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-2360, 63-18700, 63-21729, 63-31832.
11. THE WATER AUTHORIZED BY THIS RIGHT IS CREDITED FOR DELIVERY TO THE FOLLOWING IRRIGATION CANALS AS A PERCENT OF THE TOTAL AUTHORIZED: FARMERS UNION CANAL--20.99 PERCENT; BOISE VALLEY CANAL--10.03 PERCENT; NEW DRY CREEK CANAL--9.47 PERCENT; NEW UNION CANAL--1.21 PERCENT; MIDDLETON CANAL--35.0 PERCENT; CANYON COUNTY CANAL--12.68 PERCENT; BALLENTYNE CANAL--3.04 PERCENT; BOISE CITY CANAL--3.01 PERCENT; PIONEER CANAL--4.46 PERCENT.
12. THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S24, NWNE: 63-20041.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31937 V1

Comments:

1. mschulte 7/7/2004 BASIS OF CLAIM

Comment: THIS CLAIM REPLACES THE CLAIM FILED FOR LICENSE 63-2406 IN ORDER TO CLAIM AN EARLIER PRIORITY DATE THAN THE LICENSED PRIORITY DATE. THE BASIS FOR THIS CLAIM IS A COURT ORDER DATED 7/13/1923 THAT AUTHORIZED THE DEVELOPMENT OF 7500 INCHES OF IRRIGATION WATER BY DRAINAGE DISTRICT NO 2 FROM THE WATER COLLECTED IN THEIR DRAIN DITCHES.

2. mcase 7/21/2004 POD

Comment: Correlated PODID 623005 from SpatialDataID 342557 to SpatialDataID 342054

3. mcase 7/21/2004 POD

Comment: Correlated PODID 623004 from SpatialDataID 342558 to SpatialDataID 303082

4. mcase 7/21/2004 POD

Comment: Correlated PODID 623006 from SpatialDataID 342561 to SpatialDataID 302230

5. mcase 7/21/2004 POD

Comment: Correlated PODID 623002 from SpatialDataID 342569 to SpatialDataID 305307

6. mcase 7/21/2004 POD

Comment: Correlated PODID 623008 from SpatialDataID 342577 to SpatialDataID 303145

7. jshurte 11/18/2006 S45 Remark

Comment: This condition was placed on this right since it is credited back up to the original point of diversion for several ditch companies above Star. Therefore, it needs this condition also.

Water Supply Bank:

05/14/2005

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-2406	DRAINAGE DIST NO 2 C/O BRYCE FARRIS RINGERT CLARK CHARTERED PO BOX 2773 BOISE ID 83701	Disallowed	RECOMMENDED AS RIGHT NO. 63-31937: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant s name.

10-21-05

Phone conversation w/Bryce Ferris

Drainage District #2 Right & Duplicate Ditch Company Rights – Wastewater

Per a meeting that was held on 6/27/05 which included Bryce Ferris, attorney for DD#2, Jerry Kiser, attorney for Middleton Mill and Canyon Ditch Co., Dave Tuthill, Nick Spencer and Mel Schulte (I did not attend), it was decided that IDWR would hold the drainage district #2 rights along with the duplicate ditch company rights awaiting further information and possible claim filings for this wastewater.

The problem is that per the Boise River Watermaster 100 cfs has been delivered back up at the headgates of the various ditch companies involved for the wastewater created by the drainage district's drains per a court order issued in 1923. See Mel's memo dated 6-24-05 for an explanation. The original claim filed by the drainage district claimed 50 cfs and Bryce Ferris and Jerry Kiser representing the ditch companies feel that the additional 50 cfs has been wasted and should be represented back up at the points of diversion for the various ditch companies.

In order to consider the additional 50 cfs for a recommendation they would need to submit evidence of this water and diversion by the ditch companies. Bryce and Jerry Kiser have been working on this information. Bryce requested another meeting to discuss the matter. I told him that with Ada County being prepped for the Director's Report in December, I could not meet until after the first of the year.

Since it had already been decided at the meeting on 6/27/05 to delay these to the Part 3 report (Dave Tuthill and Nick Spencer were present), then these would not be reported in Part 2 and we can consider all together for the Part 3 report. This is also agreeable due to the involvement of Canyon County ditch companies with the wastewater credits.

**RINGERT
CLARK**
CHARTERED
LAWYERS

April 6, 2006

RECEIVED

APR 07 2006

**WATER RESOURCES
WESTERN REGION**

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson

William F. Ringert, of Counsel
Alyn L. Sweeney of Counsel
Samuel Kaufman (1921-1986)

Jan Schurte
IDWR Western Region
2735 Airport Way
Boise, ID 83705

Re: Drainage District No. 2 Water Rights.

Dear Jan:

This letter is to follow-up our meeting on March 21, 2006 regarding the above-referenced matter. During the meeting we discussed one water right for the 100 cfs that is credited to the irrigation entities at their respective points of diversion on the Boise River, and a second water right for the additional 50 cfs that is returned directly from the drains to the irrigation systems. All water in excess of the 50 cfs could then be claimed by the irrigation entities.

In order to prepare the recommendation for the 50 cfs water right, you requested that Drainage District No. 2 provide you with points of diversion for those drains which discharge directly into the irrigation facilities. Those locations are as follows:

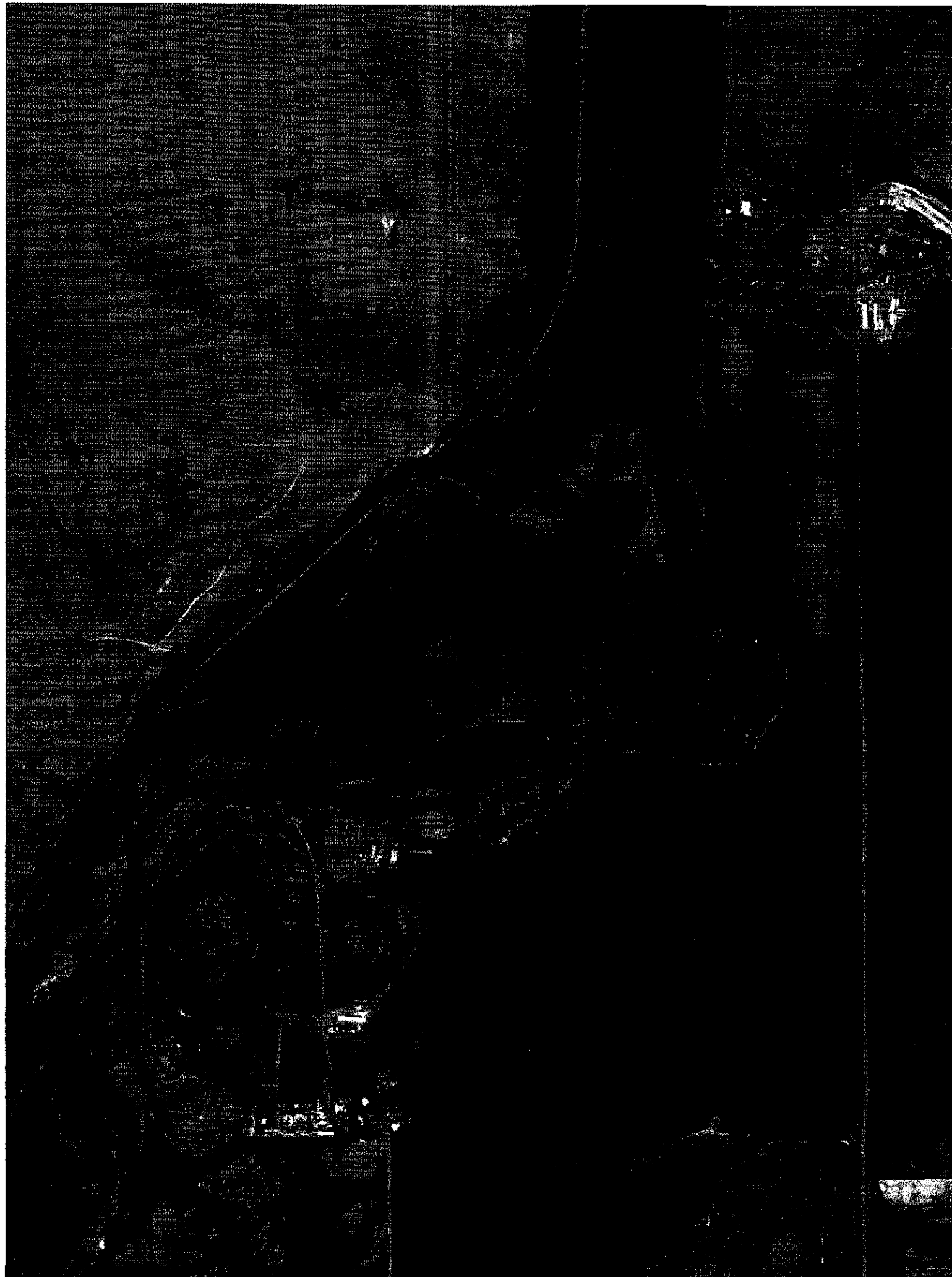
1. Star Feeder, which provides water to Middleton Mill, is located in the SW1/4 of Section 5, T.4N, R.1W;
2. Shiley Check, which provides water to Canyon County Water Company, is located in the SW1/4 of Section 5, T.4N, R.2W;
3. Watts Check, which provides water to Canyon County Water Company, is located in the SE1/4 of Section 10, T.4N, R.2W; and
4. Second Watts Check, which provides water to Canyon County Water Company, is located in the NW1/4 of Section 9, T.4N, R.2W.

It was my understanding that you were going to generally identify the above points of diversions on IDWR's maps and then Allen Funkhouser, the District's Superintendent, would meet with you to identify the exact locations. Once you have the general locations identified, please contact Allen at 571-3804 to make arrangements to identify the exact locations. Additionally, please contact me if you have any questions regarding this matter.

Yours very truly,


S. Bryce Farris

cc: Drainage District No. 2
Allen Funkhouser
Jerry Kiser



10-21-05

Phone conversation w/Bryce Ferris

Drainage District #2 Right & Duplicate Ditch Company Rights – Wastewater

Per a meeting that was held on 6/27/05 which included Bryce Ferris, attorney for DD#2, Jerry Kiser, attorney for Middleton Mill and Canyon Ditch Co., Dave Tuthill, Nick Spencer and Mel Schulte (I did not attend), it was decided that IDWR would hold the drainage district #2 rights along with the duplicate ditch company rights awaiting further information and possible claim filings for this wastewater.

The problem is that per the Boise River Watermaster 100 cfs has been delivered back up at the headgates of the various ditch companies involved for the wastewater created by the drainage district's drains per a court order issued in 1923. See Mel's memo dated 6-24-05 for an explanation. The original claim filed by the drainage district claimed 50 cfs and Bryce Ferris and Jerry Kiser representing the ditch companies feel that the additional 50 cfs has been wasted and should be represented back up at the points of diversion for the various ditch companies.

In order to consider the additional 50 cfs for a recommendation they would need to submit evidence of this water and diversion by the ditch companies. Bryce and Jerry Kiser have been working on this information. Bryce requested another meeting to discuss the matter. I told him that with Ada County being prepped for the Director's Report in December, I could not meet until after the first of the year.

Since it had already been decided at the meeting on 6/27/05 to delay these to the Part 3 report (Dave Tuthill and Nick Spencer were present), then these would not be reported in Part 2 and we can consider all together for the Part 3 report. This is also agreeable due to the involvement of Canyon County ditch companies with the wastewater credits.

DRAINAGE DISTRICT NO. 2

ADDITIONAL INFORMATION

DATE: JUNE 24, 2005

BY: MEL SCHULTE

The primary contact for Drainage District No 2's claim has been their attorney, Bryce Farris with the firm of Ringert & Clark. Claim, 63-31937 was prepared and submitted by him after a lot of discussion concerning their original claim 63-2406.

There are several major issues associated with claim 63-31937 and our recommendation that will likely initiate a challenge.

The original claim filed by the district, 63-2406, was based on a 1965 license. The license was issued in support of a 1923 court order that authorized the drainage district to develop for irrigation use up to 7500 inches (150 cfs) of wastewater that originates in their system. The license authorizes the delivery of the water through the systems of six of the irrigation entities that create the wastewater from the irrigation practices within their own systems. The problem with license 63-2406 is that the Boise River water master has not recognized full delivery of 150 cfs and the water master's records only support diversion of 100 cfs. The water master's historic diversions may be based on the statement in the order that says "it further appears that there is now available for distribution to the drainage canals supplying irrigation water to lands in said district 5000 inches of said developed water without interfering with prior existing rights."

The drainage district does not agree with the 1965 priority date in license 63-2406. They claim the water right should reflect the 1923 court order date as a priority date. Not being able to overturn the licensed priority date, they indicated they would withdraw the original claim and file a beneficial use claim with the earlier priority date supported by the court order. To this date we have not received a written withdrawal of claim 63-2406. Therefore, we disallowed claim 63-2406 in favor of 63-31937.

An issue relating to the drainage districts beneficial use claim 63-31937 is the diversion rate. They claimed the same 150 cfs authorized by license 63-2406. However, the court order only authorized the development of 150 cfs and the Boise River water master can only support the delivery of 100 cfs. We think the historical records of the water master in support of 100 cfs to be the strongest position to take in our recommendation. It appears to us the drainage district is sacrificing the additional 50 cfs authorized in license 63-2406 for the earlier priority date supported by the 1923 court order. This decision will no doubt be challenged.

Another likely challenge to the recommendation for 63-31937 could come from some of the irrigation entities that have been receiving credit for portions of the 100 cfs delivered by the water master. Most of the irrigation entities filed claims for their portions of the 100 cfs. We have currently disallowed their claims and recommended the right in the name of Drainage District No 2 with a remark recognizing the individual interests of the irrigation companies that use the water. It is not likely that this approach will satisfy all of the individual companies.

The seven POD's in the recommendation are those of the nine companies that receive and use the water in their systems.

I met with Lee Sisco on July 12, 2004 to discuss the issues above. He indicated that he could only support and testify, if required, to the information in his records that 100 cfs of waste water has historically been credited and diverted and cannot support the 150 cfs authorized in license 63-2406.

MTS

05/18/2005

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

RIGHT NUMBER: 63-31937

NAME AND ADDRESS: DRAINAGE DIST NO 2
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 07/13/1923

POINT OF DIVERSION:

T03N R02E S5 SENE Within ADA County
T03N R02E S24 NWNE Lot 1 Within ADA County
T04N R01E S16 NESE Lot 8 Within ADA County
T04N R01E S23 NESE Lot 1 Within ADA County
T04N R01W S13 NENE Lot 1 Within ADA County
T04N R01W S14 NENW Lot 3 Within ADA County
T04N R01W S17 SWSW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	100.000 CFS
THE WATER AUTHORIZED BY THIS RIGHT IS CREDITED FOR DELIVERY TO THE FOLLOWING IRRIGATION CANALS AS A PERCENT OF THE TOTAL AUTHORIZED: FARMERS UNION CANAL--20.99 PERCENT; BOISE VALLEY CANAL--10.03 PERCENT; NEW DRY CREEK CANAL--9.47 PERCENT; NEW UNION CANAL--1.21 PERCENT; MIDDLETON CANAL--35.0 PERCENT; CANYON COUNTY CANAL--12.68 PERCENT; BALLENTYNE CANAL--3.04 PERCENT; BOISE CITY CANAL--3.01 PERCENT; PIONEER CANAL--4.46 PERCENT.		

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29,309.15 ACRES WITHIN
THE BOUNDARY OF DRAINAGE DISTRICT NO 2.

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.

The source of this right is wastewater collected by the rightholder and returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at points of diversion by the delivery organizations listed above, in the percentages indicated, to be used on the place of use within the boundaries for each individual delivery organization's rights.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S16, NESE: 63-195, 63-198AA, 63-258A, 63-260B, 63-264, 63-285, 63-31808.

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THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S24, NWNE: 63-20041.

RECEIVED

JUN 28 2005

WATER RESOURCES
WESTERN REGION

**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: June 24, 2005

Water Right Number: 63-31937

DRAINAGE DISTRICT NO. 2
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
P.O. BOX 2773
BOISE, ID 83701
Telephone Number: (208)342-4591

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Quantity of 100.00 CFS
2. Describe the changes you wish to make in the proposed recommendation:
The quantity for this water right should be, at a minimum, 150.00 CFS based upon the credit of 100 CFS by the water master and the additional water, which is a minimum of 50 CFS developed in the drains and beneficially used with the District's boundaries.
3. Give a brief explanation as to why you disagree with these portions:
In addition to the 100.00 CFS recommended by IDWR and credited by the water master, a minimum of 50.00 CFS of wastewater has been recognized by a prior court order. This additional wastewater has been developed in the drains and beneficially used with the District's boundaries.

The processing of this water right should be held back until Part III because it is anticipated that additional late claims will be filed in the near future and these water rights should be reviewed as a package.

_____ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 5/27/05

SIGNATURE: J. Gould

Please print your name: Jon Gould

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190



RECEIVED

JUN 28 2005

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

June 27, 2005

Mel Shulte
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: IDWR Preliminary Recommendations for Drainage District No. 2

Dear Mr. Schulte:

Please find the enclosed Notice of Error Reply form in response to your preliminary recommendation for the water right owned by Drainage District No. 2. Please contact me if you wish to discuss the proposed corrections to the preliminary recommendation.

Yours very truly,

A handwritten signature in black ink, appearing to read "Jon C. Gould".

Jon C. Gould

JCG:kw
Enclosures

cc: client

DRAINAGE DISTRICT NO. 2

ADDITIONAL INFORMATION

DATE: JUNE 24, 2005

BY: MEL SCHULTE

The primary contact for Drainage District No 2's claim has been their attorney, Bryce Farris with the firm of Ringert & Clark. Claim, 63-31937 was prepared and submitted by him after a lot of discussion concerning their original claim 63-2406.

There are several major issues associated with claim 63-31937 and our recommendation that will likely initiate a challenge.

The original claim filed by the district, 63-2406, was based on a 1965 license. The license was issued in support of a 1923 court order that authorized the drainage district to develop for irrigation use up to 7500 inches (150 cfs) of wastewater that originates in their system. The license authorizes the delivery of the water through the systems of six of the irrigation entities that create the wastewater from the irrigation practices within their own systems. The problem with license 63-2406 is that the Boise River water master has not recognized full delivery of 150 cfs and the water master's records only support diversion of 100 cfs. The water master's historic diversions may be based on the statement in the order that says "it further appears that there is now available for distribution to the drainage canals supplying irrigation water to lands in said district 5000 inches of said developed water without interfering with prior existing rights."

The drainage district does not agree with the 1965 priority date in license 63-2406. They claim the water right should reflect the 1923 court order date as a priority date. Not being able to overturn the licensed priority date, they indicated they would withdraw the original claim and file a beneficial use claim with the earlier priority date supported by the court order. To this date we have not received a written withdrawal of claim 63-2406. Therefore, we disallowed claim 63-2406 in favor of 63-31937.

An issue relating to the drainage districts beneficial use claim 63-31937 is the diversion rate. They claimed the same 150 cfs authorized by license 63-2406. However, the court order only authorized the development of 150 cfs and the Boise River water master can only support the delivery of 100 cfs. We think the historical records of the water master in support of 100 cfs to be the strongest position to take in our recommendation. It appears to us the drainage district is sacrificing the additional 50 cfs authorized in license 63-2406 for the earlier priority date supported by the 1923 court order. This decision will no doubt be challenged.

Another likely challenge to the recommendation for 63-31937 could come from some of the irrigation entities that have been receiving credit for portions of the 100 cfs delivered by the water master. Most of the irrigation entities filed claims for their portions of the 100 cfs. We have currently disallowed their claims and recommended the right in the name of Drainage District No 2 with a remark recognizing the individual interests of the irrigation companies that use the water. It is not likely that this approach will satisfy all of the individual companies.

The seven POD's in the recommendation are those of the nine companies that receive and use the water in their systems.

I met with Lee Sisco on July 12, 2004 to discuss the issues above. He indicated that he could only support and testify, if required, to the information in his records that 100 cfs of waste water has historically been credited and diverted and cannot support the 150 cfs authorized in license 63-2406.

MTS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31937 V1

WATER RIGHT NUMBER: 63-31937 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DRAINAGE DIST NO 2 C/O BRYCE FARRIS RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701 (208)342-4591

Priority Date: 07/13/1923

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	100.000 CFS	
	<u>Total Diversion:</u>	100.000 CFS	

Location of Point(s) of Diversion

WASTE WATER	L8 (NE1/4SE1/4)	Sec. 16, Twp 04N, Rge 01E, B.M.
ADA County		
WASTE WATER	L1 (NE1/4SE1/4)	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		
WASTE WATER	L3 (NE1/4NW1/4)	Sec. 14, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	L4 (SW1/4SW1/4)	Sec. 17, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	L1 (NE1/4NE1/4)	Sec. 13, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	SE1/4NE1/4	Sec. 5, Twp 03N, Rge 02E, B.M.
ADA County		
WASTE WATER	L1 (NW1/4NE1/4)	Sec. 24, Twp 03N, Rge 02E, B.M.
ADA County		

Place of UseConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31937 V1

Remarks:

1. Purpose of Use THE WATER AUTHORIZED BY THIS RIGHT IS CREDITED FOR DELIVERY TO THE FOLLOWING IRRIGATION CANALS AS A PERCENT OF THE TOTAL AUTHORIZED: FARMERS UNION CANAL--20.99 PERCENT; BOISE VALLEY CANAL--10.03 PERCENT; NEW DRY CREEK CANAL--9.47 PERCENT; NEW UNION CANAL--1.21 PERCENT; MIDDLETON CANAL--35.0 PERCENT; CANYON COUNTY CANAL--12.68 PERCENT; BALLENTYNE CANAL--3.04 PERCENT; BOISE CITY CANAL--3.01 PERCENT; PIONEER CANAL--4.46 PERCENT.
2. Explanatory THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S24, NWNE: 63-20041.
3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S14, NENW: 63-1, 63-183.
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S23, NESE: 63-125K, 63-126G, 63-146, 63-161L, 63-205, 63-206, 63-207, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806.
5. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S16, NESE: 63-195, 63-198AA, 63-258A, 63-260B, 63-264, 63-285, 63-31808.
6. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01W, S13, NENE: 63-124N, 63-125G, 63-126E, 63-161X, 63-168B, 63-168D, 63-173, 63-198AC, 63-254, 63-255, 63-370.
7. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
8. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S5, SENE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-2360, 63-18700, 63-21729, 63-31832.
9. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29,309.15 ACRES WITHIN THE BOUNDARY OF DRAINAGE DISTRICT NO 2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31937 V1

Comments:

1. mschulte 7/7/2004 BASIS OF CLAIM

Comment: THIS CLAIM REPLACES THE CLAIM FILED FOR LICENSE 63-2406 IN ORDER TO CLAIM AN EARLIER PRIORITY DATE THAN THE LICENSED PRIORITY DATE. THE BASIS FOR THIS CLAIM IS A COURT ORDER DATED 7/13/1923 THAT AUTHORIZED THE DEVELOPMENT OF 7500 INCHES OF IRRIGATION WATER BY DRAINAGE DISTRICT NO 2 FROM THE WATER COLLECTED IN THEIR DRAIN DITCHES.

2. mcase 7/21/2004 POD

Comment: Correlated PODID 623005 from SpatialDataID 342557 to SpatialDataID 342054

3. mcase 7/21/2004 POD

Comment: Correlated PODID 623004 from SpatialDataID 342558 to SpatialDataID 303082

4. mcase 7/21/2004 POD

Comment: Correlated PODID 623006 from SpatialDataID 342561 to SpatialDataID 302230

5. mcase 7/21/2004 POD

Comment: Correlated PODID 623002 from SpatialDataID 342569 to SpatialDataID 305307

6. mcase 7/21/2004 POD

Comment: Correlated PODID 623008 from SpatialDataID 342577 to SpatialDataID 303145

Water Supply Bank:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 03-31937Owner: Drainage District No. 2 Phone No. 342-4591Current Address: 610 Bryce Jarvis, PO Box 2773, Boise, ID 83701

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: 3-12-1923

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

Court Order # 329 was signed by Judge Stevens on 7-13-1923Source: Waste Water Tributary to Boise River

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: Legal description changes correct
- ☐ If different, when did POD change? faulty descriptions

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

The delivery systems of the entities that divert and apply the water to a beneficial use.

OVERLAP REVIEWOther water rights with the same point of diversion: Numerous.

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

WATER USES☐ No change☐ Different Uses

Use Irrigation From 3-1 To 11-15 Amount 100 CFS AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

TOTAL VOLUME – Groundwater only N/A

- ☐ Incomplete on claim, the total is, Amount CFS AFA
- ☐ Changes found, the new total is, Amount CFS AFA
- ☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☐ No change☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☐ No Change☐ Changes shown below:

Limited to the irrigation of 29,309.15 acres as described in license Place of Use 63-2406 within the boundary of Drainage Dist. #2. SE																	Totals		
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: Supplemental to decreed and licensed surface water rights

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

Delivery System Narrative:

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

This claim replaced 63-2406 and claiming the 1923 priority date rather than the licensed date of 1965. This claim is based on the Court Order dated 7-13-1923 that authorized D.D.#2 to develop up to 2500 inches of water for irrigation from the waste water collected by their drain ditch system. The water is credited back and diverted as Boise River water into the delivery systems of 10 irrigation entities. Their percentage interests are described in the Boise River water master's records. (See attached)

the water masters records indicate a historical delivery of 100 cfs but license 63-2406 authorized 150 cfs. The water master can only support the delivery on credit of 100 cfs from his records which is the basis for this recommendation.

Consumers water Co. went out of business in the 1960's thus their .11 % historical interest in this water is dropped. According to Lee Sisco they did not sell and transfer this .11 % with their decedent right 63-1161.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Mel Schulte

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31937
Date Received: 4/14/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DRAINAGE DIST NO 2 Phone: (208)342-4591
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID USA 83701

2. Date of Priority: 03/12/1923

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	16	Lt 8 ~~SW~~ ^{NE} ~~NE~~ ^{SE}	ADA	Ballentyns
04N	01E	23	Lt 1 ~~SW~~ ^{NE} ~~NE~~ ^{SE}	ADA	New Dry Creek + New Union
04N	01W	14	Lt 3 NE NW	ADA	Pioneer
04N	~~01E~~ ^{1W}	~~32~~ ¹⁷	Lt 4 ~~SE~~ ^{SW} ~~SE~~ ^{SW}	ADA	Canyon County
04N	01W	~~5~~ 13, Lt 1	~~NW~~ ^{NE} ~~SW~~ ^{NE}	ADA	Middleton
~~04N~~	~~02W~~	~~9~~	~~NE~~ ~~NW~~	ADA	
		3N, 2E, 5	Lt 1 SE NE		Janners + Boise Valley
		3N, 2E, 24	Lt 1 NW NE		Boise City

5. Description of diverting works:

Drainage system, ditches, check gates and headgates.

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
03/15 11/15 150

(or) A.F.A.

63-31937

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.

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

April 13, 2004

Mei Shulte
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

APR 14 2004

**WATER RESOURCES
WESTERN REGION**

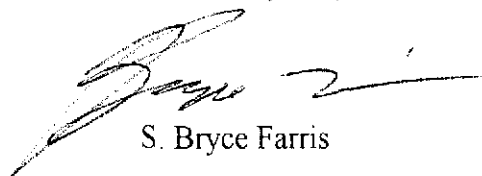
Re: Drainage District No. 2's water rights

Dear Mei:

Enclosed please find the District's Amended Notice of Claim which was filed today. As you can see the District is making a beneficial use claim for the entire 150 cfs based upon the earliest date of appropriation. The percentages for each delivery organization is provided for in the Boise River Watermaster's book and is based upon the lands of each delivery organization within the District's boundaries. It is the intent of the District that those percentages remain unchanged.

Please contact me if you have any questions regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

cc: Drainage District No. 2
Jerry Kiser/Middleton Mill Canal Company
Canyon County Ditch Company
Boise Valley Irrigation Ditch Company
New Dry Creek Ditch Company
Gene Bailey/Farmers Union Canal Company
Ballantyne Ditch Company

05/14/2005

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-2406	DRAINAGE DIST NO 2 C/O BRYCE FARRIS RINGERT CLARK CHARTERED PO BOX 2773 BOISE ID 83701	Disallowed	RECOMMENDED AS RIGHT NO. 63-31937: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant s name.

04/21/2005

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

RIGHT NUMBER: 63-2406

NAME AND ADDRESS: DRAINAGE DIST NO 2
C/O BRYCE FARRIS
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 150.000 CFS

PRIORITY DATE: 07/11/1927

POINT OF DIVERSION:

T04N R01E S16 SWNE Within ADA County
T04N R01E S23 SWNE Within ADA County
T04N R02E S32 SESE Within ADA County
T04N R01W S5 NWSW Within ADA County
T04N R01W S14 NENW Within ADA County
T04N R02W S9 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
150.000 CFS

PLACE OF USE:

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

Recommended as Right No. 63-31937.

EXPLANATORY MATERIAL:

RECOMMENDED AS RIGHT NO. 63-31937: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant's name.

State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 16717/63-2406 Priority July 5, 1965 Amount 150.0 cfs

THIS IS TO CERTIFY, that DRAINAGE DISTRICT NO. 2
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 16717/63-2406 issued pursuant to Application for Permit dated July 11, 1927
and has submitted proof to the Department of Water Administration on January 14, 1972 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 150.0 cfs of water from waste water
tributary to the Boise River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>150.0</u> cfs and	<u>61,123 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 150.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
61,123 acre feet per year, said waters to be diverted within the See Exhibit A
_____ in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>See Exhibit B</u>																			

Total number of acres irrigated 29,309.15

The water diverted under this license is the same as that diverted under authority
of Court Order No. 329 issued July 13, 1923, by the Third Judicial District Court
in the Matter of Drainage District No. 2 of the County of Ada, State of Idaho.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 74.

[Signature]
Director 63 2100



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAN STEENSON
RINGERT CLARK CHARTERED
455 SOUTH THIRD STREET
BOISE, ID 83701

RE: CITY OF MERIDIAN & DRAINAGE DISTRICT NO. 2

Dear Dan:

I'm writing in response to your letter dated June 12, 2003 concerning the status of our investigation of the claims for the above referenced organizations.

The main purpose of my letter dated June 6, 2003 was to remind irrigation districts and canal companies of the necessity of completing the review of their place of use and boundary maps. I did not mail letters to the above referenced organizations. They will not be required to prepare a boundary map as part of the review process for their SRBA water right claims.

Even though a formal boundary map is not needed for the City of Meridian, Dave Tuthill had our State Office mapping staff prepare an informal boundary map. The map is available for your review by contacting Mark Larsen.

Drainage District No. 2 presents a unique set of circumstances in the review of their claim for license 63-2406. The license authorizes the delivery of 150 cfs of wastewater for irrigation with a 1965 priority based on Court Order no. 329 dated July 13, 1923. The drainage district is not in the business of irrigation and in fact the delivery of and beneficial use of the wastewater addressed in the court order is utilized by ten different ditch and canal companies in Ada and Canyon Counties. Those entities are described on the attached copy of a page from the Boise River water master's annual report.

The water master's annual report indicates that the entire 150 cfs authorized in license 63-2406 has not been historically delivered but in fact 100 cfs is the quantity actually utilized by the ten ditch and canal companies. These organizations have claimed their proportionate share of the 100 cfs described in the water master report with a 1921 priority.

We cannot find information that supports the delivery and use of both the 150 cfs of wastewater authorized in license 63-2406 and the 100 cfs reported by the Boise River water master. We are considering disallowing license 63-2406 with the 1965 priority date in favor of the canal and ditch companies claims with 1921 priorities. If you have additional information concerning the delivery of the wastewater or want to discuss this matter in more detail please let me know.

Cordially,

A handwritten signature in cursive script that reads "Mel Schulte". The signature is fluid and elegant, with the first letters of each word being capitalized and prominent.

Mel Schulte
Sr. Water Rights Agent
208-334-2190

Encl.

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	NEEVES	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.

June 12, 2003

Mel Schulte
Sr. Adjudication Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

JUN 13 2003

**WATER RESOURCES
WESTERN REGION**

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
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Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

Re: Snake River Basin Adjudication claims

Dear Mr. Schulte:

We are in receipt of your June 6, 2003 letter regarding Snake River Basin Adjudication claims review which you forwarded to us on behalf of our following clients: Thurman Mill Ditch Company, South Boise Water Company, Eureka Water Company, Boise Valley Irrigation District Company, and Ballentyne Ditch Company.

We have not received any correspondence with regard to our other clients, the City of Meridian and Drainage District No. 2 of Ada County, which also have water rights in Ada County. Please advise me of the status of your investigation of their claims.

Please contact me if you have any questions or comments regarding this matter.

Yours very truly,



Daniel V. Steenson

DVS/krm

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 16717/63-2406 Priority July 5, 1965 Amount 150.0 cfs

THIS IS TO CERTIFY, that DRAINAGE DISTRICT NO. 2

of Boise, Idaho, has complied with the terms and conditions of Permit No. 16717/63-2406 issued pursuant to Application for Permit dated July 11, 1927, and has submitted proof to the Department of Water Administration on January 14, 1972 (late proof), that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 150.0 cfs of water from waste water, tributary to the Boise River, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>Nov. 15</u>	at <u>150.0</u> cfs and	<u>61,123 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 150.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 61,123 acre feet per year, said waters to be diverted within the See Exhibit A

in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼				SE¼				Totals
			NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	
See Exhibit B																			

Total number of acres irrigated 29,309.15

The water diverted under this license is the same as that diverted under authority of Court Order No. 329 issued July 13, 1923, by the Third Judicial District Court in the Matter of Drainage District No. 2 of the County of Ada, State of Idaho.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of February, 19 74.

MICROFILMED

AUG 26 1992

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

2. Source of water supply: Groundwater ☐ Surface water ☐ waste water
(name spring, stream, etc.)
Tributary to _____

Other uses: as an insecticide, fumigant, repellent, etc. It is used to control the growth of algae in water, and to control the growth of bacteria in food. It is also used as a preservative in cosmetics and pharmaceuticals.

Township... N/S, Range... E/W, B.M., Section..., Subdivision... $\frac{1}{4}$... $\frac{1}{4}$... County...
County...

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE

[illegible]

DATE 2/7/03 **EXAMINATION RESULTS**

This was completed pursuant to the request
of the [redacted] [redacted]
[redacted] to determine if [redacted] [redacted]
[redacted] [redacted] [redacted] [redacted]

[redacted] by:

[redacted] by:

[redacted] by:

DATE _____

EXAMINATION RESULTS

2/7/02 This was somewhat painful. It became
more being injected under the skin.
But not too big, are they? by: X

57:

६५:

b6
b7C

DATE OF EXAM 3 Aug 1973

ACREAGE
Found 29,309.15
Recommended 29,309.15 524

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 125.78 c.f.s. V = 13,891.17 AF/Ann. from March 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County _____

Exchange? yes _____ no _____

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

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

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

Total Q measured 125.78 cfs Method of measurement _____

Total Q recommended 125.78 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 13,891.17 *These amounts are current deliveries to each ditch*

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

Taken for Boise River water meter records of delivery as follows:
1. Farmers Union 20.98 cfs, 5. Middle River Canal 20.79
2. Dry Creek Canal 9.97 cfs, +13.21
3. Ballantine Ditch 3.04 cfs, 35.0 cfs
4. Pioneer Canal 44.60 cfs, 6 Canyon County 12.65

SYSTEM DESCRIPTION:

All are headgates from river into gravity flow canals. Total 125.78 cfs

REMARKS:

See Sheet #2 for Acreage Figures in each subdivision.

Examiner's Signature Chun C. Babler Date 3 August 1973

Checked by _____ Date _____

Approved by _____ Date _____

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 16717-63-2406
in the name of F. R. Bartley, E. E. Lister and
Emil Jullion, as the Board of Commissioners of
Drainage District No. 2 of the County of Ada, in
the State of Idaho

ORDER

WHEREAS, on July 11, 1927, the Board of Commissioners of Drainage District No. 2 of the County of Ada, in the State of Idaho, applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 150 cubic feet per second of water developed by the construction of the system of Drainage District No. 2 with points of diversion within the Counties of Ada and Canyon, Idaho, to be used for irrigation and domestic purposes; and,

WHEREAS, on July 20, 1927, the Department approved said application and issued Permit No. 16717-63-2406 with the condition that one-fifth of the work be completed on or before October 20, 1927; and that the whole of said work be completed on or before January 20, 1928; and that the water be appropriated to a beneficial use on or before January 20, 1933; and,

WHEREAS, proof of completion of works was made on September 2, 1927; and,

WHEREAS, on January 11, 1933, the Department extended the time within which to submit proof of beneficial use of water to January 20, 1934; and,

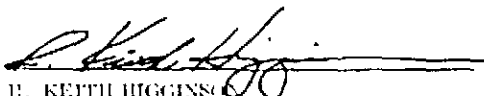
WHEREAS, on July 15, 1971, the Department notified the permit holder that Permit No. 16717-63-2406 was subject to cancellation for failure to submit proof of beneficial use of water due on January 20, 1934; and,

WHEREAS, proof of beneficial use of water was received by the Department on January 11, 1972; and,

WHEREAS, Section 12-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, BEING ORDERED that the priority under Permit No. 16717-63-2406 be advanced to July 5, 1935.

Dated this 24 day of January, 1972.


E. KEITH HIGGINS
Director

BDF:DE

63-2406

January 22, 1973

RE: PERMIT NO. 63-2406
Court Order in the Matter
of Drainage District No. 2.

Canyon County Water Company
c/o Melba Torrence, Secretary
Route #1
Star, Idaho 83669

Dear Mrs. Torrence:

We have a copy of the above mentioned court order which confirms the use of developed water by water companies within drainage district no. 2 up to a maximum amount of 7,500 inches.

At the time of the order, 5,000 inches were available but the directors of the drainage district had filed a permit application to developed water in the amount of 7,500 inches with the department. January 14, 1972, the department received proof of beneficial use of water and due to the fact the proofs were due January 20, 1934, the priority date of this water right will be advanced to July 5, 1965. The license will confirm the use of up to 7,500 inches of water and will also show that this 7,500 inches will not be in addition to the 7,500 inches acknowledged by the court order.

The court order will probably establish a 1923 priority date on the water used since that time. It seems that it is not necessary to license this right now that so much time has elapsed but since proof of beneficial use was received, we must complete our examination and issue a water license. This should be completed soon.

If you have any questions, I will attempt to find an answer to them.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mkp

cc: D. L. Musselman, Watermaster
Water District No. 63
214 Broadway Avenue
Boise, Idaho

63 2406

Hammond, Mo. The points of diversion, the amount of water claimed, the size and name of the canal carrying the water are as follows:

Point of diversion	Name of canal	Amount of water diverted	Size of headgate	Capacity of canal
(a) S. 33 45' N. 1465 ft. from the northeast corner of Sec. 9 T4N. R2E. S. 2E. B.M.	Harrows Union	(12005 in.) 57.77 ft. per sec.	20 ft. 4 gates	200 ft. per sec.
(b) S. 23 10' E. 1375 ft. from the North Quarter corner of Sec. 23 T4N. R1E. S. 2E.	Dry Creek Canal	(724 in.) 14.45 ft. per sec.	16 ft. 3 gates	80 ft. per sec.
(c) S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16 T4N. R1E. S. 2E.	Ballentine Ditch	(154 in.) 3.08 ft. per sec.	10 ft. 2 gates	20 ft. per sec.
(d) S. 20 45' E. 845 ft. from the North Quarter corner of Sec. 14 T4N. R1W. S. 2E.	Pioneer Canal	(343 in.) 6.86 ft. per sec.	10 ft. 2 gates	35 ft. per sec.
(e) N. 2355 ft. from the Southeast corner of Sec. 5 T4N. R1E. S. 2E.	Middleton Canal	(2384 in.) 47.68 ft. per sec.	8 ft.	50 ft. per sec.
(f) S. 33 45' N. 1465 ft. from the North Quarter corner of Sec. 9 T4N. R2E. S. 2E.	Canyon County	(1010 in.) 20.20 ft. per sec.	8 ft. 2 gates	50 ft. per sec.

No. 2. Seepage waters developed by Drainage District No. 2, together with return flow water to the Boise River during the irrigation season.

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 21772
Permit No. 15374
District No. 12-4

1. Name of Applicant: W. E. Thompson, Mark A. Coffin and O. V. Sebern, Trustees.

Postoffice address: Boise, County: Ada, State: Idaho.

2. If applicant is a corporation, give:

(a) Date and place of incorporation.

(b) Amount of capital stock.

(c) Amount paid in.

(d) Names and addresses of directors.

3. The financial resources of the applicant are:

(a) Cash on hand.

(b) Treasury stock.

(c) Bonds to be issued.

(d) Other resources.

4. Quantity of water claimed: 150.0 See Remarks No. 1 cubic feet per second.

5. Source of water supply: See Remarks No. 2 which is a tributary of Boise River

6. Location of point of diversion: See Remarks No. 1 feet distant from the corner of Section T. R. E. N., and is in the of Section T. R. E. N., County of Canyon and Ada

7. Water is to be used for: irrigation and domestic purposes.

8. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. R. E. N., in the of Section T. R. E. N.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section T. R. E. N., in the of Section T. R. E. N.

9. Estimated cost of works: \$ 520,000.00

10. Kind of works: drain ditches and headgates

11. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam

12. Size of headgate: width See remarks; height feet

13. 100ch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume

Number of pipe inches; length of outlet feet

Average grade per mile

14. The time required for the completion of such work is years.

PERMIT NO. 15374

63-2368

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W. H. Thompson, 62, Boise, Idaho, Farmer, 522 Hays St., Boise, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Am acting in behalf of trustees, but not a corporation.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 15374, Jan. 2, 1922, 150 sec. ft., See Exhibit "A" attached hereto and made a part hereof.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and domestic, 29,384.29 acres, See Exhibit "B" hereto attached and made a part hereof.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water was turned into diversions during irrigation season of 1922, 150 second feet used.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Drainage system forming water supply consisting of 45 miles of open ditch and two miles of closed ditch, built at a cost of \$685,000. Canals carrying water to points of use are 616 established canal systems and are of proven capacity to irrigate all the land described.

(Sign here.)

W. H. Thompson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Boise, County of

Ada, State of Idaho, on this 2nd day of January, A. D. 1923.

My Commission expires Apr. 11, 1925.

Charles M. Thompson
Notary Public, Residing at Boise, Idaho

15374

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.

- Based on the 7-13-1923
order not license 63-240

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.

THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR ADA COUNTY.

THE MATTER OF DRAINAGE)
DISTRICT NO. 3, ADA COUNTY,)
V.)
O.)
-----)

D E E E R.

No. 329

The petition of O. V. Sebern, H. A. Colvin and Emil
Lion, Commissioners of Drainage District No. 3, Ada
County, Idaho, having been presented and considered, and it
appearing therefrom that said commissioners, as trustees,
have heretofore filed upon the developed water caused by
the construction of the drainage works within said district
to the extent of 7,500 inches, for the benefit of the lands
within said district, which filing has been approved by the
Department of Reclamation of the State of Idaho, and a
certificate of the completion of the works under said permit
has been issued by said department, and it further appearing
that there is now available for distribution to the
drainage canals supplying irrigation water to lands in said
district 5,000 inches of said developed water without
interfering with prior existing rights upon the Boise river.

NOW THEREFORE, IT IS ORDERED, That A. W. Tallman, Water
Master of the Boise river, be and he is hereby authorized to
equally distribute the water made available for irrigation
process by reason of the construction of the drainage works
within said drainage district to the canals supplying lands with
irrigation water within the boundaries of said district,
according to the information which he now has and which may
hereafter be furnished by said district or otherwise provided.

however, that such distribution or diversion after making due allowance for evaporation and seepage, shall not interfere with any prior existing rights upon the Boise river, and

IT IS FURTHER ORDERED that such diversion and distribution be by said Water Master continued when the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 7500 inches, according to the data and information which is now available to him or which may hereafter be furnished him by the petitioners or otherwise, until the further order of this court, and

IT IS FURTHER ORDERED that the petitioners herein as soon as may be, provide proper means for and supply the Water Master with the necessary data and information upon which he may distribute said water in its ratable proportion to the respective irrigation canals supplying irrigation water to lands within said district.

Dated this 13 day of July, 1923.

Raymond L. Lewis
District Judge.

WATER DISTRICT 12-A

63-f

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

IN THE MATTER OF DRAINAGE
DISTRICT NO. 2, ADA COUNTY,
Idaho.

ORDER

The petition of O. V. Johnson, W. A. Coffin and Bill Sullivan, Commissioners of Drainage District No. 2, Ada County, Idaho, having been presented and considered, and it appearing therefrom that said commissioners, as trustees, have heretofore filed upon the developed water caused by the construction of the drainage works within said district to the extent of 7,500 inches, for the benefit of the lands within said district, which filing has been approved by the Department of Reclamation of the State of Idaho, and a certificate of the completion of the works under said permit having been issued by said Department, and it further appearing that there is now available for distribution to the drainage canals supplying irrigation water to lands in said district 5,000 inches of said developed water without interfering with prior existing rights upon the Boise River.

NOW THEREFORE IT IS ORDERED, That A. V. Tallman, water master of the Boise River, do and he is hereby authorized to ratably distribute the water made available for irrigation purposes by reason of the construction of the drainage works in said drainage district to the canals supplying lands with irrigation water within the boundaries of said district, according to the information which he now has and which may be hereafter furnished by said district or otherwise provided, however, that such distribution or diversion after making due allowance for evaporation and seepage, shall not interfere with any prior existing rights upon the Boise River, and,

IT IS FURTHER ORDERED that such diversion and distribution be by said water master continued with the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 7500 inches, according to the data and information which is now available to him or which may hereafter be furnished him by the petitioners or otherwise, until the further order of this court, and,

IT IS FURTHER ORDERED THAT the petitioners herein as soon as may be, provide proper means for and supply the watermaster with the necessary data and information upon which he may distribute said water in its ratable proportion to the respective irrigation canals supplying irrigation water to lands within said district.

Dated this 15th day of July, 1933.

Raymond L. Rivers,

County Clerk, District Judge.

MICROFILMED

AUG 26 1992

15374

15. (a) Is reservoir to be used? ☒ No ☐ Yes, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit.
 (c) Date of filing of Application for Storage Permit and Name of Applicant.

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

W. H. Thompson, Mark A. Coffin & O. V. Johnson. Applicant
Trustees

By E. J. Sairs Agent

Date of first receipt at Department of Reclamation. 9 A. M. September 10, 1921.

Returned to applicant for correction. October 10, 1921.

Corrected application received. December 9, 1921.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15374

Recorded in Book 54 Page 15374 Approved January 2, 1922.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ 1000.00 to be filed on or before February 23, 1922.

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 2, 1922.

The whole of said work to be completed on or before January 2, 1923.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 2, 1925.

Witness my hand this 2nd day of January, 1922.

W. C. SAWHORN,
Commissioner of Reclamation.

Remarks:

H	Top	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total	
				1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4	1/4	2/4	3/4	4/4		
4 E.	3 N.	1		3.58-19.23								39.24-35.28				38.48-40-36.74-40				40	331.7
		2		19.3-10.7								39.24				36.48					
		3										31.84				27.5-29.9				38.48	
		10	39.10	36.7-38.48								9.9 23.5				39.3				9.2 31.9 6.7	291.2
		11	36.16	39.4 38.25 38.2-38.45								2.99				24.3-31.1					245.5
		12	39.8	26.02 37.72 40 40 37.72 19.35								49.6-56.97				11.9 13.8					434.2
				39.95 39.24								23.25				15.2 16.02					372.3
4 E.	2 N.	1		25.91								39.24 40 40 39.99-40 40				39.24 40 40 39.24				397.8	
		2		14.13								39.24 40 40 39.24				39.24 40 40 39.24				394.4	
		3	9.1 21 40	39.24-25 24.3-38.48 40								79.24 30 40				138.48					543.6
		4	32.4 40	39.24 29.12 40								39.24 40 40 39.24				40 40 30 30					580.9
		5	29 24.3 40	39.24 8 8.15 40 40 40 40								39.24 40 40 39.24				39.24 40 40 39.24					542.1
		6	1.25 33.21 28.21	28.21 9.9 35.73 40 40								40 40 40 39				526.3					
		7	40 40 40	40 36.19 37.51 40								31									
		8	38 29 38.64	38.48 39.48 22.5 10.8								15.6 44.48				5.95 27					402.2
		9	40 40 40	40 38 35.42 40 40 40 40								40 40 40 39.60 40				38.75-32.94-40-40					630.1
		10	39.24 40 40	38.74-40-36.24-37.72-40								40 40				37.72 34.97					

T. R. Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N 1W 15	34.32	36.18	35.5	14.85	36.85	39.82	40.0	38.8	2.25	5.58			2.25	5.58			282.15
16	37.26	38.2	40.0	40.0	39.24	39.24	36.22	40.0	5.44				5.44				331.75
17	39.24	38.24	40.0	38.26	38.0	40.0	40.0	40.0	29.7	32.0			29.7	32.0			380.29
18	38.97	39.24	40.0	40.0	40.0	39.84	24.48	30.0									302.53
4N 1E 3					2.7	37.74	20.52										60.96
4	40.0	38.23	39.8	40.0	36.79	30.03	39.24	40.0	40.0	39.24	38.48	39.24	40.0	40.0	39.24	16.83	576.02
5	31.63	37.89	40.0	39.24	39.9	34.12	40.0	40.0	40.0	40.0	39.24	39.24	38.24	40.0	39.24	38.48	617.22
6	37.55	37.73	38.48	40.0	38.87	32.34	34.95	40.0	40.0	35.87	36.8	39.24	40.0	39.24	38.48	38.48	598.03
7	38.46	38.98	39.24	39.24	39.24	36.04	36.47	40.0	40.0	36.15	18.72	22.68	39.24	39.24	29.88	32.8	566.38
8	36.48	39.24	40.0	39.87	39.24	39.24	40.0	40.0	39.5	39.96	33.84	40.0	39.15	40.0	30.8	30.8	610.12
9	38.48	39.24	40.0	39.24	39.24	38.48	39.24	40.0	40.0	40.0	40.0	37.48	39.15	40.0	37.28	37.28	625.11
10			21.06	1.7	12.78	37.62	30.87		40.0	39.24	42.77	38.34	15.56	40.0	40.0	38.08	399.02
11											1.5	2.34					3.84
12			7.65		0.9	36.0	20.43		40.0	38.08	37.86	38.87	28.0	39.24	39.24	39.24	365.51
13	6.37	20.41	36.99	38.4	33.48	39.24	39.94	39.81	30.91	32.66	33.94	44.1	39.24	38.4	36.09	39.24	549.22
14	38.48	40.0	38.1	38.22	40.0	33.4	38.4	36.9	20.34	13.59			36.76	30.33	7.54	34.67	446.73
15	37.83	40.0	3.24	33.57	39.75	39.28	14.31	4.6									212.58
16	35.09	14.58			6.02												55.69
17	9.92																9.92
22																	216.34
23	36.48	35.38	10.1	19.9	40.0	40.0	22.1	12.38									425.75
24	38.84	40.0	41.91	40.0	39.6	38.14	28.08	35.37	20.0	11.34			40.0	30.0	2.48	20.0	
4N 2E 18																	34.43
19			20.42	8.1	21.66	44.64	45.7	39.24	40.7	44.64	34.87	40.94	20.25	39.77	40.49	35.24	476.66
20											4.77	29.66					20.16
29		6.58	35.37		35.75	38.48	38.93	38.2	38.48	40.0	10.35	9.81	1.8	36.7	40.0	37.55	464.06
30	40.0	40.0	37.04	40.0	40.0	36.42	26.8	39.61	29.97	1.35			37.04	36.9	2.7	27.72	435.55
32	40.0	40.0	40.0	40.0	40.0			27.79					10.0				237.79
33		25.0	20.0		40.0	40.0	40.0	40.0	40.0								245.00
5N 1W 26											24.68				1.26	1.98	27.92
28												2.0			3.15	22.0	27.15
31											3.31	14.6			26.2	38.43	82.54
32			8.2	12.0					29.07	8.6	40.0	39.24	40.0	29.24	38.48	39.24	284.07
33	14.6	34.2	25.05	23.0	16.2	29.7	39.24	39.24	39.24	39.24	40.0	38.48	39.24	39.24	38.48	38.48	494.39
34	27.8	8.68	39.24	39.24	0.6	26.4	35.4	35.4	40.0	40.0	39.24	39.24	39.24	39.24	38.48	38.48	491.28
35	38.7	37.95	40.0	39.24	36.85	32.9	40.0	40.0	40.0	40.0	39.24	39.24	39.24	40.0	40.0	38.48	621.84
36	19.65	21.25	39.24	40.0	23.0	30.6	39.24	39.24	39.24	39.24	38.48	38.48	40.0	39.24	38.48	39.24	564.62
5N 1E 31						3.87	22.05	4.32	27.72	40.0	39.24	32.0	10.26		5.4	10.0	194.86
32											7.65	36.25			3.6		51.82
33															7.38		9.90
34											6.75						6.75
5N 2W 31													2.25		38.89	13.25	71.84
1E 25																	6.30

LAND LIST ATTACHMENT

T. R. Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N 3W																	
1			3.58	19.23					39.24	35.28	39.24	38.48	40.0	36.74	40.0	40.0	331.79
2		19.3	10.7					19.3	35.3	2.9	31.84	38.45	27.5	29.9	38.28	38.48	291.95
3								9.9	30.5			30.3		3.2	31.9	6.7	112.50
10	39.3	38.74	38.7	38.48				9.9									246.21
11	36.86	37.26	39.4	38.25				19.5	2.99	56.97			4.9	13.8			427.62
12	39.8	39.95	26.02	39.24				37.72	19.35	20.25			16.2	16.02			372.27
4N 2W																	
1			25.91	25.88				9.9	40.0	39.24	39.24	40.0	40.0	39.99	40.0	40.0	398.16
2			14.13	7.2				37.75	18.45				39.24	40.0	40.0	39.24	394.49
3	8.1	21.0	40.0	39.24				38.48	40.0				(158.48)				543.84
4	32.4	34.3	40.0	39.24				28.12	39.24	40.0			40.0	40.0	30.0	30.0	580.98
5	29.0	24.3	40.0	39.24				8.0	3.15	40.0	40.0	40.0	39.24	40.0	40.0	39.24	542.17
6	1.35	33.21	30.75	28.31				9.9	36.95	37.69			40.0	40.0	40.0	39.0	524.16
7	40.0	40.0	40.0	40.0				36.19	35.5	37.61	40.0	40.0	5.85	27.0			402.55
8	38.0	39.0	38.64	39.96				38.48	38.0	38.42	10.8		40.0	36.6	6.35	40.0	465.29
9	40.0	40.0	40.0	40.0				38.0	36.42	40.0	40.0	40.0	40.0	40.0	40.0	40.0	634.42
10	39.24	40.0	40.0	40.0				40.0	40.0	40.0	40.0	39.6	38.38	32.94	40.0	40.0	630.16
11	39.24	40.0	40.0	38.74				39.24	37.72	40.0	40.0	40.0	36.02	32.72	40.0	38.91	616.41
12	38.33	40.0	40.0	38.24				40.0	39.24	39.24	40.0		34.24	38.8	39.71	20.0	601.89
13	40.0	40.0	40.0	15.0				38.18	40.0	30.0	20.0						263.18
14	40.0	40.0	40.0	26.3				40.0	40.0	40.0	33.75						332.43
15	40.0	40.0	55.3	40.0				53.65	40.0	13.0			23.31	16.38			305.26
17	8.3																8.30
16	41.45	39.6	16.65	35.13				32.5	20.2								187.83
4N 1W																	
1	39.59	39.23	39.24	40.0				41.07	40.52	40.0	39.24	38.48	40.0	39.24	38.48	39.24	632.85
2	38.23	38.18	39.9	40.0				39.53	39.64	40.0	38.43	38.0	40.0	39.24	38.48	38.48	617.59
3	40.73	40.14	39.24	40.0				40.31	41.24	40.0	39.24	38.48	40.0	39.24	37.72	38.48	631.78
4	40.48	40.43	39.24	39.24				40.38	40.23	39.24	36.98	38.48	38.48	38.48	38.48	38.48	625.58
5	41.04	40.28	40.0	40.0				40.28	41.04	38.48	38.48	40.24	40.0	40.0	39.24	39.24	635.28
6	41.04	39.83	38.48	39.24				39.38	37.93	36.35	38.48	39.24	40.6	39.24	28.48	38.64	605.61
7	38.48	39.24	40.0	39.24				40.0	35.02	39.86	40.0	33.06	40.0	40.0	35.8	38.0	609.19
8	38.48	39.24	40.0	39.24				39.24	33.6	37.26	40.0	39.22	39.24	40.0	38.39	39.95	623.12
9	39.24	38.24	38.24	39.24				40.0	38.48	39.24	40.0	39.24	39.24	39.23	38.48	40.0	628.87
10	40.0	39.24	39.24	40.0				39.24	40.0	40.0	40.0	39.24	40.0	39.24	39.24	40.0	633.92
11	38.48	38.48	40.0	39.24				40.0	40.0	40.0	40.0	40.0	39.24	38.5	37.57	40.0	630.55
12	38.48	38.48	39.24	39.81				38.48	38.48	39.24	40.0	28.02	39.5	37.74	29.16	20.25	584.60
13								9.2	38.0								47.20
14	20.0	19.8						27.9	27.35								95.05

however, that such distribution or diversion after making due allowance for evaporation and seepage, shall not interfere with any prior existing rights upon the Boise river, and

It is further ordered that such diversion and distribution by said Water Master continued when the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 700 inches, according to the data and information which is now available to him or which may hereafter be furnished him by the petitioners or otherwise, until the further order of this court, and

It is further ordered that the petitioners herein as soon as may be, provide proper means for and supply the Water Master with the necessary data and information upon which he may distribute said water in its intake, in relation to the respective irrigable lands supplying irrigation water to lands within this district.

Dated this 13 day of July, 1903.

Raymond L. Holmes
Clerk of Court.

License No. 16717/63-2406

Exhibit A

<u>Point of Diversion</u>	<u>Name of Canal</u>	<u>Capacity of Canal</u>
(a) N 63 40' W. 950 ft. from the Southeast corner of Sec. 32, T4N R2E, B.M.	Farmers Union	260 ft. per sec.
(b) S. 29 10' E. 1875 ft. from the North Quarter corner of Sec. 23, T4N R1E, B.M.	Dry Creek Canal	80 ft. per sec.
(c) S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16, T4N R1E, B.M.	Ballentine Ditch	20 ft. per sec.
(d) S. 20 45' E. 845 ft. from the North Quarter corner of Sec. 14, T4N R1W, B.M.	Pioneer Canal	35 ft. per sec.
(e) N. 1255 ft. from the Southwest corner of Sec. 5, T4N R1W, B.M.	Middleton Canal	50 ft. per sec.
(f) S. 53 45' W. 1465 ft. from the North Quarter corner of Sec. 9, T4N R2W, B.M.	Canyon County	50 ft. per sec.

POB - 3N, 2E, S5, SENE

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Source Table	Source In App ID
63	120	G	Decreed	1864-06-01	1.8		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	123	C	Decreed	1864-06-01	8.4		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	123	D	Decreed	1864-06-01	0.52		BOISE RIVER	IRRIGATION	EAST HILLS DEVELOPMENT LLC (Current)	wrAdjudicationRecommendation
63	123	E	Decreed	1864-06-01	7		BOISE RIVER	IRRIGATION	CAPITOL VIEW IRRIGATION INC (Current)	wrAdjudicationRecommendation
63	123	F	Decreed	1864-06-01	1.93		BOISE RIVER	IRRIGATION	LEXINGTON HILLS INC (Current)	wrAdjudicationRecommendation
63	123	G	Decreed	1864-06-01	2.15		BOISE RIVER	IRRIGATION	LEXINGTON HILLS HOMES ASSOCIATION (Current Owner)	wrAdjudicationRecommendation
63	124	Q	Decreed	1864-06-01	0.1		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	125	J	Decreed	1871-06-01	0.26		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	126	F	Decreed	1891-06-01	0.08		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	165	M	Decreed	1866-06-01	1.69		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	198	AG	Decreed	1877-06-01	3.08		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	248		Decreed	1894-07-02	110		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(acf)	Source	Water Use(s)	Source Table	Source Table
63	297		Decreed	1894-07-02	54.46		BOISE RIVER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	2360		License	7/19/1921	1.2		BOISE RIVER	IRRIGATION	BOISE VALLEY IRRIGATION DITCH CO (Current)	wrAdjudicationRecommendation
63	2895		License	2/13/1952	1.5		GROUND WATER	MUNICIPAL	CITY OF GARDEN CITY (Current)	wrAdjudicationRecommendation
63	8186		License	8/7/1975	0.94		GROUND WATER	DOMESTIC, INDUSTRIAL, IRRIGATION	BILBAO, DAN (Current)	wrAdjudicationRecommendation
63	18700		Beneficial Use	1/20/1906	0.91		BOISE RIVER	IRRIGATION	CAPITOL VIEW IRRIGATION INC (Current)	wrAdjudicationRecommendation
63	21729		Beneficial Use	5/20/1926	1.8		WASTE WATER	IRRIGATION	FARMERS UNION DITCH CO LTD (Current)	wrAdjudicationRecommendation
63	31832		Decreed	1865-06-01	49.51	10266	BOISE RIVER	AESTHETIC STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	BOISE VALLEY IRRIGATION DITCH CO (Current)	wrAdjudicationRecommendation
63	31937		Beneficial Use	7/13/1923	100		WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	wrAdjudicationRecommendation

POA-3N, 2E, S24, NWNE

Basin	Sequence	Basis	Status	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Source Table	Version	Source Ta App ID
63	20041	Decreed	Active	1866-06-01	36.37	46.44	BOISE RIVER	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, IRRIGATION, MUNICIPAL, STOCKWATER	BOISE CITY CANAL CO (Current)	1	wrAdjudicationRecommendation
63	31937	Beneficial Use	Active	7/13/1923	100		WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

POD - 4N, 1W, S14, NENW

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Version	Source To App ID
63	1		Decreed	1886-06-01	0.98	BOISE RIVER	IRRIGATION	PAUL, JOHN (Current); PAUL, SUE (Current)	1	wrAdjudicationRecommendation
63	183		Decreed	1870-06-01	25.72	BOISE RIVER	IRRIGATION, MITIGATION	PIONEER DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	31937		Beneficial Use	#####	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

POD- 4N, 1E, S23, NESE

Basin	Resource	Source	Priority Date	Basin/Chrt	Source	Water Use/Chrt	Source Table	Version	Source In Accord
63	125K	Decreed	1871-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	126G	Decreed	1881-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	146	Decreed	1886-06-01	13.78	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	NEW UNION WATER DITCH CO LTD (Current)	1	1 w/AdjudicationRecommendation
63	161L	Decreed	1888-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	205	Decreed	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	206	Decreed	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	207	Decreed	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	258B	Decreed	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	263	Decreed	1880-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	286	Decreed	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	288B	Decreed	1890-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	40949	License	3/19/1986	5.29	BOISE RIVER	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATIO N, RECREATIO N STORAGE	WOODSS ASSOCIATION (Current Owner)	1	1 w/AdjudicationRecommendation
63	28377	Decreed	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	31778	Decreed	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	31806	Decreed Beneficia Use	1883-05-01	0.68	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1 w/AdjudicationRecommendation
63	31937		7/13/1923	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO.2 (Current)	1	1 w/AdjudicationRecommendation

POD - 4N, 1E, S16, N ESE

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Version	Source To App ID
63	195		Decreed	Active	1891-06-01	0.8	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	198 AA		Decreed	Active	1877-06-01	0.06	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	258 A		Decreed	Active	1893-05-01	0.14	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	260 B		Decreed	Active	1883-05-01	0.76	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	264		Decreed	Active	1878-04-01	3	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	285		Decreed	Active	5/1/1906	0.39	BOISE RIVER	IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	31808		Decreed	Active	1888-06-01	9.67	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	BALLENTYNE DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	31937		Beneficial Use	Active	#####	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

POD - 4N, 1W, S13, NENE

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Version	Source To App ID
63	124	N	Decreed	1864-06-01	11.88	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	125	G	Decreed	1871-06-01	32.43	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	126	E	Decreed	1891-06-01	16.44	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	161	X	Decreed	1866-05-01	0.4	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	168	B	Decreed	1867-06-01	0.38	BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)	1	wrAdjudicationRecommendation
63	168	D	Decreed	1867-06-01	0.41	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	173		Decreed	1868-06-01	1.4	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	198	AC	Decreed	1877-06-01	110.09	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)	1	wrAdjudicationRecommendation
63	254		Decreed	1866-06-01	2.3	BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)	1	wrAdjudicationRecommendation
63	255		Decreed	1866-06-01	0.6	BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current)	1	wrAdjudicationRecommendation
63	370		Decreed	1893-04-15	1.6	BOISE RIVER	IRRIGATION	MIDDLETON MILL DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31937		Beneficial Use	7/13/1923	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

FIELD REPORT

1. Name of permit holder	DRAINAGE DISTRICT #2	
Post office address	608 Idaho Building, Boise, Idaho	Phone
Person to contact	Board of Commissioners	Phone

2. Source of water supply: Groundwater ☐ Surface water ☐ waste water (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 150.0 c.f.s. for irrigation & domestic
AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 150 Cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township N/S, Range E/W, B.M., Section , Subdivision $\frac{1}{4}$ $\frac{1}{4}$

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

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

Other Points of Diversions: _____

Description of diverting works: drain ditches and headgates water is conveyed
to place of use by canals

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

000 TOTAL ACREAGE

Permit No. 63-2406
Examination for Beneficial Use

63-2406

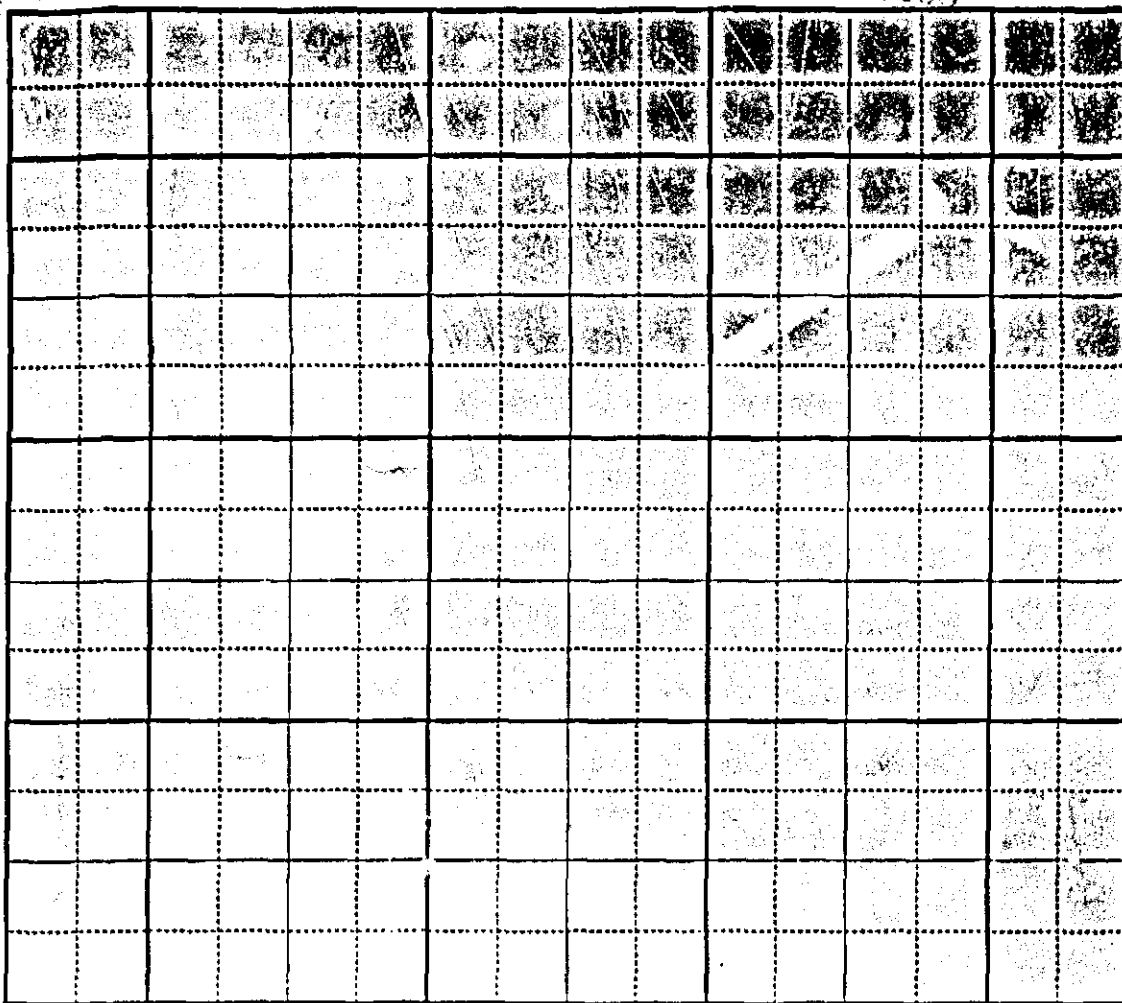


Diagram of System

DATE

EXAMINATION RECORDS

4/17/72 This is a very old permit. Determine
 areas being inspected. Contact. Drawings.
 Detect labor making areas ... by: TE

 _____ by: _____

 _____ by: _____

 _____ by: _____

DATE OF EXAM

3 Aug 1973

ACREAGE

Found

29,309.15

Recommended

29,309.15

522

Irrigation Requirement

4.5

Ac Ft/Ac

USE

Irrigation Q= 125.78 c.f.s.

V= 13,891.17

AF/Ann. from

March 15

to

April 15

Domestic Q= c.f.s.

V=

AF/Ann. from

to

Livestock Q= c.f.s.

V=

AF/Ann. from

to

Is water co-mingled? yes no

Name source:

Twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes no

Name source exchanged with:

Twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of injection:

Twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

Twp.

N/S, Rge.

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

125.78 cfs

Method of measurement

Total Q recommended

125.78 cfs

Meter No.

Type

Condition

Total V recommended

13,891.17

Recommended Amendments:

P.D.

Place of Use

Other

None

X

These amounts are
current deliveries to
each ditch

MEASUREMENT CALCULATION:

Taken for Boise River water meter records of delivery
as follows:

1. Farmers Union	20.98 cfs	5. Middleton Canal	27.79
2. Dry Creek Canal	9.97 cfs		+13.21
3. Ballantyne Ditch	3.04 cfs		85.0 cfs
4. Pioneer Canal	44.60 cfs	6. Canyon County	12.68

SYSTEM DESCRIPTION:

All are headgates from river
into gravity flow canals

Total 125.78 cfs

REMARKS:

See Sheet #2 for Acreage figures in each subdivision.

Examiner's Signature

Clara E. Babson

Date

3 August 1973

Checked by

Date

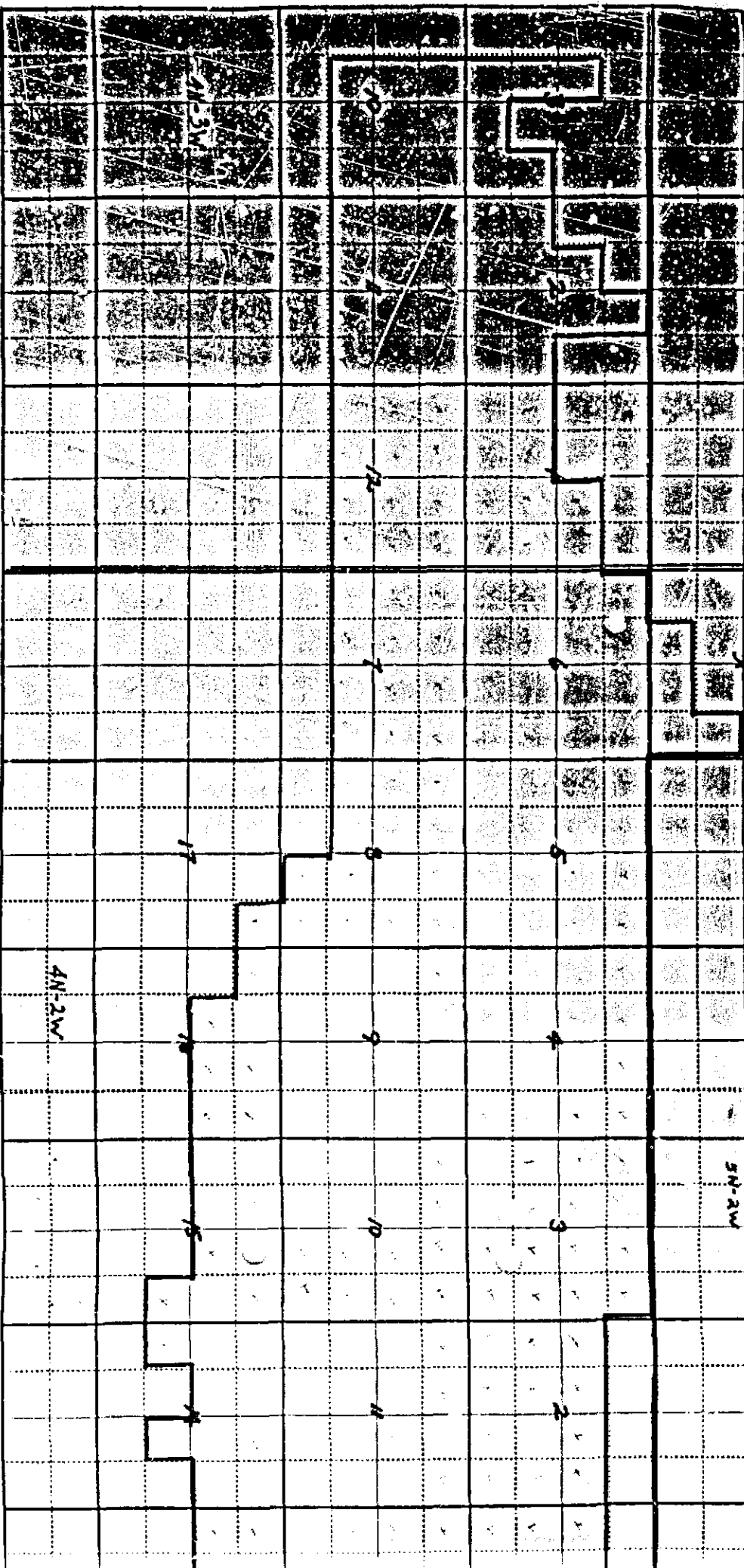
Approved by

Date

Sheet # 1a to exam Report

W.F. 11-11-71
Lands within district

(see sheet #2 for acreage)



4N-2W

5N-2W

EXHIBIT "A"

Item No. - The points of diversion, the amount of water claimed, the size and name of the canal carrying the water are as follows:

Point of Diversion	Name of Canal	Amount of water diverted	Size of Headgate	Capacity of Canal
(a) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the southeast corner of Sec. 16, T. 25 N., R. 25 E.	Farmers Union	(2088 in.) 57.77 ft. per sec.	20 ft. 4 gates	250 ft. per sec.
(b) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the North Quarter corner of Sec. 16, T. 25 N., R. 25 E.	Dry Creek Canal	(724 in.) 14.45 ft. per sec.	16 ft. 3 gates	80 ft. per sec.
(c) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the North Quarter corner of Sec. 16, T. 25 N., R. 25 E.	Ballentine Ditch	(154 in.) 3.03 ft. per sec.	10 ft. 2 gates	20 ft. per sec.
(d) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the North Quarter corner of Sec. 16, T. 25 N., R. 25 E.	Pioneer Canal	(343 in.) 6.86 ft. per sec.	10 ft. 2 gates	35 ft. per sec.
(e) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the Southwest corner of Sec. 16, T. 25 N., R. 25 E.	Widaleton Canal	(2384 in.) 47.68 ft. per sec.	8 ft.	50 ft. per sec.
(f) S 1/2 Sec. 16, T. 25 N., R. 25 E., from the North Quarter corner of Sec. 16, T. 25 N., R. 25 E.	Canyon County	(1010 in.) 20.20 ft. per sec.	8 ft. 2 gates	50 ft. per sec.

Total = 150 cfs

THIS CASE WAS HEARD AND DECIDED AT THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, D.C., ON THE 10th DAY OF JANUARY, 1910.

Remarks No. 1 The points of diversion, the amount of water claimed, the size and name of the canal carrying the water are as follows:

(a)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
<i>Total amount diverted (Max) per River Water Main records = 100. Sec. 9 ft. or 66.5 % of amounts claimed</i>			
N. 63 40' E. 950 ft. from the Southeast corner of Sec. 32 T4N R2E B. M.	Farmers Union	(2885 in) 57.77 ft. per sec. 4 gates per sec.	20 ft. 260 ft.
<u>38.50</u>			

(b)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
S. 29 10' E. 1875 ft. from the North Quarter corner of Sec. 23 T4N R1E B. M.	STATE OF IDAHO Dry Creek canal	(724 in.) 14.45 ft. per sec. 3 gates per sec.	16 ft. 80 ft.
<u>7.65</u>			

(c)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16 T4N R1E B. M.	BOISE Ballentine Ditch	(154 in.) 5.08 ft. per sec. 2 gates per sec.	10 ft. 20 ft.
<u>2.65</u>			

REPORT OF ENGINEER

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
S. 20 45' E. 845 ft. from the North Quarter corner of Sec. 14 T4N R1W B. M.	Pioneer Canal	(383 in.) 6.43 ft. per sec. 2 gates per sec.	10 ft. 35 ft.
<u>5.11</u>			

(d)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
N. 1255 ft. from the Southwest corner of Sec 5 T4N R1W B. M.	Middleton Canal	(2384 in) 47.68 ft. per sec. 2 gates per sec.	8 ft. 50 ft.
<u>31.78</u>			

(e)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity
S 53 45' W. 1455 ft. from the North Quarter corner of Sec. 9 T 4N. R2W B. M.	Canyon County	(1010 in) 20.20 ft per sec.	8 ft. 50 ft. 2 gates per sec.
<u>13.46</u>			

Total 100.00 Sec. Ft.

No. w Seepage waters developed by Drainage District No. 2, together with return flow water to the Boise River during the irrigation season.

Note- The Canals used in carrying the above water are old established canals and have been used for a number of years.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 16717

This proof is for COMP. WORKS

In Water District No.

1. Name of applicant: Drainage District No. 2, Ada Co.
2. Source of water supply: Unnamed Stream (Waters of Drainage Dist. No. 2, Ada Co.)
3. Location of point of diversion: Is in the See attached slip of Section

T. _____ R. _____ County of _____

4. Describe works as they exist, giving dimensions and capacities of same: *Referring to points on attached slip*
a. has concrete head gate 20 ft wide with 4 gates, 240 ft capacity
b. " " " 16 " " 3 " 80 "
c. " " " 10 " " 2 " 20 "
d. " " " 10 " " 2 " 35 "
e. " " " 8 " " 2 " 50 "
f. " " " 8 " " 2 " 50 "
5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: yes to the extent of 100 Sec. Ft.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irriga-

T4N, R3W, Sec. 1, S1NE1, SW1, SE1; Sec. 2, N1NE1, SW1NE1, SE1NW1, SW1, SE1; Sec. 3, SE1NW1, NE1SW1, SE1SW1, NW1SE1, S1SE1; Sec. 10, NE1, NE1NW1, SE1NW1, NE1SW1, N1SE1; Sec. 11, NE1, NW1, N1SW1, N1SE1; Sec. 12, NE1, NW1, N1SW1, N1SE1;
T4N, R2W, Sec. 1, S1NE1, S1NW1, SW1, SE1; Sec. 2, S1NE1, S1NW1, SW1, SE1; All of Sections 3, 4, 5, and 6; Sec. 7, NE1, NW1, N1SW1, N1SE1; Sec. 8, NE1, NW1, N1SW1, SE1; All of Sections 9, 10, 11 and 12; Sec. 13, NE1, NW1; Sec. 14, N1, NW1SW1, NW1SE1; Sec. 15, NE1, N1NW1, SW1NW1, NE1SE1; Sec. 16, NE1, N1NW1, SE1NW1; Sec. 17, NE1NE1;
T4N, R1W, All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; Sec. 13, N1NW1; Sec. 14, N1NE1, N1NW1; Sec. 15, N1, N1SW1; Sec. 16, N1, NE1SW1, N1SE1; Sec. 17, N1, N1SW1, N1SE1; Sec. 18, N1, NE1SE1;
T4N, R1E, Sec. 3, N1NW1, SW1NW1; All of Sections 4, 5, 6, 7, 8 and 9; Sec. 10, S1NE1, NW1NW1, S1NW1, S1; Sec. 11, S1SW1; Sec. 13, SW1NE1, NW1NW1, S1NW1, S1; All Sec. 14; Sec. 15, N1, N1SW1, SE1; Sec. 16, N1; Sec. 17, N1NE1, NE1NW1; Sec. 22, NE1NW1; N1Sec. 23; Sec. 24, N1, N1SW1, SE1; Sec. 25, NE1NE1;
T4N, R2E, Sec. 18, NW1SW1, SW1SW1; Sec. 19, S1NE1, NW1, S1; Sec. 20, S1SW1; Sec. 29, NW1NE1, SW1NE1, NW1, S1; Sec. 30, N1, N1SW1, SE1; Sec. 32, NE1, NE1NW1, SE1NW1, NE1SE1; Sec. 33, NW1NE1, SW1NE1, NW1, NE1SW1;
T6N, R1W, Sec. 26, SW1SW1, S1SE1; Sec. 28, SE1SW1, S1SE1; Sec. 31, S1SW1, S1SE1; Sec. 32, S1NE1, SW1, SE1; Sec. 33, NE1, NE1NW1, S1NW1, S1; Sec. 34, NE1, NE1NW1, S1NW1, S1; All of Sections 35 and 36;
T5N, R1E, Sec. 31, NW1NE1, S1NE1, S1NW1, SW1, NE1SE1, S1SE1; Sec. 32, NW1SW1, S1SW1, SW1SE1; Sec. 33, SE1SW1, SW1SE1; Sec. 34, SW1SW1;
T5N, R3W, Sec. 31, SE1SW1, N1SE1, SW1SE1;

This examination was made on the 23-14 day of March, 1922

(Signed)

Edw. J. Johnson

Examiner.

16717

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

16717

COMP. WORKS

Drainage District No. 2, Ada Co.

Source of water supply: Unnamed Stream (Waters of Drainage Dist. No. 2, Ada Co.)

Location of point of diversion: Is in the See attached slip

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? *Boise River*

Remarks:

This examination was made on the *23rd* day of *March*, 19*32*

(Signed)

Ed. L. Brown

Examiner

16217

Remarks No. 1 The points of diversion, the amount of water claimed, the size and name of the canal carrying the water are as follows:

(a)

Point of diversion	Name of canal	Amount of water diverted	Size of Capacity	Headgate of canal
<i>Total amount diverted (Max. per Sec. 9 ft. or 6.65 % of amount claimed)</i>				
N. 63 40' E. 950 ft. from the Southeast corner of Sec. 32	Farmers Union	(2885 in.) 37.77 ft. per sec.	20 ft.	250 ft.
T4N R2E S. M.		36.50	4 gates per sec.	

(b)

S. 29 10' E. 1875 ft. from the North Quarter corner of Sec. 23	Dry Creek Canal	(724 in.) 14.45 ft. per sec.	16 ft.	80 ft.
T4E R1E S. M.		16.63	3 gates per sec.	

(c)

S. 23 05' E. 2055 ft. from the North Quarter corner of Sec. 16	Boise	(154 in.) 3.08 ft. per sec.	10 ft.	20 ft.
T4N R1E S. M.	Ballentine Ditch	2 gates per sec.		

REPORT OF ENGINEER

S. 20 45' E. 845 ft. from the North Quarter corner of Sec. 14	Pioneer Canal	(343 in.) 6.26 ft. per sec.	10 ft.	35 ft.
T4N R1W S. M.		2 gates per sec.		

(d)

N. 1255 ft. from the Southwest corner of Sec 5 T4N R1W S. M.	Middleton Canal	(2384 in.) 47.68 ft. per sec.	18 ft.	50 ft.
		2 gates per sec.		

(f)

S 53 45' W. 1465 ft. from the North Quarter corner of Sec. 9	Canyon County	(1010 in.) 20.20 ft per sec.	8 ft.	50 ft.
T 4N. R2W S. M.		2 gates per sec.		

Total 100.00 Sec. 9 ft

No. w Seepage waters developed by Drainage District No. 2, together with return flow water to the Boise River during the irrigation season.

Note- The Canals used in carrying the above water are old established canals and have been used for a number of years.

License No. 16717/63-2408

Exhibit A

Point of Interest

Name of Canal

Capacity of Canal

(a)
N 63 40' W. 950 ft.
from the Southeast corner
of Sec. 32, T4N R2E, B.M.

Farmers Union

260 ft. per sec.

(b)
S. 29 10' E. 1875 ft.
from the North Quarter
corner of Sec. 23,
T4N R1E, B.M.

Dry Creek Canal

80 ft. per sec.

(c)
S. 23 05' E. 2055 ft.
from the North Quarter
corner of Sec. 16,
T4N R1E, B.M.

Ballentine Ditch

20 ft. per sec.

(d)
S. 20 45' E. 845 ft.
from the North Quarter
corner of Sec. 14,
T4N R1W, B.M.

Pioneer Canal

35 ft. per sec.

(e)
N. 1255 ft. from the
Southwest corner of
Sec. 5, T4N R1W, B.M.

Middleton Canal

50 ft. per sec.

(f)
S. 53 45' W. 1465 ft.
from the North Quarter
corner of Sec. 9,
T4N R2W, B.M.

Canyon County

50 ft. per sec.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 16717/63-2406
in the name of T. R. Bartley, E. E. Lister and
Emil Jullion, as the Board of Commissioners of
Drainage District No. 2 of the County of Ada, in
the State of Idaho

ORDER

WHEREAS, on July 11, 1927, the Board of Commissioners of Drainage District No. 2 of the County of Ada, in the State of Idaho, applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 150 cubic feet per second of water developed by the construction of the system of Drainage District No. 2 with points of diversion within the Counties of Ada and Canyon, Idaho, to be used for irrigation and domestic purposes; and,

WHEREAS, on July 20, 1927, the Department approved said application and issued Permit No. 16717/63-2406 with the condition that one-fifth of the work be completed on or before October 20, 1927; and that the whole of said work be completed on or before January 20, 1928; and that the water be appropriated to a beneficial use on or before January 20, 1933; and,

WHEREAS, proof of completion of works was made on September 2, 1927; and,

WHEREAS, on January 11, 1933, the Department extended the time within which to submit proof of beneficial use of water to January 20, 1934; and,

WHEREAS, on July 15, 1971, the Department notified the permit holder that Permit No. 16717 63-2406 was subject to cancellation for failure to submit proof of beneficial use of water due on January 20, 1934; and,

WHEREAS, proof of beneficial use of water was received by the Department on January 14, 1972; and,

WHEREAS, Section 12-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, DEEPLY ORDERED that the priority under Permit No. 16717/63-2406 be advanced to July 5, 1965,

Dated this 24 day of January, 1972,


R. KEITH HIGGINS
Director

BDF:DR

63 2406

39

WATER DISTRICT 12-A

RECEIVED
APR 27 1977
63-f
Department of Water Resources
Western Regional Office

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

IN THE MATTER OF DRAINAGE }
DISTRICT NO. 2, Ada County, } **ORDER**
Idaho. }

The Petition of O. V. Sabara, H. A. Coffin and Bill
Jullion, Commissioners of Drainage District No. 2, Ada County,
Idaho, having been presented and considered, and it appearing
therefrom that said commissioners, as trustees, have hereto-
fore filed upon the developed water caused by the construction
of the drainage works within said district to the extent of 7,500
inches, for the benefit of the lands within said district, which
filing has been approved by the Department of Reclamation of
the State of Idaho, and a certificate of the completion of the
works under said permit having been issued by said Department,
and it further appearing that there is now available for distri-
bution to the drainage canals supplying irrigation water to lands
in said district 5,000 inches of said developed water without
interfering with prior existing rights upon the Boise River.

NOW THEREFORE IT IS ORDERED, That A. V. Tallman, water
master of the Boise River, he and he is hereby authorized to
ratably distribute the water made available for irrigation purposes
by reason of the construction of the drainage works in said
drainage district to the canals supplying lands with irrigation
water within the boundaries of said district, according to the
information which he now has and which may be hereafter furnished
by said district or otherwise provided, however, that such distri-
bution or diversion after making due allowance for evaporation
and seepage, shall not interfere with any prior existing rights
upon the Boise river, and,

IT IS FURTHER ORDERED that such diversion and distri-
bution be by said water master continued with the water can be
beneficially applied and the quantity of water distributed may
be diminished or increased from time to time, such increase
however, not to exceed 7500 inches, according to the data and
information which is now available to him or which may hereafter
be furnished him by the Petitioners or otherwise, until the
further order of this court, and,

IT IS FURTHER ORDERED THAT the petitioners herein as
soon as may be, provide proper means for and supply the watermaster
with the necessary data and information upon which he may distri-
bute said water in its ratable proportion to the respective
irrigation canals supplying irrigation water to lands within said
district.

Dated this 15th day of July, 1953.

Raymond L. Oliver,
District Judge

37

WATER DISTRICT 12-A

APR 27 1977
Department of Water Resources
Western Regional Office

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

IN THE MATTER OF DRAINAGE
DISTRICT NO. 2, Ada County,
Idaho.

ORDER

The Petition of O. V. Johnson, H. A. Coffin and Bill Sullivan, commissioners of Drainage District No. 2, Ada County, Idaho, having been presented and considered, and it appearing therefrom that said commissioners, as trustees, have heretofore filed upon the developed water caused by the construction of the drainage works within said district to the extent of 7,500 inches, for the benefit of the lands within said district, which filing has been approved by the Department of Reclamation of the State of Idaho, and a certificate of the completion of the works under said permit having been issued by said Department, and it further appearing that there is now available for distribution to the drainage canals supplying irrigation water to lands in said district 5,000 inches of said developed water without interfering with prior existing rights upon the Boise River.

NOW WHEREFORE IT IS ORDERED, That A. V. Tallman, water master of the Boise River, be and he is hereby authorized to ratably distribute the water made available for irrigation purposes by reason of the construction of the drainage works in said drainage district to the canals supplying lands with irrigation water within the boundaries of said district, according to the information which he now has and which may be hereafter furnished by said district or otherwise provided, however, that such distribution or diversion after making due allowance for evaporation and seepage, shall not interfere with any prior existing rights upon the Boise river, and,

IT IS FURTHER ORDERED that such diversion and distribution be by said water master continued with the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 7500 inches, according to the data and information which is now available to him or which may hereafter be furnished him by the Petitioners or otherwise, until the further order of this court, and,

IT IS FURTHER ORDERED THAT said petitioners herein as soon as may be, provide proper means for and supply the watermaster with the necessary data and information upon which he may distribute said water in its ratable proportion to the respective irrigation canals supplying irrigation water to lands within said district.

Dated this 15th day of July, 1983.

Raymond L. Givens,
District Judge