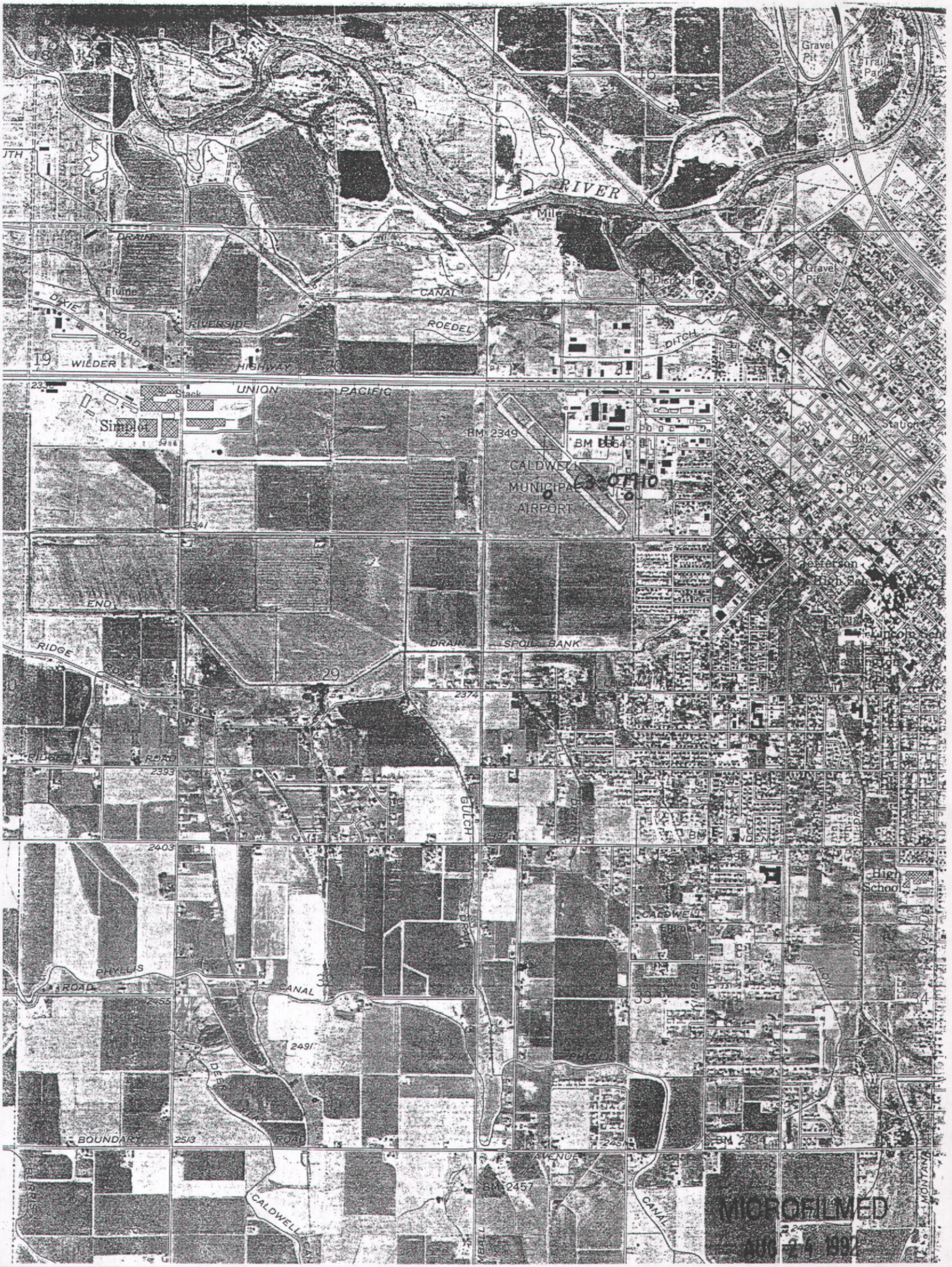

RIVER
Gravel Pit
Trailer Park
Gravel Pits
Disposal
CANAL
DRAIN
Flume
DIXIE ROAD
RIVERSIDE
ROEDEL
DITCH
WILDER
HIGHWAY
UNION PACIFIC
Stack
Simplot
BM 2349
BM 2364
CALDWELL MUNICIPAL AIRPORT
3-0710
BM 2359
Grain Elev.
Jefferson High Sch.
Lincoln Sch.
Washington Sch.
END
RIDGE ROAD
SPOIL BANK
DRAIN
GULCH
BM 2374
BM 2393
BM 2403
BM 2298
High School
CALDWELL
PHYLLIS ROAD
CANAL
BM 2455
2406
2491
BOUNDARY
ROAD
2513
BM 2434
AVENUE
BM 2457
CALDWELL CANAL
CANAL
MICROFILMED
AUG 24 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-7910
Date Received: 3/15/1990
Receipt No: C015577
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF CALDWELL Phone: (208)455-3006
621 E CLEVELAND BLVD
CALDWELL ID USA 83605

2. Date of Priority: 01/10/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County	Type
04N	03W	34	NW	SW			CANYON	
04N	03W	27	NE	NE			CANYON	
04N	03W	35	NW	NE			CANYON	
04N	03W	26	SW	NE			CANYON	
04N	03W	28	SE	NE			CANYON	
04N	03W	36	NE	NW			CANYON	
04N	03W	34	NE	NW			CANYON	
04N	03W	28	SW	SE			CANYON	
04N	03W	27	SW	NW			CANYON	
03N	02W	6	NW	SW			CANYON	
04N	03W	22	NE	NE			CANYON	
04N	03W	28	NE	NE			CANYON	
04N	03W	15	NE	NE			CANYON	

04N	03W	21	SE	SW	CANYON

5. Description of diverting works:

WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	1/01	12/31	2.23	

7. Total Quantity Appropriated is:
2.23 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? Yes

13. Other Water Rights Used: 63-5051, 63-5052, 63-5053, 63-5054, 63-5055, 63-3441, 63-7158, 63-8008, 63-8299, 63-8986, 63-8987, 63-9358, 63-10316, 63-10317, 63-7900

14. Remarks:

Additional points of diversion claimed pursuant to I.C. 42-1425.

6 POINTS OF DIVERSION LOCATED IN T4N, R3W, S28, NENE.
6 POINTS OF DIVERSION LOCATED IN T4N, R3W, S22, NENE

Place of use is within the city of Caldwell and surrounding service area.

15. Basis of Claim: License

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: **63-07910**

Rec. No. C075645

RECEIVED
NOV - 2 2004
Department of Water Resources

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

1. Name: **CITY OF CALDWELL**
   Address: **621 CLEVELAND BLVD.**
   CALDWELL, ID 83606

2. Date of Priority: **JANUARY 10, 1974**

3. Source: **GROUNDWATER** Trib. To: **N/A**

4. Points of Diversion:

Township	Range	Section	1/4 of 1/4		County	
04N	**03W**	**21**	**SE**	**SW**	**CANYON**	
04N	**03W**	**22**	**NE**	**NE**	**CANYON**	**(6 PODs)**
04N	**03W**	**28**	**NE**	**NE**	**CANYON**	**(6 PODs)**
04N	**03W**	**34**	**NW**	**SW**	**CANYON**	
04N	**03W**	**15**	**NE**	**NE**	**CANYON**	
04N	**03W**	**27**	**NE**	**NE**	**CANYON**	
04N	**03W**	**35**	**NW**	**NE**	**CANYON**	
04N	**03W**	**26**	**SW**	**NE**	**CANYON**	
04N	**03W**	**28**	**SE**	**NE**	**CANYON**	
04N	**03W**	**36**	**NE**	**NW**	**CANYON**	
04N	**03W**	**34**	**NE**	**NW**	**CANYON**	
03N	**02W**	**06**	**NW**	**SW**	**CANYON**	
04N	**03W**	**28**	**SW**	**SE**	**CANYON**	
04N	**03W**	**27**	**SW**	**NW**	**CANYON**	

5. Description of diverting works:
   ALL POD'S ARE WELLS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	**01/01**	**12/31**	**2.23**		

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

8. Total consumptive use is **N/A** Acre Feet Per Annum

9. Non-irrigation uses: **MUNICIPAL**

10. Place of Use:

Township Range Section 1/4 of 1/4 Lot Use Acres
CITY OF CALDWELL SERVICE AREA.

11. Place of use in counties: **CANYON**

12. Do you own the property listed above as place of use? **N/A**

13. Other Water Rights Used:
A63-05051, A63-05052, A63-05053, A63-05054 A63-05055, 63-03441, 63-07158, 63-08008, 63-08299, 63-08986, 63-08987, 63-09358, 63-10316, 63-10317, 63-07900

14. Remarks: **ADDITIONAL POD'S CLAIMED PURSUANT TO I.C. § 42-1425.**

15. Basis of Claim: **LICENSE**

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Garret L. Nancolas Date: 9-22-04

_____ Date: _____

STATE OF IDAHO)
)ss.
COUNTY OF CANYON)

Subscribed and sworn (or affirmed) before me this 22 day of September, 2004.

SUSAN MILLER NOTARY PUBLIC STATE OF IDAHO

Susan Miller
Notary Public

Residing at Caldwell, ID

My commission expires: 12/27/06

Last Name **CITY OF CALDWELL** Identification No. **63-07910**

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-07910**
Date Received: 1/31/1990
Receipt No: C015577
Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: CITY OF CALDWELL 208-455-3006
   Address: CITY HALL
   P.O. BOX 1177
   321 CLEVELAND BLVD
   CALDWELL, ID 83606-1177

RECEIVED
MAR 15 1990
Department of Water Resources

2. Date of Priority: JAN 10, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	03W	21	SE SW		CANYON

5. Description of diverting works:
   WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
MUNICIPAL	01/01	12/31	2.230	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   MUNICIPAL

10. Place of Use:

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

11. Place of use in counties:

MICROFILMED
AUG 24 1992

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

13. Other Water Rights Used:
PER. 63-3441 & 63-7158.

14. Remarks:
P/U WITHIN CITY LIMITS OF CALDWELL.

15. Basis of Claim: LICENSE

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: 1

For Organizations:

I do solemnly swear or affirm that I am WATER SUPT of
Title
CITY OF CALDWELL, that I have signed the foregoing
Organization
document in the space below as WATER SUPT of
Title
CITY OF CALDWELL and that the statements contained in the
Organization
foregoing document are true and correct.

Richard McDonald
Signature of Authorized Agent

WATER SUPT CITY OF CALDWELL
Title and Organization

3/13/90
Date

MICROFILMED
AUG 24 1992

State of Idaho)
) SS.
County of Canyon)

Subscribed and sworn (or affirmed) before me this 14th day of March 19 90

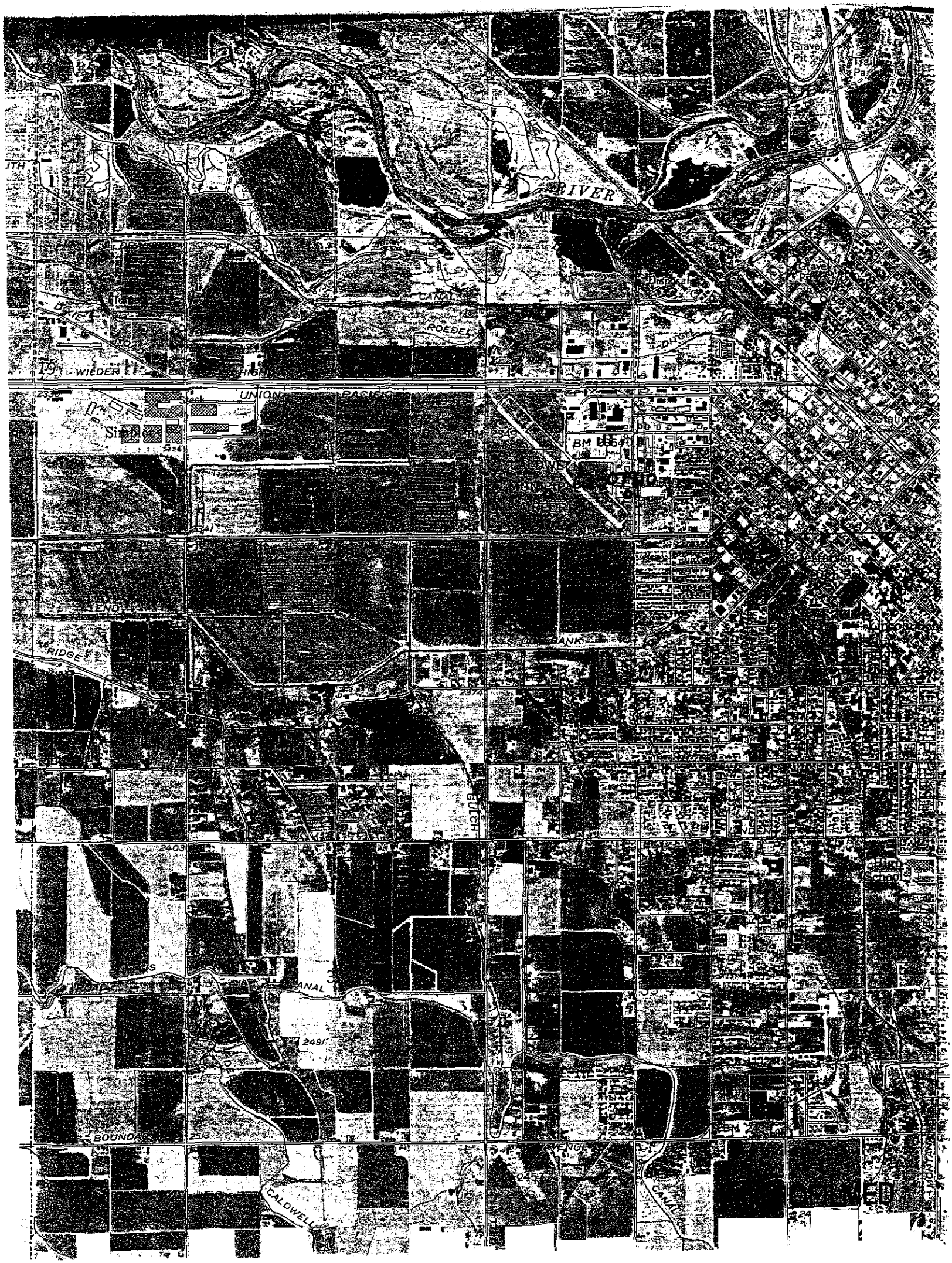
Betty Jo Keller
Notary Public

Seal

Residing at Caldwell, Idaho

My Commission Expires 5/93

MICROFILMED
AUG 24 1992


RIVER
CANAL
UNION PACIFIC
RIDGE
CANAL
CALDWELL
DITCH
Gravel Pit
BM
Ohio
DENIED

RECEIVED
JUN 14 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** 63-7910
(Insert water right no.)

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: CITY OF CALDWELL

Address: 621 Cleveland Blvd.
Caldwell, Idaho 83605

Daytime Phone: (208) 455-3006

Name & Address of Attorney, if any:
Charles L. Honsinger
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: CITY OF CALDWELL

Address: 621 Cleveland Blvd.
Caldwell, Idaho 83605

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. X **Point(s) of Diversion**
   Should be: Point of diversion remark should read as follows: "This right and Right Nos. 63-3441, 63-5051, 63-5052, 63-5053, 63-5054, 63-5055, 63-7158, 63-7900, 63-8008, 63-8299, 63-8986, 63-8987, 63-9358, 63-10316, 63-10317, 63-20532, 63-32025, 63-32026, 63-32027, 63-32028, 63-32029, 63-32030, 63-32031, 63-32032, 63-32033, and 63-32038 are diverted through the points of diversion described in right No. 63-32024.

6. ☐ **Instream Flow Description**
   Should be:_____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be:_____

9. ☐ **Place of Use**
   Should be: _____

10. ☐ **I object because:**

    ☐ This water right should not exist.

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

E. **REASONS SUPPORTING OBJECTION (S):** The language of the remark specifying

multiple points of diversion makes no sense as recommended.

F. **VERIFICATION** (must be completed)

State of Idaho)
) ss.
County of Ada)

Charles L. Honsinger, duly sworn, upon oath, deposes and says:

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.

Charles L. Honsinger

Subscribed and sworn to before me on: June 13, 2007

KIMI A. WHITE NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 2011

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on June 12, 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: CITY OF CALDWELL

   Address: 621 Cleveland Blvd.
   Caldwell, Idaho 83605

3. Copies to:

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

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

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

Signature of Objector or attorney
mailing on Objector's behalf

12/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7910

NAME AND ADDRESS: CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.230 CFS

PRIORITY DATE: 01/10/1974

POINT OF DIVERSION:

T04N R03W S21 SESW Within CANYON County

The points of diversion for this right and Right Nos.63-3441, 63-5051, 63-5052, 63-5053, 63-5054, 63-5055, 63-7158, 63-7900, 63-8008, 63-8299, 63-8986, 63-8987, 63-9358, 63-10316, 63-10317, 63-20532, 63-32025, 63-32026, 63-32027, 63-32028, 63-32029, 63-32030, 63-32031, 63-32032, 63-32033, 63-32038 are diverted through the points of diversion described in Right No. 63-32024.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MUNICIPAL	1/01 12/31	2.230 CFS

PLACE OF USE:

Place of use is within the service area of City of Caldwell as provided for under Idaho law. The place of use is generally described as within the city limits of Caldwell and the surrounding service area.

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.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right at the Well Site #8 located in T4N, R3W, Sec. 21, SESW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Draft

04/15/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7910

NAME AND ADDRESS: CITY OF CALDWELL
621 E CLEVELAND BLVD
CALDWELL ID 83605

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.230 CFS

PRIORITY DATE: 01/10/1974

POINT OF DIVERSION:

POD; C

T04N R03W S21 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MUNICIPAL	1/01 12/31	2.230 CFS

PLACE OF USE:

Place of use is within the service area of City of Caldwell as provided for under Idaho law. The place of use is generally described as within the city limits of Caldwell and the surrounding service area.

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

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

EXPLANATORY MATERIAL: License

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7910 Priority January 10, 1974 Amount 2.23 cfs

THIS IS TO CERTIFY, that CITY OF CALDWELL

of Caldwell, Idaho, has complied with the terms and conditions of Permit No. 63-7910 issued pursuant to Application for Permit dated January 10, 1974, and has submitted proof to the Department of Water Resources on January 25, 1979, 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 2.23 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Municipal	from January 1 to December 31	2.23 cfs and	N/A
	from	cfs and	
	from	cfs and	

(Month dates inclusive)

Subject, however, to the condition that no more than 2.23 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 for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed N/A acre feet per year, said waters to be diverted within the SE¼SW¼ Sec. 21 Twp. 4N. Rge. 3W. B.M. in the County of Canyon

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	

WITHIN THE CITY LIMITS OF CALDWELL

Total number of acres irrigated _____

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 15th day of June, 19 81.

Director

DEPARTMENT OF WATER RESOURCES

MICROFILMED

PW DIRT

PUBLIC HEARING BEFORE THE CANYON COUNTY BOARD OF COMMISSIONERS

LEGAL NOTICE IS HEREBY GIVEN, that the Canyon County Board of Commissioners will hold a public hearing at 6:00 p.m. on Tuesday, December 20, 1994 in the First Floor Public Meeting Room, Canyon County Courthouse, 1115 Albany, Caldwell, County of Canyon, Idaho.

The purpose of this public hearing is to take public testimony concerning a draft separate ordinance providing for application of Comprehensive Plan and implementing ordinances for the Area of City Impact for Caldwell, Idaho pursuant to Idaho Code Section 67-6526. Said ordinance shall provide for one of the following:

[1] Application of the city plan and ordinances to the area of city impact; or
[2] Application of the county plan and ordinances to the area of city impact; or
[3] Application of any mutually agreed upon plan and ordinances to the area of city impact.

The Impact Area boundary being generally described on the north is the Union Pacific Railroad Tracks, State Highway 44, the north boundary of Curtis Park, the Boise River, Lincoln Street, and Highway 20-26. The Boundary described generally on the south is Homedale Road to Cleveland Boulevard and a line on a northeasterly angle to intersect Middleton Road at Laster Lane. Said boundary on the west is Wagner Road and Farmway Road. Said boundary on the east us Middleton Road, KCID Road, a line south of the Boise River which is in line with Emmett Road which is also the section line between Sections 13 and 14 in Township 4 North, Range 3 West, the east boundary of Curtis Park and the line of W. Hartley Gulch south of Highway 44 to the Boise River. (Please refer to the attached published map, EXHIBIT "A".)

The Canyon County Planning and Zoning Commission held a public hearing and took testimony on this matter November 22, 1994 and recommends to the Canyon County Board of Commissioners that the Board adopt, with certain modifications the draft ordinance considered by the Planning and Zoning Commission at it's hearing. Following this County Commissioners public hearing, the Board of Canyon County Commissioners may adopt or reject any or all portions of the proposal. If the Board intends to make a material change in the proposal, further notice and public hearing shall be provided before the Board of Canyon County Commissioners adopts an Ordinance.

Documents may be reviewed at the office of the Canyon County Board of Commissioners on the 1st Floor in the Canyon County Courthouse at 1115 Albany, Caldwell, Idaho, from 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 5:00 p.m., Monday thru Friday, except holidays. All interested persons are invited to attend this public hearing and present oral or written testimony concerning this matter. For more information call (208) 454-7478. Assistance is available for those with disabilities upon twenty-four (24) hour prior notice.

[Publish the City of Caldwell IMPACT AREA MAP - EXHIBIT A in this area]

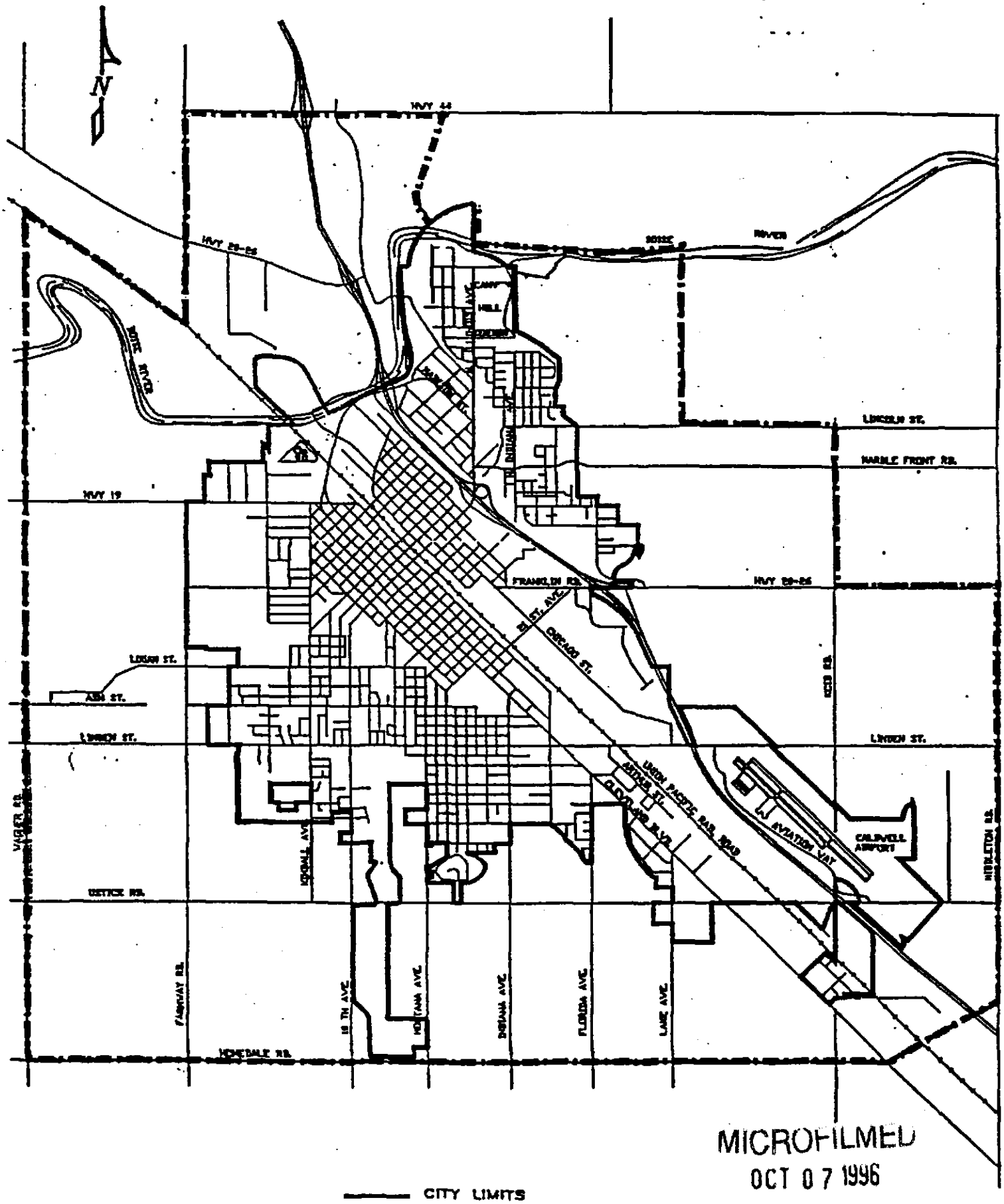
CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner George Vance, Chairman
Commissioner Jan Vinson
Commissioner Abel "Abe" Vasquez

ATTEST: NED J. KERR, CLERK
Monica Reeves, Deputy Clerk 11/28/94

Publish: IDAHO PRESS TRIBUNE
Date: Dec. 4 and Dec. 5, 1994

Copy: Board's Hearing File for Caldwell City Impact Area
Newspaper - Idaho Press Tribune
Notice Board
Agencies and Political Subdivisions
Public Service Announcements
P&Z Area of Impact File for Caldwell

BOC LEGALS-JLJ:mrs



MICROFILMED
OCT 07 1996

——— CITY LIMITS

— — — IMPACT AREA BOUNDARY

EXHIBIT "A"