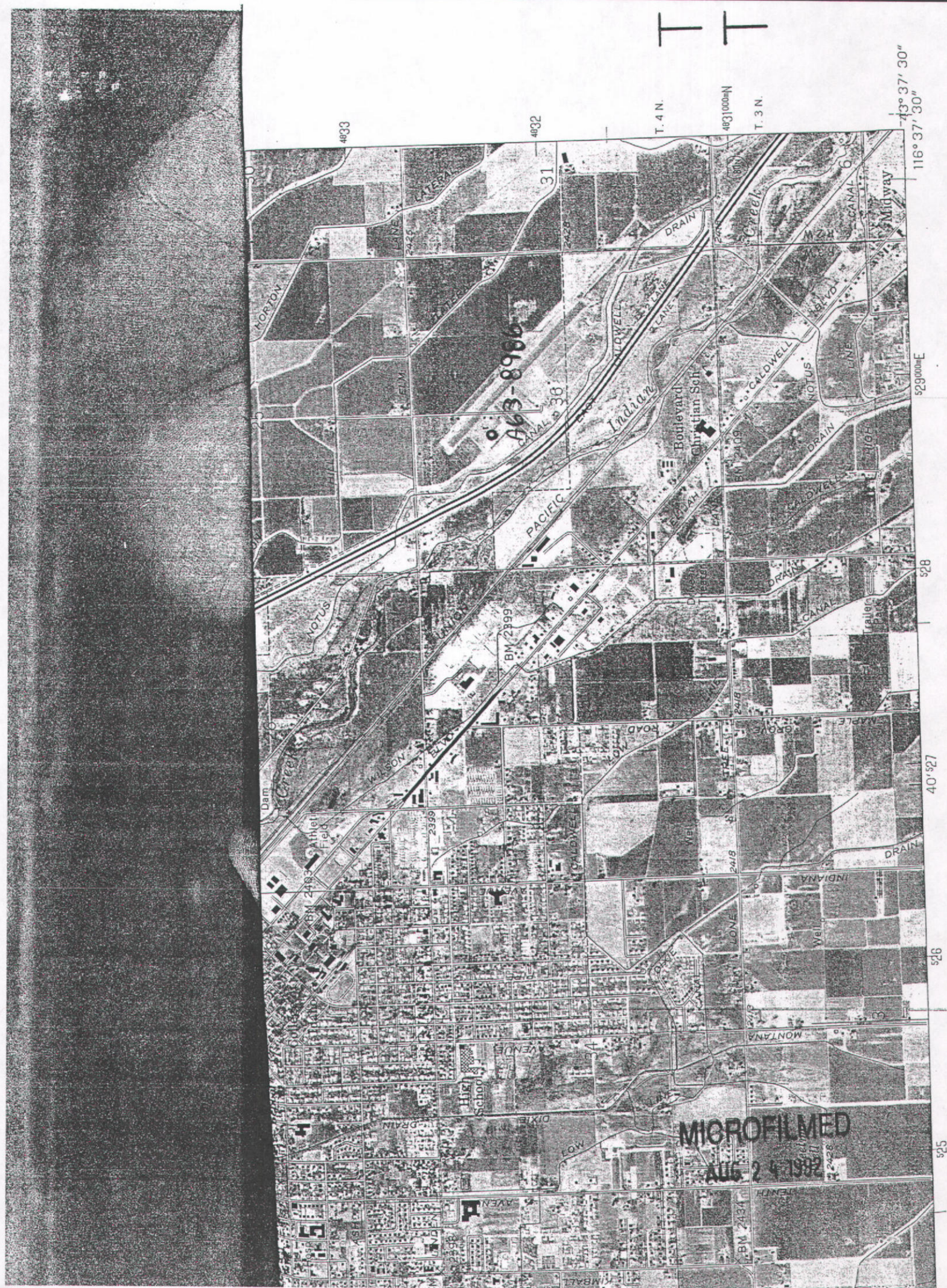




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 63-8986
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: 07/19/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	03W	22	NE	NE		CANYON	
04N	03W	28	NE	NE		CANYON	
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	21	SE	SW		CANYON	
04N	03W	26	SW	NE		CANYON	
04N	03W	28	SE	NE		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 36 NE NW 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	1.56	

7. Total Quantity Appropriated is:
1.56 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, 63-7910, 63-8008, 63-8299, 63-7158, 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: 63-08986

Rec. No. C075645

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

RECEIVED
NOV 1 1977
Department of Water Resources

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

2. Date of Priority: JULY 19, 1977

3. Source: GROUNDWATER

Trib. To: N/A

4. Points of Diversion:

Township	Range	Section	1/4	of 1/4	County
04N	03W	36	NE	NW	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	21	SE	SW	CANYON
04N	03W	26	SW	NE	CANYON
04N	03W	28	SE	NE	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	1.56		

7. Total Quantity Appropriated is:

1.56 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, 63-05052, A63-05053, 63-05054, A63-05055,
63-03441, 63-07158, 63-07910, 63-08008, 63-08299, 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): *Janet L. Mancoske* Date: 9.22.04

Date: _____

STATE OF IDAHO

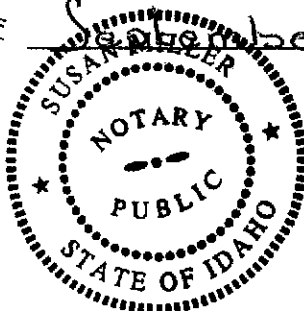
)

) ss.

COUNTY OF CANYON

)

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



Susan Miller
Notary Public

Residing at Caldwell, ID

My commission expires: 12/27/06

Last Name CITY OF CALDWELL Identification No. 63-08986

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: A63-08986
Date Received: 1/31/1990
Receipt No: CO15577
Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF CALDWELL
Address: P.O. BOX 1177
321 CLEVELAND BLVD.
CALDWELL, ID

208-455-3006

83606-1177

2. Date of Priority: JUL 19, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	36	NE	NE	NW		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	1.560		

7. Total Quantity Appropriated is:
1.560 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:

A63-08986

Page 1

Date: 01/31/90

MICROFILMED
AUG 24 1992

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

13. Other Water Rights Used:

PER. 63-7158, 63-7910, 63-8008 & 63-8299.

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.

[Signature]

Signature of Authorized Agent

WATER Supt, CITY OF CALDWELL

Title and Organization

3/13/90

Date

State of Idaho

County of Canyon

) SS.
)

Subscribed and sworn (or affirmed) before me this 14th day

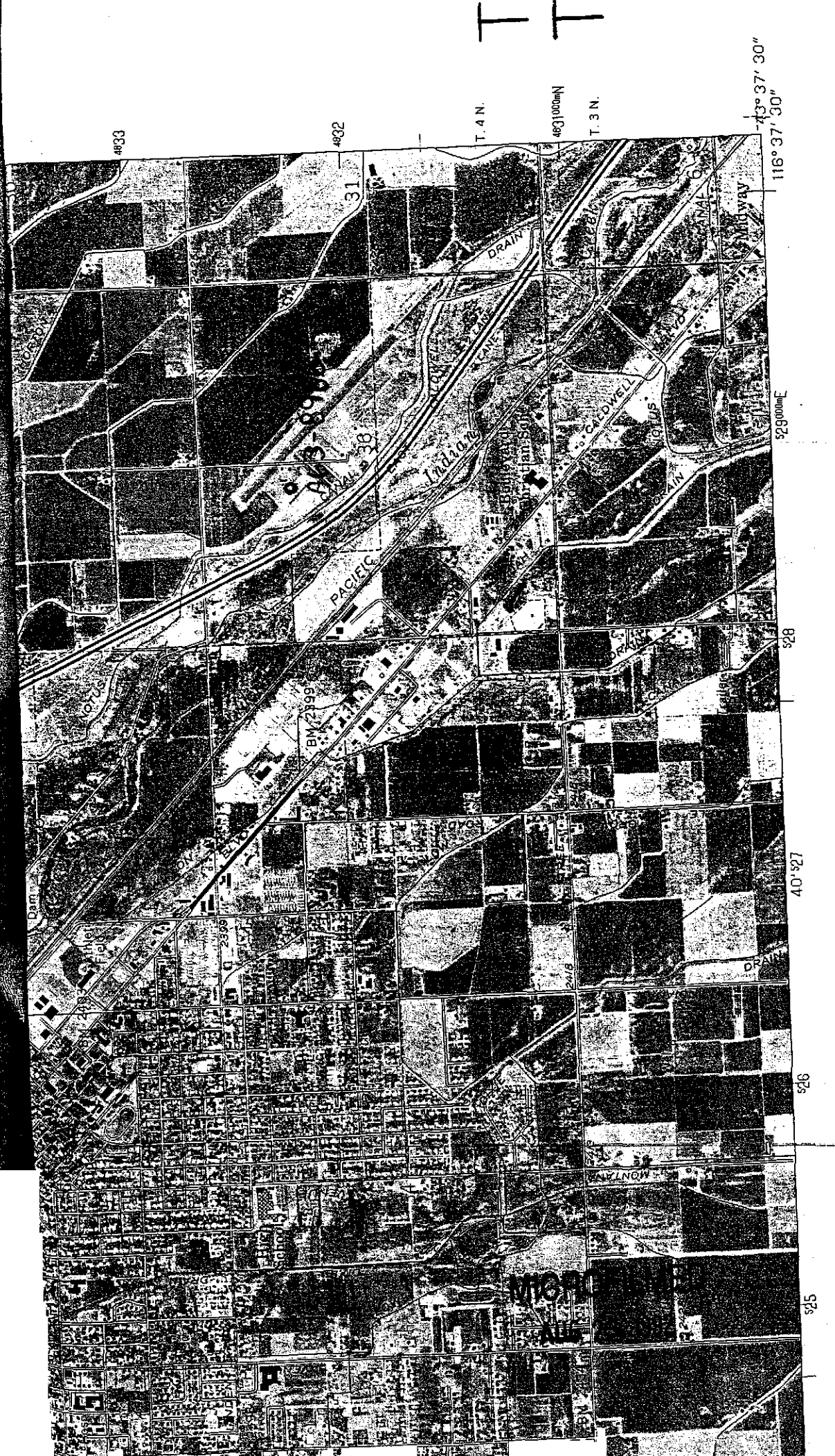
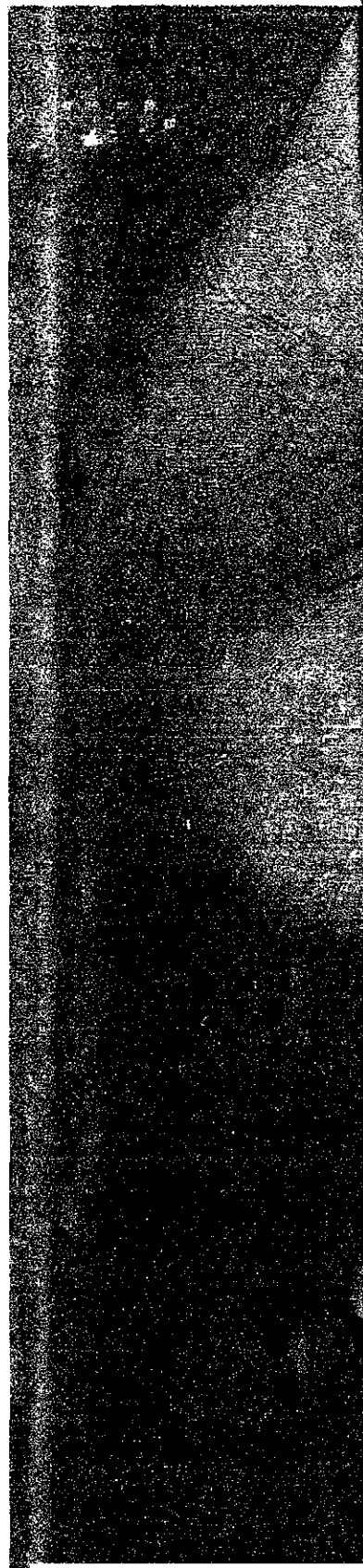
of March 19 90

Betty Jo Keller
Notary Public

Seal

Residing at Cashwell, Idaho

My Commission Expires 12/92



T T

T. 4 N.
4831000mN
T. 3 N.

116° 37' 30"
116° 37' 30"

529000mE

528

40° 527

526

525

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 63-8986

(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. ☒ **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, 63-7910, 63-8008, 63-8299, 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

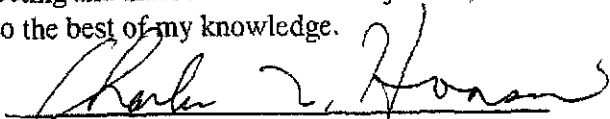
multiple points of diversion makes no sense as recommended.

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

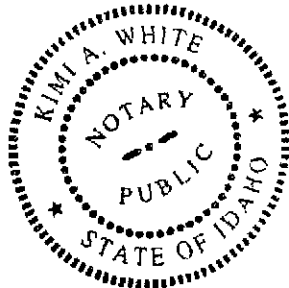
State of Idaho)
) ss.
County of Ada)

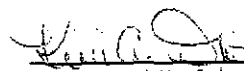
Charles L. Honsinger, duly sworn, upon oath, deposes and says:

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, 2009




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 2/28/10

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 13, 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

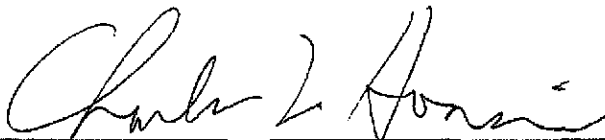
Address: 621 Cleveland Blvd.
Caldwell, Idaho 83605

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: 63-8986

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.560 CFS

PRIORITY DATE: 07/19/1977

POINT OF DIVERSION:

T04N R03W S36 NENW 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, 63-7910, 63-8008, 63-8299, 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.560 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 #11 located in T4N, R3W, Sec. 36, NENW.

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: 63-8986

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.560 CFS

PRIORITY DATE: 07/19/1977

POINT OF DIVERSION:

T04N R03W S36 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.560 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

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8986 V1

04N 02W 31							X L 2	X	X	X L 3	X L 4	X			X		
04N 03W 10											X L 5		X L 2	X L 6	X L 7		
04N 03W 14						X L 2	X		X	X	X	X					
04N 03W 15	X	X	X	X	X L 4			X L 3	X L 2		X	X	X	X	X	X	X
04N 03W 16									X		X L 3	X L 8	X L 2	X	X L 7		
04N 03W 20				X									X			X	
04N 03W 21	X	X L 1	X	X	X L 2		X	X	X	X	X	X	X	X	X	X	X
04N 03W 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 23			X		X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 25						X	X			X	X	X			X		
04N 03W 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 29	X			X												X	
04N 03W 33	X	X	X	X	X	X	X	X					X	X		X	
04N 03W 34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04N 03W 35	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X
04N 03W 36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Conditions of Approval:

1. 125 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8986 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.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	1/13/2004 12:41:57 PM	lpew			Active
Source	1/13/2004 12:42:09 PM	lpew			Active
POU	1/13/2004 12:43:16 PM	lpew			Active
Use	1/13/2004 12:43:32 PM	lpew			Active
Season	1/13/2004 12:43:54 PM	lpew			Active
Quantity	1/13/2004 12:44:06 PM	lpew			Active
Contacts	4/15/2005 1:29:13 PM	awarntje			Active
POU	4/15/2005 1:33:51 PM	awarntje			Active
Season	4/15/2005 1:34:31 PM	awarntje			Active
Summary			04/15/2005	awarntje	Active

Verification Log:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8986 V1

Source	1/13/2004 12:42:09 PM	lpew	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Priority Date	1/13/2004 12:41:57 PM	lpew	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Season	1/13/2004 12:43:55 PM	lpew	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/13/2004 12:44:06 PM	lpew	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POU	4/15/2005 1:31:05 PM	awarntje	Edited shape boundary
Contacts	4/15/2005 1:29:14 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	4/15/2005 1:33:51 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8986 V1

Season	4/15/2005 1:34:32 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	4/15/2005 1:42:59 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	1/13/2004 12:43:16 PM	lpew	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Use	1/13/2004 12:43:32 PM	lpew	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that City of Caldwell
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8986 issued pursuant to Application for Permit dated July 19, 1977,
and has submitted proof to the Department of Water Resources on August 13, 1982,
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 1.56 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:

Subject, however, to the condition that no more than 1.56 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 NE 1/4, Section 36, Twp. 4N, Rge. 3W in the County of Carbon

Top	Range	NEW	NWN	SWN													Totals
		NWN	NWN	SEN	NEW	NWN	SWN	SEN	NEW	NWN	SWN	SEN	NEW	NWN	SWN	SEN	
WITHIN THE CITY LIMITS OF CALDWELL SOURCE																	

Total number of acres irrigated _____

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of December 19 82

Director

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 Farway 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]

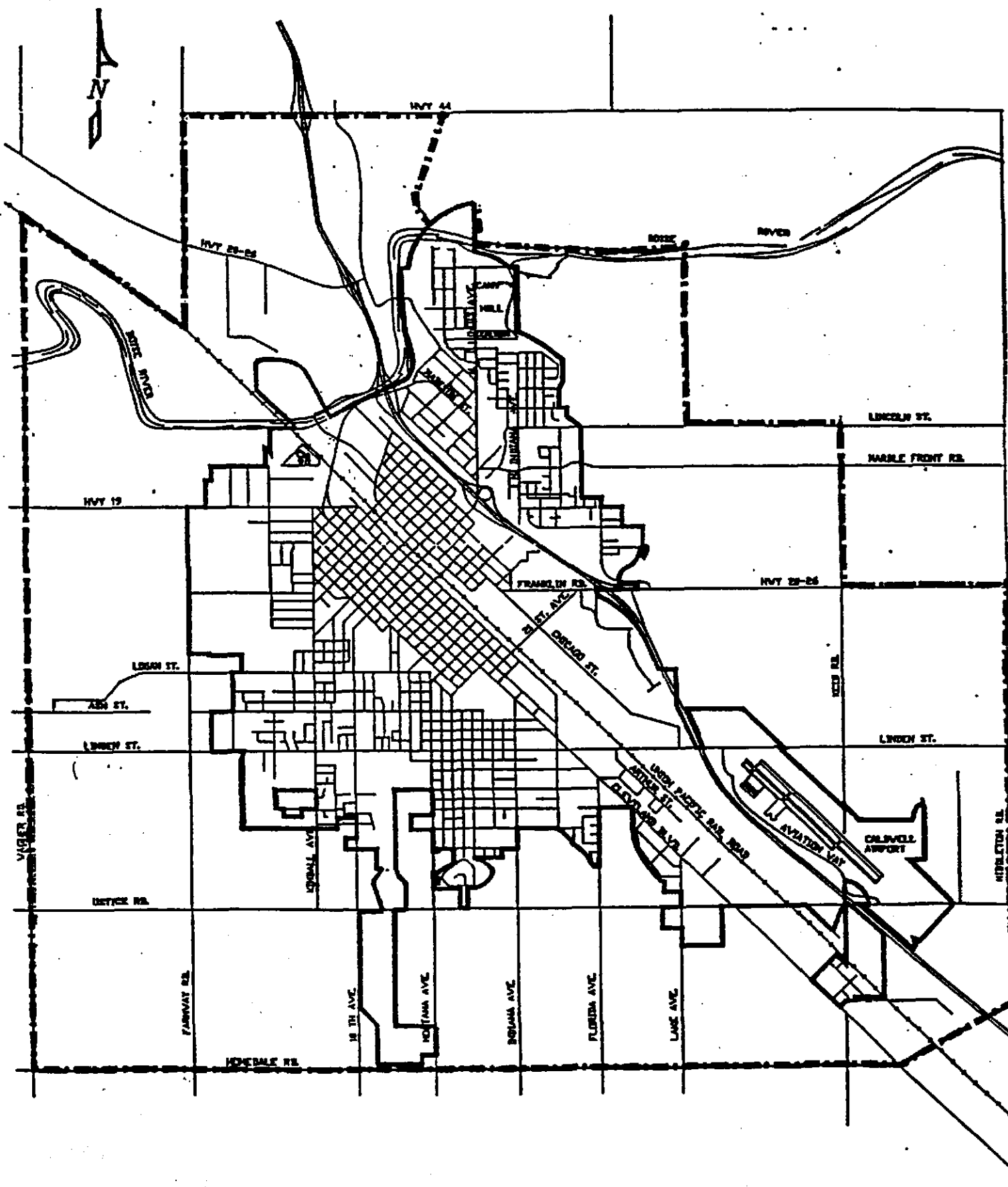
CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner George Vance, Chairman *GV*
Commissioner Jan Vinson *JV*
Commissioner Abel "Abe" Vasquez *AV*

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&S Area of Impact File for Caldwell

MICROFILMED
OCT 08 1996



——— CITY LIMITS
 - - - - - IMPACT AREA BOUNDARY

EXHIBIT "A"