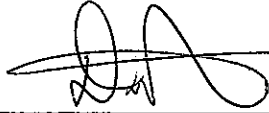


1

RESPONDENT

United States on behalf of
Bureau of Reclamation



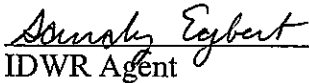
9/15/08

David Gehlert

Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Division

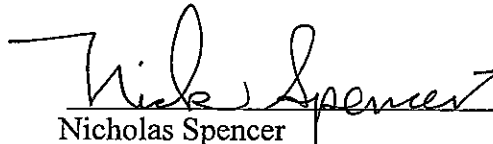
IDWR Concurrence:



8-20-08

IDWR Agent

Date



9-23-08

Nicholas Spencer

Date

Deputy Attorney General

08/12/2008

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

RIGHT NUMBER: 63-17695

NAME AND ADDRESS: HILL WAY INC IDAHO CORP
PO BOX 1979
SAN MATEO CA 94401

SOURCE: WASTE WATER

TRIBUTARY: JENSEN LAKE

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/15/1920

POINT OF
DIVERSION:

T01S R01W S6 NENWSW Lot 6 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	0.400 CFS

PLACE OF USE: IRRIGATION in ADA County

T01S R01W S06 Lot 6 NWSW 10.00 T01S R01W S06 Lot 7 SWSW 10.00

20 ACRES TOTAL

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.

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Boise-Kuna Irrigation District.

CERTIFICATE OF MAILING

I certify that on 9/24, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

BOISE KUNA IRRIGATION DIST

Represented by:
SHELLEY M DAVIS
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

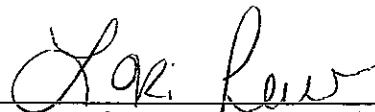
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

HILL WAY INC IDAHO CORP

PO BOX 1979
SAN MATEO, CA 94401
Phone: 650-696-8375

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form