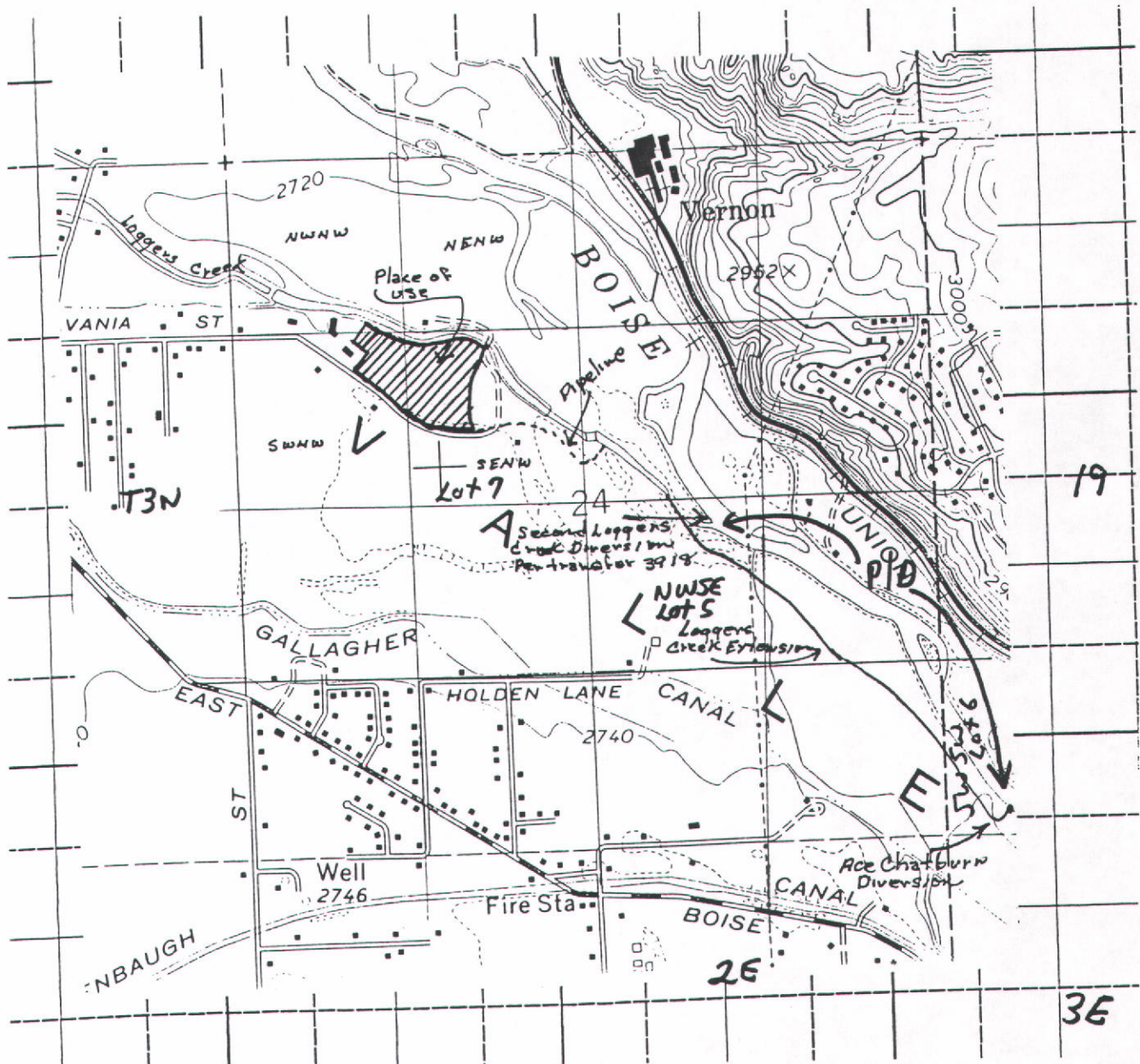


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

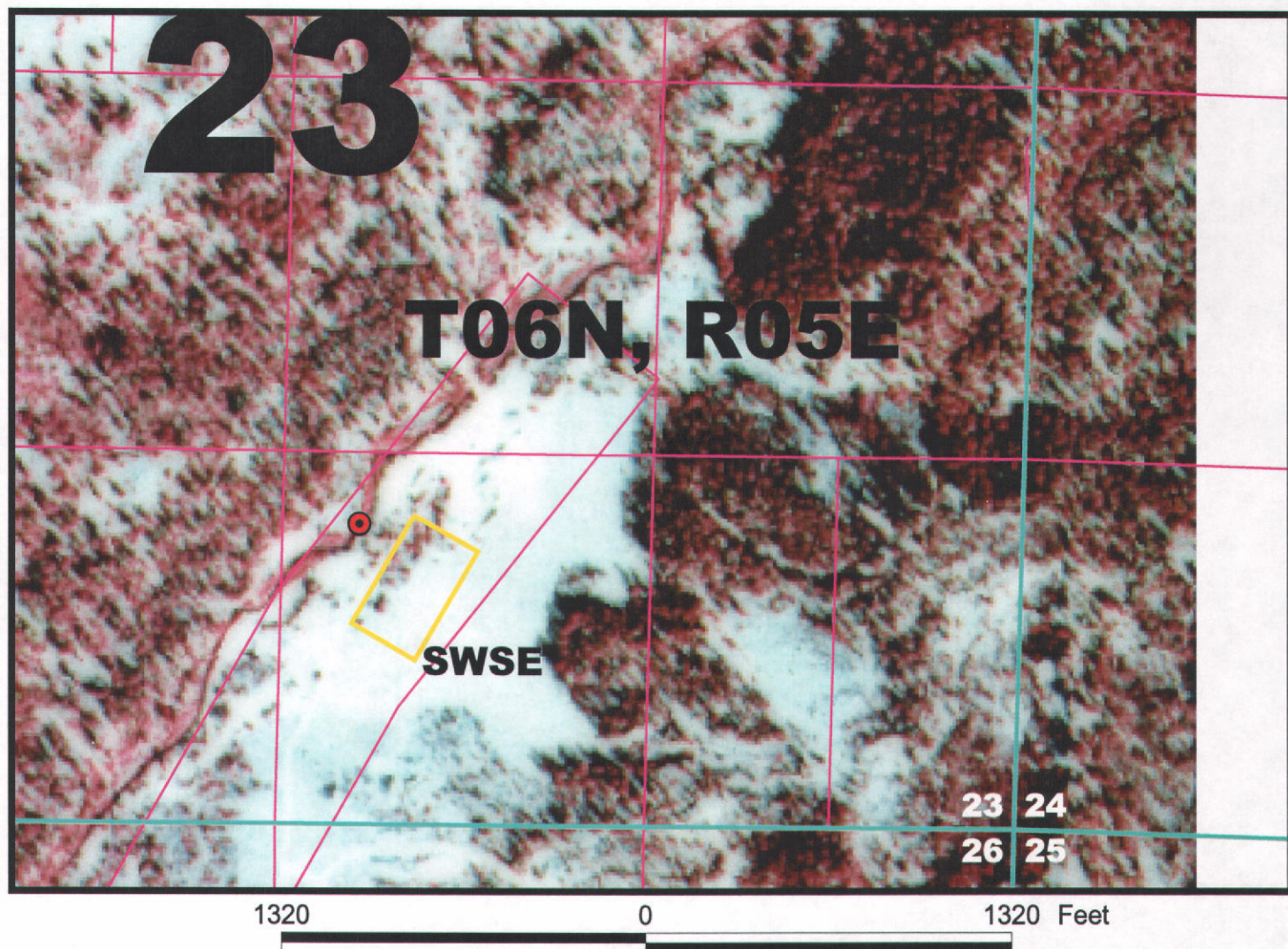




STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-00148D



Irrigated Acreage: 2.7

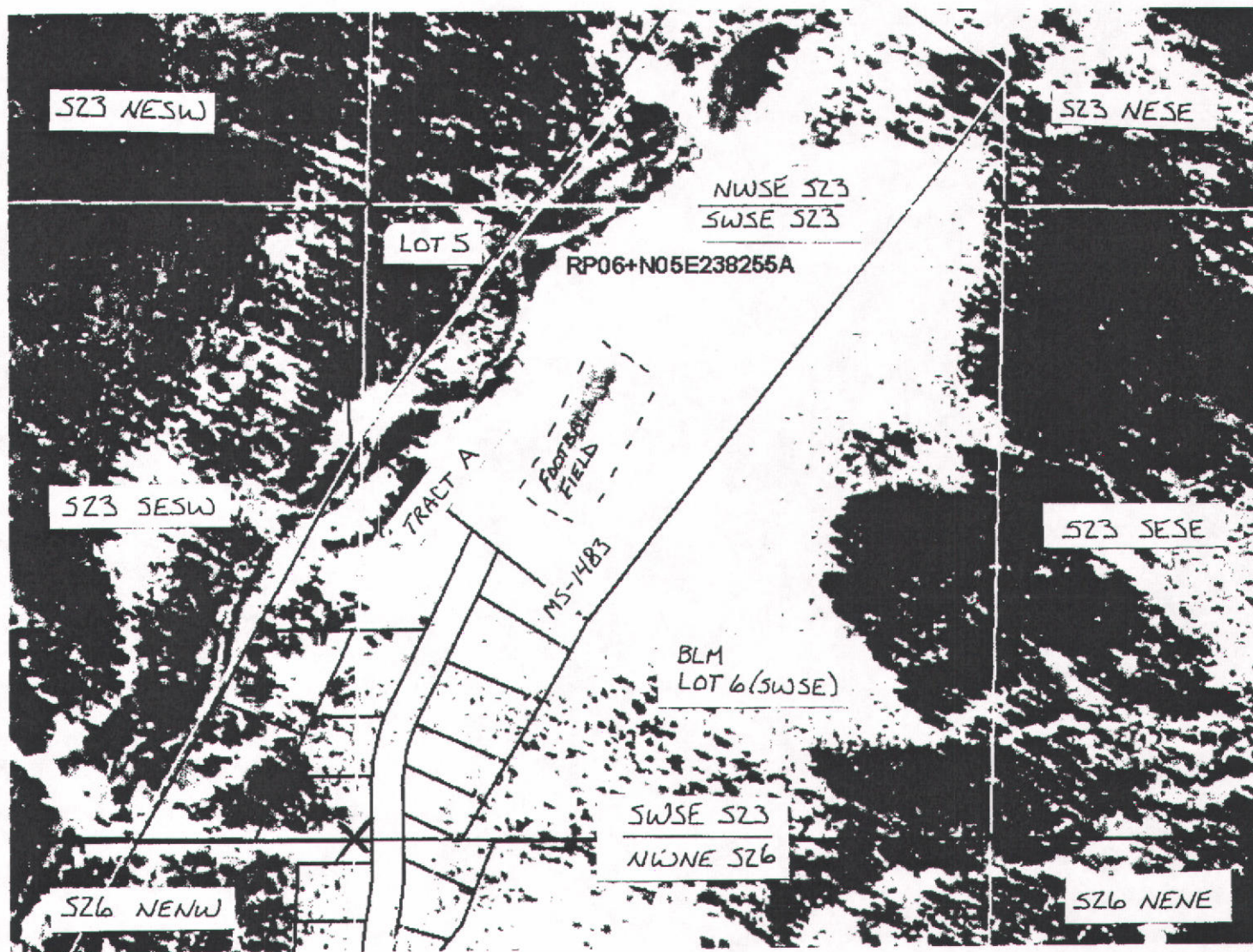
- Point(s) of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2003

63-00148D SOUTH BOISE WATER CO.

T06N R05E



THE ACTUAL LEGAL LAND DESCRIPTION THAT DESCRIBES THE FOOTBALL FIELD WOULD BE T06N, R05E, SZ3, TRACT A, B.M.

THE WAY TO DESCRIBE THE LOCATION WITHIN THE LIMITS OF IDWR'S SYSTEM WOULD BE TO INCLUDE CLARIFYING REMARKS UNDER THE POD & POU ELEMENTS AS FOLLOWS:

POD: "THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE), SZ3, T06N, R05E."

POU: "THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO WITHIN TRACT A, SZ3, T06N, R05E."



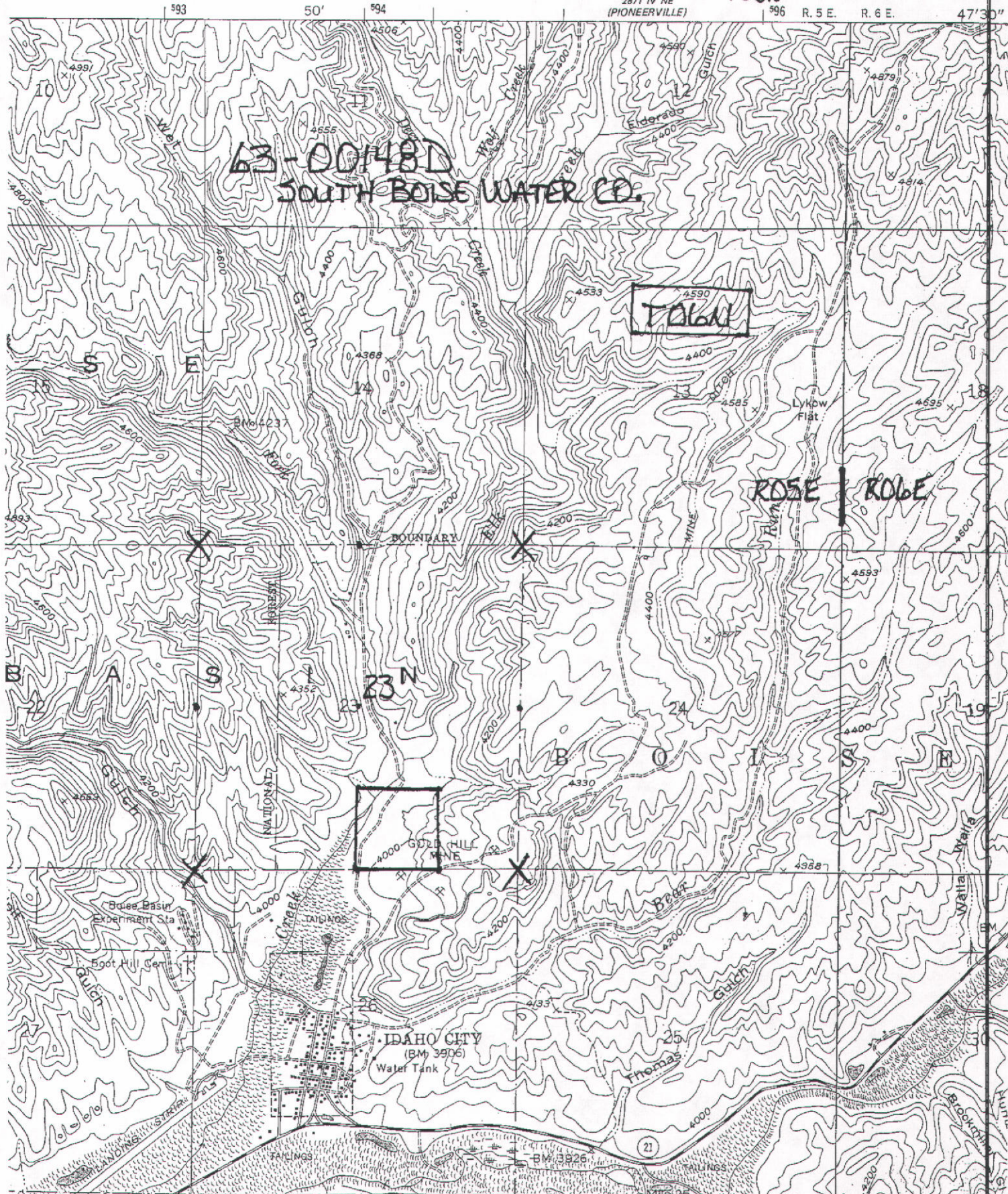
UNITED STATES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE

T06N

2871 IV NE
(PIONEERVILLE)

596 R.5 E. R.6 E.

47'30"



BOISE COUNTY 015
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

[illegible]

Acq 6/11/1937 RD to USFS
Sec 26: Blk C, M80 in Blk A, Idaho City Tns
Pstd Min

Acq 8/22/1930 MD to USFS
Sec 26: Lot 1, Elk A. Idaho City Ins
Reed Min

Sec 25: WAB in Biks C.W. Idaho City Ins
 Sec 26: WAB

Sec 26: MBB in aka C, W, Idaho City Tns

Sec 26: MAB in Bikes C, W, Igabo City Tns

Variable	Mean	SD	Min	Max
Age	38.5	10.5	25	55
Gender	Male	Female	Male	Female
Marital status	Married	Single	Married	Single
Education	High school	College	High school	College
Occupation	Manager	Worker	Manager	Worker
Income	Low	High	Low	High
Health status	Good	Poor	Good	Poor
Stress level	Low	High	Low	High
Life satisfaction	High	Low	High	Low
Resilience	High	Low	High	Low
Optimism	High	Low	High	Low
Self-efficacy	High	Low	High	Low
Perceived stress	Low	High	Low	High
Depression	Low	High	Low	High
Anxiety	Low	High	Low	High
Quality of life	High	Low	High	Low
Health-related quality of life	High	Low	High	Low
Physical health	Good	Poor	Good	Poor
Mental health	Good	Poor	Good	Poor
Social health	Good	Poor	Good	Poor
Environmental health	Good	Poor	Good	Poor
Overall health	Good	Poor	Good	Poor
Life expectancy	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Health insurance	Yes	No	Yes	No
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
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Healthcare utilization	High	Low	High	Low
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Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
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Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low
Healthcare cost	Low	High	Low	High
Healthcare satisfaction	High	Low	High	Low
Healthcare utilization	High	Low	High	Low
Healthcare access	Good	Poor	Good	Poor
Healthcare quality	High	Low	High	Low

09.001 (at PL 167 (Act of Cong 7/23/1955)
completed 3/30/1965 All 100 surface area by BLM

00303 Let PL 167 (act of Cong Y/23/1955)

SFS
24372 LNE

Sec 27: South 100' E2SENE 2.38 acres

W 31230 QCD from USFS
Sec 26: MBB
Sec 27: MBB
2.42 acres

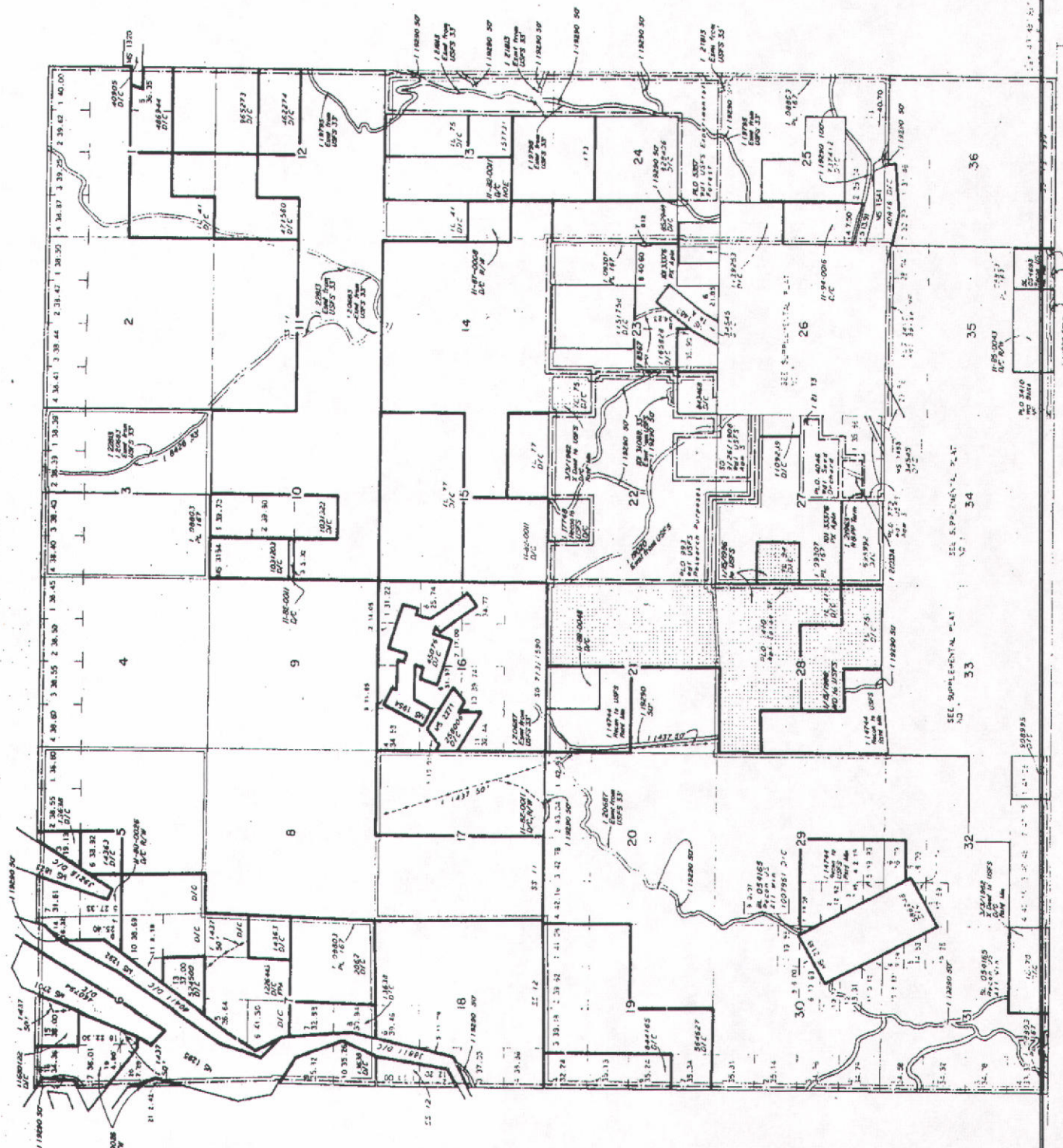
SAC 27 H2SWSE

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF

IDENTIFIED LANDS REFER TO INDEX OF
SCALLANECUS DOCUMENTS

DATE	DESCRIPTION	CURRENT TO	CURRENT TO
1953	...	...	...
1954	...	...	...
1955	...	...	...
1956	...	...	...
1957	...	...	...
1958	...	...	...
1959	...	...	...
1960	...	...	...
1961	...	...	...
1962	...	...	...
1963	...	...	...
1964	...	...	...
1965	...	...	...
1966	...	...	...
1967	...	...	...
1968	...	...	...
1969	...	...	...
1970	...	...	...
1971	...	...	...
1972	...	...	...
1973	...	...	...
1974	...	...	...
1975	...	...	...
1976	...	...	...
1977	...	...	...
1978	...	...	...
1979	...	...	...
1980	...	...	...
1981	...	...	...
1982	...	...	...
1983	...	...	...
1984	...	...	...
1985	...	...	...
1986	...	...	...
1987	...	...	...
1988	...	...	...
1989	...	...	...
1990	...	...	...
1991	...	...	...
1992	...	...	...
1993	...	...	...
1994	...	...	...
1995	...	...	...
1996	...	...	...
1997	...	...	...
1998	...	...	...
1999	...	...	...
2000	...	...	...
2001	...	...	...
2002	...	...	...
2003	...	...	...
2004	...	...	...
2005	...	...	...
2006	...	...	...
2007	...	...	...
2008	...	...	...
2009	...	...	...
2010	...	...	...
2011	...	...	...
2012	...	...	...
2013	...	...	...
2014	...	...	...
2015	...	...	...
2016	...	...	...
2017	...	...	...
2018	...	...	...
2019	...	...	...
2020	...	...	...
2021	...	...	...
2022	...	...	...
2023	...	...	...
2024	...	...	...
2025	...	...	...
2026	...	...	...
2027	...	...	...
2028	...	...	...
2029	...	...	...
2030	...	...	...
2031	...	...	...
2032	...	...	...
2033	...	...	...
2034	...	...	...
2035	...	...	...
2036	...	...	...
2037	...	...	...
2038	...	...	...
2039	...	...	...
2040	...	...	...
2041	...	...	...
2042	...	...	...
2043	...	...	...
2044	...	...	...
2045	...	...	...
2046	...	...	...
2047	...	...	...
2048	...	...	...
2049	...	...	...
2050	...	...	...
2051	...	...	...
2052	...	...	...
2053	...	...	...
2054	...	...	...
2055	...	...	...
2056	...	...	...
2057	...	...	...
2058	...	...	...
2059	...	...	...
2060	...	...	...
2061	...	...	...
2062	...	...	...
2063	...	...	...
2064	...	...	...
2065	...	...	...
2066	...	...	...
2067	...	...	...
2068	...		

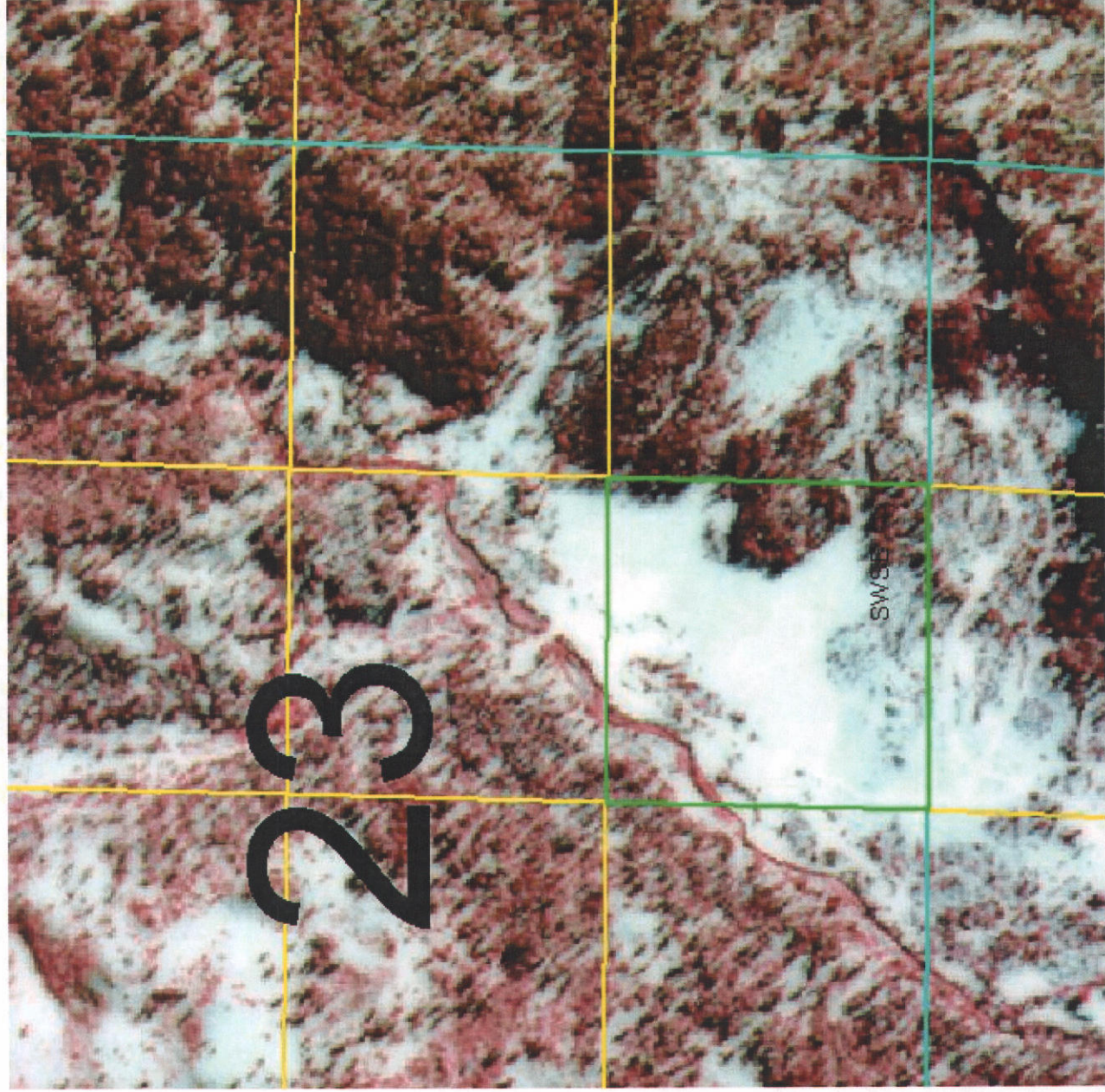


RP06+N05E238255A

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-148D
T06N, R05E, Sec 23
Prepared by: Maria Minicucci
February 12, 2002

-  Place of use
-  Point of diversion
-  Section Lines
-  Quarter quarter lines

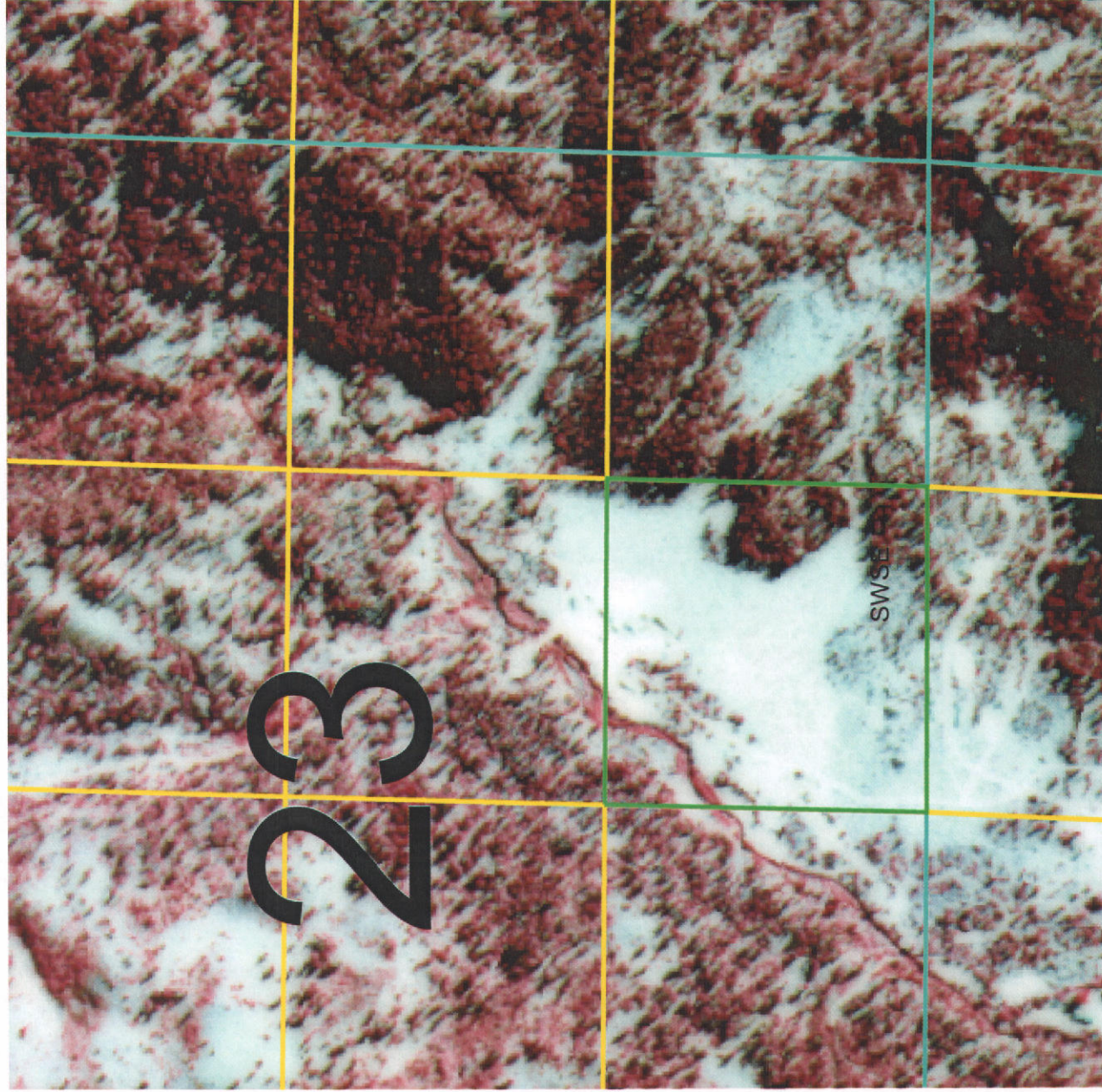


400 0 400 800 Feet

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-148D
T06N, R05E, Sec 23
Prepared by: Maria Minicucci
February 12, 2002

- Place of use
- Point of diversion
- Section Lines
- Quarter quarter lines



400 0 400 800 Feet

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 63-148D
Date Received: 3/21/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTH BOISE WATER CO Phone: (208) 344-7780

BARBARA GARRETT SECRETARY
PO BOX 6005
BOISE ID USA 83707

2. Date of Priority: 06/01/1865

3. Source: BLK CREEK Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05E	23	SW SE	ADA	

5. Description of diverting works:

DIVERSION DAM IN RIVER FOR CANAL W/DELIVERY VIA HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.05	9.5

7. Total Quantity Appropriated is:

0.05 C.F.S. and/or 9.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05E	23	SW	SE	IRRIGATION	2.7
Section Acres						2.7
Total Acres						2.7

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER APPROVED TRANSFER 5084. 4/12/99 LH FOR TRANSFER CONDITIONS
OF APPROVAL AND REMARKS, SEE COPY OF TRANSFER IN ADJUDICATION FILE
Address change by DB 7/12/2001

15. Basis of Claim: Decreed

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: A63-00148A
Date Received: 3/21/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOUTH BOISE WATER CO. 208-344-3035
Address: C/O A. H. CHATBURN, PRES.
1729 COLORADO
BOISE ID 83706

2. Date of Priority: JUN 1, 1865

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	19	SW	SW	SW		ADA

5. Description of diverting works:
DIVERSION DAM IN RIVER FOR CANAL W/DELIVERY VIA HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.780		
AESTHETIC	01/01	12/31	4.400		

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

8. Total consumptive use is 979.1 Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC USE ALONG LOGGERS CREEK & ROSSI-MILL DITCH

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NW		IRR	4.9
			NE	SW		IRR	13.3

MICROFILMED

JUL 22 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	NW	SW		IRR	2.4
			SW	SW		IRR	6.2
			SE	SW		IRR	18.9
			NE	SE		IRR	40.0
			NW	SE		IRR	3.0
			SW	SE		IRR	19.0
						Section Acres	107.7
		15	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			SW	NE		IRR	4.1
			SE	NE		IRR	2.4
			NE	NW		IRR	40.0
			NW	NW		IRR	1.0
			NE	SW		IRR	40.0
			NE	SE		IRR	2.0
			NW	SE		IRR	1.5
			SE	SE		IRR	0.6
						Section Acres	151.6
		19	SW	SW		IRR	20.0
						Section Acres	20.0
						Total Acres	279.3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
CLAIM NO. A63-00150.

14. Remarks:

AESTHETIC PLACE OF USE IS THE SAME AS THE IRRIGATION PLACE OF USE
THIS CLAIM HAS BEEN SPLIT PER APPROVED TRANSFER NO. 3918 OF
4/17/92, FOR SOUTH BOISE WATER CO., 0.25 ACRES, TO BE DIVERTED
FROM AN UNNAMED STREAM TRIB. TO CLEAR CREEK WITHIN THE SWNE, S20,
T05N, R04E, BOISE COUNTY. FEE FOR CLAIM SUBMITTED UNDER RECEIPT
NO. W011520. ACRES IRRIGATED = 279.25. KW 5/9/94

15. Basis of Claim: DECREED

Case Number:

MICROFILMED

JUL 22 1994

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

_____, Title
and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

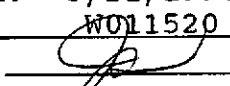
My Commission Expires MICROFILMED

JUL 22 1994

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: A63-00148
Date Received: 3/21/1990
Receipt No: W011520
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SOUTH BOISE WATER CO. 208-344-3035
Address: C/O A. H. CHATBURN, PRES.
1729 COLORADO
BOISE, ID 83706

2. Date of Priority: JUN 1, 1865

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	19	SW	SW	SW		ADA

5. Description of diverting works:
DIVERSION DAM IN RIVER FOR CANAL W/DELIVERY VIA HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.800		
AESTHETIC	01/01	12/31	4.400		

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

8. Total consumptive use is 980.0 Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC USE ALONG LOGGERS CREEK & ROSSI-MILL DITCH

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NW		IRR	4.9
			NE	SW		IRR	13.3

MICROFILMED

JUL 22 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	02E	14	NW		SW		IRR	2.4
			SW		SW		IRR	6.2
			SE		SW		IRR	19.1
			NE		SE		IRR	40.0
			NW		SE		IRR	3.0
			SW		SE		IRR	19.0
							Section Acres	107.9
		15	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			SW		NE		IRR	4.1
			SE		NE		IRR	2.4
			NE		NW		IRR	40.0
			NW		NW		IRR	1.0
			NE		SW		IRR	40.0
			NE		SE		IRR	2.0
			NW		SE		IRR	1.5
			SE		SE		IRR	0.6
							Section Acres	151.6
		19	SW		SW		IRR	20.0
							Section Acres	20.0
							Total Acres	279.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
CLAIM NO. A63-00150.

14. Remarks:
AESTHETIC PLACE OF USE IS THE SAME AS THE IRRIGATION PLACE OF USE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MICROFILMED

JUL 22 1994

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____ Title

SO. BOISE WATER CO., that I have signed the foregoing Organization

document in the space below as PRESIDENT of Title

SO. BOISE WATER CO. and that the statements contained in the Organization

foregoing document are true and correct.

AH Chatham
Signature of Authorized Agent

Pres. South Boise Water Co
Title and Organization

03/22/91
Date

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of March 19 91

Jan Spuite
Notary Public

Seal

Residing at Meridian ID

My Commission Expires 9-14-91

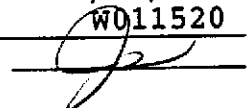
MICROFILMED

JUL 22 1994

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: A63-00148
Date Received: 3/21/1990
Receipt No: W011520
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOUTH BOISE WATER CO. 208-344-3035
Address: C/O A. H. CHATBURN, PRES.
1729 COLORADO
BOISE, ID 83706
2. Date of Priority: JUN 01, 1865
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N | 02E | 19 | SW | SW | SW | | ADA |
5. Description of diverting works:
DIVERSION DAM IN RIVER FOR CANAL W/DELIVERY VIA HEADGATE & DITCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 9.200 | | |
7. Total Quantity Appropriated is:
9.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 980.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	NW		IRR	4.9
			NE	SW		IRR	13.3
			NW	SW		IRR	2.4

A63-00148

Page 1

Date: 09/20/90

MICROFILMED

JUL 22 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	14	SW	SW		IRR	6.2
			SE	SW		IRR	19.1
			NE	SE		IRR	40.0
			NW	SE		IRR	3.0
			SW	SE		IRR	19.0
						Section Acres	107.9
		15	NE	NE		IRR	20.0
	NW		NE		IRR	40.0	
	SW		NE		IRR	4.1	
	SE		NE		IRR	2.4	
	NE		NW		IRR	40.0	
	NW		NW		IRR	1.0	
	NE		SW		IRR	40.0	
	NE		SE		IRR	2.0	
	NW		SE		IRR	1.5	
		SE	SE		IRR	0.6	
						Section Acres	151.6
		19	SW	SW		IRR	20.0
						Section Acres	20.0
						Total Acres	279.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
CLAIM NO. A63-00150.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00148

Date Received: ~~7/12/1989~~ 7/21/90

Receipt No: 606520

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOUTH BOISE WATER CO. 208-344-3035
Address: C/O A. H. CHATBURN, PRES.
1729 COLORADO
BOISE, ID 83706

2. Date of Priority: JUN 01, 1865

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02E	19	SW	SW	SW		ADA

5. Description of diverting works:
DIVERSION DAM IN RIVER FOR CANAL W/DELIVERY VIA HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	9.200		

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

8. Total consumptive use is 980.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02E	14	SW	NW		IRR	4.9
			NE	SW		IRR	13.3

A63-00148

Page 1

Date: 03/21/90

MICROFILMED

JUL 22 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
03N	02E	14	NW	SW		IRR	2.4	
			SW	SW		IRR	6.2	
			SE	SW		IRR	19.1	
			NE	SE		IRR	40.0	
			NW	SE		IRR	3.0	
			SW	SE		IRR	19.0	
			Section Acres					107.9
		15	NE	NE		IRR	20.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	4.1	
			SE	NE		IRR	2.4	
			NE	NW		IRR	40.0	
			NW	NW		IRR	1.0	
			NE	SW		IRR	40.0	
			NE	SE		IRR	2.0	
			NW	SE		IRR	1.5	
			SE	SE		IRR	0.6	
			Section Acres					151.6
		19	SW	SW		IRR	20.0	
			Section Acres					20.0
			Total Acres					279.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
CLAIM NO. A63-00150.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.
Decree Defendant

A63-00148

Page

2

Date: 03/21/90

MICROFILMED

JUL 22 1994

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0 *MARS ARE AVAILABLE FROM MR. CHATBURN AT OUR REQUEST.*

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of YOUTH BOISE WATER CO. that I have signed the foregoing
Title Organization

document in the space below as PRESIDENT of
Title

YOUTH BOISE WATER CO. and that the statements contained in the
Organization foregoing document are true and correct.

W. Chatburn, Pres.
Signature of Authorized Agent
South Boise Water Co
Title and Organization

3-21-90
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 90

Seal

Jan Thurtell
Notary Public

Residing at Mandarin ID
My Commission Expires 9-14-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5084
WATER RIGHT NO. 63-00148D

RECEIVED

MAY 06 1999

WATER RESOURCES
WESTERN REGION

This is to certify that: SOUTH BOISE WATER CO
1729 COLORADO AVE
BOISE ID 83706

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.05 CFS	9.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
ELK CREEK *	MORES CREEK

Priority: 06/01/1865 *

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 23, Township 06N, Range 05E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	05E	23	SWSE	2.7		2.7
Total number of acres irrigated:						2.7

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 5084
WATER RIGHT NO. 63-00148D

CONDITIONS OF APPROVAL AND REMARKS

6. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River and tributaries.
7. The right holder shall maintain a totalizing measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. The right holder shall maintain records of the total annual diversion of water for review by the watermaster and/or the department.
- * 9. Diversion of water from Elk Creek is limited to those times water is available for diversion under this right and priority from the original source, Boise River, at the Loggers Creek diversion.
- * 10. For water distribution purposes on Elk Creek, the priority date of this right is advanced to 05-06-1997 and shall be considered junior to all water rights with an earlier priority date.
11. Any check-dam constructed for the diversion of this right shall not exceed one-half of the width of the creek as defined by normal flow during the irrigation season.
12. Use of water under this right may be affected by an agreement between the protestant and the right holder.
13. Approval of this transfer does not authorize any expansion in the utilization of this water right.
14. If in the future additional uses are found to have been made which increase the rate of flow, volume diverted or volume consumptively used under this water right, then the additional uses will be immediately curtailed.
15. Place of use is known locally as Idaho City High School football field.

Dated this 12th day of April, 19 99.

A. M. Saxton
Chief, Water Allocation Bureau

look at R34-00269D to
assist in drafting SRBA
remarks for these two
conditions.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-269D V1

WATER RIGHT NUMBER: 34-269D V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	ESTATE OF WILLIAM M MILLER C/O GLEN RITTER PO BOX 1160 CHALLIS, ID 83226 (208)879-4553
Original Owner	JAMES P MCKELVEY PO BOX 240 MACKAY, ID 83251 (208)688-2200
Original Owner	MINNIE J GILL , ID
Current Owner	ALEX CHERIAN PO BOX 720 KETCHUM, ID 83340 (208)726-5781

Priority Date: 06/30/1897

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to	10/15	0.230 CFS	
	<u>Total Diversion:</u>		0.230 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	L4 NW1/4NW1/4	Sec. 5,	Twp 08N,	Rge 22E, B.M.
CUSTER County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	5					6.5	5.5											12.0
							1.3	1.4											

Total Acres: 12

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-269D V1

1. 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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 3 4-02456D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.37 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 42 AF.^^^
2. Priority Date PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS J UNIOR TO ALL OTHER RIGHTS DIVERTED ABOVE MACKAY RESERVOIR WITH A PRIORITY DATE BEFORE J ULY 21, 1997.^^^
3. Purpose of Use THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXT ENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 0 4-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER DISTRICT 34.^^^
4. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 3 4-02456D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.^^^
5. General DIVERSION OF WATER UNDER THIS RIGHT IS L IMITED TO THOSE TIMES WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION IN T07N, R24E, S18, SESWNE.^^^
6. Explanatory PROPERTY IS ALSO KNOWN AS LOTS 2, 3 AND 4 WINTERHAVEN SUBDIVISION.^^^

Comments:

1. DCARLSON 11/4/1997 COPIED FROM REMARKS
Comment: USE OF THIS RIGHT WITH RIGHT NO. 3 4-02456C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 25.0 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 10.0 ACRES IN A SINGLE IRRIGATION SEASON. WATER DELIVERED THROUGH THE STREETER DITCH. 0.04 CFS OF RIGHT NO. 34-02456C IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 3 4-02456C.
2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE (S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

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: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number: 34
 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

MEMORANDUM

TO: File 63-00148A

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5084 ^{alc}

DATE: March 30, 1999

Transfer 5084 changes the point of diversion, place of use and source under a portion of Right 63-00148A, splitting the right into Parts C and D. The applicant proposes to move 2.7 acres of irrigation from the Boise River to a diversion from Elk Creek (tributary to Mores Creek which is tributary to the Boise River) to provide irrigation for the Idaho City High School football field.

Season of use and diversion volume was adjusted to current standards at the new location. The change in source requires specific conditions regarding the availability of this right from the original source and priority. Additionally to resolve concerns by other Elk Creek users, the diversion from Elk Creek will have the advanced priority date of 05-06-1997 for distribution purposes and the check-dam will be limited in the total size.

Other recommended conditions include irrigation overlap, watermaster control, totalizing measuring device & lockable controlling works, maintaining annual records, previous transfer conditions including protest agreement, and standard transfer conditions.

Page 1 of 4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Transfer No. 5084

Name of Applicant South Boise Water Co. Phone 344-3035
Postal address % MR. Ace Chatman 1729 Colorado Ave City Boise St ID Zip 83706

A. PURPOSE OF THE TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other (split right to add pld + plw) under new priority

2. Describe reason for the proposed changes: Move 1865 Boise River upstream under new priority to provide irrigation of football field for Idaho Water City High School. This filing should resolve the problem first brought to IDWR's attention in August 1995.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment _____)

1.	Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use
	<u>63-00148D</u>	<u>5-6-1997</u>	<u>.054</u>	<u>Irrigation</u>	<u>4/15 to 10/15</u>
	<u>(IDaho city H.S. portion shown on this page)</u>				
					to _____
					to _____
					to _____

2. Total diversion rate/volume being transferred: .054 cfs and/or 12.2 ac-ft per annum

3. Source of water: ELK CREEK, tributary to: MORES CREEK (or ☐ see Attachment _____)

4. Points of diversion (or ☐ see Attachment _____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
<u>6N</u>	<u>5E</u>	<u>23</u>	<u>-</u>	<u>SW</u>	<u>SE</u>	<u>-</u>	<u>Boise</u>	<u>in M.S. 1483 = 1/2 mile</u>
								<u>North of Idaho City</u>

5. Lands irrigated or place of use (or ☐ see Attachment _____):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6N</u>	<u>5E</u>	<u>23</u>															<u>2.7</u>		<u>2.7</u>

Total acres 2.7

☐ Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment 1): for H.S. field
check dam in Elk Creek,
pumphouse, pump & buried machine to football field

b. Remarks (or ☐ see Attachment 1): City of ID City & ID City School District agree
that diversion in Elk Cr. to irrigate H.S. football field will not exceed a
check dam in excess of 1/2 of the creek width. This agreement will be a condition
of approval to prevent injury to city's downstream water right(s)

PLEASE READ THIS SECTION CAREFULLY

See city's 6/9/97
 letter & this
 - 82 4/23/98

Is there a current lien, mortgage or deed of trust on the property? Yes ☒ No
 If yes, please complete Part 2, item 6.

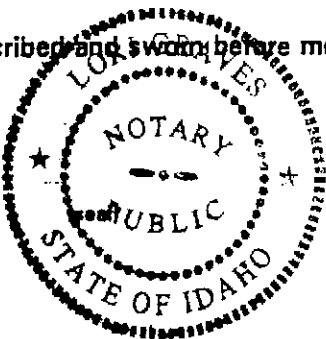
Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? Yes ☒ No
 If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

[Signature] (President)
 (Signature and Title of Applicant)

Subscribed and sworn before me on this 5th day of May, 1997.



[Signature]
 (Signature of Notary Public)

My commission expires: 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 45 attachments (A-D)

Received by [Signature] Date 5/6/97 Fee \$100

Received by [Signature] Date 11/13/95 # W020090 was paid in

payment completed ok → 4259 in which was go. to amend that earlier
 " Appl. - paid \$100 to amend - but withdrew amendment before

APPLICATION FOR TRANSFER OF WATER RIGHT ADDITIONAL DOCUMENTATION PART 2

Attachment
↓

ATTACHED (Required)

- ✓ 1. Copy of each right as presently recorded with IDWR (printout of water right or other acceptable record must include Conditions/Remarks). *Transfer 4259 in which 63-00148A (Company's base right) was re-configured.* = A

Complete the following items: prior consultation with IDWR staff is encouraged to simplify preparation (see "IDWR Information Sheet - Filing An Application For Transfer") as necessary for your transfer application. Label each supporting document as an attachment (A, B, etc.). Place a check mark by each item completed.

ATTACHED (enter "✓" or "N/A" for each item as advised by IDWR staff)

- N/A 2. Describe any other water rights used for the same purposes described in Part 2, item 1.
- N/A 3. Written description of present system and changes required to accommodate the proposed transfer.
4. Map(s) identifying township, range, section and 1/4-1/4 locations of pertinent items as follows:

- ✓ a) *proposed* water system showing the point of diversion, place of use, and any water conveyances such as ditches or pipelines; show irrigated acres per 1/4-1/4 if proposed; and = B

- N/A b) *unchanged* portion of water system showing point of diversion, place of use and any water conveyances such as ditches or pipelines.

- N/A c) include a system diagram of the items in 3a and 3b if this is not clear on the map(s).

- to do ✓ 5 Evidence of water right ownership for entire right or portion of right being transferred. If transferring a portion of right, provide the name and address of the owner (if not the applicant) of the unchanged portion of the right. *Completed 5/7/98*
will submit cc of shares sold = C + D

- * N/A 6. Notarized statement from holder of lien, mortgage, contract, deed of trust or any other encumbrance on the property agreeing to the transfer.

- N/A 7. Comments from county planning and zoning organization for county in which proposed water use will occur.

- N/A 8. Comparison between water right as recorded, Snake River Basin Adjudication (SRBA) claim as recorded or current water use practices if any differences exist between any of these three categories. Explain any differences and submit supporting evidence and/or affidavits to substantiate your explanation.

SRBA claim is made 63-10148A per T. 4259 - no additional SRBA work needed at this time
- continued on reverse side -

* Attachment C is release of shares from Huntington Apts. to Applicant

PART 2, CONTINUED

✓ completed
 9. Verification of diversion and beneficial use of water within the previous five year period. Some or all of the following items might apply:

- N/A a) most recent agricultural program crop map or aerial photo showing irrigated land before the proposed change
- ✓ b) pump power records
- ✓ c) water master records and/or comments if use is within a water district
- ✓ d) irrigation crop reports
- ✓ e) reports from other government agencies and/or qualified consultants
- ✓ f) affidavits from knowledgeable third parties familiar with the history of water use for the water right being transferred
- ✓ g) describe any defenses to forfeiture - CRP, extension of time, etc
- ✓ h) other....list other verification documentation for the water right below:

*Verification at Huntington Apts. in Boise completed
 by IDWR in 1995 - some of the water used on those
 that land will be moved upstream to Elk Creek.*

N/A 10. For a change in nature of use of part or all of the water right, complete and attach Part 3 of the transfer application.

✓ 11. Identify any other documentation that clarifies the transfer application:

*IDWR file information available at Western Region
 fully describes the situation.
 Attachment E is proof of mov. of land to which shares
 are moved & ID. city, received. 5/8/98.*

*Now included in
 this transfer file*

RECEIVED

APR 09 1997

TRANSFER NO. 4259
WATER RIGHT NO. 63-00148A

WATER RESOURCES
WESTERN REGION

(c) *

This is to certify that: **SOUTH BOISE WATER CO**
1729 COLORADO AVE
BOISE ID 83706

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	* 3.18 CFS *(3.126)	* 716.4 AF (704.2) *
<u>SOURCE</u>		<u>TRIBUTARY OF</u>	
BOISE RIVER		SNAKE RIVER	

Priority: 06/01/1865

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NWSE), Sec. 24, Township 03N, Range 02E
Lot 6(SWSW), Sec. 19, Township 03N, Range 03E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
03N	02E	10	SWSW	5.0	Lot 9 (SESW)	8.0	Lot 10 (SWSE)	4.0	
			Lot 11 (SESE)	2.0					19.0
		14	Lot 11 (SWNE)	5.0	Lot 8 (SWNW)	1.8	Lot 8 (SENW)	5.0	
			Lot 9 (NESW)	1.0	NWSW	2.6	SWSW	6.3	
			SESW	10.6	Lot 10 (NESE)	2.4	Lot 10 (NWSE)	8.8	
			SWSE	15.0			6.7 (NEW)		58.5
		15	Lot 6 (NENE)	10.0	Lot 5 (NWNE)	15.0	SWNE	2.4	
			SENE	2.5	Lot 4 (NENW)	14.0	Lot 3 (NWNW)	0.1	
			SENW	2.6	NESW	4.7	NESE	2.6	
			NWSE	2.4	SWSE	0.2	SESE	2.0	58.5
		23	NWNE	8.5	NENW	1.5	NWNW	0.6	10.6
		24	NWNW	3.6	SWNW	4.0	Lot 7 (SENW)	5.0	12.6

Total number of acres irrigated: 159.2

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.

ATTACHMENT
A
(3 pgs)

* proposed split:

A	✓ "C" for Compson	3.126 cts	704.25 AF	156.5 Acres
	✓ "D" to I.C. School	.054 cts	12.15 AF	2.7 Acres

Reduce 8.8 ac. to 6.1 ac. in NWSE S.14 c Boiss, move that water

TRANSFER NO. 4259
WATER RIGHT NO. 63-00148A

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4259 shall not exceed 3.18 cfs, nor total combined annual volume of 716.4 af.
9. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River and tributaries.
10. Approval of this transfer does not authorize any expansion in the utilization of this water right.
11. If in the future additional uses are found to have been made which increase the rate of flow, volume diverted or volume consumptively used under this water right, then the additional uses will be immediately curtailed.

Dated this 8th day of April, 1997

J. Glen Saylor
Chief, Water Alloc. Bureau

NOTE: 1 share SBWC does not equal a set amount
of water - varies with terrain per history
of company's policy. So possible to move
x shares & equal .054 cfs for 2.7 acres
(allowable rate per this transfer approval).
per 5/6/97 conv. with Ace Chabman in
office visit. - JZ

A2

MEMORANDUM

TO: FILE NO. 63-00148A
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4259
DATE: April 3, 1997

RECEIVED

APR 09 1997

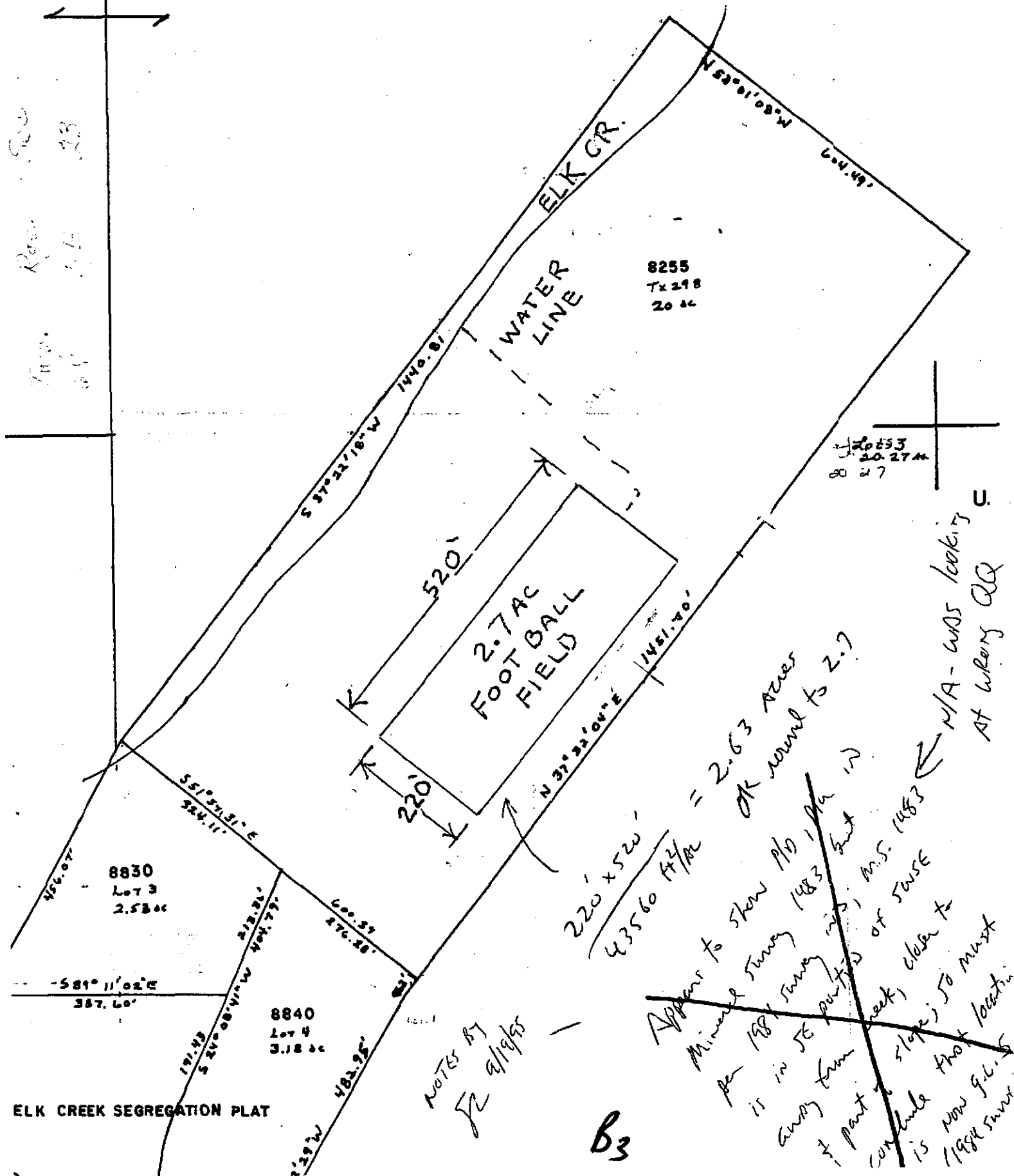
WATER RESOURCES
WESTERN REGION

Transfer No. 4259 proposed to add a point of diversion, change the place of use and change the nature & season of use under Right No. 63-00148A. The transfer approval includes irrigation use only, two diversion points and the confirmed irrigation of 159.2 acres.

Place of use was confirmed by region staff based on 1987 NAPP photo and the applicant supplied no additional information to demonstrate that more acres should be included. The rate is based on the rate of 0.02 cfs/acre or 3.18 cfs. 6.00 cfs is the portion of the right identified as abandoned, reflecting the development of the previously irrigated land over time.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, multiple points of diversion/measuring devices, future annual reporting, protest agreement/region conditions, irrigation overlap, right-of-way and standard transfer conditions.

ELK CREEK SEGREGATION PLAT





the
AL ANGELO
company

RECEIVED

NOV 13 1995

WATER RESOURCES
WESTERN REGION

404 E. 15th Street • Vancouver, Washington 98663-3451 • Phone (360) 694-3343 • FAX (360) 690-4430

October 31, 1995

A. H. Chatburn, President
South Boise Water Company
1729 Colorado Avenue
Boise, Idaho 83706

RE: The Huntington Apartments
Boise, ID

Dear Mr. Chatburn:

Thank you for bringing to our attention the membership we have in South Boise Water Company.

I assume the original owners of the Huntington joined your group when they built the apartment property, and we did not recall this.

Enclosed is our relinquishment and will offer non-financial support of your goals when called upon.

Thank you.

Very truly yours,

Craig E. Angelo

CEA:bg

Enc.

Attachment C
(2 pgs)

THIS FORM FURNISHED COURTESY OF:

151259

STEWART TITLE

BOISE COUNTY IDAHO SS

REQUEST OF

DATE 94 APR 12 PM 4:34

ARLENE C. KOLAR

BY *Dale York*

DEPUTY

FEE \$3.00

READ & APPROVED BY GRANTEE(S): *RL*

SPACE ABOVE THIS LINE FOR RECORDING DATA

{255A}

Order No.: 94-03-1993

WARRANTY DEED

FOR VALUE RECEIVED CHARLEY MORGAN AND WIFE VIRGINIA A. MORGAN,
HUSBAND AND WIFEGRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BASIN SCHOOL
DISTRICT NO. 72GRANTEE(S), whose current address is: P.O. BOX 128, IDAHO CITY, IDAHO 83631
the following described real property in BOISE County, State of Idaho, more particularly
described as follows, to wit:

A portion of Tract A of the Elk Creek Placer (Mineral Survey No. 1483) situated in Section 23, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Southwest corner of said Section 23, thence along the southerly line of said Section 23, N. 89°11'02" E., a distance of 2670.29 feet to a found brass cap monumenting the South ¼ corner of said Section 23, thence leaving said southerly line N. 00°14'54" W., a distance of 838.47 feet to a found aluminum cap monumenting Corner No. 4 of said Mineral Survey No. 1483, said aluminum cap being the real point of beginning. Thence S. 51°59'31" E., a distance of 600.39 feet to a set steel pin on the easterly line of said Mineral Survey No. 1483, thence along the boundary of said Mineral Survey No. 1483 the following courses:

N. 37°32'04" E., a distance of 1451.70 feet to a found aluminum cap monumenting Corner No. 2 of said Mineral Survey No. 1483, thence N. 53°01'08" W., a distance of 604.49 feet to a found aluminum cap monumenting Corner No. 3 of said Mineral Survey No. 1483, thence S. 37°22'18" W., a distance of 1440.90 feet to the real point of beginning.

Same description as joint lot plat in Attachment B (P. 82) - JL 5/12/98

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-12-94

Charley Morgan
CHARLEY MORGAN

Virginia A. Morgan
VIRGINIA A. MORGAN

Page 1 of 6

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 4259

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant South Boise Water Co. Phone 344-3035

Post Office address 1729 Colorado Ave., Boise ID 83706

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other SEASON OF USE.
2. Describe the reason for the proposed changes To record certain changes in the service area of the water company.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|-----------------|--------------------|-------------------|-----------------------------|
| <u>63-00148A</u> | <u>6-1-1865</u> | | <u>Irrigation</u> | <u>3-15</u> to <u>11-15</u> |
| | | | | to |
| | | | <u>Aesthetic</u> | <u>1-1</u> to <u>12-31</u> |
| | | | | to |
2. Total amount of water being transferred 9.18 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Boise River tributary to Snake River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
05		NW	SE	24	3N	2E	Ada	Per transfer No. 3918 - 2 points of diversion for Loggers Creek.
06		SW	SW	19	3N	3E	"	

5. Lands irrigated or place of use: See land list attachment. Attachment A *

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	2E	24						0.1	4.0	4.5									8.6
										Lot 7									

* Irrig. Acres After Transfer

Total acres 8.6

PART 1**6. General Information:**

- a. Description of diversion system Gated concrete diversion dam to Loggers Creek. Various
canals, ditches, and pipelines from Loggers Creek.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
New owners of previously served lands have relinquished their water entitlements
to the Water Company. The new owners will develop the lands for urban uses.
- d. Remarks: Due to the effects of urbanization, a significant portion of the original Decreed water right has gradually changed from irrigation to aesthetic uses. This change is reflected in the claim filed by the water company in the Snake River Basin Adjudication.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 63-00148A Decreed to A. Rossi and W. H. Ridenbaugh
in case of Farmers Coop. Ditch Co. vs. Riverside Irrigation District
dated 1-18-1906 in 7th. Judicial Dist. county of Canyon
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. SRBA--A63-00148 on file with the Idaho Department of Water Resources.
- d. Transfer No. 3918 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Boise River tributary to Snake River

4. Date or priority 6-1-1865

5. Water is used for the following purpose:

amount 9.18 for Irrigation purposes from Not specified in Decree.
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 9.18 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
05		NW	SE	24	3N	2E	Ada	Per transfer No. 3918 -- 2 points
								of diversion for Loggers Creek.
06		SW	SW	19	3N	3E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	2E																		

Not specified in decree
Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

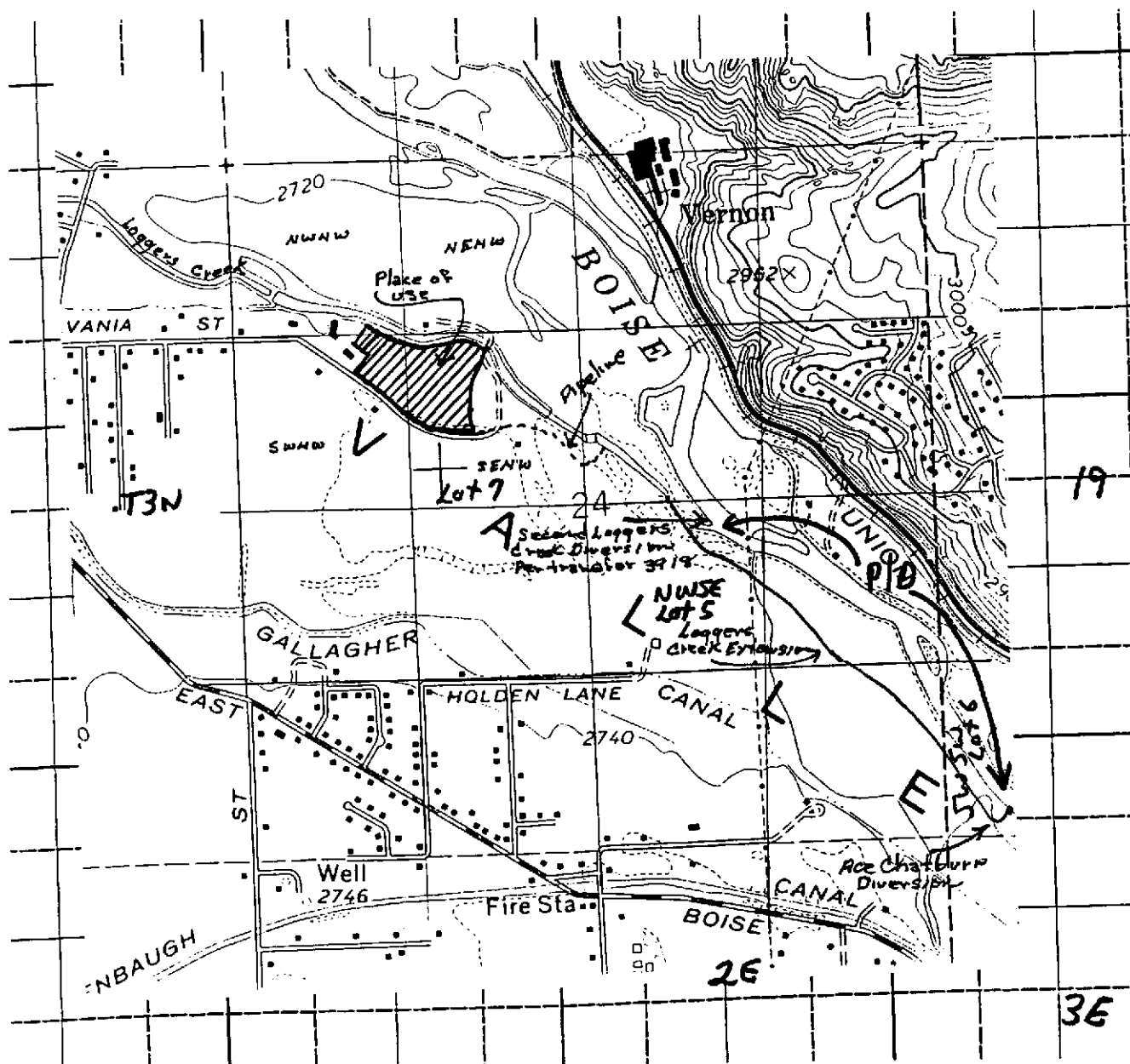
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Aesthetic</u>		<u>As water availability allows.</u>	<u>1-1 to 12-31</u>
				<u>to</u>

2. Quantity and quality of return flows and location of discharge:

All water not used for irrigation will be returned to Loggers Creek in the NWNW of
Section 24, T3N, R2E, BM.

- 3. Describe effects on other water uses resulting from the proposed change:** Many of the lands to which the Decree applied have ceased to use water for irrigation because of urban development.
Use of the water has changed over the years from irrigation to aesthetic use, with
most of the water being returned to the Boise River system after running through the
ditches and ponds within the water company service area.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

South Boise Water Co
by A. Chatham, Pres.
 (Signature of Applicant)

Subscribed and sworn to before me this 16th day of November, 19 93.

E. J. Thomas
 (Notary Public)

My commission expires 1-11-97

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by SL Date 11/18/93 Protest filed by _____

Prelim. check by SL Fee \$50

Receipted by SL Date 11/18/93 # W016961

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

PART 1

6. General Information:

a. Description of diversion system at new pln - pump, storage tank, sprinkler system

at old pln - headgate & ditch

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The Boise site at 406 Warner St. was last irrigated with river water in 1990.
Now it is - and will continue to be - irrigated via a pressurized system from
a well. The yard has been allotted 2 shares (.02 cfs) by the
water company.

d. Remarks:
 ① The proposed source is locally known as Johnson Creek.
 ② Use of water under the proposed change shall have a date of
priority of 8/14/1987. by agreement. Priority = 63-10528 fee priority.
 ③ The rate of flow, diversion volume, and consumptive volume are subject to change

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES based on SRAA Recommendations.

This is to certify that I have examined Application for Transfer of Water Rights No. 63-00148B

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 17TH day of APRIL, 19 92

P. Karl Higgins
 DIRECTOR

MICROFILMED

JUL 22 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (Also see SRBA claims A63-00148 and A63-00150)
Attachment I Attachment K

1. Right evidenced by:

- a. Decree No. 63-00148 Decreed to W. H. Ridenbaugh & A. Rossi
in case of Farmers' Coop Ditch Co. vs. Riverside Irrigation District
dated 1/18/1906 in 7th Juv. Dist. Court county of Canyon
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Boise River tributary to Snake River

4. Date or priority 6/1/1865

5. Water is used for the following purpose:

amount 9.20 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 9.20 cubic feet per second, and/or _____ acre-feet per annum.

7. Point(s) of Diversion: NOTE: WATER IS WITHDRAWN FROM RIVER VIA LOGGERS CREEK. WATER IS DIVERTED FROM LOGGERS CREEK VIA ROSSI MILL DITCH.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
				24	3N	2E	Ada	a point on the south side of river but Q&Q not specified in decree

8. Lands irrigated or place of use:

Twp.	Rge.	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	
3N	2E	—																	
			Sections and Q&Q not specified in decree																

MICROFILMED

JUL 22 1994

Total acres NOT in decree

9. Describe any other water rights used for the same purpose as described above _____

63-00150 (per SRBA claim but not per decree)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

PARTS B & C completed to show land from which water will be moved.

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .02 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

DOES NOT INCLUDE pld in L.6 (SWNE) S.24 which is for short channel while does not route water to Rossi mill Ditch. Points below will deliver water

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion to Rossi mill Ditch
05		NW	SE	24	3N	2E	Ada	Loggans Crk
06		SW	SW	19	3N	3E	Ada	S.24 is older pld & S.19 is newer pld as outlined in transfer

3. Lands irrigated or place of use:

#3652 (pending) (held at S.O.)

Twp.	Rge.	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	
3N	2E	14												.25					.25

PER SRBA claim A63-00148; confirmed this 1/4 acre irrigation per 12/20/91 site visit (Attachment F).

Total acres .25

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 9.18 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
05		NW	SE	24	3N	2E	Ada	as in B2 above, Loggans
06		SW	SW	19	3N	3E	Ada	Crack & then Rossi mill Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	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	
3N	2E	14							2.8		2.9				2.10	2.10			107.65
									4.9		13.3	2.4	6.2	18.85	40	3	19		
		15	2.6	2.5	4.1	2.4	2.4	2.3			40				2	1.5	.6		751.6
			20	40			40	1											
		19											2.4						20
													20						

AS shown, SRBA claim A63-00148

Total acres 279.25

MICROFILMED
JUL 22 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Transfer from :

See map #1 (Attachment B)

Transfer to :

See map #2 (Attachment C)

MICROFILMED

JUL 22 1994

PART 3**B. CHANGES IN NATURE OF USE**N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval. *Chairman*

A. Chatterjee (Signature of Applicant) *(President)*
South Boise Water
Compan.

Subscribed and sworn to before me this 30 day of December, 19 91.

Kori Harris

(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 13 attachments

Received by *SL* Date 12/30/91 Protest filed by None

Prelim. check by *JH* Fee \$30.00

Receipted by *SL* Date 12/30/91 # W013967

Published in *Idaho World Idaho Statesman* Copies of protest forwarded by N/A

Pub. dates *1/15 & 1/22/1992* *1/16 & 1/23/1992* Hearing held by _____ Date _____

Watermaster recommendation requested on *2/20/92* Recommended for ☒ approval ☐ denial

_____ rec'd. 3/6/92 by *DBT*

Copy of transfer sent to lien holder _____

MICROFILMED**JUL 22 1994**

CONDITIONS OF APPROVAL
Transfer of Water Right No. 63-00148B

1. Approval of this transfer is subject to the requirements of the Order dated April 17, 1992.
2. The date of priority of this right is advanced to August 14, 1987 in relation to other Johnson Creek rights. The date of priority in relation to water rights of the Boise River is June 1, 1865.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

MICROFILMED

JUL 22 1994

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-00148D

2003 OCT 14 AM 10:41

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: SOUTH BOISE WATER COMPANY
PO BOX 6005
BOISE, ID 83707

SOURCE: ELK CREEK TRIBUTARY: MORES CREEK

QUANTITY: 0.05 CFS
9.50 APY

PRIORITY DATE: 06/01/1965

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO
ALL OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A PRIORITY DATE
BEFORE 05-06-1997.

POINT OF DIVERSION: T06N R05E S23 SWSE Within Ada County

THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE), SEC. 23,
T06N, R05E.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-15	0.05 CFS
		9.50 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Boise County
T06N R05E S23 SWSE 2.7
2.7 Acres Total

THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO WITHIN TRACT A
(SWSE), SEC. 23, T06N, R05E.

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY DATE OF
THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE SOUTH
BOISE WATER COMPANY ON LOGGERS CREEK.

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. I.C. SECTION 42-1412(6).

06/24/2003

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

RIGHT NUMBER: 63-148D

NAME AND ADDRESS: SOUTH BOISE WATER CO
PO BOX 6005
BOISE ID 83707

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.050 CFS
9.500 AFY

PRIORITY DATE: 06/01/1865

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO ALL
OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A PRIORITY DATE BEFORE
05-06-1997.

POINT OF DIVERSION:

T06N R05E S23 SWSE Within ADA County

THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE), SEC.23, T06N, R05E.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.050 CFS 9.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S23 SWSE 2.7

2.7 ACRES TOTAL

THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO WITHIN TRACT A
(SWSE), SEC.23, T06N, R05E.

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY
DATE OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE
SOUTH BOISE WATER COMPANY ON LOGGERS CREEK.

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: Decreed

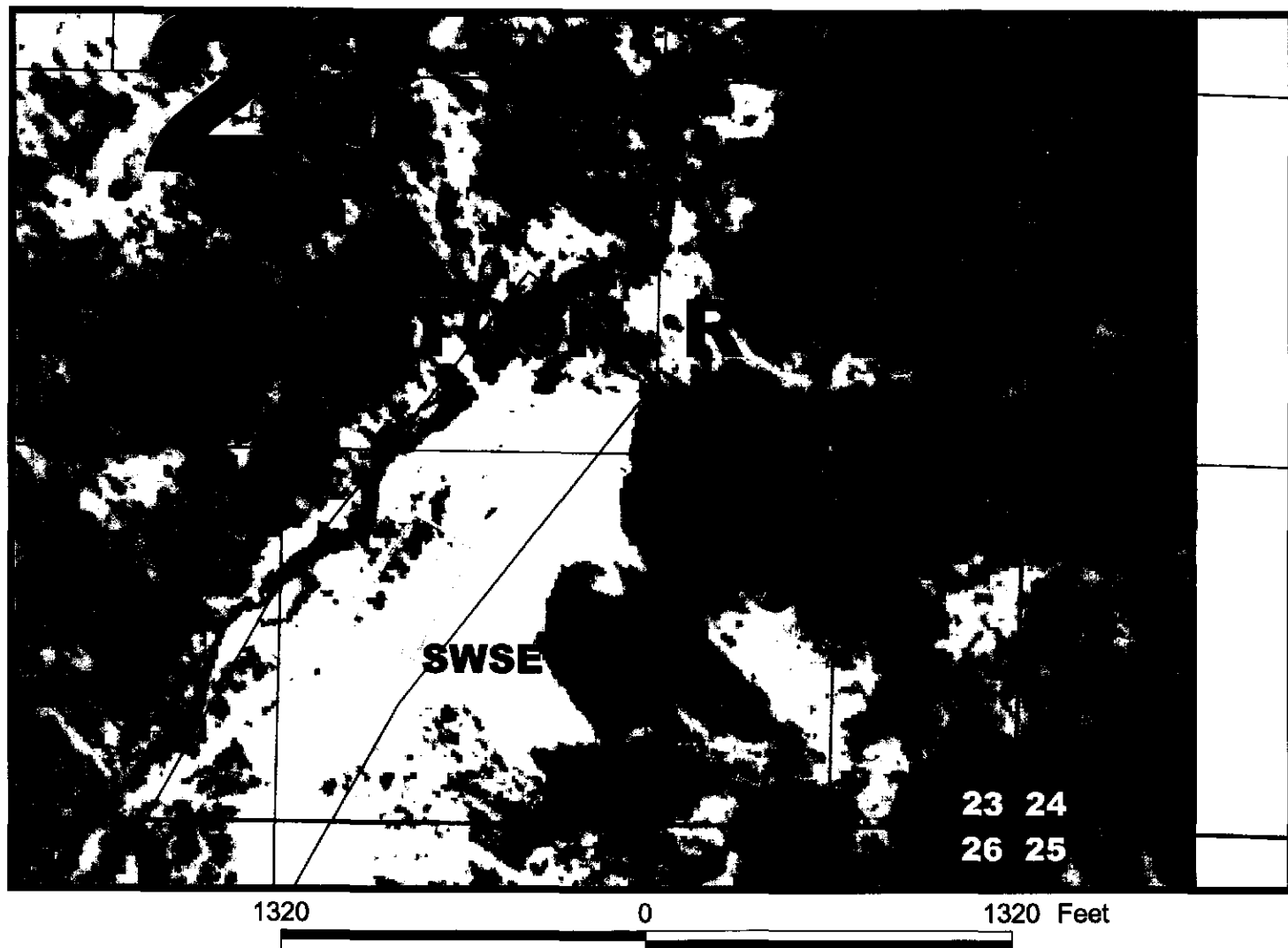
PLACE OF USE ALSO KNOWN LOCALLY AS IDAHO CITY HIGH SCHOOL
FOOTBALL FIELD.



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-00148D



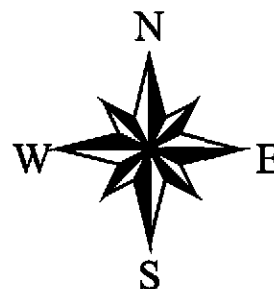
Irrigated Acreage: 2.7

● Point(s) of Diversion

Place of Use

Quarter Quarter Lines

Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2003

RECEIVED

JUN - 6 2003

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

) Subcase No. 63-00148D

)

) **Standard Form 5**

Case No. 39576

)

) **STIPULATED ELEMENTS
OF A WATER RIGHT**

)

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

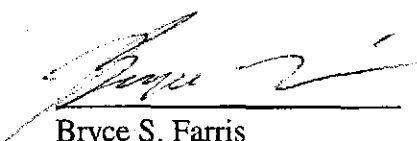
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

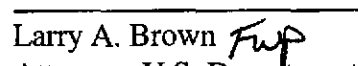
South Boise Water Co.

OBJECTOR:

United States on behalf of the
Bureau of Land Management

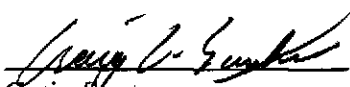

Bryce S. Farris
Of Attorneys for Claimant

6/4/03
Date


Larry A. Brown
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

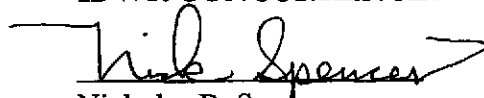
Date

IDWR CONCURRENCE:


Craig Saxton
Senior Water Resource Agent

6/10/03
Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General

6-10-03
Date

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

RIGHT NUMBER: 63-148D

NAME AND ADDRESS: SOUTH BOISE WATER CO
PO BOX 6005
BOISE ID 83707

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.050 CFS
9.50 AFY

*Fwp SBF NBS
415*

PRIORITY DATE: 06/01/1865

✓ PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS
JUNIOR TO ALL OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A
PRIORITY DATE BEFORE 05-06-1997.

POINT OF
DIVERSION: T06N R05E S23 SWSE Within ADA County

THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE),
SEC.23, T06N, R05E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04/15 10/15	0.050 CFS 9.50 AFY

✓ THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY
BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS
OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15
UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County
T06N R05E S23 SWSE 2.7

THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO WITHIN
TRACT A (SWSE), SEC.23, T06N, R05E.

2.7 ACRES TOTAL

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

✓ DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE
TIMES WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY
DATE OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE
SOUTH BOISE WATER COMPANY ON LOGGERS CREEK.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
✓ ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

✓ PLACE OF USE ALSO KNOWN LOCALLY AS IDAHO CITY HIGH SCHOOL
FOOTBALL FIELD.

*Fwp SBF NBS
CLS*

CERTIFICATE OF MAILING

I certify that on _____, 2003 mailed the original and copies of this form, including all attachments, 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. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Signature of person or attorney mailing the form

Craig

RECEIVED

JAN 31 2003

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 63-00148D

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B

NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: South Boise Water Co.

Address: P.O. Box 6005; Boise, Idaho 83707

Name: c/o Barbara Garrett, Secretary

Address:

Name:

Address:

Name:

Address:



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: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

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



REASONS SUPPORTING OBJECTION(S):

The legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land.

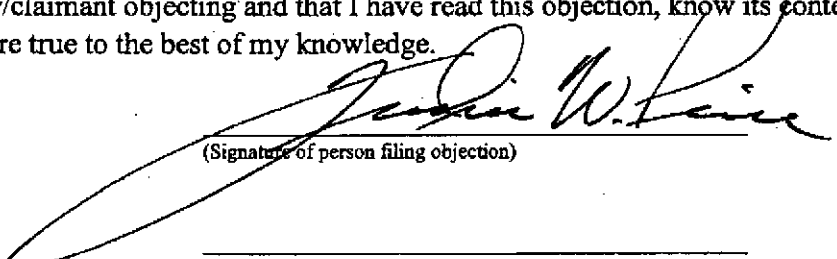
F

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

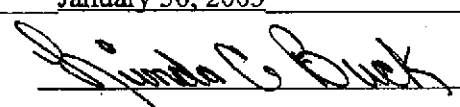
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003

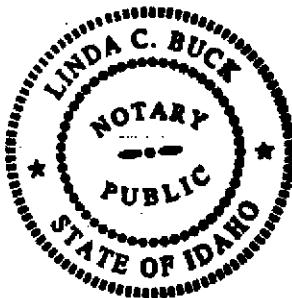


Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005



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 January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

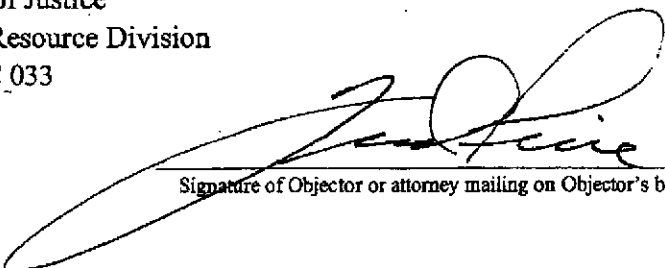
Name: South Boise Water Co.
Address: P.O. Box 6005; Boise, Idaho 83707
Name: c/o Barbara Garrett, Secretary
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Signature of Objector or attorney mailing on Objector's behalf

02/21/2002

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

RIGHT NUMBER: 63-148D
NAME AND ADDRESS: SOUTH BOISE WATER CO
BARBARA GARRETT SECRETARY
PO BOX 6005
BOISE ID 83707

MIXED OWNERSHIP

-THE POD AND POU IDENTIFIED BELOW
CONTAIN BOTH PRIVATE AND PUBLIC LANDS.

-CLARIFY THE POD AND POU SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.

TRIBUTARY: MORES CREEK

SOURCE: ELK CREEK

QUANTITY: 0.05 CFS
9.5 AFY

PRIORITY DATE: 06/01/1865

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO ALL
OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A PRIORITY DATE BEFORE
05-06-1997.

POINT OF DIVERSION:

T06N R05E S23 SWSE Within ADA County BLM/PVT

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/15 10/15

QUANTITY

0.050 CFS.

9.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL
15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED
FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within BOISE County

T06N R05E S23

SWSE

2.7

BLM/PVT

2.7 ACRES TOTAL

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY DATE
OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE SOUTH
BOISE WATER COMPANY ON LOGGERS CREEK.
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: Decreed

PLACE OF USE ALSO KNOWN LOCALLY AS IDAHO CITY HIGH SCHOOL
FOOTBALL FIELD.

THE POD REPRESENTS MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER POINT
OF DIVERSION WOULD RESOLVE BLM'S OBJECTION TO POD;

THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE), S23, T06N, R05E.

THE POU REPRESENTS MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER PLACE
OF USE WOULD RESOLVE BLM'S OBJECTION TO POU;

THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO TRACT A (SWSE), S23, T06N, R05E.

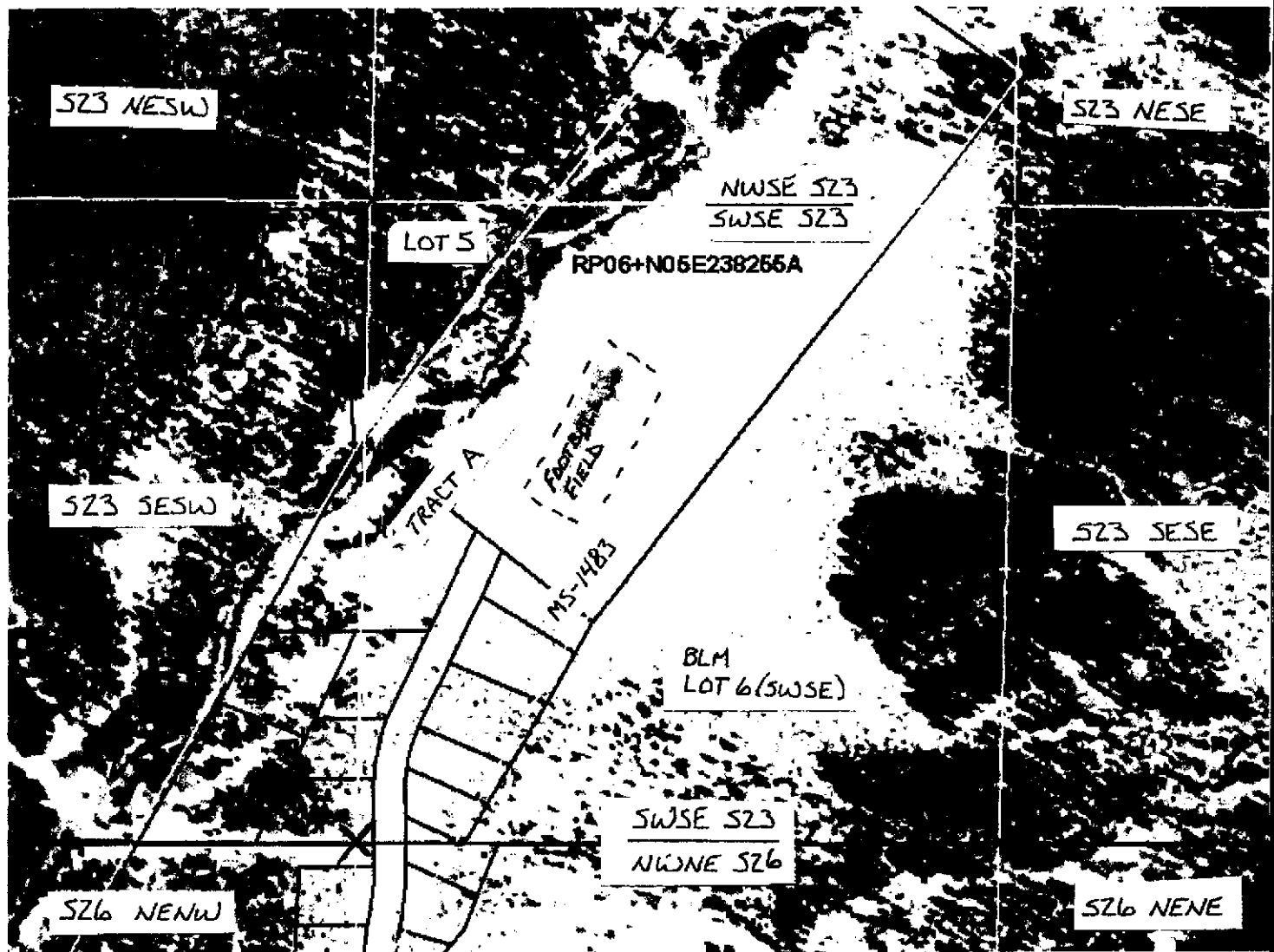
ATTACHMENT #1
63-00148D

IDWR
SHAPE FILE

(AS ANNOTATED
BY FRED PRICE)

63-00148D SOUTH BOWSE WATER CO.

T06N R05E



THE ACTUAL LEGAL LAND DESCRIPTION THAT DESCRIBES THE FOOTBALL FIELD WOULD BE T06N, R05E, SZ3, TRACT A, B.M.

THE WAY TO DESCRIBE THE LOCATION WITHIN THE LIMITS OF IDWR'S SYSTEM WOULD BE TO INCLUDE CLARIFYING REMARKS UNDER THE POD & POL ELEMENTS AS FOLLOWS:

POD: "THE POINT OF DIVERSION RESIDES WITHIN TRACT A (SWSE), SZ3, T06N, R05E."

POL: "THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO WITHIN TRACT A, SZ3, T06N, R05E."

ATTACHMENT #2
63-00148D

USGS
7.5 QUAD MAP

T06N R05E



FOREST SERVICE TOCANA

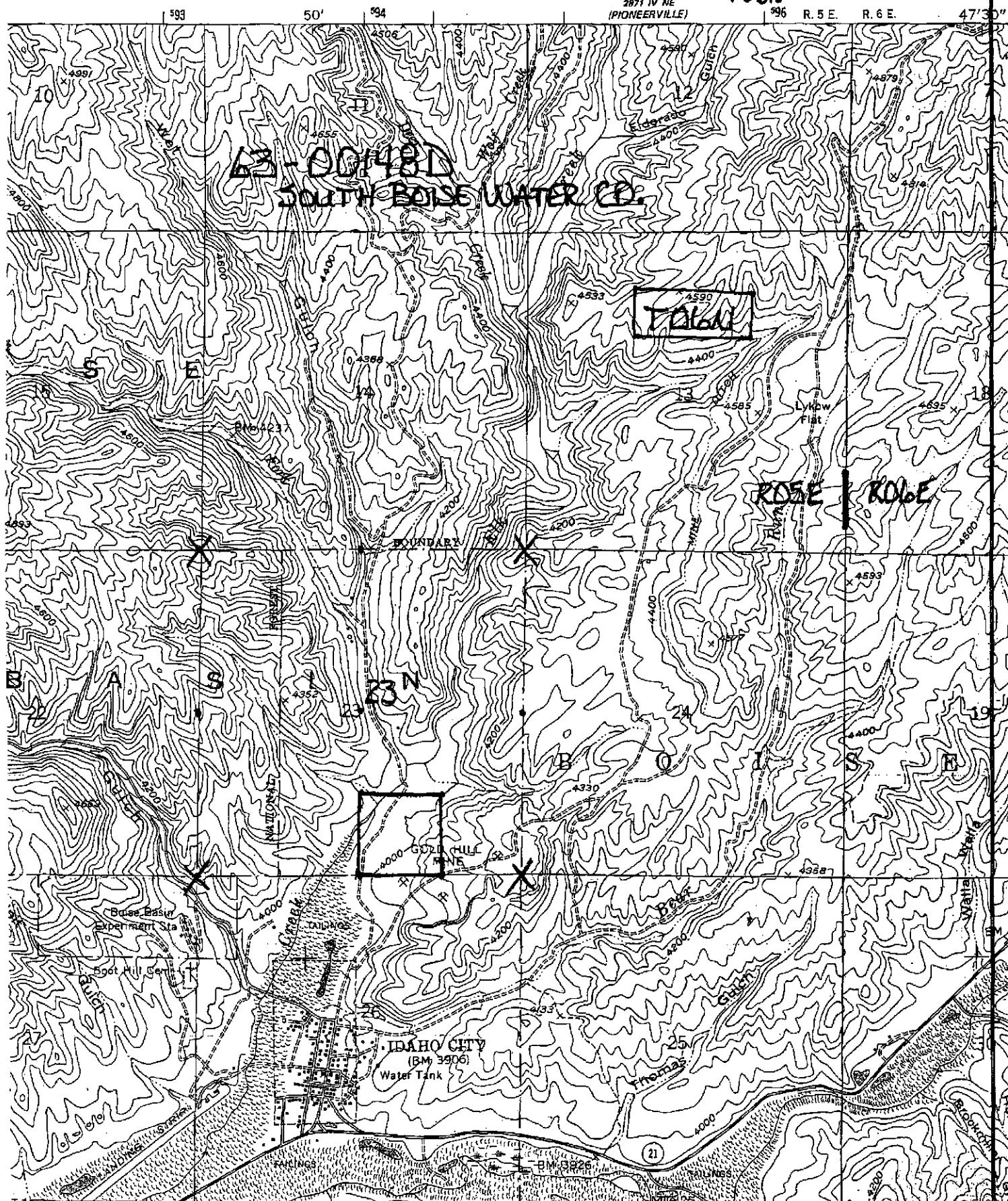
2871 IV NE
(PIONEERVILLE)

59

R 5 F

REF

47'30"



ATTACHMENT #3
63-00148D

BLM
MASTER TITLE PLAT (MTP)

T06N R05E

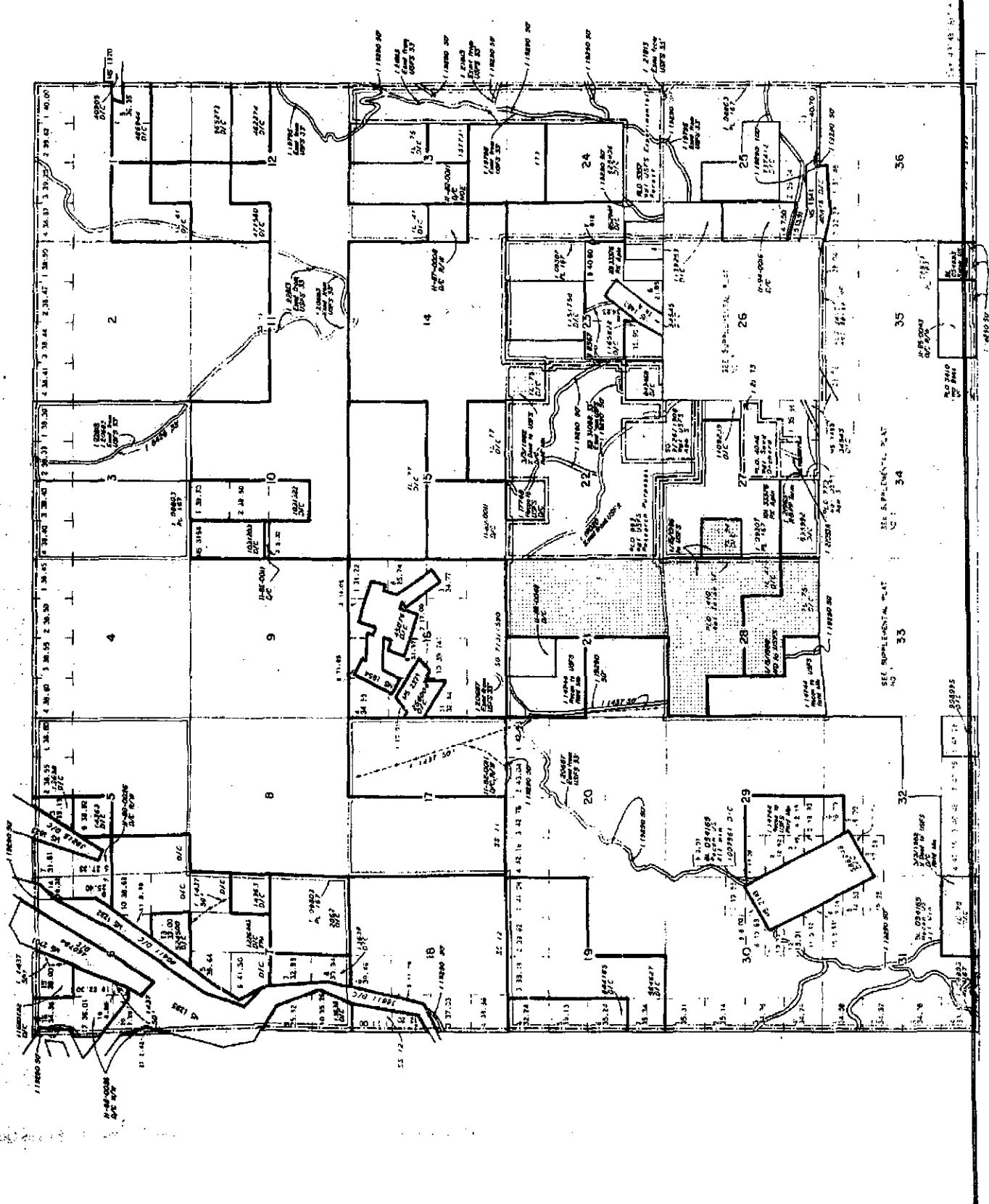
[illegible]

BOISE DISTRICT SEC 3
BOISE COUNTY SEC 35

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	ORIGINAL SURVEY		
T	R	SEC	SUBDIVISION



Howerton, Ron

From: Joe_Hess@blm.gov
Sent: Friday, January 17, 2003 9:44 AM
To: Howerton, Ron
Subject: Re: Forward jpeg

Thanks a lot. I think that this is all we need. I appreciate all your help from yesterday and today. Sorry to be trouble. Thanks again and have a great weekend.

-Joe Hess

Howerton, Ron

From: Howerton, Ron
Sent: Friday, January 17, 2003 9:35 AM
To: 'Joe_Hess@blm.gov'
Cc: Howerton, Ron
Subject: Forward jpeg



63-148ddoq.jpg

Joe,

Joe_Hess@blm.gov
↑
KEITH HESS'S
NEPHEW
373-3816

Here is a Jpeg of area shows parcel No. RP06+N05E238255A. The file you copied shows a drafted map in it that matches this photo.

Hope this will clarify....

Thank you,

Ron Howerton
Senior Water Right Agent
Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705
(208) 334-2190
rhowerto@idwr.state.id.us

-----Original Message-----

From: Joe_Hess@blm.gov [mailto:Joe_Hess@blm.gov]
Sent: Friday, January 17, 2003 9:28 AM
To: Howerton, Ron
Subject: Re:

Hello. For some reason I did not get that second e-mail. The internet is oft a fickle mistress. Here is my e-mail address again, JOE_HESS@BLM.GOV. I tried calling a couple times, but the Office number was busy. Thanks again for the help with this. Take care and have a great day.

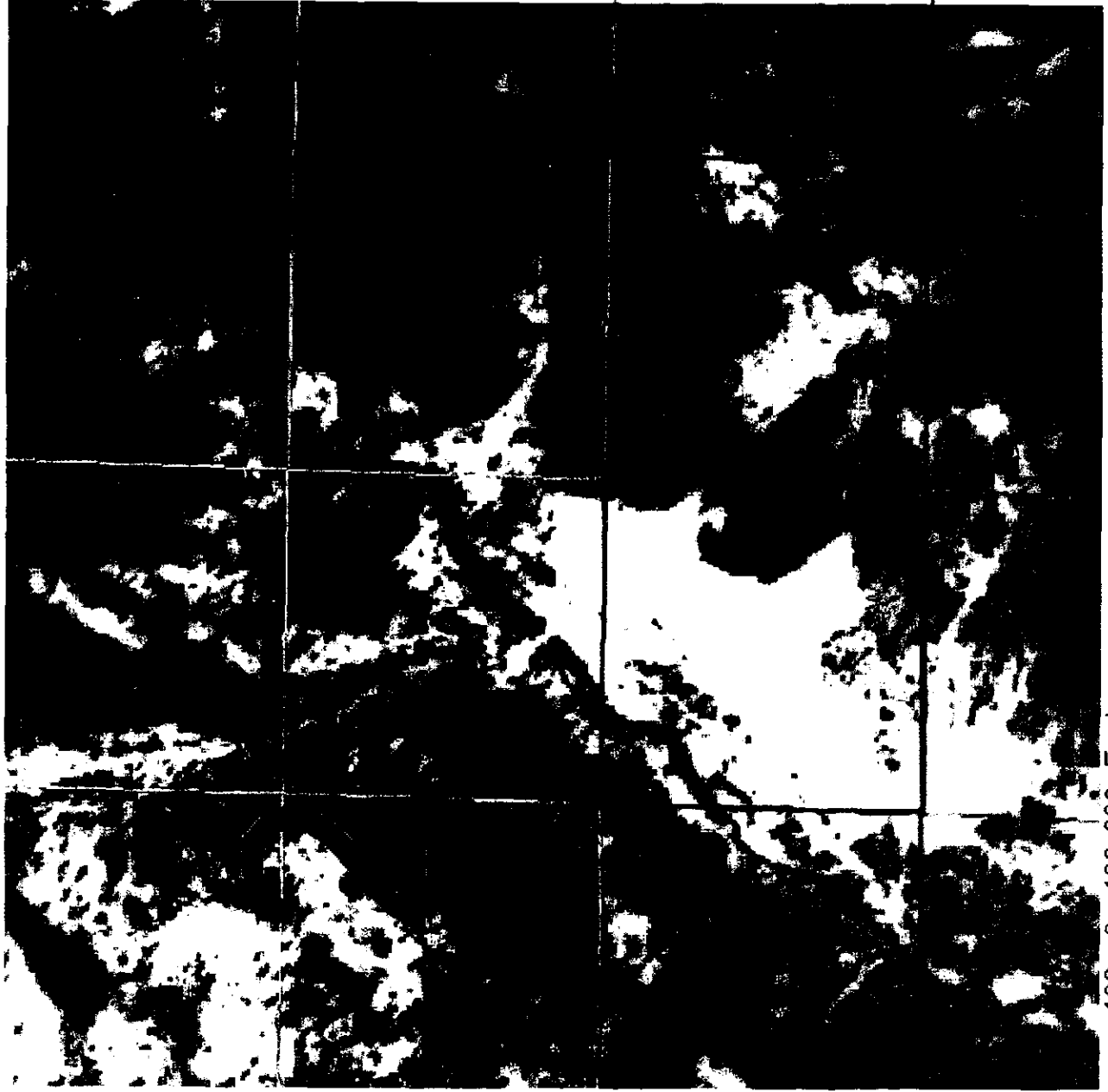
-Joe Hess

RP06+N05E238255A

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-148D
T06N, R05E, Sec 23
Prepared by: Maria Minicucci
February 12, 2002

- ☐ Place of use
- ☒ Point of diversion
- ☐ Section Lines
- ☐ Quarter quarter lines



400 0 400 800 Feet



02/21/2002

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

RIGHT NUMBER: 63-148D

NAME AND ADDRESS: SOUTH BOISE WATER CO
BARBARA GARRETT SECRETARY
PO BOX 6005
BOISE ID 83707

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.05 CFS
9.5 AFY

PRIORITY DATE: 06/01/1865

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO ALL
OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A PRIORITY DATE BEFORE
05-06-1997.

POINT OF DIVERSION:

T06N R05E S23 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.050 CFS 9.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL
15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED
FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S23 SWSE 2.7

2.7 ACRES TOTAL

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY DATE
OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE SOUTH
BOISE WATER COMPANY ON LOGGERS CREEK.
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: Decreed

PLACE OF USE ALSO KNOWN LOCALLY AS IDAHO CITY HIGH SCHOOL
FOOTBALL FIELD.

02/20/2002

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

RIGHT NUMBER: 63-148D

NAME AND ADDRESS: SOUTH BOISE WATER CO
BARBARA GARRETT SECRETARY
PO BOX 6005
BOISE ID 83707

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.05 CFS
9.5 AFY

PRIORITY DATE: 06/01/1865

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR TO ALL
OTHER RIGHTS DIVERTED FROM ELK CREEK WITH A PRIORITY DATE BEFORE
05-06-1997.

POINT OF DIVERSION:

T06N R05E S23 SWSE Within ADA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.050 CFS 9.50 AFY

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S23 SWSE 2.7

2.7 ACRES TOTAL

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY DATE
OF THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION FOR THE SOUTH
BOISE WATER COMPANY ON LOGGERS CREEK.
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: Decreed

PLACE OF USE ALSO KNOWN LOCALLY AS IDAHO CITY HIGH SCHOOL
FOOTBALL FIELD.

Scode 4/1/10/31

63-148 B
C
D
63-150

RECEIVED
JUL 12 2001
WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

Handwritten signature

SOUTH BOISE WATER CO
1725 60th STREET
BOISE, ID 83705

P.O. Box 6005
83707

Secretary → Barbara Ganett @ 344-7780

ALPINE 83705

Handwritten address/zip

Per phone conv.
w/ Ace Chaborn

7-12-01

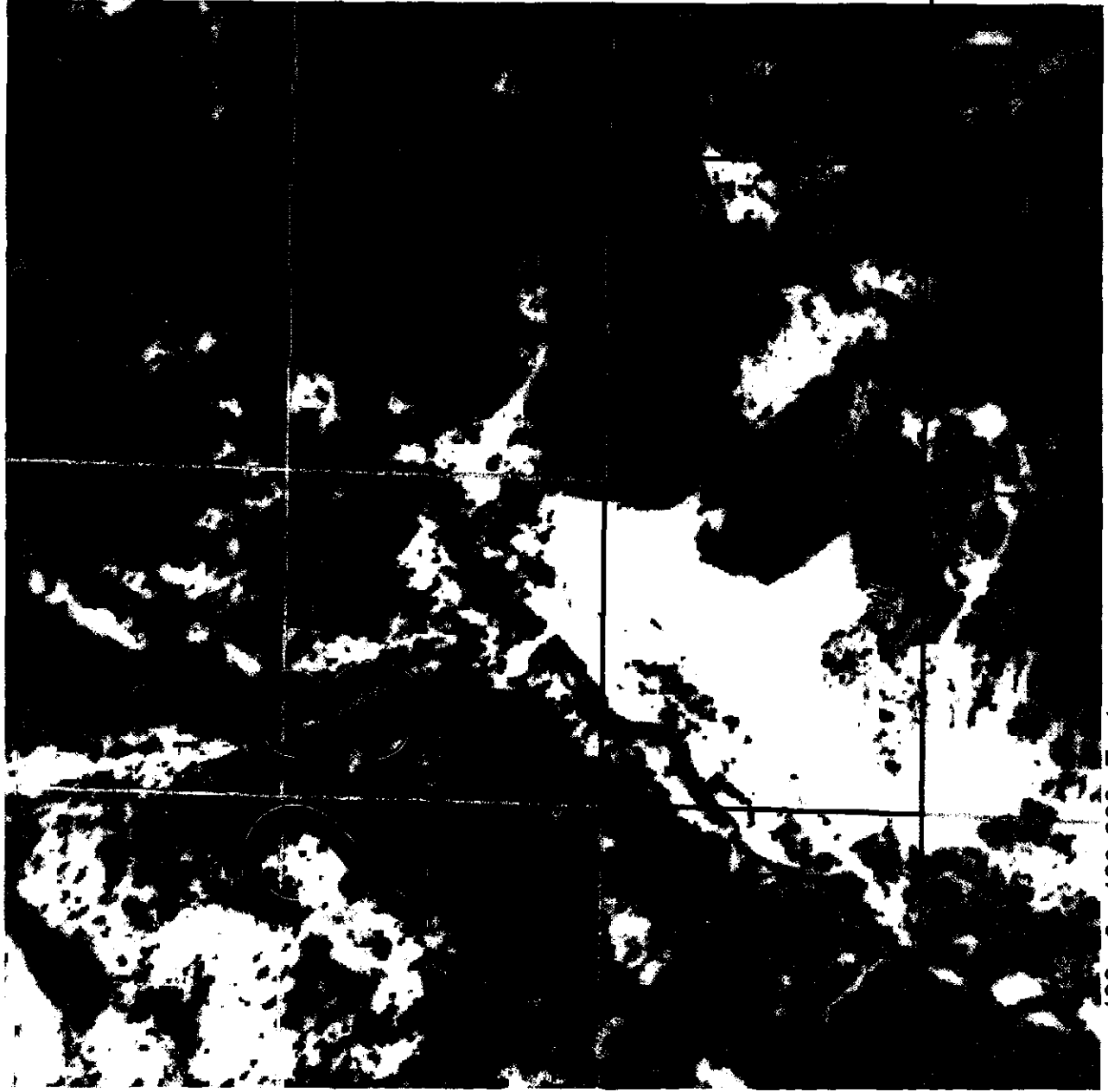
Elden Moors @ 344-2800
(water master)

President → Barry Eschen

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-148D
T06N, R05E, Sec 23
Prepared by: Maria Minicucci
February 12, 2002

- ☐ Place of use
- ☒ Point of diversion
- ☐ Section Lines
- Quarter quarter lines



400 0 400 800 Feet