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AUG 6 4 2009

DEPARTMENT OF
WATER RESOURCES

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Erika E. Malmen
EMAIL: EMalmen@perkinscoie.com

August 3, 2009

VIA U.S. MAIL

Ms. Andrea Courtney, Esq.
Deputy Attorney General
Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

Re: **City of Boise Water Right No. 63-05354 / Client-Matter No. 31699-0004**

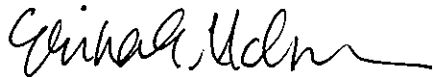
Andrea
Dear Ms. Courtney:

Pursuant to our phone conversation, I am enclosing for your review the following documents:

1. 1958 aerial photograph;
2. 1939 aerial photograph;
3. 1938 Parcel Map;
4. 1985 Water Rights Proof Reading report; and
5. Ada County original Patent Map showing approximate settlement dates.

Two issues that we discussed include maximum diversion rate(s) and a possible AFA limitation. I included the Water Rights Proof Reading report to address diversion rate capabilities. My calculation indicates that a diversion rate of .18 cfs translates into approximately 130.32 AFA. Please verify my calculation and give me a call once you've had an opportunity to review the enclosed materials. Many thanks for your cooperation.

Very truly yours,



Erika E. Malmen

EEM:kjg
Enclosures

cc: Matt Wilde, City of Boise (w/encls.)

31699-0004/LEGAL16610036.1

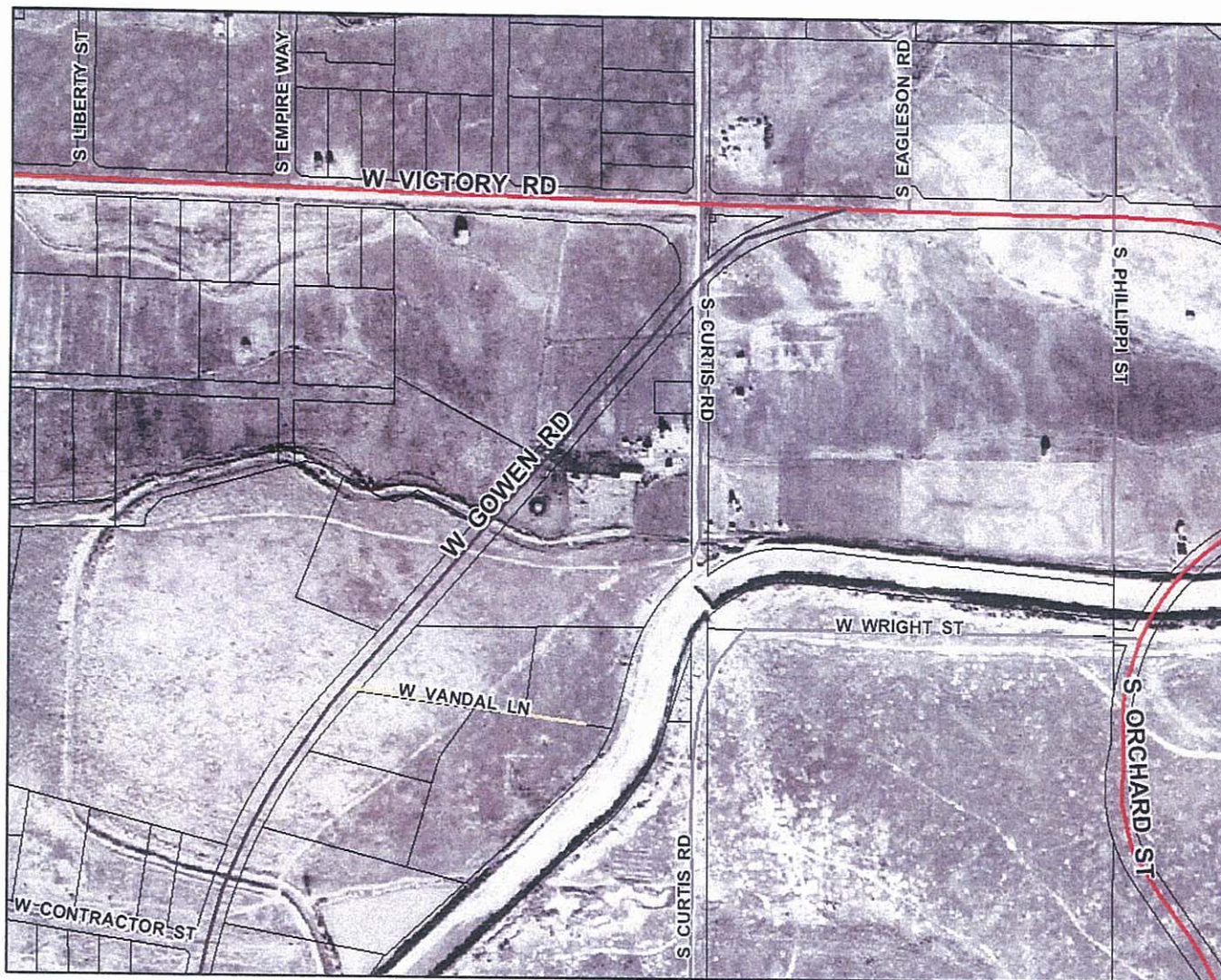
ANCHORAGE • BEIJING • BELLEVUE • BOISE • CHICAGO • DENVER • LOS ANGELES • MADISON
MENLO PARK • PHOENIX • PORTLAND • SAN FRANCISCO • SEATTLE • SHANGHAI • WASHINGTON, D.C.

Perkins Coie LLP and Affiliates



NENE, SWNE, SENE of T3N R2E 30
Boise, ID
November 20, 1958
copyright 2006 VAP

1939 SOIL CONS. AERIAL



Legend

Major Streets

- MINOR ARTERIAL
- MAJOR COLLECTOR
- SECTION
- PRINCIPAL ARTERIAL
- INTERSTATE
- Other

Minor Streets

- LOCAL
- PARKS
- PRIVATE
- RESIDENTIAL

Other

Street Names (minor)

- Parcels
- Ada-OQ1939

Water

- Schools
- Parks
- City Limits

- Kuna
- Boise
- Garden City
- Eagle
- Star
- Meridian



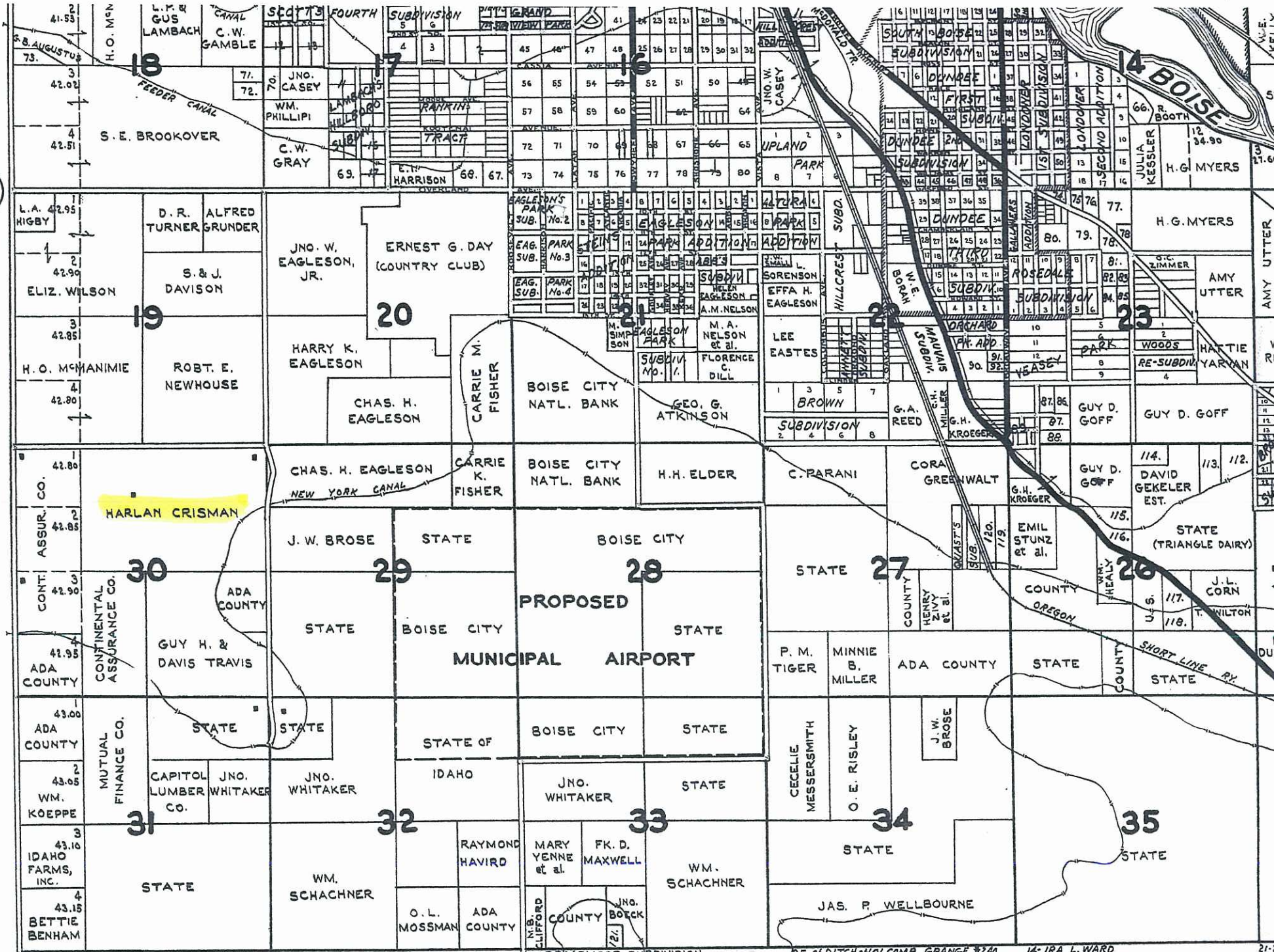
Scale: 1:6,461

0 600 1200 1800 ft.

Map center: 43° 34' 19.5" N, 116° 15' 16.3" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

14



1938

BROADMOOR SUBDIVISION
Sec. 24-25.
1-2-W.H. REED
3-6-JNO. NAGEL
7-8-GERTRUDE OSBORNE

22

SE. of DITCH-HOLCOMB GRANGE #240
9-W. J. J. M. QUEEN
10-J. S. DICK
11-12-ROSE A. DICK
13-15-32-ALVIN SEELYE

14-IRA L. WARD
16-17-JENNIE L. CLARK
18-19-BOISE V.A.F. EMPLOYEES
FARM CREDIT UNION
20-LEE EASTES

21-2
24-2
25-2
26-2
29-2
30-2

PAGE 1
20-NOV-1985 13:28:05

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-JAN-1900 ✓	53	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		

WRR100
63-5354

IDAHJ DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE - 31-JUL-1984

61 DATE_1 -
62 DATE_2 -

2/2/86
VERIFIED JKN

Pat. 5-12-02.

Pat.

10-3

Helen.

Etta D.
Eagleson.
2-24-05.

7-22-03.

A. Eagleson.

A.B.
Gardner

Andrew B.
Gardner.
Pat 4-15-11.

Pat.

4-25-03

Prosper.

Aveline.

22440

Claude

High

A.C.

Pat.

10-26-91

Leo J. Falk.
Et al.

11-24-93

Pat. A.C.

Edwin L.

T.