

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 63-27213  
Date Received:  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

BOISE STATE UNIVERSITY

Phone: (208)426-1200

OFFICE OF THE PRESIDENT  
1910 UNIVERSITY DRIVE  
BOISE ID USA 83725-1200

2. Date of Priority: 3/15/1950

3. Source: GROUND WATER Trib. to: NA

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type           |
|----------|-------|---------|-----------------------|--------|----------------|
| 03N      | 02E   | 15      | NE NE                 | ADA    | BSU Well No. 1 |

5. Description of diverting works:

ONE WELL WITH 10-HP ELECTRIC SUBMERSIBLE PUMP, BURIED PIPE AND SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) | A.F.A |
|------------|------|-------|--------|------|-------|
| IRRIGATION | 3/15 | 11/15 | 0.24   |      | 27.0  |

7. Total Quantity Appropriated is:

0.24 C.F.S. and/or 27.0 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses: None

10. Place of use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 03N      | 01E   | 10      | SE     | SE  |     | IRRIGATION    | 0.7   |
|          |       |         |        |     |     | Section Acres | 0.7   |
|          |       | 15      | NE     | NE  |     | IRRIGATION    | 5.3   |
|          |       |         |        |     |     | Section Acres | 5.3   |
|          |       |         |        |     |     | Total Acres   | 6.0   |

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: None

14. Remarks: A well was constructed for irrigation of a football stadium that was constructed at the present Bronco Stadium site in 1950. The stadium was dedicated in September 1950. See attached documents from BSU Archives. Prior to 1950, the stadium site was not irrigated, as it had been the site of the Boise Municipal Airport until approximately 1940. Therefore, there was no surface water supply to the stadium, and groundwater was the sole source of irrigation water supply to the stadium from 1950 through at least 1990. Well depth is unknown, but the pump is 10 hp. Theoretical capacity of a 10-hp pump, assuming a discharge pressure of 65 psi (150 feet), a pumping water level of 70 feet, and a pump efficiency of 60% is approximately 0.24 cfs. A diversion rate of 0.04 cfs is appropriate so that irrigation can occur in less than 12-hours per day because turf areas are used for sports activities during daylight hours.

15. Basis of Claim: Beneficial Use

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

Number of attachments: 3

For Organizations:

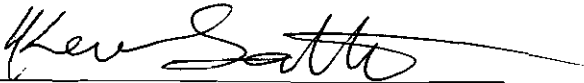
I do solemnly swear or affirm that I am Associate Vice President & General of  
Title Counsel

Boise State University, that I have signed the foregoing  
Organization

document in the space below as Associate Vice President & General of  
Title Counsel

Boise State University and that the statements contained in the  
Organization

foregoing document are true and correct.

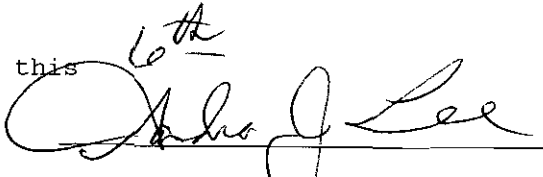
  
Signature of Authorized Agent  
Associate Vice President & General Counsel  
Boise State University  
Title and Organization

December 6, 2005  
Date

State of Idaho )  
County of Ada ) SS.

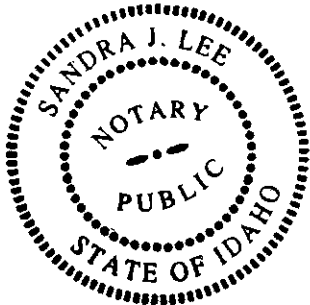
Subscribed and sworn (or affirmed) before me this

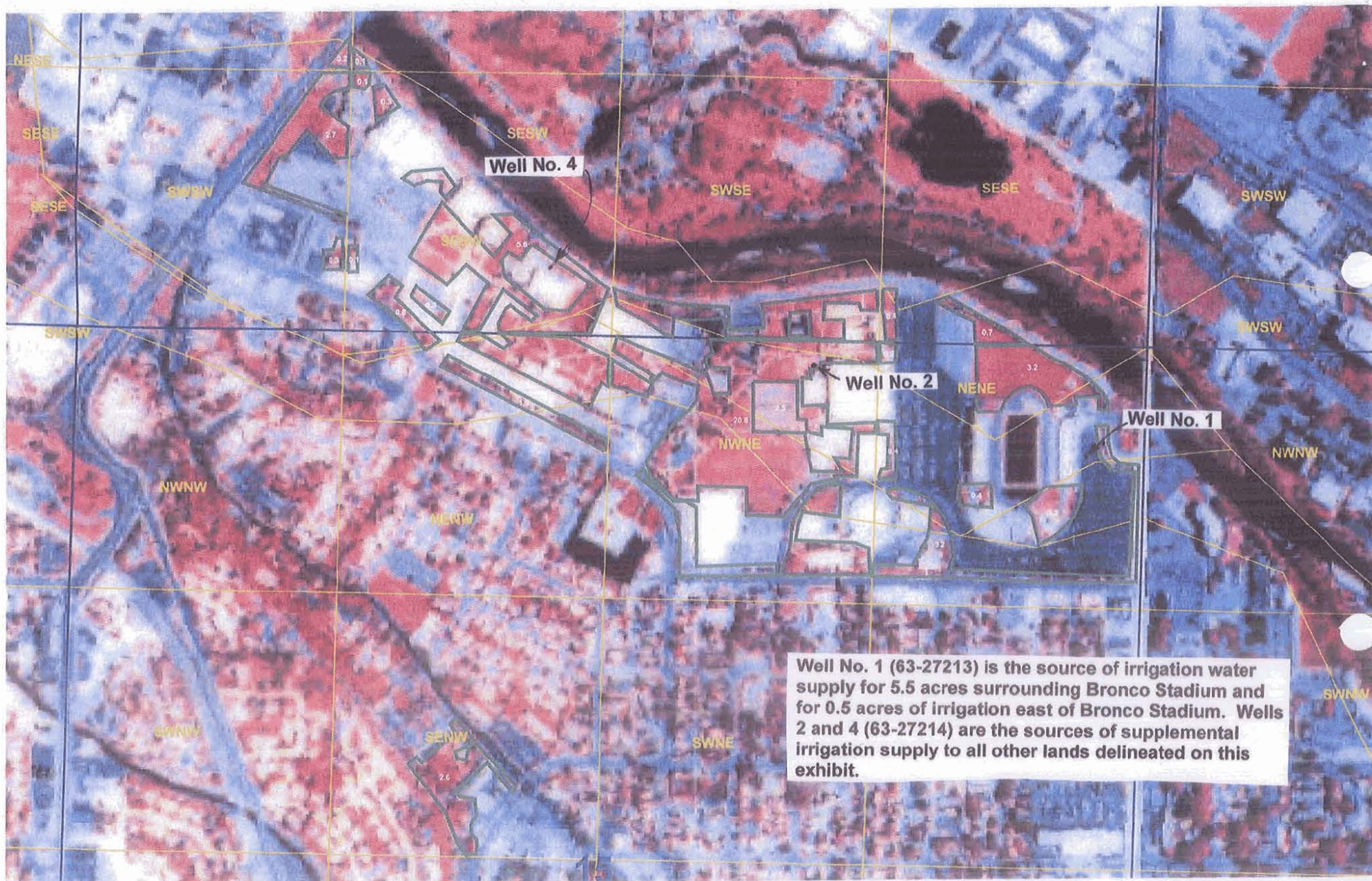
December 2005

  
Notary Public

Residing at Boise, ID

My commission Expires 2/17/10





September 14, 1950

President John L. Clarke  
Ricks College  
Rexburg, Idaho

Dear President Clark:

We are having the dedication of our new stadium at Boise Junior College on Friday evening, September 22, as a part of the Boise Junior College-Modesto Junior College football game. I hope that you and Mrs. Clarke can be present at this dedication. I would appreciate knowing as soon as possible whether you plan to be in Boise at that time and can accept the invitation to be with Mrs. Chaffee and myself at the Modesto-Boise game. I shall send reserved seat tickets to you at that time.

If you wish me to make reservations for you at one of the local hotels, I shall be glad to do so. This should be done soon since that is a particularly busy weekend here in Boise. The University of Idaho-University of Utah football game is the next afternoon.

Sincerely,

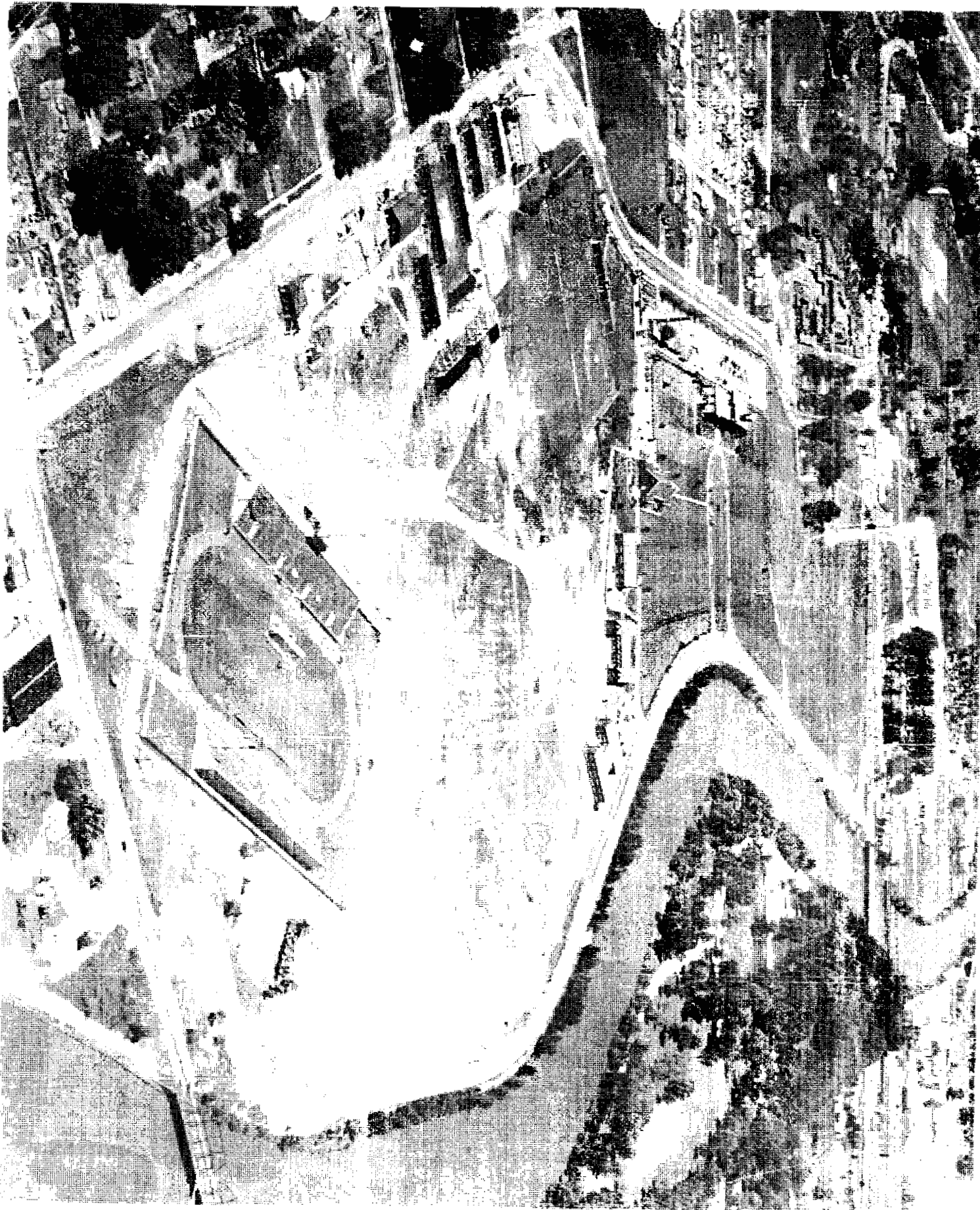
Eugene B. Chaffee  
President

EEC:eb

|    |     |     |   |        |    |
|----|-----|-----|---|--------|----|
| RG | 5.2 | Box | 5 | Folder | 25 |
|----|-----|-----|---|--------|----|

Reproduced from the University archives  
In Boise State University Library

COPY



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In Boise State University Library

1951 ±

*[Handwritten signature]*

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: A63-27213

Date Received: 9/ 8/1989

Receipt No: W005790

Received By: g re

*Rec'd from SC  
10-14-92*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BOISE STATE UNIVERSITY 208-343-7733  
Address: PO BOX 1712  
BOISE ID 83701

2. Date of Priority: MAR 15, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 02E   | 15      | NE     | NE     |     |     | ADA    |

5. Description of diverting works:

WELL #1 IS EAST OF THE FOOTBALL STADIUM WITH 6" CASING

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.000 |      | 468.00 |

7. Total Quantity Appropriated is:

1.000 C.F.S. (and/or) 468.00 A.F.A.

8. Total consumptive use is 364.0 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   | 10      | SW     | SW  |     | IRR | 10.0  |
|          |       |         | SE     | SW  |     | IRR | 14.0  |
|          |       |         | SW     | SE  |     | IRR | 8.0   |
|          |       |         | SE     | SE  |     | IRR | 6.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
|          |       |         |        |     |     | Section Acres | 38.0  |
|          |       | 15      | NE     | NE  |     | IRR           | 6.0   |
|          |       |         | NW     | NE  |     | IRR           | 24.0  |
|          |       |         | NE     | NW  |     | IRR           | 20.0  |
|          |       |         | NW     | NW  |     | IRR           | 8.0   |
|          |       |         | SE     | NW  |     | IRR           | 8.0   |
|          |       |         |        |     |     | Section Acres | 66.0  |
|          |       |         |        |     |     | Total Acres   | 104.0 |

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:  
63-27214, 63-27216, 63-27217

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 ATTORNEY of  
Title  
BSU, that I have signed the foregoing  
Organization  
document in the space below as ATTORNEY of  
Title  
BSU and that the statements contained in the  
Organization  
foregoing document are true and correct.

DWL  
Signature of Authorized Agent

ATTORNEY  
Title and Organization

9-11-92  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 11 day  
of Sept. 19 92

John Dale Corbin  
Notary Public

Seal

Residing at Boise Id  
My Commission Expires 6/3/94

**17. Notice of Appearance:**

Notice is hereby given that I, DONALD W. LOJER will be  
Print Name  
acting as attorney at law on behalf of the claimant signing above, and that  
all notices required by law to be mailed by the director to the claimant  
signing above should be mailed to me at the address listed below.

Signature DWL

Address PO Box 1712 BOISE ID 83701

Date 9-11-92

**MICROFILMED**

**AUG 02 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 A63-27213Date Received 9-8-1989Receipt Number W005790

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Boise State University Phone (208) 385-1200  
Mailing Address P.O. Box 1712, Boise, ID Zip 83701

2. Date of Priority (Only one (1) per claim) 1950

3. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 15,  
SW 1/4 of NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Ada

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. The well is east of the football stadium  
Please see attached map. Depth unknown. 6" casing.

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AUG 02 1994

LOJEK & HALL, CTD.  
LAW OFFICE

305 W. Fort P.O. Box 1712  
BOISE, IDAHO 83701  
(208)343-7733

Donald W. Lojek  
Bradley H. Hall

September 8, 1989

Idaho Department of  
Water Resources  
2735 Airport Way  
Boise, ID 83706

RE: Water Rights Filings for Boise State University

Dear Ms./Sir:

Enclosed are six water right filings for four wells and two river out-takes utilized by Boise State University. These six entities are supplemental to one another in watering 53.5 acres of the campus. I am, therefore, enclosing a check in the amount of \$354 for the filing of these claims, representing \$50 for each claim and \$54 to represent the dollar per acre charge for the land to benefit from the water.

Thank you very much for your cooperation and assistance in getting these claims filed.

Very truly yours,



DONALD W. LOJEK

L:E  
enclosures

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AUG 02 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1/1 to 12/31 amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) \_\_\_\_\_ (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

SEE ATTACHED MAP

Add  
162 AFA  
Consumptive use

Total number of acres irrigated 53.5

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
There are several wells on campus. See attached map. or None ( )

14. Remarks: The University is attempting to tie all wells and ditches  
into an integrated irrigation plan. Therefore, the water from this  
well may be used on any portion of the campus.

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

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Copies Made State, 1994  
AUG 02 1994

Scale: 2 inches equals 1 mile

[illegible]

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Copies: White-State, Yellow-Claimant

AUG 02 1994

15. Basis of Claim (check one) Benencial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true  
and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_ the attorney \_\_\_\_\_  
\_\_\_\_\_ Title  
~~xx~~ for Boise State University \_\_\_\_\_, that I have signed the foregoing  
\_\_\_\_\_ Organization  
document in the space below as Attorney ~~xx~~ for Boise State University  
\_\_\_\_\_ Title \_\_\_\_\_ Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Attorney, Boise State University Date 9/8/89

State of Idaho/or \_\_\_\_\_ )  
County of Ads ) SS.

Subscribed and sworn (or affirmed) before me this 8th day of September 19 89

SEAL

Notary Public [Signature]

Residing at Boise, Idaho

My Commission Expires 10-11-94 9-2-1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Donald W. Lojek will be acting as attorney at law on behalf  
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above  
should be mailed to me at the address listed below.

Signature [Signature]

Address PO Box 1712, Boise, ID 83701

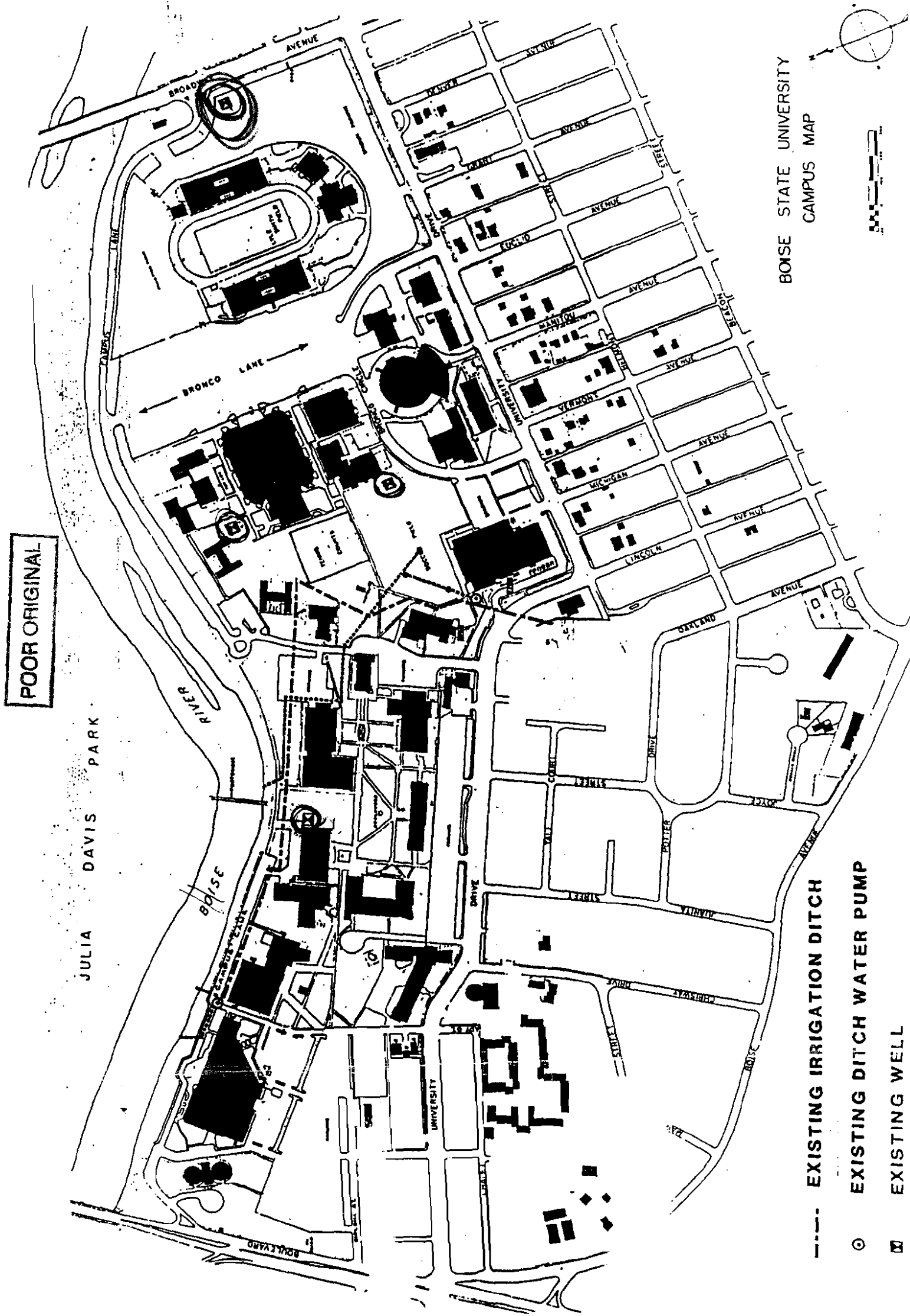
Date 9-8-89

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

MICROFILMED

Aug 9 9 1989  
Copies Made State of Idaho Claimant

EXISTING IRRIGATION SOURCES #2



POOR ORIGINAL

BOISE STATE UNIVERSITY  
CAMPUS MAP

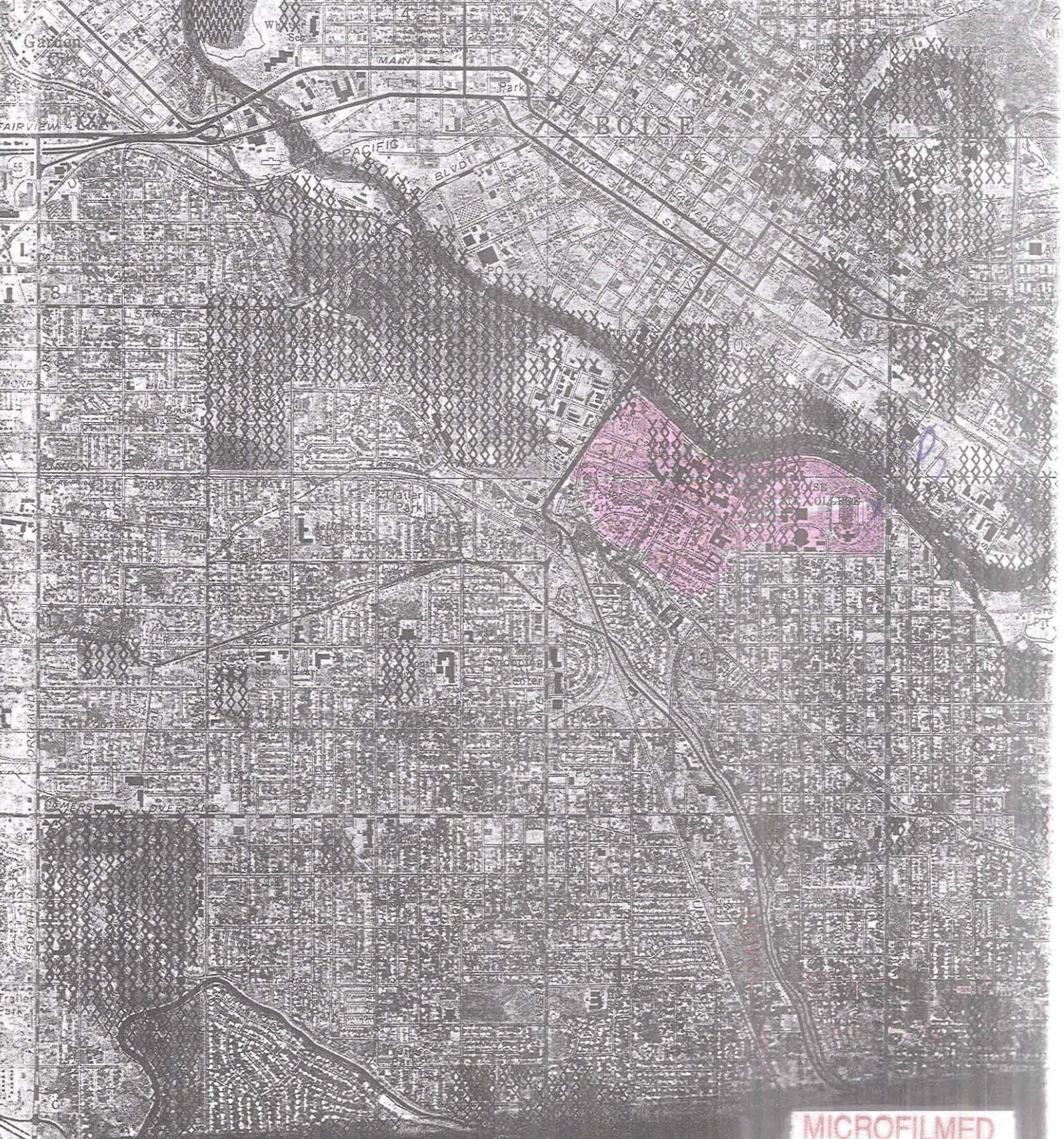
- EXISTING IRRIGATION DITCH
- EXISTING DITCH WATER PUMP
- ◻ EXISTING WELL



Land Cover  
OF WATER RESOURCES  
River Adjudication  
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BIOLOGICAL SURVEY

POOR ORIGINAL

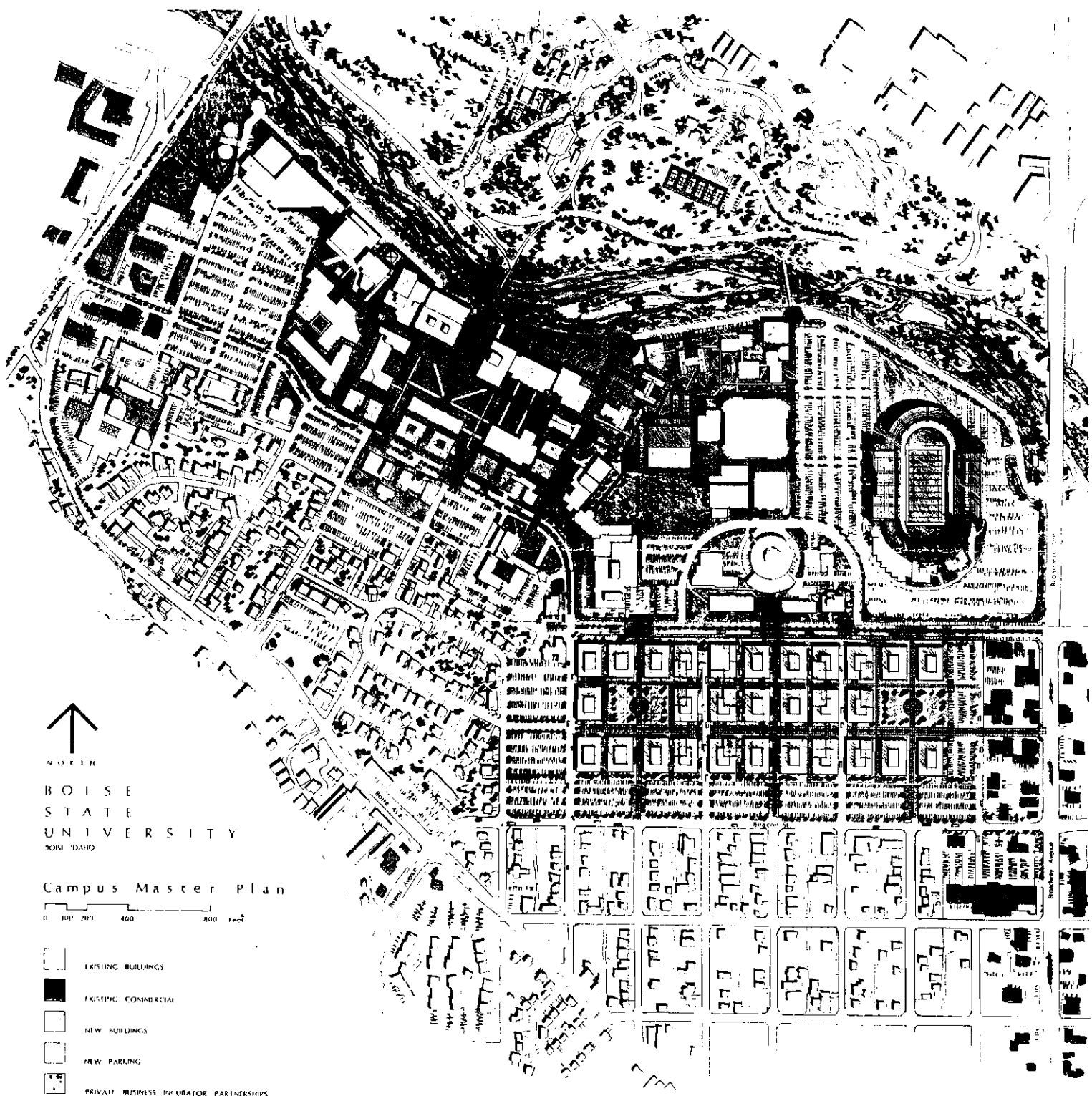
51000E 562 563 12' 30" 565



MICROFILMED  
AUG 02 1994



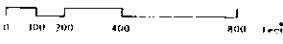
POOR ORIGINAL



NORTH

BOISE  
STATE  
UNIVERSITY  
NORTH MAP

Campus Master Plan



-  EXISTING BUILDINGS
-  EXISTING COMMERCIAL
-  NEW BUILDINGS
-  NEW PARKING
-  PRIVATE BUSINESS INCUBATOR PARTNERSHIPS

Planning Coordinator: Chase Hestrad

6-1787 Rev 4/1988

MICROFILMED

AUG 02 1994

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

Well #1

CLAIMANT'S NAME

CLAIM IDENT. NO.

A-27213

DATE RECEIVED

9-3-1981

CK #

W00570

AMOUNT \$

3500

Required

- |                                                                                                                                                                                                                                                                                                                                            | YES                                     | NO                                  | Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------|-------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 2. Is a priority date entered?                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 3. (a) Is a source entered?                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                               | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 5. Is there a description of the diverting works?                                                                                                                                                                                                                                                                                          | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.                                                                                                                                | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| Is the period of use included?                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 8. If required is a consumptive use entered?                                                                                                                                                                                                                                                                                               | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                            | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.                                                                                                                   | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *     |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights)                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)                                                                                                                                                                                    | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            |       |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim)                                                                           | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                                                                                                                                          | N/A <input checked="" type="checkbox"/> | <input type="checkbox"/>            |       |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                                                                                                                                             | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 20. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 21. Was this claim filed on time, or was an extension granted?                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/>     | <input type="checkbox"/>            | *     |
| 22. Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                           | Exempt                                  | <input checked="" type="checkbox"/> | *     |

MICROFILMED

AUG 6 2 1994

03/13/2006

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

RIGHT NUMBER: 63-27213

NAME AND ADDRESS: BOISE STATE UNIVERSITY  
OFFICE OF THE PRESIDENT  
1910 UNIVERSITY DR  
BOISE ID 83725

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS  
27.000 AFY

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION:

T03N R02E S15 NENE Within ADA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 03/01 11/15          | 0.240 CFS<br>27.00 AFY |

PLACE OF USE: IRRIGATION Within ADA County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T03N R02E S10 | SESE | 0.70 | T03N R02E S15 | NENE | 5.30 |
|---------------|------|------|---------------|------|------|

6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Well is known as BSU well # 1

# Idaho Department of Water Resources

## 63-27213

T03N R02E S10, 15



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated  
acres = 6.0

IDWR

Prepared by: Sandy Egbert

Date: March 13, 2006

1987 Photography

0 500 1000 1500 2000 Feet



## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-27213 V1

WATER RIGHT NUMBER: 63-27213 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                     |
|-------------------|-------------------------------------------------------------------------------------------------------------|
| Current Owner     | BOISE STATE UNIVERSITY<br>OFFICE OF THE PRESIDENT<br>1910 UNIVERSITY DR<br>BOISE, ID 83725<br>(208)426-1011 |
| Attorney          | DONALD W LOJEK<br>PO BOX 1712<br>BOISE, ID 83701<br>(208)343-7733                                           |

Priority Date: 03/15/1950

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15          | 0.240 CFS             | 27.00 AF             |
|                       | <u>Total Diversion:</u> | 0.240 CFS             | 27.00 AF             |

Location of Point(s) of Diversion

|              |            |                                 |
|--------------|------------|---------------------------------|
| GROUND WATER | NE1/4NE1/4 | Sec. 15, Twp 03N, Rge 02E, B.M. |
| ADA 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 |        |
| 03N | 02E | 10  |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | .7     |
| 03N | 02E | 15  | 5.3 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 5.3    |

Total Acres: 6

Conditions of Approval:

- Well is known as BSU well # 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:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-27213 V1

Comments:Dates and Other Information:

Decreed Date: ..  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number: 63  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 03/02/2005                | lharris         | Active        |
| Priority Date  | 3/13/2006 1:18:43 PM      | segbert         |                           |                 | Active        |
| POD            | 3/13/2006 1:19:15 PM      | segbert         |                           |                 | Active        |
| Source         | 3/13/2006 1:20:32 PM      | segbert         |                           |                 | Active        |
| POU            | 3/13/2006 1:21:00 PM      | segbert         |                           |                 | Active        |
| Use            | 3/13/2006 1:24:25 PM      | segbert         |                           |                 | Active        |
| Season         | 3/13/2006 1:25:11 PM      | segbert         |                           |                 | Active        |
| Quantity       | 3/13/2006 1:26:38 PM      | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 03/13/2006                | segbert         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                        |
|----------------|------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD            | 3/13/2006 1:19:15 PM   | segbert         | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 9. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required? |
| POD            | 3/13/2006 1:19:41 PM   | segbert         | Updated shape                                                                                                                                                                                                                                                                                                                          |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-27213 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|----------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General | 3/13/2006 1:18:43 PM | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> <p>Description for Question 12/13 - documentation in file</p> |
| POU     | 3/13/2006 1:23:35 PM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Source  | 3/13/2006 1:20:32 PM | segbert | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(No) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> <p>Description for Question 10 - meeting with claimants and documentation in file</p>                                                                                                                                                                                                    |
| POU     | 3/13/2006 1:21:00 PM | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - meeting with claimant and aerial photography</p>                                                                                                                                                                                                                           |
| Use     | 3/13/2006 1:24:25 PM | segbert | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                  |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-27213 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Season   | 3/13/2006 1:25:10 PM | segbert | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required?              |
| Quantity | 3/13/2006 1:26:38 PM | segbert | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(No) 7. Is a flow measurement required?<br>(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 7 - documentation in file regarding flow rate<br>Description for Question 10 - 4.5 x acres                                 |
| Summary  | 3/13/2006 1:28:40 PM | segbert | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| Summary  | 3/2/2005 3:34:19 PM  | lharris | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?                                                                                                                                                                                                                                                                                                                                                                                            |

Water Supply Bank:

## Egbert, Sandy

---

**From:** Terry Scanlan [TScanlan@spfwater.com]  
**Sent:** Wednesday, July 12, 2006 3:09 PM  
**To:** Egbert, Sandy  
**Subject:** RE: FW: FW: Boise State water rights

Thanks Sandy

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

From: Egbert, Sandy [mailto:Sandy.Egbert@idwr.idaho.gov]  
Sent: Wednesday, July 12, 2006 2:51 PM  
To: Timothy Fearnside; Terry Scanlan  
Subject: RE: FW: FW: Boise State water rights

Tim and Terry,

I have set up a meeting for July 24 from 10 a.m. to 11 a.m. at the Western Region's conference room. See you there!

Sandy

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

From: Timothy Fearnside [mailto:TimothyFearnside@boisestate.edu]  
Sent: Wednesday, July 12, 2006 2:06 PM  
To: Egbert, Sandy; Terry Scanlan  
Subject: RE: FW: FW: Boise State water rights

Sandy and Terry,

My only appointment on either day is at Noon on the 28th, for 1-1.5 hours. Thus, the 24th is open, as well as the morning of the 28th, up to 11:30 a.m. or so.

Thanks,

Tim Fearnside

Timothy P. Fearnside  
Associate General Counsel  
Boise State University  
1910 University Drive  
Business Building Room 307  
Boise, ID 83725-1000  
(208) 426-2386 (office, direct)  
(208) 426-3779 (fax)

>>> "Terry Scanlan" <TScanlan@spfwater.com> 7/12/2006 2:05 PM >>>  
Sandy

Either one is OK for me. Tim, let us know if you have a preference.

Terry

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

From: Egbert, Sandy [mailto:Sandy.Egbert@idwr.idaho.gov]  
Sent: Wednesday, July 12, 2006 11:10 AM  
To: Terry Scanlan  
Subject: RE: FW: FW: Boise State water rights

Terry,

After checking with Steve (Jan is out of the office) it seems that Monday morning the 24th or Friday morning the 28th would be the best for us. Jan didn't have anything on her calendar those days either

so I think those mornings will work.

Let me know which of those times will work for you and I will get the meeting on Jan's and Steve's calendars.

Sandy

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

From: Terry Scanlan [mailto:TScanlan@spfwater.com]  
Sent: Monday, July 10, 2006 4:12 PM  
To: Egbert, Sandy  
Cc: Tim Fearnside  
Subject: RE: FW: FW: Boise State water rights

Sandy - I am resending this. Tim's email address was incorrect on the first try.

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

From: Terry Scanlan  
Sent: Monday, July 10, 2006 3:22 PM  
To: 'Egbert, Sandy'  
Cc: 'Tim Fearnside'  
Subject: RE: FW: FW: Boise State water rights

Sandy -

BSU is ready to discuss water rights again! The new contact at BSU is Tim Fearnside. Tim and I are available most of the week of July 24-28.

Any chance you could set up a meeting with the three of us, plus Steve and Jan?

Terry

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

From: Egbert, Sandy [mailto:Sandy.Egbert@idwr.idaho.gov]  
Sent: Tuesday, April 18, 2006 8:03 AM  
To: Terry Scanlan  
Subject: RE: FW: FW: Boise State water rights

Terry,

I found a few time slots in May which might work. We have Monday May 1 before 10 a.m. or after 1 p.m. and Tuesday May 2 all afternoon. If those won't work, the next open spaces are May 12, May 15, May 16, May 19.

Sandy

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

From: Terry Scanlan [mailto:TScanlan@spfwater.com]  
Sent: Friday, April 14, 2006 4:13 PM  
To: Egbert, Sandy  
Subject: FW: FW: FW: Boise State water rights

Sandy,

Looks like Kevin from BSU needs to schedule further out. How about something in early May? My schedule is open for the first two weeks.

Terry

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

From: Kevin Satterlee [mailto:ksatterl@boisestate.edu]  
Sent: Friday, April 14, 2006 3:54 PM  
To: Terry Scanlan  
Subject: Re: FW: FW: Boise State water rights

Terry,

Actually, none of those dates work for me. As you can tell, I missed the 13th chance already anyway. My schedule gets too full too quickly. If we could schedule out a little farther that would help for me, if that is not too inconvenient for everyone else.

Kevin

>>> "Terry Scanlan" <TScanlan@spfwater.com> 4/3/2006 4:03:17 PM >>>  
Kevin -

Are you available to meet with IDWR on the 13th or 18th? I have a conflict on the 20th.

Terry

-----Original Message-----  
From: Egbert, Sandy [mailto:Sandy.Egbert@idwr.idaho.gov]  
Sent: Monday, April 03, 2006 3:56 PM  
To: Terry Scanlan  
Subject: RE: FW: Boise State water rights

Terry,

I spoke with Steve Lester and Jan Shurte and they are available April 13, 18 and 20 as it stands now. We would prefer a morning appointment or early afternoon. If any of these dates works for you, let me know what time you would like and I will book the conference room.

Sandy

-----Original Message-----  
From: Terry Scanlan [mailto:TScanlan@spfwater.com]  
Sent: Sunday, April 02, 2006 12:45 PM  
To: Egbert, Sandy  
Subject: FW: FW: Boise State water rights

Sandy -

Boise State would like to meet with IDWR staff regarding the cooling well claim (63-31796). As described by my email below, I don't think we can come up with any information that supports a priority date prior to March 25, 1963. Therefore, we may need to withdraw this claim. Can we meet with you and with water right staff to discuss an appropriate method to establish a water right for this use?

Terry

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

From: Kevin Satterlee [mailto:ksatterl@boisestate.edu]

Sent: Thursday, March 30, 2006 3:33 PM

To: Terry Scanlan

Subject: Re: FW: Boise State water rights

Yes, please do so.

>>> "Terry Scanlan" <TScanlan@spfwater.com> 03/14/06 12:40 PM

>>>

Kevin -

As mentioned in my email of March 4, we have not resolved the water rights associated with the Liberal Arts building cooling well. We determined that as of August 1967 there were 3 wells in use for cooling on campus consisting of the Library well (constructed in August 1963), the Liberal Arts well (constructed in July 1966), and the Student Union well (constructed in May 1967). Since all three of the wells were constructed after March 25, 1963, the use cannot be claimed in the Snake River Basin Adjudication as a beneficial use water right developed under the constitutional method. As a result, a new water right must be established for this use. I think that we need to visit with IDWR staff and discuss this issue. As the use was developed (albeit without authorization) prior to the current water right moratorium, and the use is non consumptive, perhaps we can use this as an excuse to obtain an exemption to the moratorium. If they won't go for that, maybe we can mitigate the use through retirement of a portion of our irrigation water right. I think we guesstimated that annual cooling water use is about 38 acre feet, equivalent to the diversion volume associated with 8 acres of irrigation.

Should I try to set up a meeting with IDWR staff to determine if they will process a new application for permit for this use?

Terry

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

From: tmscanlan@aol.com [mailto:tmscanlan@aol.com]

Sent: Tuesday, March 14, 2006 11:12 AM

To: Terry Scanlan  
Subject: Fwd: Boise State water rights

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

From: Egbert, Sandy <Sandy.Egbert@idwr.idaho.gov>  
To: tmscanlan@aol.com  
Sent: Mon, 13 Mar 2006 15:44:21 -0700  
Subject: Boise State water rights

Terry,

I am again working on Boise State water rights. I have completed recommendations for 63-27213 and 63-27214 and we have withdrawn claims 63-27216 and 63-27217. The last BSU water right I have is 63-31796 for cooling but I still need more information before I can complete it. I need an annual volume and enough information on the well to do a theoretical. I also need more history on the well to establish evidence of priority. Could you get this information to me soon so Boise State's water rights can be completed?

Thanks,  
Sandy Egbert  
GIS Specialist  
IDWR  
Western Region

## Egbert, Sandy

---

**From:** Terry Scanlan [TScanlan@spfwater.com]  
**Sent:** Tuesday, October 25, 2005 9:05 AM  
**To:** Egbert, Sandy  
**Cc:** Kevin Satterlee; Einar Norton  
**Subject:** RE: BSU Recommendations

Sandy -

I met with BSU staff and reviewed archive material yesterday. Found some great documents regarding priority dates for irrigation well claims. I'll try to get it all sorted out by the end of the day today, and then get back to you.

The cooling well claim might be a bit tougher. I am still trying to put together a clear picture on that one regarding priority date and volume. With regard to your question, I think we can say that the chiller is the POU for the water right, as the well water does not mix with the fluid (water) used to cool the buildings. Thus, the cooling activity associated with the diverted water occurs at the chiller.

Terry

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

From: Egbert, Sandy [mailto:Sandy.Egbert@idwr.idaho.gov]  
Sent: Friday, October 21, 2005 3:48 PM  
To: Terry Scanlan  
Subject: BSU Recommendations

Terry

I thought I would follow up on our meeting of Oct. 13 and see how things are going with the collection of the information we requested for the Boise State claims. We are coming up on our deadline for processing recommendations for Basin 63 Part 2 but if we can get the information we need to complete the Boise State recommendations by early next week we will still be able to get them in the upcoming Preliminary Directors Report. If that isn't possible we could hold them for Basin 63 Part 3 and put them with Canyon County claims.

Jan and I were discussing the cooling claim 63-31796 and we realized we might need more clarification on the system and how it works before we can accurately recommend it. For example, is the chiller the POU or is the building(s) being cooled the POU? Does the water from the well mix with the water that is used for cooling the building? Do you think it would be possible to have another meeting on these claims after you have all the information collected?

Sandy Egbert  
GIS Specialist

Memorandum

To: Claim File Nos. 63-27213, 27214, 27216 & 31796 – Boise State University

From: Jan Shurte & Sandy Egbert

Subject: Meeting notes from 10-13-05

A meeting was held concerning the above claims with representatives from Boise State University, Einar Norton, Engineer, Kevin Satterlee, Attorney and Terry Scanlon, Consultant. The following notes, per claim number, were made:

63-31796 – Requested Evidence of Priority – cooling well – 1960 priority. Claim originally was filed for the Liberal Arts Building. It was brought up at the meeting that approx. 3 buildings use this well for cooling at the present time. Discussed filing an application for permit for the two additional buildings and others that are planned to be added in the next five years. Terry Scanlan was going to pursue the idea of filing an application for permit in the Boise State University area. Evidence from 1960 would be for this well when it was used as a water source for the boiler. Terry has a pump curve on the well. They also agreed to gps the well site and submit additional well information. Explained we are not presently approving application for permit for pre-1987 development in the treasure valley. Affirmed this with Steve Lester. The cooling system for this system is comprised of the well diverting to a chiller (in a separate bldg) which then pumps the water to one building on to others and back through the chiller. Condensed water is released from the chiller building into a drain into the river. A question was raised concerning the location of the place of use – if it could be the chiller building or the buildings themselves. It was decided the buildings would have to be the place of use listed, thus, a new application for permit is needed for the additional building places of use.

63-27213 – Well #1 – Will be sending in well information and reviewing irrigated acreage map. Terry stated he would return well information for a theoretical calculation next week. Evidence of priority will be sent in also.

63-27214 – Well #2 and Well #5 – both have been abandoned and a new well in the NWNE, S15 has been drilled and is in use to replace these. The new well is in the same 1/41/4 as the original Well #2 was, therefore, no transfer was needed. The new well will be called Well #2. Will be submitting information on this well for theoretical and evidence of priority.

63-27216 – Well #3 – Will be submitting evidence of priority and well information for theoretical.

63-27217 – Well #4 – Same as above.

Terry also stated they will be looking for information to support the fact that the wells were interconnected prior to 1987, hoping to end up with one water right for all the wells, total cfs and total acres – same priority date claimed on all rights.

They will be looking over the map of the irrigated acres to see if they find an area left out or one in that should have been left out. This information should be coming back, along with all the information above within 1 week. Will need follow-up.

10

~~ABANDONED~~  
63-27214  
#5

63-27214  
#2 *DRIVE*  
Abandoned

SESW

SWSE

SESE

63-27214  
63-27217  
#4

*WOW #2*  
Proposed  
63-27214  
New Well

10  
15

NENW

NWNE

NENE

63-27216  
#3

63-27213  
#1

# MEMORANDUM

Date: April 14, 2003

From: Craig L. Saxton

To: File

Subject: BSU SRBA claims 63-07091, 63-07287, 63-27213, 63-27214, 63-27216, and 63-27217

Met with Kevin Satterlee and Terry Scanlan concerning BSU SRBA claims.

The main concern was to amend 63-27214 to show two points of diversion and talk to Rob about abandoning Well #2 and drilling a new well.

Claim 63-27214 claimed only one point of diversion but spoke of two in the Remarks. We amended the claim to add both points of diversion Well #2 and #5. Well #2 has been abandoned and Well #5 is going to be abandoned when the new well is drilled. New well will be drilled in the same QQ as well #2 so no transfer is needed.

Despite the plan to abandon well #5, we left it on the claim until it is actually abandoned.

Kevin located the locations of Wells 1 thru 5 on the map and they have been added into the B63-2 POD shape file.

Need to set up a field exam with Kevin to locate Boise River diversions for SRBA claims 63-07091, 63-07287.

All wells are inter-connected.

# 10

63-27214  
#5

SESW

63-27217  
#4

SWSE

63-27214  
#2  
Abandoned

Proposed  
New Well

SESE

10  
15

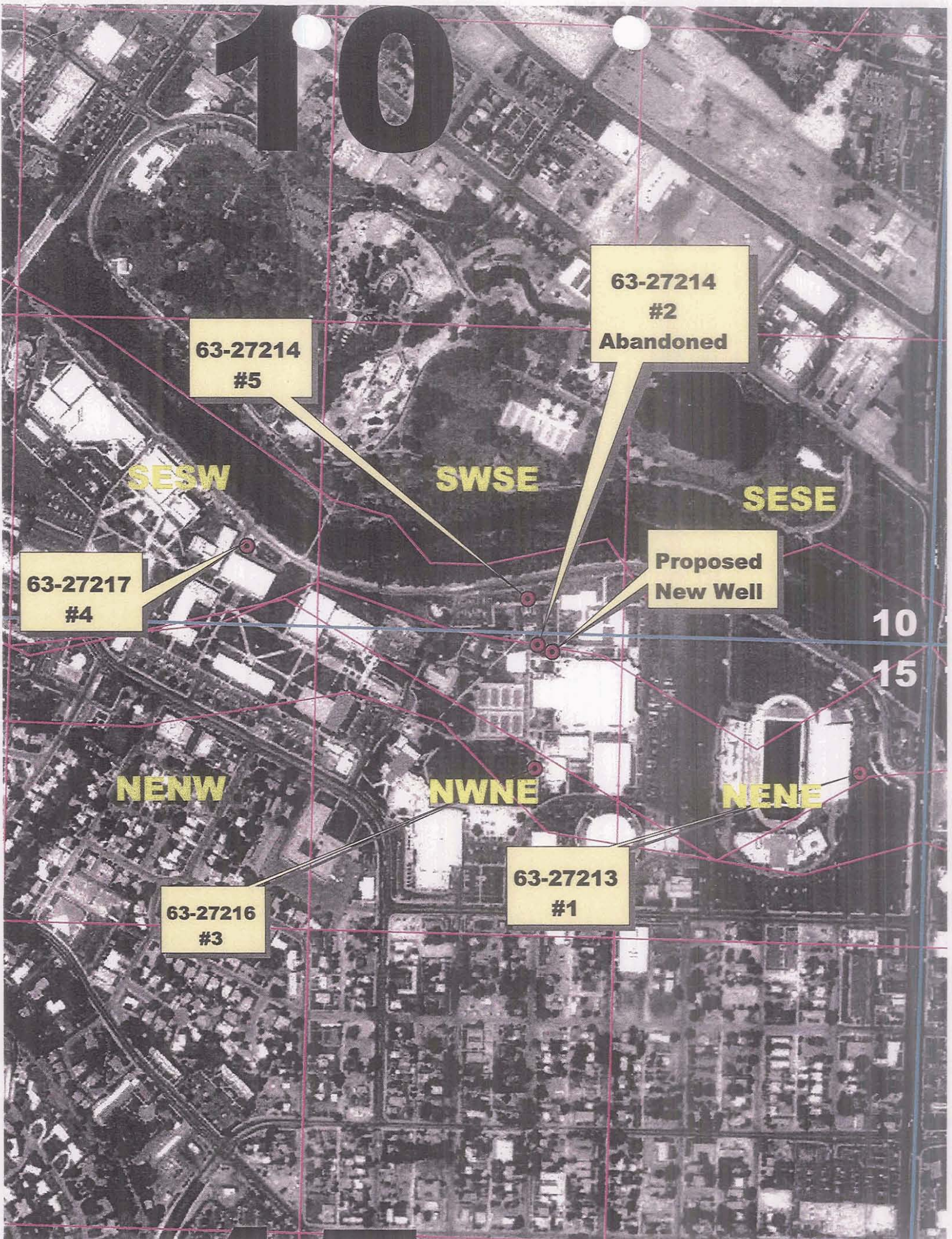
NENW

NWNE

NENE

63-27216  
#3

63-27213  
#1



63-27213

INTREPID PHOTO



5HP  
10 PSI  
2' HEAD  
? INTREPID  
INFO.



2001/12/ 6 8:48am



RECEIVED

DEC 22 2005

WATER RESOURCES  
WESTERN REGION

December 21, 2005

Jan Shurte  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: SRBA Claims 63-27216 and 63-27217

Dear Jan:

As a follow-up to the amended claims for BSU water right 63-27213 and 63-27214, I enclose a request for withdrawal of claim for 63-27216 and 63-27217. The uses claimed under 63-27213 and 63-27214 are covered under the two amended claims.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Cc: Kevin Satterlee - BSU



December 6, 2005

Jan Shurte  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: SRBA Claims 63-27213 and 63-27214

Dear Jan:

On behalf of Boise State University, enclosed please find amended SRBA claims 63-27213 and 63-27214. Included with the claims are data supporting priority dates and diversion rates. Place of use acreage determination is based on IDWR claim review data.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Cc: Kevin Satterlee - BSU



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte  
Adjudication Section Supervisor  
Western Regional Office

The following, in Row No. 10, is derived the irrigated lands.  
for claim 63-27213, 27214, 27216, 27217.

3W 2E 9<sup>ac</sup>

10 - SW SW 35% 10 Ac. ?

|   |       |     |             |
|---|-------|-----|-------------|
| { | SE SW | 35% | 14 Ac.      |
|   | SW SE | 20% | 8 Ac        |
|   | SE SE | 15% | <u>6 Ac</u> |
|   |       |     | 38 Ac       |

15 NW NW 20% 8 Ac

NE NW 50% 20 Ac

NW NE 75% 24 Ac

NE NE 15% 6 Ac

SE NW 8 Ac

~~SW NE~~ 66 Ac

104 ~~Ac~~

\$ 354

104

300

200

604

- 354

\$ 250<sup>00</sup> Due.

A63-27213 ✓

A63-27214 ✓

A63-27216 ✓

A63-27217 ✓

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AUG 02 1994

8/21/92

Mr. Lopez was in the office this date.

Discussed average determination ~~and~~ and discrepancy  
between licensed rights and claims submitted.

Appt. next Friday

JDC

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AUG 02 1994

8/7/92

Donald W. Lojek for B94 claim.

Mr. Lojek called and indicated he will have the information requested in about a wk.

He apologized for the delay.

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AUG 02 1994

From Joe C.

April 22, 92

Mr. Lojek was in the date.

I went over the items which Roxanne listed in her review of the claim.

He took copies of license and circled items on proof copy with him for further clarification.

Will call back next wk for appt.

MICROFILMED

AUG 02 1994

ATTORNEYS AT LAW  
**LOJEK & GABBERT**  
CHARTERED

305 W. FORT P.O. BOX 1712  
BOISE, IDAHO 83701

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OCT 05 1992

Department of Water Resources

Donald W. Lojek

October 2, 1992

Phone: (208) 343-7733  
Facsimile: (208) 389-1294  
Firm members licensed to practice  
law in the following states:  
Idaho, Colorado, Utah, Illinois

Mr. John D. Carlson  
Adjudication Supervisor  
State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Boise, ID 83720-9000

A63-27213

pd 10-6-92  
C025667  
\$257.50

Re: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287, A63-07091 and Four  
Unnumbered Claims for Boise State University (BSU)

Dear Mr. Carlson:

Enclosed is Boise State University's check in the amount of \$257.50 to cover the application for water rights under the Snake River Basin Adjudication Plan.

I also enclose for your files a special Power of Attorney issued by Boise State University to me for purposes of the Snake River Basin Adjudication. This enables me to sign any documents or to take whatever steps need to be taken in order to facilitate the position of the University's rights.

I will need a receipt of some kind from the Idaho Department of Water Resources so that I can document for the University the purposes to which the check is put. If you could send that to me at the above address, I would be grateful.

Thanks for all your help.

Very truly yours,



DONALD W. LOJEK

L:s

Enc. 

MICROFILMED  
AUG 02 1994

RECEIVED

OCT 05 1992

Department of Water Resources

SPECIAL POWER OF ATTORNEY

This Power of Attorney is made on the 29<sup>th</sup> day of September, 1992,

**BETWEEN:** the Principal, BOISE STATE UNIVERSITY, whose address is 1910 University Drive, Boise, ID 83725, referred to as "We" or "Our";

**AND:** the Agent, DONALD W. LOJEK, whose address is 305 West Fort Street, Boise, Idaho, referred to as "You" or "I".

**GRANT OF AUTHORITY:** We appoint You to act as Our Agent (called an Attorney in Fact) to do each and every act which We could personally do for the following uses and purposes:

To do those acts necessary in order to perfect and to protect any and all water rights held or to be acquired by Boise State University and which are or may be involved in that certain case now pending before the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Twin Falls, styled "In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System."

**POWERS:** We give You all the power and authority which We may legally give to You for this purpose. You may revoke this Power of Attorney or appoint a new Agent in your place with notice. We approve and confirm all that You or your substitute may lawfully do on Our behalf in connection with the adjudication described above.

**SIGNATURES:** By signing below, I acknowledge that I have received a copy of this Power of Attorney.

BOISE STATE UNIVERSITY

LOJEK & GABBERT CHARTERED

By: Larry G. Selland  
Larry G. Selland, President

By: DWL  
Donald W. Lojek

SPECIAL POWER OF ATTORNEY

MICROFILMED

AUG 02 1994

ATTORNEYS AT LAW  
**LOJEK & GABBERT**  
CHARTERED  
305 W. FORT P.O. BOX 1712  
BOISE, IDAHO 83701

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AUG 24 1992

Department of Water Resources

Donald W. Lojek

August 21, 1992

Phone: (208) 343-7733  
Facsimile: (208) 389-1294  
Firm members licensed to practice  
law in the following states:  
Idaho, Colorado, Utah, Illinois

Mr. John D. Carlson  
Adjudication Supervisor  
State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Boise, ID 83720-9000

Re: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287, A63-07091 and Four  
Unnumbered Claims for Boise State University (BSU)

Dear Mr. Carlson:

This will confirm our appointment for 2:00 o'clock p.m. on Friday, August 28th. Thank you very much for your courtesy in every respect. I will endeavor to have all of the information before you on Friday.

Very truly yours,



DONALD W. LOJEK

Lts

MICROFILMED

AUG 02 1994

ATTORNEYS AT LAW  
**LOJEK & GABBERT**  
CHARTERED  
305 W. FORT P.O. BOX 1712  
BOISE, IDAHO 83701

RECEIVED

AUG 18 1992

Department of Water Resources

Donald W. Lojek

August 17, 1992

Phone: (208) 343-7733  
Facsimile: (208) 389-1294  
Firm members licensed to practice  
law in the following states:  
Idaho, Colorado, Utah, Illinois

Mr. John D. Carlson  
Adjudication Supervisor  
State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Boise, ID 83720-9000

Re: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287, A63-07091 and Four  
Unnumbered Claims for Boise State University (BSU)

Dear Mr. Carlson:

Mr. Hosford and I have nearly completed our work on the water claims but the ITT Building project intervened at the last moment. Would it be possible for me to meet with you either Thursday afternoon or any time on Friday? I believe I would have all of the information at that time and would simply need your assistance in making the necessary corrections/additions/deletions.

Thank you for your forbearance on this important matter.

Very truly yours,



DONALD W. LOJEK

L:s

MICROFILMED

AUG 02 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

July 8, 1992

*file on JDC's desk (yellow)*

Donald W. Lojek  
Lojek & Hall, Ctd.  
P.O. Box 1712  
Boise ID, 83701

RE: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287, A63-07091 and Four  
Unnumbered Claims for Boise State University (BSU)

Dear Mr. Lojek:

I recently sent you a letter (6/3/92) suggesting that BSU should make the decision on which lands are being irrigated with a total of 53.5 acres claimed. Also, you had previously picked up from this office a list of other items which require attention before a claim is considered complete.

The department cannot retain incomplete claims. Please contact me regarding your intention for these documents by August 7, 1992. If we do not hear from you by that date, we will return the claims and begin the refund process of your filing fees. You may resubmit the completed claims when the information becomes available and before the department reviews this Basin for the Director's Report to the court. Do not hesitate to contact this office if you have any questions.

Sincerely,

*John D. Carlson*

John D. Carlson  
Adjudication Supervisor

JDC:sf:state:tf

MICROFILMED

AUG 02 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 3, 1992

Donald W. Lojek  
Lojek & Hall, Ctd.  
P.O. Box 1712  
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287 & A63-07091,  
and Four Unnumbered Claims for Boise State University (BSU)

Dear Mr. Lojek:

When you were in this office on April 22, 1992, we discussed the claims referenced above submitted for BSU. We went over the deficiencies of the claims with one of those items being the legal description describing the place of use for irrigation purposes.

Regarding the legal description, I indicated I would look at our maps to see if I could be of any help in describing which 40-acre tract and how many acres in each tract were irrigated.

After reviewing the Government plats, orthophotoquads, orthophotoquads with landsat overlay (which depict irrigated acres), landsat acreage count and topographic maps, (copies all of which I have enclosed), it appears to me that it would be in your client's best interest to look these over and make this decision.

You will note that the Government plat does not show the Boise River to be in the same location as the orthophoto or topographic map. Also, the acreage count around the multiple buildings and the river with its abundant foliage may not be as accurate as someone who manages and is familiar with the complex could be.

Your attention to this matter will be greatly appreciated.

Sincerely,

*John D. Carlson*  
John D. Carlson  
Adjudication Supervisor

JDC:sf:state:tf  
Enclosures:

Copy of Government Plat, Orthophoto Quad, Orthophoto  
quad/landsat Overlay, Topographic Map, Landsat Acreage  
Count

MICROFILMED

AUG 02 1994



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 3, 1992

Donald W. Lojek  
Lojek & Hall, Ctd.  
P.O. Box 1712  
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)  
Ada County - Notices of Claim #A63-07287 & A63-07091,  
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Your attention to this matter will be greatly appreciated.

Sincerely,

John D. Carlson  
Adjudication Supervisor

JDC:sf:state:tf  
Enclosures:

Copy of Government Plat, Orthophoto Quad, Orthophoto  
quad/landsat Overlay, Topographic Map, Landsat Acreage  
Count

MICROFILMED

AUG 02 1994

*Landsat*

SD-ZZZ

Idaho Department of Water Resources  
TWP-RNG-SECT Query

Date: 05/28/92  
Time: 08:05:02

| Twp | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 03N | 02E | 15   |       | 1   | 1.0   | 1   |          |
| 03N | 02E | 15   |       | 5   | 8.0   | 1   |          |

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(GOLD7=Bail Out)

(Menu \_\_\_\_\_)

MICROFILMED

AUG 02 1994

*Landsat*

SD-ZZZ

Idaho Department of Water Resources  
TWP-RNG-SECT Query

Date: 05/28/92  
Time: 08:04:36

| Twp | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 03N | 02E | 10   | CI TY |     | 45.0  | 1   |          |
| 03N | 02E | 10   |       | 2   | 4.0   | 1   |          |
| 03N | 02E | 10   |       | 3   | 21.0  | 1   |          |
| 03N | 02E | 10   |       | 4   | 32.0  | 1   |          |
| 03N | 02E | 10   |       | 6   | 2.0   | 1   |          |
| 03N | 02E | 10   |       | 7   | 21.0  | 1   |          |
| 03N | 02E | 10   |       | 8   | 6.0   | 1   |          |
| 03N | 02E | 10   |       | 9   | 14.0  | 1   |          |
| 03N | 02E | 10   |       | 10  | 26.0  | 1   |          |
| 03N | 02E | 10   |       | 11  | 19.0  | 1   |          |
| 03N | 02E | 10   |       | 12  | 2.0   | 1   |          |
| 03N | 02E | 10   |       | 13  | 12.0  | 1   |          |

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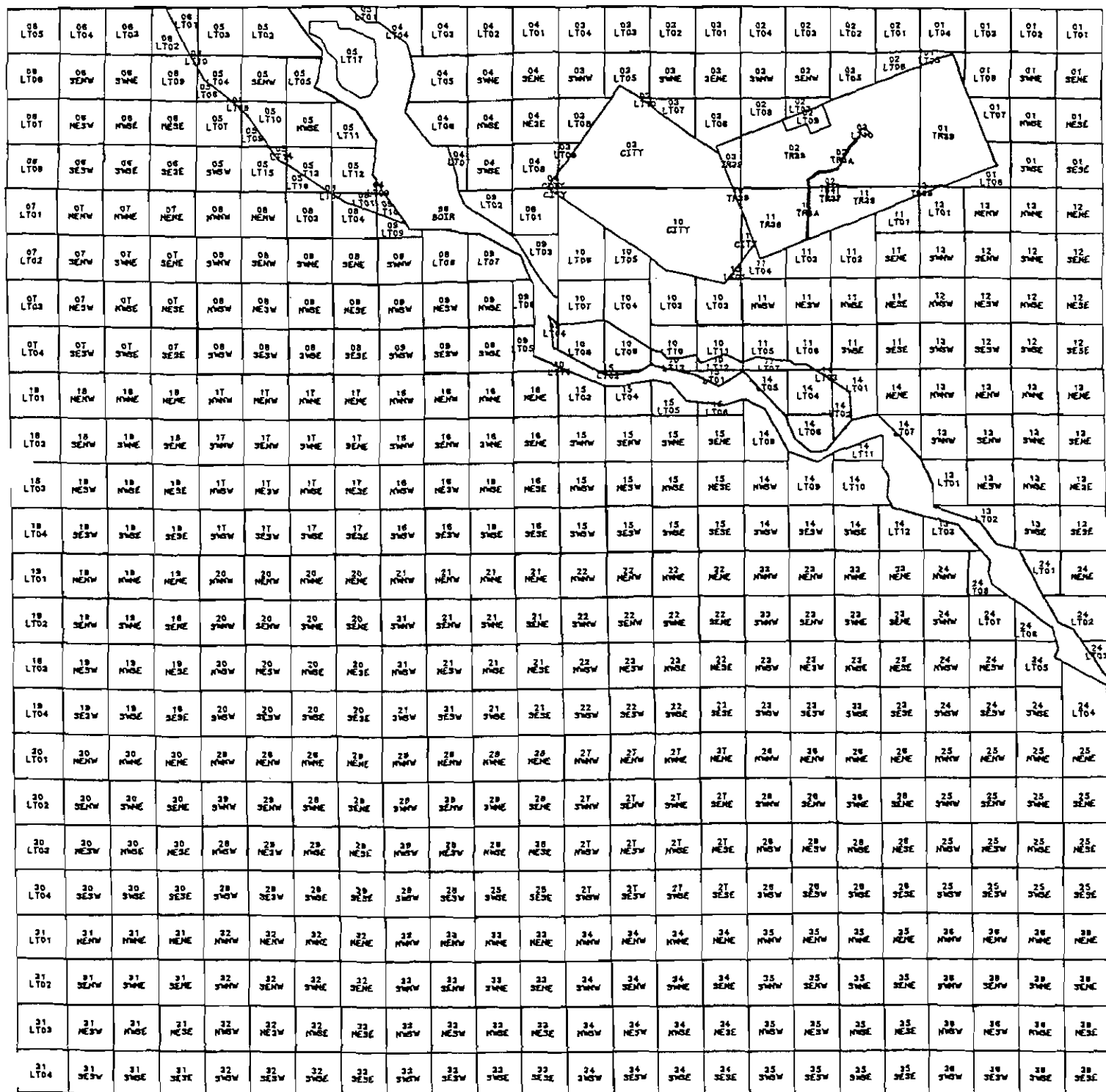
(GOLD7=Bail Out)

(Menu \_\_\_\_\_)

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AUG 02 1994

C3N02E



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AUG 02 1994