

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: **A63-00305A**
Date Received: 2/20/1998
Receipt No: C041489
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT C ROBERTS 208-345-6499
Address: 2109 N 9TH ST
BOISE ID 83702

AND

Name: NANCY ROSE ROBERTS 208-345-6499
Address: 2109 N 9TH ST
BOISE ID 83702

2. Date of Priority: MAY 1, 1875

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
04N	03W	10	NE	SE	SW		CANYON

5. Description of diverting works:
RIVERSIDE IRRIGATION DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

8. Total consumptive use is 262.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	20	SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	20	SE	NE		IRR	35.0
Section Acres							75.0
Total Acres							75.0

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:
NONE

14. Remarks:
THIS WATER RIGHT IS INDIVIDUALLY HELD BY LAND OWNERS & DELIVERED
BY AGREEMENT THROUGH RIVERSIDE CANAL. CLAIMANT OWNS A PORTION OF
THE LAND COVERED IN THE ORIGINAL DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

RECEIVED

MAR 05 1998

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A63-00305ADate Received 2/20/98Receipt Number 1011489NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 20 1998

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Robert C. & Nancy Rose Roberts Phone (208) 345-6499Mailing Address 2109 N 9th Street, Boise, ID Zip 837022. Date of Priority (Only one (1) per claim) 5/1/18753. Source of water supply (a) Boise Riverwhich is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 04N Range 03W Section 10,
NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of CanyonAdditional 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. Riverside Irrigation District Canal

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 262.5 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	
04N	03W	20			40	35													75

Total number of acres irrigated 75

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

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.

or None (X X)

14. Remarks:

This water right is individually held by the land owners and
delivered by agreement through the Riverside Canal. Claimant
owns a portion of the land covered in the original decree.

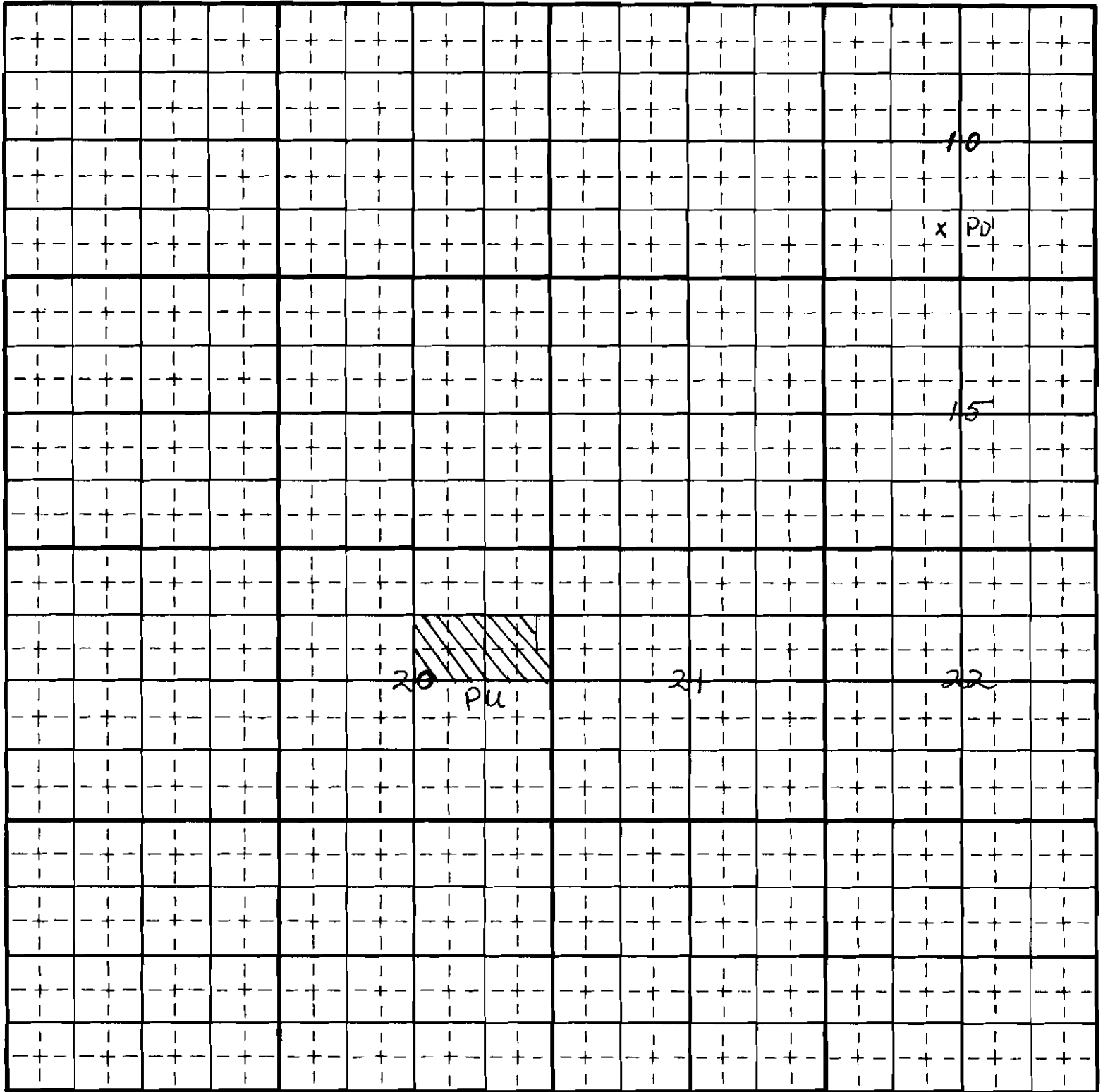
Last Name Roberts Ident No. A63-00305A

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

04N 03W





4N 31

Caldwell Labor Camp

SEIDENBERG

POISE

RIVER

CANAL

ROEDER

DITCH

CALDWELL MUNICIPAL AIRPORT

High School

Courthouse

SPILL BANK

BM 2493

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree XX

If applicable provide IDWR Water Right Number 63-00305

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert C. Roberts Date 20 Feb 98

Nancy Rose Roberts Date 20 FEB '98

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20 day of February 19 98

SEAL

Notary Public [Signature]

Residing at Emmett

My Commission Expires 5/30/98

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name Roberts Ident. Number A63-00305A

Copies White-State, Yellow-Claimant

Date Received

2-20-98 *DMJ*
(11/1/98)

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

RECEIVED
FEB 20 1998

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Robert C. & Nancy Rose Roberts (208) 345-6499
Name of Claimant Phone Number

2109 N 9th Street, Boise, ID 83702
Mailing Address City State Zip

Canyon March, 1990
County(s) where place of use is located Date claim originally due

63-00305
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:
Claimant purchased this property after 1/1/98 and seeks to file a
claim that was inadvertantly not filed because prior owner apparently
thought the claim had been filed by the Riverside Irrigation District.
The water right is a privately held right carried, but not owned,
by Riverside.

Claimant requests an extension to until accomanying claim is accepted.

Robert C. Roberts 20 FEB 98, 19 98
Signature Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to April 1, 19 98

Signed this 20th day of Feb, 19 98

D. R. Tuttle
Director or his designated agent

09/05/2006

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

RIGHT NUMBER: 63-305A

NAME AND ADDRESS: ROBERT C ROBERTS
2109 N 9TH ST
BOISE ID 83702

NANCY ROSE ROBERTS
2109 N 9TH ST
BOISE ID 83702

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.500 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after a of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T04N R03W S10 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
1.500 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S20 SWNE 40.00

T04N R03W S20 SENE 35.00

09/05/2006

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

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 - Decreed

This right is also designated as Right No. 59-A in the Boise River Stewart Decree and Boise River Water Distribution Report.

Idaho Department of Water Resources

T04N, R03W,
SEC 10

Claim No: 63-305A

Prepared By: Kimberly Brown

Date: October 30, 2006



Place of Use



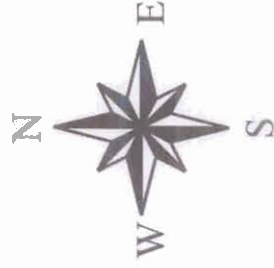
Section Lines



1/4 1/4

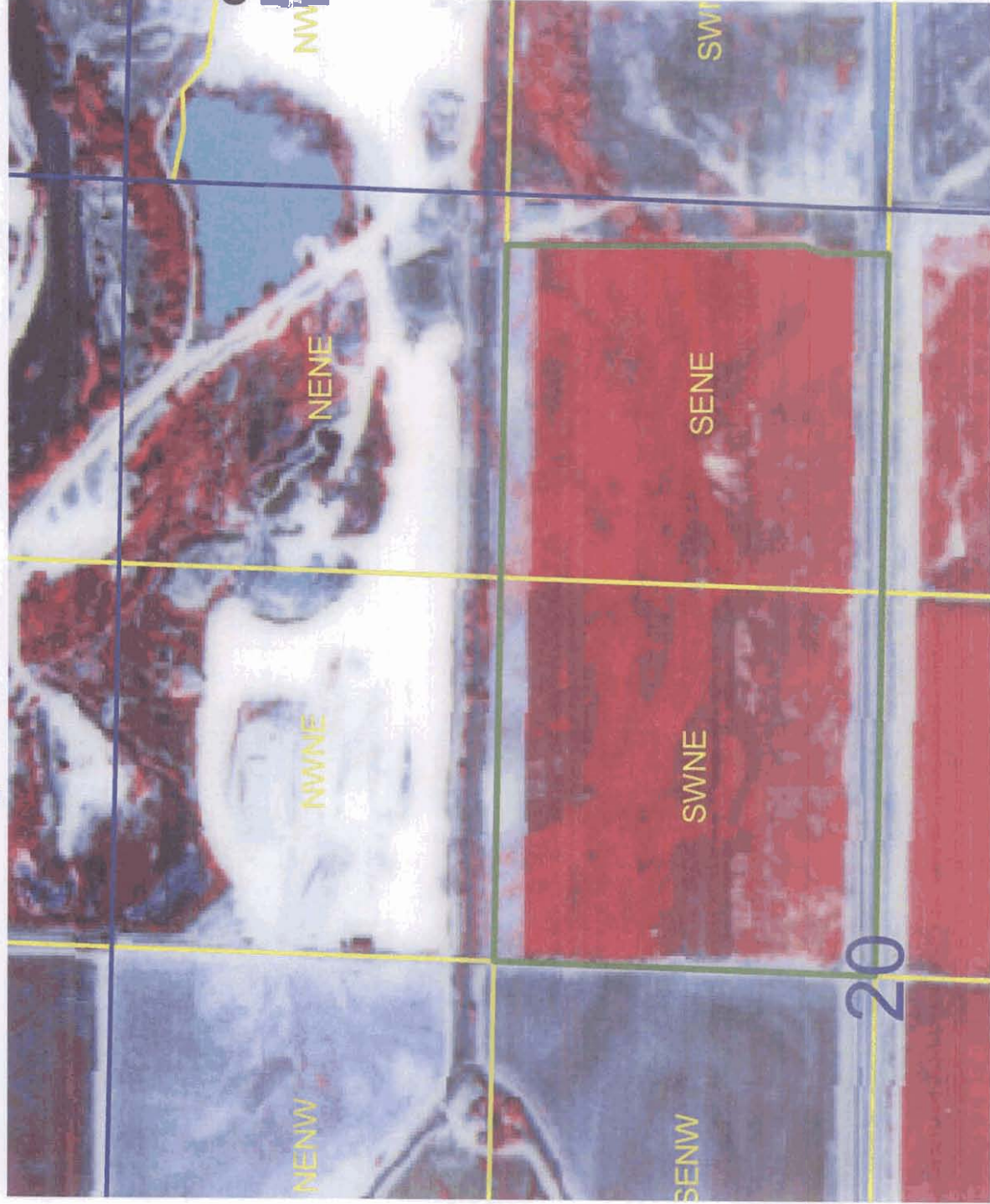
Point of Diversion

Irrigated Acres = 75



0.1188 Miles

1987 NAPP



Brown, Kimberly

From: Brown, Kimberly
Sent: Monday, October 30, 2006 3:07 PM
To: 'sales@rmsteel.com'
Subject: #63-305A Shapefile

Mrs. Bicandy,

I attached the new shapefile taking the 5.0 acres out of the east border of the SENE, Sec. 20; as you requested

***In return, I ask that you send me the signed *Notice of Error Reply* (you received a blank copy with the Preliminary Recommendation) with an explanation of the changes you requested, so that I may place it in the file.

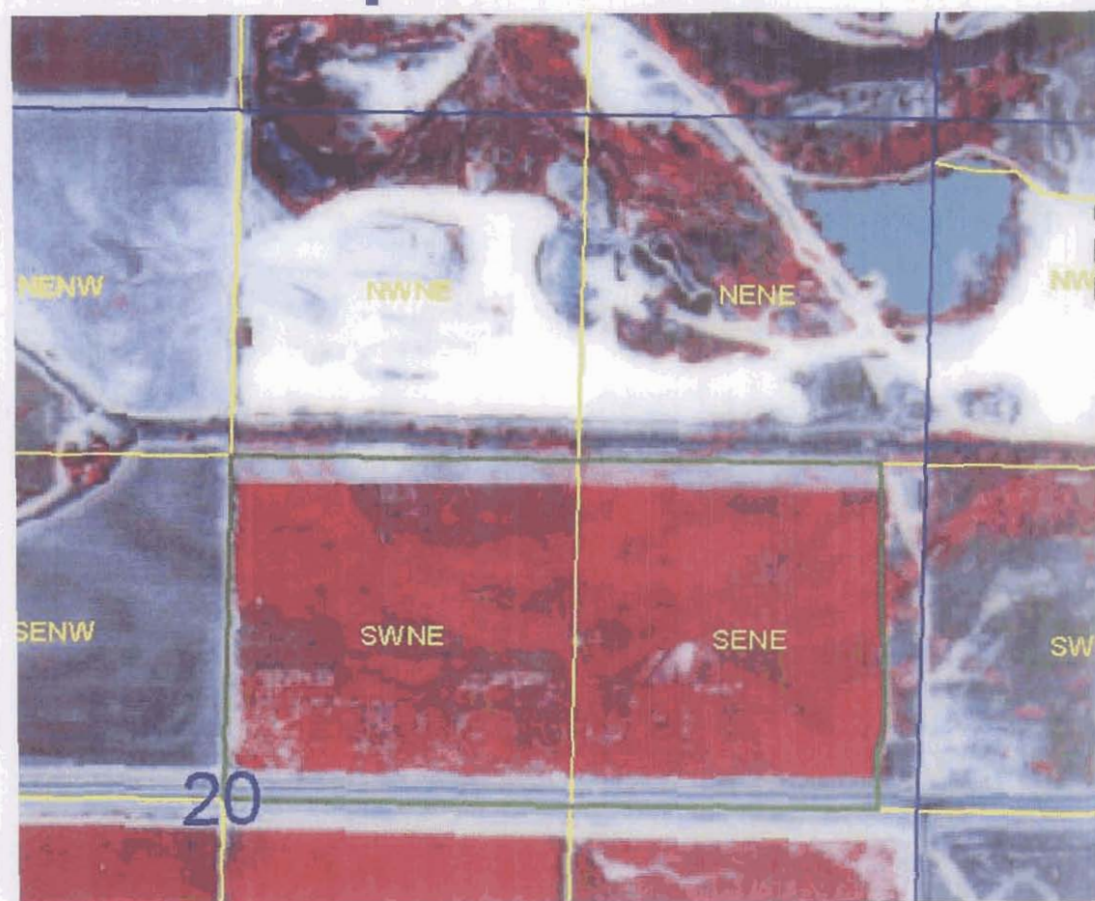
Sincerely,

Kimberly Brown
Sr. Water Resource Agent
Western Region



63-305a.jpg

Idaho Department of Water Resources



**T04N, R03W,
SEC 10**

Claim No: 63-305A
Prepared By: Kimberly Brown
Date: October 30, 2006

-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion



1987 NAPP

0.1188 Miles



Idaho Department of Water Resources



**T04N, R03W,
SEC 10 & 20**

**Claim No: 63-305A
Prepared By: Kimberly Brown
Date: September 5, 2006**



Place of Use



Section Lines

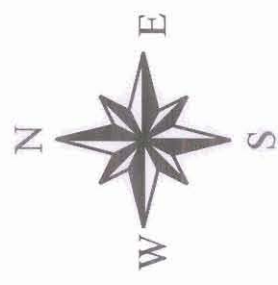


1/4 1/4



Point of Diversion

Irrigated Acres = 75



00.07 Miles

1987 NAPP

* * * Memory TX Result Report (Oct. 27. 2006 1:46PM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: Oct. 27. 2006 1:44PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
6323 Memory TX	94541801	P. 7	OK	

* Per request at Oct. 18th Preliminary Meeting for Basin 63 Part III, Mrs. Roberts asked that I both fax and mail a copy of the Decree and the Notice of Claim.

- K. Brown

Reason for error
E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2725 Airport Way, Boise, Idaho 83705-5882 - (208) 334-2190
FAX (208) 334-2348

JAMES E. HENCH
Governor
KARL J. HERRER
Director

FAX COVER SHEET

TO Nancy Roberts DATE 10/27/06
FROM Kimberly Brown FAX # 454-1801
RE Nancy - I have been attending a conference this week & am only able to send this today. Thanks for your patience.

TOTAL PAGES SENT 6 + COVER SHEET

IDWR INFORMATION & THE INTERNET

You can search the IDWR records on the Internet at www.idwr.idaho.gov

See main menu in the upper left corner. Click on any of these main menus for a more specific homepage with more information. Most IDWR records are organized by township, range and section. Township, range and section information is usually available from county offices. For best results, try a broad search first and narrow the search as needed to avoid overlooking the information you seek.

Water Right After Adjudication Information: click main menu on-line date for that homepage, then click water right & adjudication search. For type of query, select all or by & water rights then click the where tab and enter township, range, section (and maybe 1/4 or 1/4 of section). Be sure to choose "Point of Diversion" or "Place of Use" depending on the information you need ("both" means diversion and use within identical search parameters, not that either are within the parameters).

Well Log Information: on-line date, then well construction search. Enter the township, range and section. Results will list the information about 1/4 1/4 location in a section. Many well logs have been scanned and are available on the Internet.

Permit, Rules and Statutes: click the main menu item to find this homepage.

If you cannot find any information or have trouble interpreting the information, contact the IDWR staff person on duty each day. This person is called the "office day" person and is available to provide general assistance. Call the office day person at 208-334-2190 between the hours of 9 and 5 Monday through Friday.

Your cooperation in using the Internet is appreciated. Your help in asking for the "office day" person for general help instead of a particular IDWR staff member helps us improve our efficiency and provide better, more cost effective service to the public. Thank you.

Bryan Decree 59-A

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-305A

WATER RIGHT NUMBER: 63-305A ✓

Owner Type

Current Owner

Name and Address

ROBERT C ROBERTS ✓
2109 N 9TH ST
BOISE, ID 83702
(208)345-6499

Current Owner

NANCY ROSE ROBERTS ✓
2109 N 9TH ST
BOISE, ID 83702
(208)345-6499

Priority Date: 05/01/1875 ✓

Basis: Decreed ✓

Status: Active

Source

BOISE RIVER ✓

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

1.500 CFS ✓

Annual Volume

Total Diversion:

1.500 CFS ✓

Location of Point(s) of Diversion

BOISE RIVER

NE1/4SE1/4SW1/4 ✓

Sec. 10, Twp 04N, Rge 03W, B.M. ✓

CANYON County ✓

Roedel Ditch?

Place of Use

IRRIGATION

Twp Rge Sec

04N 03W 20

NE ✓

NW

SW

SE

40.0

35.0

NW

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

75.0 ✓

Total Acres: 75 ✓

Conditions of Approval:

1.

THIS WATER RIGHT IS INDIVIDUALLY HELD BY LAND OWNERS & DELIVERED BY AGREEMENT THROUGH RIVERSIDE CANAL. CLAIMANT OWNS A PORTION OF THE LAND COVERED IN THE ORIGINAL DECREE.

Remarks:

ADD - This right is also designated as Right No. 59-A in the Boise River ~~Bryan~~ ^{Stewart} Decree and Boise River Water Distribution Report. (- no irrigation district coverage (in ArcView))

Comments:

* below Star Bridge - ADD 849 - period of use condition

ADD 183 - quantity/step-down condition

Parcel No: R3502200000. (75.1 AC)

Current Owner -

Robert C. Roberts
2109 N. 9th St.
Boise 83702-2820

Property Address -

20595 Farmway Rd.,
Caldwell

← not acc in back file

Field Exam Date 8-5-06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$125.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information none in Sec. 20
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant N/A

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-305A

Owner: Nancy & Robert Roberts Phone No. 345-6499

Current Address: 2109 N. 9th St. Boise 83702

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: in-office verification

PRIORITY DATE

- ☒ No change - Complete evidence submitted or not necessary
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 5/01/1875

(If priority date, based on your exam, seems questionable, explain below.)

Source: Boise River Tributary to _____

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION the POD is in the "Omitted lands", not

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

govt.
lot 5
(see file)
no Govt.
lot

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Riverside Irrigation District Canal**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USESSeason of use is 3/01 to 11/15.☐ No change☐ Different UsesUse Irrigation From 3/01 To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

~~75.0 acres x 4.5 af/acre = 337.5 af/annum @ 1.5 cfs x 1.9835 x 260 days = 773.6~~**TOTAL VOLUME - Groundwater only**☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)AFA not applicable - surface water**NON-IRRIGATION USES:**☒ No changeNone☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:no Govt. lots in S20

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: # 63-290

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

The B-portion of 63-305 was not
claimed in the SRBA. No overlap with 63-290.

Delivery System Narrative: Unknown

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 9.5.06 (in-office review)

FIELD EXAMINER: Himberly Brown 813

* * * Memory TX Result Report (Oct. 13. 2006 7:57AM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: Oct. 13. 2006 7:56AM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
6202 Memory TX	94541801	P. 2	OK	

Per Nancy Roberts'
request —
K. Brown

Reason for error

E. 1) Hang up or line fail

E. 3) No answer

E. 5) Exceeded max. E-mail size

E. 2) Busy

E. 4) No facsimile connection

09/09/2006

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

RIGHT NUMBER: 43-3054

NAME AND ADDRESS: ROBERT C ROBERTS
2108 N 6TH ST
BOISE ID 83702

NANCY ROSE ROBERTS
2108 N 6TH ST
BOISE ID 83702

SOURCE: BOISE RIVER **TRIBUTARY:** SNAKE RIVER

QUANTITY: 1,500 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Snake River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the least rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the least and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 08/01/1976

POINT OF DIVERSION: TOWN ROAD 510 NESESW Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/30	1,500 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Snake River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE 1/4 of the SE 1/4 of the SE 1/4, Boise Meridian (approximately four miles 33.8) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowcreek Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 38576.

PLACE OF USE: IRRIGATION Within CANYON County

TOWN ROAD 530	SENE	40.00	TOWN ROAD 520	SENE	35.00
75 ACRES TOTAL					

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-305A
Agreement with Riverside Canal**

September 12, 2006

After receiving the letter I sent on 9/01/06 requesting a copy of the Agreement with Riverside Canal (I assumed that the claimant may have a copy of this agreement in their files at home and that it would be easy for them to send me a copy for the adjudication file), Nancy Roberts called to inform me that she does not have a copy of this agreement in her home. Therefore, because I requested a copy and because she would also like to have a copy in her possession, she called the Black Canyon Irrigation District office and spoke with the secretary. Mrs. Roberts said that the secretary would look into it and get back to her. I told Mrs. Roberts that the due date of September 13th would no longer be applicable.

September 15, 2006

Nancy Roberts called to inform me that the secretary from Black Canyon told her that all of the agreements were put in a box and that the secretary is having difficulty locating those boxes. Mrs. Roberts said that she will keep me posted. . . .

September 15, 2006

Sheila, from the Riverside Canal Company, called to inform me that she is unable to locate the box with the agreements in it. She mentioned that she could send me a copy of the page that she bills the Roberts from, so I said that would be fine. When I asked if the Roberts have shares with Riverside, Shiela replied that they do not. I then gave Shiela my fax number to that she could fax me a copy of the Roberts' yearly statement.

Kimberly Brown
Senior Water Resource Agent
Western Region

Riverside Irrigation District, Ltd.

P. O. Box 1080
Parma, ID 83660-1080
(208)880-3449

COPY

4-6-06

CIC#2944

TO: Robert C. Roberts
2100 North 9th Street
Boise, ID 83702-2820

INVOICE NO.: 113

DATE: FEBRUARY 28, 2006

<u>DESCRIPTION</u>	<u>AMOUNT</u>
75 acres in the S 1/2 N 1/4, Section 20, T4N, R1W, BM, Canyon County, Idaho	
Diversion and delivery of water from the Boise River to the Licensee's property	\$ 75.00
Total Amount Due for 2005:	\$ 75.00

BALANCE DUE MARCH 28, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 1, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

NANCY & ROBERT ROBERTS
2109 N 9TH ST
BOISE ID 83702

RE: AGREEMENT WITH/THROUGH RIVERSIDE CANAL
Snake River Basin Claim No(s): A63-305A

Dear Mr. and Mrs. Roberts,

I am currently reviewing your claim numbered 63-305A for the irrigation of 75.0 acres in Section 20 of Township 4N, Range 3W. More specifically, I believe this property is located at: 20595 Farmway Rd. in Caldwell. The remarks on the Notice of Claim state, "This water right is individually held by land owners and delivered by agreement through Riverside Canal."

Since we do not have a copy of this agreement with Riverside Canal in our file, would you please send us a copy by September 13, 2006?

If you have any questions, please contact me at #334-2190.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kimberly Brown".

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: Adjudication Claim Report A63-305A

Parent -

09/01/2006

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-305

WATER RIGHT NUMBER: 63-305

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KARL F ROEDEL
	, ZZ
Current Owner	OTTO W ROEDEL
	, ZZ

* only - A portion
has claimed
in SREA

Priority Date: 05/01/1875

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion
BOISE RIVER

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	
04N 03W 17															X	X	
															L 8	L 9	
04N 03W 20	X	X	X	X													
04N 03W 21		X					X										
		L 3															

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-305

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 6/4/1951
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Edwin B Karn
Decree Plaintiff: Karl F Roedel, et al
Civil Case Number:
Judicial District: Seventh District
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

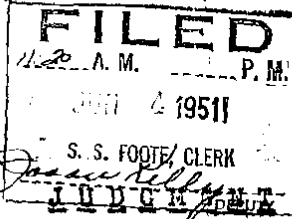
KARL F. ROEDEL and OTTO W.
ROEDEL,

Plaintiffs,

-vs-

EDWIN B. KARN, Water Master,

Defendant.



The above matter came on regularly to be heard in this court without a jury on the 4th day of June, 1951, upon the plaintiffs' complaint, the plaintiffs appearing by their attorney, Cleve Groome, and the defendant having been duly and regularly served with notice and process herein and he appearing not either in person or by attorney; and a non-military affidavit and order having been filed herein and a default having been duly and regularly entered against the defendant, witnesses were sworn and examined on behalf of the plaintiffs, and oral and documentary evidence having been introduced, the court being fully advised in the premises and having duly considered the same, and the court having arrived at his conclusions and having made and filed Finding of Facts and Conclusions of Law from which it appears that the plaintiffs are entitled to Judgment as prayed for in their Complaint;

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED, and this does ORDER, ADJUDGE and DECREE, that the plaintiffs are the owners of the following described real estate situate in Canyon County, Idaho, containing approximately 160 acres of land, to-wit:

The West Half of the Northeast Quarter of Section Twenty (20) and Lot Eight (8) of Section Seventeen (17), Township Four (4) North, Range Three (3) West of the Boise Meridian; the East Half of the Northeast Quarter of Section 20 and the Southwest Quarter of the Northwest Quarter and Lot Three (3) of Section Twenty-one (21) and all of Lot Nine (9), Section Seventeen (17), all in Township Four (4) North, Range Three (3), West of the Boise Meridian, excepting therefrom all that part thereof embraced in the following description, to-wit:

Beginning at the Northeast corner of Lot 10, Section 17; thence South along the East line of said Lot 10 and the East line of Lot 9 of said section, to the middle of the present channel of Boise River; thence in a Westerly direction along the present channel of said Boise River to the West line of the said Lot 9; thence North along the West line of the aforesaid Lots 9 and 10 to the Northwest corner of said Lot 10; thence East along the North line of said Lot 10 to place of beginning;

Karl F. & Otto W. Roedel

That the plaintiffs and their predecessors in interest have continually since the 1st day of May, 1876, diverted water from the natural flow of the Boise River to irrigate the said land of approximately 160 inches measured under a four inch pressure, and that the same has been continually applied to the said land for the beneficial purpose, that of irrigating the same, annually thereafter during the irrigation season; and

DOCS 170
-0305 It is further ORDERED, ADJUDGED and DECREED, and this does ORDER, ADJUDGE and DECREE, that there shall be allowed to flow to the said land, diverted from the Boise River and its tributaries, for the use of the irrigation of the said land for the benefit of the plaintiffs and their successors in interest lawfully entitled thereto priority of 160 inches of water measured under a four inch pressure, dating from the 1st day of May, 1876, provided that this decree shall at all times be subject to the terms of the original decrees of the Boise River, as follows:

That certain decree entered by the Judge of the District Court of the Seventh Judicial District of the State of

Where does it
state T04N,
R03W ?!

Idaho in and for the County of Canyon in the case of Farmers Co-Operative Ditch Company, a corporation vs. Riverside Irrigation District Ltd., dated January 18, 1906, which is commonly referred to and known as the "Stewart Decree" of the natural flow of said river or stream; and subject also to the terms and conditions of that certain decree made and entered in the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon in the case of the Pioneer Irrigation District vs. American Ditch Association, et al., dated February 14, 1929, commonly known as the "Bryan Decree; in which decrees was adjudicated the priorities of the natural flow of the water and of the flood waters of the Boise River; and

It is hereby further ADJUDICATED and DECREED that the above named defendant as Water Master of the Boise River and his successors in office shall allow to flow to the said land of the plaintiffs for irrigation purposes and for the benefit of the plaintiffs herein and their successors in interest, who may be lawfully entitled thereto by virtue of the appropriation, in an amount of 160 inches of water per second measured under a four inch pressure, dating from the 1st day of May, 1875; and the said Water Master of the Boise River and his successors in interest shall distribute to them the said water in accordance therewith in the same manner and effect as thereof their said rights had been included in the said original decrees commonly known as the "Stewart Decree" and the "Bryan Decree" hereinabove referred to, and with the same priority as thereof contained in the said two original decrees.

Done in open court this 4th day of June, 1951.

State of Idaho } ss.
County of Canyon }
I hereby certify that the foregoing instrument
is a true and correct copy of the original as the
same appears in this office.

DATED

June 4, 1951
S. S. Foote, Clerk of the District Court
and Ex. Office Recorder.
James Kelly
Deputy

Ronald Anderson
District Judge

INTERVENORS - STEWART DECREE

(like late claims)

CHART NO. 2

BOISE RIVER

NUMBER	DATE	NAME	CANAL	AMOUNT DECREED		DEPT. OF WATER ADMINISTRATION
				SEC. FT.	INCHES	
8-A	4-1-1865	ADOLPH BAHLER	BAHLER	.80	40	63-0278
8-B	4-1-1865	FIRST NAT. BANK OF PUEBLO	BUBB	1.80	90	63-0280
8-C	1865	LOUISE SIMONSON	LEMP DITCH	6.00	300	63-0270
8-D	1865	S. G. HARDIES	BUBB	.50	25	63-0281
31-A	6-1-1866	WM. MUSSER	LAWRENCE & KENNEDY	2.30	115	63-0254
31-B	6-1-1866	MINNIE & JEREMIAH COUZENS	MIDDLETON WATER	.60	30	63-0255
31-C	6-1-1866	ALBERT C. BOWERMAN	LAWRENCE & KENNEDY	1.10	55	63-0001
35-A	6-1-1867	RALPH T. KNIGHT & ORA K. TILLER	CANYON COUNTY WATER CO.	1.76	88	63-0277
47-A	4-1-1870	ADOLPH BAHLER	BAHLER	.80	40	63-0279
50-A	1870	(S. G. HARDIES (AMELIA EISLEY	BUBB	1.00	50	63-0282) 63-0283)
59-A	5-1-1875	KARL F. & OTTO W. ROEDEL	INDIAN CREEK	3.20	160	63-0305
66-A	4-1-1878	J. S. KRAUSS	BALLENTYNE	.80	40	63-0265
66-C	4-1-1878	J. W. KOLANDER	BALLENTYNE	1.40	70	63-0289
66-D	4-1-1878	M. T. GRIFFITH	BALLENTYNE	.80	40	63-0264
71-A	4-1-1879	ISLAND HIGH LINE DITCH	ISLAND HIGH LINE DITCH	3.00	150	63-0291
73-A	4-1-1880	GOBLE & SONGER	NEW DRY CREEK	.54	27	63-0288
73-B	1880	ALBERT LEMP ET AL	BAXTER DITCH	3.20	160	63-0368
74-A	6-1-1880	C. B. FRANK	NEW DRY CREEK	1.816	90.8	63-0263
77-A	6-1-1881	GUS A. BARTH	PARMA DITCH CO.	1.60	80	63-0272
77-B	6-1-1881	CHARLES JURRIES	PARMA DITCH CO.	.34	17	63-0274
77-C	6-1-1881	JAMES FINLAY	PARMA DITCH CO.	.80	40	63-0275
77-D	6-1-1881	LESTER J. SHIPPY	PARMA DITCH CO.	1.30	65	63-0273
77-E	4-15-1882	ROC HELM	RIVERSIDE IRRIG. DIST.	3.674	183.70	63-0290
85-A	6-1-1882	LEO MARSTERS	WARM SPRINGS SLOUGH	1.76	88	63-0287
85-B	4-1-1883	JACOB BINGMAN	SETTLERS	1.00	50	63-0257
85-C	5-1-1883	WM. HUCKBA	NEW DRY CREEK	.2232	11.16	63-0259
85-D	5-1-1883	C. H. SCHMELZER	BALLENTYNE	.8256	41.28	63-0260
85-E	5-1-1883	C. W. MCCLURG	NEW DRY CREEK	.385	19.25	63-0261
106-A	3-1-1889	AMELIA EISLEY	BUBB	.84	42	63-0284
114-A	5-1-1889	NEIL & PATRICK O'DONNELL	O'DONNELL & BARTH	1.60	80	63-0276
114-B	5-1-1889	GUS A. BARTH	O'DONNELL & BARTH	.80	40	63-0271
116-A	6-1-1890	ANNA SPENCER	RIVERSIDE IRRIG. DIST.	.72	36	63-0266
116-B	6-1-1890	WILLIS B. SPENCER	RIVERSIDE IRRIG. DIST.	.10	5	63-0267
116-C	6-1-1890	REBECCA BELL	RIVERSIDE IRRIG. DIST.	.40	20	63-0268
123-A	4-15-1893	OTTO & MARIE MULLER	MIDDLETON MILL DITCH	1.60	80	63-0370
124-A	5-1-1893	W. D. CHARTERS	NEW DRY CREEK	.825	41.25	63-0258
129-A	4-1-1897	H. E. PLAIN	NEW DRY CREEK	.54	27	63-0286
136	5-1-1906	H. E. WIMER	BALLENTYNE	.392	19.6	63-0285
137	5-1-1909	B. P. WEAVERLING	MACE & MACE	1.76	88	63-0253
137-A	4-1-1910	ISLAND HIGH LINE DITCH	ISLAND HIGH LINE DITCH	7.00	350	63-0292
138	6-14-1912	WESLEY A. MACE	MACE & CATLIN	.44	22	63-0261-382
139	4-1-1915	ISLAND HIGH LINE DITCH CO.	ISLAND HIGH LINE DITCH	10.00	500	63-0293

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-305A

09/05/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~305A~~	~~Claim~~	~~04N~~	~~03W~~	~~20~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~40/75~~	~~ROBERT C ROBERTS~~
-290	Water Right	04N	03W	20	SW	NE		IRRIGATION		ROC HELMS
~~305~~	~~Water Right~~	~~04N~~	~~03W~~	~~20~~	~~SW~~	~~NE~~		~~IRRIGATION~~		~~KARL F ROEDEL~~
~~305A~~	~~Claim~~	~~04N~~	~~03W~~	~~20~~	~~SE~~	~~NE~~		~~IRRIGATION~~	~~35/75~~	~~ROBERT C ROBERTS~~
~~305~~	~~Water Right~~	~~04N~~	~~03W~~	~~20~~	~~SE~~	~~NE~~		~~IRRIGATION~~		~~KARL F ROEDEL~~

- no overlap w/ #63-290

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-290

WATER RIGHT NUMBER: 63-290

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROC HELMS
Current Owner	, ZZ SIMPLOT LIVESTOCK CO PO BOX 27 BOISE, ID 83707
Attorney	J R SIMPLOT CO ENV AND REGULATORY AFFAIRS ATTN: GRAY YOUNG OR TERRY UHLING PO BOX 27 BOISE, ID 83707-0027 (208)389-7318

no overlap

Priority Date: 04/15/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.674 CFS	
	<u>Total Diversion:</u>	3.674 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

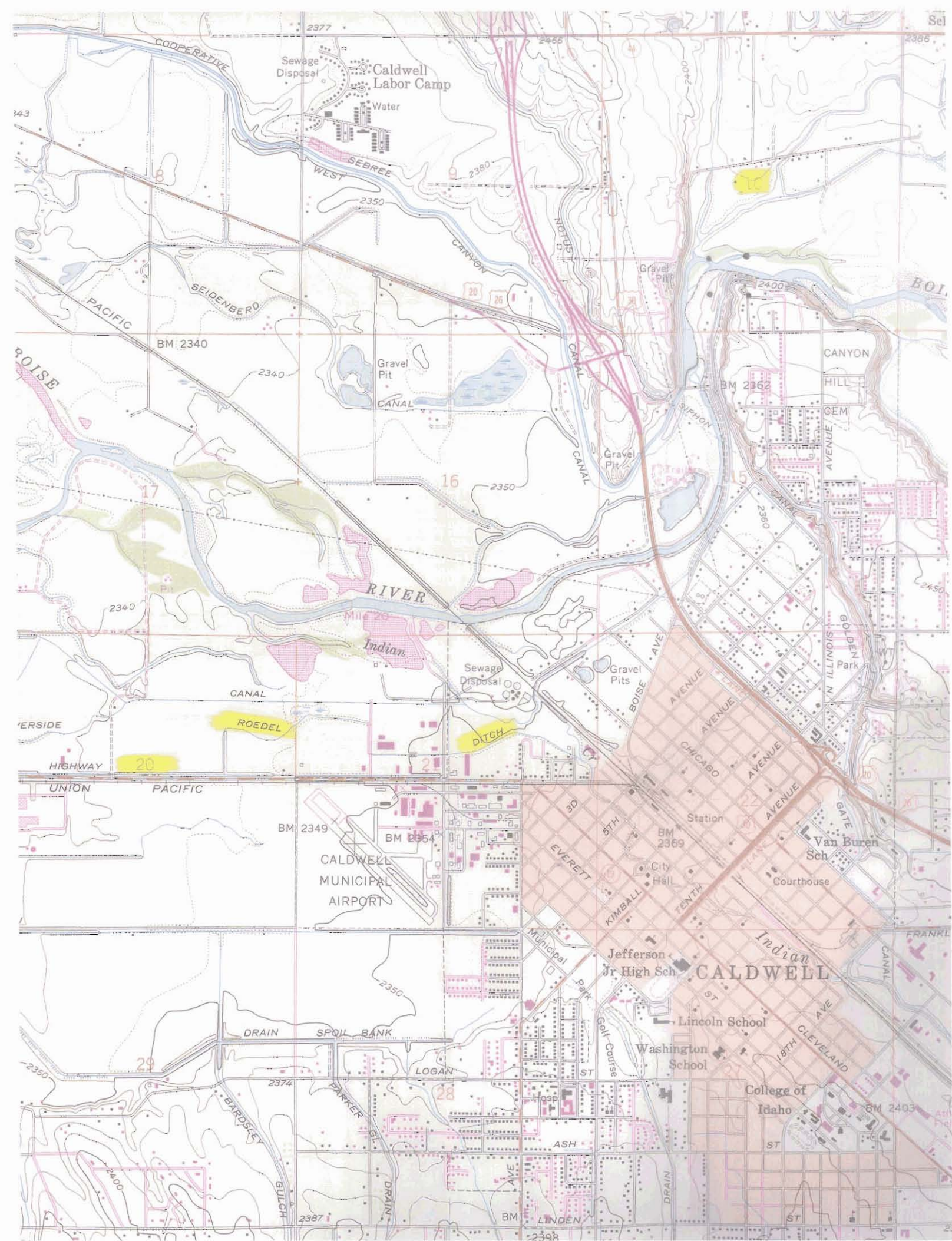
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17															10.0		10.0
																	L 8		
04N	03W	20		2.0			40.0				40.0								82.0

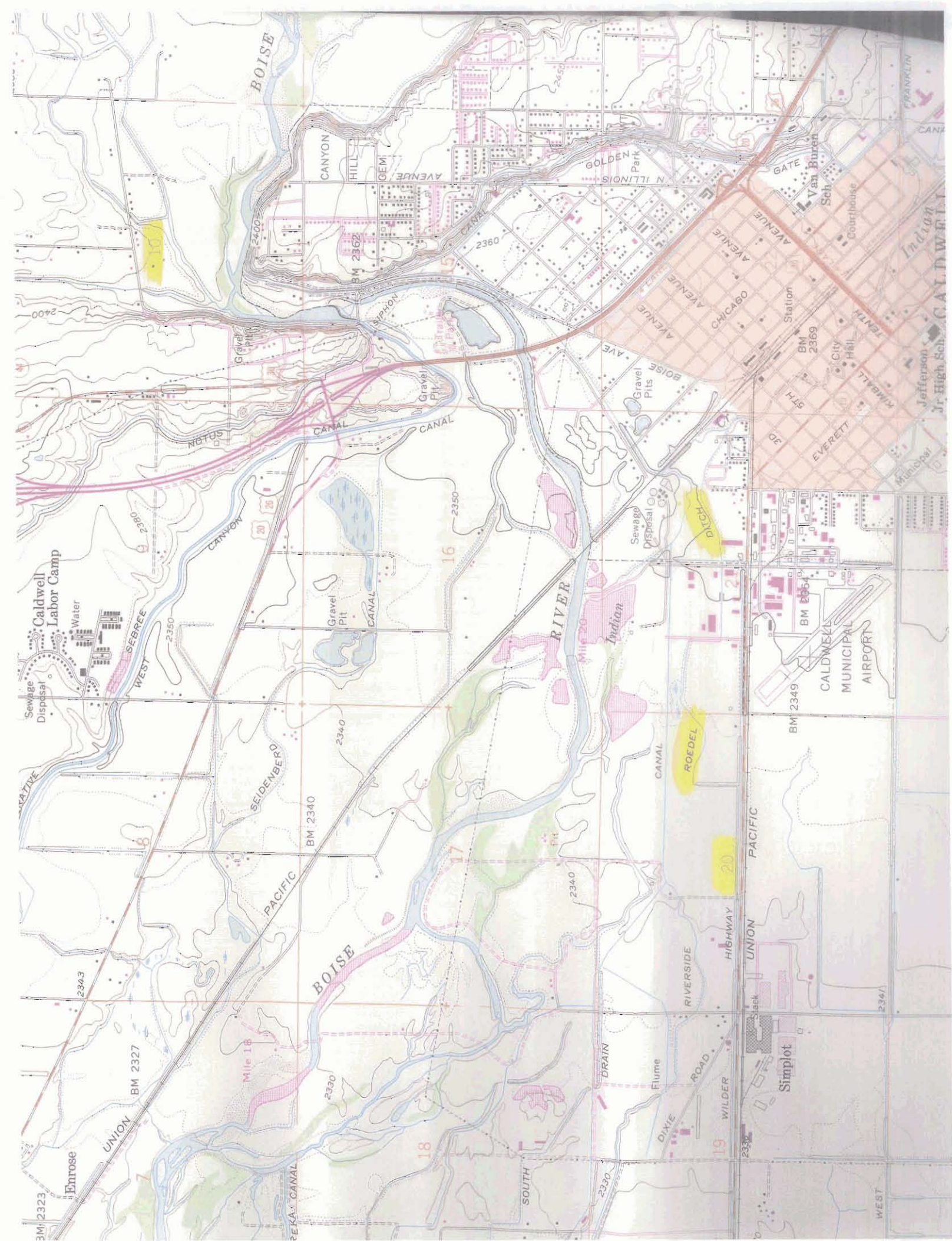
Total Acres: 92

Conditions of Approval:

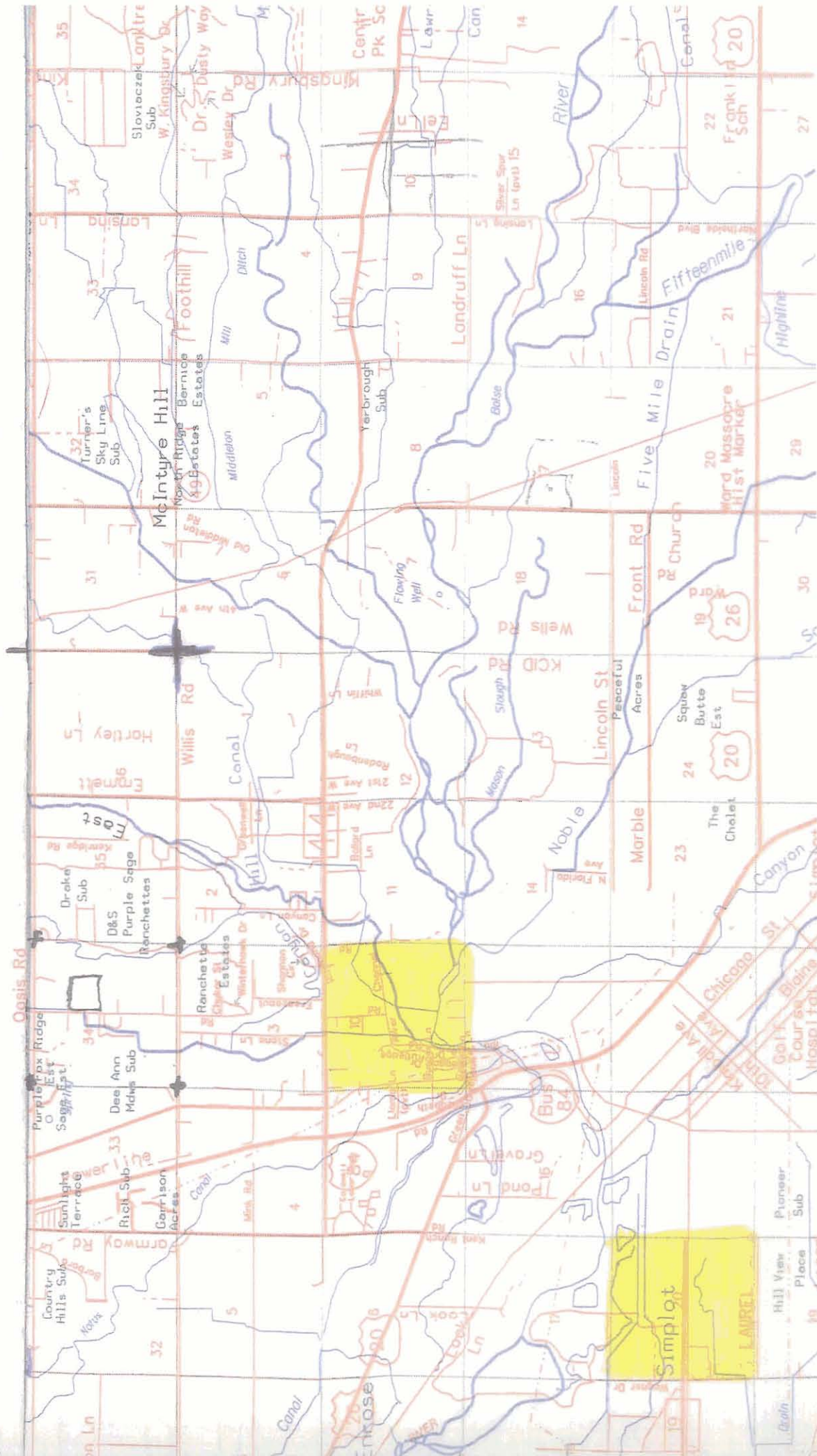
1. WATER DELIVERED BY RIVERSIDE IRRIGATION DISTRICT.

Remarks:



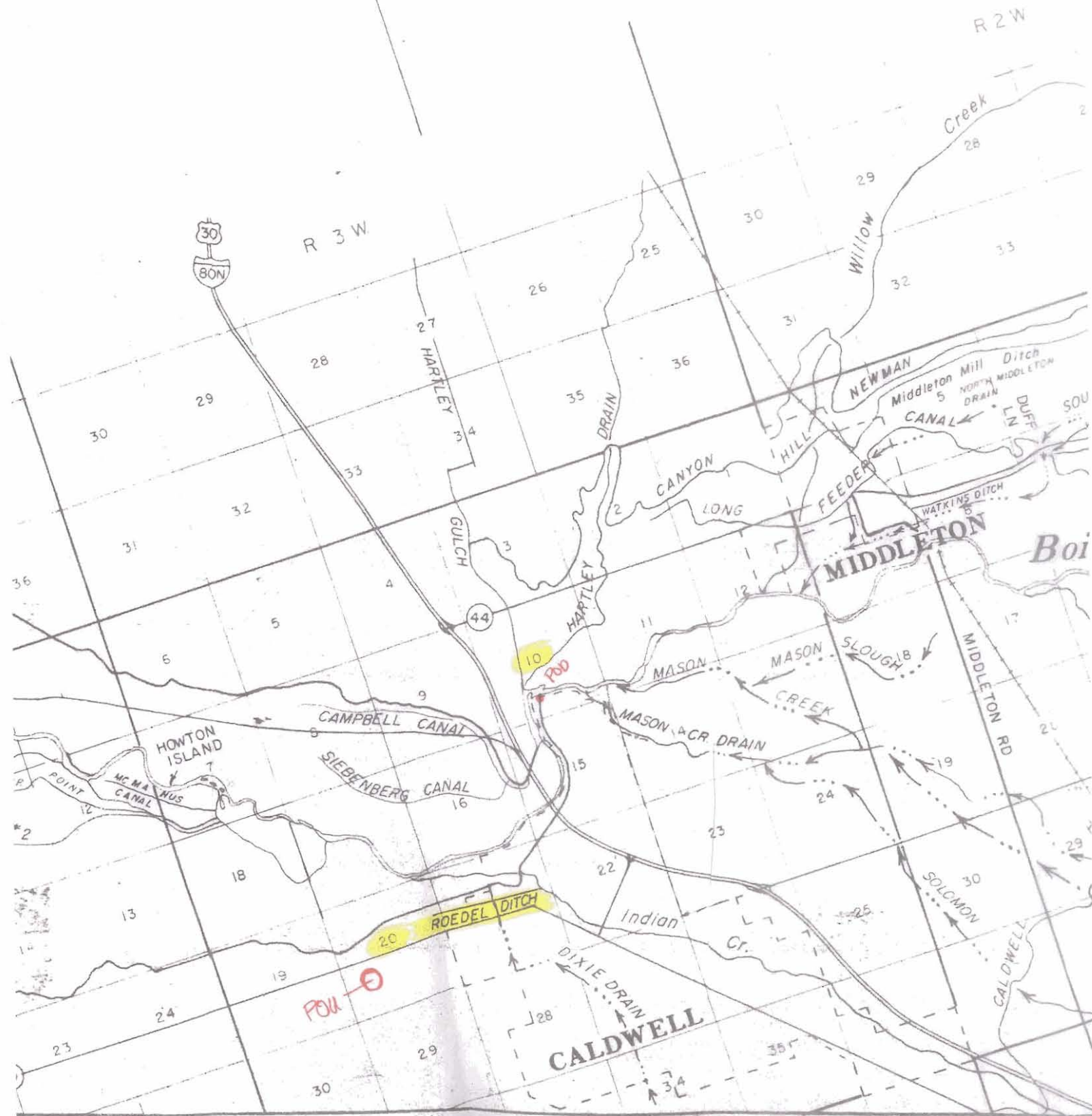


110



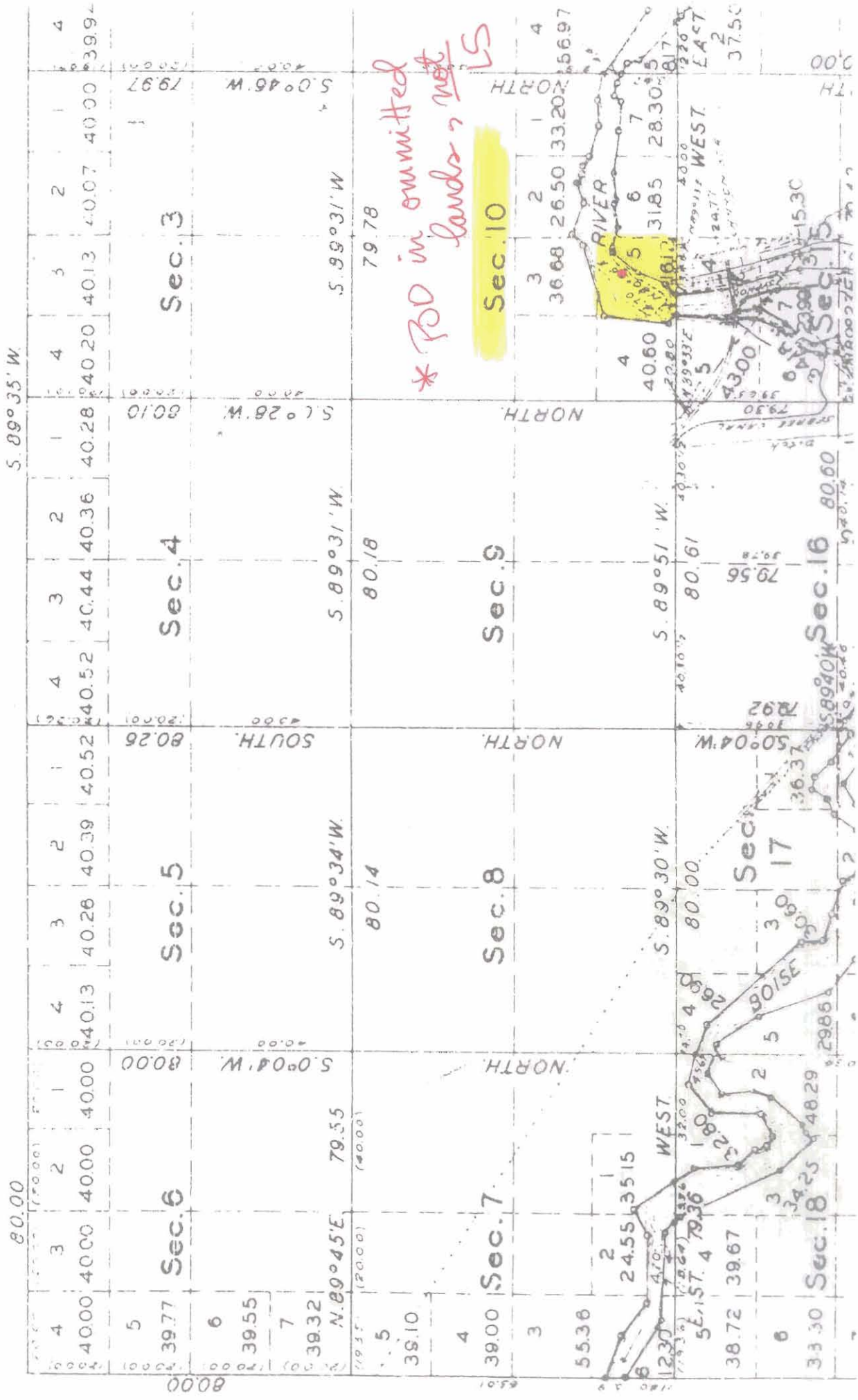
"Diversions and Tributaries Along Boise River"

(December 1967)

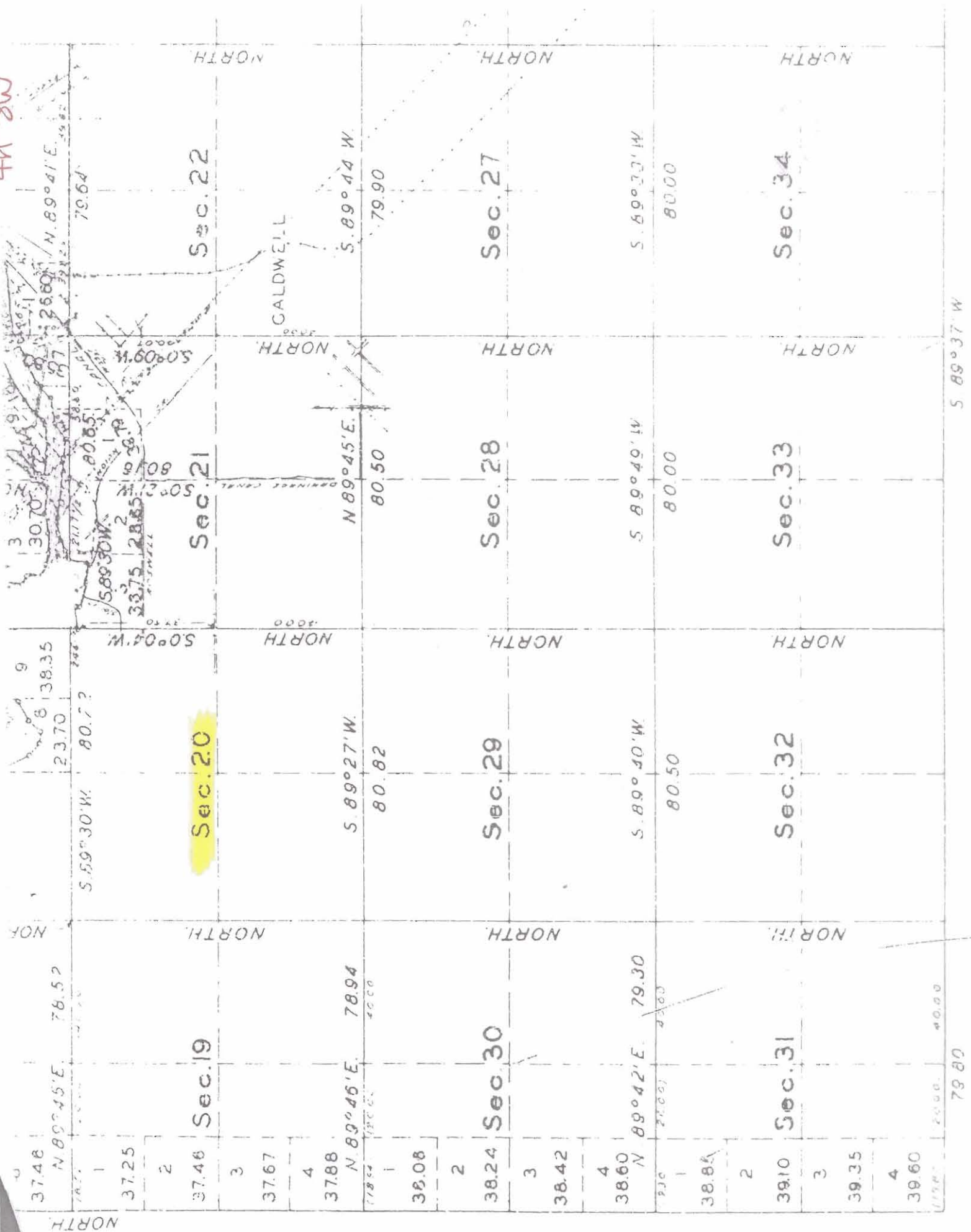


COMPOSITE PLAT OF

P. N° 4 NORTH, RANGE N° 3 WEST OF T



4th 3rd





RESOURCES CORPORATION

Consultants in Natural Resources and the Environment

RECEIVED

FEB 20 1998

Department of Water Resources

February 20, 1998

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Water Right Claim by Robert C. and Nancy Rose Roberts

Gentlemen:

Attached is a Notice of Claim to Water Right and a Request for Extension of Time to File Adjudication Claim in the name of Robert C. and Nancy Rose Roberts. Also attached is a check in the amount of \$175.00 for the filing fee and late fee for this claim.

Please contact me at the phone number and address below if there are deficiencies on the face of either of these documents or if I can answer any questions for you.

If you are able to act favorably on the extension request please refund the late fee directly to the Roberts at the address shown on the documents. Thank you for your consideration.

Yours truly,

David B. Shaw
Project Manager

ALB-00305A

cc: Robert C. and Nancy Rose Roberts

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-00305A

Date: 11-20-01

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	3W	20			40	35													75
GIS						37	38													75
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1 (4N, 3W, 50)

Total Claimed Acres: 75

Overlapping POU Claim #'s:

Total GIS Acres: 75

COMMENTS:

per claim map

Receipt Details for ID C041489

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/20/1998 1:34:09 PM	2/20/1998	State	\$125.00	Check
Payer	SHAW, DAVID			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
228			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUD FILING FEE A63-00305A

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	ADJUD FILING FEE A63-00305A	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	305	A	\$125.00	Claim

Print Report