

11/01/2006

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

RIGHT NUMBER: 63-32351

NAME AND ADDRESS: CITY OF BOISE  
PARKS & RECREATION DEPT  
1104 ROYAL BLVD  
BOISE ID 83706-2898

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 140.000 AFY

PRIORITY DATE: 08/30/1956

POINT OF DIVERSION:

T03N R02E S4 NWNW Within ADA County

T03N R02E S4 SWNW Within ADA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| MUNICIPAL STORAGE     | 01/01 12/31          | 140.00 AFY      |

PLACE OF USE: MUNICIPAL STORAGE Within ADA County

|               |      |               |      |
|---------------|------|---------------|------|
| T03N R02E S04 | NWNW | T03N R02E S04 | SWNW |
|---------------|------|---------------|------|

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

Point of diversion and place of use are Esther Simplot Park.

Draft

07/12/2006

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PERIOD OF USE:

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PERIOD OF USE

QUANTITY

MUNICIPAL STORAGE

01/01 12/31

140.00 AFY

PLACE OF USE: MUNICIPAL STORAGE Within ADA County

T03N R02E S04

NWNW

T03N R02E S04

SWNW

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Comment

Recreational, wildlife and aesthetic uses of this pond have been continual since the pond was constructed. Consumptive use estimated with IDWR standards from "consumptive irrigation requirement, field headgate requirement" chart in SRBA claim instructions (page 15) to account for evaporation from the surface of the pond. This is one of two ponds in the city park.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Point of diversion and place of use are Esther Simplot Park.

RECEIVED

JUL 11 2006

DEPARTMENT OF  
WATER RESOURCES

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-32351  
Date Received: 6/30/2006  
Receipt No: W034398  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BOISE Phone: (208)384-4240  
PARKS & RECREATION DEPT  
1104 ROYAL BLVD  
BOISE ID USA 83706-2898

2. Date of Priority: 08/30/1956

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 | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 02E   | 4       | NW NW                 | ADA    |      |
| 03N      | 02E   | 4       | SW NW                 | ADA    |      |

5. Description of diverting works:

No diversion from the Boise River. The pond was originally constructed for sand and gravel extraction. Pond footprint and depth have changed over the years. The current surface area of the pond is 7 acres; average depth unknown, assumed to be 20 ft. This is one of two ponds in this city park. Number of ponds, footprints, and depths have varied over time.

6. Water is used for the following purposes:

| Purpose           | From To     | C.F.S. | (or) A.F.A |
|-------------------|-------------|--------|------------|
| MUNICIPAL STORAGE | 01/01 12/31 |        | 140        |

7. Total Quantity Appropriated is:  
140 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Recreation, wildlife, and aesthetic

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use               | Acres |
|----------|-------|---------|------------|-----|-------------------|-------|
| 03N      | 02E   | 4       | NW         | NW  | MUNICIPAL STORAGE |       |
|          |       |         | SW         | NW  | MUNICIPAL STORAGE |       |

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:

14. Remarks:

Recreational, wildlife and aesthetic uses of this pond have been continual since the pond was constructed. Consumptive use estimated with IDWR standards from "consumptive irrigation requirement, field headgate requirement" chart in SRBA claim instructions (page 15) to account for evaporation from the surface of the pond. This is one of two ponds in the city park.

Point of diversion and place of use are Esther Simplot Park.

15. Basis of Claim: Beneficial Use

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

A63-32351

Date Received

6-30-06

Receipt Number

W034398

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 30 2006

WATER RESOURCES  
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) CITY OF BOISE PARKS & RECREATION DEPARTMENT Phone (208) 384 4240

Mailing Address 1104 ROYAL BLVD, BOISE ID Zip 83706

2. Date of Priority (Only one (1) per claim) AUGUST 30, 1956

3. Source of water supply (a) BOISE RIVER  
which is tributary to (b) SNAKE RIVER

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

Additional points of diversion if any: T3N R2E S.4 SWNW Ada County

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.

No diversion from the Boise River.

The pond was originally constructed for sand and gravel extraction. Pond footprint and depth have changed over the years. The current surface area of the pond is 7 acres; average depth unknown-assumed to be 20 feet. This is one of two ponds in this City Park. Number of ponds, footprints, and depths have varied over time.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal Storage purposes from 1-1 to 12-31 amount \_\_\_\_\_ or 140

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) 140 (acre feet)

8. Total consumptive use claimed is 24.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Municipal Storage is for recreational, wild life, and aesthetic uses

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 |        |
| 3N  | 2E  | 4   |        |       |       |       |        | M     | M     |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated N/A

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. \_\_\_\_\_ or None (X)

14. Remarks: Recreational wildlife and aesthetic uses of this pond have been continual since the pond was constructed. Consumptive use estimated with IDWR standards from "Consumptive Irrigation Requirement, Field Headgate Requirement" chart in SRBA claim instructions (page 15) to account for evaporation from the surface of the pond. This is one of two ponds in this City park. Point of diversion and place of use are Esther Simplot Park.

Last Name CITY OF BOISE Ident No. \_\_\_\_\_

15. Basis of Claim (check one) Beneficial 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 Director Title  
of CITY OF Boise, Parks & Recreation Department Organization, that I have signed the foregoing  
document in the space below as Director Title of CITY OF Boise, Parks & Recreation Organization  
Department  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James R. Hull

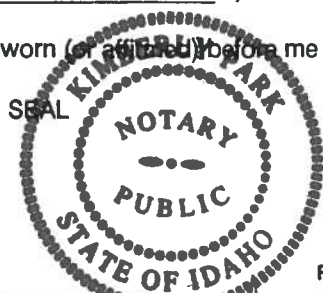
Title and Organization DIRECTOR, CITY OF BOISE PARKS & RECREATION

DEPARTMENT

Date 6/29/06

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

Subscribed and sworn (or affirmed) before me this 29 day of June 2006



Notary Public Kimberly Park

Residing at Ada County

My Commission Expires 10/17/2011

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Matthew Wilde 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 Matthew Wilde

Address OFFICE OF THE CITY ATTORNEY

PO BOX 500 Boise, IDAHO 83701

Date 6/28/06

Last Name CITY OF Boise Ident. Number \_\_\_\_\_

# City of Boise Esther Simplot Park



- Legend**
- Sections
  - Railroads
  - 2003 Color Ortho Photos

Scale: 1:24,591

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ESTHER SIMPSON PARK

CITY OF BIRMINGHAM PARKS & RECREATION

10dec59.tif (4676x6045x256 tiff)



ESTHER SANDLOT RIVER

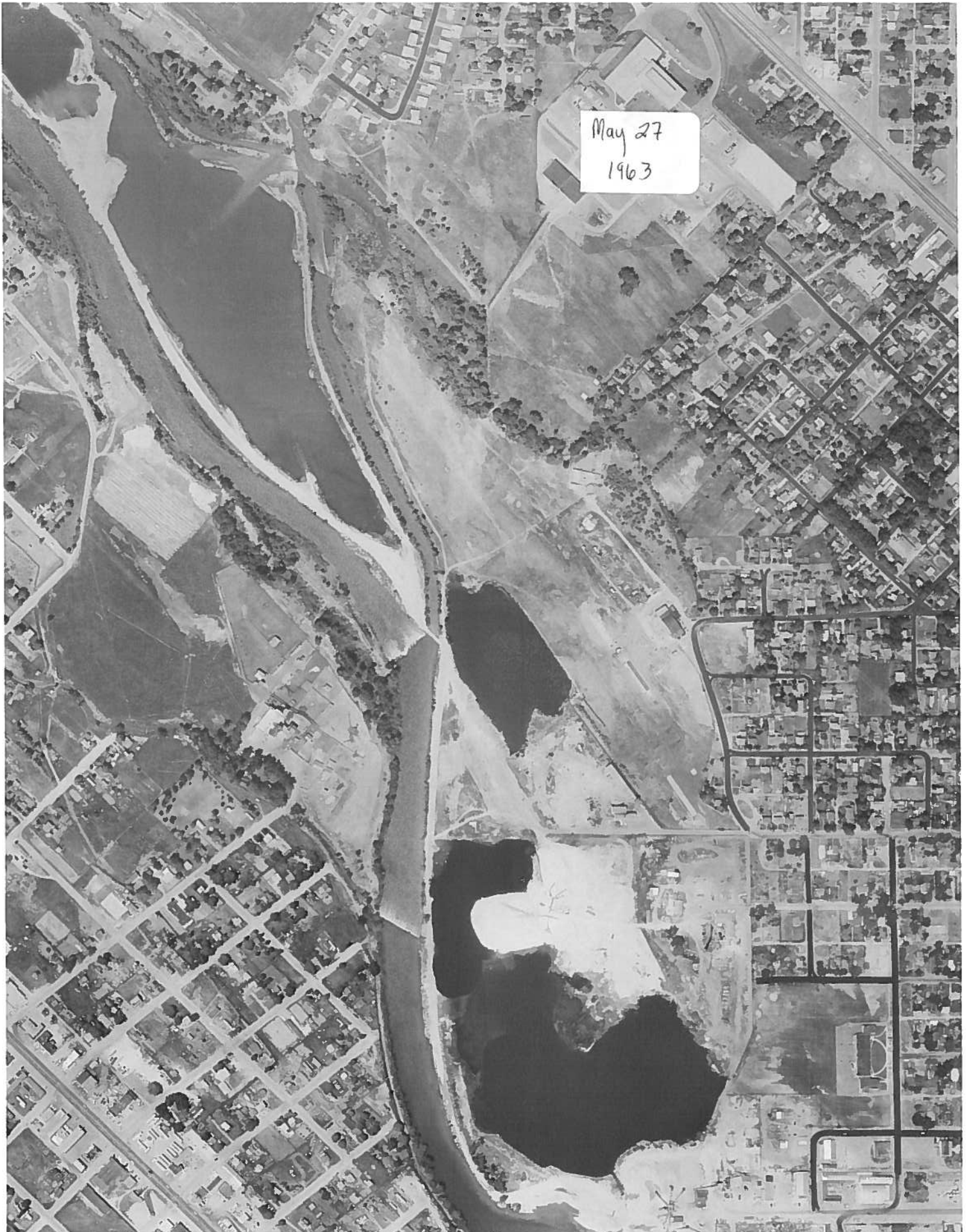
RIVER NE BRIDGE PARK & RECREATION



ESTABL SIMMONS PARK

CITY OF RENO PARKS & RECREATION

27may63.tif (4970x6408x256 tiff)

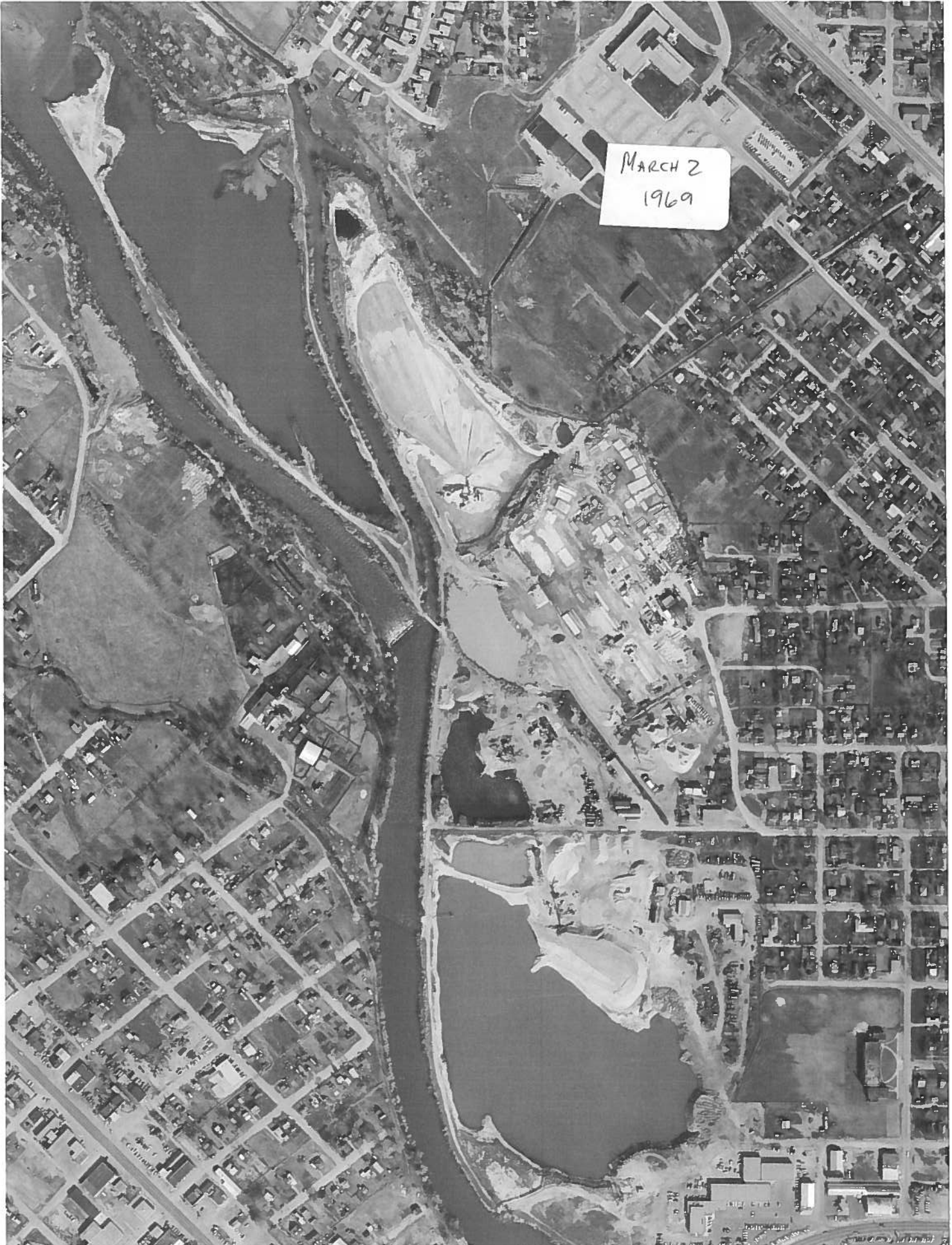


May 27  
1963

ESTHER SIMPSON PARK

CITY OF BOISE PARKS & RECREATION

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FEATHER SIMPSON PARK

CITY OF BOISE PARKS & RECREATION