

11/01/2006

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

RIGHT NUMBER: 63-32352

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

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 220.000 AFY

PRIORITY DATE: 08/30/1956

POINT OF DIVERSION:

T03N R02E S4 NWNW Within ADA County
T03N R02E S4 SWNW Within ADA County
T03N R02E S5 NENE Within ADA County
T03N R02E S5 SENE Within ADA County
T04N R02E S32 SESE 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	220.00 AFY

PLACE OF USE: MUNICIPAL STORAGE Within ADA County

T03N R02E S04	NWNW	T03N R02E S04	SWNW
T03N R02E S05	NENE	T03N R02E S05	SENE
T04N R02E S32	SESE		

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.

OK DM

Draft

07/12/2006

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL STORAGE	01/01 12/31	220.00 AFY

PLACE OF USE: MUNICIPAL STORAGE Within ADA County

T03N R02E S04	NWNW	T03N R02E S04	SWNW
T03N R02E S05	NENE	T03N R02E S05	SENE
T04N R02E S32	SESE		

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

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 this city park.

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.

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 63-32352
Date Received: 6/30/2006
Receipt No:
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	
03N	02E	5	NE NE	ADA	
03N	02E	5	SE NE	ADA	
04N	02E	32	SE SE	ADA	

5. Description of diverting works:

No diversion from the Boise River. The pond, one of two currently in the park was originally constructed for sand and gravel extraction. The footprint and depth of both ponds have changed over the years. The current surface area of the pond is 11 acres; average depth is unknown and assumed to be 20 ft.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL STORAGE		01/01	12/31	
220				

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: Recreation, wildlife, 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	
03N	02E	5	NE	NE	MUNICIPAL STORAGE	
			SE	NE	MUNICIPAL STORAGE	
04N	02E	32	SE	SE	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 this 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 ALB3-02352
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 83702

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: T3NR2ES4 SWNW; T3NR2ES5, NENE & SENE; T4NR2E S32 SESE

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, one of two currently in the park, was originally constructed for sand
and gravel extraction. The footprint and depth of both ponds have changed over
the years. The current surface area of the pond is 11 acres; average depth
is unknown and assumed to be 20 feet.

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 220

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) 220 (acre feet)

8. Total consumptive use claimed is 38.5 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, wildlife, 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										
		5	M			M													
4N	2E	32																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, and other ponds on this property have been continual since the pond(s) 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 DEPARTMENT Organization _____
and that the statements contained in the foregoing document are true and correct.

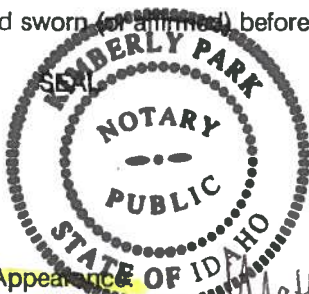
Signature of Authorized Agent James R. Hull

Title and Organization DIRECTOR PARKS & RECREATION DEPARTMENT

Date 6/28/06

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 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 [Signature]

Address OFFICE OF THE CITY ATTORNEY
PO BOX 500 BOISE, IDAHO 83701

Date 6/28/06

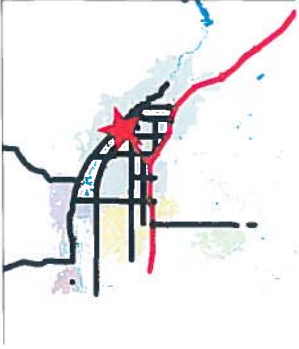
Last Name CITY OF BOISE

Ident. Number _____

City of Boise Esther Simplot Park



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Legend

- Sections
- Railroads
- 2003 Color Ortho Photos



Scale: 1:24,591

30aug56.tif (5889x7585x256 tiff)



Center Smith Park

City of Boise Parks & Recreation



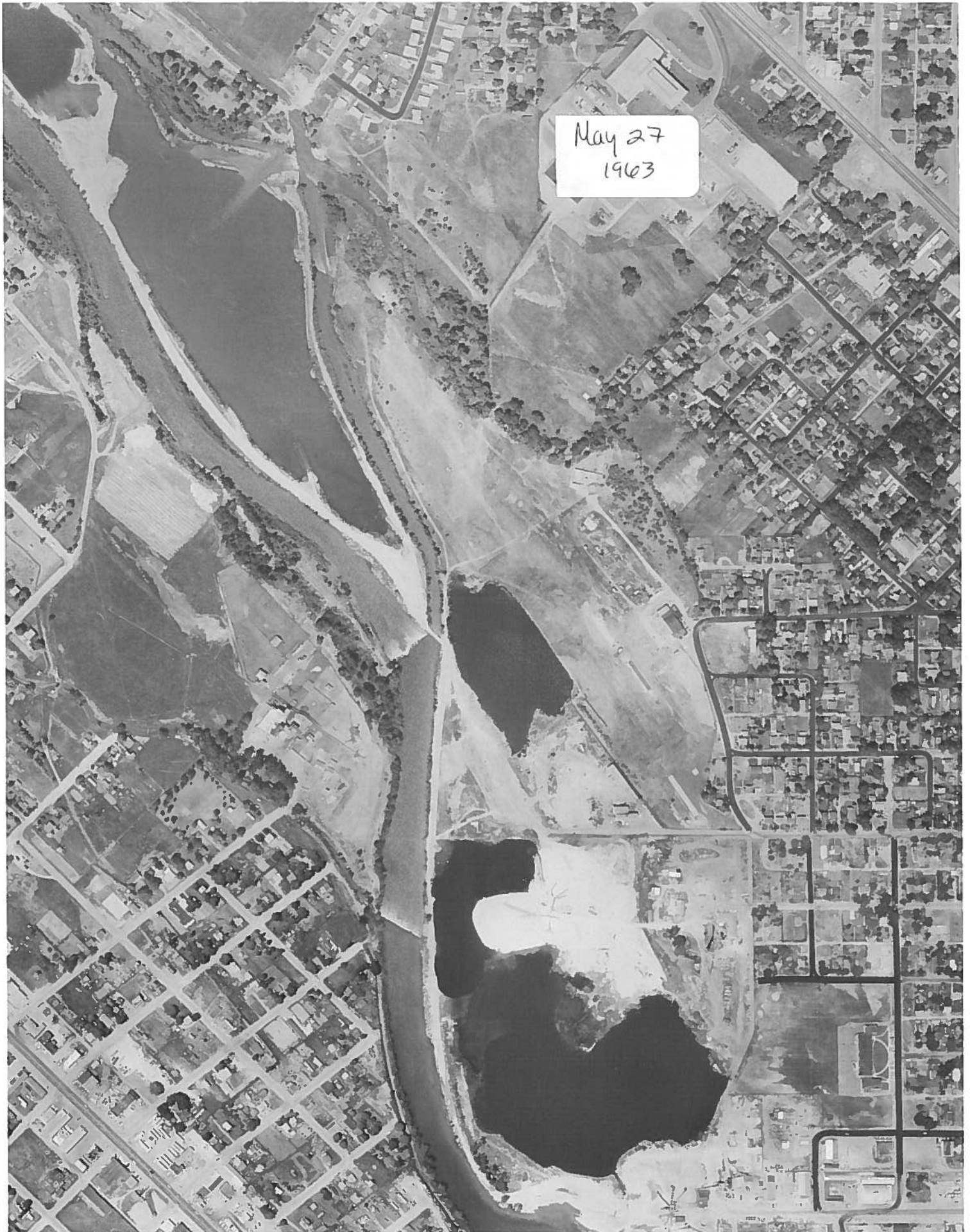
December 10
1959

San Juan River City of Bisco River & Dam



Southern California River City of Los Angeles & P. regional

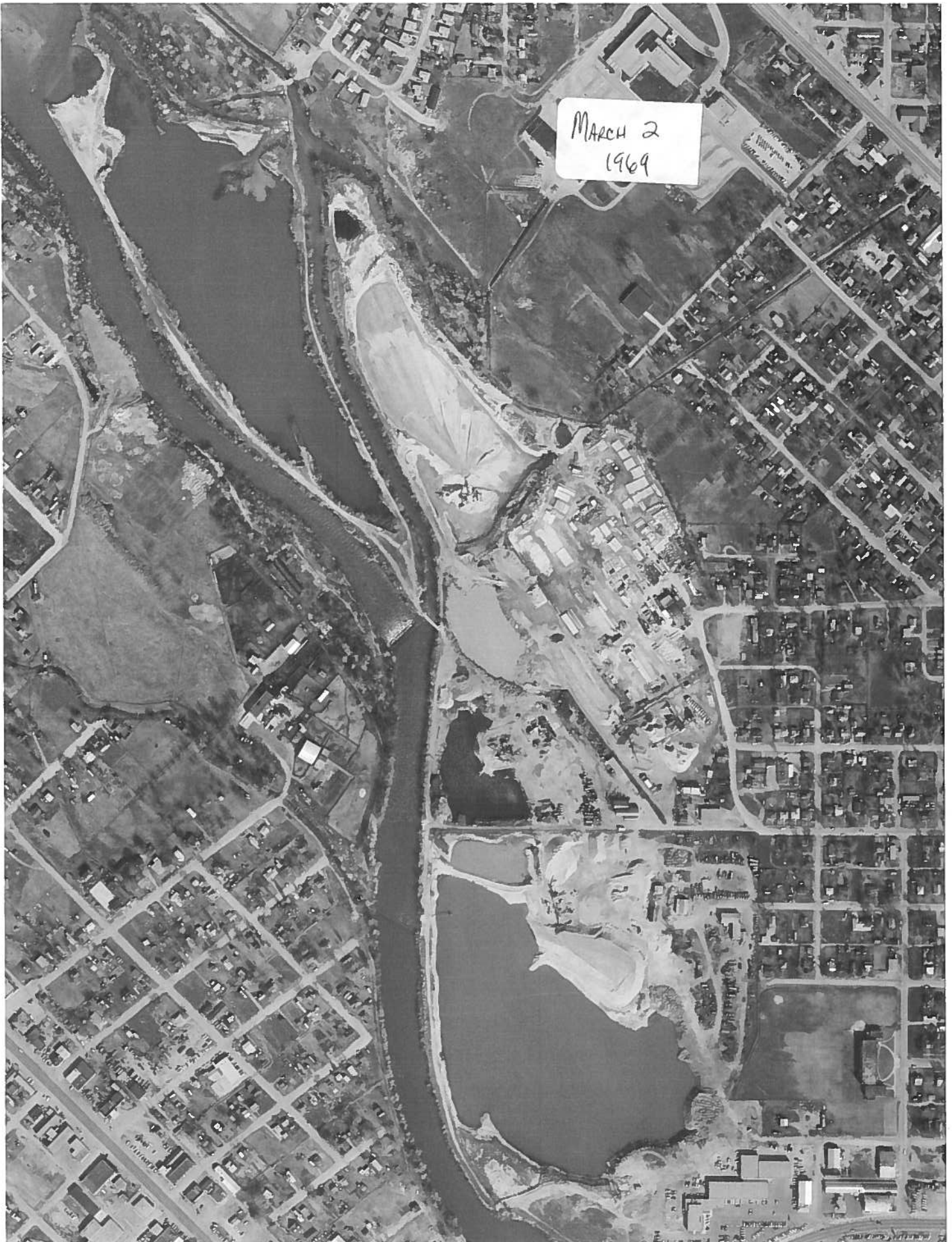
27may63.tif (4970x6408x256 tiff)



Scattered buildings along

Curve of River above & below

2mar69.tif (4869x6427x256 tiff)



San Juan River (Cumberland River & Department)