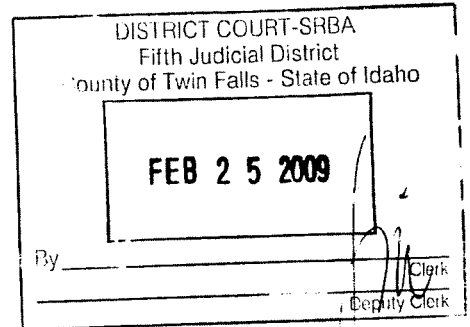




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)  
) MEMORANDUM DECISION AND  
) ORDER OF PARTIAL DECREE

)  
) For water right: 63-03614  
) (Anderson Ranch Reservoir)

I. BRIEF PROCEDURE

The above-captioned subcase is one of four subcases involving the ownership of certain United States Bureau of Reclamation (BOR) project water rights on the Boise River. The water rights were claimed by both the BOR and various irrigation delivery entities holding contracts with the BOR for the storage and delivery of irrigation water. The Idaho Department of Water Resources (IDWR) recommended that the rights be decreed in the name of the BOR and the claims filed by the irrigation entities be ordered disallowed. For case management purposes the Court separated the issue regarding ownership from the subcases and consolidated it for resolution. *See Order Separating and Consolidating Common Issue From Subcases; Order Rescinding Order of Reference to Special Master as to Consolidated Issue; Order Designating Issue as Consolidated Subcase 91-63; Notice of Scheduling and Status Conference on Consolidated Issue*, Consolidated Subcase 91-63 (June 23, 2003). The consolidated subcase proceeded independently of the other objections raised in the subcases. The Court issued a *Memorandum Decision and Order on Summary Judgment* from which cross-appeals were taken. The Idaho Supreme Court issued its opinion in *U.S. v. Pioneer*

*Irr. Dist.*, 144 Idaho 106, 157 P.3d 600 (2007), ordering the following remark to appear in the face of the ***Partial Decrees***:

The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho constitutional and statutory law title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contacts between the Bureau of Reclamation and the irrigation organizations.

Following remand, this Court issued ***Partial Decrees*** in subcases (Lucky Peak) and 63-0303, 63-3613 (Arrowrock) which included the remark. Objections remained in subcase 63-03614 with respect to the omission of a remark pertaining to hydropower generation. On January 22, 2009, the parties filed a *Standard Form 5* (SF-5) resolving the remaining objections. The SF-5 was not executed with IDWR's concurrence. In accordance with ***Administrative Order 1 (AOI)*** § 4.d.(3)(c) the Court conducted a hearing on the SF-5 to determine whether "the facts, data, expert opinions and law support the issuance of a partial decree for the water right as stipulated in the Standard Form 5 or proposed settlement." ***AOI*** § 4.d.(3)(c). At the hearing, counsel for IDWR explained that IDWR did not concur with the SF-5 because the ownership remark failed to address the water rights of non-irrigation entities also holding storage and delivery contracts with the BOR in the same projects. IDWR expressed concern over not having a uniform remark that would be applicable to other BOR project rights on the upper Snake River. IDWR's failure to concur on the SF-5 was unrelated to the objection regarding the hydropower generation remark.

## II. FINDINGS, CONCLUSIONS AND DISCUSSION

Despite IDWR's non-concurrence the Court finds it appropriate to issue the ***Partial Decree*** with the remark ordered by the Idaho Supreme Court in *U.S. v. Pioneer*

*Irr. Dist.*, 144 Idaho 106, 157 P.3d 600 (2007). The ownership issue in this particular subcase was included as part of the consolidated subcase from which the appeal was taken. Accordingly, this Court concludes that the Supreme Court's directive on the remark is binding on this Court with respect each of the three BOR projects involved in consolidated subcase 91-63, including this particular subcase. This was previously acknowledged in this Court's ***Final Order on Remaining Portion of Consolidated Subcase 91-63: Order Separating and Dissolving Consolidated Subcase 91-63 and Requiring Further Proceedings to be Conducted in Individual Remaining Subcases*** issued June 28, 2007, where this Court included the following: "IT IS ORDERED that, in accordance with the holding in *U.S. v. Pioneer Irr. Dist.*, the ***Partial Decrees*** ultimately issued for subcases 63-0303, 63-3613 (Arrowrock Reservoir), 63-3618 (Lucky Peak Reservoir) and 63-3614 (Anderson Ranch Reservoir) shall be issued in the name of the United States Bureau of Reclamation with the following remark included in the "Other Provisions Necessary for the Administration or Definition of this Water Right . . . ." The ***Order*** then recited the remark drafted by the Idaho Supreme Court.

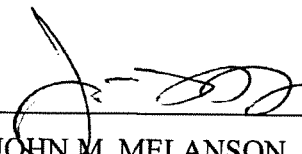
Furthermore, even though the issue originated over the rights of irrigation entities, non-irrigation entities were granted intervention in the consolidated subcase. Intervention was granted to Gene E. Bray, Thomas R. Stuart III, Thomas J. Cade, Amy Williams, the City of Boise and the State of Idaho. All parties participating in the consolidated subcase were afforded the opportunity to actively represent their interests in the summary judgment proceedings as well as submit proposed remarks following the Court's ruling on summary judgment. All parties were also afforded the opportunity to appeal from this Court's decision on the remark. This is not a situation where the interests of non-irrigations entities were not adequately represented.

Finally, with respect to the concerns expressed by IDWR, the Court does not find the Supreme Court's decision and remark to be conclusive with respect to the interests of non-irrigation rights related to other BOR projects that were not part of consolidated subcase 91-63. Interested parties will still have the opportunity to have this Court address the application of the Supreme Court's remark to non-irrigation entities if and when the issue arises with respect to claims unrelated to Consolidated Subcase 91-63.

### III. ORDER OF PARTIAL DECREE

Therefore, for the above-stated reasons, IT IS ORDERED that the above-captioned water right is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

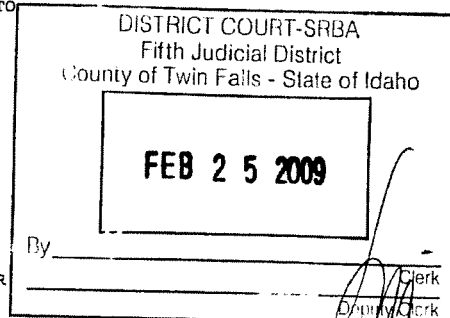
Dated February 25, 2009

  
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

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

In Re SRBA )  
 )  
Case No. 39576 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 63-03614



NAME AND ADDRESS: UNITED STATES OF AMERICA  
BUREAU OF RECLAMATION  
1150 N CURTIS RD SUITE 100  
BOISE, ID 83706-1234

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER

QUANTITY: 493161.00 AFY

TOTAL RESERVOIR CAPACITY IS 493,161 ACRE FEET WHEN FILLED TO  
ELEVATION 4196.0 FEET AND MEASURED AT THE UPSTREAM FACE OF THE  
DAM.

PRIORITY DATE: 12/09/1940

POINT OF DIVERSION: T01S R08E S01 LOT 4 ( NWSE) Within Elmore County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY      |
|-------------------------------|-------------------------|----------------|---------------|
|                               | Irrigation Storage      | 01-01 TO 12-31 | 487961.00 AFY |
|                               | Irrigation from Storage | 03-15 TO 11-15 | 487961.00 AFY |
|                               | Industrial Storage      | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Industrial from Storage | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Power Storage           | 01-01 TO 12-31 | 493161.00 AFY |
|                               | Power from Storage      | 01-01 TO 12-31 | 493161.00 AFY |
|                               | Municipal Storage       | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Municipal from Storage  | 01-01 TO 12-31 | 5200.00 AFY   |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL  
WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A  
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED  
FOR THIS RIGHT.

493,161 ACRE-FEET FOR POWER THAT CAN BE GENERATED BY THE RELEASE  
OF 487,961 ACRE-FEET OF WATER FOR IRRIGATION AND 5,200 ACRE-FEET  
FOR INDUSTRIAL AND MUNICIPAL PURPOSES.

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT  
WITHIN ADA, CANYON, ELMORE COUNTIES, IDAHO AND MALHEUR COUNTY  
OREGON (BIG BEND IRRIGATION DISTRICT).

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

THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE  
BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS SECTIONS OF  
THIS PARTIAL DECREE. HOWEVER, AS A MATTER OF IDAHO CONSTITUTIONAL  
AND STATUTORY LAW, TITLE TO THE USE OF THE WATER IS HELD BY THE  
CONSUMERS OR USERS OF THE WATER. THE IRRIGATION ORGANIZATIONS  
ACT ON BEHALF OF THE CONSUMERS OR USERS TOADMINISTER THE USE OF  
THE WATER FOR THE LANDOWNERS IN THE QUANTITIES AND/OR PERCENTAGES  
SPECIFIED IN THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND  
THE IRRIGATION ORGANIZATIONS FOR THE BENEFIT OF THE LANDOWNERS  
ENTITLED TO RECEIVE DISTRIBUTION OF THIS WATER FROM THE  
RESPECTIVE IRRIGATION ORGANIZATIONS. THE INTEREST OF THE  
CONSUMERS OR USERS OF THE WATER IS APPURTENANT TO THE LANDS

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

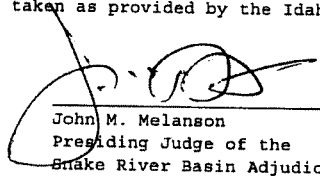
OTHER PROVISIONS (continued)

WITHIN THE BOUNDARIES OF OR SERVED BY SUCH IRRIGATION ORGANIZATIONS, AND THAT INTEREST IS DERIVED FROM LAW AND IS NOT BASED EXCLUSIVELY ON THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND THE IRRIGATION ORGANIZATIONS.

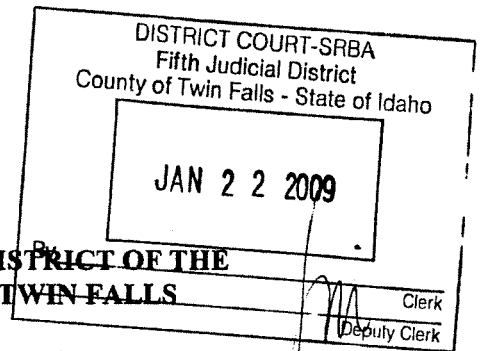
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication



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

In Re SRBA ) Subcase No. 63-03614  
)  
)  
) **Standard Form 5**  
)  
) **STIPULATED ELEMENTS**  
) **OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law supporting the issuance of a partial decree for the water right.

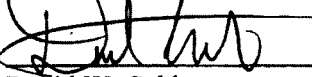
The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

This settlement by the parties to water right no. 63-3614 relating to the title/ownership issues shall in no way be binding upon, set precedence, nor settle any current title/ownership related objections and issues as to the water rights held in the storage facilities located at and above Milner Dam on the Snake River.

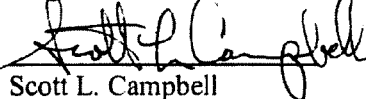
**CLAIMANT:**

United States on behalf of the  
Bureau of Reclamation

  
David W. Gehlert Date 1/21/09  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Division

**OBJECTOR:**

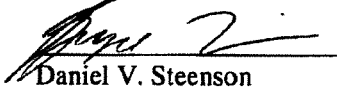
Pioneer Irrigation District, Settlers  
Irrigation District

  
Scott L. Campbell Date 1/20/09  
Moffatt, Thomas, Barrett, Rock, and  
Fields, Chartered

**OBJECTOR:**

**OBJECTOR:**

Nampa and Meridian Irrigation District  
New Dry Creek Ditch Company, Boise  
Valley Irrigation Ditch Company

  
\_\_\_\_\_  
Daniel V. Steenson  
S. Bryce Farris  
Ringert Law Chartered

12/29/08  
\_\_\_\_\_  
Date

**OBJECTOR :**  
Farmers Union Ditch Company

\_\_\_\_\_  
Jerry A. Kiser  
Stoppello and Kiser

\_\_\_\_\_  
Date

**IDWR CONCURRENCE:**

\_\_\_\_\_  
\_\_\_\_\_  
Date

Boise Project Board of Control

\_\_\_\_\_  
Albert P. Barker  
Shelley M. Davis  
Barker, Rosholt, and Simpson, LLP

\_\_\_\_\_  
Date

**RESPONDENT:**  
Committee of Nine

\_\_\_\_\_  
John K. Simpson  
Travis L. Thompson  
Barker, Rosholt, and Simpson, LLP

\_\_\_\_\_  
Date

**IDWR CONCURRENCE:**

\_\_\_\_\_  
\_\_\_\_\_  
Date

Nampa and Meridian Irrigation District  
New Dry Creek Ditch Company, Boise  
Valley Irrigation Ditch Company

\_\_\_\_\_  
Daniel V. Steenson                      Date  
S. Bryce Farris  
Ringert Law Chartered

**OBJECTOR :**  
Farmers Union Ditch Company

\_\_\_\_\_  
Jerry A. Kiser                      Date  
Stoppello and Kiser

**IDWR CONCURRENCE:**

\_\_\_\_\_  
Date

Boise Project Board of Control

\_\_\_\_\_  
Albert P. Barker                      Date 1/20/09  
Shelley M. Davis  
Barker, Rosholt, and Simpson, LLP

**RESPONDENT:**  
Committee of Nine

\_\_\_\_\_  
John K. Simpson                      Date 1/20/09  
Travis L. Thompson  
Barker, Rosholt, and Simpson, LLP

**IDWR CONCURRENCE:**

\_\_\_\_\_  
Date

Nampa and Meridian Irrigation District  
New Dry Creek Ditch Company, Boise  
Valley Irrigation Ditch Company

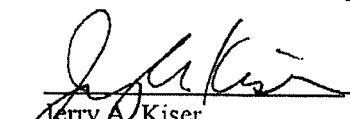
Boise Project Board of Control

\_\_\_\_\_  
Daniel V. Steenson                      Date  
S. Bryce Farris  
Ringert Law Chartered

\_\_\_\_\_  
Albert P. Barker                      Date  
Shelley M. Davis  
Barker, Rosholt, and Simpson, LLP

**OBJECTOR :**  
Farmers Union Ditch Company

**RESPONDENT:**  
Committee of Nine

 12-29-08  
\_\_\_\_\_  
Jerry A. Kiser                      Date  
Stoppello and Kiser

\_\_\_\_\_  
John K. Simpson                      Date  
Travis L. Thompson  
Barker, Rosholt, and Simpson, LLP

**IDWR CONCURRENCE:**

**IDWR CONCURRENCE:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

JK

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: SOUTH FORK BOISE RIVER

RIGHT NUMBER: 63-03614

NAME & ADDRESS: United States of America  
Regional Director PN Region  
Bureau of Reclamation  
1150 N Curtis Rd Suite 100  
Boise, ID 83706-1234

SOURCE: SOUTH FORK BOISE RIVER Tributary: BOISE RIVER

QUANTITY: 493161.00 AFY

TOTAL RESERVOIR CAPACITY IS 493,161 ACRE FEET WHEN FILLED TO  
ELEVATION 4196.0 FEET AND MEASURED AT THE UPSTREAM FACE OF THE  
DAM.

PRIORITY DATE: 12-09-1940

POINT OF  
DIVERSION: T01S R08E S01 LOT 4 (NWSE) Within Elmore County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY      |
|-------------------------------|-------------------------|----------------|---------------|
|                               | Irrigation Storage      | 01-01 TO 12-31 | 487961.00 AFY |
|                               | Irrigation from Storage | 03-15 TO 11-15 | 487961.00 AFY |
|                               | Industrial Storage      | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Industrial from Storage | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Power Storage           | 01-01 TO 12-31 | 493161.00 AFY |
|                               | Power from Storage      | 01-01 TO 12-31 | 493161.00 AFY |
|                               | Municipal Storage       | 01-01 TO 12-31 | 5200.00 AFY   |
|                               | Municipal from Storage  | 01-01 TO 12-31 | 5200.00 AFY   |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO  
ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE  
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS  
ENTERED FOR THIS RIGHT.

493,161 ACRE-FEET FOR POWER THAT CAN BE GENERATED BY THE RELEASE  
OF 487,961 ACRE-FEET OF WATER FOR IRRIGATION AND 5,200 ACRE-FEET  
FOR INDUSTRIAL AND MUNICIPAL PURPOSES.

PLACE OF USE: THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT  
WITHIN ADA, CANYON, ELMORE COUNTIES, IDAHO AND MALHEUR COUNTY  
OREGON (BIG BEND IRRIGATION DISTRICT).

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

THE NAME OF THE UNITED STATES OF AMERICA ACTING THROUGH THE BUREAU OF RECLAMATION APPEARS IN THE NAME AND ADDRESS SECTIONS OF THIS PARTIAL DECREE. HOWEVER AS A MATTER OF IDAHO CONSTITUTIONAL AND STATUTORY LAW, TITLE TO THE USE OF THE WATER IS HELD BY THE CONSUMERS OR USERS OF THE WATER. THE IRRIGATION ORGANIZATIONS ACT ON BEHALF OF THE CONSUMERS OR USERS TO ADMINISTER THE USE OF THE WATER FOR THE LANDOWNERS IN THE QUANTITIES AND/OR PERCENTAGES SPECIFIED IN THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND THE IRRIGATION ORGANIZATIONS FOR THE BENEFIT OF THE LANDOWNERS ENTITLED TO RECEIVE DISTRIBUTION OF THIS WATER FROM THE RESPECTIVE IRRIGATION ORGANIZATIONS. THE INTEREST OF THE CONSUMERS OR USERS OF THE WATER IS APPURTENANT TO THE LANDS WITHIN THE BOUNDARIES OF OR SERVED BY SUCH IRRIGATION ORGANIZATIONS, AND THAT INTEREST IS DERIVED FROM LAW AND IS NOT BASED EXCLUSIVELY ON THE CONTRACTS BETWEEN THE BUREAU OF RECLAMATION AND THE IRRIGATION ORGANIZATIONS.

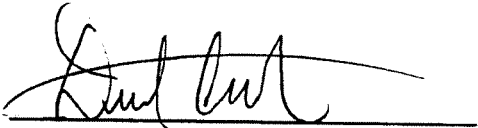
Explanatory Material: Basis of Claim - License

### CERTIFICATE OF MAILING

I certify that on JAN. 21, 2008, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to: Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707
2. Copies to:  

|                                                                                                               |                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Idaho Department of Water Resources<br>IDWR Document Depository<br>P. O. Box 83720<br>Boise, Idaho 83720-0098 | U.S. Department of Justice Depository<br>Environment and Natural Resources Div.<br>550 West Fort Street, MSC 033<br>Boise ID 83724 |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
3. Copies to all parties to the subcase (insert names and addresses):  

|                                                                                                                                   |                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| Albert P. Barker<br>Shelley M. Davis<br>John K. Simpson<br>Barker, Rosholt & Simpson LLP<br>P.O. Box 2139<br>Boise, ID 83701-2139 | Daniel V. Steenson<br>S. Bryce Farris<br>Ringert Clark Chartered<br>P.O. Box 2773<br>Boise, ID 83701-2773 |
| Travis L. Thompson<br>Barker, Rosholt & Simpson LLP<br>P.O. Box 485<br>Twin Falls, ID 83303-0485                                  | Jerry A. Kiser<br>Stoppelo and Kiser<br>620 West Hayes<br>Boise, ID 83702                                 |
| Scott L. Campbell<br>Moffatt Thomas Barrett Rock &<br>Fields, Chtd.<br>P.O. Box 829<br>Boise, ID 83701-0829                       | <br>David W. Gehlert  |

APR - 2 2003

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 SRBA

Case No. 35976

**A. Subcase No. 63-3614**

**STANDARD FORM 2**

## RESPONSE TO OBJECTION

Please print or type the following information:

**B. NAME AND ADDRESS OF PERSON RESPONDING**

Name: Committee of Nine acting on its own behalf and on behalf of and for the following individual entities:

Twin Falls Canal Company, North Side Canal Company, A & B Irrigation District, Burley Irrigation District, Falls Irrigation District, Aberdeen-Springfield Canal Company, Fremont-Madison Irrigation District, Peoples Canal & Irrigation, Snake River Valley Irrigation, Idaho Irrigation District, Egin Bench Canals, Inc., North Fremont Canal Systems, Inc., Progressive Irrigation District, Enterprise Irrigation District, New Sweden Irrigation District, Harrison Canal & Irrigation Co., Burgess Canal & Irrigation

Address: 900 N. Skyline  
Idaho Falls, Idaho 83402  
Daytime Phone: (208) 525-7171

Name & Address of Attorney, if any:

JOHN K. SIMPSON  
BARKER ROSHOLT & SIMPSON LLP  
205 North 10<sup>th</sup> Street, Suite 520  
P.O. BOX 2139  
BOISE, IDAHO 83701-2139

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING**

Name: Albert Barker  
Attorney for Boise Project Board of Control  
Address: Barker Rosholt & Simpson  
P.O. Box 2139  
Boise, Idaho 83701-2139

**D.** I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- 1. ☒ Name and Address:
- 2. ☐ Source:
- 3. ☐ Quantity:
- 4. ☐ Priority Date:
- 5. ☒ Point(s) of Diversion:
- 6. ☐ Instream Flow Description:
- 7. ☐ Purpose(s) of Use:
- 8. ☐ Period of Year:
- 9. ☒ Place of Use:

**11. Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right not being recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING RESPONSES:** The respondents herein support the position asserted by the objector in that the Director's Report recommendation does not adequately recognize the ownership interest the beneficial users have in this water right.

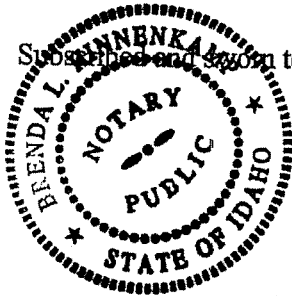
**F. VERIFICATION (Must be Completed)**

State of IDAHO )  
 )ss.  
County of Ada )

John K. Simpson, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing response)



  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 1, 2003.

Brenda L. Hinnenkamp  
NOTARY PUBLIC FOR IDAHO  
Residing at: Boise, Idaho  
My commission expires: 9/2004

### INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

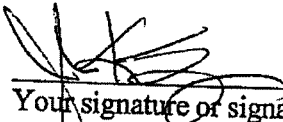
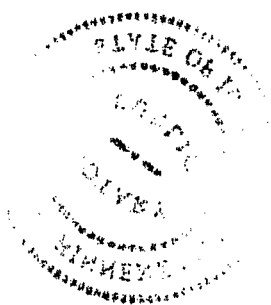
#### G. CERTIFICATE OF MAILING

I hereby certify that on the 1 day of April, 2003, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:  
Name: United States of America acting through  
Regional Director PN Region  
Bureau of Reclamation  
Address: 1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234
3. One copy to the party who filed the objection at the following address:  
Name: Albert Barker  
Attorney for Boise Project Board of Control  
Address: 205 North 10<sup>th</sup> Street, Ste 520  
Boise, Idaho 83701
4. Copies to:  
IDWR Document Depository  
PO Box 83720  
Boise, Idaho 83720-0098  
  
Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449

Boise, Idaho 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

  
\_\_\_\_\_  
Your signature or signature of attorney  
mailing on your behalf

In Re SRBA  
Case No. 39576

**STANDARD FORM 1**  
**OBJECTION** RECEIVED  
JAN 31 2003

Department of Water Resources

**Name:** Boise Project Board of Control acting on its own behalf and on behalf of  
and for the following individual entities:  
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder  
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation  
District

**Address:** 2465 Overland Road  
Boise, Idaho 83705  
Phone: (208) 344-1141

Name: United States of America acting through  
Regional Director PN Region  
Bureau of Reclamation  
Address: 1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**

Should be: The equitable title of the beneficial users, the landowners represented by the New York Irrigation District, Nampa & Meridian Irrigation District, Wilder Irrigation District, Boise-Kuna Irrigation District, and Big Bend Irrigation District should also be recognized.

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: Specifically reference the diversion systems of the Irrigation districts

6. ☐ **Instream Flow Description**

Should be:

7. ☒ **Purpose(s) of Use**

Should be: See comments in section E herein

8. ☐ **Period of Year**

Should be: See comments in section E herein

9. ☒ **Place of Use**

Should be: Specific to the lands within the New York, Nampa & Meridian, Wilder, Boise-Kuna and Big Bend Irrigation Districts

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described.

**E. REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation does not recognize the beneficial users of this water right as specified in the contracts between the objectors and claimants. The description of the purpose and period of use for power storage and power from storage does not adequately recognize the contractual limitations imposed upon that use.

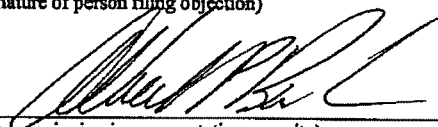
**F. VERIFICATION (Must be Completed)**

State of Idaho                    )  
                                          ) ss.  
County of Ada                    )

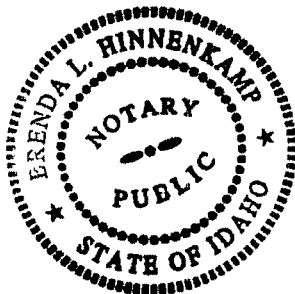
Albert P. Barker, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp  
Brenda L. Hinnenkamp  
Notary Public for: Idaho  
Residing at: Boise  
My Commission Expires: 9/11/2004

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: United States of America acting through  
Regional Director of PN Region  
Bureau of Reclamation  
Address: 1150 N. Curtis Road, Suite 100  
Boise, Idaho 83706-1234

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

RECEIVED

JAN 31 2003

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 SRBA )

Case No. 39576 )

A. Subcase 63-3614

(Insert water right number)

STANDARD FORM 1  
OBJECTION

COPY

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Farmers Union Ditch Company

Address: % Ron Schreiner

2153 Pollard Lane, Star, ID 83669

Daytime Phone: 208-286-7028

Name & Address of Attorney, if any:

Jerry A. Kiser

Stoppello & Kiser

620 W. Hays, Boise, ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States/Bureau of Reclamation

Address: 1150 N. Curtis Rd., Suite 100

Boise, ID 83706-1234

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: See Appendix attached
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: See Appendix attached
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: See Appendix attached
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: See Appendix attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** See Appendix attached

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F. VERIFICATION (Must be Completed)

State of Idaho )  
 )ss.  
County of Ada )

Jerry A. Kiser, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

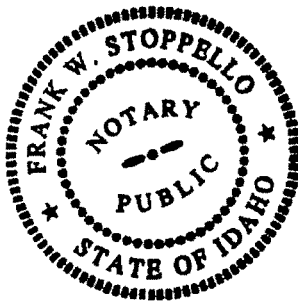
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Notary Public for

Residing at:

My Commission Expires:



## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

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253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

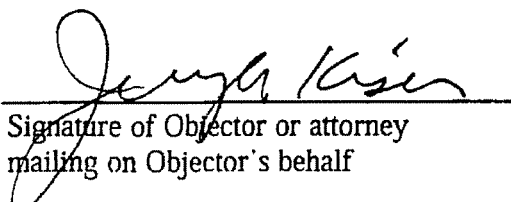
Name: United States Bureau of Reclamation  
Address: 1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

**APPENDIX  
63-3614**

Farmers Union Ditch Company ("Farmers") has a contract with the Bureau of Reclamation for irrigation storage water from Anderson Ranch Reservoir. Farmers has a right to use 5,727 acre feet of water from Anderson Ranch Reservoir to irrigate acres owned by landholders within Farmers' service area. The Idaho Department of Water Resources has recommended that Farmers' water right claim for that amount of water, 63-3613C, be disallowed.

Farmers has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-3614, because the Idaho Department of Water Resources has indicated that claim number 63-3614C has been recommended as 63-3614. Farmers asserts an ownership interest in 63-361e to the extent that water right, as recommended, includes 63-361eC. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372 et seq, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Farmers asserts a beneficial ownership interest.

If this claim is decreed, it must specifically provide that user of water for power purposes is subordinate to and subject to the use of water for irrigation purposes. This can be accomplished by the inclusion of the following language, taken directly from the quantity element on the license for this right:

493,161 ac. feet [acre feet] for irrigation and such power as may be generated by use of water for irrigation use.

RECEIVED

JAN 31 2003

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 SRBA

Case No. 39576

**A** Subcase 63-03614

(Insert water right number)

**STANDARD FORM 1  
OBJECTION**

**AMENDED**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields Chtd.

P.O. Box 829, Boise, ID 83701-0829

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

**D** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: See Attachment A
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: See Attachment A & A-1
4. ☒ **Priority Date**  
Should be: See Attachment A & A-1
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: See Attachment A & A-1
8. ☒ **Period of Year**  
Should be: See Attachment A & A-1
9. ☒ **Place of Use**  
Should be: See Attachment A & A-1

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):** See Attachment A & A-1

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F.

**VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Angela Schaer Kaufmann, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaer Kaufmann  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Deborah Long  
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 10/10/07

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.



## CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Pioneer Irrigation District  
Address: P.O. Box 426  
Caldwell, ID 83606

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

Signature of Objector or attorney  
mailing on Objector's behalf

**ATTACHMENT A**  
**63-03614**

Pioneer Irrigation District ("Pioneer") has a contract with the Bureau of Reclamation for irrigation storage water from Anderson Ranch Reservoir. Pioneer has a right to use 16000 acre feet of water from Anderson Ranch Reservoir to irrigate 35350.5 acres owned by landholders within Pioneer's service area. The Idaho Department of Water Resources has recommended that Pioneer' water right claim for that amount of water, 63-3614A, be disallowed.

Pioneer has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-3614, because the Idaho Department of Water Resources has indicated that claim number 63-3614A has been recommended as 63-3614. Pioneer asserts an ownership interest in 63-03614 to the extent that water right, as recommended, includes 63-3614A. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Pioneer asserts a beneficial ownership interest in 16,000 acre feet of water appurtenant to lands within Pioneer's boundaries, with Reclamation holding only nominal title.

If this claim is decreed, it must specifically provide that use of water for power purposes is subordinate to and subject to the use of water for irrigation purposes. This can be accomplished by the inclusion of the following language, taken directly from the quantity element on the license for this right:

493,161 ac. feet [acre feet] for irrigation and such power as may be generated by use of water for irrigation use.

See Exhibit A-1. Moreover, the period of use for power from Storage Municipal from Storage & Industrial from Store.

In order to properly define and administer this right, at a minimum, a remark should be included which provides that any change to any element of this right must be undertaken in accordance with the transfer proceedings of Idaho law, that any transfers must be undertaken only with the approval of Pioneer Irrigation District as to Pioneer's share of the storage water rights in Anderson Ranch Reservoir, and that any uncontracted space must be made available for irrigation use.

5886

# State of Idaho

## License and Certificate of Water Right

Water License No. R-698

Water District No. \_\_\_\_\_

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 ~~acres~~ <sup>acres</sup> feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17th day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

The Point of Diversion is located  
in the Lot ~~4~~ 4, Sec. 1, Tp. 1 S., R. 8 E., B. M. County Elmore

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 493,161 ~~acres~~ <sup>acres</sup> feet ~~maximum~~

Description and location of use:

| Twp.                                                                                                                                                                                                                                                                                                                                   | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| Irrigation of cultivated lands of the Boise Federal Reclamation Project in<br>Ada and Canyon counties as more particularly described in Certificate of Comple-<br>tion of Works issued in connection with Permit No. R-698, including all lands<br>for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir. |       |      |                  |                                  |                                 |

Townships 1,2,3,4,5 N., Range 1 E., B.M.

" 2,3,4 N. " 2 " " "

" 2 &amp; 3 N. " 3 " " "

" 1 S. " 1 W. " "

" 1,2,3,4,5 N. " 1 " " "

" 1 S. " 2 " " "

" 1,2,3,4 N. " 2 " " "

" 2,3,4,5 N. " 3 " " "

" 2,3,4,5 N. " 4 " " "

" 3,4,5,6 N. " 5 " " "

" 4,5,6 N. " 6 " " "

" 21 &amp; 22 S. " 46 E. W.M. (Willamette-Meridian)

" 21 S. " 47 " " "

Corrected  
2/24/57  
Mark R. Kulp

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)

Attachment A-1

5886

# State of Idaho License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No. \_\_\_\_\_

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~acres~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power,  
under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17<sup>th</sup> day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

|                                                                                 |                                                                                                |                                                                                           |                                                                                             |
|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Ts. 1,2,3,4,5 N., R. 1 E.B.M. Ts. 2,3,4 N. R. 2 E.B.M. Ts. 2 & 5 N. R. 3 E.B.M. | T. 1 S. R. 1 W.B.M., Ts. 1,2,3,4,5 N. R. 1 W.B.M., T. 1 S. R. 2 W.B.M. Ts. 1,2,3,4, N. R. 2 W. | B.M. Ts. 2,3,4,5 N. R. 3 W.B.M. (Ts. 21 & 22 S. R. 46 E.) Ts. 2,3,4,5, N. R. 4 W.B.M. Ts. | 3,4,5,6 N. R. 5 W.B.M. Ts. 4,5,6 N. R. 6 W.B.M. and Tp. 21 S. R. 47 E. Willamette Meridian. |
|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)

RECEIVED

JAN 31 2003

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 SRBA

Case No. 39576

A. Subcase 63-03614

(Insert water right number)

STANDARD FORM 1  
OBJECTION

AMENDED

Please fill in the following information:

B.

NAME AND ADDRESS OF PERSON OBJECTING

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

Daytime Phone: 208-344-2471

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields Chtd.

P.O. Box 829, Boise, ID 83701-0829

C.

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: See Attachment A
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: See Attachment A & A-1
4. ☒ **Priority Date**  
Should be: See Attachment A & A-1
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: See Attachment A & A-1
8. ☒ **Period of Year**  
Should be: See Attachment A & A-1
9. ☒ **Place of Use**  
Should be: See Attachment A & A-1

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):** See Attachment A & A-1

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**F**

**VERIFICATION (Must be Completed)**

State of Idaho )  
 )ss.  
County of Ada )

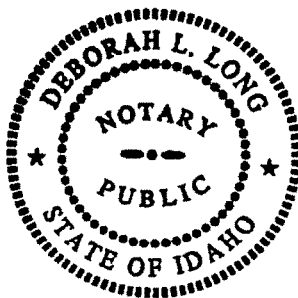
Angela Schaer Kaufmann, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaer Kaufmann  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Deborah Long  
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 10/10/07

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.



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Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

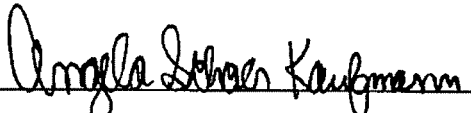
Name: Settlers Irrigation District  
Address: P.O. Box 7571  
Boise, ID 83707

3. Copies to:

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Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
Signature of Objector or attorney  
mailing on Objector's behalf

**ATTACHMENT A**  
**63-03614**

Settlers Irrigation District ("Settlers") has a contract with the Bureau of Reclamation for irrigation storage water from Anderson Ranch Reservoir. Settlers has a right to use 5810 acre feet of water from Anderson Ranch Reservoir to irrigate 12,322 acres owned by landholders within Settlers' service area. The Idaho Department of Water Resources has recommended that Settlers' water right claim for that amount of water, 63-3614B, be disallowed.

Settlers has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-3614, because the Idaho Department of Water Resources has indicated that claim number 63-3614B has been recommended as 63-3614. Settlers asserts an ownership interest in 63-03614 to the extent that water right, as recommended, includes 63-3614B. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Settlers asserts a beneficial ownership interest in 5,810 acre feet of water, appurtenant to lands within Settlers' boundaries, with the United States holding only nominal title.

If this claim is decreed, it must specifically provide that use of water for power purposes is subordinate to and subject to the use of water for irrigation purposes. This can be accomplished by the inclusion of the following language, taken directly from the quantity element on the license for this right:

493,161 ac. feet [acre feet] for irrigation and such power as may be generated by use of water for irrigation use.

See Exhibit A-1. Moreover, the period of use for power from Storage Municipal from Storage and Industrial from Store.

In order to properly define and administer this right, at a minimum, a remark should be included which provides that any change to any element of this right must be undertaken in accordance with the transfer proceedings of Idaho law, that any transfers must be undertaken only with the approval of Settlers Irrigation District as to Settlers' share of the storage water rights in Anderson Ranch Reservoir, and that any uncontracted space must be made available for irrigation use.

386

State of Idaho  
License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 ~~acres~~ <sup>acres</sup> feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
, under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17th day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

The Point of Diversion is located

in the Lot 4, Sec. 1, Tp. 1 S., R. 8 E., B. M. County Elmore

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 493,161 ~~acres~~ <sup>acres</sup> feet ~~maximum~~

Description and location of use:

| Twp.                                                                                                                                                                                                                                                                                                                                   | Range        | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------|------------------|----------------------------------|---------------------------------|
| Irrigation of cultivated lands of the Boise Federal Reclamation Project in<br>Ada and Canyon counties as more particularly described in Certificate of Comple-<br>tion of Works issued in connection with Permit No. R-698, including all lands<br>for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir. |              |      |                  |                                  |                                 |
| Townships 1,2,3,4,5 N., Range 1 E., B.M.                                                                                                                                                                                                                                                                                               |              |      |                  |                                  |                                 |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4 N.     | "    | 2 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 2 & 3 N.     | "    | 3 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 1 W.             | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3,4,5 N. | "    | 1 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 2 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3, 4 N.  | "    | 2 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 3 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 4 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 3,4,5, 6 N.  | "    | 5 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 4,5, 6 N.    | "    | 6 "              | "                                | "                               |
| "                                                                                                                                                                                                                                                                                                                                      | 21 & 22 S.   | "    | 46 E. W.M.       | (Willamette-Meridian)            |                                 |
| "                                                                                                                                                                                                                                                                                                                                      | 21 S.        | "    | 47 "             | "                                | "                               |

Corrected  
2/27/57  
Mark R. Kulp

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)

Attachment A-1

# State of Idaho License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No. \_\_\_\_\_

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~section~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
, under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17<sup>th</sup> day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

|                                                                                                       |  |  |  |  |
|-------------------------------------------------------------------------------------------------------|--|--|--|--|
| Ts. 1, 2, 3, 4, 5 N., R. 1 E.B.M. Ts. 2, 3, 4 N. R. 2 E.B.M. Ts. 2 & 5 N. R. 3 E.B.M.                 |  |  |  |  |
| T. 1 S. R. 1 W.B.M., Ts. 1, 2, 3, 4, 5 N. R. 1 W.B.M., T. 1 S. R. 2 W.B.M. Ts. 1, 2, 3, 4, N. R. 2 W. |  |  |  |  |
| B.M. Ts. 2, 3, 4, 5 N. R. 3 W.B.M. (Ts. 21 & 22 S. R. 45 E.) Ts. 2, 3, 4, 5, N. R. 4 W.B.M. Ts.       |  |  |  |  |
| 3, 4, 5, 6 N. R. 5 W.B.M. Ts. 4, 5, 6 N. R. 6 W.B.M. and Tp. 21 S. R. 47 E. Willamette Meridian.      |  |  |  |  |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)



I object to the following elements as recommended in the Director's Report.

1. X Name and Address  
Should be: See Attachment A.
2. Source  
Should be:
3. X Quantity  
Should be: See Attachment A.
4. Priority Date  
Should be:
5. Point(s) of Diversion  
Should be:
6. Instream Flow Description  
Should be:
7. X Purpose(s) of Use  
Should be: See Attachment A.
8. X Period of Year  
Should be: See Attachment A.
9. X Place of Use  
Should be: See Attachment A.
10. I object because:

This water right should not exist.

This water right was not recommended, but should be recommended with the elements as described above.

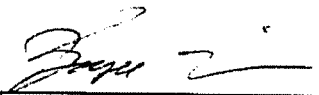
REASONS SUPPORTING OBJECTION(S):  
See Attachment A.

VERIFICATION

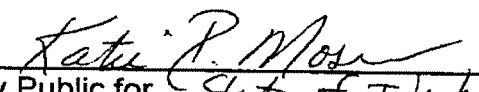
State of Idaho       )  
                                  ) ss.  
County of Ada       )

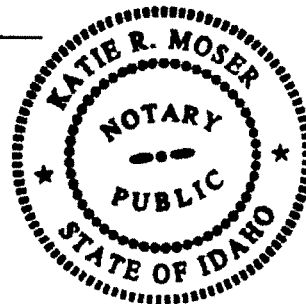
S. Bruce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(Attorney signing in representative capacity)

Subscribed and sworn to before me  
on: 1/29/03

  
Notary Public for State of Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 2/20/08



### CERTIFICATE OF MAILING

I certify that on January 27<sup>th</sup>, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

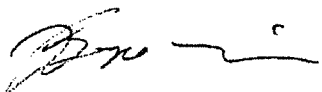
United States of America Acting Through  
Regional Director PN Region  
Bureau of Reclamation  
1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724



---

Signature of Objector or attorney  
mailing on Objector's behalf

## ATTACHMENT A

63-3614

1. Ownership, Quantity, Place of Use. The Idaho Department of Water Resources (IDWR) has recommended this right in the name of the United States Department of Interior, Bureau of Reclamation (Reclamation). However, New Dry Creek Ditch Company (New Dry Creek) is the owner of 1,296 acre feet of this water right based upon the fact that this portion of the right was perfected by beneficial use on lands within New Dry Creek's boundaries, and is therefore appurtenant to those lands. New Dry Creek's position is in accordance with Idaho Law, the Reclamation Act of 1902, 43 U.S.C. § 372, and is supported by case law holding that a water right developed under the Reclamation Act is appurtenant to the land, and the landowners are the owners of the water right. *Ickes v. Fox*, 300 U.S. 82 (1937). Consistent with these authorities, New Dry Creek has filed SRBA Claim no. 63-3614D, seeking a decree of 1,296 acre feet of this water right in New Dry Creek's name, appurtenant to lands within New Dry Creek's boundaries. Issuance of such a decree to New Dry Creek will require that 1,296 acre feet not be included in the decree for Water Right Number 63-3614.

In the alternative, at a minimum under these authorities, New Dry Creek is the beneficial owner of the water right and Reclamation holds only nominal legal title. If the court decrees the water right to Reclamation in this manner the decree must state that Reclamation holds legal title in name only, and New Dry Creek is the beneficial owner of 1,296 acre feet, appurtenant to lands within New Dry Creek's boundaries.

2. Purpose and Period of Use. Consistent with the License for this water right, the decree must specifically provide that this water right may be utilized to generate power as and when water is released from Anderson Ranch Reservoir for irrigation use. The period of use for Power from Storage, Municipal from Storage and Industrial from Storage must be limited to the same period of use as Irrigation from Storage.

In addition, in order to properly define and administer this water right, there must be: a remark which provides that any change to the elements of this water right requires a transfer pursuant to Idaho law; a remark which requires New Dry Creek's approval of any change to New Dry Creek's portion of this right (1,296 acre feet); and a remark which requires that uncontracted space be made available for irrigation use.

RECEIVED

JAN 30 2003

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 SRBA

Subcase No. 63-3614

Case No. 39576

**STANDARD FORM 1  
OBJECTION**

**NAME AND ADDRESS OF PERSON OBJECTING**

Name: Boise Valley Irrigation Ditch Company  
Address: 8750 N. Bogart Lane  
Boise, ID 83703  
Daytime Phone: (208) 853-5288

**Name & Address of Attorney:**

Daniel V. Steenson  
S. Bryce Farris  
Ringert Clark, Chartered  
P.O. Box 2773  
Boise, ID 83701  
(208) 342-4591

**CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT**

Name: United States of America Acting Through  
Regional Director PN Region  
Bureau of Reclamation  
Address: 1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

I object to the following elements as recommended in the Director's Report.

1. X Name and Address  
Should be: See Attachment A.

2. Source  
Should be:

3. X Quantity  
Should be: See Attachment A.

4. Priority Date  
Should be:

5. Point(s) of Diversion  
Should be:

6. Instream Flow Description  
Should be:

7. X Purpose(s) of Use  
Should be: See Attachment A.

8. X Period of Year  
Should be: See Attachment A.

9. X Place of Use  
Should be: See Attachment A.

10. I object because:

This water right should not exist.

This water right was not recommended, but should be recommended with the elements as described above.

REASONS SUPPORTING OBJECTION(S):  
See Attachment A.

VERIFICATION

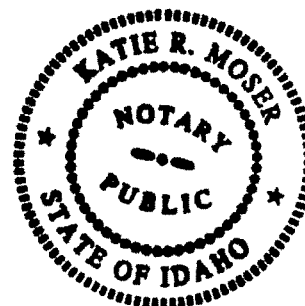
State of Idaho       )  
                              ) ss.  
County of Ada       )

S. Bryce Ferris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me  
on: 1/29/03



Katie R. Moser  
Notary Public for State of Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 2/20/08

### CERTIFICATE OF MAILING

I certify that on January 29<sup>th</sup>, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

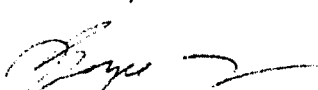
United States of America Acting Through  
Regional Director PN Region  
Bureau of Reclamation  
1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

## ATTACHMENT A

63-3614

1. Ownership, Quantity, Place of Use. The Idaho Department of Water Resources (IDWR) has recommended this right in the name of the United States Department of Interior, Bureau of Reclamation (Reclamation). However, Boise Valley Irrigation Ditch Company (Boise Valley) is the owner of 961 acre feet of this water right based upon the fact that this portion of the right was perfected by beneficial use on lands within Boise Valley's boundaries, and is therefore appurtenant to those lands. Boise Valley's position is in accordance with Idaho Law, the Reclamation Act of 1902, 43 U.S.C. § 372, and is supported by case law holding that a water right developed under the Reclamation Act is appurtenant to the land, and the landowners are the owners of the water right. *Ickes v. Fox*, 300 U.S. 82 (1937). Consistent with these authorities, Boise Valley has filed SRBA Claim no. 63-3614E, seeking a decree of 961 acre feet of this water right in Boise Valley's name, appurtenant to lands within Boise Valley's boundaries. Issuance of such a decree to Boise Valley will require that 961 acre feet not be included in the decree for Water Right Number 63-3614.

In the alternative, at a minimum under these authorities, Boise Valley is the beneficial owner of the water right and Reclamation holds only nominal legal title. If the court decrees the water right to Reclamation in this manner the decree must state that Reclamation holds legal title in name only, and Boise Valley is the beneficial owner of 961 acre feet, appurtenant to lands within Boise Valley's boundaries.

2. Purpose and Period of Use. Consistent with the License for this water right, the decree must specifically provide that this water right may be utilized to generate power as and when water is released from Anderson Ranch Reservoir for irrigation use. The period of use for Power from Storage, Municipal from Storage and Industrial from Storage must be limited to the same period of use as Irrigation from Storage.

In addition, in order to properly define and administer this water right, there must be: a remark which provides that any change to the elements of this water right requires a transfer pursuant to Idaho law; a remark which requires Boise Valley's approval of any change to Boise Valley's portion of this right (961 acre feet); and a remark which requires that uncontracted space be made available for irrigation use.

RECEIVED

JAN 30 2003

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 SRBA

Case No. 39576

Subcase No. 63-3614

STANDARD FORM 1  
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: Nampa & Meridian Irrigation District  
Address: 1503 First Street South  
Nampa, ID 83651  
Daytime Phone: (208) 466-7861

Name & Address of Attorney:

Daniel V. Steenson  
S. Bryce Farris  
Ringert Clark, Chartered  
P.O. Box 2773  
Boise, ID 83701  
(208) 342-4591

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: United States of America Acting Through  
Regional Director PN Region  
Bureau of Reclamation  
Address: 1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

COPY

I object to the following elements as recommended in the Director's Report.

1. **X Name and Address**  
Should be: See Attachment A.
2. **Source**  
Should be:
3. **X Quantity**  
Should be: See Attachment A.
4. **Priority Date**  
Should be:
5. **Point(s) of Diversion**  
Should be:
6. **Instream Flow Description**  
Should be:
7. **X Purpose(s) of Use**  
Should be: See Attachment A.
8. **X Period of Year**  
Should be: See Attachment A.
9. **X Place of Use**  
Should be: See Attachment A.
10. **I object because:**

This water right should not exist.

This water right was not recommended, but should be recommended with the elements as described above.

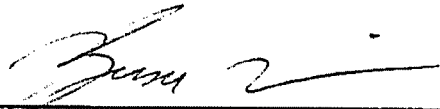
**REASONS SUPPORTING OBJECTION(S):**  
See Attachment A.

VERIFICATION

State of Idaho       )  
                              ) ss.  
County of Ada       )

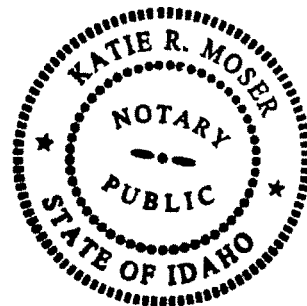
S. Bryce Ferris, duly sworn, upon oath, deposes and says:

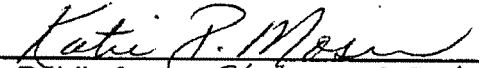
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Attorney signing in representative capacity)

Subscribed and sworn to before me  
on: 1/29/03



  
Notary Public for State of Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 2/20/08

### CERTIFICATE OF MAILING

I certify that on January <sup>24<sup>th</sup></sup>, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

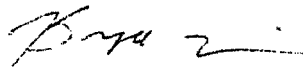
United States of America Acting Through  
Regional Director PN Region  
Bureau of Reclamation  
1150 N. Curtis Rd., Suite 100  
Boise, ID 83706-1234

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724



---

Signature of Objector or attorney  
mailing on Objector's behalf

## ATTACHMENT A

63-3614

1. Ownership, Quantity, Place of Use. The Idaho Department of Water Resources (IDWR) has recommended this right in the name of the United States Department of Interior, Bureau of Reclamation (Reclamation). However, Nampa & Meridian Irrigation District (NMID) is the owner of 92,921 acre feet of this water right based upon the fact that this portion of the right was perfected by beneficial use on lands within NMID's boundaries, and is therefore appurtenant to those lands. NMID's position is in accordance with Idaho Law, the Reclamation Act of 1902, 43 U.S.C. § 372, and is supported by case law holding that a water right developed under the Reclamation Act is appurtenant to the land, and the landowners are the owners of the water right. *Ickes v. Fox*, 300 U.S. 82 (1937). Consistent with these authorities, NMID has filed SRBA Claim no. 63-3614F, seeking a decree of 92,921 acre feet of this water right in NMID's name, appurtenant to lands within NMID's boundaries. Issuance of such a decree to NMID will require that 92,921 acre feet not be included in the decree for Water Right Number 63-3614.

In the alternative, at a minimum under these authorities, NMID is the beneficial owner of the water right and Reclamation holds only nominal legal title. If the court decrees the water right to Reclamation in this manner the decree must state that Reclamation holds legal title in name only, and NMID is the beneficial owner of 92,921 acre feet, appurtenant to lands within NMID's boundaries.

2. Purpose and Period of Use. Consistent with the License for this water right, the decree must specifically provide that this water right may be utilized to generate power as and when water is released from Anderson Ranch Reservoir for irrigation use. The period of use for Power from Storage, Municipal from Storage and Industrial from Storage must be limited to the same period of use as Irrigation from Storage.

In addition, in order to properly define and administer this water right, there must be: a remark which provides that any change to the elements of this water right requires a transfer pursuant to Idaho law; a remark which requires NMID's approval of any change to NMID's portion of this right (92,921 acre feet); and a remark which requires that uncontracted space be made available for irrigation use.

RECEIVED

JAN 14 2003

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 SRBA

Case No. 39576

A. Subcase 63-03614

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

Daytime Phone: 208-344-2471

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields, Chtd

P.O. Box 829, Boise, ID 83701-0829

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, ID 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: See Attachment A
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: See Attachments A & A-1
4. ☒ **Priority Date**  
Should be: See Attachments A & A-1
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: See Attachments A & A-1
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: See Attachments A & A-1

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See Attachment A

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F.

**VERIFICATION** (Must be Completed)

State of Idaho )  
County of Ada )ss.

Angele Schaefer Kaufmann, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angele Schaefer Kaufmann  
(Attorney signing in representative capacity)

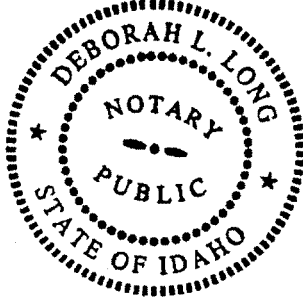
Subscribed and sworn to before me on:

January 13, 2003

Deborah J. Long  
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 10/10/07



## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

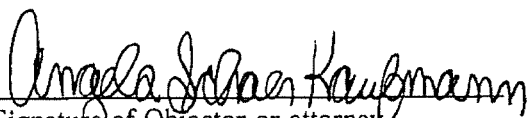
Name: Settlers Irrigation District  
Address: P.O. Box 7571  
Boise, ID 83707

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

**ATTACHMENT A**  
**63-3614**

Settlers Irrigation District ("Settlers") has a contract with the Bureau of Reclamation for irrigation storage water from Anderson Ranch Reservoir. Settlers has a right to use 5810 acre feet of water from Anderson Ranch Reservoir to irrigate 12,322 acres owned by landholders within Settlers' service area. The Idaho Department of Water Resources has recommended that Settlers' water right claim for that amount of water, 63-3614B, be disallowed.

Settlers has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-3614, because the Idaho Department of Water Resources has indicated that claim number 63-3614B has been recommended as 63-3614.

Settlers asserts an ownership interest in 63-03614 to the extent that water right, as recommended, includes 63-3614B. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Settlers asserts a beneficial ownership interest.

If this claim is decreed, it must specifically provide that use of water for power purposes is subordinate to and subject to the use of water for irrigation purposes. This can be accomplished by the inclusion of the following language, taken directly from the quantity element on the license for this right:

493,161 ac. feet [acre feet] for irrigation and such power as may be generated by use of water for irrigation use.

See Exhibit A-1.

5886

# State of Idaho License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~cubic~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
, under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17th day of December, 1956;

The right hereby confirmed dates from December 9, 1940;

The Point of Diversion is located  
in the Lot 4, Sec. 1, Tp. 1 S., R. 8 E., B. M. County Elmore

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 493,161 <sup>acre</sup> ~~cubic~~ feet

Description and location of use:

| Twp.                                                                                                                                                                                                                                                                                                                                   | Range        | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------|------------------|----------------------------------|---------------------------------|
| Irrigation of cultivated lands of the Boise Federal Reclamation Project in<br>Ada and Canyon counties as more particularly described in Certificate of Comple-<br>tion of Works issued in connection with Permit No. R-698, including all lands<br>for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir. |              |      |                  |                                  |                                 |
| Townships 1,2,3,4,5 N., Range 1 E., B.M.                                                                                                                                                                                                                                                                                               |              |      |                  |                                  |                                 |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4 N.     | "    | 2 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2 & 3 N.     | "    | 3 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 1 W.             | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3,4,5 N. | "    | 1 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 2 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3, 4 N.  | "    | 2 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 3 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 4 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 3,4,5, 6 N.  | "    | 5 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 4,5, 6 N.    | "    | 6 "              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 21 & 22 S.   | "    | 46 E. W.M.       | (Willamette-Meridian)            |                                 |
| "                                                                                                                                                                                                                                                                                                                                      | 21 S.        | "    | 47 "             | " "                              |                                 |

Corrected  
2/27/57  
Mark R. Kulp

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

(SEAL) Mark R. Kulp /s/  
State Reclamation Engineer.

Attachment A-1

State of Idaho  
License and Certificate of Water Right

Water License No. R-698 493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.  
Water District No. \_\_\_\_\_ Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 ~~acres~~ <sup>acres</sup> feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power,  
under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17<sup>th</sup> day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

|                                                                                                       |  |  |  |  |
|-------------------------------------------------------------------------------------------------------|--|--|--|--|
| Ts. 1, 2, 3, 4, 5 N., R. 1 E.B.M. Ts. 2, 3, 4 N. R. 2 E.B.M. Ts. 2 & 3 N. R. 3 E.B.M.                 |  |  |  |  |
| T. 1 S. R. 1 W.B.M., Ts. 1, 2, 3, 4, 5 N. R. 1 W.B.M., T. 1 S. R. 2 W.B.M. Ts. 1, 2, 3, 4, N. R. 2 W. |  |  |  |  |
| B.M. Ts. 2, 3, 4, 5 N. R. 3 W.B.M. (Ts. 21 & 22 S. R. 46 E.) Ts. 2, 3, 4, 5, N. R. 4 W.B.M. Ts.       |  |  |  |  |
| 3, 4, 5, 6 N. R. 5 W.B.M. Ts. 4, 5, 6 N. R. 6 W.B.M. and Tp. 21 S. R. 47 E. Willamette Meridian.      |  |  |  |  |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
17th day of December, 1956.

(SEAL) \_\_\_\_\_  
Mark R. Kulp /s/  
State Reclamation Engineer.

RECEIVED

JAN 14 2003

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 SRBA

Case No. 39576

A. Subcase 63-03614

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer Kaufmann

Moffatt Thomas Barrett Rock & Fields, Chtd

P.O. Box 829, Boise, ID 83701-0829

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pioneer Irrigation District

Address: P.O. Box 426

Caldwell, ID 83606

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: See Attachment A
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: See Attachment A & A-1
4. ☒ **Priority Date**  
Should be: See Attachments A & A-1
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: See Attachments A & A-1
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: See Attachments A & A-1

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** See Attachment A

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F. VERIFICATION (Must be Completed)

State of Idaho )  
County of Ada )ss.

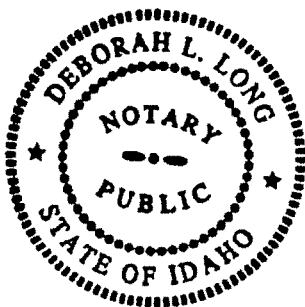
Angela Schaefer Kaufmann, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Angela Schaefer Kaufmann  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 13 2003



Deborah L. Long  
Notary Public for Idaho  
Residing at: Boise  
My Commission Expires: 10/10/07

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

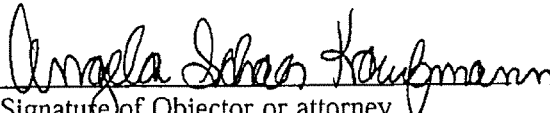
Name: Pioneer Irrigation District  
Address: P.O. Box 426  
Caldwell, ID 83606

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
Signature of Objector or attorney  
mailing on Objector's behalf

**ATTACHMENT A**  
**63-3614**

Pioneer Irrigation District ("Pioneer") has a contract with the Bureau of Reclamation for irrigation storage water from Anderson Ranch Reservoir. Pioneer has a right to use 16000 acre feet of water from Anderson Ranch Reservoir to irrigate 35350.5 acres owned by landholders within Pioneer's service area. The Idaho Department of Water Resources has recommended that Pioneer' water right claim for that amount of water, 63-3614A, be disallowed.

Pioneer has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-3614, because the Idaho Department of Water Resources has indicated that claim number 63-3614A has been recommended as 63-3614.

Pioneer asserts an ownership interest in 63-03614 to the extent that water right, as recommended, includes 63-3614A. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Pioneer asserts a beneficial ownership interest.

If this claim is decreed, it must specifically provide that use of water for power purposes is subordinate to and subject to the use of water for irrigation purposes. This can be accomplished by the inclusion of the following language, taken directly from the quantity element on the license for this right:

493,161 ac. feet [acre feet] for irrigatio and such power as may be generated by use of water for irrigation use.

See Exhibit A-1.

5886

# State of Idaho License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~30000~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation  
of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
, under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5885, on the 17th day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;  
The Point of Diversion is located  
in the Lot ~~XX~~ 4 ~~1/2~~ Sec. 1, Tp. 1 S., R. 8 E., B. M. County Elmore  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 493,161 <sup>acre</sup> ~~30000~~ feet ~~30000~~

## Description and location of use:

| Twp.                                                                                                                                                                                                                                                                                                                                   | Range        | Sec. | Forty-acre Tract                 | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------|----------------------------------|----------------------------------|---------------------------------|
| Irrigation of cultivated lands of the Boise Federal Reclamation Project in<br>Ada and Canyon counties as more particularly described in Certificate of Comple-<br>tion of Works issued in connection with Permit No. R-698, including all lands<br>for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir. |              |      |                                  |                                  |                                 |
| Townships 1,2,3,4,5 N., Range 1 E., B.M.                                                                                                                                                                                                                                                                                               |              |      |                                  |                                  |                                 |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4 N.     | "    | 2 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2 & 3 N.     | "    | 3 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 1 W.                             | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3,4,5 N. | "    | 1 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1 S.         | "    | 2 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 1,2,3, 4 N.  | "    | 2 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 3 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 2,3,4, 5 N.  | "    | 4 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 3,4,5, 6 N.  | "    | 5 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 4,5, 6 N.    | "    | 6 "                              | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 21 & 22 S.   | "    | 46 E. W.M. (Willamette-Meridian) | " "                              | " "                             |
| "                                                                                                                                                                                                                                                                                                                                      | 21 S.        | "    | 47 "                             | " "                              | " "                             |

Corrected  
9/24/57  
Mark R. Kulp

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)

Attachment A-1

5886

# State of Idaho

## License and Certificate of Water Right

Water License No. R-698

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Water District No.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~feet~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power  
, under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17<sup>th</sup> day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

|                                                                                                       |                                                                                            |                                                                                            |                                                                        |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Ts. 1, 2, 3, 4, 5 N., R. 1 E.B.M. Ts. 2, 3, 4 N. R. 2 E.B.M., Ts. 2 & 5 N. R. 3 E.B.M.                | Ts. 1, 2, 3, 4, 5 N. R. 1 W.B.M., T. 1 S. R. 2 W.B.M. Ts. 1, 2, 3, 4, N. R. 2 W.           | Ts. 2, 3, 4, 5 N. R. 3 W.B.M. (Ts. 21 & 22 S. R. 46 E.) Ts. 2, 3, 4, 5, N. R. 4 W.B.M. Ts. | Ts. 4, 5, 6 N. R. 6 W.B.M. and Tp. 21 S. R. 47 E. Willamette Meridian. |
| T. 1 S. R. 1 W.B.M., Ts. 1, 2, 3, 4, 5 N. R. 1 W.B.M., T. 1 S. R. 2 W.B.M. Ts. 1, 2, 3, 4, N. R. 2 W. | Ts. 2, 3, 4, 5 N. R. 3 W.B.M. (Ts. 21 & 22 S. R. 46 E.) Ts. 2, 3, 4, 5, N. R. 4 W.B.M. Ts. | Ts. 4, 5, 6 N. R. 6 W.B.M. and Tp. 21 S. R. 47 E. Willamette Meridian.                     |                                                                        |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of December, 1956.

Mark R. Kulp /s/

State Reclamation Engineer.

(SEAL)

**AMENDED**

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 63-3614  
Date Received: 8/11/1989  
Receipt No: X111111  
Received By:

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

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)378-5306  
REGIONAL DIRECTOR PN REGION CODE PN-3100  
BUREAU OF RECLAMATION  
1150 N CURTIS RD SUITE 100  
BOISE ID USA 837065155

2. Date of Priority: 12/09/1940

3. Source: BOISE RIVER SOUTH FORK Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 08E   | 1       | NW SE 4               | ELMORE |      |

5. Description of diverting works:

ANDERSON RANCH RESERVOIR OUTLET WORKS, SPILLWAY & GENERATORS

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S. | (or) A.F.A |
|-------------------------|-------|-------|--------|------------|
| IRRIGATION STORAGE      | 01/01 | 12/31 |        | 487961     |
| IRRIGATION FROM STORAGE | 03/15 | 11/15 |        | 487961     |
| INDUSTRIAL STORAGE      | 01/01 | 12/31 |        | 5200       |
| INDUSTRIAL FROM STORAGE | 01/01 | 12/31 |        | 5200       |
| POWER STORAGE           | 01/01 | 12/31 |        | 493161     |
| POWER FROM STORAGE      | 01/01 | 12/31 |        | 493161     |
| MUNICIPAL STORAGE       | 01/01 | 12/31 |        | 5200       |
| MUNICIPAL FROM STORAGE  | 01/01 | 12/31 |        | 5200       |

7. Total Quantity Appropriated is:  
493161 A.F.A.

8. Total consumptive use:

**SCANNED**

**AUG 02 2012**

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
|----------|-------|---------|------------|-----|-----|-------|

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER TRANSFER 3310 APPROVED 4/17/1987.

P/U IS 277,000 IRR. AC. W/I THE SERVICE AREA OF ARROWROCK DIVISION OF THE BOISE  
FEDERAL RECLAMATION PROJECT W/I ADA & CANYON COUNTIES.

POWER USE: ANDERSON RANCH POWERPLANT IN ELMORE COUNTY.

MUNICIPAL USE W/I THE SERVICE AREA OF THE BOISE WATER CORP IS 5200 ac-ft.

SURFACE STORAGE-- 423,200 ac-ft INACTIVE STORAGE-- 40,961 ac-ft DEAD STORAGE--  
29,000 ac-ft BANK STORAGE-- 30,000 ac-ft TOTAL RES CAPACITY--523,161 ac-ft  
MULTIYEAR STORAGE PROJECT NOTE: SEE DUPLICATE CLAIMS FILED ON THIS RIGHT UNDER NOS.  
A63-03614A (PIONEER IRRIG. DIST.) AND A63-03614B (SETTLERS IRRIG. DIST.). KW 4/20/95

15. Basis of Claim: License

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3614

WATER RIGHT NUMBER: 63-3614

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | US DEPT OF INTERIOR<br>BUREAU OF RECLAMATION<br>PN REGIONAL OFFICE<br>1150 N CURTIS RD SUITE 100<br>BOISE, ID 837065155 |

Priority Date: 12/09/1940

Basis: License

Status: Active

| <u>Source</u>          | <u>Tributary</u> |
|------------------------|------------------|
| SOUTH FORK BOISE RIVER | BOISE RIVER      |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION STORAGE      | 1/01 to 12/31         |                       | 487,961.00 AF        |
| IRRIGATION FROM STORAGE | 3/15 to 11/15         |                       | 487,961.00 AF        |
| POWER STORAGE           | 1/01 to 12/31         |                       | 493,161.00 AF        |
| POWER FROM STORAGE      | 1/01 to 12/31         |                       | 493,161.00 AF        |
| MUNICIPAL STORAGE       | 1/01 to 12/31         |                       | 5,200.00 AF          |
| INDUSTRIAL STORAGE      | 1/01 to 12/31         |                       | 5,200.00 AF          |
| MUNICIPAL FROM STORAGE  | 1/01 to 12/31         |                       | 5,200.00 AF          |
| INDUSTRIAL FROM STORAGE | 1/01 to 12/31         |                       | 5,200.00 AF          |
| <u>Total Diversion:</u> |                       |                       | 493,161.00 AF        |

Location of Point(s) of Diversion

|                        |               |                                    |
|------------------------|---------------|------------------------------------|
| SOUTH FORK BOISE RIVER | L4 NW1/4SE1/4 | Sec. 1,   Twp 01S,   Rge 08E, B.M. |
| ELMORE County          |               |                                    |

Place of UseConditions of Approval:Remarks:

1.    General    Place of use is 277,000 acres within the lands of the Boise Federal Reclamation Project in Ada and Canyon Counties, including all lands for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir.

**SCANNED**  
AUG 02 2012

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3614

Comments:

1. SCURTIS 12/6/1994 TRANSFER NO. 3310

Comment: Trans. #3310 was filed to change a portion of the nature of use under this right.

2. JPEPPERS 8/18/2000 CHANGED QUANTITY TO REFLECT TRANSFER

Comment: THE PREVIOUS DATA ENTRY SHOWED 487961 AF FOR POWER, THIS WAS CORRECTED TO SHOW 493161 AF FOR POWER SINCE THE TRANSFER ONLY AFFECTED THE IRRIGATION PORTION OF THE RIGHT.

Dates and Other Information:

Licensed Date: 9/12/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

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:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Bryce A. Contor  
Senior Water Resource Agent  
Idaho Department of Water Resources  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1728

RECEIVED  
JUN 15 2001  
Department of Water Resources  
Eastern Region

RECEIVED  
JUN 20 2001  
WATER RESOURCES  
WESTERN REGION

June 14, 2001

As per your request, attached is the list of water right claims that need to have an address change. Some of these are in basins that have been reported out. Some have been disallowed. Should you need further refinement of the list let me know. Thanks!

Dala Walton (208) 678-0461 ext. 23

SCANNED  
AUG 02 2012

RECEIVED

CHANGE IN ADDRESS

JUN 15 2001

This form is solely for purposes of notifying IDWR of a <sup>Department of Water Resources</sup> ~~Change of~~ address of an adjudication claim. <sub>Western Region</sub>

[X] Water Right Number(s): See attached list

[ ] Old Mailing Address: United States of America Acting through  
Regional Director PN Region  
Bureau of Reclamation  
Box 043-550 West Fort St.  
Boise ID 83724

[X] New Mailing Address: United States of America Acting through  
Regional Director PN Region Code PN-3100  
Bureau of Reclamation  
1150 N Curtis Rd Suite 100  
Boise ID 83706-5155

[X] Telephone Number: (208) 378-5306 Gail McGarry

[X] Signature of Claimant: Shala S. Walton

[X] Date: 6/14/01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

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JUN 20 2001

WATER RESOURCES  
WESTERN REGION

SCANNED  
AUG 02 2012

|           |                                                                             |          |        |
|-----------|-----------------------------------------------------------------------------|----------|--------|
| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 1 |
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.   |

BOISE PROJECT - ARROWROCK DIVISION

|           |                                                   |       |         |
|-----------|---------------------------------------------------|-------|---------|
| A02-02378 | Marsing Job Corps Diversion (07/28/1965 L)        | 0.23  |         |
|           | Irrigation                                        | 0.10  |         |
|           | Domestic                                          | 0.13  |         |
| A63-05264 | Lake Lowell Bank Storage (03/27/1909 S)           |       | 11,000  |
|           | Irrigation Storage                                |       | 11,000  |
|           | Irrigation from Storage                           |       | 11,000  |
| A63-04868 | Lake Lowell Storage (03/27/1909 S)                |       | 190,100 |
|           | Irrigation Storage                                |       |         |
|           | 190,100                                           |       |         |
|           | Irrigation from Storage                           |       | 177,100 |
|           | Diversion to Storage                              | 2,800 |         |
| A63-07340 | Lake Lowell Recreation Area Well (11/01/1968 L)   | 0.25  |         |
|           | Irrigation                                        | 0.25  |         |
|           | Domestic                                          | 0.25  |         |
| A63-03618 | Lucky Peak Reservoir Storage (01/01/1955 P)       |       | 307,000 |
|           | Irrigation Storage                                |       | 140,750 |
|           | Irrigation from Storage                           |       | 140,750 |
|           | Minimum Instream Flow Storage                     |       | 152,300 |
|           | Minimum Instream Flow from Storage                |       | 152,300 |
|           | Flood Control Storage                             |       | 13,950  |
| A63-05263 | Lucky Peak Reservoir Bank Storage (01/01/1955 S)  |       | 17,000  |
|           | Irrigation Storage                                |       | 17,000  |
|           | Irrigation from Storage                           |       | 17,000  |
| A63-02106 | Five Mile Creek Diversion (04/28/1909 L)          | 10.0  |         |
|           | Irrigation                                        | 9.96  |         |
|           | Domestic                                          | 0.04  |         |
| A63-02109 | Mason Creek Diversion (06/02/1909 L)              | 104.8 |         |
|           | Irrigation                                        | 104.8 |         |
| A63-02212 | Pipe Gulch Diversion (07/07/1913 L)               | 10.0  |         |
|           | Irrigation                                        | 10.0  |         |
| A63-02322 | Wilson and Elijah Slough Diversion (10/04/1918 L) | 120.0 |         |

SCANNED

AUG 02 2012

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                                                                                                                                       | QUANTITY             | Page 2                                                                |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------------------------|
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)                                                                                                            | c.f.s.               | a.f.                                                                  |
|           | Irrigation                                                                                                                                                                             | 120.0                |                                                                       |
| A63-02158 | Arrowrock Reservoir Diversion (01/13/1911 L)<br>Irrigation                                                                                                                             | 8,000<br>8,000       |                                                                       |
| A63-03613 | Arrowrock Reservoir Storage (06/25/1938 L)<br>Irrigation Storage<br>Irrigation from Storage                                                                                            |                      | 15,000<br>15,000<br>15,000                                            |
| A63-05262 | Arrowrock Reservoir Storage (01/13/1911 S)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage                                                     |                      | 288,600<br>288,600<br>288,600<br>288,600<br>288,600                   |
| A63-05261 | Anderson Ranch Reservoir Bank Storage (12/09/1940 S)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage                                           |                      | 30,000<br>30,000<br>30,000<br>30,000<br>30,000                        |
| A63-03614 | Anderson Ranch Reservoir Storage (12/09/1940 L)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage<br>Municipal Storage<br>Municipal from Storage |                      | 493,161<br>487,961<br>458,961<br>493,161<br>464,161<br>5,200<br>5,200 |
| A63-00301 | Boise Diversion Dam Diversion (12/14/1903 D)<br>Irrigation                                                                                                                             | 1,354.58<br>1,354.58 |                                                                       |
| A63-00302 | Boise Diversion Dam Diversion (06/16/1909 D)<br>Irrigation                                                                                                                             | 634<br>634           |                                                                       |
| A63-02388 | Boise Diversion Dam Diversion (08/18/1924 L)<br>Irrigation                                                                                                                             | 300<br>300           |                                                                       |
| A63-00251 | Boise Diversion Dam Diversion (03/23/1900 D)<br>Irrigation                                                                                                                             | 219.1<br>219.1       |                                                                       |

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 3 |
|-----------|-----------------------------------------------------------------------------|----------|--------|
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.   |

|           |                                              |       |  |
|-----------|----------------------------------------------|-------|--|
| A63-00367 | Boise Diversion Dam Power (06/15/1909 D)     | 1,500 |  |
|           | Power                                        | 1,500 |  |
| A63-00373 | Boise Diversion Dam Diversion (04/01/1909 D) | 292.5 |  |
|           | Irrigation                                   | 292.5 |  |

BOISE PROJECT-PAYETTE DIVISION

|            |                                                      |         |  |
|------------|------------------------------------------------------|---------|--|
| A65-02288  | Black Canyon Dam Diversion (05/14/1921 D)            | 1,300   |  |
|            | Power                                                | 1,300   |  |
| A65-02433  | Black Canyon Dam Diversion (09/19/1938 D)            | 1,200   |  |
|            | Irrigation                                           | 1,200   |  |
| A65-09481  | Black Canyon Dam Diversion (04/01/1926 D)            | 300     |  |
|            | Power                                                | 300     |  |
| A65-09486  | C-Line Pumping Plant Well (06/01/1946 D)             | 0.04    |  |
|            | Domestic                                             | 0.04    |  |
| A65-09487  | Black Canyon Dam Well (06/01/1924 D)                 | 0.04    |  |
|            | Domestic                                             | 0.04    |  |
| A65-09488  | Black Canyon Dam Well (06/01/1924 D)                 | 0.04    |  |
|            | Domestic                                             | 0.04    |  |
| A65-11412  | Black Canyon Dam Emmett I.D. Pumps (03/15/1924 IC2)  | 220     |  |
|            | Power                                                | 220     |  |
| A65-02927A | Cascade Reservoir Storage (12/24/1937 D)             | 745,200 |  |
|            | Irrigation Storage                                   | 745,200 |  |
|            | Irrigation from Storage                              | 745,200 |  |
|            | Power Storage                                        | 745,200 |  |
|            | Power from Storage                                   | 745,200 |  |
| A65-02927B | Cascade Reservoir Storage - Municipal (12/24/1937 D) | 2,500   |  |
|            | Municipal Storage                                    | 2,500   |  |
|            | Municipal from Storage                               | 2,500   |  |
| A65-03105A | Willow Creek Diversion (06/01/1889 D)                | 0.98    |  |
|            | Irrigation                                           | 0.98    |  |

| CLAIM NO.  | FEATURE (PRIORITY DATE/EVIDENCE)<br>(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | QUANTITY<br>c.f.s. | Page 4<br>a.f.                |
|------------|-----------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|
| A65-03106  | Willow Creek Diversion (05/10/1891 D)<br>Irrigation                                                             | 0.44<br>0.44       |                               |
| A65-03108A | Willow Creek Diversion (05/10/1891 D)<br>Irrigation                                                             | 1.16<br>1.16       |                               |
| A65-03111F | Rock (Richards) Creek Diversion (06/01/1894 D)<br>Irrigation                                                    | 0.40<br>0.40       |                               |
| A65-03142  | Arling Creek Diversion (03/20/1892 D)<br>Irrigation                                                             | 3.70<br>3.70       |                               |
| A65-03143  | Arling Creek Diversion (05/22/1897 D)<br>Irrigation                                                             | 4.0<br>4.0         |                               |
| A65-11350  | Duck Creek Diversion (07/01/1900 D)<br>Irrigation                                                               | 3.82<br>3.82       |                               |
| A65-11351  | Unnamed Stream Diversion (07/01/1900 D)<br>Irrigation                                                           | 4.82<br>4.82       |                               |
| A65-11353  | Gibson Creek Diversion (07/01/1900 D)<br>Irrigation                                                             | 0.28<br>0.28       |                               |
| A65-11354  | Unnamed Stream Diversion (07/01/1900 D)<br>Irrigation                                                           | 3.60<br>3.60       |                               |
| A65-11361  | Rock Creek Diversion (07/01/1900 D)<br>Irrigation                                                               | 1.74<br>1.74       |                               |
| A65-07794  | Duck Creek Recreation Well (01/05/1977 D)<br>Domestic                                                           | 0.04<br>0.04       |                               |
| A65-07795  | Poison Creek Recreation Well (01/05/1977 D)<br>Domestic                                                         | 0.04<br>0.04       |                               |
| A65-07796  | Sugarloaf Recreation Well (01/05/1977 D)<br>Domestic                                                            | 0.02<br>0.02       |                               |
| A65-02917  | Deadwood Reservoir Power Storage (12/31/1926 D)<br>Power Storage<br>Power from Storage                          |                    | 163,000<br>163,000<br>163,000 |

|           |                                                                             |          |        |
|-----------|-----------------------------------------------------------------------------|----------|--------|
| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 5 |
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.   |

|           |                                                                |         |  |
|-----------|----------------------------------------------------------------|---------|--|
| A65-09483 | Deadwood Reservoir Irrigation Storage (12/31/1926 D)           | 173,000 |  |
|           | Irrigation Storage                                             | 173,000 |  |
|           | Irrigation from Storage                                        | 173,000 |  |
| A65-09485 | Deadwood Reservoir Headquarters Well (06/01/1929 D)            | 0.32    |  |
|           | Domestic                                                       | 0.32    |  |
| A77-10114 | Johnson Creek Diversion to Deadwood Reservoir (09/01/1936 IC2) | 3,500   |  |
|           | Irrigation Storage                                             | 3,500   |  |
|           | Irrigation from Storage                                        | 3,500   |  |
|           | Power Storage                                                  | 3,500   |  |
|           | Power from Storage                                             | 3,500   |  |

LEWISTON ORCHARDS PROJECT

|           |                                                      |      |       |
|-----------|------------------------------------------------------|------|-------|
| A85-00016 | Sweetwater Creek Diversion (07/14/1904 D)            | 87.8 |       |
|           | Irrigation                                           | 87.8 |       |
|           | Domestic                                             | 87.8 |       |
| A85-02049 | Waha Lake Diversion (05/26/1915 L)                   | 10.0 |       |
|           | Irrigation                                           | 10.0 |       |
|           | Domestic                                             | 10.0 |       |
|           | Waha Lake Diversion (05/26/1915 L)                   |      | 4,000 |
|           | Irrigation Storage                                   |      | 4,000 |
|           | Irrigation from Storage                              |      | 4,000 |
|           | Domestic Storage                                     |      | 4,000 |
|           | Domestic from Storage                                |      | 4,000 |
| A85-02065 | Webb Creek Diversion (01/30/1924 L)                  | 40.0 |       |
|           | Irrigation                                           | 40.0 |       |
|           | Domestic                                             | 40.0 |       |
| A85-02146 | Webb Creek-Soldiers Meadow Reservoir (05/24/1922 L)  |      | 2,000 |
|           | Irrigation Storage                                   |      | 2,000 |
|           | Irrigation from Storage                              |      | 2,000 |
|           | Domestic Storage                                     |      | 2,000 |
|           | Domestic from Storage                                |      | 2,000 |
| A85-02147 | Captain John (Browns) Creek Diversion (12/04/1934 L) | 20.0 |       |
|           | Irrigation                                           | 20.0 |       |
|           | Domestic                                             | 20.0 |       |

|           |                                                                             |          |        |
|-----------|-----------------------------------------------------------------------------|----------|--------|
| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 6 |
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.   |

|           |                                                     |        |
|-----------|-----------------------------------------------------|--------|
| A85-04483 | Manns Lake/Sweetwater Creek (06/01/1907 S)          | 10,500 |
|           | Irrigation Storage                                  | 8,000  |
|           | Irrigation from Storage                             | 8,000  |
|           | Stockwater Storage                                  | 1,000  |
|           | Stockwater from Storage                             | 1,000  |
|           | Industrial Storage                                  | 1,500  |
|           | Industrial from Storage                             | 1,500  |
|           | Municipal Storage                                   | 1,500  |
|           | Municipal from Storage                              | 1,500  |
|           | Fire Protection Storage                             | 1,000  |
|           | Fire Protection from Storage                        | 1,000  |
| A85-11087 | West Fork Sweetwater Creek Diversion (05/26/1915 S) | 20.0   |
|           | Irrigation Storage                                  | 20.0   |
|           | Irrigation from Storage                             | 10.0   |
|           | Domestic Storage                                    | 20.0   |
|           | Domestic from Storage                               | 10.0   |

#### LITTLE WOOD RIVER PROJECT

|           |                                                     |       |
|-----------|-----------------------------------------------------|-------|
| A37-02783 | Little Wood Dam - Storage (04/10/1959 L)            | 1,000 |
|           | Irrigation Storage                                  | 1,000 |
|           | Irrigation from Storage                             | 1,000 |
| A37-12888 | Little Wood Dam - Wells - Recreation (09/30/1976 S) | 0.56  |
|           | Irrigation                                          | 0.12  |
|           | Domestic                                            | 0.44  |

#### MANN CREEK PROJECT

|           |                                             |        |
|-----------|---------------------------------------------|--------|
| A67-02386 | Mann Creek Reservoir Storage (12/14/1940 L) | 10,000 |
|           | Irrigation Storage                          | 10,000 |
|           | Irrigation from Storage                     | 8,390  |
| A67-02389 | Mann Creek Reservoir Storage (01/30/1964 L) | 2,950  |
|           | Irrigation Storage                          | 2,950  |
|           | Irrigation from Storage                     | 2,950  |
| A67-04553 | Mann Creek Reservoir Storage (12/14/1940 S) | 1,000  |
|           | Irrigation Storage                          | 1,000  |
|           | Irrigation from Storage                     | 1,000  |

|           |                                                                             |          |        |
|-----------|-----------------------------------------------------------------------------|----------|--------|
| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 7 |
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.   |

MICHAUD FLATS PROJECT  
FALLS IRRIGATION DISTRICT

|           |                                                                                               |                      |                  |
|-----------|-----------------------------------------------------------------------------------------------|----------------------|------------------|
| A01-02061 | Falls Irrigation District - Pumping plant (06/11/1956 L)<br>Irrigation                        | 153<br>153           |                  |
| A01-04051 | Falls Irrigation District - Recharge Storage (04/01/1958 IC2)<br>Groundwater Recharge Storage |                      | 11,000<br>11,000 |
| A29-02262 | Falls Irrigation District - Well E (01/24/1946 L)<br>Irrigation                               | 2.2<br>2.2           |                  |
| A29-02288 | Falls Irrigation District - Well G (05/19/1950 L)<br>Irrigation                               | 2.57<br>2.57         |                  |
| A29-02306 | Falls Irrigation District - Well B (07/02/1951 L)<br>Irrigation                               | 2.85<br>2.85         |                  |
| A29-02307 | Falls Irrigation District - Well F (07/02/1951 L)<br>Irrigation                               | 2.20<br>2.2          |                  |
| A29-02310 | Falls Irrigation District - Well Q (12/22/1951 L)<br>Irrigation                               | 1.25<br>1.25         |                  |
| A29-02341 | Falls Irrigation District - Well M (10/29/1953 L)<br>Irrigation                               | 2.61<br>2.61         |                  |
| A29-02380 | Falls Irrigation District - 17 Wells (06/11/1956 L)<br>Irrigation                             | 44.61<br>44.61       |                  |
| A29-02567 | Falls Irrigation District - Well C (01/15/1952 L)<br>Irrigation                               | 2.45<br>2.45         |                  |
| A29-02568 | Falls Irrigation District - Well P (04/07/1955 L)<br>Irrigation                               | 3.79<br>3.79         |                  |
| A29-02571 | Falls Irrigation District - Well H (06/18/1950 L)<br>Irrigation                               | 2.23<br>2.23         |                  |
| A29-10047 | Falls Irrigation District - Ditchrider's House (01/01/1956 IC1)<br>Irrigation<br>Domestic     | 0.07<br>0.03<br>0.04 |                  |

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 8 |
|-----------|-----------------------------------------------------------------------------|----------|--------|
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|                                    |                                                                                                                                      |                |                                                               |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------|
| A29-02614A                         | Falls Irrigation District - Well K (02/16/1953 L)<br>Irrigation                                                                      | 1.56<br>1.56   |                                                               |
| A01-02060                          | A&B Irrigation District - Unit A Pumping Plant (04/01/1939 L)<br>Irrigation                                                          | 270<br>270     |                                                               |
| A01-04049                          | A&B Irrigation District - Recharge Storage (09/09/1948 IC2)<br>Groundwater Recharge Storage<br>Domestic                              |                | 297,500<br>291,500<br>6,000                                   |
| MINIDOKA/UPPER SNAKE RIVER PROJECT |                                                                                                                                      |                |                                                               |
| A&B IRRIGATION DISTRICT            |                                                                                                                                      |                |                                                               |
| A01-04060                          | A&B Irrigation District - Unit A - Expansion (04/01/1939 IC2)<br>Irrigation                                                          |                | 3,370<br>3,370                                                |
| A36-02080                          | A&B Irrigation District - Wells - Unit B (09/09/1948 L)<br>Irrigation                                                                | 1,100<br>1,100 |                                                               |
| A36-04265                          | A&B Irrigation District - Unit B - Expansion (04/20/1971 IC2)<br>Irrigation                                                          |                | 11,893<br>11,893                                              |
| (A36-15127)                        |                                                                                                                                      |                |                                                               |
| (A36-15192)                        |                                                                                                                                      |                |                                                               |
| (A36-15193)                        |                                                                                                                                      |                |                                                               |
| (A36-15194)                        |                                                                                                                                      |                |                                                               |
| (A36-15195)                        |                                                                                                                                      |                |                                                               |
| (A36-15196)                        |                                                                                                                                      |                |                                                               |
| A01-00284                          | American Falls Dam - Diversion (03/30/1921 D)<br>Irrigation Storage                                                                  | 8,000<br>8,000 |                                                               |
| A01-02064                          | American Falls Dam - Storage (03/30/21 L)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage    |                | 1,540,600<br>1,540,600<br>1,540,600<br>1,540,600<br>1,540,600 |
| A01-04052                          | American Falls Dam - Refill (06/16/1944 IC2)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage |                | 115,000<br>115,000<br>115,000<br>115,000<br>115,000           |

| CLAIM NO.                          | FEATURE (PRIORITY DATE/EVIDENCE)<br>(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | QUANTITY<br>c.f.s. | Page 9<br>a.f. |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------|--------------------|----------------|
| A01-10042                          | American Falls Dam - Storage - winter water savings (03/29/21 L)                                                | 159,400            |                |
|                                    | Irrigation Storage                                                                                              | 159,400            |                |
|                                    | Irrigation from Storage                                                                                         | 159,400            |                |
|                                    | Power Storage                                                                                                   | 159,400            |                |
|                                    | Power from Storage                                                                                              | 159,400            |                |
| A01-10053                          | American Falls Dam - Bank Storage (03/30/1921 L)                                                                | 100,000            |                |
|                                    | Irrigation Storage                                                                                              | 100,000            |                |
|                                    | Irrigation from Storage                                                                                         | 100,000            |                |
|                                    | Power Storage                                                                                                   | 100,000            |                |
|                                    | Power from Storage                                                                                              | 100,000            |                |
| A29-10045                          | American Falls Dam - Visitor Center (03/31/1976 IC1)                                                            | 0.04               |                |
|                                    | Domestic                                                                                                        | 0.04               |                |
| A29-10046                          | American Falls Dam Seagull Bay Recreation Area (03/01/1971 IC1)                                                 | 0.04               | 0.04           |
|                                    | Domestic                                                                                                        | 0.04               |                |
| A35-10358                          | American Falls Dam - Sportsman's Park Rec. Area (01/25/1979 IC1)                                                |                    | 1.0            |
|                                    | Irrigation                                                                                                      | 0.96               |                |
|                                    | Domestic                                                                                                        | 0.04               |                |
| MINIDOKA/UPPER SNAKE RIVER PROJECT |                                                                                                                 |                    |                |
| A01-04047                          | Burley Irrigation District - Recharge Storage (06/19/1909 IC2)                                                  | 1,500,000          |                |
|                                    | Groundwater Recharge Storage                                                                                    | 1,500,000          |                |
| A45-00512                          | Burley Irrigation District - Marsh Creek (04/09/1909 D)                                                         | 150                |                |
|                                    | Irrigation                                                                                                      | 150                |                |
| A45-10389                          | Burley Irrigation District - Well - Domestic (06/19/1909 IC1)                                                   | 0.12               |                |
|                                    | Domestic                                                                                                        | 0.12               |                |
| A45-10390                          | Burley Irrigation District - Well - Domestic (06/19/1909 IC1)                                                   | 0.24               |                |
|                                    | Domestic                                                                                                        | 0.24               |                |
| A45-10391                          | Burley Irrigation District - Well - Domestic (06/19/1909 IC1)                                                   | 0.08               |                |
|                                    | Domestic                                                                                                        | 0.08               |                |
| A21-00024                          | Fremont-Madison Irrigation District - Diversion (05/10/1889 D)                                                  | 6.0                |                |
|                                    | Irrigation                                                                                                      | 6.0                |                |

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)<br>(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)                               | QUANTITY Page 10 |                                                |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------|
|           |                                                                                                                                               | c.f.s.           | a.f.                                           |
| A21-00026 | Fremont-Madison Irrigation District - Diversion (05/10/1889 D)<br>Irrigation                                                                  | 3.0<br>3.0       |                                                |
| A21-00027 | Fremont-Madison Irrigation District - Diversion (05/10/1889 D)<br>Irrigation                                                                  | 3.0<br>3.0       |                                                |
| A21-00120 | Fremont-Madison Irrigation District - Diversion (09/20/1901 D)<br>Irrigation                                                                  | 1.6<br>1.6       |                                                |
| A21-00121 | Fremont-Madison Irrigation District - Diversion (06/01/1893 D)<br>Irrigation                                                                  | 1.0<br>1.0       |                                                |
| A21-00122 | Fremont-Madison Irrigation District - Diversion (06/01/1901 D)<br>Irrigation                                                                  | 0.8<br>0.8       |                                                |
| A21-00123 | Fremont-Madison Irrigation District - Diversion (06/01/1901 D)<br>Irrigation                                                                  | 0.8<br>0.8       |                                                |
| A21-00124 | Fremont-Madison Irrigation District - Diversion (09/20/1901 D)<br>Irrigation                                                                  | 1.0<br>1.0       |                                                |
| A21-00125 | Fremont-Madison Irrigation District - Diversion (06/01/1901 D)<br>Irrigation                                                                  | 0.8<br>0.8       |                                                |
| A21-00126 | Fremont-Madison Irrigation District - Diversion (06/01/1900 D)<br>Irrigation                                                                  | 2.2<br>2.2       |                                                |
| A21-04155 | Grassy Lake Dam - Stateline Delivery (02/13/1936 IC2)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage |                  | 15,204<br>15,204<br>15,204<br>15,204<br>15,204 |
| A21-02156 | Island Park Dam - Storage (03/14/1935 L)<br>Irrigation Storage<br>Irrigation from Storage<br>Power Storage<br>Power from Storage              |                  | 90,000<br>90,000<br>90,000<br>90,000<br>90,000 |
| A21-04156 | Island Park Dam - Refill (11/15/1938 IC2)<br>Irrigation Storage<br>Irrigation from Storage                                                    |                  | 135,000<br>135,000<br>135,000                  |

| CLAIM NO.     | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY  | Page 11 |
|---------------|-----------------------------------------------------------------------------|-----------|---------|
|               | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.    | a.f.    |
|               | Power Storage                                                               | 135,000   |         |
|               | Power from Storage                                                          | 135,000   |         |
| A21-04157     | Island Park Dam - Bank Storage (11/15/1938 IC2)                             | 40,000    |         |
|               | Irrigation Storage                                                          | 40,000    |         |
|               | Irrigation from Storage                                                     | 40,000    |         |
|               | Power Storage                                                               | 40,000    |         |
|               | Power from Storage                                                          | 40,000    |         |
| A21-10560     | Island Park Dam - Storage - winter water savings (03/29/1921 L)             | 45,000    |         |
|               | Irrigation Storage                                                          | 45,000    |         |
|               | Irrigation from Storage                                                     | 45,000    |         |
|               | Power Storage                                                               | 45,000    |         |
|               | Power from Storage                                                          | 45,000    |         |
| A21-10601     | Island Park Dam - Well - Domestic (12/31/1938 IC1)                          | 0.04      |         |
|               | Domestic                                                                    | 0.04      |         |
| A01-04055     | Jackson Lake Dam - Stateline Delivery (08/23/1906 WY L, IC2)                | 298,981   |         |
|               | Irrigation Storage                                                          | 298,981   |         |
|               | Irrigation from Storage                                                     | 298,981   |         |
|               | Power Storage                                                               | 1,415,000 |         |
|               | Power from Storage                                                          | 1,415,000 |         |
| A01-10044     | Jackson Lake Dam - Stateline Delivery (08/18/1910 WY L, IC2)                | 138,829   |         |
|               | Irrigation Storage                                                          | 138,829   |         |
|               | Irrigation from Storage                                                     | 138,829   |         |
| A01-10045     | Jackson Lake Dam - Stateline Delivery (05/24/1913 WY L, IC2)                | 409,190   |         |
|               | Irrigation Storage                                                          | 409,190   |         |
|               | Irrigation from Storage                                                     | 409,190   |         |
| UNNUMBERED(A) | Jackson Lake Dam - Bank Storage (04/01/1907 WY L, IC2)                      | 27,000    |         |
|               | Irrigation Storage                                                          | 27,000    |         |
|               | Irrigation from Storage                                                     | 27,000    |         |
| UNNUMBERED(B) | Jackson Lake Dam - Bank Storage (04/01/1912 WY L, IC2)                      | 12,000    |         |
|               | Irrigation Storage                                                          | 12,000    |         |
|               | Irrigation from Storage                                                     | 12,000    |         |
| UNNUMBERED(C) | Jackson Lake Dam - Bank Storage (04/01/1917 WY L, IC2)                      | 29,000    |         |
|               | Irrigation Storage                                                          | 29,000    |         |

| CLAIM NO.     | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY | Page 12 |
|---------------|-----------------------------------------------------------------------------|----------|---------|
|               | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.   | a.f.    |
|               | Irrigation from Storage                                                     |          | 29,000  |
| UNNUMBERED(D) | Jackson Lake Dam - Second Fill (04/01/1917 WY L, IC2)                       |          | 500,000 |
|               | Irrigation Storage                                                          |          | 500,000 |
|               | Irrigation from Storage                                                     |          | 500,000 |
| A01-02040     | Milner-Gooding Canal (03/30/1921 L)                                         | 1,700    |         |
|               | Irrigation                                                                  | 1,700    |         |
| A36-11119     | Milner-Gooding - Hunt Site Ditchrider's House (12/31/1947 IC1)              | 0.07     |         |
|               | Irrigation                                                                  | 0.03     |         |
|               | Domestic                                                                    | 0.04     |         |
| A36-11120     | Milner-Gooding - Ditchrider's House (12/31/1947 IC1)                        | 0.07     |         |
|               | Irrigation                                                                  | 0.03     |         |
|               | Domestic                                                                    | 0.04     |         |
| A01-00211A    | Minidoka Dam Minidoka/Burley Irrigation Districts (03/26/1903 D)            |          | 1,726   |
|               | Irrigation                                                                  | 1,726    |         |
| A01-00214A    | Minidoka Dam Minidoka/Burley Irrigation Districts (08/06/1908 D)            |          | 1,000   |
|               | Irrigation                                                                  | 1,000    |         |
| A01-00217     | Minidoka Dam - Power (06/15/1909 D)                                         | 2,500    |         |
|               | Power                                                                       | 2,500    |         |
| A01-00218     | Minidoka Dam - Power (07/01/1912 D)                                         | 200      |         |
|               | Power                                                                       | 200      |         |
| A01-00219     | Minidoka Dam Minidoka/Burley Irrigation District (12/14/1909 D)             | 2,500    |         |
|               | Irrigation Storage                                                          | 2,500    |         |
| A01-02016     | Minidoka Dam Minidoka/Burley Irrigation District (06/16/1911 L)             | 888      |         |
|               | Irrigation                                                                  | 888      |         |
| A01-04024     | Minidoka Dam - Unit 6 Powerplant (06/16/1927 IC2)                           | 825      |         |
|               | Power                                                                       | 825      |         |
| A01-04025     | Minidoka Dam - Unit 7 Powerplant (05/07/1942 IC2)                           | 1,700    |         |
|               | Power                                                                       | 1,700    |         |
| A01-04048     | Minidoka Dam - Park Irrigation (12/14/1909 IC2)                             |          | 2.8     |

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY  | Page 13 |
|-----------|-----------------------------------------------------------------------------|-----------|---------|
|           | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.    | a.f.    |
|           | Irrigation                                                                  | 2.8       |         |
| A01-04050 | Minidoka Dam - Bank Storage (04/01/1907 IC2)                                | 30,000    |         |
|           | Irrigation Storage                                                          | 30,000    |         |
|           | Irrigation from Storage                                                     | 30,000    |         |
|           | Power Storage                                                               | 30,000    |         |
|           | Power from Storage                                                          | 30,000    |         |
| A01-10034 | Minidoka Dam - Storage Minidoka/Burley Irrigation Dists (12/14/1909 D)      | 210,200   |         |
|           | Irrigation Storage                                                          | 210,200   |         |
|           | Irrigation from Storage                                                     | 95,200    |         |
|           | Power Storage                                                               | 210,200   |         |
|           | Power from Storage                                                          | 210,200   |         |
| A36-11114 | Minidoka Dam - Spring (06/15/1909 IC2)                                      | 0.04      |         |
|           | Domestic                                                                    | 0.04      |         |
| A36-11115 | Minidoka Dam - Well (04/01/1907 IC2)                                        | 0.48      |         |
|           | Irrigation                                                                  | 0.44      |         |
|           | Domestic                                                                    | 0.04      |         |
| A36-11118 | Minidoka Dam - Well (04/01/1907 IC2)                                        | 0.44      |         |
|           | Irrigation                                                                  | 0.44      |         |
| A01-04046 | Minidoka Irrigation District - Recharge Storage (04/01/1907 IC2)            | 2,700,000 |         |
|           | Groundwater Recharge Storage                                                | 2,700,000 |         |
| A01-02068 | Palisades Dam - Storage (07/28/1939 L)                                      | 1,141,400 |         |
|           | Irrigation Storage                                                          | 1,141,400 |         |
|           | Irrigation from Storage                                                     | 1,097,400 |         |
|           | Power Storage                                                               | 1,141,400 |         |
|           | Power from Storage                                                          | 1,141,400 |         |
| A01-04053 | Palisades Dam - Well (06/01/1948 S)                                         | 0.31      |         |
|           | Irrigation                                                                  | 0.31      |         |
|           | Domestic                                                                    | 0.31      |         |
| A01-04054 | Palisades Dam - Power (02/27/1957 IC2)                                      | 9,000     |         |
|           | Power                                                                       | 9,000     |         |
| A01-04056 | Palisades Dam - Refill (05/03/1957 IC2)                                     | 1,200,000 |         |

CLAIM NO.

FEATURE (PRIORITY DATE/EVIDENCE)

(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory)

QUANTITY Page 14  
c.f.s. a.f.

|                         |           |
|-------------------------|-----------|
| Irrigation Storage      | 1,200,000 |
| Irrigation from Storage | 1,200,000 |
| Power Storage           | 1,200,000 |
| Power from Storage      | 1,200,000 |

|           |                                               |         |
|-----------|-----------------------------------------------|---------|
| A01-04057 | Palisades Dam - Bank Storage (07/03/1957 IC2) | 185,000 |
|           | Irrigation Storage                            | 185,000 |
|           | Irrigation from Storage                       | 92,000  |
|           | Power Storage                                 | 185,000 |
|           | Power from Storage                            | 92,000  |

|           |                                                               |         |
|-----------|---------------------------------------------------------------|---------|
| A01-10043 | Palisades Dam - Storage - winter water savings (03/29/1921 L) | 259,600 |
|           | Irrigation Storage                                            | 259,600 |
|           | Irrigation from Storage                                       | 259,600 |
|           | Power Storage                                                 | 259,600 |
|           | Power from Storage                                            | 259,600 |

|           |                                       |      |
|-----------|---------------------------------------|------|
| A23-04073 | Palisades Dam - Well (06/01/1948 IC2) | 0.40 |
|           | Domestic                              | 0.40 |

|           |                                       |      |
|-----------|---------------------------------------|------|
| A23-10062 | Palisades Dam - Well (06/01/1948 IC1) | 0.04 |
|           | Domestic                              | 0.04 |

|           |                                                     |        |
|-----------|-----------------------------------------------------|--------|
| A25-07004 | Ririe Dam - Storage *****PERMIT***** (03/18/1975 P) | 90,500 |
|           | Irrigation Storage                                  | 90,500 |
|           | Irrigation from Storage                             | 86,500 |
|           | Power Storage                                       | 90,500 |
|           | Power from Storage                                  | 86,500 |

|           |                                            |      |
|-----------|--------------------------------------------|------|
| A25-07008 | Ririe Dam - Well - Domestic (05/04/1970 L) | 0.04 |
|           | Domestic                                   | 0.04 |

|           |                                   |      |
|-----------|-----------------------------------|------|
| A25-07135 | Ririe Dam - Spring (09/13/1977 L) | 0.01 |
|           | Domestic                          | 0.01 |

|           |                                        |      |
|-----------|----------------------------------------|------|
| A25-07201 | Ririe Dam - Well - Park (08/11/1980 L) | 0.14 |
|           | Irrigation                             | 0.08 |
|           | Domestic                               | 0.14 |

|           |                                 |      |
|-----------|---------------------------------|------|
| A25-12222 | Ririe Dam - Well (07/31/1987 S) | 0.44 |
|           | Irrigation                      | 0.40 |

| CLAIM NO. | FEATURE (PRIORITY DATE/EVIDENCE)<br>(L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | QUANTITY Page 15     |      |
|-----------|-----------------------------------------------------------------------------------------------------------------|----------------------|------|
|           |                                                                                                                 | c.f.s.               | a.f. |
|           | Domestic                                                                                                        | 0.04                 |      |
| A22-07022 | Teton Dam - Wells *****PERMIT***** (04/23/1969 P)<br>Irrigation                                                 | 80.88<br>80.88       |      |
| A22-07062 | Teton Dam - Well - Domestic (01/05/1973 L)<br>Domestic                                                          | 0.06<br>0.06         |      |
| A25-12223 | Tex Creek - Spring - Cove Creek (01/01/1918 IC1)<br>Stockwater<br>Wildlife                                      | 0.08<br>0.04<br>0.04 |      |
| A25-12224 | Tex Creek - Spring - Cove Creek (01/01/1918 IC1)<br>Stockwater<br>Wildlife                                      | 0.02<br>0.01<br>0.01 |      |
| A25-12225 | Tex Creek - Spring - Indian Fork (01/01/1918 IC1)<br>Stockwater<br>Wildlife                                     | 0.08<br>0.04<br>0.04 |      |
| A25-12226 | Tex Creek - Spring - Hayshed Creek/Indian Fork (01/01/1918 IC1)<br>Stockwater<br>Wildlife                       | 0.02<br>0.01<br>0.01 |      |
| A25-12227 | Tex Creek - Spring - Willow Springs (01/01/1918 IC1)<br>Stockwater<br>Wildlife                                  | 0.02<br>0.01<br>0.01 |      |
| A25-12228 | Tex Creek - Spring - Pipe Creek (01/01/1918 IC1)<br>Irrigation<br>Domestic                                      | 0.02<br>0.01<br>0.01 |      |
| A25-12229 | Tex Creek - Spring - Spring Creek (01/01/1918 IC1)<br>Stockwater<br>Wildlife                                    | 0.02<br>0.01<br>0.01 |      |
| A25-12231 | Tex Creek - Spring Dog Tooth/Blue Creek (01/01/1918 IC1)<br>Stockwater<br>Wildlife                              | 0.04<br>0.02<br>0.02 |      |
| A25-12234 | Tex Creek - Indian Creek (01/01/1918 IC1)                                                                       | 0.04                 |      |

| CLAIM NO.                        | FEATURE (PRIORITY DATE/EVIDENCE)                                            | QUANTITY Page 16 |      |
|----------------------------------|-----------------------------------------------------------------------------|------------------|------|
|                                  | (L = License, D = Decree, IC1 = IC 42-1409, IC2 = IC 42-243, S = Statutory) | c.f.s.           | a.f. |
|                                  | Irrigation                                                                  | 0.03             |      |
|                                  | Wildlife                                                                    | 0.01             |      |
| A25-12236                        | Tex Creek - Pond - Trail Creek (01/01/1918 IC1)                             | 0.05             |      |
|                                  | Irrigation                                                                  | 0.03             |      |
|                                  | Stockwater                                                                  | 0.01             |      |
|                                  | Wildlife                                                                    | 0.01             |      |
| A25-12238                        | Tex Creek - Well - Domestic (01/01/1985 IC1)                                | 0.04             |      |
|                                  | Domestic                                                                    | 0.04             |      |
| OWYHEE PROJECT-IDAHO-OREGON UNIT |                                                                             |                  |      |
| A57-10807                        | Succor Creek Diversion - (Owyhee Reservoir) (04/11/1935 S)                  | 30.0             |      |
|                                  | Irrigation                                                                  | 30.0             |      |

NOV 29 '94 04:51PM DIV OF WFRNDL

P.3

Transfer No. 3911  
Water Right No. 63-3614

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
To Change the Point of Diversion and/or the Place of Use

APPROVED

United States of America acting through Regional Director  
Name of applicant Pacific Northwest Region, Bureau of Reclamation Phone 334-1163  
Post Office address Box 083-550 West Fort St., Boise, Idaho 83724

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
b. License No. R-698 issued by the Idaho Department of Water Resources  
c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Boise River, South Fork tributary to Boise River Snake River

4. Date of priority 12-9-40

5. Water is used for the following purposes:  
amount 493.161 for Storage for purposes from Jan 1 to Dec 31  
amount 493.161 for Storage for purposes from Jan 1 to Dec 31  
amount 493.161 for From Storage purposes from March 13 to Nov. 15  
493.161 From Storage 1/1 (month/day) — Both dates inclusive 12/31

6. Total amount of water under right a. \_\_\_\_\_ cubic feet per second  
b. 493.161 acre feet per annum

7. Location of original point of diversion is U.S. lot 4, 40' of Section 1  
Township 1 South Range 8 E S.M. in Elmore County

Additional points of diversion, if any Secondary diversions from the Boise River are at various points downstream from Lucky Peak Reservoir.

8. Lands irrigated or place of use:

Irrigation of cultivated lands of the Boise Federal Reclamation Project in Ada and Canyon counties as more particularly described in Certificate of completion of work issued in connection with Permit No. R-698, including all lands for contracts under Federal Reclamation laws for space in Anderson Ranch Reservoir.

| Townships | 1,2,3,4,5, N. | Range | 1 E., S.M. | Townships | 2,3,4,5, N. | Range | 4W., S.W. |
|-----------|---------------|-------|------------|-----------|-------------|-------|-----------|
| "         | 2,3,4, N.     | "     | 2 "        | "         | 3,4,5, 5 N. | "     | 5 "       |
| "         | 2 & 3 N.      | "     | 3 "        | "         | 4,5,6, N.   | "     | 4 "       |
| "         | 1 E.          | "     | 1 W.       | "         | 21 & 22 S.  | "     | 45 E 4W.  |
| "         | 1,2,3,4,5, N. | "     | 1 "        | "         | 21 S.       | "     | 47 "      |
| "         | 1 S.          | "     | 2 "        | "         |             |       |           |
| "         | 1,2,3,4 N.    | "     | 2 "        | "         |             |       |           |
| "         | 2,3,4,5, N.   | "     | 3 "        | "         |             |       |           |

Total number of acres to be irrigated: 277,000

9. Describe any other water rights used for the same purpose as described above See above  
Permits, and beneficial use claims held for the Boise Federal Reclamation Project

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

SCANNED

AUG 02 2012

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Describe the lands -- place of use to which the right will be transferred.

No change. The place of proposed Municipal Industrial use is included in the area listed in item 8.

[illegible]

Total number of acres to be irrigated 277,000

4. Describe any other water rights used for the same purpose as described above. Water Rights of the Boise Water Corporation, city of Boise, and various other water users.
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

A 10x10 grid of squares, each containing a small, dark, irregular shape, possibly a fingerprint or a small object, arranged in a regular pattern. The shapes are dark and somewhat blurry, set against a light background. The grid is composed of solid lines forming the outer border and dashed lines forming the inner grid.

SCANNED  
AUG 02 2012

NOV 29 '94 04:51PM DIV OF WPA&DL

P.4

**B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit B.)**

1. Amount of water, a. \_\_\_\_\_ cubic feet per second  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ N. \_\_\_\_\_ E. Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M. \_\_\_\_\_ County \_\_\_\_\_  
Additional points \_\_\_\_\_

**3. Place of use:**

| ROW | RANGE | TOWNSHIP | 100% |     |     |     | 50%  |     |     |     | 25%  |     |     |     | 10%  |     |     |     | TOTAL |
|-----|-------|----------|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|-------|
|     |       |          | 100% | 50% | 25% | 10% | 100% | 50% | 25% | 10% | 100% | 50% | 25% | 10% | 100% | 50% | 25% | 10% |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |
|     |       |          |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |       |

Total number of acres to be irrigated \_\_\_\_\_

**C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

**1. General Information**

- a. Amount of water to be diverted \_\_\_\_\_ c.f.s. &/or \_\_\_\_\_ 5200 \_\_\_\_\_ acre feet
- b. Description of diverting works Storage water to be released from Anderson Ranch Reservoir through the outlet works and power penstocks.
- c. Describe the reasons for the proposed changes 5200 acre-feet of water to be changed from joint irrigation and power to joint municipal-industrial and power use.

**2. Change in point of diversion**

Point of diversion No change N. \_\_\_\_\_ E. Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M. \_\_\_\_\_ County \_\_\_\_\_  
Additional points Secondary diversions from the Boise River channel may be from additional locations downstream from the Boise River Diversion Dam.

**3. Change in place of use**

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes \_\_\_\_\_ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract
- b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer None - not with standing the uses listed in license No. 8158, 5200 acre-feet of storage has been reserved exclusively for power base from the inception of the project. There will be no change in the quantity available for irrigation.

SCANNED

Aug 0220

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of November 1986 at Boise, Idaho Boise, Idaho

[Signature]  
(Notary Public)

My commission expires 1-12-92

# ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3614 and said Application is hereby APPROVED, subject to the following limitations and conditions:  
Use of water under this right is subject to control by the watermaster of

State Water District No. 63, Boise River.

Witness my hand this 6th day of July 1988

[Signature]  
Chief, Operations Bureau

## FOR DEPARTMENT USE ONLY

Received by GLS Date 11/24/85 Protest filed by None  
 Prepaid check by GLS Fee \$50.00  
 Received by GLS Date 11/24/85  
 Published in none 12/8/85 Copies of protest forwarded by \_\_\_\_\_  
 P.L.S. sales \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
 Watermaster recommendation requested on \_\_\_\_\_ Recommended for approval denied \_\_\_\_\_  
1/6/86 rec'd. 1/10/86 by DET 4/17/87

SCANNED

AN6072012

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: **A63-03614**  
Date Received: 8/11/1989  
Receipt No: X111111  
Received By: \_\_\_\_\_

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

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-378-5155  
Address: REGIONAL DIRECTOR, PN REGION  
BUREAU OF RECLAMATION  
1150 N CURTIS RD  
BOISE ID 83706-1234

2. Date of Priority: DEC 9, 1940

3. Source: BOISE RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 08E   | 1       | NW     | SE     |        | 4   | ELMORE |

5. Description of diverting works:  
ANDERSON RANCH RESERVOIR OUTLET WORKS, SPILLWAY & GENERATORS

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A.    |
|-------------------------|-------|-------|-------|------|-----------|
| IRRIGATION STORAGE      | 01/01 | 12/31 |       |      | 487961.00 |
| IRRIGATION FROM STORAGE | 03/15 | 11/15 |       |      | 458961.00 |
| POWER STORAGE           | 01/01 | 12/31 |       |      | 493161.00 |
| POWER FROM STORAGE      | 01/01 | 12/31 |       |      | 464161.00 |
| MUNICIPAL STORAGE       | 01/01 | 12/31 |       |      | 5200.00   |
| MUNICIPAL FROM STORAGE  | 01/01 | 12/31 |       |      | 5200.00   |

7. Total Quantity Appropriated is:  
C.F.S. (and/or) 493161.00 A.F.A.

8. Total consumptive use is 423200.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
POWER & MUNICIPAL  
GENERATING CAPACITY 40000.0 KILOWATTS

**MICROFILMED**

**JUL 25 1994**

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
|----------|-------|---------|------------|-----|-----|-------|

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

63-5261, 63-5262, 63-2004, 63-3613, 63-2158

14. Remarks:

P/U IS 277,000 IRR. AC. W/I THE SERVICE AREA OF ARROWROCK DIVISION OF THE BOISE FEDERAL RECLAMATION PROJECT W/I ADA & CANYON COUNTIES.

POWER USE: ANDERSON RANCH POWERPLANT IN ELMORE COUNTY.

MUNICIPAL USE W/I THE SERVICE AREA OF THE BOISE WATER CORP IS 5200 ac-ft.

SURFACE STORAGE-- 423,200 ac-ft

INACTIVE STORAGE-- 40,961 ac-ft

DEAD STORAGE-- 29,000 ac-ft

BANK STORAGE-- 30,000 ac-ft

TOTAL RES CAPACITY--523,161 ac-ft

MULTIYEAR STORAGE PROJECT

15. Basis of Claim: LICENSE

Water Right Number: R698

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

\_\_\_\_\_ Date: \_\_\_\_\_

**MICROFILMED**

**JUL 25 1994**

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

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

MICROFILMED

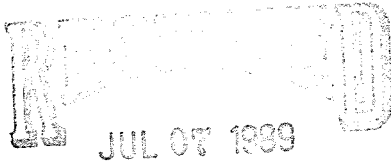
JUL 25 1994

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: A63-03614  
Date Received: 10/19/1988  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_



Department of Water Resources  
**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165  
Address: REGIONAL DIRECTOR, P.N. REGION  
BUREAU OF RECLAMATION  
BOX 043-550 WEST FORT STREET  
BOISE, ID 83724

2. Date of Priority: DEC 09, 1940

3. Source: BOISE RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 08E   | 1       | NW     | SE     |     | 4   | ELMORE |

5. Description of diverting works:  
ANDERSON RANCH RESERVOIR OUTLET WORKS, SPILLWAY & GENERATORS

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A.    |
|-------------------------|-------|-------|-------|------|-----------|
| IRRIGATION STORAGE      | 01/01 | 12/31 |       |      | 487961.00 |
| IRRIGATION FROM STORAGE | 03/15 | 11/15 |       |      | 458961.00 |
| POWER STORAGE           | 01/01 | 12/31 |       |      | 493161.00 |
| POWER FROM STORAGE      | 01/01 | 12/31 |       |      | 464161.00 |
| MUNICIPAL STORAGE       | 01/01 | 12/31 |       |      | 5200.00   |
| MUNICIPAL FROM STORAGE  | 01/01 | 12/31 |       |      | 5200.00   |

7. Total Quantity Appropriated is:  
C.F.S. (and/or) 493161.00 A.F.A.

8. Total consumptive use is 423200.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
POWER & MUNICIPAL  
GENERATING CAPACITY 40000.0 KILOWATTS

A63-03614

Page 1

Date: 05/09/89

**MICROFILMED**

JUL 25 1994

**SCANNED**

AUG 02 2012

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
|----------|-------|---------|------------|-----|-----|-------|

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

63-5261, 63-5262, 63-2004, 63-3613, 63-2158

14. Remarks:

P/U IS 277,000 IRR. AC. W/I THE SERVICE AREA OF ARROWROCK  
DIVISION OF THE BOISE FEDERAL RECLAMATION PROJECT W/I ADA &  
CANYON COUNTIES.  
POWER USE: ANDERSON RANCH POWERPLANT IN ELMORE COUNTY.  
MUNICIPAL USE W/I THE SERVICE AREA OF THE BOISE WATER CORP IS  
5200 ac-ft.  
SURFACE STORAGE-- 423,200 ac-ft  
INACTIVE STORAGE-- 40,961 ac-ft  
DEAD STORAGE-- 29,000 ac-ft  
BANK STORAGE-- 30,000 ac-ft  
TOTAL RES CAPACITY--523,161 ac-ft  
MULTIYEAR STORAGE PROJECT

15. Basis of Claim: LICENSE  
Water Right Number: R698

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3614 V1

WATER RIGHT NUMBER: 63-3614 V1

|                   |                                                                                                                                                                        |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                                                |
| Current Owner     | UNITED STATES OF AMERICA ACTING THROUGH<br>REGIONAL DIRECTOR PN REGION<br>BUREAU OF RECLAMATION<br>1150 N CURTIS RD SUITE 100<br>BOISE, ID 83706-1234<br>(208)378-5322 |

Priority Date: 12/09/1940

Basis: License

Status: Active

|                        |                  |
|------------------------|------------------|
| <u>Source</u>          | <u>Tributary</u> |
| SOUTH FORK BOISE RIVER | BOISE RIVER      |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------------------|-----------------------|----------------------|
| POWER FROM STORAGE      | 01/01 to 12/31          |                       | 493,161.00 AF        |
| IRRIGATION FROM STORAGE | 03/15 to 11/15          |                       | 487,961.00 AF        |
| MUNICIPAL STORAGE       | 01/01 to 12/31          |                       | 5,200.00 AF          |
| IRRIGATION STORAGE      | 01/01 to 12/31          |                       | 487,961.00 AF        |
| MUNICIPAL FROM STORAGE  | 01/01 to 12/31          |                       | 5,200.00 AF          |
| POWER STORAGE           | 01/01 to 12/31          |                       | 493,161.00 AF        |
| INDUSTRIAL STORAGE      | 01/01 to 12/31          |                       | 5,200.00 AF          |
| INDUSTRIAL FROM STORAGE | 01/01 to 12/31          |                       | 5,200.00 AF          |
|                         | <u>Total Diversion:</u> |                       | 493,161.00 AF        |

Location of Point(s) of Diversion

|                        |               |                                    |
|------------------------|---------------|------------------------------------|
| SOUTH FORK BOISE RIVER | L4 NW1/4SE1/4 | Sec. 1,   Twp 01S,   Rge 08E, B.M. |
| ELMORE County          |               |                                    |

Place of UseConditions of Approval:

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:

1. Quantity TOTAL RESERVOIR CAPACITY IS 493,161 ACRE FEET WHEN FILLED TO ELEVATION 4196.0 FEET AND MEASURED AT THE UPSTREAM FACE OF THE DAM.
2. Place of Use - Irrigation THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN ADA, CANYON, ELMORE COUNTIES, IDAHO AND MALHEUR COUNTY OREGON (BIG BEND IRRIGATION DISTRICT).

SCANNED  
AUG 02 2012

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3614 V1

3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. rhowerto 2/20/2002 TRANSFER 3310

Comment: TRANSFER 3310 WAS APPROVED 4-17-1987.

2. rhowerto 2/20/2002 CORRECTED QUANTITY

Comment: PREVIOUS ALLOCATION DATA ENTRY SHOWED 487961 AF FOR POWER, THIS WAS THEN CORRECTED PER JEFF PEPPERSACK 8-18-2000 TO SHOW 493161 AF FOR POWER SINCE THE TRANSFER ONLY AFFECTED THE IRRIGATION PORTION OF THE RIGHT. THIS CORRECTED INFORMATION AMENDS THE BOR CLAIM.

3. jshurte 9/12/2002 Removal of Remark

Comment: Per BOR the remark "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard Reservoirs are operated as one system in accordance with Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794 has been removed from this recommendation.

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

## Howerton, Ron

---

**From:** Shurte, Jan  
**Sent:** Tuesday, August 06, 2002 4:47 PM  
**To:** Howerton, Ron  
**Subject:** Claim No. 63-3614 - Anderson Ranch Reservoir

Ron,

For this moment in time, would you please change the subordination remark on BOR's filing listed above by deleting the portion that references the preliminary report. This will leave the subordination remark only.

Thanks,

Jan

06/10/2002

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

RIGHT NUMBER: 63-3614  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
REGIONAL DIRECTOR PN REGION  
BUREAU OF RECLAMATION  
1150 N CURTIS RD SUITE 100  
BOISE ID 83706-1234  
SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER  
QUANTITY: 493,161.0 AFY  
TOTAL RESERVOIR CAPACITY IS 493,161 ACRE FEET WHEN FILLED TO ELEVATION  
4196.0 FEET AND MEASURED AT THE UPSTREAM FACE OF THE DAM.  
PRIORITY DATE: 12/09/1940  
POINT OF DIVERSION:  
T01S R08E S1 NWSE Lot 4 Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| POWER FROM STORAGE      | 01/01 12/31          | 493,161.00 AFY  |
| IRRIGATION FROM STORAGE | 03/15 11/15          | 487,961.00 AFY  |
| MUNICIPAL STORAGE       | 01/01 12/31          | 5,200.00 AFY    |
| IRRIGATION STORAGE      | 01/01 12/31          | 487,961.00 AFY  |
| MUNICIPAL FROM STORAGE  | 01/01 12/31          | 5,200.00 AFY    |
| POWER STORAGE           | 01/01 12/31          | 493,161.00 AFY  |
| INDUSTRIAL STORAGE      | 01/01 12/31          | 5,200.00 AFY    |
| INDUSTRIAL FROM STORAGE | 01/01 12/31          | 5,200.00 AFY    |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY  
AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED  
OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER  
BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS  
HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE  
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE BOISE FEDERAL RECLAMATION PROJECT WITHIN  
ADA CANYON, ELMORE COUNTIES, IDAHO AND MALHEUR COUNTY OREGON (BIG  
BEND IRRIGATION DISTRICT).

06/10/2002

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:

ARROWROCK, ANDERSON, LUCKY PEAK, LAKE LOWELL AND HUBBARD RESERVOIRS ARE OPERATED AS ONE SYSTEM IN ACCORDANCE WITH FEDERAL RECLAMATION ACT OF AUGUST 24, 1954, CH. 909, 58 STAT. 794.

THE WATER RIGHT ACQUIRED UNDER THIS RIGHT FOR HYDROPOWER PURPOSES SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS TO THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY OF THIS PERMIT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST FUTURE RIGHTS TO THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT.

THE SUBORDINATION CONDITION IS INCLUDED IN THIS PRELIMINARY REPORT FOR DISCUSSION PURPOSES. CONCERNS ABOUT THIS INCLUSION SHOULD BE DISCUSSED WITH IDWR STAFF.

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.

out  
PER  
JAN  
SEE  
ATTACHED  
EMAIL

EXPLANATORY MATERIAL: License

**Shurte, Jan**

---

**From:** Tuthill, Dave  
**Sent:** Wednesday, February 27, 2002 5:06 PM  
**To:** Shurte, Jan  
**Subject:** FW: review of license files 63-2063 and 63-3614 for subordination language

Jan, per my voicemail.

Dave

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

**From:** Spencer, Nick  
**Sent:** Tuesday, February 26, 2002 5:00 PM  
**To:** Tuthill, Dave  
**Subject:** FW: review of license files 63-2063 and 63-3614 for subordination language

Dave, filter Vicky's information through what Clive said in his email and let me know your opinion as to how we should handle subordination. NBS

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

**From:** Music, Vicky  
**Sent:** Tuesday, February 26, 2002 4:39 PM  
**To:** Spencer, Nick  
**Subject:** review of license files 63-2063 and 63-3614 for subordination language

per your request to review the license files for agreements or license language re subordination of the above rights - sorry it took so long but the 3614 file was a big one.

### **63-2063**

There is no subordination language in the license itself. The license was issued in 1908 for mining and milling purposes. An 8/00 FERC draft Environmental Assessment (EA) states that Atlanta Power file an application with FERC to license the existing hydropower plant. On page 15, the EA refers to an agreement between the IDFG and the applicant wherein the applicant agreed to subordinate a portion of their water right to ensure that flows remain available to IDFG for operation of the fishway. The agreement states that flows through the fishway can vary between a minimum of 3 cfs and a max of 12 cfs.

This agreement is not in the license file nor is there an FPC license.

### **63-3614**

This is a US BOR water right for power and irr from storage [Anderson Ranch Reservoir], and storage for irr and power. This is a huge file and I reviewed most of the documents in it with the exception of the old project maps and the old contracts with various irr companies. I cannot find any subordination language anywhere.

Vicky L. Music  
Office of the Attorney General  
Paralegal - IDWR  
(208) 327-7928

SCANNED

AUG 02 2012

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the

message. Thank You.

Date: 6-10-02

To: Ron Howerton

From: Jan Shurte

Subject: Claim No. 63-3614

Anderson Ranch Reservoir Notice of Error Changes  
Per meeting with BOR on May 20<sup>th</sup> – Dave Tuthill & Jan Shurte

Item No. 2

A – Ok to change zipcode.

B – Change to "Total reservoir capacity is 493,161 acre feet when filled to elevation 4196.0 and measured at the upstream face of the dam. (this results in an actual reduction of what we had first – in the acre feet and elevation feet)

C - Leave as is – BOR does have a problem with the irrigation season being earlier than 4-1 since historically that is when they have called the watermaster on to deliver water. However, Dave maintained that there are some waterusers who use direct diversions out of the Boise that are not controlled by BOR earlier than 4-1. So, BOR will discuss and we may see an objection. Still we are to leave the season of use as is and leave the shoulder remark on.

D – Change remark to "The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, Elmore Counties, Idaho, and Malheur County, Oregon (Big Bend Irrigation District)."

E1 – Leave as is for now. Dave T. will talk with Clive Strong. Problem is that the only time power is generated is when irrigation water is released. No power generated outside irrigation releases. So, he will discuss with Clive.

E2 – Add general remark to "Arrowrock, Anderson, Lucky Peak, Lake Lowell and Hubbard reservoirs are operated as one system in accordance with Federal Reclamation Act of August 24, 1954, ch. 909, 58 Stat. 794."

These are the results of the meeting we had. We still need answers on C and E1 – I will email Dave Tuthill and cc to you.

SCANNED

AUG 02 2012

Notice of Error Mtg – 4-29-02

63-3614 – Anderson Ranch

A, B, C – ok to change

D – Jan & Dave will discuss with BOR in meeting on 5-20-02 - ? on how water gets to Payette & Gem County (BCID?) and Big Bend – New York Canal – Lake Lowell?

E – Same as above – subordination clause – difficult not to include.

Remark – concerning all reservoirs operating as one can be in explanatory remarks.

63-3618 – Lucky Peak

A – ok

B – Dave will talk with allocations about adding to license.

C – Dave will talk with allocations concerning amendment approved 1990 to change to streamflow maintenance – is it because database has no streamflow maintenance use code? Try to talk with them about making a use code. This one will be ok.

D - Same as 63-3614.

2<sup>nd</sup> half of D – Covered in licensing remarks concerning location of streamflow maintenance.

E – Ok as an explanatory remark.

F – Not ok to add – Purpose of Use – Recreation storage is not meant for irrigation of state parks in and around Lucky Peak.

63-303 – Arrowrock Reservoir - 271,600 af - 1911

A – ok

B – Need to discuss with Lee Sisco in May 8<sup>th</sup> meeting. Is 8,000 cfs necessary on claim for delivery of the right.

C – Will talk with BOR in meeting on 5-20.

D – Explanatory Remark – ok

E – Need to discuss the 8,000 cfs delivery with Lee and then look at this remark from the Bryan decree – distribution remark.

63-3613 – Arrowrock Reservoir – 15,000 af – 1938

A & B – Ok

C – Will discuss at 5-20 meeting with BOR

D – Ok to change season of use shorter – 3-15 to 11-15

E - Ok as explanatory remark

63-5262 – 286,600 af – 1911 – Disallowed and recommended as 63-303

If 63-303 is determined to be recommended back to the 8,000 cfs, then this right can be recommended to cover the af amount for storage.

If it is recommended then:

A & B – Ok

C – Will talk about at 5-20 BOR meeting

D - Ok for explanatory remark.

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APR 05 2002

WATER RESOURCES  
WESTERN REGION

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5 2002

Water right number: 63-3614

UNITED STATES OF AMERICA ACTING THROUGH  
REGIONAL DIRECTOR PN REGION CODE PN-3100  
BUREAU OF RECLAMATION  
1150 N CURTIS RD SUITE 100  
BOISE ID 83706-1234  
Telephone Number: (208) 378-5306

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

A) Name and Address, B) Quantity, C) Purpose and Period of Use, D) Place of Use, and E) Other Provisions Necessary for Definition or Administration of this Water Right

2. Describe the changes you wish to make in the proposed recommendation:

A) Zip Code should be 83706-1234.

B) Quantity remark should be changed to "Total reservoir capacity is 493,161 acre feet when filled to elevation 4196.0 and measured at the upstream face of the dam. The Bureau of Reclamation may temporarily store water in the surcharge capacity which is above elevation 4196.0 during flood events or emergency operations."

C) The remark regarding irrigation season should be deleted.

D) Place of Use remark should be changed to "The place of use is within the Boise Federal Reclamation Project within Ada, Canyon, Payette, Gem Counties, Idaho, and Malheur County, Oregon (Big Bend Irrigation District)."

E) Remark regarding hydropower is not necessary and should be deleted. Hydropower at this facility is incidental to irrigation storage releases which are not subordinated to other water rights. Language of the actual license " 493,161 af for irrigation and such power as can be generated by use of water released for irrigation use." *PER BR (ADD) ✓ LAKE LOWELLY HUBBARD RES.*

Remark should be added "Arrowrock, Anderson, and Lucky Peak reservoirs are operated as one system in accordance with Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794."

3. Give a brief explanation as to why you disagree with these portions:

A) Zip code is wrong.

B) This quantity remark is necessary to administer all beneficial and operational uses of the reservoir including flood control.

C) This remark is confusing and does not apply to irrigation storage releases.

D) Federal project water from this reservoir is used on lands within the Arrowrock and Payette Divisions of the Boise Federal Reclamation Project, pursuant to Federal Reclamation Act of August 24, 1954, ch. 909, 68 Stat. 794.

E) Arrowrock, Anderson, and Lucky Peak reservoirs are operated as one system as authorized by federal law, as recognized by contracts with spaceholders in the reservoirs, and as administered by the Idaho State Watermaster for Water District 63.

\_\_\_\_ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-5-02

SIGNATURE: E. Gail McGarry

Please print your name: E. Gail McGarry, Program Manager,  
Water Rights & Acquisitions

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

SCANNED

AUG 02 2012

SRA-6434  
WTR-4.10

Mr. David Tuthill, Chief  
Adjudication Bureau  
Idaho Department of Water Resources  
1301 N. Orchard  
Boise ID 83706

Dear Mr. Tuthill:

Subject: Snake River Basin Adjudication Basin 63 - Bank Storage Claim Nos. A63-05264  
Lake Lowell, A63-05263 Lucky Peak Reservoir, A63-05261 Anderson Ranch Reservoir,  
and Arrowrock Reservoir Storage Claim No. A63-05262

The subject claims were filed to memorialize historic operations and physical conditions existing at Lake Lowell, Lucky Peak Reservoir, Anderson Ranch Reservoir, and Arrowrock Reservoir. These bank storage claims and bank storage component included in the Arrowrock Reservoir storage claim are based on the fact that as the reservoir fills, water is stored in or saturates the banks surrounding the reservoir. Although this water is necessary to fill the reservoir, it does not actually go into the reservoir except for some percentage that drains back when the reservoir is drawn down. As a result, the amount of water actually necessary to fill the reservoir is greater than the capacity of the reservoir. We filed for bank storage claims based upon water right License No. R-269 that awarded the same for Reclamation's storage water at American Falls Reservoir.

However, as we discussed at our meeting, if we can accomplish the same result through a remark that allows us to calculate the fill at the face of the dam as has been the historic operating practice, we are willing to withdraw our bank storage claims. Therefore, to administer Bureau of Reclamation reservoirs in accordance with such historic practice, a remark would be necessary in the SRBA decree to reflect what the practice has been. The following language, in our opinion, captures and preserves the operational flux described above:

TOTAL RESERVOIR CAPACITY IS 493,200 ACRE-FEET WHEN FILLED TO  
ELEVATION 4206 ' AND MEASURED AT THE UPSTREAM FACE OF THE DAM.

We request that you consider this language for inclusion as a remark on the Bureau of Reclamation SRBA claims for storage rights in reservoirs in Basin 63. If you concur with this

SCANNED

AUG 02 2012

Shurte, Jan

---

**From:** Shurte, Jan  
**Sent:** Wednesday, February 27, 2002 6:07 PM  
**To:** Shurte, Jan  
**Subject:** FW: Subordination clause

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

**From:** Shurte, Jan  
**Sent:** Wednesday, February 27, 2002 5:31 PM  
**To:** Tuthill, Dave  
**Subject:** Subordination clause

Hi Dave,

Per your phone message it appears we are to add the subordination condition on both the Arrowrock 3614 and Atlanta 2063. However, we need to add another line basically stating that "The subordination condition is included in this preliminary report only for discussion purposes". Or something like that?

[ Final one "The subordination condition is included in this preliminary report for discussion purposes. Concerns about inclusion should be discussed with IDWR staff." ]

Jan

ANDERSON RAYCH S

THIS

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**WESTERN REGION ADJUDICATION SECTION**  
**CLAIM VERIFICATION FIELD EXAM SHEET**  
**(Use with the ECVR)**

CLAIM NO(s). 63-3614

1. ☒ No Change NAME IS SAME  
☐ NEW OWNER: \_\_\_\_\_  
☐ No Change ADDRESS  
☐ NEW ADDRESS: \_\_\_\_\_
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted  
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: \_\_\_\_\_  
(If the priority date, based on your exam, seems questionable, explain below.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. ☒ No Change — SAME SOURCE  
☐ Source is different than that claimed:

Source found: \_\_\_\_\_

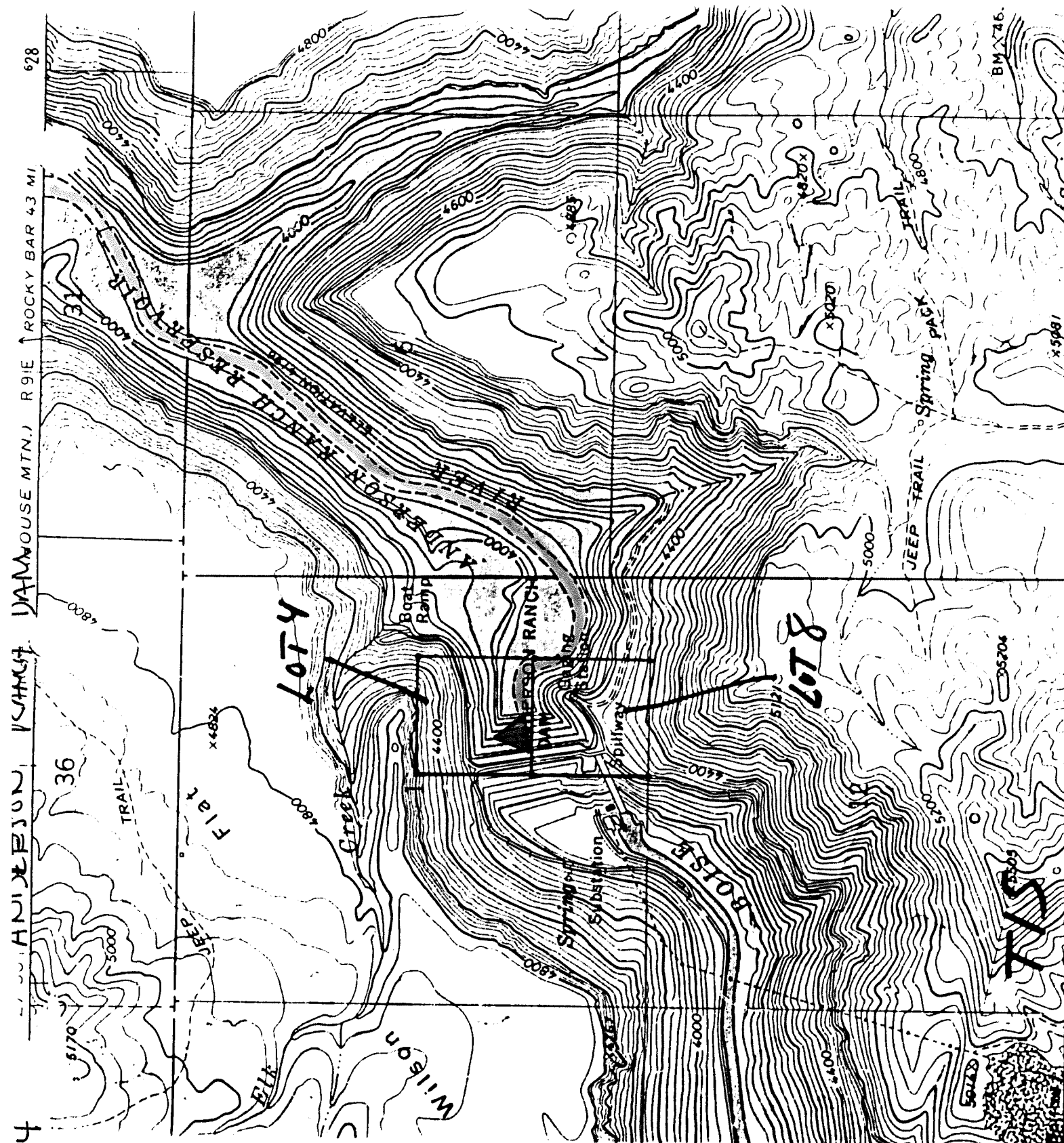
4. ☒ No Change — POINT OF DIVERSION  
☐ Point of diversion is different than the claim and/or new P/D's:

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS  
☐ Incomplete description, list below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SCANNED  
AUG 02 2012



WR5809NP  
No. 63-03614

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 02/20/02  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                               | PRIORITY<br>DATE | WATER USE               | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------------------------------------------------------------------------------------|------------------|-------------------------|-----------------------|-------------------|---------------------|
| C             | US DEPT OF INTERIOR<br>BUREAU OF REC<br>ATTN: 424 BOX 043<br>550 W FORT ST<br>BOISE ID 83724 | 12/09/1940       | IRRIGATION STORAGE      | 01/01 12/31           |                   | 487961.00 AFA       |
|               |                                                                                              |                  | IRRIGATION FROM STORAGE | 03/15 11/15           |                   | 487961.00 AFA       |
|               |                                                                                              |                  | INDUSTRIAL STORAGE      | 01/01 12/31           |                   | 5200.00 AFA         |
|               |                                                                                              |                  | INDUSTRIAL FROM STORAGE | 01/01 12/31           |                   | 5200.00 AFA         |
|               |                                                                                              |                  | POWER STORAGE           | 01/01 12/31           |                   | 493161.00 AFA       |
|               |                                                                                              |                  | POWER FROM STORAGE      | 01/01 12/31           |                   | 493161.00 AFA       |
|               |                                                                                              |                  | MUNICIPAL STORAGE       | 01/01 12/31           |                   | 5200.00 AFA         |
|               |                                                                                              |                  | MUNICIPAL FROM STORAGE  | 01/01 12/31           |                   | 5200.00 AFA         |
|               |                                                                                              |                  |                         |                       |                   |                     |
|               |                                                                                              |                  |                         |                       | TOTAL DIVERSION:  | 493161.00 AFA       |

Water Source: BOISE RIVER, SOUTH FORK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T01S R08E S01 Lot 04( NWSE)

ELMORE County

Pou County:

Remarks: GEN Place of use is 277,000 acres within the lands of the Boise  
Federal Reclamation Project in Ada and Canyon Counties, including  
all lands for contracts under Federal Reclamation laws for space  
in Anderson Ranch Reservoir.

Dates: App. Received: Priority Date: 12/09/1940  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date: 09/12/1979

Misc: Water District Number: 63 Field Exam Fee:

Comments: Date: 12/06/1994 User-ID: SCURTIS Subject: TRANSFER NO. 3310  
Trans. #3310 was filed to change a portion of the nature of use  
under this right.

Date: 08/18/2000 User-ID: JPEPPERS Subject: CHANGED QUANTITY TO REFLECT TRANSFER  
THE PREVIOUS DATA ENTRY SHOWED 487961 AF FOR POWER, THIS WAS  
CORRECTED TO SHOW 493161 AF FOR POWER SINCE THE TRANSFER ONLY  
AFFECTED THE IRRIGATION PORTION OF THE RIGHT.

Audit: 11/17/81 05/01/88 CONVERT 01/26/92 POST-STD 12/06/94 SCURTIS  
08/18/00 JPEPPERS 10/06/00 STAYLOR

SCANNED  
AUG 02 2012



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

RECEIVED

JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. John M. Owen  
Chairman  
Pioneer Irrigation District  
PO Box 426  
Caldwell ID 83606-0426

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Owen:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Pioneer Irrigation District (District) has storage rights to 6.12 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 12 of Contract No. Ilr-1479, dated November 10, 1943, between the United States and the District. Applying this percentage to 408,268 acre-feet results in a volume of 24,986 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 24,986 acre-feet, a reduction of 596 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

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REFER TO:

PN-3323/SRA-6115  
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JAN 09 2001

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Earl Silverstein  
President  
Capitol View Irrigation District  
PO Box 208  
Eagle ID 83616-0208

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Silverstein:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Capitol View Irrigation District (District) has storage rights to 0.11 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 7 of Contract No. 14-06-100-525, dated July 7, 1954, between the United States and the District. Applying this percentage to 408,268 acre-feet results in a volume of 449 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 449 acre-feet, a reduction of 11 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

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REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

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JAN 11 2001  
WATER RESOURCES  
WESTERN REGION

Mr. Ronald Kuenzli  
President  
Pioneer Ditch Company, Ltd.  
451 S Star Road  
Star ID 83669-0070

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Kuenzli:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Pioneer Ditch Company, Ltd. (Company) has storage rights to 0.52 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 7 of Contract No. 14-06-100-2284, dated December 27, 1961, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 2,123 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 2,123 acre-feet, a reduction of 51 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED  
AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Dana Purdy  
President  
New Dry Creek Ditch Company, Ltd.  
PO Box 430  
Eagle ID 83616

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Purdy:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

New Dry Creek Ditch Company, Ltd. (Company) has storage rights to 0.31 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 11 of Contract No. Ilr-1480, dated October 5, 1944, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 1,266 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 1,266 acre-feet, a reduction of 30 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Gene Bailey  
President  
Farmers' Union Ditch Company, Ltd.  
2153 N Pollard Lane  
Star ID 83669

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Bailey:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Farmers' Union Ditch Company, Ltd. (Company) has storage rights to 1.37 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 12 of Contract No. Ilr-1477, dated June 5, 1943, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 5,593 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 5,593 acre-feet, a reduction of 134 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2001

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

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REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Rockland Ware  
President  
South Boise Mutual Irrigation Co., Ltd.  
1120 Chamberlin Street  
Boise ID 83706-4106

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Ware:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

South Boise Mutual Irrigation Co., Ltd. (Company) has storage rights to 0.13 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 11 of Contract No. Ilr-1476, dated February 26, 1945, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 531 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 531 acre-feet, a reduction of 12 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2001

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

RECEIVED

JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Stan Matlock  
President  
Boise Valley Irrigation Ditch Company  
6051 Roe Street  
Boise ID 83703-3000

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Matlock:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Boise Valley Irrigation Ditch Company (Company) has storage rights to 0.23 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 11 of Contract No. Ilr-1481, dated June 25, 1945, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 939 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 939 acre-feet, a reduction of 22 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

RECEIVED

JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Warren "Don" Truesdell  
President  
Wilder Irrigation District  
PO Box 416  
Caldwell ID 83606-0416

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Truesdell:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Wilder Irrigation District (District) has storage rights to 29.93 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 13 of Contract No. Ilr-1361, dated August 1, 1941, between the United States and the District, as reduced by Article 16. Applying this percentage to 408,268 acre-feet results in a volume of 122,195 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 122,195 acre-feet, a reduction of 2,913 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

RECEIVED

JAN 11 2001

WATER RESOURCES  
WESTERN REGION

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

Mr. Paul Warrick  
President  
New York Irrigation District  
6616 Overland Road  
Boise ID 83709

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Warrick:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

New York Irrigation District (District) has storage rights to 9.81 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 13 of Contract No. Ilr-1359, dated August 7, 1941, between the United States and the District, as reduced by Article 16. Applying this percentage to 408,268 acre-feet results in a volume of 40,051 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 40,051 acre-feet, a reduction of 955 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

Mr. Ronald I. Blickenstaff  
President  
Boise-Kuna Irrigation District  
PO Box 330  
Kuna ID 83634-2201

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Blickenstaff:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Boise-Kuna Irrigation District (District) has storage rights to 26.83 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 13 of Contract No. Ilr-1360, dated August 1, 1941, between the United States and the District, as reduced by Article 16. Applying this percentage to 408,268 acre-feet results in a volume of 109,538 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 109,538 acre-feet, a reduction of 2,611 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED  
JAN 11 2001

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

JAN 09 2001

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

Mr. Ralph Wissel  
President  
Nampa & Meridian Irrigation District  
1503 First Street South  
Nampa ID 83651-4395

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Wissel:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Nampa & Meridian Irrigation District (District) has storage rights to 22.23 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 13 of Contract No. Ilr-1362, dated July 2, 1941, between the United States and the District, as reduced by Article 17. Applying this percentage to 408,268 acre-feet results in a volume of 90,758 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 90,758 acre-feet, a reduction of 2,163 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



# United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

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JAN 11 2001

WATER RESOURCES  
WESTERN REGION

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

Mr. Pedro Sillonis  
President  
Big Bend Irrigation District  
747 Red Top Road  
Adrian OR 97901-9310

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Sillonis:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Big Bend Irrigation District (District) has storage rights to 0.93 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 13 of Contract No. Ilr-1544, dated December 11, 1946, between the United States and the District, as amended by Article 10 of Contract No. I74r-1685, dated November 30, 1951. Applying this percentage to 408,268 acre-feet results in a volume of 3,797 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 3,797 acre-feet, a reduction of 90 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



IN REPLY  
REFER TO:

## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

RECEIVED

JAN 11 2001

WATER RESOURCES  
WESTERN REGION

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

Mr. Don Smitchger  
President  
Settlers Irrigation District  
PO Box 7571  
Boise ID 83707-1571

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Smitchger:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Settlers Irrigation District (District) has storage rights to 1.39 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 12 of Contract No. Ilr-1478, dated July 26, 1943, between the United States and the District, as amended by Article 4 of Contract No. I74r-1691, dated December 17, 1951. Applying this percentage to 408,268 acre-feet results in a volume of 5,675 acre-feet. The amount of storage space that is available to the District will now be treated as the equivalent of 5,675 acre-feet, a reduction of 135 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705



## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

IN REPLY  
REFER TO:

PN-3323/SRA-6115  
WTR-4.00

JAN 09 2001

Mr. Tony Loucks  
President  
Ballentyne Ditch Company, Ltd.  
325 N Park Lane  
Eagle ID 83616

Subject: Adjustment of Anderson Ranch Reservoir Storage Capacity

Dear Mr. Loucks:

A 2000 Sedimentation Survey has determined that the total capacity of Anderson Ranch Reservoir for irrigation purposes has decreased from 418,000 acre-feet to 408,268 acre-feet of storage space.

Ballentyne Ditch Company (Company) has storage rights to 0.09 percent of the stored water actually available from Anderson Ranch Reservoir for irrigation purposes in accordance with Article 11 of Contract No. Ilr-1512, dated January 20, 1948, between the United States and the Company. Applying this percentage to 408,268 acre-feet results in a volume of 367 acre-feet. The amount of storage space that is available to the Company will now be treated as the equivalent of 367 acre-feet, a reduction of 9 acre-feet from the amount previously recognized.

The 2000 Sedimentation Survey determined that in the 51 years the reservoir has been in operation, about 2.3 percent of the storage space available for irrigation purposes has filled with sediment.

If you have any questions regarding the adjustment in your contract amount, please contact Jerry Gregg, Area Manager of our Snake River Area Office, at (208) 334-1460.

Sincerely,

J. William McDonald  
Regional Director

SCANNED

AUG 02 2012

cc: Mr. Lee Sisco  
Boise River Water Master  
6616 Overland Road  
Boise ID 83709

Idaho State Department of Water Resources  
1301 N Orchard  
Boise ID 83706

Mr. Gary Spackman  
Manager, Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705

SD-0853  
INQUIRY

Idaho Department of Water Resources  
Transfer Remarks Screen

Date: 02/20/02  
Time: 08:12:48

Transfer Number: 4624

Remarks: 05/26/95 T6303614 EXISTS IN THE HOST FILE  
19950526 SCURTIS  
TRANSFER NO. 4624 60329 NEW #  
Trans. #4624 was filed to change the nature of use under this  
right.

Fish Flow TRANSFER  
on hold indefinitely!

(GOLD4=Prev Screen)  
(GOLD5=Next Screen)

(GOLD6=End of Data)

(Enter=Exit)  
(GOLD8=Cancel)

SCANNED

AUG 02 2012

SD-0853  
INQUIRY

Idaho Department of Water Resources  
Transfer Remarks Screen

Date: 02/20/02  
Time: 07:53:46

Transfer Number: 4457

Remarks: 19941011 SLESTER  
TRANSFER NO. 4457

Bureau of Reclamation proposes to change the use of 400 acre feet of water supplied from Anderson Ranch Reservoir to land adjacent to Lake Lowell for a wildlife mitigation project. The transfer suggests adding uses to existing licensed uses under the concept of allowable expansion of storage water uses. This will codify actual uses of contracted and uncontracted reservoir water but will not imply an increase in the amount of water available or used.

WITHDRAWN 10-15-98.

SEE ATTACHED COPY OF TRANSFER 4457  
- WITHDRAWN -

(GOLD4=Prev Screen)  
(GOLD5=Next Screen)

(GOLD6=End of Data)

(Enter=Exit)  
(GOLD8=Cancel)

SCANNED

AUG 02 2012

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**WITHDRAWN   

RECEIVED

AUG 08 1994

WATER RESOURCES  
WESTERN REGIONUnited States of America, Acting through the Regional DirectorName of applicant Pacific Northwest Region, Bureau of Reclamation Phone 208-378-5322Post Office address 1150 North Curtis Road, Boise, Idaho 83706-1234**DESCRIPTION OF RIGHT(S) AFTER THE REQUESTED CHANGE**

| Right Number    | Priority          | Amount<br>(cfs/ac-ft) | Nature of use       | Period of Use | Volume    |
|-----------------|-------------------|-----------------------|---------------------|---------------|-----------|
| <u>63-03614</u> | <u>12-09-1940</u> | <u>400</u>            | <u>See attached</u> | <u>to</u>     | <u>  </u> |
| <u>  </u>       | <u>  </u>         | <u>  </u>             | <u>  </u>           | <u>to</u>     | <u>  </u> |
| <u>  </u>       | <u>  </u>         | <u>  </u>             | <u>  </u>           | <u>to</u>     | <u>  </u> |
| <u>  </u>       | <u>  </u>         | <u>  </u>             | <u>  </u>           | <u>to</u>     | <u>  </u> |

Total amount of water being transferred    cubic feet/second and/or 400 acre-feet per annum.Source of water Boise River, SOUTH FORK tributary to Snake River

Point(s) of Diversion: (If additional space is needed, use back of Part 2)

| Ident No.                                                                                                               | Gov't Lot | 1/4 | 1/4                                                                         | 1/4 | Sec. | Twp. | Rge. | County | Pod Flag | Local name for diversion              |
|-------------------------------------------------------------------------------------------------------------------------|-----------|-----|-----------------------------------------------------------------------------|-----|------|------|------|--------|----------|---------------------------------------|
|                                                                                                                         | 4         |     | NW                                                                          | SE  | 1    | 1S   | 8E   | Elmore |          | Anderson Ranch Reservoir Outlet works |
| The Points of Diversion listed are for the specific 400 acre feet identified as the main subject of this transfer only. |           |     | SW                                                                          | SE  | 26   | 3N   | 3E   | Canyon |          | Headgate Caldwell, pond               |
|                                                                                                                         |           |     | NW                                                                          | SE  | 26   | 3N   | 3E   | Canyon |          | Local diversion, 247                  |
|                                                                                                                         |           |     | SW                                                                          | SE  | 26   | 3N   | 3E   | Canyon |          | Local diversion, 117, DFC #2          |
|                                                                                                                         |           |     | (Range corrected per map pg. 5 and plan below - obvious typo - JL 10/11/94) |     |      |      |      |        |          |                                       |

Lands irrigated or Place(s) of Use: (If additional space is needed, use back of Part 2)

| TWP                                            | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|------------------------------------------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|                                                |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| Wildlife Storage and Wildlife from Storage     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 3N                                             | 3W  | 26  |    |    |    |    |    |    |    |    |    |    |    |    | W  |    | W  | W  | 90     |
|                                                |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| Irrigation Storage and Irrigation from Storage |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 3N                                             | 3W  | 26  |    |    |    |    |    |    |    |    |    |    |    |    | I  |    | I  | I  | 50.95  |
|                                                |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Municipal : Within Service Areas of Boise Water Corp ; Trinity Springs, LTD. plus any future contracted uses. (exchange)

Total acres 90

SCANNED

Attachment to Application for Transfer of Water Right, 63-030014

Nature of Use, Period of Use, and Amount, page one

| Nature of Use           | From  | To    | A.F.A.     |
|-------------------------|-------|-------|------------|
| Irrigation Storage      | 01/01 | 12/31 | 487,961.00 |
| Irrigation from Storage | 03/15 | 11/15 | 458,961.00 |
| Power Storage           | 01/01 | 12/31 | 493,161.00 |
| Power from Storage      | 01/01 | 12/31 | 464,161.00 |
| Municipal Storage       | 01/01 | 12/31 | 4,800.00   |
| Municipal from Storage  | 01/01 | 12/31 | 4,800.00   |
| Wildlife Storage        | 01/01 | 12/31 | 400.00     |
| Wildlife from Storage   | 01/01 | 12/31 | 400.00     |

Total Quantity Appropriated is 523,161.00 A.F.A.

Total Consumptive Use is 423,200.0 Acre Feet Per Annum.

Remarks:

Place of use for the irrigation from storage water is irrigated lands within the Boise Federal Reclamation Project in Ada and Canyon Counties, Idaho, and Malheur County, Oregon. This transfer is intended to delineated a specific location for the use of the 400 acre feet wildlife from storage water and 400 acre feet of irrigation from storage water. The 400 acre feet is the same water. The transfer requests a right for wildlife be allocated on 90 acres and an irrigation right on a portion (50.95 acres) of the 90 acres. The irrigation right and acreage subject to this transfer will not expand in the future, but the wildlife right may expand in the near future. The irrigation acreage will decline on an equal basis, up to the 90 acres, as the wildlife acreage expands. See application for specific place of use.

|                  |                         |
|------------------|-------------------------|
| <b>Reservoir</b> |                         |
| Surface Storage  | 423,200 acre feet       |
| Inactive Storage | 40,961 acre feet        |
| Dead Storage     | 29,000 acre feet        |
| * Bank Storage   | <u>30,000</u> acre feet |

Total Reservoir Capacity 523,161 acre feet

**Municipal**

|                        |                        |
|------------------------|------------------------|
| Municipal-Contracted   | 1,800 acre feet        |
| Municipal-Uncontracted | <u>3,000</u> acre feet |

Total Municipal 4,800 acre feet

→ Trinity Springs Ltd 800  
Boise Water Corp 1000  
1800

**Wildlife**

|          |                      |
|----------|----------------------|
| Wildlife | <u>400</u> acre feet |
|----------|----------------------|

Total Wildlife 400 acre feet

This is a multi-year storage project.

SCANNED  
AUG 02 2012

Page 3 of 8

Proposed conditions of water use:

Irrigation of crops for wildlife use on approximately 51 acres. Wildlife and wildlife storage uses for a habitat pond.

General Information:

Purpose of Transfer

☐ Change point(s) of diversion ☒ Add diversion point(s) ☐ Add & Change point(s) of diversion  
☐ Change place of use ☐ Change nature of use ☐ Add point diversion & Change place of use  
☐ Change period of use ☒ Other Add Place & Nature of Use ☐ Change point diversion & place use

Describe the reason for the proposed changes:

Water has been provided to about 51 acres from Anderson Ranch Reservoir for years. As requested by the parties a Memorandum of Agreement has been signed by Boise Kuna Irrigation District to deliver the water from Reclamation's Anderson Ranch Reservoir to property owned by the United States and managed by the United States Fish and Wildlife Service below the upper embankment at Lake Lowell.

If the place of use of the water right(s) is changed, complete the following:

1. Provide evidence of water right ownership:

Water Right Number 63-03614

Mitigation  
water on 400<sup>ac</sup>  
from non-contract  
pool.

2. Is the land from which you propose to transfer the water right subject to any liens, deeds of trust mortgages, or contracts? No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

3. Identify all other water rights used on the lands affected by this transfer application (original and new lands).  
None.

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-03614

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION<br/>RATE</u> | <u>ANNUAL<br/>VOLUME</u> |
|-----------------------|----------------------|---------------------------|--------------------------|
| IRRIGATION STORAGE    | to                   |                           | 493161.0 AF              |
| IRRIGATION FROM ST    | to                   |                           |                          |
| POWER STORAGE         | to                   |                           |                          |
| POWER FROM STORAGE    | to                   |                           |                          |
| Totals                |                      |                           | 493161.0 AF              |

SOURCETRIBUTARY OF

BOISE RIVER, SOUTH FORK

SNAKE RIVER

Priority: 12/09/1940

LOCATION OF POINT(S) OF DIVERSION: Lot 4( NWSE), Sec. 1, Township 01S, Range 08E  
ELMORE County

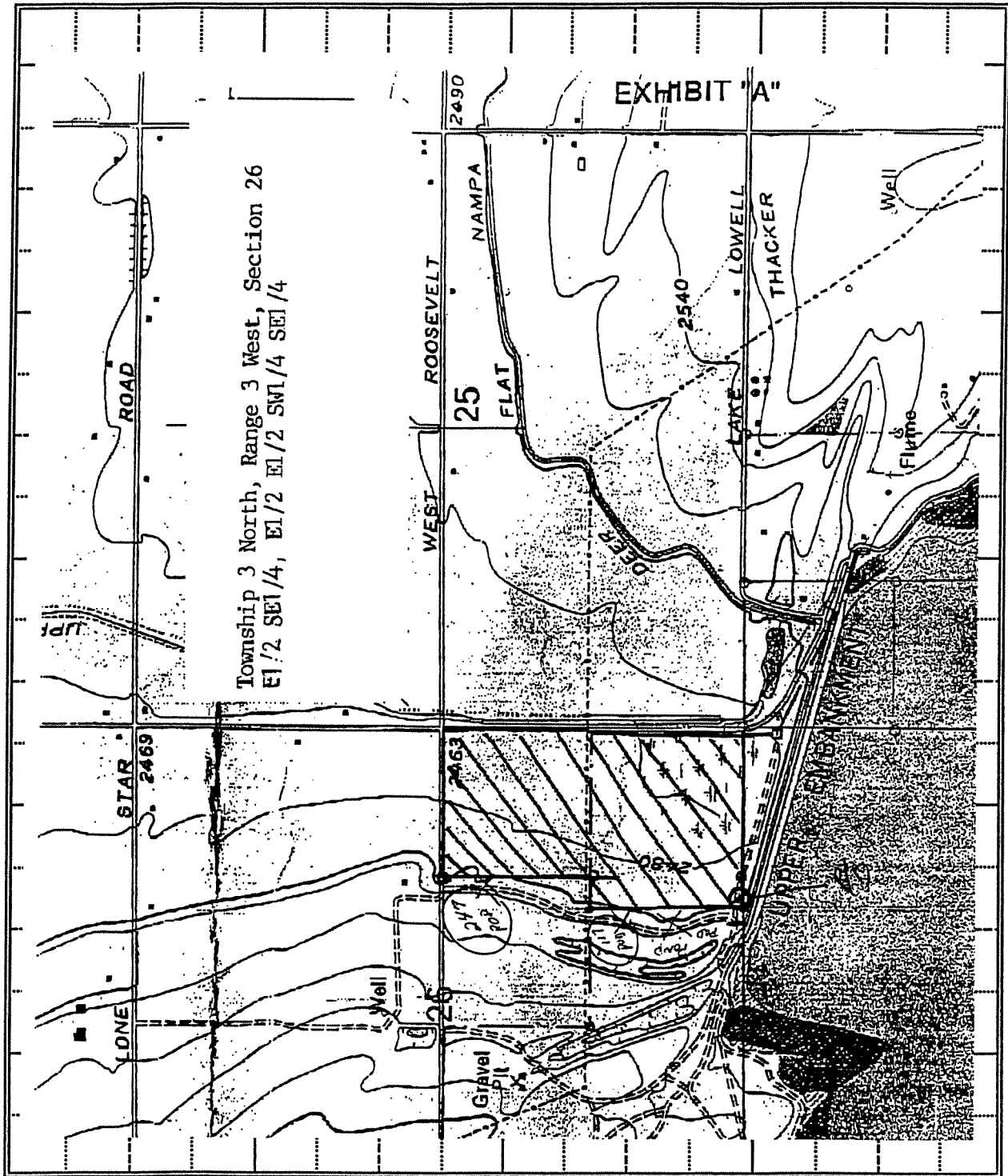
PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. P/U INCOMPLETE. SEE FILE. AC. IRR.=275,766.

MAP  
(Applicant's)

Draw a map or attach a USGS map indicating the location of all proposed point(s) of diversion and/or places of use for the right(s) identified with this transfer. Clearly list the land by 1/4, 1/4, section, township, and range.

(Scale: One Inch equals  $\frac{1}{4}$  mile )



T3N  
R3W

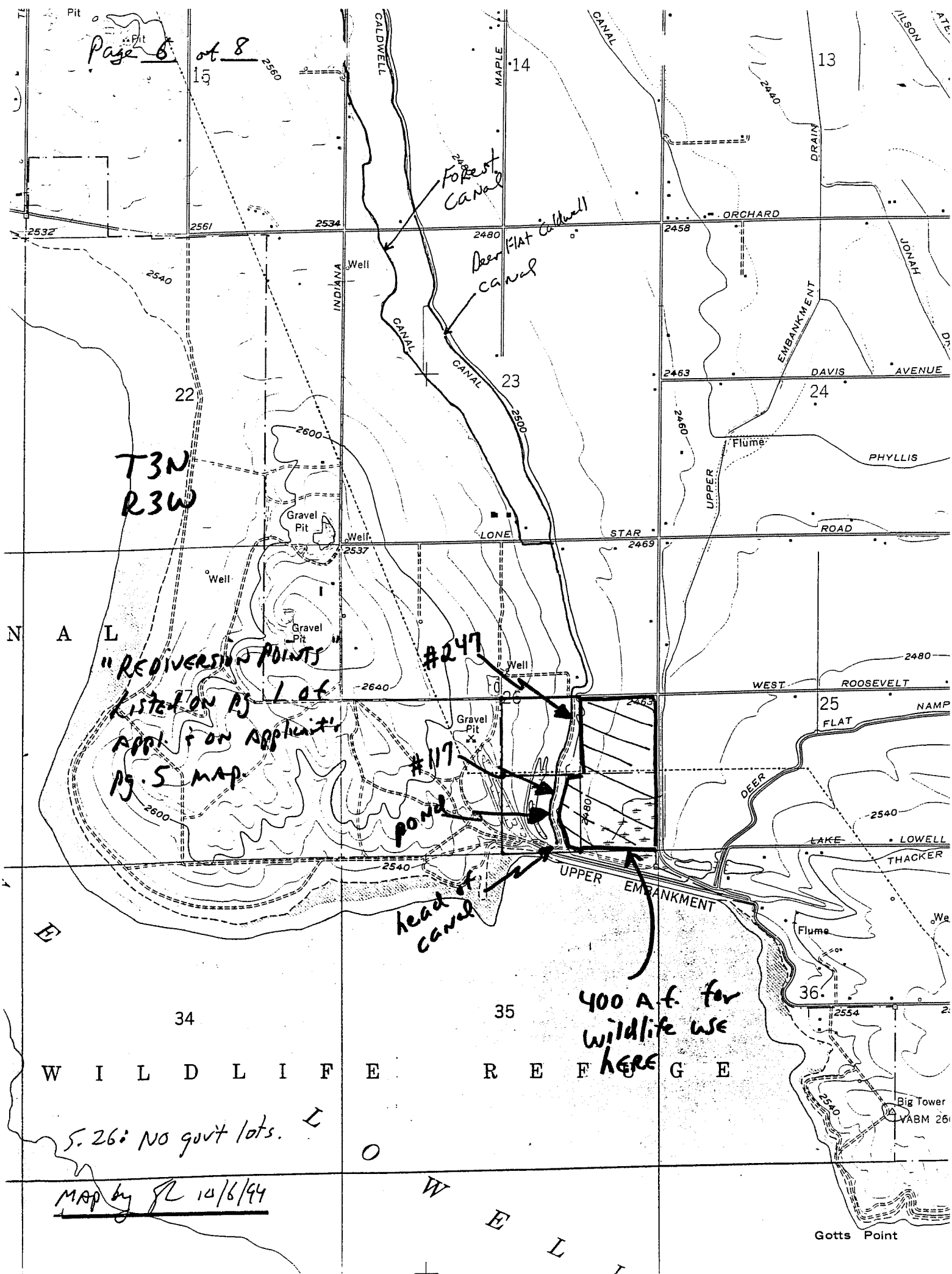
"REDIVERSION POINTS"  
Listed on pg. 1 of  
Appl. for Applicant's  
pg. 5 map

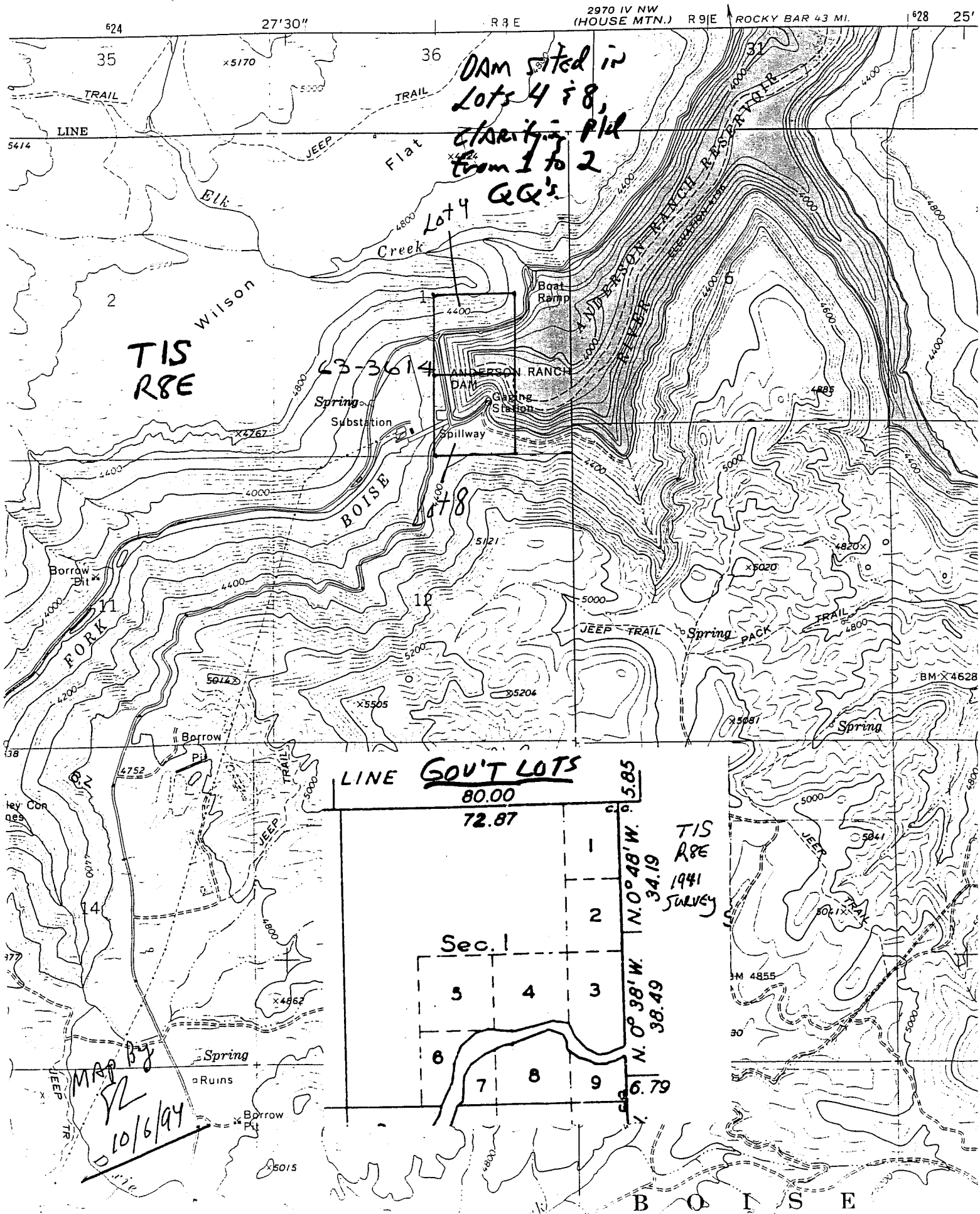
#247  
#117  
pond  
head of canal

400 A.F. for  
wildlife use  
here

S. 26: NO govt lots.

MAP by JL 10/6/94





Page 8 of 8

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 8<sup>th</sup> day of August, 1994.

Al Reiners  
(Signature of applicant)  
Acting Chief, LANDS & REPAIR GROUP  
Patricia Jewell  
(Notary Public)

My commission expires 5/24/2000

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 199 \_\_\_\_.

\_\_\_\_\_  
Director

#### FOR DEPARTMENT USE ONLY

Fee \$100- Receipt Date 8-8-94 Receipt No W017286 Received By VR  
Published in \_\_\_\_\_

Pub. dates \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ date received \_\_\_\_\_

Field exam conducted (required for statutory claims) \_\_\_\_\_

Protest filed by: \_\_\_\_\_

Hearing held by: \_\_\_\_\_

Recommended for Approval \_\_\_\_\_ Denial \_\_\_\_\_

by \_\_\_\_\_

REVIEWED BY RL 10/6/94 & 10/11/94 Application has 8 pages and \_\_\_\_\_ attachments

Page 1 of 6

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 3884

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources  
Boise Regional Office

Name of applicant United States of America, Acting through  
Regional Director, PN Region, Bureau of Reclamation Phone (208) 554-1165  
Post Office address Box 043-550 West Street, Boise ID 83724-0043

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☒ Change nature of use ☒ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed change: To authorize the use of waters stored in  
Anderson Ranch Reservoir for streamflow maintenance during the 1992-1993 and  
1993-1994 non-irrigation seasons.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. Right Number | Priority   | Amount (cfs/ac-ft) | Nature of Use          | Period of Use      |
|-----------------|------------|--------------------|------------------------|--------------------|
| 63-3614 - R/928 | 12-09-1940 | 446,961 A.F.       | Irrigation & Power     | Mar. 15 to Nov. 15 |
| "               | "          | 5,200 A.F.         | M & I and Power        | Jan. 1 to Dec. 31  |
| "               | "          | 41,000 A.F.        | Streamflow Maintenance | Aug. 15 to Apr. 15 |
| TOTAL:          |            | 493,161 A.F.       |                        |                    |

2. Total amount of water being transferred \_\_\_\_\_ cubic feet per second and/or 41,000 acre-feet per annum.

3. Source of water S. Fork Boise River tributary to Snake River

4. Point(s) of Diversion:

| Lot       | % | % | % | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----------|---|---|---|------|------|------|--------|--------------------------|
| NO CHANGE |   |   |   |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Land in acres or parts |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Twp.                   | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|                        |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
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See Attachment A

SCANNED

AUG 02 2012

# State of Idaho License and Certificate of Water Right

Water License No. R-698

Water District No. \_\_\_\_\_

493,161 ac.ft. for irrigation  
and such power as can be gen-  
erated by use of water released  
Amount for irrigation use.

Priority December 9, 1940

THIS IS TO CERTIFY that UNITED STATES OF AMERICA (Bureau of Reclamation)  
of Boise, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 9, 1940; that Permit No. R-698  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
493,161 <sup>acre</sup> ~~square~~ feet, was issued thereunder on August 30, 1952, showing that said works  
were completed on the 6th day of February, 1951; and that on the 21st  
day of February, 1956, The U. S. Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Fork  
Boise River, a tributary of Snake River, for the purpose of Irrigation and Power,  
under Use Permit No. R-698 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5886, on the 17th day of December, 1956;  
The right hereby confirmed dates from December 9, 1940;

The Point of Diversion is located

In the Lot 4, Sec. 1, Tp. 1 S., R. 8 E., B. M.

County Elmore

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 493,161 <sup>acre</sup> ~~cubic feet~~ ~~per second~~

Description and location of use:

| Twp.                                                                                                                                                                                                                                                                                                                             | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| Irrigation of cultivated lands of the Boise Federal Reclamation Project in<br>Ada and Canyon counties as more particularly described in Certificate of Comple-<br>tion of Works issued in connection with Permit No. R-698, including all lands<br>for contracts under Federal Reclamation laws for space in Anderson Reservoir. |       |      |                  |                                  |                                 |
| Townships 1, 2, 3, 4, 5 N., Range 1 E., B.M.                                                                                                                                                                                                                                                                                     |       |      |                  |                                  |                                 |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 2, 3, 4 N.       | 2 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 2 & 3 N.         | 3 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 1 S.             | 1 W.                             | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 1, 2, 3, 4, 5 N. | 1 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 1 S.             | 2 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 1, 2, 3, 4 N.    | 2 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 2, 3, 4, 5 N.    | 3 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 2, 3, 4, 5 N.    | 4 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 3, 4, 5, 6 N.    | 5 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 4, 5, 6 N.       | 6 "                              | " "                             |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 21 & 22 S.       | 46 E. W.M.                       | (Willamette-Meridian)           |
|                                                                                                                                                                                                                                                                                                                                  |       |      | 21 S.            | 47 "                             | " "                             |

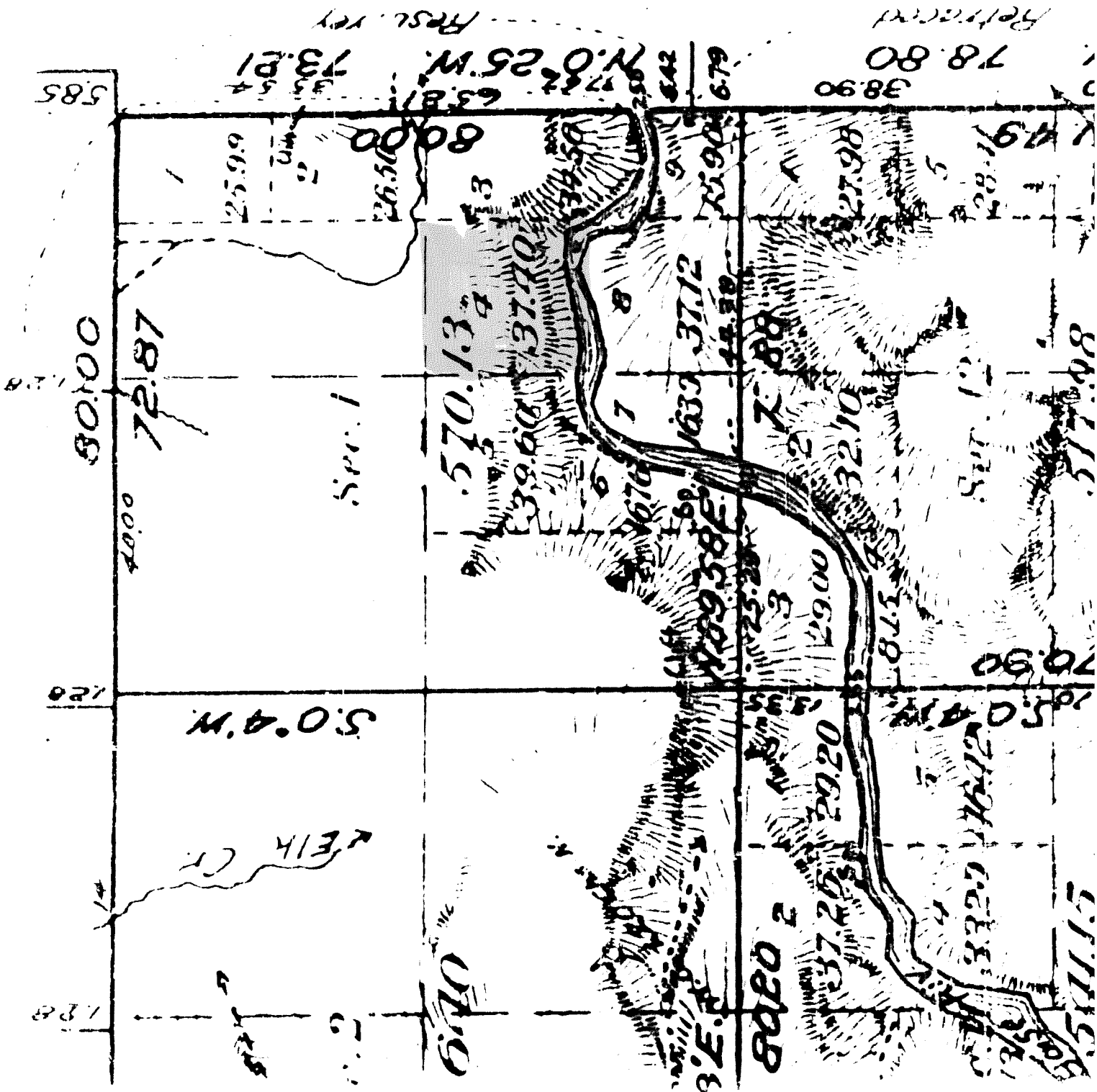
*Corrected  
2/24/57  
Mark R. Kulp*

Mark R. Kulp /s/

State Reclamation Engineer.

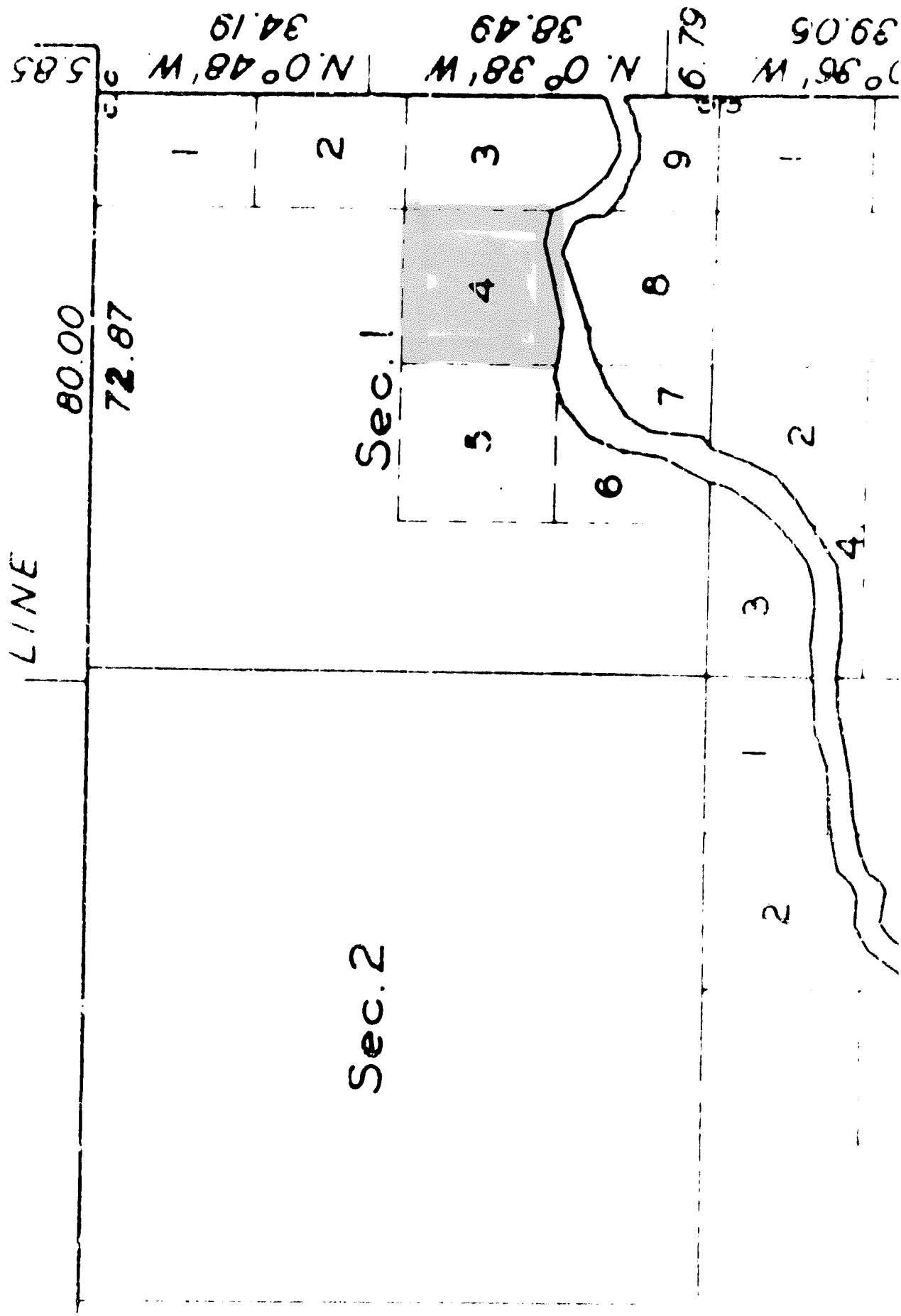
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Sec. 35

Sec. 36



ADJUDICATION MEMORANDUM

CLAIM NO: A02-02378

SUBJECT: Map/claim #5

EMPLOYEE: *[Signature]*

DATE: 11-16-93

Map for claims listed below are filed in A02-023:  
A63-00251, A63-00301, A63-00302, A63-00367  
A63-00373, A63-02106, A63-02109, A63-02158  
A63-02212, A63-02322, A63-03613, A63-03614  
A63-03618, A63-04868, A63-05261, A63-05262  
A63-05263, A63-05264, A63-07340, A65-02288  
A65-02433, A65-02917, A65-09481, A65-09483  
A65-09485, A65-09486, A65-09487, A65-09488  
A65-11412, A67-02384, A67-02389, A67-04553  
A77-10114

MICROFILMED

JUL 25 1994

SCANNED

AUG 02 2012