

03/24/2005

RIGHT NUMBER: 63-31715

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 01/01/1954

POINT OF DIVERSION:

T03N R02E S29 NENWNW Within ADA County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within ADA County

T03N R02E S29 NWNW

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

**EXPLANATORY MATERIAL:** Beneficial Use

PROPERTY IS ALSO KNOWN AS LOT 2, BLK 1, COUNTRY CLUB  
SUBDIVISION #5 AND ADDRESS KNOWN AS 3114 EAGLESON. PROPERTY  
ALSO KNOWN AS 5521 VICTORY RD.

Draft

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-31715 V1

WATER RIGHT NUMBER: 63-31715 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                     |
|-------------------|-------------------------------------------------------------------------------------------------------------|
| Current Owner     | CITY OF BOISE<br>DEPT OF AVIATION & PUBLIC TRANSPORTATION<br>PO BOX 500<br>BOISE, ID 83701<br>(208)384-3901 |

Priority Date: 01/01/1954  
Basis: Beneficial Use  
Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.040 CFS             |                      |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| GROUND WATER | NE1/4NW1/4NW1/4 | Sec. 29, Twp 03N, Rge 02E, B.M. |
| ADA County   |                 |                                 |

Place of Use

DOMESTIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N 02E 29  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS LOT 2, BLK 1, COUNTRY CLUB SUBDIVISION #5 AND ADDRESS KNOWN AS 3114 EAGLESTON. PROPERTY ALSO KNOWN AS 5521 VICTORY RD.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-31715 V1

Comments:

1. lharris 12/15/2003 Disallowed

Comment: Disallowed per remark by claimant well location is unknown. Bare land per Ada County records.

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:  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 12/15/2003                | lharris         | Active        |
| Contacts       | 3/24/2005 9:05:47 AM      | awarntje        |                           |                 | Active        |
| Priority Date  | 3/24/2005 9:06:40 AM      | awarntje        |                           |                 | Active        |
| Use            | 3/24/2005 9:07:42 AM      | awarntje        |                           |                 | Active        |
| POU            | 3/24/2005 9:11:31 AM      | awarntje        |                           |                 | Active        |
| POD            | 3/24/2005 9:18:01 AM      | awarntje        |                           |                 | Active        |
| Source         | 3/24/2005 9:18:43 AM      | awarntje        |                           |                 | Active        |
| Season         | 3/24/2005 9:19:20 AM      | awarntje        |                           |                 | Active        |
| Quantity       | 3/24/2005 9:19:45 AM      | awarntje        |                           |                 | Active        |
| Summary        |                           |                 | 03/24/2005                | awarntje        | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 3/24/2005 9:11:31 AM   | awarntje        | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(No) 3. Is the basis of claim a Application or Permit?<br>(No) 7. Is there evidence that there has been a change in the POU?<br>(Yes) 13. Does the file contain all the necessary information to verify the POU?<br>(Yes) 14. Is a POU remark and/or condition required? |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31715 V1

|               |                      |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------|----------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD           | 3/24/2005 9:18:02 AM | awarntje | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                       |
| Contacts      | 3/24/2005 9:05:47 AM | awarntje | <p>(No) 1. Do you want to schedule an appointment?</p> <p>Comment for 1: Sufficient info in file</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POU           | 3/24/2005 9:09:33 AM | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Priority Date | 3/24/2005 9:06:41 AM | awarntje | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |
| Use           | 3/24/2005 9:07:42 AM | awarntje | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(Yes) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(No) 7. Can the change be verified as an accomplished transfer?</p> <p>(No) 8. Does the change include an enlargement of the Purpose of Use?</p> <p>(No) 12. Did the claimant file a transfer?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                 |
| POD           | 3/24/2005 9:17:45 AM | awarntje | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Quantity      | 3/24/2005 9:19:46 AM | awarntje | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(No) 7. Is a flow measurement required?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p>                                                                                                        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31715 V1

|         |                       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------|-----------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 3/24/2005 9:20:45 AM  | awarntje | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| Source  | 3/24/2005 9:18:43 AM  | awarntje | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(No) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p>                                                                                                                                                                                                      |
| Season  | 3/24/2005 9:19:21 AM  | awarntje | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(No) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                  |
| Summary | 12/15/2003 7:58:56 AM | lharris  | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p> <p>(No) 4. Is any portion of the claim be recommended?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p>                     |

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 63-31715  
Date Received: 6/9/2003  
Receipt No:  
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BOISE Phone: (208)384-3901  
DEPT OF AVIATION & PUBLIC TRANSPORTATION  
PO BOX 500  
BOISE ID USA 83701

2. Date of Priority: 01/01/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County | Type |
|----------|-------|---------|--------|--------|---------|--------|------|
| 03N      | 02E   | 29      | NE     | NW     | NW      | ADA    |      |

5. Description of diverting works:

Well

6. Water is used for the following purposes:

| Purpose   | From  | To    | C.F.S. | (or) A.F.A |
|-----------|-------|-------|--------|------------|
| MUNICIPAL | 01/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 C.F.S.

8. Total consumptive use:

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? Yes

13. Other Water Rights Used:

14. Remarks:

City of Boise purchased property in June 1972. Well location unknown. Originally 1 house with address of 3114 Eagleson on Lot 2 Blk 1 Country Club Subdivision #5.

Amended to Municipal use per amended claim submitted by City of Boise.

Property also known as 5521 Victory Rd.

15. Basis of Claim: Beneficial Use

# Amended Claim

Form No. 42-1409 (2) & 1/88 (Internet)

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 63-31715  
Date Received 10-22-04  
Receipt Number \_\_\_\_\_

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

Please type or print clearly

1. Name of Claimant (s) City of Boise Dept. of Aviation and Public Transportation Phone (208) 384-3901  
Mailing Address P.O. Box 500 Boise, ID Zip 83701
2. Date of Priority (Only one (1) per claim) 1/1/1954
3. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_
4. a. Location of existing point of diversion is: Township 3N Range 2E Section 29,  
NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of ADA  
Additional points of diversion if any: \_\_\_\_\_
- b. If instream flow, beginning point of claimed instream flow is:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_  
ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_  
\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount .04 or \_\_\_\_\_

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

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

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

7. Total quantity claimed (a) .04 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

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

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

10. Description of place of use: Within City of Boise Municipal Service Area as defined by City of Boise Service Area Map, September, 2004  
 a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.  
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | 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 |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

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

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

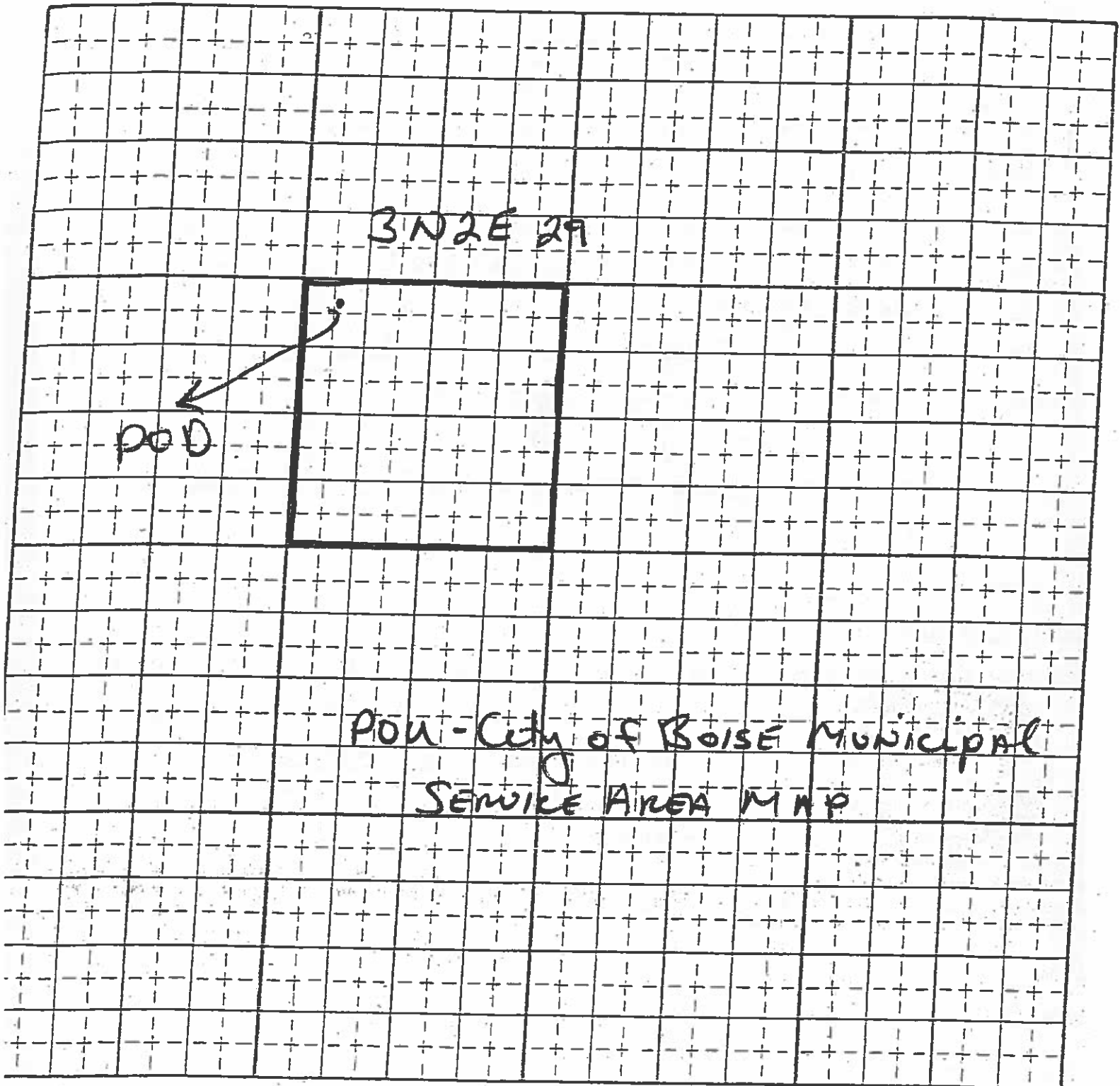
13. Describe any other water rights used at the same place and for the same purposes as described above.  
All city of Boise Municipal Water Rights or None ( )

14. Remarks:

Historic domestic use at 5521 Victory Rd,  
Cowboy Club #5 Bldg 1 Lot 2.

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-31715  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)  
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled  
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments \_\_\_\_\_

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

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

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

For Organizations: I do solemnly swear or affirm that I am Director  
Title  
of Boise Airport Organization, that I have signed the foregoing  
document in the space below as Director of Boise Airport  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

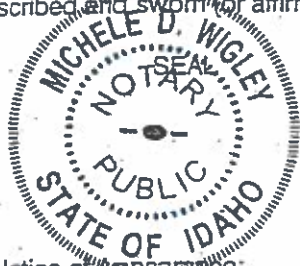
Signature of Authorized Agent [Signature]

Title and Organization Boise Airport Director

Date 9/23/04

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

Subscribed and sworn (or affirmed) before me this 20 day of September 19 2004



Notary Public Michele D Wigley

Residing at Boise Idaho

My Commission Expires 7-10-07

Please Print Name

17. Notice of Appearance:

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

Signature [Signature]

Address City of Boise Legal Department  
P.O. Box 500 Boise, ID 83701

Date 9/23/04



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 63-31715  
Date Received: 6/9/2003  
Receipt No: C069323 & W030564  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BOISE  
DEPT OF AVIATION & PUBLIC TRANSPORTATION  
PO BOX 500  
BOISE ID USA 83701

Phone: (208)384-3901

2. Date of Priority: 01/01/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 02E   | 29      | NE NW NW              | ADA    |      |

5. Description of diverting works:

Well

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) A.F.A |
|----------|-------|-------|--------|------------|
| DOMESTIC | 01/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|------------|-----|----------|-------|
| 03N      | 02E   | 29      | NW         | NW  | DOMESTIC |       |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

City of Boise purchased property in June 1972. Well location unknown. Originally 1 house with address of 3114 Eagleson on Lot 2 Blk 1 Country Club Subdivision #5.

15. Basis of Claim: Beneficial Use

RECEIVED

JUN 09 2003

Form No. 42-1409 (2) b 9/88 (Internet Version)

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

WATER RESOURCES  
WESTERN REGION

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

CIVIL CASE NUMBER: 39576

Identification No. 63-31715

Date Received 6-9-03

Receipt Number W1030564 / C069323

**NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

Public Transportation

1. Name of Claimant (s) City of Boise Dept. of Aviation and Phone ( 208 ) 384-3901

Mailing Address P.O. Box 500 Boise, ID Zip 83701

2. Date of Priority (Only one per claim) 1/1/1954 Month/Day/Year

3. Source of water supply (Check one) ( ☒ ) Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township 3N Range 2E

Section 29 , NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM.,

County of Ada

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

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 to 12/31 amount .04 (cfs)

(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Originally 1 house with address of 3114 Eagleson on Lot 2 Blk 1 Country Club Subdivision #5.

10. Place of use is: Township: 3N Range 2E  
Section 29, NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of Ada for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.  
None

14. Remarks: City of Boise purchased property in June 1972. Well location unknown.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

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

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

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

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

of BOISE AIRPORT, that I have signed the foregoing

document in the space below as DIRECTOR of BOISE AIRPORT

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

Signature of Authorized Agent [Signature] Date 5/12/03

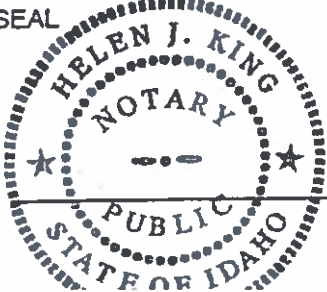
Title and Organization DIRECTOR, BOISE AIRPORT

State of Idaho/or \_\_\_\_\_ } SS.

County of ADA }

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup> day of May 192003

SEAL



Notary Public [Signature]

Residing at BOISE

My Commission Expires JAN. 21, 2004

Last Name \_\_\_\_\_

Ident No. \_\_\_\_\_

# Amended Claim

Form No. 42-1409-(2) a 1/88 (Internet)

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

Date Received

Receipt Number

63-31715

10/22/2004

C075588

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

Please type or print clearly

1. Name of Claimant (s) City of Boise Dept. of Aviation and Public Transportation Phone (208) 384-3901  
Mailing Address P.O. Box 500 Boise, ID Zip 83701

2. Date of Priority (Only one (1) per claim) 1/1/1954

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

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 29,  
NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of ADA

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

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount .04 or \_\_\_\_\_

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

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

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

7. Total quantity claimed (a) .04 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

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

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

10. Description of place of use: Within City of Boise Municipal Service Area as defined by City of Boise Service Area Map, September, 2004  
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.  
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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

Total number of acres irrigated \_\_\_\_\_

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

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

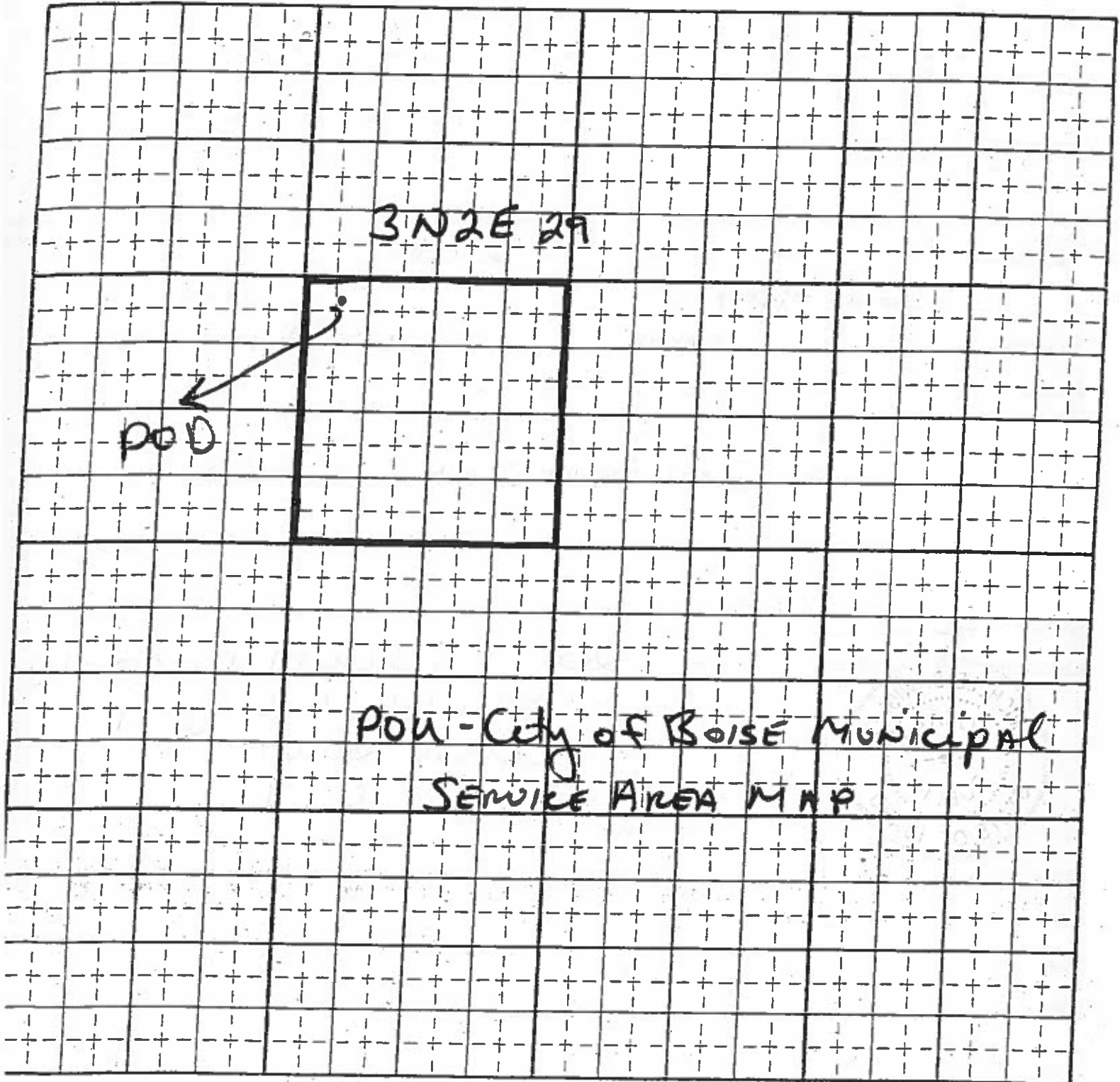
13. Describe any other water rights used at the same place and for the same purposes as described above.  
All city of Boise Municipal water rights or None ( )

14. Remarks:

Historic domestic use at 5521 Victory Rd,  
Cowboy Club #5 Bldg 1 Lot 2.

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-31715  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)  
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled  
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments \_\_\_\_\_

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

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

For Organizations: I do solemnly swear or affirm that I am Director  
Title  
of Boise Airport that I have signed the foregoing  
Organization  
document in the space below as Director of Boise Airport  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]  
Title and Organization Boise Airport Director Date 9/23/04

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

Subscribed and sworn (or affirmed) before me this 20 day of September 19 2004



Notary Public Michele D Wigley  
Residing at Boise Idaho  
My Commission Expires 7-10-07

Please Print Name

17. Notice of Appearance:

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

Signature [Signature]  
Address City of Boise Legal Department  
P.O. Box 500 Boise, ID 83701  
Date 9/23/04

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

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-31715 V1

WATER RIGHT NUMBER: 63-31715 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                     |
|-------------------|-------------------------------------------------------------------------------------------------------------|
| Current Owner     | CITY OF BOISE<br>DEPT OF AVIATION & PUBLIC TRANSPORTATION<br>PO BOX 500<br>BOISE, ID 83701<br>(208)384-3901 |

Priority Date: 01/01/1954

Basis: Beneficial Use

Status: Disallowed

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

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.040 CFS             |                      |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| GROUND WATER | NE1/4NW1/4NW1/4 | Sec. 29, Twp 03N, Rge 02E, B.M. |
| ADA County   |                 |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 03N | 02E | 29  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. P03 NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:Comments:

1. Iharris 12/15/2003 Disallowed

Comment: Disallowed per remark by claimant well location is unknown. Bare land per Ada County records.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31715 V1

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:  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

# REFUND REQUEST

TO: S. Sherman to Log In  
 FOR: D. Shaff/D. Allen  
 FROM: Western Region  
 SUBJ: Receipt No. C069323/W030564 (Please attach ARQ2 immediately behind blue form)

**RECEIVED**  
 Date: 6/13/2003

RE: PayOR City of Boise  
 Address PO Box 500 *attn Beth Baird*  
Boise ID 83701

Department of Water Resources

Claimant(s) if NOT Payor \_\_\_\_\_  
 Refund Amount \$ 170- Claim Location (Region) Claimant \_\_\_\_\_  
 Extension Filed? Y/N NA Copy Attached? Y/N NA  
 Late Fees Paid? Y/N NA Late Fee Receipt # \_\_\_\_\_  
 S.O. Verified Ext. by \_\_\_\_\_ on \_\_\_\_\_ D.B. Query by \_\_\_\_\_  
 Refund Generated By (X) Agent ( ) Claimant

Refund Category:  
 insufficient fees / claim incomplete / withdrawn / o-pmt

\* *Over paid*

Date of Last Correspondence (copy attached) \_\_\_\_\_

| Claim No.         | Use*           | Fees Paid | Correct Fee | Rec't #           |
|-------------------|----------------|-----------|-------------|-------------------|
| See attached list | Domestic/ Mun. | \$ 1050-  | \$880-      | C069323 & W030564 |
| _____             | _____          | \$ _____  | _____       | _____             |
| _____             | _____          | \$ _____  | _____       | _____             |
| _____             | _____          | \$ _____  | _____       | _____             |
| Total .....       | _____          | \$ _____  | \$ _____    | _____             |

\*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

Over paid for claims.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval \_\_\_\_\_  
 Don Shaff Approval [Signature] 6-17-03 Hold \_\_\_\_\_ To Fiscal 6-17-03  
 Data Base Modified? Y/N NA A &/or R Records By \_\_\_\_\_ on \_\_\_\_\_

63-5354  
63-31692 thru 63-31722

**RECEIVED**

**JUL 07 2003**

WATER RESOURCES  
 WESTERN REGION

# **Refund Request Attachment**

## **City of Boise Dept of Aviation & Public Transportation**

30 Domestic Claims @ \$25 each = \$750    63-31692 through 63-31721

1 Municipal Claim @ \$50 for .12 cfs = \$62    63-31722

1 Municipal Claim @ \$50 for .18 cfs = \$68    63-5354

**Total filing fees: \$880**

**Total fees received: \$1050**

**Refund amount: \$170**

# Receipt Details for ID C069323

| Status | Adjustment Type | Version |
|--------|-----------------|---------|
|        |                 | 1       |

## General Information:

| Date Received        | Date Deposited       | Region        | Total Amount | Payment Type |
|----------------------|----------------------|---------------|--------------|--------------|
| 5/30/2003 9:53:48 AM | 5/30/2003 1:31:04 PM | STATE         | \$425.00     | Check        |
| Payer                |                      | CITY OF BOISE |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 128919               |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** NOTICE OF CLAIM TO WATER RIGHT CIVIL CASE # 39576

30 domestic claims at \$25 ea.

(1) municipal at \$62- and (1) municipal at \$68-

## Fee Detail:

| Amount   | Description             | PCA   | Fund | Fund Detail | Subsidiary | Object |
|----------|-------------------------|-------|------|-------------|------------|--------|
| \$425.00 | ADJUDICATION FILING FEE | 41503 | 0337 |             |            | 1155   |

## Refund(s):

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

See also W030564

\$880- total due

# Idaho Department of Water Resources Receipt

Receipt ID W030564

Payment Amount  Date Received  Region  Status   
 Payment Type  Check Number

Payer

Comment

*See also C069323*

## Fee Detail

| Amount   | Description             | Fund | FD | PCA   | SO   |
|----------|-------------------------|------|----|-------|------|
| \$625.00 | ADJUDICATION FILING FEE | 0337 |    | 42503 | 1155 |

*D. Hatfield*

Signature Line (Dept. Representative)

*\$880. total due*

BOISE AIRPORT  
JOHN W. ANDERSON A.A.E.  
DIRECTOR



CAROLYN TERTELING-PAYNE  
MAYOR

COUNCIL MEMBERS

M. JEROME MAPP  
COUNCIL PRESIDENT  
JON MASON  
COUNCIL PRO TEM

VERNON L. BISTERFELDT  
PAULA B. FORNEY  
MARYANNE JORDAN  
ALAN W. SHEALY

June 6, 2003

RECEIVED

JUN 09 2003

WATER RESOURCES  
WESTERN REGION

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

Enclosed you will find 30 Notices of Claim to a Water Right for properties owned by Boise Airport/City of Boise and two municipal claims. Also enclosed is a Boise City check in the amount of \$625.00. You are holding a check for \$425 that our Accounting Office send a few days ago. Together they will cover the \$25 filing fee for each of the 30 notices and the two municipal documents. All have been signed before a notary.

If you have any questions, please call.

  
Helen King  
Administrative Secretary

/hk  
Enclosure: as noted

H:\WPC\Leases-Agreements\Correspondence-General\IDOWR water rights trans.wpd