

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 63-25750
Date Received: 9/6/1991
Receipt No: C021686
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF KUNA Phone: (208)922-5546
PO BOX 13
KUNA ID USA 83634-0013

2. Date of Priority: 04/01/1930

3. Source: WASTE WATER Trib. to: INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01W	15	NW SW SW	ADA	

5. Description of diverting works:

GRAVITY DITCH WITH HEADGATE - FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
02N	01W	15	SW	SW	IRRIGATION	6
			NW	SW	IRRIGATION	4
					Section Acres	10
					Total Acres	10

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:

CHANGE OF OWNERSHIP LG 11/2/05

15. Basis of Claim: Beneficial Use

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED
JUN 30 2005
WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-25750					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Arnold C. Watkins
3001 W. Ardele Rd., Kuna, ID 83634
4. New Owner/Claimant(s) City of Kuna
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 13
- City, State and ZIP Code Kuna, ID 83634
- New Telephone Number 208 922-5546
5. Date you acquired the property March 21, 2005

ADA COUNTY RECORDER J. DAVID NAYARRO
BOISE IDAHO 03/21/06 04:28 PM
DEPUTY Bonnie Oberhillig
RECORDED - REQUEST OF
Lawyers Title

AMOUNT 9.00 3



This sheet has been added to the document
to accommodate recording information

ACCOMMODATION ONLY

The Grantees herein have read and approved the following: 16425

Title File No.: LT03-6316

WARRANTY DEED

FOR VALUE RECEIVED

Arnold C. Watkins, Surviving Trustee, of the Arnold C. & Delores Watkins Trust, U/T/A
dated the 18th day of January, 1990, and any amendments thereto.

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: City of Kuna

GRANTEES(s), whose current address is: PO Box 30, Kuna, ID 83634
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

The Northwest Quarter of the Southwest Quarter of Section 15, Township 2 North
Range 1 West, Boise Meridian, in Ada County, Idaho except for all of that
portion lying east of the Railroad.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s)
heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that
Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances,
EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the
Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any)
of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current
year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful
claims whatsoever.

Dated: September 8, 2003

Arnold C. Watkins, Trustee
Arnold C. Watkins, Trustee

STATE OF _____, County of _____, ss.

On this _____ day of _____ in the year of
2003, before me, the undersigned, a Notary Public in and
for said State, personally appeared

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that executed the same.

Signature: _____

Name: _____

Residing at: _____

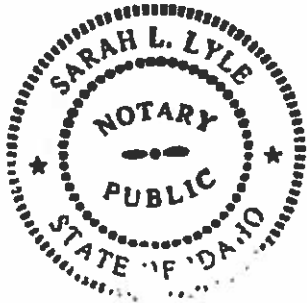
My commission expires: _____

Lawyers Title Insurance Corporation

ACKNOWLEDGEMENT - FIDUCIARY/OFFICIAL

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 9th day of September, in the year 2003, before me the undersigned, a notary public personally appeared Arnold C. Watkins known or identified to me to be the person whose name is subscribed to the within instrument as Trustee (sheriff, trustee, etc.) and acknowledged to me that he executed the same as such Trustee (sheriff, trustee, etc.)



Notary Public: Sarah L. Lyle
Residing at: McCall, ID
My Commission expires: 3/8/06

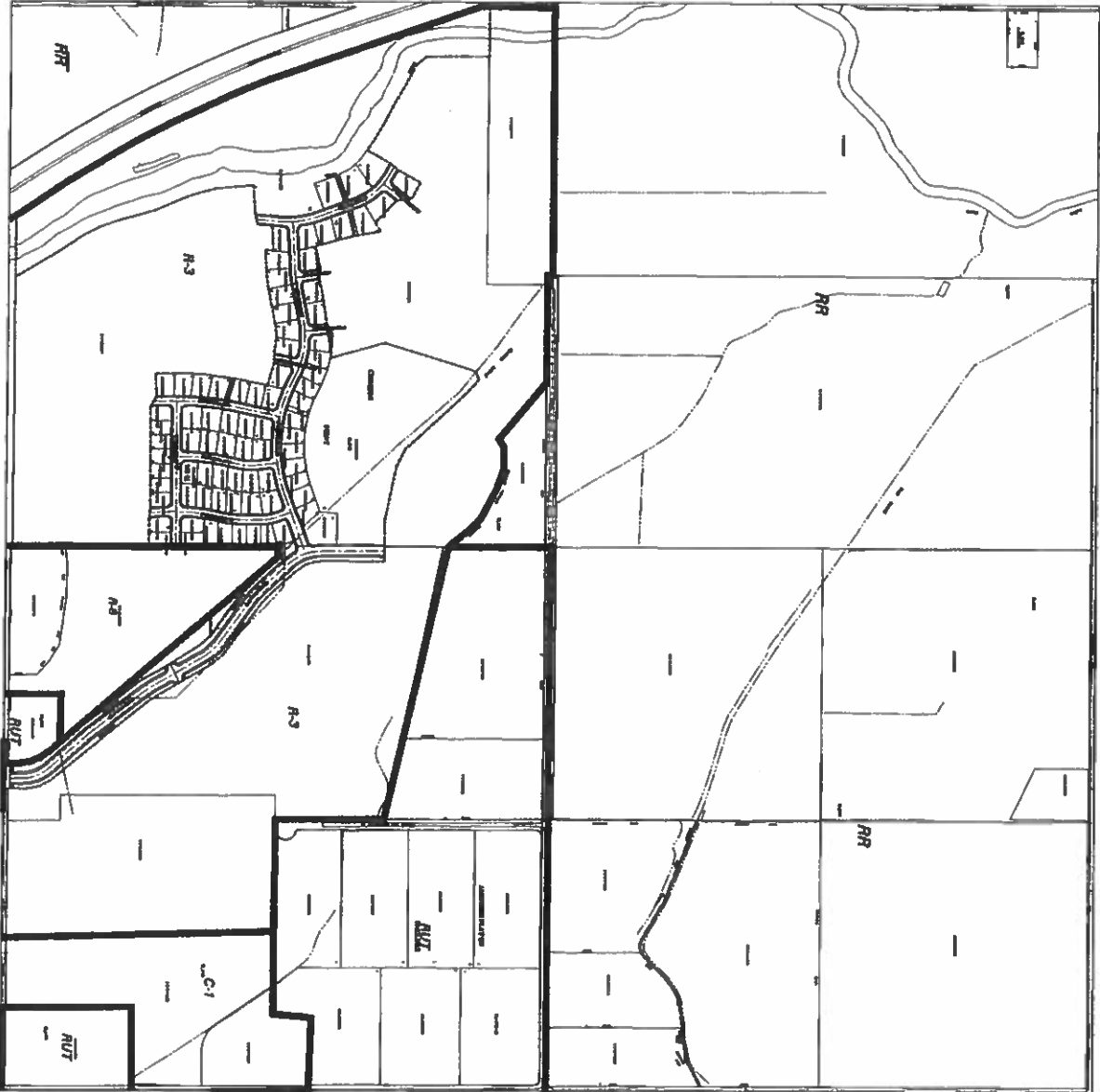


 1" = 100'

 The County of San Diego is not responsible for the accuracy of the information provided on this map. The user is responsible for verifying the accuracy of the information provided on this map.

MAKE LARGE PRINT (\$3)

SECTION 15, T2N R1W





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Copy
July 1, 2005

CITY OF KUNA
PO BOX 13
KUNA ID 83634

Re: Water Right No. 63-25750

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check no. 525 in the amount of \$25.00; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the Snake River Basin Adjudication Court. The ownership change is being processed and a copy will be mailed to you upon completion.

If you have any questions regarding this letter, feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosure

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: A63-25750
Date Received: 9/6/1991
Receipt No: 002-1686
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARNOLD WATKINS 208-922-5271
Address: 3001 ARDEL RD
KUNA ID 83634-1227

OR
Name: DELORES WATKINS 208-922-5271
Address: 3001 ARDEL RD
KUNA ID 83634-1227

2. Date of Priority: APR 1, 1930

3. Source: WASTEWATER Trib. to: INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	15	NW	SW	SW		ADA

5. Description of diverting works:
GRAVITY DITCH WITH HEADGATE - FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	15	NW	SW		IRR	4.0

A63-25750

Page 1

Date: 09/06/91

MICROFILMED

SEP 14 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01W	15	SW	SW	IRR	6.0

Section Acres 10.0

Total Acres 10.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 X 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):

Arnold C. Peterson

Date: 9-6-91

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 6th day

of September 19 91

Seal

Anna Baumhoff
Notary Public

Anna Baumhoff, Notary Public

Residing at Boise, Idaho

Residing at My Commission Expires December 7, 1994

My Commission Expires _____

city K

Idaho Department of Water Resources

63-25750

T02N R01W S15



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: 5-11-05

1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

SEP 14 1992

T2N AR1W NOT TO SCALE

RECEIVED

MAR 18 2008

DEPARTMENT OF
WATER RESOURCES

DIS. *Snake River Basin*
Fifth Judicial District
County of Twin Falls - State of Idaho
MAR 17 2008
By _____ Clerk
Deputy Clerk

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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-25750

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 21, 2006, the Boise-Kuna Irrigation District filed an objection to the *Director's Report*, asserting that the source of the water right is waste water, and seeking inclusion of a remark stating that the wasting of water may be discontinued. On March 14, 2008, the parties filed a *Standard Form 5 - Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-25750 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 12, 2008

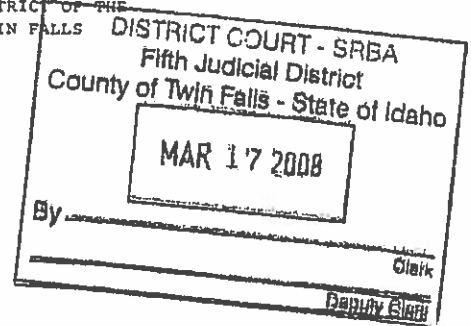


Theodore R. Booth
Special Master
Snake River Basin Adjudication

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 63-25750



NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA, ID 83634-0013

SOURCE: WASTE WATER TRIBUTARY: INDIAN CREEK

QUANTITY: 0.20 CFS

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION: T02N R01W S15 NWSWS Within Ada County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-01 TO 11-15 0.20 CFS

PLACE OF USE: Irrigation Within Ada County
T02N R01W S15 NWSW 4.0 SWSW 6.0
10.0 Acres Total

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

The source of this water right is waste water. The wasting of water may be discontinued at any time.

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

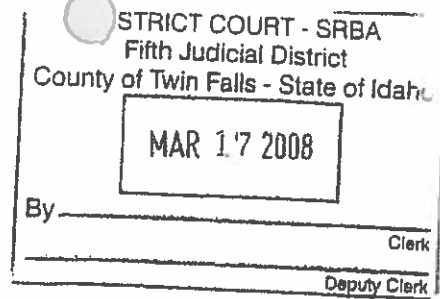
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

RECOMMENDATION

MAR 17 2008

John E. Booth
SPECIAL MASTER



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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

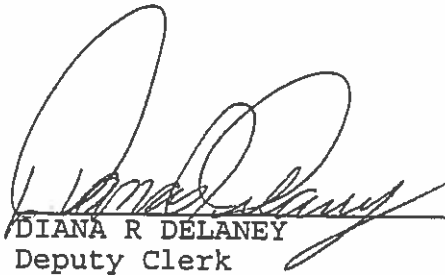
Water Right(s): 63-25750

On March 17, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

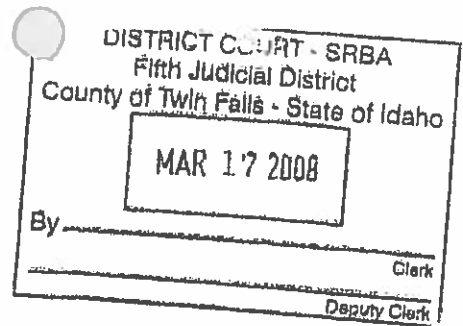
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 17, 2008.



DIANA R DELANEY
Deputy Clerk



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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-25750

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 17, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

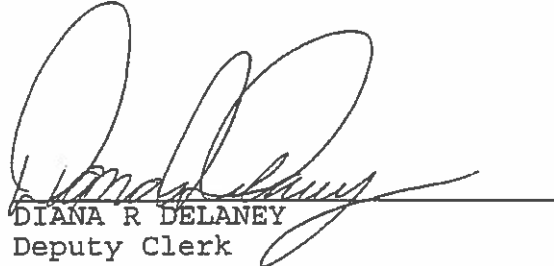
CITY OF KUNA
Represented by:
RANDALL S. GROVE
1038 S RIVER STONE DR
NAMPA, ID 83686
Phone: 208-442-6950

BOISE KUNA IRRIGATION DIST
Represented by:
SHELLEY M DAVIS
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

PAGE 1
03/17/08

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



DIANA R DELANEY
Deputy Clerk



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

David A. Jarvis
Labat-Anderson, Inc.
1961 Stout Street, 8th Floor
Denver, Colorado 80294

Telephone (303) 844-1485
Facsimile (303) 844-1350
E-mail: David.Jarvis2@usdoj.gov

RECEIVED

MAR 17 2008

DEPARTMENT OF
WATER RESOURCES

March 13, 2008

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase No. 63-25750

Dear Ms. Delaney:

Enclosed for filing in the above listed subcase is the following document:

1. STANDARD FORM 5 - STIPULATED ELEMENTS OF A WATER RIGHT

Sincerely,

David A. Jarvis/
Paralegal

Enclosure

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. 63-25750

Case No. 39576

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. 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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and 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 this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by their signatures below and by initialing the attached pages.

CLAIMANT:

[Signature] 3/5/08
City of Kuna Date

OBJECTOR:

Boise-Kuna Irrigation District

[Signature]
Shelley M. Davis, Attorney Date

RESPONDENT:

USDI-BOR

[Signature] 3/13/08
David Gehlert Date

IDWR CONCURRENCE:

[Signature] 2-4-08
Sandy Egbert Date
GIS Specialist, IDWR

IDWR CONCURRENCE:

[Signature] 2-12-08
Nicholas B. Spencer Date
Deputy Attorney General, IDWR

SF5 Right No. 63-25750

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

RIGHT NUMBER: 63-25750

NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013

SOURCE: WASTE WATER

TRIBUTARY: INDIAN CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION:

T02N R01W S15 NWSWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.200 CFS

PLACE OF USE:

IRRIGATION in ADA County

T02N R01W S15

NWSW

4.00

T02N R01W S15

SWSW

6.00

10 ACRES TOTAL

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

The source of this water right is waste water. The wasting of water
may be discontinued at any time.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SF5 Right No. 63-25750

CERTIFICATE OF MAILING

I certify that on MAY 13, 2008 I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resource Div
550 W Fort St. MSC 033
Boise, ID 83724

City of Kuna
PO Box 13
Kuna ID 83634-0013

Randall S. Grove, Attorney
1038 S. River Stone Dr.
Nampa ID 83686

Boise Kuna Irrigation Dist
Shelley M. Davis
Barker Rosholt & Simpson
1010 W. Jefferson Ste. 102
PO Box 2139
Boise ID 83701-2139

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098



Signature of person or attorney mailing the form

Shelley M. Davis, ISB # 6788
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034
Attorneys for Boise-Kuna Irrigation District, Objector

RECEIVED

NOV 01 2007

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. 63-25750
	)	
	)	
Case No. 39576	)	BOISE-KUNA IRRIGATION
	)	DISTRICT'S WITNESS
	)	DISCLOSURE
	)	
	)	

COMES NOW, the Boise-Kuna Irrigation District, by and through its counsel of record, Shelley M. Davis of the law firm Barker Rosholt & Simpson, LLP and hereby makes the following disclosure in conformance with this Court's order entered September 19, 2007.

The following individuals may testify at the trial of this matter:

- 1) Dan Sheirbon
Boise Project Board of Control
129 N. School Rd.
Kuna, ID 83634

Mr. Sheirbon is an employed as the Boise Project Board of Control Division 3 Watermaster. He is expected to testify to the location of the claimant's point of diversion and historical irrigation practice of the claimant.

- 2) Ben Gill
Boise Project Board of Control
129 N. School Rd.
Kuna, ID 83634

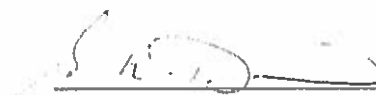
Mr. Gill is employed as the Boise Project Board of Control Division 3 Foreman. He is expected to testify to the maintenance obligations and practices on the canals owned and operated by the Boise Project Board of Control.

- 3) Jerrold Gregg
Area Manager, Snake River Area Office
Bureau of Reclamation
230 Collins Road
Boise, ID 83702-4520

Mr. Gregg is expected to testify regarding the development and operations of the Boise Project, including the drainage systems.

Dated this 31st day of October, 2007

BARKER ROSHOLT & SIMPSON LLP



Shelley M. Davis
Counsel for Boise-Kuna Irrigation District

CERTIFICATE OF MAILING

I certify that on October 31, 2007, 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: Randall Grove, City of Kuna Attorney
Address: 1026 W. Colorado Ave.
Nampa, ID 83686

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Shelley M. Davis
Attorney for Boise-Kuna Irrigation District

2007 SEP 19 PM 4 35

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) Subcases 63-02757, 63-04176, and 63-25750
Case No. 39576) TRIAL SCHEDULING ORDER
_____) ORDER OF JOINT TRIAL

A Scheduling Conference was held on September 11, 2007. Pursuant to I.R.C.P. 42(a), and because there is a common question of fact regarding whether a "waste water" remark should be included in the partial decrees for these water rights, it is ordered that the trials in subcases 63-02757, 63-04176, and 63-25750 shall be held jointly. The following dates shall govern the conduct of these subcases through trial:

November 30, 2007 5:00 PM Disclosure of Witnesses. Disclosure of all witnesses, except impeachment witnesses, shall be completed by this deadline. All non-disclosed witnesses, except impeachment witnesses, shall be excluded from testifying in the trial unless permitted by the Special Master in the interests of justice.
I.R.C.P. 16(e)(6)(J).

January 12, 2008 5:00 PM Discovery Served and Responses Completed. Deadline for completion of all discovery, meaning that all discovery is served and response is complete, including the taking of depositions of lay and expert witnesses, all interrogatories, request for production / inspections and admissions. Motions to compel should be filed accordingly so as to accommodate this deadline.

February 5, 2008 5:00 PM Hearing on Motion for Summary Judgment. Motions for summary judgment shall be filed, notice for hearing, and actually heard by this deadline. The filing and service of the motion, affidavits, and briefing shall be conducted in compliance with I.R.C.P. 56(c).

- March 11, 2008 9:30 AM Final Pre-Trial Conference.** Pursuant to I.R.C.P. 16, a final pre-trial conference will be held at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.
- March 19, 2008 9:00 AM Trial.** The trial be held at the Idaho Supreme Court Building, 451 West State Street, Boise, Idaho, in the lower-level conference room.

Dated September 19, 2007



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the TRIAL SCHEDULING ORDER was mailed on September 19, 2007, with sufficient first-class postage to the following:

AV-CB LLC

Represented by:
BRUCE J CASTLETON
950 W BANNOCK, STE 610
BOISE, ID 83702
Phone: 208-383-9511

CITY OF KUNA

Represented by:
RANDALL S. GROVE
1038 S RIVER STONE DR
NAMPA, ID 83686
Phone: 208-442-6950

BOISE KUNA IRRIGATION DIST

Represented by:
SHELLEY M DAVIS
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

JERRY FREDERICK
8870 S BLACK CAT RD
NAMPA, ID 83687
Phone: 208-888-9578

**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)

A. Subcase **63-25750**

(Insert water right number
from the Objection Form)

Case No. 39576)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: E. Gail McGarry

United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100

Boise, ID 83706 -1234

Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:

David W. Gehlert (303) 844-1386 Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

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

Name: Boise – Kuna Irrigation District

Address: c/o Shelley M. Davis

Barker Rosholt & Simpson, LLP

205 N. 10th Street, Ste. 520

Boise, ID 83702

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
10. ☐ 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. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

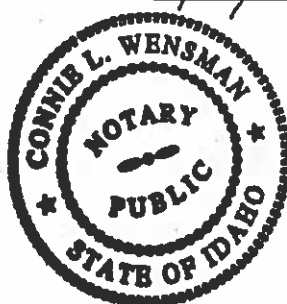
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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]
(Signature of person filing response)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06



Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10/06/10

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.

F. CERTIFICATE OF MAILING

I certify that on 6-23, 2006, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: City of Kuna
Address: PO Box 13
Kuna, ID 83634-0013

3. One copy to the party who filed the objection at the following address:

Name: Boise – Kuna Irrigation District
Address: c/o Shelley M. Davis
Barker Rosholt & Simpson, LLP
205 N. 10th Street, Ste. 520
Boise, ID 83702

4. Copies to:

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

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

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

E. Gail McGarry
Your signature or signature of attorney
mailing on your behalf

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

RECEIVED

In Re **SRBA**

A. Subcase 63-25750
(Insert water right number)

APR 24 2006

DEPARTMENT OF
WATER RESOURCES

Case No. 39576

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Kuna Irrigation District
Address: 129 N. School Ave.
Kuna, ID 83634
Daytime Phone: 922-5608

Name & Address of Attorney, if any:

Shelley M. Davis
Barker Rosholt & Simpson, LLP
205 N. 10th Street, Ste. 520, Boise ID 83702

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

Name: City of Kuna
Address: P.O. Box 13
Kuna, ID 83634-0013

SCANNED
OCT 05 2006

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: _____
2. ☒ **Source**
Should be: The waste waters claimed belong to the Boise-Kuna Irrigation District.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
- 10 ☐ **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 OBJECTIONS(S): There has been no lawful appropriation of this right. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Boise)

Sherley M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

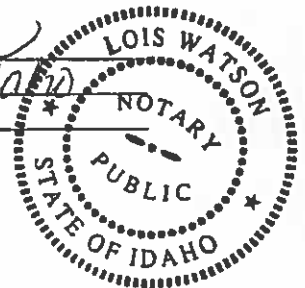
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Sherley M. Davis
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 19, 2004

Notary Public for Boise, Idaho
Residing at: Ada County, Idaho
My Commission Expires: 12/08



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 April 20, 2006, 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:

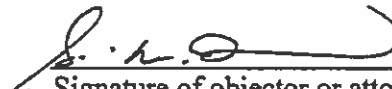
Name:	<u>City of Kuna</u>
Address:	<u>P.O. Box 13</u>
	<u>Kuna, ID 83634-0013</u>

3. Copies to:

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

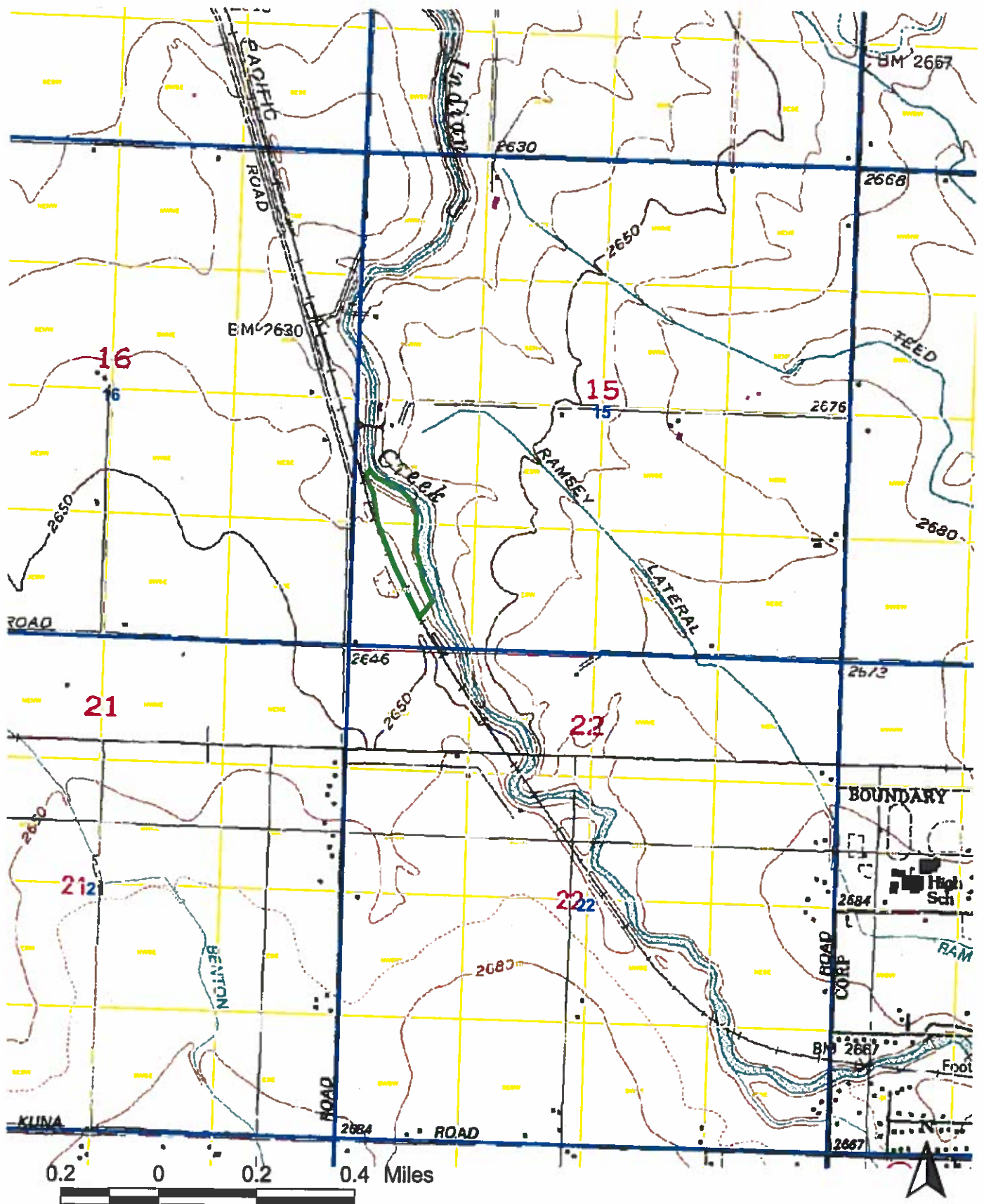
United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

63-25750



11/02/2005

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

RIGHT NUMBER: 63-25750
NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA ID 83634-0013
SOURCE: WASTE WATER TRIBUTARY: INDIAN CREEK
QUANTITY: 0.200 CFS
PRIORITY DATE: 04/01/1930
POINT OF DIVERSION:
T02N R01W S15 NWSWSW Within ADA County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.200 CFS

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S15	NWSW	4.0	T02N R01W S15	SWSW	6.0
---------------	------	-----	---------------	------	-----

10 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

City Of Kuna
PO Box 13
Kuna, ID 83634

Re: Notice of Claim to a Water Right No. 63-25750

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

05/23/2005

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

RIGHT NUMBER: 63-25750

NAME AND ADDRESS: ARNOLD C WATKINS
3001 W ARDELL RD
KUNA ID 83634-1277

DELORES E WATKINS
3001 W ARDELL RD
KUNA ID 83634-1227

SOURCE: WASTE WATER

TRIBUTARY: INDIAN CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION:

T02N R01W S15 NWSWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.200 CFS

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S15

NWSW

4.0

T02N R01W S15

SWSW

6.0

10 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

63-25750

T02N R01W S15



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 5-11-05
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25750 V1

WATER RIGHT NUMBER: 63-25750 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARNOLD C WATKINS 3001 W ARDELL RD KUNA, ID 83634-1277 (208)922-5271
Current Owner	DELORES E WATKINS 3001 W ARDELL RD KUNA, ID 83634-1227 (208)922-5271

Priority Date: 04/01/1930

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

WASTE WATER	NW1/4SW1/4SW1/4	Sec. 15, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	15											4.0	6.0					10.0

Total Acres: 10

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.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25750 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: S
 Owner Name Connector: OR
 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			04/01/2005	lharris	Active
Priority Date	5/23/2005 12:27:41 PM	segbert			Active
POD	5/23/2005 12:28:13 PM	segbert			Active
Source	5/23/2005 12:29:36 PM	segbert			Active
POU	5/23/2005 12:30:00 PM	segbert			Active
Use	5/23/2005 12:30:19 PM	segbert			Active
Season	5/23/2005 12:31:12 PM	segbert			Active
Quantity	5/23/2005 12:32:16 PM	segbert			Active
Summary			05/23/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/1/2005 9:36:13 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POU	5/23/2005 12:30:00 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - field exam

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25750 V1

Season	5/23/2005 12:31:12 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
General	5/23/2005 12:27:41 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - 1939 aerial photography
POD	5/23/2005 12:28:14 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Quantity	5/23/2005 12:32:16 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POD	5/23/2005 12:28:48 PM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-25750 V1

Source	5/23/2005 12:29:36 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - field exam
Use	5/23/2005 12:30:19 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	5/23/2005 12:35:37 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-25750

WATER RIGHT NUMBER: 63-25750

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARNOLD C WATKINS ✓ 3001 W ARDELL RD KUNA, ID 83634-1277 (208)922-5271
Current Owner	DELORES E WATKINS ✓ 3001 W ARDELL RD KUNA, ID 83634-1227 (208)922-5271

Priority Date: 04/01/1930 ✓

Basis: Beneficial Use ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
WASTE WATER	INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	~~3/15~~ to 11/15	0.200 CFS ✓	
	3-1 <u>Total Diversion:</u>	0.200 CFS ✓	

Location of Point(s) of Diversion

WASTE WATER ✓	NW1/4SW1/4SW1/4 ✓	Sec. 15, Twp 02N, Rge 01W, B.M. ✓
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	15									4.0		6.0						10.0

Total Acres: 10

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Partial overlap w 63-2350 (surface water)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 60.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-25756

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

shows irrigation in the 1939 photography

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS 45 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

$$4.5 \times 10 = 45$$

$$.2 \times 1.9835 \times 260 = 103.1$$

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-25750

04/01/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2350	Claim	02N	01W	15	NW	SW		IRRIGATION	33/50	ARNOLD C WATKINS
25750	Claim	02N	01W	15	NW	SW		IRRIGATION	4/10	ARNOLD C WATKINS
2350	Water Right	02N	01W	15	NW	SW		IRRIGATION	33/50	DONALD S HOWELL
16261	Claim	02N	01W	15	NW	SW		STOCKWATER		ARNOLD C WATKINS
16261	Claim	02N	01W	15	NW	SW		COMMERCIAL		ARNOLD C WATKINS
16261	Claim	02N	01W	15	NW	SW		DOMESTIC		ARNOLD C WATKINS
16264	Water Right	02N	01W	15	NW	SW		DOMESTIC - Decreed - 2000		ARNOLD C WATKINS
25750	Claim	02N	01W	15	SW	SW		IRRIGATION	6/10	ARNOLD C WATKINS
25751	Claim	02N	01W	15	SW	SW		IRRIGATION	6/15	ARNOLD C WATKINS

Receipt Details for ID C021686

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/6/1991 4:06:07 PM	9/6/1991	State	\$125.00	Check
Payer		WATKINS, ARNOLD/DELORES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2473			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	ADJUDICATION FEE	410162	9337	0 0		6490

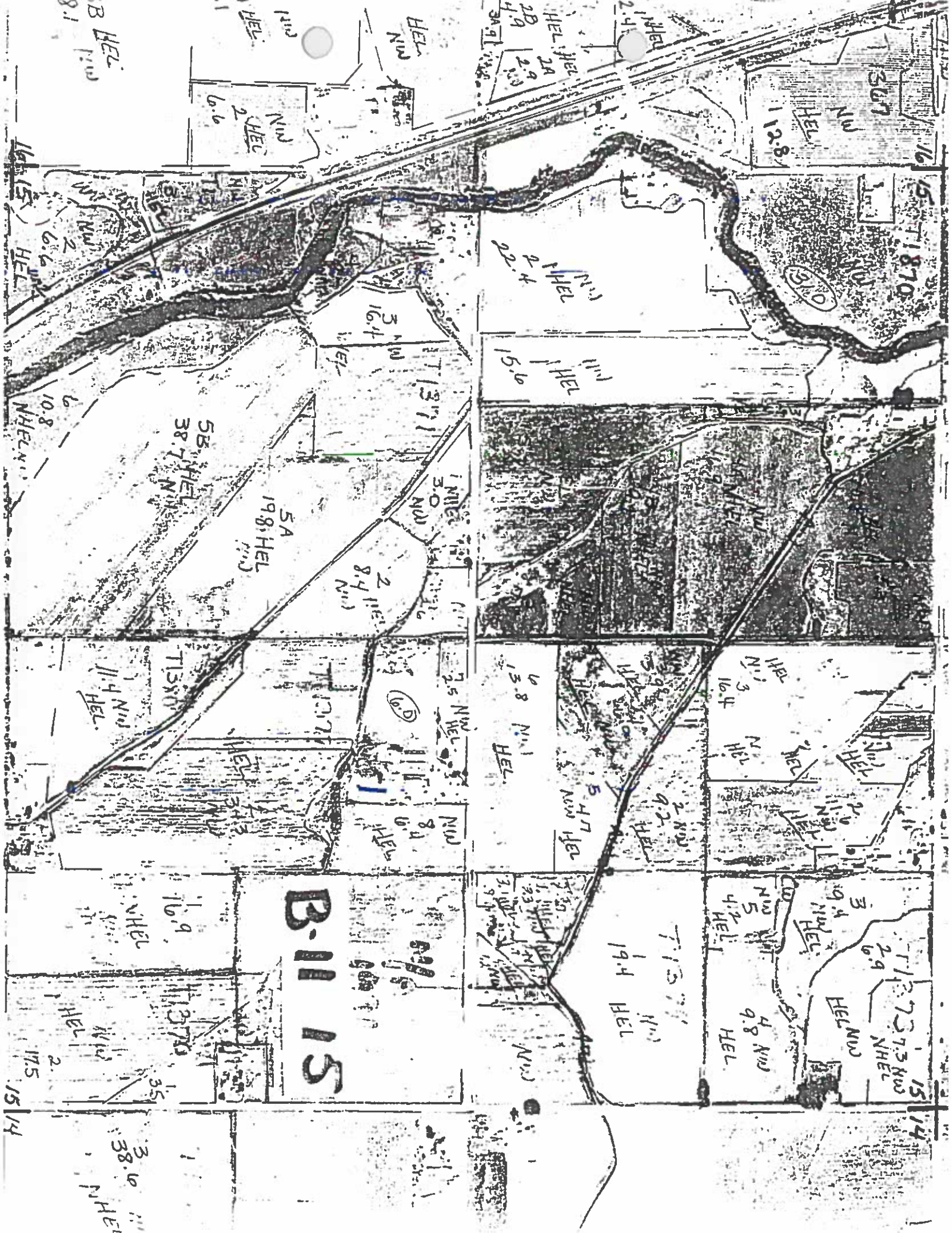
Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	25750		\$60.00	Claim
63	25751		\$65.00	Claim

Print Report



B-1115



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 10/12/1995

FILE NO. A63-25750 TOWN ROW 9.15 SWSW



① Ditch as it empties into pond area. Pond is located 20' west of creek.



② Pond area from southeast side.



PHOTOGRAPHER AND DATE OF PHOTOS MMINICUCCI 10/12/1995

FILE NO. A63-25750 TO2N R01W S.15 SW SW, NW SW



① Place of
use on west
side of creek.
Ditch runs
from pond in
draw northward
along contour
of hill.

FIELD EXAM PHOTO INDEX SUMMARY

Date: 10/12/1995

Roll No.: 1

Photographer: MINICUCCI

PHOTO NO.	SUBJECT
1	DITCH as it empties into pond. Pond is empty
2	Pond area from east side, looking W + N toward creek
3	Place of view E of RR + W of creek. S. 15 NWSW
4	A63-02350 : POD from swampy area - Looking N
5	A63-02350A POV from SE corner of Field. 2.6 acres
6	POV on east side of creek from pump. Looking upstream
7	POD - GW " " downstream
8	DAIRY BARN
9	POV - New house
10	POV - Manufactured home
11	Willby? Hubbard Rd property - Pipe X Leverage - No new pipe.
12	POV from gravel pile in open driveway area on Hubbard Rd side of prop
13	"
14	"
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

1
CLAIM NUMBER: A63-25750

LAST: WATKINS
ADDRESS: 3001 ARDEL RD
CITY: KUNA
PHONE NUMBER: 208-922-5271

FIRST: ARNOLD
ID: 836341227
STATE: ZIP:

LAST: WATKINS
ADDRESS: 3001 ARDEL RD
CITY: KUNA
PHONE NUMBER: 208-922-5271

FIELD	EXAMINER	DATABASE	VERIFICATION REQUIRED DUE TO REMARKS?	FIELD EXAM REQUIRED?
		N		

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Arnold Watkins PHONE NUMBER: (208) 922-5271

DATE OF FIELD EXAM: 10/12/1995 APPOINTMENT MADE: Y(X) N() TIME: 10:00 A(X) P()

ACCOMPANIED BY: _____ PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES: Ten mile Rd south to Adell. Watkins home is @ west end of Adell.

A. AJ CLAIM: # A63-25750 PRIORITY DATE: 04-01-1930 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N(X)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N(X)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y(X) N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(X) Y() N()

FIELD EXAM COMPLETED

N/A(X) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(X) Y() N()

LICENSE ISSUED

N/A(X) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y(X) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(X) N()

NOTES: 10/11/1995: NAPP does not show 188 btm Creek & RR tracks, nor does 1994 Scarred Airphoto. Evidence of priority speaks to 1958-59 and is otherwise vague. Claimant mentions adjudicated right from a watershed on the east side of his property - he may be referencing (A) 63-02350. It's unknown if this is the same ditch, or the same wastewater. 177

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
-------	-----------	------	-----	-----	-----	-----	-----	--------	----------------	------------------

A63-25750	02N	01W	15	NW	SW	SW	ADA			
-----------	-----	-----	----	----	----	----	-----	--	--	--

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
R PREFIX
A63-25751
NONE

SOURCE: WASTEWATER

TRIB: INDIAN CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()
DOO

TWP. 02N	RGE. 01W	SEC. 15	1/4 NW	1/4 SW	1/4 SE	LOT	PLO FLAG	COUNTY ADA	DIVERSION NAME	DIVERSION NBR
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: _____
 TRIB: _____

REVIEWED BY: _____ DATE: _____
=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A63-25750

B. POU LISTING

TRP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	01W	15	NW	SW		WATKINS, ARNOLD	A63-25750 / 4.0	- /	30.0		
			NW	SW		WATKINS, DELORES E	A63-16261 /	- /			
			NW	SW		WATKINS, ARNOLD C	A63-16264 /	- /			
			NW	SW		WATKINS, ARNOLD C	A63-16265 /	- /			
			NW	SW		WATKINS, ARNOLD C	A63-02350 / 33.0	63-02350 / 33.0			
02N	01W	15	SW	SW		WATKINS, ARNOLD	A63-25750 / 6.0	- /	31.0		
			SW	SW		WATKINS, ARNOLD	A63-25751 / 6.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A63-25750

10.00

61.00

POU COUNTY: ADA

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y () N ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A63-25750	WASTEWATER	WATKINS, ARNOLD	0.200	0.020		
A63-02350	UNNAMED STREAM	WATKINS, ARNOLD C	1.000	0.020		
A63-25751	WASTEWATER	WATKINS, ARNOLD	0.300	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-16261	COMMERCIAL	WATKINS, DELORES E	FROM 01-01	TO 12-31	0.200 CFS
A63-16261	DOMESTIC	WATKINS, DELORES E	FROM 01-01	TO 12-31	0.040 CFS

QFS
SUBMITTED
NO TRIAL

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
-----------	----------	------	-----------	------	--------

A63-16264	DOMESTIC	WATKINS, ARNOLD C	FROM 01-01 TO 12-31	0.040 CFS	
A63-16265	DOMESTIC	WATKINS, ARNOLD C	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDNR NO. X57; () TOPOGRAPHIC QUAD, IDNR NO. _____; (X) NAAPP, IDNR NO. X57sw; () OTHER Scanned Aerial

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ **N/A()** _____

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-25750 IRRIGATION	FROM 03-15 TO 11-15	0.200 CFS	
TOTAL DIVERSION RATE/VOLUME		0.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(X) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(X) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(X) N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()
- B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(X) Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y(X) N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(X) N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

- 1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)
- IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
- IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ = _____

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 35.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ = _____

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
	FROM	TO	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	0.200				35.0	
TOTAL FOR THIS RIGHT								

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
(X)
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-25750

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-------------------	-----------------------	----------------	-----------	------------------	----------------

DATABASE EXAMINER CFS

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD EXAMINER
Y() N()
DATABASE
N

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1981</u> IDWR ID NO. <u>X57</u>	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAAPP	DATE OF PHOTO <u>07/14/1987</u> IDWR ID NO. <u>X575W</u>	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:42:22
10/11/95

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A63-25750

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

463-25750
Adjudication Claim No.

Staff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
- ☒ Copy of Adjudication Claim
- N/A Copies of pertinent files(prev. rts., exams, etc.)
- N/A Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
- NONE Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
- ☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- ☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap X yes ___ no If yes: ___ copy of claims & water rights incl?
Type of Overlap? ___ Add acres or uses to existing system
___ Increase rate of flow or volume
X Other: 463-25751
- ☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- ☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ___ yes ✓ no If yes: ___ copy of claims & water rights incl?
Type of Overlap? ___ Increase rate of flow or volume
___ Add P/D's
___ Increase number of acres within tracts
___ Different source for same acres
___ Other: _____

☒ Appointment Letter Sent? 07/07/1995 TTT (initial & date)

☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ___ Fully Completed and Signed CVR Form
- ___ Photographs of Point(s) of Diversion and Place of Use
- ___ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

Claim No. submitted for weekly exam completed prog. report? ___ Yes ___ No

Exam completed date data entered on claim _____ (initial & date)

Claim Verification Report completed _____ (initial & date)

Was CVR spot-checked by Supervisor? ___ Yes ___ No _____ (initial & date)

R claim file created _____ (initial & date)

Recommendations entered on R claim file _____ (initial & date)

NOTICE OF CLAIM NO. 463-35350

463-75750

**FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHEN/DATE**

**CHANGE
CLAIM
Y/N**

**REVIEW
COMPLETED
WHOM/DATE**

"R" RECORD

PT. OF DIV.

SOURCE

PL. OF USE

21V. AMOUNT

C-7/AF

CONSUMPTIVE

NATURE OF USE

PERIOD OF

BASIS OF CLAIM

REMARKS

VERIFICATION CODES

ТОПО МАП/ORTHOPHOTO = 1

ASCS MAP

WATERMASTER RECORDS - 2

NAPP PHOTOS

FIELD EXAM

OTHER (SEE COMMENTS) = 6

COMMENTS:

IF CLAIMANT CONTACT IS NEEDED, COMPLETE CLAIMANT CONTACT CHECKLIST AND ATTACH.

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT MR. WATKINS

PHONE NUMBER 922-5271 ADJ. AGENT TTTINICUCCI

DATE SET FOR EXAM 10/12/1995

LOCATION/DIRECTIONS Ten Mile Road, South to Ardell. West
(RT) on Ardell to end of road

Diverting at full rates?

Type of measuring devices? NONE

Places to make measurements? Div. ditch

Type of System? (pipelines, ditches) Div. off drain to
ditches + Reservoir

How many laterals are used?

Length and size of mainline? N/A

Size of motor used for each P/D? N/A

Estimate of depth to water? N/A

Pressure at well? N/A

Pressure at sprinkler heads? N/A

COMMENTS Flood irrigation on both sides of Creek.

RE AG3-02350A, he has given 3 inches of water to
Doans.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-25750)
T02N R01W Sec 15)
State of Idaho)
County of ADA)

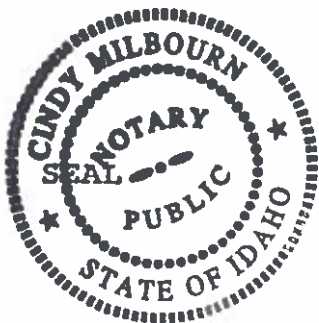
AFFIDAVIT

RECEIVED
OCT 10 1995
WATER RESOURCES
WESTERN REGION

E.
John Noble

being first duly sworn,

deposes and says: In 1958-59 I rented and farmed the Don Howell Farm
now the Arnold and Delores Watkins Farm. I used wastewater and irrigated
a good portion of the land that lies between the railroad and Indian Creek



John E. Noble
(Signature)

Subscribed and sworn to before me this
day 18th of September, 1995.

Cindy Milbourn
(Notary Public)

Residing at Dampa, Id

My Commission Expires 1-12-2001

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
A63-25750)
TO2N RO1W S15)
)
State of Idaho)
County of ADA)

AFFIDAVIT RECEIVED

OCT 10 1995

WATER RESOURCES
WESTERN REGION

Arnold C. Watkins being first duly sworn,

deposes and says: This is a parcel of my farm that lies between the Union Pacific main line and the New York - Indian creek feeder canal that supplies the water to Lake Lowell. This waste ditch is the only means of getting water to this ground. This ditch drains approximately two sections of land. All this drain water must pass under the RR and across this land. About 20 years ago the railroad changed the water way and it has been more difficult to keep clean since then.

I own a backhoe that I use most years to keep this ditch open. However, this year I hired the John Stear Company of Kuna to use their caterpillar and blade to do this maintenance work.

The former owner had constructed a wagon bridge to haul the hay over from that side on the creek. This bridge shows on all of the Geological Survey maps as far back as I can find.

I have adjudicated water right in the waste ditch on the East side of this property with a priority date in the 1920's. I believe that date should be used to establish a priority date for this claim. The pioneers utilized wastewater wherever possible and from all reports that was the case with this piece of ground.

Arnold C. Watkins

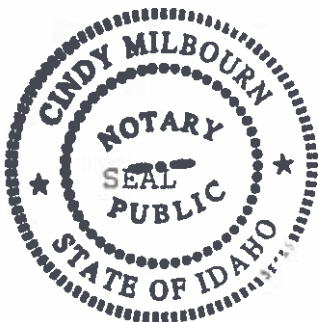
(Signature)

Subscribed and sworn to before me this
day 5th of October, 1995.

Cindy Milbourn
(Notary Public)

Residing at Danpo, ID

My Commission Expires 1-12-2001



ADJUDICATION MEMORANDUM

CLAIM NO.: A63-16261, -25750,
-25751
EMPLOYEE: TTTTINICUCCI

SUBJECT: Evidence of priority
DATE: 10/6/1995

Has obtained evidence of priority for dairy use.

Res. Watkins passed away in June of this year and no farming has been done this year. He installed the wastewater system w/ the pond (A63-25751) and will submit an affidavit in support of that water right. ~~The previous owner of~~ Right no. A63-25750. He ~~also~~ also has personal knowledge of the use of A63-25750 but is contacting the previous owner to substantiate the earlier priority date.

We set an appointment for Oct 10 @ 1:00 pm to review the information he has collected and determine a date for a field exam.

Date Received 9-6-91

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

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

Arnold Watkins
Name of Claimant

() 422-5271
Phone Number

3001 Ardel Rd
Mailing Address

KUNA
City

ID
State

83634-1222
Zip

Ada
County(s) where place of use is located

Date claim originally due

A63-25730 and A63-25751
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The claims for this form were filed before the
deadline. But in the rush of things, I
and the agent forgot these parcels of land.

Claimant requests an extension to 9-6, 19 91

Arnold C. Watkins
Signature

9-6, 19 91
Date of request

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to Sept 6, 19 91

Signed this 30 day of Sept, 19 91

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
SEP 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

63-16261

DELORES E WATKINS

ARNOLD C WATKINS

3001 ARDELL ROAD

KUNA

ID 83634

Re: Claim No(s) - ALB-16261

ALB-25750 ALB-25751

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh

Enclosures