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Original

04/22/2005

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

RIGHT NUMBER: 63-7805

NAME AND ADDRESS: CITY OF GARDEN CITY
201 E 50TH ST
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS

PRIORITY DATE: 06/01/1973

POINT OF DIVERSION:

T03N R02E S5 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.110 CFS

PLACE OF USE:

Place of use is within the service area of the City of Garden City municipal water supply system as provided for under Idaho Law.

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: License

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7805 V1

WATER RIGHT NUMBER: 63-7805 V1

Owner Type Name and Address
 Current Owner CITY OF GARDEN CITY
 201 E 50TH ST
 BOISE, ID 83714
 (208)377-1831

Priority Date: 06/01/1973

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1.110 CFS	
	<u>Total Diversion:</u>	1.110 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4 Sec. 5, Twp 03N, Rge 02E, B.M.
 ADA County

Place of Use

MUNICIPAL

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	4											X						
03N	02E	5		X	X	X	X	X	X	X	X	X		X	X	X	X	X	
03N	02E	6	X			X													
03N	02E	8	X																
04N	01E	9				X													
04N	01E	14									X	X	X				X		
04N	01E	23	X	X		X		X	X	X						X	X	X	
04N	01E	24			X			X	X	X	X	X	X		X	X	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7805 V1

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>
Priority Date	1/15/2004 8:52:12 AM	lpew			Active
Source	1/15/2004 8:52:22 AM	lpew			Active
POU	1/15/2004 8:53:23 AM	lpew			Active
Use	1/15/2004 8:53:32 AM	lpew			Active
Season	1/15/2004 8:54:13 AM	lpew			Active
Contacts	4/21/2005 2:29:38 PM	awarntje			Active
Summary			04/21/2005	awarntje	Active
Quantity	4/21/2005 3:21:21 PM	awarntje			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/21/2005 3:18:39 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 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?
Quantity	4/21/2005 3:21:22 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (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?
Contacts	4/21/2005 2:29:38 PM	awarntje	(No) 1. Do you want to schedule an appointment?
POU	1/13/2004 4:45:10 PM	cfritsch	Comment for 1: Sufficient info in file Edited shape boundary

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: A63-07805
Date Received: 8/14/1989
Receipt No: W004439
Received By: DE ADL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF GARDEN CITY 208-377-1831
Address: 201 E. 50TH
GARDEN CITY, ID 83714
2. Date of Priority: JUN 01, 1973
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N | 02E | 5 | SE | NE | | | ADA |
5. Description of diverting works:
40 HP SUBMERSIBLE PUMP IN 465 FT. WELL
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|-----------|-------|-------|-------|------|--------|
| MUNICIPAL | 01/01 | 12/31 | 1.100 | | |
7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC 1600 CONNECTIONS PLUS
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	5				MUNI	
04N	01E	23				MUNI	
		24				MUNI	
		25				MUNI	

A63-07805

Page 1

Date: 05/08/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	26			MUNI	
	02E	31			MUNI	
		32			MUNI	

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:
P/U WITHIN CITY LIMITS OF GARDEN CITY.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A63-07805Date Received 8-14-89Receipt Number W004439 (\$160)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CITY OF GARDEN CITY Phone (208) 377-1831Mailing Address 201 E 50th Garden city Id. Zip 837142. Date of Priority (Only one (1) per claim) 6-1-733. 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 5,
SE 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of ADAAdditional points of diversion if any: N/A

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.40 hp submersible pump in 465? ft. well

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1-1 to 12-31 amount 1.100 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 1.100 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 1.100 (cfs) acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 1600 connections plus

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	5																	
4N	2E	32																	
		31																	
4N	1E	23																	
		24																	
		25																	
		26																	

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 No XX
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

P/U WITHIN CITY LIMITS OF GARDEN CITY

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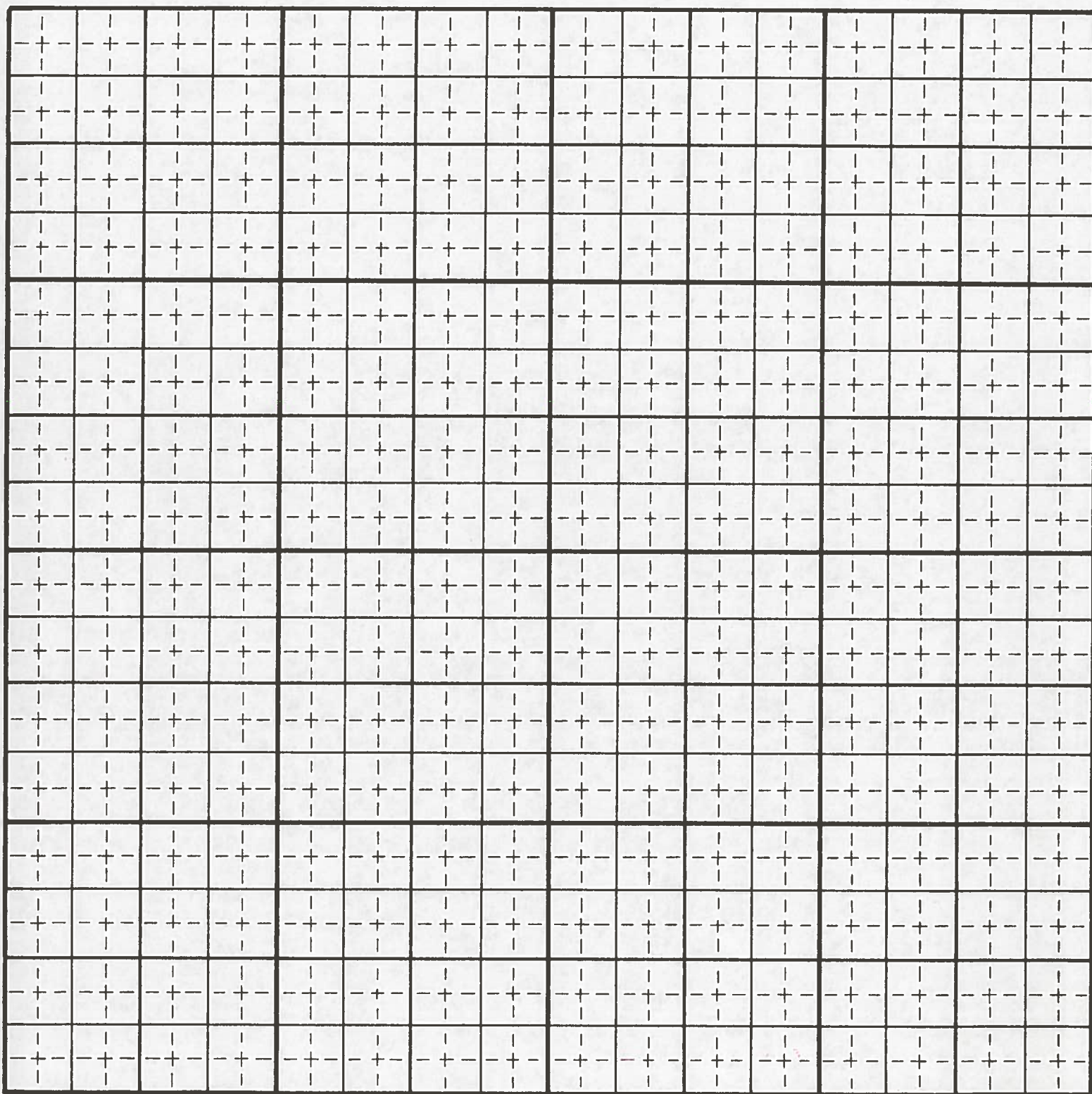
(see attached copy of IDWR report)

Last Name Garden City Ident No.

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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AUG 21 1992

(see attached copy of city map)

Last Name Garden City Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-07805

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 X 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 PUBLIC WORKS DIRECTOR
Title

of CITY OF GARDEN CITY
Organization

document in the space below as Public Works Director of Garden City
Title Organization

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

Signature of Authorized Agent Richard Cummings Richard Cummings

Title and Organization Public works Director Garden City Date 7-11-89

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of April 19 90

SEAL

Notary Public Jan E. Harvey

Residing at 2129 Colorado Ave, Boise

My Commission Expires Jan. 21, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

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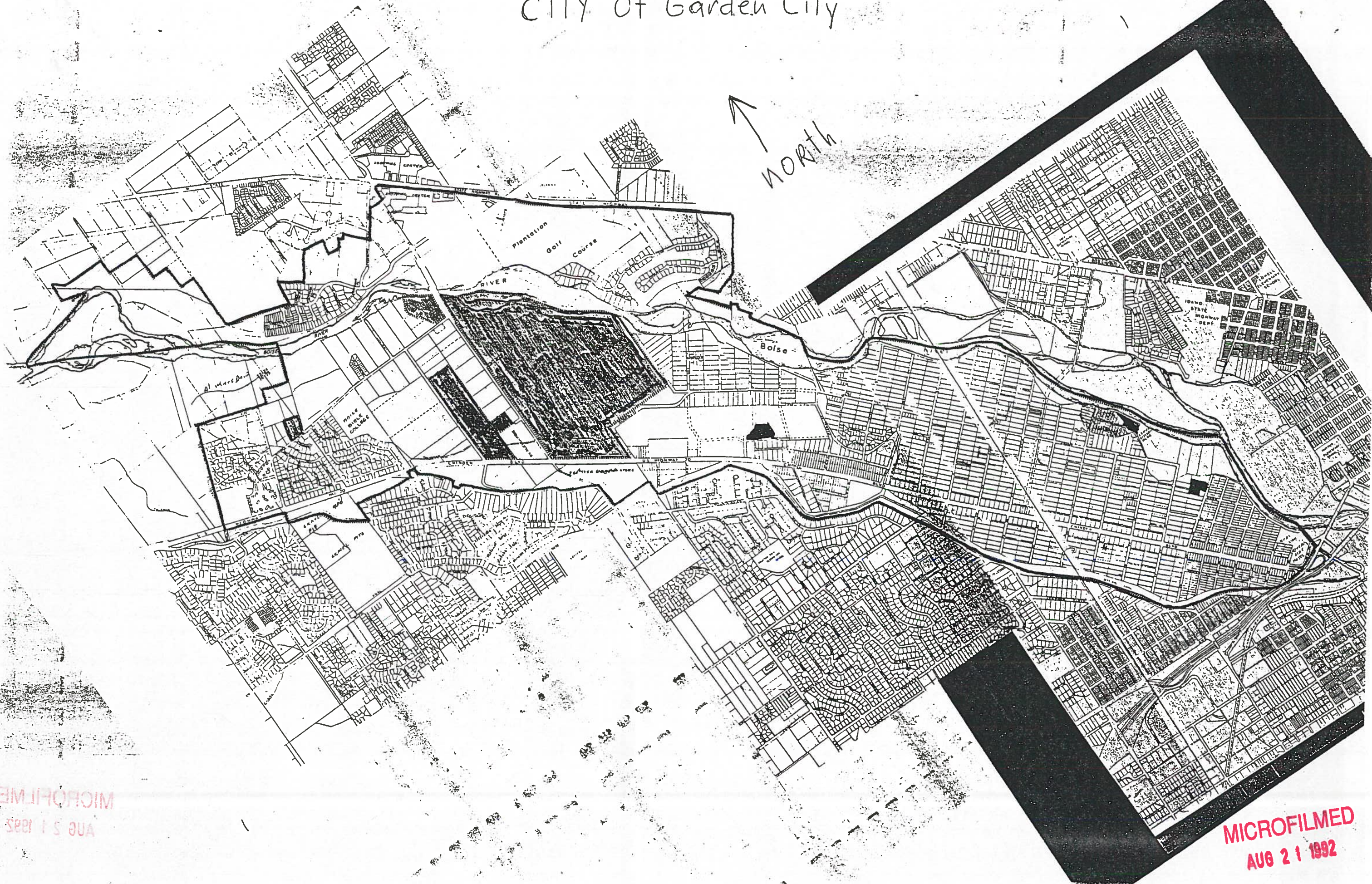
AUG 21 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

CITY OF Garden City

↑
North



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AUG 5 1985

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AUG 21 1992

LISTER
(RMG)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS REPORT

DATE: 07/11/89
PAGE: 1

WR-NUMBER:
63-02895

CURRENT OWNER:
CITY OF GARDEN CITY
GARDEN CITY, ID

PRIORITY DATE:
02-13-1952

STAGE:
LICENSE

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE:
MUNICIPAL

TRIBUTARY:
DIVERSION RATE:
1.500
DIVERSION VOLUME:
1.500

PERIOD FROM: PERIOD TO:

REMARKS: P/U WITHIN CITY LIMITS OF GARDEN CITY.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
03N 02E 5 SE NE

36th #3

WR-NUMBER:
63-07805

CURRENT OWNER:
CITY OF GARDEN CITY
CITY HALL
201 E. 50TH ST.
GARDEN CITY, ID 83704

PRIORITY DATE:
06-01-1973

STAGE:
LICENSE

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE:
MUNICIPAL

TRIBUTARY:
DIVERSION RATE:
1.110
DIVERSION VOLUME:
1.110

PERIOD FROM: PERIOD TO:
01/01 12/31

REMARKS: P/U WITHIN CITY LIMITS OF GARDEN CITY.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
03N 02E 5 SE NE

36th #2

WR-NUMBER:
63-08005

CURRENT OWNER:
CITY OF GARDEN CITY
201 E. 50TH ST.
GARDEN CITY, ID 83704

PRIORITY DATE:
07-10-1974

STAGE:
LICENSE

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE:
MUNICIPAL

TRIBUTARY:
DIVERSION RATE:
4.800
DIVERSION VOLUME:
4.800

PERIOD FROM: PERIOD TO:
01/01 12/31

REMARKS: P/U WITHIN THE CITY LIMITS OF GARDEN CITY.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
04N 02E 31 SE NE

AUG 21 1992

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WATER RIGHT LICENSE

THIS IS TO CERTIFY, that CITY OF GARDEN CITY

Beneficial Use Period of Use Rate of Diversion Annual Volume

Municipal from January 1 to December 31 at 1.11 cfs and N/A

from _____ cfs and _____

from _____ cfs and _____

(good date inclusive)

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of December, 19 79.

Directo

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-2895
3124
53300
78055

3N 2E

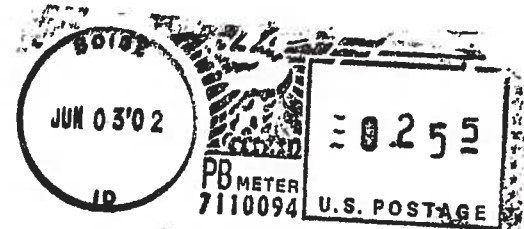
8005
9134
9136
10270

Sent again
6-12-02

CITY OF GARDEN CITY
201 E 50TH ST
BOISE ID 83714

PAAGTMS 43714
83720-0098

PRESORTED
FIRST CLASS



RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION

CITY201 837142229 1402 05 06/05/02
RETURN TO SENDER
CITY OF GARDEN CITY
6015 GLENWOOD ST
GARDEN CITY ID 83714-1347
RETURN TO SENDER





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

4-4-90

[CITY OF GARDEN CITY]
201 E. 50TH
[GARDEN CITY, ID 83714]

FOR CLAIMS:
AG3-02872
AG3-03124
AG3-10270
AG3-09134
AG3-02895
AG3-07805
AG3-08005
AG3-09136

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Dear Claimant(s):

This office has received the Notice of Claim(s) to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the items checked below, we cannot process this claim(s). We are returning the claim(s) to you to complete only the following item(s) showing a checkmark in the blank for that item(s). Receipt No. 4804439 in the amount of \$2,700 for the filing fee previously submitted is also enclosed.

☒ Fee - No fee received or inadequate fee received, fee due is \$11.
See enclosed fee schedule for computation of fees. \$6 FOR AG3-03124
\$5 FOR AG3-02872

☐ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____. See the enclosed Late Fee Notice for further information.

☐ Item No. 2 - Date of priority - date water was first put to beneficial use regardless of ownership.

☐ Item No. 3 - Source of Water

☐ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range, except for spring sources which should be shown by quarter-quarter-quarter (10 acre tract), section, township and range. Lot and block for a subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim.

☐ Item No. 6 - Uses of Water

☐ Item No. 9 - Non-Irrigation Uses

☐ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim.

☐ Item No. 12 - Ownership of place of use.

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Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

X Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item. ALL CLAIMS

X Other: NOTE IN CLAIM NO. A63-03124, ITEM NO 2 LISTS A DATE 6-28-1985
DIFFERENT THAN THAT SHOWN ON PREVIOUSLY ISSUED LICENSE (2-28-1958).
IS THIS CORRECT? IF NOT, CHANGE WITH INITIALS & DATE OF CHANGE

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s) to our office within 30 days from the date of this letter. If you are returning a claim form, which was received in our office by the deadline for your county, then as long as the corrected claim(s) is returned within the 30 day time period, no late fee will be charged. The claim should be returned to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to the attention of LINDA WERNER.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

JS:lh
Enclosures

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AUG 21 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

City of Marden City

CLAIM IDENT. NO.

AG3-7805

DATE RECEIVED

8-14-89

CK #

W4439

AMOUNT \$

2700-160

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | <u>N/A</u> | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | <u>N/A</u> | ☐ | |
| Is the consumptive use correct? | <u>N/A</u> | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>N/A</u> | ☒ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | <u>N/A</u> | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☐ | ☒ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☐ | ☒ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | <u>N/A</u> | ☒ | |
| 22. Should this claim be receipted and data entered? | ☐ | ☒ | |

Claim checked by:

LW

Date:

11-16-89Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

item 10 - 1/4, 1/4'sitem 16MICROFILMED
AUG 21 1992