

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 63-8599A
Date Received: 9/6/1989
Receipt No: C010947
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOBBLE CREEK HOMEOWNERS ASSOCIATION Phone: (208) 939-3002
C/O JAY BAILEY
13233 W ELMSPRING DR
BOISE ID USA 83713

2. Date of Priority: 04/21/1981

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	01E	28	SE	NW		ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	1.1	

7. Total Quantity Appropriated is:
1.1 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
04N	01E	28	SW	NE	IRRIGATION	2
			NE	NW	IRRIGATION	10
			NW	NW	IRRIGATION	3
			SW	NW	IRRIGATION	30
			SE	NW	IRRIGATION	15
					Section Acres	60
					Total Acres	60

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:

Claim amended per license issued 1/23/03.

Right 63-08599B is also diverted through the point of diversion described above.

Rights 63-08599B and 63-08599A when combined shall not exceed a total diversion rate of 1.10 cfs.

Place of use is located within Hobble Creek Subdivision.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 270.0 af at the field headgate for the lands above.

This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

15. Basis of Claim: License

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: A63-08599
Date Received: 9/ 6/1989
Receipt No: C010947
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEST ONE BANK
Address: TRUSTEE FOR MELITTA GRANT
P.O. BOX 7928
BOISE, ID 83707
2. Date of Priority: DEC 31, 1977
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	28	NE	SE	NW		ADA
5. Description of diverting works:
280' WELL WITH 12" TO 8" CASING AND PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.100		315.00
7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) 315.00 A.F.A.
8. Total consumptive use is 245.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	28	NE	NW		IRR	30.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
					Total Acres	70.0

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:
SETTLERS IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

MICROFILMED

AUG 24 1992

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 AG-08599Date Received 9-6-89Receipt Number C010947

RECEIVED
JUL 30 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

SEP 06 1989

Department of Water Resources

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) West One Bank, Trustee for
Melitta Grant Phone (208) 383-7172

Mailing Address P. O. Box 7928, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 1977 12/31/77

3. Source of water supply (a) groundwater
which is tributary to (b) none

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 28,
NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: none

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. 280 ft. well with 12" to 8" casing and pump
and pipeline to irrigate approx. 70 acres.

1. Submit Beneficial Use + Fee. - Aerial Photo - Receipt well - irr equipment
2. Application Fee 45

MICROFILMED

AUG 24 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 1.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.1 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.) none

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	
4N	1E	28					30			40									70

Total number of acres irrigated 70

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
75 miners inches from Settlers Irrigation District or None ()

14. Remarks:

MICROFILMED

AUG 24 1992

Last Name Grant Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

T4N, R1E, Sec 28

Place of
use →  A-Well

AUG 24 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit 63-8599
Decree _____
If applicable provide IDWR Water Right Number 63-8599
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 Manager, Trust Real Estate
Title
of West One Bank, Idaho, N.A., Trust Division , that I have signed the foregoing
Organization
document in the space below as Manager, Trust Real Estate of West One Bank, Idaho, N.A.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Donald F. Cassel
Title and Organization Mgr. Trust RE. West one Bank Date 9-1-89

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

Subscribed and sworn (or affirmed) before me this 1st day of September 19 89

SEAL

Notary Public Karen Thomas

Residing at Boise

My Commission Expires 7-29-93

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 _____

MICROFILMED
AUG 24 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

RECEIVED

NOV - 4 2008

Department of Water Resources
Adjudication Bureau

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 3 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

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-08599A

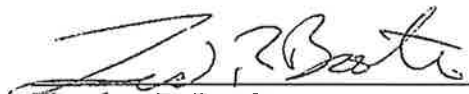
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this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

Although no objections were filed to this water right claim, IDWR identified the claim as an uncontested water right which may be affected by the outcome of contested water right claim 63-00161Q (subsequently split into water rights 63-32816, 63-32948, and 63-32949). The objection in the related contested subcase(s) has been resolved.

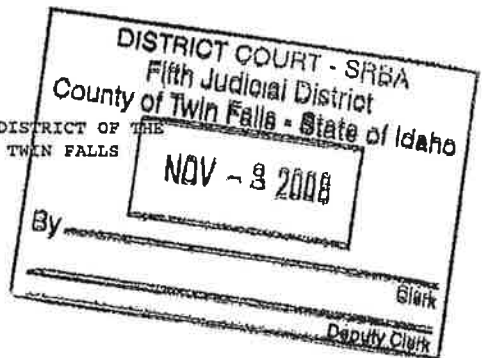
II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-08599A be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Nov. 3, 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 63-08599A

NAME AND ADDRESS: HOBBLE CREEK HOMEOWNERS
ASSOCIATION
C/O JAY BAILEY
13233 W ELMSRING DR
BOISE, ID 83713

SOURCE: GROUND WATER

QUANTITY: 1.10 CFS
270.00 AFY

Rights 63-08599B and 63-08599A when combined shall not exceed a
total diversion rate of 1.10 cfs.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T04N R01E S28 SENW Within Ada County

Right 63-08599B is also diverted through the point of diversion
described above.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.10 CFS 270.00 AFY

PLACE OF USE:	Irrigation	Within Ada County
	T04N R01E S28	NENW 10.0 SWNW 30.0
		SWNE 2.0 NWNW 3.0 SENE 15.0
	60.0 Acres Total	

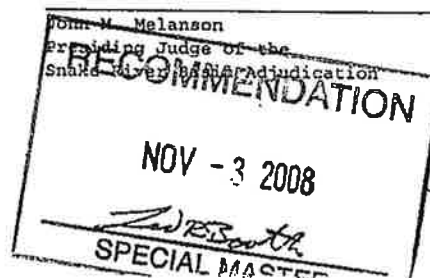
Place of use is located within Hobble Creek Subdivision.

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. 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.



Fifth Judicial District
County of Twin Falls - State of Idaho

NOV - 3 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)
Case No. 39576)
_____)

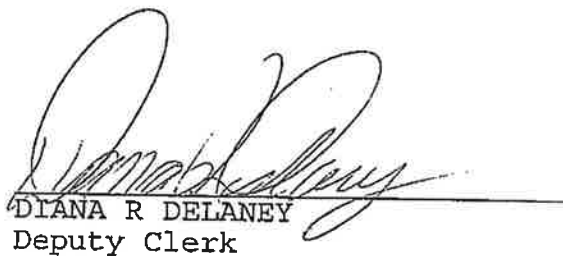
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION
Water Right(s): 63-08599A

On November 03, 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.

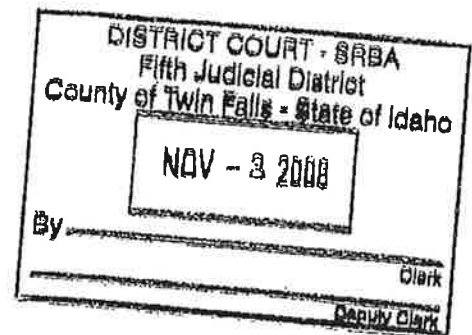
Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 03, 2008.


DIANA R DELANEY
Deputy Clerk

NOTICE OF ISSUANCE

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11/03/08



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): 63-08599A

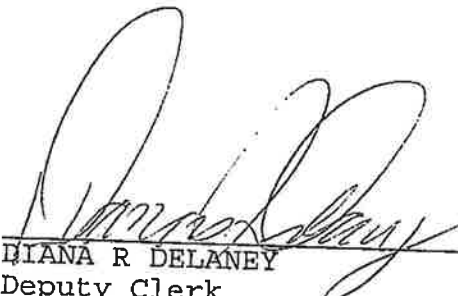
CERTIFICATE OF MAILING

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 November 03, 2008, with sufficient first-class postage prepaid to the following:

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

HOBBLE CREEK HOMEOWNERS
ASSOCIATION
C/O JAY BAILEY
13233 W ELMSPRING DR
BOISE, ID 83713
Phone: 208-939-3002

HOBBLE CREEK HOMEOWNERS ASSN
PO BOX 5714
BOISE, ID 83705


HIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/03/08

06/25/2003

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

RIGHT NUMBER: 63-8599A

NAME AND ADDRESS: HOBBLE CREEK HOMEOWNERS ASSOCIATION
C/O JAY BAILEY
13233 W ELMSPRING DR
BOISE ID 83713

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.100 CFS
270.000 AFY

Rights 63-08599B and 63-08599A when combined shall not exceed a total diversion rate of 1.10 cfs.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION:

T04N R01E S28 SENW Within ADA County

Right 63-08599B is also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.100 CFS
270.00 AFY

PLACE OF USE:

IRRIGATION Within ADA County

T04N R01E S28 SWNE 2.0

T04N R01E S28 NENW 10.0

T04N R01E S28 NWNW 3.0

T04N R01E S28 SWNW 30.0

T04N R01E S28 SENW 15.0

60 ACRES TOTAL

Place of use is located within Hobble Creek Subdivision.

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

Use of this right is combined with water from Settlers Irrigation District.

Idaho Department of Water Resources

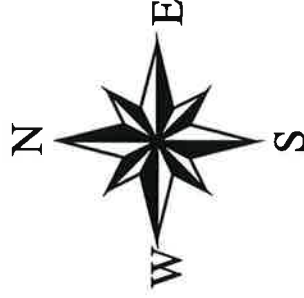
T04N, R01E,
S28

Claim No: 63-08599A
Prepared By: Kimberly Brown
Date: June 25, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 60.0



2000 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8599A

WATER RIGHT NUMBER: 63-8599A

Owner Type Name and Address ✓
 Original Owner MRS L J GRANT ✓
 C/O WEST ONE BANK
 PO BOX 7928
 BOISE, ID 83702
 Current Owner HOBBLE CREEK HOMEOWNERS ASSOCIATION ✓
 C/O JAY BAILEY
 13233 W ELMSPRING DR
 BOISE, ID 83713
 (208) 939-3002

Priority Date: 04/21/1981 ✓ 12/31/77
 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>
IRRIGATION ✓	03/01	11/15 ✓	1.100 CFS ✓	270.0
	3/15	Total Diversion:	1.100 CFS	270.0

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

(NE) SE1/4NW1/4 ✓

Sec. 28, Twp 04N, Rge 01E, B.M. ✓

SWNE designated in 2000 IDWR Field Report #
 Well Inspection Form is incorrect.

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	
04N	01E	28			2.0		10.0	3.0	30.0	15.0									60.0

Total Acres: 60

Conditions of Approval:

ADD W54 - Use combined with Settlers Irr. Dist.

- ~~1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.~~
- ~~2. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.~~
- ~~3. R61 This right when combined with all other rights shall provide no more than 4.5 cfs per acre at the field headgate for irrigation of the lands above.~~
- ~~4. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 270.0 af at the field headgate for the lands above.~~

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8599A V1

WATER RIGHT NUMBER: 63-8599A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOBBLE CREEK HOMEOWNERS ASSOCIATION C/O JAY BAILEY 13233 W ELMSPRING DR BOISE, ID 83713 (208) 939-3002

Priority Date: 04/21/1981

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.100 CFS	270.00 AF
	<u>Total Diversion:</u>	1.100 CFS	270.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 28, Twp 04N, Rge 01E, 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	
04N	01E	28			2.0		10.0	3.0	30.0	15.0									60.0

Total Acres: 60

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. W54 Use of this right is combined with water from Settlers Irrigation District.
3. X35 Rights 63-08599B and 63-08599A when combined shall not exceed a total diversion rate of 1.10 cfs.
4. X36 Right 63-08599B is also diverted through the point of diversion described above.
5. X60 Place of use is located within Hobbles Creek Subdivision.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8599A V1

Comments:

1. kbrown 6/25/2003 Point of Diversion

Comment: The point of diversion recommended in the 2000 IDWR Field Report and described on the Well Inspection Form are incorrect (SWNE). Apparently, the change in location of the Zinger Lateral threw the field examiner off.

2. kbrown 6/25/2003 Point of Diversion

Comment: Well also provides supplemental irrigation water to Hobbie Creek Park.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8599A

5. X35 Rights 63-08599B and 63-08599A when combined shall not exceed a total diversion rate of 1.10 cfs.
6. X36 Right 63-08599B is also diverted through the point of diversion described above.
7. X60 Place of use is located within Hobble Creek Subdivision.

Remarks:Comments:Dates and Other Information:

Licensed Date: 1/23/2003 ✓

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 4.5

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

(in office)

**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
- ☐ Well logs (if needed) N/A
- ☒ 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 N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63 - 08599A

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: N/A**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?

Priority date, per claimant, is: 12/31/77

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

"advanced when reinstated"

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? _____

Claimant claimed a more detailed point of diversion.

The point of diversion described in the Field Report and IDWR Well Inspection Form (SWNE S28) are incorrect. Apparently, the change in location of the Zinger Lateral threw the field examiner off.

Use of this right is combined with water from
Settlers Irrigation District.

Rights 63-08599A and 63-08599B when combined
shall not exceed a total diversion rate of 1.10 cfs.

Right 63-08599B is also diverted through the
point of diversion described above.

Place of use is located within Hobbsle Creek
Subdivision.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU N/A
- ☐ GPS readings N/A
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6.25.03 (in office)

FIELD EXAMINER: Kimberly Brown

63-08599A

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary ScreenDate: 06/24/03
Time: 10:26:36Rec/No - W026875 AR/No -
From: - CITY OF BOISEReceipt Type - CK Doc/No - 48622
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/21/2000

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
SRBA CLAIM - HOBBLE CREEK PARK	337		41503	1155		60.00

Total Due -

60.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
	60.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

\$50.00
flat fee
+10.00 for
10 acres

in conjunction w/
Rec. # C010947
= 80 acres

-llb

63-08599A

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary ScreenDate: 06/24/03
Time: 10:38:44Rec/No - C010947 AR/No -
From: - WEST ONE TRUSTReceipt Type - CK Doc/No - 259464
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/06/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		195.00

Total Due - 195.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6305097	25.00	A6319920	25.00	A6308599	120.00
A6330156	25.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

\$50.00

flat fee

\$70.00

70 acre fee

in conjunction w/

Rec. # W026875

= 80 acres

-kbb

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-08599A

RECEIVED

JAN 24 2003

WATER RESOURCES
WESTERN REGION

Priority: April 21, 1981

Maximum Diversion Rate: 1.10 CFS

It is hereby certified that HOBBLE CREEK HOMEOWNERS ASSOCIATION
C/O JAY BAILEY
13233 W ELMSPRING DR
BOISE ID 83713 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated March 21, 1977; and has submitted Proof of Beneficial Use on March 11, 1982. An examination indicates that the works have a diversion capacity of 1.1 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/01 to 11/15

DIVERSION RATE

1.10 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, Twp 04N, Rge 01E, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	28			2.0		10.0	3.0	30.0	15.0									60.0

Total Acres: 60

CONDITIONS OF APPROVAL

1. Right 63-08599B is also diverted through the point of diversion described above.
2. Rights 63-08599B and 63-08599A when combined shall not exceed a total diversion rate of 1.10 cfs.
3. Place of use is located within Hobble Creek Subdivision.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 270.0 af at the field headgate for the lands above.
5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-08599A

6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23RD day of January, 2003.

Acting for


KARL J. DREHER
Director

IDAHO DEPARTMENT OF WATER RESOURCES
WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 63-08599A+B
2. OWNER: Hobbs Creek + Boise Parks + Rec Phone: _____
Address: _____
3. WELL LOCATION: Twp 4N, Rgs. 1E, Sec. 28, SW ^{NE} 1/4 ~~SW~~ 1/4
County Ada (Provide sketch map and photo on reverse.)
4. DRILLER: Engleman Lic. No. 47
When Drilled? 1977
5. WELL CONSTRUCTION:
Casing Diameter 12 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 241 ft. Method Drilled cable
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 31 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

*supplemental source for
Hobbs Creek Park + subdivision*

G
Signature of Dept. Representative & Title

8/29/00
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

C. DIVERSION AND DELIVERY SYSTEM

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED PLAT MAP

Y Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	20	YB516796	Johnston	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Theoretical						

2. Measurements: Theoretical based on well log and developed system.

E. NARRATIVE/REMARKS/COMMENTS

A 12" well equipped with a 20 hp pump supplies supplemental water to Hobbie Creek Subdivision for external use only. The Subdivision consists of 383 lots with an average size of .25 acre per lot. The subdivision consists of 7 acres of irrigated common area and ~53 acres of lawn area, which calculates to .14 acre lawn per lot. The system also serves a 20 acre park owned and managed by the City of Boise under permit no. 63-08599B. City water is used for internal domestic use and Settler's Irrigation District water is the primary source of irrigation water.

The well open discharges ground water into a 8'x4'x12' deep vault. Surface water from Zinger Lateral enters an identical vault along side that is separated by sliding boards. Mixture of the two sources is regulated by the sliding boards. Two 20 hp Berkeley pumps are used to re-lift the water to the subdivision irrigation system. No other rights are used.

US Bank, trustee for the permit holder, submitted the enclosed assignment of permit for the current owners.

(In 1978, IDWR issued an order, at the request of the permit holder, that lifted the permanent measuring device requirement.)

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Theoretical: $20 \text{ hp} \times 8.8 \times .7 = \underline{123.2} = 1.14 \text{ cfs} = 511 \text{ gpm}$
 $85' + 10 \times 2.31 \quad 108.1$

PSI per open discharge system

Lift per well log

GPM correlates to GPM test pumped when drill (listed on well log)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 60 \times 4.5 = 270$ $V_{DR} = (\text{Diversion Rate (cfs)}) \times (\text{Days in Irrigation Season}) \times 1.9835 = .86 \times 183 \times 1.9835 = 312.2$ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 270$

- 1.14 cfs system capacity / 80 acres irrigation (A + B acres) = .01425 cfs pro-rated share per acre x 60 acres = .86 cfs

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	4/15	10/15	.86	270
Totals:			.86	270

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

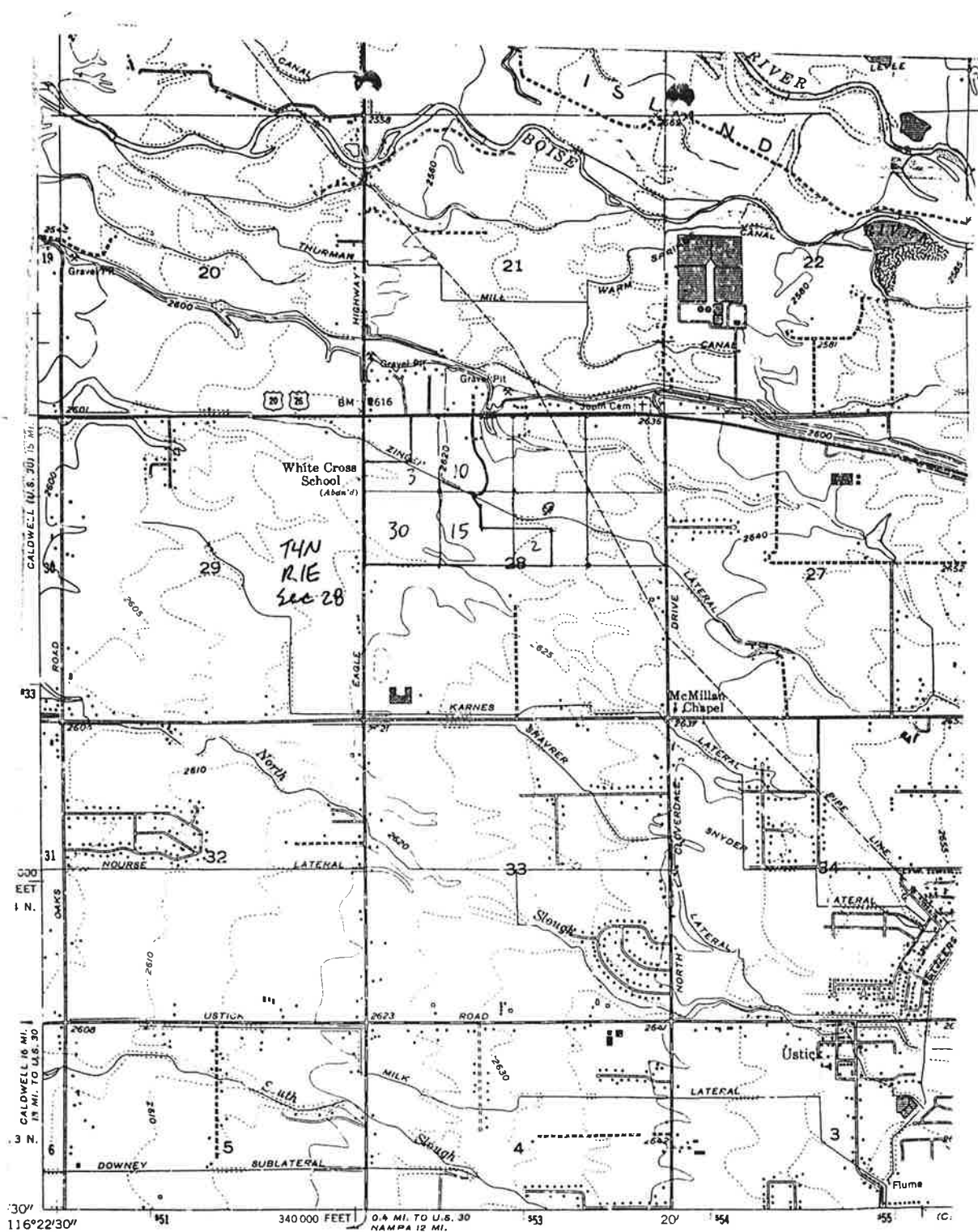
I. AUTHENTICATION

Lori Graves - Senior Agent

Field Examiner's Name Lori Graves Date 9.22/00

Reviewer _____ Date _____

SEAL



30° 116°22'30" 340 000 FEET 0.4 MI. TO U.S. 30 NAD 83 12 MI. 20' 554 555 (C.
 Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 SC/

Water Right Number - 63-08599 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GRANT

MRS. L. J.

1 - C/O WEST ONE BANK
2 - P.O. BOX 7928
3 -City- BOISE
Phone - 208-000-0000
State- ID Zip- 83702

+ - - - - Priority Date - - - - + - - - - Region - - - - + - - - - Stage - - - - + - - - - Status - - - - +
04/21/1981 14 WESTERN P - PERMIT
+ - - - - Source - - - - + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - -
04N 01E 28 SE NW (1) ADA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 1.600

+ - - - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - + - - - Total Consumptive Use - + - - - KW Usage - +
1.600

+ - - - - Twn Rng Sec Tract Lot Acres Code Description County
04N 01E 28 NE NW 40.0 01 IRRIGATION (1) ADA
04N 01E 28 SE NW 40.0 01 IRRIGATION (1) ADA

Total Acres: 80.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - No Remarks found.

+ - - - - Old Water Right Numbers - - - - - No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - + - - - - Decree Defendant - - - - + - - - - Decree Date - - - - +
00/00/0000

MICROFILMED

AUG 24 1992

Proof Due Date	-	05/01/1982	Field Exam Made	-	00/00/0000	Field Exam Fee	-	R
Approved/Denied	-	05/11/1977	Protested Date	-	00/00/0000	Swan Falls	-	-
Proof Made Date	-	03/11/1982	Hearing Date	-	00/00/0000	Temporary Right	-	P
Start Work Date	-	00/00/0000	Verified Date	-	00/00/0000	DLE/carey Act	-	-
Order Show Cause	-	00/00/0000	Receipt Number	-	-	Water District	-	-
Licensed Date	-	00/00/0000	Appl Received	-	03/21/1977	Transfer/Amended	-	-
Decree Date	-	00/00/0000	Microfilm Roll	No -	-	Presumption Flag	-	-

Aug 24 1992

Identification No. _____
Application No. 63-8599

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Mrs. L. J. Grant Phone: 375-0396
post office address 3725 East Chinden Blvd. Meridian, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 4N
Range 1E S.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ or a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ S.M. _____
4. Water will be used for the following purposes:
Amount 1.6 for irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pipe, & ditches

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, material used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
c. Proposed well diameter is 12 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 15,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ S.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served: _____ or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

MICROFILME

AUG 29 1963

[illegible]

Zinner Canal

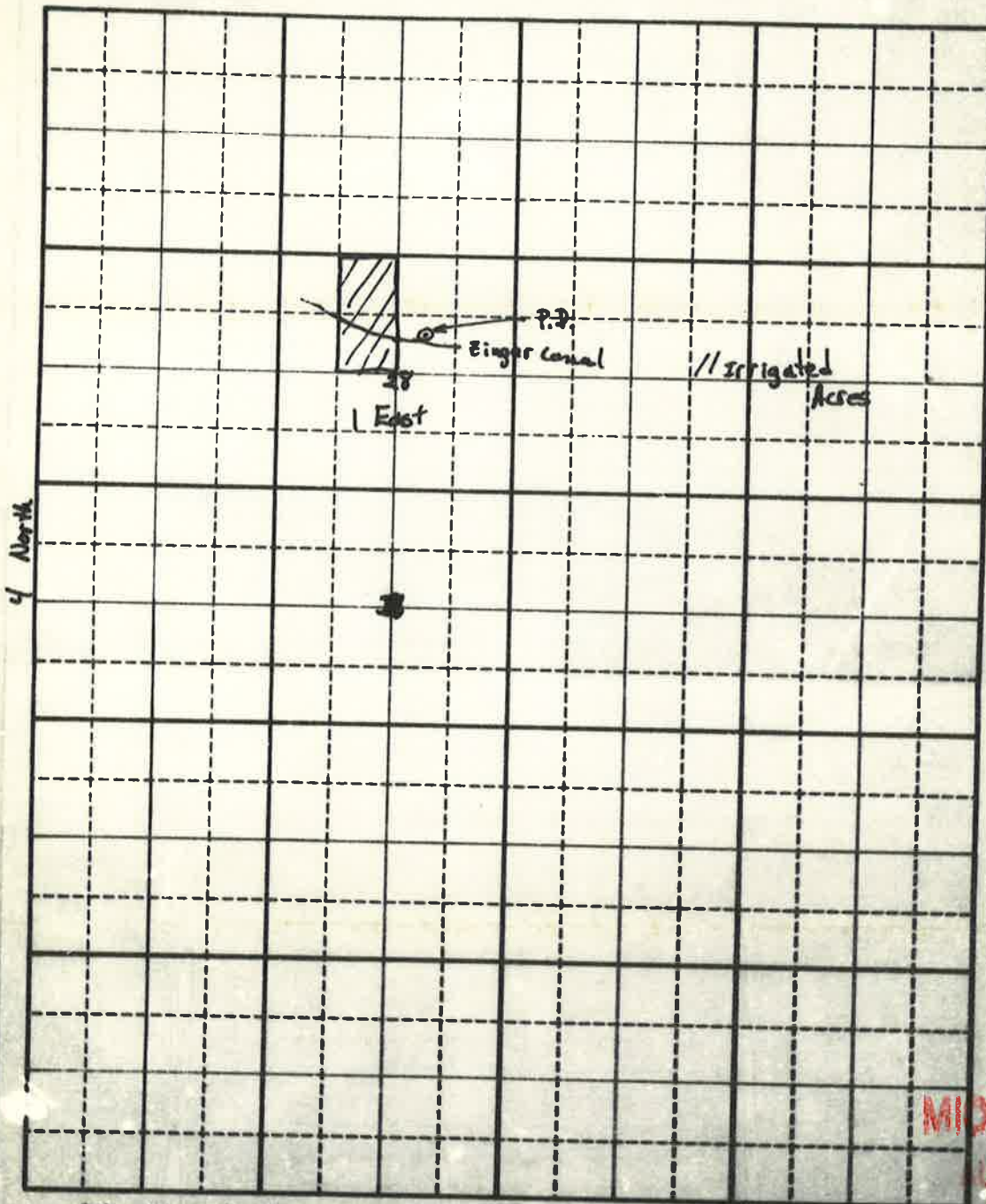
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

MICROFILMED

29

11. Map of proposed project; show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Miss L. J. Grant.

MICROFILMED

AUG 24 1982

Proposed Priority 3/21/77

Received by PWH Date 3-21-77 Time 4:22 PM

Preliminary check by PWH Fee \$ 35.00

Received by WJ Date 3-21-77 # 7045

Publication prepared by CS Date 3-24-77

Published in The Idaho Statesman

Publication dates 3-31-77 - 4-7-77

Publication approved WJ Date 4-18-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date _____

Recommended for approval denial by WJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8599 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 11 day of May, 19 77.

[Signature]
Deputy Director

RECEIVED

MAY 24 1977



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

63-8599
GRANT, MRS. J. L.
3725 E. CHINDEN BLVD.
MERIDIAN, ID 83642

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 30, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 28, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

A. Kenneth Dunn
A. KENNETH DUNN, Director
Operations Section

Enclosure

APR 30 1987

AUG 29 1987