

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 63-5254
Date Received: 5/12/1989
Receipt No: C006765
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 07/01/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	19	SW SW SE	ADA	

5. Description of diverting works:

2 WELLS, 3 HP AND 1.5 HP PUMPS, PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	03/15	11/15	0.09	
MUNICIPAL	01/01	12/31	0.23	

7. Total Quantity Appropriated is:

0.32 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

APR 29 2008

10. Place of use:

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

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

Ownership change by DH 10/17/2002

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

15. Basis of Claim: Beneficial Use

AMENDED CLAIM

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

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

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

2. Date of Priority (Only one (1) per claim) 7/1/1960

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

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 19

SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: 2 points of diversion in SAME 1/4

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,

_____ 1/4, Govt. Lot _____ B.M., County of _____

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 3/15 to 11/15 amount .09 or _____

For Municipal purposes from 1/1 to 12/31 amount .23 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

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

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

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

Total number of acres irrigated _____

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

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

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

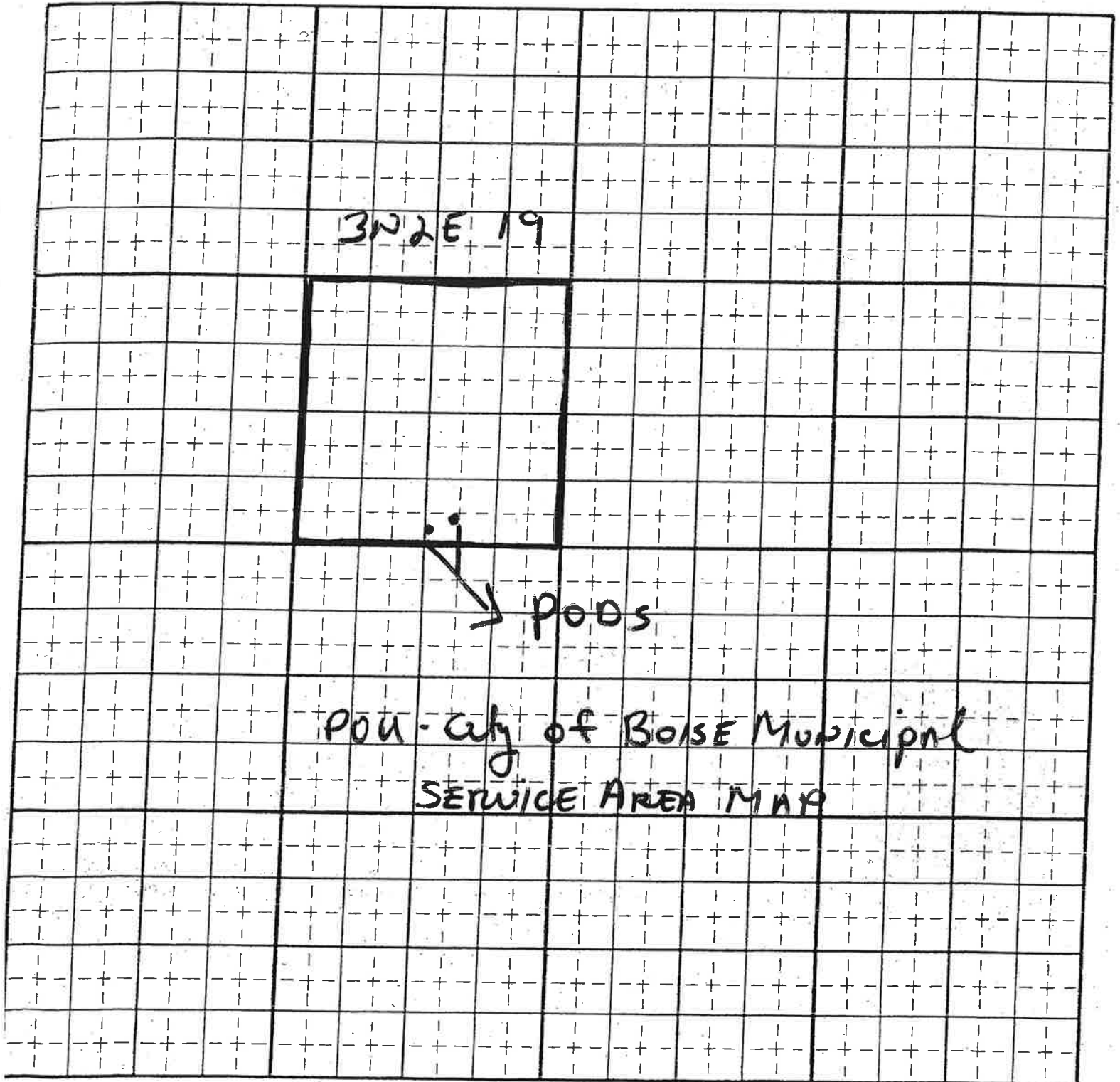
14. Remarks:

Historic domestic AND irrigation uses at 6550 Victory Rd

Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile



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

If applicable provide IDWR Water Right Number 63-05254

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For **Organizations**: I do solemnly swear or affirm that I am Director _____
Title

of Boise Airport _____, that I have signed the foregoing
Organization

document in the space below as Director _____ of Boise Airport _____
Title Organization

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

Signature of Authorized Agent [Signature] _____

Title and Organization Boise Airport Director _____ Date 9/23/04

State of Idaho/or _____)

County of Ada) SS.

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

Notary Public Michele D Wigley _____

Residing at Boise Idaho _____

My Commission Expires 7-10-07 _____

Please Print Name

17. Notice of Appearance:

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

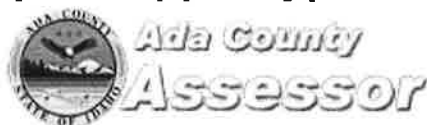
Signature [Signature] _____

Address CITY OF BOISE LEGAL DEPARTMENT
P.O. Box 500 BOISE, ID 83701

Date 9/23/04 _____

Last Name _____ Ident. Number _____

[Online View] [Print Page]



Property Details for Parcel R7334260660

General Information

Property Acres: 3.570
Zone Code: M3
Primary Code Area: 120
Group Type: SUB
Subdivision: RANDALL ACRES SUB NO 14
Section: 3N2E19

Property Description

W1/2 OF LOTS
 8 TO 11 INC BLK 2
 RANDALL ACRES SUB 14

Property Address

6550 W VICTORY RD
 BOISE, ID 83709



Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method	Code Area
Primary	380-COM IMPROVEMENT	0.000	\$0	INCOME	120
Primary	160-COM SUB LOT	3.570	\$0	MARKET	120

Total Assessed Value: \$0

Parcel Valuation History

Assessed value for year 2004 \$0
Assessed value for year 2003 \$0
Assessed value for year 2002 \$366,700
Assessed value for year 2001 \$331,900
Assessed value for year 2000 \$244,400

Property Characteristics

Commercial
 Land

District	Levy	Description	Phone
1	0.002859680	ADA COUNTY	208-287-7000
2	0.000110686	PEST EXTERMINATION	208-888-2316
3	0.000122737	EMERGENCY MEDICAL	208-287-2950
6	0.001032420	ADA COUNTY HIGHWAY DIST	208-387-6120
7	0.007938204	SCHOOL DISTRICT NO. 1	208-287-2029
13	0.000602668	ADA COMMUNITY LIBRARY	208-362-0181
32	0.001502313	WHITNEY FIRE	208-375-6407
43	0.000028311	MOSQUITO ABATEMENT	208-888-2316

Total Levy: 0.014197019

Based on the most current certified levies.

For more information on tax districts, please visit [this page](#).

[Online View] [Print Page]

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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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 63-5254
Date Received: 5/12/1989
Receipt No: C006765
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

Phone: (208) 384-3901

2. Date of Priority: 07/01/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	02E	19	SW	SW	SE	ADA	

5. Description of diverting works:

2 WELLS, 3 HP AND 1.5 HP PUMPS, PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.09	
DOMESTIC	1/01	12/31	0.23	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	19	SW	SE	DOMESTIC	
			SW	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

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:

Ownership change by DH 10/17/2002

15. Basis of Claim: Statutory Claim

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

RECEIVED
OCT 07 2002
 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
63-05254	Same	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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**.

Name and Address of Former
Owner/Claimant(s)

Judith E. Wilson

New Owner/Claimant(s)

City of Boise Dept. of Aviation and Public Transportation
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 500

City, State and ZIP Code

Boise ID 83701

New Telephone Number

(208) 384-3901

Date you acquired the property

3/5/02

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

[Signature]
Director, Dept of Aviation & Public Transportation

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>DH</u>	Date <u>10.7.02</u>	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

6550 J. L. G. J.

WARRANTY DEED

POOR COPY

Order No.: 01092204-PW

FOR VALUE RECEIVED

Trinity Parks, L.L.C., an Idaho limited liability company (also appearing of record as Trinity Parks, LLC, an Idaho limited liability company)

the grantor(s), do(es) hereby grant, sell and convey unto

The City of Boise, a municipal corporation

whose current address is : 150 N. Capitol Blvd. Boise, ID 83702

the grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

West Half of Lots 8, 9, 10 and 11 in Block 2 of RANDALL ACRES SUBDIVISION NO. 14, according to the official plat thereof, filed in Book 14 of Plats at Page(s) 907 Official Records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 2002

TRINITY PARKS, L.L.C.

By

Randall Hoffer, Managing Member

State of Idaho

County of

On this 5th day of March, in the year 2002, before me, Randall Hoffer a Notary Public in and for said state, personally appeared Randall Hoffer known or identified to me to be the Managing Member in the Limited Liability Company known as Trinity Parks, L.L.C. who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for the State of Idaho
Residing at: Boise
Commission Expires: 8/3/17

2002 MAR -7 PM 2:16

ADA COUNTY RECORDER
J. DAVID HAVARIO
2002 MAR 7

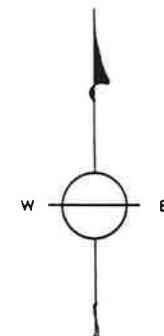
RECORDED
FEE \$30
300 DEPUTY
Shaper
102027935
ALLANCE TITLE

RANDALL ACRES SUBDIVISION No. 14

BOISE, ADA COUNTY, IDAHO PART OF SW 1/4 SE 1/4 SEC 19, T.3N., R.2E., B.M.

OWNERSHIP AT TIME OF PLATTING

Randall Development Company Lots 1,2,3,4, Block 1
All of Block 2
A.M. Dalton and Helen T. Dalton Lot 5, Block 1



SCALE 1" = 100'

0 3/8" steel bar 30" long
1/2" steel bars 24" long at all lot corners

RANDALL ACRES SUBDIVISION NO. 11

owner's
Randall
Development C
A.M. Dalton
Helen T. Dalton
plat recorded
April 11, 1955

1/4 Cor 19 30 T.3N., R.2E., B.M.
2" iron pipe

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: A63-05254
Date Received: 5/12/1989
Receipt No: C006765
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUDITH E. WILSON 208-344-6099
Address: 2823 SUNSET AVE.
BOISE, ID 83702

2. Date of Priority: JUL 01, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02E	19	SW	SW	SE		ADA

5. Description of diverting works:
2 WELLS, 3 HP AND 1.5 HP PUMPS, PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		
DOMESTIC	01/01	12/31	0.230		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
TRAILER COURT, 27 SPACES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02E	19	SW	SE		IRR	3.0
			SW	SE		DOMEST	

Section Acres 3.0

A63-05254

Page 1

Date: 05/12/89

MICROFILMED

AUG 21 1992

10. Place of Use: Continued

Total Acres 3.0

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:
NEW YORK IRR. DIST.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 1

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): Judith E. Wilson Date: 5/12/89
Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 12TH day
of MAY 19 89

Jeff Peppersack
Notary Public

Seal

Residing at

My Commission Expires



710 000
FEET

2.7 MI. TO U.S. 20, 26 & 30
BOISE (STATE CAPITOL) 4 MI.

1.6 MI. TO U.S. 20, 26 & 30

BOISE STATE CAPITOL 5.5 MI.

POD
+
POU

MICROFILMED
AUG 21 1992

AMENDED CLAIM

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-05254

Date Received 10/22/2004

Receipt Number C075588

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

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

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

2. Date of Priority (Only one (1) per claim) 7/1/1960

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

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 19,

SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: 2 points of diversion in SAME 1/4

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

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

Govt. Lot _____ B.M., County of _____

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 3/15 to 11/15 amount .09 or _____

For Municipal purposes from 1/1 to 12/31 amount .23 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

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

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

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

Total number of acres irrigated _____

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

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

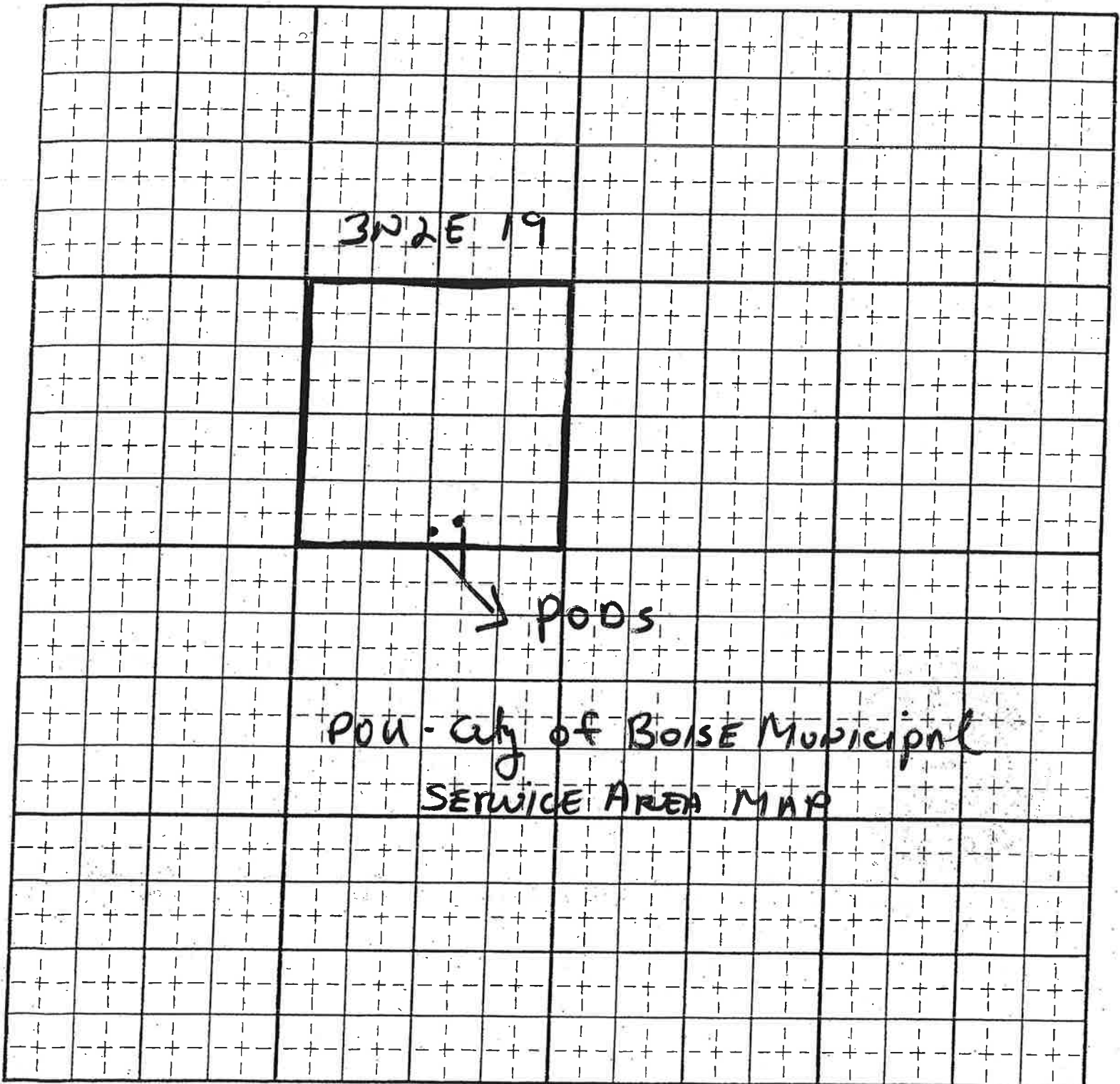
13. Describe any other water rights used at the same place and for the same purposes as described above:
All City of Boise Municipal Water Rights or None ()

14. Remarks:

Historic domestic AND irrigation uses at 6550 Victory Rd

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-05254
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

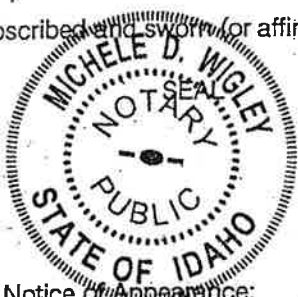
Signature of Claimant (s) _____ Date _____
_____ Date _____

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

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

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

Subscribed and sworn (or affirmed) before me this 20 day of September 10 2004



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

Please Print Name

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

Signature [Signature]
Address CITY OF BOISE LEGAL DEPARTMENT
P.O. Box 500 BOISE, ID 83701
Date 9/23/04

Last Name _____ Ident. Number _____

RECEIVED

MAY 12 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 8 2009	
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 63-05254

I. FINDINGS OF FACT

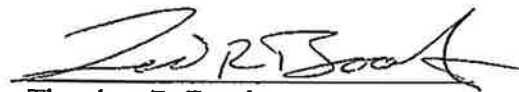
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this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

On June 20, 2007, the claimant of the water right, the City of Boise, through its attorney Robert A. Maynard, filed an objection to the *Director's Report*. On May 4, 2009, 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 63-05254 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated May 8, 2009



Theodore R. Booth
Special Master
Snake River Basin Adjudication

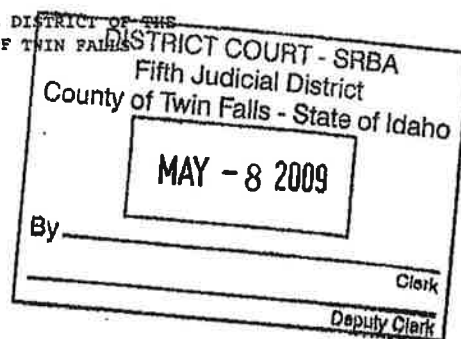
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-05254



NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC
TRANSPORTATION
PO BOX 500
BOISE, ID 83701

SOURCE: GROUND WATER

QUANTITY: 0.32 CFS
29.70 APY

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION: T03N R02E S19 SWSNE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic	Domestic	01-01 TO 12-31	0.23 CFS
Irrigation	Irrigation	03-01 TO 11-15	16.20 APY
			0.09 CFS
			13.50 APY

Domestic use is for 27 mobile homes.

PLACE OF USE: Irrigation T03N R02E S19 SWSE 3.0 Within Ada County
3.0 Acres Total

Domestic T03N R02E S19 SWSE Within Ada County

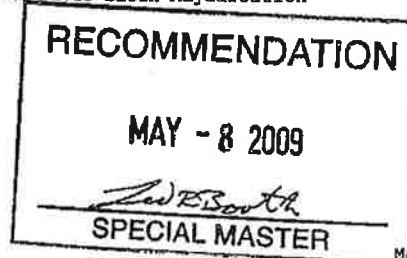
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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



DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 8 2009	
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

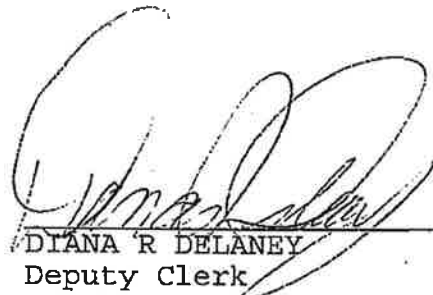
Water Right(s) : 63-05254

On May 08, 2009, 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.

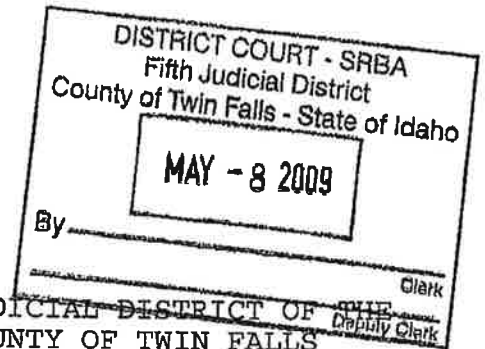
Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

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 May 08, 2009.



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

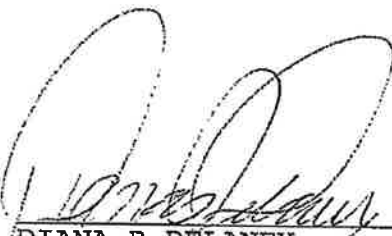
Water Right(s) : 63-05254

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 May 08, 2009, with sufficient first-class postage prepaid to the following:

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

CITY OF BOISE
CITY OF BOISE, DEPT OF
Represented by:
ERIKA E MALMEN
251 EAST FRONT ST STE 400
BOISE, ID 83702-7310
Phone: 208-343-3434



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/08/09

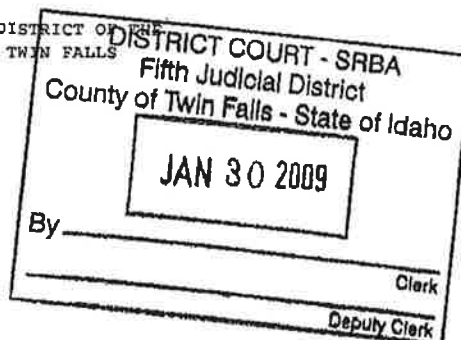
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-32469



NAME AND ADDRESS: RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER, ID 83676

SOURCE: GROUND WATER

QUANTITY: 0.12 CFS
43.40 AFY

Rights 63-32464 and 63-32469 when combined shall not exceed the
irrigation of 9.5 acres.

PRIORITY DATE: 02/22/1957

POINT OF DIVERSION: T03N R05W S01 SENE Within Canyon County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	0.12 CFS
		42.80 AFY
Domestic	01-01 TO 12-31	0.04 CFS
		0.60 AFY

Domestic use is for 1 home.

PLACE OF USE: Irrigation T03N R05W S01 SENE 9.5 Within Canyon County
9.5 Acres Total

Domestic T03N R05W S01 SENE Within Canyon County

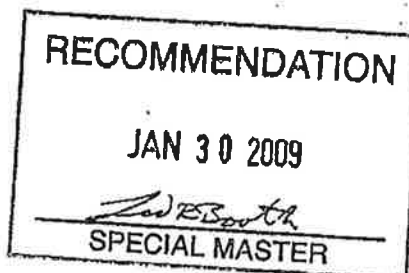
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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



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

In Re SRBA	)	Subcase No. 63-5254
	)	
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 and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine 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; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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

CLAIMANT/ OBJECTOR:

City of Boise

Department of Aviation & Public Transportation

 4/23/09

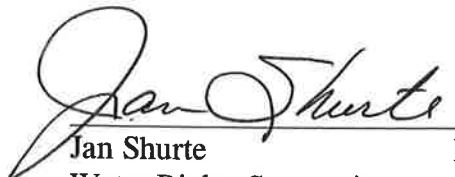
Erika E. Malmen

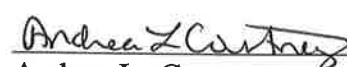
Date

Attorney for Claimant/Objector

STANDARD FORM 5 – Water Right No. 63-5254

IDWR Concurrence:

 4-27-09
Jan Shurte Date
Water Rights Supervisor

 4/15/09
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-5254

NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC TRANSPORTATION
PO BOX 500
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
~~29.700 AFY 10.50 AFY~~

~~The quantity of water under this right shall not exceed 13,000 gallons per day.~~

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION:

T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

*ATC
EM
J*

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>0.090 CFS</u>
		<u>13.50 AFY</u>
<u>DOMESTIC</u>	<u>01/01 12/31</u>	<u>0.230 CFS</u>
		<u>16.20 AFY</u>
<u>Domestic use is for 27 mobile homes.</u>		

PLACE OF USE: IRRIGATION in ADA County

T03N R02E S19 SWSE 3.00

DOMESTIC in ADA County

T03N R02E S19 SWSE

3 ACRES TOTAL

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

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

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

CERTIFICATE OF MAILING

I certify that on _____, 2009, 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:

CITY OF BOISE
DEPT. OF AVIATION & PUBLIC TRANSPORTATION
Represented by:
ERIKA E. MALMEN
251 EAST FRONT ST. STE. 400
BOISE, ID 83702-7310

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-5254

NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC TRANSPORTATION
PO BOX 500
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
29.700 AFY ~~10.50 AFY~~~~The quantity of water under this right shall not exceed 13,000 gallons per day.~~

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION:

T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>0.090 CFS</u>
		<u>13.50 AFY</u>
<u>DOMESTIC</u>	<u>01/01 12/31</u>	<u>0.230 CFS</u>
		<u>16.20 AFY</u>
<u>Domestic use is for 27 mobile homes.</u>		

PLACE OF USE: IRRIGATION in ADA CountyT03N R02E S19 SWSE 3.00DOMESTIC in ADA CountyT03N R02E S19 SWSE

3 ACRES TOTAL

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

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

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

STATUS CONFERENCE NOTES:

RIGHT NO. 63-5254 +5354

DATE: 4-14-09

90 day tickler - Send 63-5254
to Ray (SFS) wait for City to
accept 63-5354.

Shurte, Jan

From: Shurte, Jan
Sent: Monday, April 06, 2009 11:19 AM
To: Williams, Ray
Subject: RE: 63-5254 (City of Boise)

Hi Ray,

Yes we do. I am having Lori draft one up, however, per Garrick's email to Erika (which occurred after I spoke with him about these), I think he wants to wait until Andrea gets back and look at them together. To be honest with you I think we will be able to send that one out asap because it does not change the use to municipal, just adds the irrigation use for 3 acres that we did not have proof on originally. I'll know by Wednesday, so we can report to the Court about it on the 14th.

Thanks,
Jan

From: Williams, Ray
Sent: Friday, April 03, 2009 3:04 PM
To: Shurte, Jan
Cc: Courtney, Andrea
Subject: RE: 63-5254 (City of Boise)

Hi, Jan -

I was forwarded an e-mail from Erika a little while ago. For 63-5254, was the affidavit sufficient to move forward on an SF5?

Thanks! Have a great weekend!

Ray

From: Shurte, Jan
Sent: Wednesday, February 04, 2009 11:57 AM
To: Spencer, Nick
Cc: Williams, Ray
Subject: RE: 63-5254 (City of Boise)

Sorry Nick – I thought this was the other one, 63-5354. This one did need evidence of priority in order to receive more water than a deminimus right. I just got the affidavit in my office and will review it to see if we can do an SF5 and get this one off the books. The other one, that may go to trial on municipal, has been delayed until 4-14-09. You don't have to call me. Thanks, Jan

From: Spencer, Nick
Sent: Tuesday, February 03, 2009 5:52 PM
To: Shurte, Jan
Cc: Williams, Ray
Subject: 63-5254 (City of Boise)

Hi Jan. I received in the mail today a copy of a letter from Erika Malmen to you enclosing an affidavit regarding the above-listed subcase. I don't remember working on this subcase. Have you been working on it with Andrea or with me? Ray, if it's one of Andrea's subcases is it coming up for hearing soon? If so, will John Homan handle it or is it now mine? NBS

10/28/2006

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

RIGHT NUMBER: 63-5254

NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC TRANSPORTATION
PO BOX 500
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
10.500 AFY

*NOTE
DIFFERENCE*

~~The quantity of water under this right shall not exceed 13,000 gallons per day.~~

delete

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION:

T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.230 CFS

IRRIGATION

3/1 11/15

*OK
7 16.2 AF
NOTE
DIFFERENCE
13.5
AFA*

PLACE OF USE:

DOMESTIC Within ADA County

T03N R02E S19

SWSE

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

*Make changes on CFS when
get evid. of priority from
Erica Malmen, city attorney.*

Draft

04/11/2005

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

RIGHT NUMBER: 63-5254

NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC TRANSPORTATION
PO BOX 500
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~0.320 CFS~~
~~10.500 AFY~~

0.23
0.23 cfs

PRIORITY DATE: 07/01/1960

13,000 gpd limitation (N11, N13)

POINT OF DIVERSION:

T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

~~IRRIGATION~~

~~03/15 11/15~~

~~0.090 CFS~~

~~DOMESTIC~~

~~01/01 12/31~~

~~0.230 CFS~~

0.23

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

PLACE OF USE:

~~IRRIGATION Within ADA County~~

~~T03N R02E S19~~

~~SWSE~~

~~3.0~~

~~DOMESTIC Within ADA County~~

~~T03N R02E S19~~

~~SWSE~~

~~3 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

No evidence of 1960 irrigation

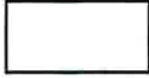
Idaho Department of Water Resources

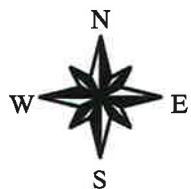
1987 Napp Photo

Claim Number: 63-05254

Legal: T03N, R02E, S19

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 Miles



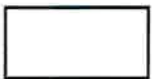
Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-05254

Legal: T03N, R02E, S19

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5254 V1

WATER RIGHT NUMBER: 63-5254 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JUDITH E WILSON 2823 SUNSET AVE BOISE, ID 83702 (208)344-6099
Current Owner	CITY OF BOISE DEPT OF AVIATION & PUBLIC TRANSPORTATION PO BOX 500 BOISE, ID 83701 (208)384-3901

Priority Date: 07/01/1960

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.090 CFS	13.50 AF
DOMESTIC	01/01 to 12/31	0.230 CFS	16.20 AF
<u>Total Diversion:</u>		0.320 CFS	29.70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 19, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T03N R02E S19 SWSE 3.0

Total Acres: 3

DOMESTIC Within ADA County

T03N R02E S19 SWSE

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5254 V1

Comments:

1. awarntje 4/11/2005 Priority

Comment: Evidence of Priority Letter needed

2. jshurte 4/6/2009 Objection resolution

Comment: Objection resolution. Received evidence of priority from City of Boise with a 1958 aerial photo showing irrigation of this entire area. Will allow the 3 acres of irrigation along with the domestic use for 27 mobile homes per 1987 aerial photo. Removed the 13,000 gpd conditions, added in the af amounts - domestic use based on .6 af per mobile home and irrigation on 3 acres at 4.5 af/acre.

SubCase:

SubCase Number: 63-5254

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Anita Warntjes

Basis of Claim: Beneficial Use

Date Filed: 6/19/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5254 V1

WATER RIGHT NUMBER: 63-5254 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JUDITH E WILSON 2823 SUNSET AVE BOISE, ID 83702 (208)344-6099
Current Owner	CITY OF BOISE DEPT OF AVIATION & PUBLIC TRANSPORTATION PO BOX 500 BOISE, ID 83701 (208)384-3901

Priority Date: 07/01/1960

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01	to 12/31	0.230 CFS	16.2 AF
			0.09 CFS	13.5 AF
			0.320 CFS	10.50 AF

IRRIGATION

3/1

Total Diversion:

11/15

TOTAL 29.7 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4SE1/4

Sec. 19, Twp 03N, Rge 02E, B.M.

ADA County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	02E	19					

Conditions of Approval:

- ~~N13~~ The quantity of water under this right shall not exceed 13,000 gallons per day. *delete*
- 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.
- ~~N11~~ The quantity of water decreed for this water right is not a determination of historical beneficial use. *delete*

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5254 V1

Comments:

1. awarntje 4/11/2005 Priority
Comment: Evidence of Priority Letter needed

SubCase:

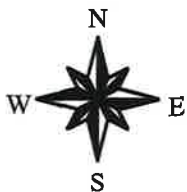
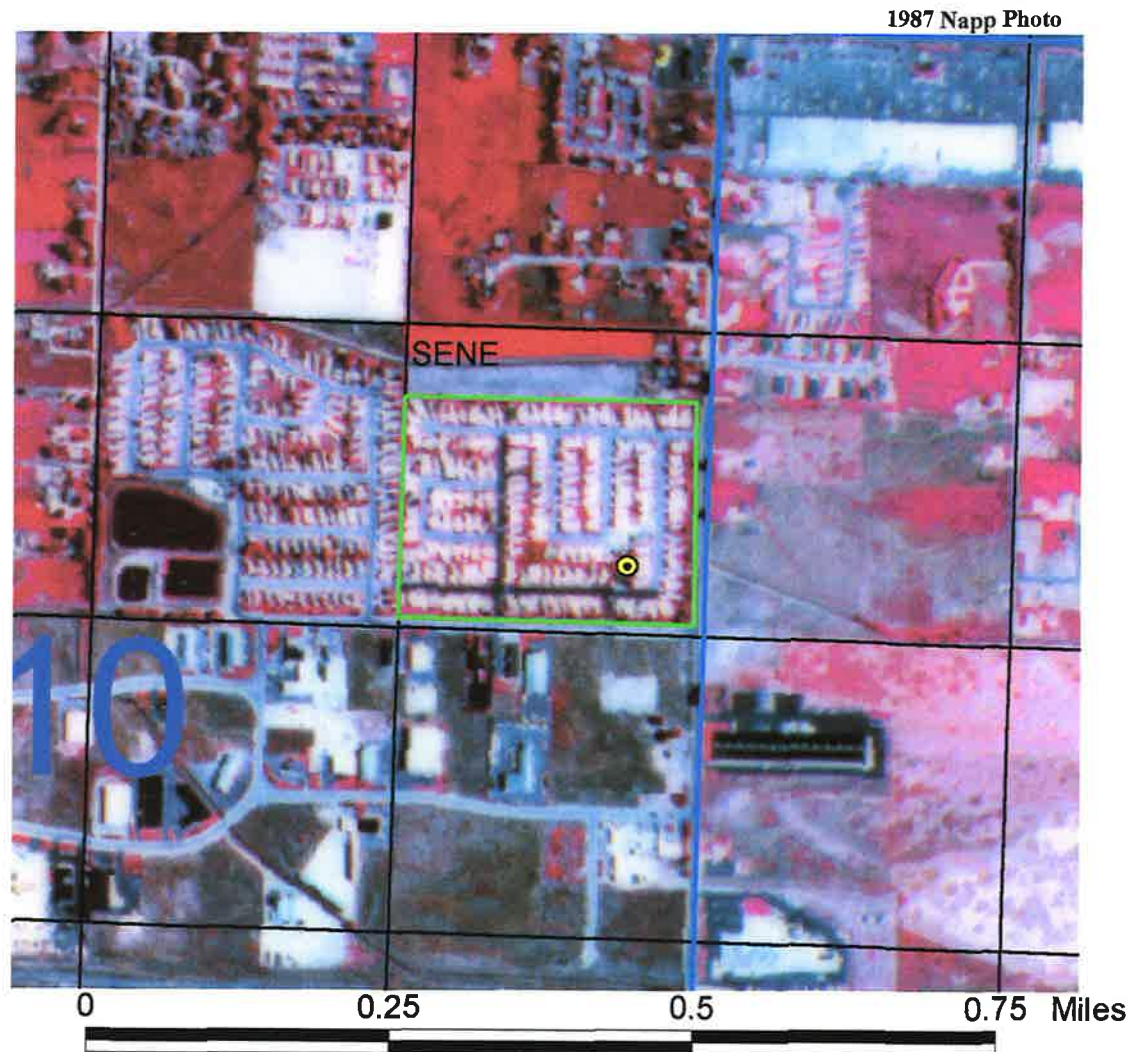
SubCase Number: 63-5254
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Anita Warntjes
Basis of Claim: Beneficial Use
Date Filed: 6/19/2007 Objection Status: Active

Water Supply Bank:

Idaho Department of Water Resources

Claim Number: 63-07674A
Legal: T03N, R01E, S10
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



RECEIVED
FEB 03 2009
DEPARTMENT OF
WATER RESOURCES

Perkins
Coie

251 East Front Street, Suite 400
Boise, ID 83702-7310
PHONE: 208.343-3434
FAX: 208.343-3232
www.perkinscoie.com

Erika E. Malmen
EMAIL: EMalmen@perkinscoie.com

western

February 2, 2009

Jan Shurte
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

Re: SRBA Subcase No.: 63-05254

Dear Jan:

On behalf of firm client City of Boise, I'd like to thank you for your assistance and attention to resolution of the City's water rights in the Snake River Basin Adjudication. As you may recall, you have requested evidence of pre-March 1963 irrigation for the 3.57 acre parcel to which the subject water right is appurtenant. I am pleased to submit the Affidavit of Cathy Graville with supporting aerial photograph of the relevant parcel taken in 1958.

As you will see in the aerial photograph, the parcel at issue is historically located in an agricultural area. A visual examination of the photograph indicates that the parcel was irrigated consistent with the June 30, 1983 Notice of Claim filed by Judith E. Wilson which noted sprinkler irrigation as a beneficial use.

I am hopeful that this submission will resolve the City's objection to the Director's Report in regard to Water Right No. 63-05254. Please give me a call if you need anything further.

Very truly yours,

Erika E. Malmen

EEM:klb

Enclosures

31699-0004/LEGAL15222383.1

ANCHORAGE • BEIJING • BELLEVUE • BOISE • CHICAGO • DENVER • LOS ANGELES • MENLO PARK
OLYMPIA • PHOENIX • PORTLAND • SAN FRANCISCO • SEATTLE • SHANGHAI • WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Idaho Department of Water Resources
February 2, 2009
Page 2

cc: Andrea Courtney (w/encl.)
Nick Spencer (w/encl.)
Matt Wilde (w/encl.)

RECEIVED

FEB 03 2009

DEPARTMENT OF
WATER RESOURCES

Robert A. Maynard, Bar No. 5537
RMaynard@perkinscoie.com
Erika E. Malmen, Bar No. 6185
EMalmen@perkinscoie.com
PERKINS COIE LLP
251 East Front Street, Suite 400
Boise, ID 83702-7310
Telephone: 208.343.3434
Facsimile: 208.343.3232

Attorneys for City of Boise

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

In Re: SRBA

Case No. 39576

Subcase No: **63-05254**

AFFIDAVIT OF CATHY GRAVILLE

STATE OF IDAHO)
)
County of Canyon)

I, Cathy Graville, testify to the following based upon my own personal knowledge:

1. I am the owner and operator of Valley Air Photos, an aerial photography company established in 1985 and based in Caldwell, Idaho.
2. Sometime during 1997, Valley Air Photos acquired one-half of the historical aerial film owned by Aerial Mapping Company, a former Idaho corporation and the other one-half was acquired by Idaho Reprographics.
3. In 2007 Idaho Reprographics went out of business and Valley Air Photos purchased their historical aerial film.

4. To the best of my knowledge, the aerial photograph attached hereto as Exhibit A was taken on or about November 20, 1958 and accurately depicts the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19 in Township 3 North, Range 2 East, Boise Meridian, Ada County Idaho, during that time.

Cathy Graville
Cathy Graville

SUBSCRIBED AND SWORN TO before me this 13th day of January, 2009.

Rebecca L. Schuck
Notary Public for Idaho
Residing at Caldwell, ID
My Commission Expires 10-2-12



T3N R2E 19 SW1/4 SE1/4

20 Nov 1958

copyright 1996 VAP



EXHIBIT

tabbles

A

T3N R2E 10SE 1/4

20 Nov 1958

copyright 1996 VAP

NOTE



RECEIVED

FEB 03 2009

DEPARTMENT OF
WATER RESOURCES

Perkins
Coie

251 East Front Street, Suite 400

Boise, ID 83702-7310

PHONE: 208.343.3434

FAX: 208.343.3232

www.perkinscoie.com

Erika E. Malmen

EMAIL: EMalmen@perkinscoie.com

February 2, 2009

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322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

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I am hopeful that this submission will resolve the City's objection to the Director's Report in regard to Water Right No. 63-05254. Please give me a call if you need anything further.

Very truly yours,



Erika E. Malmen

EEM:kls

Enclosures

31699-0004/LEGAL15222383.1

ANCHORAGE • BEIJING • BELLEVUE • BOISE • CHICAGO • DENVER • LOS ANGELES • MENLO PARK
OLYMPIA • PHOENIX • PORTLAND • SAN FRANCISCO • SEATTLE • SHANGHAI • WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Idaho Department of Water Resources
February 2, 2009
Page 2

cc: Andrea Courtney (w/encl.)
Nick Spencer (w/encl.)
Matt Wilde (w/encl.)

RECEIVED

FEB 03 2009

DEPARTMENT OF
WATER RESOURCES

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RMaynard@perkinscoie.com
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Attorneys for City of Boise

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

In Re: SRBA

Case No. 39576

Subcase No: 63-05254

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STATE OF IDAHO)
County of Canyon)

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1. I am the owner and operator of Valley Air Photos, an aerial photography company established in 1985 and based in Caldwell, Idaho.
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Cathy Graville
Cathy Graville

SUBSCRIBED AND SWORN TO before me this 13th day of January, 2009.

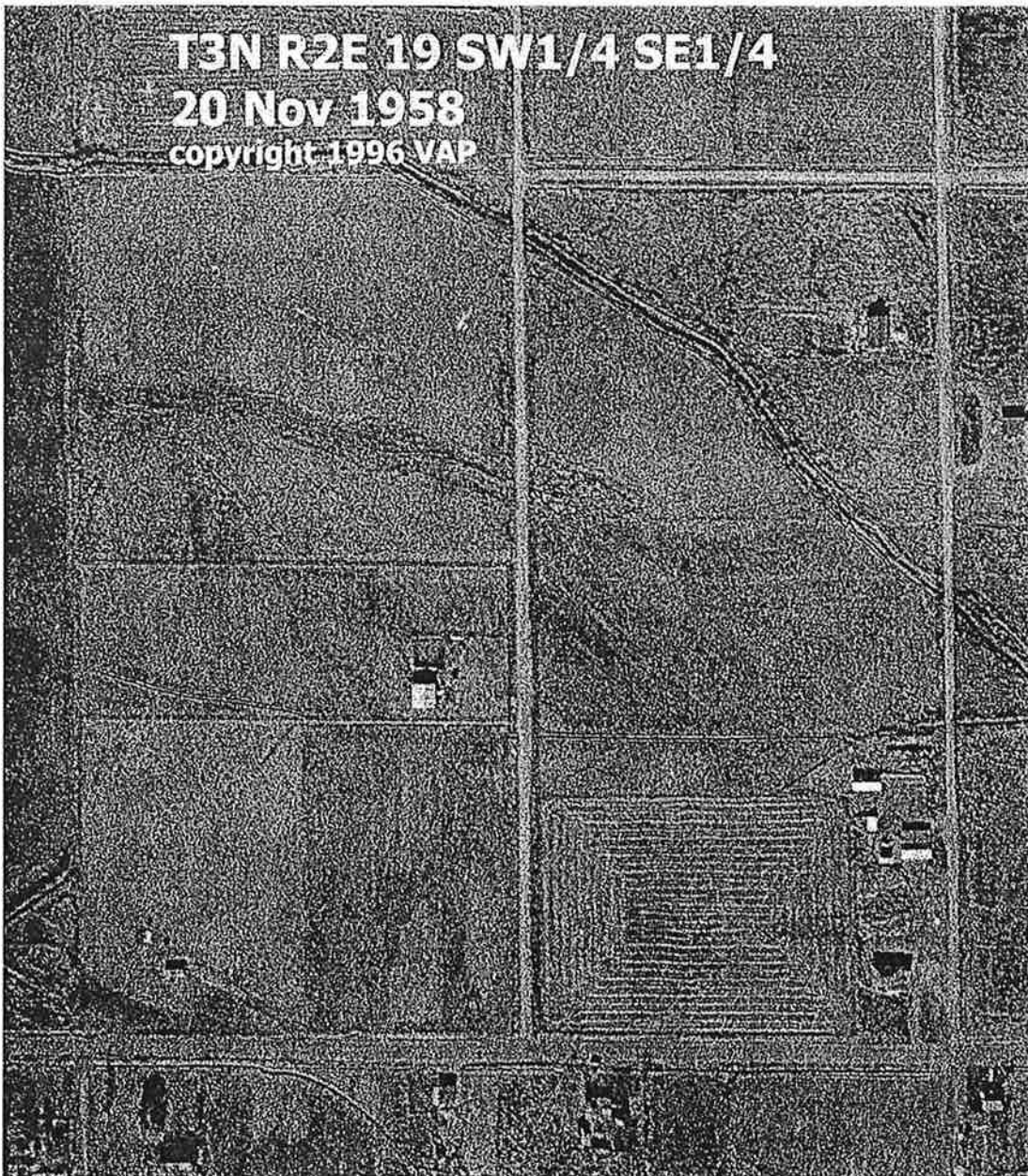


Rebecca L. Schuck
Notary Public for Idaho
Residing at Caldwell, ID
My Commission Expires 10-2-12

T3N R2E 19 SW1/4 SE1/4

20 Nov 1958

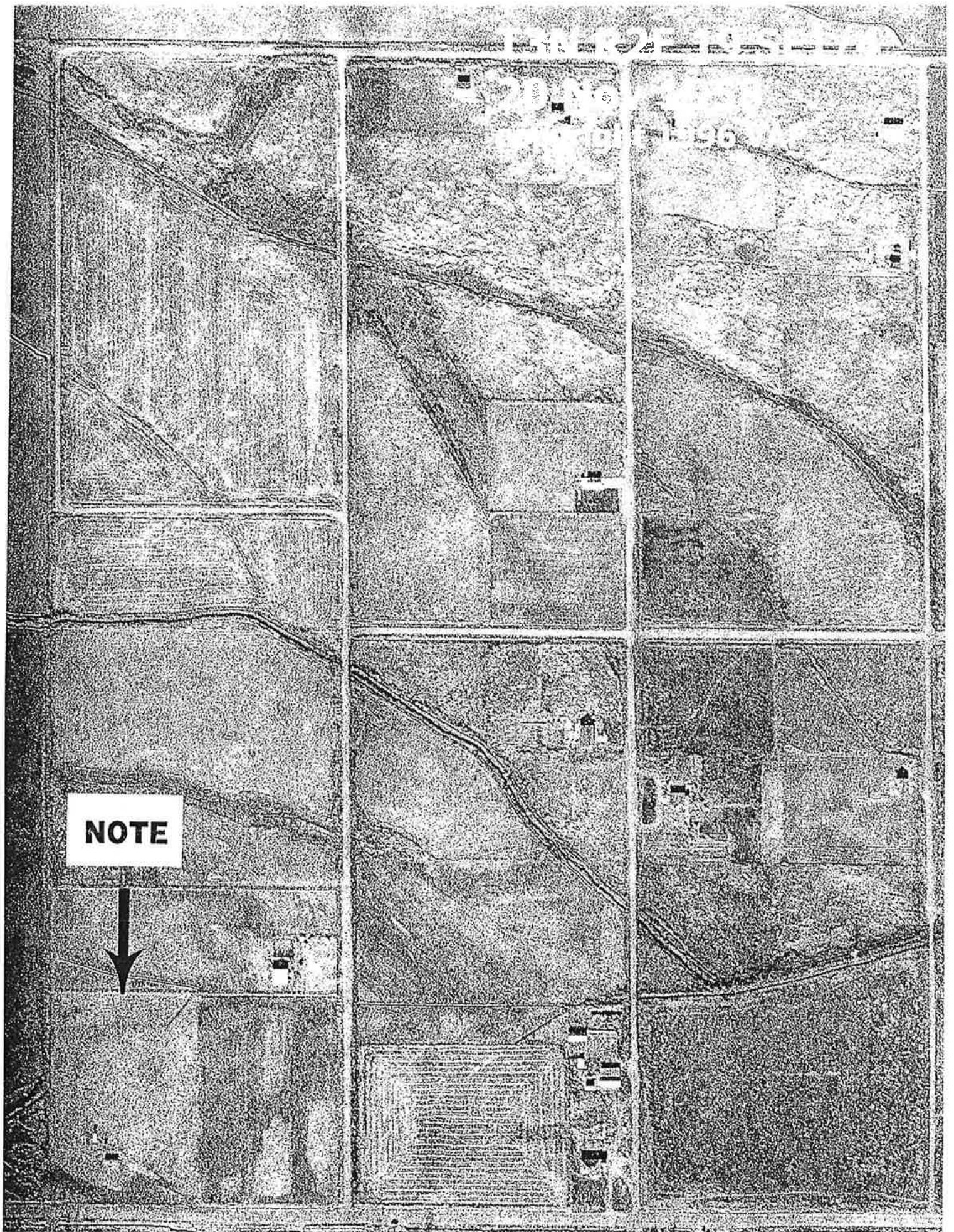
copyright 1996 VAP



EXHIBIT

A

NOTE



Robert A. Maynard, Bar No. 5537
RMaynard@perkinscoie.com
Erika E. Malmén, Bar No. 6185
EMalmen@perkinscoie.com
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Telephone: 208.343.3434
Facsimile: 208.343.3232

Attorneys for City of Boise

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

In Re SRBA

Case No. 39576

Subcase Nos. 63-05254 and 63-05354

[PROPOSED] ORDER TO RESET

Having received and considered the parties' Stipulation To Reset Status Conference,
and good cause appearing therefor,

IT IS HEREBY ORDERED, that the scheduling conference is reset to 3:00 p.m. on
April 14, 2009.

Parties may participate by telephone by dialing the number (225) 383-1099 and when
prompted entering the code 675342.

IT IS SO ORDERED.

DATED: _____

By: _____
Theodore R. Booth
Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I, the undersigned, certify that on January 12, 2009, I caused a true and correct copy of the foregoing to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the Rules of Procedure, to the following person(s):

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

Hand Delivery ☐
U.S. Mail ☐
Facsimile: (208) 736-2121 ☐
Overnight Mail ☐

State of Idaho
c/o Natural Resources Div. Chief
Attorney General's Office
PO Box 44449
Boise, Idaho 83711-4449

Hand Delivery ☐
U.S. Mail ☐
Facsimile: (208) 334-2690 ☐
Overnight Mail ☐

Director
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Hand Delivery ☐
U.S. Mail ☐
Facsimile: (208) 342-4657 ☐
Overnight Mail ☐

Clerk of the Court

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JAN 13 2009

DEPARTMENT OF
WATER RESOURCES

Robert A. Maynard, Bar No. 5537
RMaynard@perkinscoie.com
Erika E. Malmen, Bar No. 6185
EMalmen@perkinscoie.com
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Attorneys for City of Boise

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

In Re SRBA

Case No. 39576

Subcase Nos. 63-05254 and 63-05354

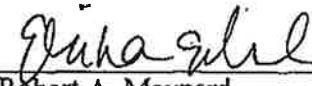
STIPULATION TO RESET

All parties, having been contacted and do hereby agree, jointly file this Stipulation to Reset the scheduling conference, previously set for 9:30 a.m. on January 27, 2009, to 3:00 p.m. on April 14, 2009, as provided by the Clerk.

A proposed order is submitted with the Judge's copy of this motion.

DATED: January 12, 2009

PERKINS COIE LLP

By: 

Robert A. Maynard
Erika E. Malmen
Attorneys for City of Boise

CERTIFICATE OF SERVICE

I, the undersigned, certify that on January 12, 2009, I caused a true and correct copy of the foregoing to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the Rules of Procedure, to the following person(s):

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Twin Falls, Idaho 83303-2707

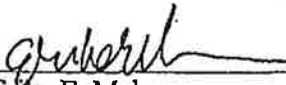
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Facsimile: (208) 342-4657 ☐
Overnight Mail ☐



Erika E. Malmen

03/13/2009

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

RIGHT NUMBER: 63-5254

NAME AND ADDRESS: CITY OF BOISE
DEPT OF AVIATION & PUBLIC TRANSPORTATION
PO BOX 500
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
10.50 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1960

POINT OF
DIVERSION:

T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.230 CFS

PLACE OF USE:

DOMESTIC in ADA County

T03N R02E S19

SWSE

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

03/13/2009

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

RIGHT NUMBER: 63-5254

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T03N R02E S19 SWSWSE Within ADA County

PURPOSE AND
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PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

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PLACE OF USE: DOMESTIC in ADA County

T03N R02E S19

SWSE

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

2008 OCT 31 PM 12:32
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
		SUBCASE NO: 63-05254

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

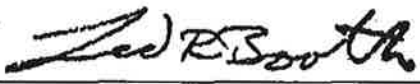
TUESDAY, JANUARY 27, 2009 at 09:30 AM (MT)

SRBA
253 - 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: OCTOBER 31, 2008



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

Shurte, Jan

From: Courtney, Andrea
Sent: Thursday, October 30, 2008 4:52 PM
To: Shurte, Jan
Subject: RE: More Friday hearings re:B63

Thanks, Jan. I'll make sure this makes it to the legal file -- great summary.

From: Shurte, Jan
Sent: Thursday, October 30, 2008 4:43 PM
To: Courtney, Andrea
Cc: Shurte, Jan
Subject: RE: More Friday hearings re:B63

Andrea,

Wanted to whip out a quick memo for the City of Boise. Basically, we are not going to change to municipal because these wells are not serving anyone for the City of Boise now and they never have been. They were a part of the airport noise control area, thus purchased by the City of Boise and abandoned. We are leaving 63-5254 as domestic because there was a domestic use for 63-5254 until 2002. The original claim on this one was for .32 cfs making it over the exempt domestic use and requiring evidence of priority. No evidence was submitted, so it was recommended as exempted domestic for .23 cfs. Erika is aware that we need some evidence of priority to up the diversion rate and remove the 13,000 gpd conditions, yet it will still remain domestic. She was going to try and get some evidence. For 63-5354 we are also sticking with the Domestic use as the file indicates the City bought the property in 1986 at which time it was abandoned. So, the wells were never used for anything other than domestic – tolling of forfeiture helped with both of these. We agreed to put in the place of use and correct the point of diversion. If she can submit some type of evidence of priority then we could remove the 13,000 gpd limiter on this one. So we are waiting to see what she wants to do.

She did ask me why the original statutory claims filed in 1983 and 1984 could not be used as affidavits since they are notarized. I sent her a copy out of our old claim investigation manual which states that a statutory claim is evidence of beneficial use only as of the date the statutory claim was filed. We will see what she wants to do tomorrow.

Jan

From: Courtney, Andrea
Sent: Wednesday, October 29, 2008 4:31 PM
To: Shurte, Jan
Subject: More Friday hearings re:B63

Jan~

For the City of Boise, Erika Malmen's subcases, we've got a status conf on -5254 & -5324. For the latter, she was going to submit ev of priority. For the former, I think you wanted to talk with Tuthill about municipal purpose. Updates? As for the Hunters Point Golf Community subcases, Renea sent John Marshall an email asking for an update on his client's readiness to withdraw its objections now that the NCAPs have been filed. That takes care of Halloween.
Andrea

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Andrea

63-164A - SFS ready - Check to see if we've sent.

63-5354 - Place of use Domestic.
NENE, SWNE & SENE - TBX, R. 2E
500.

* Evid. of priority - may be able to
get rid of 13,000 yd & go to af.
(Website for Homestead survey).
Send to Euta.

Shurte, Jan

From: Shurte, Jan
Sent: Tuesday, August 19, 2008 4:37 PM
To: 'Malmen, Erika E. (Perkins Coie)'
Subject: RE: 63-5254

Hi Erika,

The prior owner did file originally for .09 cfs for irrigation, however, they also filed .23 cfs for domestic for a 27 space trailer court for a total of .32 cfs. Then, we did a change of ownership to the City of Boise and an amended claim was submitted by the City to change both uses to Municipal for a total of .32 cfs. It was recommended for .23 cfs because that is the highest amount of water we can give a domestic right in order to keep it as an exempted filing. If the amount exceeds .23 cfs then it is no longer exempt from filing and evidence of priority is required. There is still the question of domestic vs. municipal. The only way we could issue a partial decree now is to recommend it the way it is. Pretty convoluted – I could explain better in person, so maybe we can talk about this one Thursday. I'm bringing it along because we recommended domestic instead of municipal on it also. See you Thursday, 3:00 pm, at the state office in the Director's conference room.

Hope this helps a little.

Jan

From: Malmen, Erika E. (Perkins Coie) [mailto:EMalmen@perkinscoie.com]
Sent: Tuesday, August 19, 2008 3:41 PM
To: Shurte, Jan
Subject: 63-5254

Hi Jan,

I was able to contact the prior owner of the above-named water right. She said she filed a Notice of Claim that indicated that there was .09 cfs used for irrigation and doesn't understand why we need anything further from her. I'm not sure myself why she would need to sign an affidavit that simply verifies the information contained in the Notice of Claim. However, if the affidavit will allow the City to obtain a partial decree that mimics the Notice of Claim, I'll see if I can talk her into it. Please advise. Thanks much! Erika

Erika E. Malmen, Esq.
Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702
t: 208.343.3434 | f: 208.343.3232 | e:emalmen@perkinscoie.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

10/15/2008

Shurte, Jan

STATUS CONF.
10/31/08

From: Shurte, Jan
Sent: Tuesday, August 12, 2008 2:32 PM
To: Tuthill, Dave
Subject: RE: City of Boise - Domestic vs. Municipal

Dave –

The city wants to pursue a municipal water right based on the fact that they were a municipality when the property was purchased (1986) even though it has not been used as a municipality. Erica Malmen, attorney, cited the code that states municipalities can hold water rights to meet reasonably anticipated future needs. I think she also took it that when they purchased the property as a municipality it automatically became a municipal future use. They purchased it in 1986 prior to the beginning of the adj if that makes any difference.

So, the special master set it for 10-31 status conference. Is there anyway we could have a meeting with Erica Malmen, attorney to explain why we did not recommend domestic vs. municipal on these type of rights between now and then. Her point of view makes some sense, yet so does ours. Otherwise, it will end up for the court to decide and maybe you can explain it better to Ms. Malmen (very nice attorney) and hold off a trial. If this is too much, just let me know.

Thanks,
 Jan

Ps – I know your busy, so tell me no if you can't between now and 10-31.

From: Tuthill, Dave
Sent: Tuesday, August 12, 2008 10:21 AM
To: Shurte, Jan
Subject: RE: City of Boise - Domestic vs. Municipal

Sorry, Jan -- I am just getting to your email... Looks like you are off and running today on this.

My understanding is that if the original use would have been considered to be municipal at the time of filing, we could consider it to be municipal now. For example, if a city park, owned by the city, was originally filed as an irrigation use but now it is claimed as a municipal use, we can consider it to be a municipal use. (If a license was issued that limited the af, that limitation would still apply.)

Hope this helps... Good luck!

Yes, all is well with me -- I hope that Jennifer is continuing to improve!!

Dave

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

From: Shurte, Jan
Sent: Monday, August 11, 2008 12:51 PM
To: Tuthill, Dave
Subject: City of Boise - Domestic vs. Municipal

Hi Dave,

I have a bunch of status conferences tomorrow and the City of Boise is among them. Their attorney called to ask about one of them and I have it in my notes to discuss it with you. It was a statutory claim originally for 4 homes, 7 acres of irrigation and a little stock. They claimed it as municipal with the remarks that "at one time multiple homes were located on the parcel that currently has an address of 3205 S. Curtis. All buildings have been demolished and well currently not used. City purchased property in 9/86.

We recommended it as domestic with N11 and N13 on it. Limited to 13,000 gpd. They objected to the domestic

8/12/2008

not being municipal and our pou not being a municipal pou. Can you tell me in your words what the reasoning was when we recommended municipal for a city vs. domestic and municipal for a city vs. irrigation on an old irrigation right. For the life of me I can't remember your exact words and I need them for tomorrow to say at the status conference. If you don't get back to me, I will just say that it was domestic up until 1986 and currently not being used, so no accomplished transfer type thing. I know there was more to it than that, but at least that will get me by.

I know all is tough over there, hope your still feeling good about it all. Just the article today was interesting.

Thanks,
Jan

8/12/2008

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Shurte, Jan

From: Malmen, Erika E. (Perkins Coie) [EMalmen@perkinscoie.com]
Sent: Tuesday, August 19, 2008 5:02 PM
To: Shurte, Jan
Subject: RE: 63-5254

Thanks, Jan. This does help and we can discuss on Thursday. Thanks again for getting a meeting set up. Best, Erika

Erika E. Malmen, Esq.
Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702
t: 208.343.3434 | f: 208.343.3232 | e:emalmen@perkinscoie.com

From: Shurte, Jan [mailto:Jan.Shurte@idwr.idaho.gov]
Sent: Tuesday, August 19, 2008 4:37 PM
To: Malmen, Erika E. (Perkins Coie)
Subject: RE: 63-5254

Hi Erika,

The prior owner did file originally for .09 cfs for irrigation, however, they also filed .23 cfs for domestic for a 27 space trailer court for a total of .32 cfs. Then, we did a change of ownership to the City of Boise and an amended claim was submitted by the City to change both uses to Municipal for a total of .32 cfs. It was recommended for .23 cfs because that is the highest amount of water we can give a domestic right in order to keep it as an exempted filing. If the amount exceeds .23 cfs then it is no longer exempt from filing and evidence of priority is required. There is still the question of domestic vs. municipal. The only way we could issue a partial decree now is to recommend it the way it is. Pretty convoluted – I could explain better in person, so maybe we can talk about this one Thursday. I'm bringing it along because we recommended domestic instead of municipal on it also. See you Thursday, 3:00 pm, at the state office in the Director's conference room.

Hope this helps a little.

Jan

From: Malmen, Erika E. (Perkins Coie) [mailto:EMalmen@perkinscoie.com]
Sent: Tuesday, August 19, 2008 3:41 PM
To: Shurte, Jan
Subject: 63-5254

Hi Jan,

I was able to contact the prior owner of the above-named water right. She said she filed a Notice of Claim that indicated that there was .09 cfs used for irrigation and doesn't understand why we need anything further from her. I'm not sure myself why she would need to sign an affidavit that simply verifies the information contained in the Notice of Claim. However, if the affidavit will allow the City to obtain a partial decree that mimics the Notice of Claim, I'll see if I can talk her into it. Please advise. Thanks much! Erika

Erika E. Malmen, Esq.
Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702
t: 208.343.3434 | f: 208.343.3232 | e:emalmen@perkinscoie.com

8/20/2008

RECEIVED

JUN 20 2367

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576,

Case No 63-5254

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTION

Name: City of Boise, Dept. of Aviation & Public Transportation

Address: P.O. Box 500, Boise, Idaho 83701

Daytime Phone: _____

Name & Address of Attorney, if any:

Robert A Maynard
Perkins Coie LLP
251 East Front Street, Suite 400
Boise, Idaho 83702-7310
Telephone: (208) 343-3434

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

Name: City of Boise, Dept. of Aviation & Public Transportation

Address: P.O. Box 500, Boise, Idaho 83701

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: _____
- 3 ☒ **Quantity**
Should be: .32cfs total
- 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: Quantity should be changed from .23 cfs to .32 cfs
total: 0.09 cfs 3/15 to 11/15; 0.23 cfs 01/01 to 12/31
- 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 OBJECTION(S): In the recommendation, numbers are either transposed or the 0.9 cfs was not included in the quantity. The original claim was for 0.9 cfs 3/15 to 11/15 and .23 cfs 01/01 to 12/31 for a total of .32 cfs. .32 cfs is listed in the quantity element of the recommendation but only .23 cfs in the purpose and period of use element.

F VERIFICATION (must be completed)

STATE OF IDAHO)
: ss.
County of Ada)

Robert A Maynard, duly sworn, upon oath, deposes and says:

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

Robert A. Maynard
Robert A Maynard

SUBSCRIBED AND SWORN to before me this 19 day of June, 2007



Laurie A. Loyd
Notary Public for Idaho
Residing at Boise
My Commission Expires 9/19/2010

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 June 19, 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
P O. Box 2707
Twin Falls, ID 83303-2707

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

Name: MJB

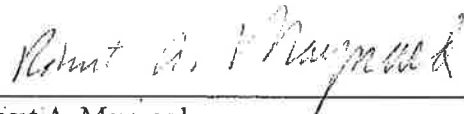
Address: _____

3 Copies to:

IDWR Document Depository
P O 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
P O Box 44449
Boise, ID 83711-4449



Robert A. Maynard



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2005

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

ATTN: Ms. Beth Baird

Greetings:

Enclosed we are returning a Change of Ownership for water right identified as Water Right No. 63-5254 because we already have on record a Change of Ownership for this right. It appears that the water right the enclosed Change of Ownership has referenced belongs to a right decreed as 63-22339 to the City of Boise.

If you have any questions, please feel free to contact me at 287-4912.

Sincerely,

Anita L. Warntjes
Grants/Contract Specialist

Alw
Encls.

MEMORANDUM

TO: File: 63-5254
FROM: Denise Hatfield *DH*
DATE: March 31, 2003
SUBJECT: Ownership change

Received an ownership change for the above listed number and during initial review, it was noted that the number listed does not correspond with this particular claim. Furthermore, this claim is already in the name of City of Boise, Dept of Aviation and Public Transportation. I sent an e-mail to Maria Minicucci at the City of Boise on 2/4/2003, asking if she had any ideas on whether or not there should have been a different number listed, etc. To date, nothing further has been received regarding the ownership change.

*Attached Change of Ownership references
a legal description & owner identified as
water right 63-22339. Anita Wainwright
4/11/05*

QUERY: 3N 2E SEC. 30 NW 1/4

<u>Basin</u>	<u>Sequen</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Dat</u>	<u>Rate(cfs)</u>	<u>Volum</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
63	165	L	Decreed	Active	278985	1866-06-01	0.68	167	BOISE RIVEI MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	169	F	Decreed	Active	278986	1868-06-01	0.81	199	BOISE RIVEI MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2388		License	Active	285872	8/18/1924	300		BOISE RIVEI IRRIGATION		UNITED STATES OF AM	wrAdjClaim
63	2500		License	Active	288691	8/30/1934	0.8		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2506		License	Active	288539	6/5/1935	1.66		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2576		License	Active	543368	4/26/1938	1.9		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2595		License	Active	288541	8/31/1966	1.34		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2605		License	Active	543369	7/2/1943	0.9		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2668		License	Active	288244	7/15/1947	2.14		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2703		License	Active	288899	6/23/1948	5		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2808		License	Active	288543	4/3/1950	3.1		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2874		License	Active	288900	8/18/1951	4		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2892		License	Active	288901	2/7/1952	15		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2954		License	Active	543370	8/27/1953	0.9		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2956		License	Active	543373	8/27/1953	0.56		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	2989		License	Active	543374	6/2/1954	1		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3064		License	Active	288692	10/31/1955	1.22		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3073		License	Active	288693	1/4/1956	2		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3105		License	Active	288902	12/19/1956	2		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3112		License	Active	288544	9/11/1957	1.44		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3128		License	Active	288694	4/24/1958	4.44		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3164		License	Active	543367	8/5/1959	1.73		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3172		License	Active	288695	10/14/1959	2.22		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3202		License	Active	288903	6/8/1960	2.89		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3291		License	Active	288696	5/21/1962	2.4		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3292		License	Active	288904	5/21/1962	2.26		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3293		License	Active	288697	5/21/1962	3.56		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3295		License	Active	288698	5/24/1962	3.24		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3411		License	Active	288699	7/15/1947	2.14		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3448		License	Active	288545	4/27/1965	4.9		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3494		License	Active	288700	3/8/1966	6.44		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	3562		License	Active	288546	11/7/1966	1.47		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim
63	4015		License	Active	288701	10/17/1960	2		GROUND W. MUNICIPAL		UNITED WATER IDAHO	wrAdjClaim

63	4414	License	Active	288547	7/1/1943	1.11	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	4424	License	Active	288702	7/1/1943	1.33	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	4752	Statutory C	Active	289160	1/1/1947	1.11	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7066	License	Active	288905	2/28/1968	5.8	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7067	License	Active	288703	2/28/1968	2.84	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7204	License	Active	288704	3/13/1969	1.82	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7282	License	Active	288906	12/2/1969	4.12	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7348	License	Active	288548	7/14/1970	6.6	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7479	License	Active	288705	8/20/1971	7	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7577	License	Active	192900	4/6/1972	2.01	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7589	License	Active	288706	4/20/1972	4.4	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7658	License	Active	288707	1/8/1973	1.06	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	7998	License	Active	543360	6/25/1974	1.27	658 GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	8059	License	Active	288708	7/15/1947	2.14	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	8236	License	Active	288907	11/28/1975	3.63	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	8357	License	Active	288709	8/16/1976	1.18	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	8432	License	Active	288710	2/10/1977	1.78	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	8990	License	Active	288908	7/19/1977	4	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9147	License	Active	288712	6/6/1978	4	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9204	License	Active	288713	1/9/1979	4	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9205	License	Active	288714	1/9/1979	4	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9219	License	Active	288550	3/20/1979	2.23	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9223	License	Active	288551	4/3/1979	4.23	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9276	License	Active	288909	8/16/1979	0.8	GROUND W. MUNICIPAL	CITY OF BOISE (Current	wrAdjClaim
63	9671	License	Active	288552	2/25/1987	2.7	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	9855	Permit	Active	288910	12/23/1981	3.34	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	10386	License	Active	288553	9/19/1986	1.78	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	10405	License	Active	288554	3/17/1987	2.7	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	10533	License	Active	288715	9/9/1987	1	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	18067	Beneficial I	Active	281113	1/1/1971	0.04	GROUND W. DOMESTIC, IRRIG	HURST, CHRISTINE M (I	wrAdjClaim
63	19456	Beneficial I	Active	289161	3/31/1953	1.6	GROUND W. MUNICIPAL	UNITED WATER IDAHO	wrAdjClaim
63	29039	Beneficial I	Active	171561	4/15/1969	0.04	GROUND W. DOMESTIC	YORK, WILLIAM L (Curre	wrAdjClaim
63	31616	Beneficial I	Active	565856	6/1/1948	0.04	GROUND W. DOMESTIC	CITY OF BOISE (Current	wrAdjClaim

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



H. BRENT COLES
MAYOR

COUNCIL MEMBERS

M. JEROME MAPP
COUNCIL PRESIDENT

JON MASON
COUNCIL PRO TEM

VERNON L. BISTERFELDT
PAULA B. FORNEY
CAROLYN TERTELING-PAYNE

January 24, 2003

RECEIVED

JAN 28 2003

WATER RESOURCES
WESTERN REGION

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

Enclosed you will find nine (9) Notice of Change in Water Right Ownership for properties owned by Boise Airport/City of Boise.

If you have any questions, please call.

Helen King
Administrative Secretary

/hk

Enclosure: as noted

H:\WPC\Leases-Agreements\Correspondence-General\IDOWR water rights trans3.wpd



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

October 17, 2002

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

Re: Notice of Claim to a Water Right No. 63-5254 & 63-19013

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects 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 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.

Please note, the ownership change information for water right numbers 63-15896, 63-17303 & 63-17980 has been sent to our State Office for processing. These water rights have already been decreed by the SRBA Court.

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 claim(s), please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

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



H. BRENT COLES
MAYOR

COUNCIL MEMBERS

MIKE WETHERELL
COUNCIL PRESIDENT
M. JEROME MAPP
COUNCIL PRO TEM

VERNON L. BISTERFELDT
PAULA B. FORNEY
JON MASON
CAROLYN TERTELING-PAYNE

October 3, 2002

RECEIVED

OCT 07 2002

WATER RESOURCES
WESTERN REGION

Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Attached are five "Notice of Change in Water Right Ownership" documents covering water right numbers:

63-17303
63-05254
63-19013
63-15896
63-17980

Decreed, sent to S.O. to process.

If you have any questions, please call.

Sincerely,

Helen King
Administrative Secretary

/hk

Enclosure

H:\WPC\HELEN\Correspondence, General\water rights change.wpd

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5254 V1

WATER RIGHT NUMBER: 63-5254 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JUDITH E WILSON 2823 SUNSET AVE BOISE, ID 83702 (208)344-6099
Current Owner	CITY OF BOISE DEPT OF AVIATION & PUBLIC TRANSPORTATION PO BOX 500 BOISE, ID 83701 (208)384-3901

Priority Date: 07/01/1960

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.090 CFS	
DOMESTIC	01/01 to 12/31	0.230 CFS	
	<u>Total Diversion:</u>	0.320 CFS	10.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 19, Twp 03N, Rge 02E, 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	
03N	02E	19															3.0		3.0

Total Acres: 3

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	19															X		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5254 V1

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:

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

Comments:

1. awarntje 4/11/2005 Priority
Comment: Evidence of Priority Letter needed

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
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>
Contacts	4/11/2005 11:38:19 AM	awarntje			Active
Priority Date	4/11/2005 12:57:35 PM	awarntje			Active
Use	4/11/2005 12:58:43 PM	awarntje			Active
POU	4/11/2005 1:04:22 PM	awarntje			Active
POD	4/11/2005 1:15:19 PM	awarntje			Active
Source	4/11/2005 1:15:40 PM	awarntje			Active
Season	4/11/2005 1:21:59 PM	awarntje			Active
Quantity	4/11/2005 1:23:01 PM	awarntje			Active
Summary			04/11/2005	awarntje	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5254 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/11/2005 1:15:06 PM	awarntje	Edited point location
Contacts	4/11/2005 11:38:20 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
Priority Date	4/11/2005 12:57:35 PM	awarntje	(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? (No) 12. Does the claim file contain sufficient evidence of Priority Date?
Use	4/11/2005 12:58:44 PM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Does the change include an enlargement of the Purpose of Use? (No) 12. Did the claimant file a transfer? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	4/11/2005 1:03:48 PM	awarntje	Edited shape boundary
POU	4/11/2005 1:04:23 PM	awarntje	(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?
POD	4/11/2005 1:15:19 PM	awarntje	(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?

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Source	4/11/2005 1:15:40 PM	awarntje	(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?
Season	4/11/2005 1:21:59 PM	awarntje	(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? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	4/11/2005 1:23:02 PM	awarntje	(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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	4/11/2005 1:24:05 PM	awarntje	(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? (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?