

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 63-7179
Date Received: 9/27/1989
Receipt No: W006209
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BOISE Phone: (208)384-4240
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID USA 83706-2898

2. Date of Priority: 12/19/1968

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	18	NW SE	ADA	

5. Description of diverting works:

300' WELL W/12" CASING AND 40 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	01/01	12/31	0.91	
MUNICIPAL	03/15	11/15	0.1	

7. Total Quantity Appropriated is:
0.91 C.F.S. and/or 22.5 A.F.A.

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:

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

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

P/U IN BORAH PARK.

NAME CHANGE PER CLAIMANT REQUEST. 4/2/99. DB

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

63-7179

Date Received

10-22-04

Receipt Number

AMENDED CLAIM

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED CLAIM

Please type or print clearly

1. Name of Claimant (s) CITY OF BOIX PARKS & RECREATION DEPARTMENT Phone (208) 384 4240

Mailing Address 1104 ROYAL BLVD BOIX ID Zip 83706-2898

2. Date of Priority (Only one (1) per claim) December 19, 1968

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

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 18,
_____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

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

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

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

_____ 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. 300' well w/12" casing and 40HP pump.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For MUNICIPAL purposes from 1/1 to 12/31 amount .91 or _____

For MUNICIPAL purposes from 3/15 to 11/15 amount .10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .91 (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:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

*WITHIN CITY OF BOISE
MUNICIPAL Service Area
as defined by CITY OF BOISE
Service Area MAP, September 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 IRRIGATION USE

Year-round historic municipal use for City Pool.

Last Name CITY OF BOISE

Ident No. 63-7179

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 _____

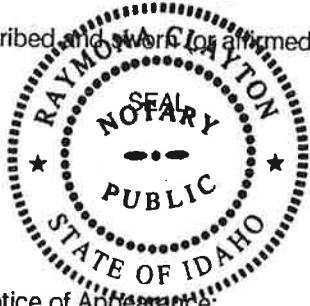
For Organizations: I do solemnly swear or affirm that I am DIRECTOR Title _____
of CITY OF BOISE PARKS & RECREATION DEPARTMENT Organization _____, that I have signed the foregoing
document in the space below as DIRECTOR Title _____ of CITY OF BOISE PARKS & RECREATION DEPARTMENT Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James R. [Signature]

Title and Organization DIRECTOR, CITY OF BOISE PARKS & RECREATION DEPARTMENT Date Sept 15, 2004

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

Subscribed and sworn (or affirmed) before me this 15th day of September 2004



Notary Public Raymona Clayton

Residing at Meridian Id

My Commission Expires 7/09

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
PO Box 500 Boise ID 83701

Date 9-24-04

Last Name CITY OF BOISE Ident. Number 63-7179

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: A63-07179
Date Received: 9/27/1989
Receipt No: W006209
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CITY OF BOISE
Address: PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706 208-384-4060
2. Date of Priority: DEC 19, 1968
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 | 18 | | NW | SE | | ADA |
5. Description of diverting works:
300' WELL W/12" CASING AND 40 HP PUMP.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.100 | | 22.50 |
| MUNICIPAL | 01/01 | 12/31 | 0.910 | | |
7. Total Quantity Appropriated is:
0.910 C.F.S. (and/or) 22.50 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
M/SWIMMING POOL.
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 03N | 02E | 18 | | NW | SE | IRR | 5.0 |

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:

14. Remarks:

P/U IN BORAH PARK.

NAME CHANGE PER CLAIMANT REQUEST. 4/2/99. DB

15. Basis of Claim: LICENSE

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

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right or Adjudication Claim No(s): See Attached Sheet

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant See Attached Sheet

4. New Owner/Claimant(s) City of Boise
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Parks & Recreation Dept.
1104 Royal Blvd.
City, State and ZIP Code Boise, ID 83706
New Telephone Number (208) 384-4060

*Name
change
only -*

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) *James R. Day*
Director

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

City of Boise
Parks & Recreation Department
Water Rights/Adjudication Claims

Names are those found on adjudication profile reports, if water right has been claimed. In many instances different names appear on water right profile reports. The water right names also need to be changed to the corrected name and address.

A63-00164A	City of Boise Parks and Recreation Dept. 1104 Royal Blvd. Boise, ID 83706	A63-03116	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-00164C	City of Boise Parks and Recreation Dept. 1104 Royal Blvd. Boise, ID 83706	A63-03132	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02792	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-03147	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02841	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-03413	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02843	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-03565	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02925	Boise Parks System 1104 Royal Blvd. Boise, ID 83706	A63-07034	City of Boise Parks and Recreation Dept. 1104 Royal Blvd. Boise, ID 83706
A63-02933	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-07179	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02971	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-07523	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-02972	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-07524	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-03069	Boise Parks and Recreation 1104 Royal Blvd. Boise, ID 837062898	63-07549 S.O.	City of Boise Park Dept. City Hall Boise, ID 83701

63-07728 *not claimed*

63-07592
(*changed at region*)

63-07728	City of Boise Dept. of Parks City Hall Boise, ID 83702	A63-09670	Boise Park System 1104 Royal Blvd. Boise, ID 83706
63-07592 (<i>changed at region</i>)	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10022	City of Boise Dept of Parks 1104 Royal Blvd Boise, ID 83706
A63-07666	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10188	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-07668	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10246	Boise Park System Jullion Park 1104 Royal Blvd. Boise, ID 83706
A63-08025	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10296	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-08263	Boise Park System 1104 Royal Blvd. Boise, ID 83706	63-10305 S.O.	Boise City Parks Dept. 1104 Royal Blvd. Boise, ID 83706
A63-08600	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10395A	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-09112	Boise Park System 1104 Royal Blvd. Boise, ID 83706	A63-10395B	Boise Park System 1104 Royal Blvd. Boise, ID 83706
63-09138 S.O.	City of Boise c/o Louis Uranga P.O. Box 500 Boise, ID 83701	63-10750 S.O.	Boise Park System Mountain View Park 1104 Royal Blvd. Boise, ID 83706
A63-09192	Boise Park System 1104 Royal Blvd. Boise, ID 83706	63-10752 S.O.	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-09276	City of Boise Parks and Recreation Dept. 1104 Royal Blvd. Boise, ID 83706	63-10760 S.O.	City of Boise Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-09326	Boise Park System 1104 Royal Blvd. Boise, ID 83706	63-11075 S.O.	Boise Park System 1104 Royal Blvd. Boise, ID 83706
A63-09362	Boise Park System 1104 Royal Blvd. Boise, ID 83706		

63-11816 Boise Park System
S.O. 1104 Royal Blvd.
Boise, ID 83706

63-11822 Boise Park System
S.O. 1104 Royal Blvd.
Boise, ID 83706

A63-22375 City of Boise

* A63-30418 City of Boise
Parks & Recreation Dept.
1104 Royal Blvd.
Boise, ID 83706

DEPARTMENT HEAD LIST

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

MAYOR

H. Brent Coles 384-4422

CITY COUNCIL

Carolyn Terteling, Council President 384-4422
Mike Wetherell, President Pro-Tem 384-4422
Sara Baker 384-4422
Paula Forney 384-4422
Anne Hausrath 384-4422
Jerome Mapp 384-4422

AVIATION & PUBLIC TRANSPORTATION

John Anderson 383-3110

FIRE

Renn Ross 384-3960

JUDICIAL

John Traylor 364-2100

LEGAL

Susie Mimura 384-3870

LIBRARY

Marilyn Poertner Acting Director 384-4237

PARKS AND RECREATION

Jim Hall 384-4240

PLANNING & DEVELOPMENT SERVICES

Tim Hogland 384-3800

POLICE

Larry Paulson 377-6670

PUBLIC WORKS

William Ancell 384-3903

CUSTOMER & SUPPORT SERVICES

CENTRAL SERVICES

John Eichmann 384-3747

CITY CLERK

Annette Mooney 384-3707

GOVERNMENT BUILDINGS

Sam Rapp 384-3828

HUMAN RESOURCES

Tammy Rice 384-3869

MUNICIPAL INFORMATION SYSTEMS/COMMUNICATIONS

Rod Greene 384-3769

PARKING CONTROL

Tana Wardle 384-3773

PURCHASING

Chris Hunt 384-3778

UTILITY BILLING

Pam Helm 384-3737

DIVISION OF FINANCIAL MANAGEMENT

Steve Purvis 384-3733

PLANNING & ZONING

Wayne Gibbs 384-3830

reorganization put Planning & Zoning under Planning & Development Services
Wayne Gibbs is Deputy Director / Planning Director of PDS. Dept

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: A63-07179
Date Received: ~~6/14/1989~~ 9-27-89
Receipt No: W006209
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE PARK SYSTEM
Address: 1104 ROYAL BLVD.
BOISE, ID 83706 208-384-4240

2. Date of Priority: DEC 19, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	18	NW	SE			ADA

5. Description of diverting works:
300' WELL W/12" CASING AND 40 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.100		22.50
MUNICIPAL	01/01	12/31	0.910		

7. Total Quantity Appropriated is:
0.910 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/SWIMMING POOL.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	18	NW	SE		IRR	5.0

Section Acres 5.0

A63-07179

Page 1

Date: 06/14/89

MICROFILMED
AUG 21 1992

10. Place of Use: Continued

Total Acres 5.0

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:

14. Remarks:

P/U IN BORAH PARK.

15. Basis of Claim: LICENSE

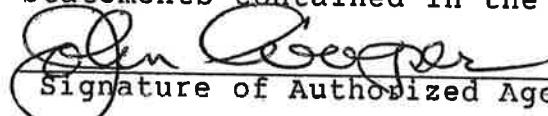
16. Signature(s)

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

Number of attachments: N/A

For Organizations:

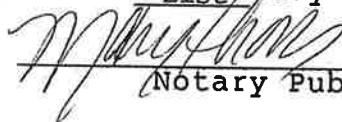
I do solemnly swear or affirm that I am Director of Boise Park System Organization, that I have signed the foregoing document in the space below as Director of Boise Park System Organization and that the statements contained in the foregoing document are true and correct.


Signature of Authorized Agent
Director - City of Boise Park System
Title and Organization

September 19, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of September, 19 89


Notary Public

Seal

Residing at Boise

My Commission Expires 8/20/90

RECEIVED

OCT 31 2008

DEPARTMENT OF
WATER RESOURCES

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

OCT 30 2008

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 63-07179

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*, objecting to the point of diversion element of the right. On September 25, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-07179 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

Oct. 30, 2008



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

In Re SRBA
Case No. 39576

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

Water Right 63-07179

OCT 30 2008

NAME AND ADDRESS:

CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE, ID 83706-2898

SOURCE:

GROUND WATER

QUANTITY:

0.91 CFS

PRIORITY DATE:

12/19/1968

POINT OF DIVERSION:

T03N R02E S18 SWNE Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Municipal	01-01 TO 12-31	0.91 CFS

PLACE OF USE:

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

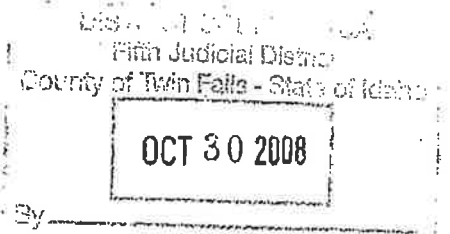
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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

RECOMMENDATION

OCT 30 2008

SPECIAL MASTER



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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

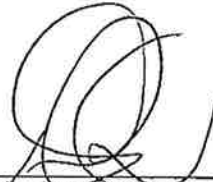
Water Right(s): 63-07179

On October 30, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a:

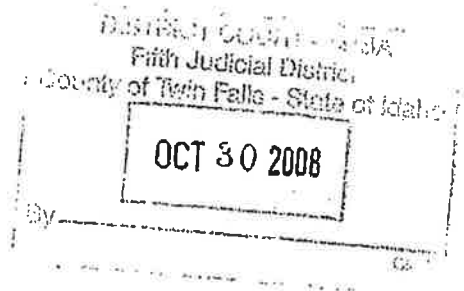
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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

DATED October 30, 2008.



DIANA R DELANEY
Deputy Clerk



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

In Re SRBA)

Case No. 39576)

CERTIFICATE OF MAILING

Water Right(s): 63-07179

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 October 30, 2008, with sufficient first-class postage prepaid to the following:

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

CITY OF BOISE

Represented by:

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



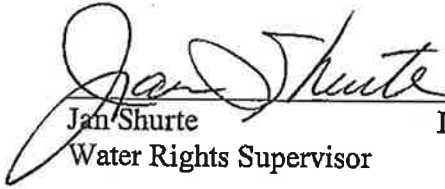
DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/29/08

1

IDWR Concurrence:

 9-17-08
Jan Shurte Date
Water Rights Supervisor

 9/29/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

SF5 Right No. 63-7179

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

RIGHT NUMBER: 63-7179

NAME AND ADDRESS:

CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.910 CFS

PRIORITY DATE:

12/19/1968

POINT OF DIVERSION:

T03N R02E S18 SWNE
Within ADA County

~~T03N R02E S18 NWSE~~
~~Within ADA County~~

*Am
all*

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MUNICIPAL

01/01 12/31

0.910 CFS

PLACE OF USE:

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

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

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on 9/24, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

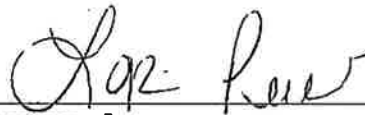
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

CITY OF BOISE
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 RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7179

NAME AND ADDRESS:

CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.910 CFS

PRIORITY DATE:

12/19/1968

POINT OF DIVERSION:

T03N R02E S18 SWNE
Within ADA County

~~T03N R02E S18 NWSE~~
~~Within ADA County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MUNICIPAL

01/01 12/31

0.910 CFS

PLACE OF USE:

~~MUNICIPAL Same as~~

deleted in SF5 sent to Court.

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

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

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - License

Shurte, Jan

From: Spencer, Nick
Sent: Monday, August 11, 2008 2:19 PM
To: Shurte, Jan
Subject: FW: 63-7179

Whoops. I didn't notice Erika had your e-mail wrong. NBS

From: Spencer, Nick
Sent: Monday, August 11, 2008 2:17 PM
To: 'Malmen, Erika E. (Perkins Coie)'
Cc: jan.shurtz@idwr.idaho.gov
Subject: RE: 63-7179

Yes, Jan will prepare the corrected water right description and the paralegals here will prepare the rest of the SF-5. NBS

From: Malmen, Erika E. (Perkins Coie) [mailto:EMalmen@perkinscoie.com]
Sent: Monday, August 11, 2008 10:07 AM
To: Spencer, Nick
Cc: jan.shurtz@idwr.idaho.gov
Subject: 63-7179

Hi Nick,
Jan and I agreed to an SF5 at the initial hearing for the above-named water right. The point of diversion should be changed per our (the City of Boise's) objection. I know from past experience that you like to prepare the SF5. Please let me know if this is still the case. Thanks much! Erika

Done
63-7179

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.

8/12/2008

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 03:36
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 SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
	)	SUBCASE NOS: 63-05254	63-05354
		63-07179	63-12312

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

FRIDAY, JUNE 20, 2008 at 01:30 PM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

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

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008 _____,
with sufficient first-class postage to the following:

CITY OF BOISE
CITY OF BOISE, DEPT OF
Represented by:
ROBERT A. MAYNARD
PERKINS COIE LLP
251 E FRONT ST, STE 400
BOISE, ID 83702-7310
Phone: 208-343-3434

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

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

In Re SRBA)

A.)

Subcase 63-7179
(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: CITY OF Boise, Parks & Recreation Dept

Address: 1104 Royal Blvd

Boise ID 83706

Daytime Phone: 384 4240

Name & Address of Attorney, if any:

Robert A Maynard

Perkins Cole LLP

251 E FRONT ST, Suite 400

Boise ID 83702

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

Name: CITY OF Boise, Parks & Recreation Dept

Address: 1104 Royal Blvd

Boise ID 83706

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: _____
- 4 ☐ **Priority Date**
Should be: _____
- 5 ☒ **Point of Diversion**
Should be: T3N R2E Section 18 SWNE
- 6 ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
- 7 ☐ **Purpose(s) of Use**
Should be: _____
- 8 ☐ **Period of Year**
Should be: _____
- 9 ☐ **Place of Use**
Should be: _____
- 10 ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above

E. **REASONS SUPPORTING OBJECTIONS(S):** Point of Diversion
was licensed incorrectly. Please see Record of
Survey No. 7271 (attached) and aerial photo (attached).

F.

VERIFICATION (must be completed)

State of Idaho)
)ss
County of Ada)

Robert A. Maynard, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

Robert A. Maynard
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 19, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: N/A
Address: _____

3 Copies to:

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

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

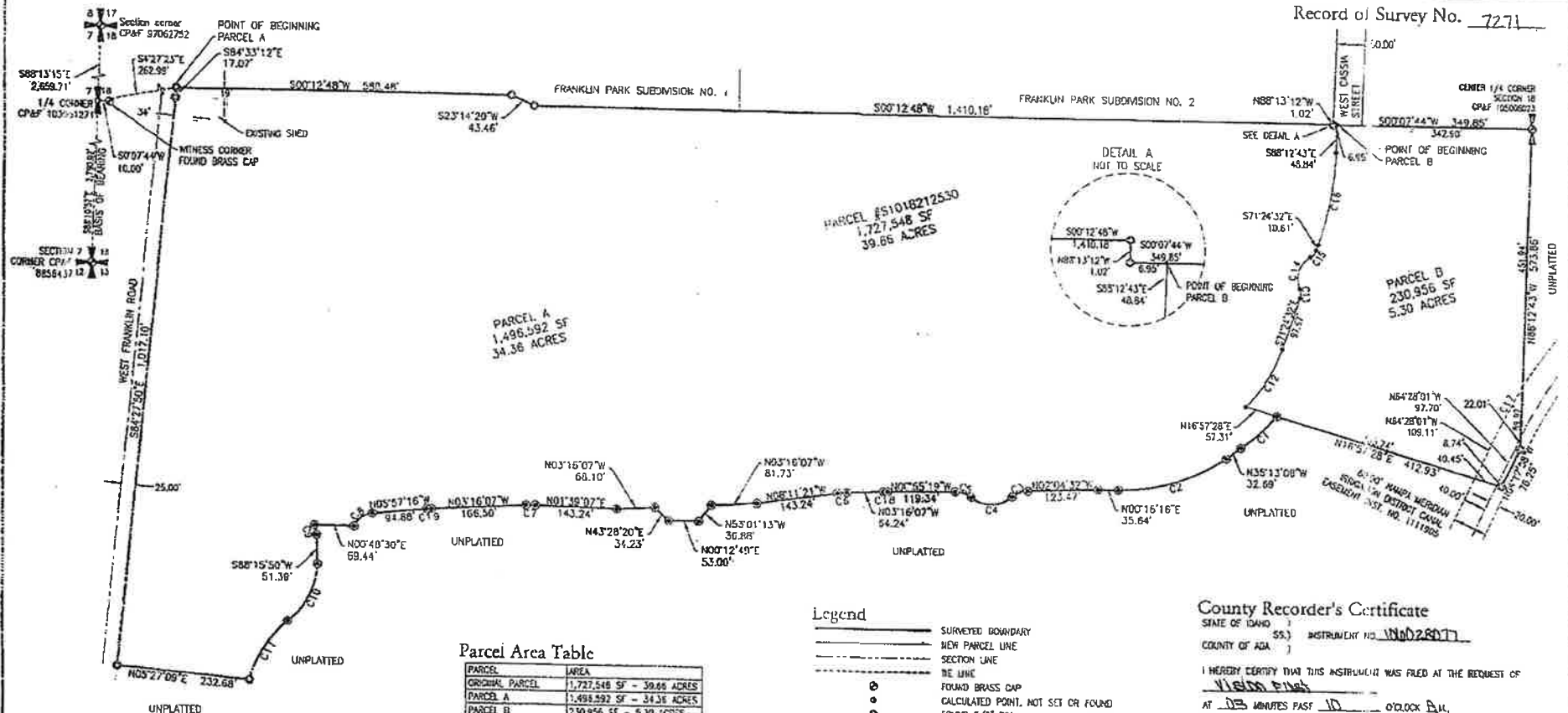
Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Robert A. Raymond
Signature of objector or attorney
mailing on Objector's behalf

CITY OF BOISE 63-7179

SF 1 ATTACHMENT 1 of 2

Record of Survey No. 7271



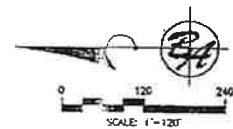
Surveyor's Certificate

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS RECORD OF SURVEY HAS BEEN PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS RECORD OF SURVEY IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CORNER PERPETRATION AND FILING ACT OF IDAHO CODE 55-1601 THROUGH 55-1612.

County Recorder's Certificate

STATE OF IDAHO)
 COUNTY OF ADA)
 INSTRUMENT NO. N0628077

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Vision First
 AT 03 MINUTES PAST 10 O'CLOCK A.M.
 THIS 25 DAY OF February, 2008
 FEE: \$5.00
 EX-OFFICIO RECORDER J. M. MUMFORD
 DEPUTY: Blum



Parcel Split Survey for:
Vision First L.L.C.

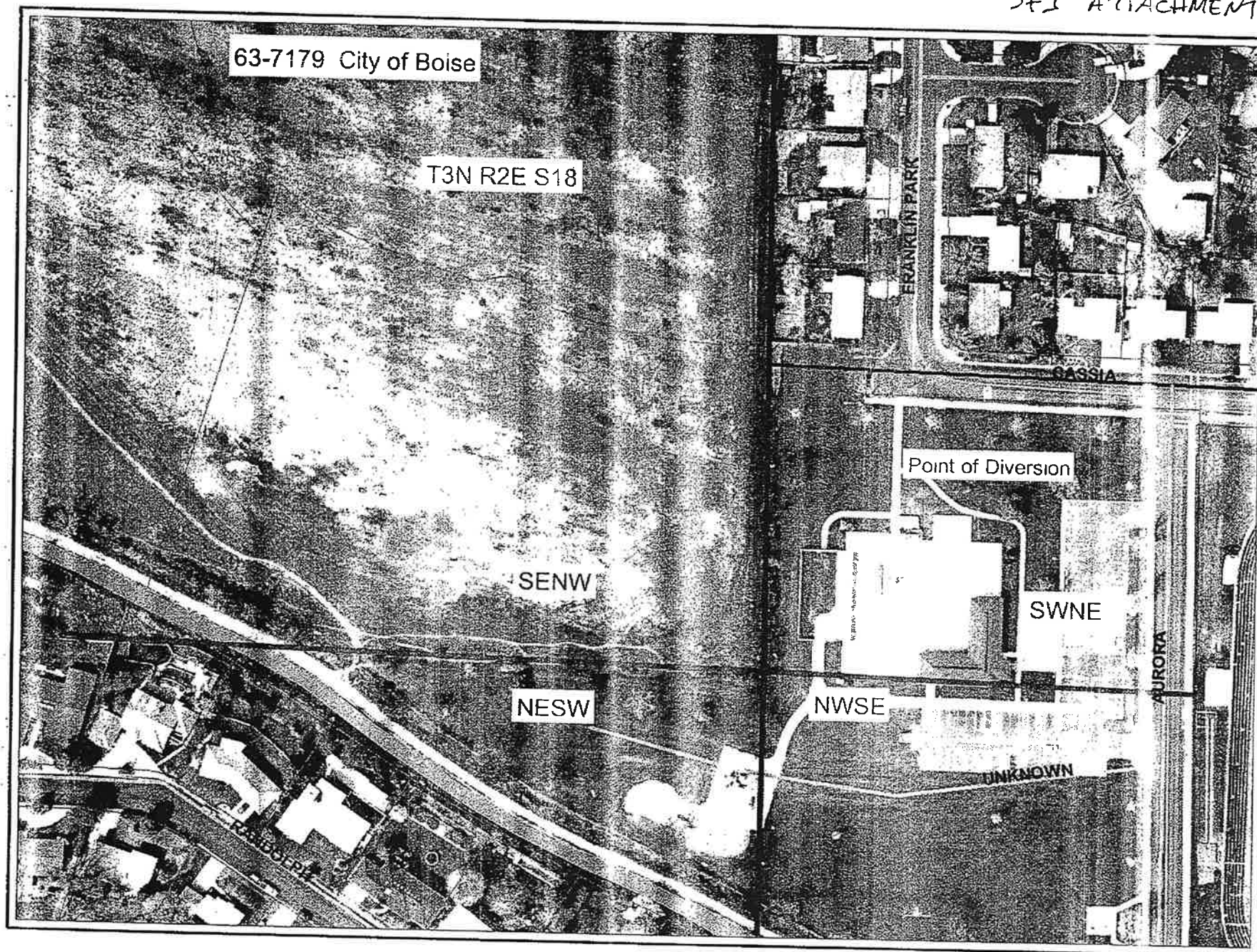
A PARCEL OF LAND SITUATE IN 1/4 NORTH HALF OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 2 EAST, BOISE MERIDIAN, BOISE DIST. AND COUNTY, IDAHO.

DATE: JANUARY 25, 2008
 SURVEY BY: J.M./J.B.
 DRAWN BY: J.L. KETTER

INDEX NO. 311-18-0-0-0-002-00

B&A Engineers, Inc.

Consulting Engineers, Surveyors & Planners
 5505 W. Franklin Rd. Boise, Id. 83705
 (208) 343-3381



10/31/2006

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

RIGHT NUMBER: 63-7179

NAME AND ADDRESS: CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.910 CFS

PRIORITY DATE: 12/19/1968

POINT OF DIVERSION:

T03N R02E S18 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.910 CFS

PLACE OF USE:

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Swimming Pool is
located in
SWNE S18 T3N R2E
POD looks like it is
near pool in SWNE.
Have not put in SDE

Draft

01/21/2005

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

RIGHT NUMBER: 63-7179

NAME AND ADDRESS: CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706-2898

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.910 CFS
~~22,500 AFY~~

PRIORITY DATE: 12/19/1968

POINT OF DIVERSION:

T03N R02E S18 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

0.910 ~~CFS~~ ~~0.100~~
~~CFS~~

~~03/01 11/15~~

PLACE OF USE:

City of Boise

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

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

EXPLANATORY MATERIAL: License

Right includes ~~accomplished~~ change in purpose of use pursuant to Section 42-1425, Idaho Code.

Water Right 63-7179

1

Question on
location of
POD?

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7179 V1

WATER RIGHT NUMBER: 63-7179 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240
Original Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240

Priority Date: 12/19/1968

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01	12/31	0.910 CFS	
MUNICIPAL	03/01	11/15	0.100 CFS	
	<u>Total Diversion:</u>		0.910 CFS	22.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 18, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	02E	18														X			

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
2. 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 63-7179 V1

Comments: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	1/21/2005 10:46:18 AM	awarntje			Active
Priority Date	1/21/2005 10:47:32 AM	awarntje			Active
Source	1/21/2005 10:47:51 AM	awarntje			Active
POU	1/21/2005 10:56:12 AM	awarntje			Active
POD	1/21/2005 11:14:05 AM	awarntje			Active
Use	1/21/2005 11:17:08 AM	awarntje			Active
Season	1/21/2005 11:18:01 AM	awarntje			Active
Quantity	1/21/2005 11:18:45 AM	awarntje			Active
Summary			01/21/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/21/2005 10:46:19 AM	awarntje	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Sufficient info in file. Met with City of Boise staff on 1/7/05.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7179 V1

Priority Date	1/21/2005 10:47:33 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	1/21/2005 10:47:51 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/21/2005 10:54:02 AM	awarntje	Edited shape boundary
POU	1/21/2005 10:56:12 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (No) 14. Is a POU remark and/or condition required?
POD	1/21/2005 11:14:05 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Season	1/21/2005 11:18:02 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Use	1/21/2005 11:17:08 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 7 - Licensed in 1968; amended claim in 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7179 V1

Quantity	1/21/2005 11:18:45 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	1/21/2005 11:19:41 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 5, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notices of Claim to a Water Right

KARL J. DREHER
DIRECTOR

Beth K Baird
City of Boise
PO Box 500
Boise ID 83701-0500

Dear Claimant:

Enclosed are copies of the claims for the City of Boise which reflect the change in name for the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

In addition, enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the SRBA court as notification of this change.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

PUBLIC WORKS DEPARTMENT
CITY HALL
4TH FLOOR



H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

March 23, 1999

Ms. Denise Buffington
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

Dear Ms. Buffington:

Please find the attached Notices of Change of Water Right Ownership. These forms do not indicate any changes in the City of Boise's ownership, but request changes to how the City of Boise is listed as owner on its claims. Our intent is to have all the City's claims listed under the same format: City of Boise, followed by the managing Department and address.

Hopefully the forms are completed to your satisfaction. There are three forms and accompanying lists of water rights; one each managing department within the City of Boise. Also included is a list of Department heads as requested in item 7 on the Notice. If you have any questions please give me a call at 384-3984.

Sincerely,

Beth K. Baird
Environmental Program Coordinator

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 63-7179 Priority Dec. 19, 1968 Amount 0.91 cfs

THIS IS TO CERTIFY, that the CITY OF BOISE
 of Boise, Idaho, has complied with the terms and conditions of Permit
 No. 63-7179 issued pursuant to Application for Permit dated December 19, 1968,
 and has submitted proof to the Department of Water Administration on February 25, 1972,
 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
 capacity for the diversion of 0.91 cfs of water from a ground water source,
 tributary to _____, and that the permit holder has applied to a beneficial use &
 established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Municipal</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.91</u> cfs and <u>n/a</u>			
<u>(swimming pool)</u> from _____ to _____ at _____ cfs and _____			
<u>Irrigation</u> from <u>April 1</u> to <u>Oct. 31</u> at <u>0.10</u> cfs and <u>22.5 acre feet or</u>			
<u>(both dates inclusive)</u>			<u>4.5 af per acre</u>

Subject, however, to the condition that no more than 0.91 cfs of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
22.5 acre feet per year ^{for irrigation purposes} said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18,
Twp. 3 N, Rge. 2 E, B. M. in the County of Ada

Description and location of place of use: (Borah Park)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	2 E	18														X			Five

Total number of acres irrigated Five

A measuring device of a type approved by this Department shall be permanently
 maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 74


 Director

Identification No. 63-7179
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant City of Boise
post office address City Hall, Boise, Idaho
2. Source of water supply underground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18 Township 3N
Range 2E B.M. Ada County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. 1.5 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from Apr. 1 to Oct. 31 (both dates inclusive)
Municipal purpose from Jan. 1 to Dec. 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Drilled well, pump, motor, enclosed system (per telephone conv. of 12-20-68, DWM)
b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____
c. Proposed well diameter is 12 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.
b. Estimated construction cost is \$ 12,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18 Township 3N
Range 2E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served (see 5), or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: Miscellaneous municipal uses within Borah Park, principally a swimming pool.

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	18														5			5

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes None

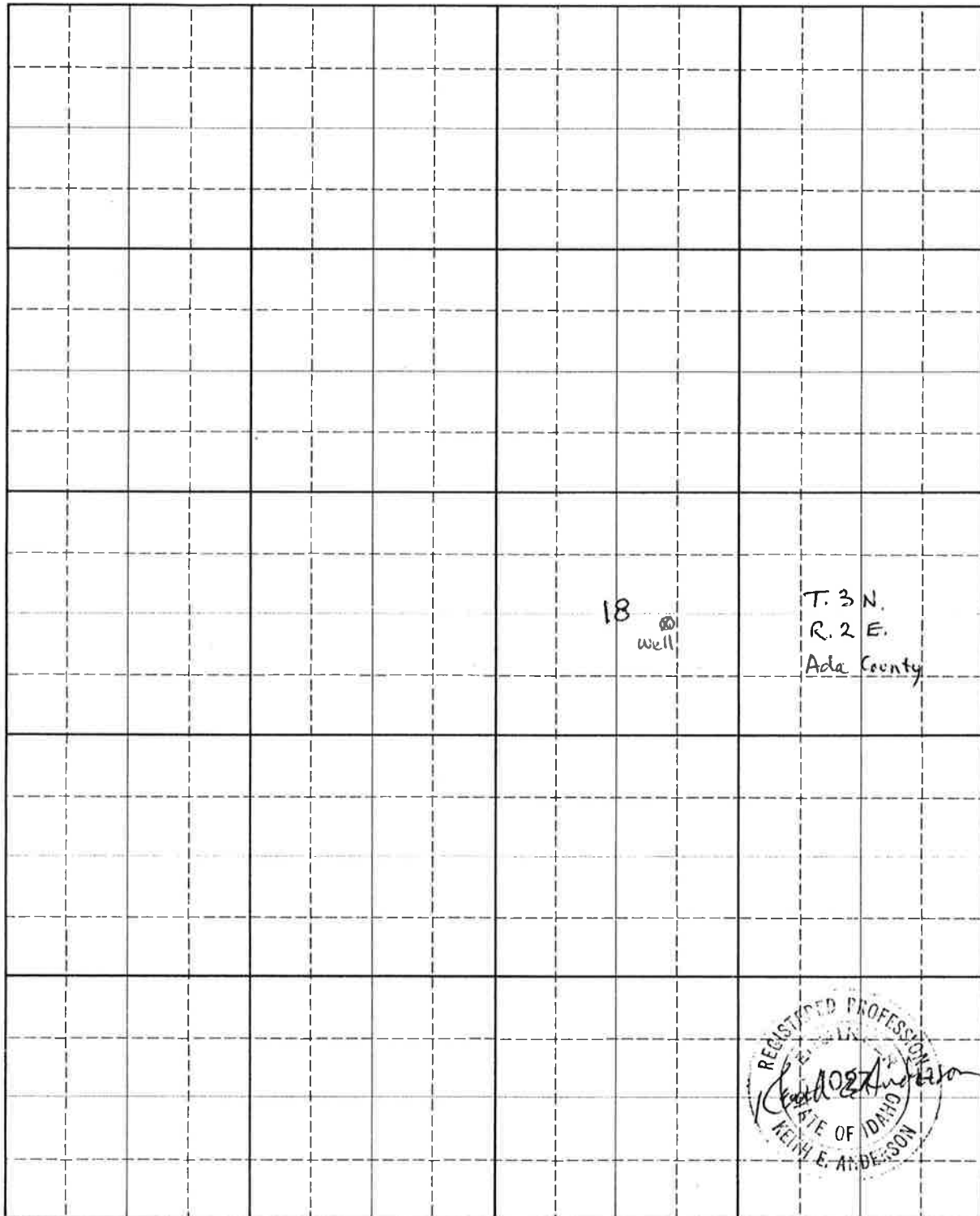
9. a. Who owns the property at the point of diversion City of Boise

b. Who owns the land to be irrigated or place of use City of Boise

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

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

City of Boise

By: Gordon A. Brown
(Applicant)
Title:

63-1119

Received by OKM Date 12-14-68 Time 8 AM

Preliminary check by OKM Fee \$ 25.00

Received by if Date 12-24-68

Publication prepared by YS Date 1-14-69

Published in Idaho Daily Star

Publication dates 1-23 & 30-69

Publication approved YS Date YMS

Priority reduced to _____ Reason _____

Protests filed by: MSW 2-10-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by Down CA AD OK DW

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7179, and said application is hereby APPROVED

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 72.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 11 day of February, 1969.

R. Keith Higgins
State Reclamation Engineer

FIELD REPORT

5

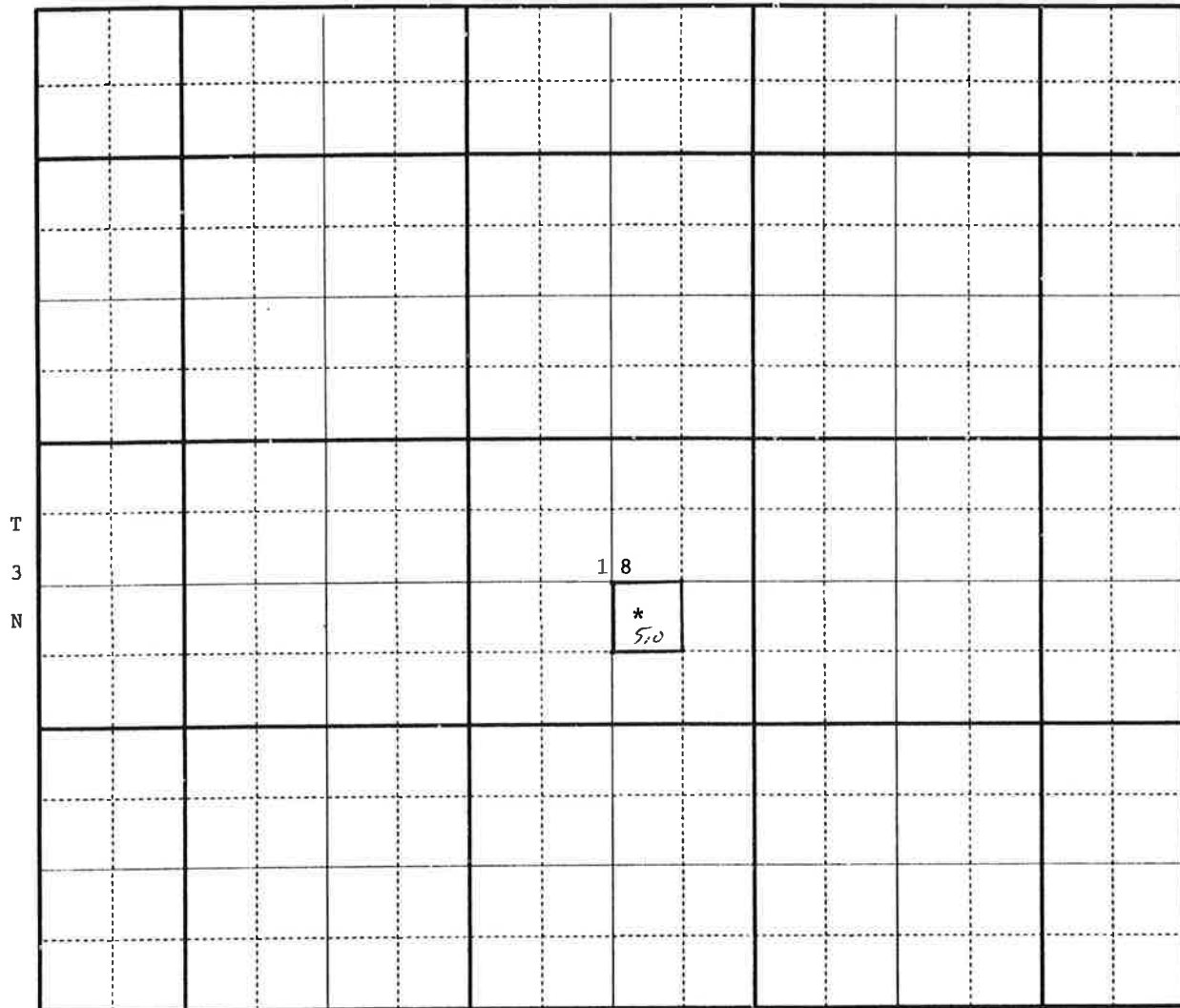


Diagram of System

DATE OF EXAM 6/20/1974

ACREAGE
Found 5.0
Recommended 5.0

Irrigation Requirement 7.5 Ac Ft/Ac

USE
Irrigation Q = .77 c.f.s. V = 22.5 AF/Ann. from 4/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Municipal Q = .14 c.f.s. V = _____ from 1/1 to 12/31

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 0.91 c.f.s. Method of measurement New Meters

Total Q recommended 0.94 c.f.s. Meter No. 70559917 Type Singer & Berger Condition good

Total V recommended 22.5 AF/Ann (for Irrigation)

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

(Irrig) MEASUREMENT CALCULATION:

$$Q = 348 \text{ GPM} = .77 \text{ c.f.s.}$$

$$V = 4.5 \times 5 = 22.5 \text{ AF}$$

(Municipal) $Q = 43.49 \text{ GPM} = .14 \text{ c.f.s.}$ (for Berak Municipal Pool)

SYSTEM DESCRIPTION:

300' well w/ 12" casing w/ 40 HP pump, discharging into Berak Municipal Pool water supply system and sprinkler system for surrounding park. Sprinkler system consists of RB #47 Roter Porth heads w/ 7/8" nozzles. No more than 16 operate at any one time. Pressure is @ 90 psi.

REMARKS:

Examiner's Signature Mr. Clayton Barron Date 6/20/1974

Checked by _____ Date _____

Approved by _____ Date _____