

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: A63-03092
Date Received: 3/20/1990
Receipt No: W011462
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOAN A. BOREN TRUST 312-819-1011
Address: 155 N. HARBOR DR. #1912
CHICAGO, IL 60601

2. Date of Priority: JUL 23, 1956

3. Source: ROSS DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	06W	11	SE	SW		4	CANYON

5. Description of diverting works:
10 H.P. PUMP, 8" PIPE, OPEN DIS. INTO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.980		

7. Total Quantity Appropriated is:
0.980 C.F.S. (and/or) 220.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	06W	11	NE	SW	3	IRR	17.0
			SE	SW	4	IRR	32.0
Section Acres							49.0

A63-03092

Page 1

Date: 03/20/90

SCANNED
APR 11 2008

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Total Acres 49.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
02-2041, 63-09696

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 26475

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: 1ea

For Organizations:

I do solemnly swear or affirm that I am trustee of _____
Title

Joan A. Boren Trust that I have signed the foregoing
Organization

document in the space below as trustee of _____
Title

Joan A. Boren Trust and that the statements contained in the
Organization

foregoing document are true and correct.

Margorie A. Boren
Signature of Authorized Agent
for Joan A. Boren, trustee
Title and Organization

3-20-90
Date

State of Idaho
County of Adair) ss.

Subscribed and sworn (or affirmed) before me this 20 day
of March 19 90

Bruce A. Schuld
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995

MICROFILMED
AUG 1 8 1992

RECEIVED

MAR 27 1990

Department of Water Resources
Western Regional Office

March 16, 1990

As trustee of the Joan A. Boren Trust, dated May 4, 1987, I hereby grant power of attorney to Marjorie D. Boren with respect to any business concerning water rights on property held by the Joan A. Boren Trust in Canyon County, Idaho. Marjorie D. Boren shall be the representative of the Joan A. Boren Trust for all such business transacted between March 1, 1990 and May 1, 1990.

Joan A. Boren
Joan A. Boren
Trustee of the Joan A. Boren Trust

3/19/90
DATE

Michael G. Boren
WITNESS

3/19/90 ✓
DATE



3/19/90
Martha G. Brock

MICROFILMED
AUG 18 1992

Receipt Details for ID W011462

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/20/1990 11:46:31 AM	3/20/1990	Western	\$179.00	Check
Payer		BOREN, MARJORIE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2643			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$179.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

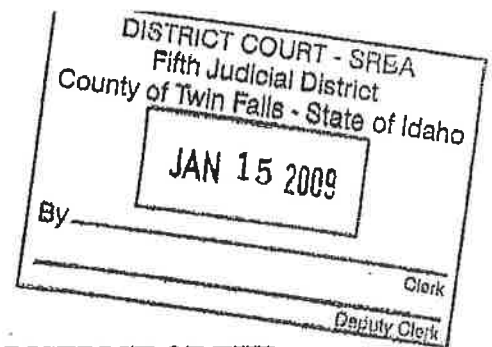
Basin Number	Sequence Number	Split Suffix	Amount	Type
3	2041		\$80.00	Claim
63	3092		\$99.00	Claim

[Print Report](#)

RECEIVED

JAN 16 2009

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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-03092

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 19, 2007, the Riverside Irrigation District, through its attorney Albert P. Barker, filed an objection to the *Director's Report*, asserting that the source of water should be described as wastewater. On December 11, 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 63-03092 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Jan. 15, 2009

A handwritten signature in black ink, appearing to read "Theodore R. Booth".

Theodore R. Booth
Special Master
Snake River Basin Adjudication

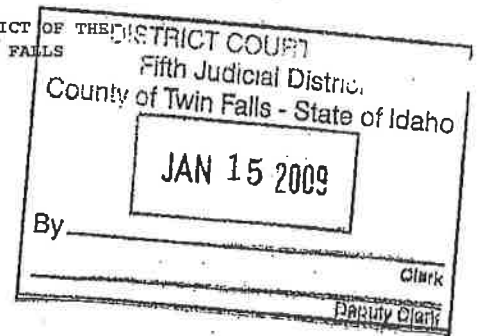
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

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

Water Right 63-03092



NAME AND ADDRESS: JOAN A BOREN TRUST
1050 BRIAR LN
BOISE, ID 83712

SOURCE: SOUTH BOISE DRAIN TRIBUTARY: SNAKE RIVER

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

QUANTITY: 0.98 CFS

Right Nos. 63-3092 and 63-9696 are limited to a total combined
diversion rate of .98 cfs.

PRIORITY DATE: 07/23/1956

POINT OF DIVERSION: T05N R06W S11 LOT 4 (SESW) Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.98 CFS

PLACE OF USE: Irrigation Within Canyon County
T05N R06W S11 LOT 3 (NESW)24.0 LOT 4 (SESW)25.0
49.0 Acres Total

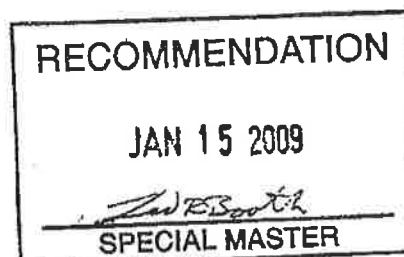
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

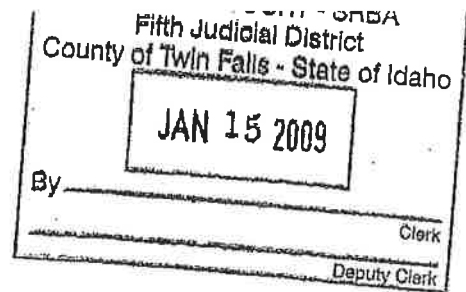
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

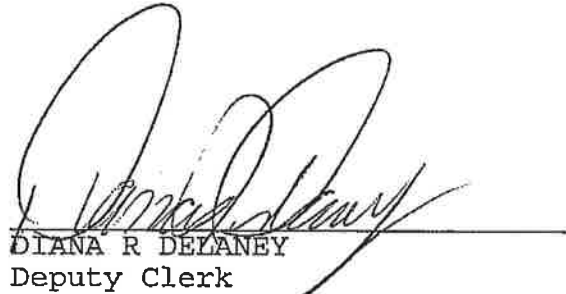
Water Right(s): 63-03092

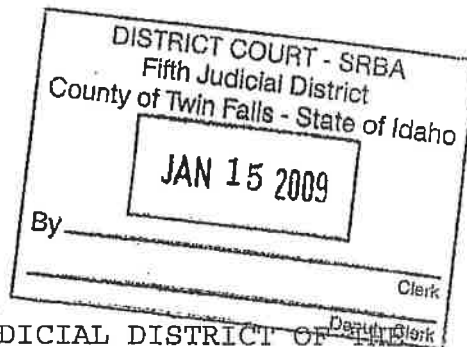
On January 15, 2009, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 January 15, 2009.


DIANA R DELANEY
Deputy Clerk



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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 63-03092

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 January 15, 2009, with sufficient first-class postage prepaid to the following:

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

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

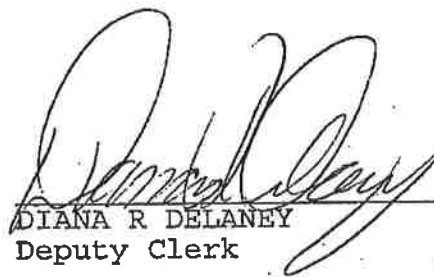
USDI BUREAU OF RECLAMATION

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

CERTIFICATE OF MAILING

PAGE 1
01/15/09

JOAN A BOREN TRUST
1050 BRIAR LN
BOISE, ID 83712



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
01/15/09

2008 OCT 31 AM 10:49
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: 63-03092

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

TUESDAY, DECEMBER 23, 2008 at 01:30 PM (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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on OCTOBER 31, 2008, with sufficient first-class postage to the following:

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

JOAN A BOREN TRUST

1050 BRIAR LN
BOISE, ID 83712

09/12/2008

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

RIGHT NUMBER: 63-3092

NAME AND ADDRESS: JOAN A BOREN TRUST
1050 BRIAR LN
BOISE ID 83712

SOURCE: SOUTH BOISE DRAIN TRIBUTARY: SNAKE RIVER

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

QUANTITY: 0.980 CFS

Right Nos. 63-3092 and 63-9696 are limited to a total combined diversion rate of .98 cfs.

PRIORITY DATE: 07/23/1956

POINT OF
DIVERSION:

T05N R06W S11 SESW Lot 4 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.980 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S11 Lot 3 NESW	24.00	T05N R06W S11 Lot 4 SESW	25.00
--------------------------	-------	--------------------------	-------

49 ACRES TOTAL

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

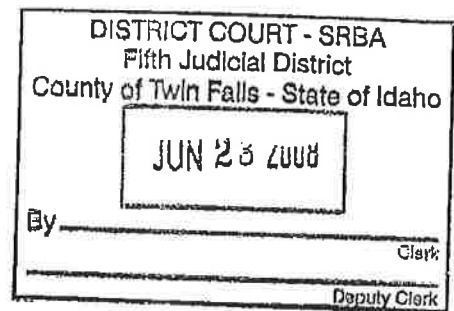
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-9696 is also diverted through point of diversion described above.

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



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 63-03092
Case No. 39576) ORDER TO SHOW CAUSE
_____)

This matter came before this Special Master pursuant to an initial hearing held June 19, 2008. The Joan A. Boren Trust, (hereinafter "Claimant") was notified of the hearing via first class mail sent to its last known addresses. The Claimant failed to appear at the initial hearing.

On June 19, 2007, the Riverside Irrigation District, (hereinafter "Objector") filed an objection to the *Director's Report* for this water right claim regarding the source of water.

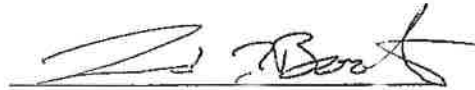
It is hereby **ordered** that the Claimant shall appear before this Special Master on **July 22, 2008, at 1:30 P.M.** Mountain Time, at the Snake River Basin Application Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, to show cause why the objection filed by the Riverside Irrigation District should not be granted. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.

Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the Claimant being deemed to have consented to the remedy sought by the Objector.** If the Claimant participates in the hearing, it will be expected to notify this Special Master whether it intends to prosecute the case, and accordingly a trial date will be set. In such event, no additional evidence or argument need be presented as the subcase will be allowed to proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(2)(B).

A copy of this *Order to Show Cause* shall be served upon the Claimant and the Objector not less than five (5) days prior to the date herein shown. Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

IT IS SO ORDERED

Dated June 30, 2008

A handwritten signature in dark ink, appearing to read 'T. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on June 23, 2008, with sufficient first-class postage to the following:

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

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

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

JOAN A BOREN TRUST
1050 BRIAR LN
BOISE, ID 83712

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 12:19
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 NO: 63-03092

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

THURSDAY, JUNE 19, 2008 at 10:00 AM (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

Page 1 5/22/08

(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:

RIVERSIDE IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

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

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

JOAN A BOREN TRUST
1050 BRIAR LN
BOISE, ID 83712

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

RECEIVED
JUN 13 2007
DEPARTMENT OF
WATER RESOURCES

In Re SRBA)

A. Subcase 63-3092

(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: Riverside Irrigation District
Address: PO Box 1080
Parma, ID 83660
Daytime Phone: 208-880-3449

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Joan A Boren Trust
Address: 1050 Briar Lane
Boise, ID 83712

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Riverside Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10 ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Riverside Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Riverside Irrigation District. Proposed waste water remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of ADA)

Albert P. Barker, 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)

Albert P. Barker

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 18, 2007

Suzanne Estes
Notary Public for Idaho

Residing at: Boise

My Commission Expires: June 1, 2012



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 JUN 18 2007, 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:

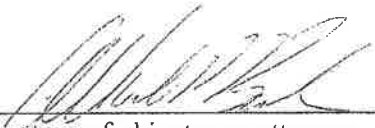
Name: Joan A Boren Trust
Address: 1050 Briar Lane
Boise, ID 83712

3. Copies to:

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

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

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



Signature of objector or attorney
mailing on Objector's behalf

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2705 AIRPORT WAY
BOISE, IDAHO 83705

SERVICE
UNITED

FIRST CLASS



UNITED STATES
02 1A
0804310839 OCT
\$0
MAILED FROM ZIP CODE

RECEIVED

OCT 23 2006

WATER RESOURCES
WESTERN REGION

1100
JOAN A BOREN TRUST
155 N HARBOR DR #1912
CHICAGO IL 60601

65-3092



**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

Water Rights: 63-3092

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 6, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 6, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Joan A. Boren Trust
1050 Briar Ln.
Boise, ID 83712

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 6, 2007

JOAN A BOREN TRUST
1050 BRIAR LN
BOISE ID 83712

Re: Water Right No. 63-3092

Dear Ms. Boren:

Enclosed is a copy of the above referenced water right which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 23, 2007

JOAN A BOREN TRUST
1050 BRIAR LN
BOISE ID 83712

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-3092
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

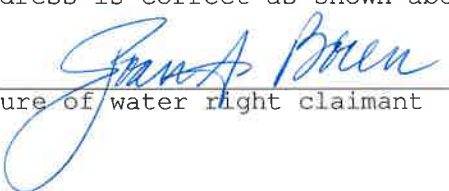
If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.


Signature of water right claimant


Telephone number

RECEIVED

MAR 29 2007

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

POSTAGE SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389383
MAILED FROM ZIP CODE 83705
\$ 00.87
FEB 02 2007

RECEIVED

FEB 28 2007

WATER RESOURCES
WESTERN REGION

JOAN A BOREN TRUST
155 N HARBOR DR #1912
CHICAGO IL 60601

RETURN TO WRITER 60601
DELIVERABLE AS ADDRESS
RETURNING ORDER

1050 Briar Ln
Boise 83702

63-3072

12/10/2006

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

RIGHT NUMBER: 63-3092
NAME AND ADDRESS: JOAN A BOREN TRUST
155 N HARBOR DR #1912
CHICAGO IL 60601
SOURCE: SOUTH BOISE DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 0.980 CFS
Right Nos. 63-3092 and 63-9696 are limited to a total combined diversion rate of .98 cfs.

PRIORITY DATE: 07/23/1956
POINT OF
DIVERSION: T05N R06W S11 SESW Lot 4 Within CANYON County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.980 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T05N R06W S11 Lot 3 NESW	24.00	T05N R06W S11 Lot 4 SESW 25.00

49 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-9696 is also diverted through point of diversion described above.

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



Idaho Department of Water Resources

63-3092

05N 06W Section 11



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 49

500 0 500 Feet



IDWR
Prepared by: Lori Graves
Date: 08-30-06
1986-87 Photography

Adjudication Recommendation Report 63-3092 V1

WATER RIGHT NUMBER: 63-3092 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN A BOREN TRUST 155 N HARBOR DR #1912 CHICAGO, IL 60601 (312)819-1011

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH BOISE DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.980 CFS	
	<u>Total Diversion:</u>	0.980 CFS	

<u>Location of Point(s) of Diversion</u>		
SOUTH BOISE DRAIN	L4 (SE1/4SW1/4)	Sec. 11, Twp 05N, Rge 06W, B.M.
CANYON County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
05N	06W	11									24.0			25.0					49.0
										L 3				L 4					

Total Acres: 49

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E51 Right Nos. 63-3092 and 63-9696 are limited to a total combined diversion rate of .98 cfs.
3. F05 Right No. 63-9696 is also diverted through point of diversion described above.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3092 V1

Comments:

1. Igraves 8/30/2006 Overlap

Comment: License 63-9696 uses the same p/d and source for irrigation of 42.5 of the same acres. The license did not require an SRBA claim since proof was not due until 1989. The field examiner did not catch the overlap because right 63-3092 was erroneously licensed for Ross Drain rather than South Boise Drain. Ross Drain is tributary to South Boise Drain and located north of the licensed p/d and p/u (see topo map in file). License 63-9696 lists the p/d in the NESW based on an FSA map. The p/d is actually located in the SESW as licensed on right 63-3092 and confirmed by ArcView technology.

2. Igraves 8/30/2006 Parcel Nos.

Comment: Irrigation is within Parcel Nos. R3924300000 and R3924500000.

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:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3092

WATER RIGHT NUMBER: 63-3092

Owner Type Name and Address
 Current Owner JOAN A BOREN TRUST
 155 N HARBOR DR #1912
 CHICAGO, IL 60601
 (312)819-1011

Priority Date: 07/23/1956

Basis: License

Status: Active

Source Tributary
~~ROSS DRAIN~~ SNAKE RIVER
South Boise Drain

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 3/15 to 11/15 0.980 CFS *not licensed*
 not licensed Total Diversion: 0.980 CFS ~~220.50 AF~~

Location of Point(s) of Diversion

~~ROSS DRAIN~~ L4 (SE1/4SW1/4) Sec. 11, Twp 05N, Rge 06W, B.M.

CANYON County
South Boise Drain

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	
05N	06W	11									47.0							32.0	49.0
											L 3							L 4	
											24							25	

Total Acres: 49

Claim Received Date: 3/20/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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:

add F05 overlapping P/D
ES1 combined rate limit
C05 shuffled P/u

[illegible]

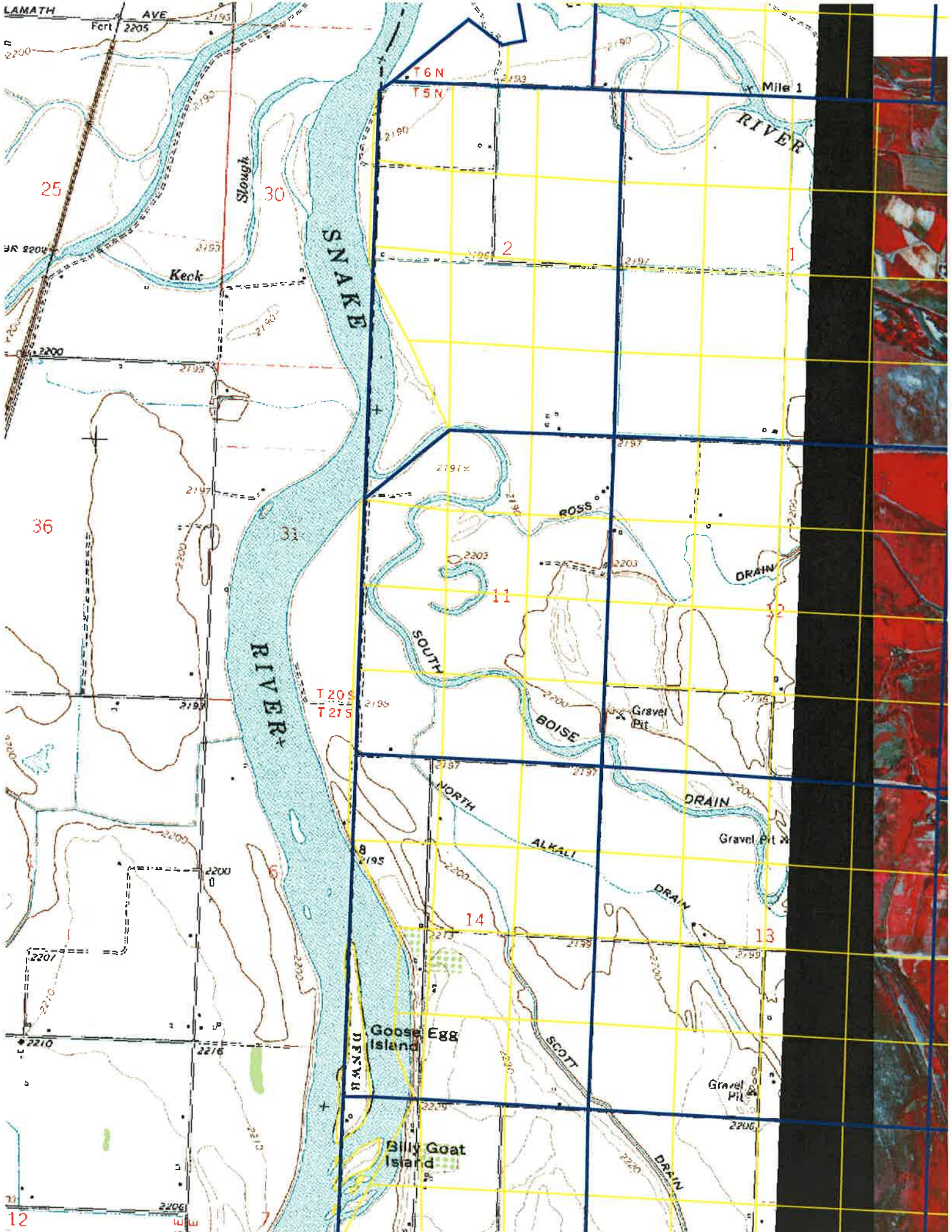
**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Rec	63 4632H	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Rec	63 4632J	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Rec	63 4632K	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Rec	63 4632L	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Rec	63 4632M	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Rec	63 4632N	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632A	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632B	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632C	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632D	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632E	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632F	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632G	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632H	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632J	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632K	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632L	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632M	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 4632N	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	05N06W11	35	28	33	26												122
Right	63 21694	JAMES H HITCH JR, BETTE E HITCH,	GROUND WATER	05N06W11													X			0

Idaho Dept. of Water Resources

Place of Use Comparison Report

Right	63 28293	KATHLEEN B MALLERY, RICHARD C MALLERY,	GROUND WATER	05N06W11				X												0
Right	63 2374	THE RIVERSIDE IRRIGATION DIST LTD,	INDIAN CREEK	05N06W11												42				42
Claim	63 3092	JOAN A BOREN TRUST,	ROSS DRAIN	05N06W11									17			32				49
Rec	63 3092	JOAN A BOREN TRUST,	ROSS DRAIN	05N06W11									17			32				49
Right	63 3092	THOMAS T SHEARER,	ROSS DRAIN	05N06W11									17			32				49
Claim	3 2041	JOAN A BOREN TRUST,	SNAKE RIVER	05N06W11					14			16								30
Rec	3 2041	JOAN A BOREN TRUST,	SNAKE RIVER	05N06W11					14			16								30
Right	3 2041	THOMAS T SHEARER,	SNAKE RIVER	05N06W11					14			16								30
Claim	63 8404A	BETTE E HITCH, JAMES H HITCH JR,	SOUTH BOISE DRAIN	05N06W11												1				1
Claim	63 8404B	JOAN D VANVLIET, GARY R VANVLIET,	SOUTH BOISE DRAIN	05N06W11												23	40	X	30	93
Rec	63 8404A	JAMES H HITCH JR, BETTE E HITCH,	SOUTH BOISE DRAIN	05N06W11												1				1
Right	63 8404	JAMES H HITCH JR, BETTE E HITCH,	SOUTH BOISE DRAIN	05N06W11												9	28	32	25	94
Right	63 9696	JOAN A BOREN TRUST,	SOUTH BOISE DRAIN	05N06W11								23.5				19				42.5



License and Certificate of Water Right

Water License No. 26475 Priority July 23, 1956 Amount .98 c.f.s.
(Late Proof)

THIS IS TO CERTIFY that ARTHUR D. LOOMIS & RICHARD E. PARKINSON - Assignee -
THOMAS T. SHEARER

of Parma, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 15, 1956; that Permit No. 26475
was issued under said application; that Certificate of Completion of Works, with a carrying capacity
of 1.68 second feet, was issued thereunder on July 6, 1961, showing
that said works were completed on the 3rd day of July, 1961; and
that on the 17 day of August, 1967, THOMAS T. SHEARER

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of a right to the use of the waters of Ross Drain

a tributary of waste water for the purpose of irrigation
under Use Permit No. 26475 of the Department of Reclamation, and
that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in
Volume of Licenses, at Page, on the 8th day of March, 1968
The right hereby confirmed dates from July 23, 1956. (Late Proof)

The Point of Diversion is located Lot 4
in the SE 1/4 SW 1/4, Sec. 11, Twp. 5 N, R. 6 W, B.M. Canyon County.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .98 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described In Permit	No. Acres Actually Irrigated
5 N	6 W	11	NE 1/4 SW 1/4	42	17
			SE 1/4 SW 1/4	42	32
			Total number of acres to be irrigated:		49

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho,
this 8th day of March, 1968

R. Keith Higgins
State Reclamation Engineer.

63 3092

63-3092
26475

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 26475

This proof is for Beneficial Use

In Water District No.

1. Name of applicant. Thomas T. Shearer
2. Source of water supply: Ross Drain (Waste water into Snake River)
3. Location of point of diversion: Is in the Lot 4 (SE 1/4) of Section 11
T. 5N R. 6W County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
7 1/2 HP GE ELEC MOTOR # 35302
PUMP WATER LIFT 8" DISCHARGE
20' THROUGH 12" CONCRETE T.U. 30'
THROUGH - EARTH DITCHES
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
E 1/2 SW 1/4, Sec. 11, T. 5N, R. 6W, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? SNAKE RIVER

Remarks:

NO MEASURE WAS TAKEN AS DRAINAGE
DITCH WAS NOT SUPPLYING ENOUGH WATER
TO OPERATE PUMP PUMP APPEARS TO
PRODUCE APPROXIMATELY IN EXCESS OF 80"
DITCHES CAPABLE OF CARRYING SAME.

This examination was made on the 2nd day of NOV, 19 67

(Signed) D. R.

Examiner.

26475

DW
Plat

Thomas T. Shearer
Box 54
Caldwell, Idaho

*sewage water lift pump
1 partial built gate wheel*

Permit No. 26475

Examination for Beneficial Use

County Canyon

Sec. 11 T. 5N. R. 6W

Quantity: 1.68 c.f.s.

Source: Ross Drain (Waste water into Snake River)

P.D.: Lot 4, Sec. 11, T. 5N, R. 6W, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: July 3, 1961

Other Rights: none

Filed: July 16, 1956

Due: August 10, 1967 (Beneficial use)

Made: August 17, 1967

Priority: July 23, 1956

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

*5 HP
F & M
8 101*

PA. 2mm

8" DISCHARGE

77" S...

*# 1 7 1/2 HP 6 ELEC
358002*

RACONS LIFT

8 DISCHARGE 20' INTO

CONCRETE GULCH

30' 12" CONC TIE

EARTH 3.75 FT

*PRODUCED APPROXIMATELY
THE SAME AS #1
(none)*

By 1/6/21

U.S. map

SEE PHOTO & PERMIT # 26474
attached

STATE LINE

PD
SL
SW

17
32
49

AREA - 49

SUBD - 2

allow Q - .98 c f.s.

x to Oadriano

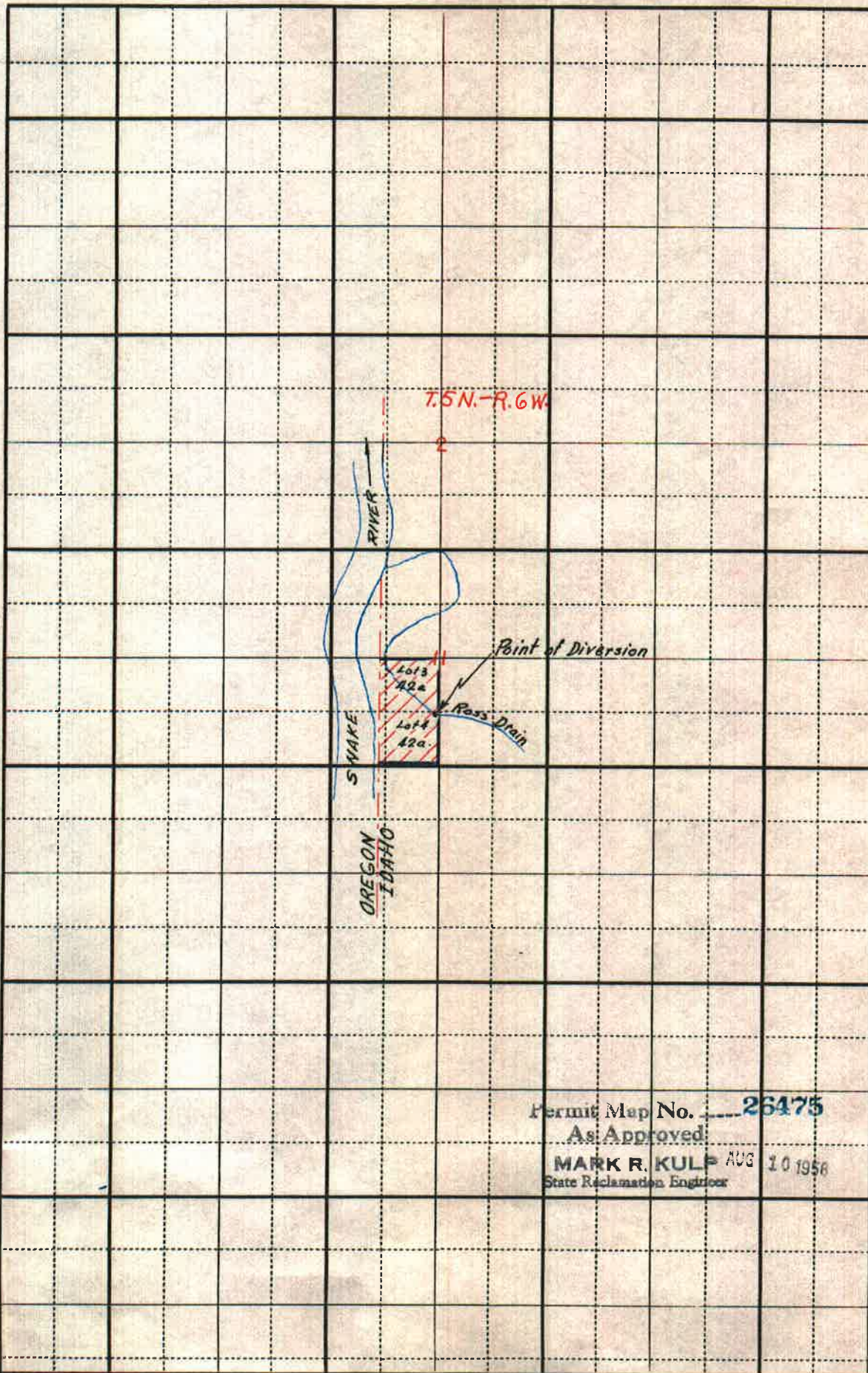
Boonville

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 26475

REPORT ON PROOF OF Beneficial Use



Permit Map No. 26475

As Approved

MARK R. KULP AUG 10 1956
State Reclamation Engineer

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9696

WATER RIGHT NUMBER: 63-9696

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN A BOREN TRUST 435 DUNDEE RD GLENCOE, IL 60022
Original Owner	ZIMRI E MILLS , ID
Original Owner	E A LIMING , ID

Priority Date: 04/06/1981

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH BOISE DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.850 CFS	191.30 AF
	<u>Total Diversion:</u>	0.850 CFS	191.30 AF

Location of Point(s) of Diversion

SOUTH BOISE DRAIN	L3 (NE1/4SW1/4)	Sec. 11, Twp 05N, Rge 06W, B.M.
CANYON 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	
05N	06W	11									23.5				19.0				42.5
											L 3				L 4				

Total Acres: 42.5

Conditions of Approval:

1. R39 A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
3. 031 Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Remarks:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

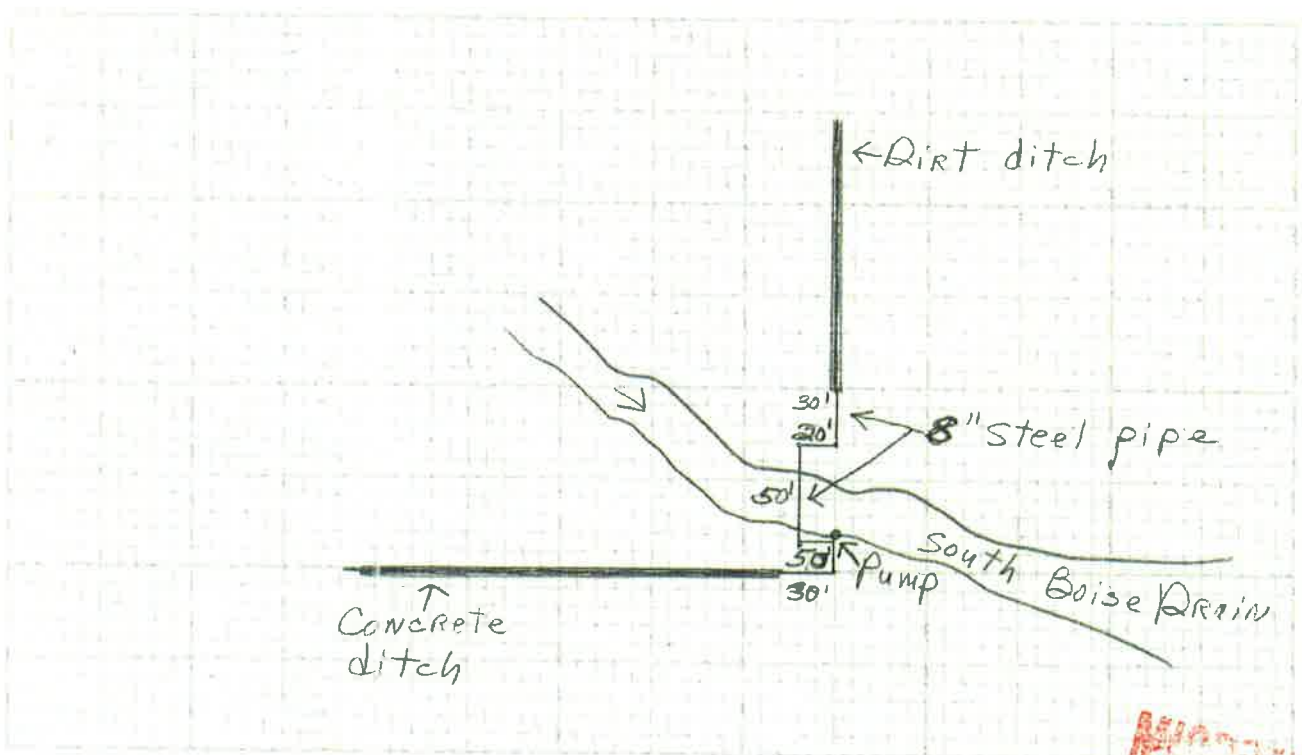
1. Owner: Joan A. Boren Trust Permit No. 63-9696
Current Address: 155 N. Harbor #1912, Chicago IL 60601 Phone No. 312-819-1011
2. Accompanied by: David Juarez & Roberto Sandoval EXAM. DATE: 6-11-91
Address: Pt 3, Box 3019, Parma, Idaho Phone No. 722-5469
Relationship to Permit Holder: Manager & farm worker
3. Source: South Boise Drain tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 03-2041, 63-3092
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED
AUG 15 1994

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 7½ Hp lifter pump discharges water from a 4' corrugated sump into 8" steel pipe. 3' from the pump a valve system diverts water upward approx 8' to a concrete ditch or approx. 120' to a dirt ditch on the North side of the South Boise Drain. Irrigation is provided from both ditches by gravity. The 8" discharge pipe was leaking at a joint next to the sump at a rate of approx. 6 gpm.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Toshiba	7½	BY754FLF20M	Unknown	8" Unknown

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	3		NE	SW	11	5N	6W	Canyon	Ortho photo quad map

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NE¼	SW¼	SE¼	NE¼	NE¼	SW¼	SE¼	NE¼	NE¼	SW¼	SE¼	NE¼	NE¼	SW¼	SE¼	
5N	6W	11									175								42.5
5N	6W	11									235								42.5

1122011111

AUG 15 1994

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
100' tape measure						
12' " "						
stopwatch						

2. Measurements:

See trapezoidal cement ditch calculation attached

$$\text{Theoretical} = \frac{7.5 \times 8.8 \times 1.7}{45' \times (2.3 + 0)} = 1.03 \text{ cfs} = .98 \text{ cfs}$$

* 45' is distance from water level to pump to next level of terrain

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

See attached Total flow 1.2 cfs - allow .85 cfs

2. Alternate Method for Checking Purposes:

Leakage = 2 gal in 20 seconds = 6 gpm = .01 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 42.5 \times 4.5 = 191.3 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{1.2}{.85} \times 246 \times 1.9835 = 9.8 \times 585.5 = 414.8$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 191.3$

2. Volume Calculations for Other Uses:

NA

RECEIVED

AUG 15 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Other rights in same PP do not affect this permit.

Only one P/R was found - 2nd P/R is not used.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Irrigation</i>	<i>3-15</i>	<i>11-15</i>	<i>.85 cfs</i>	<i>191.3 afa</i>
Totals:			<i>.85 cfs</i>	<i>191.3 afa</i>

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Melvin T. Schulte

Signature

Melvin T. Schulte

Certification Date

7-24-91

Field Report Preparation Date

7-24-91



CONSULTANT SE

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

AUG 15 1991

A4
Sec 11
5N 6W

