

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 63-200B
Date Received: 3/21/1990
Receipt No: C015817
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NAMPA & MERIDIAN IRRIGATION DIST Phone: (208)466-7861
1503 FIRST ST S
NAMPA ID USA 83651-4395

2. Date of Priority: 08/20/1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER
MORES CREEK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03E	4	NW	NE	6	ADA	
03N	03E	29	NW	SW	6	ADA	
05N	04E	35	SW	NE		BOISE	

5. Description of diverting works:

Surprise Valley Diversion

Ridenbaugh Canal

Green Ranch Diversion

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	361.94	
INDUSTRIAL	03/15	11/15	1.36	
GROUND WATER RECHARGE			03/15 11/15	5.44

SCANNED

APR 28 2008

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.

Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.

Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.

The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.

The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.

When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.

Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.

The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be

subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69594

This is to certify that: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395
(208)466-7861

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-30181	AJC/Decreed	06/01/1864	0.20 cfs				BOISE RIVER
63-199B	AJC/Decreed	05/01/1878	169.60 cfs				BOISE RIVER
63-200B	AJC/Decreed	08/20/1888	361.94 cfs				BOISE RIVER
63-198AJ	AJC/Decreed	06/01/1877	0.40 cfs		40		BOISE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-30181	NO	NO	NO	YES	NO	NO
63-199B	NO	NO	NO	YES	NO	NO
63-200B	NO	NO	NO	YES	NO	NO
63-198AJ	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
63-30181	63-30181	0.20 cfs		N/A	N/A
63-199B	63-199B	169.60 cfs		N/A	N/A
63-200B	63-200B	361.94 cfs		N/A	N/A
63-198AJ	63-198AJ	0.40 cfs		40	N/A
COMBINED TOTALS		532.14 cfs			

Detailed Water Right Description(s) attached

Dated this 24 day of July, 2003

For 
Chief Water Allocation Bureau

WATER RIGHT NO. 63-200B
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-200B is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: August 20, 1888

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	361.94 CFS
INDUSTRIAL	03/15 to	11/15	1.36 CFS
GROUND WATER RECHARGE	03/15 to	11/15	5.44 CFS
			361.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion
BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal
MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
6. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.
7. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
8. The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
9. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
11. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
12. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
13. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
14. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
15. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
16. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
17. In administering water rights from Mores Creek and its tributaries, the diversion and use of water under this right from the Green Ranch diversion shall be subordinate to other rights from Mores Creek and its tributaries, existing prior to November 20, 2001, with the following exception: this right, when diverted at the Green Ranch diversion, shall not be administered as subordinate to other rights from Mores Creek and its tributaries to the extent of a recognized delivery call from any Boise River water right holder against Mores Creek that is necessary to serve the water requirements of the

senior right holder while making reasonable use of existing natural flow and storage water rights available to the right holder.

18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24 day of July, 2003

For  _____
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1

DBS 1/16/02

Revisions Approved
pgs. 1 & 4, Attachment C

Name of applicant Nampa & Meridian Irrigation District

Phone 208-466-7861

Post Office address 1503 First Street South, Nampa, Idaho 83651-4395

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Named source

COPY

2. Describe the reason for the proposed changes The Irrigation District is annexing land (copy of the Order of Annexation is attached). A new PD is needed to serve the new land. The new land will be served with up to 0.724 cfs of water from Mores Creek, tributary to the Boise River.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-00120F</u>	<u>6/1/1864</u>	<u>0.40 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>63-00198Q</u>	<u>6/1/1877</u>	<u>0.40 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>63-00199B</u>	<u>5/1/1878</u>	<u>169.60*cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>63-00200B</u>	<u>8/20/1880⁸</u>	<u>361.94*cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u> - (1888 priority)

2. Total amount of water being transferred 0.724¹ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Mores Creek tributary to Boise River / Source of water Boise River tributary to Snake River.
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	NE	4	2N	3E	Ada	Surprise Valley Diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh Canal
		SW	NE	35	5N	4E	Boise	Green Ranch Diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
			Lands within the boundaries of the Nampa & Meridian Irrigation District																

¹ This transfer seeks to add a point of diversion for up to 0.724 cfs of the above referenced water rights.

*See Remarks

PART 1

6. General Information:

- a. Description of diversion system Ridenbaugh Diversion Dam and Canal, Surprise Valley pump station and pipeline, and Green Ranch pump station and pipeline.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Lands presently irrigated within the District will continue to receive water diverted through the Ridenbaugh Canal system and the Surprise Valley pump station.
- d. Remarks: * These are the total amounts that can be used for irrigation. A portion of these same amounts can be used for industrial and ground water recharge purposes.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20_____.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

Part 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

See attached printouts of four rights.

*(per Transfer
5273)*

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____ purposes from _____
(cfs/ac-ft)

Amount _____ for _____ purposes from _____
(cfs/ac-ft)

Amount _____ for _____ purposes from _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

**PART 2**

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. Amount _____ for _____ purposes from _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount _____ for _____ purposes from _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Western

RECEIVED

FEB - 1 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

FEB 02 2000

TRANSFER NO. 5273

WATER RESOURCES
WESTERN REGION

WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

This is to certify that: **NAMPA & MERIDIAN IRRIGATION DISTRICT**
1503 FIRST ST S
NAMPA ID 836514395

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 63-00120F : Priority: 06/01/1864 IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00198Q : Priority: 06/01/1877 IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00199B : Priority: 05/01/1878 IRRIGATION	03/15 to 11/15	169.60 CFS
INDUSTRIAL	03/15 to 11/15	0.64 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	2.56 CFS
SUBTOTAL:		169.60 CFS
Right No. 63-00200B : Priority: 08/20/1888 IRRIGATION	03/15 to 11/15	361.94 CFS
INDUSTRIAL	03/15 to 11/15	1.36 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	5.44 CFS
SUBTOTAL:		361.94 CFS
TOTAL:		532.34 CFS

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

T. 89594

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TRANSFER NO. 5273
WATER RIGHT NO(S) . 63-00120F/63-00198Q/63-00199B/63-00200B

LOCATION OF POINT(S) OF DIVERSION:

Surprise Valley Diversion	Lot 6 (NWNE), Sec. 4, Township 02N, Range 03E
Ridenbaugh Canal	Lot 6 (NWSW), Sec. 29, Township 03N, Range 03E ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by these rights from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under these rights each year shall not exceed the reported amounts.
5. The amount of water diverted from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights these rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under these rights from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs per acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under these rights.
8. Diversion and use of water for industrial purposes under these rights shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under these rights.

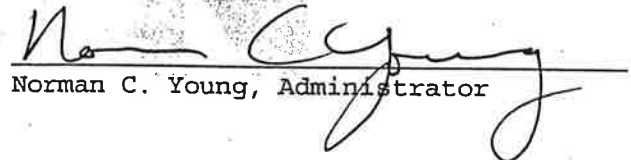
T. 69594
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TRANSFER NO. 5273
WATER RIGHT NO(S) . 63-00120F/63-00198Q/63-00199B/63-00200B

CONDITIONS OF APPROVAL AND REMARKS

9. The rate of flow diverted under these rights at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. When the authorized diversion of water under these rights is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under these rights at the Surprise Valley diversion must also be reduced by an equivalent proportion.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
12. The annual volume of water used for industrial and groundwater recharge purposes shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
13. Place of use is within the Nampa and Meridian Irrigation District boundaries.
14. Right 63-00198Q is limited to the irrigation of 40 acres within the authorized place of use.
15. The place of use for industrial and groundwater recharge purposes under these rights is limited to the lands served by the Surprise Valley diversion.

Dated this 27TH day of JANUARY, 2000.


Norman C. Young, Administrator

T. 69594

B. 799

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equals 1 mile. Draw plan in ink.

SEE Attachment A

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Daren R Coon
 Secretary-Treasurer
 Nampa & Meridian Irrigation District
 Subscribed and sworn before me this

Daren R Coon

(Signature of Applicant)

24 day of October, 2001

Donna N. Moore

(Notary Public)

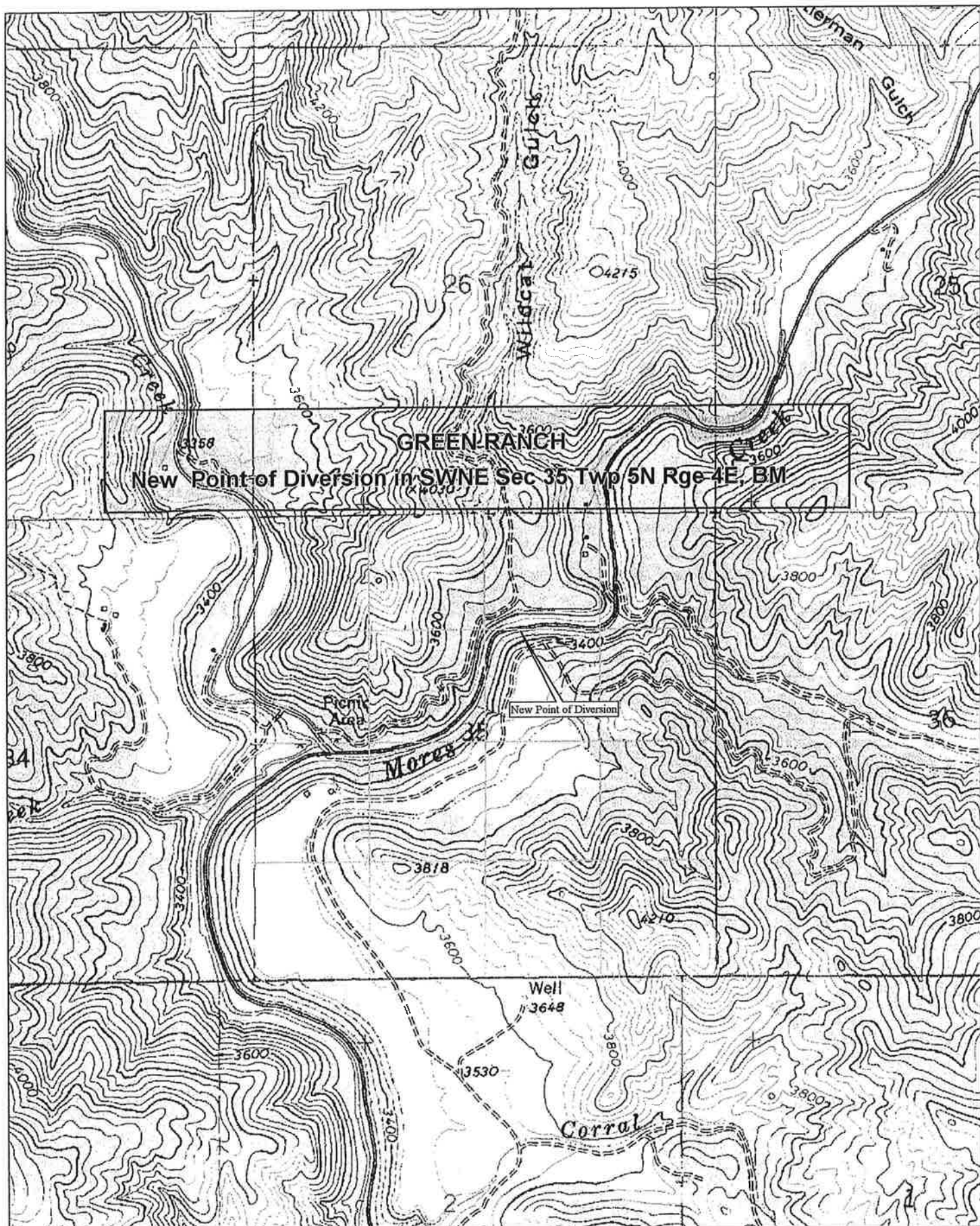
My commission expires 11/04/2006



FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 24 attachments
 Received by DAN Date 11-20-01 Protest filed by _____
 Prelim. check by SL * Fee \$250 W028515
 Receipted by DAN Date 11-20-01
 Published in IDAHO WORLD THE IDAHO STATESMAN Copies of protest forwarded by _____
 Pub. Dates 12-20 + 27-01 LMF-7-02 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

* Fee is correct for .724 cfs proposal
 -SL 12/11/01



No gov't. lot in pld 4/2/14
- 12/11/10

T. 69594
Attachment A

COPY

RESOLUTION AND ORDER BY THE BOARD OF DIRECTORS

FOR ANNEXATION OF LANDS TO

NAMPA & MERIDIAN IRRIGATION DISTRICT

At the Board Meeting of **5 June 2001**, the Board held a hearing of the annexation petition filed by **Cumer L. Green and JoAnne Green, dba Green Ranch**, and as a result of the hearing, **Aschenbrenner** presented the following resolution and moved for its adoption:

WHEREAS, Cumer L. Green and JoAnne Green, dba Green Ranch, filed a request for annexation of land to Nampa & Meridian Irrigation District, legally described as follows:

A tract of land located in the NE ¼ and the SE ¼ of Section 35, Township 5 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at a found brass cap monumenting the NW corner of the NE ¼ of said Section 35, thence South 00°07'55" West along the westerly line of said NE ¼ a distance of 2226.93 feet to a point, said point being the POINT OF BEGINNING.

Thence continuing South 00°07'55" West along said westerly line a distance of 394.06 feet to a found brass cap monumenting the SW corner of said NE ¼;

Thence South 00°04'29" West along the westerly line of the SE ¼ of said Section 35 a distance of 1224.29 feet to a point;

Thence North 68°19'59" East a distance of 1412.56 feet, more or less, to a point on the easterly line of the NW ¼ of said SE ¼;

Thence North 00°03'17" West along said easterly line a distance of 700.92 feet to a found brass cap monumenting the NE corner of the NW ¼ of said SE ¼;

T. 69594
Attachment B
(5 pgs)

Thence North 89°55'11" West along the northerly line of said SE ¼ a distance of 198.73 feet to a point;

Thence 643.52 feet along the arc of a non-tangent circular curve to the right, said curve having a radius of 208.08 feet, a central angle of 177°11'49", a chord bearing of North 89°55'11" West, a chord distance of 416.04 feet to a point on said northerly line;

Thence North 89°55'11" West along said northerly line a distance of 110.82 feet to a found brass cap;

Thence departing said northerly line North 01°45'20" West a distance of 71.53 feet to a point;

Thence North 57°10'50" East a distance of 178.18 feet to a point;

Thence North 81°41'45" East a distance of 69.13 feet to a point;

Thence North 86°42'15" East a distance of 234.99 feet to a point;

Thence North 26°22'15" West a distance of 234.66 feet to a point;

Thence North 39°29'50" West a distance of 101.10 feet to a point;

Thence North 06°09'30" West a distance of 54.33 feet to a point;

Thence North 57°36'26" East a distance of 149.06 feet to a point;

Thence North 62°32'01" East a distance of 191.89 feet to a point;

Thence North 77°02'02" East a distance of 159.10 feet, more or less, to a point on the easterly line of the SW ¼ of said NE ¼;

Thence North 00°08'16" East along the easterly line of the SW ¼ of said NE ¼ a distance of 416.98 feet to a point;

Thence departing said easterly line South 66°29'10" West a distance of 103.80 feet to a point;

Thence North 82°58'00" West a distance of 291.70 feet to a point;

Thence South 85°26'20" West a distance of 180.10 feet to a point;

Thence South 69°20'35" West a distance of 86.40 feet to a point;
Thence South 88°20'10" West a distance of 180.00 feet to a point;
Thence South 78°33'25" West a distance of 83.30 feet to a point;
Thence South 24°26'10" West a distance of 241.60 feet to a point;
Thence South 08°52'00" West a distance of 164.50 feet to a point;
Thence South 42°34'20" West a distance of 414.52 feet to the POINT OF BEGINNING.

WHEREAS, the District published notice of the filing of the petition in the Idaho Press-Tribune and The Idaho Statesman and no objections were made to the petition either prior to or during the annexation hearing.

WHEREAS, the Board of Directors of Nampa & Meridian Irrigation District deem it in the best interest of the District to annex the above-described property to the District.

IT IS HEREBY ORDERED BY THE MEMBERS OF THIS BOARD OF DIRECTORS:

1. That the above-described lands consisting of 50.00 Ridenbaugh Acres be annexed to the Nampa & Meridian Irrigation District.
2. That a period of ninety (90) days from the date of this Order be allowed for presentation to the Board of a petition signed by two percent (2%) of the landowners of the District requesting an election to approve or disapprove said annexation.
3. That this Order shall not become effective until said ninety (90) days have passed without such petition being presented or until approval of the annexation at an election.
4. That this Order shall be recorded at the Ada County Recorder's office and shall be made a Minute entry of the Minutes of the Board.

Weick seconded the motion made by **Aschenbrenner** to adopt the Resolution and Order for Annexation, it passed unanimously, and the Resolution and Order for Annexation was adopted and approved.

Dated 5 June 2001.

Assessment Number	Location	Exclusion Date	County	Exclusion Instrument Number	RMI	RA	NYA	SA	AAF	PMI	PA	PAF	RAF	Exclusion Code
2 A- 2 - 1	T	8/10/73	A	856910	0.26	0.42	0.00	0.00	0.00	0.00	0.00	0.00	0.42	2
17 B- 1 - 9	T	8/10/73	A	856914	0.25	0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.31	2
21 - 2 - 5	T	8/10/73	A	856915	0.30	0.28	0.00	0.00	0.08	0.00	0.00	0.00	0.28	2
37 J- 3 - 14	T	7/30/79	A	7941459	0.28	0.35	0.00	0.00	0.00	0.00	0.00	0.00	0.35	1
37 N- 1 - 1	T	8/10/73	A	856916	0.24	0.29	0.00	0.00	0.00	0.00	0.00	0.00	0.29	2
56 - 1 - 4	T	8/10/73	A	856908	0.21	0.26	0.00	0.00	0.10	0.00	0.00	0.00	0.26	2
70 - 5 - 5	T	8/15/79	A	7945016	0.18	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1
202 - - 4	R	3/3/78	A	7816704	0.24	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
414 C- -	R	7/10/78	A	7836595	1.64	1.64	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
415 A- -	R	7/10/78	A	7836596	1.33	1.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
417 - -	R	6/27/78	A	7834246	1.43	1.43	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
440 - -	R	2/14/78	A	7807873	0.45	0.54	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
459 - - 1	R	5/9/78	A	7824409	0.30	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
479 B- 6 - 33	T	8/15/79	A	7945005	0.23	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1
492 - 3A-	R	2/2/78	A	7806038	0.33	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
492 - 3D-	R	2/2/78	A	7806037	0.32	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
493 F- -	R	12/1/76	A	7647602	1.24	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
493 L- -	R	3/16/77	A	7711234	3.70	8.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
493 N- -	R	2/2/79	A	7906537	8.50	10.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
512 - - 3	R	4/19/78	A	7819936	0.39	0.62	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
529 A- -	R	7/16/79	A	7938878	5.00	5.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
652 -10 - 3	T	8/10/73	A	856897	0.21	0.25	0.00	0.00	0.04	0.00	0.00	0.00	0.25	2
682 N- 7 - 12	T	8/10/73	A	856895	0.19	0.24	0.00	0.00	0.08	0.00	0.00	0.00	0.21	2
695 - 7 - 6	T	7/7/78	A	7836351	0.07	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.03	2
848 - 3 - 24	T	8/10/73	A	856918	0.23	0.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
981 C- -	T	6/5/75	A	7514036	6.24	7.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
985 - -	T	8/15/79	A	7945014	1.01	1.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1
987 - 3 - 17	T	2/6/78	A	7811454	0.21	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.24	2
1053 F- -	T	5/13/75	A	7514037	1.22	1.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1
					36.20	50.00	0.00	0.00	0.30	0.00	0.00	0.00	2.64	



President of the Board

Attest:



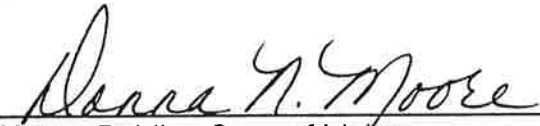
Secretary of the Board

STATE OF IDAHO)
)ss.
County of Canyon)

On this **5th** day of **June** **2001**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Henry Weick and Daren R. Coon** known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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





Notary Public - State of Idaho
Residing at Caldwell, Idaho
My Commission Expires: 11/04/2006

RECEIVED

JAN 16 2002

WATER RESOURCES
WESTERN REGION

~~Exhibit B~~

The Following is a Listing of the Idaho Department of Water Resources Water
Right Identification Numbers for the Nampa & Meridian Irrigation District's
Ridenbaugh Natural Flow Water Rights:

IDWR Water
Right Number

63-00120F

63-00198Q

63-00199B

63-00200B

Priority Date

June 1, 1864

June 1, 1877

May 1, 1878

August 20, 1888

TOTALS

Total Diversion
Rate for Water

Right

.40 c.f.s.

.40 c.f.s.

169.60 c.f.s

361.94 c.f.s.

532.34 c.f.s.

Diversion Rate to
be Apportioned to
Green Ranch

Lands

.000544 c.f.s.

.000544 c.f.s.

.230656 c.f.s.

.492238 c.f.s.

.724 c.f.s.

~~Exhibit B~~

Nampa & Meridian Irrigation District
Agreement for Terms and Conditions for Annexation
Page 1 of 1

T. 69594

Attachment C

OCT-22-1999 FRI 04:33 PM

FAX NO.

RECEIVED

JAN 16 2002

P. 05

WATER RESOURCES

THIS FORM FURNISHED COURTESY OF

ALLIANCE TITLE &
ESCROW CORP.

169451

INST#

REQUEST

98 JUL 20 PM 1:27

BOISE COUNTY RECORDER

BY Lauren L. GreenTYPE Deed Fee 3.00

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No. 92075921 JG/EK

WARRANTY DEED

FOR VALUE RECEIVED CUMER L. GREEN, A MARRIED PERSON

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CUMER L. GREEN
& JOANNE GREEN, HUSBAND & WIFEGRANTEE(S), whose current address is: HC42 BOX 1500, IDAHO CITY, ID 83205
the following described real property in BOISE County, State of Idaho, more particularly
described as follows, to wit:The Southwest Quarter of the Northeast Quarter of Section
15, Township 5 North, Range 4 East, Boise Meridian, Boise
County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including litigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 14, 1998

STATE OF IDAHO
COUNTY OF ADA

On this 14th day of July, in the year of 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared CUMER L. GREEN & JOANNE GREEN,

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: Evelyn S. KylerName: EVELYN S. KYLERResiding at: BOISE, ID

My Commission Expires: 02/18/04

Original

Ownership
@ proposed
point of
diversion

T. 69594 Attachment D

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: **A63-00200B**
Date Received: 3/21/1990
Receipt No: C015817
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
Address: 1503 FIRST ST S
NAMPA ID 83651

2. Date of Priority: AUG 20, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03E	4	NW	NE		6	ADA
03N	03E	29	NW	SW		6	ADA

5. Description of diverting works:
DIVERSION DAM, HEADWORKS, RIDENBAUGH CANAL AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	361.940		
INDUSTRIAL	03/15	11/15	1.360		
GROUNDWATER RECHARGE	03/15	11/15	5.440		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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:

USE OF WATER DIVERTED UNDER THIS WATER RIGHT IS ROTATED AT TIMES WITH WATER DIVERTED UNDER OTHER WATER RIGHTS HELD BY NAMPA & MERIDIAN IRRIGATION DISTRICT OR BY THE UNITED STATES BUREAU OF RECLAMATION OR BOISE PROJECT BOARD OF CONTROL.

PLACE OF USE: LANDS WITHIN THE BOUNDARIES OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT. TOTAL ACREAGE IS 22,622.38 ACRES.

NOTE TO FILE: A GENERAL LAND LIST IS ENTERED UNDER A63-30181Z0
*AND A63-30181Z1. *

CLAIM AMENDED PER TRANSFER 5273 APPROVED 1/27/2000.

FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMER CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

Western

RECEIVED

FEB - 1 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

FEB 02 2000

WATER RESOURCES
WESTERN REGION

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

63-00120Z

This is to certify that: **NAMPA & MERIDIAN IRRIGATION DISTRICT**
1503 FIRST ST S
NAMPA ID 836514395

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 63-00120F :		
Priority: 06/01/1864		
IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00198Q :		
Priority: 06/01/1877		
IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00199B :		
Priority: 05/01/1878		
IRRIGATION	03/15 to 11/15	169.60 CFS
INDUSTRIAL	03/15 to 11/15	0.64 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	2.56 CFS
SUBTOTAL:		169.60 CFS
Right No. 63-00200B :		
Priority: 08/20/1888		
IRRIGATION	03/15 to 11/15	361.94 CFS
INDUSTRIAL	03/15 to 11/15	1.36 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	5.44 CFS
SUBTOTAL:		361.94 CFS
TOTAL:		532.34 CFS

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

TRANSFER NO. 5273
WATER RIGHT NO(S) . 63-00120F/63-00198Q/63-00199B/63-00200B

LOCATION OF POINT(S) OF DIVERSION:

Surprise Valley Diversion
Ridenbaugh Canal

Lot 6(NWNE), Sec. 4, Township 02N, Range 03E
Lot 6(NWSW), Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

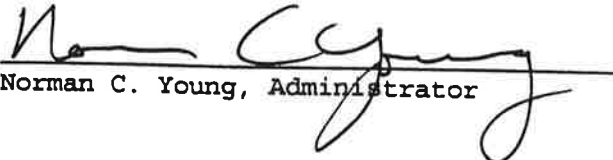
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by these rights from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under these rights each year shall not exceed the reported amounts.
5. The amount of water diverted from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights these rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under these rights from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs per acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under these rights.
8. Diversion and use of water for industrial purposes under these rights shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under these rights.

TRANSFER NO. 5273
WATER RIGHT NO(S) . 63-00120F/63-00198Q/63-00199B/63-00200B

CONDITIONS OF APPROVAL AND REMARKS

9. The rate of flow diverted under these rights at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. When the authorized diversion of water under these rights is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under these rights at the Surprise Valley diversion must also be reduced by an equivalent proportion.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
12. The annual volume of water used for industrial and groundwater recharge purposes shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
13. Place of use is within the Nampa and Meridian Irrigation District boundaries.
14. Right 63-00198Q is limited to the irrigation of 40 acres within the authorized place of use.
15. The place of use for industrial and groundwater recharge purposes under these rights is limited to the lands served by the Surprise Valley diversion.

Dated this 27TH day of JANUARY, 2000.


Norman C. Young, Administrator

CONTACTS = ATTORNEYS D. STEENSON ^{PART 1} & C. HONINGER, RINGIER CLARK FRANK

A. PURPOSE OF TRANSFER

- (REVISOR'S note: Annexation of new lands already complete so change in place of use N/A by definition. -JL 5/27/98)

1. Right Number _____ Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____

_____ See the Attached Part I = Pg. 3 _____ to _____

_____ _____ to _____

_____ _____ to _____

_____ _____ to _____

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Boise River _____ tributary to Snake River

4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

* 1/4-1/4 added per town - clarification does not require Applicant's initials to approve - fl
Total acres 5/27/98

PART 1**6. General Information:**

- a. Description of diversion system Ridenbaugh Diversion Dam and Canal; and Surprise Valley Pump Station and Pipeline.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Lands presently irrigated within the District will continue to receive water diverted through the Ridenbaugh Canal System.
- d. Remarks:
See Attached "Remarks" (Attachment A)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

PART 1

B.1.

Right Number	Priority	Amount (cfs)	Nature of Use	Period of Use
63-00120F	6/1/1864	0.40 cfs	irrigation	3/15 to 11/15
63-00198Q	6/1/1877	0.40 cfs	irrigation	3/15 to 11/15
63-00199B	5/1/1878	169.60 cfs	irrigation	3/15 to 11/15
		0.64 cfs	industrial	3/15 to 11/15
		<u>2.56 cfs</u>	ground water recharge	3/15 to 11/15
		total* 169.60 cfs		
63-00200B	8/20/1888	361.94 cfs	irrigation	3/15 to 11/15
		1.36 cfs	industrial	3/15 to 11/15
		<u>5.44 cfs</u>	ground water recharge	3/15 to 11/15
		total* 361.94 cfs		
Total		532.34 cfs		

*see transfer remarks for further explanation

4 11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (SEE ATTACHED PRINTOUTS PREPARED BY THE IDWR FOR THE)
(NMID RIDENBAUGH WATER RIGHTS AS RECORDED)

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED See Attached Part 1 B.1 = pg 3
(If the entire right is to be changed by the applicant, omit part B and C.)

- 2. Point(s) of Diversion:**

[illegible]

- [illegible]

Total acres _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated as place of

- [illegible]

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00120F

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.40 CFS
DOMESTIC	to	
	Totals	0.40 CFS

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

Priority: 06/01/1864

ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 02W 25	NESE	SESE		
04N 01W 36	SENE			

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. TRANS. 595.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00198Q

STAGE: DECREED

DIVERSION

BENEFICIAL USEPERIOD OF USERATE

IRRIGATION

to

0.40 CFS

SOURCETRIBUTARY OF

BOISE RIVER

SNAKE RIVER

Priority: 06/01/1877

ADA County

PLACE OF USE: IRRIGATIONTWN RGE SECACRESACRESACRESTOTAL

03N 01W 15

NESE 40

Total number of acres irrigated:

40

40

CONDITIONS/REMARKS:

1. TRANS. 392 & 1864.
2. P/D IN NW S11, T4N, R2W.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00199B

STAGE: DECREEED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	169.60 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
BOISE RIVER		SNAKE RIVER

Priority: 05/01/1878

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWSW), Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. P/U LANDS UNDER SYSTEM.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-002008

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	361.94 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BOISE RIVER	SNAKE RIVER

Priority: 08/20/1888

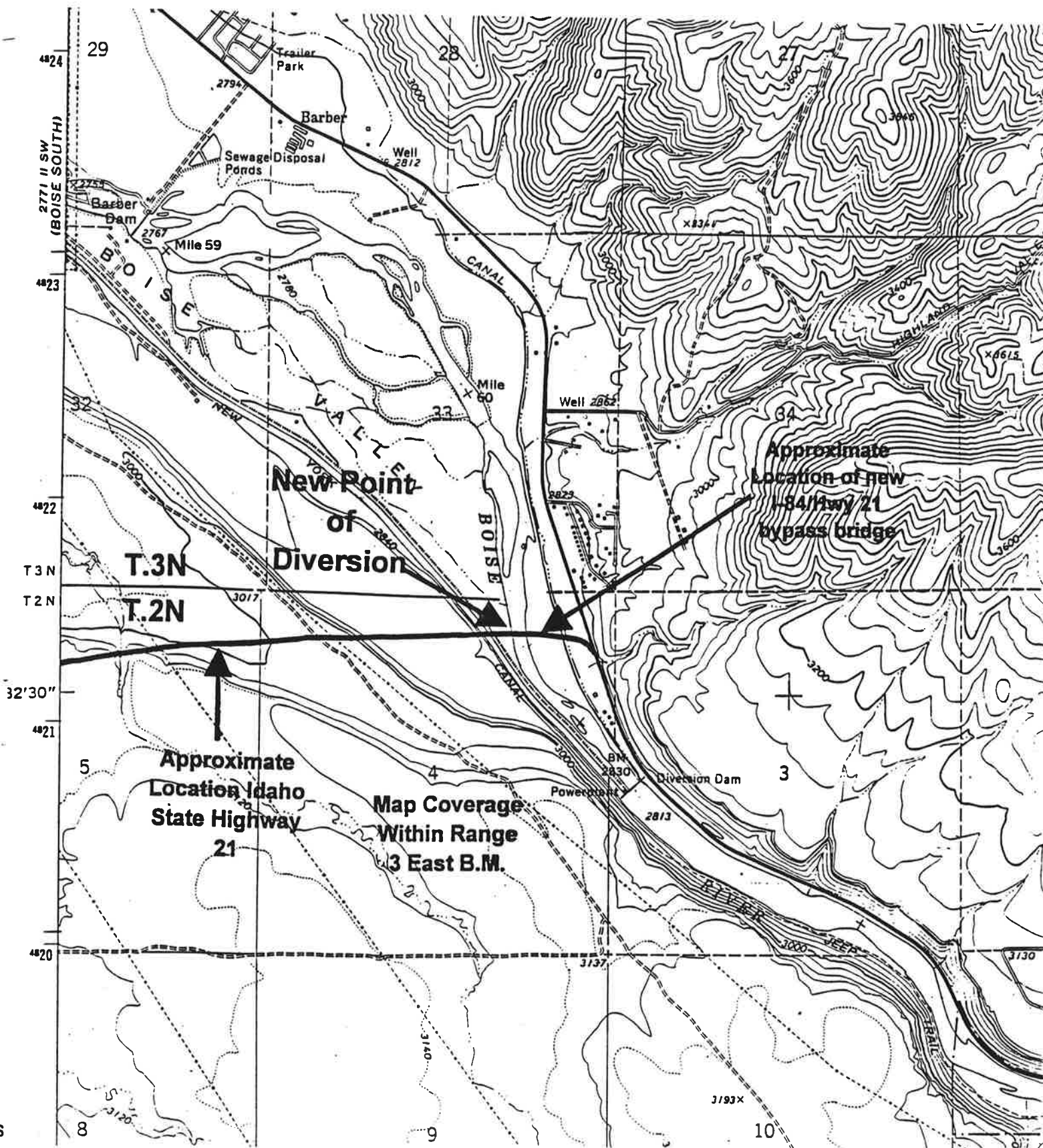
LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWSW), Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. P/U LANDS UNDER SYSTEM.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



PART 3

B. CHANGES IN NATURE OF USE

1 New Nature of Use
 (See Attached Remarks) = Attachment A
Amount
 (cfs/ac-ft)
Hours/days/year
Period of Use
 _____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge:
 (See Attached Part 3) = Attachment B

3. Describe effects on other water uses resulting from the proposed change:
 (See Attached Part 3)

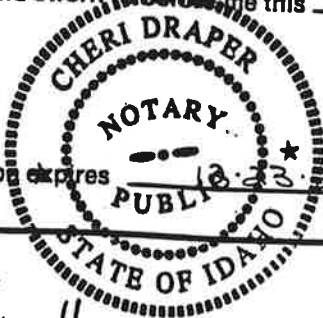
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Nampa & Meridian Irrigation District

By: Daren R. Coon
 Its: Sec. - Treas. (Signature of Applicant)

Subscribed and sworn to before me this 16th day of JANUARY, 19 98.



Cheri Draper
 (Notary Public)

My commission expires 12-23-2003

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 45 attachments = A through E
 Received by Rdh Date 1/16/98
 Prelim. check by FL Fee \$100
 Receipted by Rdh Date 1/16/98
 Published in Statewide 6-4-11-98
 Pub. dates _____
 Watermaster recommendation requested on 5/29/98 & 7/13/99
 _____ rec'd. 2/13/99
 Copy of transfer sent to lien holder _____
 Protest filed by _____
✓ All protests withdrawn as noted
in 3/18/99 letter to parties
 Copies of protest forwarded by _____
 Hearing held by _____ Date _____
 Recommended for ☐ approval ☐ denial
 by _____

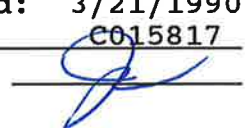
#W023382
 (\$100)

16:46

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: A63-00200B
Date Received: 3/21/1990
Receipt No: C015817
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
Address: 1503 FIRST STREET SOUTH
NAMPA ID 83651

2. Date of Priority: AUG 20, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03E	29	NW	SW		6	ADA

5. Description of diverting works:
DIVERSION DAM, HEADWORKS, RIDENBAUGH CANAL AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	361.940		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	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:

USE OF WATER DIVERTED UNDER THIS WATER RIGHT IS ROTATED AT TIMES WITH WATER DIVERTED UNDER OTHER WATER RIGHTS HELD BY NAMPA & MERIDIAN IRRIGATION DISTRICT OR BY THE UNITED STATES BUREAU OF RECLAMATION OR BOISE PROJECT BOARD OF CONTROL.

PLACE OF USE: LANDS WITHIN THE BOUNDARIES OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT. TOTAL ACREAGE IS 22,622.38 ACRES.

NOTE TO FILE: A GENERAL LAND LIST IS ENTERED UNDER A63-30181Z0
*AND A63-30181Z1. *

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMER CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

RECEIVED

NOV 23 1998

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

WATER RESOURCES
WESTERN REGION

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: A63-00200B

Date Received:

Receipt No.: _____

Received By: _____

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
Address: 1503 First Street South, Nampa, Idaho 83651
2. Date of Priority: August 20, 1888
3. Source: Boise River Trib. to: Snake River
4. Point of Diversion

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
03N	03E	29			NW		SW	6	ADA
5. Description of diverting works: Diversion dam, headworks, main (Ridenbaugh) canal and laterals.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	or	A.F.A.
Irrigation	3/15	11/15	361.94		
7. Total Quantity Appropriated is:
361.94 C.F.S. (and/or) A.F.A.
8. Non-irrigation uses:
9. Place of Use: Lands within the boundaries of Nampa & Meridian Irrigation District, as described in the attached "Description of Boundaries of Nampa & Meridian Irrigation District - Ada and Canyon Counties, Idaho" (attached hereto as Appendix 1).

The Acreage is 22,622.38 acres.
10. Place of use in counties: Ada and Canyon.
11. Do you own the property listed above as place of use?
The land identified in Appendix 1 is owned by the various landowners within Nampa & Meridian Irrigation District.
12. Other Water Rights Used:
See "Nampa & Meridian Irrigation District Water Rights List" attached hereto as Appendix 3.

13. Remarks: Use of water diverted under this water right is rotated at time with water diverted under other water rights held by Nampa & Meridian Irrigation District or by the United States Bureau of Reclamation or Boise Project Board of Control.

14. Basis of Claim: DECREED
Water Right Number: 63-00200B

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
Decree Defendant

15. 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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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

For Organizations:

I do solemnly swear or affirm that I am president of the NAMPA & MERIDIAN IRRIGATION DISTRICT, that I have signed the foregoing document in the space below as president of NAMPA & MERIDIAN IRRIGATION DISTRICT, and that the statements contained in the foregoing document are true and correct.



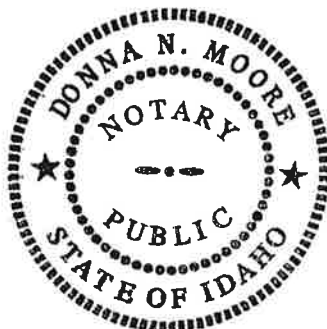
Signature of Authorized Agent
President, NAMPA & MERIDIAN
IRRIGATION DISTRICT

11-17-98

Date

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

Subscribed and sworn (or affirmed) before me this 17th day of November, 1998.





Notary Public
Residing at Caldwell, Idaho
My commission expires: 11-04-2000

DESCRIPTION OF BOUNDARIES OF NAMPA & MERIDIAN IRRIGATION
DISTRICT - ADA AND CANYON COUNTIES, IDAHO

Beginning at the southeast corner of the northwest quarter of section 12 in township 3 north, range 2 west, B.M., in Canyon County, Idaho; and running thence in said section 12 east 660 feet, north 660 feet, east 1320 feet, north 660 feet, east 660 feet to a point 1320 feet south of the northeast corner of said section 12; thence in section 7, township 3 north, range 1 west in Canyon County, Idaho, east 660 feet, south 660 feet, east 1320 feet, north 1320 feet, west 1320 feet, north 660 feet, to a point 660 feet east from the northwest corner of said section 7; thence in section 6 in said township, north 1980 feet, west 660 feet, north 3300 feet, to the northwest corner of said section 6; thence north 2640 feet to the northwest corner of the southwest quarter of section 31 in township 4 north, range 1 west in Ada County, Idaho; thence in said section 31 east 1980 feet, north 660 feet, east 1320 feet, north 660 feet, east 1980 feet, to a point 1320 feet south from the northeast corner of said section 31; thence in section 32 in said township east 1320 feet, south 660 feet, east 3300 feet, north 330 feet, east 660 feet to a point 1650 feet, south of the northeast corner of said section 32; thence in section 33 of said township east 660 feet, south 660 feet, east 3300 feet, north 330 feet, east 1320 feet to a point 1980 feet south of the northeast corner of said section; thence in section 34 of said township east 660 feet, south 330

feet, east 330 feet, south 330 feet, east 4290 feet to a point 2640 feet south of the northeast corner of said section 34; thence in section 35 of said township east 2640 feet, south 1320 feet, east 2640 feet to a point 1320 feet north from the southeast corner of said section 35; thence in section 36 in said township east 1320 feet, south 1320 feet, east 1320 feet, north 2640 feet, east 2640 feet, to the quarter section corner on the east line of said section 36; thence in section 31, township 4 north, range 1 east in Ada County, Idaho, south 1320 feet, east 5280 feet, south 1320 feet to the southeast corner of said section; thence east 2 miles on the township line between township 4 north, range 1 east, and township 3 north, range 1 east, to the southeast corner of section 33 in said township 4 north, range 1 east in Ada County, Idaho; thence north 2640 feet, thence east in section 34 in said township 2640 feet, north 1980 feet, west 1980 feet, north 660 feet, east 4620 feet, to the northeast corner of said section 34; thence north 1320 feet, thence in section 26 in said township east 1320 feet, north 1980 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet to a point 1650 feet north from the southeast corner of said section 26; thence into section 25 in said township east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 1320 feet, south 660 feet, east 330 feet, to a point

1650 feet west of the southeast corner of said section 25; thence into section 36 in said township, south 330 feet, east 330 feet, south 990 feet, east 1320 feet to a point on the east line of said section 1320 feet, south from the northeast corner of said section; thence into section 31 in township 4 north, range 2 east, Ada County, Idaho, east 1320 feet, south 660 feet, east 660 feet, south 1980 feet, east 1980 feet, south 660 feet, east 660 feet, south 660 feet to a point 660 feet west of the southeast corner of said section 31; thence into section 6 in township 3 north, range 2 east, Ada County, Idaho, south 660 feet, east 330 feet, south 660 feet, east 330 feet, to a point 1320 feet south of the northeast corner of said section 6; thence into section 5 in said township east 660 feet, south 660 feet, east 660 feet, south 660 feet, east 660 feet, south 660 feet, east 330 feet, south 660 feet, east 990 feet, south 330 feet, east 660 feet, south 660 feet, east 660 feet, south 330 feet, west 4620 feet to the southwest corner of said section; thence south 7920 feet to the quarter section corner on west line of section 17 in said township; thence into section 17 in said township, east 4290 feet, south 2310 feet, west 2970 feet, north 660 feet, west 1320 feet, to a point 990 feet north from the southwest corner of said section 17; thence into section 18 in said township north 660 feet, west 1320 feet, north 660 feet, west 1320 feet, north 330 feet, west 660 feet, north 330 feet, west 660 feet, north 330 feet, west 1320 feet, to a point 1980 feet south of the northwest

corner of said section 18; thence into section 13, township 3 north, range 1 east, in Ada County, Idaho west 660 feet, north 330 feet, west 660 feet, north 660 feet, west 1320 feet, north 330 feet, west 2640 feet, to a point 660 feet south of the northwest corner of said section 13; thence into section 14 in said township, west 990 feet, south 3300 feet, west 660 feet, south 1320 feet to a point 1650 feet west of the southeast corner of said section 14; thence into section 23 in said township, south 660 feet, east 330 feet, south 330 feet, east 330 feet, south 330 feet, east 660 feet, south 660 feet, east 330 feet, south 660 feet, to the quarter section corner on the east line of said section; thence south 1320 feet, thence west 3960 feet, thence south 1320 feet, thence west 1320 feet, to the southwest corner of said section, thence west 1320 feet, south 1320 feet, west 1320 feet, north 1320 feet, to quarter section corner on south line of section 22, in said township; thence west 5280 feet, to quarter section corner on south line of section 21, in said township; thence south into section 28, in said township 3960 feet, west 2640 feet, south 1320 feet to southwest corner of said section 28, thence east 5280 feet to southeast corner of said section 28; thence south 1320 feet, thence west 1320 feet, thence north 1320 feet, thence west 2640 feet, thence south into section 33, in said township, 1320 feet, east 1320 feet, south 2640 feet, west 1320 feet, north 1320 feet, west 1320 feet, to quarter section corner on west line of said section 33, thence

south 1320 feet, west into section 32, in said township 1320 feet, north 660 feet, west 1320 feet, north 660 feet, to center of said section, thence west 1320 feet, north 1320 feet, east 3960 feet, north 1320 feet, to southeast corner section 29, in said township; thence west 5280 feet to southwest corner of said section 29, thence west 1320 feet, thence into section 30 in said township, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet, to a point 1320 feet south from the northwest corner of said section 30; thence into section 25, township 3 north, range 1 west in Ada County, Idaho, west 2640 feet, north 1320 feet, west 2640 feet, to the northwest corner of said section 25, thence into section 23 in said township, north 1320 feet, west 5280 feet, south 1320 feet, to the southwest corner of said section 23, thence west 5280 feet to southwest corner of section 22, in said township, thence south 2640 feet, thence east 2640 feet, to center of section 27, in said township; thence south 2640 feet to quarter section corner on south line of said section 27, thence east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, west 2640 feet, to southwest corner of section 35, in said township; thence south 2640 feet, thence west 2640 feet, thence south 2640 feet, to quarter section corner on south line of section 3, in said township; thence west 1650 feet, thence into section 10 in said township, south 3300 feet, west 990 feet, to a point 1980 feet

north of the southwest corner of said section; thence into section 9 in said township, west 3960 feet, south 330 feet, west 660 feet, south 330 feet, west 660 feet, south 330 feet, to a point 990 feet north of the southwest corner of said section 9; thence crossing the line from Ada County into Canyon County, Idaho, into section 8 in said township 2 north, range 1 west, west 660 feet, south 330 feet, west 1980 feet, south 330 feet, west 660 feet, south 330 feet, west 990 feet to a point 990 feet, east of the southwest corner of said section 8; thence into section 17 in said township, south 990 feet, west 330 feet, south 1650 feet, west 660 feet, to the quarter section corner on the west line of said section 17; thence west 2 miles to the quarter section corner on the west line of section 13 in township 2 north, range 2 west in Canyon County, Idaho; thence south 1 mile to the quarter section corner on the east line of section 23 in said township; thence into section 23 in said township, west 2640 feet, north 1320 feet, west 2640 feet to a point 1320 feet south of the northwest corner of said section 23; thence into section 22 in said township, west 3960 feet, south 1320 feet; west 1320 feet, to the quarter section corner on the west line of said section 22; thence into section 21 in said township, west 1320 feet, south 2640 feet, to a point 1320 feet west of the southeast corner of said section; thence into section 28 in said township, south 2640 feet, west 3960 feet to the quarter section corner on the west line of said section 28; thence into section 29 in said

township, north 1320 feet, west 1320 feet, north 1320 feet, west 3960 feet to the northwest corner of said section; thence into section 19 in said township, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet; north 2640 feet to the quarter section corner on the north line of said section 19; thence into section 18 in said township, north 2640 feet, west 1320 feet, north 2640 feet, west 1320 feet, to the northwest corner of said section 18; thence into section 12 in township 2 north, range 3 west in Canyon County, Idaho, north 2640 feet, west 1320 feet, north 1320 feet, west 2640 feet, north 1320 feet, west 1320 feet to the northwest corner of said section 12; thence into section 2 in said township, west 1320 feet, north 1320 feet, west 3960 feet; north 3960 feet to the northwest corner of said section 2; thence north 2640 feet, west 2640 feet, north 1320 feet, east 5280 feet, south 1320 feet, to the center of section 35, township 3 north, range 3 west, thence 1320 feet east, north 6600 feet, west 1320 feet, north 2640 feet, east 1320 feet, north 1320 feet, west 1320 feet, to the center of section 23, in said township, thence west 1320 feet, north 6600 feet, west 1320 feet, north 1320 feet, to northwest corner of section 14, of said township, thence west 1320 feet, north 2640 feet, east 1320 feet, to quarter section corner on east line of section 10, in said township; thence south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, to quarter section corner on south line of section 11, in said township; being a point on southwestern

boundary of Pioneer Irrigation District; thence following the southerly boundary of said Pioneer Irrigation District in an easterly direction to the point of beginning of this description, a more particular statement thereof being as follows: From said last mentioned point, south 330 feet, east 1320 feet, south 1320 feet, east 660 feet, south 990 feet, east 660 feet to the quarter corner between sections 14 and 13 in said township; thence on the section line between sections 14 and 13 south 1320 feet, thence in said section 13, east 660 feet, south 660 feet, east 330 feet, south 660 feet, to a point 990 feet east of the southwest corner of said section 13; thence in section 24 in said last mentioned township south 660 feet, east 660 feet, south 1320 feet, west 660 feet, south 1320 feet, east 2310 feet, south 660 feet, east 1980 feet to a point 1320 feet north of the southeast corner of said section 24; thence north 2640 feet on the township line between townships 3 north and 3 west and 3 north, 2 west, to a point 1320 feet south of the northeast corner of said section 24; thence in section 19 in township 3 north, range 2 west in said county east 660 feet, south 660 feet, east 1320 feet, south 660 feet, east 1320 feet, north 660 feet, east 1320 feet, south 660 feet, east 660 feet, to the quarter corner between sections 19 and 20 in said township; thence on the section line between sections 19 and 20, north 1320 feet, thence in said section 20, east 1980 feet, south 660 feet, east 660 feet, south 660 feet, east 1980 feet, south 660 feet, east 660 feet, south 330 feet, to a point 1650

feet north of southeast corner of said section 20; thence in section 21 in said last mentioned township, east 660 feet, south 330 feet, east 660 feet, south 660 feet, east 660 feet, south 660 feet, to a point 1980 feet east of the southwest corner of said section 21, thence south in section 28, in said last mentioned township, 660 feet, east 660 feet, north 660 feet to a point 2640 feet east of the northwest corner of said section 28; thence in section 21 in said last mentioned township north 990 feet, west 660 feet, north 330 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, east 660 feet, north 330 feet, west 660 feet, north 330 feet, west 330 feet, north 660 feet, west 990 feet, north 1320 feet to the northwest corner of said section 21; thence east on section line between sections 16 and 21 in said last mentioned township 3630 feet; thence in said section 21 south 660 feet, east 990 feet, south 330 feet, east 660 feet, south 330 feet, to a point 1320 feet south of the northeast corner of said section 21; thence in section 22 in said last mentioned township east 1320 feet, south 990 feet, east 1320 feet, north 2310 feet to a point 2640 feet east of the northwest corner of said section 22; thence in section 15 in said last mentioned township north 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet to the southeast corner of said section 15; thence in section 23 in said last mentioned township south 330 feet, east 660 feet, north 330 feet, east 660 feet to a point 1320 feet east of the northwest corner of said section 23; thence

in section 14 in said last mentioned township north 660 feet, west 660 feet, north 330 feet, west 660 feet to a point 990 feet north of the southwest corner of said section 14; thence in section 15 in said last mentioned township west 660 feet, north 1650 feet, east 660 feet, north 330 feet to a point 2310 feet south of the northeast corner of said section 15; thence in section 14 in said last mentioned township east 1320 feet, north 990 feet, east 990 feet, north 1320 feet to a point 2310 feet east of the northwest corner of said section 14; thence in section 11 in said last mentioned township north 330 feet, east 1650 feet, north 330 feet, east 660 feet, north 660 feet, east 660 feet to a point 1320 feet north of the southeast corner of said section 11; thence in section 12 in said township east 660 feet, north 1320 feet, and east 1980 feet to the southeast corner of the northwest quarter of said section 12 and place of beginning of this description of the boundaries of said irrigation district, excepting therefrom, however the following tract of land situated in Canyon County, Idaho, designated as "Exception No. 1", to-wit:

Commencing at the northwest corner of township 2 north, range 2 west in Canyon County, Idaho, thence east 1320 feet, south 1320 feet, east 2640 feet, south 1320 feet, east 1320 feet, to the east quarter section corner of section 6 in said township; thence east 2640 feet, south 2640 feet, east 660 feet, south 1320 feet, east 660 feet, south 1320 feet, east 660 feet, south 1320

feet, east 660 feet, to a point 1320 feet north of the southeast corner of ~~section 8~~ in said township; thence east 1 mile to point 1320 feet north of the southeast corner of section 9 in said township, thence south 330 feet, east 3300 feet, north 990 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, east 990 feet, south 330 feet, east 660 feet, north 990 feet, west 660 feet, north 660 feet, to a point 1980 feet west of the northeast corner of section 10 in said township; thence north 660 feet, west 660 feet, north 330 feet, west 660 feet, north 660 feet, west 660 feet, north 660 feet, west 660 feet, north 660 feet, west 660 feet, north 330 feet, to a point 1980 feet south of the northeast corner of section 4 in said township; thence west 660 feet, north 660 feet, west 1980 feet, north 660 feet, west 660 feet, north 330 feet, west 660 feet, north 330 feet, to a point 1320 feet east of the northwest corner of said section 4; thence north 660 feet, west 5280 feet, north 330 feet, west 990 feet, north 660 feet, west 330 feet, north 330 feet, to a point 1980 feet north of the southeast corner of section 31; in township 3 north, range 2 west, in Canyon County, Idaho; thence west 330 feet, north 660 feet, west 330 feet, north 1650 feet, west 330 feet, north 660 feet, west 1320 feet, north 990 feet, west 330 feet, north 660 feet, west 1320 feet, north 660 feet, west 1320 feet, to a point 1980 feet north of the southwest corner of section 30 in said township, thence south 660 feet, thence west 2640 feet, thence

south 1320 feet, to the quarter section corner of the south line of section 25, township 3 north, range 3 west; thence south 1 mile and thence east to the southeast corner of section 36, in said township, and place of beginning of this description.

Also excepting therefrom the following land in Canyon County, Idaho, to-wit: The southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter, and lot 2, in section 5, in township 3 north, range 1 west, and Block 20 in the original township of Nampa, in the said county.

Also excepting therefrom the following land in Ada County, Idaho, to-wit: The east one half of the northwest quarter of section 2, in township 3 north, range 1 west; and the following land in township 3 north, range 1 east: The northeast quarter of section 1; the southeast quarter of the southeast quarter of section 6; the south one-half of the north one-half of section 17; and the south one-half of section 4 and the north one-half of section 9.

There is also included within the said district the following tracts in Canyon County, Idaho, which are segregated from the main body of land in said district, to-wit: Beginning at the southeast corner of section 33, township 3 north, range 3 west, thence south 1320 feet, east 2640 feet, south 3960 feet, west 3960 feet, north 3960 feet, west 1320 feet, south 1320 feet, to center of section 4, township 2 north, range 3 west; thence 5230 feet west, north 2640 feet, east 1320 feet, north 2640 feet,

east 1320 feet, north 2640 feet, east 5280 feet, south 2640 feet, west 3960 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, north 1320 feet, east 1320 feet, south 1320 feet to place of beginning, being the southwest quarter and south one-half of the northwest quarter, section 3, and east one-half of the southeast quarter and east one-half of the northeast quarter and northwest quarter northeast quarter and northwest quarter, section 4, and northeast quarter section 5, township 2 north, range 3 west; and southeast quarter southeast quarter and west one-half southwest quarter and southeast quarter southwest quarter and north one-half, section 33; and east one-half southeast quarter, section 32, township 3 north, range 3 west, in said Canyon County, Idaho. Also beginning at the northeast corner of section 29, township 3 north, range 3 west, thence west 2640 feet, south 2640 feet, east 2640 feet, and north 2640 feet, to place of beginning, being northeast quarter of said section. Also beginning at the northwest corner of section 21, in said township 3 north, range 3 west, thence east 2640 feet, south 2640 feet, west 2640 feet, north 2640 feet to place of beginning being the northwest quarter of said section; also beginning at the northwest corner of section 20 in township 3 north, range 3 west, and running thence east 2640 feet, south 2640 feet, west 2640 feet, south 2640 feet, west 1320 feet, north 2640 feet, west 1320 feet, north 1320 feet, east 2640 feet, north 1320 feet, to place of beginning, being the northwest quarter of said section

20, and south one-half northeast quarter and east one-half southeast quarter, section 19, in said township 3 north, range 3 west. Also beginning at the northwest corner of section 2, township 3 north, range 4 west, in Canyon County, Idaho; thence south 1 mile, west 2640 feet, south 2640 feet, east 7920 feet, north 2640 feet, east 2640 feet, south 2640 feet, east 2640 feet, to quarter section corner on east line, section 12, in said township, thence north 1 mile, west 2640 feet, north 2640 feet, to north quarter section corner in section 1, in said township; thence west 7920 feet, to place of beginning, being the south one-half and northwest quarter section 1, all of section 2, northeast quarter section 10, north one-half section 11, and northeast quarter section 12, in said township. Also beginning at the northeast corner of section 13, said township 3 north, range 4 west, running south 7920 feet, west 2640 feet, north 7920 feet, east 2640 feet, to place of beginning, being the east one-half section 13, northeast quarter section 24, in said township. Also the following described tract of land in section 2, township 2 north, range 1 west, in Ada County, Idaho, to-wit: Beginning at center of said section, thence east 2640 feet, south 1320 feet, west 2640 feet, north 1320 feet, to place of beginning, being the north one-half of the southeast quarter of said section.

All that portion of section 9, in township 3 north, range 2 east, in Ada County, Idaho, described as follows, to-wit:

Beginning at center of said section, south 330 feet, east 330 feet, south 330 feet, east 330 feet, south 330 feet, west 330 feet, south 330 feet, west 1650 feet, north 1320 feet, west 1320 feet, north 1980 feet, east 990 feet, south 660 feet, east 330 feet, south 660 feet, east 330 feet, south 660 feet, east 990 feet, to place of beginning. Also excluding from said district the following land in Ada County, Idaho, to-wit: southeast quarter of section 35, township 4 north, range 1 east.

The foregoing description of the boundaries of Nampa & Meridian Irrigation District is derived from an Order of the County Commissioners of Ada County, Idaho, made February 15, 1904, recorded in Minute Book "F" of the Commissioners of Ada County, Idaho, and recorded in the office of the Recorder of Ada County, Idaho, on March 4, 1904, under Recorder's Instrument No. 3292.

NAMPA & MERIDIAN IRRIGATION DISTRICT WATER RIGHTS LIST

A63-199B
A63-00200A
A63-00200B
A63-00249
A63-00278
A63-00278A
A63-00279
A63-00279A
A63-00301
A63-00302
A63-00373
A63-02106

A63-02109
A63-02158
A63-02388
A63-02392
A63-03613
A63-03614
A63-03618
A63-04868
A63-05261
A63-05262
A63-05263
A63-05264

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: **A63-00200B**
Date Received: 3/21/1990
Receipt No: C015817
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
Address: 1503 FIRST STREET SOUTH
NAMPA ID 83651

2. Date of Priority: AUG 20, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	29	NW	SW		6	ADA

5. Description of diverting works:
DIVERSION DAM, HEADWORKS, RIDENBAUGH CANAL AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	353.040		

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

8. Total consumptive use is 61782.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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:

USE OF WATER DIVERTED UNDER THIS WATER RIGHT IS ROTATED AT TIMES WITH WATER DIVERTED UNDER OTHER WATER RIGHTS HELD BY NAMPA & MERIDIAN IRRIGATION DISTRICT OR BY THE UNITED STATES BUREAU OF RECLAMATION OR BOISE PROJECT BOARD OF CONTROL.

PLACE OF USE: LANDS WITHIN THE BOUNDARIES OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT.

NOTE TO FILE: A GENERAL LAND LIST IS ENTERED UNDER A63-30181Z0
*AND A63-30181Z1. *

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMER CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

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: A63-00200B

Date Received: 3-21-90

Receipt No.: 60/5816/60/5817

Received By: [Signature]

RECEIVED
MAR 23 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: NAMPA & MERIDIAN IRRIGATION DISTRICT
Address: 1503 First Street South, Nampa, Idaho 83651
2. Date of Priority: August 20, 1888
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	29	NW	SW		6	ADA
5. Description of diverting works: Diversion dam, headworks, main (Ridenbaugh) canal and laterals.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Irrigation	3/15	11/15	353.040		
7. Total Quantity Appropriated is:
353.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 61,782.000 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use: Lands within the boundaries of Nampa & Meridian Irrigation District, as described in the attached "Description of Boundaries of Nampa & Meridian Irrigation District - Ada and Canyon Counties, Idaho" (attached hereto as Appendix 1).

The acreage is 22,622.38 acres.
11. Place of use in counties: Ada and Canyon.
12. Do you own the property listed above as place of use?
The land identified in Appendix 1 is owned by the various

landowners within Nampa & Meridian Irrigation District.

13. Other Water Rights Used:

See "Nampa & Meridian Irrigation District Water Rights List" attached hereto as Appendix 3.

14. Remarks: Use of water diverted under this water right is rotated at times with water diverted under other water rights held by Nampa & Meridian Irrigation District or by the United States Bureau of Reclamation or Boise Project Board of Control.

15. Basis of Claim: DECREED

Water Right Number: 63-0200B

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree 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 x do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

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

For Organizations:

I do solemnly swear or affirm that I am president of NAMPA & MERIDIAN IRRIGATION DISTRICT, that I have signed the foregoing document in the space below as president of NAMPA & MERIDIAN IRRIGATION DISTRICT, and that the statements contained in the foregoing document are true and correct.

J A Bob Williams
Signature of Authorized Agent
President, NAMPA & MERIDIAN
IRRIGATION DISTRICT

3-20-90
Date

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

Subscribed and sworn (or affirmed) before me this 20th day
of March, 1990.

Donna N. Moore
Notary Public
Residing at Caldwell, Idaho
My commission expires: 11/04/94

17. Notice of Appearance:

Notice is hereby given that I, W. F. Ringert, 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 W. F. Ringert

Address: P. O. Box 2773, Boise, Idaho 83701

Date 3-20-90

**DESCRIPTION OF BOUNDARIES OF NAMPA & MERIDIAN IRRIGATION
DISTRICT - ADA AND CANYON COUNTIES, IDAHO**

Beginning at the southeast corner of the northwest quarter of section 12 in township 3 north, range 2 west, B.M., in Canyon County, Idaho; and running thence in said section 12 east 660 feet, north 660 feet, east 1320 feet, north 660 feet, east 660 feet to a point 1320 feet south of the northeast corner of said section 12; thence in section 7, township 3 north, range 1 west in Canyon County, Idaho, east 660 feet, south 660 feet, east 1320 feet, north 1320 feet, west 1320 feet, north 660 feet, to a point 660 feet east from the northwest corner of said section 7; thence in section 6 in said township, north 1980 feet, west 660 feet, north 3300 feet, to the northwest corner of said section 6; thence north 2640 feet to the northwest corner of the southwest quarter of section 31 in township 4 north, range 1 west in Ada County, Idaho; thence in said section 31 east 1980 feet, north 660 feet, east 1320 feet, north 660 feet, east 1980 feet, to a point 1320 feet south from the northeast corner of said section 31; thence in section 32 in said township east 1320 feet, south 660 feet, east 3300 feet, north 330 feet, east 660 feet to a point 1650 feet, south of the northeast corner of said section 32; thence in section 33 of said township east 660 feet, south 660 feet, east 3300 feet, north 330 feet, east 1320 feet to a point 1980 feet south of the northeast corner of said section; thence in section 34 of said township east 660 feet, south 330

feet, east 330 feet, south 330 feet, east 4290 feet to a point 2640 feet south of the northeast corner of said section 34; thence in section 35 of said township east 2640 feet, south 1320 feet, east 2640 feet to a point 1320 feet north from the southeast corner of said section 35; thence in section 36 in said township east 1320 feet, south 1320 feet, east 1320 feet, north 2640 feet, east 2640 feet, to the quarter section corner on the east line of said section 36; thence in section 31, township 4 north, range 1 east in Ada County, Idaho, south 1320 feet, east 5280 feet, south 1320 feet to the southeast corner of said section; thence east 2 miles on the township line between township 4 north, range 1 east, and township 3 north, range 1 east, to the southeast corner of section 33 in said township 4 north, range 1 east in Ada County, Idaho; thence north 2640 feet, thence east in section 34 in said township 2640 feet, north 1980 feet, west 1980 feet, north 660 feet, east 4620 feet, to the northeast corner of said section 34; thence north 1320 feet, thence in section 26 in said township east 1320 feet, north 1980 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet to a point 1650 feet north from the southeast corner of said section 26; thence into section 25 in said township east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 660 feet, south 330 feet, east 1320 feet, south 660 feet, east 330 feet, to a point

1650 feet west of the southeast corner of said section 25; thence into section 36 in said township, south 330 feet, east 330 feet, south 990 feet, east 1320 feet to a point on the east line of said section 1320 feet, south from the northeast corner of said section; thence into section 31 in township 4 north, range 2 east, Ada County, Idaho, east 1320 feet, south 660 feet, east 660 feet, south 1980 feet, east 1980 feet, south 660 feet, east 660 feet, south 660 feet to a point 660 feet west of the southeast corner of said section 31; thence into section 6 in township 3 north, range 2 east, Ada County, Idaho, south 660 feet, east 330 feet, south 660 feet, east 330 feet, to a point 1320 feet south of the northeast corner of said section 6; thence into section 5 in said township east 660 feet, south 660 feet, east 660 feet, south 660 feet, east 660 feet, south 660 feet, east 330 feet, south 660 feet, east 990 feet, south 330 feet, east 660 feet, south 660 feet, east 660 feet, south 330 feet, west 4620 feet to the southwest corner of said section; thence south 7920 feet to the quarter section corner on west line of section 17 in said township; thence into section 17 in said township, east 4290 feet, south 2310 feet, west 2970 feet, north 660 feet, west 1320 feet, to a point 990 feet north from the southwest corner of said section 17; thence into section 18 in said township north 660 feet, west 1320 feet, north 660 feet, west 1320 feet, north 330 feet, west 660 feet, north 330 feet, west 660 feet, north 330 feet, west 1320 feet, to a point 1980 feet south of the northwest

corner of said section 18; thence into section 13, township 3 north, range 1 east, in Ada County, Idaho west 660 feet, north 330 feet, west 660 feet, north 660 feet, west 1320 feet, north 330 feet, west 2640 feet, to a point 660 feet south of the northwest corner of said section 13; thence into section 14 in said township, west 990 feet, south 3300 feet, west 660 feet, south 1320 feet to a point 1650 feet west of the southeast corner of said section 14; thence into section 23 in said township, south 660 feet, east 330 feet, south 330 feet, east 330 feet, south 330 feet, east 660 feet, south 660 feet, east 330 feet, south 660 feet, to the quarter section corner on the east line of said section; thence south 1320 feet, thence west 3960 feet, thence south 1320 feet, thence west 1320 feet, to the southwest corner of said section, thence west 1320 feet, south 1320 feet, west 1320 feet, north 1320 feet, to quarter section corner on south line of section 22, in said township; thence west 5280 feet, to quarter section corner on south line of section 21, in said township; thence south into section 28, in said township 3960 feet, west 2640 feet, south 1320 feet to southwest corner of said section 28, thence east 5280 feet to southeast corner of said section 28; thence south 1320 feet, thence west 1320 feet, thence north 1320 feet, thence west 2640 feet, thence south into section 33, in said township, 1320 feet, east 1320 feet, south 2640 feet, west 1320 feet, north 1320 feet, west 1320 feet, to quarter section corner on west line of said section 33, thence

south 1320 feet, west into section 32, in said township 1320 feet, north 660 feet, west 1320 feet, north 660 feet, to center of said section, thence west 1320 feet, north 1320 feet, east 3960 feet, north 1320 feet, to southeast corner section 29, in said township; thence west 5280 feet to southwest corner of said section 29, thence west 1320 feet, thence into section 30 in said township, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet, to a point 1320 feet south from the northwest corner of said section 30; thence into section 25, township 3 north, range 1 west in Ada County, Idaho, west 2640 feet, north 1320 feet, west 2640 feet, to the northwest corner of said section 25, thence into section 23 in said township, north 1320 feet, west 5280 feet, south 1320 feet, to the southwest corner of said section 23, thence west 5280 feet to southwest corner of section 22, in said township, thence south 2640 feet, thence east 2640 feet, to center of section 27, in said township; thence south 2640 feet to quarter section corner on south line of said section 27, thence east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, south 1320 feet, west 2640 feet, to southwest corner of section 35, in said township; thence south 2640 feet, thence west 2640 feet, thence south 2640 feet, to quarter section corner on south line of section 3, in said township; thence west 1650 feet, thence into section 10 in said township, south 3300 feet, west 990 feet, to a point 1980 feet

north of the southwest corner of said section; thence into section 9 in said township, west 3960 feet, south 330 feet, west 660 feet, south 330 feet, west 660 feet, south 330 feet, to a point 990 feet north of the southwest corner of said section 9; thence crossing the line from Ada County into Canyon County, Idaho, into section 8 in said township 2 north, range 1 west, west 660 feet, south 330 feet, west 1980 feet, south 330 feet, west 660 feet, south 330 feet, west 990 feet to a point 990 feet, east of the southwest corner of said section 8; thence into section 17 in said township, south 990 feet, west 330 feet, south 1650 feet, west 660 feet, to the quarter section corner on the west line of said section 17; thence west 2 miles to the quarter section corner on the west line of section 13 in township 2 north, range 2 west in Canyon County, Idaho; thence south 1 mile to the quarter section corner on the east line of section 23 in said township; thence into section 23 in said township, west 2640 feet, north 1320 feet, west 2640 feet to a point 1320 feet south of the northwest corner of said section 23; thence into section 22 in said township, west 3960 feet, south 1320 feet; west 1320 feet, to the quarter section corner on the west line of said section 22; thence into section 21 in said township, west 1320 feet, south 2640 feet, to a point 1320 feet west of the southeast corner of said section; thence into section 28 in said township, south 2640 feet, west 3960 feet to the quarter section corner on the west line of said section 28; thence into section 29 in said

township, north 1320 feet, west 1320 feet, north 1320 feet, west 3960 feet to the northwest corner of said section; thence into section 19 in said township, north 1320 feet, west 1320 feet, north 1320 feet, west 1320 feet; north 2640 feet to the quarter section corner on the north line of said section 19; thence into section 18 in said township, north 2640 feet, west 1320 feet, north 2640 feet, west 1320 feet, to the northwest corner of said section 18; thence into section 12 in township 2 north, range 3 west in Canyon County, Idaho, north 2640 feet, west 1320 feet, north 1320 feet, west 2640 feet, north 1320 feet, west 1320 feet to the northwest corner of said section 12; thence into section 2 in said township, west 1320 feet, north 1320 feet, west 3960 feet; north 3960 feet to the northwest corner of said section 2; thence north 2640 feet, west 2640 feet, north 1320 feet, east 5280 feet, south 1320 feet, to the center of section 35, township 3 north, range 3 west, thence 1320 feet east, north 6600 feet, west 1320 feet, north 2640 feet, east 1320 feet, north 1320 feet, west 1320 feet, to the center of section 23, in said township, thence west 1320 feet, north 6600 feet, west 1320 feet, north 1320 feet, to northwest corner of section 14, of said township, thence west 1320 feet, north 2640 feet, east 1320 feet, to quarter section corner on east line of section 10, in said township; thence south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, to quarter section corner on south line of section 11, in said township; being a point on southwestern

boundary of Pioneer Irrigation District; thence following the southerly boundary of said Pioneer Irrigation District in an easterly direction to the point of beginning of this description, a more particular statement thereof being as follows: From said last mentioned point, south 330 feet, east 1320 feet, south 1320 feet, east 660 feet, south 990 feet, east 660 feet to the quarter corner between sections 14 and 13 in said township; thence on the section line between sections 14 and 13 south 1320 feet, thence in said section 13, east 660 feet, south 660 feet, east 330 feet, south 660 feet, to a point 990 feet east of the southwest corner of said section 13; thence in section 24 in said last mentioned township south 660 feet, east 660 feet, south 1320 feet, west 660 feet, south 1320 feet, east 2310 feet, south 660 feet, east 1980 feet to a point 1320 feet north of the southeast corner of said section 24; thence north 2640 feet on the township line between townships 3 north and 3 west and 3 north, 2 west, to a point 1320 feet south of the northeast corner of said section 24; thence in section 19 in township 3 north, range 2 west in said county east 660 feet, south 660 feet, east 1320 feet, south 660 feet, east 1320 feet, north 660 feet, east 1320 feet, south 660 feet, east 660 feet, to the quarter corner between sections 19 and 20 in said township; thence on the section line between sections 19 and 20, north 1320 feet, thence in said section 20, east 1980 feet, south 660 feet, east 660 feet, south 660 feet, east 1980 feet, south 660 feet, east 660 feet, south 330 feet, to a point 1650

feet north of southeast corner of said section 20; thence in section 21 in said last mentioned township, east 660 feet, south 330 feet, east 660 feet, south 660 feet, east 660 feet, south 660 feet, to a point 1980 feet east of the southwest corner of said section 21, thence south in section 28, in said last mentioned township, 660 feet, east 660 feet, north 660 feet to a point 2640 feet east of the northwest corner of said section 28; thence in section 21 in said last mentioned township north 990 feet, west 660 feet, north 330 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, east 660 feet, north 330 feet, west 660 feet, north 330 feet, west 330 feet, north 660 feet, west 990 feet, north 1320 feet to the northwest corner of said section 21; thence east on section line between sections 16 and 21 in said last mentioned township 3630 feet; thence in said section 21 south 660 feet, east 990 feet, south 330 feet, east 660 feet, south 330 feet, to a point 1320 feet south of the northeast corner of said section 21; thence in section 22 in said last mentioned township east 1320 feet, south 990 feet, east 1320 feet, north 2310 feet to a point 2640 feet east of the northwest corner of said section 22; thence in section 15 in said last mentioned township north 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet to the southeast corner of said section 15; thence in section 23 in said last mentioned township south 330 feet, east 660 feet, north 330 feet, east 660 feet to a point 1320 feet east of the northwest corner of said section 23; thence

in section 14 in said last mentioned township north 660 feet, west 660 feet, north 330 feet, west 660 feet to a point 990 feet north of the southwest corner of said section 14; thence in section 15 in said last mentioned township west 660 feet, north 1650 feet, east 660 feet, north 330 feet to a point 2310 feet south of the northeast corner of said section 15; thence in section 14 in said last mentioned township east 1320 feet, north 990 feet, east 990 feet, north 1320 feet to a point 2310 feet east of the northwest corner of said section 14; thence in section 11 in said last mentioned township north 330 feet, east 1650 feet, north 330 feet, east 660 feet, north 660 feet, east 660 feet to a point 1320 feet north of the southeast corner of said section 11; thence in section 12 in said township east 660 feet, north 1320 feet, and east 1980 feet to the southeast corner of the northwest quarter of said section 12 and place of beginning of this description of the boundaries of said irrigation district, excepting therefrom, however the following tract of land situated in Canyon County, Idaho, designated as "Exception No. 1", to-wit:

Commencing at the northwest corner of township 2 north, range 2 west in Canyon County, Idaho, thence east 1320 feet, south 1320 feet, east 2640 feet, south 1320 feet, east 1320 feet, to the east quarter section corner of section 6 in said township; thence east 2640 feet, south 2640 feet, east 660 feet, south 1320 feet, east 660 feet, south 1320 feet, east 660 feet, south 1320

feet, east 660 feet, to a point 1320 feet north of the southeast corner of section 8 in said township; thence east 1 mile to point 1320 feet north of the southeast corner of section 9 in said township, thence south 330 feet, east 3300 feet, north 990 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, west 330 feet, north 660 feet, east 990 feet, south 330 feet, east 660 feet, north 990 feet, west 660 feet, north 660 feet, to a point 1980 feet west of the northeast corner of section 10 in said township; thence north 660 feet, west 660 feet, north 330 feet, west 660 feet, north 660 feet, west 660 feet, north 660 feet, west 660 feet, north 660 feet, west 660 feet, north 330 feet, to a point 1980 feet south of the northeast corner of section 4 in said township; thence west 660 feet, north 660 feet, west 1980 feet, north 660 feet, west 660 feet, north 330 feet, west 660 feet, north 330 feet, to a point 1320 feet east of the northwest corner of said section 4; thence north 660 feet, west 5280 feet, north 330 feet, west 990 feet, north 660 feet, west 330 feet, north 330 feet, to a point 1980 feet north of the southeast corner of section 31; in township 3 north, range 2 west, in Canyon County, Idaho; thence west 330 feet, north 660 feet, west 330 feet, north 1650 feet, west 330 feet, north 660 feet, west 1320 feet, north 990 feet, west 330 feet, north 660 feet, west 1320 feet, north 660 feet, west 1320 feet, to a point 1980 feet north of the southwest corner of section 30 in said township, thence south 660 feet, thence west 2640 feet, thence

south 1320 feet, to the quarter section corner of the south line of section 25, township 3 north, range 3 west; thence south 1 mile and thence east to the southeast corner of section 36, in said township, and place of beginning of this description.

Also excepting therefrom the following land in Canyon County, Idaho, to-wit: The southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter, and lot 2, in section 5, in township 3 north, range 1 west, and Block 20 in the original township of Nampa, in the said county.

Also excepting therefrom the following land in Ada County, Idaho, to-wit: The east one half of the northwest quarter of section 2, in township 3 north, range 1 west; and the following land in township 3 north, range 1 east: The northeast quarter of section 1; the southeast quarter of the southeast quarter of section 6; the south one-half of the north one-half of section 17; and the south one-half of section 4 and the north one-half of section 9.

There is also included within the said district the following tracts in Canyon County, Idaho, which are segregated from the main body of land in said district, to-wit: Beginning at the southeast corner of section 33, township 3 north, range 3 west, thence south 1320 feet, east 2640 feet, south 3960 feet, west 3960 feet, north 3960 feet, west 1320 feet, south 1320 feet, to center of section 4, township 2 north, range 3 west; thence 5230 feet west, north 2640 feet, east 1320 feet, north 2640 feet,

east 1320 feet, north 2640 feet, east 5280 feet, south 2640 feet, west 3960 feet, south 1320 feet, east 1320 feet, south 1320 feet, east 1320 feet, north 1320 feet, east 1320 feet, south 1320 feet to place of beginning, being the southwest quarter and south one-half of the northwest quarter, section 3, and east one-half of the southeast quarter and east one-half of the northeast quarter and northwest quarter northeast quarter and northwest quarter, section 4, and northeast quarter section 5, township 2 north, range 3 west; and southeast quarter southeast quarter and west one-half southwest quarter and southeast quarter southwest quarter and north one-half, section 33; and east one-half southeast quarter, section 32, township 3 north, range 3 west, in said Canyon County, Idaho. Also beginning at the northeast corner of section 29, township 3 north, range 3 west, thence west 2640 feet, south 2640 feet, east 2640 feet, and north 2640 feet, to place of beginning, being northeast quarter of said section. Also beginning at the northwest corner of section 21, in said township 3 north, range 3 west, thence east 2640 feet, south 2640 feet, west 2640 feet, north 2640 feet to place of beginning being the northwest quarter of said section; also beginning at the northwest corner of section 20 in township 3 north, range 3 west, and running thence east 2640 feet, south 2640 feet, west 2640 feet, south 2640 feet, west 1320 feet, north 2640 feet, west 1320 feet, north 1320 feet, east 2640 feet, north 1320 feet, to place of beginning, being the northwest quarter of said section

20, and south one-half northeast quarter and east one-half southeast quarter, section 19, in said township 3 north, range 3 west. Also beginning at the northwest corner of section 2, township 3 north, range 4 west, in Canyon County, Idaho; thence south 1 mile, west 2640 feet, south 2640 feet, east 7920 feet, north 2640 feet, east 2640 feet, south 2640 feet, east 2640 feet, to quarter section corner on east line, section 12, in said township, thence north 1 mile, west 2640 feet, north 2640 feet, to north quarter section corner in section 1, in said township; thence west 7920 feet, to place of beginning, being the south one-half and northwest quarter section 1, all of section 2, northeast quarter section 10, north one-half section 11, and northeast quarter section 12, in said township. Also beginning at the northeast corner of section 13, said township 3 north, range 4 west, running south 7920 feet, west 2640 feet, north 7920 feet, east 2640 feet, to place of beginning, being the east one-half section 13, northeast quarter section 24, in said township. Also the following described tract of land in section 2, township 2 north, range 1 west, in Ada County, Idaho, to-wit: Beginning at center of said section, thence east 2640 feet, south 1320 feet, west 2640 feet, north 1320 feet, to place of beginning, being the north one-half of the southeast quarter of said section.

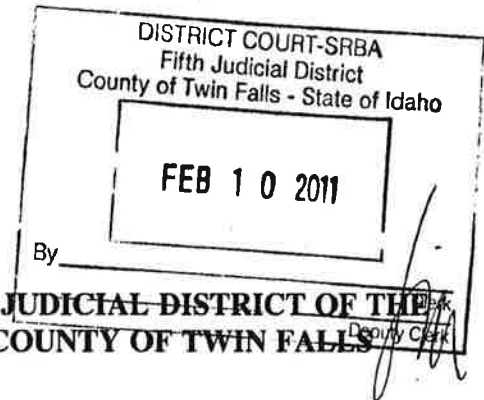
All that portion of section 9, in township 3 north, range 2 east, in Ada County, Idaho, described as follows, to-wit:

Beginning at center of said section, south 330 feet, east 330 feet, south 330 feet, east 330 feet, south 330 feet, west 330 feet, south 330 feet, west 1650 feet, north 1320 feet, west 1320 feet, north 1980 feet, east 990 feet, south 660 feet, east 330 feet, south 660 feet, east 330 feet, south 660 feet, east 990 feet, to place of beginning. Also excluding from said district the following land in Ada County, Idaho, to-wit: southeast quarter of section 35, township 4 north, range 1 east.

The foregoing description of the boundaries of Nampa & Meridian Irrigation District is derived from an Order of the County Commissioners of Ada County, Idaho, made February 15, 1904, recorded in Minute Book "F" of the Commissioners of Ada County, Idaho, and recorded in the office of the Recorder of Ada County, Idaho, on March 4, 1904, under Recorder's Instrument No. 3292.

NAMPA & MERIDIAN IRRIGATION DISTRICT WATER RIGHTS LIST

A63-199B	
A63-00200A	A63-02109
A63-00200B	A63-02158
A63-00249	A63-02388
A63-00278	A63-02392
A63-00278A	A63-03613
A63-00279	A63-03614
A63-00279A	A63-03618
A63-00301	A63-04868
A63-00302	A63-05261
A63-00373	A63-05262
A63-02106	A63-05263
	A63-05264



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

In Re SRBA	)	Subcase No. 63-200B
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

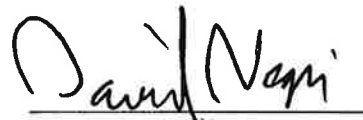
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached, *which removes federal public land from the digital boundary*. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:
Nampa & Meridian Irrigation District

OBJECTOR:
Bureau of Land Management

 1/24/11

S. Bryce Farris Date
Attorney for Claimant/Objector

 2/8/11

David L. Negri, USDOJ Date
Attorney for Objector

Jan Shute 10-7-10
 Jan Shute Date

Date _____

Nick Spencer 10-14-10
Nicholas B. Spencer Date

Date _____

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

RIGHT NUMBER: 63-200B

NAME AND ADDRESS: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O RINGERT ~~CLARK~~ LAW
ATTN DAN STEENSON
PO BOX 2773
BOISE ID 83701-2773

SOURCE: BOISE RIVER
MORES CREEK

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 361.940 CFS

When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.

JP
NBS
SBF
AN

SF5 Right No. 63-200B

PRIORITY DATE: 08/20/1888

Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

POINT OF DIVERSION:

T02N R03E S4 NWNE Lot 6 Within ADA County
T03N R03E S29 NWSW Lot 6 Within ADA County
T05N R04E S35 SWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	361.940 CFS
INDUSTRIAL	03/15 11/15	1.360 CFS
GROUND WATER RECHARGE	03/15 11/15	5.440 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.

PLACE OF USE:

~~69495 ACRES TOTAL~~

[Signature] NBS

SBF
DN

The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.0156 cfs/acre.

This right when combined with Right Nos. 63-198AJ, 63-199B, ~~63-199C~~, 63-2392B, 63-2968, 63-30181 and ~~63-32695~~ can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.

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

The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

SF5 Right No. 63-200B

The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.

Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

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 - Decreed

This right is also designated as Right No.106 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

~~The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.~~

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

[Handwritten signature]
NBS
SBF
DN



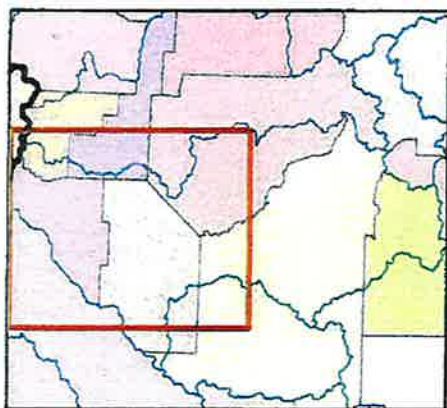
Nampa & Meridian Irrigation District

Adjudication Recommendations: 63-198AJ, 63-199B, 63-200B, 63-2392B, 63-2968, 63-30181

Irrigation Service Area Boundary
GIS Place of Use Illustration

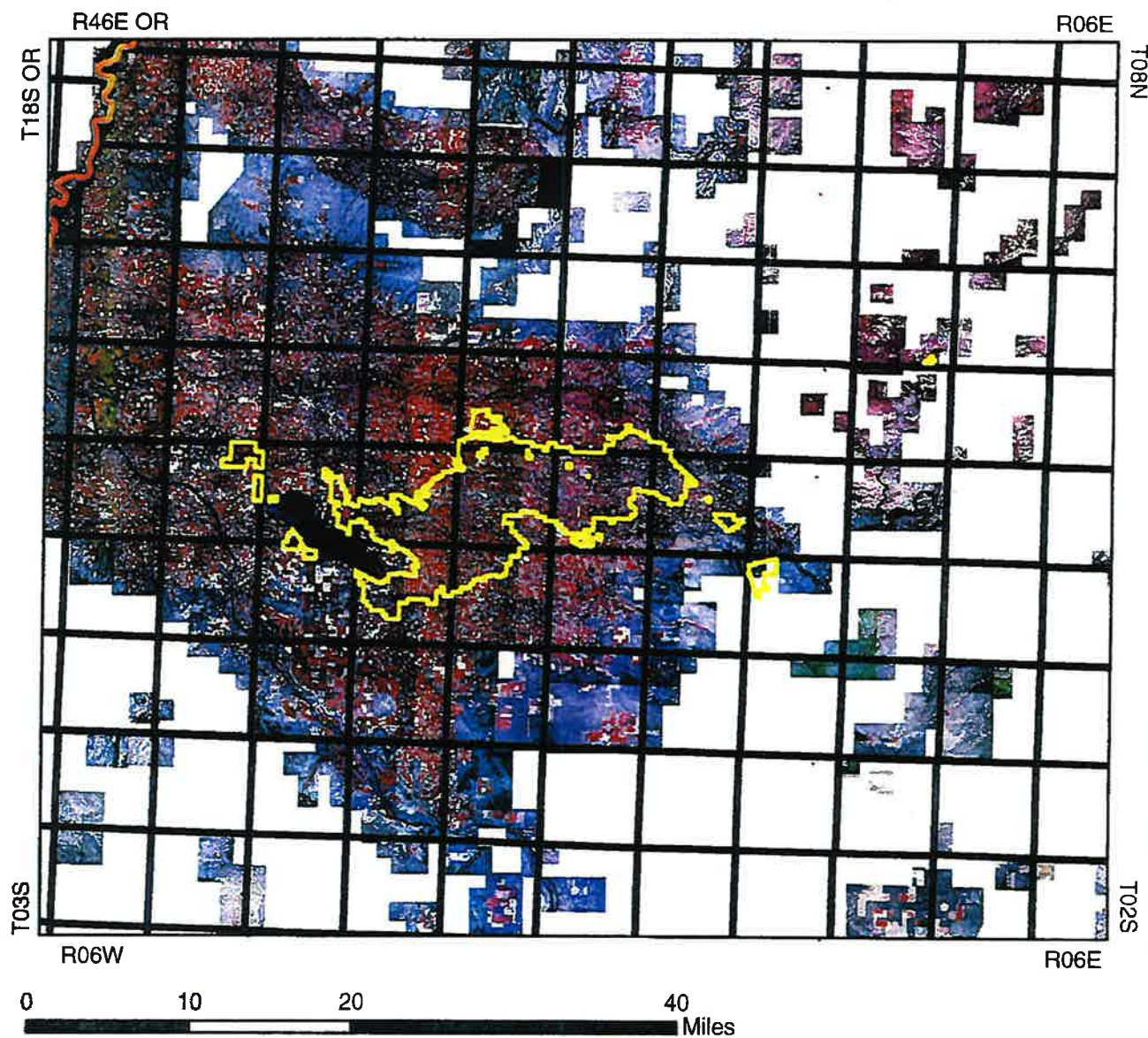
Legend

-  Service Area
-  State Outline
-  Townships



Ada, Boise, Canyon Counties
IDWR Basin 63

Prepared by Danielle Favreau
On May 21, 2010
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on February 9, ²⁰¹¹2010, 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:

NAMPA & MERIDIAN IRRIGATION DISTRICT
Represented by:
S. BRYCE FARRIS
RINGERT LAW CHARTERED
455 S. THIRD ST.
P.O. BOX 2773
BOISE, ID 83701-2773

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

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



Signature of person or attorney

Shurte, Jan

From: Shurte, Jan
Sent: Thursday, May 27, 2010 2:14 PM
To: Harris, Lori
Cc: Shurte, Jan
Subject: DD#2 & Nampa Meridian SF5s
Attachments: img-527124455.pdf

Hi Lori,

Attached are the changes Bryce and I came up with on Right Nos. 63-2392B, 63-31937 & 63-32480. He wanted the season of use remark off of there because the source is not the Boise River. I said ok and then thought – these are credited back up and diverted out of the Boise River questioning whether to leave it or take it off. Then I looked on all the other rights for these credits back up and none of them have the season of use remark. So, please omit it on all of these rights. (I am writing this so I can put it in the file as to why I removed the remarks). Another change is omission of the digital boundary pou language and putting in the other remark as indicated on 63-32480. I did put in digital right before boundary for each ditch company on the remark to be moved. One last change also on 63-31937 is the addition of the name Little Pioneer Canal. Bryce was worried we would mix it up with the Pioneer Irrigation District. I can see his point there.

The name of their firm is Ringert Law. So, on all the rights we need to take out Clark. That will include 63-198AJ, 63-199B, 63-200B, 63-2968 and 63-30181 for NMID also. For NMID's SF5s I have attached an example of the changes on 63-198AJ that will apply to all of them. Omit Clark in the name and cross out the total acres. It is redundant to the condition below it. These rights are boundary changes only, but we still need to print each one out in SF5 form and send with the special boundary change SF5 cover sheet and a copy of the map. Ray has copies of the maps already and will just need to know about the above cover sheet.

Call if you have any questions. Would you please send me a copy of the SF5s so I can review one last time before we send them to Ray.

Thanks,
Jan

See additional info in 63-198AJ.

Shurte, Jan

From: Shurte, Jan
Sent: Tuesday, May 25, 2010 4:39 PM
To: Bryce Farris
Cc: Spencer, Nick; Williams, Ray; Harris, Lori
Subject: 63-31937 DD#2, 63-2392B NMID, 63-32480 DD#2, Digital Boundary Map for NMID and Notes on NMID #s 63-198AJ, etc.
Attachments: Drft SF5s DD2 and NMID.pdf; 63-198AJ_sf5.jpg

Bryce,

Attached are Draft SF5s for the above sub cases. Please review these to insure that the items we agreed upon are included.

You had also requested that I look at the points of diversion listed on 63-31937 to be sure all the ditch companies were covered. This right lists 7 points of diversion for 9 canal companies. The reason for this is that the point of diversion in the SENE, S5, T3N, R2E is the main diversion for the Farmers Union Canal Co. which also carries water for the Boise Valley Irrigation Ditch Co., using the same diversion point. Also, the point of diversion listed in the NESE, Lot 1, S.23, T4N, R1E is the main diversion for the New Dry Creek Ditch Co. which also carries water for the New Union Ditch Co. using the same diversion point. All other points of diversion are single points for the remaining ditch companies. In checking the current decreed acres for each ditch company involved in this right, the total acres had changed from that previously recommended. This was due to objections, etc., on these rights and the decreed total for all companies is 31,536.3 acres rather than the previously recommended 29,309.15 acres. This change has been reflected on the attached draft SF5 for 63-31937. Once the SF5 for 63-31937 is signed by all, I will add the explanatory remark concerning the uncuttable delivery of these credited rights to Drainage District No. 4's Right No. 63-31936 as agreed upon.

Concerning the SF5 for DD#2's Right No. 63-32480, you indicated that you wanted me to look at the conditions on 63-31937 and see if any applied to 63-32480. The only changes I made to 63-32480 were to the name in order to make it the same as 63-31937 for future research of these rights. I also crossed out the total acres per new Department preference and because it is redundant with the other acreage conditions on this right. In the end I did not add any conditions from 63-31937. This 50 cfs right is not listed in the Boise River Water Distribution Report for Water District 63 as having ever been credited back to the point of diversion for these ditch companies. We could only find the 100 cfs under 63-31937 as having been credited. So, I treated this right as a regular waste water beneficial use recommendation.

Also attached is a digital boundary map for the Nampa Meridian Irrigation District. This map reflects the addition of the Creason Lateral irrigated lands and the removal of the BLM lands. Since the addition of the Creason land and the removal of the BLM lands were between 3 and 4 acres each, I decided not to change the total number of acres that can be irrigated within NMID's digital boundary.

There will be no changes to the written recommendations for Nampa Meridian Irrigation District's Right Nos. 63-198AJ, 63-199B, 63-200B, 63-2968 and 63-30181. The objections in those sub cases were the addition of the Creason Lateral lands and removal of BLM lands. This has been corrected as shown on the digital boundary map. This map will be submitted with the SF5s for these rights and a special cover page for the signatures bringing attention to the boundary changes.

Please let me know if these are ready to go or if you need to discuss these rights. I have a conflict for the June 2nd meeting and would like to get these on their way asap which I know you definitely want to also.

Sincerely,



RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 04:44
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)
Case No. 39576) ORDER SETTING SUBCASE(S)
FOR INITIAL HEARING
SUBCASE NOS: 63-00198AJ 63-00199B
63-00200B 63-02392B 63-02968
63-30181

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

FRIDAY, JUNE 27, 2008 at 01:00 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 23, 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:

NAMPA & MERIDIAN IRRIGATION
NAMPA & MERIDIAN IRRIGATION DI
DISTRICT
C/O RINGERT CLARK CHTD
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

NAMPA & MERIDIAN IRR DIST
Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

NAMPA & MERIDIAN IRRIGATION
Represented by:
S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

UNITED STATES OF AMERICA
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

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 63-00200B
(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: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Nampa & Meridian Irrigation District; attn, Dan Steenson

Address: P.O. Box 2773; Boise, Idaho 83701-2773

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

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(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

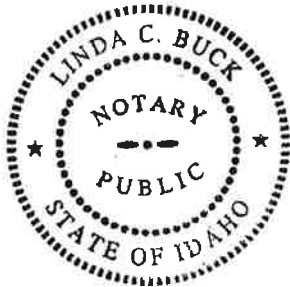
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 13, 2007
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 13th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Nampa & Meridian Irrigation District; attn, Dan Steenson

Address: P.O. Box 2773; Boise, Idaho 83701-2773

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 63-200B
NAME AND ADDRESS: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O RINGERT CLARK CHTD
ATTN DAN STEENSON
PO BOX 2773
BOISE ID 83701-2773

SOURCE: BOISE RIVER
MORES CREEK

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 361.940 CFS

When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B.

PRIORITY DATE: 08/20/1888

Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

POINT OF
DIVERSION: T02N R03E S4 NWNE Lot 6 Within ADA County
T03N R03E S29 NWSW Lot 6 Within ADA County
T05N R04E S35 SWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	361.940 CFS
INDUSTRIAL	03/15 11/15	1.360 CFS
GROUND WATER RECHARGE	03/15 11/15	5.440 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.

PLACE OF USE:

69495 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The place of use for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.

The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and ground water recharge purposes divided by 0.0156 cfs/acre.

This right when combined with Right Nos. 63-198AJ, 63-199B, 63-199C, 63-2392B, 63-2968 and 63-30181 can be used to irrigate up to 69,495 acres within the boundary of the Nampa Meridian Irrigation District.

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

The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

The annual volume of water used for industrial and ground water recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.

Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and ground water recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

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 - Decreed

This right is also designated as Right No.106 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.



Legend

- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

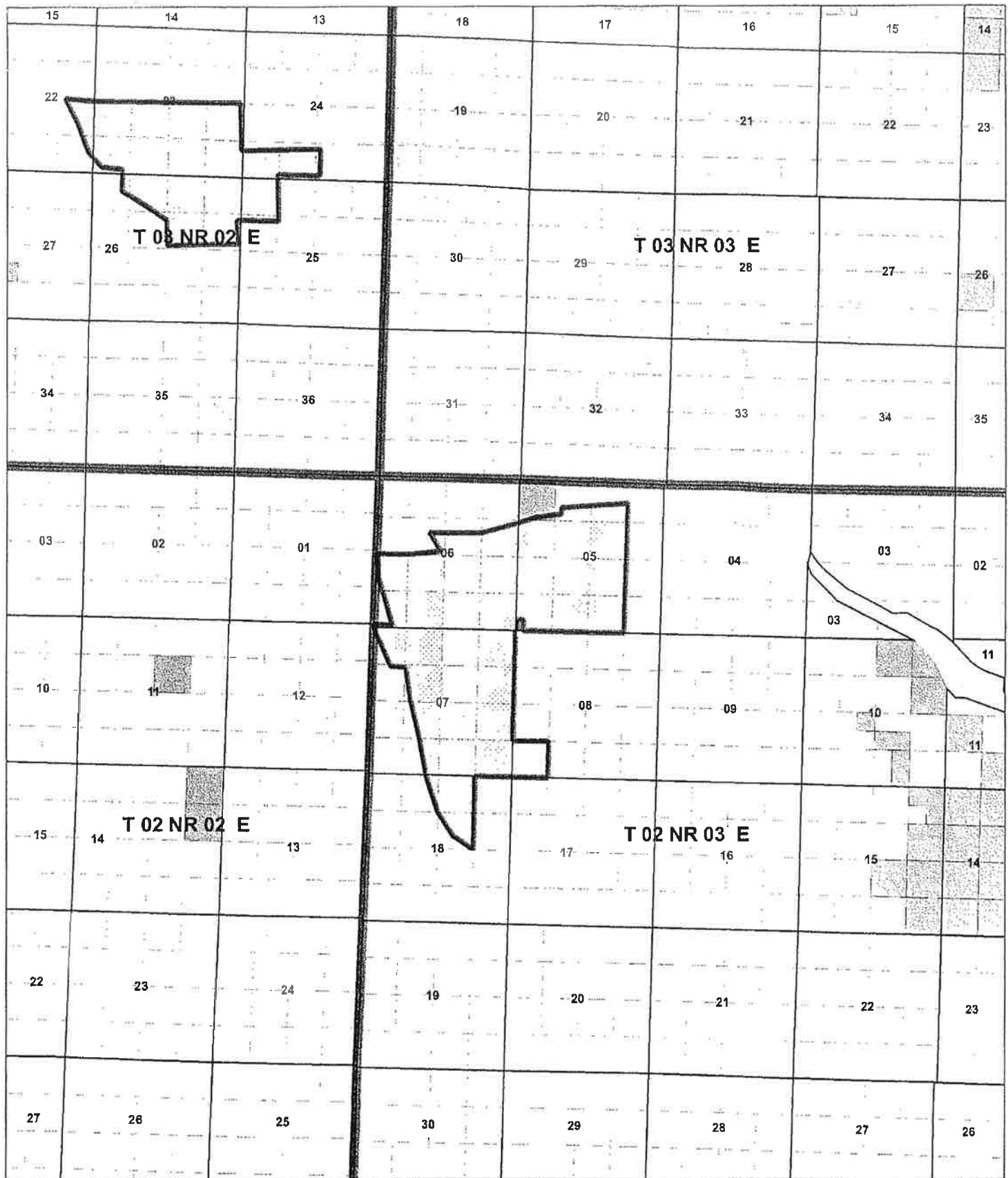
63-32518 et. al.

00.51 2 3 4 Miles



U.S. Department of the Interior
Bureau of Land Management
1996





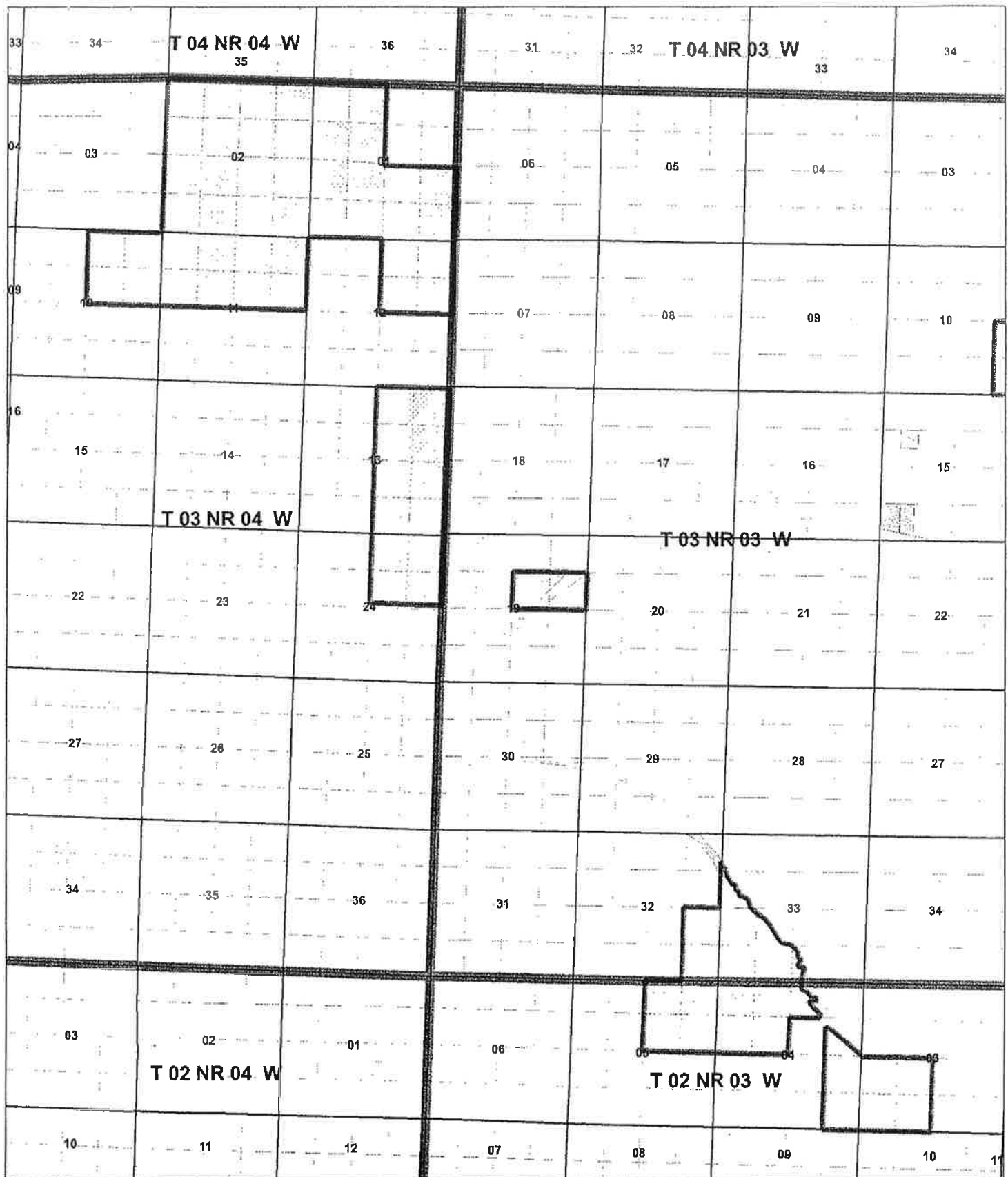
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- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

63-32518 et. al.

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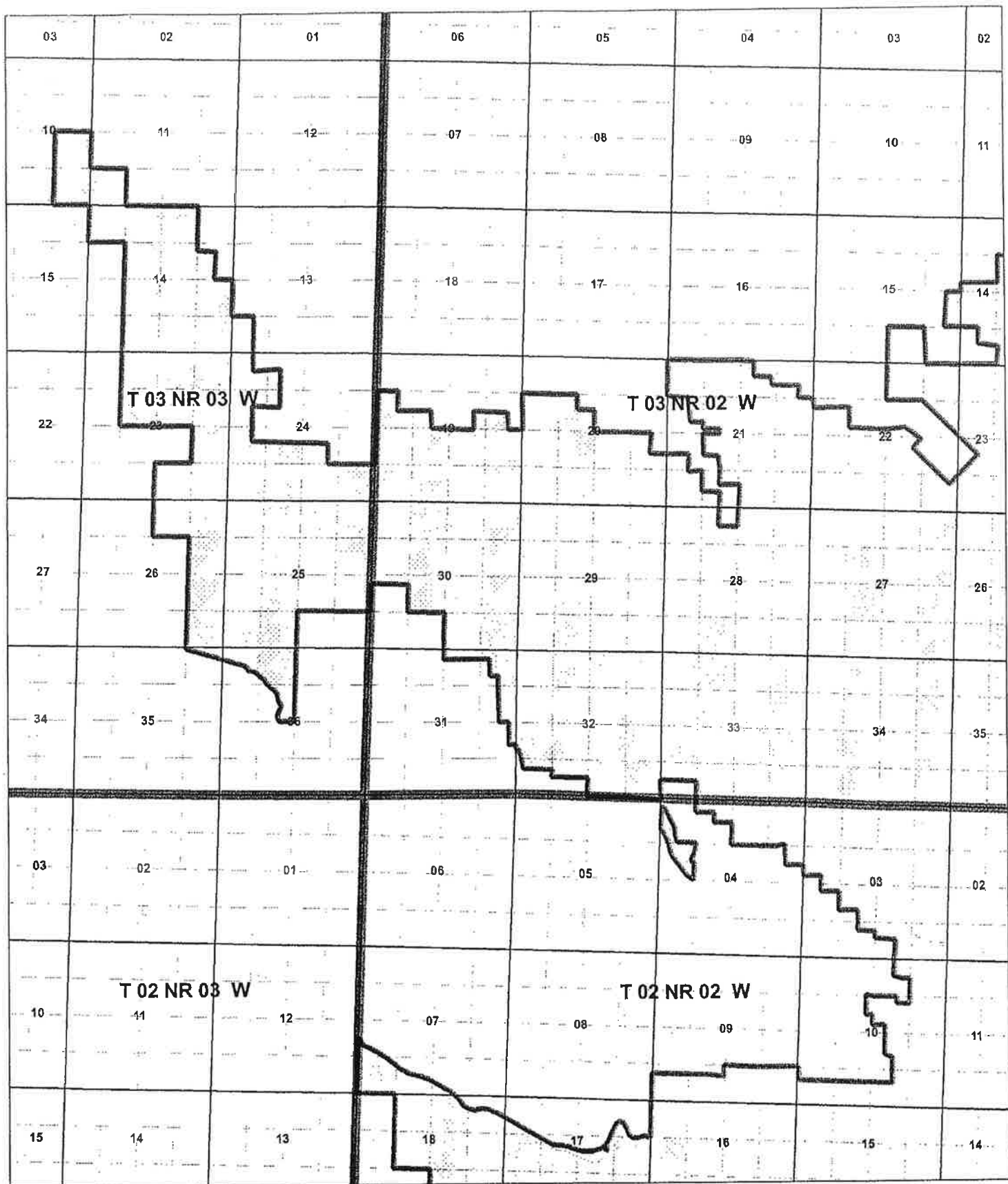
Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

63-32518 et. al.

0 0.1 0.2 0.4 0.6 0.8 Miles





Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

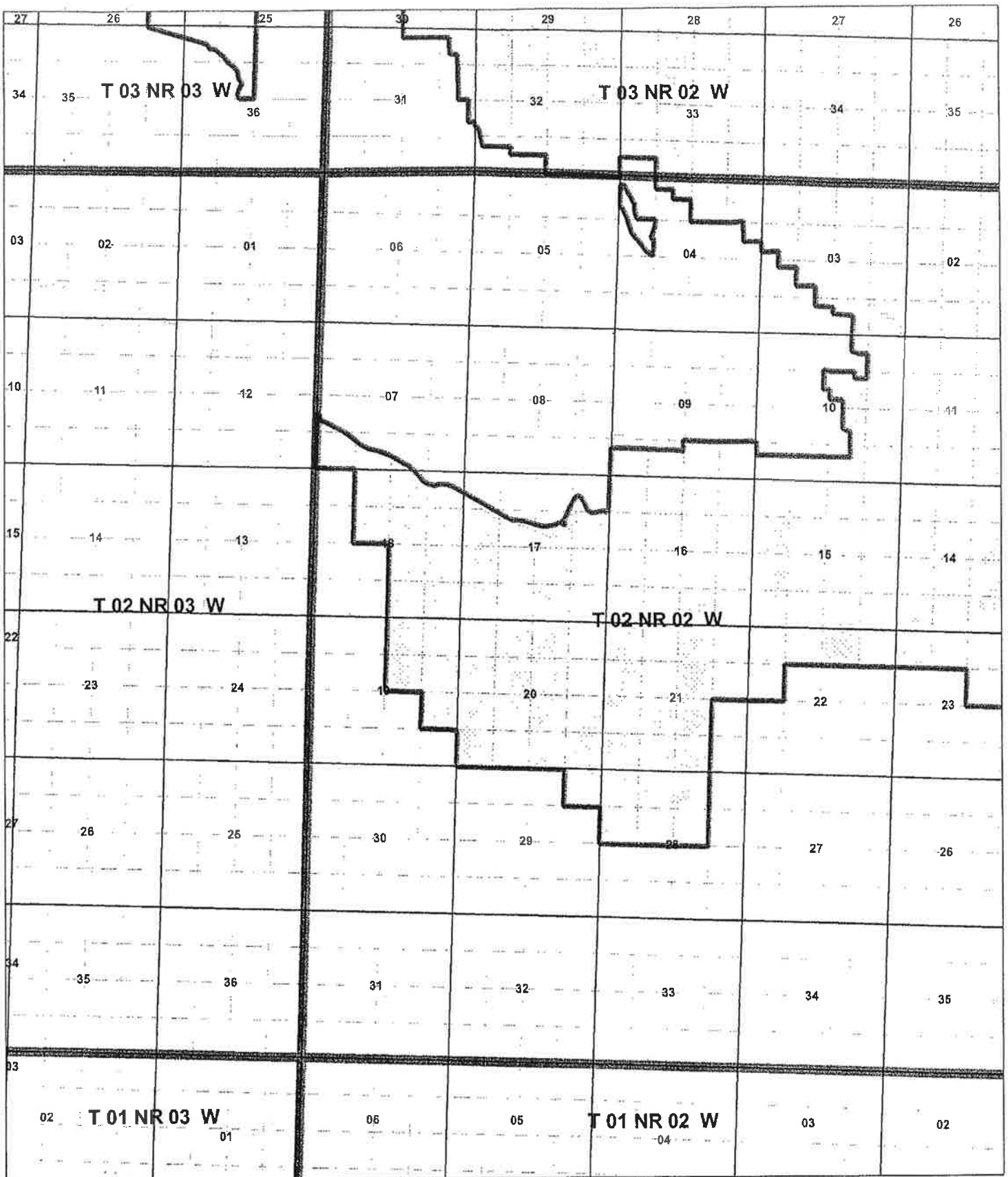
63-32518 et. al.

0 0.1 0.2 0.4 0.6 0.8 Miles



U.S. Department of the Interior
Bureau of Land Management
63-32518 et. al.
Map 100





Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

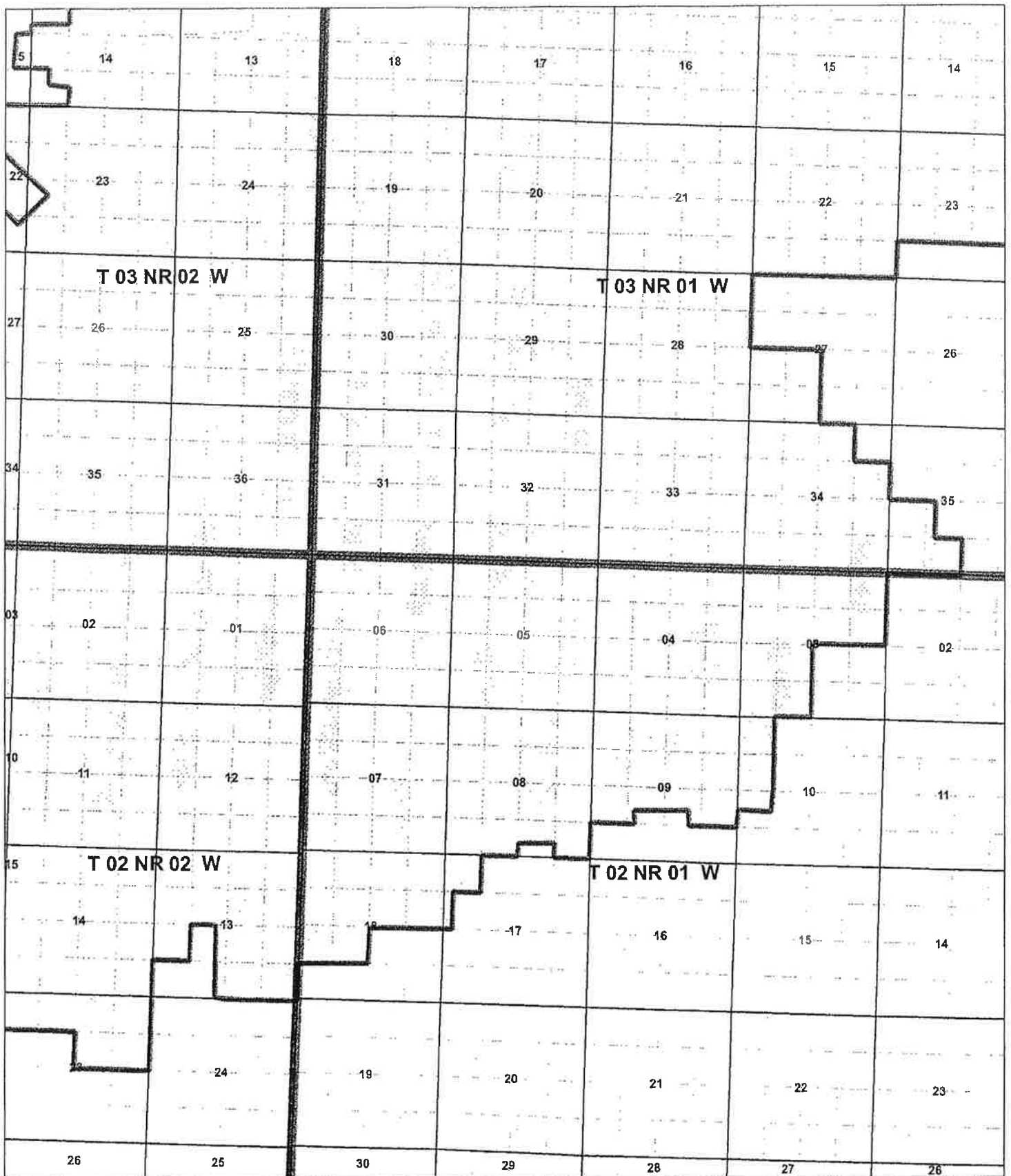
63-32518 et. al.

0 0.1 0.2 0.4 0.6 0.8 Miles



U.S. Department of the Interior
Bureau of Land Management
1666 North Lincoln Avenue
Bozeman, Montana 59717
406 325-1800
www.blm.gov





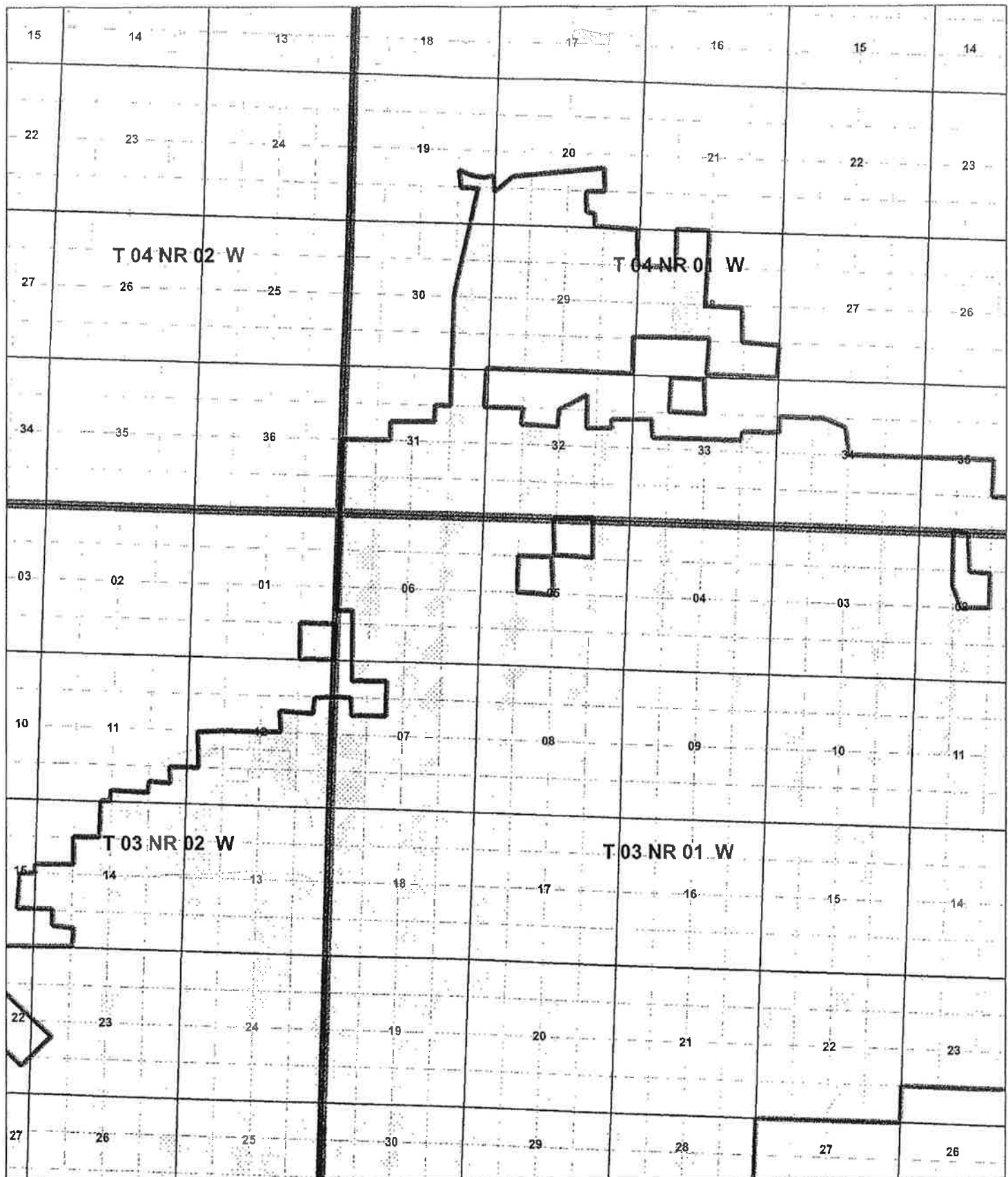
Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

63-32518 et. al.

0 0.10.2 0.4 0.6 0.8 Miles





Legend

- SECTIONS_ID24_POLY
- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

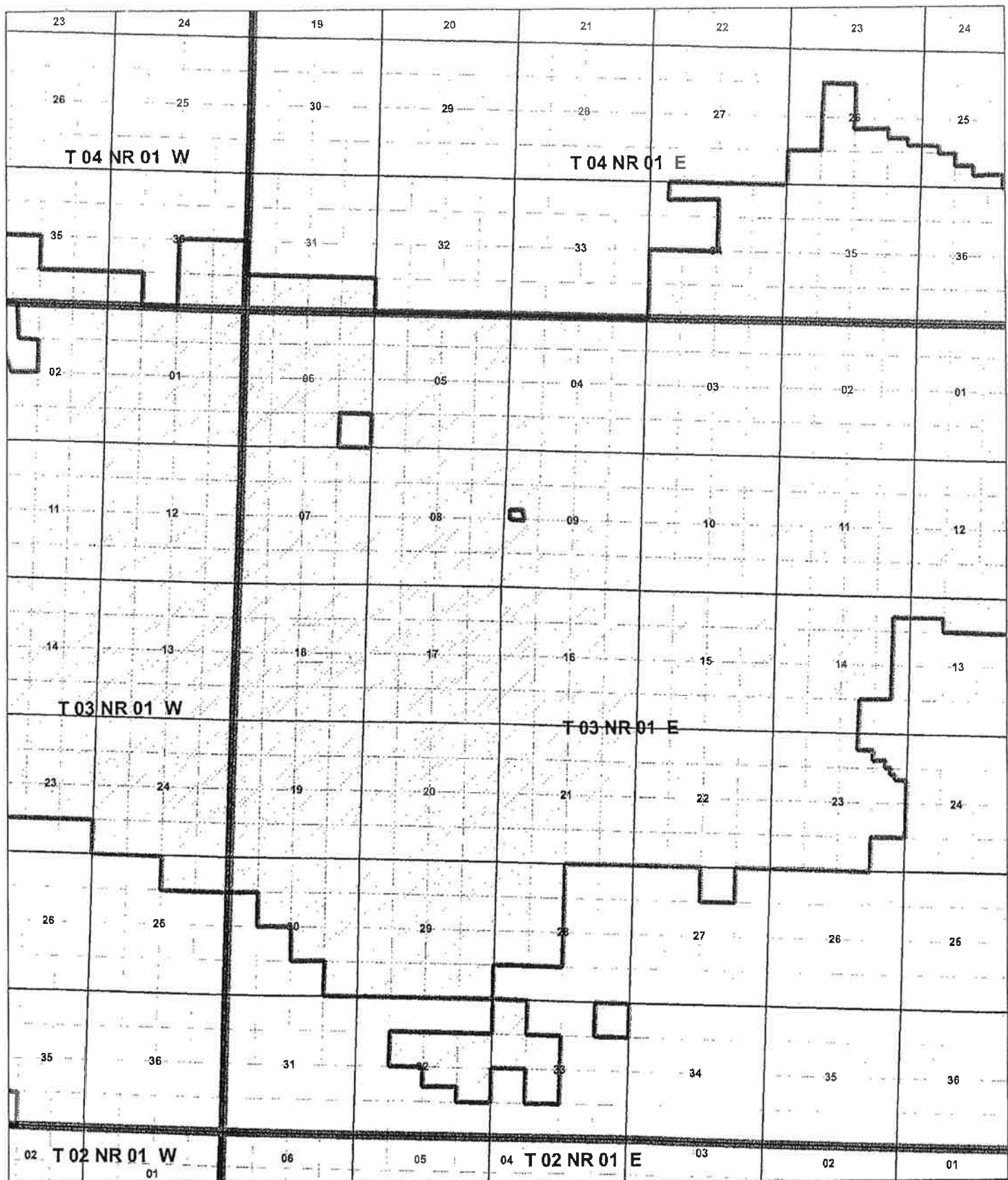
63-32518 et. al.

0 0.1 0.2 0.4 0.6 0.8 Miles



BLM
Bureau of Land Management
U.S. Department of the Interior





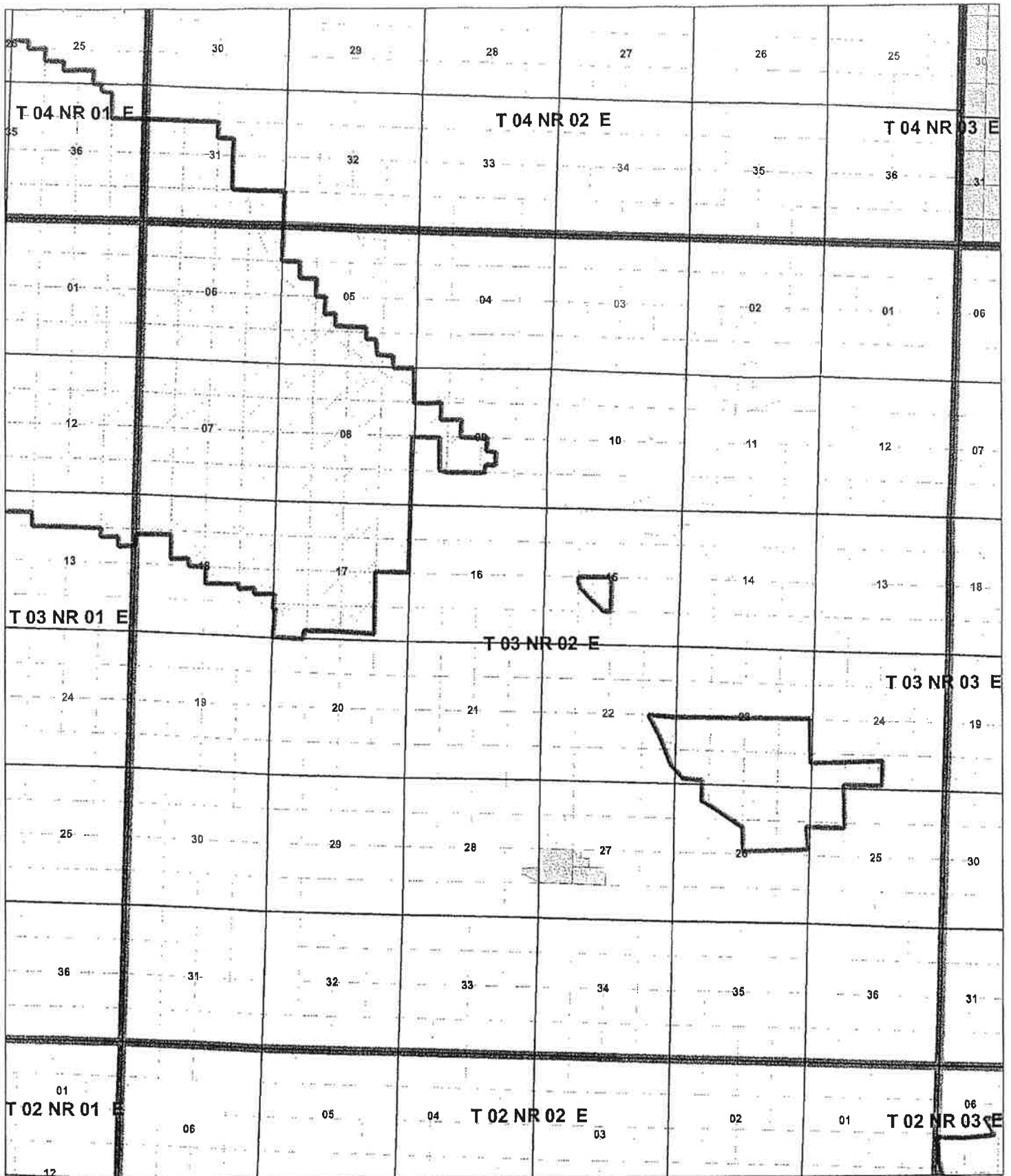
Legend

- SECTIONS_ID24_POLY
- BLM
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- nempa_meridian

63-32518 et. al.

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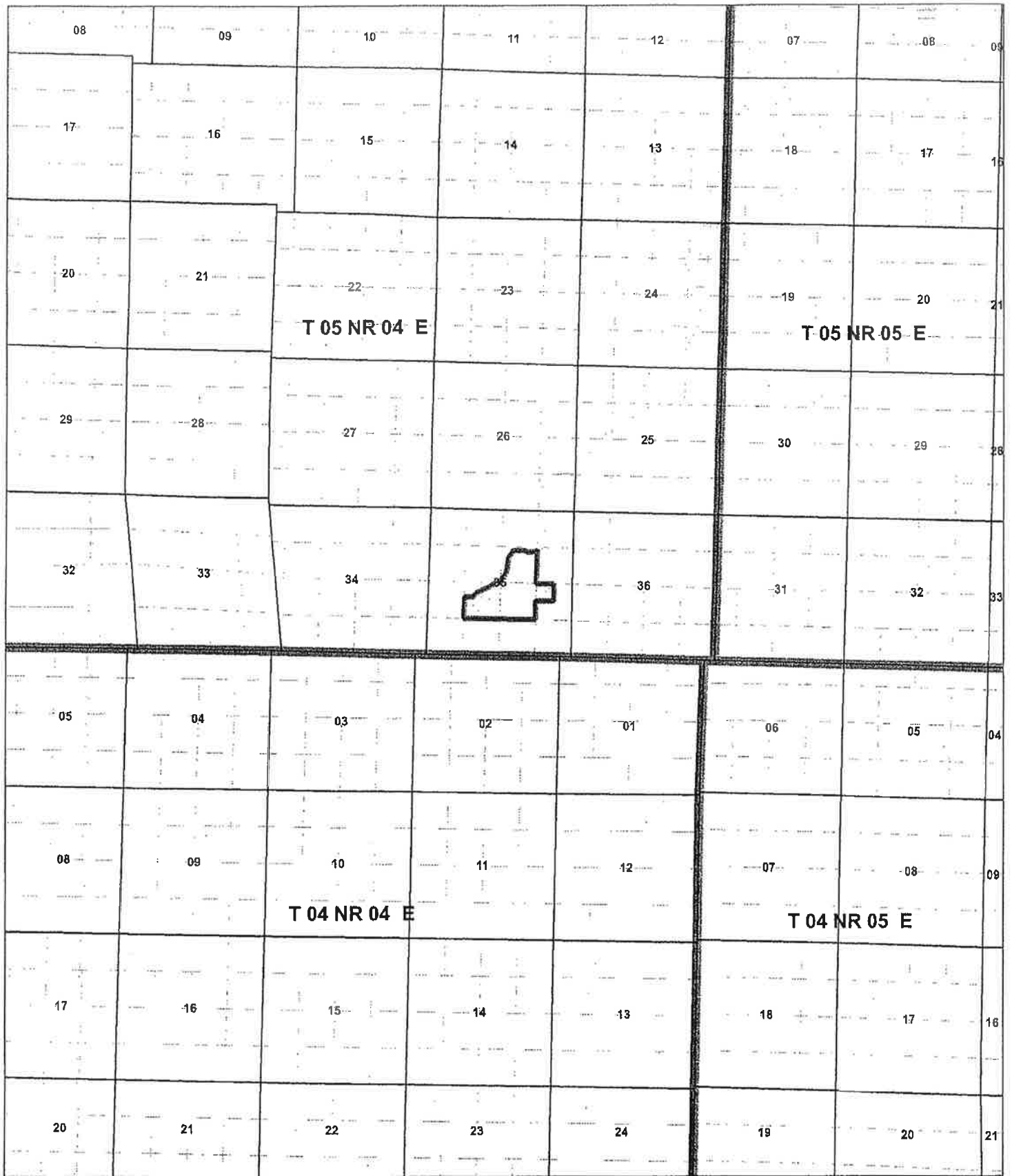
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- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

63-32518 et. al.

0 0.10.2 0.4 0.6 0.8 Miles





Legend

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- BLM
- TOWNSHIPS_ID24_POLY
- nampa_meridian

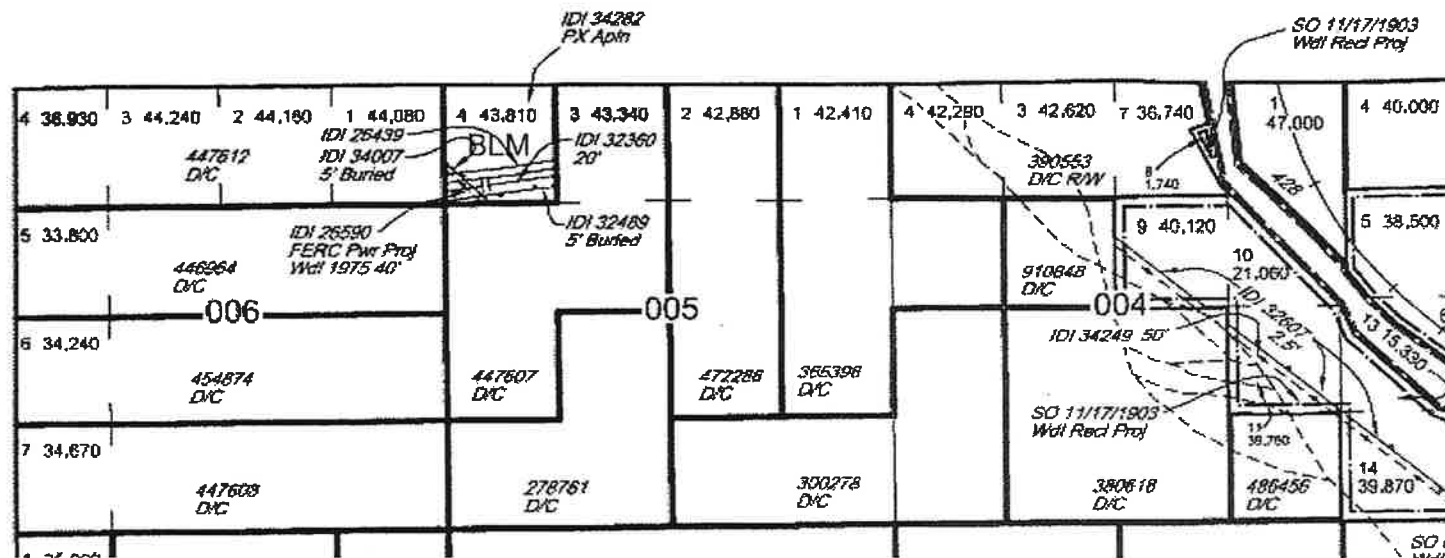
63-32518 et. al.

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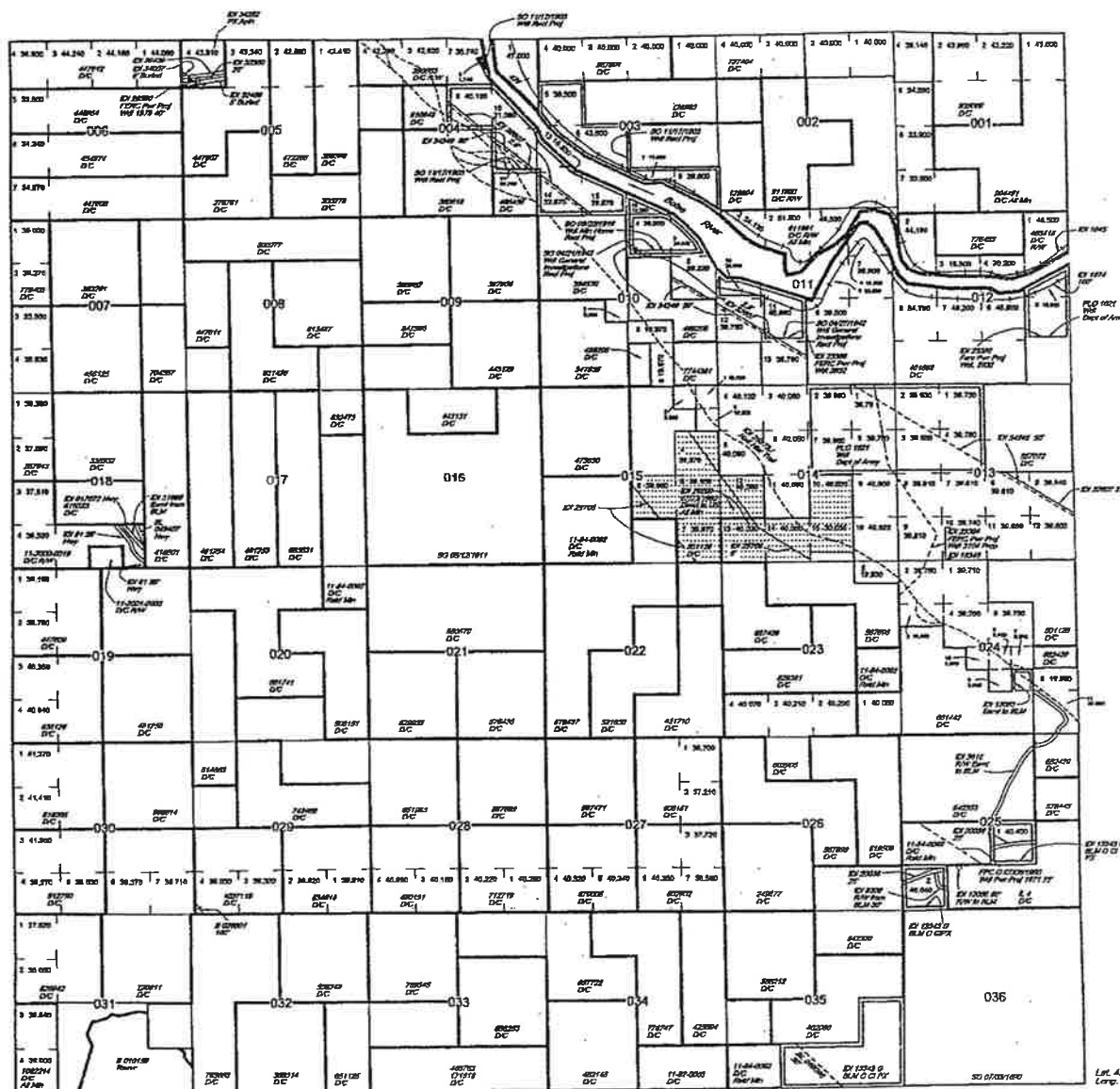
TOWNSHIP 2 NORTH RANGE 3 EAST

ADA COUNTY 0
BOISE DISTRICT SEC



ADA COUNTY 001
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

FDX 25873J Nail Head Trail

Historical information only, does not denote public access

DI 34077 Andri R/W Tele Cable S Barbed

Sec 5: Within Lot 4

DOI-13896 R/W Trail 2.5'

Sec 5: Within Lot 4

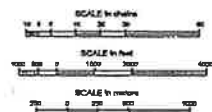
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: EPM00004628C-AT00000A.dwg	
CONVERTED BY: BTJ/2/9955	BY: PB
LAST UPDATED: 06/1/9955	BY: BT
GARC#1:	GARC#2:
POSTED TO PUBLIC RECORDS:	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM ACQUISITION:	04/29/7005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USE PLAT:	

Boles Mar
T. 2 N
R. 3 E



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinet Way Boise, Idaho 83709
(208) 373-4000



DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and interests survey data. Records herein do not reflect file changes which may have been afforded by lateral encumbrances of floor or other bodies of water. Further to collected survey for official information.

The notation shown on withdrawals represents the last action taken, but may not be the effective date. See the Midprice Index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or otherwise can only be determined by the user.

**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)

A. Subcase 63-200B
(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NAMPA & MERIDIAN IRRIGATION DISTRICT

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: 208-466-7861

Name & Address of Attorney, if any:
Daniel V. Steenson
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: Nampa & Meridian Irrigation District

Address: 1503 First Street South
Nampa, Idaho 83651

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(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See below.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** The place of use as described in the digital boundary does not include, but should include, certain lands located in Section 30 of Township 4 North, Range 1 West, B.M.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

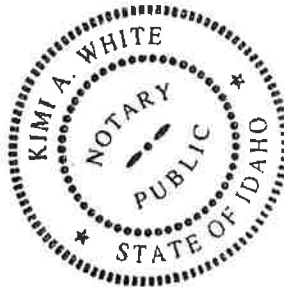
S. Bryce Farris, duly sworn, upon oath, deposes and says:

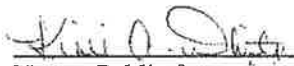
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



S. Bryce Farris

Subscribed and sworn to before me on: June 14, 2007





Notary Public for Idaho
Residing at: Idaho
My Commission Expires: 04/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on ^{June} ~~May~~ 14, 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: Nampa & Meridian Irrigation District

Address: 1503 First Street South
Nampa, Idaho 83651

3. Copies to:

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of Objector or attorney
mailing on Objector's behalf

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 63-00200B

(Insert water right no.)

Case No. 39576)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Nampa & Meridian Irrigation District

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: (208) 466-7861

Name & Address of Attorney, if any:
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU ARE RESPONDING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

D. I am responding to the objections to the following elements. (Please check the Appropriate box(es)).

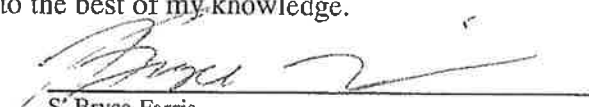
1. ☐ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☒ **Place of Use**
10. ☐ **Recommendation:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, 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 response, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: August 10, 2007



Kim A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 07/01/10

CERTIFICATE OF MAILING

I certify that on August 12, 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. Copies to:

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

United States of America acting through the Department of Interior,
Bureau of Land Management
1387 South Vinnell Way
Boise, ID 83709-1657

[Signature]
Signature of Respondent or attorney mailing on
Respondent's behalf

09/28/2006

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

RIGHT NUMBER: 63-200B

NAME AND ADDRESS: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O RINGERT CLARK CHTD
ATTN DAN STEENSON
PO BOX 2773
BOISE ID 83701-2773

SOURCE: BOISE RIVER
MORES CREEK

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 361.940 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.

PRIORITY DATE: 08/20/1888

Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

POINT OF DIVERSION:

T02N R03E S4 NWNE Lot 6 Within ADA County

T03N R03E S29 NWSW Lot 6 Within ADA County

T05N R04E S35 SWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	361.940 CFS
INDUSTRIAL	03/15 11/15	1.360 CFS
GROUND WATER RECHARGE	03/15 11/15	5.440 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.

PLACE OF USE:

69467 ACRES TOTAL

This right when combined with Right Nos. 63-198AJ, 63-199B, 63-199C, 63-2392B, 63-2968 and 63-30181 can be used to irrigate up to 69,467 acres within the boundary of the Nampa Meridian Irrigation District.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.

The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.

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

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

The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

This right is also designated as Right No.106 in the Boise River Stewart Decree and Boise River Water Distribution Report.

08/17/2006

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

RIGHT NUMBER: 63-200B

NAME AND ADDRESS: NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O RINGERT CLARK CHTD
ATTN DAN STEENSON
PO BOX 2773
BOISE ID 83701-2773

SOURCE: BOISE RIVER
MORES CREEK

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 361.940 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.

The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

PRIORITY DATE: 08/20/1888

POINT OF DIVERSION:
T02N R03E S4 NWNE Lot 6 Within ADA County
T03N R03E S29 NWSW Lot 6 Within ADA County
T05N R04E S35 SWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	361.940 CFS
INDUSTRIAL	03/15 11/15	1.360 CFS
GROUND WATER RECHARGE	03/15 11/15	5.440 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

69467 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right when combined with Right Nos. 63-198AJ, 63-199B, 63-2392B, 63-2968 and 63-30181 can be used to irrigate up to 69,467 acres within the boundary of the Nampa Meridian Irrigation District.

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.

Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and tributaries.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.

This right is also designated as Right No.106 in the Boise River Stewart Decree and Boise River Water Distribution Report.

The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.

The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.

Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.

The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.

The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.

The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.

Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.

Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.



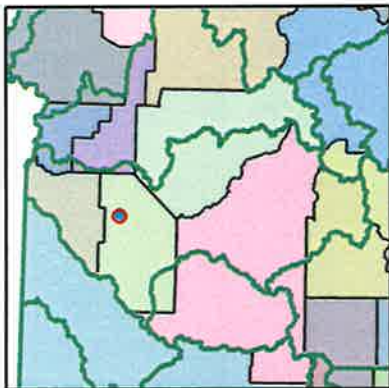
Idaho Department of Water Resources

Adjudication Claim:

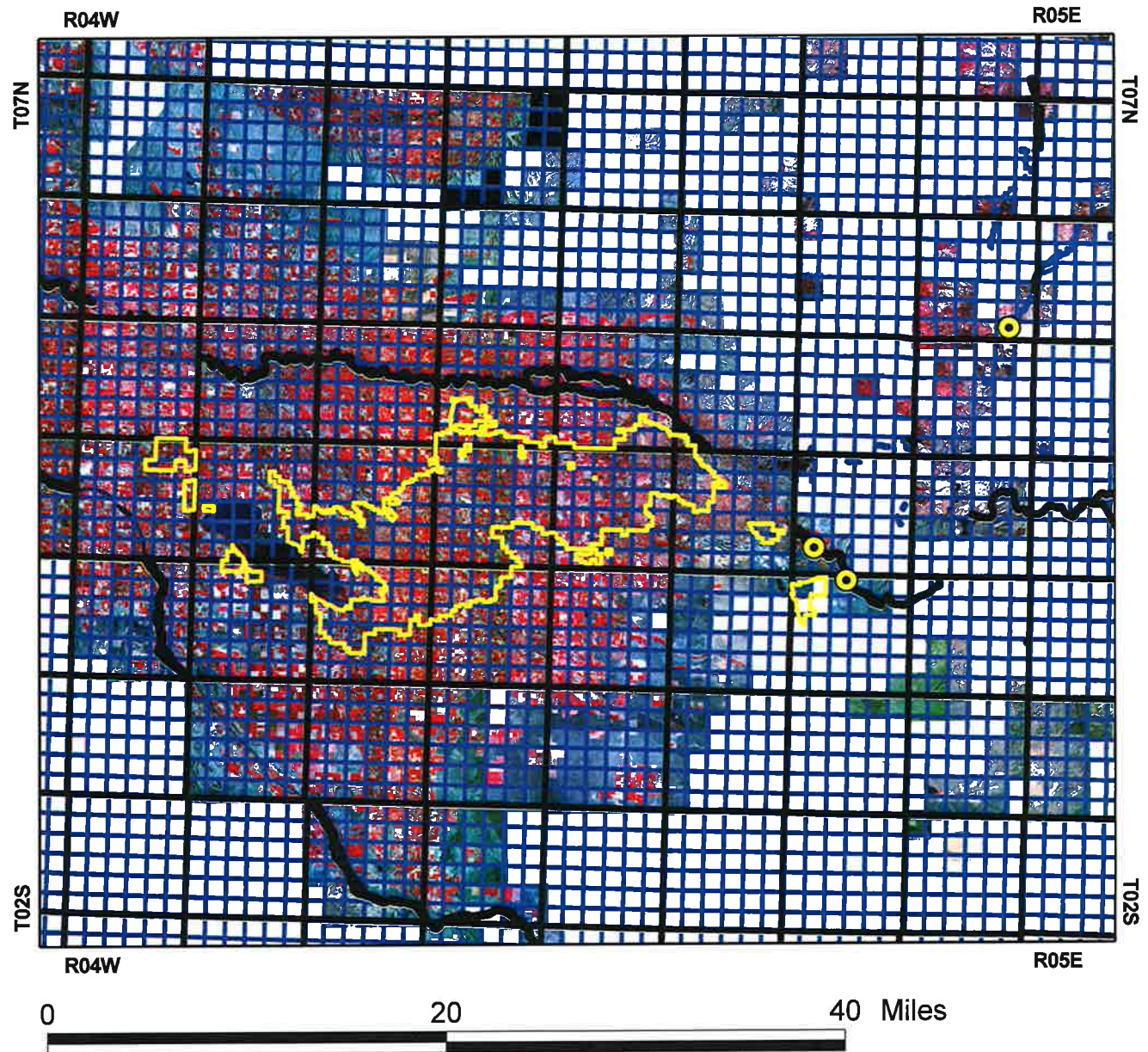
63-200B

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections



Boise, Ada, Canyon Counties
IDWR Basin 63



Prepared by A. Warntjes
On Friday, April 7, 2006
1987/88 Aerial Photography

LVII

That the defendant the NAMPA & MERIDIAN IRRIGATION DISTRICT,
(substituted for defendant the Boise City Irrigation & Land Company)
a corporation, be and it is hereby awarded the use of the waters of
Boise River, diverted at a point on the south side of said river in
Lot 8, Sec. 29, T. 3 N. R. 3 E. B.M., for use upon the lands lying
under its canal system, in the following amounts, from the following
dates;

63 0199 8500 inches, from May 1, 1878; and hereby designated as Right No. 87.

T-1711
63 0200 18542 inches, from August 20, 1888; and hereby designated as Right No 106

T-466
And be adjudged to pay \$1892.84 costs in addition to the costs in-
curred by it.

LVIII.

That the defendant JULIA MAMMON be, and she is hereby awarded the
use of the waters of Boise River, diverted from said river at a point
in NW corner of Sec. 36, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$
of SW $\frac{1}{4}$, and S. $\frac{1}{4}$ of SE $\frac{1}{4}$, and lot 7 in Sec. 26, T. 5 N. R. 5 W. B.M.,
in the following amount from the following date;

63 0201 188 inches, from June 1, 1878; and hereby designated as Right No. 88.

T-111
And be adjudged to pay \$11.73 costs in addition to the costs in-
curred by her.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 69594**

This is to certify that: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395
(208)466-7861

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-30181	AJC/Decreed	06/01/1864	0.20 cfs				BOISE RIVER
63-199B	AJC/Decreed	05/01/1878	169.60 cfs				BOISE RIVER
63-200B	AJC/Decreed	08/20/1888	361.94 cfs				BOISE RIVER
63-198AJ	AJC/Decreed	06/01/1877	0.40 cfs		40		BOISE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-30181	NO	NO	NO	YES	NO	NO
63-199B	NO	NO	NO	YES	NO	NO
63-200B	NO	NO	NO	YES	NO	NO
63-198AJ	NO	NO	NO	YES	NO	NO

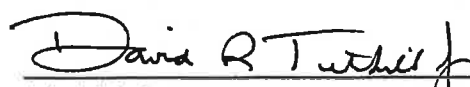
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
63-30181	63-30181	0.20 cfs		N/A	N/A
63-199B	63-199B	169.60 cfs		N/A	N/A
63-200B	63-200B	361.94 cfs		N/A	N/A
63-198AJ	63-198AJ	0.40 cfs		40	N/A

COMBINED TOTALS 532.14 cfs

Detailed Water Right Description(s) attached

Dated this 21st day of December, 20 05



Administrator, Water Management Division

WATER RIGHT NO. 63-30181
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-30181 is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: June 01, 1864

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.20 CFS
			0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER	L6 (NWNE)	Sec. 4	Twp 02N	Rge 03E	ADA County	Surprise Valley Diversion
BOISE RIVER	L6 (NWSW)	Sec. 29	Twp 03N	Rge 03E	ADA County	Ridenbaugh Canal
MORES CREEK	SWNE	Sec. 35	Twp 05N	Rge 04E	BOISE County	Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.

WATER RIGHT NO. 63-198AJ
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-198AJ is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: June 01, 1877

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.40 CFS
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER	L6 (NWNE)	Sec. 4	Twp 02N	Rge 03E	ADA County	Surprise Valley Diversion
BOISE RIVER	L6 (NWSW)	Sec. 29	Twp 03N	Rge 03E	ADA County	Ridenbaugh Canal
MORES CREEK	SWNE	Sec. 35	Twp 05N	Rge 04E	BOISE County	Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

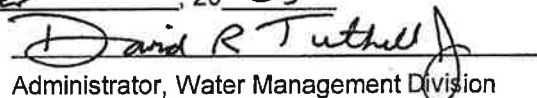
CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Right 63-198AJ is limited to the irrigation of 40 acres within the authorized place of use.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
5. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

6. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
7. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
8. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
9. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
10. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
11. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
12. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
13. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
14. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and its tributaries.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of December, 2005


Administrator, Water Management Division

WATER RIGHT NO. 63-199B
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-199B is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: May 01, 1878

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	169.60 CFS
INDUSTRIAL	03/15 to	11/15	0.64 CFS
GROUND WATER RECHARGE	03/15 to	11/15	2.56 CFS
			169.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion
BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal
MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

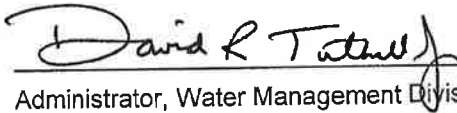
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
6. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.
7. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
8. The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
9. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
11. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
12. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
13. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
14. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
15. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
16. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
17. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and its tributaries.

18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of December, 2005



Administrator, Water Management Division



WATER RIGHT NO. 63-200B
As Modified by Transfer No. 69594

In accordance with the approval of Transfer No. 69594, Water Right No. 63-200B is now described as follows.

Right Holder: NAMPA & MERIDIAN IRRIGATION DIST
1503 FIRST ST S
NAMPA ID 83651-4395

Priority Date: August 20, 1888

Source: BOISE RIVER
MORES CREEK

Tributary: SNAKE RIVER
BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	361.94 CFS
INDUSTRIAL	03/15	to 11/15	1.36 CFS
GROUND WATER RECHARGE	03/15	to 11/15	5.44 CFS
			361.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER L6 (NWNE) Sec. 4 Twp 02N Rge 03E ADA County Surprise Valley Diversion
BOISE RIVER L6 (NWSW) Sec. 29 Twp 03N Rge 03E ADA County Ridenbaugh Canal
MORES CREEK SWNE Sec. 35 Twp 05N Rge 04E BOISE County Green Ranch Diversion

PLACE OF USE: SEE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

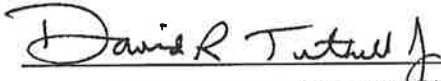
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. Place of use is within the boundary of Nampa & Meridian Irrigation District pursuant to Section 43-323, Idaho Code.
3. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under those rights each year shall not exceed the reported amounts.
4. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.

5. The number of acres available for irrigation under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs/acre.
6. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B.
7. Diversion and use of water for industrial purposes under right nos. 63-199B and 63-200B shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under those rights.
8. The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion.
9. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. The annual volume of water used for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
11. When the authorized diversion of water under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under those rights at the Surprise Valley diversion and the Green Ranch diversion must also be reduced by an equivalent proportion.
12. Prior to diversion of water under transfer approval 5273 and 69594, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
13. The right holder shall accomplish the change authorized by transfer 69594 within one (1) year of the date of approval.
14. The amount of water diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B from the Green Ranch diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights those rights shall provide no more than 0.02 cfs per acre nor more volume than can be beneficially used for irrigation purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
15. The rate of flow diverted under right nos. 63-30181, 63-198AJ, 63-199B and 63-200B at the Green Ranch Diversion shall not exceed a combined total of 0.72 cfs.
16. The Right holder shall be responsible for measuring and recording the rate of flow diverted from the Green Ranch diversion on a weekly basis during the authorized irrigation season and shall provide the diversion records upon request to the watermaster or the department.
17. Water shall not be diverted under this right at the Green Ranch diversion if such diversion would cause injury to rights senior in priority to November 20, 2001 that are authorized to divert from Mores Creek and its tributaries.

18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of December, 2005



Administrator, Water Management Division



Warntjes, Anita

From: Tuthill, Dave
Sent: Tuesday, March 28, 2006 11:48 AM
To: 'Dan Steenson'; John Anderson; Daren Coon
Cc: Warntjes, Anita; Favreau, Danielle
Subject: NMID Irrigated Acres

Dan, John and Daren,

This am we reviewed where we are at in computing NMID acres. Here is an approach that might fit the unique situation for NMID:

1. We are finding that the irrigation delivery organizations in the Treasure Valley have been able to identify sufficient irrigated acres to justify the acres originally assigned water in their plat books. This target of irrigated acres count has widely been achieved.
2. Lands irrigated under the NMID service area have changed greatly over the years due to urbanization. To the extent that land was not removed from the rolls, the irrigation water right remains.
3. NMID place of use includes both the tax roll and rental roll lands.
4. In some cases NMID water is used on land that was originally platted as too high to receive water. In other cases NMID water is not used on land that was platted to be irrigated with NMID water. It is our understanding that originally unplatted land now receiving NMID water has been added to the rolls on an acre-by-acre basis under the supervision of NMID.
5. Darren advised us at the last meeting in our office that he had counted the acreage in the plat books, but we are not aware of a tabulated copy of this information.
6. To justify the acreage in the original plat books we need a tabulated copy of the information.
7. IDWR has assisted different water delivery organizations in different ways via the SRBA process -- this is not a one-size-fits-all process.
8. IDWR recognizes that there is only one copy of the plat book. Accordingly we would be willing to visit your offices during normal business hours, and tabulate the acres to which water was originally provided by keying into a laptop the number of irrigated acres per tract as described in the plat book. We would be willing to share the resulting spreadsheet with you and ask for a double-check. This listing could be used to back up a count of acres irrigated by the project.

How does this approach sound? Please advise if you would suggest improvements to the approach. Our goal is to create a defensible count of acres -- hopefully one that both NMID and IDWR can support as we make our recommendations to the SRBA Court.

Thanks, Dave

P.S. Anita, would you please place a copy of this email in our NMID file?

3/28/2006

08/17/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 29, 2006

Water right number: 63-200B

NAMPA & MERIDIAN IRRIGATION DISTRICT
C/O RINGERT CLARK CHTD
ATTN DAN STEENSON
PO BOX 2773
BOISE ID 83701-2773
Telephone Number: (208)342-4591

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

See Notice of Error Reply for 63-198AJ (enclosed) and attached letter.

2. Describe the changes you wish to make in the proposed recommendation:

See Notice of Error Reply for 63-198AJ (enclosed) and attached letter.

3. Give a brief explanation as to why you disagree with these portions:

See Notice of Error Reply for 63-198AJ (enclosed) and attached letter.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9-29-06 SIGNATURE: *Daniel Steenson*

Please print your name: Daniel Steenson

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

**SCANNED
OCT 03 2006**

September 28, 2006

William F. Ringert, of Counsel
Allyn L. Sweeney, of Counsel
Samuel Kaufman (1921-1986)

BY HAND DELIVERY

Donald Shaff
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Preliminary Recommendations for Nampa & Meridian Irrigation District's
(NMID) Water Rights

Dear Don:

As we discussed by phone today, enclosed is a letter from Daren Coon, NMID's Secretary/Treasurer, identifying a parcel of land that should be included in the place of use for NMID's water rights.

As we also discussed today, the statement under the quantity element of NMID's water rights related to the Green Ranch diversion should state the amount of water to be used from that diversion as 4.5 afa per acre, rather than 3.5 afa per acre.

Water right 63-30181 has the shorter statement regarding the authorized rate of flow for the Surprise Valley diversion, but does not have the language relating to the amount of water to be used from the Surprise Valley diversion that is in 63-198AJ, 63-199B and 63-200B.

If possible, it would be helpful for future reference if the remarks could be in the same order in each of the water rights.

Today you confirmed that the explanatory material is included in the recommendations for internal IDWR record-keeping purposes only, so that, for ease of reference in IDWR's files, transfer conditions are associated with SRBA decrees. The court will not consider the explanatory material, and it will not be included in NMID's decrees. There is, therefore, no opportunity or need for NMID to object to any of the statements in the explanatory material. Any inaccuracies in those statements can be corrected later at an appropriate time.

SCANNED

OCT 03 2006

Donald Shaff
September 28, 2007
page 2

I have, nonetheless, reviewed the statements in the explanatory material sections of each of the recommendations for NMID's water rights. The following statement in the recommendations for water rights 63-199B and 63-200B concerns me: "The place of use for industrial and groundwater recharge purposes under right nos. 63-199B and 63-200B is limited to the lands served by the Surprise Valley diversion." I recognize that the statement is one of the conditions in the water right as a result of the transfer to add the Surprise Valley diversion and lands served by it. I think the statement is correct as to groundwater recharge, but I think it is not entirely accurate with respect to industrial use in light of I.C. § 43-335, which allows an irrigation district to lease water rights for use on industrial lands within its boundaries under certain circumstances:

LEASING OF WATER RIGHTS BY IRRIGATION DISTRICT WITHIN THE DISTRICT BY DISTRICT'S WHERE LANDOWNER CAN RECEIVE WATER THROUGH THE DISTRICT'S IRRIGATION SYSTEM. Any irrigation district which has within its boundaries residential, commercial or industrial lands, or any combination of those lands, and which holds water rights for those lands, shall have the right to lease, to any municipality, municipal provider, public utility, domestic water users organization which furnishes water service to those lands, or to any other entity for the distribution of water to those lands for uses other than culinary purposes, those water rights which are held for any residential, commercial or industrial lands for which the owner has elected not to receive his proportionate share of the irrigation district's water through the irrigation system of the district; provided, however, that no water right under which water is delivered through a community ditch shall be leased without the written consent of the ditch users who do not elect not to receive water from the district. For purposes of this chapter, the terms "municipality" and "municipal provider" shall be defined as provided in section 42-202B, Idaho Code; "culinary purposes" shall mean the use of water for direct human consumption, cooking, sanitary purposes, and other such uses. Nothing in this chapter shall be construed as amending or affecting the laws of Idaho pertaining to the control and regulation of public utilities, municipal providers or water corporations.

Since the statements in the explanatory material are not at issue in the SRBA process, this is really an academic issue at this point. The situation contemplated by the statute is, I believe, the only one in which the referenced statement in the explanatory material and the water right is not entirely accurate.

As we discussed over the phone, we are verifying the 40 acre limitation in water right 63-198AJ. Subject to double-checking, it appears that NMID does not have any other concerns with the preliminary recommendations.

SCANNED
OCT 03 2008

Donald Shaff
September 28, 2007
page 3

I will talk to you tomorrow after you have had an opportunity to review this letter and enclosure.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel V. Steenson". The signature is fluid and cursive, with the first name "Daniel" being more prominent.

Daniel V. Steenson

Enclosure

cc: Daren Coon
John Anderson

SCANNED
OCT 03 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 07 1999

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Nampa & Meridian Irrigation District
2. Mailing address 1503 First Street South, Nampa, Idaho 83651
3. The right was obtained or is evidenced by:
 - a. Decree to Nampa & Meridian Irrigation Dist. in Case of Farmers Co-op Ditch Co.
 - vs. Riverside Irrigation District, Dated _____ in District Court, 7th District
(Name of Court)
 - Court, County of Canyon. Fully describe decree entered Jan. 18, 1906
Hon. Geo. H. Stewart, District Judge
 - b. License No. _____ c. Claim No. _____
 - d. SRBA No. 63-00200A, 63-00200B
4. Source of water Boise River tributary to Snake River
(Name of stream or source)
5. Date of priority of right August 20, 1888
6. Description of Right:

amount 370.84 for agricultural purposes from 3/15 to 11/15
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion 1/4 Lot 6 1/4 of Sec. 29 Twp. 3N Rge. 3E County Ada
8. Lands irrigated or Place(s) of Use: See Attachment A & B

TWP	RGE	SEC	NE				NW				SW				SE				Totals

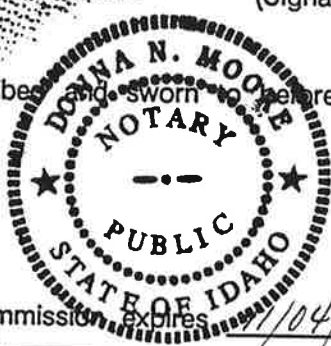
Total Acres _____

9. Give the last date when water was put to beneficial use See Attachment A
Length of extension of time requested 5 years, or until beginning of irrigation season
2004 (Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use See Attachment A

The information contained in this application is true to the best of my knowledge.

Daren R Coon
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of April, 19 99.



Donna N. Moore
(Notary Public)

My commission expires 11/04/2000 Residing at Caldwell, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 19 _____.

(DIRECTOR)

FOR DEPARTMENT USE ONLY

Date Received 11/7/99 \$100 FEE Receipted by KG Date 4/7/99 Receipt # W025021
Preliminary ☒ by _____ Publication prepared by ST Pub. approved by ST Date 6-18-99
Published in Press Tribune Dates Published 5-20 + 27-99
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - ☐ APPROVAL / ☐ DENIAL By _____

ATTACHMENT A

8. Lands irrigated or place of use:

The places of use for the Application for Extension of Time to Avoid Forfeiture of Water Right are the lands excluded from the Nampa & Meridian Irrigation District (NMID) by resolution and order of the Board of Directors of the NMID during the period January 1, 1994 to December 31, 1994. Due to the large number of parcels excluded during this period, NMID is providing a general description of the township, range, and section within which the excluded lands are located. Descriptions of the individual excluded parcels are contained in the exclusion orders, which are on file with NMID.

9. When water was last put to beneficial use:

Lands excluded during 1994 are not entitled to receive water from NMID's system. However, since 1994, NMID has continuously applied to beneficial use the water previously delivered to the excluded lands. Water previously delivered to the excluded lands continues to be diverted from the Boise River at NMID's point of diversion to charge the Ridenbaugh Canal System and for delivery to the remaining lands within NMID through the Ridenbaugh Canal System. NMID's water deliveries, prior to and after the exclusions, do not exceed an inch to the acre.

NMID's position is that the exclusion of lands does not subject its water rights to forfeiture of any portion of the water quantity or place of use elements of its water rights. In 1994, the Idaho Department of Water Resources (IDWR) communicated to NMID the opinion that exclusions do subject NMID's water rights to forfeiture. In order to ensure that NMID's water rights are protected from such a claim of forfeiture, and preserve NMID's right to transfer its water rights from excluded lands, NMID filed Applications for Extension of Time to Avoid Forfeiture for those portions of its water rights which had been delivered to lands excluded during the periods 1989-1990, and 1991-1992, which were subsequently approved. Additionally, NMID filed Applications for Extension of Time to Avoid Forfeiture for those portions of its water rights which had been delivered to lands excluded during 1993, which is currently being processed by IDWR. As with prior Applications for Extension of Time, NMID does not waive the right to assert its position that exclusions do not subject its water rights to forfeiture.

The total quantity of water delivered from the water rights for those lands excluded in 1994 is 4.80 cfs and the total number of acres of excluded lands is 312.69.

10. Reasons for extension of time:

See Response to No. 9.

Section	Township	Range	RA	Section	Township	Range	RA
SEC 1	3N	1E	12.60	SEC 28	3N	2W	0.26
SEC 1	3N	1W	14.26	SEC 3	2N	2W	1.50
SEC 10	3N	1E	66.88	SEC 3	3N	1E	14.41
SEC 11	3N	1E	10.50	SEC 31	4N	1E	1.17
SEC 11	3N	1W	4.51	SEC 31	4N	2E	2.04
SEC 12	3N	1E	14.35	SEC 34	4N	1E	4.43
SEC 12	3N	1W	5.80	SEC 35	4N	1E	11.36
SEC 13	3N	1E	0.67	SEC 36	4N	1E	9.38
SEC 13	3N	1W	5.46	SEC 4	2N	2W	0.18
SEC 14	3N	1E	0.25	SEC 5	3N	1E	6.29
SEC 14	3N	2W	11.57	SEC 5	3N	2E	1.07
SEC 14	3N	3W	0.97	SEC 6	3N	1E	8.34
SEC 16	3N	1E	10.45	SEC 6	3N	2E	11.84
SEC 17	3N	1W	0.51	SEC 7	3N	1E	8.95
SEC 17	3N	2E	3.66	SEC 7	3N	1W	5.58
SEC 18	3N	1E	3.21	SEC 7	3N	2E	13.21
SEC 18	3N	2E	3.98	SEC 8	3N	1E	1.35
SEC 19	3N	1E	1.17	SEC 8	3N	2E	0.24
SEC 2	2N	2W	0.91	SEC 9	3N	2E	0.36
SEC 2	3N	1E	19.62				312.69
SEC 2	3N	1W	10.15				
SEC 20	3N	2W	2.02				
SEC 22	3N	1E	0.33				
SEC 23	3N	1E	0.42				
SEC 26	3N	2W	2.24				
SEC 26	4N	1E	4.24				

Attachment B

Plz fill in both A63-00200A
+ A63-00200B

REGIONAL STAFF REVIEW FOR EXTENSION OF TIME TO AVOID FORFEITURE

Water Right 63-00200 A & B Applicant NMID

REVIEW BY: ALLOCATION SL 4/27/98 SRBA SUPERVISOR _____
(initial & date for both reviewers)

ADVERTISING & PROCESSING INFORMATION

WP File Name NMID-EXTENSION

Legal Notice electronically sent to State Office _____
(initials & date)

Comment Letters ☐ No ☒ Yes, see attached name(s)/addresses(s)

Extension published correctly ☒ Yes ☐ No

Affidavit of publication received ☒ Yes ☐ No

Protests received (deadline & fee?) ☐ No ☐ Yes, acknowledgement sent

→ Copy for Regional File ☒ Appl. ☒ Staff Review page ☒ Legal Notice

NA Other, list: _____

STAFF REVIEW COMMENTS - Same type of review as 1996 + 1997 Extensions.

~~Right as recorded~~ This is 3rd portion of rights to be protected w/ extension - each ext. is for separate area.

~~SRBA factors~~ CLR + AJ reconciliation to be later. Also, pending transfer filed (not advertised yet) JAN. 1998 to move e 20 cfs upstream to new pump station & newly

~~Verification & other comments~~ annexed lands in SE Bore. *

From previous extensions, appears dept. will not do forfeiture analysis at this time - no review memo needed.

Additional review memorandum attached? ☐ Yes ☒ No

REGIONAL MANAGER'S RECOMMENDATIONS ☐ Deny ☐ Approve as follows

(initials & date)

* transfer to be processed once NMID replies to reviewers 4/3/98 letter. Transfer is example of fate of water filed upon multiple extensions of time to avoid forfeiture.

Remains to be done - I'll discuss w/ JAN

After
major
review

Water Right No. 63-00200 A+B

STATE OF IDAHO

Application for Extension of Time to Avoid Forfeiture of a Water Right

RECEIVED

APR 01 1998

WATER RESOURCES
WESTERN REGION

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder NAMPA & MERIDIAN IRRIGATION DISTRICT
Post office address 1503 First Street South, Nampa, Idaho 83651
2. The right was obtained or is evidenced by:
- a. Decree to Nampa & Meridian Irr. Dist. in Case of FARMERS CO-OP DITCH CO.
(Name)
vs. RIVERSIDE IRRIGATION DIST Dated _____ in District Court, 7th District
(Name of Court)
Court, County of Canyon. Fully describe decree entered Jan. 18, 1906
Hon. Geo. H. Stewart, District Judge
- b. License No. _____ issued by the Department of Water Resources.
- c. Claim No. 63-00200A on file with the Department of Water Resources.
63-00200B
3. Source of water Boise River tributary to Snake River
(Name of stream or source)
4. Date of priority of right August 20, 1888
5. Amount of water a. 370.84 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for agricultural from 3/15 to 11/15
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is 1/4 Lot 6 1/4 of Section 29
Township 3N, Range 3E, B.M., in Ada County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use: See Attachment A and B

[illegible]

Total number of acres irrigated _____

9. Give last date when water was applied to beneficial use See Attachment A
Length of extension of time requested 5 years, or until beginning of irrigation
2003 (Date) season
10. Explain fully your reasons for requesting an extension of time within which to resume the use
of your water right and reasons for non-use _____

I hereby assert that no one will be injured by such extension. The information contained in
this application is true to the best of my knowledge.

Dan Roca
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of April, 1998.



[Signature]
(Notary Public)

My commission expires 3/12/2000

Residing at Rose ID

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to
resume the use of a water right and I hereby _____ said application subject
to the following conditions or reasons.

Witness my hand this _____ day of _____, 19____.

(Director)

For Department Use Only

Received by Kb Date 4/11/98 Time 2:39 Preliminary check by SL

Fee \$ 100.00 Receipted by Kb Date 4/14/98 Publication prepared by _____

Published in Idaho Statesman & Press-Tribune Dates 5-7 & 14-98

Publication approved by [Signature] Date 5-18-98 Protests filed by: _____
3/22/98

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for // Approval // Denial by _____

ATTACHMENT A

8. Lands irrigated or place of use:

The places of use for the Application for Extension of Time to Avoid Forfeiture of Water Right are lands excluded from the Nampa & Meridian Irrigation District (NMID) by resolution and order of the Board of Directors of the NMID during the period January 1, 1993 to December 31, 1993. Due to the large number of parcels excluded during this period, NMID is providing a general description of the township, range, and section within which the excluded lands are located. Descriptions of the individual excluded parcels are contained in the exclusion orders, which are on file with NMID.

9. When water was last put to beneficial use:

Lands excluded during 1993 are not entitled to receive water from NMID's system. However, since 1993, NMID has continuously applied to beneficial use the water previously delivered to the excluded lands. Water previously delivered to the excluded lands continues to be diverted from the Boise River at NMID's point of diversion to charge the Ridenbaugh Canal System and for delivery to the remaining lands within NMID through the Ridenbaugh Canal System. NMID's water deliveries, prior to and after the exclusions, do not exceed one inch to the acre.

NMID's position is that the exclusion of lands does not subject its water rights to forfeiture of any portion of the water quantity or place of use elements of its water rights. In 1994, the Idaho Department of Water Resources (IDWR) communicated to NMID the opinion that exclusions do subject NMID's water rights to forfeiture. In order to ensure that NMID's water rights are protected from such a claim of forfeiture, and preserve NMID's right to transfer its water rights from the excluded lands, NMID filed Applications for Extension of Time to Avoid Forfeiture for those portions of its water rights which had been delivered to lands excluded during the periods 1989-1990 and 1991-1992. As with its prior Applications for Extension of Time, NMID does not waive the right to assert its position that exclusions do not subject its water rights to forfeiture.

The total quantity of water delivered from the water rights identified in No. 3 to the excluded lands is 7.87 cfs and the total number of acres of excluded lands is 506.79.

10. Reasons for extension of time:

See Response to No. 9.

Attachment B

Sec	T	R	RA	
SEC 5	2N	1W	2.29	
SEC 2	2N	2W	0.18	
SEC 1	3N	1E	30.56	
SEC 10	3N	1E	24.78	
SEC 11	3N	1E	14.22	
SEC 12	3N	1E	38.54	
SEC 13	3N	1E	1.68	
SEC 14	3N	1E	3.09	
SEC 15	3N	1E	21.49	
SEC 17	3N	1E	4.42	
SEC 19	3N	1E	0.77	
SEC 2	3N	1E	25.56	
SEC 22	3N	1E	1.93	
SEC 23	3N	1E	0.80	
SEC 3	3N	1E	31.81	
SEC 5	3N	1E	16.80	
SEC 6	3N	1E	0.74	
SEC 7	3N	1E	14.52	
SEC 8	3N	1E	0.69	
SEC 1	3N	1W	27.07	
SEC 11	3N	1W	21.70	
SEC 12	3N	1W	18.54	
SEC 13	3N	1W	3.16	
SEC 19	3N	1W	0.14	

SEC 2	3N	1W	30.77	
SEC 7	3N	1W	11.89	
SEC 9	3N	1W	2.10	
SEC 17	3N	2E	2.79	
SEC 18	3N	2E	6.80	
SEC 5	3N	2E	2.74	
SEC 6	3N	2E	46.22	
SEC 7	3N	2E	15.99	
SEC 9	3N	2E	0.33	
SEC 14	3N	2W	0.93	
SEC 20	3N	2W	1.02	
SEC 25	3N	2W	1.01	
SEC 14	3N	3W	1.02	
SEC 26	4N	1E	14.96	
SEC 34	4N	1E	11.25	
SEC 35	4N	1E	23.51	
SEC 36	4N	1E	22.80	
SEC 31	4N	2E	5.18	
Total			506.79	

NOTICE OF EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHTS

Notice is given that NAMPA & MERIDIAN IRRIGATION DISTRICT of 1503 First St. South, Nampa ID 83651 has applied to the Dept. of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to I.C. § 42-222 for a portion of 2 decreed irrigation rights recorded as follows:

Both rights are diverted from the Boise River with a 8-20-1888 priority date and used within NMID service area in Ada & Canyon Counties.

#63-00200A, 8.90 cfs diverted at the New York Canal.

#63-00200B, 361.94 cfs diverted at the Ridenbaugh Canal.

EXTENSION REQUESTED FOR

7.87 cfs for 507 acres excluded from NMID during 1993 in T2N R1-2W, T3N R1-2E & 1-3W, and T4N R1-2E. The applicant wishes to preserve its ability to transfer the rights from the excluded land.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of \$25.00 on or before May 26, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman and the Press-Tribune on May 7 and 14, 1998.

November 20, 1998

RECEIVED

NOV 23 1998

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Allyn L. Sweeney
Samuel Kaufman (1921-1986)

Ms. Jan Shurte
Adjudication Supervisor
IDWR Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

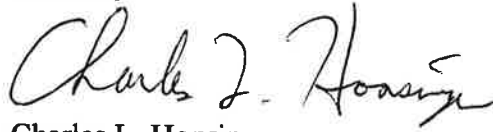
Re: Amended Notices of Claim to water right numbers 63-00199B and 63-00200B

Dear Jan:

Enclosed please find amended notices of claim to water right numbers 63-00199B and 63-00200B. On behalf of our client Nampa & Meridian Irrigation District, and pursuant to the requirements of SRBA Administrative Order Number 1 § 4.d.(2)(a), I ask that you file these amended claims in place of the original claims to the same water rights. Please notify me by letter once these amended claims have been accepted as filed by your office.

If you should have any questions or concerns regarding these amended claims, please contact me. Thank you for your assistance.

Sincerely,


Charles L. Honsinger

enclosure(s)

cc: Daren Coon (w/o) enclosures

*NOTE: Data entered amended claim &
sent copy to Charles Honsinger.
1-12-99*