

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: **A63-00278**
Date Received: 7/ 6/1992
Receipt No: W015021
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RIVERVIEW VENTURES 208-336-4262
Address: PO BOX 9294
BOISE ID 83707

2. Date of Priority: APR 1, 1865

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		ADA

5. Description of diverting works:
HEADGATE IN RIVER, RIDENBAUGH CANAL, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	03/15	11/15	0.800		180.00
AESTHETIC	03/15	11/15	0.800		180.00

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 180.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
WILDLIFE, UNSPECIFIED; AESTHETIC, HOMESITES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03E	30	SW	NE	6	WILDLF	
			SW	NE	6	AES	
			NE	NW	5	WILDLF	

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OCT 05 2006

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	03E	30	NE		NW	5	AES	
			NW		NW	4	WILDLF	
			NW		NW	4	AES	
			SW		NW	3	WILDLF	
			SW		NW	3	AES	
			SE		NW		WILDLF	
			SE		NW		AES	
			NE		SW		WILDLF	
			NE		SW		AES	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-00279B

14. Remarks:

TRANS. 77 & 154.

CLAIM AMENDED AS PER TRANSFER NO. 4286, APPROVED 02/15/1994.

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 63.

THE WATER RIGHT HOLDER SHALL INSTALL AND MAINTAIN A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS AT THE POINT WHERE WATER IS DIVERTED FROM THE RIDENBAUGH CANAL.

THE PERIOD OF USE OF THE WATER RIGHTS REPRESENTED HEREIN IS LIMITED TO THE PERIOD OF IRRIGATION DIVERSIONS VIA THE RIDENBAUGH CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Regin Adj. 10/1/86

TRANSFER OF WATER RIGHT

TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

This is to certify that: **RIVERVIEW VENTURES**
PO BOX 9294
BOISE ID 83707

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>	<u>ANNUAL VOLUME</u>
Right No. 63-00278 :			
WILDLIFE	03/15 to 11/15	0.80 CFS	180.0 AF
AESTHETIC	03/15 to 11/15	0.80 CFS	180.0 AF
Priority: 04/01/1865			
Right No. 63-00279B :			
WILDLIFE	03/15 to 11/15	0.32 CFS	72.0 AF
AESTHETIC	03/15 to 11/15	0.32 CFS	72.0 AF
Priority: 04/01/1870			

SOURCE

TRIBUTARY OF

BOISE RIVER

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: WILDLIFE

TWN RGE SEC

03N 03E 30	Lot 6(SWNE)	Lot 5(NENW)	Lot 4(NWNW)
	Lot 3(SWNW)	SENE	NESW

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.

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TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

CONDITIONS/REMARKS:

3. The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

Dated this 15th day of February, 1994.

J. Glen Saylor
Chief, Water Alloc. Bureau

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Page 1 of 10

Page 1 of 1
Should questions arise during the processing of this application please contact: **APPL**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4286

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705

344-6690
Name of applicant

Name of applicant 344-6690 Riverview Ventures

Phone 336-4262

Post Office address P.O. Box 9294, Boise, Idaho 83707

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 _____

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2. Describe the reason for the proposed changes

~~NOV 22 1993~~

Department of Water Resources

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>63-00249B</u> | <u>5/1/1895</u> | <u>0.3 ~~0.8~~</u> | <u>Aesthetics/F&W</u> | <u>3/15</u> to <u>11/15</u> |
| <u>63-00278</u> | <u>4/1/1865</u> | <u>0.8</u> | <u>Aesthetics/F&W</u> | <u>3/15</u> to <u>11/15</u> |
| <u>63-00279</u> | <u>4/1/1870</u> | <u>0.8</u> | <u>Aesthetics/F&W</u> | <u>3/15</u> to <u>11/15</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |

2. Total amount of water being transferred 1.68 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:

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	
3N	3E	30			W/J		W/J	W/J	W/J	W/J									
					L-6		L-5	L-4	L-3										

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Department of Water Resources

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Total acres N/A

PART 1**6. General Information:**

- a. Description of diversion system Gravity diversion from the Ridenbaugh Canal pursuant to the June 5, 1937 agreement between Adolph Bahlor and the Nampa & Meridian Irrigation District.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
A part of the land presently irrigated will be no longer irrigated. Part of the water formerly used for irrigation will mitigate consumptive impacts from the application filed by Wood Duck Island (63-11923). The balance will be used under this transfer for aesthetics and fish and wildlife habitat or will remain in the Ridenbaugh Canal.
- d. Remarks:

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 _____

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FEB 23 1994

PART 2

TRANS NO. 4286

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00249

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.00 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
BOISE RIVER		SNAKE RIVER

Priority: 05/01/1895

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 29, Township 03N, Range 03E
ADA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	02E	25	NESE			
	03E	30	Lot 7 (NESE)			

CONDITIONS/REMARKS:

1. TRANS. 153 CHANGE P/D ONLY.

FEB 23 1994

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

PART 2

(Attach one copy for each right)

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Change approved by
on 8/13/92

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 63-00249 Decreed to Adolph Bauer ~~Department of Water Resources~~ *Channel Reno & Jane Kach*
in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District
dated 1/18/1906 in Fourth Judicial District County of Ada
- 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. 153 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 Quit Claim Deed

3. Source of water Boise River tributary to SNAKE RIVER4. Date or priority 5/1/1895

5. Water is used for the following purpose:

amount 1.0 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>6</u>	~~NE~~	~~NE~~	<u>SW</u>	~~30~~	<u>3N</u>	<u>3E</u>	<u>Ada</u>	<u>Ridgeway Canal for grain transfer</u>
		<u>NW</u>		<u>29</u>				

8. 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	
<u>3N</u>	<u>2E</u>	<u>25</u>													☒				<u>1.0</u>
<u>3N</u>	<u>3E</u>	<u>30</u>													☒				<u>1.0</u>
															<u>1.0</u>				

*Assume 0.2 cfs/line → 50 acres. NE SW 5.30
included per accomplished transfer in SRBA. See
item B2 on pg 4.*

Total acres 509. Describe any other water rights used for the same purpose as described above 63-00279; 63-00280

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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 CHANGES apparent by SR on 8/13/92**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 .08 for IRrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh Canal

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	
3N	3E	30									3				1				4
															Lot 7				

SEE COPY OF AG3-00249B

accomplished transfer per SRBA - most likely from owner in L.7 S.30 as Ridenbaugh Canal was developed.

Total acres 4**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from Balance of right
 (cfs/ac-ft) _____ for _____ purposes from remains unchanged and is
 (cfs/ac-ft) _____ for _____ purposes from owned by other parties
 amount .92 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh Canal

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	
3N	2E	25													23				23
		30													23				23

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FEB 3 1994

Assumed 50 acres per 1.00 ; A 50's photo for 1987 shows
 227 ac. L.7 minus 1 acre owned by applicant minus 3 acres NWSW = 23 Total acres 46
 acres left for L.7

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00278

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.80 CFS

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

Priority: 04/01/1865

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 29, Township 03N, Range 03E
ADA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	03E	30	Lot 6 (SWNE)	Lot 5 (NENW)	SENEW	

CONDITIONS/REMARKS:

1. TRANS. 77 & 154.

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2 RECEIVED *Changes approved by*
(Attach one copy for each right)
NOV 22 1993

Department of Water Resources

8/13/92

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-00278 Decreed to Adolph Bahler
in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District
dated 1/18/1906 in Fourth Judicial District county of Ada

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. 153 (77 + 1543) 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 Quit Claim Deed

3. Source of water Boise River tributary to Snake River

4. Date or priority 4/1/1865

5. Water is used for the following purpose:

assumed

amount .80 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .8 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6	~~NE~~	~~NE~~	SW	~~30~~	3N	3E	Ada	<i>Ridenbough Canal per prior transfer</i>
		NW		29				

8. 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	
3N	3E	30			~~21.6~~		~~21.6~~		~~21.6~~										~~21.6~~
					<i>Lot 6</i>		<i>Lot 5</i>												

*acres/yr and total not specified, 10 FEB 23 1994
therefore, assume .02 cfs/acre → 40 acres*

Total acres 40

9. Describe any other water rights used for the same purpose as described above 63-00279; 63-00249

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00279

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.80 CFS

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

Priority: 04/01/1870

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 29, Township 03N, Range 03E
ADA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	03E	30	Lot 6(SWNE)	Lot 5(NENW)	SENW	

CONDITIONS/REMARKS:

1. TRANS. 77 & 152.
2. FROM BAHLER CANAL TO RIDENBAUGH CANAL. CHANGE IN P/D ONLY.

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

PART 2
(Attach one copy for each right)

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NOV 22 1993

Changes approved by
[Signature]
Nov 8/13/92

A. DESCRIPTION OF RIGHT AS RECORDED

Department of Water Resources

1. Right evidenced by:

- a. Decree No. 63-00279 Decreed to Adolph Bahler
in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District
dated 1/18/1906 in Fourth Judicial Dist. county of Ada
- 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. 153 (77 & 152 ?) 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 Quit Claim Deed

3. Source of water Boise River tributary to Snake River

4. Date or priority 4/1/1870

5. Water is used for the following purpose:

amount .80 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>6</u>	~~NE~~	~~NE~~	<u>SW</u>	~~30~~	<u>3N</u>	<u>3E</u>	<u>Ada</u>	<u>Ridenbaugh Canal per prior transfer</u>
		<u>NW</u>		<u>29</u>				

8. 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	
<u>3N</u>	<u>3E</u>	<u>30</u>			~~27.5~~		~~27.5~~			~~40~~									~~84~~
					<u>Lot 6</u>		<u>Lot 5</u>												

(Therefore, 63-00278 + 63-00279 assume ~80 acres) Total acres 84 40

9. Describe any other water rights used for the same purpose as described above 63-00280; 63-00249

PART 3**B. CHANGES IN NATURE OF USE**

1. 8/13/92 10 10 10

New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Wildlife Habitat & Aesthetics	<u>1.68</u>	240 days	3/15 to 11/15
	<u>1.68</u>		to

2. Quantity and quality of return flows and location of discharge:

See Attachment "B"

3. Describe effects on other water uses resulting from the proposed change:

No change or effect on other water rights. A portion of the land will be removed from irrigation which will more than make up any evapotranspiration loss to the system. Approximately acres will be removed from irrigation due to home construction and paving. This removal will also offset the evapotranspiration loss expected under application for permit #63-11923 for wildlife and aesthetics filed for this project

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.



Andrea Johnson Project Manager
(Signature of Applicant)

1 day of May, 19 92.

Sherill L. Chapman
(Notary Public)

My commission expires 6/14/94

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 6 attachments

Received by DR Date 5/6/1992 Protest filed by _____

Prelim. check by SL Fee 50.00 W 014644

Received by DR Date 5/6/1992

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 9/3 & 9/10/1992 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. by DR

Copy of transfer sent to lien holder _____

APPROVED
MICROFILMED
FEB 23 1996
OCT 02 1996

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: A63-00278

Date Received: 7/ 6/1992

Receipt No: W015021

Received By: DE JEN

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

1. Name: RIVERVIEW VENTURES 208-336-4262
Address: PO BOX 9294
BOISE ID 83707

2. Date of Priority: APR 1, 1865

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			ADA

5. Description of diverting works:
HEADGATE IN RIVER, RIDENBAUGH CANAL, DITCH FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		245.00

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 245.00 A.F.A.

8. Total consumptive use is 191.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03E	30	SW	NE	6	IRR	7.0
			NE	NW	5	IRR	3.0
			NW	NW	4	IRR	7.6
			SW	NW		IRR	13.0
			SE	NW		IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	30	NE	SW		IRR	3.0

Section Acres 54.6

Total Acres 54.6

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-00279

14. Remarks:
TRANS. 77 & 154.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs 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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

MICROFILMED
OCT 02 1996

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 63-00278Date Received 7-6-92Receipt Number W015021

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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

RECEIVED

JUL - 6 1992

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Riverview Ventures Phone (208) 336-4262Mailing Address P.O. Box 9294, Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) 4/1/18653. Source of water supply (a) Boise River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 3E Section 29,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of AdaAdditional points of diversion if any: None

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

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate from Boise River. Water
conveyed via the Ridenbaugh Canal to a lateral ditch that serves the land.
Irrigation is affected by gravity means.

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OCT 02 1998

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .80 or 245

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .80 (cfs) and/or (b) 245 (acre feet)

8. Total consumptive use claimed is 191 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	3E	30			Lot 6 7		Lot 5 3	Lot 4 7.6	13	21	3								54.6

Total number of acres irrigated 54.6

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

63-00279 or None ()

14. Remarks:

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OCT 02 1996

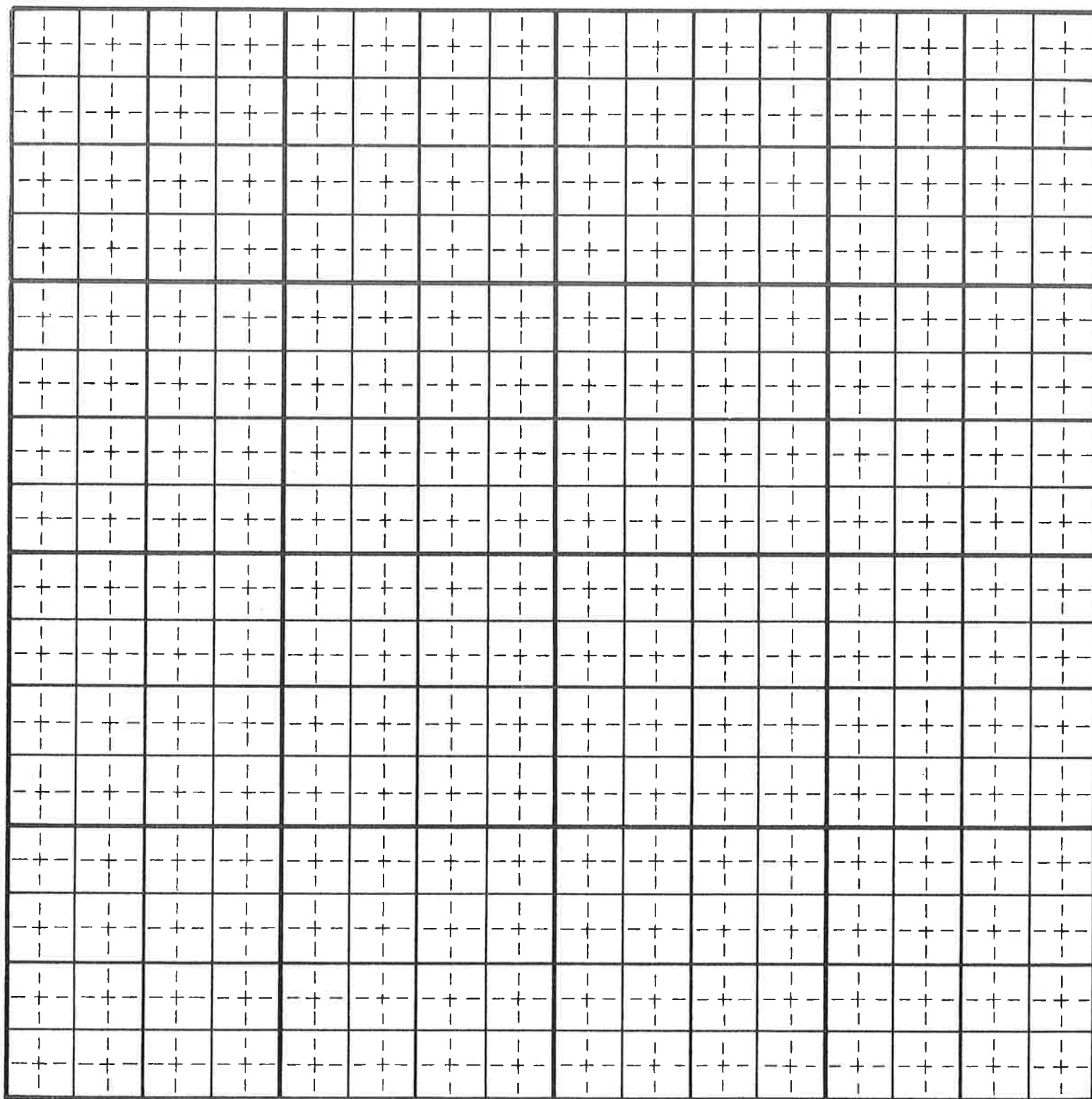
Last Name Riverview Ventures Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHMENT "A"



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OCT 02 1996

Last Name Riverview Ventures Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-00278
Court Fourth Judicial District Case Number _____ Decree Date 1/18/1906
Plaintiff vs Defendant Farmers Co-op Ditch Co. v Riverside Irrigation District

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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

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

✓ For Organizations: I do solemnly swear or affirm that I am SECRETARY - MANAGING PARTNER
Title
of Riverview Ventures Organization, that I have signed the foregoing
document in the space below as Secretary - Managing Partner Title of Riverview Ventures Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dandra J. Johnson

Title and Organization SECRETARY - Managing Partner Riverview Ventures Date 7-6-92

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

Subscribed and sworn (or affirmed) before me this 6 day of July 19 92

Notary Public Sherl Chapman

Residing at 2889 Cottle Way, Meridian Id.

My Commission Expires 6/14/94

Please Print Name Sherl Chapman

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Riverview Ventures Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 02 1996



NOT TO SCALE

ATTACHMENT "A"

OCT 02 1996

PROPERTY BOUNDARY

Water Right Number - 63-00278

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BAHLER

ADOLPH

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1865 14 WESTERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

03N 03E 29 NW SW (1) ADA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.800+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03N 03E 30 SW NE 6 01 IRRIGATION (1) ADA
03N 03E 30 NE NW 5 01 IRRIGATION (1) ADA
03N 03E 30 SE NW 01 IRRIGATION (1) ADA

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
TRANS. 77 & 154.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - +
FARMERS CO-OP DITCH CO.+ - - - - Decree Defendant - - - +
RIVERSIDE IRR. DIST.+ - Decree Date - +
03/25/1925MICROFILMED
OCT 02 1996

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 03/25/1925				

MICROFILMED
OCT 02 1996

12-1-92

ADJUDICATION CLAIM REVIEW CHECKLIST

CLAIMANT'S NAME

Rivera-Ventura

CLAIM IDENT. NO.

AG3-00278

DATE RECEIVED

He-92

RECEIPT #

W15021

FEE PAID \$

209⁰⁰

FEE REQ'D \$

105⁻

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? ☒ YES ☐ NO *
- The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☒ YES ☐ NO *
- If multiple domestic, is single ownership indicated? ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO N/A *
- If yes, compare claim w/existing right and attach proof report noting any differences in comments.
- If no, was water right no. found? ☒ YES ☐ NO *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☒ YES ☐ NO N/A *
- (If yes, attach a proof report & complete number change)
- NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, was the fee paid? ☒ YES ☐ NO N/A *
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
21. Was this claim filed on time? ☒ YES ☐ NO *
- (Check ML3 for date mailed-not all were mailed on the planned date)
- If no, was an extension of time filed & approved? ☒ YES ☐ NO *
22. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *

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OCT 02 1996

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	☒
24. Can this claim be data entered?	☒	—
25. Was claim modified?	—	☒
If yes, do modifications require notification to claimant? . . . Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: L. Warner Date 12-9-92
 Claim data entered by: JAD Date 12-16-92

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

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 OCT 02 1996

Receipt Details for ID W015021

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/7/1992 7:47:15 AM	7/7/1992	Western	\$359.00	Check
Payer		WOOD DUCK ISLAND		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1547			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$209.00	ADJUDICATION CLAIM FEE	41503	337	0	0	1155
\$150.00	LATE FEES	41503	337	0	0	1155

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	249		\$54.00	Claim
63	279		\$105.00	Claim
63	278		\$50.00	Claim

Print Report

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 JUL 26 PM 2 47

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-00278
) and 63-00279B

I. FINDINGS OF FACT

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

On April 21, 2006, the United States of America, Department of Interior, Bureau of Reclamation, filed objections to the *Director's Report*, seeking modification of the remark under the season of use element. On the same date, the Boise Project Board of Control filed similar objections. An *Order to Show Cause* was issued upon the claimant's failure to appear at the March 20, 2007, initial hearing held on the objections. A hearing on the *Order to Show Cause* was held on July 24, 2007, at which the claimant failed to appear.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the terms of the *Order to Show Cause*, IT IS RECOMMENDED that water rights 63-00278 and 63-00279B be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated July 25, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 JUL 26 PM 2 48

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

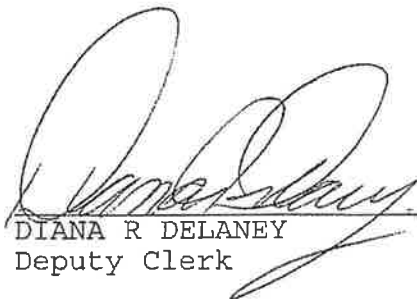
Water Right(s): 63-00278
63-00279B

On July 26, 2007, Special Master THEODORE R. BOOTH
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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

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

DATED July 26, 2007.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 JUL 26 PM 2 48

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-00278
63-00279B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 26, 2007, with sufficient first-class postage prepaid to the following:

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

NATURE'S WOOD DUCK ISLAND
HOMEOWNERS ASSOCIATION
PO BOX 5714
BOISE, ID 83705-0714

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

CERTIFICATE OF MAILING

PAGE 1
07/25/07

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

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

RIVERVIEW VENTURES
PO BOX 9294
BOISE, ID 83707
Phone: 208-336-4262



DIANA R DELANEY
Deputy Clerk

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

In Re SRBA

Case No. 39576

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

Water Right 63-00278

2007 JUL 26 PM 2 48

NAME AND ADDRESS: RIVERVIEW VENTURES
PO BOX 9294
BOISE, ID 83707

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS
180.00 AFY

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.

PRIORITY DATE: 04/01/1865

POINT OF DIVERSION: T03N R03E S29 NWSW Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Wildlife	03-01 TO 11-15	0.80 CFS
		180.00 AFY
Aesthetic	03-01 TO 11-15	0.80 CFS
		180.00 AFY

Diversion 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: Wildlife Within Ada County

T03N R03E S30 LOT 6 (SWNE)	LOT 5 (NENW)
LOT 4 (NWNW)	LOT 3 (SWNW)
SENE	NESW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Aesthetic			Within Ada County
T03N R03E S30 LOT 6	(SWNE)	LOT 5	(NENW)
LOT 4	(NWNW)	LOT 3	(SWNW)
	SENE		NESW

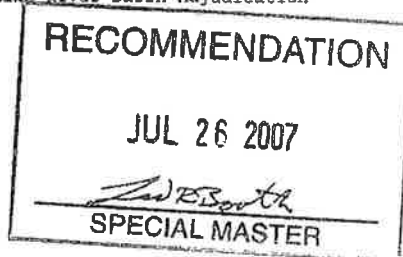
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RULE 54(b) CERTIFICATE

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

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



Shurte, Jan

From: Shurte, Jan
Sent: Wednesday, April 04, 2007 4:05 PM
To: 'Diana Delaney'
Subject: RE: 63278 and 279B (Riverview Ventures)

Hi Diana,

Sorry this took a while. Lori checked the tax info, etc. and found it is now Nature's Wood Duck Island Homeowners Assn., PO Box 5714, Boise, ID 83705-0714. It would be great if they got a courtesy copy.

Thanks,
Jan

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

From: Diana Delaney [mailto:ddelaney@srba.state.id.us]
Sent: Monday, April 02, 2007 5:46 PM
To: Shurte, Jan
Subject: 63278 and 279B (Riverview Ventures)

They were a no show at the initial hearing; mail has been returned. Do you have any ownership/address information about them other Riverview Ventures, PO Box 9294 in Boise 83707??

Diana Delaney
SRBA

4/4/2007

RECEIVED

SEP 11 2006

DEPARTMENT OF
WATER RESOURCES

2006 SEP 13 AM 9:45

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

) Subcase Nos. 63-00146, 63-00183, 63-00192,
) 63-00198AC, 63-00216C, 63-00230M,
) 63-00278, 63-00279B, 63-19425, 63-20041,
) 63-31808, and 63-31832
)
) ORDER GRANTING UNITED STATES'
) MOTION FOR LEAVE TO FILE
) AMENDED OBJECTIONS

On September 11, 2006, the United States of America, Bureau of Reclamation, filed the *United States' Motion for Leave to File Amended Objections* in the above-captioned subcases. Attached thereto were proposed amended objections, which were lodged with the Court. The proposed amended objections seek to correct an error of omission contained in the original objections filed by the United States on April 21, 2006.

Having reviewed the *Motion*, and good causes appearing, the *Motion* is hereby **granted**. The Clerk of the SRBA Court is instructed to file the previously lodged amended objections, which shall replace and supersede the objections originally filed by the United States.

Dated Sept. 12, 2006



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING UNITED STATES' MOTION FOR LEAVE TO FILE AMENDED OBJECTIONS was mailed on September 13, 2006, with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

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

U.S. Department of Justice
Environment & Natural Resources Div.
550 W Fort St., MSC 033
Boise, ID 83724

Middleton Irrigation Association
c/o Sam Rosti
1460 N Pollard Ln
Star, Idaho 83669

Boise Project Board of Control
Albert Barker
P O Box 2139
Boise, Idaho 83701-2139

Settlers Irrigation District
Scott L Campbell
P O Box 829
Boise, Idaho 83701-0829

Ballentyne Ditch Co Ltd
c/o Joe King
170 Sierra Way
Eagle, Idaho 83616

Boise Valley Irrigation Ditch Co
8750 N Bogart Ln
Boise, Idaho 83714

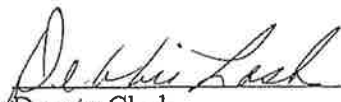
Boise City Canal Co
Bruce M Smith
950 W Bannock Ste 520
Boise, Idaho 83702

Warm Springs Ditch Co
c/o Hoff Companies Inc
1840 N Lakes Ave
Meridian, Idaho 83642

Union Ditch Co Ltd
P O Box 31
Eagle, Idaho 83616

Pioneer Ditch Co Ltd
P O Box 70
Star, Idaho 83669

Riverview Ventures
P O Box 9294
Boise, Idaho 83707


Deputy Clerk



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

David A. Jarvis
Labat-Anderson, Inc.
1961 Stout Street, 8th Floor
Denver, Colorado 80294

Telephone (303) 844-1485
Facsimile (303) 844-1350
E-mail: David.Jarvis2@usdoj.gov

RECEIVED

September 8, 2006

SEP 12 2006

DEPARTMENT OF
WATER RESOURCES

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase Nos. 63-00146, 63-00183, 63-00192, 63-00198AC, 63-00216C, 63-00230M, 63-00278, 63-00279B, 63-19425, 63-20041, 63-31808, and 63-31892

Dear Ms. Delaney:

Enclosed for filing is the original document and eleven in the above mentioned subcases:

1. **UNITED STATES' MOTION FOR LEAVE TO FILE AMENDED OBJECTIONS**

enclosed are copies of the twelve Amended Objections (one for each subcase) for which the United States is seeking leave to file.

Thank you for your time and attention in this matter.

Sincerely,

David A. Jarvis
Paralegal

Enclosures

RECEIVED

SEP 12 2006

DEPARTMENT OF
WATER RESOURCES

Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
Environment and Natural Resources Division

DAVID W. GEHLERT
Attorney, Department of Justice
Natural Resources Section
Environment and Natural Resources Division
1961 Stout St., 8th Floor
Denver, CO 80294
(303) 844-1386

**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.: 63-00146, 63-00183, 63-00192,
	)	63-00198AC, 63-00216C, 63-00230M, 63-00278,
Case No. 39576	)	63-00279B, 63-19425, 63-20041, 63-31808 and
	)	63-31832
	)	
	)	UNITED STATES' MOTION FOR LEAVE
	)	TO FILE AMENDED OBJECTIONS
	)	

The United States, on behalf of the Bureau of Reclamation ("BOR") and pursuant to Idaho Rule of Civil Procedure 15(a), hereby petitions this Court for leave to file amended SF-1 Objections in the above listed subcases.

Standard of Review

Once responsive pleadings have been filed, a party may "amend a pleading only

by leave of court or by written consent of the adverse party.” I.R.C.P. 15(a) (2006). However, “leave shall be freely given when justice so requires.” *Id.* Under the liberal approach to pleading employed by the rule,

In the absence of any apparent or declared reason — such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of the allowance of the amendment, futility of amendment, etc. — the leave sought should, as the rules require, “be freely given.”

Clark v. Olsen, 110 Idaho 323, 326, 715 P.2d 993, 996 (1986), citing *Foman v. Davis*, 371 U.S. 178, 182 (1962).

Factual Background

The United States objected to one aspect of the Director’s determination of the “season of use” for the listed subcases. The question of the appropriate season of use was originally broached in Basin 63, Part I, when the United States challenged the extended season. After negotiation between the United States and the Idaho Department of Water Resources (“IDWR”), a settlement was adopted which subordinated the extended season to storage at BOR reservoirs. The subordination language was used to resolve the United States “season of use” objections in Part I. The same language was then applied in the Director’s Report for Basin 63, Part II; however, the Director’s Report erroneously applied the subordination only to irrigation uses and omitted other extended season uses such as aesthetics and recharge.

Consequently, on April 21, 2006 the United States filed Objections to these twelve subcases so that the season of use language could be conformed to the terms of the settlement agreement and the season of use decreed in Basin 63, Part I. However, the United States’ objections inadvertently applied this subordination to only one of the BOR reservoirs — Lucky Peak Reservoir — rather than to all four BOR reservoirs — Lucky Peak Reservoir, Lake

Lowell, Arrowrock Reservoir, and Anderson Ranch Reservoir – listed on the Director’s Report recommendations for period of use.

Argument

Leave to amend is appropriate here because the United States has not engaged in dilatory actions and amendment will not result in prejudice to the other parties to these subcases.

There cannot be delay here because the initial hearings have not yet been set. Nor there is there prejudice to the other parties. In *Smith v. Great Basin Grain Co.*, 98 Idaho 266, 272, 561 P.2d 1299, 1305 (1977), the Idaho Supreme Court held that where the basic facts at issue will remain unaltered by an amendment, granting a motion to amend does not prejudice the opposing party. Here the basic facts remain unaltered. The United States’ proposed amendment does not substantially alter the United States’ position in these subcases, nor does it seek to modify the Director’s recommendations. Rather, the United States is merely seeking to correct an obvious omission to each of the twelve Objections. Moreover, given the resolution of the season of use in Basin 63, Part I, and the Director’s recommendation that the subordination language from Basin 63, Part I, be applied to all four of the BOR Reservoirs at issue in Basin 63, Part II, the United States’ proposed amendment will not come as a surprise to the other parties.

The Idaho Supreme Court’s decision in *Christensen Family Trust v. Christensen*, 133 Idaho 866, 993 P.2d 1197 (1999) makes it obvious that leave to amend is appropriately granted here. First, in contrast to the United States’ prompt action, in *Christensen* the plaintiff waited almost a year before moving to amend its complaint. Despite that long delay, the court found that the circumstances of the case were such that the amendment would not delay

resolution of the matter.¹ *Christensen Family Trust*, 133 Idaho at 872, 993 P.2d at 872. Such is the case here as well. Second, the court recognized that the opposing party was not prejudiced because basic facts giving rise to the claims were already known. *Id.* Again, that is the case here as well.

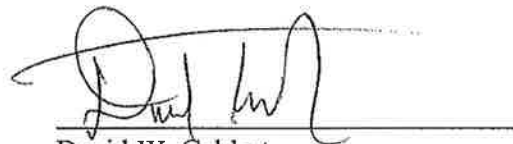
As the Idaho Supreme Court has frequently reminded, “[i]n the interest of justice, district courts should favor liberal grants of leave to amend a complaint.” *Hines v. Hines*, 129 Idaho 847, 853, 934 P.2d 20, 26 (1997). Here, because there is neither prejudice, nor delay nor bad faith, this Court should grant the United States’ motion.

Petition

Thus, the United States now asks the Court’s leave to allow the United States to file amended SF-1 Objections in order to correct its error of omission regarding the desired subordination language in each of these twelve subcases.

Respectfully submitted this 8th day of September, 2006.

Attorney for the United States


David W. Gehlert

¹ The district court had cancelled the original trial setting in favor of a motions hearings. The Idaho Supreme Court found that nothing in the record indicated that considering the allegations in the amended complaint would have delayed the motions hearing. *Christensen Family Trust*, 133 Idaho at 872; 993 P.2d at 872.

CERTIFICATE OF MAILING

I certify that on September 8th, 2006, true and correct copies of the **UNITED STATES' MOTION FOR LEAVE TO FILE AMENDED OBJECTIONS** was served as noted on the following:

By FedEx Mail:

DISTRICT COURT (original + 11 copies)
253 Third Ave., North
Twin Falls, ID 83301
208-736-2121

By First-Class Mail:

New Union Ditch Co., Ltd
P.O. Box 31
Eagle, ID 83616

Pioneer Ditch Co., Ltd.
P.O. Box 70
Star, ID 83669

Warm Springs Ditch Co.
c/o Hoff Companies, Inc.
1840 N. Lakes Avenue
Meridian, ID 83642

Middleton Irrigation Assn., Inc.
c/o Same Rosti
1460 N. Pollard Ln.
Star, ID 83669

Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
Chtd.
P.O. Box 829
Boise, ID 83701-0829

Riverview Ventures
P.O. Box 9294
Boise, ID 83707

Ballentyne Ditch Co., Ltd.
c/o Joe King
170 N. Sierra Way
Eagle, ID 83616

Boise Valley Irrigation Ditch Co.
8750 N. Bogart Ln.
Boise, ID 83714

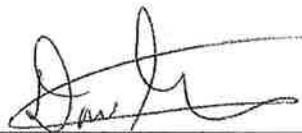
Bruce M. Smith
225 N. Ninth Street, Ste. 420
Boise, ID 83702

Albert P. Barker
Barker Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701-2139

David J. Barber
State of Idaho
Office of the Attorney General
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

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

A handwritten signature in black ink, appearing to read 'David W. Gehlert', written over a horizontal line.

David W. Gehlert

RECEIVED

SEP 12 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 63-278

(Insert water right number)

**STANDARD FORM 1
AMENDED 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 Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, ID 83706-1234

Daytime Phone: (208) 378-5306 E. Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert (303) 844-1386

Natural Resources Section

Environment and Natural Resource Division

U.S. Department of Justice

1961 Stout Street - 8th Floor

Denver, CO 80294

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS REPORT

Name: Riverview Ventures

Address: PO Box 9294
Boise, ID 83707

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: Diversion for aesthetic and wildlife under this 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 the Boise River Reservoir 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.

9. ☐ **Place of Use**
Should be:

10. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described.

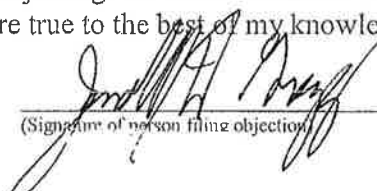
E. **REASONS SUPPORTING EACH OBJECTION(S):** The proposed language is intended to preserve the historical practice of allowing Reclamation's reservoirs to fill until April 1 and after October 31 if necessary.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

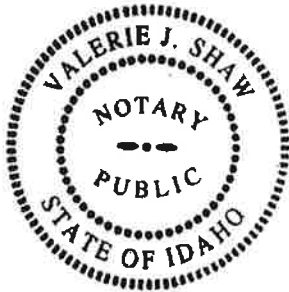
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



9.5.06
Valerie J Shaw
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 6.2.2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 5.6.07. 8, 2006 I mailed the original and copies of this objection, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Riverview Ventures
Address: PO Box 9294
Boise, ID 83707

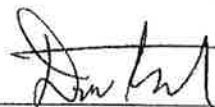
3. Copies to:

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

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

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

Albert P. Barker
Barker Rosholt & Simpson, LLP
PO Box 2139
Boise, ID 83701-2139



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

JUN 26 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA	)	A.	Subcase:	63-00278
	)			(Insert water right number
Case No. 39576	)			From the Objection Form)

STANDARD FORM 2 RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:
 Attorney Name: LAWRENCE G. WASEN
 Attorney General
 CLIVE J. STRONG
 Deputy Attorney General
 Chief, Natural Resources Division
 DAVID J. BARBER
 Deputy Attorney General
 Attorney Address: Office of the Attorney General
 700 W. Jefferson, Room 210
 P.O. Box 44449
 Boise, ID 83711-4449
 Attorney Phone No. (208) 334-2400
 Idaho State Bar # 2597

SF.2 – Response to Objection
Amended 10-16-97

SCANNED

OCT 05 2006

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

Name: United States of America acting through the Department of Interior
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd Suite 100
Boise, Idaho 83706-1234

Name & Address of Attorney, if any:
David W. Gehlert
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294

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**
11. **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)

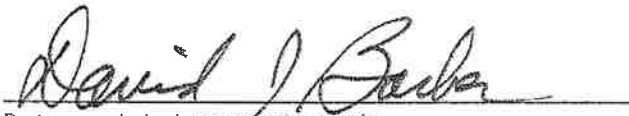
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

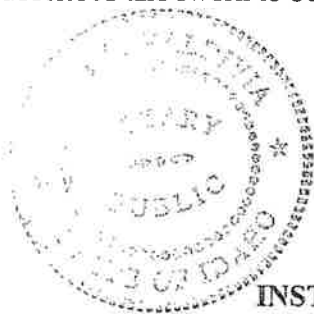
LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 23rd day of June, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/02/2012

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

CERTIFICATE OF MAILING

I certify that on this 23rd day of June, 2006 I caused to be served the original and copies of this response to the following persons by the indicated methods:

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
- HAND DELIVERY

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

Claimant Name: Riverview Ventures U. S. MAIL
Address: P.O. Box 9294
Boise, Idaho 83707

3. One copy to the party who filed the objection at the following address:

Name: David W. Gehlert U. S. MAIL
Trial Attorney, General Litigation Section
Address: Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

4. Copies to: United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Albert P. Barker
Paul L. Arrington
Barker Rosholt & Simpson
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, ID 83701-2139

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

STATEHOUSE
MAIL

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

(not applicable)


Signature of party claimant or attorney

RECEIVED
27.12.0 2006
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 63-278
(Insert water right number)

**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 Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert ((303)844-1386)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

1961 Stout Street - 8th Floor

Denver, CO 80294

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS REPORT

Name: Riverview Ventures

Address: PO Box 9294

Boise, ID 83707

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: Diversion for aesthetic and wildlife under this 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 the Boise River Reservoir 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, as decreed in SRBA Case No. 39576.

9. ☐ **Place of Use**
Should be:

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S): The proposed language is intended to preserve the historical practice of allowing Reclamation's reservoirs to fill until April 1 and after October 31 if necessary.

SF. 1 - Objection

Amended 10/16/97

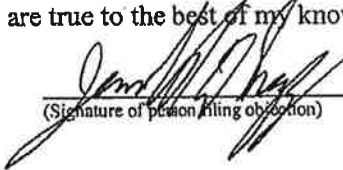
Page 2

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:





Notary Public for: Idaho
Residing at: MERIDIAN
My Commission Expires: 10/06/10

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 4-21, 2006 I mailed the original and copies of this objection, 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, ID. 83303-2707

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

Name: Riverview Ventures
Address: PO Box 9294
Boise, ID 83707

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

RECEIVED

APR 25 2006

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A. Subcase Number: 63-278

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Paul L. Arrington, ISB # 7198
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

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

Name: : Riverview Ventures
Address: PO Box 9294
Boise, ID 83707

COPY

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: Diversion for irrigation and **aesthetic storage** under this 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 the Boise River Reservoir 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, as decreed in SRBA Case No. 39576.

9. ☐ **Place of Use**

11. **I object because:**

☐ This water right should not exist.

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

E. **REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

F.

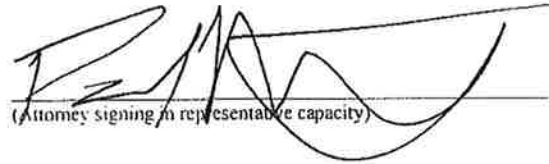
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Twin Falls)

Paul L. Arrington, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

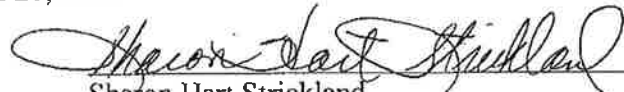
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 20, 2006.




Sharon Hart Strickland
Notary Public for: Idaho
Residing at: Gooding
My Commission Expires: 12-22-09

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 April 21, 2006, I mailed the original and copies of this objection, 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, ID. 83303-2707

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

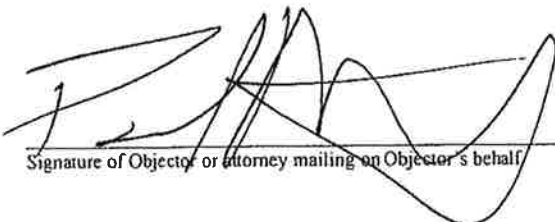
Name: Riverview Ventures
Address: P.O. Box 9294
Boise, ID 83707

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

06/28/2005

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

RIGHT NUMBER: 63-278

NAME AND ADDRESS: RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS
180.00 AFY

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.

PRIORITY DATE: 04/01/1865

POINT OF DIVERSION:
T03N R03E S29 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	03/01 11/15	0.800 CFS 180.00 AFY
WILDLIFE	03/01 11/15	0.800 CFS 180.00 AFY

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.

The period of use of this water right is limited to the period of irrigation diversions via the Ridenbaugh Canal.

PLACE OF USE: WILDLIFE Within ADA County

T03N R03E S30 Lot 6 SWNE

T03N R03E S30 Lot 5 NENW

T03N R03E S30 Lot 4 NWNW

T03N R03E S30 Lot 3 SWNW

T03N R03E S30 SENW

T03N R03E S30 NESW

AESTHETIC Within ADA County

T03N R03E S30 Lot 6 SWNE

T03N R03E S30 Lot 5 NENW

T03N R03E S30 Lot 4 NWNW

T03N R03E S30 Lot 3 SWNW

T03N R03E S30 SENW

T03N R03E S30 NESW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.

This right is also designated as Right No. 8-A in the Boise River Stewart Decree and Boise River Water Distribution Report.

This right is subject to regulation by the watermaster of Water District 63.

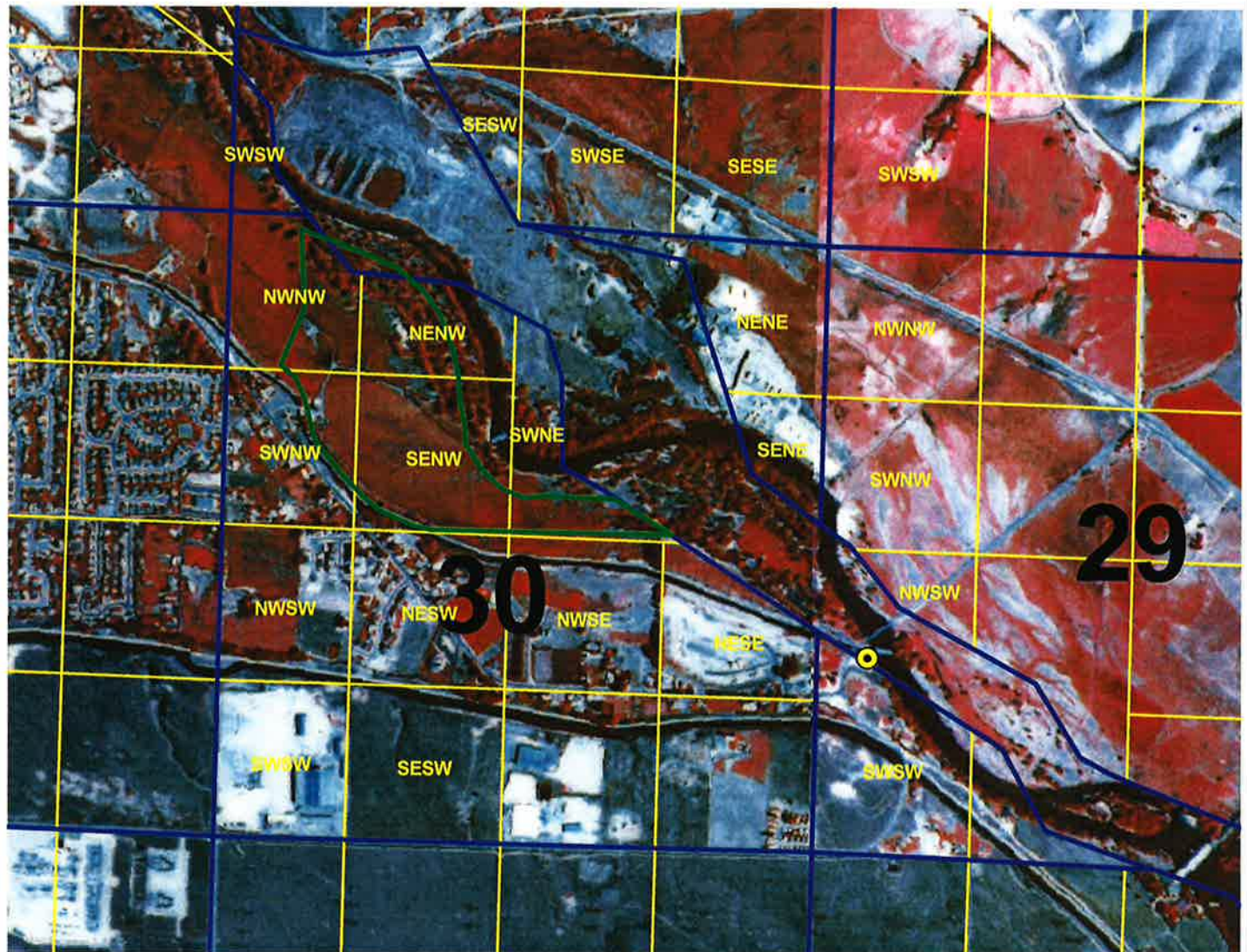
Place of use is also known as Wood Duck Island Subdivision.



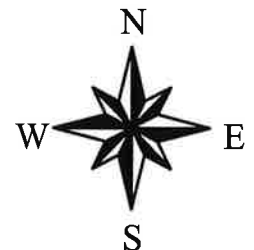
State of Idaho
Idaho Department of Water Resources
Western Region

T3N R3E SECTION 30

Water Right (s): 63-278 and 63-279B



1320 0 1320 2640 3960 5280 Feet

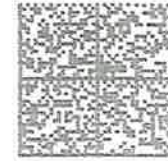


-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005

Dep. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
PINEY BOW
02 1A \$ 00.1
0004389393 DEC 15
MAILED FROM ZIP CODE 8

RECEIVED

DEC 20 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 19 2005

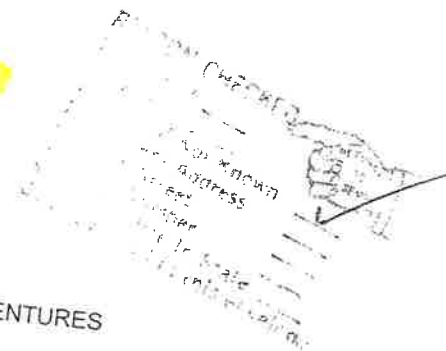
DEPARTMENT OF
WATER RESOURCES

63-249

63-278

63-279B

RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 16, 2005

NATURES WOOD DUCK ISLAND HOA
PO BOX 5714
BOISE ID 83705-0714

RE: NOTICE OF CLAIM NO(S): 63-249, 63-278, 63-279B

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures

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

✓

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$0
0004389393 JUN
MAILED FROM ZIP CODE

Naturas Wood Duck Island HOA
PO Box 5714
Boise 83705-0714

RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707

ATTEMPTED,
NOT KNOWN

63-279B
63-278
63-249

No Address
Found
RECEIVED
JUN 08 2005
WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-278

WATER RIGHT NUMBER: 63-278

Owner Type Name and Address
 Current Owner RIVERVIEW VENTURES
 PO BOX 9294
 BOISE, ID 83707
 (208)336-4262
 Original Owner ADOLPH BAHLER
 BOISE, ID

Priority Date: 04/01/1865 ✓
 Basis: Decreed ✓
 Status: Active

rec per Jony 4286

Source Tributary
 BOISE RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC	3/15 to 11/15	0.800 CFS	180.00 AF
WILDLIFE	3/15 to 11/15	0.800 CFS	180.00 AF
<u>Total Diversion:</u>		0.800 CFS	180.00 AF

Location of Point(s) of Diversion

BOISE RIVER NW1/4SW1/4 Sec. 29, Twp 03N, Rge 03E, B.M.
 ADA County

Place of Use

AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03E	30			X		X	X	X	X									
					L6		L5	L4	L3										

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03E	30			X		X	X	X	X									
					L6		L5	L4	L3										

Conditions of Approval:

JOHNS WOOD DUCK \$5. SUB W/63-279B POU?
 C155 STEP DOWN
 ✓ B-A in B.P.W. DIS BOOK
~~season of use~~
 ✓ transfer cond.
 63-279B also diverted from POU

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-278

Remarks:

1. General

TRANS. 77 & 154.

CLAIM AMENDED AS PER TRANSFER NO. 4286, APPROVED 02/15/1994.
USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 63.

THE WATER RIGHT HOLDER SHALL INSTALL AND MAINTAIN A MEASURING DEVICE
AND LOCKABLE CONTROLLING WORKS AT THE POINT WHERE WATER IS DIVERTED
FROM THE RIDENBAUGH CANAL.

THE PERIOD OF USE OF THE WATER RIGHTS REPRESENTED HEREIN IS LIMITED TO
THE PERIOD OF IRRIGATION DIVERSIONS VIA THE RIDENBAUGH CANAL.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
169F	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2668	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3073	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3172	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3202	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
4752	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7066	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
8990	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9204	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9219	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	SW	NE		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
279A	Water Right	03N	03E	30	SW	NE	6	IRRIGATION		ADOLPH BAHLER
-278	Claim	03N	03E	30	SW	NE	6	WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	SW	NE	6	WILDLIFE		RIVERVIEW VENTURES
-278	Water Right	03N	03E	30	SW	NE	6	WILDLIFE		RIVERVIEW VENTURES
279B	Water Right	03N	03E	30	SW	NE	6	WILDLIFE		RIVERVIEW VENTURES
2576	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

3

Right #	Type	Tw	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2605	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	SW	NE	6	MUNICIPAL		UNITED WATER IDAHO INC
-278	Claim	03N	03E	30	SW	NE	6	AESTHETIC		RIVERVIEW VENTURES
2392	Water Right	03N	03E	30	NE	NW		IRRIGATION		DRAINAGE DIST NO 3
4064	Claim	03N	03E	30	NE	NW		INDUSTRIAL		BOISE CASCADE CORP
4064	Water Right	03N	03E	30	NE	NW		INDUSTRIAL		BOISE CASCADE CORP
169F	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2668	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3073	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

4

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3172	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3202	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4752	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7066	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8990	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9204	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

5

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9219	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	NE	NW		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
279A	Water Right	03N	03E	30	NE	NW	5	IRRIGATION		ADOLPH BAHLER
-278	Claim	03N	03E	30	NE	NW	5	WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	NE	NW	5	WILDLIFE		RIVERVIEW VENTURES
-278	Water Right	03N	03E	30	NE	NW	5	WILDLIFE		RIVERVIEW VENTURES
279B	Water Right	03N	03E	30	NE	NW	5	WILDLIFE		RIVERVIEW VENTURES
2576	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	NE	NW	5	MUNICIPAL		UNITED WATER IDAHO INC
-278	Claim	03N	03E	30	NE	NW	5	AESTHETIC		RIVERVIEW VENTURES
148C	Claim	03N	03E	30	NW	NW		IRRIGATION	12.1/871.53	SOUTH BOISE WATER CO
-150	Claim	03N	03E	30	NW	NW		IRRIGATION	12.1/871.53	SOUTH BOISE WATER CO
1392C	Claim	03N	03E	30	NW	NW		IRRIGATION	12.1/916.53	SOUTH BOISE WATER CO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

6

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2392	Water Right	03N	03E	30	NW	NW		IRRIGATION		DRAINAGE DIST NO 3
169F	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2668	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3073	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3172	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3202	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

7

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4752	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7066	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8990	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9204	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9219	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	NW	NW		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
148C	Claim	03N	03E	30	NW	NW		AESTHETIC		SOUTH BOISE WATER CO
-150	Claim	03N	03E	30	NW	NW		AESTHETIC		SOUTH BOISE WATER CO
1392C	Claim	03N	03E	30	NW	NW		AESTHETIC		SOUTH BOISE WATER CO
-278	Claim	03N	03E	30	NW	NW	4	WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	NW	NW	4	WILDLIFE		RIVERVIEW VENTURES

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

8

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-278	Water Right	03N	03E	30	NW	NW	4	WILDLIFE		RIVERVIEW VENTURES
279B	Water Right	03N	03E	30	NW	NW	4	WILDLIFE		RIVERVIEW VENTURES
2576	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	NW	NW	4	MUNICIPAL		UNITED WATER IDAHO INC
-278	Claim	03N	03E	30	NW	NW	4	AESTHETIC		RIVERVIEW VENTURES
4511	Claim	03N	03E	30	SW	NW		IRRIGATION	1/1	MARJORIE FARLEY
2392	Water Right	03N	03E	30	SW	NW		IRRIGATION		DRAINAGE DIST NO 3
20961	Water Right	03N	03E	30	SW	NW		STOCKWATER		BOISE RIVER RANCH LTD
20966	Water Right	03N	03E	30	SW	NW		STOCKWATER		BOISE RIVER RANCH LTD
169F	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2668	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

9

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3073	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3172	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3202	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4752	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7066	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

10

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8990	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9204	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9219	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	SW	NW		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	SW	NW		MUNICIPAL		UNITED WATER IDAHO INC
4511	Claim	03N	03E	30	SW	NW		DOMESTIC		MARJORIE FARLEY
4511	Water Right	03N	03E	30	SW	NW		DOMESTIC		ROBERT J FARLEY
16071	Water Right	03N	03E	30	SW	NW		DOMESTIC		DEANNA ANDERSON
16340	Water Right	03N	03E	30	SW	NW		DOMESTIC		EDDIE J NASMAN
16491	Water Right	03N	03E	30	SW	NW		DOMESTIC		LAWRENCE F HANLON
16671	Water Right	03N	03E	30	SW	NW		DOMESTIC		FRANCES L HORN
16672	Water Right	03N	03E	30	SW	NW		DOMESTIC		ROBERT W HORN
16885	Water Right	03N	03E	30	SW	NW		DOMESTIC		RICHARD N MOHR
17188	Water Right	03N	03E	30	SW	NW		DOMESTIC		EUGENE M ELLIS
20961	Water Right	03N	03E	30	SW	NW		DOMESTIC		BOISE RIVER RANCH LTD
20966	Water Right	03N	03E	30	SW	NW		DOMESTIC		BOISE RIVER RANCH LTD
10864	Water Right	03N	03E	30	SW	NW	3	IRRIGATION	0.5/0.5	CAROL A NASMAN
17072	Water Right	03N	03E	30	SW	NW	3	STOCKWATER		MERCEDES MC CARTER
-278	Claim	03N	03E	30	SW	NW	3	WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	SW	NW	3	WILDLIFE		RIVERVIEW VENTURES
-278	Water Right	03N	03E	30	SW	NW	3	WILDLIFE		RIVERVIEW VENTURES

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

11

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
279B	Water Right	03N	03E	30	SW	NW	3	WILDLIFE		RIVERVIEW VENTURES
2576	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	SW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
10880	Water Right	03N	03E	30	SW	NW	3	DOMESTIC		LARRY R KNOPP
17072	Water Right	03N	03E	30	SW	NW	3	DOMESTIC		MERCEDES MC CARTER
-278	Claim	03N	03E	30	SW	NW	3	AESTHETIC		RIVERVIEW VENTURES
279A	Water Right	03N	03E	30	SE	NW		IRRIGATION		ADOLPH BAHLER
2392	Water Right	03N	03E	30	SE	NW		IRRIGATION		DRAINAGE DIST NO 3
7288	Water Right	03N	03E	30	SE	NW		STOCKWATER		JOAN D CARLEY
-278	Claim	03N	03E	30	SE	NW		WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	SE	NW		WILDLIFE		RIVERVIEW VENTURES
-278	Water Right	03N	03E	30	SE	NW		WILDLIFE		RIVERVIEW VENTURES
279B	Water Right	03N	03E	30	SE	NW		WILDLIFE		RIVERVIEW VENTURES
169F	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2576	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

12

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2668	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3073	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3172	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3202	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

13

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4752	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7066	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
8990	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9204	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9219	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	SE	NW		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
-278	Claim	03N	03E	30	SE	NW		AESTHETIC		RIVERVIEW VENTURES

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278

03/18/2005

14

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
15659	Claim	03N	03E	30	NE	SW		IRRIGATION	1/1	CAROLYN CHAPMAN
2392	Water Right	03N	03E	30	NE	SW		IRRIGATION		DRAINAGE DIST NO 3
-278	Claim	03N	03E	30	NE	SW		WILDLIFE		RIVERVIEW VENTURES
279B	Claim	03N	03E	30	NE	SW		WILDLIFE		RIVERVIEW VENTURES
-278	Water Right	03N	03E	30	NE	SW		WILDLIFE		RIVERVIEW VENTURES
279B	Water Right	03N	03E	30	NE	SW		WILDLIFE		RIVERVIEW VENTURES
169F	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2500	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2506	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2576	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2595	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2668	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2703	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2808	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2892	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2915	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3064	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3073	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3105	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3112	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3128	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3172	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

15

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3202	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3291	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3292	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3293	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3295	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3411	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3448	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3494	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3562	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
4015	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
4414	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
4424	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
4752	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7066	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7204	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7282	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7348	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7479	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7589	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7658	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
8059	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
8236	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
8432	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
8990	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9147	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-278**

03/18/2005

16

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9204	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9205	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9219	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9223	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9276	Claim	03N	03E	30	NE	SW		MUNICIPAL		CITY OF BOISE
9671	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
9855	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
10386	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
10405	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
10533	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	03E	30	NE	SW		MUNICIPAL		UNITED WATER IDAHO INC
15659	Claim	03N	03E	30	NE	SW		DOMESTIC		CAROLYN CHAPMAN
4691	Water Right	03N	03E	30	NE	SW		DOMESTIC		VIOLET M HADLEY
15035	Water Right	03N	03E	30	NE	SW		DOMESTIC		HILDA M COLLINS
16024	Water Right	03N	03E	30	NE	SW		DOMESTIC		DARLENE J JOHNSON
17037	Water Right	03N	03E	30	NE	SW		DOMESTIC		CONNIE M THORNGREN
-278	Claim	03N	03E	30	NE	SW		AESTHETIC		RIVERVIEW VENTURES

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-278

WATER RIGHT NUMBER: 63-278

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RIVERVIEW VENTURES PO BOX 9294 BOISE, ID 83707 (208)336-4262
Original Owner	ADOLPH BAHLER BOISE, ID

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC	3/15 to 11/15	0.800 CFS	180.00 AF
WILDLIFE	3/15 to 11/15	0.800 CFS	180.00 AF
	<u>Total Diversion:</u>	0.800 CFS	180.00 AF

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SW1/4	Sec. 29, Twp 03N, Rge 03E, B.M.
ADA County		

Place of Use

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03E	30			X		X	X	X	X	X								
					L 6		L 5	L 4	L 3										

AESTHETIC same as WILDLIFEConditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. General The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.
The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-278

Comments:

1. SKAGGS 2/3/1994 TRANSFER NO. 4286

Comment: Transfer No. 4286 was originally filed reflecting Right Nos. 63-00249/00278 and 00279, but after thorough review 63-00249 was removed from the approval. All of Right 63-00278 and part of 63-00279 were found available to be transferred. See file for full explanation.

Dates and Other Information:

Licensed Date:
Decreed Date: 3/25/1925
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Riverside Irrigation District, Ltd, et al
Decree Plaintiff: Farmers Cooperative Ditch Co
Civil Case Number:
Judicial District: Seventh District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

This is to certify that: **RIVERVIEW VENTURES**
PO BOX 9294
BOISE ID 83707

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>	<u>ANNUAL VOLUME</u>
Right No. 63-00278 :			
WILDLIFE	03/15 to 11/15	0.80 CFS	180.0 AF
AESTHETIC	03/15 to 11/15	0.80 CFS	180.0 AF
Priority: 04/01/1865			
Right No. 63-00279B :			
WILDLIFE	03/15 to 11/15	0.32 CFS	72.0 AF
AESTHETIC	03/15 to 11/15	0.32 CFS	72.0 AF
Priority: 04/01/1870			

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: WILDLIFE

TWN RGE SEC

03N 03E 30	Lot 6(SWNE)	Lot 5(NENW)	Lot 4(NWNW)
	Lot 3(SWNW)	SEnw	NESW

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.

RECORDED

FEB 23 1994

TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

CONDITIONS/REMARKS:

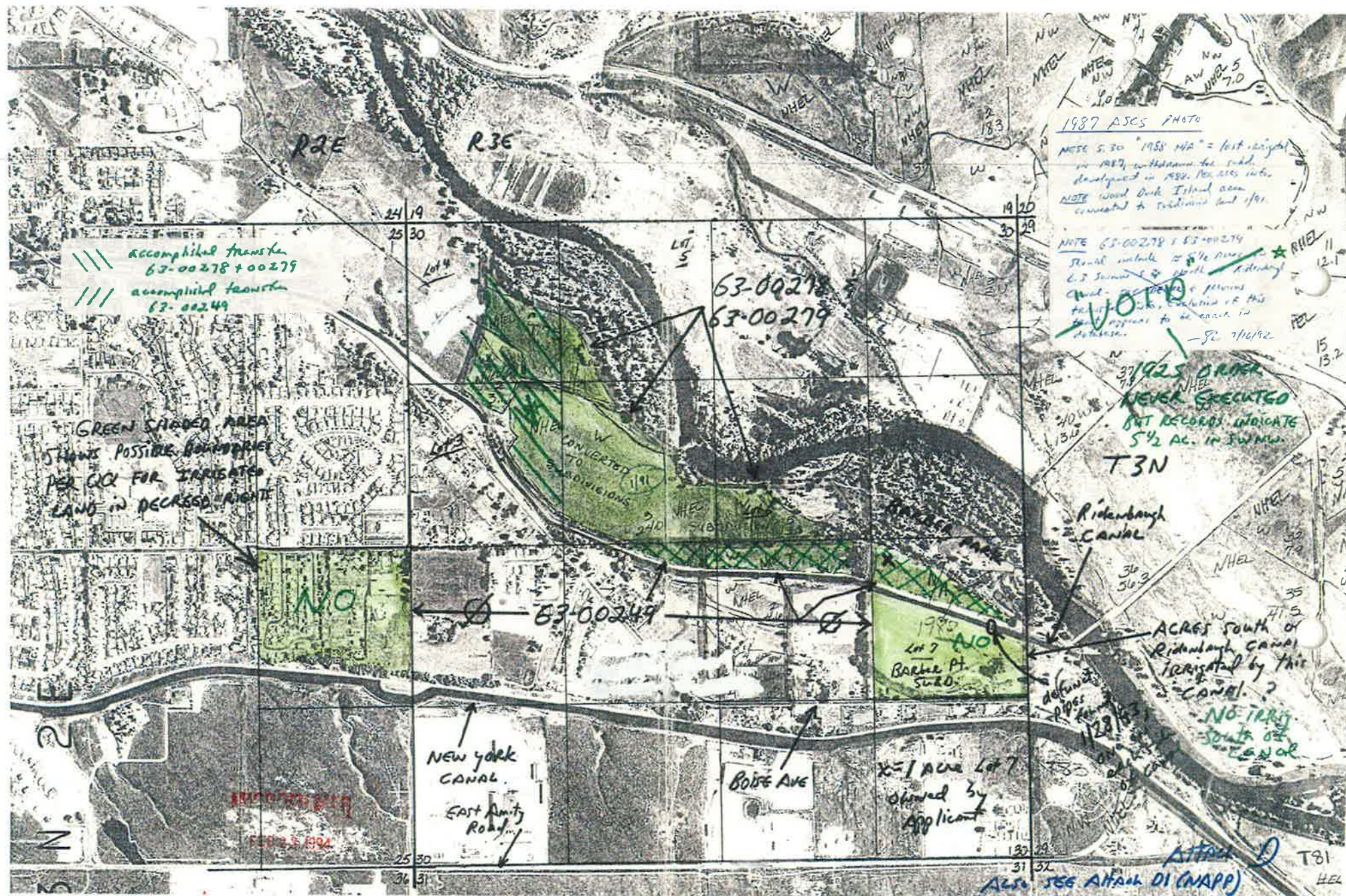
3. The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

Dated this 15th day of February, 1994.

J. Blum Saylor
Chief, Water Alloc. Bureau

MICROFILMED

FEB 23 1994





CONCLUSIONS OF LAW.

As conclusions of law from the foregoing facts, the Court finds:

I.

63 0278 That the intervenor, Adolph Bahler, is entitled to a decree of this Court awarding to him the use of the waters of the Boise River and the tributaries thereof, subject to such modifications as may be made in the final decree, with priority as to 40 inches of said water of April 1st, 1865, 63 0279 and also with priority as to 40 inches more of said water of April 1st, 1870, to be carried through what is known as the "Bubb Canal", and measured at the point of diversion of said Bubb Canal on Boise River, to be used upon the lands set forth and described in the answer and cross-complaint of said intervenor, Adolph Bahler.

Let judgement and decree be entered accordingly.

Done in open Court this

25 day of March, A.D. 1925.

Ed L. Bryan
District Judge.

6-15-04; Rec Per IR 4286

: Overlap w/ 63-00278

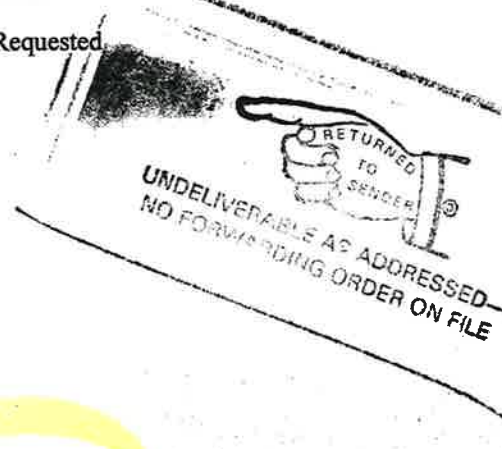
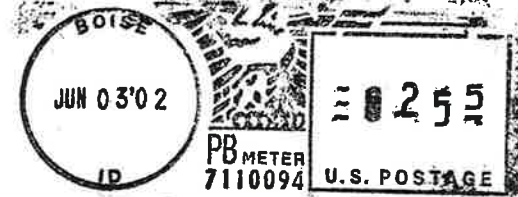
: No Change in POD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-249
278
279B

PRESORTED
FIRST CLASS

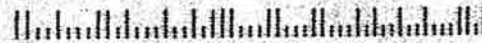


RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707

RECEIVED
JUN 07 2002
WATER RESOURCES
WESTERN REGION

found

0006115 83707



MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: NOVEMBER 15, 1993

SUBJECT: TRANSFER APPL. FOR 63-00249, 63-00278, 63-00279, Wood Duck Island

(Revised per review by DRT)

The transfer application proposes to change irrigation water under the Bahler water rights to a water amenity ditch through Wood Duck Island Subdivision just west of Barber Park. The lawns in the subdivision are and will be irrigated by Boise Water Corporation. The reviewer's task is to verify the number of acres irrigated within the last five years by these rights. The application was filed in 5/92 and the preceeding five year period dates to early 1987.

Some history will be helpful in this task. The Bahler rights were decreed as nos. 278 and 279 for a total of 80" within a common place of use north of the Ridenbaugh Canal in SWNE and E 1/2 NW 1/4, Sec. 30. Right no. 249 was decreed to Rein and Keoh (Keogh?) for 50" for land south of the canal in NESE Sec. 25 and NESE Sec. 30. The duty of water in the decree is assumed to be 1"/acre.

Bahler transferred the P/D for 80" in nos. 278 and 279 in 1925 to a point in Lot 6 in the southeast corner of SWNE Sec. 30. IDWR documents indicate by a 1925 letter and unexecuted order (Attachment A)¹ that the rights were used on the decreed P/U plus 5.5 acres in Lot 3 (SWNW) Sec. 30.

In 1937, Bahler transferred the P/D for 50" in right 249 to the Ridenbaugh Canal. No change in P/U is mentioned, although current information from the Nampa-Meridian Irrigation District (NMID) indicates that canal water is not and has not been delivered to land above the canal (Attachment B). The decreed P/U for no. 249 was above the Ridenbaugh Canal. By 1937, all three rights were part of the Bahler account as it is now referred to by NMID.

See Attachment C for P/U defined in the decree. The 1904 map is found in the S.O. Vault and is presumed to be the basis for the decreed P/U. It is not clear why Bahler acres in Lot 3 (SWNW) are in the 1904 map and post-decree department documents but not included in the decree. Based on 8/21/92 details provided by John Anderson of NMID, approximately 80" have been delivered to the Bahler account for use on lands north of the Ridenbaugh Canal in the vicinity of the subdivision. The key here is delivery to lands north of the canal. We can assume an accomplished P/U transfer for most or all of right no. 249 and for portions of right nos. 278 and 279 based on the records described thus far.

1. Attachments are memo attachments unless specified as application attachments. See the application for the latter.

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SRBA claims for the Bahler rights document an accomplished transfer (Attachment D). Claim A63-00249B lists four acres, while claims A63-00278 and 279 define 54.6 acres. All of the acres, 55.6 unique acres, are north of the canal. See Application Attachment D, a 1987 ASCS photo depicting the irrigated acres north of the canal.² These are the acres that have received water via the Bahler account that includes all three water rights. The ASCS photo shows the decreed P/U for the rights and acres served by accomplished transfer(s). Note that canal irrigation for land south of the canal cannot be verified for the past five years (and most likely for many preceeding years). Irrigation in the decreed P/U for rights 278 and 279 is clearly seen. The other acres covered by the rights require some explanation.

The accomplished transfer(s) in SRBA claims for rights 278 and 279 is easily seen in the photo for land in NWNW, SWNW, and NESW Sec. 30. The acres in the top of NWSE are clearly irrigated and are immediately adjacent to irrigated ground in SWNE and NESW. These (NWSE) acres are not owned by the applicant, but it is clear to this reviewer that NWSE acres should be considered part of the Bahler account (why wouldn't they be?).

The acres north of the canal in NESE Sec. 30 should also be included. The applicant owns one acre in west end of this area (the X in Appl. Attachment D). Another 4.2 acres are irrigated as part of Barber Park. Within the last two or three years, the park's 4.2 acres were irrigated from the canal via portable pumps (see Attachment B, information from park manager). More than ten years ago, a pump and pipe system was used for this purpose at the location marked as "defunct pipes" on the ASCS photo. Now the park acres are served by a well, license no. 63-11195 shown as Attachment E. However, the park manager stated that the park still pays for its allotment of canal water and has used it within the last five years (but the forfeiture clock is ticking on this parcel). One can conclude from this information that acres south of the canal in NESE Sec. 30 were shifted to this piece north of the canal more than five years ago. Thus, 4.2 acres for the park and 1 acre for the applicant are included as part of the Bahler rights in NESE.

See Attachment F for a summary of the consultant's conclusions about historical use of the rights. This reviewer concurs with the consultant's thought that the nature of farming bottom lands along the Boise River prior to modern flood control developments makes it difficult to be precise when documenting historical practices.

Regarding SRBA claims, the applicant claimed 54.6 acres in rights 278 and 279 and four acres in right 249B, although only one additional unique acre is shown in A63-00249B when compared with A63-00278 and 279. The three claims define 55.6 unique acres. The reviewer did somewhat the same thing but included additional acres in NESE and NWSE as previously explained. The number of acres that can be verified in the transfer is 66.2 acres from the original 130 implied acres in the decree. All three rights represent an accomplished transfer(s) and have been used on the verified acres.

2. Also see Application Attachment D1, 1987 Napp information.

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Because a common P/U for the rights was developed by accomplished transfer, acres per right can be assigned in a manner to maximize senior rights. Thus, 40 acres will be covered by 63-00278 and 16 acres will be under 63-00279 for the applicant. Remaining verified acres can be shown as portions of 279 for other owners. Junior right 249 and unused portion of 279 appear forfeited, although other information might emerge in the SRBA review to refute evidence of forfeiture.

Designation of acres per right was based on decreed P/U and IDWR information linking use to accomplished transfers. It is recognized that some arbitrary elements may occur in this process since the record is not without gaps. See Attachment G for an acreage summary, especially item G in the attachment.

Average ditch loss for this reach of the Ridenbaugh Canal was estimated as .375% as documented in Attachments H and I. Total ditch loss for 66.2 acres is only .005 cfs, and such a negligible amount can be ignored or placed in 63-00279A if necessary. Ditch loss was ignored in the following summary of recommended rights in this transfer.

Resulting Flows for Rights and Portions Thereof

To determine the rate of flow a right or partial right should have, multiply the number of verified acres by the duty of water per acre. Use the data in Attachment G, item G to compute values.

1. Applicant's portion -

- a) 63-00278: 40 X .02 = .80 cfs (all of the 1865 water)
- b) 63-00279B: 16 X .02 = .32 cfs (part of the 1870 water)
- c) 63-00249B: Redundant coverage of 4 acres, allow 0 cfs of implied .08 cfs claimed in A63-00249B (part of the 1895 water)

Total: 56 acres = 1.12 cfs (senior water maximized)

2. Other owners' portions -

- a) 63-00279C: 4.2 X .02 = .084 cfs (1870 water, Barber Park in NESE S.30)
- b) 63-00279D: 6 X .02 = .12 cfs (1870 water, unknown owner for NWSE S.30)
- c) 63-00279A: Balance of right appears forfeited but can be confirmed in SRBA; could allow .005 cfs ditch loss in A for total 66.2 verified acres; .80 - .32 - .084 - .12 = .276 cfs without ditch loss.
- d) 63-00249A: Balance of right appears forfeited but can be confirmed in SRBA; 1.00 - .08 = .92 cfs.

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OCT 02 1996

Most but not all of the 66.2 verified acres are claimed in SRBA. The unclaimed land is not owned by the applicant and can be addressed outside of the scope of this transfer.

Volume of Water Approvable in Transfer

For purposes of this transfer, it is obvious that the volume of water will not increase when aesthetic use replaces irrigation. However, some volume limit must be assigned to the new use. Some perspective from the Watermaster, Lee Sisco, would be helpful.

I spoke with Lee on 7/17/92³ and 11/15/93 about the Bahler rights. Generally speaking, natural flow rights in a normal year are not cut to zero below the mid-1880's priority dates. In the most severe years that the Watermaster recalls (1987 and 1992), natural flow rights were cut to zero around the 1868 to 1870 mark. Lee indicated that this date is more or less the cutoff point in severe shortages, although the zero delivery period for 1870 water would amount to no more than a handful of days. Essentially, 1865 and 1870 rights are not cut to zero, especially in a normal year. The rights in question are subject to the rationing system defined by the Stewart Decree (not exempted from rationing cuts per 1990 Watermaster Report book). Even at an extended 60% delivery level under the terms of the decree, the rights could provide full volume to the acres (compare volume required to volume diverted where rate of flow exceeds 1/2 inch/acre). Therefore, the volume limit in the transfer is the irrigation requirement of 4.5 af/acre or 180 af for 63-00278 (40 acres) plus 72 af for 63-00279B (16 acres).

The full rate of flow and full volume of water for 56 acres are provided in this transfer. Additional volume analysis such as "historical method" and "combined method" used in previous Boise River transfer nos. 3373, 3559 and 3756 are not needed in this case where the two rights are old enough to escape being cut to zero in an average year.

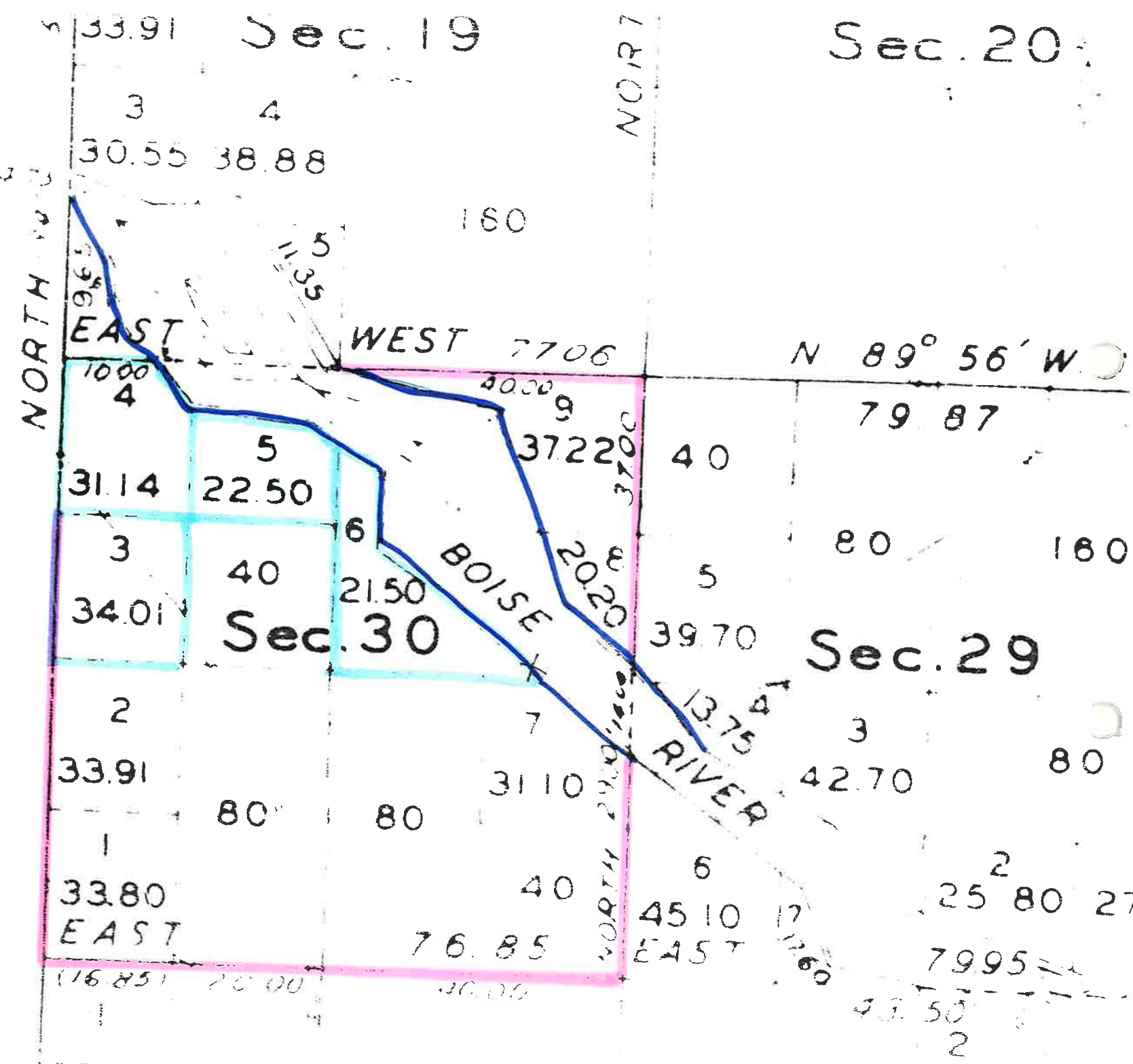
Copies of this memo are filed with appropriate SRBA claims.

3. 7/17/92 telecon: Bahler Account billed for 278 second feet per year. Thus, 551.4 afa billed (278 x 1.9835), and at 4.5 afa, this is volume requirement for 123 acres (551.4 / 4.5) or about double the number of verified acres found in transfer analysis. This suggests that other land might be irrigated with these rights or that live flow and storage water make up the Bahler account for 66 acres, in which case other acres are not served. This aspect can be explored in any SRBA forfeiture investigation.

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Sec. 20



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