

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: **A63-00164A**
Date Received: 10/20/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CITY OF BOISE
Address: PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID

208-384-4060

83706

2. Date of Priority: JUN 1, 1866

3. Source: BOISE RIVER
RIDENBAUGH DRAIN

Trib. to: SNAKE RIVER
BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9		NE	NW		ADA
				SE	NW		ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		135.00
AESTHETIC	03/15	11/15	0.800		189.00

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

189.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC, CITY PARK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	NE	NW		IRR	13.0
			NE	NW		AES	
			NW	NW		IRR	2.0
			NW	NW		AES	
			SW	NW		IRR	2.0
			SW	NW		AES	
			SE	NW		IRR	13.0
			SE	NW		AES	
						Section Acres	30.0
						Total Acres	30.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

DIVERSION OF WATER FROM THE POINTS OF DIVERSION IDENTIFIED FROM THE BOISE RIVER ARE LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM THE HISTORICAL POINT OF DIVERSION AND SOURCE, THE RIDENBAUGH DRAIN.

TWO POINTS OF DIVERSION LOCATED IN NENW, S09, T03N, R02E. THIS CLAIM IS A RESULT OF TRANS. NO. 4382, APPROVED 11/15/1995. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER NO. 4382 SHALL NOT EXCEED 0.80 CFS, NOR TOTAL COMIBINED ANNUAL VOLUME OF 189.0 AF. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

SEE ADDITIONAL CONDITIONS OF APPROVAL IN POD REMARKS AND ON THE COPY OF APPROVED TRANSFER IN FILE.

DATA ENTRY CORRECTED TO ADD AESTHETIC USE TO THE POU FIELD. 01/16/1997 MM.

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

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

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

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

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

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

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

AND

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

OR

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

Name and Address of Former Owner/Claimant See Attached Sheet

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

*Name
change
only -*

5. Date you acquired the property _____

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

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

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

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

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

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

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

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

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

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

63-07728 not claimed
City of Boise
Dept. of Parks
City Hall
Boise, ID 83702

63-07592
(changed at region)
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-07666
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-07668
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-08025
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-08263
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-08600
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-09112
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-09138
S.O.
City of Boise
c/o Louis Uranga
P.O. Box 500
Boise, ID 83701

A63-09192
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-09276
City of Boise
Parks and Recreation Dept.
1104 Royal Blvd.
Boise, ID 83706

A63-09326
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-09362
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-09670
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-10022
City of Boise
Dept of Parks
1104 Royal Blvd
Boise, ID 83706

A63-10188
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-10246
Boise Park System
Jullion Park
1104 Royal Blvd.
Boise, ID 83706

A63-10296
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-10305
S.O.
Boise City Parks Dept.
1104 Royal Blvd.
Boise, ID 83706

A63-10395A
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-10395B
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-10750
S.O.
Boise Park System
Mountain View Park
1104 Royal Blvd.
Boise, ID 83706

63-10752
S.O.
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-10760
S.O.
City of Boise
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-11075
S.O.
Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-11816
S.O.

Boise Park System
1104 Royal Blvd.
Boise, ID 83706

63-11822
S.O.

Boise Park System
1104 Royal Blvd.
Boise, ID 83706

A63-22375

City of Boise

A63-30418

City of Boise
Parks & Recreation Dept.
1104 Royal Blvd.
Boise, ID 83706

DEPARTMENT HEAD LIST

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

MAYOR	
H. Brent Coles	384-4422
CITY COUNCIL	
Carolyn Terteling, Council President	384-4422
Mike Wetherell, President Pro-Tem	384-4422
Sara Baker	384-4422
Paula Forney	384-4422
Anne Hausrath	384-4422
Jerome Mapp	
AVIATION & PUBLIC TRANSPORTATION	
John Anderson	383-3110
FIRE	
Renn Ross	384-3960
JUDICIAL	
John Traylor	364-2100
LEGAL	
Susie Mimura	384-3870
LIBRARY	
Marilyn Poertner Acting Director	384-4237
PARKS AND RECREATION	
Jim Hall	384-4240
PLANNING & DEVELOPMENT SERVICES	
Tim Hogland	384-3800
POLICE	
Larry Paulson	377-6670
PUBLIC WORKS	
William Ancell	384-3903

CUSTOMER & SUPPORT SERVICES

CENTRAL SERVICES

John Eichmann 384-3747

CITY CLERK

Annette Mooney 384-3707

GOVERNMENT BUILDINGS

Sam Rapp 384-3828

HUMAN RESOURCES

Tammy Rice 384-3869

MUNICIPAL INFORMATION SYSTEMS/COMMUNICATIONS

Rod Greene 384-3769

PARKING CONTROL

Tana Wardle 384-3773

PURCHASING

Chris Hunt 384-3778

UTILITY BILLING

Pam Helm 384-3737

DIVISION OF FINANCIAL MANAGEMENT

Steve Purvis 384-3733

PLANNING & ZONING

Wayne Gibbs 384-3830

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

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
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AMENDED

AMENDED

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

**COPY FOR
YOUR FILES**

1. Name: CITY OF BOISE
Address: PARKS AND RECREATION DEPT
1104 ROYAL BLVD
BOISE ID

208-384-4240

83706

2. Date of Priority: JUN 1, 1866

3. Source: BOISE RIVER
RIDENBAUGH DRAIN

Trib. to: SNAKE RIVER
BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02E	9		NE	NW		ADA
				SE	NW		ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		135.00
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7. Total Quantity Appropriated is:
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189.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC, CITY PARK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	02E	9	NE		NW		IRR	13.0
			NE		NW		AES	
			NW		NW		IRR	2.0
			NW		NW		AES	
			SW		NW		IRR	2.0
			SW		NW		AES	
			SE		NW		IRR	13.0
			SE		NW		AES	
							Section Acres	30.0
							Total Acres	30.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

DIVERSION OF WATER FROM THE POINTS OF DIVERSION IDENTIFIED FROM THE BOISE RIVER ARE LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM THE HISTORICAL POINT OF DIVERSION AND SOURCE, THE RIDENBAUGH DRAIN.

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SEE ADDITIONAL CONDITIONS OF APPROVAL IN POD REMARKS AND ON THE COPY OF APPROVED TRANSFER IN FILE.

DATA ENTRY CORRECTED TO ADD AESTHETIC USE TO THE POU FIELD.
01/16/1997 MM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4382RECEIVED
JUN 08 1994

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

JUN 08 1994

WATER RESOURCES
WESTERN REGION

Department of Boise Parks & Recreation Dept. Phone 384-4240
 Name of applicant
 Post Office address 1104 Royal Boulevard Boise, Id. 83706

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 _____

2. Describe the reason for the proposed changes (1) Correct source claim (A63-19274),
(2) Appears to be a typography error on the decree - should read
3N2E, not 3N1E, (3) we will be relinquishing part of our right,
(4) Correcting PD on 63-00164A to river PD instead of ditch
at PU.

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>63-00164A</u>	<u>6/1/1866</u>	<u>.80</u>	<u>See attachment A</u>	<u>3-15 to 11-15</u>
<u>A63-19274B</u>	<u>6/1/1866</u>	<u>.80</u>		<u>3-15 to 11-15</u>
				to _____
				to _____

2. Total amount of water being transferred .80 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:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	24	3N	2E	ADA	Existing
	SE	NE	NW	9	3N	2E	ADA	> new pld's at Park
	SW	NE	NW	9	3N	2E	ADA	

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	2E	9					13	2	2	13									30
							5	5	5	5									

Total acres 30

PART 1

6. General Information:

a. Description of diversion system 10" headgate at each PD with
a gravity flow into the existing ponds.

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:

no change

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 _____, 19____.

well #63 - 10.760

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .23 for IRP purposes from _____ to _____
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	
							2	2		8									12

Total acres 12

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

1. amount .57 for IRP purposes from _____ to _____
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	
							13	2	2	13									30

Total acres 30

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A63-19274 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ ^{Gift} Warranty Deed

☐ Other _____

3. Source of water Boise River tributary to Snake River

4. Date or priority 6/1/1866

5. Water is used for the following purpose:

amount 1.7 for _____ 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 1.7 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
	NE	NW	SE	24	3N	2E	ADA	Head of Bulbs Canal

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	2E	9			27	2	13	2	2	25	6				30	31	6	29	173
3N	2E	10										1							1

Total acres 174

9. Describe any other water rights used for the same purpose as described above wells #63-10760 &

#63-03147

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .60 for _____ purposes from _____ to _____
 (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
		NW	NW	15	3N	2E	ADA	Boise River
		SE	SE	9	3N	2E	ADA	Boise River

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	9					13	2	2	13									30

Total acres 30

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

1. amount 1.10 for _____ purposes from _____ to _____
 (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
		NW	NW	15	3N	2E	ADA	Boise River
		SE	SE	9	3N	2E	ADA	Boise River

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	9			27	2				12	6				30	31	6	29	143
		10									1								1

Total acres 144

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

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

Added P/D's

*Albertson
Park = Place
of Use*

*Recorded
PD out
of ditch.*

Bubb Canal

*(Clarified)
Point of Diversion*

3 N 2 E

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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

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

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

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

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

Paul Philbrook Park Designer
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of June, 19 94.

Elizabeth M. Matlock
(Notary Public)

My commission expires 3/5/99

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by IDWR Date 6/8/94 Protest filed by _____

Prelim. check by _____ Fee \$50

Receipted by dw Date 6/8/94 C030475

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 7-21 & 28, 1994 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

BY THE COUNCIL: BUERSMEYER, EWING, JENSEN, KOPKE
MCADAMS AND SELANDER

A RESOLUTION ACCEPTING A DEED OF GIFT OF REAL PROPERTY BY J. A. ALBERTSON AND KATHRYN ALBERTSON TO THE CITY OF BOISE TO BE DEDICATED FOR PARK PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, J. A. Albertson and Kathryn Albertson, husband and wife, as Grantors, have executed and delivered a Deed of Gift to Boise City of certain real property located in Boise City comprising approximately 40 acres, said donation of real property to be utilized by Boise City for development and use of a walk-through public park;

WHEREAS, the Director of the Boise City Parks Department has reviewed said Deed of Gift, together with all provisions and conditions therein expressed and recommends its approval and acceptance to the Boise City Council;

WHEREAS, the City of Boise and the Boise City Council is authorized under the laws of the State of Idaho to accept gifts of real property;

WHEREAS, the Boise City Council, at its regular meeting of December 17, 1979, found and determined it to be in the best public interests of Boise City to approve and accept said Deed of Gift, more fully described in an unexecuted copy of said Deed of Gift, which is attached hereto marked Exhibit "A" and incorporated herein by reference, and upon the terms and conditions of donation as set forth in said Deed of Gift.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That the Deed of Gift from J. A. Albertson and Kathryn Albertson, husband and wife, to Boise City, providing for the donation of real property to the City for park purposes under the terms and conditions of donation as set forth therein an unexecuted copy of which is attached hereto marked Exhibit "A" and incorporated herein by reference and attachment be, and the same hereby is approved and accepted by the City of Boise.

Section 2. That the City Clerk is hereby authorized



and directed to cause said Deed of Gift to be recorded with the Ada County Recorder's Office, Ada County Idaho.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Council of the City of Boise City, Idaho, this 17th day of December, 1979.

APPROVED by the Mayor of the City of Boise City, Idaho, this 17th day of December, 1979.

APPROVED:


Mayor

ATTEST:


City Clerk

DEED OF GIFT

THIS INDENTURE made this 17th day of December, 1979, between J. A. ALBERTSON and KATHRYN ALBERTSON, husband and wife, the Grantors, and BOISE CITY, a municipal corporation of the State of Idaho, the Grantee; WITNESSETH:

Section 1.

AS A GIFT TO THE GRANTEE, the Grantors do hereby grant and convey to the Grantee all of the real property situated in the County of Ada, State of Idaho, described on Exhibit 1 attached hereto and by this reference made a part hereof, which will be referred to herein as "the property".

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT to:

1. All taxes and assessments levied and assessed upon the property for the year 1980 and each year thereafter, it being recognized that the Grantors will pay when due and before delinquent all taxes and assessments of every kind or nature levied and assessed upon the property for the year 1979 and each year prior thereto.

2. A perpetual easement and right-of-way at all times and for all purposes whatsoever, including pipe and electric lines, with or without vehicles, automobiles, trucks and animals, to and from the property, and any part thereof, to pass over, through, under, across and along that certain tract of land described as follows: A strip of land twelve feet in width lying on the northwesterly side of and parallel to and adjoining the northwesterly right-of-way boundary line of South Sixteenth Street, of Boise City, Ada County, Idaho, extended southerly, and more particularly described as follows: From the true point of beginning of the tract above described, run North 54°43' East a distance of 396.28 feet to a point; thence North 49°24' East a distance of 350.00 feet to a point; thence South 39°47' East a distance of 12.00 feet to a point; thence South 49°24' West along the northwesterly boundary of the right-of-way of the aforesaid South Sixteenth Street a distance of 350.00 feet to a point; thence South 54°43' West a distance of 396.28 feet; thence North 39°47' West 12.00 feet to the Real Point of Beginning; as disclosed by Warranty Deed recorded July 6, 1955, as Instrument No. 379589, records of Ada County, Idaho.

EXHIBIT "A"

TO HAVE AND TO HOLD the property unto the Grantee so long as the Grantee shall comply with the following conditions:

(a) Within a period of twelve months following the date of delivery of this Deed of Gift, the Grantee shall construct and thereafter at all times maintain in a good and serviceable condition a chain link (or equivalent) fence along the entire southwest boundary line of the property herein conveyed. That chain link (or equivalent) fence shall be initially constructed and shall thereafter be maintained in compliance with the plans and specifications shown upon the drawing therefor, which is marked Exhibit 2 and attached hereto and by this reference made a part hereof. There shall be no gates or openings in that fence.

(b) Within a period of ten years from the date of delivery of this Deed of Gift, the property in its entirety shall be developed and thereafter shall be maintained and operated at all times and exclusively as a walk-through public park for the benefit and use of the public generally and no part thereof shall be used for any other purpose, excepting a purpose which is reasonably incidental to and contributes directly to the walk-through public park concept. The terminology "walk-through public park" shall refer to a park planned, developed, maintained and operated for access to and use only by pedestrians in which motor vehicles or self-propelled vehicles shall have no access excepting (i) those being utilized for planting, construction or maintenance of the park and (ii) ingress to and egress from a designated parking area which is part of the property, providing that the parking area is limited in size and availability to that reasonably necessary for use only by persons visiting the public park.

At no time and under no circumstances shall the property be utilized for any residential, commercial, industrial or other use which is not consistent with the "walk-through" public park concept.

Prior to development of the property as a walk-through public park, the property shall be used exclusively and at all times as pasture land for the grazing of livestock.

(c) The public park located, maintained and operated upon the property as required in subsection (b) of this section shall at all times be identified, known and referred to by the Grantee as the "J. A. and Kathryn Albertson Park".

(d) The property or any part thereof shall never be transferred or conveyed by the Grantee. No lien or encumbrance shall be created or permitted to attach to the property, excepting only those referred to in paragraphs 1 and 2 of Section 1 of this Deed of Gift, easements for utilities serving the park and ad valorem taxes levied and assessed upon the property.

Section 2.

To insure that the property herein conveyed will be developed, used, operated and identified in full compliance with the conditions set forth in subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift, it shall be a condition of this conveyance that at any time in the future should the property or any part thereof not be developed or cease to be used or identified in full compliance with each condition set forth in subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift or that the Grantee shall fail, refuse or neglect in any respect to comply with the conditions set forth in subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift, the Grantee shall be divested of the title to the property and in such event the title to the property shall automatically and, without the necessity of any conveyance, pass to and become vested in J. A. and Kathryn Albertson Foundation, Inc., an Idaho corporation, if it is then in existence and is then qualified as an exempt organization under the provisions of Internal Revenue Code Section 501(c)(3) or the comparable provision of the United States Internal Revenue Code then in force and effect. Should the J. A. and Kathryn Albertson Foundation, Inc., an Idaho corporation, not then be in existence or for any reason it does not then qualify as an exempt organization under Internal Revenue Code Section 501(c)(3) or the comparable provision of the United States Internal Revenue Code then in force and effect, the title to the property shall instead pass to and vest in an exempt organization qualifying as such under the provisions of Internal Revenue Code Section 501(c)(3) or Internal Revenue Code Section 170(c)(1) or a comparable provision of the United States Internal Revenue Code then in force and effect created for charitable or public purposes and capable of operating or providing for the operation of that property as a walk-through public park for the benefit of the public generally in compliance with the provisions of subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift to be designated by the then incumbent Governor of the State of Idaho. While operated as a walk-through public park by either J. A. and Kathryn Albertson Foundation, Inc. or the exempt organization designated by the Governor of the State of Idaho, the property herein conveyed shall at all times be maintained, operated and identified as required in subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift.

The provisions of this section may be enforced by J. A. and Kathryn Albertson Foundation, Inc., an Idaho corporation, if it is then in existence and then qualifies as an exempt organization under the provisions of Internal Revenue Code Section 501(c)(3) or the comparable provision of the United States Internal Revenue Code then in force and effect; or, if J. A. and Kathryn Albertson Foundation, Inc. is not then in existence or it does not then qualify as an exempt organization under the provisions of Internal Revenue Code Section 501(c)(3) or the comparable provision of the United States Internal Revenue Code then in force and effect, the provisions of this section may be enforced by the exempt organization designated by the then incumbent Governor of the State of Idaho as provided in this section.

The fact that the Grantee has ceased to operate, maintain, use and identify the property herein conveyed as a walk-through public park in compliance with the provisions of subsections (a), (b), (c) and (d) of Section 1 of this Deed of Gift may be established of record by either (i) a certified copy of a resolution by the Mayor and Council of the Grantee of that fact, or (ii) a determination thereof through judgment of a court of competent jurisdiction of the State of Idaho.

Section 3:

By the recordation of this Deed of Gift, the Grantee shall be deemed to have accepted and agreed to comply with the restrictions and conditions set forth in Section 1 and Section 2 of this Deed of Gift and to hold the property subject to full performance by it of those provisions of this Deed of Gift.

Section 4.

The current address of the Grantee is P. O. Box 500, Boise, Idaho 83701.

IN WITNESS WHEREOF, this Deed of Gift has been duly executed by the Grantors the day and year herein first above written.

J. A. Albertson

Kathryn Albertson

STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of December, 1979, before me, a notary public in and for said State, personally appeared J. A. ALBERTSON and KATHRYN ALBERTSON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(SEAL)

Notary Public for Idaho
Residence: Boise, Idaho

Commission expires: February 17, 1981

STATE OF IDAHO, COUNTY OF ADA, ss.

Filed for record at the request of

Boise City
40 Min past 4 o'clock P. M. this 18 day of Dec 1979

JOHN RASTIDA, Recorder

By

Uma Clark

Deputy

\$14.00

See attached Exhibits

The following described real property situated in the County of Ada, State of Idaho, to-wit:

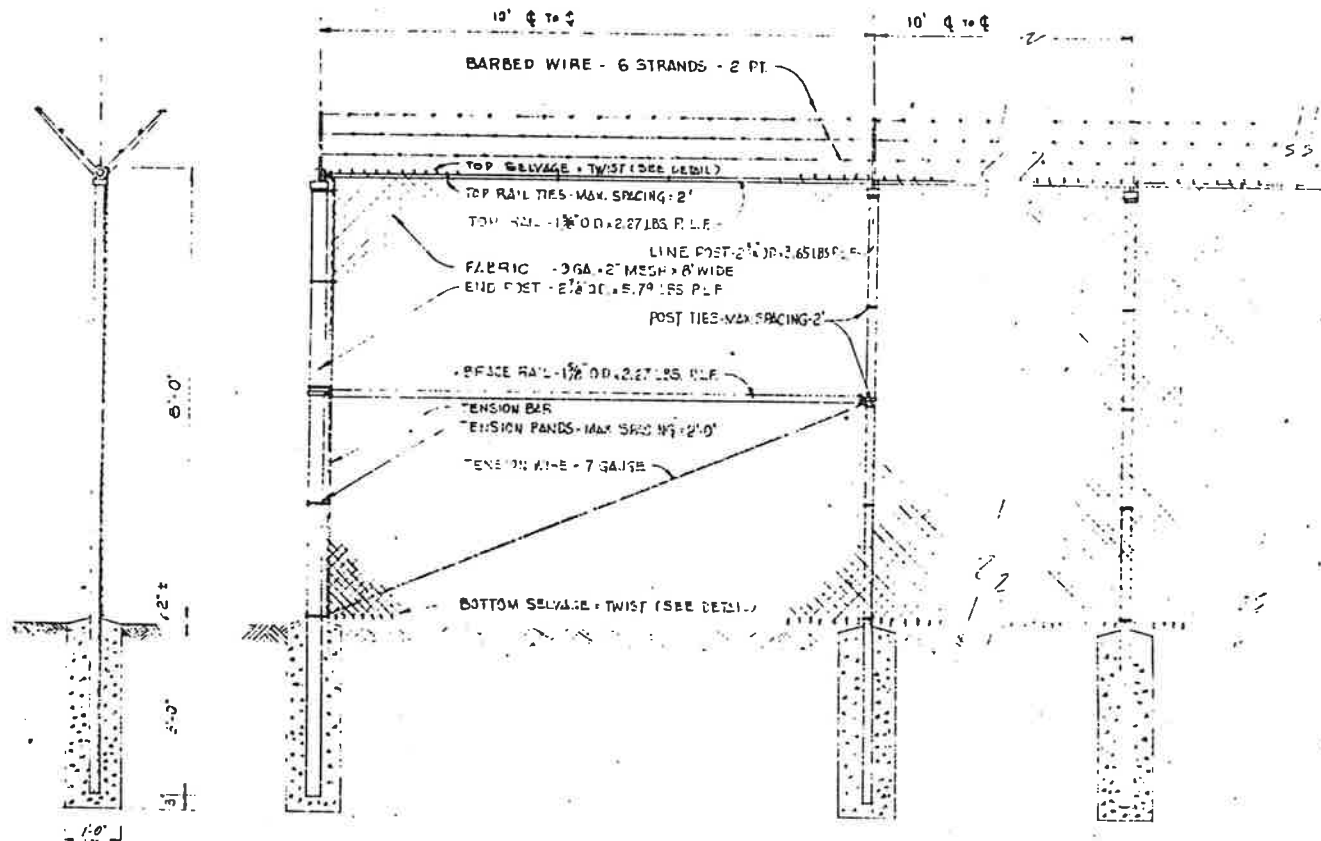
Beginning at the 1/16th corner, a stone marked "16th" on the North face and a cross on top, the NE corner of the NW¹/₄ of the SE¹/₄, Section 9, Township 3 North, Range 2 East, Boise-Meridian, Ada County, Idaho; thence S. 21°49' W., 224.50 feet; thence N. 63°15' W., 91.10 feet; thence North 55°04' West, 300.00 feet; thence North 43°42' West, 220.00 feet; thence North 26°12' West, 240.00 feet; thence North 10°32' West, 490.00 feet; thence North 31°19' West, 290.00 feet; thence North 29°19' West, 229.39 feet; thence South 49°24' West, 132.69 feet to the true point of beginning on the Westerly boundary of the right of way of 16th street; thence along the Northerly boundary of the Settler's Canal as follows:
North 58°02' West, 398.21 feet; thence North 84°25'40" West, 648.84 feet; thence North 60°25' West, 125.50 feet; thence North 51°04' West, 289.20 feet; thence North 32°46' West, 192.60 feet; thence North 63°25' West, 193.01 feet, (formerly known as 193.98 feet); thence South 70°10' West, 689.50 feet to the meander line at the foot of the bluff; (formerly known as 686.57 feet); thence South 50°58' East, 277.80 feet; thence South 30°02' East, 219.80 feet; thence South 27°33' East, 420.00 feet; thence South 22°29' East, 550.00 feet; thence South 33°34' East, 402.80 feet to the Westerly right of way line of 16th street; thence

along the said Westerly line of 16th Street right of way as follows:
North 54°43' East, 460.28 feet; thence North 49°24' East, 1204.20 feet, (formerly known as 1204.28 feet), to the true point of beginning;

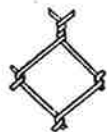
EXCEPT that tract previously conveyed to the Boise Water Co., which is more particularly described as follows:
From the SW corner of the SE¹/₄ of the NW¹/₄ of Section 9, Township 3 North, Range 2 East, Boise Meridian; thence North 46°55' East, 340.48 feet to a point on the Northwesterly right of way boundary of South 16th Street of Boise City, Ada County, Idaho, extended Southerly in the SE¹/₄ of the NW¹/₄ of Section 9, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, (which point is identical with the Northerly corner of Lot 13, Crest View Park Subdivision, plat of which is recorded in Book 9 of Plats at page 433, records of Ada County, Idaho) running thence North 54°43' East along the said Northwesterly right of way boundary line of South 16th Street, a distance of 64.00 feet to a point; thence North 39°47' West, 12.00 feet to an iron pin, the real place of beginning; thence North 39°47' West, 50.00 feet to an iron pin; thence North 54°43' East, 50.00 feet to an iron pin; thence South 39°47' East, 50.00 feet to an iron pin; thence South 54°43' West, 50.00 feet to an iron pin; the place of beginning.

"EXHIBIT 1"

ALSO, together with a perpetual easement and right of way at all times and for all purposes whatsoever, including pipe and electric lines, with or without vehicles, automobile, trucks and animals, to and from the above described land, and any part thereof, to pass over, through, under, across and along that certain tract of land described as follows: A strip of land twelve (12) feet in width lying on the Northwestern side of and parallel to and adjoining the Northwestern right of way boundary line of South 16th Street, of Boise City, Ada County, Idaho, extended Southerly, and more particularly described as follows:
From the true point of Beginning of the tract above described, running North $54^{\circ}43'$ East, a distance of 396.28 feet to a point; thence
North $49^{\circ}24'$ East, a distance of 350.00 feet to a point; thence
South $39^{\circ}47'$ East, a distance of 12.00 feet to a point; thence
South $49^{\circ}24'$ West along the Northwestern boundary of the right-of-way of the aforesaid South 16th Street, a distance of 350.00 feet to a point; thence
South $54^{\circ}43'$ West, a distance of 396.28 feet; thence
North $39^{\circ}47'$ West, a distance of 12.00 feet to the Real Point of Beginning.



"EXHIBIT 2"



TWIST SELVAGE TYPICAL DETAIL (TIES)
(TOP & BOTTOM)

FENCE DETAILS FOR -
J.A. ALBERTSON PROPERTY

DATE: 10-28-79

DRAWN BY: J.B.

SCALE: AS SHOWN

SHEET NO. F1

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00164A

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: 06/01/1866

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 9, Township 03N, Range 02E
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	9	NENW 15	NWNW 4	SWNW 2	42
			SENE 21			

Total number of acres irrigated: 42

CONDITIONS/REMARKS:

1. TRANS. 1906.

RECEIVED

JUN 08 1994

Department of Water Resources

RECEIVED

JUL 15 1994

WATER RESOURCES
WESTERN REGION

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: A63-19274
Date Received: 12/22/1989
Receipt No: W007227
Received By: S.W. Keen

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BOISE PARKS AND RECREATION DEPT 208-384-4240
Address: 1104 ROYAL BLVD
BOISE ID 83706

2. Date of Priority: JUN 1, 1866

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	24	NE	NW	SE		ADA

5. Description of diverting works:
HEAD OF BUBB DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.700		

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

8. Total consumptive use is 609.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	SW	NE		IRR	27.0
			SE	NE		IRR	2.0
			NE	NW		IRR	13.0
			NW	NW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	SW	NW		IRR	2.0
			SE	NW		IRR	25.0
			NE	SW		IRR	6.0
			NE	SE		IRR	30.0
			NW	SE		IRR	31.0
			SW	SE		IRR	6.0
			SE	SE		IRR	29.0
						Section Acres	173.0
		10	NW	SW		IRR	1.0
						Section Acres	1.0
						Total Acres	174.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

APP. FOR PERMIT NO. 63-10760 - G.W. SOURCE.

14. Remarks:

DESCRIPTION OF DIVERTING WORKS -- BUBB DITCH IS THE CONVEYANCE TO THE RIDENBAUGH DRAIN. WATER IS PUMPED FROM THE DRAIN POND INTO A SPRINKLER SYSTEM TO IRRIGATE KATHRYN ALBERTSON PARK AND ANN MORRISON PARK.

PARK USES EXISTING WELLS FOR IRRIGATION.*****
THIS CLAIM IS A COMBINATION OF WATER RIGHT NO. 63-00164A - .8 CFS AND 63-00164C - .9 CFS, SINCE BOTH ARE APPURTENANT TO THE TWO PARKS AND ARE THE SAME SOURCE AND SAME PRIORITY DATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/18/1906

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRRIGATION DISTRICT
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: N/A

For Organizations:

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

Paul Philbrook
Signature of Authorized Agent

Park Designer - BP&R
Title and Organization

June 8, 1994
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of June 19 94

Elizabeth M Matlock
Notary Public

Seal

Residing at Boise, Idaho

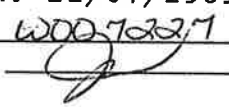
My Commission Expires 3/5/99

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

RECEIVED
DEC 22 1989

Ident. Number: A63-19274
Date Received: 11/07/1989
Receipt No: 6007227
Received By: 

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 01, 1866

3. Source: RIDENBAUGH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	SE	SE	SE		ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
AESTHETIC	01/01	12/31	1.700		
AESTHETIC STORAGE	01/01	12/31			38.00

7. Total Quantity Appropriated is:
1.700 C.F.S. (and/or) 38.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETIC PURPOSES FOR STREAMS AND PONDS IN CITY PARKS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	SW	NE		AES	
			SW	NE		AES S	

A63-19274

Page 1

Date: 11/07/89

MICROFILMED
SEP 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	SE	NE		AES	
			NE	NW		AES	
			NW	NW		AES	
			SW	NW		AES	
			SE	NW		AES	
			SE	NW		AES S	
			NE	SW		AES	
			NE	SW		AES S	
			NE	SE		AES	
			NW	SE		AES	
			NW	SE		AES S	
			SW	SE		AES	
			SW	SE		AES S	
			SE	SE		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:

APP. FOR PERMIT NO. 63-10760 - G.W. SOURCE.

14. Remarks:

DESC. OF DIVERTING WORKS - RIDENBAUGH DRAIN FLOWS INTO ANN MORRISON PARK THEN THRU STREAMS INTO PONDS UNDER AMERICANA ST. TO KATHRYN ALBERTSON PARK THRU STEAMS AND INTO PONDS FOR AESTHETIC PURPOSES - STREAMS AND PONDS.*****
 NOTE: THE SOURCE FOR THIS RIGHT WAS ORIGINALLY THE BOISE RIVER. HOWEVER, FOR SEVERAL YEARS(UNKNOWN) THE RIDENBAUGH DRAIN HAS BEEN USED THRU ANN MORRISON PARK AND ONTO THE FIELD WHERE KATHRYN ALBERTSON PARK IS NOW BEING CONSTRUCTED. THE BOISE RIVER WATER MASTER RECORDS DO SHOW THEY HAVE BEEN BILLING FOR THIS WATER AS A PART OF THE BOISE RIVER SYSTEM. THE RIDENBAUGH DRAIN IS A SMALL DITCH THAT RUNS ALONGSIDE THE RIDENBAUGH CANAL AND CATCHES SEEPAGE WATER LEAKING FROM THE CANAL. THIS WATER HAS BEEN USED FOR AESTHETIC PURPOSES IN ANN MORRISON FOR YEARS AND IRRIGATION OF PASTURE WEST ACROSS AMERICANA BLVD. WHICH IS NOW USED FOR AESTHETIC PURPOSES IN KATHRYN ALBERTSON PARK. A WELL HAS BEEN DRILLED FOR IRRIGATION IN KATHRYN ALBERTSON PARK AND ANN MORRISON PARK USES EXISTING WELLS FOR IRRIGATION.*****
 THIS CLAIM IS A COMBINATION OF WATER RIGHT NO. 63-00164A - .8 CFS AND 63-00164C - .9 CFS, SINCE BOTH ARE APPURTENANT TO THE TWO PARKS AND ARE THE SAME SOURCE AND SAME PRIORITY DATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1-18-1906

FARMERS CO-OP DITCH CO
Decree Plaintiff

vs

RIVERSIDE TRAIL DISTRICT
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 XXXX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: N/A

For Organizations:

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

Boise Park System _____, that I have signed the foregoing Organization _____ document in the space below as _____ Director _____ of _____ Title _____

Boise Park System _____ and that the statements contained in the Organization _____ foregoing document are true and correct.

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

November 28, 1989

Date

State of Idaho)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28 day

of November 19 89

[Signature]
Notary Public

Seal

Residing at Boise

My Commission Expires 8/24/90

WATER MASTER DISTRICT 63 - 344-4121 (Lee Sisco)

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>
? - Albertson Park	Ridenbaugh Drain Manville Leonard Ditch #1	3,366 Acre Ft. <i>yes</i> <i>= 1.7 cfs OR 85"</i>

63-0164

SOUTH BOISE MUTUAL IRRIGATION COMPANY LIMITED - 344-3062 (Dale Milton)

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>
? - Loggers Creek Park	1411 Pennsylvania Cert. #777	10 Shares (.297 Acre Ft.)
~~Manitou Park~~	1919 Manitou Ave. Cert. #776	6.3 Shares (.1871 Acre Ft.)
~~Manitou Park~~	1951 Manitou Ave. Cert. #775	4.9 Shares (.1455 Acre Ft.)
~~Manitou Park~~	1309 Chamberlin St. Cert. #?	?
yes Hoffgarten Site	1115 W. Boise Ave. Cert. #774	1.5 Shares (.0446 Acre Ft.)

BOISE CITY CANAL COMPANY - 344-6421 (John Wilson - Ditch Rider)

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>
Julia Davis Park	Cert. #454	26 Shares (.7722 Acre Ft.)
Julia Davis Park	Cert. #503	100 Shares (2.97 Acre Ft.)
Cunningham Nursery	Cert. #557	20 Shares (.594 Acre Ft.)
~~Sunset Park or~~		
Owens Park	Cert. #2997	5 Shares (.1485 Acre Ft.)

Boise City Canal Co. should file
39 cfs
63-0165
1.5 cfs

Note: 1 Share = 3/4 miners inch
1 Share = .015 cfs
1 cfs = 1.98 Af.

through Ditch

A 63-19274

ED/PAU

Print

4/25/89

Please have the managers that are affected by surface water rights mark these sheets according to the following items. Thank you.

- ① Check the parks that now receive surface water; aesthetic or irrigation. Please indicate which one by Aes. or Irr.
- ② If the answer to ① is yes - do you want to continue its use?
- ③ Cross out the parks that do not receive surface water.
- ④ Of those parks that do not receive surface water, would you like to have me petition to drop out of those districts?
- ⑤ Did I miss any parks?

LHM
Yes
all that's
crossed out

MICROFILMED
SEP 02 1992

1989

Paul

BOISE PARK SYSTEM
SURFACE WATER RIGHTS

NEW YORK IRRIGATION DISTRICT - 342-5086

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>	
~~Cassia Park~~	474-006-00	.56	Acre Ft.
~~"~~	474-002-00	4.31	" "
~~Shoshone Park~~	171-070-00	23.81	" "
~~Eagleson Park~~	290-075-00	29.25	" "
Morris Hill Cemetery	622-001-00	300.00	" "

NAMPA-MERIDIAN IRRIGATION DISTRICT - 343-1884

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>	
~~Winstead Park~~	6A--	.045	Acre Ft.
~~"~~	7A--	.045	" "
~~"~~	8C--	.11	" "
~~"~~	9--	.061	" "
~~Skyline Park~~	534-4-4	.044	" "
~~Westmoreland Park~~	2A-3-15	.0052	" "
~~"~~	2A-3-14	.0088	" "
~~Cassia Park~~	472--4	.1436	" "
~~"~~	472--10	.0132	" "
~~"~~	472--10D	.0276	" "
~~"~~	472--11	.0776	" "
~~"~~	472--12	.0496	" "
~~"~~	472--12C	.014	" "
~~Jullion Park~~	613--7	.15	" "
~~Liberty Park~~	88--43	.2076	" "
? - Ann Morrison Park	396C--	12.08	" "
? - Albertson Park	396B--	10.29	" "
~~Knottingham Park~~	542D-7-15	2.63	" "
~~Hewett Park~~	550 M-2-109	.08	" "
~~"~~	550 K-2-87	1.12	" "
Millwaukee Park	658 B - -		

SETTLERS IRRIGATION DISTRICT - 344-2471

<u>PARK NAME</u>	<u>ACCOUNT #</u>	<u>WATER ALLOCATION</u>	
? - DeMeyer Park	2304	.35	Acre Ft. acc.
~~Hewett Park~~	2782	.1714	" "
~~"~~	2796	.0076	" "
~~Jullion Park~~	1964	.0072	" "
~~"~~	1965	.0072	" "
~~"~~	1966	.0072	" "

NO WATER
EVER DEN.
SETTLERS
SHOULD
FILE
201 (100545)
201 (100545)
annual
rights

? Jaywild.
? Williams

A63 - 02792 - Julia Davis Park - 9 acres
= \$140

A63 - 07034 - Julia Davis Park - Same
acres plus .34 ~~Acres~~ Municipal = ~~\$54~~ = \$94

A63 - 02841 - Morris Hill - North - 40 acres
= \$90

A63 - 02843 - Julia Davis Recreation -
2.0 cfs = \$200 + 50 = \$250

A63 - 02925 - Bowden Park - 18 acres
= \$68

A63 - 02971 - Pioneer Cem. - 7 acres = \$57

A63 - 02933 - Morris Hill Cem. - South - 40
acres - \$90

A63 - 02972 - Fort Boise Park - 21 acres = \$71

A63 - 03116 - Municipal Park - 17 acres = \$67

A63 - 03132 - Camelback Park - 10 acres = \$60

03147 - Ann Morrison Park - 144 acres = \$194

03413 - Memorial Park - 23 acres = \$73

03565 - Winstead Park - 11 acres = \$61

07179 - Solar Park - 5 acres plus Municipal
for .91 cfs (\$91) = \$146

07523 - Greenbelt tract #17 (Shoreline Park) - 9 acres = \$59

07524 - Drywild Park - 10 acres = \$60

07592 - Hoeger Park - 1 acre = \$51

07666 - Cassia Park - 10 acres = \$60

07668 - Tract 11+12, Greenbelt (Powerside Park) 8 acres = \$58

08025 - Vista Medians - 8 acres = \$33

08145 - Fairmont Park - 13 acres plus Recreation
for .5 cfs at \$50 = \$113

MICROFILMED

SEP 02 1992

A63-08263 - Shoshone Park - 4 acres = \$54

~~08600~~

08600 - Sunset Park - 8 acres = \$58

09112 - Owyhee Park - 4 acres = \$54

09192 - Monitor Park - 8 acres = \$58

09326 - DeMeyer Park - 2 acres = \$52

08362 - Williams Park - 8 acres = \$58

10188 - Hewett Park - 5 acres = \$55

10246 - Gullion Park - 7 acres = \$57

10296 - Willow Lane - 25 acres = \$75

10395A - I-84 complete at Orchard - 1 acre = \$51

10395B - I-84 " " Curtis - 8 acres = \$58

10305 - Park Center & Gunbelt - 18 acres plus

Rec. stor. + Aesthetic storage -

$150 \text{ af} = .20 \text{ cfs} \times 2 = .40 \text{ cfs}$ or
 $\$40 + 18 + 50 = \$108$

08670 - Landscape adj. to Curtis Exit - 7 ac = \$57

TOTAL (2705) 2005

Paid - 2533

Due - 172

aesthetic
pump { Kathryn Ali. ←
+ Ann Morrison

A63-19274 - 225

Total Due - \$397

Storage = .05 cfs

Twigg Aesthetic = 1.70 cfs
(streams)

$1.75 \text{ or } \$175 + 50 = \$225$

VOUCHER NO.	COMMENTS	VOUCHER DATE	ITEM AMOUNT	
0512820821	PARKS	08-15-89	2,533.00	E 1 OF 1 REQUIRED
				ND\$ WILL BE DRAWN
CHECK 00000020979 FOR TOTAL OF 2,533.00				97.00

BOISE CITY
P.O. BOX 500, Boise, ID 83701

FORM NO.

048443

VOUCHER NO.	COMMENTS	VOUCHER DATE	ITEM AMOUNT
0015841211	PARKS	11-30-89	397.00
RECEIVED DEC 22 1989 Department of Water Resources Western Regional Office			
CHECK 00000024833 FOR TOTAL OF 397.00			

APPROVALS

TOTAL

397.00

Certify bid process complete (documentation attached) and authorize Purchase Request
DEPARTMENTReviewed for consistency with City Policy
VEHICLE/COMMUNICATIONS SHOP/OTHERAcknowledge bid process and authorize purchase
PURCHASING

SPECIAL INSTRUCTIONS:

MAIL ☒ RETURN TO DEPT ☐ OTHER

DEPARTMENT

PURCHASING

ACCT INT

J.S.

TICKET # 900481

9 51382

PAGE 1 OF 1

[illegible]

SPECIFICATIONS/ADDITIONAL INFORMATION:

APPROVALS

Certify bid process complete (documentation attached) and authorize Purchase Request DEPARTMENT 	Reviewed for consistency with City Policy VEHICLE/COMMUNICATIONS/COMPUTER/OTHER	Acknowledge bid process and authorize purchase PURCHASING
--	---	---

SPECIAL INSTRUCTIONS:

☐ MAIL ☒ RETURN TO DEPT ☐ OTHERDEPARTMENT WORTH PURCHASINGACCT INT 12

MICROF
SEI

Date Received

9-27-89

5/89

RECEIVED

NOV 20 1989

Approved

State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

RECEIVED

NOV 9 1989

Department of Water Resources
Western Regional Office

TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

CITY OF BOISE, BOISE PARK SYSTEM 208 384-4240
Name of Claimant Phone Number

1104 ROYAL BLVD. BOISE ID 83706
Mailing Address City State Zip

ADA 8-8-89
County(s) where place of use is located Date claim originally due

BOISE PARKS CLAIMS (34) & A63-19274 (NOT YET COMPLETED)
Identify water right(s) for which extension is requested

SUBMITTED 9/27/89

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

BOISE PARKS SYSTEM ORIGINALLY BEGAN ON
THEIR CLAIMS AT AN EARLY DATE, HOWEVER, DUE TO
CHANGES, RESEARCH, ETC. THE CLAIMS WERE NOT
COMPLETED & FILED UNTIL 9/27/89. ONE CLAIM #
A63-19274 WAS ESPECIALLY DIFFICULT AND WILL BE
FILED BY 12/1/89 - DUE TO CLERICAL PERSONNEL DELAY AT WESTERN
REGION.

X Paul Phillmore
Signature

Sept. 27

Date of request

19 89

X B Park Designer
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby ☒ granted] ☐ denied] for the following reasons:

and if granted the filing deadline is extended to December 1, 19 89

Signed this 18 day of November, 19 89

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

SEP 02 1992

Water Right Number - A63-00164A

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

SCOTTISH RITE MASONIC CENTER INC.

1 - P.O. BOX 1653

2 -

3 -

City- BOISE

State- ID Zip- XXXXXX

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

MANVILLE

J. S. D.

1 -

2 -

3 -

City- XXXXX

State- ID Zip- XXXXX

Phone - 208-000-0000

LEONARD

FRANK L.

1 -

2 -

3 -

City- XXXXX

State- ID Zip- XXXXX

Phone - 208-000-0000

LEONARD

EDNA

1 -

2 -

3 -

City- XXXXXX

State- ID Zip- XXXXXX

Phone - 208-000-0000

+ - - Priority Date - - +

06/01/1866

+ - - Region - - - +

14 WESTERN

+ - - Stage - - - +

+ - - Status - - - - +

Z - SEE REMARKS

+ - - - - Source - - - - - +

BOISE RIVER

COMBINED RIGHT

+ - - - - Tributary - - - - - +

SNAKE RIVER

SEE REMARKS

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

03N 02E 9 SE NW (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 Consumptive Use - + + - KW Usage - +

0.800

0.0

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	02E	9	NE NW		15.0	01	IRRIGATION	(1) ADA
03N	02E	9	NW NW		4.0	01	IRRIGATION	(1) ADA
03N	02E	9	SW NW		2.0	01	IRRIGATION	(1) ADA
03N	02E	9	SE NW		21.0	01	IRRIGATION	(1) ADA

JUL 22 1994
MICROFILMED

Prefix Translation: ADJUDICATION CLAIM

[illegible]

Total Acres: 42.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ .	Remarks +
SEE NO. 63-19274.	

+ - - - - Old Water Right Numbers - - - - +
No Old Water Right Numbers Found

```
+ - - - - - Conditions of Approval - - - - - +
      No Conditions of Approval found.
```

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	00/00/0000

+-----+
-Comments-
No Comments Found

+ - - Audit Fields - - +
05/13/92 SHURTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

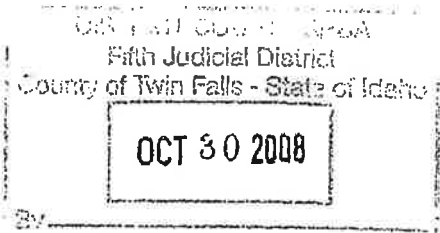
Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	10/20/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	X777777	Water District	-	63
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
						Notice of Error Flag	-	

MICROFILMED
JUL 22 1994

RECEIVED

OCT 31 2008

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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-00164A

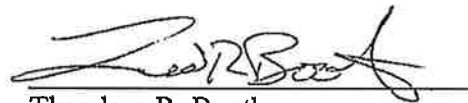
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this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

On June 15, 2007, the Nampa & Meridian Irrigation District, through its attorney S. Bryce Farris, filed an objection to the *Director's Report*, asserting that the water right claim should be disallowed. On October 16, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-00164A be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Oct. 30, 2008



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

In Re SRBA
Case No. 39576

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

Water Right 63-00164A

OCT 30 2008

NAME AND ADDRESS:

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

SOURCE:

BOISE RIVER TRIBUTARY: SNAKE RIVER
RIDENBAUGH DRAIN TRIBUTARY: BOISE RIVER

The source of this right from the Ridenbaugh Drain is waste water. The wasting of water may be discontinued at any time.

QUANTITY:

0.80 CFS
189.00 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE:

06/01/1866

POINT OF DIVERSION:

T03N R02E S09 NENW Within Ada County
SENE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	0.60 CFS
		135.00 AFY
Aesthetic	03-01 TO 11-15	0.80 CFS
		189.00 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 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.

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

PLACE OF USE:

Irrigation

T03N R02E S09

NENW 13.0

SWNW 2.0

30.0 Acres Total

Within Ada County

NWNW 2.0

SENW 13.0

Aesthetic

Same as Irrigation

Within Ada County

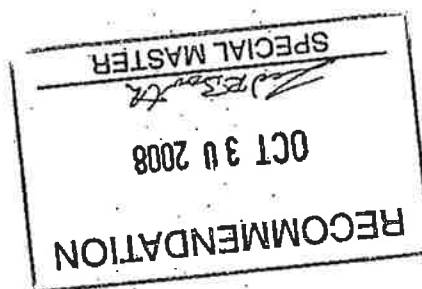
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

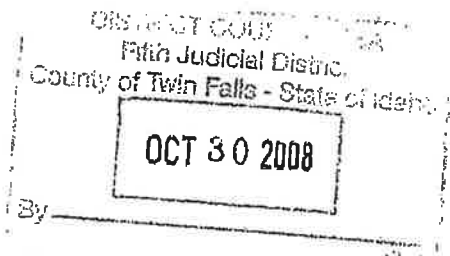
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

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





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

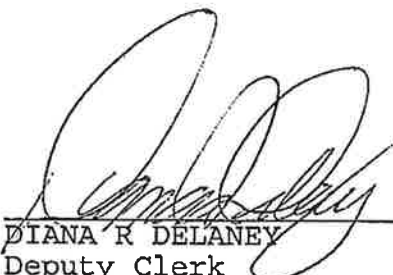
Water Right(s): 63-00164A

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

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

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

DATED October 30, 2008.



DIANA R DELANEY
Deputy Clerk



City Of Boise

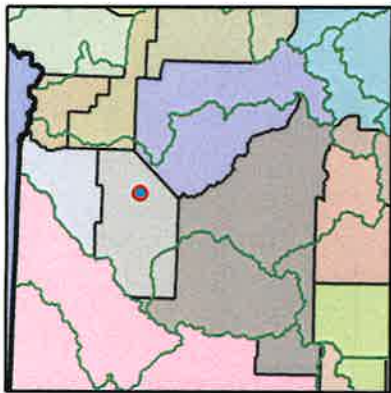
SRBA Recommendations: 63-2841, 63-2843, 63-2845, 63-2925, 63-2933, 63-2971, 63-2972, 63-3116, 63-3147, 63-3565, 63-7179, 63-7523, 63-7524, 63-7549, 63-7592, 63-7666, 63-7668, 63-7728, 63-8025, 63-8125, 63-8145, 63-8263, 63-8599B, 63-8600, 63-9112, 63-9192, 63-9276, 63-9326, 63-9362, 63-10305, 63-10395B, 63-12575, 63-31126, 63-31701

(Municipal)

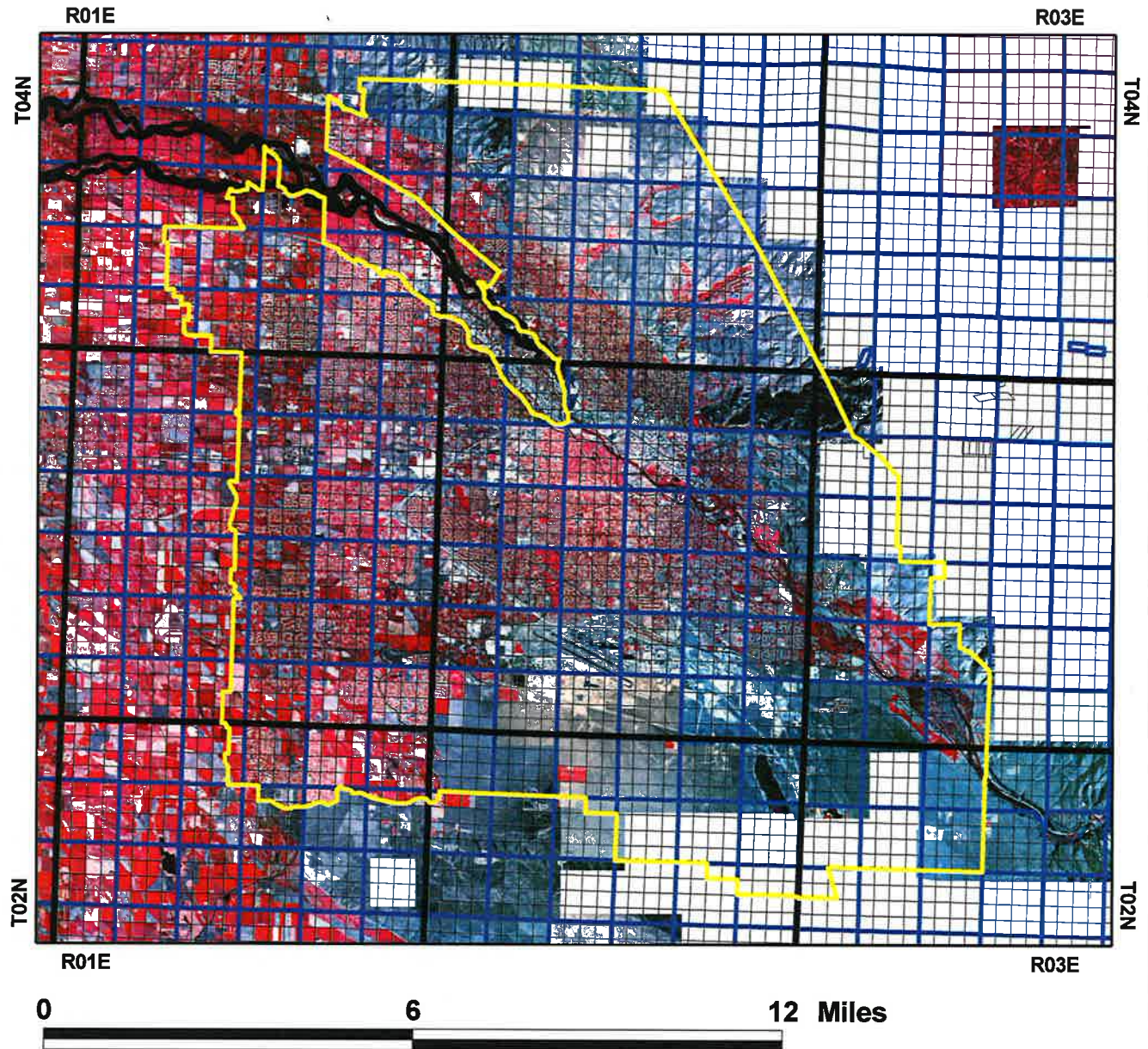
Service Area Boundary
GIS Place of Use Illustration

Legend

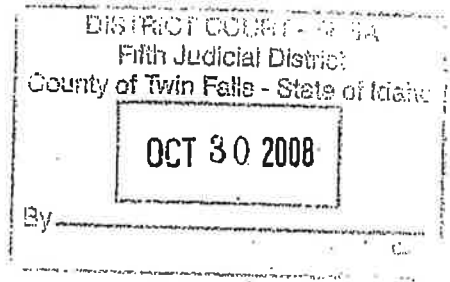
-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



Prepared by A. Warntjes
On Thursday, November 2, 2006
1987/88 Aerial Photography



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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 63-00164A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 30, 2008, with sufficient first-class postage prepaid to the following:

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

NAMPA & MERIDIAN IRR DIST

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

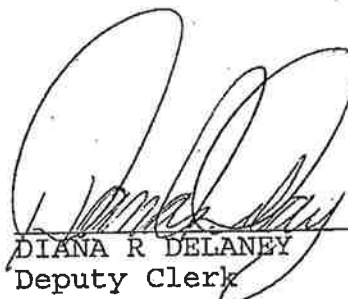
CITY OF BOISE

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

CERTIFICATE OF MAILING

PAGE 1
10/30/08

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



DIANA R DELANEY
Deputy Clerk

DEPARTMENT OF
WATER RESOURCES

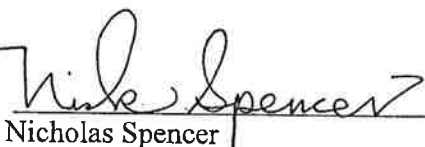
RESPONDENT

United States on behalf of
Bureau of Reclamation


Date 10/15/08

David Gehlert
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

IDWR Concurrence:

 10/1/08 Date
IDWR Agent
 10-8-08 Date
Nicholas Spencer
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on Oct. 15, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

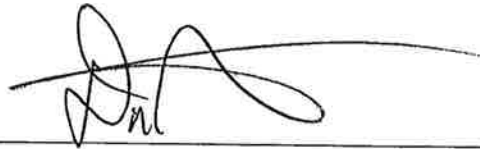
USDI BUREAU OF RECLAMATION

Represented by:

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

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

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

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Signature of person or attorney mailing the form

SF5 Right No. 63-164A

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

RIGHT NUMBER: 63-164A

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

SOURCE: BOISE RIVER
RIDENBAUGH DRAIN

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

The source of this right from the Ridenbaugh Drain is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.800 CFS
189.000 APY

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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1866

POINT OF DIVERSION:

T03N R02E S9 NENW Within ADA County

T03N R02E S9 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.600 CFS 135.00 APY
AESTHETIC	03/01 11/15	0.800 CFS 189.00 APY

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 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.

SF5 Right No. 63-164A

SF5 Right No. 63-164A

PLACE OF USE: IRRIGATION in ADA County

T03N R02E S09	NENW	13.00	T03N R02E S09	NNNW	2.00
T03N R02E S09	SNNW	2.00	T03N R02E S09	SENNW	13.00

AGSTHETIC same as IRRIGATION

30 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 32 in the Boise River Stewart Decree and Boise River Water Distribution Report.

SF5 Right No. 63-164A

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

RIGHT NUMBER: 63-164A

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

SOURCE:	BOISE RIVER	TRIBUTARY: SNAKE RIVER
	RIDENBAUGH DRAIN	TRIBUTARY: BOISE RIVER

The source of this right from the Ridenbaugh Drain is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.800 CFS
189.000 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1866

POINT OF DIVERSION:

T03N R02E S9 NENW Within ADA County

T03N R02E S9 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.600 CFS 135.00 AFY
AESTHETIC	03/01 11/15	0.800 CFS 189.00 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 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.

SF5 Right No. 63-164A

PLACE OF USE: IRRIGATION in ADA County

T03N R02E S09	NENW	13.00	T03N R02E S09	NWNW	2.00
---------------	------	-------	---------------	------	------

T03N R02E S09	SWNW	2.00	T03N R02E S09	SENW	13.00
---------------	------	------	---------------	------	-------

AESTHETIC same as IRRIGATION

30 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 32 in the Boise River Stewart Decree and Boise River Water Distribution Report.

*LORI - COULD YOU DO AN SF5 ON THIS
ONE USING BRYCE FERRIS'S HIGHLIGHTED
LANGUAGE ON PAGE
#2. TKS! Stated
JAN Cont. 9/9/08*

Shurte, Jan

From: Music, Vicky

Sent: Monday, July 21, 2008 1:13 PM

To: Ridgeway, Renea

Cc: Shurte, Jan

Subject: RE: 63-164A

Hey Renea - I am forwarding this to Jan - this one is hers...Vicky

From: Ridgeway, Renea

Sent: Monday, July 21, 2008 11:01 AM

To: Music, Vicky

Cc: Williams, Ray; Spencer, Nick

Subject: 63-164A

Hi Vicky -

The completed recommendation can be sent to my attention and I will make sure the docs are signed as necessary and filed with the Court. Thanks!

Life's a journey. Roll down the window and enjoy the breeze!

Renea Ridgeway
Paralegal
Office of the Attorney General
Natural Resources Division
Idaho Department of Water Resources
(208) 287-4814 office
(208) 287-6700 fax

From: Williams, Ray

Sent: Monday, July 21, 2008 10:53 AM

To: Ridgeway, Renea

Subject: FW: SRBA - SF5 Attachment

Renea, Since this is waste water, I'm sending this your way. I don't think it will be a big rush, as we'll need to wait for Vicky to do the recommendation, and I think she's doing allocations stuff the first part of the week. If you're busy with other stuff, let me know and I can do it. Wanted to keep you in the "loop"..... Thanks - Ray

From: Spencer, Nick

Sent: Monday, July 21, 2008 10:47 AM

To: Music, Vicky; Williams, Ray

Subject: FW: SRBA - SF5 Attachment

Could you do an SF-5 using Bryce's second remark below? Thanks. NBS

From: Malmen, Erika E. (Perkins Coie) [mailto:EMalmen@perkinscoie.com]

Sent: Monday, July 21, 2008 10:44 AM

To: Spencer, Nick

Subject: RE: SRBA - SF5 Attachment

7/23/2008

Please see email from Bryce below and modify per his suggestion. Thanks!

Erika:

Sorry for the delay in getting back to you. The language that has been used for other drain claims is: "The source of this right is waste water. The wasting of water may be discontinued at any time." Since we are only dealing with the diversion from the Ridenbaugh Drain, I think the remark could be modified so that it is specific to the Ridenbaugh Drain. Perhaps something like: "The source of this right from the Ridenbaugh Drain is waste water. The wasting of water may be discontinued at any time."

Thanks, Bryce

Erika E. Malmen, Esq.

Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702

t: 208.343.3434 | f: 208.343.3232 | e:emalmen@perkinscoie.com

From: Spencer, Nick [mailto:Nick.Spencer@idwr.idaho.gov]

Sent: Monday, July 21, 2008 10:42 AM

To: Malmen, Erika E. (Perkins Coie)

Cc: Music, Vicky; Williams, Ray

Subject: RE: SRBA - SF5 Attachment

IDWR likes to prepare the SF-5s wherever possible since that is the most efficient way to update our database. Let us know what the proposed changes are. I am presuming that you simply want the inclusion of the current version of the standard wastewater remark. Is that correct? NBS

From: Malmen, Erika E. (Perkins Coie) [mailto:EMalmen@perkinscoie.com]

Sent: Monday, July 21, 2008 10:34 AM

To: Spencer, Nick

Subject: FW: SRBA - SF5 Attachment

Hi Nick,

I am preparing an SF5 for 63-164A. I need the correct IDWR form to use as an attachment to the SF5 that I can edit accordingly. Please advise where I might obtain that. I have attached a previous SF5 with the attachment I am looking for. Thanks! Erika

Erika E. Malmen, Esq.

Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702

t: 208.343.3434 | f: 208.343.3232 | e:emalmen@perkinscoie.com

From: Graham, Kimberly J. (Perkins Coie)

Sent: Wednesday, July 16, 2008 9:09 AM

To: Malmen, Erika E. (Perkins Coie)

Subject: SRBA - SF5 Attachment

Kim Graham | Legal Secretary

Secretary to Vicki Peterson, Erika E. Malmen, Esq. and Shaina J. Jensen, Esq.

Perkins Coie LLP

251 East Front Street | Suite 400 | Boise | Idaho | 83702

t: 208.343.3434 | f: 208.343.3232 | e: kgraham@perkinscoie.com

7/23/2008

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

RESPONSE FILED
BY BOR (NEED COPY)
RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 05 PM 01:25
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	ORDER SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
_____	)	SUBCASE NO: 63-00164A

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

FRIDAY, JUNE 06, 2008 at 09:30 AM (MT)
NAMPA
120 - 9TH AVE S
NAMPA, ID

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

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

Settlement documents must be filed with the court by
JUNE 02, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

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

(continued)

Dated: MAY 05, 2008

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 05, 2008
with sufficient first-class postage to the following:

NAMPA & MERIDIAN IRR DIST

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

CITY OF BOISE

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

USDI BUREAU OF RECLAMATION

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

RECEIVED

APR 08 2008

DEPARTMENT OF
WATER RESOURCES

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

Attorneys for City of Boise

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

In Re SRBA

Case No. 39576

Subcase Nos. 63-164A

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Erika E. Malmen of the firm Perkins Coie LLP, hereby enters the appearance of said firm as attorneys of record for the City of Boise in this matter for Subcase 63-164A.

DATED: April 4, 2008

PERKINS COIE LLP

By: 
Robert Maynard
Erika E. Malmen
Attorneys for City of Boise

CERTIFICATE OF SERVICE

I, the undersigned, certify that on April 4, 2008, I caused a true and correct copy of the foregoing to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the Rules of Procedure, to the following person(s):

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

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

☐
☐
☒
☐

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

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

☐
☒
☐
☐

United States of America
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand Delivery
U.S. Mail
Facsimile: _____
Overnight Mail

☐
☒
☐
☐

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

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

☐
☒
☐
☐

Nampa & Meridian Irrigation District
1503 First Street South
Nampa, Idaho 83651

Hand Delivery
U.S. Mail
Facsimile: _____
Overnight Mail

☐
☒
☐
☐

Daniel Steenson
S. Bryce Farris
Ringert Clark Chartered
PO Box 2773
Boise, Idaho 83701

Hand Delivery
U.S. Mail
Facsimile: _____
Overnight Mail

☐
☒
☐
☐

David W. Gehlert
Environment and Natural Resource Division
Natural Resources Section
U.S. Department of Justice
1961 Stout Street, 8th Floor
Denver, Colorado 80294

Hand Delivery
U.S. Mail
Facsimile: _____
Overnight Mail

☐
☒
☐
☐



Erika E. Malmen

In Re SRBA	)	A.	Subcase	<u>63-164A</u>
	)			(Insert water right no.)
Case No. 39576	)			
	)			
	)			
	)			
	)			

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

E. REASONS SUPPORTING OBJECTION (S): This claimed water right lists the source as the Ridenbaugh Drain. The Ridenbaugh Drain is a drain which is owned, operated, maintained and controlled by Nampa & Meridian Irrigation District ("NMID") and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by NMID.

VERIFICATION (must be completed)

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


S. Bryce Farris

Notary Public for Shane
Residing at: 2000 Orleans
My Commission Expires: 01/01/12

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on ^{June} ~~May~~ 14, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: City of Boise, Parks & Recreation Department

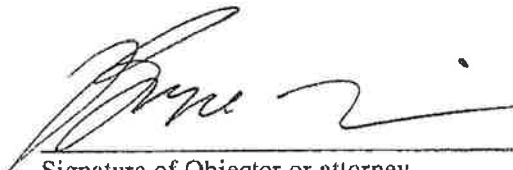
Address: 1104 Royal Blvd.
Boise, Idaho 83706-2898

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

10/27/2006

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

RIGHT NUMBER: 63-164A

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

SOURCE: BOISE RIVER
RIDENBAUGH DRAIN

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 0.800 CFS
189.000 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1866

POINT OF DIVERSION:

T03N R02E S9 NENW Within ADA County
T03N R02E S9 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.600 CFS 135.00 AFY
AESTHETIC	03/01 11/15	0.800 CFS 189.00 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 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.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S09	-	NENW	13.00	T03N R02E S09	NWNW	2.00
T03N R02E S09		SWNW	2.00	T03N R02E S09	SENW	13.00

AESTHETIC same as IRRIGATION

10/27/2006

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

30 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 32 in the Boise River Stewart Decree and Boise River Water Distribution Report.



Idaho Department of Water Resources

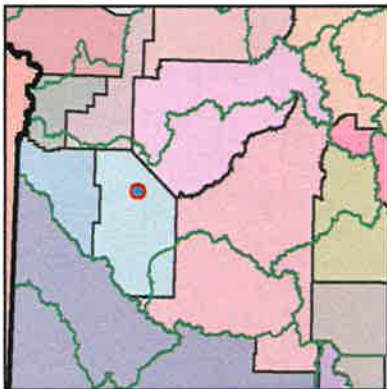
SRBA Recommendation:

63-164A

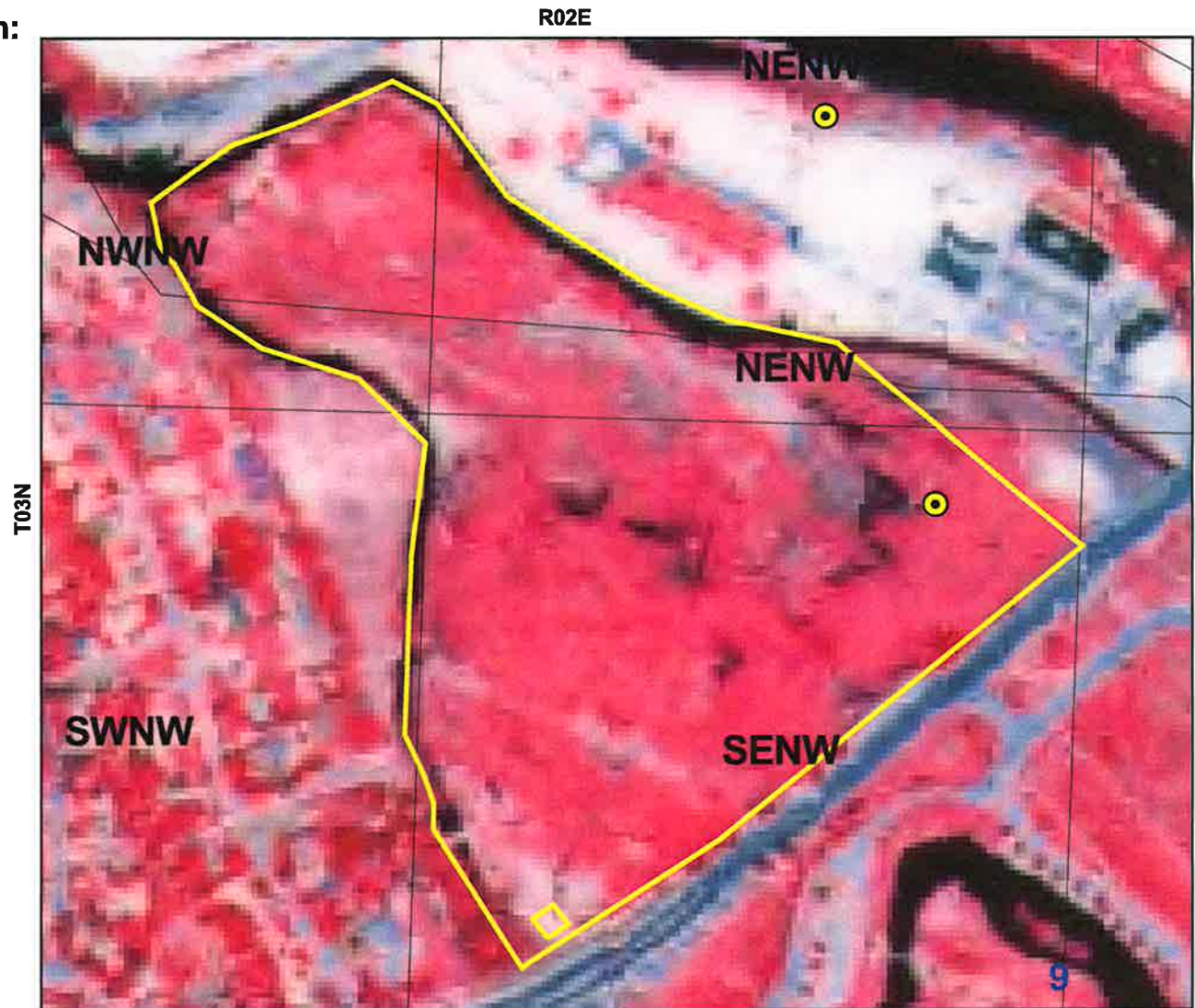
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by A. Warntjes
On Friday, October 27, 2006
1987/88 Aerial Photography

Draft

04/21/2005

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

RIGHT NUMBER: 63-164A

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

SOURCE: BOISE RIVER
RIDENBAUGH DRAIN

TRIBUTARY: SNAKE RIVER
TRIBUTARY: BOISE RIVER

QUANTITY: 0.800 CFS
189.000 AFY

OK

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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1866

POINT OF DIVERSION:

T03N R02E S9 NENW Within ADA County
T03N R02E S9 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	~~03/15~~ 11/15 3-1	0.600 CFS 135.00 AFY
AESTHETIC	~~03/15~~ 11/15 3-1	0.800 CFS 189.00 AFY

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

Delitti

~~Boise R. 504 155~~ OK ON BACK

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

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 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. OK

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S09	NENW	13.0	T03N R02E S09	NWNW	2.0
T03N R02E S09	SWNW	2.0	T03N R02E S09	SENW	13.0

AESTHETIC same as IRRIGATION

30 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Decreed

This right is also designated as Right No. 32 in the Boise River Stewart Decree and Boise River Water Distribution Report. OK

W-ADS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4382
WATER RIGHT NO. 63-00164A

This is to certify that: **CITY OF BOISE**
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706

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>
IRRIGATION	03/15 to 11/15	0.60 CFS	135.0 AF
AESTHETIC	03/15 to 11/15	0.80 CFS	189.0 AF
Totals		* 0.80 CFS	* 189.0 AF

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

Priority: 06/01/1866

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 9, Township 03N, Range 02E
SEnw , Sec. 9, Township 03N, Range 02E
ADA County

<u>PLACE OF USE: IRRIGATION</u>					
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>
03N	02E	9	NENW 13	NWNW 2	SWNW 2
			SEnw 13		
04N	01E	16			
04N	01E	16			
Total number of acres irrigated:					30

PLACE OF USE: AESTHETIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

- EXP 05A 1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
- R32 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- QTY

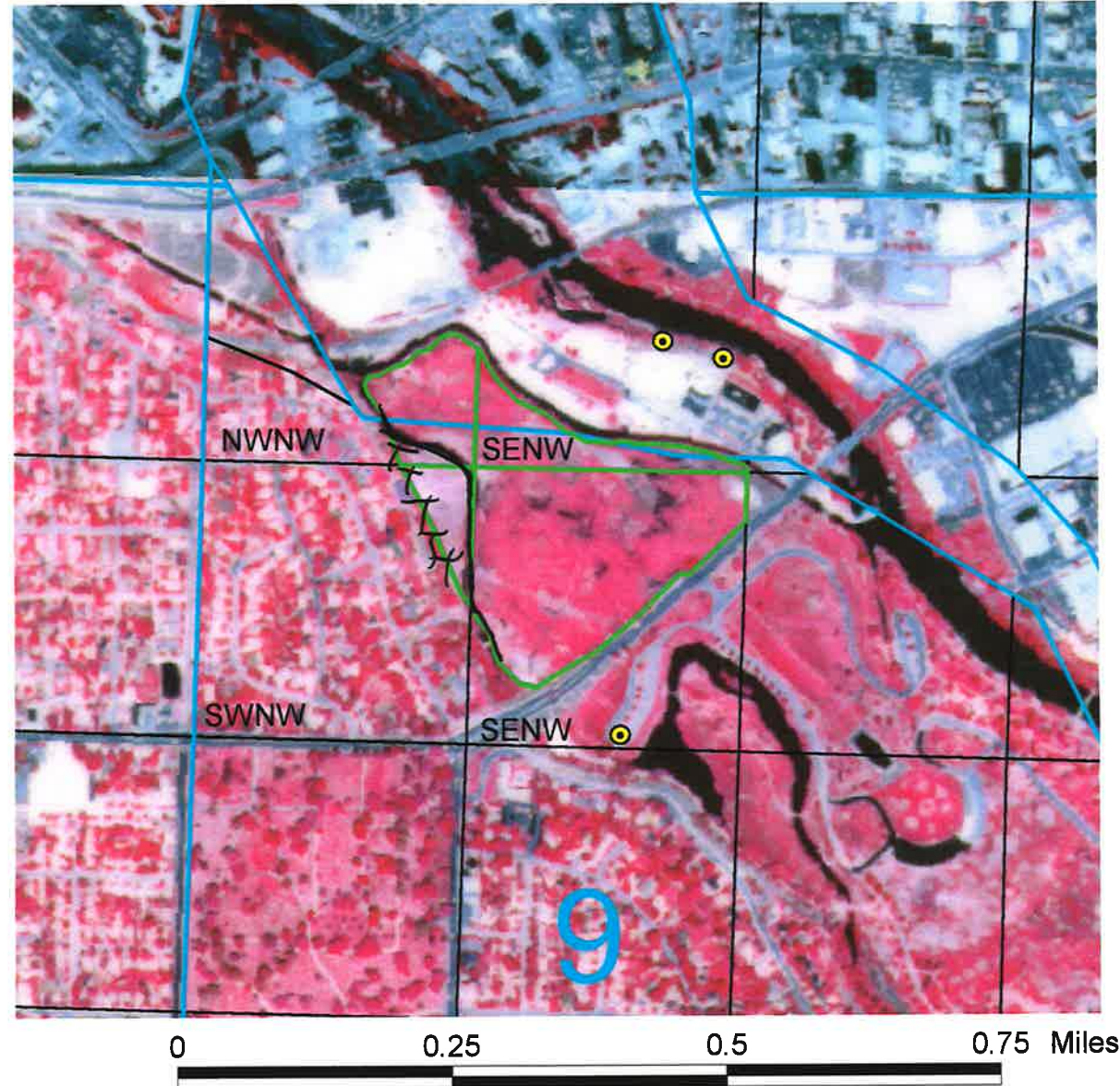
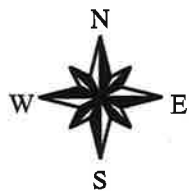
J. Blum Saylor
Chief, Water Alloc. Bureau

Idaho Department of Water Resources

Claim Number: 63-00164A
Legal: T03N, R02E, S09
Reviewed By:

1987 Napp Photo

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



Draft

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-164A V1

WATER RIGHT NUMBER: 63-164A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SCOTTISH RITE MASONIC CENTER INC PO BOX 1653 BOISE, ID
Original Owner	FRANK L LEONARD 302 S JOHNS AVE EMMETT, ID 83617
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240
Original Owner	EDNA LEONARD , ID
Original Owner	J S D MANVILLE , ID

Priority Date: 06/01/1866
Basis: Decreed
Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.600 CFS	135.00 AF
AESTHETIC	03/15 to 11/15	0.800 CFS	189.00 AF
<u>Total Diversion:</u>		0.800 CFS	189.00 AF

Location of Point(s) of Diversion

BOISE RIVER ADA County	NE1/4NW1/4	Sec. 9, Twp 03N, Rge 02E, B.M.
RIDENBAUGH DRAIN ADA County	SE1/4NW1/4	Sec. 9, Twp 03N, Rge 02E, B.M.

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	9					13.0	2.0	2.0	13.0									30.0

Total Acres: 30

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-164A V1

AESTHETIC same as IRRIGATION

Conditions of Approval:

1. 155 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S45 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 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.

Remarks:

1. Explanatory This right is also designated as Right No. 32 in the Boise River Stewart Decree and Boise River Water Distribution Report.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-164A V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	4/8/2005 1:04:34 PM	awarntje			Active
Priority Date	4/8/2005 1:09:37 PM	awarntje			Active
Use	4/8/2005 1:11:52 PM	awarntje			Active
POU	4/8/2005 1:36:49 PM	awarntje			Active
POD	4/8/2005 1:46:59 PM	awarntje			Active
Source	4/8/2005 1:47:24 PM	awarntje			Active
Season	4/8/2005 1:49:23 PM	awarntje			Active
Quantity	4/8/2005 1:50:57 PM	awarntje			Active
Summary			04/08/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/8/2005 1:04:35 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164A V1

Use	4/8/2005 1:11:53 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Does the change include an enlargement of the Purpose of Use? (No) 12. Did the claimant file a transfer? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	4/8/2005 1:27:48 PM	awarntje	Edited shape boundary
POU	4/8/2005 1:33:29 PM	awarntje	Edited shape boundary
POD	4/8/2005 1:46:26 PM	awarntje	Edited point location
Summary	4/8/2005 1:52:03 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	4/8/2005 1:09:37 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	4/8/2005 1:36:49 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164A V1

POD	4/8/2005 1:46:59 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	4/8/2005 1:47:25 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Season	4/8/2005 1:49:24 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	4/8/2005 1:50:58 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
POD	4/8/2005 1:46:43 PM	awarntje	Edited point location

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4382
WATER RIGHT NO. 63-00164A

This is to certify that: CITY OF BOISE
PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706

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>
IRRIGATION	03/15 to 11/15	0.60 CFS	135.0 AF
AESTHETIC	03/15 to 11/15	0.80 CFS	189.0 AF
Totals		* 0.80 CFS	* 189.0 AF

SOURCE

RIDENBAUGH DRAIN
BOISE RIVER

TRIBUTARY OF

BOISE RIVER
SNAKE RIVER

Priority: 06/01/1866

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 9, Township 03N, Range 02E
SENEW , Sec. 9, Township 03N, Range 02E
ADA County

PLACE 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	9	NENW 13	NWNW 2	SWNW 2	30
			SENEW 13			
~~04N~~	~~01E~~	~~16~~				
~~04N~~	~~01E~~	~~16~~				

Total number of acres irrigated: 30

PLACE OF USE: AESTHETIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED

DEC 11 1995

TRANSFER NO. 4382
WATER RIGHT NO. 63-00164A

CONDITIONS OF APPROVAL AND REMARKS

3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *9. The total instantaneous diversion of water from all points of diversion under Transfer No. 4382 shall not exceed 0.80 cfs, nor total combined annual volume of 189.0 af.
10. Diversion of water from the points of diversion identified from the Boise River are limited to those times water is available for diversion under this right and priority from the historical point of diversion and source, the Ridenbaugh Drain.
11. Two points of diversion are located within NENW, S09, T03N, R02E.

Dated this 15th day of November, 1995


Chief, Water Alloc. Bureau

MICROFILMED

DEC 1 1995

MEMORANDUM

April 6, 1995

TO: Transfer 4382
FROM: Cindy Hodges
RE: Transfer Analysis

Purpose of Transfer

The essence of transfer 4382 is to modify a portion of decreed right 63-00164A (and related SRBA combined claim A63-19274) to accommodate the ponds which were constructed at Kathryn Albertson park. Transfer also proposes to add diversion points. Analysis is with respect to 63-00164A only.

Place of use does not change under transfer. Recorded acres, SRBA claim acres and NAPP acres are consistent within NW Section 9 (see attached), although QQ totals have shifted slightly. There is no indication that beneficial use under the right has forfeited. No expansion will occur, as the ponds were constructed on previously irrigated acres. In fact, with the development of the park, there is a good chance that total wetted acres has decreased.

Change in Nature of Use

Of the original 42 acre irrigation right, 30 acres will be retained as irrigation, with the ponds constructed on the remaining 12 acres (avg pond depth = 3 ft). Nature of use must be modified to show storage for irrigation and aesthetic purposes. The transfer application does not show this clearly. Suggest the following component breakdown:

Irrigation	0.571 cfs✓	135 AFA✓	3/15 to 11/15✓
Irrigation Storage		36 AFA✓	3/15 to 11/15
Aesthetic	0.228 cfs✓	54 AFA	3/15 to 11/15
Aesthetic Storage		36 AFA✓	3/15 to 11/15
Div to Storage	0.800 cfs✓		3/15 to 11/15✓
Total	0.800 cfs	189 AFA	

Applicant would like to show aesthetic uses and diversion to storage on a year-round basis. Precedent does not support this change, so I do not recommend it. Applicant may file a separate application for permit for winter diversion.

The Watermaster indicates that diversion works at K.A. park are more than adequate to divert 0.80 cfs, dependent on flow availability. Because this is not a regulated diversion (see below), Watermaster records are projected rather than actual. Lee Sisco feels that, over a full season, the right is generally appropriated at close to 100%. For purposes of change in nature of use analysis, deliveries of 63-00164A can safely be presumed to have occurred at 100%, diverted adjacent to the place of use, over the past five years, thus eliminating the need for both ditch loss analysis and calculation of beneficially used volume based on priority cuts.

MICROFILMED
DEC 11 1995

Addition of Diversion Points

The recorded point of diversion of this right is on the Ridenbaugh Drain. The transfer proposes to add two new points of diversion directly from the Boise River at K. A. park, while retaining the P/D on Ridenbaugh Drain. The new points are located on the Settlers/Pioneer diversion channel. Optional points of diversion which are on the river rather than on the drain are desired due to diminishing or inadequate summer flows in Ridenbaugh Drain.

The transfer originally proposed to clarify the recorded point of diversion, in SENW Section 9, to a point of diversion at the head of the Bubb (aka Rossi-Mill) Canal in NWSE Section 24. When I first spoke to Paul Philbrook of Boise Parks, he told me this was the historical diversion point for all the water used within Ann Morrison and Kathryn Albertson parks. The Rossi-Mill canal does contribute to the Ridenbaugh Drain, however, Watermaster records do not show delivery of 63-00164A at the head of the Rossi-Mill canal. The recorded 00164A P/D in SENW Section 9 is recognized by the Watermaster as a diversion from a unique source and implies an accomplished source change which would have to be addressed should that point of diversion be abandoned.

To change the recorded point of diversion back to NWSE Section 24 has some fairly radical implications in delivery of this right. Lee Sisco has advised that a point of diversion directly from Ridenbaugh Drain is not actively regulated, under the concept of futile call. Ridenbaugh Drain is not directly tributary to the Boise River. However, delivery of the same right at a Boise River diversion would be subject to all priority cuts. Over the past 9 years, rights with this priority (6/1/1866) have been cut to 60% by late June or early July. In 1992, this priority was cut to zero on August 13. See attached decree cut schedule.

It is also questionable whether this right could be realistically delivered through the Rossi-Mill Canal to Ridenbaugh Drain. Lee appears skeptical; I agree and advised Boise Parks that it would be prudent to leave the Ridenbaugh diversion alone. Ultimately, the point of diversion in Section 24 was deleted from the transfer and replaced with the original point of diversion in SENW Section 9. This will be the primary diversion. New P/Ds will be optional diversions to be used as required. Boise Parks believes that flows in Ridenbaugh Drain fall low enough in the summer that an allowable diversion of only 60% of the right directly from the Boise River would be advantageous.

If the use of the added Boise River diversions can pass Watermaster review and are approved, I would anticipate active regulation of both the new and existing diversions at any time the new diversion(s) are being utilized.

Accomplished Source Change and Related Information

As Lee and I went over the maps of this area and discussed historical and current deliveries, it became evident right away that there is not a clear understanding of source and point of diversion for either 63-00164A or 63-00164C (used in Ann Morrison, not involved in the transfer). Compounding the confusion is the fact that certain canal names as shown on the USGS topo maps are incorrect (according to Boise River delivery schedule).

So, for the record, the following is transcribed from a Jan 27, 1995 meeting with Lee Sisco at the Board of Control Office. Please refer to the two attached maps in order to follow along with the ensuing narrative.

APPROVED
DEC 11 1995

What Boise Parks refers to as the Bubb Canal is actually the Rossi-Mill Ditch. The diversion in NWSE Section 24 is really the Loggers Creek diversion. The Rossi-Mill Ditch diverts from Loggers Creek in NWNW Section 24. The Bubb diversion is in Section 30. The Bubb Canal is separate from and runs to the south of the Rossi-Mill Ditch. The old Gallagher Canal shown on the maps has been incorporated into the Bubb Canal.

Both the Rossi-Mill Ditch and the Bubb Canal are tributary to the Ridenbaugh Drain, which has its headwaters in NW Section 26. Rossi-Mill terminates at the drain in Section 15. Ridenbaugh Drain flows just below (to the north of) the Ridenbaugh Canal, travelling along Federal Way Blvd, under Boise Ave. and Capitol Blvd, and into the Ann Morrison Park duck ponds. The outflow from the duck ponds re-enters R. Drain, crosses Americana Blvd and traverses the southern boundary of K. A. Park, then discharges into the Settlers/Pioneer channel.

When decreed, the original Leonard right 63-00164 was diverted from the main channel Boise R. in NENE Section 15, in the vicinity of BSU. The entire P/U was originally situated within SE $\frac{1}{4}$ Section 9, where Ann Morrison Park is now located. The Section 15 diversion has not been used for this right since as early as 1920 (Lee's estimate). It is felt that the change to Ridenbaugh Drain likely occurred about that time, as the land under Ann Morrison Park continued to be irrigated. Transfers 1855 and 1906 split the Leonard right in 1975, with part B delivered through Farmer's Union Canal to Syringa Gardens off HWY 55, and Part A moved to its current location in NW Section 9. At the time of the 1975 transfers, the source for both 63-00164A and 63-00164C was and still is the Ridenbaugh Drain. This would explain the recorded P/D on the drain itself, but does not explain why the source was left as Boise River. Although technically Boise R. waste water, Ridenbaugh Drain does not have a direct diversion from the Boise River.

The clarification necessary for this transfer more appropriately may be one of source rather than of P/D. If the added P/D's from Boise River were approved, both Boise River and Ridenbaugh Drain should be shown as sources contributing to a common system.

For SRBA claim A63-19274, suggest a split back into root numbers 00164A and 00164C, with 00164A reflecting changes pursuant to this transfer, and amendment sought to re-establish Ridenbaugh Drain diversion for 00164C.

RECEIVED
DEC 11 1995

MEMORANDUM

TO: FILE NO. 63-00164A
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4382
DATE: November 13, 1995

=====

Transfer No. 4382 was filed to add points of diversion and use, clarify source, and change and reduce the place of use to more accurately reflect historical use under Right No. 63-00164A.

This right was originally decreed from the Boise River, but over time the actual diversion and use has altered (See Region Memo). The right has been diverted from the Ridenbaugh drain since approximately 1920. The drain is fed by wastewater from canals diverting Boise River water, but no direct diversion from the river occurs. Ridenbaugh Drain has been added to this right as the historical source and Boise River retained as the second source for the proposed additional points of diversion.

Two new points of diversion have been proposed directly from the Boise River via the Settler's/Pioneer channel. Diversion from these points of diversion are limited to the availability of water from the historical source, Ridenbaugh Drain. Total diversion from all points of diversion is limited to the original parameters of the right, 0.80 cfs and 189.0 afa.

Aesthetic use has been added as a second, simultaneous use. Irrigation has been reduced from 42 original acres to 30 currently irrigated. The rate of diversion for irrigation has been adjusted to allow the maximum rate of diversion of 0.02 cfs/acre or 0.60 cfs. The combined simultaneous uses are limited to the original diversion volume for 42 acres or 189.0 afa and the consumptive use volume is reduced.

The season of use and diversion volume were adjusted to current standards. Approval of Transfer No. 4382 will modify that portion of SRBA combined right Claim No. A63-19274 identified as A63-00164A.

Recommended conditions include watermaster control, irrigation overlap, right-of-way, multiple points of diversion/measuring devices, future annual reporting and standard transfer conditions.

DEC 11 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 5, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notices of Claim to a Water Right

KARL J. DREHER
DIRECTOR

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

Dear Claimant:

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

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

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

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

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

PUBLIC WORKS DEPARTMENT
CITY HALL
4TH FLOOR



H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

March 23, 1999

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

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

Dear Ms. Buffington:

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

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

Sincerely,

Beth K. Baird
Environmental Program Coordinator

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-164ADate Received 10/22/2004Receipt Number C075588

AMENDED CLAIM

NOTICE OF CLAIM

AMENDED CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CITY OF BOISE, PARKS & RECREATION DEPT Phone (208) 384 4240Mailing Address 1104 ROYAL Blvd Boise Zip 83706-28982. Date of Priority (Only one (1) per claim) 6/1/18663. Source of water supply (a) Ridenbaugh Draw / Boise River
which is tributary to (b) Boise River / Snake River4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of AdaAdditional points of diversion if any: T3N R2E S9 SE NW

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 of5. 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.Ridenbaugh Draw flows into the
Park directly into ditches and ponds. The Boise River diversion is located
on the Senter's Canal and consists of a circular intake structure
with a buried pipe to a pump house on the canal bank. Buried pipeline
to irrigation system (sprinklers) and ponds.

SCANNED

APR 28 2008

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For MUNICIPAL purposes from 3/15 to 11/15 amount .8 or 189.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .8 (cfs) and/or (b) 189.0 (acre feet)

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

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

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols. *WITHIN CITY OF BOISE MUNICIPAL Service Area as defined by CITY OF BOISE Service Area MAP, September 2004*

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

Total number of acres irrigated _____

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

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

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

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

ALL CITY OF BOISE MUNICIPAL WATER RIGHTS or None ()

14. Remarks:

HISTORIC IRRIGATION USE

Last Name CITY OF BOISE Ident No. 63-164A

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date JAN. 18, 1906

Plaintiff vs Defendant FARMERS CO-OP DITCH CO. v S 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 _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am DIRECTOR

Title

of CITY OF BOISE PARKS & RECREATION DEPARTMENT, that I have signed the foregoing

Organization

document in the space below as DIRECTOR of CITY OF BOISE PARKS & RECREATION

Title

Organization

DEPARTMENT

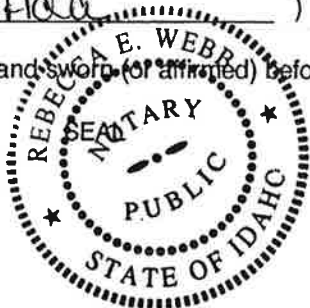
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James R. Hill

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

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

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



Notary Public Rebecca E. Webb

Residing at Ada County - Boise ID

My Commission Expires 7/2009

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Matthew W. Hill 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 Matthew W. Hill

Address CITY OF BOISE Legal Department
PO Box 500 Boise ID 83701

Date 9-24-07

Last Name CITY OF BOISE Ident. Number 03-164A

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 63-164A
Date Received: 10/20/1989
Receipt No: X999999
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 06/01/1866

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	9	NE NW	ADA	
03N	02E	9	SE NW	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	03/15	11/15	0.8	189

7. Total Quantity Appropriated is:
0.8 C.F.S. and/or 189 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

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

15. Basis of Claim: Decreed

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

63-164A

Date Received

10-22-04

Receipt Number

AMENDED CLAIM

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED CLAIM

Please type or print clearly

1. Name of Claimant (s) CITY OF BOISE, PARKS & RECREATION DEPT Phone (208) 384 4240Mailing Address 1104 ROYAL BLVD Boise Zip 83706-28982. Date of Priority (Only one (1) per claim) 6/1/18663. Source of water supply (a) Ridenbaugh Draw / Boise River
which is tributary to (b) Boise River / Snake River4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of AdaAdditional points of diversion if any: T3N R2E S9 SE NW

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.

Ridenbaugh Draw flows into the
park directly into ditches and ponds. The Boise River diversion is located
on the Settlers Canal and consists of a circular intake structure
with a buried pipe to a pump house on the canal bank. Buried pipeline
to irrigation system (sprinklers) and ponds.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For MUNICIPAL purposes from 3/15 to 11/15 amount .8 or 189.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .8 (cfs) and/or (b) 189.0 (acre feet)

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

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

10. Description of place of use:

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

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

*WITHIN CITY OF BOISE
MUNICIPAL Service Area
as defined by City of Boise
Service Area MAP, September 2004*

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

Total number of acres irrigated _____

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

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

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

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

ALL CITY OF BOISE MUNICIPAL WATER RIGHTS or None ()

14. Remarks:

HISTORIC IRRIGATION USE

Last Name CITY OF BOISE Ident No. 63-164A

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

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date JAN. 18, 1906

Plaintiff vs Defendant FARMERS CO-OP DITCH CO. vs 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 _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am DIRECTOR

Title

of CITY OF BOISE PARKS & RECREATION DEPARTMENT, that I have signed the foregoing

Organization

document in the space below as DIRECTOR of CITY OF BOISE PARKS & RECREATION

Title

Organization

DEPARTMENT

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

Signature of Authorized Agent Jenna K. Huff

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

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

Subscribed and sworn (or affirmed) before me this

15th

day of September 2004

Notary Public Rebecca Webb

Residing at Ada County - Boise ID

My Commission Expires 7/2009

Please Print Name

17. Notice of Appearance:

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

Signature [Signature]

Address CITY OF BOISE Legal Department

Date 9-24-07

Last Name CITY OF BOISE Ident. Number 03-164A

Airport Water Rights
9/13/04

Initial IOWR Review Notes

"Additional Cost to Change Claim to
Municipal" and "New Claims
Municipal Use Cost" to be paid Idaho
Dept. of Water Resources

amended
Not in stock of claims

Water Right Number	Location	Use	Diversion Rate	Acres	Adjudication Status	Original Claim Cost	Municipal Use Cost	Additional Cost to Change Claim to Municipal	Cat.
63-02845 ✓	Gowen Field ✓	Protect/Dom	2.7 ✓		Claimed ✓	50	320 ✓	270	1
63-05254 ✓	6550 Victory ✓	Dom/Irr	3z 0.23	3	Claimed	53	73 8z	20	3
63-05354 ✓	3205 S. Curtis	Municipal	0.18	0	Claimed	68	-	-	1
63-15616	2918 Pond St.	Domestic	0.04	0	Partial Decree	25	54		3
63-15867	2600 S. Empire Way	Domestic	0.04	0	Partial Decree	25	54		3
63-15896	2525 S. Liberty	Dom/stock	0.06	0	Partial Decree	25	54		3
63-16164	2920 Empire	Domestic	0.04	0	Partial Decree	25	54		2
63-17303	2805 Empire Way	Domestic	0.04	0	Partial Decree	25	54		3
63-17604	7105 Victory	Domestic	0.04	0	Partial Decree	25	54		3
63-17734	3055 Beverly	Domestic	0.04	0	Partial Decree	25	54		3
63-17980	2491 Beverly	Domestic	0.04	0	Partial Decree	25	54		3
63-18216	6560 Elder	Domestic	0.04	0	Partial Decree	25	54		2
63-18358	7255 Victory	Domestic	0.04	0	Partial Decree	25	54		3
63-19013	2424 S. Liberty	Dom/Irr	0.085	1.5	Claimed	51.5	58.5	7	3
63-22339	7205 Victory	Domestic	0.04	0	Partial Decree	25	54		3
63-22580	3306 Raymond	Domestic	0.06	0	Partial Decree	25	54		2
63-24099	3195 Beverly	Dom/stock	0.06	0	Partial Decree	25	54		3
63-24139	3115 Beverly	Domestic	0.04	0	Partial Decree	25	54		3
63-31121	Golf and Rec Club	Domestic	0.04		Claimed	25	54	29	1
63-31564	2909 Curtis Rd.	Domestic	0.04	0	Recommended	25	54	29	2
63-31565	2580 Empire St.	Domestic	0.04	0	Recommended	25	54	29	2
63-31566	2403 Liberty St.	Domestic	0.04	0	Recommended	25	54	29	3
63-31567	6120 Victory	Domestic	0.04	0	Recommended	25	54	29	3
63-31569	6214 Victory Rd.	Domestic	0.04	0	Recommended	25	54	29	2
63-31570	2615 Liberty St.	Domestic	0.04	0	Recommended	25	54	29	2
63-31571	2711 S. Curtis Rd.	Domestic	0.04	0	Recommended	25	54	29	2
63-31572	2545 Fry St.	Domestic	0.04	0	Recommended	25	54	29	3
63-31573	2700 Beverly St.	Domestic	0.04	0	Recommended	25	54	29	3
63-31574	2711 Fry St.	Domestic	0.04	0	Recommended	25	54	29	3
63-31575	2619 Beverly St.	Domestic	0.04	0	Recommended	25	54	29	3
63-31576	2615 Janeen St.	Domestic	0.04	0	Recommended	25	54	29	1
63-31577	2625 Curtis	Domestic	0.04	0	Recommended	25	54	29	1
63-31578	2935 Curtis	Domestic	0.04	0	Recommended	25	54	29	1
63-31579	2830 Janeen St.	Domestic	0.04	0	Recommended	25	54	29	1
63-31580	2802 Janeen St.	Domestic	0.04	0	Recommended	25	54	29	1
63-31581	2785 Janeen St.	Domestic	0.04	0	Recommended	25	54	29	1
63-31582	5990 Victory	Domestic	0.04	0	Recommended	25	54	29	1
63-31607	5310 Victory	Domestic	0.04	0	Recommended	25	54	29	2
63-31608	2725 Phillippi	Domestic	0.04	0	Recommended	25	54	29	1
63-31609	2913 Phillippi	Domestic	0.04	0	Recommended	25	54	29	1

63-31610	2787 Eagleson	Domestic	0.04	0 Recommended	25	54	29	1
63-31611	2590 Curtis	Domestic	0.04	0 Recommended	25	54	29	1
63-31612	2900 Curtis	Domestic	0.04	0 Recommended	25	54	29	1
63-31613	2714 Curtis	Domestic	0.04	0 Recommended	25	54	29	2
63-31614	6400 Elder	Domestic	0.04	0 Recommended	25	54	29	2
63-31615	6330 Diamond	Domestic	0.04	0 Recommended	25	54	29	2
63-31616	6675 Victory	Domestic	0.04	0 Recommended	25	54	29	3
63-31617	6207 Victory	Domestic	0.04	0 Recommended	25	54	29	2
63-31618	6355 Victory	Domestic	0.04	0 Recommended	25	54	29	2
63-31619	5847 Gowen	Domestic	0.04	0 Recommended	25	54	29	3
63-31692	5717 Malad	Domestic	0.04	0 Claimed	25	54	29	1
63-31694	2513 Janeen	Domestic	0.04	0 Claimed	25	54	29	2
63-31695	2624 Empire	Domestic	0.04	0 Claimed	25	54	29	2
63-31696	2700 Empire	Domestic	0.04	0 Claimed	25	54	29	2
63-31697	6409 Elder	Domestic	0.04	0 Claimed	25	54	29	1
63-31698	5802 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31699	6611 Victory	Domestic	0.04	0 Recommended	25	54	29	3
63-31700	2560 Cole	Domestic	0.04	0 Claimed	25	54	29	3
63-31701	3043 Wright	Domestic	0.04	0 Claimed	25	54	29	3
63-31702	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31703	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31704	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31705	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31706	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31707	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31709	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31710	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31711	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31712	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31713	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29	1
63-31714	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31715	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31716	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31717	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31718	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31719	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31720	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31721	5521 Victory	Domestic	0.04	0 Claimed	25	54	29	1
63-31722	2913 Eagleson	Municipal	0.12	0 Claimed	62	-	-	1
63-31750	2674 Fry	Municipal	0.04	0 Claimed	54	-	-	3

TOTAL 2,037

New Claims

6909 Victory	Municipal	0.04	Claim in process	54	-	-	3
3244 Beverly	Municipal	0.04	Claim in process	54	-	-	3
2888 Fry	Municipal	0.04	Claim in process	54	-	-	3

TOTAL 162

**TOTAL \$2,037 +
\$162 = \$2,199**

City of Boise Public Works Department Water Right
Claims and Cost of Amendments to Municipal Use
9/13/2004

WR#	Location	SRBA Status	Claimed Use	Acres	Orginal Claim Cost	Muni Claim Cost	Add. Cost to Change Claim to Muni
63-21814	891 Lander St.	Partial Decree	Domestic		25		-
63-30137B	TMSF	Claimed	Irrigation	322	372	694	322
63-15489	TMSF	Recommended	Dom/Stock		25	67	42
63-15491	TMSF	Partial Decree	Domestic		25		-
63-30138	TMSF	Claimed	Domestic		25	62	37
63-03013	TMSF	Claimed	Irrigation	270	320	380	60
63-03014	TMSF	Claimed	Irrigation	182	232	324	92
02-02268B	TMSF	Claimed	Irr/Mitigation	-	NA		-
63-07005B	TMSF	Claimed	Irrigation	300	350	650	300
63-07042B	TMSF	Claimed	Irrigation	240	290	440	150
63-07053	TMSF	Claimed	Irr/Stock	305	355	690	335
63-07047	TMSF	Claimed	Dom/Stock/Irr	120	170	303	133
63-07078B	TMSF	Claimed	Irr/Stock	366	416	390	0
63-07055C	TMSF	Claimed	Irrigation	78	128	89	0
63-07055D	TMSF	Claimed	Irrigation	73	123	197	74
63-07055A	TMSF	Claimed	Irr/Stock	218	268	497	229
63-07064A	TMSF	Claimed	Irrigation	160	210	370	160
63-07064B	TMSF	Claimed	Dom/Irr	158	208	365	157
63-15492	TMSF	Partial Decree	Domestic		25		-
63-18683	TMSF	Recommended	Dom/Stock		25	66	41
63-07755B	TMSF	Claimed	Irrigation Water Quality Improvement	286	336	534	198
63-08125	West Boise	Claimed			117	117	0
63-08130B	TMSF	Claimed	Irrigation	108	158	266	108
63-08435	TMSF	Claimed	Irrigation	240	290	530	240
63-09243	TMSF	Claimed	Irrigation	173	223	310	87
63-09359	TMSF	Claimed	Irrigation	78	128	167	39
63-12312	West Boise	Claimed - 1996	Industrial		137		- Not amended to municipal
63-12351	Lander St.	Claimed - 1996	Heat/Cool		51		- Not amended to municipal
63-12461	TMSF	Claimed - Permit	Irrigation	320	370		- Not amended to municipal
63-12470	TMSF	Claimed - Permit	Irr/Stock	440	490		- Not amended to municipal

63-12575	Lander St.	Claimed - Permit	Municipal Cooling Heating Fish Propagation Commercial	59	-	Not amended to municipal
63-09138	Undev. Geothermal	Not Claimed - Permit	Irrigation Municipal Cooling Heating		-	
63-09139	Geothermal	Not Claimed - Permit	Irrigation		-	
				TOTAL		
				\$2,804		

Other City of Boise Departments' Claims and Amendments to Municipal

Fire Department

63-15874	6030 Gary Lane	Partial Decree	Domestic	25	-	-
63-17499	6020 Gary Lane	Partial Decree	Domestic	25	-	-
63-15873	6030 Gary Lane	Partial Decree	Domestic	25	-	-
	2515 S. Five Mile	Claim in process	Municipal		54	-

Planning & Development Services Department

63-30449	1121 S. Capitol Blvd.	Claimed	Domestic	25	54	29
----------	-----------------------	---------	----------	----	----	----

TOTAL \$54 + \$29 = \$83

**Total from Public Works
Department Total \$2,887**

City of Boise Water Right Claims; Documentation Regarding
Priority Dates on Undeclared Claims, 9/2004

Address	Structure 1st seen in aerials (1938, 1949, 1958, 1964, 1969, 1978 reviewed)	Address 1st found in Polk's Directory	County Assessor's Tax Database	Well Log	WR #, Priority Date, & Source
2590 Curtis	1958	1975	No information	None found	63-31611; 6/1/58; aerial
5717 Malad	1978	1960	No information	None found	63-31692; 6/1/78; aerial
6675 Victory	1958	1976	Built 1973	None found	63-31616; 6/1/48; Assessor
6207 Victory	1978	1976	Built 1973	None found	63-31617; 6/1/73; Assessor
6330 Diamond	1969	1968	No information	None found	63-31615; 6/1/68; Polk's
2711 Curtis	1964	1961	No information	None found	63-31571; 6/1/61; aerial
2909 Curtis	1964	1961	Built 1960	None found	63-31564; 6/1/60; assessor
5802 Victory	1969	1969-70	No information	None found	63-31698; 1/1/69; aerial
6120 Victory	1964	1972	No information	None found	63-31567; 1/1/64; aerial
2513 Janeen	1969	1969-70	Built 1930	None found	63-31694; 6/1/30; assessor
2580 Empire	1978	1973	No information	None found	63-31565; 6/1/73; Polks
2424 S Liberty	1964	1962	Built 1961	None found	existing claim 63-19013; 12/31/59
2403 Liberty	1969	1964	Built 1965	None found	63-31566; 6/1/65; assessor
2805 Empire	1969	1972	Built 1962	None found	existing claim 63-17303; 1/31/57; decreed
6214 Victory	1958	1964	No information	None found	63-31569; 6/1/58; aerial
2615 Liberty	1969	1977	No information	1984	63-31570; 1/1/69; aerial
6550 Victory	1964	1964	Built 1960	None found	existing claim 63-05254; 7/1/60
2545 Fry	1978	1985	Built 1978	1972 ?	63-31572; 6/1/78; assessor
2700 Beverly	1995	1988	Built 1986	1984 ?	63-31573; 6/1/86; assessor
2711 Fry	1978	1981	Built 1975	None found	63-31574; 6/1/75; assessor
2560 S. Cole	1938	1985	Built 1978	None found	63-31700; 6/1/38; aerial
2619 Beverly	1978	1980	Built 1979	None found	63-31575; 6/1/79; assessor

Address	Structure 1st seen in aerials (1938, 1949, 1958, 1964, 1969, 1978 reviewed)	Address 1st found in Polk's Directory	County Assessor's Tax Database	Well Log	WR #, Priority Date, & Source
3205 Curtis	1938	1961	No information	None found	05354; 1/1/1900; claim filed by Boise City
5847 W. Gowen Rd	1969	1988	Built 1952	1972 ?	63-31619; 6/1/52; Assessor
5310 Victory	1938	1955	Built 1900	1998 replacement	63-31607; 6/1/1900; assessor
2615 Janeen	1964	1964	No information	None found	63-31576; 6/1/64; aerial + Polks
6355 Victory	1958	1969-70	No information	None found	63-31618; 6/1/1958; aerial
2625 Curtis	1958	1976	No information	None found	63-31577; 6/1/58; aerial
2935 Curtis	1978	1973	No information	1972 ?	63-31578; 1/1/73; Polks
2913 Phillippi	1949	1955	No information	None found	63-31609; 6/1/49; aerial
2725 Phillippi	1958	1955	No information	None found	63-31608; 6/1/55; Polks
2913 Eagleson	none; house on neighboring parcel, cultivated land in 1958; but well on parcel	Never found	-	None found	63-31722; 6/1/58; aerial
2900 Curtis	1938	1955	No information	None found	63-31612; 6/1/38; aerial
2787 Eagleson	1978	Never found	No information	None found	63-31610; 6/1/78; aerial
2714 Curtis	1958	1961	Built 1952	None found	63-31613; 6/1/52; assessor
5521 Victory	1938	1956	No information	None found	See other spread sheet for individual parcel info
3032 Hilton	1938	1963	No information	None found	See other spread sheet for individual parcel info
2830 Janeen	1964	1973	No information	None found	63-31579; 6/1/64; aerial
2802 Janeen	1978	1962	No information	None found	63-31580; 6/1/62; Polks
2785 Janeen	1964	1973	No information	None found	63-31581; 6/1/64; aerial
6400 Elder	1949	1973	Built 1957	None found	63-31614; 6/1/57; aerial
6409 Elder	1978	1975	No information	None found	63-31697; 1/1/75; Polks
3015 Janeen	1969	1980	No information	None found	63-31582; 6/1/69; aerial
3883 Orchard				1973	63-31121; 3/31/73; well log

Address	Structure 1st seen in aerials (1938, 1949, 1958, 1964, 1969, 1978 reviewed)	Address 1st found in Polk's Directory	County Assessor's Tax Database	Well Log	WR #, Priority Date, & Source
Gowen Field				None found	<u>existing license</u> , claimed; 63-02845; 2/15/51
6611 Victory	1958	1989	Built 1942	None found	63-31699; 6/1/42; assessor
2624 Empire	1969	1975	No information	None found	63-31695; 6/1/69; aerial
2700 Empire	1958	1975	Built 1957	None found	63-31696; 6/1/57; assessor
3043 Wright St.				1981	63-31701; 12/3/81; well log
2674 Fry	1978		built 1975	None found	63-31750; 6/1/1975; assessor
6909 Victory	1958		built 1990	None found	claim in process; 1/1/1958; aerial
3244 Beverly	1978		built 1976	None found	claim in process; 6/1/1976; assessor
2888 Fry	1978		Built 1976	None found	claim in process; 6/1/1976; assessor
2515 S. Five Mile			Built 1976	None found	claim in process; 6/1/1976; assessor
1121 S. Capitol Blvd.			* City Community Housing records indicate construction date was 12/31/1949. Well is underneath the building.	None found	63-30449; 12/31/1949*

Priority Date Information for 5521 Victory and 3201 Hilton

Original Lot/Block	Original Parcel Number	Original Address(es)	Structures 1st seen on aerals (1938, 1949, 1958, 1964, 1969, 1978 reviewed)	1st found in Phone Book or Polks	WR #, Priority date, & Source
5521 Victory R1580291100					
Lot 1/Blk 1	R158029A	5521 Victory 5511 Victory (?) 5501 Victory (?)	11/24/1958	1960 Polks	63-31714; 6/1/58; aerial
Lot 2/Blk 1	R158029C	- 3114 Eagleson	never structures 11/24/1958	1955 Polks; 1954 PhoneB	63-31715; 1/1/54; PhoneB
Lot 3/Blk 1	R158029E R158029E R158029F	- 3124 Eagleson 3128 Eagelson	never structures 06/13/1949 11/24/1958	- 1955 Polks & 1953-54 PhoneB 1955 Polks & PhoneB	63-31716; 1/1/49; aerial 63-31719; 6/1/58; Polks
Lot 4/Blk 1	R158029G R158029H (part)		never structures		-
Lot 5/Blk 1	R158029I		never structures		-
Lot 6/Blk 1	R158029I		never structures		-
Lot 7/Blk 1	R158029H		never structures		
Lot 8/Blk 1	R158029E	3205 Phillippi	06/13/1949	1960 Polks & 1961 PhoneB	63-31718; 1/1/49; aerial
Lot 9/Blk 1	R158029D		06/13/1949		-
Lot 10/Blk 1	R158029A		never structures		-
Lot 1/Blk 2	R1580290741		never structures; large oval pond looking structure (?)		-

Lot 2/Blk 2	R158029L (part)	?	11/21/1938, but gone in 6/13/1949; then structures again in 11/24/1958	not found	63-31719; 6/1/58; aerial
Lot 3/Blk 2	R158029L (part) R158029K R158029J (part)	- 3206 Curtis -	Never structures 11/21/1938 Never structures	- 1960 Polks -	63-31720; 6/1/38; aerial
Lot 4/Blk 2	R158029G (part)	3222 Curtis	11/21/1938	1960 Polks; 1965 PhoneB	63-31721; 6/1/38; aerial
Lot 5/Blk 2	R158029G (part)		never structures		-
Lot 6/Blk 2	R158029G (part)		never structures		-
Lot 7/Blk 2	R158029G		never structures		-
Lot 8/Blk 2	R158029J (part)	3205 (?) Eagleson	05/09/1969	1970(?) Polks	63-31702; 1/1/69; aerial
Lot 9/Blk 2	R158029L	3105 Eagleson	04/17/1964	1960 Polks	63-31707; 1/1/60; Polks
Lot 10/Blk 2	R1580290741 R159029L (part)	5609 Victory -	06/13/1949 never structures	1960 or 1965 Polks; 1970 PhoneB	63-31703; 1/1/49; aerial
3032 Hilton R1580300191 Country Club #6					
Lot 1/Blk 1	R1580300006	3032 Hilton (?)	04/17/1964		-
Lot 2/Blk 1	R1580300160 R158030H	3102 Hilton 3102 Hilton	06/13/1949 05/09/1969	1955 Polks; 1953-54 PhoneB	63-31704; 1/1/49; aerial
Lot 3/Blk 1	R158030G	3208 Hilton	06/13/1949	1955 Polks; 1961 PhoneB	63-31705; 1/1/49; aerial
Lot 4/Blk 1	R158030F	3300 Hilton	06/13/1949	1955 Polks; 1952 PhoneB	63-31706; 1/1/49; aerial
Lot 5/Blk 1	R1580310020		never structures		-
Lot 6/Blk 1	-				-
Lot 7/ Blk 1	R158030F		never structures		-
Lot 8/Blk 1	R158030G		never structures		-

Lot 9/Blk 1	-				-
Lot 10/Blk 1	-		06/13/1949		-
Lot 1/Blk 2	R1580300550 R1580300575 R1580300880 (part)	5321 Victory 5311 Victory -	6/13/49 05/09/1969 never structures	1955 Polks; 1951 PhoneB 1970 Polks -	63-31709; 1/1/49; aerial 63-31708; 1/1/69 aerial
Lot 2/Blk 2	R158030A	3102 Phillippi	11/24/1958	1960 Polks; 1961 PhoneB	63-31710; 6/1/58; aerial
Lot 3/Blk 2	R1580300701 (part) R158030C	3116 Phillippi	11/24/1958 11/24/1958 (?)	1955 Polks; 1953-54 PhoneB	63-31711; 1/1/54; phone book
Lot 4/Blk 2	R1580300741 (part)	3310 Phillippi	06/13/1949	1955 Polks; 1951 PhoneB	63-31712; 1/1/49; aerial
Lot 5/Blk 2	R1580300741 (part)		11/21/1938		-
Lot 6/Blk 2	R1580300741 (part) R158030E (part)		never structures		-
Lot 7/Blk 2	R1580300741 (part) R158030E (part)		never structures		-
Lot 8/Blk 2	R1580300701 (part)		never structures		-
Lot 9/Blk 2	R1580300880 (part)		never structures		-
Lot 10/Blk 2	R1580300880 (part)	3031 Hilton	11/24/1958	1965 Polks; PhoneB	63-31713; 6/1/58; aerial

Airport Water Rights 9/13/04

"Additional Cost to Change Claim to Municipal" and
 "New Claims Municipal Use Cost" to be paid Idaho
 Dept. of Water Resources

Water Right Number	Location	Use	Diversion Rate	Acres	Adjudication Status	Original Claim Cost	Municipal Use Cost	Additional Cost to Change Claim to Municipal
63-02845	Gowen Field	Fire Protect/Dom	2.7		Claimed	50	320	270
63-05254	6550 Victory	Dom/Irr	0.23	3	Claimed	53	73	20
63-05354	3205 S. Curtis	Municipal	0.18	0	Claimed	68	-	-
63-15616	2918 Pond St.	Domestic	0.04	0	Partial Decree	25	54	
63-15867	2600 S. Empire Way	Domestic	0.04	0	Partial Decree	25	54	
63-15896	2525 S. Liberty	Dom/stock	0.06	0	Partial Decree	25	54	
63-16164	2920 Empire	Domestic	0.04	0	Partial Decree	25	54	
63-17303	2805 Empire Way	Domestic	0.04	0	Partial Decree	25	54	
63-17604	7105 Victory	Domestic	0.04	0	Partial Decree	25	54	
63-17734	3055 Beverly	Domestic	0.04	0	Partial Decree	25	54	
63-17980	2491 Beverly	Domestic	0.04	0	Partial Decree	25	54	
63-18216	6560 Elder	Domestic	0.04	0	Partial Decree	25	54	
63-18358	7255 Victory	Domestic	0.04	0	Partial Decree	25	54	
63-19013	2424 S. Liberty	Dom/Irr	0.085	1.5	Claimed	51.5	58.5	7
63-22339	7205 Victory	Domestic	0.04	0	Partial Decree	25	54	
63-22580	3306 Raymond	Domestic	0.06	0	Partial Decree	25	54	
63-24099	3195 Beverly	Dom/stock	0.06	0	Partial Decree	25	54	
63-24139	3115 Beverly	Domestic	0.04	0	Partial Decree	25	54	
63-31121	Golf and Rec Club	Domestic	0.04		Claimed	25	54	29
63-31564	2909 Curtis Rd.	Domestic	0.04	0	Recommended	25	54	29
63-31565	2580 Empire St.	Domestic	0.04	0	Recommended	25	54	29
63-31566	2403 Liberty St.	Domestic	0.04	0	Recommended	25	54	29
63-31567	6120 Victory	Domestic	0.04	0	Recommended	25	54	29
63-31569	6214 Victory Rd.	Domestic	0.04	0	Recommended	25	54	29
63-31570	2615 Liberty St.	Domestic	0.04	0	Recommended	25	54	29
63-31571	2711 S. Curtis Rd.	Domestic	0.04	0	Recommended	25	54	29
63-31572	2545 Fry St.	Domestic	0.04	0	Recommended	25	54	29
63-31573	2700 Beverly St.	Domestic	0.04	0	Recommended	25	54	29
63-31574	2711 Fry St.	Domestic	0.04	0	Recommended	25	54	29
63-31575	2619 Beverly St.	Domestic	0.04	0	Recommended	25	54	29
63-31576	2615 Janeen St.	Domestic	0.04	0	Recommended	25	54	29
63-31577	2625 Curtis	Domestic	0.04	0	Recommended	25	54	29
63-31578	2935 Curtis	Domestic	0.04	0	Recommended	25	54	29
63-31579	2830 Janeen St.	Domestic	0.04	0	Recommended	25	54	29

63-31580	2802 Janeen St.	Domestic	0.04	0 Recommended	25	54	29
63-31581	2785 Janeen St.	Domestic	0.04	0 Recommended	25	54	29
63-31582	5990 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31607	5310 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31608	2725 Phillippi	Domestic	0.04	0 Recommended	25	54	29
63-31609	2913 Phillippi	Domestic	0.04	0 Recommended	25	54	29
63-31610	2787 Eagleson	Domestic	0.04	0 Recommended	25	54	29
63-31611	2590 Curtis	Domestic	0.04	0 Recommended	25	54	29
63-31612	2900 Curtis	Domestic	0.04	0 Recommended	25	54	29
63-31613	2714 Curtis	Domestic	0.04	0 Recommended	25	54	29
63-31614	6400 Elder	Domestic	0.04	0 Recommended	25	54	29
63-31615	6330 Diamond	Domestic	0.04	0 Recommended	25	54	29
63-31616	6675 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31617	6207 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31618	6355 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31619	5847 Gowen	Domestic	0.04	0 Recommended	25	54	29
63-31692	5717 Malad	Domestic	0.04	0 Claimed	25	54	29
63-31694	2513 Janeen	Domestic	0.04	0 Claimed	25	54	29
63-31695	2624 Empire	Domestic	0.04	0 Claimed	25	54	29
63-31696	2700 Empire	Domestic	0.04	0 Claimed	25	54	29
63-31697	6409 Elder	Domestic	0.04	0 Claimed	25	54	29
63-31698	5802 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31699	6611 Victory	Domestic	0.04	0 Recommended	25	54	29
63-31700	2560 Cole	Domestic	0.04	0 Claimed	25	54	29
63-31701	3043 Wright	Domestic	0.04	0 Claimed	25	54	29
63-31702	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31703	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31704	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31705	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31706	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31707	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31709	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31710	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31711	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31712	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31713	3032 Hilton	Domestic	0.04	0 Claimed	25	54	29
63-31714	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31715	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31716	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31717	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31718	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31719	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31720	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31721	5521 Victory	Domestic	0.04	0 Claimed	25	54	29
63-31722	2913 Eagleson	Municipal	0.12	0 Claimed	62	-	-
63-31750	2674 Fry	Municipal	0.04	0 Claimed	54	-	-

New Claims

TOTAL

2,037

6909 Victory

Municipal

0.04

Claim in process

54 -

3244 Beverly

Municipal

0.04

Claim in process

54 -

2888 Fry

Municipal

0.04

Claim in process

54 -

TOTAL

162

TOTAL \$2,037 + \$162**= \$2,199**

11/11/04

Good morning Anita! Hope you had a nice Vet's Day.

We have a big project in the works - City of Boise claims. To the extent that you have some time, I'd like to request your help on these. The network is down today so I am writing this note out by hand - no email for a change!

I am providing you with a floppy that contains 3 spreadsheets:

- IDRC Review of Airport Summary
- " " " SRCA Clinic Claim Fees
- " " " PW Water Rts

I have placed info related to these files in 3 piles.

Here is what I see as the next steps:

First, double-check the process below with Don Sheff

1. Write the water rt no., date rec'd and receipt no. on the front of each claim in the box provided. I have done the first airport claim as a sample.

In all cases, the ident no. comes from item no. 15 on the back page. The date rec'd for all is 10/22/2004. The receipt no. for all is C075588

2. Assemble a list of all City of Boise claims (create a new spreadsheet, cut and paste the water right nos., and sort in numerical order.) Email this list to Jan with the request that her staff forward all of the files in the list to this office next week if possible.
3. Compare the info on the claims to the info on the spreadsheets. I noticed two items right off - we don't seem to have been given 63-05354. Also, the address & location on the spreadsheet does not always match the address on the claim. Let's mark comments on the spreadsheet for now (Initial IDE Review Notes). Another example - the flow rate claimed for 63-05254 is shown on the spreadsheet to be .23, but on the claim it is .32 (causing the fee to be \$82, not \$73).

As you can see, this is a large project - these steps will be a good start - we will be having some fun with these over the next few weeks!

Thanks, Anita, See you Monday.

Dave

City of Boise Claims
Sent by Anita - Response from
Lori

02-02268B
63-0164 A
63-0164 C
63-02213
63-02792
63-02841
63-02843
63-02845
63-02925
63-02933
63-02971
63-02972
63-03013
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63-03147
63-03413
63-03425
63-03585
63-04988
63-05254
63-05354
63-07005B
63-07042B
63-07047
63-07053
63-07055A
63-07055C
63-07055D
63-07064A
63-07064B
63-07078B
63-07179
63-07523
63-07524
63-07549
63-07592
63-07666
63-07668
63-07728
63-07755B
63-08025
63-08125

50

No claim (Annet + Stewart)

Decred D's (Van Craft Corp)

Already at 30

63-08130B	
63-08145	
63-08263	
63-08435	
63-08599 B	
63-08800	
63-09112	
63-09138	No Claim required
~~63-09138~~	
63-09139	No claim required
63-09192	
63-09243	
63-09276	Already at 50
63-09328	
63-09359	
63-09362	
63-09670	
63-10014 B	
63-10022	
63-10188	
63-10246	
63-10296	
63-10305	
63-10305 A	
63-10305 B	
63-10750	
63-10752	
63-10780	No claims required
63-11075	
63-11811	
63-11816	
63-11822	
63-12312	
63-12351	~~Domestic~~
63-12461	
63-12470	
63-12575	~~Domestic~~ Already at 50
63-12585	No claim required
63-15489	
63-15491	
63-15492	
63-15558	Decreed Domestic
63-15616	
63-15867	
63-15873	
63-15874	
63-15886	

63-16164	
63-16768	
63-17303	Decred Domestic
63-17483	
63-17499	
63-17604	
63-17734	Decred D's Private
63-17980	Decred Domestic
63-18216	Decred D's Private
63-18358	Decred Domestic
63-18683	
63-18845 ?	No number in database
63-19013	
63-19886	Decred D's Private
63-20747	Decred Stock
63-21814	Decred Domestic
63-22339	
63-22375	
63-22580	Decred Domestic
63-24048	
63-24099	
63-24139	
63-24149	
63-30137B	
63-30138	
63-30418	
63-30449	
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63-31720	
63-31721	
63-31722	} Already at 30
63-31750	

63-31809
63-7034

 } Already at JO

63-32012 } New claims
63-32013 }

63-31693 } Claims not on list
63-31708 }

**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
GovernorKARL J. BREHER
Director**FAX TRANSMITTAL COVER SHEET****FAX # (208) 334-2348**DATE: 12-20-04TO: AnitaFROM: LoriDOCUMENT DESCRIPTION: City of Boise listTOTAL PAGES SENT: 5 + COVER SHEET

CONTACT: _____

LEGAL DEPARTMENT
CARY B. COLAIANNI
CITY ATTORNEY



DAVID H. BIETER
MAYOR

COUNCIL MEMBERS

M. JEROME MAPP
COUNCIL PRESIDENT
MARYANNE JORDAN
COUNCIL PRO-TEM

VERNON L. BISTERFELDT
ELAINE CLEGG
DAVID EBERLE
ALAN W. SHEALY

October 22, 2004 

VIA HAND DELIVERY

Mr. David Tuthill
Idaho Department of Water Resources
Orchard St.
Boise, Idaho 83706

RE: Boise City Water Rights

Dear Mr. Tuthill:

The City of Boise is submitting, via hand delivery at a meeting with you on October 25, 2004, amended notices of claim and the related requested documents and computer files you requested, as well as new notices of claim for municipal use of the City's water rights in the Snake River Basin Adjudication (SRBA). The municipal use designation of water historically used on properties owned by the City of Boise is supported by the growing communities doctrine in the common law, and was codified by Idaho's Municipal Water Rights Act of 1996. We anticipate your thoughtful review of the provided material.

We had anticipated providing the documents in late September, but delayed delivery at your request as a result of the Department's move to the new Water Center.

Included in this package are the following items:

1. Municipal Service Area Map for the City of Boise, September 2004.
2. Map of locations of diversions of pre-November 19, 1987 water rights on properties currently owned by the City of Boise.
3. CD with the ArcView 3.2a .shp files used to create the map indicated in #2. Also on the CD are the additional files that are necessary to use the .shp files in ArcView 3.2a and a read file describing the coordinate system upon which our GIS system is based. Enclosed in the CD case is a hard copy description of the files.

4. Copies of 158 amended notices of claim for the City of Boise's claimed, but not yet decreed water rights, and the associated filing fees. We are submitting these amended notices after further review indicated a need to correct or clarify the original notices. We have concluded that municipal use is the more appropriate and accurate use to describe these rights than the specific use listed in the original notice, which the municipal use encompasses. All of the original amended notices of claim and checks covering the fees are contained within this package, with the noted exception of the filing fees for the Parks & Recreation claims, which were sent to IDWR's main office ahead of this package.

5. Copies of five new municipal use claims. We have concluded that municipal use is the appropriate and accurate nature of use to describe these rights. The originals and fees have been sent to your Western Region office, except the payment for the Parks & Recreation Department's one new claim which is included with the payment for the amended claims mailed to IDWR's State office.

6. Documentation regarding priority dates for notices of claim for rights for which a license has not yet been issued.

If you have any questions please call me at 384-3870. For specific questions regarding Public Works, Airport, Fire Department, or PDS Housing & Community Development claims, please call Beth Baird at 384-3984. For specific questions regarding Department of Park & Recreation's claims, please call Maria Minicucci at 384-4060 x323.

Sincerely,



Matthew Wilde

Assistant City Attorney

cc cover only: Chuck Mickelson, Public Works Director
Maria Minicucci, Parks
Beth Baird, Public Works
Doug Strickling, Legal
Bob Maynard, Perkins Coie

PUBLIC WORKS DEPARTMENT
CITY HALL



DAVID H. BIETER
MAYOR

COUNCIL MEMBERS

M. JEROME MAPP
COUNCIL PRESIDENT

MARYANNE JORDAN
COUNCIL PRO-TEM

VERNON L. BISTERFELDT
ELAINE CLEGG
DAVID EBERLE
ALAN W. SHEALY

RECEIVED

OCT 26 2004

DEPARTMENT OF
WATER RESOURCES

October 26, 2004

VIA HAND DELIVERY

Ms. Danni Smith
Idaho Department of Water Resources
322 East Front St.
Boise, ID 83720-0098

Dear Ms. Smith:

Enclosed are two items. The CD contains the GIS files necessary to map the Boise City Municipal Service Area as shown on the map given yesterday to Dave Tuthill. He requested these files for IDWR's mapping purposes and asked that I send them to you.

Also enclosed is a check to cover SRBA claim fees for the claims delivered yesterday to Dave. This check covers fees for all the claims given to Dave except for the City Parks & Recreation Department claims. IDWR should have already received the check for the Parks & Recreation Department claims.

Please call me if you have any questions.

Sincerely,

Beth K. Baird
Environmental Program Coordinator

Check Date: Sep 15, 2004

Check No. 168547

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
WATER RIGHTS	Sep 13, 2004	00367256	5,086.00	0.00	5,086.00

BOISE CITY WATER RIGHT CHANGES

RECEIVED
OCT 26 2004
DEPARTMENT OF
WATER RESOURCES

Vendor Number	Vendor Name		Total Discounts		
0000002421	IDAHO DEPARTMENT OF WATER RESOURCES		\$0.00		
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
168547	Sep 15, 2004		\$5,086.00	\$0.00	\$5,086.00

Idaho Department of Water Resources Receipt

Receipt ID C075588

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$5,086.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Dept. Representative)

RECREATION DEPT. FEES

C	D	E	F	H	I	J	K	L	M	N	O	P
Acres	Div Rate	Muni Payment	Fee Due	SRBA Claim?		SRBA Amend?						
30	0.80	\$ 130.00	\$ 50.00		Y		Y					
144	0.90	\$ 140.00	\$ -		Y		Y					
					N							
83	1.04	\$ 154.00	\$ 21.00		Y		Y					
40	0.8	\$ 58.00	\$ -		Y		Y					
83	2.00	\$ 250.00	\$ 117.00	✓	Y		Y					
18	0.36	\$ 86.00	\$ 18.00		Y		Y					
40	0.6	\$ 56.00	\$ -		Y		Y					
7	0.12	\$ 62.00	\$ 5.00		Y		Y					
21	0.84	\$ 134.00	\$ 63.00		Y		Y					
6	0.1	\$ 51.00	\$ -		Y		Y					
17	0.5	\$ 55.00	\$ -		Y		Y					
10	0.2	\$ 52.00	\$ -		Y		Y					
144	2.45	\$ 295.00	\$ 101.00		Y		Y					
23	2.89	\$ 339.00	\$ 266.00		Y		Y					
	0.45	\$ 95.00	\$ -		Y		Y					
11	1	\$ 150.00	\$ 89.00		Y		Y					
83	1.59	\$ 209.00	\$ 76.00		Y		Y					
5	0.91	\$ 141.00	\$ 86.00		Y		Y					
9	0.55	\$ 155.00	\$ 96.00		Y		Y					
10	0.53	\$ 103.00	\$ 43.00		Y		Y					
1.5	0.1	\$ 51.00	\$ 51.00		Y		N					
1	0.1	\$ 51.00	\$ -		Y		Y					
10	1	\$ 150.00	\$ 90.00		Y		Y					
8	1	\$ 150.00	\$ 92.00		Y		Y					
1	0.15	\$ 65.00	\$ 6.00		Y		Y					
8	0.59	\$ 109.00	\$ 101.00		Y		Y					
13	0.5	\$ 55.00	\$ -		Y		Y					
4	0.5	\$ 55.00	\$ 1.00		Y		Y					
20	0.4	\$ 54.00	\$ -		Y		Y					
8	0.19	\$ 69.00	\$ 11.00		Y		Y					
4	0.48	\$ 98.00	\$ 44.00		Y		Y					
					N							
8	0.58	\$ 108.00	\$ 50.00		Y		Y					
					Y		N					
2	0.18	\$ 68.00	\$ 16.00		Y		Y					
6.5	0.25	\$ 75.00	\$ 18.00		Y		Y					
7	0.25	\$ 75.00	\$ 18.00		Y		Y					

	A	B	C	D	E	F	H	I	J	K	L	M	N	O	P
42	10014 B	\$ 55.00	5	.14cfs/15AFA	\$ 64.00	\$ 9.00		Y		Y					
43	10022	\$ 57.00	7	0.37	\$ 87.00	\$ 30.00		Y		Y					
44	10188	\$ 55.00	5	0.24	\$ 74.00	\$ 19.00		Y		Y					
45	10246	\$ 55.00	5	0.48	\$ 98.00	\$ 43.00		Y		Y					
46	10296	\$ 71.00	21	1	\$ 150.00	\$ 79.00		Y		Y					
47	10305	\$ 68.00	18	.40/150AFA	\$ 90.00	\$ 22.00		Y		Y					
48	10395 A	\$ 51.00	1	0.04	\$ 54.00	\$ 3.00		Y		Y					
49	10395 B	\$ 58.00	8	0.28	\$ 78.00	\$ 20.00		Y		Y					
50	10750							N		N					
51	10752							N		N					
52	10760							N		N					
53	11075							N		N					
54	11811							N		N					
55	11816							N		N					
56	11822							N		N					
57	12595														
58	15558							Y		N		No Claim in IDWR Data Base			
59	16768							Y		N		No Claim in IDWR Data Base			
60	17483	\$ 25.00						Y		N		No Claim in IDWR Data Base			
61	18845	\$ 25.00						Y		N		No Claim in IDWR Data Base			
62	19686	\$ 25.00						Y		N		No Claim in IDWR Data Base			
63	20747							Y		N		No Claim in IDWR Data Base			
64	22375	\$ 55.00		0.05	\$ 55.00	\$ -		Y		Y					
65	24048							Y		N		No Claim in IDWR data bas			
66	24149	\$ 25.00		0.06				Y		N		No Claim in IDWR data bas			
67	30418	\$ 133.00	83	2.00	\$ 250.00	\$ 117.00		Y		Y					
68	31040							Y		Y					
69	31125	\$ 25.00		0.06	\$ 56.00	\$ 31.00		Y		Y					
70	31126	\$ 25.00		0.04	\$ 54.00	\$ 29.00		Y		Y					
71	31351	\$ 25.00		0.04	\$ 54.00	\$ 29.00		Y		Y					
72	31809	\$ 56.00		0.06	\$ 56.00	\$ -		Y		N					
73															
74		\$ 3,473.00			\$ 5,168.00	\$ 1,960.00									

No amendment, originally claimed as municipal