

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 63-164C
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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	24	NE NW SE	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	0.9	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

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

13. Other Water Rights Used:

14. Remarks:

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

THIS CLAIM IS A RESULT OF TRANSFER NO. 4382, APPROVED 11/15/1195. THE TRANSFER SPLIT THE RIGHT INTO 63-00164A AND 63-00164C. SRBA CLAIM NO. A63-19274 WAS FILED AS A COMBINATIN OF 63-00164A & 63-00164C; TRANSFER NO. 4382 EFFECTIVELY SPLIT THE CLAIM INTO THE SEPARATE RIGHTS BECAUSE THE TRANSFER WAS FILED ON 63-00164C ONLY. A63-19274 WAS SPLIT INTO A63-00164A (AS DESCRIBED IN TRANS. 4382) AND A63-00164C, WHICH IS THE REMAINDER OF A63-19274. THERE MAY BE SEVERAL DIFFERENCES BETWEEN THE DECREED RIGHT AND THE CLAIM.

03/04/1996 MM.

DATA ENTRY FOR POU (RANGE WAS INCORRECT) CORRECTED 01/16/1007 MM. PHONE NUMBER CHANGED ONLY - PER CLAIMANT REQUEST. DB 4/2/99.

ADDRESS IS ALREADY CORRECT.

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

Date Received

Receipt Number

39576

Q 3-164C

10-22-04

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 Department Phone (208) 384 4240

Mailing Address 1104 Koyal Blvd Borse ID Zip 83706-2898

2. Date of Priority (Only one (1) per claim) JUNE 1, 1866

3. Source of water supply (a) Borse River
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 24

_____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

_____ 1/4, 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.

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 .90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .90 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

*WITHIN CITY OF BOISE
MUNICIPAL SERVICE AREA
as defined by CITY OF BOISE
SERVICE AREA MAP, September 2004*

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

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
ALL CITY OF BOISE MUNICIPAL WATER RIGHTS or None ()

14. Remarks: HISTORIC IRRIGATION USE

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

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree X
If applicable provide IDWR Water Right Number 03-164C
Court _____ Case Number _____ Decree Date 1/18/1906
Plaintiff vs Defendant _____

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

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

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

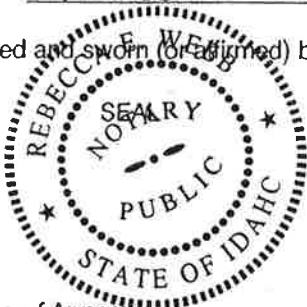
For Organizations: I do solemnly swear or affirm that I am Director
of City Of Boise Parks & Recreation Department Title _____, that I have signed the foregoing
document in the space below as Director of City Of Boise Parks & Recreation Department
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director, City Of Boise Parks & Recreation Dept Date Sept. 15, 2004

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

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



Notary Public 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 Wilde will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature [Signature]

Address City of Boise Legal Department
PO Box 00 Boise ID 83701

Date 9-24-04

Last Name CITY OF Boise Ident. Number 03-164C

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: **A63-00164C**
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 AND RECREATION DEPT
1104 ROYAL BLVD
BOISE ID

208-384-4060

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 of	Lot	County
03N	02E	24	NE	NW	SE		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	0.900		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02E	9	SW	NE		IRR	27.0
			SE	NE		IRR	2.0
			SE	NW		IRR	12.0
			NE	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	NE	SE		IRR	30.0
			NW	SE		IRR	31.0
			SW	SE		IRR	6.0
			SE	SE		IRR	29.0
						Section Acres	143.0
		10	NW	SW		IRR	1.0
						Section Acres	1.0
						Total Acres	144.0

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:

THIS CLAIM IS A RESULT OF TRANSFER NO. 4382, APPROVED 11/15/1195. THE TRANSFER SPLIT THE RIGHT INTO 63-00164A AND 63-00164C. SRBA CLAIM NO. A63-19274 WAS FILED AS A COMBINATIN OF 63-00164A & 63-00164C; TRANSFER NO. 4382 EFFECTIVELY SPLIT THE CLAIM INTO THE SEPARATE RIGHTS BECAUSE THE TRANSFER WAS FILED ON 63-00164C ONLY. A63-19274 WAS SPLIT INTO A63-00164A (AS DESCRIBED IN TRANS. 4382) AND A63-00164C, WHICH IS THE REMAINDER OF A63-19274. THERE MAY BE SEVERAL DIFFERENCES BETWEEN THE DECREED RIGHT AND THE CLAIM.
03/04/1996 MM.
DATA ENTRY FOR POU (RANGE WAS INCORRECT) CORRECTED 01/16/1007 MM.
PHONE NUMBER CHANGED ONLY - PER CLAIMANT REQUEST. DB 4/2/99.
ADDRESS IS ALREADY CORRECT.

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

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

*Name
change
only -*

5. Date you acquired the property _____

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

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

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

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

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

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

3. 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

RECEIVED

DEPARTMENT HEAD LIST

MAR 25 1999

WATER RESOURCES
WESTERN REGION

MAYOR

H. Brent Coles 384-4422

CITY COUNCIL

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

AVIATION & PUBLIC TRANSPORTATION

John Anderson 383-3110

FIRE

Renn Ross 384-3960

JUDICIAL

John Traylor 364-2100

LEGAL

Susie Mimura 384-3870

LIBRARY

Marilyn Poertner Acting Director 384-4237

PARKS AND RECREATION

Jim Hall 384-4240

PLANNING & DEVELOPMENT SERVICES

Tim Hogland 384-3800

POLICE

Larry Paulson 377-6670

PUBLIC WORKS

William Ancell 384-3903

CUSTOMER & SUPPORT SERVICES

CENTRAL SERVICES

John Eichmann 384-3747

CITY CLERK

Annette Mooney 384-3707

GOVERNMENT BUILDINGS

Sam Rapp 384-3828

HUMAN RESOURCES

Tammy Rice 384-3869

MUNICIPAL INFORMATION SYSTEMS/COMMUNICATIONS

Rod Greene 384-3769

PARKING CONTROL

Tana Wardle 384-3773

PURCHASING

Chris Hunt 384-3778

UTILITY BILLING

Pam Helm 384-3737

DIVISION OF FINANCIAL MANAGEMENT

Steve Purvis 384-3733

PLANNING & ZONING

Wayne Gibbs 384-3830

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-00164C**
Date Received: 10/20/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: CITY OF BOISE 208-384-4240
Address: PARKS AND RECREATION DEPT
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 of	Lot	County
03N	02E	24	NE	NW	SE		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	0.900		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02E	9	SW	NE		IRR	27.0
			SE	NE		IRR	2.0
			SE	NW		IRR	12.0
			NE	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	9	NE	SE		IRR	30.0
			NW	SE		IRR	31.0
			SW	SE		IRR	6.0
			SE	SE		IRR	29.0
						Section Acres	143.0
		10	NW	SW		IRR	1.0
						Section Acres	1.0
						Total Acres	144.0

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:

THIS CLAIM IS A RESULT OF TRANSFER NO. 4382, APPROVED 11/15/1195. THE TRANSFER SPLIT THE RIGHT INTO 63-00164A AND 63-00164C. SRBA CLAIM NO. A63-19274 WAS FILED AS A COMBINATIN OF 63-00164A & 63-00164C; TRANSFER NO. 4382 EFFECTIVELY SPLIT THE CLAIM INTO THE SEPARATE RIGHTS BECAUSE THE TRANSFER WAS FILED ON 63-00164C ONLY. A63-19274 WAS SPLIT INTO A63-00164A (AS DESCRIBED IN TRANS. 4382) AND A63-00164C, WHICH IS THE REMAINDER OF A63-19274. THERE MAY BE SEVERAL DIFFERENCES BETWEEN THE DECREED RIGHT AND THE CLAIM. 03/04/1996 MM.
DATA ENTRY FOR POU (RANGE WAS INCORRECT) CORRECTED 01/16/1007 MM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

W-ADJ

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

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
			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

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.

PAGE 2

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.
- 704 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.
- 707 5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 708 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.
- 709 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.
- 717 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.
- 010 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

J. Blum Saylor
Chief, Water Alloc. Bureau

Total acres 30

Page 2 of 8

Transfer No. _____

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED

[illegible]

Audit: 06/18/85 05/01/88 CONVERT 07/14/89 CURTIS

Total acres

9. Describe any other water rights used for the same purpose as described above well #103 - 10760

Page 5 of 8

Transfer No. _____

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 Bldg 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

PART 2

Transfer No. _____

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

Total acres 144

Page 8 of 8

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE NA

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

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

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

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

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

Paul A. Wilhoit 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 DWE Date 6/8/94 Protest filed by _____
Prelim. check by _____ Fee \$50
Receipted by dw Date 6/8/94 C030475
Published in Old Advertiser 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 _____

ATTACHMENT /

RESOLUTION NO. 6129

BY THE COUNCIL: SUERSMEYER, 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



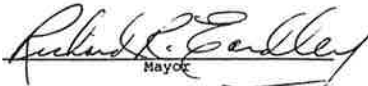
and directed to cause said Deed of Gift to be recorded with the Ada County Recorder's Office, Ada County Idaho.

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, 1977.

APPROVED by the Mayor of the City of Boise City, Idaho, this 17th day of December, 1977.

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 PASSEIRA, Notary

By Imma Clark
1/4 00

Deputy

See attached Exhibits

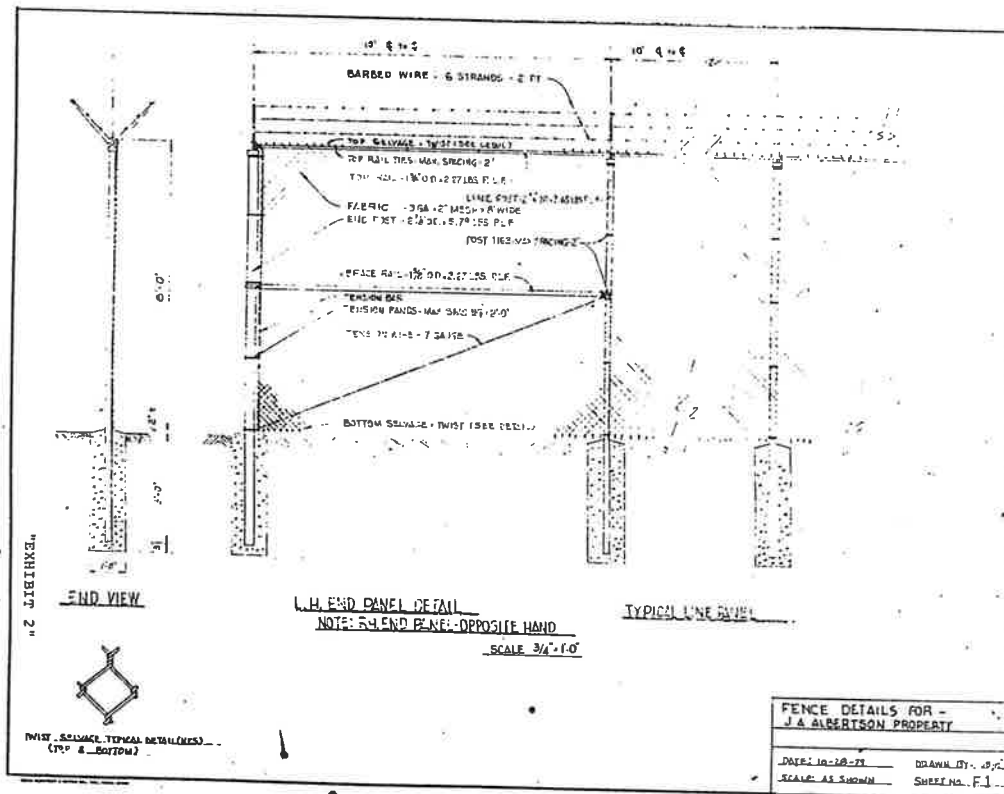
The following described real property situated in the County of Ada, State of Idaho, to-wit:

Beginning at the 1/16th corner, a stone marked "16th" on the North face and a cross on top, the NE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, 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 16°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 SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 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 SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 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.

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°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 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°43' West, a distance of 396.28 feet; thence
North 39°47' West, a distance of 12.00 feet to the Real Point of Beginning.



Page ____ of ____

PART 2

TRANS NO. 4382

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00164A

STAGE: DECREEED

<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: SENW , 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 15	NWNW 4	SWNW 2	42
			SEnw 21			42
Total number of acres irrigated:						42

CONDITIONS/REMARKS:

1. TRANS. 1906.

RECEIVED

RECEIVED

JUN 08 1994

JUL 15 1994

Bureau of Water Resources

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 Boise Parks & Recreation, that I have signed the foregoing document in the space below as Park Designer of Boise Parks & Recreation and that the statements contained in the 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

Ident. Number: A63-19274

Date Received: 11/07/1989

Receipt No: W007227

Received By: [Signature]

RECEIVED
DEC 22 1989

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

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 8/20/90

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. = 1.7 CFS OR 85"

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.)
~~Garret Park or~~		
Owens Park	Cert. #2997	5 Shares (.1485 Acre Ft.)

Base
City
Canal
Co.
should
fill

63-0165

1.5 CFS

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

through 2002

63-19274

ED/PAUC

~~Dr. H. H.~~

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 we petition to drop out of those districts?

⑤ Did I miss any parks?

Call
this
sheet
crossed out

1929

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.
~~Hewett Park~~	2782	.1714	" "
~~"~~	2796	.0076	" "
~~Jullion Park~~	1964	.0072	" "
~~"~~	1965	.0072	" "
~~"~~	1966	.0072	" "

NO WATER
EVER DEN.
SETTLERS
SHOULD
FLUE
settlers
rights

? Jaywild.
? Williams

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

A63 - 07034 - Julia Davis Park - 1 acre
plus .34 Municipal = ~~\$34~~ = \$84

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

A63 - 02843 - Julia Davis Recreation -
200 ft = \$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 - Cambridge Park - 10 acres = \$60

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

03413 - Memorial Park - 23 acres = \$73

03565 - Winstad Park - 11 acres = \$61

07179 - Great Park - 5 acres plus Municipal
for .91 c/s (\$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 Mediana - 8 acres = \$33

08145 - Fairmont Park - 13 acres plus Recreation

for .51 c/s at \$52 = \$11.7

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

~~08600~~

08600 - Sunset Park - 8 acres = \$58

09112 - Owyhee Park - 4 acres = \$54

09192 - Manton Park - 8 acres = \$58

09326 - De Meyer Park - 2 acres = \$52

09362 - Williams Park - 8 acres = \$58

10188 - Hewitt 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 & Gumbelt - 18 acres plus

Rec. stor. + Aesthetic storage -

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

09670 - Landscape adj. to Curtis Expit = 7 ac = \$57

TOTAL (\$705) 2005

Paid - 2533

Due - 172

Aesthetic
pump { Kathryn Ali. ←
+ Arden Morrison

Storage = .05 cfs

Twigg Aesthetic = 1.70 cfs
(streams) 1.75 or

A63-19274 - 225

Total Due - \$397

D = \$225

CITY OF BOISE PAYMENT VOUCHER

FOR USE ON PARTIAL PAYMENTS AND
NON-PURCHASE ORDER PAYMENTS ONLY.

PAGE 1 OF 1

PO DATE / /	PV DATE 11/30/89	ACCTG PERIOD	BUDGET FY	FUND 001	SCHEDULED PYMT DATE	COMMENTS (12) PARKS	DATE REQUIRED
ORIGINAL ORDER		CONFIRMING ORDER		DATE PURCHASING APPROVED		TOTAL LINE ITEM BUDGETED: _____	
CODE		PREPARING DEPT/DIV PARKS		INVOICE TO: CITY OF BOISE, PO BOX 500 BOISE, ID 83701		AMT BUDGETED THIS PURCHASE: _____	
				ATTN:		LINE EXPENDED TO DATE: _____	
						AMT AVAILABLE IN LINE: _____	
IF PURCHASE TOTAL EXCEEDS AMT AVAIL IN LINE, ATTACH EXPLANATION WHY AND WHERE FUNDS WILL BE DRAWN							

REMIT TO: (name & address) **1241**
IDAHO STATE DEPT WATER RESOURC
STATEHOUSE
BOISE, ID 83720

VENDOR: (name & address)

DELIVER TO: (name & address)

PO LN NO	AGCY (DEPT)	ORG (DIV)	ACTIVITY	OBJ/ REV	SUB OBJ	REPT CAT	BAL SHT ACCT	FXD AST	DESCRIPTION	NO OF UNITS	PRICE/UNIT	AMOUNT	P/F
	05	301		5600					11-28-89/A63-19274\$225.00/ADJUST\$			397.00	
									172.00				

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

SPECIAL INSTRUCTIONS: _____

MAIL ☒ RETURN TO DEPT ☐ OTHER _____

DEPARTMENT _____ PURCHASING _____
ACCT INT _____

J S

.111127 7 900421

FORM NO. 042885

CITY OF BOISE, IDAHO		VOUCHER DATE	ITEM AMOUNT
VOUCHER NO. 0512820821	COMMENTS PARKS	08-15-89	2,533.00
		CHECK 00000020979	FOR TOTAL OF 2,533.00

SPECIFICATIONS/ADDITIONAL INFORMATION:

CERTIFY BID PROCESS COMPLETE (documentation attached) and authorize Purchase Request DEPARTMENT <u>Cooper</u>		APPROVALS Reviewed for consistency with City Policy VEHICLE/COMMUNICATIONS/COMPUTER/OTHER	Acknowledge bid process and authorize purchase PURCHASING
SPECIAL INSTRUCTIONS: _____			
☐ MAIL ☒ RETURN TO DEPT ☐ OTHER _____			
DEPARTMENT <u>Transportation</u>		PURCHASING _____	
ACCT INT _____			

9-27-89

5/89

RECEIVED

NOV 20 1989

Approved

State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

TO FILE ADJUDICATION CLAIM(S)

RECEIVED

NOV 9 1989

Department of Water Resources
Western Regional Office

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 ~~CLAIM~~ PERSONNEL DELAY AT WESTERN
REGION.

X Paul Philbrook
Signature

Sept. 27 19 89
Date of request

X S Paul 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

Receipt # W00600
no late fee
paid or required

Water Right Number - A63-00164C Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

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

*** C - CURRENT OWNER ***

LEONARD F. L. 1 -
2 -
3 -
City- XXXX State- ID Zip- XXXX
Phone - 208-000-0000

LEONARD E. E. 1 -
2 -
3 -
City- XXXXXX State- ID Zip- XXXXX
Phone - 208-000-0000

MANVILLE J. S. D. 1 -
2 -
3 -
City- XXXXXX State- ID Zip- XXXXX
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1866 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER
COMBINED RIGHT SEE REMARKS

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

TwN	Rng	Sec	Tract	Lot	RFlg	County
03N	02E	9			(1)	ADA
		15			(1)	ADA

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION				0.900	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.900 0.0

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

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

MICROFILMED
JUL 22 1994

Water right number - A63-00164C

Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
03N	01E	9	NW SE			01	IRRIGATION	(1) ADA
03N	01E	9	SW SE			01	IRRIGATION	(1) ADA
03N	01E	9	SE SE			01	IRRIGATION	(1) ADA
03N	02E	9	NE SE	6		01	IRRIGATION	(1) ADA
03N	02E	9	NW SE			01	IRRIGATION	(1) ADA
03N	02E	9	SW SE			01	IRRIGATION	(1) ADA

Total Acres:

+ - - 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

11/30/2006

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

RIGHT NUMBER: 63-164C

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

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and 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 S24 NENWSE Within ADA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/01 11/15	0.900 CFS

Diversion under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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:

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

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

11/30/2006

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

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.

Draft

04/21/2005

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

RIGHT NUMBER: 63-164C

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

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and 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 S24 NENWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

~~04/01 10/31~~

0.900 CFS

~~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 APRIL 1 AND AFTER OCTOBER 31 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.~~

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.

04/21/2005

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

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S09	SWNE	~~27.0~~ 26	T03N R02E S09	SENE	~~2.0~~ 3.4
T03N R02E S09	SENE	~~12.0~~ 13	T03N R02E S09	NESW	~~6.0~~ 4.3
T03N R02E S09	NESE	30.0	T03N R02E S09	NWSE	~~31.0~~ 29
T03N R02E S09	SWSE	~~6.0~~ 6.3	T03N R02E S09	SESE	29.0
T03N R02E S10	NWSW	1.0			~~26.7~~ 65.7
		76.3			

142 ~~144~~ 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: Decreed

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

10/28/2006

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

RIGHT NUMBER: 63-164C

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

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and 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 S24 NENWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION <i>Municipal</i>	03/01 11/15	0.900 CFS

Diversion ~~for irrigation~~ under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River 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	SWNE	26.00	T03N R02E S09	SENE	3.40
T03N R02E S09	SENE	13.00	T03N R02E S09	NESW	4.30
T03N R02E S09	NESE	30.00	T03N R02E S09	NWSE	29.00
T03N R02E S09	SWSE	6.30	T03N R02E S09	SESE	29.00
T03N R02E S10	NWSW	1.00			

142 ACRES TOTAL

City of Boise

10/28/2006

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - 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

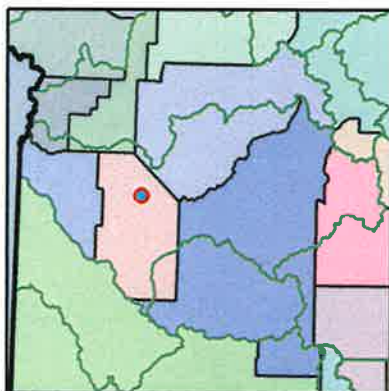
SRBA Recommendation:

63-164C

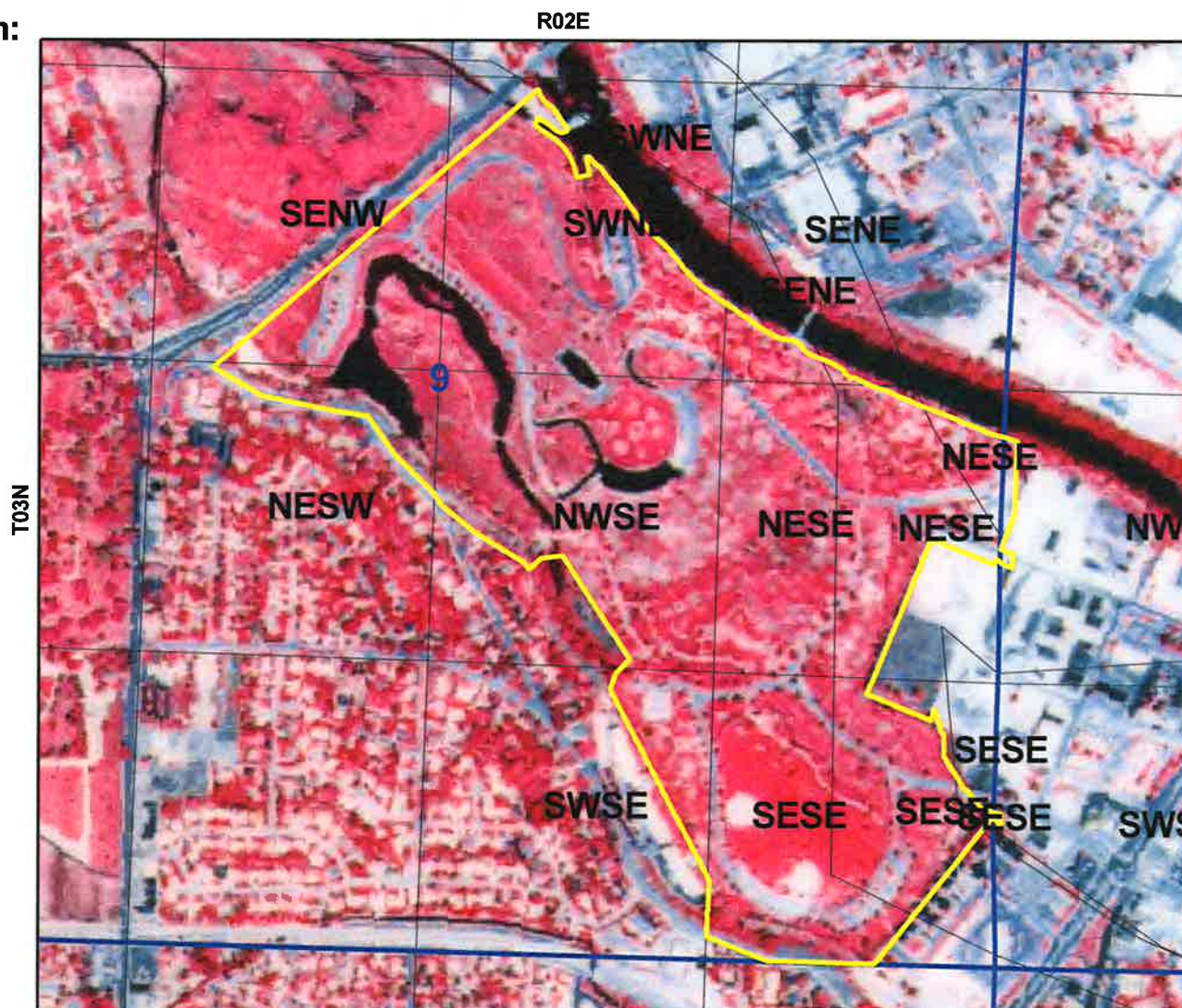
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.3 0.6 Miles

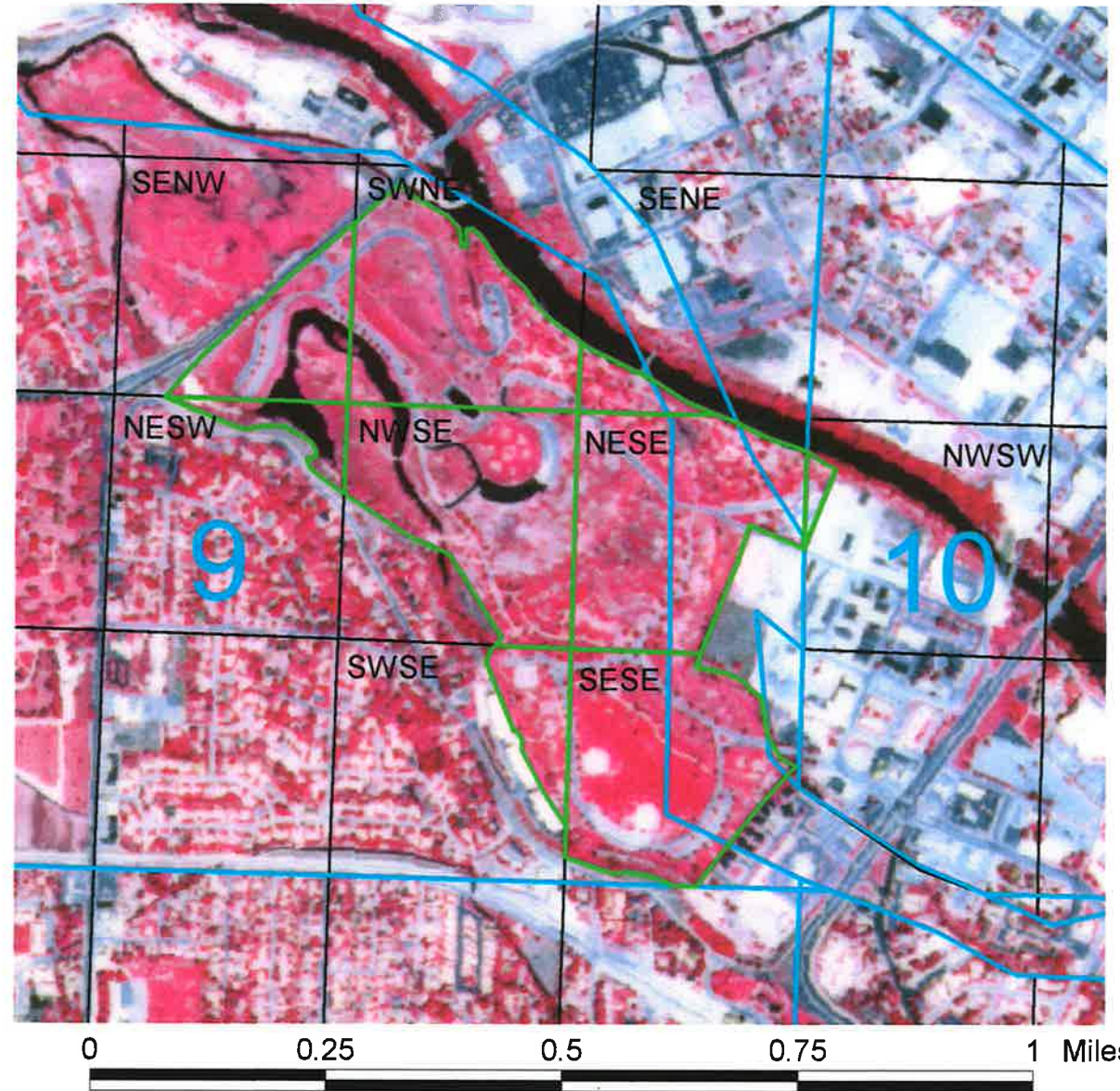
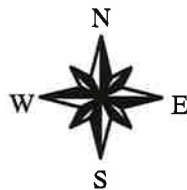
Prepared by A. Warntjes
On Saturday, October 28, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

Claim Number: 63-00164C
Legal: T03N, R02E, S09, 10
Reviewed By:

1987 Napp Photo

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

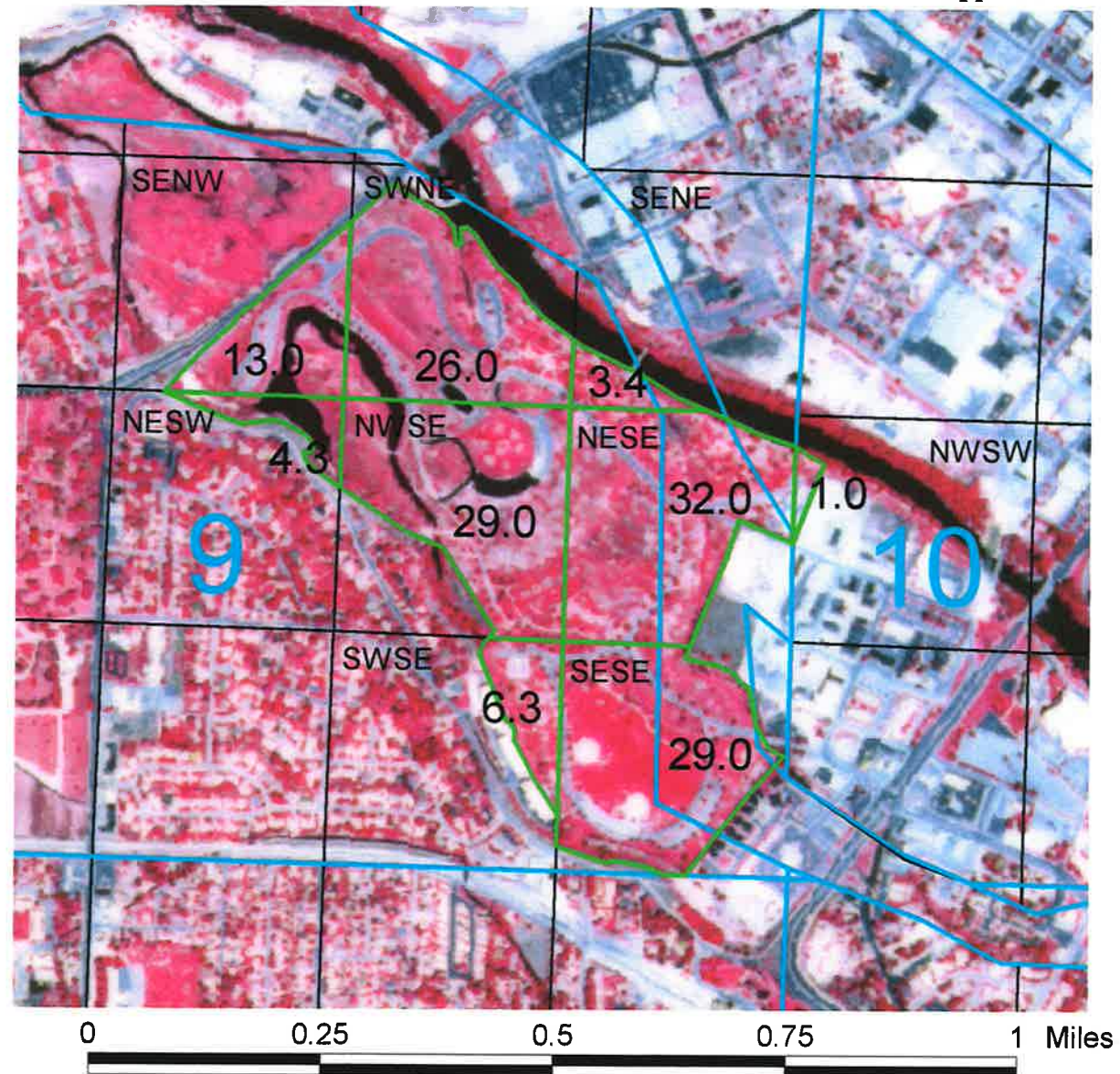
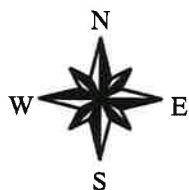


Idaho Department of Water Resources

Claim Number: 63-00164C
Legal: T03N, R02E, S09, 10
Reviewed By:

1987 Napp Photo

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164C V1

WATER RIGHT NUMBER: 63-164C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	E E LEONARD
	, ID
Original Owner	F L LEONARD
	, ID
Original Owner	J S D MANVILLE
	, ID
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240

Priority Date: 06/01/1866

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	10/31	0.900 CFS	
	<u>Total Diversion:</u>		0.900 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4NW1/4SE1/4	Sec. 24, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	9			27.0	2.0				12.0	6.0				30.0	31.0	6.0	29.0	143.0
03N	02E	10									1.0								1.0

Total Acres: 144

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164C V1

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 APRIL 1 AND AFTER OCTOBER 31 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:

1. awarntje 4/8/2005 Contacts
Comment: I could not find tracking from Frank Leonard to Syringa Gardens to City of Boise.
2. awarntje 4/8/2005 POD
Comment: No transfer to change POD from Sec. 9 & 15 to Sec 24. Did not put POD in SDE layer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164C 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 2:35:01 PM	awarntje			Active
Priority Date	4/8/2005 2:37:21 PM	awarntje			Active
Use	4/8/2005 2:38:45 PM	awarntje			Active
POU	4/8/2005 2:49:09 PM	awarntje			Active
POD	4/8/2005 2:55:47 PM	awarntje			Active
Source	4/8/2005 2:57:10 PM	awarntje			Active
Season	4/8/2005 3:19:53 PM	awarntje			Active
Summary			04/08/2005	awarntje	Active
Quantity	4/8/2005 3:35:34 PM	awarntje			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/8/2005 2:35:01 PM	awarntje	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Sufficient info in file
POU	4/8/2005 2:48:07 PM	awarntje	Edited shape boundary
POU	4/8/2005 2:49:10 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 63-164C V1

Priority Date	4/8/2005 2:37:21 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?
Season	4/8/2005 3:19:54 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Period of Use? (No) 7. Does the claim include an enlargement in the Period of Use? (No) 8. Can the change be recommended as an accomplished transfer? (No) 11. Was a transfer filed? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (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?
Use	4/8/2005 2:38:46 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-164C V1

POD	4/8/2005 2:55:48 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Was a transfer filed? (No) 9. Does the file contain all the necessary information to verify the POD?
Source	4/8/2005 2:57:11 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?
Summary	4/8/2005 3:22:42 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?
Quantity	4/8/2005 3:35:34 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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

Water Supply Bank:

Identification No. 63-0164 B

Transfer No. 1855

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Syringa Gardens
Post office address Boise, ID Rt. 1 Box 110

2. Right obtained by:
Frank L. Leonard & Edna E.
a. Decree to Manvilla J.S.D. in Case of Farmers Co-operative Ditch Co.
(Name)
vs. Riverside Irr. Dist Dated 1-18-1906 in 7th Judicial District
(Name of Court)
Court. County of Canyon
b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Boise River tributary to Snake River
(Name of stream or source)

4. Date of Priority 6-1-1866

5. Amount of water a. 1.8 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from 4-1 to 10-31
(Month, Day) (Month, Day)

7. Original location of point of diversion is a point on S. side of river Section Sec. 15,
Township 3 N, Range 2 E, B.M., in Ada County;

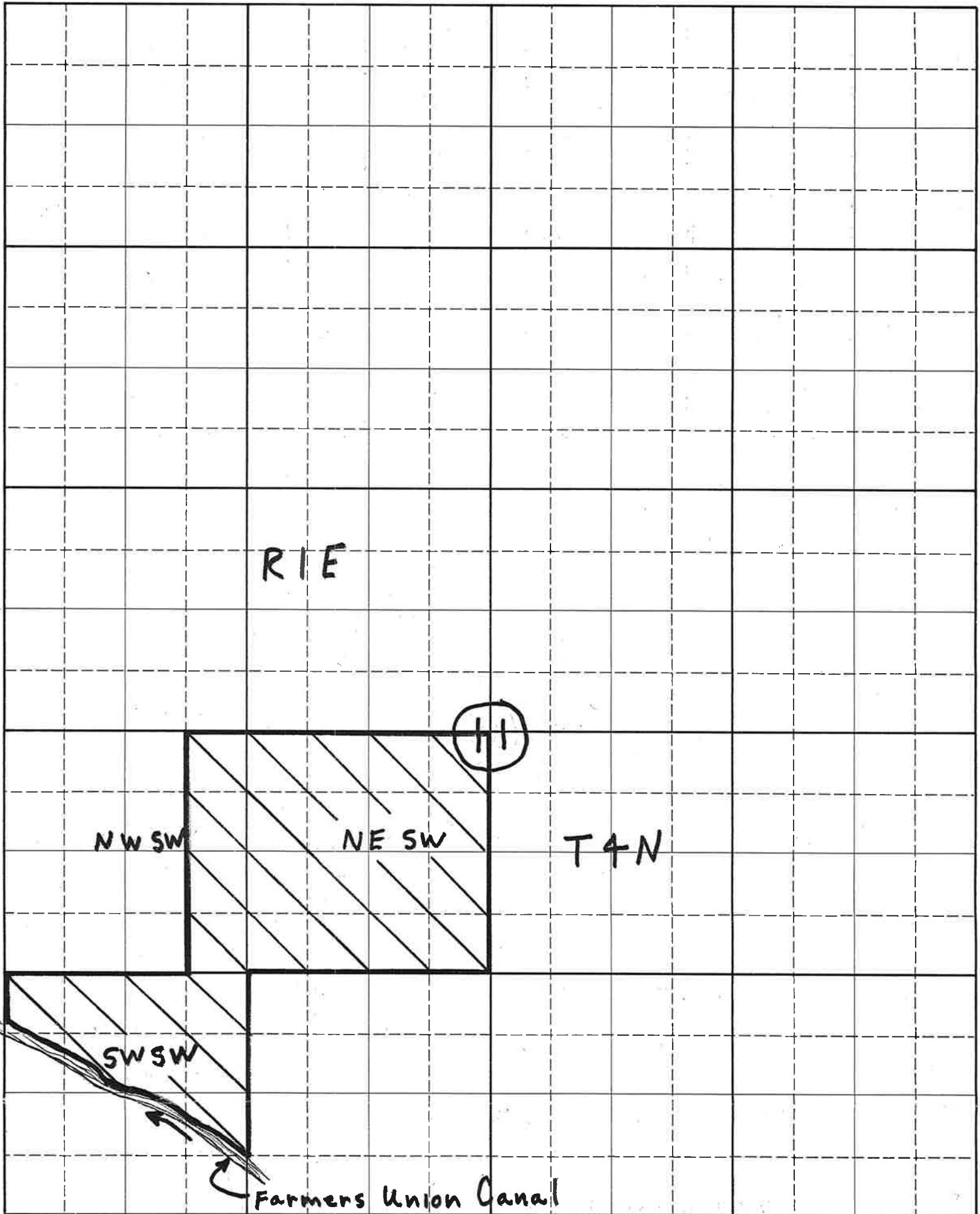
Additional points of diversion, if any at a point a short distance E. of the NW corner
Sec. 9, T. 3 N, R. 2 E, at a point a short distance west of said section corner

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3 N	1 E	9													X	X			
3 N	2 E	9		Lot 6													X		

Total number of acres presently irrigated _____

MICROFILMED



SCALE: $\frac{1}{8}$ Inches Equal 1 Mile. Draw Plan in Ink.

That the ... awards 3000 ...
and they are hereby awarded the use of the waters of Boise River,
diverted from a point on the north bank of said river about four
miles above Boise City, through what is known as the Tailing,
also Valley Water Ditch, for use upon the south lots and lands ly-
ing under said ditch for irrigating and domestic purposes, in
the following amount and from the following date;

63 0161 2500 inches, from May 1, 1866; and hereby designated as Right No.

And that said defendants be awarded, for power purposes only,
the use of said waters in the following amount from the follow-
ing date, and it is hereby ordered that the quantity of water so
awarded for power purposes shall be used for such purposes only,
and after such use shall be returned to Boise River;

63 0162 10000 inches, from July 1, 1877; and hereby designated as Right No.
And be adjudged to pay \$375.00 costs in addition to the costs incurred by
them.

~~XXXX~~. XXXX.

That the defendant WILLIAM P. KERNFORD be, and he is hereby
awarded the use of the waters of Boise River, diverted from said
river at a point in the SW 1/4 of Sec. 17, T. 4 N. R. 1 W. B.M.,
for use upon the N. 1/2 of NE 1/4 and lot 1 of Sec. 15, and SE
1/4 of SE 1/4 of Sec. 13, T. 4 N. R. 2 W. B.M., in the following
amount and from the following date;

63 0163 150 inches, from June 1, 1866; and hereby designated as Right No.
And be adjudged to pay \$9.10 costs in addition to the costs incurred by
him.

~~XXXX~~. XXXX.

That the defendants PERCE L. LEONARD, JOHN F. LEONARD, J. S.
E. MARVILLE and FRANK O. ALBERT be, and they are hereby
awarded the use of the waters of Boise River, diverted from a
point on the north side of said river in Sec. 15, T. 5 N. R. 2
W. B.M., at a point a short distance east of the NE corner of
said section; also at a point on Sec. 2, a short distance west
of said section corner, and also a short distance below on said
Section 9, all in T. 3 N. R. 2 E. B.M., for use upon an irregu-
lar shaped tract of land in lot 6, and N. 1/2 of SE 1/4 of Sec.
9, T. 3 N. R. 2 E. B.M., and an irregular tract in the N. 1/2
and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following
amount and from the following date;

63 0164 175 inches, from June 1, 1866, and hereby designated as Right No.
And be adjudged to pay \$12.25 costs in addition to the costs in-
curred by them.

SCANNED

AUG 14 2002

INDEXED

C.

That the defendants ADA COUNTY FARMERS' IRRIGATION COMPANY, A. H. EAGLESON & SONS, Limited, and ESTHER HALE, and neither of them, be awarded the use of any portion of the waters of Boise River, separate or apart from the appropriation thereof by the defendant the New York Canal Company, Limited, as found and decreed herein, but that whatever rights said defendants may have to the use of said waters be adjudged to be included in the right to the use of said waters herein allotted to said New York Canal Company, Limited.

It is further ordered, adjudged and decreed that the costs and disbursements of each party herein be paid by the party by whom such costs and disbursements were incurred, and that the costs of the State Engineer's examination, to-wit, the sum of \$10,804.60, be apportioned to the parties to this action who are allotted water herein, in the same proportion as water is allotted to them, that is to say, \$0.03709 for each inch so allotted, and that execution issue for said State Engineer's costs.

It is further ordered, adjudged and decreed that the expense incurred in preparing findings and decree herein and in filing and recording the same, to-wit, the sum of \$483.63, be apportioned to the parties to this action who are allotted water herein in the same proportion as water is allotted to them, that is to say, \$0.00291 for each inch so allotted.

Dated January 18 1906

Frank Stewart
Judge

State of Idaho } ss.
County of Canyon }

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office,
DATED

March 6, 1906

Walter Fry, Clerk of the District Court
and Ex Officio Recorder.

By Livona Drake
Deputy

*file
Albertson
Park*

RESOLUTION NO. 16129

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

DEC 11 1995

*Attach. A is
9 pgs.*

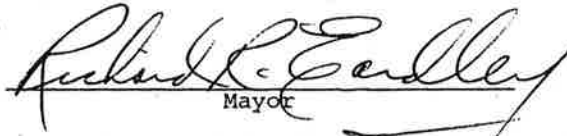
and directed to cause said Deed of Gift to be recorded with the Ada County Recorder's Office, Ada County Idaho.

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

DEC 11 1995

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"

DEC 11 1979

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.

DEC 11 1995

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.

DEC 11 1935

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
J. A. Albertson

Kathryn 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 19 79

JOHN BASTIDA, Recorder

By

Imma Clark

Deputy

DEC 1 1979

1/400

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 Northwestern 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 Northwestern 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.

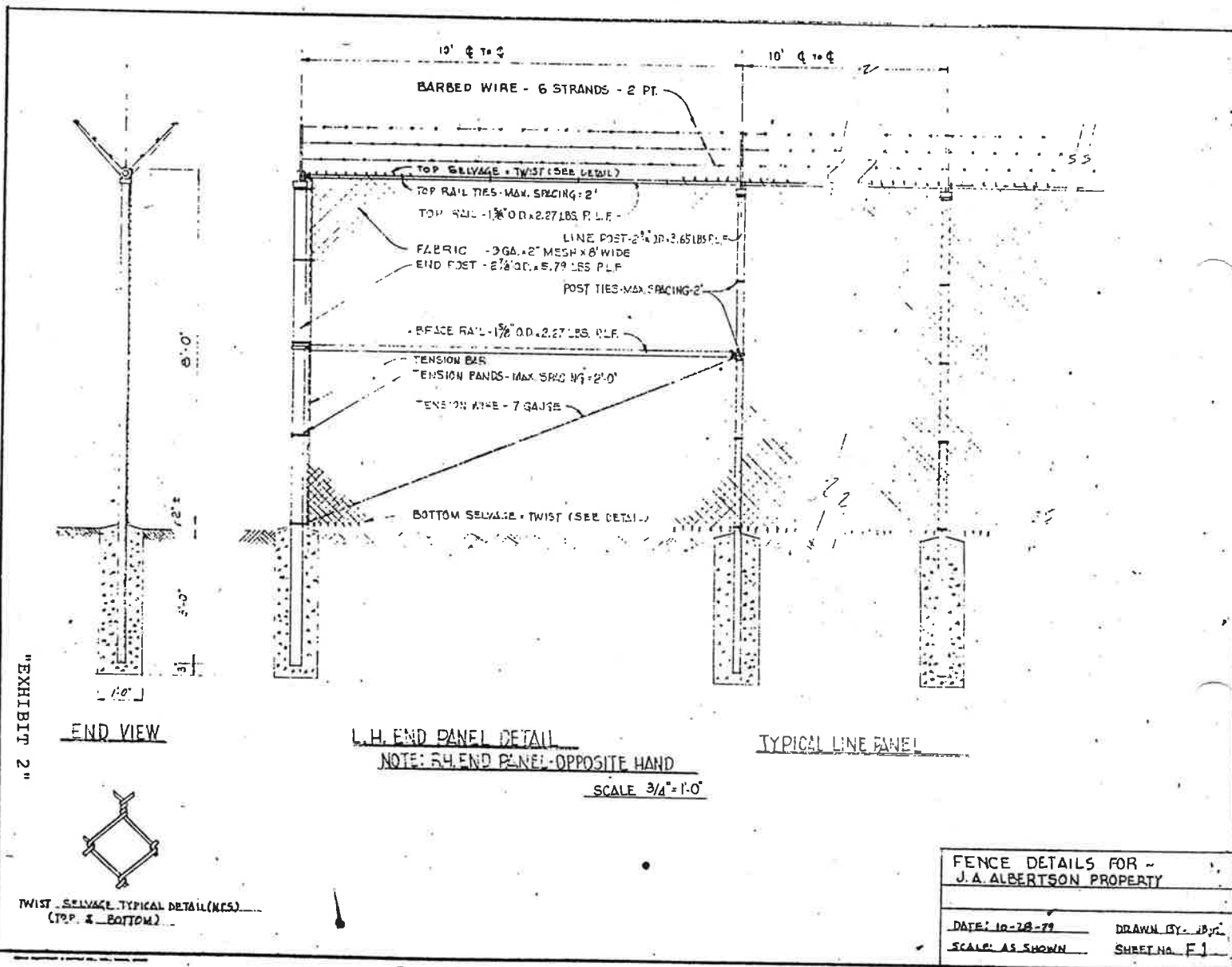
"EXHIBIT 1"

DEC 11 1935

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°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 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°43' West, a distance of 396.28 feet; thence
North 39°47' West, a distance of 12.00 feet to the Real Point of Beginning.

DEC 11 1995

DEC 1 11 1935



Identification No. 63-0164 A
Transfer No. 1906

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Scottish Rite Masonic Center, Inc.
Post office address P.O. Box 1653 Boise, ID

2. Right obtained by:
a. Decree to Leonard, Frank L. & Edna E. & Manville J.S.D. in Case of Farmers Co-operative Ditch Co.
(Name)
vs. Riverside Irr. Dist. Dated 1-18-1906 in 7th Judicial District
(Name of Court)
Court. County of Canyon

b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Boise River tributary to Snake River
(Name of stream or source)

4. Date of Priority 6-1-1866

5. Amount of water a. 0.8 c.f.s. and/or
b. _____ acre feet/annum

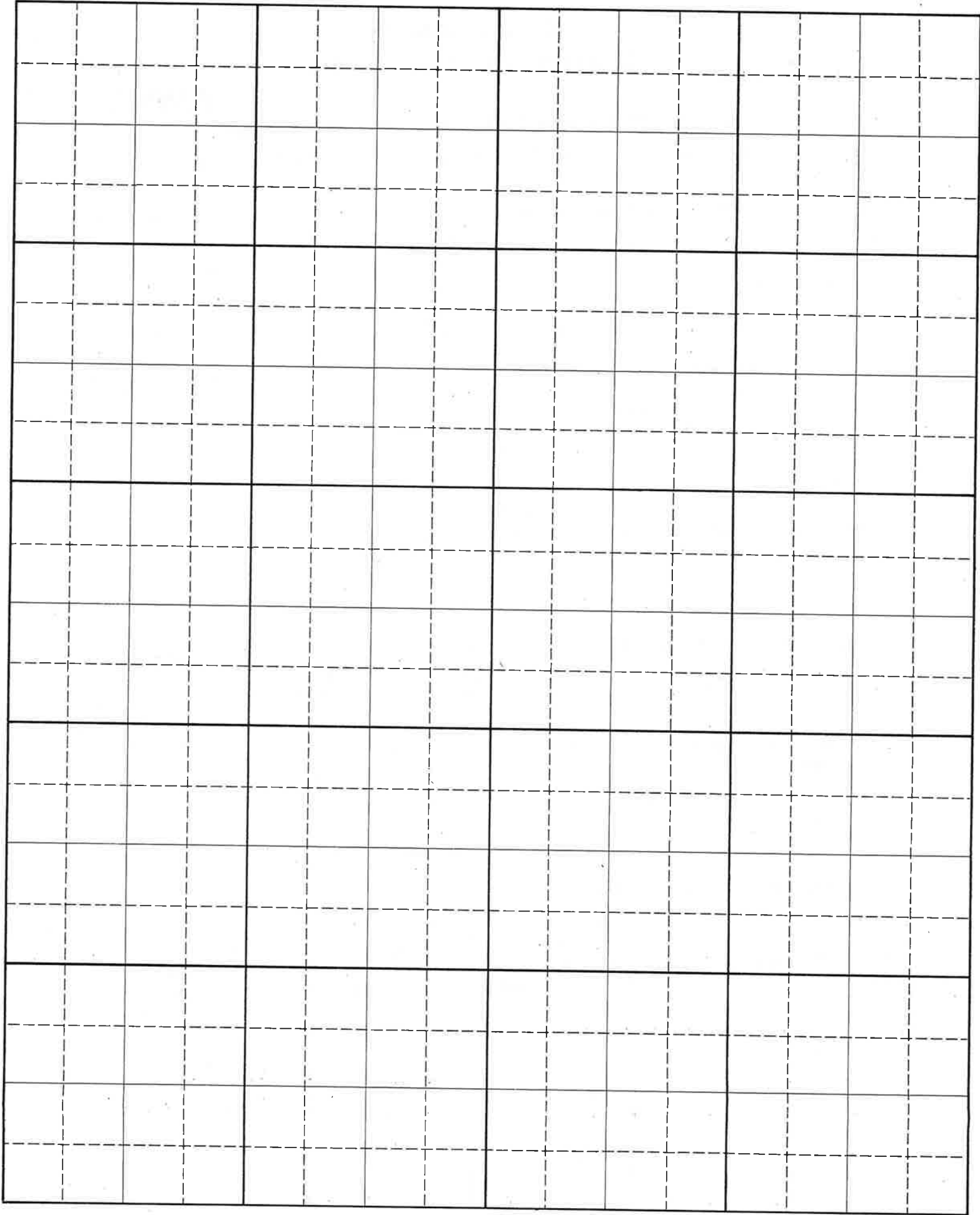
6. Water is used for Irrigation from 4-1 to 10-31
(Month, Day) (Month, Day)

7. Original location of point of diversion is a point on S, side of River 1/4 of Section 15,
(Month, Day) (Month, Day)
Township 3N, Range 2E, B.M., in Ada County;
at a point a short distance East of the NW corner
Additional points of diversion, if any S. 9, 3 N, 2 E, at a point a short distance
West of said section corner

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	9		Lot 6													X		
3N	1E	9													X	X			

Total number of acres presently irrigated _____



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: purchased

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 0.8 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 3N, Range 2E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: gravity
diversion into open ditch.
- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No X.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
- _____
- _____
- _____
- _____
- f. Do you intend to make the transfer permanent? yes
- g. Do you intend to abandon completely the old point of diversion? no
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	2E	9					15	4	2	21									42

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: none

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

SCOTTISH RITE MASONIC CENTER, INC.

C. Ralph Rudolph, President:

(signature of applicant)

Subscribed and sworn to before me this 1st day of July, 1975

(notary public)

My commission expires Dec 21 - 1975

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 63-0164, and said application is hereby APPROVED.

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

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

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

Witness my hand this 5 day of November, 1975

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by mt Date 7-9-75

Protest filed by: _____ Date _____

Prelim. check by P.W.H. Date 7-8-75

Fee received by Ca. Date 7-8-75 Fee \$ 5.00 # 1209
from App. # 63-8101 \$ 25.00 # 1899

Approved for publication by gy 8-20-75

Published in Idaho Statesman Dates Aug 8 & 15

Hearing held _____

Watermaster Recommendation sent _____

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

Q3-164C

Date Received

10/22/2004

Receipt Number

C075588

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 DEPARTMENT Phone (208) 384 4240
Mailing Address 1104 ROYAL BLVD BOISE ID Zip 83706-2898

2. Date of Priority (Only one (1) per claim) JUNE 1, 1866

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 24,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

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.

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 .90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .90 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

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

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

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
ALL CITY OF Boise MUNICIPAL WATER RIGHTS or None ()

14. Remarks: HISTORIC IRRIGATION USE

Last Name CITY OF Boise Ident No. 63-164C

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree X
If applicable provide IDWR Water Right Number 03-164C
Court _____ Case Number _____ Decree Date 1/18/1906
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Director _____

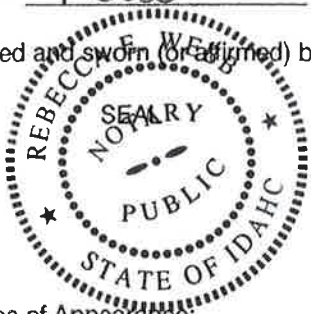
of City of Boise Parks & Recreation Department _____ Title _____, that I have signed the foregoing document in the space below as Director _____ of City of Boise Parks & Recreation Department _____ Organization _____ and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director, City of Boise Parks & Recreation Dept Date Sept. 15, 2004

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

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



Notary Public 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 Wilde will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

Address City of Boise Legal Department
PO Box 90 Boise ID 83701

Date 9-24-04

Last Name City Of Boise Ident. Number 03-164C

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: A63-00164C Date: 6-11-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2E	9			27	2				12	6				30	31	6	29	143
GIS						26	3.4				13	4.3				32	29	6.3	29	143
Claim	3N	2E	10										1							1
GIS													1							1
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 144

Overlapping POU Claim #'s:

Total GIS Acres: 144

63-03147

COMMENTS:

Per Transfer map & overlapping claim. Pod estimated
per claim legal.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-164C

WATER RIGHT NUMBER: 63-164C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	F L LEONARD
	, ID
Current Owner	J S D MANVILLE
	, ID
Current Owner	E E LEONARD
	, ID

Priority Date: 06/01/1866

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion

BOISE RIVER	Sec. 9, Twp 03N, Rge 02E, B.M.
ADA County	
BOISE RIVER	Sec. 15, Twp 03N, Rge 02E, B.M.
ADA County	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	9	X	X	X	X	X	X	X	X	X					X	X	X	X

Conditions of Approval:Remarks:

- General TRANS. 1855.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-164C

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 1/18/1906
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Riverside Irrigation District, Ltd, et al
Decree Plaintiff: Farmers Cooperative Ditch Co
Civil Case Number:
Judicial District: Seventh District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 5, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notices of Claim to a Water Right

KARL J. DREHER
DIRECTOR

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

Dear Claimant:

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

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

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

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

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

PUBLIC WORKS DEPARTMENT
CITY HALL
4TH FLOOR



H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

March 23, 1999

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

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

Dear Ms. Buffington:

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

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

Sincerely,

Beth K. Baird
Environmental Program Coordinator