

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 63-122
Date Received: 8/7/1989
Receipt No: W004118
Received By:

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

1. Name of Claimant(s)

FAIRVIEW ACRES WATER USERS ASSOC INC Phone: (208)658-1263
PO BOX 6377
BOISE ID USA 83707

2. Date of Priority: 06/01/1891

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	9	NW NW	ADA	

5. Description of diverting works:

HEADGATE, CANAL, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	9/30	0.54	

7. Total Quantity Appropriated is:
0.54 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
03N	02E	5	NE SE	IRRIGATION	24
			NW SE	IRRIGATION	40
			SW SE	IRRIGATION	20
			SE SE	IRRIGATION	26

Section Acres 110

Total Acres 110

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 32.

THE CHANGE ON THIS CLAIM CONSISTS OF LISTING THE ACREAGES UNDER PLACE OF USE.
ASSOCIATION REPRESENTS PROPERTY OWNERS.

15. Basis of Claim: Decreed

16. Signature(s)

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 463-121

463-122

[] Old Mailing Address: _____

[] New Mailing Address: _____

PO Box 6377
Boise, ID 83707

New Telephone Number: (462-3581

376-4694

[] Signature of Claimant: _____

Wayne H. H. Randy

Date: _____

10-14-03

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____

By: _____

Further Action Needed:

Further Action Taken

Date: _____

By: _____

Final Review and Data-Entry

Date: _____

By: _____

Changed on system
10-14-03

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: A63-00122
Date Received: 8/07/1989
Receipt No: W004118
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAIRVIEW ACRES WATER USERS ASSOC., INC. 208-384-5442
Address: C/O LLOYD JOHNSTON
PO BOX 732
BOISE, ID 83707

2. Date of Priority: JUN 01, 1891

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	9	NW	NW			ADA

5. Description of diverting works:
HEADGATE, CANAL, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.540		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	5	NE	SE		IRR	24.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0

A63-00122

Page 1

Date: 08/08/89

MICROFILMED

AUG 14 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	5	SE SE		IRR	26.0
Section Acres						110.0
Total Acres						110.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
A63-00121

14. Remarks:

TRANS. 32.

THE CHANGE ON THIS CLAIM CONSISTS OF LISTING THE ACREAGES UNDER
PLACE OF USE.

ASSOCIATION REPRESENTS PROPERTY OWNERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00122

Date Received: 8-7-89

Receipt No: 0004118

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAIRVIEW ACRES WATER USERS ASSOC., INC. 208-384-5442
Address: C/O LLOYD JOHNSTON
PO BOX 732
BOISE, ID 83701

2. Date of Priority: JUN 01, 1891

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	9	NW	NW	NW		ADA

5. Description of diverting works:
HEADGATE, CANAL, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.540		

7. Total Quantity Appropriated is:
0.540 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	5	NE	SE		IRR	24.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0

A63-00122

Page 1

Date: 02/16/89

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AUG 14 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	5	SE	SE		IRR	26.0
Section Acres							110.0
Total Acres							110.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? ~~yes~~ *NO.*

13. Other Water Rights Used:
A63-00121

14. Remarks:

TRANS. 32.

THE CHANGE ON THIS CLAIM CONSISTS OF LISTING THE ACREAGES UNDER
PLACE OF USE. *ASSN. Represents property owners*

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____ Organization that I have signed the foregoing
document in the space below as _____ of
_____ Title
_____ Organization and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____
Date: _____

A63-00122

Page

3

MICROFILMED

AUG 14 1992

Cost = \$50.00 + 110.00 = \$160.00

WORK COPIES

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: A63-00122

Date Received: 2/16/1989

Receipt No:

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: DAVIS EST.
Address:

2. Date of Priority: JUN 01, 1891

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	9		NW	NW		ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.540		

7. Total Quantity Appropriated is:
0.540 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	5	NE	SE	2	IRR	24
			NW	SE		IRR	40
			SW	SE		IRR	20
			SE	SE		IRR	26
							110

A63-00122

Page 1

Date: 02/16/89

MICROFILMED

AUG 14 1992

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? ~~YES~~ *NO L.G.*

13. Other Water Rights Used:

14. Remarks:
TRANS. 32.

15. Basis of Claim: DECREED *ASSN. Represents property owners*
Case Number:
Court :
Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
AUG 14 1992

05/12/2005

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

RIGHT NUMBER: 63-122

NAME AND ADDRESS: FAIRVIEW ACRES WATER USERS ASSOC INC
PO BOX 6377
BOISE ID 83707

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.540 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: 06/01/1891

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.540 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:

402 ACRES TOTAL

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

of use is attached hereto to illustrate the place of use described by the digital boundary.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 402 ACRES WITHIN THE BOUNDARY OF FAIRVIEW ACRES WATER USERS ASSOCIATION

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH THE SETTLERS CANAL AND FAIRVIEW ACRES IRRIGATION DITCHES.

THIS RIGHT IS DESIGNATED AS NO 119 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120H, 63-121, 63-161AJ, 63-169A, 63-169C, 63-230L, 63-230M, 63-231D, 63-16532.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-122 V1

WATER RIGHT NUMBER: 63-122 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS DAVIS
	BOISE, ID
Original Owner	DAVIS EST
	BOISE, ID
Current Owner	FAIRVIEW ACRES WATER USERS ASSOC INC
	PO BOX 6377
	BOISE, ID 83707
	(208)658-1263

Priority Date: 06/01/1891

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	03/01 to 11/15	0.540 CFS	
	<u>Total Diversion:</u>	0.540 CFS	

Location of Point(s) of Diversion

BOISE RIVER	L7 (SW1/4NE1/4)	Sec. 9, Twp 03N, Rge 02E, B.M.
ADA County		

Place of UseConditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 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.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-122 V1

4. 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.
5. 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 DESIGNATED AS NO 119 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. Explanatory WATER IS DELIVERED THROUGH THE SETTLERS CANAL AND FAIRVIEW ACRES IRRIGATION DITCHES.
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120H, 63-121, 63-161AJ, 63-169A, 63-169C, 63-230L, 63-230M, 63-231D, 63-16532.
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 402 ACRES WITHIN THE BOUNDARY OF FAIRVIEW ACRES WATER USERS ASSOCIATION

Comments:

1. mcase 7/21/2004 POD
Comment: Correlated PODID 619995 from SpatialDataID 342579 to SpatialDataID 306185
2. mcase 7/21/2004 POD
Comment: Correlated PODID 619995 from SpatialDataID 342579 to SpatialDataID 306185
3. mcase 7/21/2004 POD
Comment: Correlated PODID 619995 from SpatialDataID 342579 to SpatialDataID 306185

Water Supply Bank:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-122Owner: Jamie Acres Water Users Phone No. See 63-121

Current Address: _____

- ☒ No change NAME IS THE SAME See 63-121
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: See 63-121**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: See 63-121 6-1-1891 = same as decreed

(If priority date, based on your exam, seems questionable, explain below.)

Source: Boise River Tributary to Snake River

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	7		SW	NE	9	3N	2E	Okla	USGS topo map

Description of diverting works

See 03-121

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

See 03-121

WATER USES☐ No change☐ Different UsesUse Irrigation From 3-1 To 11-15 Amount .54 CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only NA☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

<i>Limited to</i>			<i>within the boundary</i>																Totals
Place of Use			NE				NW				SW				SE				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: See 63-121

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

See 63-121

Delivery System Narrative:

See 63-121

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
<i>NA</i>					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Designated #119

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED:

FIELD EXAMINER:

CTED: _____
Mel Schulte

63-122

(6)

I.

That the defendant THOMAS DAVIS be and is hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about one mile east of the east line of the original townsite of Boise City, Idaho, through what is commonly known as the Jacobs Canal; for use upon lands lying in Secs. 10 and 11, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0120 110 inches, from June 1, 1864; and hereby designated as Right No. 1
512, 513, 580, 595

That the defendant Thomas Davis be and is hereby awarded the use of said waters diverted from a point on the south side of said river in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 9, T. 3 N. R. 2 E. B.M., through what is known as the Davis Canal, for use upon lands in Secs. 5, 6, 31 and 32, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0121 670 inches, from June 1, 1886, and hereby designated as Right No. 94.

That the defendant Thomas Davis be and is hereby awarded the use of said waters diverted from said river at a point in NW $\frac{1}{4}$ of Sec. 9, T. 3 N. R. 2 E. B.M., through what is known as the Davis private ditch, for use upon SE $\frac{1}{4}$ of Sec. 5 and SE $\frac{1}{4}$ of Secs 8 and 9, all in T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0122 27 inches, from June 1, 1891; And hereby designated as Right No. 119
P.D. 32

And adjudged to pay \$56.49 costs, in addition to the costs incurred by him.

II.

JACOBS CANAL COMPANY, Limited, a corporation.

That the defendant the Jacobs Canal Company, Limited, be and it is hereby awarded the use of the waters of Boise River, diverted from a point on the north side of said river about one mile east of the east boundary line of the original townsite of Boise City, Idaho, through what is commonly known as the Jacobs Canal, for use upon the town lots and lands lying under said canal in Secs. 4, 9, 10, 11, 13, 14, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0123 1000 inches, from June 1, 1864; and hereby designated as Right No. 2
542, 136

And adjudged to pay \$70.00 costs, in addition to the costs incurred by it.

JUN 21 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-122

WATER RIGHT NUMBER: 63-122

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS DAVIS
	BOISE, ID
Original Owner	DAVIS EST
	BOISE, ID
Current Owner	FAIRVIEW ACRES WATER USERS ASSOC INC
	PO BOX 6377
	BOISE, ID 83707
	(208)658-1263

Priority Date: 06/01/1891

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	5/01 to 9/30	0.540 CFS	
	<u>Total Diversion:</u>	0.540 CFS	

Location of Point(s) of Diversion

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

Place of UseIRRIGATION Within ADA County

T03N R02E S05	NESE 24.0	T03N R02E S05	NWSE 40.0
T03N R02E S05	SWSE 20.0	T03N R02E S05	SESE 26.0

Total Acres: 110

Conditions of Approval:Remarks:

- | | |
|--------------|---|
| 1. General | TRANS. 32.
THE CHANGE ON THIS CLAIM CONSISTS OF LISTING THE ACREAGES UNDER PLACE
OF USE.
ASSOCIATION REPRESENTS PROPERTY OWNERS. |
|--------------|---|

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-122

WATER RIGHT NUMBER: 63-122

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS DAVIS 4555 WEST GREEN KUNA, ID 83634
Current Owner	DAVIS EST BOISE, ID

Priority Date: 06/01/1891
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 /	0.540 CFS	
	<u>Total Diversion:</u>	0.540 CFS	

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION Within ADA County

T03N R02E S05	NESE	T03N R02E S05	NWSE
T03N R02E S05	SWSE	T03N R02E S05	SESE

Conditions of Approval:

Remarks:

1. General TRANS. 32.

Comments:

I.

That the defendant THOMAS DAVIS be and is hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about one mile east of the east line of the original townsite of Boise City, Idaho, through what is commonly known as the Jacobs Canal; for use upon lands lying in Secs. 10 and 11, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0120 110 inches, from June 1, 1864; and hereby designated as Right No. 1
512, 513, 530, 595

That the defendant Thomas Davis be and is hereby awarded the use of said waters diverted from a point on the south side of said river in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 9, T. 3 N. R. 2 E. B.M., through what is known as the Davis Canal, for use upon lands in Secs. 5, 6, 31 and 32, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0121 670 inches, from June 1, 1886, and hereby designated as Right No. 94.

That the defendant Thomas Davis be and is hereby awarded the use of said waters diverted from said river at a point in NW $\frac{1}{4}$ of Sec. 9, T. 3 N. R. 2 E. B.M., through what is known as the Davis private ditch, for use upon SE $\frac{1}{4}$ of Sec. 5 and SE $\frac{1}{4}$ of Secs 8 and 9, all in T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0122 27 inches, from June 1, 1891; And hereby designated as Right No. 119
P.D. 32
And adjudged to pay \$56.49 costs, in addition to the costs incurred by him.

II.

JACOBS CANAL COMPANY, Limited, a corporation.

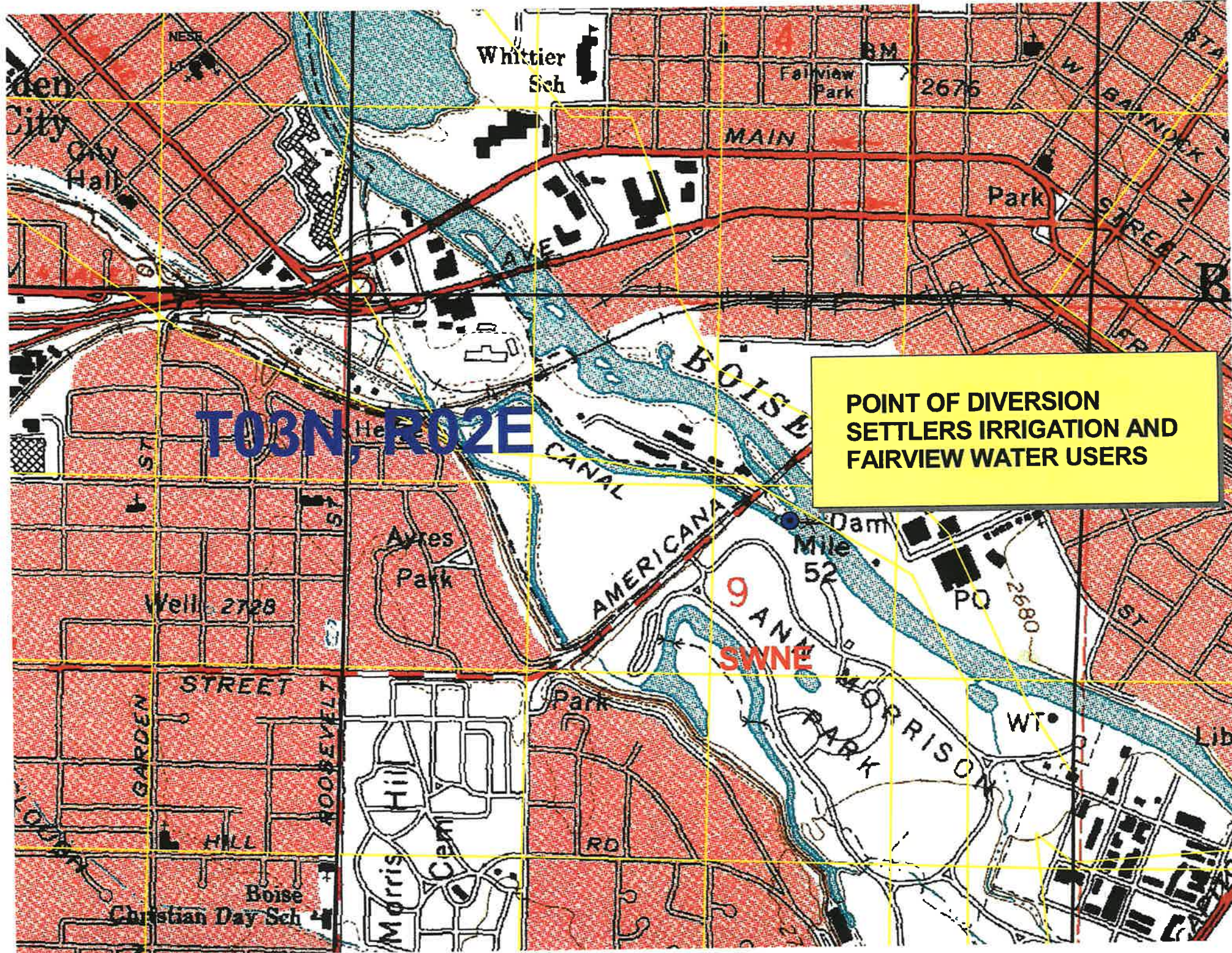
That the defendant the Jacobs Canal Company, Limited, be and it is hereby awarded the use of the waters of Boise River, diverted from a point on the north side of said river about one mile east of the east boundary line of the original townsite of Boise City, Idaho, through what is commonly known as the Jacobs Canal, for use upon the town lots and lands lying under said canal in Secs. 4, 9, 10, 11, 13, 14, T. 3 N. R. 2 E. B.M., in the following amount from the following date;

63 0123 1000 inches, from June 1, 1864; and hereby designated as Right No. 2
542, 136
And adjudged to pay \$70.00 costs, in addition to the costs incurred by it.

JUN 21 1996

An aerial photograph of a suburban area with a grid of streets. A yellow boundary outlines a specific region, and a blue line indicates a place of use. The map is overlaid with a yellow and blue pattern.

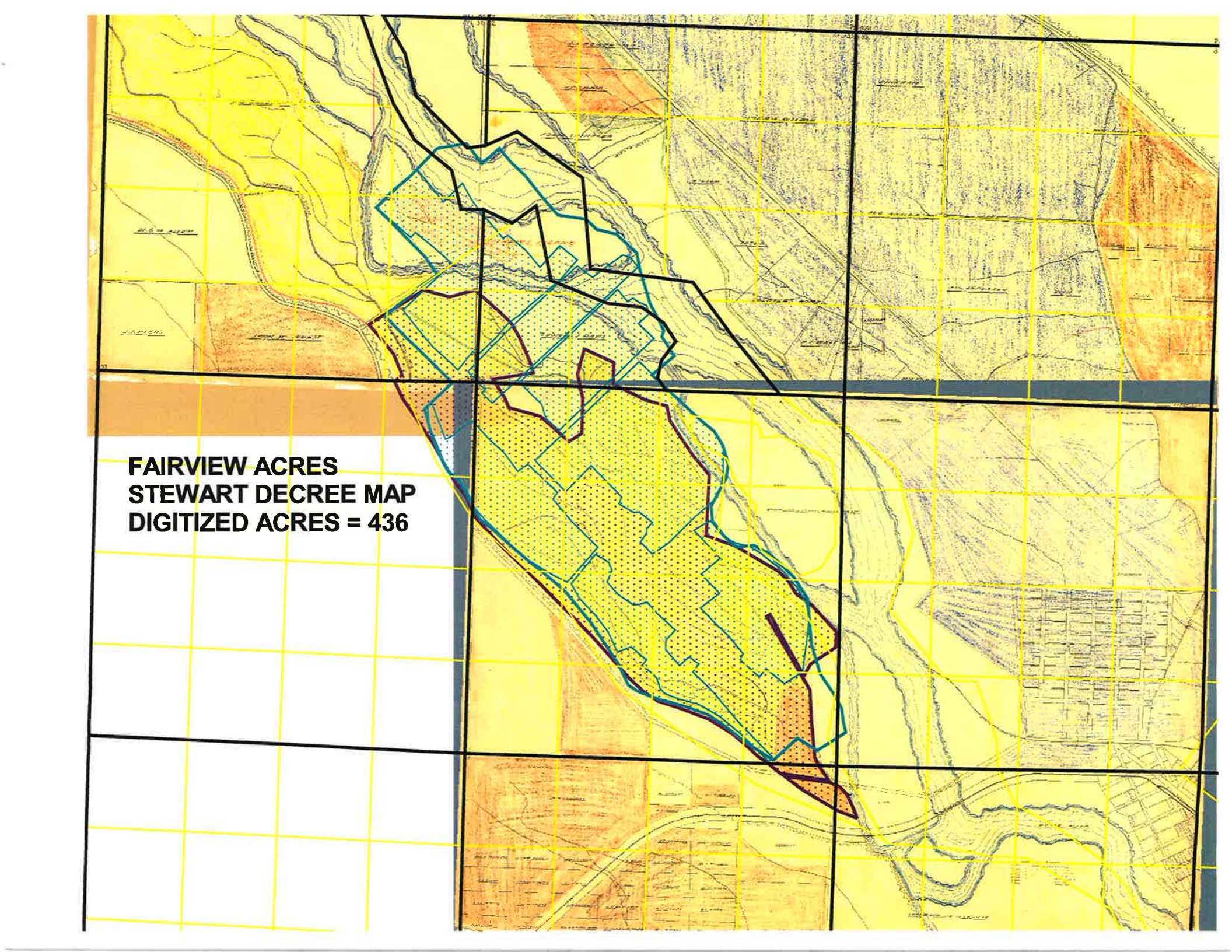
**FAIRVIEW ACRES WATER USERS
BOUNDARY AND PLACE OF USE MAP**



T03N, R02E

POINT OF DIVERSION
SETTLERS IRRIGATION AND
FAIRVIEW WATER USERS

9
SWNE



**FAIRVIEW ACRES
STEWART DECREE MAP
DIGITIZED ACRES = 436**