

RECEIVED

SEP 23 2003

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 63-2080
Date Received: 10-2-03
Receipt No: W030976
Received By: MTS

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

1. Name of Claimant(s)

SETTLERS IRRIGATION DISTRICT Phone: (208)344-2471

PO BOX 7571
BOISE ID USA 83707

2. Date of Priority: 05/09/1908

3. Source: UNNAMED STREAM Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	20	SW SW	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	/	/	6	
DOMESTIC	/	/		

7. Total Quantity Appropriated is:
6 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
04N	01E	30	NE NE	IRRIGATION	4
			NW NE	IRRIGATION	8
			NE NW	IRRIGATION	22
			NW NW	IRRIGATION	20

					Section Acres	54
04N	01W	24	SE	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
					Section Acres	80
04N	01W	25	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	6
					Section Acres	166
					Total Acres	300

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:

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Board President of
Title
Settlers Irrigation District, that I have signed the foregoing
Organization
document in the space below as Board President of
Title
Settlers Irrigation District and that the statements contained in the
Organization
foregoing document are true and correct. Richard E. Allen
Signature of Authorized Agent

Board President, Settlers Irrigation District
Title and Organization

9/18/03

Date

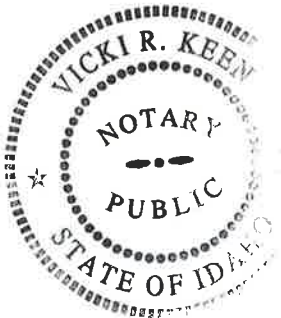
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of September 2003 Vicki Keen

Notary Public

Residing at Boise, Idaho

My commission Expires 5/21/2005



Ada County
Unnamed slough
6 second feet
Irrigation
Priority 5-9-1908

S T A T E O F I D A H O .

Water License No. 3868.

-----0-----

WHEREAS, On the 9th day of May A.D.1908, SETTLERS IRRIGATION DISTRICT, of Boise, County of Ada, and State of Idaho, duly made application (No. 5172) to me for a permit to use six cubic feet per second of the waters of unnamed slough, County of Ada, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 1st day of August A.D.1908, Permit No. 3868 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 1st day of February A.D.1909, and for the application to beneficial use of said water on or before the 1st day of February A.D.1909, and

WHEREAS, On the 1st day of February A. D. 1909, the holder of said permit duly made proof of the completion of adequate works for the diversion of six cubic feet per second of said waters, as evidenced by my Certificate No. 3868 dated April 12,1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six cubic feet per second of water, with date of priority of May 9,1908, and,

WHEREAS, On the 1st day of February A.D. 1909, proof was duly made of the application to beneficial use of six cubic feet per second of said water;

NOW, THEREFORE, by virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to SETTLERS IRRIGATION DISTRICT, of Boise, Idaho, the holder and owner of said Permit No. 3868, a perpetual right, dating from May 9,1908, to the use of six cubic feet per second of the waters of unnamed slough, in the County of Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 288 feet east of northeast quarter of section 30, township 4 north, range 1 east of Boise meridian, and conducted to and upon 7.5 acres in NE4 NE4, 7.5 acres in NW4 NE4, 22 acres in NE4 NW4, 19.5 acres in NW4 NW4; section 30, Tp. 4 N.R. 1 E.W.M., 80 acres in NE2 NE4, 80 acres in NE2 NW4, 6.5 acres in SW4 NW4 Sec. 24, and 80 acres in SE2 SE4 Sec. 24, Tp. 4 N.Range 1 E.B.M., for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of April, A.D.

Nineteen hundred and nine.

Jan. Stephenson, Jr.
State Engineer.

62 0000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2080

WATER RIGHT NUMBER: 63-2080

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471

Priority Date: 05/09/1908

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4SW1/4	Sec. 20, Twp 04N, Rge 01E, 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	
04N	01E	30	4.0	8.0			22.0	20.0											54.0
04N	01W	24															40.0	40.0	80.0
04N	01W	25	40.0	40.0			40.0	40.0	6.0										166.0

Total Acres: 300

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

LICENSE 63-2080

24

20

40

40

SWSW

POD

40

40

40

40

20

22

8.0

4.0

6.0

25

30

RECEIVED

JUN 02 2004

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-02080

Date Received

Receipt Number

4030976

AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWAttorney: Scott L. Campbell
Moffatt, Thomas, Barrett,
Rock & Fields, Chartered
P. O. Box 829
Boise, Idaho 83706
(208) 345-2000

Please type or print clearly

1. Name of Claimant (s) Settlers Irrigation District Phone (208) 344-2471
Mailing Address Post Office Box 7571, Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) May 9, 19083. Source of water supply (a) Unnamed Stream
which is tributary to (b) Boise River4. a. Location of existing point of diversion is: Township 04N Range 01E Section 20,
1/4 of SW 1/4 of SW 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.

Please see description of diverting works set forth in the license for this water right.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 6.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is n/a acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	30	4	8			22	20											54
4N	1W	24															40	40	80
		25	40	40			40	40	6										166

Total number of acres irrigated 300

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 _____ 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.

or None (☒)

14. Remarks:

Last Name Settlers Irrigation District Ident No. 63-02080

BOI_MT2:540171.1

Scale: 2 inches equals 1 mile Please see attachment A to water right 63-00230F

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License x Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-02080
Court _____ Case Number _____ Decree Date _____
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 1

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

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

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

of Settlers Irrigation District _____, that I have signed the foregoing
Organization
document in the space below as President _____ of Settlers Irrigation District
Title Organization

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

Signature of Authorized Agent Richard E. Allen

Title and Organization President, Settlers Irrigation District Date 5-27-04

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

Subscribed and sworn (or affirmed) before me this 27th day of May 2004



Notary Public Nathan Draper

Residing at Boise, ID

My Commission Expires 9-25-09

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell 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 Scott L. Campbell

Address PO Box 829, Boise, Idaho 83701

Date 6/01/04

Last Name Settlers Irrigation District Ident. Number 63-02080

RIGHT NUMBER: 63-2080

SOURCE: UNNAMED STREAM

TRIBUTARY: BOISE RIVER

QUANTITY: 6.000 CFS

PRIORITY DATE: 05/09/1908

POINT OF DIVERSION:

T04N R01E S29 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

6.000 CFS

PLACE OF USE:

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 13135 acres within the boundary of the Settlers Irrigation District.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

2021
Shurte, Jan

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Monday, October 20, 2008 2:57 PM
To: Shurte, Jan
Subject: RE: 63-2080 and 63-11185 (Settlers Irr. Dist.)

Jan,

I called Andy Waldera and he checked with his client to see if there was some reason that Settler's would not want the digital boundary. Your assessment was correct that Settler's prefers to have the digital boundary rather than a quarter-quarter description. It is my assessment that we can make the change without having an amended Director's Report. We will delete the current POU description and replace it with the digital boundary language, together with the 13,135 acreage limitation.

Ted Booth

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

From: Shurte, Jan [mailto:Jan.Shurte@idwr.idaho.gov]
Sent: Monday, October 20, 2008 10:57 AM
To: Ted Booth
Cc: Shurte, Jan
Subject: RE: 63-2080 and 63-11185 (Settlers Irr. Dist.)

Hi Ted,

After reviewing these two rights, it appears they were recommended exactly like the licenses and not like the normal irrigation district rights.

What would be best is to take off the acres, along with the acre limiter and add the digital boundary language on both. Right No. 63-2080 has the boundary language already. We would only need to add it to 63-11185. Also add the condition "This right is limited to the irrigation of 13135 acres within the boundary of the Settlers Irrigation District." I'm not sure what happened with these two, just a mix-up.

Can we go ahead and change the records here and you issue the partial decrees with the changes? I'm sure the irrigation district would rather have it this way than with the quarter-quarters listed and acre limits. All of the rights would then be consistent with how we do irrigation districts and with the rest of Settler's. Please let me know if we need to do an Amended Director's Reports or something else.

Thanks,
Jan

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Thursday, October 16, 2008 4:43 PM
To: Shurte, Jan
Subject: 63-2080 and 63-11185 (Settlers Irr. Dist.)

Jan,

The POU for these two rights is described by quarter-quarters, but the maps prepared for the digital boundary POU for Settlers Irrigation District includes these two right numbers on the heading (along with 63-230L, 63-231D, and 63-3060). Please review.

Ted

10/30/2008

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2080 V1

WATER RIGHT NUMBER: 63-2080 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 05/09/1908

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BOISE 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	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4NW1/4	Sec. 29, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01E S30	NENE	4.0	T04N R01E S30	NWNE	8.0
T04N R01E S30	NENW	22.0	T04N R01E S30	NWNW	20.0
T04N R01W S24	SWSE	40.0	T04N R01W S24	SESE	40.0
T04N R01W S25	NENE	40.0	T04N R01W S25	NWNE	40.0
T04N R01W S25	NENW	40.0	T04N R01W S25	NWNW	40.0
T04N R01W S25	SWNW	6.0			

Total Acres: 300

*delete*Conditions of Approval:

1. 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.

Remarks:

ADD - DIGITAL BOUNDARY LANGUAGE
ADD - 188 w/13, 135 acres *#135 Pou*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2080 V1

Comments:

1. jshurte 10/17/2005 POU NOE

Comment: Per Notice of Error submitted on 6-23-05 - changed irrigated acres to 300 acres per NOE submitted, thus deleting the need for the digital boundary remark (requested to be deleted on NOE) from the recommendation. Did not put the 300 acres within the boundaries of Settlers as the place of use already limits the irrigated acres to 300 acres per landlist submitted.

Water Supply Bank:

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

Shurte, Jan

From: Shurte, Jan
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<http://www.ihatespam.net>

10/20/2008

06/28/2005

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

RIGHT NUMBER: 63-2080

NAME AND ADDRESS: SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE ID 83707

SOURCE: UNNAMED STREAM

TRIBUTARY: BOISE RIVER

QUANTITY: 6.000 CFS

PRIORITY DATE: 05/09/1908

POINT OF DIVERSION:
T04N R01E S29 NWNW 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	6.000 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30	NENE	4.0	T04N R01E S30	NWNE	8.0
T04N R01E S30	NENW	22.0	T04N R01E S30	NWNW	20.0
T04N R01W S24	SWSE	40.0	T04N R01W S24	SESE	40.0
T04N R01W S25	NENE	40.0	T04N R01W S25	NWNE	40.0
T04N R01W S25	NENW	40.0	T04N R01W S25	NWNW	40.0
T04N R01W S25	SWNW	6.0			

300 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 300 ACRES WITHIN THE BOUNDARY OF THE SETTLERS IRRIGATION DISTRICT.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

5/12/2005

NOTICE OF ERROR

REPLY

RECEIVED

JUN 23 2005

WATER RESOURCES
WESTERN REGION

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 24, 2005.

Water right number: 63-2080

SETTLERS IRRIGATION DISTRICT

PO BOX 7571

BOISE ID 83707

Telephone Number: (208) 344-2471

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

Place of Use

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

Remove remark beginning with "The boundary encompassing the place of use for this water right is described with a digital boundary . . ." in its entirety. Also, modify place of use as follows:

TWP	RNG	SEC	1/4 of	1/4	Acres
4N	1E	30	NE	NE	4
			NW	NE	8
			NE	NW	22
			NW	NW	20
	1W	24	SW	SE	40
			SE	SE	40
		25	NE	NE	40
			NW	NE	40
			NE	NW	40
			NW	NW	40
			SW	NW	6

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

This water right should be limited to the use of 300 acres within the boundaries of the Settlers Irrigation District as set forth in the Water Right License dated April 12, 1909.

Agreed
Changes
made

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

DATE: 6-22-05

SIGNATURE: Richard E. Allen

Please print your name: RICHARD E. ALLEN

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, 2083342190

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2080 V1

WATER RIGHT NUMBER: 63-2080 V1

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Current Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 05/09/1908

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BOISE 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	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4NW1/4	Sec. 29, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

300 acres as described in license

Conditions 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. 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.

Remarks:

1. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 13189 ACRES WITHIN THE BOUNDARY OF THE SETTLERS IRRIGATION DISTRICT.

13189 300

LICENSE 63-2080

24

20

40

40

SWSW

POD

40

40

40

40

20

22

8.0

4.0

6.0

25

30

**SETTLERS IRRIGATION DISTRICT
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 12360 + 775 = 13135**



**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) 63-2080Owner: Settlers Irrigation Dist. Phone No. 344-2471

Current Address: _____

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

Accompanied by: Nathan Draper, Mgr.**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: May 9, 1908 = same as license(If priority date, based on your exam, seems questionable, explain below.)

_____Source: Unnamed Stream Tributary to Boise 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
			SW	SW	20	4N	1E	Ada	USGS map with help
			NW	NW	29				from company.

Description of diverting works

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:

WATER USES☐ No change☐ Different Uses

Use Irrigation From 3-1 To 11-15 Amount 6.0 CFS _____ AFA _____

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

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

TOTAL VOLUME – Groundwater only

- ☐ 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:

300
~~13135~~

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Recommended as licensed.
There is a subdivision development at the POB site
and subdivision development for some of the old
POB.
It appears the POB should be in the NWNW, S29
rather than the SWSW, S20.

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: *Mel Schulte*

Ada County
Unnamed slough
6 second feet
Irrigation
Priority 5-9-1908

63-2080

STATE OF IDAHO

Water License No. 3868.

-----0-----

WHEREAS, On the 9th day of May A.D.1908, SETTLERS IRRIGATION DISTRICT, of Boise, County of Ada, and State of Idaho, duly made application (No. 5172) to me for a permit to use six cubic feet per second of the waters of unnamed slough, County of Ada, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 1st day of August A.D.1908, Permit No. 3868 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 1st day of February A.D.1909, and for the application to beneficial use of said water on or before the 1st day of February A.D.1909, and

WHEREAS, On the 1st day of February A. D. 1909, the holder of said permit duly made proof of the completion of adequate works for the diversion of six cubic feet per second of said waters, as evidenced by my Certificate No. 3868 dated April 12,1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six cubic feet per second of water, with date of priority of May 9,1908, and,

WHEREAS, On the 1st day of February A.D. 1909, proof was duly made of the application to beneficial use of six cubic feet per second of said water;

NOW, THEREFORE, by virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to SETTLERS IRRIGATION DISTRICT, of Boise, Idaho, the holder and owner of said Permit No. 3868, a perpetual right, dating from May 9,1908, to the use of six cubic feet per second of the waters of unnamed slough, in the County of Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 288 feet east of northeast quarter of section 30, township 4 north, range 1 east of Boise meridian, and conducted to and upon .5 acres in NE4 NE4, 7.5 acres in NW4 NE4, 22 acres in NE4 NW4, 19.5 acres in NW4 NW4; section 30, Tp. 4 N.R. 1 E.W.M., 80 acres in NE2 NE4, 80 acres in NE2 NW4, 6.5 acres in SW4 NW4 Sec. 28, and 80 acres in SE2 SE4 Sec. 24, Tp. 4 N.Range 1 E.B.M., for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the Waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of April, A.D.

Nineteen hundred and nine.

Jan. Stephenson, Jr.
State Engineer.

63-2080

~~SECRET~~ 1/4-A

- 22320

Remarks: This ditch is taken from a slough and there is no head gate. A culvert over the ditch in the county road measures 4 feet wide and 2 feet deep which may be the controlling gate. Total amount of acres under this ditch 300 acres. Capacity of ditch 4 second feet.

3958

Hand-drawn geological map of a section of the Tanzi River. The map is divided into sections labeled "Set 24" and "Set 30-TANZIE". It includes a scale of 600' = 1 inch and a permit number 3868.

Section 24:

- Top left: "Set 24"
- Top center: "Set 24"
- Top right: "Set 24"
- Center: "Set 24"
- Bottom left: "Set 24"
- Bottom center: "Set 24"
- Bottom right: "Set 24"

Section 30-TANZIE:

- Top left: "Set 30-TANZIE"
- Top center: "Set 30-TANZIE"
- Top right: "Set 30-TANZIE"
- Center: "Set 30-TANZIE"
- Bottom left: "Set 30-TANZIE"
- Bottom center: "Set 30-TANZIE"
- Bottom right: "Set 30-TANZIE"

Geological Features and Bearings:

- Top left: "Set 24" (bearing)
- Top center: "Set 24" (bearing)
- Top right: "Set 24" (bearing)
- Center: "Set 24" (bearing)
- Bottom left: "Set 24" (bearing)
- Bottom center: "Set 24" (bearing)
- Bottom right: "Set 24" (bearing)
- Top left: "Set 24" (bearing)
- Top center: "Set 24" (bearing)
- Top right: "Set 24" (bearing)
- Center: "Set 24" (bearing)
- Bottom left: "Set 24" (bearing)
- Bottom center: "Set 24" (bearing)
- Bottom right: "Set 24" (bearing)

Scale: 600' = 1 inch

Permit: 3868

Scale 600' = 1 inch

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2080

WATER RIGHT NUMBER: 63-2080

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SETTLERS IRRIGATION DISTRICT PO BOX 7571 BOISE, ID 83707 (208)344-2471

Priority Date: 05/09/1908

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4SW1/4	Sec. 20, Twp 04N, Rge 01E, 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	
04N	01E	30	4.0	8.0			22.0	20.0											54.0
04N	01W	24															40.0	40.0	80.0
04N	01W	25	40.0	40.0			40.0	40.0	6.0										166.0

Total Acres: 300

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

W030976

Boise
Idaho Falls
Pocatello

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Morgan W. Richards
Mark A. Ellison
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas

Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
David P. Gardner

Julian E. Gabiola
Angela Schaer Kaufmann
Benjamin H. Schwartz
Jon A. Stenquist
Peter Benjamin McLaughlin
Bradley J. Dixon
Mark C. Peterson
Andrew J. Waldera
Shawn C. Nunley

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

October 1, 2003

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise, Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED

OCT 02 2003

WATER RESOURCES
WESTERN REGION

Mel Schulte
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Settlers Irrigation District/Water Right No. 63-2080
MTBR&F File No. 18955.27

Dear Mel:

Thank you for your telephone call this morning concerning the District's Notice of Claim to a Water Right for water right number 63-2080. Enclosed please find the requisite \$50 filing fee. Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Tiffany M. Hudak
Legal Assistant
tmh@moffatt.com

/tmh

Enclosure

cc: Settlers Irrigation District (w/encl.)

Idaho Department of Water Resources Receipt

Receipt ID W030976

Payment Amount \$50.00 Date Received 10/2/2003 11:38:33 AM Region Western Status
Payment Type Check Check Number 168903

Payer MOFFATT THOMAS

Comment FILING FEE 63-2080

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	42503	1155	



Signature Line (Dept. Representative)

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
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D. James Manning
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Larry C. Hunter
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Peter Benjamin McLaughlin
Bradley J. Dixon
Mark C. Peterson
Andrew J. Waldera
Shawn C. Nunley

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED
SEP 23 2003
WATER RESOURCES
WESTERN REGION

September 22, 2003

Boise
Idaho Falls
Pocatello

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise, Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Attn: Mel Schulte
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Settlers Irrigation District/Water Right No. 63-2080
MTBR&F File No. 18955.27

Dear Mel:

Enclosed for filing please find the original and one copy of Settlers Irrigation District's Notice of Claim to a Water Right for water right number 63-2080. Please file the enclosed Notice of Claim, receive-stamp the copy, and return it to this office in the enclosed self-addressed, stamped envelope. Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Tiffany M. Hudak
Legal Assistant
tmh@moffatt.com

/tmh

Enclosure

cc: Settlers Irrigation District (w/encl.)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE, ID 83707

ATTN: VICKIE

Re: SRBA claim 63-2080

Dear Vickie:

Enclosed is an SRBA claim with several supporting documents for water right license 63-2080. For some reason a claim was not filed for this right when the other claims were filed. It is my understanding after discussing this right in your office that the water is still diverted and used within Settler's delivery area. If this true please have an authorized agent for the company sign the claim form and return it to my attention. Please remit a check with the executed claim in the amount of \$50 for the filing fee.

I received your letter dated July 9, 2003 listing the acres for the subdivisions within Settler's boundary. I appreciate your help in this matter. Including the 775.5 subdivision acres, I have estimated there are 12,092 irrigated acres within the boundary of Settlers Irrigation District. Because this number exceeds the 11,164.2 total acres listed in the previous claims we will probably want to amend all of the claims to reflect this larger number. We can address this issue at a later date.

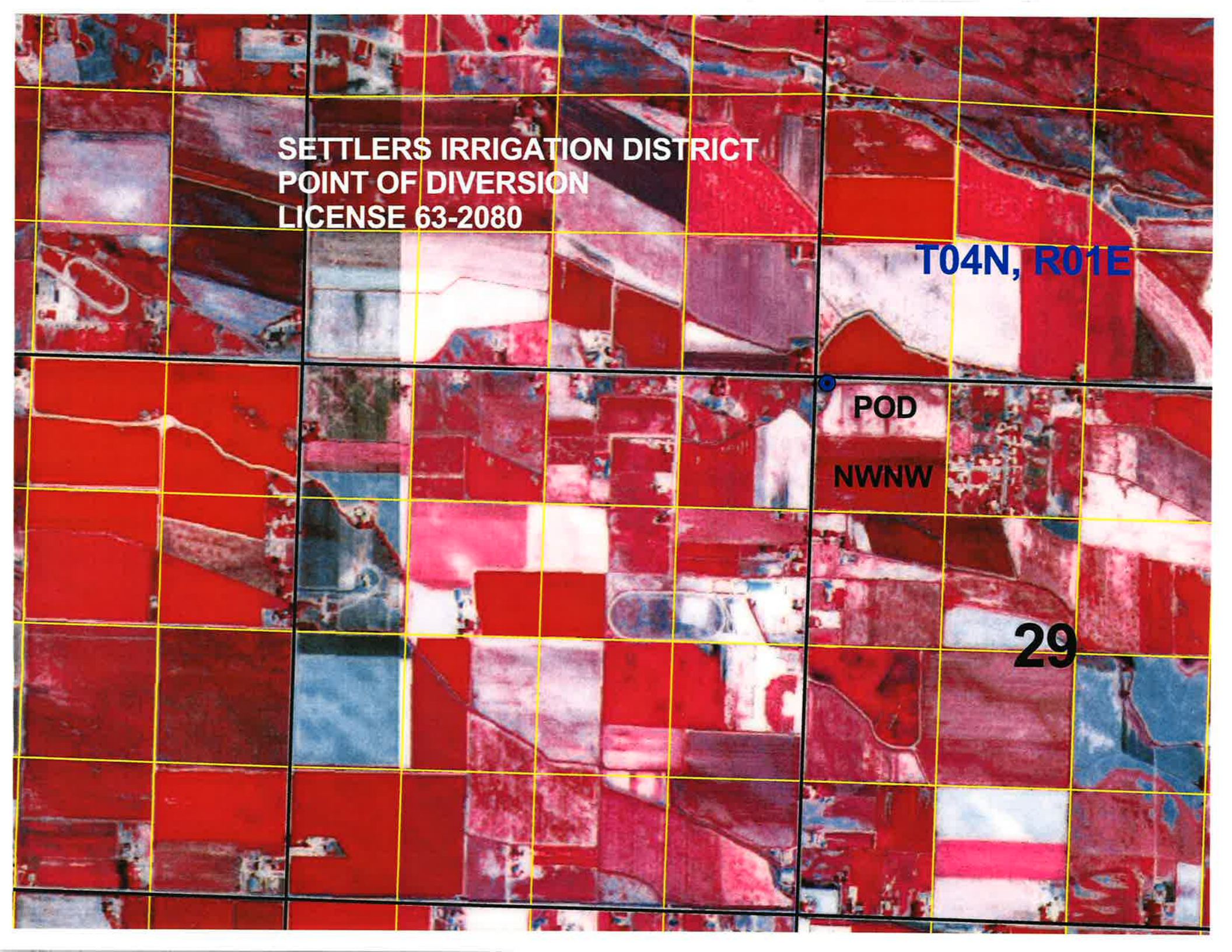
Call me at the number below if you have any questions.

Cordially,

Mel Schulte
Sr. Water Rights Agent
208-334-2190

Enc.

CC: Scott Campbell



**SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE 63-2080**

T04N, R01E

POD

NWNW

29