

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: A63-02360  
Date Received: 07/28/1989  
Receipt No: C00 8662  
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BOISE VALLEY IRRIGATION DITCH CO. 208-342-7136  
Address: C/O WILMA RANSOM, SECY.  
4822 ALAMOSA LANE  
BOISE, ID 83703

2. Date of Priority: JUL 19, 1921

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   | 5       | NE     | SE     | NE  |     | ADA    |

5. Description of diverting works:  
FRM.RIV.VIA FARM.UN.TO BVIDCO GATE,NWSWNE,S32,T04N,R02E,FOR DISTR

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.200 |      |        |

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

8. Total consumptive use is 157.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N      | 02E   | 30      | SW     | NE  |     | IRR | 10.0  |
|          |       |         | SE     | NW  |     | IRR | 10.0  |

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Date: 07/07/89

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10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 04N           | 02E   | 30      | NW     | SE  |     | IRR | 25.0  |
| Section Acres |       |         |        |     |     |     | 45.0  |
| Total Acres   |       |         |        |     |     |     | 45.0  |

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:

DECREE 63-0147 & POSSIBLY B/U RT.FROM DEVELOPED WATER.

14. Remarks:

LANDS DESCRIBED AS PLACES OF USE ARE LANDS LICENSED UNDER ECHEVERRIA LICENSE AND LIE UNDER THE BVIDCO DITCH. WATER FOR THIS RT. IS DELIVERED BY AGREEMENT THROUGH THE FARMER'S UNION DITCH TO THE BVIDCO CONTROL GATE IN T04N,R02E,SEC.32,NWSWNE, FOR DISTRIBUTION THROUGH THE BOISE VALLEY IRRIGATION DITCH COMPANY DITCH. TRANSFER # 243 FOR THIS RT. TO FARMER'S UNION DIVERSION WAS EXECUTED ON JUNE 30, 1958.

15. Basis of Claim: LICENSE

Water Right Number: 15242

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: 7

**For Organizations:**

I do solemnly swear or affirm that I am President of Boise Valley Irr. Ditch, that I have signed the foregoing document in the space below as President of Boise Valley Irr. Ditch and that the statements contained in the foregoing document are true and correct.

Fred Schuchitz  
Signature of Authorized Agent

President of Boise Valley  
Title and Organization  
8-28-89  
Date

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day  
of July 1989

Seal

Forrest E. Luthy  
Notary Public

Forrest E. Luthy, Notary Public

Residing at \_\_\_\_\_ Residing at Boise, Idaho  
My Commission Expires Nov. 8, 1994  
My Commission Expires \_\_\_\_\_

63-02360

## State of Idaho

## License and Certificate of Water Right

Water License No. 15242Amount 1.2 sec. ft.Water District No. 12-APriority 7-19-1921

THIS IS TO CERTIFY that Victor Echevarria, Elias Echevarria & I.N. Kessinger of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 19, 1921; that Permit No. 15242 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.4 second feet, was issued thereunder on November 29, 1921, showing that said works were completed on the 14th day of November, 1921; and that on the 25th day of January, 1922,

Victor Echevarria, Elias Echevarria and I. N. Kessinger of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed slough, a tributary of Boise River, for the purpose of irrigation and domestic use, under Use Permit No. 15242 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3233, on the 26th day of January, 1925;

The right hereby confirmed dates from July 19, 1921;

The Point of Diversion is located in the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 30, Tp. 4 N., R. 2 E., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.2 cubic feet per second.

## Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 4 N. | 2 E.  | 30   | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 10                               | 10                              |
|      |       |      | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 10                               | 10                              |
|      |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | Total 60 acres                    |                                  |                                 |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 26th day of January, 1925

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STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

63-02360

CERTIFICATE NO. 243

CHANGE OF POINT OF DIVERSION  
OF LICENSED WATER RIGHT NO. 15242

THIS IS TO CERTIFY, that Marie Echevarria and I. N. Kessinger, of Boise, Idaho, are the owners of and using a certain water right for 1.2 cubic feet per second of the waters of an un-named slough, tributary of Boise River, (a drain operated by Drainage District No. 2, Ada County), with a priority of July 19, 1921.

Said water right being obtained by virtue of License No. 15242, issued by the Department of Reclamation of the State of Idaho, dated January 26, 1925 and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 30,  
Township 4 North, Range 2 East, B.M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 6 of Licenses, at Page 3233.

And that now, upon the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to change the point of diversion of 1.2 cubic feet per second of the waters of an un-named slough, considered as being part of the waters of the Boise River, is hereby GRANTED.

That said change of point of diversion shall not modify in effect said licensed water right or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amount, to-wit:

1.2 cubic feet per second, with priority  
of July 19, 1921.

That the water right hereby transferred has heretofore been diverted from an un-named slough, a tributary of the Boise River, to the first above described lands through private ditches, with point of diversion in the,

NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 4 North,  
Range 2 East, B.M.

That the water right hereby transferred will hereafter be diverted from the Boise River to the same lands by the delivery through the Farmers Union Ditch and Boise Valley Ditch, with point of diversion in the

SE $\frac{1}{4}$  of Section 32, Township 4 North,  
Range 2 East, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 30 day of June, 1958.

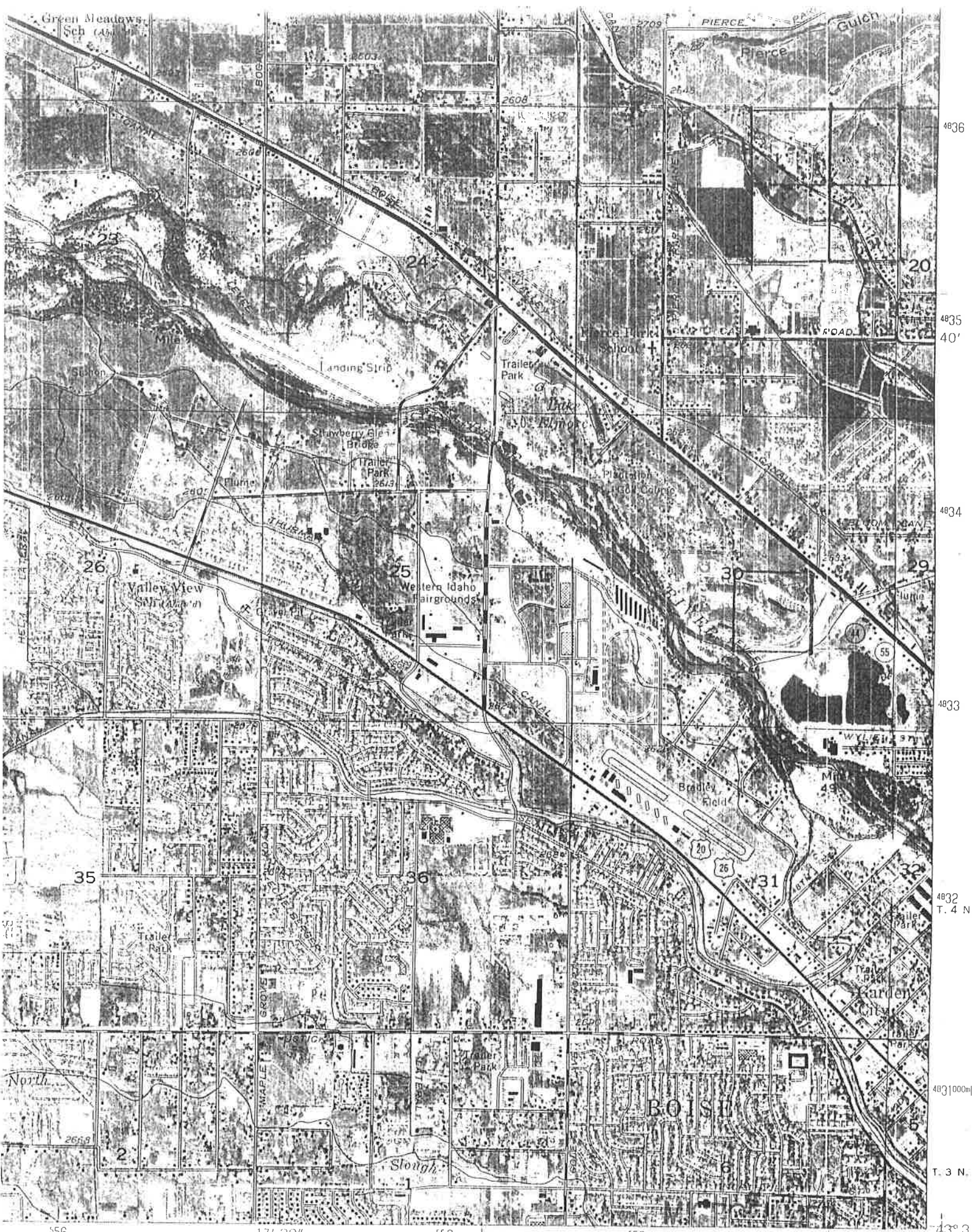
*E. N. Humphrey*  
E. N. HUMPHREY  
Deputy State Reclamation Engineer

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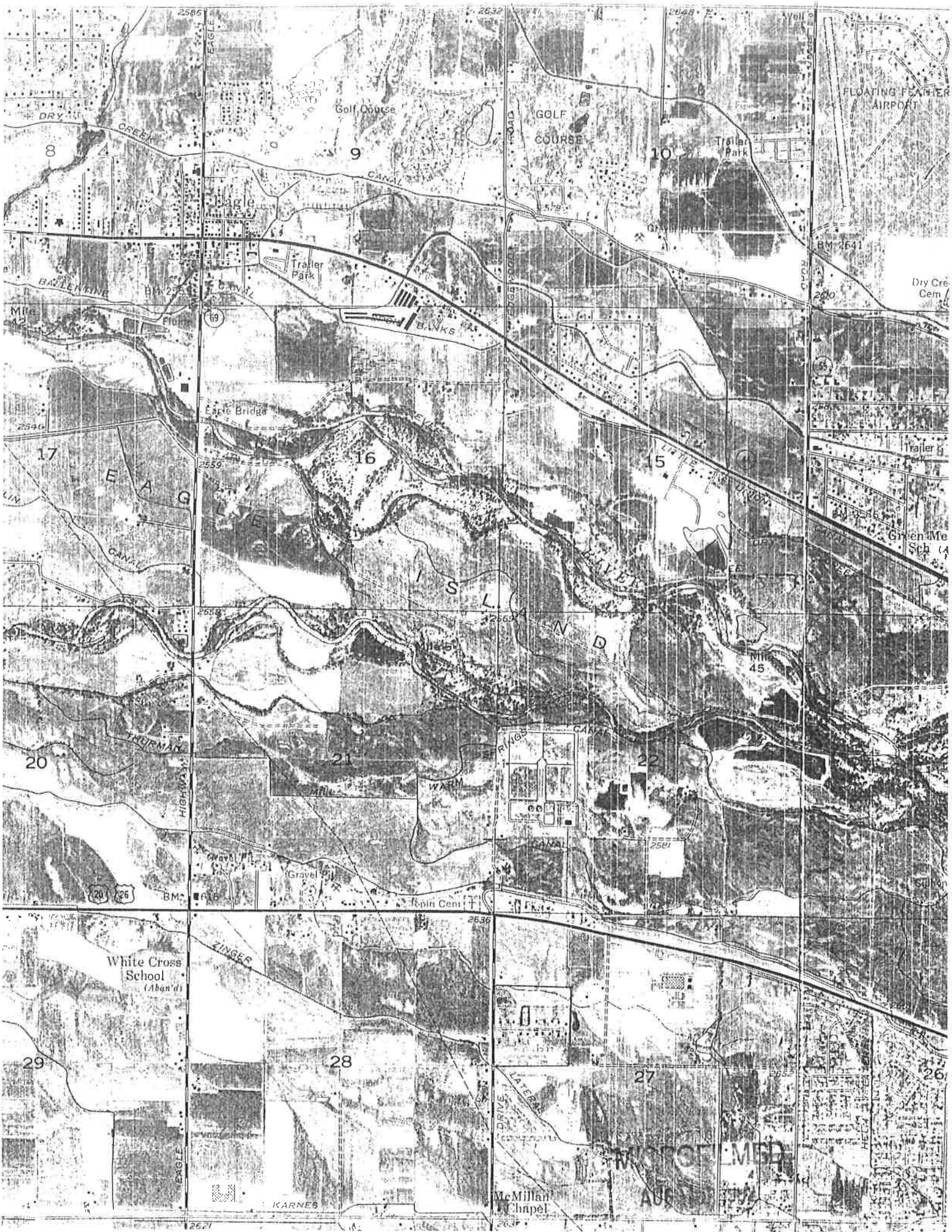
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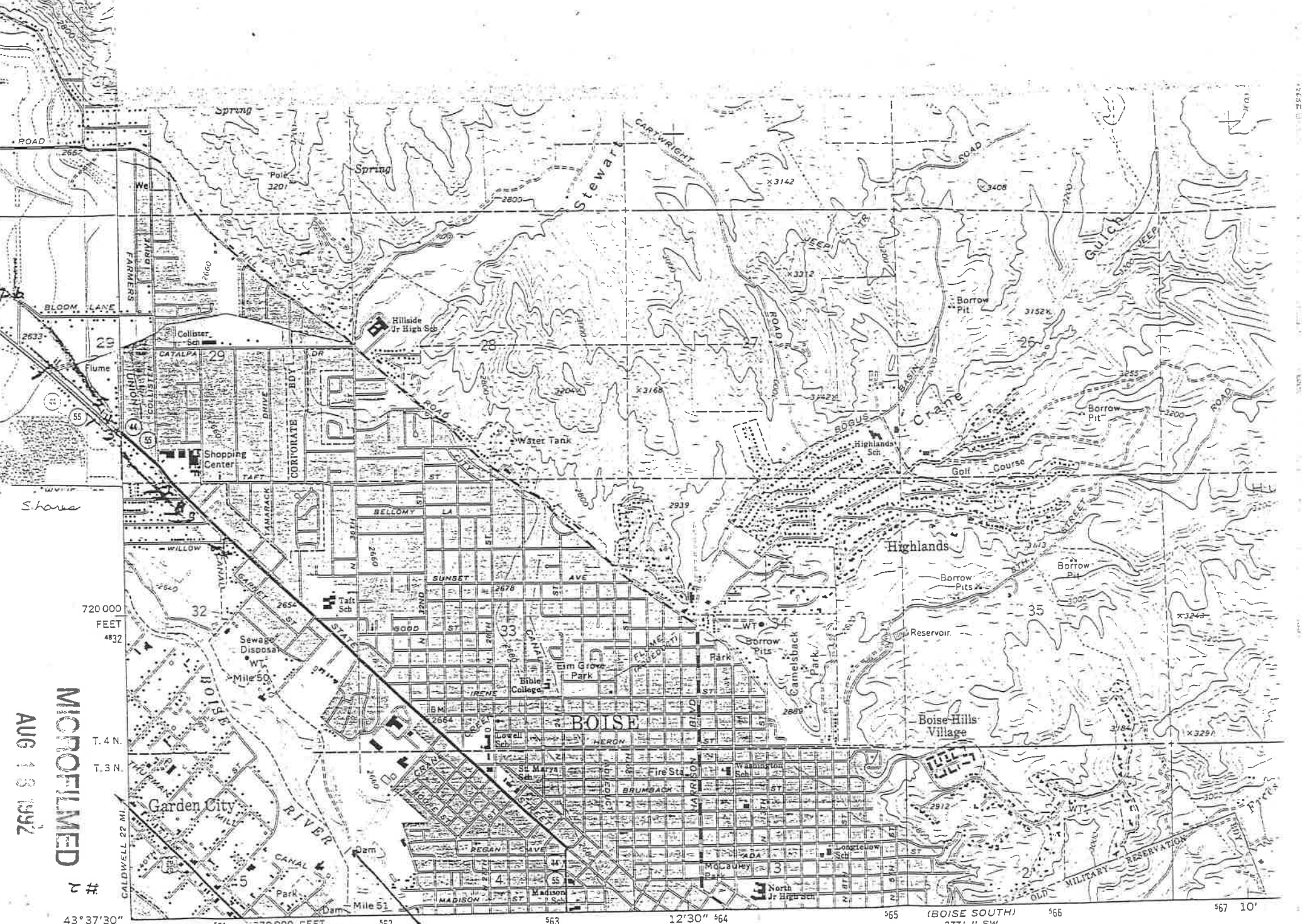
63-02360





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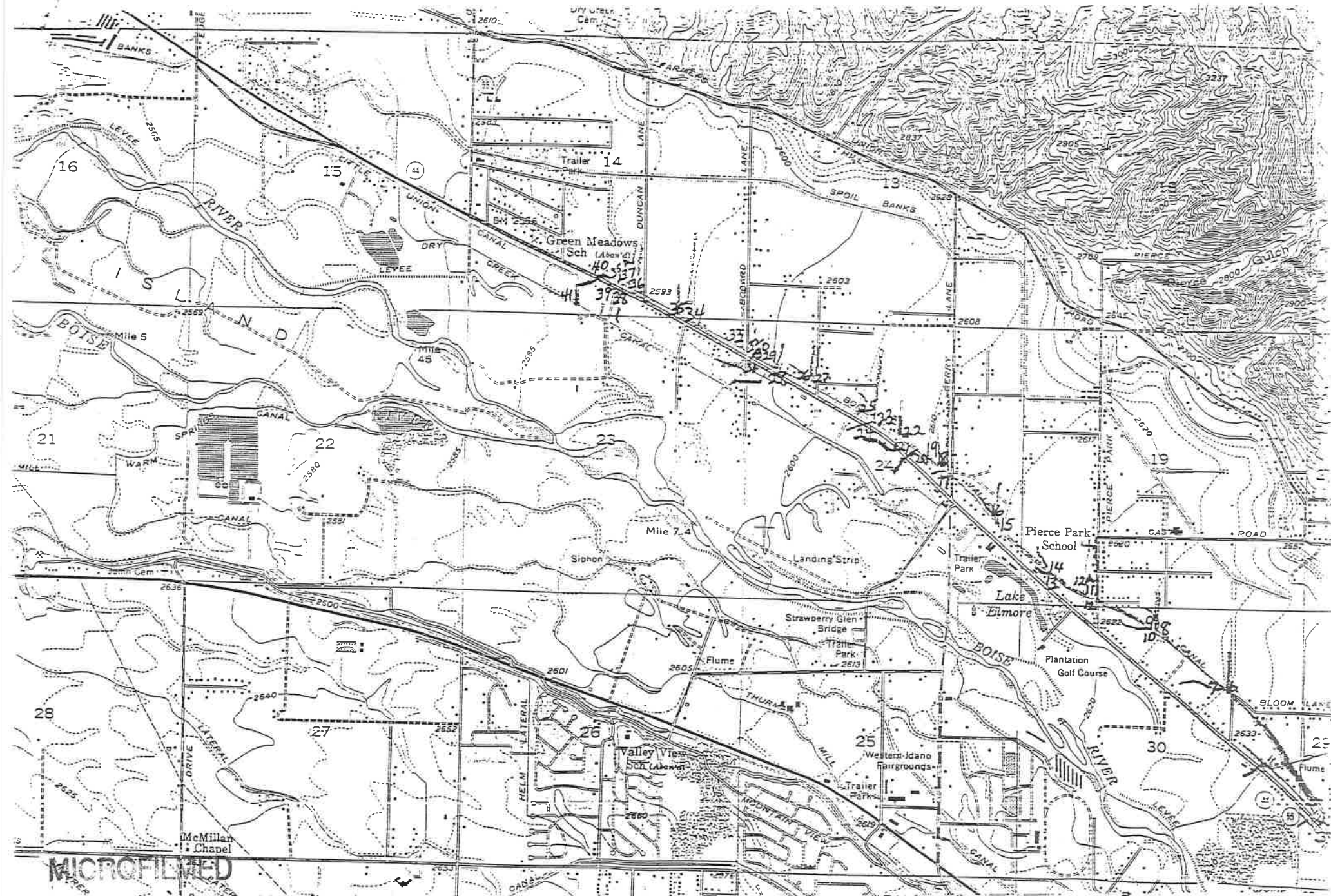




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AUG 13 1992  
43°37'30" N  
116°15' W  
DALE  
4E

Mapped, edited, and published by the Geological Survey  
Control by USGS and NOS/NOAA

(BOISE SOUTH)  
2771 11 SW  
SCALE 1:24 000  
0 1 MILE



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AUG 16 1992

Shores

*Copy  
SF 5  
Completed  
Sent to S.O.  
10-12-07*

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

In Re SRBA )

**Subcase No. 63-2360**

Case No. 39576 )

**STANDARD FORM 5**

**STIPULATED ELEMENTS OF A  
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

**The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached amended recommendation. The parties and IDWR further agree and stipulate that the attached is an accurate digital depiction of the boundary for the Boise Valley Irrigation Ditch Co produced by IDWR.**

**CLAIMANT(s):**

Boise Valley Irrigation Ditch Co

**OBJECTOR(s):**

USDI-BLM

\_\_\_\_\_  
C Bryce Farris

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry Brown

\_\_\_\_\_  
Date

Attorney for the US Dept of Justice

**IDWR Concurrency:**

 10-12-07  
Jan Shurte Date  
Adjudication Supervisor

|                                                                    |      |
|--------------------------------------------------------------------|------|
| Nicholas B Spencer<br>Deputy Attorney General<br>Attorney for IDWR | Date |
|--------------------------------------------------------------------|------|

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

United States of America  
US Dept of Justice  
Environment and Natural Resources  
550 West Fort Street, MSC 033  
Boise, ID 83724

C Bryce Farris  
455 S Third St  
PO Box 2773  
Boise, ID 83701-2773

Boise Valley Irrigation Ditch Co  
8750 N Bogart Lane  
Boise, ID 83714

IDWR Repository  
P.O. Box 83720  
Boise, ID 83720

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Signature of person mailing the form

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

RIGHT NUMBER: 63-2360

NAME AND ADDRESS: BOISE VALLEY IRRIGATION DITCH CO  
8750 N BOGART LN  
BOISE ID 83714

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 07/19/1921

POINT OF DIVERSION:

T03N R02E S5 NESENE 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          | 1.200 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:

2808.43 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 2808.43 ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY

## 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.

SF5 Right No. 63-2360

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WATER IS DELIVERED THROUGH THE FARMERS UNION AND BOISE  
VALLEY CANALS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E,  
63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG,  
63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.



## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-2360 V2

WATER RIGHT NUMBER: 63-2360 V2

| <u>Owner Type</u> | <u>Name and Address</u>                                                                         |
|-------------------|-------------------------------------------------------------------------------------------------|
| Attorney          | RINGERT CLARK CHARTERED<br>455 S 3RD ST<br>PO BOX 2773<br>BOISE, ID 83701-2773<br>(208)342-4591 |
| Current Owner     | BOISE VALLEY IRRIGATION DITCH CO<br>8750 N BOGART LN<br>BOISE, ID 83714<br>(208)853-5288        |

Priority Date: 07/19/1921

Basis: License

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          | 1.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.200 CFS             |                      |

Location of Point(s) of Diversion

|             |                 |         |          |               |
|-------------|-----------------|---------|----------|---------------|
| BOISE RIVER | NE1/4SE1/4NE1/4 | Sec. 5, | Twp 03N, | Rge 02E, B.M. |
| ADA County  |                 |         |          |               |

Place of UseIRRIGATION Within ADA County

|                          |                          |
|--------------------------|--------------------------|
| T02N R02E S01 Lot 1 NENE | T02N R02E S01   SENE     |
| T02N R03E S04 Lot 4 NWNW | T02N R03E S05 Lot 1 NENE |
| T02N R03E S05 Lot 2 NWNE | T02N R03E S05 Lot 3 NENW |
| T02N R03E S06 Lot 1 NENE | T02N R03E S06 Lot 2 NWNE |
| T02N R03E S06   SWNE     | T02N R03E S06   SENE     |
| T02N R03E S06 Lot 3 NENW | T02N R03E S06 Lot 4 NWNW |
| T02N R03E S06 Lot 5 SWNW | T02N R03E S06   SENW     |
| T03N R02E S36   SWSE     | T03N R02E S36   SESE     |
| T03N R03E S28   NWSW     | T03N R03E S28   SWSW     |
| T03N R03E S28 Lot 2 SWSW | T03N R03E S28 Lot 1 SESW |
| T03N R03E S29   NESE     | T03N R03E S29   SESE     |
| T03N R03E S29 Lot 1 SESE | T03N R03E S31   NESW     |
| T03N R03E S31 Lot 3 NWSW | T03N R03E S31 Lot 4 SWSW |

IDAHO DEPARTMENT OF WATER RESOURCES  
 Adjudication Recommendation Report 63-2360 V2

|               |      |                     |      |
|---------------|------|---------------------|------|
| T03N R03E S31 | SESW | T03N R03E S31       | NESE |
| T03N R03E S31 | NWSE | T03N R03E S31       | SWSE |
| T03N R03E S31 | SESE | T03N R03E S32       | NESW |
| T03N R03E S32 | NWSW | T03N R03E S32       | SWSW |
| T03N R03E S32 | SESW | T03N R03E S32       | NWSE |
| T03N R03E S32 | NWSE | T03N R03E S32       | SWSE |
| T03N R03E S32 | SWSE | T03N R03E S32       | SESE |
| T03N R03E S32 | SESE | T04N R01E S03       | NESW |
| T04N R01E S03 | SWSW | T04N R01E S03       | SESW |
| T04N R01E S03 | NWSE | T04N R01E S03       | SWSE |
| T04N R01E S03 | SESE | T04N R01E S04 Lot 4 | NWNW |
| T04N R01E S04 | SWNW | T04N R01E S04       | SENW |
| T04N R01E S10 | NENE | T04N R01E S10       | NWNE |
| T04N R01E S10 | SWNE | T04N R01E S10       | SENE |
| T04N R01E S10 | NENW | T04N R01E S10       | NWNW |
| T04N R01E S10 | SWNW | T04N R01E S10       | SENW |
| T04N R01E S10 | NESW | T04N R01E S10       | NWSW |
| T04N R01E S10 | SWSW | T04N R01E S10       | SESW |
| T04N R01E S10 | NESE | T04N R01E S10       | NWSE |
| T04N R01E S10 | SWSE | T04N R01E S10       | SESE |
| T04N R01E S11 | NESW | T04N R01E S11       | SWSW |
| T04N R01E S11 | SESW | T04N R01E S11       | NWSE |
| T04N R01E S11 | SWSE | T04N R01E S12       | NENE |
| T04N R01E S12 | NWNE | T04N R01E S12       | SWNE |
| T04N R01E S12 | SENE | T04N R01E S12       | SENW |
| T04N R01E S12 | NESW | T04N R01E S12       | NESE |
| T04N R01E S12 | NWSE | T04N R01E S13       | SWNE |
| T04N R01E S13 | SENE | T04N R01E S13       | NENW |
| T04N R01E S13 | NWNW | T04N R01E S13       | SWNW |
| T04N R01E S13 | SENW | T04N R01E S13       | NESW |
| T04N R01E S13 | NWSW | T04N R01E S13       | SWSW |
| T04N R01E S13 | SESW | T04N R01E S13       | NESE |
| T04N R01E S13 | NWSE | T04N R01E S13       | SWSE |
| T04N R01E S13 | SESE | T04N R01E S14       | NENE |
| T04N R01E S14 | NWNE | T04N R01E S14       | SWNE |
| T04N R01E S14 | SENE | T04N R01E S14       | NENW |

IDAHO DEPARTMENT OF WATER RESOURCES  
 Adjudication Recommendation Report 63-2360 V2

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T04N R01E S14       | NWNW | T04N R01E S14       | SWNW |
| T04N R01E S14       | SENW | T04N R01E S14       | NESW |
| T04N R01E S14       | NWSW | T04N R01E S14       | SWSW |
| T04N R01E S14       | SESW | T04N R01E S14       | NESE |
| T04N R01E S14       | NWSE | T04N R01E S14       | SWSE |
| T04N R01E S14       | SESE | T04N R01E S15       | NENE |
| T04N R01E S15       | NWNE | T04N R01E S15       | SWNE |
| T04N R01E S15       | SENE | T04N R01E S15       | NESE |
| T04N R01E S15 Lot 1 | SESE | T04N R01E S23       | NENE |
| T04N R01E S23 Lot 2 | NWNE | T04N R01E S23 Lot 1 | SENE |
| T04N R01E S23 Lot 3 | NENW | T04N R01E S23 Lot 4 | NWNW |
| T04N R01E S23 Lot 5 | SWNW | T04N R01E S23 Lot 6 | SENW |
| T04N R01E S23 Lot 7 | NWSE | T04N R01E S24       | NENE |
| T04N R01E S24       | NWNE | T04N R01E S24       | SWNE |
| T04N R01E S24       | SENE | T04N R01E S24       | NENW |
| T04N R01E S24       | NWNW | T04N R01E S24       | SWNW |
| T04N R01E S24       | SENW | T04N R01E S24 Lot 3 | NESW |
| T04N R01E S24 Lot 4 | NWSW | T04N R01E S24       | NESE |
| T04N R01E S24       | NWSE | T04N R01E S24 Lot 2 | SWSE |
| T04N R01E S24 Lot 1 | SESE | T04N R01E S25 Lot 1 | NESE |
| T04N R02E S18 Lot 3 | NWSW | T04N R02E S18 Lot 4 | SWSW |
| T04N R02E S18       | SESW | T04N R02E S19       | NENE |
| T04N R02E S19       | NWNE | T04N R02E S19       | SWNE |
| T04N R02E S19       | SENE | T04N R02E S19       | NENW |
| T04N R02E S19 Lot 1 | NWNW | T04N R02E S19 Lot 2 | SWNW |
| T04N R02E S19       | SENW | T04N R02E S19       | NESW |
| T04N R02E S19 Lot 3 | NWSW | T04N R02E S19 Lot 4 | SWSW |
| T04N R02E S19       | SESW | T04N R02E S19       | NESE |
| T04N R02E S19       | NWSE | T04N R02E S19       | SWSE |
| T04N R02E S19       | SESE | T04N R02E S20       | SWSW |
| T04N R02E S29       | NWNW | T04N R02E S29       | SWNW |
| T04N R02E S29       | NWSW | T04N R02E S29       | SWSW |
| T04N R02E S29       | SESW | T04N R02E S30       | NENE |
| T04N R02E S30       | NWNE | T04N R02E S30       | SWNE |
| T04N R02E S30       | SENE | T04N R02E S30       | NENW |
| T04N R02E S30 Lot 5 | NWNW | T04N R02E S30 Lot 4 | SWNW |

IDAHO DEPARTMENT OF WATER RESOURCES  
 Adjudication Recommendation Report 63-2360 V2

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T04N R02E S30       | SENW | T04N R02E S30 Lot 2 | NESW |
| T04N R02E S30       | NESE | T04N R02E S30       | NWSE |
| T04N R02E S30 Lot 1 | SWSE | T04N R02E S30       | SESE |
| T04N R02E S31 Lot 1 | NENE | T04N R02E S32       | NWNE |
| T04N R02E S32       | SWNE | T04N R02E S32       | SENE |
| T04N R02E S32       | NENW | T04N R02E S32       | NWNW |
| T04N R02E S32 Lot 5 | SWNW | T04N R02E S32 Lot 4 | SENW |
| T04N R02E S32 Lot 3 | NESW | T04N R02E S32       | NESE |
| T04N R02E S32 Lot 2 | NWSE | T04N R01W S01       | SENE |
| T05N R01E S31       | SESE | T05N R01W S32       | SENE |
| T05N R01W S32       | NESE | T05N R01W S33       | SWNW |
| T05N R01W S33       | NWSW | T05N R01W S34       | NWNE |
| T05N R01W S34       | SWNE | T05N R01W S34       | SENE |
| T05N R01W S34       | SENW | T05N R01W S34       | NESW |

Total Acres: 2808.43

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. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2808.43 ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY
3. F01 WATER IS DELIVERED THROUGH THE FARMERS UNION AND BOISE VALLEY CANALS.
4. 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.
5. 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.
6. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-2360 V2

Comments:

1. jshurte 10/12/2007 Objection Reivew

Comment: BLM objection resolved without a decrease in total acres. See file.

Water Supply Bank:

RECEIVED  
OCT 21 2006  
DEPARTMENT OF  
WATER RESOURCES

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

In Re SRBA )

Case No. 39576 )

A. Subcase 63-02360  
(Insert water right number)

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior, Bureau  
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax  
United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

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

Name: Boise Valley Irrigation Ditch Co.  
Address: 8750 N. Bogart Lane; Boise, Idaho 83714

Name: ;  
Address: ;

Name: ;  
Address: ;

Name: ;  
Address: ;

SCANNED  
OCT 11 2006

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be:
2. ☐ **Source**  
Should be:
3. ☐ **Quantity**  
Should be:
4. ☐ **Priority Date**  
Should be:
5. ☐ **Point(s) of Diversion**  
Should be:
6. ☐ **Instream Flow Description**  
Should be:
7. ☐ **Purpose(s) of Use**  
Should be:
8. ☐ **Period of Year**  
Should be:
9. ☒ **Place of Use**  
Should be: See attached.

**11. I object because:**

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

**E. REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

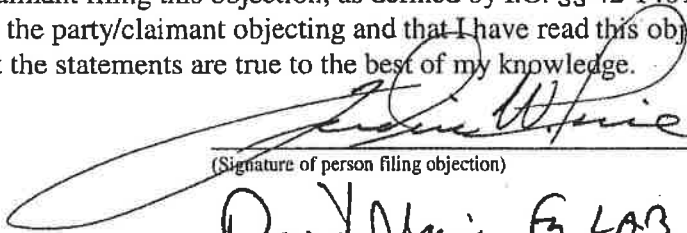
**F.**

**VERIFICATION** (Must be Completed)

State of Idaho )  
 ) ss.  
County of ADA )

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

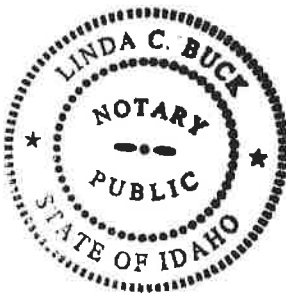
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(Signature of person filing objection)

David Neri FA LAB  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 19, 2006  
Linda C. Buck  
Linda C. Buck



Notary Public for Idaho  
Residing at: Mountain Home,  
My Commission Expires: 12-21-2011

## INSTRUCTIONS FOR MAILING

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

**G.**

### CERTIFICATE OF MAILING

I certify that on 4-19-, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

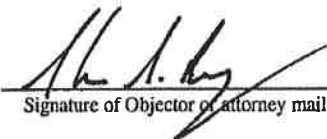
Name: Boise Valley Irrigation Ditch Co.  
Address: 8750 N. Bogart Lane; Boise, Idaho 83714  
Name: ;  
Address: ;  
Name: ;  
Address: ;  
Name: ;  
Address: ;

3. Copies to:

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

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

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

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

12/12/2005

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

RIGHT NUMBER: 63-2360  
NAME AND ADDRESS: BOISE VALLEY IRRIGATION DITCH CO  
8750 N BOGART LN  
BOISE ID 83714  
SOURCE: BOISE RIVER  
QUANTITY: 1.200 CFS  
PRIORITY DATE: 07/19/1921  
POINT OF  
DIVERSION: T03N R02E S5 NESENE Within ADA County  
PURPOSE AND  
PERIOD OF USE:

POUs on BLM:  
-Irrigation is not authorized

TRIBUTARY: SNAKE RIVER

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/01 11/15   | 1.200 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:

2808.43 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 2808.43 ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY

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

WATER IS DELIVERED THROUGH THE FARMERS UNION AND BOISE VALLEY CANALS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.

RightID570541 (63-02360)

Place(s) of use:

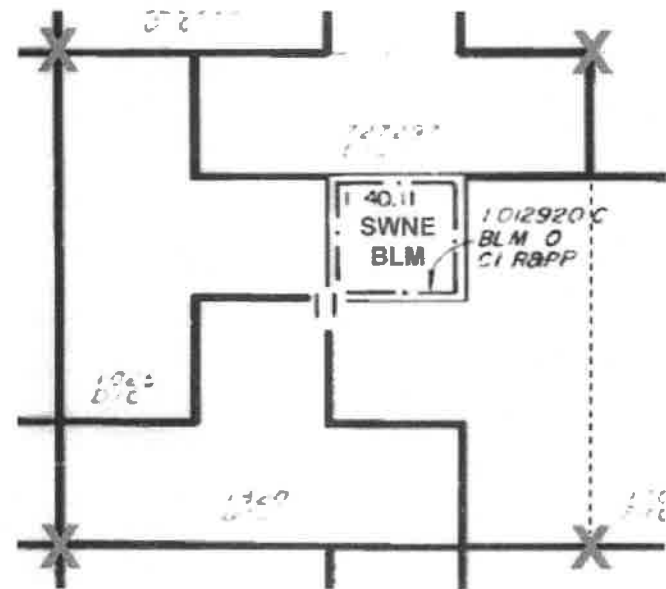
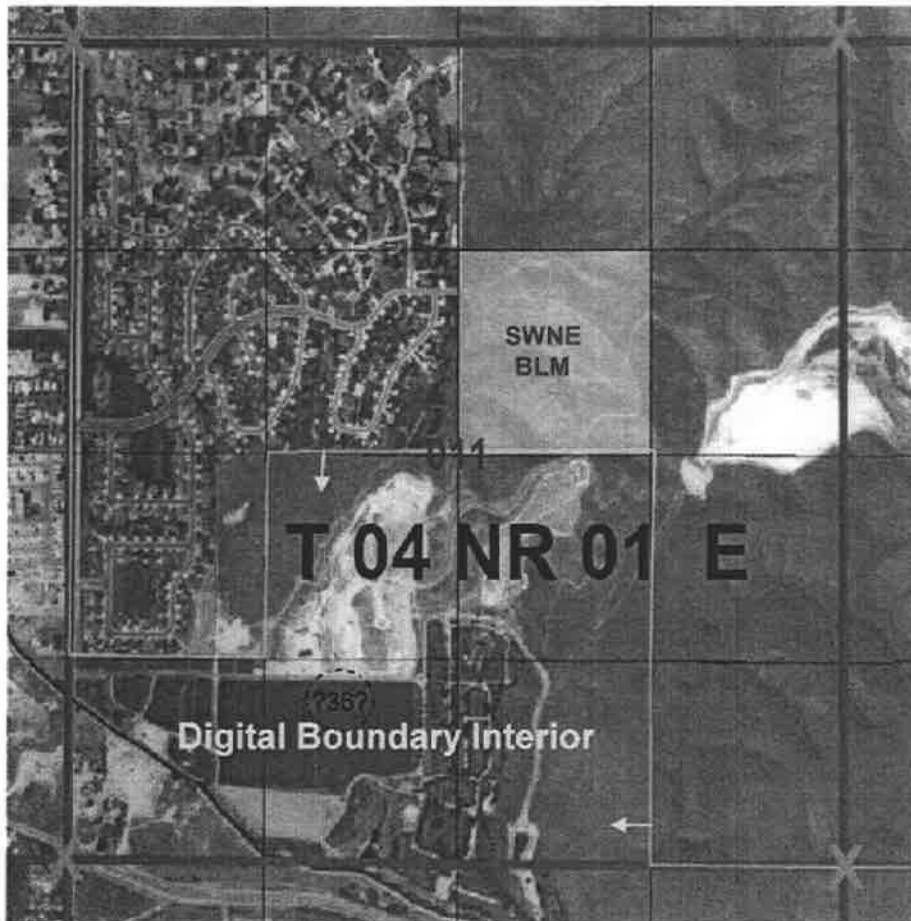
Place of Use Legal Description: IRRIGATION ADA County

○ Lot 1 = NENE  
 Lot 2 = NWNE  
 Lot 3 = NENW

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 02N      | 02E   | 1       | 1   | NENE  |       |     | SENE  |       |     |       |       |     |       |       |
|          | 03E   | 5 BLM   | 4   | NENE  |       | 1   | NWNE  |       |     |       |       |     |       |       |
|          |       |         | 2   | NENW  |       | 3   | NWNW  |       |     | BLM   |       |     |       |       |
|          |       | 6       | 4   | NENE  |       | 1   | NWNE  |       |     |       | SWNE  |     | SENE  |       |
|          |       |         | 2   | NENW  |       | 3   | NWNW  |       | 5   |       | SWNW  |     | SENE  |       |
| 03N      | 02E   | 36      |     | SWSE  |       |     | SESE  |       |     |       |       |     |       |       |
|          | 03E   | 28      | 2   | SWSW  |       | 1   | SESW  |       |     |       |       |     |       |       |
|          |       | 29      |     | NESE  |       | 1   | SESE  |       |     |       |       |     |       |       |
|          |       | 31      |     | NESW  |       | 3   | NWSW  |       | 4   |       | SWSW  |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       | SWSE  |     | SESE  |       |
|          |       | 32      |     | NESW  |       |     | NWSW  |       |     |       | SWSW  |     | SESW  |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       | SESE  |     |       |       |
| 04N      | 01E   | 3       |     | NESW  |       |     | SWSW  |       |     |       | SESW  |     |       |       |
|          |       |         |     | NWSE  |       |     | SWSE  |       |     |       | SESE  |     |       |       |
|          |       | 4       | 4   | NWNW  |       |     | SWNW  |       |     |       | SENE  |     |       |       |
|          |       | 9       | 3   | NENW  |       |     |       |       |     |       |       |     |       |       |
|          |       | 10      |     | NENE  |       |     | NWNE  |       |     |       | SWNE  |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       | SWNW  |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     |       | SWSW  |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       | SWSE  |     | SESE  |       |
|          |       | 11      |     | SWNE  |       |     |       |       |     |       |       |     |       |       |
|          |       |         |     | SENE  |       |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NESW  |       |     | SWSW  |       |     |       | SESW  |     |       |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       | SWSE  |     |       |       |
|          |       | 12      |     | NENE  |       |     | NWNE  |       |     |       | SWNE  |     | SENE  |       |
|          |       |         |     | SENE  |       |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NESW  |       |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       |       |     |       |       |
|          |       | 13      |     | SWNE  |       |     | SENE  |       |     |       |       |     |       |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       | SWNW  |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     |       | SWSW  |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       | SWSE  |     | SESE  |       |
|          |       | 14      |     | NENE  |       |     | NWNE  |       |     |       | SWNE  |     | SENE  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       | SWNW  |     | SENE  |       |
|          |       |         |     | NESW  |       |     | NWSW  |       |     |       | SWSW  |     | SESW  |       |
|          |       |         |     | NESE  |       |     | NWSE  |       |     |       | SWSE  |     | SESE  |       |

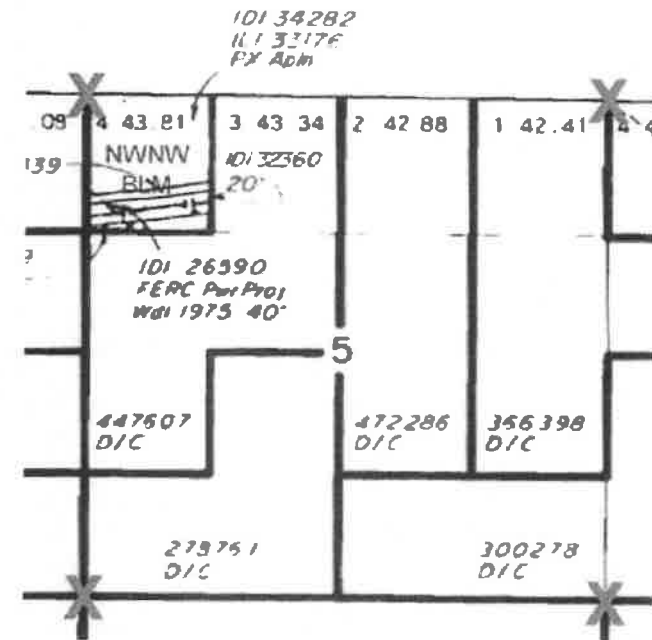
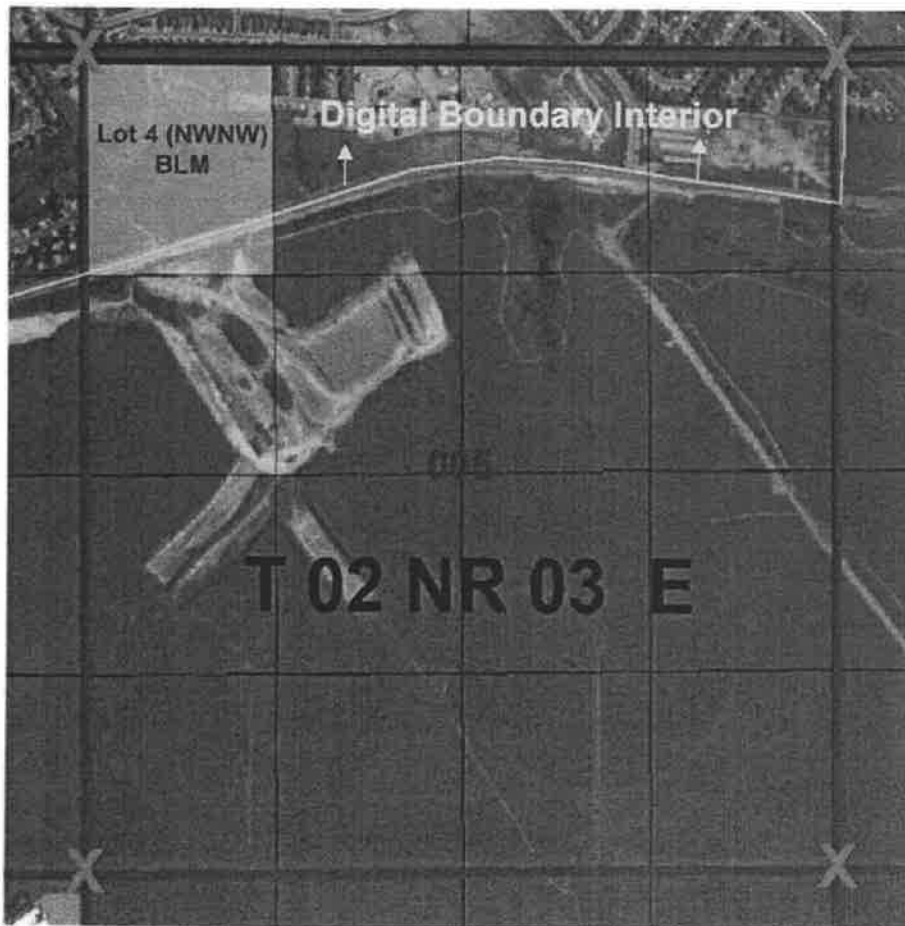
|     |     |    |        |   |      |   |      |   |      |
|-----|-----|----|--------|---|------|---|------|---|------|
| 05N | 02E | 15 | NENE   |   | NWNE |   | SWNE |   | SENE |
|     |     |    | NESE   | 1 | SESE |   |      |   |      |
|     |     | 23 | NENE   | 2 | NWNE | 1 | SENE |   |      |
|     |     |    | 4 NWNW | 5 | SWNW | 6 | SENE |   |      |
|     |     |    | 7 NWSE |   |      |   | SENE |   |      |
|     |     | 24 | NENE   |   | NWNE |   | SWNE |   | SENE |
|     |     |    | NENW   |   | NWNW |   | SWNW |   | SENE |
|     |     |    | 3 NESW | 4 | NWSW |   |      |   |      |
|     |     |    | NESE   |   | NWSE | 2 | SWSE | 1 | SESE |
|     |     | 25 | 1 NESE |   |      |   |      |   |      |
|     |     | 18 | 3 NWSW | 4 | SWSW |   | SESW |   |      |
|     |     | 19 | NENE   |   | NWNE |   | SWNE |   | SENE |
|     |     |    | NENW   | 1 | NWNW | 2 | SWNW |   | SENE |
|     |     |    | NESW   | 3 | NWSW | 4 | SWSW |   | SENE |
|     |     |    | NESE   |   | NWSE |   | SWSE |   | SESE |
|     |     | 20 | SWSW   |   |      |   |      |   |      |
|     |     | 29 | NWNW   |   | SWNW |   |      |   |      |
|     |     |    | NWSW   |   | SWSW |   | SESW |   |      |
|     |     | 30 | NENE   |   | NWNE |   | SWNE |   | SENE |
|     |     |    | NENW   | 5 | NWNW | 4 | SWNW |   | SENE |
|     |     |    | 2 NESW |   |      |   |      |   |      |
|     |     |    | NESE   |   | NWSE | 1 | SWSE |   | SESE |
|     |     | 31 | 1 NENE |   |      |   |      |   |      |
|     |     | 32 | NWNE   |   | SWNE |   | SENE |   |      |
|     |     |    | NENW   |   | NWNW | 5 | SWNW | 4 | SENE |
|     |     |    | 3 NESW |   |      |   |      |   |      |
|     |     |    | NESE   | 2 | NWSE |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     | 01W | 1  |        |   |      |   |      |   |      |
|     | 01E | 31 | SESE   |   |      |   |      |   |      |
|     | 01W | 32 | SENE   |   |      |   |      |   |      |
|     |     |    | NESE   |   |      |   |      |   |      |
|     |     | 33 | SWNW   |   |      |   |      |   |      |
|     |     |    | NWSW   |   |      |   |      |   |      |
|     |     | 34 | NWNE   |   | SWNE |   | SENE |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | NESE   |   |      |   |      |   |      |
|     |     |    | SWNW   |   |      |   |      |   |      |
|     |     |    | NWSW   |   |      |   |      |   |      |
|     |     |    | NWNE   |   |      |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | NESE   |   |      |   |      |   |      |
|     |     |    | SWNW   |   |      |   |      |   |      |
|     |     |    | NWSW   |   |      |   |      |   |      |
|     |     |    | NWNE   |   |      |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | SENE   |   |      |   |      |   |      |
|     |     |    | NESE   |   |      |   |      |   |      |

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



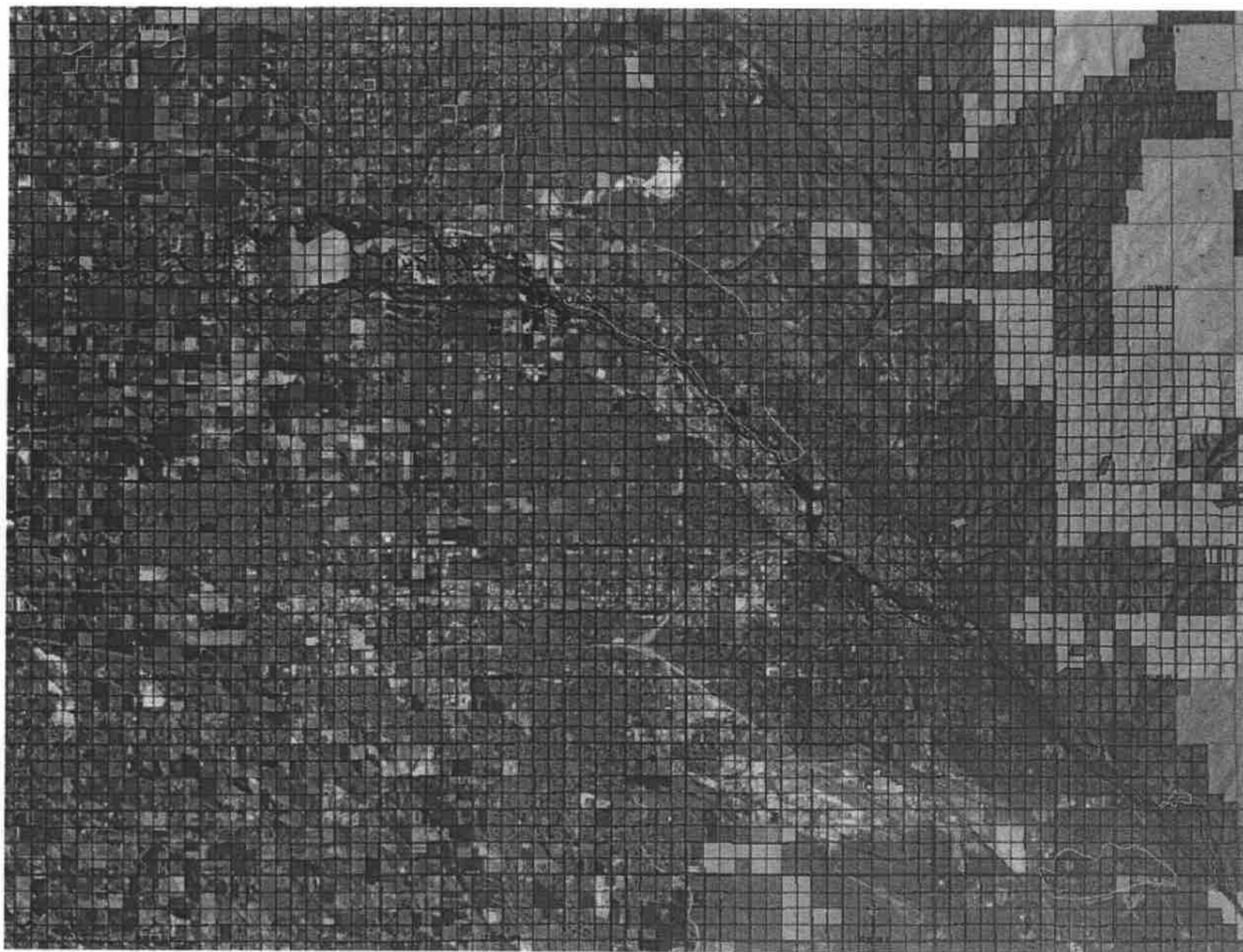
-Remove POU on BLM from data

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



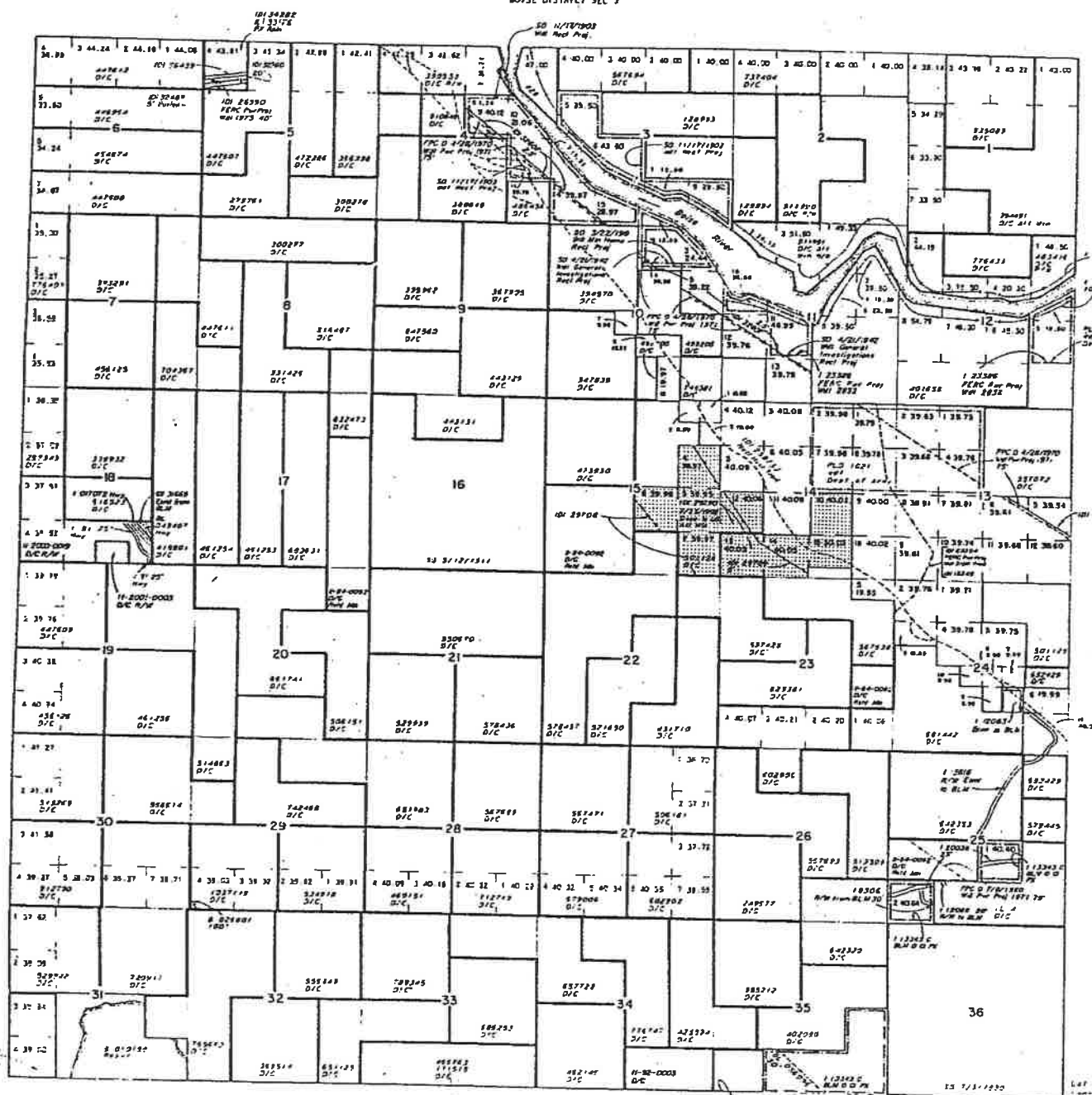
-Remove POU on BLM from data and adjust digital boundary accordingly

63-00147B, 63-02360, 63-31198, 63-31832, 63-31833



## HOUSE DISTRICT SEC 1

MT PLAT

[illegible]

DOI 53896 R/W Trail 2.5  
Sec 5: Within Cat 4

FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS.

|            |            |
|------------|------------|
| CURRENT TO | CURRENT TO |
| 101 27     |            |

USE PLATS

SCALE in Chinese

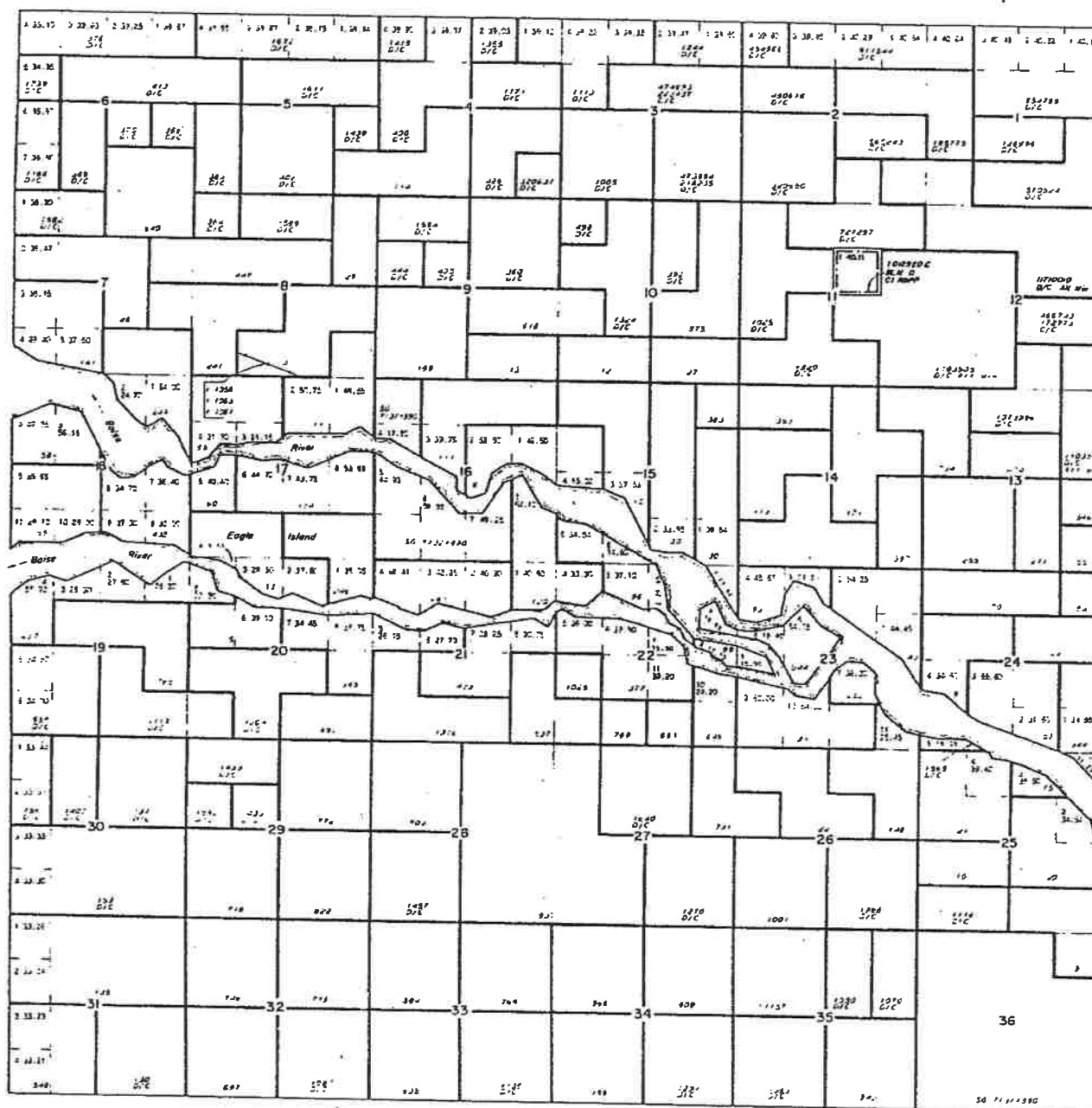
**WARNING STATEMENT**

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

### Boat Hire

ADA COUNTY OOI  
SOUTHERN DISTRICT SEC 3

MI PLAT



SCALE in Chinese

**WARNING STATEMENT:**  
This plot is the Bureau's Record of Tide, and should be used only as a graphic display of the sounding survey data. Records herein do not reflect tide changes which may have been affected by lateral movements of covers or other factors of measurement.

[illegible]

Survey Pending Group No 892  
Partial To

FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS.

|            |            |
|------------|------------|
| CURRENT TO | CURRENT TO |
| 1 201      |            |
|            |            |

USE PLATE

Some Men

**Shurte, Jan**

---

**From:** Spencer, Nick  
**Sent:** Friday, August 12, 2005 4:19 PM  
**To:** Shurte, Jan  
**Subject:** FW: B63 Prelim I&O DR: Boise Valley Irrigation Ditch Co.: 63-00147B, 02360, 31198, 31832



63-00147B Boise  
Valley Irrigat...

Jan, can you send this on to whomever needs to look at it? Thanks. NBS

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

From: Fred\_Price@blm.gov [mailto:Fred\_Price@blm.gov]  
Sent: Friday, August 12, 2005 3:55 PM  
To: nick.spencer@idwr.idaho.gov; susan.hamlin-nygard@idwr.idaho.gov  
Cc: becky.harvey@idwr.idaho.gov; larry.brown@usdoj.gov  
Subject: B63 Prelim I&O DR: Boise Valley Irrigation Ditch Co.:  
63-00147B, 02360, 31198, 31832

Nick, Susan,

RE: POU on BLM outside digital boundary  
T04N, R01E, S11, SWNE (=Lot 1)  
63-00147B, 63-02360, 63-31198, and 63-31832

There is a POU on BLM in your data that is outside the digital boundary for Boise Valley Irrigation Ditch Co. It appears that this could

be removed from the data as unintentional. It would save me an objection

if it could be removed. The shapefile (digital boundary) is fine.

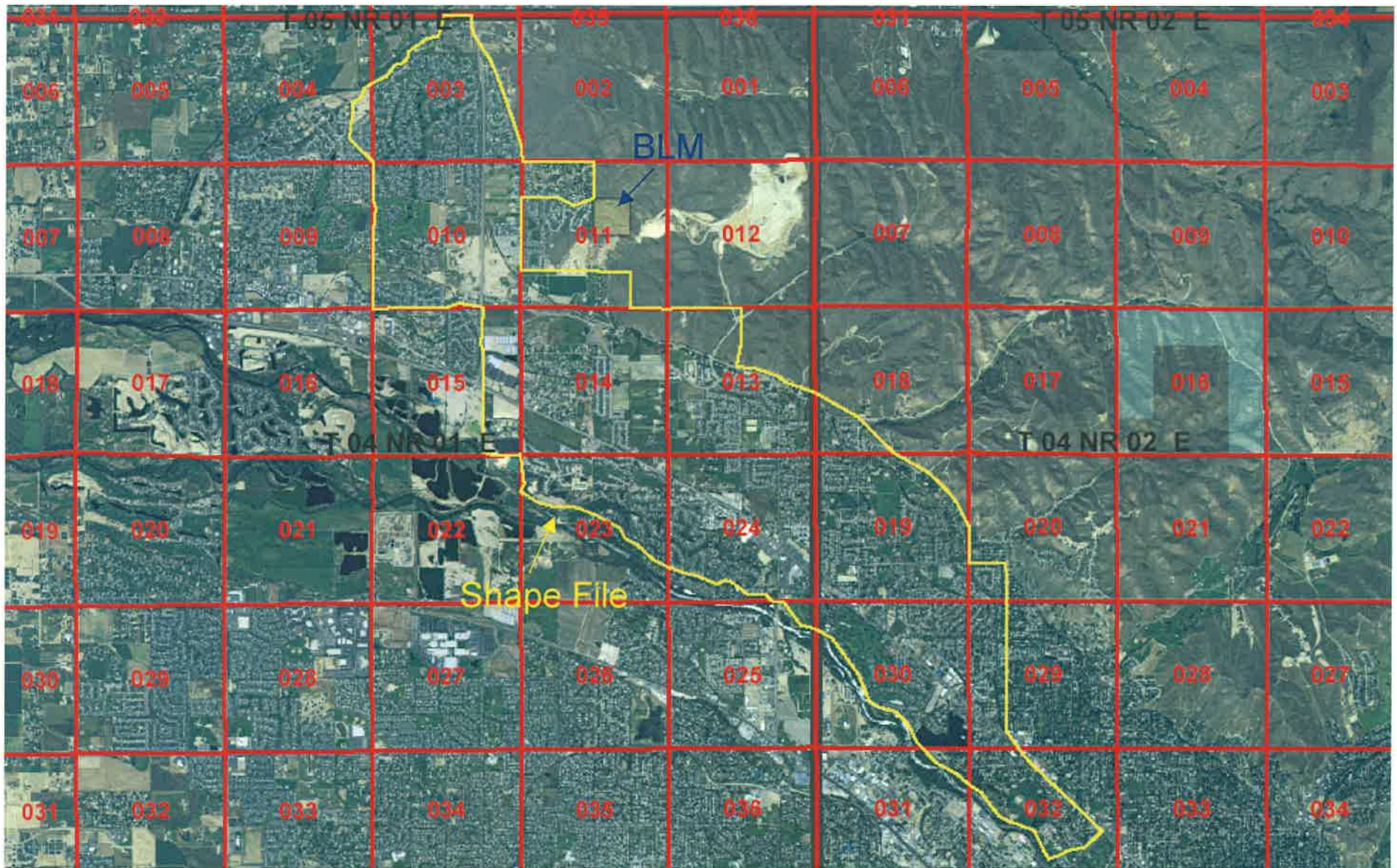
Does it seem odd to you that the digital boundary slices through the middle of a subdivision, and excludes part of it (see attached PowerPoint presentation)? If there are tweaks to the digital boundary between now and the final recommendation, please be careful to not accidentally include BLM (snapping issue).

Fred  
(See attached file: 63-00147B Boise Valley Irrigation.ppt)

PS: did I construct Susan's email address correctly?

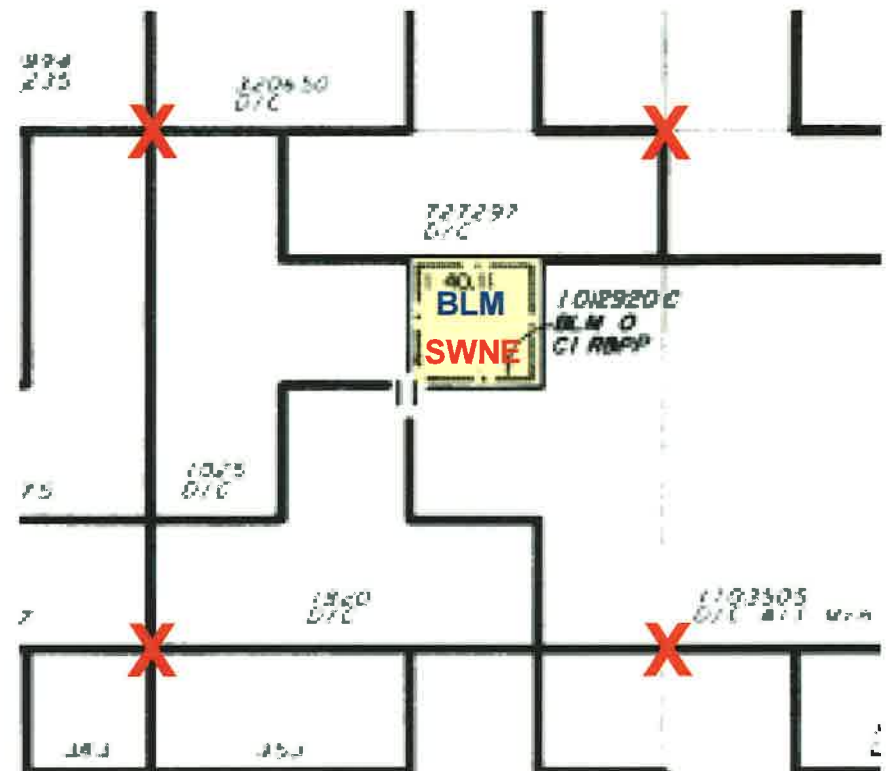
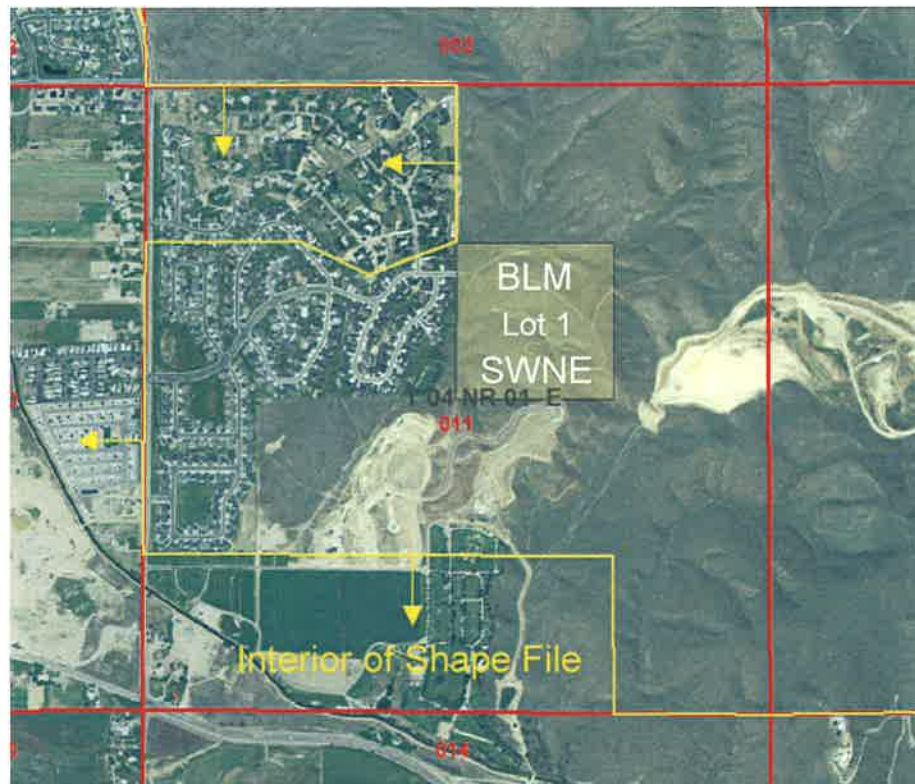
POUID-696120  
489887

# Boise Valley Irrigation Ditch Company – POU Overview



# Boise Valley Irrigation Ditch Company – T04N R01E S11

|  | Town | Range | Sect | QQ | Quart | Gov | Subcase   | Mix                      | PVT                      | BLM                                 | FS                       | BOR                      | OtherFed                 | OrganizationName                 | Own Comment |
|--|------|-------|------|----|-------|-----|-----------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|----------------------------------|-------------|
|  | 04N  | 01E   | 11   | SW | NE    |     | 63-00147B | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | BOISE VALLEY IRRIGATION DITCH CO | Extra Data? |
|  | 04N  | 01E   | 11   | SW | NE    |     | 63-02360  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | BOISE VALLEY IRRIGATION DITCH CO | Extra Data? |
|  | 04N  | 01E   | 11   | SW | NE    |     | 63-31198  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | BOISE VALLEY IRRIGATION DITCH CO | Extra Data? |
|  | 04N  | 01E   | 11   | SW | NE    |     | 63-31832  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | BOISE VALLEY IRRIGATION DITCH CO | Extra Data? |



Rather than a snapping issue, this appears to be an issue of unintended, extra data existing outside of the shape file. If this extra data containing the SWNE POU was removed, BLM's issue would be resolved.

05/31/2005

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

RIGHT NUMBER: 63-2360

NAME AND ADDRESS: BOISE VALLEY IRRIGATION DITCH CO  
8750 N BOGART LN  
BOISE ID 83714

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 07/19/1921

POINT OF DIVERSION:  
T03N R02E S5 NESENE 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          | 1.200 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:

2808.43 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 2808.43 ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY

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

WATER IS DELIVERED THROUGH THE FARMERS UNION AND BOISE  
VALLEY CANALS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E,  
63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG,  
63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2360 V1

WATER RIGHT NUMBER: 63-2360 V1

|                   |                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                         |
| Attorney          | RINGERT CLARK CHARTERED<br>455 S 3RD ST<br>PO BOX 2773<br>BOISE, ID 83701-2773<br>(208)342-4591 |
| Current Owner     | BOISE VALLEY IRRIGATION DITCH CO<br>8750 N BOGART LN<br>BOISE, ID 83714<br>(208)853-5288        |

Priority Date: 07/19/1921

Basis: License

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          | 1.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.200 CFS             |                      |

|                                          |                 |         |                        |
|------------------------------------------|-----------------|---------|------------------------|
| <u>Location of Point(s) of Diversion</u> |                 |         |                        |
| BOISE RIVER                              | NE1/4SE1/4NE1/4 | Sec. 5, | Twp 03N, Rge 02E, B.M. |
| ADA County                               |                 |         |                        |

Place of Use

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.
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.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-2360 V1

Remarks:

1. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AND NO MORE THAN 4.5 AFA PER ACRE
2. Explanatory WATER IS DELIVERED THROUGH THE FARMERS UNION AND BOISE VALLEY CANALS.
3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-120G, 63-123C, 63-123D, 63-123E, 63-123F, 63-123G, 63-124Q, 63-125J, 63-126F, 63-165M, 63-198AG, 63-248, 63-297, 63-31832, 63-21729, 63-18700, 63-31937.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF <sup>2908.43</sup>~~2779.5~~ ACRES WITHIN THE BOUNDARY OF THE BOISE VALLEY IRRIGATION DITCH COMPANY

Comments:

1. mcase 7/21/2004 POD  
Comment: Correlated PODID 595471 from SpatialDataID 342577 to SpatialDataID 303145
2. mcase 7/21/2004 POD  
Comment: Correlated PODID 595471 from SpatialDataID 342577 to SpatialDataID 303145

Water Supply Bank:

RECEIVED

MAY 26 2005

WATER RESOURCES  
WESTERN REGION

**NOTICE OF ERROR  
REPLY**

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: 63-2360

BOISE VALLEY IRRIGATION DITCH CO.  
8750 N. BOGART LN.  
BOISE, ID 83714  
Telephone Number: (208)853-3288

c/o

CHARLES L. HONSINGER  
RINGERT CLARK CHARTERED  
BOISE, ID 83701-2773  
Telephone Number: (208) 342-4591

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:  
Change place of use from 2779.5 acres to ~~2822.83~~ acres  
2808.43
3. Give a brief explanation as to why you disagree with these portions:  
BVID erroneously did not include 28.93 acres in the place of use when discussing the same with IDWR.

       **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 05/25/05

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

## BOISE VALLEY IRRIGATION DITCH CO.

### ADDITIONAL INFORMATION ABOUT THE BOUNDARY AND PLACE OF USE.

The boundary and place of use for the Boise Valley Irrigation Ditch Co. is not a contiguous shape due the delivery systems and several transfers that moved water from their historical area of delivery to several locations. The largest place of use is approximately 2375 acres lying in the northwest Boise and east Eagle areas.

Boise Valley's water is diverted from the Boise River into the Farmers Union canal. About 1¼ miles downstream a head gate delivers water to the Boise Valley's own canal. The Farmer's Union canal continues to carry about 785 inches of Boise Valley water downstream from the head gate to Boise Valley shareholders. Some of the 785 shares are within the Boise Valley's historic boundary and some are further to the west within the Farmer' Union boundary. This split delivery system causes a fragmented boundary and place of use for Boise Valley that overlaps with the Farmer's Union Canal Co. boundary and place of use.

Several approved transfers have established points of diversion and places of use east of Boise that also contributed to the fragmentation of the company's boundary and place of use. Transfer 67107 moved 5.5 inches of water to irrigate 5.5 acres within a 30.9 acre parcel at the Shakespear Festival site. Approved transfer 71032 moved 10 inches of water to the Shakespear site to irrigate and additional 10 acres within the 30.9 acre parcel. Transfer 5119 was approved to move 3.97 cfs to irrigate 198.4 acres at the Simplot Sports Complex and common areas in Columbia Village. This water is diverted at a pumping station in the Boise River just upstream from the Hwy 21 bridge into a pipe line that serves the Micron plant, the Simplot Complex and United Water's proposed municipal station.

Below is a summary of the place of use acres for Boise Valley :

|              |                                      |
|--------------|--------------------------------------|
| 2375.1 acres | Within the main boundary             |
| 15.5 acres   | Shakespear Festival site             |
| 198.4 acres  | Simplot Complex                      |
| 42.2 acres   | Within the United Water service area |
| 19.4 shares  | Quong place of use                   |
| 15.0 shares  | Ada County landfill shares           |
| 16.0 shares  | McCrae place of use                  |
| 14.6 shares  | Hanson place of use                  |
| 12.97 shares | Moyle place of use                   |
| 3.33 shares  | Charlton place of use                |
| 1.0 shares   | Canova place of use                  |
| 43.33 shares | Buckhorn Estates place of use        |
| 14.6 shares  | ACHD shares                          |
| 37.0 shares  | Veterans Cemetary irrigation         |

---

|               |                                                                            |
|---------------|----------------------------------------------------------------------------|
| 2808.43 acres | Total acres irrigated within the boundaries of Boise Valley Irrigation Co. |
|---------------|----------------------------------------------------------------------------|

**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 complete**Claim No(s) 63-2360Owner: Boise Valley Irr. Ditch Co. Phone No. See 63-31197

Current Address: \_\_\_\_\_

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

Accompanied by: \_\_\_\_\_

**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: 7-19-1921 = as licensed

(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<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

Delivered through Farmers Union and Boise Valley  
canals - see 63-31197 and 63-

**OVERLAP REVIEW**Other water rights with the same point of diversion: see 63-31197 31832

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 14-15 Amount 1.20 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 2789.5 acres within the BVID Co. boundary.</i><br>Place of Use <i>2808.43 NE</i> |     |     |    | 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: *See 63-31197 and attached memo.*

| Well or Diversion Identification No<br>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

*This right was obtained by BVID Co. many years ago and has been delivered through their system since the 1920's - see attached affidavit*



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

CERTIFICATE NO. 243

CHANGE OF POINT OF DIVERSION  
OF LICENSED WATER RIGHT NO. 15242

THIS IS TO CERTIFY, that Marie Echevarria and I. N. Kessinger, of Boise, Idaho, are the owners of and using a certain water right for 1.2 cubic feet per second of the waters of an un-named slough, tributary of Boise River, (a drain operated by Drainage District No. 2, Ada County), with a priority of July 19, 1921.

Said water right being obtained by virtue of License No. 15242, issued by the Department of Reclamation of the State of Idaho, dated January 26, 1925 and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 30,  
Township 4 North, Range 2 East, B.M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 6 of Licenses, at Page 3233.

And that now, upon the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to change the point of diversion of 1.2 cubic feet per second of the waters of an un-named slough, considered as being part of the waters of the Boise River, is hereby GRANTED.

That said change of point of diversion shall not modify in effect said licensed water right or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amount, to-wit:

1.2 cubic feet per second, with priority  
of July 19, 1921.

That the water right hereby transferred has heretofore been diverted from an un-named slough, a tributary of the Boise River, to the first above described lands through private ditches, with point of diversion in the,

NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 4 North,  
Range 2 East, B.M.

That the water right hereby transferred will hereafter be diverted from the Boise River to the same lands by the delivery through the Farmers Union Ditch and Boise Valley Ditch, with point of diversion in the

SE $\frac{1}{4}$  of Section 32, Township 4 North,  
Range 2 East, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 30 day of June, 1958.

*E. N. Humphrey*  
E. N. HUMPHREY  
Deputy State Reclamation Engineer

63 2360

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

CERTIFICATE NO. 243

CHANGE OF POINT OF DIVERSION  
OF LICENSED WATER RIGHT NO. 15242

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That said change of point of diversion shall not modify in effect said licensed water right or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amount, to-wit:

1.2 cubic feet per second, with priority  
of July 19, 1921.

That the water right hereby transferred has heretofore been diverted from an un-named slough, a tributary of the Boise River, to the first above described lands through private ditches, with point of diversion in the,

NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 4 North,  
Range 2 East, B.M.

That the water right hereby transferred will hereafter be diverted from the Boise River to the same lands by the delivery through the Farmers Union Ditch and Boise Valley Ditch, with point of diversion in the

SE $\frac{1}{4}$  of Section 32, Township 4 North,  
Range 2 East, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this \_\_\_\_ day of June, 1958.

E. N. HUMPHREY  
Deputy State Reclamation Engineer

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   R E C L A M A T I O N

In the Matter of the Application of )

MARIE ECHEVARRIA  
and  
I. N. KESSINGER  
of Boise, Idaho

For a Change of Point of Diversion  
From the Boise River, Ada County,  
Idaho, in Water District No. 12-A.

*ORDER No. 243*  
*GRANTING CHANGE OF P.O.D.*  
ORDER GRANTING CHANGE OF  
POINT OF DIVERSION  
NO. 243

WHEREAS, on the 5th day of June, 1958, at the Department of Reclamation of the State of Idaho, in Boise, Idaho, this matter of the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a change in point of diversion, came on regularly for hearing pursuant to the publication notice in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that it is more practical to divert said water from a different source, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be, and the same is HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicants herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho this 30 day of June, 1958.

*E. N. Humphrey*

E. N. HUMPHREY  
Deputy State Reclamation Engineer

CERTIFICATE No. 243

*Change of P.O.D. of License No. 15242*

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

*15242*  
CERTIFICATE FOR CHANGE OF POINT OF DIVERSION  
OF LICENSED WATER RIGHT NO. 243 *15242*

THIS IS TO CERTIFY, that Marie Echevarria and I. N. Kessinger, of Boise, Idaho, are the owners of and using a certain water right for 1.2 cubic feet per second of the waters of an un-named slough, tributary of Boise River, (a drain operated by Drainage District No. 2, Ada County), with a priority of July 19, 1921.

Said water right being obtained by virtue of License No. 15242, issued by the Department of Reclamation of the State of Idaho, dated January 26, 1925 and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 30,  
Township 4 North, Range 2 East, B. M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 6 of Licenses, at Page 3233.

And that now, upon the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to change the point of diversion of 1.2 cubic feet per second of the waters of an un-named slough, considered as being part of the waters of the Boise River, is hereby GRANTED.

That said change of point of diversion shall not modify in effect said licensed water rights or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amounts, to-wit:

1.2 cubic feet per second, with priority of July 19, 1921.

That the water right hereby transferred has heretofore been diverted from an un-named slough, a tributary of the Boise River, to the first above described lands through private ditches, with point of diversion in the,

NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 4 North, Range 2 East, B.M.

63 2899

That the water right hereby transferred will hereafter be diverted from the Boise River to the same lands by the delivery through the Farmers Union Ditch and Boise Valley Ditch, with point of diversion in the

SE $\frac{1}{4}$  of Section 32, Township 4 North, Range 2 East, B. M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 30 day of June, 1958.

*E. N. Humphrey*

E. N. HUMPHREY  
Deputy State Reclamation Engineer

# Application For Transfer of Water Right

**RECEIVED**  
MAY 7. 1958

Department of Reclamation

STATE OF IDAHO

County of Ada

SS.

Marie Echevarria and I. N. Kessinger, being first duly sworn, deposes and says:

That his name is Marie Echevarria and I. N. Kessinger; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is 5605 State Street, Boise, Idaho

That he is the owner and using a certain water right, bearing date of priority of July 19, 1921, for 1.2 cubic feet per second of the waters of Un-named slough

County of Ada, State of Idaho, decreed to

by decree of Judge of the Judicial District of the State of

Idaho, in and for the county of, in the case of

vs., said decree bearing date of

(or obtained by virtue of License No. 15242, issued by the State Department of Reclamation of

the State of Idaho, dated January 26, 1925, bearing date of July 19, 1921.)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. 12 in the County of Ada and State of Idaho, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 30, Township 4 North, Range 2 East, B. M.

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Mesne Conveyance

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of

Section 30, Township 4 N., Range 2 E., B. M., and conducted to the above described lands through Private Ditches

as per map herewith and of this affidavit made a part.

## CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of                      cubic feet per second

of said water upon the above described land, and to convey and use same upon the following tract,

situate, lying and being in the County of                      and State of Idaho, to-wit:

That reasons for desiring to make such transfer are as follows:

That he intends to divert and convey said.....second feet of water to the tract  
of land last above described in the following manner and as per map accompanying this application:

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant  
should secure written consent of other owners or users to removal from its original carrier and file  
such consent with this affidavit.

#### CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described  
to a point located in SE  $\frac{1}{4}$  of .....  $\frac{1}{4}$  of Section 32....., Township 4 N., Range 2 E. Boise Valley  
and thereafter conduct same to the above described land through the Farmers Union & / ditch,  
as per map appended.

That his reasons for desiring to make such change are as follows:.....

That Drainage District No. 2 constructed a drain through said slough and  
lowered the water level in said drain to where the applicant could not  
obtain water therefrom.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and  
that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of  
Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place  
of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Subscribed and sworn to before me this.....

day of.....

1958

*Marie Echevarria*  
Applicant.

*Frank Kessinger*

Notary Public in and for the State of Idaho  
Residing in Boise, Ada County, Idaho  
My Commission expires Aug. 1, 1960

*Leo Ketchum*  
Notary Public.

#### APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?..... Un-named slough

Where is the diversion point located?..... NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 30, Township 4 North, Range 2 East,  
B.M.

Through what ditch is it now conducted?..... Private Ditches

How much land is now irrigated by the water sought to be transferred?..... 60 acres

Give the description:.....

SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 30, Township 4 North, Range 2 East, B. M.

Name of Applicant

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Scale: 2 Inches=1 Mile. Draw Map in Ink.

What is the total amount of water in inches, or second feet, dedicated to said land?.....<sup>4</sup>

What kind of crops are being raised?.....

How much water per acre is now required to irrigate said land? Approximately one inch

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Water will not be discontinued

Give location of new point of diversion, if change is to be made. SE  $\frac{1}{4}$  of Section 32, Twp. 4 N., Rge. 2 E.

Through what ditch will it be conducted after transfer? Farmers Union Ditch and Boise Valley Ditch Co.

How much water will be required per acre to irrigate the land to which this water is transferred?.....

Same amount - No change in use of water

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source.....

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source.....

\* Marie Echevarria  
Signed \* Ira N. Kessinger  
Applicant.

STATE OF IDAHO, }  
County of Ada, } ss.

I, Edward B. Karn, Watermaster of Boise River  
Water District No. 12-A, County of Ada & Canyon, State of Idaho, whose postoffice address  
is 214 Broadway, Boise Idaho, have read or heard read the foregoing affidavit and petition  
of Marie Echevarria, I.N. Kessinger and, of my own knowledge, believe the same to be true  
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;  
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer  
issue the certificate of transfer as petitioned; or ~~(do not approve of the issuance of the certificate of~~  
~~transfer prayed for)~~ for the following reasons: Provides for better use of the water  
and no one is injured thereby

Watermaster, District No. 12 A

Edward B. Karn

Dated at Boise, Idaho, this 22 day of April, 1958.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

CERTIFICATE NO. 243

CHANGE OF POINT OF DIVERSION  
OF LICENSED WATER RIGHT NO. 15242

THIS IS TO CERTIFY, that Marie Echevarria and I. N. Kessinger, of Boise, Idaho, are the owners of and using a certain water right for 1.2 cubic feet per second of the waters of an un-named slough, tributary of Boise River, (a drain operated by Drainage District No. 2, Ada County), with a priority of July 19, 1921.

Said water right being obtained by virtue of License No. 15242, issued by the Department of Reclamation of the State of Idaho, dated January 26, 1925 and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 30,  
Township 4 North, Range 2 East, B.M.

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 6 of Licenses, at Page 3233.

And that now, upon the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to change the point of diversion of 1.2 cubic feet per second of the waters of an un-named slough, considered as being part of the waters of the Boise River, is hereby GRANTED.

That said change of point of diversion shall not modify in effect said licensed water right or place of use.

Said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amount, to-wit:

1.2 cubic feet per second, with priority  
of July 19, 1921.

That the water right hereby transferred has heretofore been diverted from an un-named slough, a tributary of the Boise River, to the first above described lands through private ditches, with point of diversion in the,

NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 4 North,  
Range 2 East, B.M.

That the water right hereby transferred will hereafter be diverted from the Boise River to the same lands by the delivery through the Farmers Union Ditch and Boise Valley Ditch, with point of diversion in the

SE $\frac{1}{4}$  of Section 32, Township 4 North,  
Range 2 East, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this \_\_\_\_ day of June, 1958.

E. N. HUMPHREY  
Deputy State Reclamation Engineer

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

In the Matter of the Application of )

MARIE ECHEVARRIA  
and  
I. N. KESSINGER  
of Boise, Idaho

ORDER NO. 243  
GRANTING CHANGE OF POINT OF  
DIVERSION

For a Change of Point of Diversion  
From the Boise River, Ada County,  
Idaho, in Water District No. 12-A )

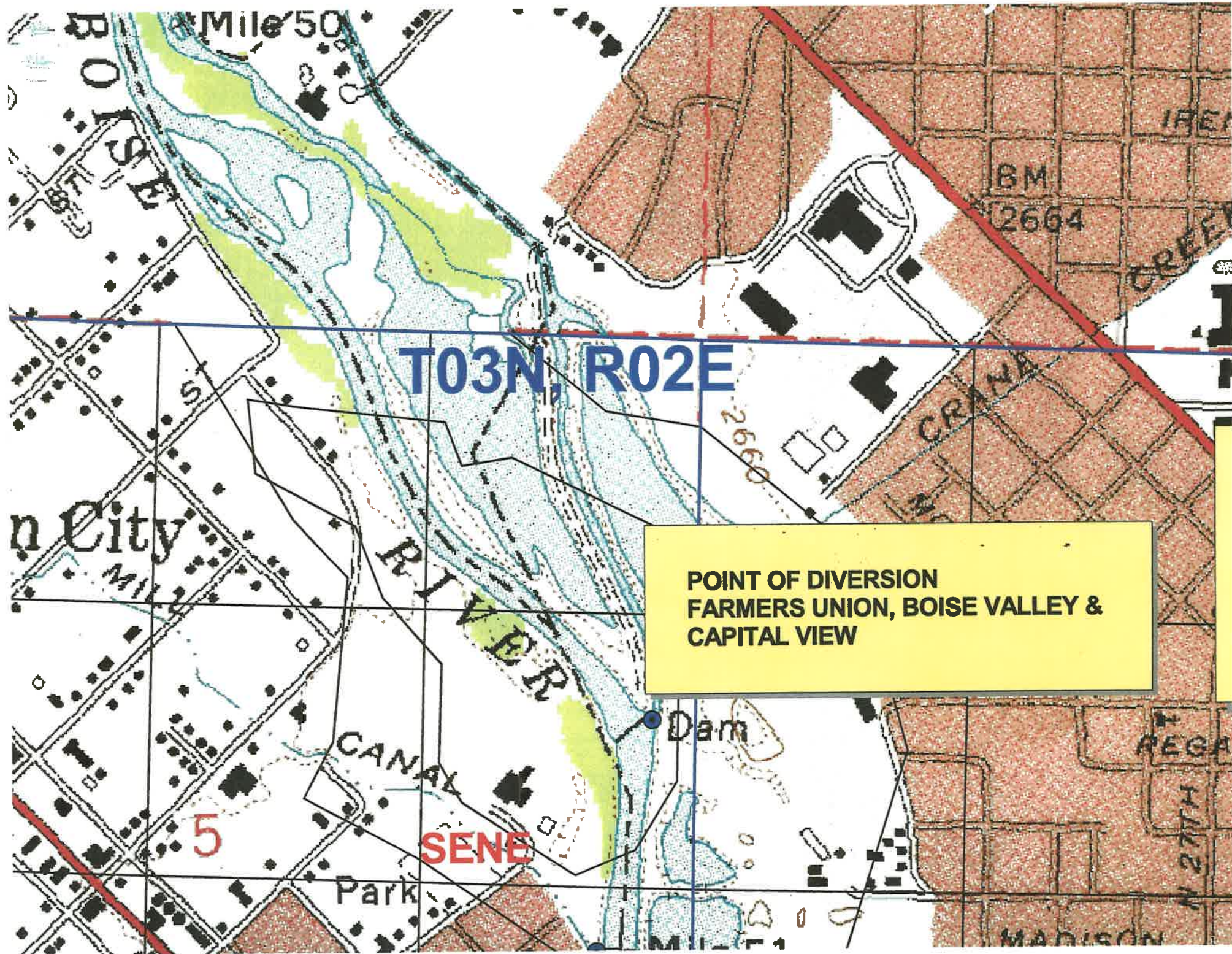
WHEREAS, On the 5th day of June, 1958, at the Department of Reclamation of the State of Idaho, in Boise, Idaho, this matter of the application of Marie Echevarria and I. N. Kessinger, of Boise, Idaho, for a change in point of diversion, came on regularly for hearing pursuant to the publication notice in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that it is more practical to divert said water from a different source, and that no one will be injured thereby;

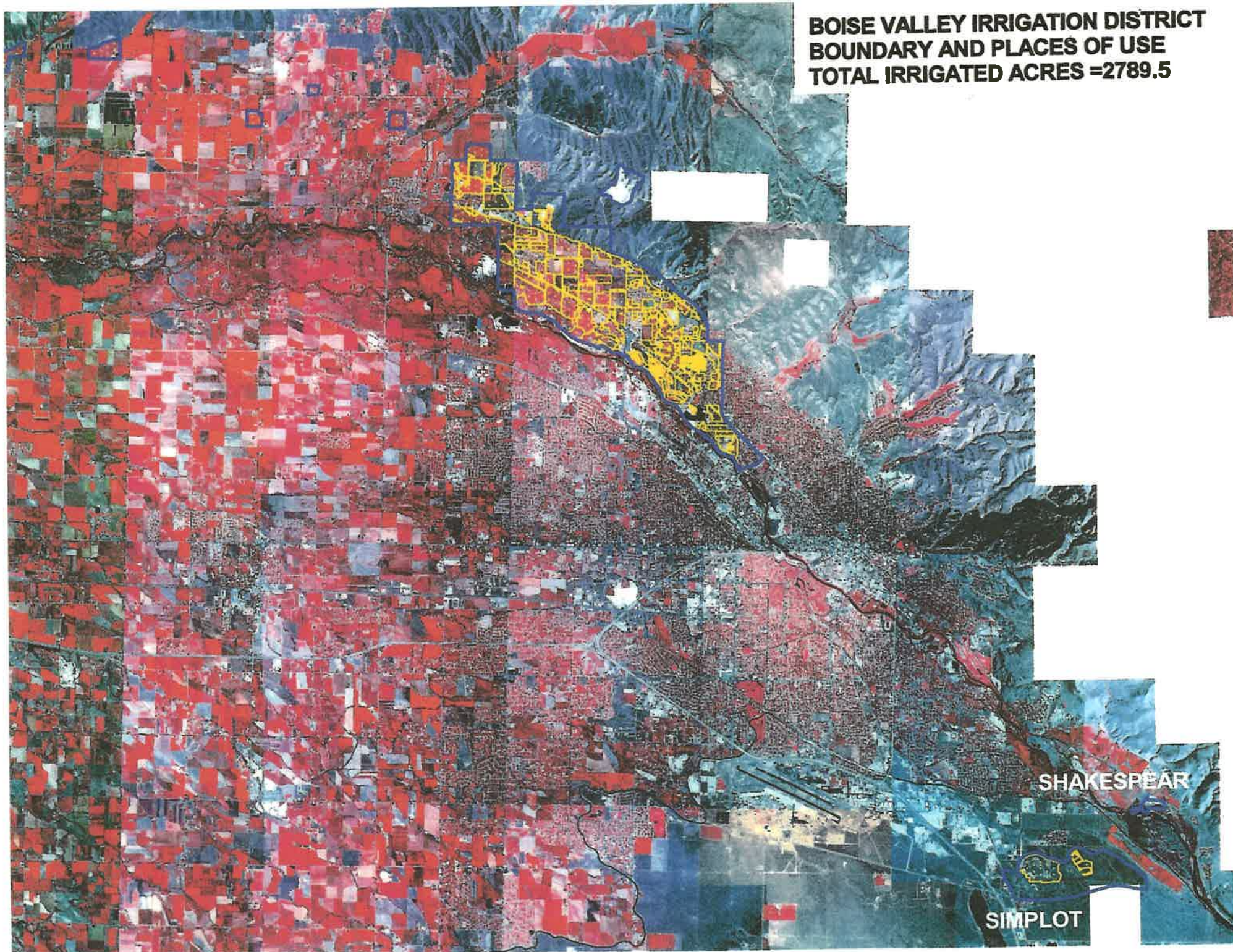
NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be, and the same is HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicants herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho this \_\_\_\_\_ day of June, 1958

E. N. HUMPHREY  
Deputy State Reclamation Engineer



**BOISE VALLEY IRRIGATION DISTRICT  
BOUNDARY AND PLACES OF USE  
TOTAL IRRIGATED ACRES = 2789.5**



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2360

WATER RIGHT NUMBER: 63-2360

|                   |                                                                                          |
|-------------------|------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                  |
| Current Owner     | BOISE VALLEY IRRIGATION DITCH CO<br>8750 N BOGART LN<br>BOISE, ID 83703<br>(208)853-5288 |

Priority Date: 07/19/1921

Basis: License

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            | 3/15 to 11/15           | 1.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.200 CFS             |                      |

Location of Point(s) of Diversion

|             |                 |                                    |
|-------------|-----------------|------------------------------------|
| BOISE RIVER | NE1/4SE1/4NE1/4 | Sec. 5,   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          |        |
| 04N | 01E | 3   |             |             |             |             |             |             |             |             |             |             |             | 29.0<br>L 0 |             |             |             | 10.0<br>L 0 | 39.0   |
| 04N | 01E | 10  | 35.0<br>L 0 | 20.0<br>L 0 | 10.0<br>L 0 | 30.0<br>L 0 |             |             |             |             |             |             |             |             | 36.0<br>L 0 | 38.0<br>L 0 | 20.0<br>L 0 | 10.0<br>L 0 | 199.0  |
| 04N | 01E | 11  |             |             |             |             |             |             |             |             |             |             | 25.0<br>L 0 | 15.0<br>L 0 |             |             | 5.0<br>L 0  | 12.0<br>L 0 | 57.0   |
| 04N | 01E | 13  |             |             | 5.0<br>L 0  |             |             |             | 30.0<br>L 0 | 20.0<br>L 0 | 2.0<br>L 0  | 35.0<br>L 0 | 30.0<br>L 0 | 23.0<br>L 0 | 20.0<br>L 0 | 6.2<br>L 0  | 8.1<br>L 0  | 25.0<br>L 0 | 204.3  |
| 04N | 01E | 14  | 5.0<br>L 0  | 25.0<br>L 0 | 38.0<br>L 0 | 38.0<br>L 0 | 35.0<br>L 0 | 35.0<br>L 0 | 15.0<br>L 0 | 18.3<br>L 0 | 24.8<br>L 0 | 23.7<br>L 0 | 38.0<br>L 0 | 32.0<br>L 0 | 37.0<br>L 0 | 39.0<br>L 0 | 35.0<br>L 0 | 38.0<br>L 0 | 476.8  |
| 04N | 01E | 15  | 37.0<br>L 0 |             |             | 38.0<br>L 0 |             |             |             |             |             |             |             |             |             |             |             |             | 75.0   |
| 04N | 01E | 23  | 35.0<br>L 0 | 37.0<br>L 0 | 10.0<br>L 0 | 35.0<br>L 0 |             |             |             |             |             |             |             |             | 15.0<br>L 0 |             |             |             | 132.0  |
| 04N | 01E | 24  | 7.0<br>L 0  | 38.0<br>L 0 | 35.0<br>L 0 | 15.0<br>L 0 | 35.0<br>L 0 | 32.5<br>L 0 | 35.0<br>L 0 | 10.0<br>L 0 | 25.0<br>L 0 | 39.0<br>L 0 | 10.0<br>L 0 | 20.0<br>L 0 |             | 30.0<br>L 0 | 15.0<br>L 0 | 15.0<br>L 0 | 361.5  |

[illegible]

**Total Acres: 45**

Remarks:

1. General LANDS DESCRIBED AS PLACES OF USE ARE LANDS LICENSED UNDER ECHEV- ERRIA LICENSE AND LIE UNDER THE BVIDCO DITCH. WATER FOR THIS RT. IS DELIVERED BY AGREEMENT THROUGH THE FARMER'S UNION DITCH TO THE BVIDCO CONTROL GATE IN T04N,R02E,SEC.32,NWSWNE,FOR DISTRIBUTION THROUGH THE BOISE VALLEY IRRIGATION DITCH COMPANY DITCH. TRANSFER # 243 FOR THIS RT. TO FARMER'S UNION DIVERSION WAS EXECUTED ON JUNE 30, 1958.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2360

Dates and Other Information:

Claim Received Date: 7/28/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2360

WATER RIGHT NUMBER: 63-2360

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Original Owner    | VICTOR ECHEVARRIA       |
|                   | , ZZ                    |
| Original Owner    | ELIAS ECHEVARRIA        |
|                   | , ZZ                    |
| Current Owner     | I N KESSINGER           |
|                   | , ZZ                    |
| Current Owner     | MARIE ECHEVARRIA        |
|                   | BOISE, ID               |

Priority Date: 07/19/1921

Basis: License

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 /                  | 1.200 CFS             |                      |
| DOMESTIC              | / to /                  |                       |                      |
|                       | <u>Total Diversion:</u> | 1.200 CFS             |                      |

Location of Point(s) of Diversion

|             |            |                                 |
|-------------|------------|---------------------------------|
| BOISE RIVER | NE1/4SE1/4 | Sec. 32, Twp 04N, Rge 02E, B.M. |
| ADA County  |            |                                 |
| BOISE RIVER | NW1/4SE1/4 | Sec. 32, Twp 04N, Rge 02E, B.M. |
| ADA County  |            |                                 |
| BOISE RIVER | SE1/4SE1/4 | Sec. 32, Twp 04N, Rge 02E, B.M. |
| ADA County  |            |                                 |
| BOISE RIVER | SW1/4SE1/4 | Sec. 32, Twp 04N, Rge 02E, B.M. |
| ADA County  |            |                                 |

Place of UseIRRIGATION Within ADA County

|                 |      |      |               |      |      |
|-----------------|------|------|---------------|------|------|
| T04N R02E S30   | SWNE | 10.0 | T04N R02E S30 | SENE | 10.0 |
| T04N R02E S30   | NWSE | 40.0 |               |      |      |
| Total Acres: 60 |      |      |               |      |      |

DOMESTIC same as IRRIGATIONConditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 63-2360

Remarks:

1. General P/D IN SE1/4, S32, T4N, R2E.  
TRANS. 243.

Comments:

Dates and Other Information:

Licensed Date: 8/28/1979  
Decreed Date:  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Formal Action Date:  
State or Federal:  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

IN THE MATTER OF )  
NOTICE OF CLAIM TO )  
A WATER RIGHT NO.(S) )

103-2360 )  
 )  
 )

State of Idaho )  
County of ada )

AFFIDAVIT

RECEIVED

AUG 27 2002

WATER RESOURCES  
WESTERN REGION

Stanley Matlock being first duly sworn,  
deposes and says: In the matter of Chevarria,

Kessinger License Right #15242 Transfer No.  
243 Priority date of 7-19-1921 for 60 inches of water.

I have been associated with the Boise Valley  
Irrigation Ditch Co. since 1950 and the water  
represented by this License Right has been diverted  
from the River and over the Willow Lane weir all  
this time.

Stanley Matlock  
(Signature)

Subscribed and sworn to before me this  
day 26<sup>th</sup> of August, 2002.

ANGELA MAGNELL  
Notary Public, State of Idaho  
My Commission Expires 11-28-03

[Signature]  
(Notary Public)

Residing at Boise Idaho.

My Commission Expires 11-28-03.

BOISE VALLEY IRRIGATION DITCH CO

ADDITIONAL INFORMATION

DATE: MAY 31, 2005

BY: MEL SCHULTE

The primary contact is Stan Matlock, company president. (853-0992). The company secretary is Pauly Pierce (853-5288).

The company is represented by Ringert & Clark law office, Charley Honsinger.

The primary problem associated with Boise Valley Irrigation Ditch Co is their fragmented boundary and place of use. This problem was created by several approved transfers and the fact some of their water is delivered to several shareholders by Farmers Union ditch to an area far to the West of BVID main delivery area. See the attach memo that further explains this boundary and place of use issue.

The POD's for all of BVID's rights were established by GPS except two that were added by transfer 71032 at the Shakespeare Festival site.

MTS

## BOISE VALLEY IRRIGATION DITCH CO.

### ADDITIONAL INFORMATION ABOUT THE BOUNDARY AND PLACE OF USE.

The boundary and place of use for the Boise Valley Irrigation Ditch Co. is not a contiguous shape due the delivery systems and several transfers that moved water from their historical area of delivery to several locations. The largest place of use is approximately 2375 acres lying in the northwest Boise and east Eagle areas.

Boise Valley's water is diverted from the Boise River into the Farmers Union canal. About 1¼ miles downstream a head gate delivers water to the Boise Valley's own canal. The Farmer's Union canal continues to carry about 785 inches of Boise Valley water downstream from the head gate to Boise Valley shareholders. Some of the 785 shares are within the Boise Valley's historic boundary and some are further to the west within the Farmer' Union boundary. This split delivery system causes a fragmented boundary and place of use for Boise Valley that overlaps with the Farmer's Union Canal Co. boundary and place of use.

Several approved transfers have established points of diversion and places of use east of Boise that also contributed to the fragmentation of the company's boundary and place of use. Transfer 67107 moved 5.5 inches of water to irrigate 5.5 acres within a 30.9 acre parcel at the Shakespear Festival site. Approved transfer 71032 moved 10 inches of water to the Shakespear site to irrigate and additional 10 acres within the 30.9 acre parcel. Transfer 5119 was approved to move 3.97 cfs to irrigate 198.4 acres at the Simplot Sports Complex and common areas in Columbia Village. This water is diverted at a pumping station in the Boise River just upstream from the Hwy 21 bridge into a pipe line that serves the Micron plant, the Simplot Complex and United Water's proposed municipal station.

Below is a summary of the place of use acres for Boise Valley :

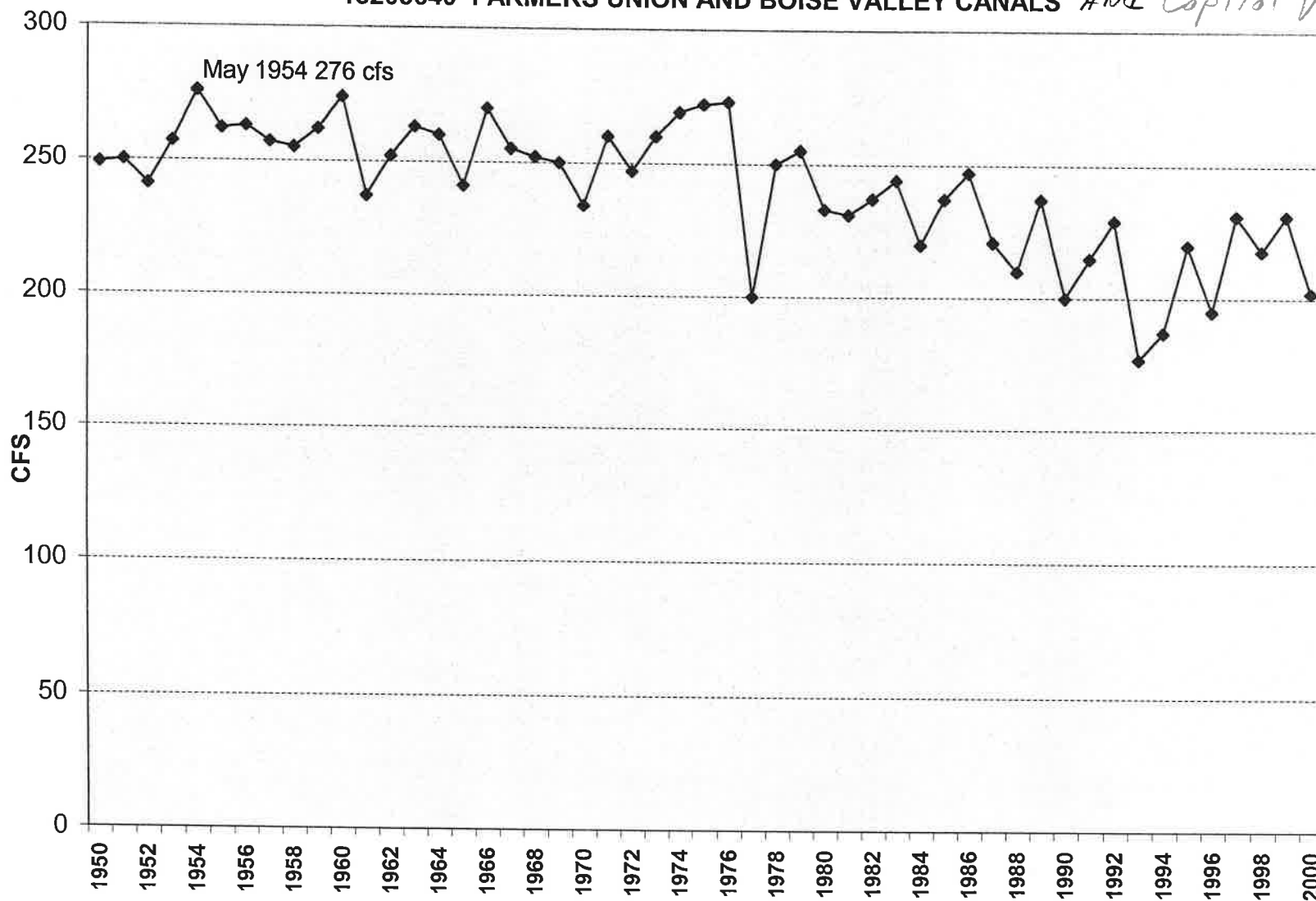
|              |                                      |
|--------------|--------------------------------------|
| 2375.1 acres | Within the main boundary             |
| 15.5 acres   | Shakespear Festival site             |
| 198.4 acres  | Simplot Complex                      |
| 42.2 acres   | Within the United Water service area |
| 19.4 shares  | Quong place of use                   |
| 15.0 shares  | Ada County landfill shares           |
| 16.0 shares  | McCrae place of use                  |
| 14.6 shares  | Hanson place of use                  |
| 12.97 shares | Moyle place of use                   |
| 3.33 shares  | Charlton place of use                |
| 1.0 shares   | Canova place of use                  |
| 43.33 shares | Buckhorn Estates place of use        |
| 14.6 shares  | ACHD shares                          |
| 37.0 shares  | Veterans Cemetary irrigation         |

---

|               |                                                                            |
|---------------|----------------------------------------------------------------------------|
| 2808.43 acres | Total acres irrigated within the boundaries of Boise Valley Irrigation Co. |
|---------------|----------------------------------------------------------------------------|

# MAXIMUM MONTHLY DIVERSION 1950-2000

13205640 FARMERS UNION AND BOISE VALLEY CANALS *AND Capitol View*



13205640 HISTORIC DIVERSION OF FARMERS UNION AND BOISE VALLEY CANALS (CFS)

| W-YR      | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | ANN  |
|-----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| 1950      | 44  | 0   | 0   | 0   | 0   | 0   | 104 | 229 | 245 | 249 | 192 | 163 | 1227 |
| 1951      | 57  | 0   | 0   | 0   | 0   | 0   | 131 | 216 | 240 | 250 | 210 | 160 | 1265 |
| 1952      | 54  | 0   | 0   | 0   | 0   | 0   | 59  | 231 | 220 | 241 | 207 | 165 | 1176 |
| 1953      | 54  | 0   | 0   | 0   | 0   | 0   | 129 | 229 | 168 | 257 | 220 | 188 | 1245 |
| 1954      | 62  | 0   | 0   | 0   | 0   | 0   | 126 | 276 | 235 | 260 | 207 | 176 | 1343 |
| 1955      | 60  | 0   | 0   | 0   | 0   | 0   | 27  | 145 | 262 | 239 | 218 | 176 | 1127 |
| 1956      | 44  | 0   | 0   | 0   | 0   | 0   | 148 | 237 | 260 | 263 | 223 | 185 | 1361 |
| 1957      | 55  | 0   | 0   | 0   | 0   | 0   | 34  | 176 | 257 | 249 | 221 | 181 | 1173 |
| 1958      | 62  | 0   | 0   | 0   | 0   | 0   | 67  | 226 | 218 | 255 | 233 | 181 | 1243 |
| 1959      | 62  | 0   | 0   | 0   | 0   | 0   | 175 | 237 | 262 | 241 | 221 | 106 | 1304 |
| 1960      | 21  | 0   | 0   | 0   | 0   | 0   | 129 | 244 | 274 | 242 | 211 | 171 | 1294 |
| 1961      | 57  | 0   | 0   | 0   | 0   | 0   | 101 | 237 | 217 | 189 | 189 | 109 | 1099 |
| 1962      | 20  | 0   | 0   | 0   | 0   | 0   | 101 | 197 | 242 | 252 | 231 | 195 | 1237 |
| 1963      | 44  | 0   | 0   | 0   | 0   | 0   | 79  | 239 | 234 | 263 | 242 | 171 | 1273 |
| 1964      | 54  | 0   | 0   | 0   | 0   | 0   | 101 | 226 | 190 | 260 | 239 | 185 | 1255 |
| 1965      | 47  | 0   | 0   | 0   | 0   | 0   | 84  | 241 | 237 | 241 | 220 | 180 | 1249 |
| 1966      | 75  | 0   | 0   | 0   | 0   | 0   | 188 | 270 | 232 | 221 | 200 | 126 | 1312 |
| 1967      | 39  | 0   | 0   | 0   | 0   | 0   | 118 | 250 | 203 | 255 | 208 | 133 | 1207 |
| 1968      | 26  | 0   | 0   | 0   | 0   | 0   | 134 | 247 | 252 | 215 | 114 | 151 | 1140 |
| 1969      | 37  | 0   | 0   | 0   | 0   | 0   | 97  | 250 | 245 | 223 | 229 | 158 | 1241 |
| 1970      | 36  | 0   | 0   | 0   | 0   | 0   | 72  | 231 | 232 | 234 | 218 | 150 | 1173 |
| 1971      | 57  | 0   | 0   | 0   | 0   | 0   | 52  | 254 | 230 | 260 | 236 | 183 | 1272 |
| 1972      | 29  | 0   | 0   | 0   | 0   | 0   | 60  | 236 | 230 | 247 | 234 | 171 | 1209 |
| 1973      | 65  | 0   | 0   | 0   | 0   | 0   | 126 | 250 | 260 | 231 | 211 | 148 | 1292 |
| 1974      | 21  | 0   | 0   | 0   | 0   | 0   | 39  | 252 | 269 | 257 | 246 | 188 | 1272 |
| 1975      | 50  | 0   | 0   | 0   | 0   | 0   | 8   | 174 | 272 | 268 | 241 | 203 | 1217 |
| 1976      | 68  | 0   | 0   | 0   | 0   | 0   | 62  | 273 | 252 | 262 | 207 | 151 | 1275 |
| 1977      | 46  | 0   | 0   | 0   | 0   | 0   | 136 | 168 | 197 | 200 | 197 | 138 | 1080 |
| 1978      | 23  | 0   | 0   | 0   | 0   | 0   | 29  | 171 | 250 | 247 | 220 | 146 | 1085 |
| 1979      | 65  | 0   | 0   | 0   | 0   | 0   | 42  | 221 | 255 | 224 | 176 | 138 | 1122 |
| 1980      | 39  | 0   | 0   | 0   | 0   | 0   | 55  | 189 | 208 | 233 | 200 | 143 | 1067 |
| 1981      | 63  | 0   | 0   | 0   | 0   | 0   | 30  | 179 | 213 | 231 | 205 | 161 | 1083 |
| 1982      | 46  | 0   | 0   | 0   | 0   | 0   | 42  | 195 | 237 | 216 | 215 | 150 | 1100 |
| 1983      | 36  | 0   | 0   | 0   | 0   | 0   | 34  | 135 | 244 | 223 | 210 | 160 | 1040 |
| 1984      | 47  | 0   | 0   | 0   | 0   | 0   | 32  | 184 | 198 | 220 | 207 | 160 | 1047 |
| 1985      | 55  | 0   | 0   | 0   | 0   | 0   | 59  | 220 | 237 | 210 | 179 | 118 | 1077 |
| 1986      | 26  | 0   | 0   | 0   | 0   | 0   | 62  | 181 | 234 | 246 | 247 | 126 | 1121 |
| 1987      | 11  | 0   | 0   | 0   | 0   | 0   | 92  | 221 | 200 | 190 | 185 | 104 | 1005 |
| 1988      | 3   | 0   | 0   | 0   | 0   | 0   | 74  | 210 | 203 | 150 | 137 | 84  | 861  |
| 1989      | 13  | 0   | 0   | 0   | 0   | 0   | 24  | 216 | 237 | 213 | 185 | 134 | 1023 |
| 1990      | 46  | 0   | 0   | 0   | 0   | 0   | 84  | 184 | 173 | 200 | 151 | 108 | 945  |
| 1991      | 57  | 0   | 0   | 0   | 0   | 0   | 66  | 159 | 215 | 179 | 153 | 74  | 903  |
| 1992      | 33  | 0   | 0   | 0   | 0   | 0   | 77  | 229 | 155 | 109 | 102 | 97  | 803  |
| 1993      | 44  | 0   | 0   | 0   | 0   | 0   | 13  | 135 | 175 | 177 | 148 | 145 | 837  |
| 1994      | 50  | 0   | 0   | 0   | 0   | 0   | 133 | 187 | 187 | 172 | 171 | 143 | 1043 |
| 1995      | 62  | 0   | 0   | 0   | 0   | 0   | 50  | 163 | 220 | 215 | 182 | 161 | 1053 |
| 1996      | 59  | 0   | 0   | 0   | 0   | 0   | 39  | 145 | 195 | 189 | 172 | 151 | 949  |
| 1997      | 78  | 0   | 0   | 0   | 0   | 0   | 123 | 215 | 220 | 231 | 226 | 166 | 1259 |
| 1998      | 88  | 0   | 0   | 0   | 0   | 0   | 87  | 151 | 163 | 218 | 198 | 158 | 1064 |
| 1999      | 59  | 0   | 0   | 0   | 0   | 0   | 101 | 182 | 210 | 231 | 210 | 153 | 1145 |
| 2000      | 42  | 0   | 0   | 0   | 0   | 0   | 86  | 189 | 202 | 174 | 156 | 138 | 986  |
| AVERAGE:  |     |     |     |     |     |     |     |     |     |     |     |     |      |
| 1950-2000 | 47  | 0   | 0   | 0   | 0   | 0   | 81  | 210 | 225 | 226 | 201 | 151 | 1141 |

Idaho Dept. of Water Resources  
Place of Use Comparison Report

| Basin | Sequence        | Suffix | Basin          | Status | Priority Date | Rate(cfs) | Volume(af) | Source      | Water Use(s)                                  | Owner(s)                                   |
|-------|-----------------|--------|----------------|--------|---------------|-----------|------------|-------------|-----------------------------------------------|--------------------------------------------|
| 63    | 16767           |        | Beneficial Use | Active | 9/10/1921     | 15.05     |            | WASTE WATER | IRRIGATION                                    | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | 147             | B      | Decreed        | Active | 1865-06-01    | 3.97      | 892.8      | BOISE RIVER | IRRIGATION <i>Simple</i>                      | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | 147             | D      | Decreed        | Active | 1865-06-01    | 0.79      | 190        | BOISE RIVER | IRRIGATION <i>Unk'd Water</i>                 | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | 31197           |        | Decreed        | Active | 1865-06-01    | 49.71     | 10311      | BOISE RIVER | AESTHETIC, AESTHETIC STORAGE, DIVERSION TO ST | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | 31198           |        | Decreed        | Active | 1865-06-01    | 0.11      | 24.7       | BOISE RIVER | IRRIGATION                                    | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | 2360            |        | License        | Active | 7/19/1921     | 1.2       |            | BOISE RIVER | IRRIGATION                                    | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | <del>3614</del> | E      | License        | Active | 12/9/1940     |           | 961        | BOISE RIVER | IRRIGATION FROM STORAGE, IRRIGATION STORAGE   | BOISE VALLEY IRRIGATION DITCH CO (Current) |
| 63    | <del>3618</del> | H      | Permit         | Active | 1/1/1955      |           | 2500       | BOISE RIVER | IRRIGATION FROM STORAGE, IRRIGATION STORAGE   | BOISE VALLEY IRRIGATION DITCH CO (Current) |

55.78 cfs without waste water

$55.78 \div 0.2 = 2789 \text{ acres}$

2375.1 digitized acres within main boundary - after transfers  
2794 total acres (see list of additional acres and shares  
outside the main boundary)

## Boise Valley POU acres

2375.1 = within main boundary

15.5ac = Shakespear Festival (31198

198.4ac = Simplot Complex (147B

42.2ac = United Water (147D

19.4sh = Quong

15.2sh = Old City

16.0sh = McRae

14.6sh = Hanson

12.97sh = Moyle

3.33sh = Charlton

1.0sh = Canova

14.4sh = Buckhorn Estates

14.6sh = ACHD

37.0sh = Veterans Cemetery

---

2779.5

10:07 PM

11/24/03

**Boise Valley Irrigation Ditch Co.**  
**Customer Contact List**  
**November 24, 2003**

*Latrol 36*

| Customer                     | Phone    | Bill to                                            | Shares | Lateral |
|------------------------------|----------|----------------------------------------------------|--------|---------|
| ARNOLD, LANCE & SHARON       | 939-2922 | ARNOLD, LANCE & SHARON 8730 HORSESHOE B...         | .62    | 36      |
| BALDWIN, MARLIN & DARLE...   | 939-0797 | BALDWIN, MARLIN & DARLEEN 9801 ARNOLD RD...        | .93    | 36      |
| BALDWIN, VELMA               |          | BALDWIN, VELMA 9999 ARNOLD RD BOISE ID 83...       | 1.24   | 36      |
| BARGMANN, SUSAN              | 939-4671 | BARGMANN, SUSAN 9820 SHIELDS AVE BOISE I...        | .61    | 36      |
| BEELER, WM R                 | 853-5109 | BEELER, WM R 7302 GARDNER BOISE ID 83714           | 1/3    | 36      |
| BLACK, TINA                  | 384-0553 | BLACK, TINA 1000 S CURTIS BOISE ID 83705           | 0.62   | 36      |
| BLANC, ROBERT K              | 939-1826 | ROBERT BLANC 10233 W ARNOLD RD BOISE ID ...        | 1      | 36      |
| BLANTON, RODNEY & MOLLY      | 384-0345 | BLANTON, RODNEY & MOLLY 1700 N. 20th BOISE ...     | 0.60   | 36      |
| BLESSINGER, MYRLE & OLGA     |          | BLESSINGER, MYRLE & OLGA 10158 UTAHNA R...         | 0.93   | 36      |
| BROWN, LARRY                 | 853-0739 | BROWN, LARRY 10242 UTAHNA RD BOISE ID 837...       | 0.31   | 36      |
| CAMBELL, TREY                | 939-0728 | CAMBELL, TREY 10095 ARNOLD RD BOISE ID 83...       | 0.62   | 36      |
| CARMAN, CLAYTON & BARB...    | 939-2475 | CLAYTON & BARBARA CARMAN 9755 SHIELDS A...         | 0.50   | 36      |
| CHRISTENSEN, JACK            | 853-2256 | CHRISTENSEN, JACK 9724 UTAHNA RD BOISE I...        | 0.30   | 36      |
| COLE, MATT & CHETTIE         | 853-1583 | COLE, MATT & CHETTIE 9751 UTAHNA RD BOISE...       | 1.94   | 36      |
| CUNNINGHAM, FERN             | 853-3158 | CUNNINGHAM, FERN 9815 UTAHNA RD BOISE ID...        | 1.24   | 36      |
| CUNNINGHAM, K A              |          | CUNNINGHAM, K A 9798 ARNOLD RD BOISE ID ...        | 1.86   | 36      |
| DABELL, KATHERINE            | 343-6857 | KATHERINE DABELL 3705 FORSYTHIA BOISE ID...        | 0.62   | 36      |
| DAVISON, GERALD & ANN        | 376-2844 | DAVISON, GERALD & ANN P O BOX 140791 BOIS...       | 2.17   | 36      |
| DIETRICH, MATT OR FAITH      | 938-3741 | MATT DIETRICH 9740 SHIELDS AVE BOISE ID 83...      | .61    | 36      |
| DRESIE, MICHAEL              | 939-6977 | DRESIE, MICHAEL 10400 ARNOLD RD BOISE ID 8...      | 0.62   | 36      |
| DUNBAR, MAXINE               | 853-1240 | DUNBAR, MAXINE 10008 MAYMIE RD BOISE ID 83...      | 1.86   | 36      |
| ECHAVARRIA, FLOREN           | 939-6964 | ECHAVARRIA, FLOREN 9876 ARNOLD RD BOISE I...       | 0.62   | 36      |
| FRIEND, CLAY & NANCY         | 939-6443 | CLAY & NANCY FRIEND 10030 ARNOLD RD BOIS...        | .62    | 36      |
| FRIEND, LARRY                | 939-6960 | LARRY FRIEND 10155 ARNOLD RD BOISE, ID 83714       | .75    | 36      |
| GASKELL, ROBERT W            | 853-1443 | GASKELL, ROBERT W 7672 GARDENER LN BOIS...         | 1.24   | 36      |
| GIVENS, JACK H               | 939-1208 | GIVENS, JACK H 10274 W. SHIELDS AVE BOISE I...     | 5      | 36      |
| HOLDEN, MARGO                | 853-7640 | HOLDEN, MARGO 7468 GARDEN ST BOISE ID 83...        | 0.93   | 36      |
| HOLMES, DORIS                | 939-7170 | HOLMES, DORIS 23414 FREEZEOUT RD CALDWE...         | 1.24   | 36      |
| HUFF, CYNDA                  | 939-0820 | Cynda Huff 9797 SHIELDS AVE BOISE ID 83714         | 0.50   | 36      |
| HUMPHREYS, HELEN             | 853-9143 | HUMPHREYS, HELEN L 9954 UTAHNA BOISE ID 8...       | 0.95   | 36      |
| JENSEN, ALONZO JAY & MARY    | 939-0050 | JENSEN, ALONZO JAY & MARY 10050 SHIELDS A...       | 0.62   | 36      |
| JONES, BART & CHERYL         | 939-5241 | Bart & Cheryl Jones 10031 ARNOLD RD BOISE ID ...   | 0.62   | 36      |
| JONES, PAULINE               | 939-8022 | JONES, PAULINE 9665 ARNOLD RD BOISE ID 83714       | 1.24   | 36      |
| LARSON, LOUIE S              | 938-4527 | LOUIE S LARSON 10234 W ARNOLD RD BOISE I...        | .62    | 36      |
| LEIDING, JERRY               |          | LEIDING, JERRY 9924 UTAHNA BOISE ID 83714          | 0.93   | 36      |
| LOWRY, LANA & LYNN JONES     | 939-8032 | LOWRY, LANA OR JONES, LYNN % DOUG EISEN...         | 0.61   | 36      |
| MAESTAS, DOUGLAS & SHE...    | 939-1654 | MAESTAS, DOUGLAS & SHERRY 10301 ARNOLD ...         | 0.62   | 36      |
| MILLER, TERRY & JENNIFER     | 853-2893 | MILLER, TERRY & JENNIFER 10195 MAYMIE RD B...      | 1.24   | 36      |
| MOENCH, EVERETT & VICKIE     | 939-4865 | MOENCH, EVERETT & VICKIE 10000 SHIELDS AV...       | 0.62   | 36      |
| MYERS, LEON                  | 939-6727 | MYERS, LEON 9833 ARNOLD RD BOISE, ID 83714         | 1.24   | 36      |
| NEY, ROBERT & LISA           |          | NEY, ROBERT & LISA % STEVEN OR MARY FRIE...        | 0.62   | 36      |
| RADFORD, VEE & EVA           | 939-6386 | RADFORD, VEE & EVA 10300 ARNOLD RD BOISE ...       | 0.62   | 36      |
| RAMSEY, FRANK                | 789-7274 | RAMSEY, FRANK 2114 RADCLIFF RD JUNEAU AK...        | 0.31   | 36      |
| RITCHIE, BRUCE & SHIRLEY     |          | Bruce & Shirley Ritchie 9958 SHIELDS AVE BOISE ... | 1.24   | 36      |
| RYAN, MICHAEL, JUDITH, MA... | 939-1360 | RYAN, MICHAEL, JUDITH MARK OR LURA 9731 SH...      | 0.62   | 36      |
| RYBKA, BERNICE               | 939-6398 | Bernice Rybka 9903 SHIELDS BOISE ID 83714          | 1.24   | 36      |
| SALUTREGUI, RICARDO          | 939-0089 | SALUTREGUI, RICARDO 9966 ARNOLD RD BOISE...        | 1 1/2  | 36      |
| SCOTT, WALTER & PEGGY        |          | SCOTT, WALTER & PEGGY 9689 SHIELDS AVE B...        | 0.62   | 36      |
| SHERER, DOROTHY              | 344-2655 | SHERER, DOROTHY 2625 REGAN BOISE ID 83702          | 0.31   | 36      |
| SKOGERSON, LORI              | 327-0498 | SKOGERSON, LORI 7609 CAMBRIDGE BOISE ID 8...       | 0.46   | 36      |
| SMITH, JESSIE JR             | 853-0391 | SMITH, JESSIE JR 10168 MAYMIE RD BOISE ID 83...    | 0.31   | 36      |
| STRATE, LISA                 |          | STRATE, LISA 9680 UTAHNA BOISE ID 83714            | 0.31   | 36      |
| THORNOCK, WM & PHYLIS        | 853-2335 | THORNOCK, WM & PHYLIS 7500 GARDNER LN B...         | .62    | 36      |
| TITUS, CHARLES               | 939-6986 | Charles Titus 10257 Shield Ave BOISE ID 83714      | 1.24   | 36      |
| WHEELER, ALTA                | 939-6661 | Alta Wheeler 10252 ARNOLD RD BOISE ID 83714        | 0.62   | 36      |
| WILSON, ANNIE                |          | Annie Wilson 10190 SHIELDS AVE BOISE ID 83714      | 1      | 36      |
| WORKMAN, ROBERT, & LYLA      | 939-8474 | WORKMAN, ROBERT, & LYLA 10154 ARNOLD RD...         | 1.24   | 36      |

RECEIVED

DEC 01 2003

WATER RESOURCES  
WESTERN REGION

52,62

*Part of 3010 shares*

| BasinNumber | SequenceNum | SplitSuffix | OrganizationName                               | Agent |
|-------------|-------------|-------------|------------------------------------------------|-------|
| 63          | ✓ 147       | D           | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
| 63          | ✓ 147       | B           | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
| 63          | ✓ 2360      |             | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
| 63          | ✓ 16767     |             | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
| 63          | ✓ 31197     |             | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
| 63          | ✓ 31198     |             | BOISE VALLEY IRRIGATION DITCH C                | Mel   |
|             | 3614E       | ?           |                                                |       |
|             | 3618H       | ?           | NO. competing claims to Anderson storage right |       |

8-19-02

BVID. Co.

Stan Matlock, Pres.

8633 Bogart Lane

83703

853-0992.

Sumplot soccer fields  
and the Shakespeare Theatre  
should be included in the  
boundary map for BVIC



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JUNE 6, 2003

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

BOISE VALLEY IRRIGATION DISTRICT CO  
8633 BOGART LANE  
BOISE, ID 83703

Re: Snake River Basin Adjudication (SRBA) claims review

We are currently reviewing the water right claims filed in the SRBA by all ditch companies and irrigation districts in Ada County prior to preparing our recommendations to the SRBA court. Your claims are part of this review process.

One of the end products resulting from the review process mentioned above will be a map for your organization that will include the land irrigated by your water rights and the outer perimeter boundary of the places of use. You may have already reviewed the boundary and place of use for your water rights with an employee of the department. However, if you have not recently reviewed and returned a map to us please call me at the number below as soon as possible. Establishing the most accurate boundary and place of use for your water rights is a very important initial step in our review process.

The total amount of water we will recommend for your water rights will be based on the standard of one inch (0.02 cubic foot per second) per acre for the actual acres irrigated with your water rights as described in your boundary map. However, it is possible to have additional water for delivery loss within your ditch system and additional water for lands that require more water due to the nature of the soils. We might need additional information from you to quantify the amount of water needed for delivery loss within your canal and ditch system. We might also need from you additional data to support and quantify any excess water in addition to one inch per acre for irrigation that might be necessary.

It is our plan to prepare recommendations for your SRBA claims during the summer of 2003. In order to prepare the most accurate recommendations it's imperative that the boundary and place of use map for your organization be completed before we proceed.

If you need additional information or want to discuss these matters in more detail please call me at the number below.

Cordially,

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

RECEIVED

APR 28 2003

Department of Water Resources

BOISE VALLEY IRRIGATION DITCH CO.

8750 N. Bogart Lane

Boise, ID 83714

April 22, 2003

RECEIVED

JUL 20 2004

WATER RESOURCES  
WESTERN REGION

Mr. Dave Tuthill *DTW*  
Dept. of Water Resources  
1301 N. Orchard  
Boise, ID 83706

Dear Dave:

Boise Valley Irrigation Ditch Co. has a problem with developers purchasing land on laterals and not using the irrigation water.

After purchasing the property they sell the water shares so they do not have to use it on the development. This can cause the other water users on the lateral to be short of water and could in some cases cause insufficient water to operate the lateral.

Boise Valley would like to require the developers to use the irrigation water on the subdivision. The objection to this is they do not have continual use. All laterals operate on a rotation schedule.

Boise Valley would like to adopt a system similar to the Gary Lane Meadows Homeowner open park area; which we worked with Idaho Water Resources in obtaining water shares and assigning the share to the nearest lateral for recharge so they could pump from a shallow well or sump.

Boise Valley Ditch Co. would like to be able to require developers to keep the irrigation water in the lateral for ground water recharge and in turn be able to pump from a shallow well or sump of 10'-12'.

The majority of Boise Valley area has a high water table.

We would like for the developers to be able to install pumps in a well consisting of cement pipes stacked on top to each other in a pit no deeper than 12'. This can be excavated with a backhoe and back filled with same.

Although different in design this would be no different than Gary Lane Meadows or the Optimist soccer field, who pump from a pond 12' to 15' deep.

Page 2

Boise Valley Irrigation Ditch Co. would appreciate any help you could give us in the adoption of a policy to preserve our water rights and assure a ground water recharge.

We would be glad to co-operate with you by having a meeting to discuss this.

Even if this is not your department would you please refer it to the correct department.

Sincerely,

*Stanley Matlock*

Stanley Matlock,  
President

# GPS readings

#809 Boise City Canal  
above golf course = 321174  
276610

#810 Downstream ranney  
325637  
278495

811 324449 = Upstream ranney  
279812

---

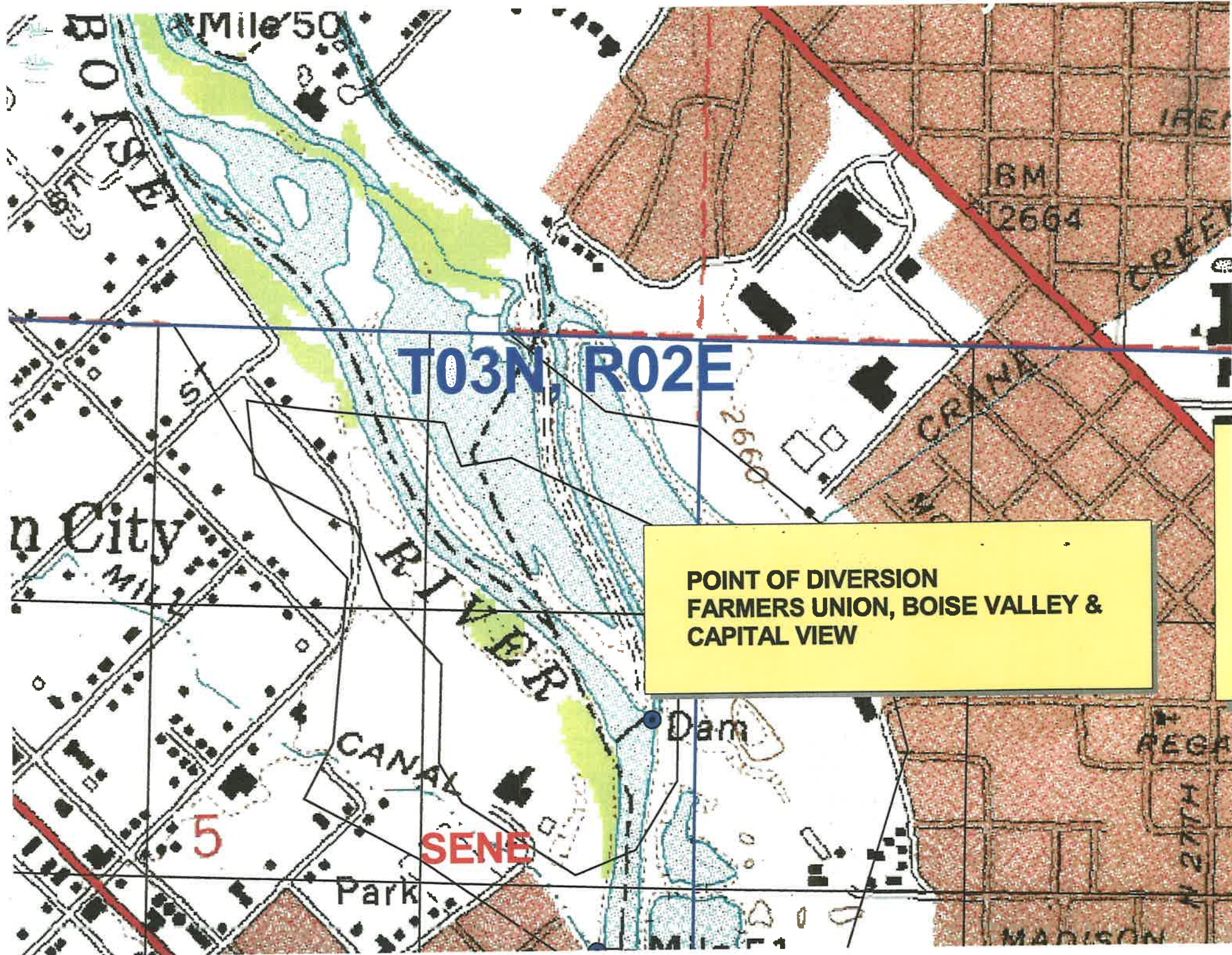
#812 Boise Valley  
H. Kasper = 324512  
279728

813 Sunplot 329160  
275631

POB search 3N, 2E, S5, SENE

| BASIN | Sequence Number | Soil Surfix | Basin          | Status | Right ID | Priority Date | RATE  | Source List    | Water Use List                                                                                              | Owner List                                 | Source Table | Source Title Application |
|-------|-----------------|-------------|----------------|--------|----------|---------------|-------|----------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------|--------------------------|
| 63    | 120             | G           | Decreed        | Active | 303511   | 1864-06-01    | 1.8   | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 123             | C           | Decreed        | Active | 303512   | 1864-06-01    | 20    | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 123             | D           | Decreed        | Active | 549018   | 1864-06-01    | 0.52  | BOISE RIVER    | IRRIGATION                                                                                                  | EAST HILLS DEVELOPMENT LLC (Current)       |              | wrAdjudicationClaim      |
| 63    | 124             | Q           | Decreed        | Active | 303513   | 1864-06-01    | 0.1   | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 125             | J           | Decreed        | Active | 303514   | 1871-06-01    | 0.26  | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 126             | F           | Decreed        | Active | 303515   | 1891-06-01    | 0.06  | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 164             | E           | Decreed        | Active | 303516   | 1866-06-01    | 1.8   | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 165             | M           | Decreed        | Active | 303517   | 1866-06-01    | 1.69  | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 192             |             | Decreed        | Active | 291415   | 1876-06-01    | 2.3   | BOISE RIVER    | IRRIGATION                                                                                                  | WARM SPRINGS DITCH co (Current)            |              | wrAdjudicationClaim      |
| 63    | 196             | AG          | Decreed        | Active | 303518   | 1877-06-01    | 3.12  | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 216             | C           | Decreed        | Active | 345922   | 1869-06-01    | 1.2   | BOISE RIVER    | IRRIGATION                                                                                                  | WARM SPRINGS DITCH co (Current)            |              | wrAdjudicationClaim      |
| 63    | 248             |             | Decreed        | Active | 303521   | 1894-07-02    | 110   | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 297             |             | Decreed        | Active | 303523   | 1894-07-02    | 54.46 | BOISE RIVER    | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 2360            |             | License        | Active | 277959   | #####         | 1.2   | BOISE RIVER    | IRRIGATION                                                                                                  | BOISE VALLEY IRRIGATION DITCH CO (Current) |              | wrAdjudicationClaim      |
| 63    | 2397            | A           | License        | Active | 344742   | #####         | 2.23  | DRAIN          | IRRIGATION                                                                                                  | WARM SPRINGS DITCH co (Current)            |              | wrAdjudicationClaim      |
| 63    | 2892            |             | License        | Active | 288901   | 2/7/1952      | 15    | GROUND WATER   | MUNICIPAL                                                                                                   | UNITED WATER IDAHO INC (Current)           |              | wrAdjudicationClaim      |
| 63    | 2895            |             | License        | Active | 309108   | #####         | 1.5   | GROUND WATER   | MUNICIPAL                                                                                                   | CITY OF GARDEN CITY (Current)              |              | wrAdjudicationClaim      |
| 63    | 3613            | A           | License        | Active | 560597   | #####         |       | BOISE RIVER    | IRRIGATION FROM STORAGE, IRRIGATION STORAGE                                                                 | FARMERS UNION DITCH CO (Current)           |              | wrAdjudicationClaim      |
| 63    | 3614            | C           | License        | Active | 560596   | #####         |       | BOISE RIVER    | IRRIGATION FROM STORAGE, IRRIGATION STORAGE                                                                 | FARMERS UNION DITCH CO (Current)           |              | wrAdjudicationClaim      |
| 63    | 3618            | D           | Permit         | Active | 560600   | 1/1/1955      |       | BOISE RIVER    | IRRIGATION FROM STORAGE, IRRIGATION STORAGE                                                                 | FARMERS UNION DITCH CO (Current)           |              | wrAdjudicationClaim      |
| 63    | 7805            |             | License        | Active | 309110   | 6/1/1973      | 1.1   | GROUND WATER   | MUNICIPAL                                                                                                   | CITY OF GARDEN CITY (Current)              |              | wrAdjudicationClaim      |
| 63    | 8186            |             | License        | Active | 318380   | 8/7/1975      | 0.94  | GROUND WATER   | DOMESTIC, INDUSTRIAL, IRRIGATION                                                                            | BILBAO, DAN (Current)                      |              | wrAdjudicationClaim      |
| 63    | 16767           |             | Beneficial Use | Active | 277971   | #####         | 15.05 | WASTE WATER    | IRRIGATION                                                                                                  | BOISE VALLEY IRRIGATION DITCH CO (Current) |              | wrAdjudicationClaim      |
| 63    | 19425           |             | Decreed        | Active | 291420   | 1882-06-01    | 4.2   | BOISE RIVER    | IRRIGATION                                                                                                  | WARM SPRINGS DITCH co (Current)            |              | wrAdjudicationClaim      |
| 63    | 20040           |             | Decreed        | Active | 294983   | 9/1/1921      | 3.01  | BOISE RIVER    | IRRIGATION                                                                                                  | BOISE CITY CANAL CO (Current)              |              | wrAdjudicationClaim      |
| 63    | 20041           |             | Decreed        | Active | 295289   | 1866-06-01    | 36.37 | BOISE RIVER    | FISH PROPAGATION, FISH PROPAGATION STORAGE, IRRIGATION, MUNICIPAL, STOCKWATER                               | BOISE CITY CANAL CO (Current)              |              | wrAdjudicationClaim      |
| 63    | 21729           |             | Beneficial Use | Active | 303578   | #####         | 1.8   | UNNAMED DRAINS | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 21730           |             | Beneficial Use | Active | 303579   | #####         | 38.5  | UNNAMED DRAINS | IRRIGATION                                                                                                  | FARMERS UNION DITCH CO LTD (Current)       |              | wrAdjudicationClaim      |
| 63    | 31197           |             | Decreed        | Active | 554307   | 1865-06-01    | 49.71 | BOISE RIVER    | AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE | BOISE VALLEY IRRIGATION DITCH CO (Current) |              | wrAdjudicationClaim      |

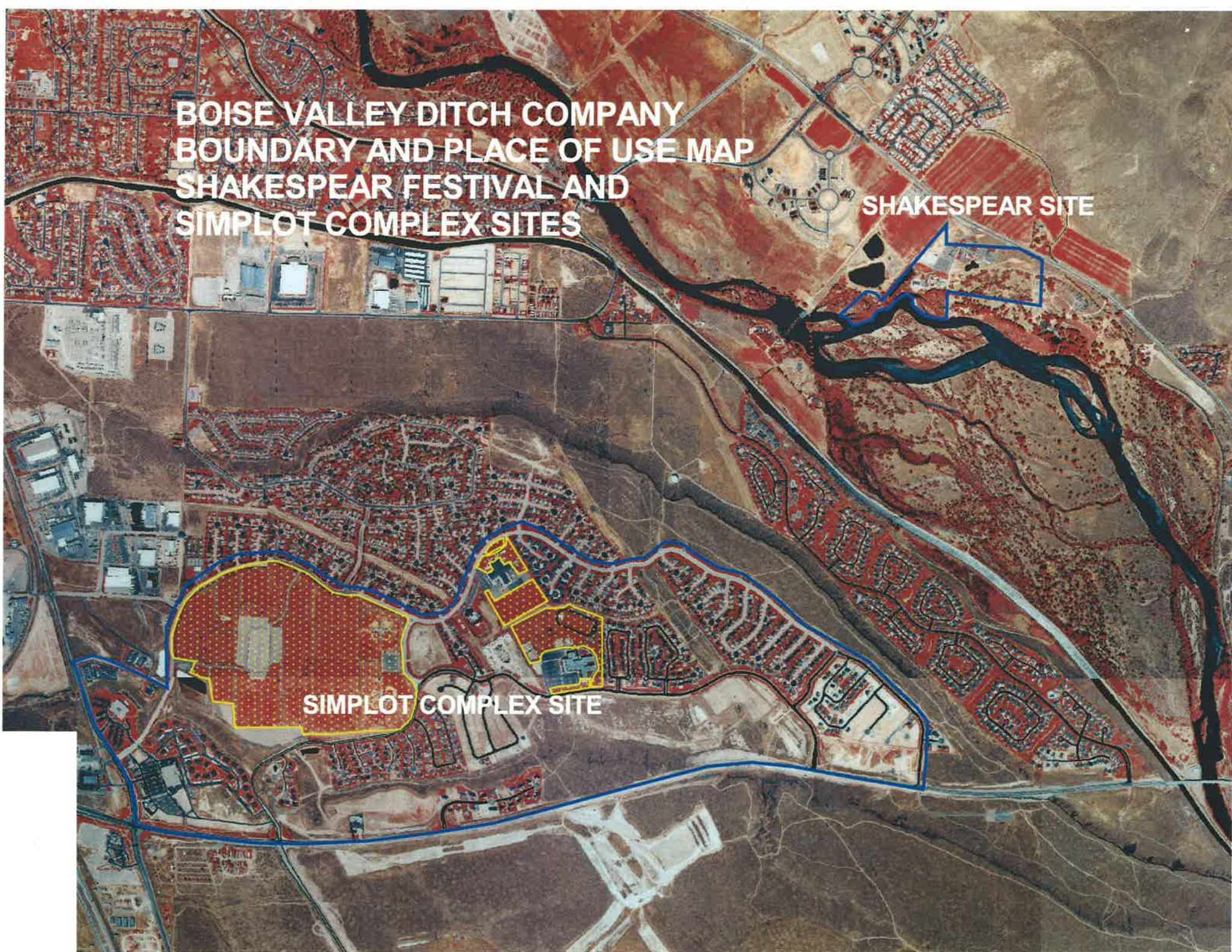
Stan 853-0992



**BOISE VALLEY DITCH COMPANY  
BOUNDARY AND PLACE OF USE MAP  
SHAKESPEAR FESTIVAL AND  
SIMPLOT COMPLEX SITES**

**SHAKESPEAR SITE**

**SIMPLOT COMPLEX SITE**



**Boise Valley Irrigation Ditch Co.**  
**Customer Contact List**  
**November 3, 2003**

| Customer                      | Phone       | Bill to                                               | Shares | Lateral        |
|-------------------------------|-------------|-------------------------------------------------------|--------|----------------|
| ACHD                          | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:4811 Alamosa Ln (1/2 sh) | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:4820 Willow Ln (1 sh)    | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:7433 Hill Rd (2 sh)      | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:7813 Hill Rd (4 sh)      | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:7820 Gary Ln (1 sh)      | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:8103 Hill Rd (1 sh)      | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ACHD:8855 Duncan Ln (5 sh)    | 387-8275    | ACHD ATTN: KATHY SMITH 318 E 37TH ST BOISE...         | 14.5   | FU, 01         |
| ADA COUNTY SOLID WASTE...     | 853-1297    | ADA COUNTY S.W.M. SOLID WASTE MANAGEME...             | 15     | FU             |
| ADAMS, THOMAS & MARIE         | 342-7855    | ADAMS, THOMAS & MARIE P O BOX 9753 BOISE ...          | 6.5    | FU             |
| ANDERSON, CLARK & VEDA        | 853-0123    | Clark & Veda Anderson 8298 CASA REAL BOISE ID ...     | 4      | FU             |
| ANDERTON, LILA                | 853-1059    | ANDERTON, LILA 847 E. INCA ST. MESA, AZ 85203         | 1      | FU P4          |
| AYLING, SCOTT                 |             | AYLING, SCOTT P O BOX 2845 RONKONKOMA N...            | 1 1/2  | FU             |
| BALKINS, JAMES & JUDITH       | 344-8111    | BALKINS, JAMES & JUDITH 1606 RIDGECLIFF LN ...        | 17.75  | FU             |
| BALL, RAYMOND D               |             | BALL, RAYMOND D 891 LANDER ST BOISE ID 83714          | 1      | FU             |
| BARNES, BOB & EVON            | 343-8790    | Bob & Evon Barnes 5887 LAMPLIGHTER BOISE ID...        | 27.29  | FU             |
| BARNES, KEN R                 | 342-5043    | BARNES, KEN R 4820 WYLIE LN BOISE ID 83703            | 6      | FU             |
| BEAVER, REX & JOLENE          | 853-1199    | BEAVER, REX & JOLENE 7141 HILL RD BOISE ID ...        | 1      | FU             |
| BENNETT, TAMARA               | 343-7088    | BENNETT, TAMARA 4880 ALAMOSA LN BOISE ID...           | 1      | FU             |
| BETSCHER, MAUREEN OR A...     | 343-5072    | BETSCHER, MAUREEN OR ALLAN 5558 W. LUCKY...           | 1/4    | FUD HDGT5      |
| BOISE BIBLE HALL PROPER...    | 385-0305    | BOISE BIBLE HALL PROPERTIES, INC DBA COLLI...         | 5      | FU             |
| BOISE PARKS & RECREATIO...    | 384-4240    | Boise Parks & Recreation Dept 1104 ROYAL BLVD B...    | 105.75 | FU, 23, 15, 34 |
| BORGESON, DON                 | 343-0484    | DON BORGESON 5525 HILL RD BOISE ID 83714              | 4      | FU             |
| BRAY, CHRISTOPHER & GAIL      | 343-1855    | Christopher and Gail Bray 8201 PIERCE PARK BOIS...    | 10     | FU             |
| BRIGGS, MARGARET              | 342-1973    | BRIGGS, MARGARET 5701 HILL RD BOISE ID 83...          | 2      | FU             |
| BROOKHART, ALBERT & FE...     | 338-4195    | ALBERT & FEROL BROOKHART 5207 STINGER D...            | 1      | FU             |
| BROWNFIELD, ROBT. & SHA...    |             | ROBERT E. BROWNFIELD 5713 HILL RD BOISE I...          | 1      | FUD            |
| BUCKHORN ESTATES HOME...      |             | Buckhorn Estates Homeowners Association Inc. c/o B... | 14.40  | FU             |
| BUICH, DAVID OR KAREN         | 939-1788    | DAVID BUICH 3497 HOLL DR EAGLE ID 83618               | 3.25   | FUD            |
| BYRNE, THOMAS P               | 853-2133    | BYRNE, THOMAS P 6211 HILL RD BOISE ID 83714           | 19.78  | FU             |
| CANOVA, SUZANNE               | 286-8705    | CANOVA SUZANNE 4393 N. POLLARD STAR ID 83...          | 1      | FU             |
| CARLSON, RONALD & RUTH        | 853-0323    | CARLSON, RONALD & RUTH 8035 HILL RD BOISE...          | 3      | FU             |
| CASITAS NORTE H.O. ASSOC      | 884-0403    | CASITAS NORTE H.O. ASSOC. % TOM MOHR P.O...           | 1 1/2  | FU             |
| CHARLTON, DAVID & KATHL...    | 286-7335    | DAVID & KATHLEEN CHARLTON 4095 POLLARD L...           | 3.33   | FU             |
| CHERRY LANE CONSTRUCT...      | 468-9200    | CHERRY LANE CONSTRUCTION % BRIAN FALCK...             | .70    | FUD            |
| CLAARIDON HILLS HOMEWO...     | 853-3144... | CLARIDON HILLS HOMEOWNERS ASSO c/o MAH...             | 11     | FU             |
| CLEMMENS, WALT OR CAROL       | 853-8043    | CLEMMENS, WALT OR CAROL 8205 HILL RD BOI...           | 2      | FU             |
| CLOPTON, DAVID                | 344-0184    | DAVID CLOPTON 5205 HILL RD BOISE ID 83714             | 2      | FU             |
| COBB, LAWRENCE OR BARB...     |             | COBB, LAWRENCE OR BARBARA 7055 HILL RD B...           | 2      | FU             |
| COGSWELL, J H & KIETH MC...   | 383-9399    | COGSWELL, J H & KIETH MCNALLY 4890 ALAMO...           | 1      | FU             |
| COLEMAN, SHAWN OR SHEL...     | 363-0886    | COLEMAN, SHAWN OR SHELLEY 4707 ALAMOSA ...            | 2      | FU lat 02      |
| CROMWELL, BROCK J             | 853-1500    | Brock J. Cromwell 8844 DUNCAN LN BOISE ID 837...      | 5      | FU             |
| CULVER, WALTER & ALICE A...   | 867-1397... | CULVER, WALTER & ALICE ANN 6100 PIERCE PA...          | 17.375 | FU             |
| DANIEL PLACE H O ASSOCIA...   | 424-0117    | DANIEL PLACE H O ASSOC. STEVE HANSON 610...           | 3      | FU             |
| DAVIS, J BRENT                | 939-8680    | J. BRENT DAVIS 2546 W TIMBER DR EAGLE IDA ...         | 5      | FUD            |
| DAVIS, M E                    |             | DAVIS, M E 7107 HILL RD BOISE ID 83714                | 5      | FUD 14         |
| DAVISON, BESSIE               | 853-2122    | DAVISON, BESSIE 6216 PIERCE PARK LN BOISE ...         | 1 3/4  | FU             |
| DAWSON, JEAN                  | 424-1854    | DAWSON, JEAN 4808 WYLIE LN BOISE ID 83703             | 1/2    | FU             |

14-20  
 4916 W State  
 3517 N AVE  
 HILL RD

3610 N AVE CLARA HALE propert

Wylie LN (Mingo Propert.)

# Boise Valley Irrigation Ditch Co. Customer Contact List November 3, 2003

| Customer                    | Phone        | Bill to                                             | Shares                  | Lateral                           |
|-----------------------------|--------------|-----------------------------------------------------|-------------------------|-----------------------------------|
| DODD, THAD & JULIE          | (816) 628... | DODD, THAD & JULIE 17201 NE 128th KEARNEY, ...      | 2 1/2                   | FU DUNCAN LN                      |
| DOWDING & STAHL             |              | DOWDING & STAHL % SHANE STAHL 102 COUR...           | 39 11/100 <sup>92</sup> | FU                                |
| DRY CREEK CEMETERY          | 853-1940     | Dry Creek Cemetery 9600 HILL RD BOISE ID 83714      | 48                      | FU                                |
| EVANS, HARLAN OR ANITA      | 343-8725     | EVANS, HARLAN OR ANITA 5810 HILL RD BOISE I...      | 1                       | FU                                |
| FLANAGAN, PATRICIA TRUS...  | 831-623...   | FLANAGAN, PATRICIA TRUST JEAN F. ZLOTKIN, ...       | 11                      | FUD                               |
| FOLTMAN, BRADLEY & RUTH     | 342-1679     | Bradley & Ruth T Foltman 5811 HILL RD BOISE ID 8... | 1                       | FU                                |
| FOWLER, WM R                | 853-5333     | FOWLER, WM R P O BOX 1129 IDA CITY ID 83631         | 1                       | FU 4906 W State                   |
| FREELAND, DOROTHY M         | 853-2563     | FREELAND, DOROTHY M 6913 HILL RD BOISE ID...        | 8 1/3                   | FU                                |
| FREEMAN, BUTCH              | 839-5783     | LLOYD (BUTCH) FREEMAN 1865 W WOODSGULC...           | 25                      | FU                                |
| FUGATE, DARREL              |              | DARREL FUGATE 1571 N BALLANTYNE LN EAGL...          | .50                     | FU                                |
| GENTHER, ED & BETTY         | 344-2778     | GENTHER, ED & BETTY 5712 HILL RD BOISE ID 8...      | 2                       | FU                                |
| GILLIS, DON & MARY          | 853-2308     | DON & MARY GILLIS 7749 N. CREWE PL BOISE I...       | 2                       | FU                                |
| GILLIS, JOE & SUE           | 853-1323     | GILLIS, JOE & SUE 7822 N.CREWE PL BOISE ID 8...     | 2                       | FU                                |
| GILLIS, STEVE W             | 853-1271     | GILLIS, STEVE W 7351 HILL RD BOISE ID 83714         | 2                       | FU                                |
| GREEN, WILLIS E.            | 888-0388     | WILLIS E GREEN 1847 S. GOLDSMITH AVE MERI...        | 1                       | FU 7775 HILL RD                   |
| HANSON, ROBERT J. & ELSIE   | 286-7596     | ROBERT J HANSON 4151 HARTLEY RD EAGLE I...          | 14.6                    | FUD                               |
| HAUSTVEIT, RICHARD & CH...  | 344-4880     | HAUSTVEIT, RICHARD & CHRISTINE 4709 ALAMO...        | 1                       | FU                                |
| HENRY'S N 40, LLC           |              | HENRY'S N 40, LLC H. CRAIG VAN ENGLIN 6126 ...      | 19.41                   | FU Quang's                        |
| HODGES, CYNTHIA & WM SI...  | 338-9031     | Cynthia Hodges & Wm Sifford 4510 WILLOW LN BOI...   | 1 1/8                   | FU                                |
| HOMAN, MIKE                 | 429-1900...  | MIKE HOMAN 2229 W STATE ST BOISE, IDA 83702         | 9.26                    | FU Bogart / HILL RD PARKWAY       |
| JAMES, TODD OR CARRIE J...  |              | TODD JAMES 5472 N RIFFLE BOISE ID 83713             | 1                       | FU 777 HILL RD                    |
| JONES, GORDON               | 345-4035     | JONES, GORDON P.O. BOX 8492 BOISE ID 83707          | 14.65                   | FU 4531 HILL RD                   |
| JONES, LEON                 | 345-4199     | JONES, LEON ATT: MIKE & DIANE JONES 5211 N ...      | 5                       | FU HILL RD                        |
| KING, DANIEL                |              | Daniel King 5115 STINGER BOISE ID 83703             | 2                       | FU                                |
| KING, J R & JEANNE          | 853-0500     | KING, J R & JEANNE 6980 HILL RD BOISE ID 8371...    | 14                      | FU                                |
| KLOTZ, JOHN                 | 336-7187     | KLOTZ, JOHN 851 E. HIGHLAND VIEW BOISE ID ...       | 1                       | FU                                |
| LEXINGTON HEIGHTS, LLC      | 939-8000     | LEXINGTON HEIGHTS, LLC 9801 W STATE ST S...         | 30                      | FU                                |
| LINK, CHARLES & FRANCIE     | 345-2450     | Charles & Francie Link 5920 HILL RD BOISE ID 83714  | 1 47.57                 | FU                                |
| LLEWELLYN, DAVID & GAI      | 853-1448     | DAVID & GAI LLEWELLYN 9170 HILL RD BOISE ID...      | 14                      | FU                                |
| LOWDER, O'DELL & DONNA      | 853-1064     | LOWDER, O'DELL & DONNA 3703 KOOTENAI ST ...         | 1                       | FU 3512 N St.                     |
| MASON, KEVIN & DENICE       | 939-7727     | MASON, KEVIN & DENICE 8602 ULMER LN BOISE ...       | 2 1/2                   | FU                                |
| MATLOCK, STANLEY & DONNA    | 853-0992     | MATLOCK, STANLEY & DONNA 8633 N BOGART L...         | 106.95                  | FU & LAT 33, 34, 37, 38           |
| MC BAINE, RON & LORI        | 343-0840     | MC BAINE, RON & LOR 4618 WILLOW LN BOISE I...       | 1                       | FU                                |
| MC KAY, DOROTHY             | 337-2123     | MC KAY, DOROTHY 1784 So. Whisper Cove Ave BO...     | 8.29                    | FU, 33 HILL RD & OLD HORSESHOE BR |
| McMAINS, CHARLES & HELEN    | 853-7773     | Charles & Helen McMains 3523 NORTH ST BOISE I...    | 1                       | FU                                |
| McPHERSON, DANIEL & ROB...  | 853-3721     | Daniel & Roberta McPherson 3528 NORTH ST BOIS...    | 1 1/2                   | FU                                |
| MCRAE, DENNEY               | 938-9815     | DENNEY McRAE 1700 W WOODS GULCH BOISE I...          | 16                      | FU                                |
| MCREYNOLDS, KENNETH         |              | MCREYNOLDS, KENNETH 9050 DUNCAN LN BOIS...          | 6                       | FU                                |
| MOORE, CHARLES              |              | CHARLES MOORE 3510 NORTH ST BOISE ID 83...          | 1                       | FU                                |
| MOORE, DONALD               | 853-2721     | DONALD MOORE 3510 NORTH ST BOISE ID 83703           | 1                       | FU                                |
| MORRIS, MARK OR SANDRA      | 336-4056     | MARK MORRIS 5415 HILL RD BOISE ID 83714             | 2                       | FU                                |
| MOYLE, MARJORIE             | 286-7413     | MOYLE, MARJORIE 8694 BEACON LIGHT STAR I...         | 12.97                   | FU                                |
| O'LOUGHLIN, STEVEN & LES... | 853-3679     | O'LOUGHLIN, STEVEN & LESLIE 8399 HILL RD BOI...     | 3.25                    | FU                                |
| PACHECO, RYAN & TAUNA       | 345-0188     | PACHECO, RYAN & TAUNA %MATTHEW HIGGIN...            | 1                       | FU 4615 ALAMOSA                   |
| PARKER, NEIL & TERESA       | 853-3029     | PARKER, NEIL & TERESA 8895 HILL RD BOISE ID...      | 2                       | FU                                |
| PENDLETON, JAMES            | 853-1645     | PENDLETON, JAMES 7010 HILL RD BOISE ID 83714        | 3/4                     | FU                                |
| PERRY, NICKY                | 343-9883     | PERRY, NICKY 5321 BLOOM ST BOISE ID 83703           | 1                       | FU                                |
| PFEIFER, MARK & TERESA      | 336-8453     | PFEIFER, MARK & TERESA 5383 HILL RD BOISE I...      | 2                       | FU                                |

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**Boise Valley Irrigation Ditch Co.**  
**Customer Contact List**  
 November 3, 2003

| Customer                     | Phone    | Bill to                                         | Shares    | Lateral          |
|------------------------------|----------|-------------------------------------------------|-----------|------------------|
| PIERCE PARK GREENS           | 853-3302 | PIERCE PARK GREENS 5812 PIERCE PARK LN B...     | 15.015    | FU               |
| PIERCE, FRANKIE & RITA       | 344-9987 | PIERCE, FRANKIE & RITA 5832 HILL RD BOISE ID... | 1 944,64  | FU               |
| PIERCE, WILLIS & PAULINE     | 853-1360 | PIERCE, WILLIS & PAULINE 8750 N BOGART LN B...  | 9.67      | FU               |
| PULLMAN, EUGENE & PHYLLIS    | 853-2556 | PULLMAN, EUGENE & PHYLLIS 7897 HILL RD BOI...   | 8         | FU               |
| RIEBE, JAMES                 | 344-8488 | RIEBE, JAMES BOX 140214 BOISE ID 83714-0214     | 4 1/2     | FU Hill Rd       |
| ROLES, WALKER                | 853-2737 | ROLES, WALKER 7610 GARY LN BOISE ID 83714       | 2 1/4     | FU               |
| ROUNDTREE, JAMES & BEV...    | 385-9268 | ROUNDTREE, JAMES & BEVERLY 4598 ALAMOSA...      | 1 1/2     | FU               |
| RUCKDASHEL, GLENN & BR...    | 331-0433 | RUCKDASHEL, GLENN & BRENDA 5353 HILL RD ...     | 1         | FU               |
| SANCHEZ, JUAN & MARIA        |          | SANCHEZ, JUAN & MARIA 4507 ALAMOSA LN BOI...    | 2         | FU               |
| SELLERS, WM. & MAUREEN       | 853-8785 | SELLERS, WM & MAUREEN 8053 HILL RD BOISE I...   | 2         | FU               |
| STATE OF ID.DIV. OF VETER... |          | STATE OF ID.DIV. OF VET.CEMETERY % JOE BL...    | 37        | FU               |
| STEPHENSON, SAM              | 853-3605 | STEPHENSON, SAM 9051 DUNCAN LN BOISE ID ...     | 7         | FU               |
| STOPPENHAGEN,RANDALL ...     | 853-8345 | STOPPENHAGEN,RANDALL & MAARCIA 8441 HIL...      | 3.79      | FU               |
| STOY, MARGIE                 |          | STOY, MARGIE 5433 HILL RD BOISE ID 83714        | 1         | FU               |
| SYMMONDS, JEFFERY & AN...    | 853-2123 | SYMMONDS, JEFFERY & ANDREA 6613 HILL RD ...     | 21 2/3    | FU               |
| THOMAS, RICK & VAL           | 338-1315 | THOMAS, RICK & VAL 5727 HILL RD BOISE ID 837... | 11        | FU               |
| THOMPSON, WARREN & EDI...    | 853-3238 | THOMPSON, WARREN & EDITH 8900 DUNCAN L...       | 6         | FU               |
| THOMSEN, RONALD              | 939-8577 | THOMSEN, RONALD & BETH 9605 Hwy 55 BOIE I...    | 20 11/... | FU               |
| TMC, INC                     |          | TMC INC 2313 OVERLAND RD BOISE ID 83705         | 1         | FU 4902 W. State |
| WAGAR, DARCIE                |          | DARCIE WAGAR 4614 ALAMOSA BOISE ID 83714        | .50       | FU               |
| WARE, PETER JR. OR LISA      | 319-0096 | PETER OR LISA WARE, JR 5423 HILL RD BOISE, I... | .50       | FU               |
| WEAVER, ELIZABETH            | 344-5378 | WEAVER, ELIZABETH 4800 WYLIE LN BOISE ID 8...   | 1/2       | FU               |
| WILSON, F J & SARAH          | 853-5288 | WILSON, F J & SARAH 23221 BLESSENGER LN S...    | 1/2       | FU               |
| ZEH, BARBARA                 | 342-6681 | Barbara Zeh 4804 ALAMOSA LN BOISE ID 83703      | 1         | FU               |
| ZIMMER, TERESA               | 389-9864 | ZIMMER, TERESA 4650 WILLOW LN BOISE ID 83...    | 1/8       | FU               |

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**Boise Valley Irrigation Ditch Co.**  
**Customer Contact List**  
 November 3, 2003

| Customer                  | Phone    | Bill to                                           | Shares         | Lateral |
|---------------------------|----------|---------------------------------------------------|----------------|---------|
| IDAHO SHAKESPEARE FEST... | 429-9908 | IDAHO SHAKESPEARE FESTIVAL c/o MARK HOFFMAN P.... | 10.50          | BR      |
| J R SIMPLOT CO            |          | J R SIMPLOT CO P.O. BOX 27 BOISE ID 83707         | 255.485        | BR      |
| UNITED WATER              | 362-7345 | UNITED WATER % SCOTT RHEAD 8248 W VICTORY BOIS... | 42.22          | BR      |
|                           |          |                                                   | <u>308.205</u> |         |

*base fees*

*PO Box 9365, Boise 83707*

*83709*

*3010.04*  
*- 308.205*  


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*2701.835*

*3010.04 shares - includes*

*785.4 within Jarner's Boundary*  
*Ada Cnty has 15" for the landfill*

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-147

WATER RIGHT NUMBER: 63-147

Owner Type                      Name and Address

Priority Date:

Basis:

Status:              See Remarks

Source                                              TributaryBeneficial Use                      From    To                      Diversion Rate                      Annual VolumeTotal Diversion:Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1.    General              RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5119.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-147

Dates and Other Information:

Licensed Date:

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Formal Action Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 63-147

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-147

WATER RIGHT NUMBER: 63-147

| <u>Owner Type</u> | <u>Name and Address</u>                                                                  |
|-------------------|------------------------------------------------------------------------------------------|
| Original Owner    | BOISE VALLEY IRRIGATION DITCH CO<br>8750 N BOGART LN<br>BOISE, ID 83703<br>(208)853-5288 |

Priority Date: 06/01/1865

Basis:

Status: Parent

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

| <u>Beneficial Use</u>   | <u>From To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|----------------|-----------------------|----------------------|
| IRRIGATION              | 3/15 to 11/15  | 54.580 CFS            |                      |
| <u>Total Diversion:</u> |                | 54.580 CFS            |                      |

Location of Point(s) of Diversion

|             |                 |                                |
|-------------|-----------------|--------------------------------|
| BOISE RIVER | NE1/4SE1/4NE1/4 | Sec. 5, Twp 03N, Rge 02E, B.M. |
| ADA County  |                 |                                |

Place of UseIRRIGATION Within ADA County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T04N R01E S03 | SESW | 29.0 | T04N R01E S03 | SWSE | 10.0 |
| T04N R01E S10 | NENE | 35.0 | T04N R01E S10 | NWNE | 20.0 |
| T04N R01E S10 | SWNE | 10.0 | T04N R01E S10 | SENE | 30.0 |
| T04N R01E S10 | NESE | 36.0 | T04N R01E S10 | NWSE | 38.0 |
| T04N R01E S10 | SWSE | 20.0 | T04N R01E S10 | SESE | 10.0 |
| T04N R01E S11 | SWSW | 25.0 | T04N R01E S11 | SESW | 15.0 |
| T04N R01E S11 | NWSE | 5.0  | T04N R01E S11 | SWSE | 12.0 |
| T04N R01E S13 | SWNE | 5.0  | T04N R01E S13 | SWNW | 30.0 |
| T04N R01E S13 | SENE | 20.0 | T04N R01E S13 | NESW | 2.0  |
| T04N R01E S13 | NWSW | 35.0 | T04N R01E S13 | SWSW | 30.0 |
| T04N R01E S13 | SESW | 23.0 | T04N R01E S13 | NESE | 20.0 |
| T04N R01E S13 | NWSE | 6.2  | T04N R01E S13 | SWSE | 8.1  |
| T04N R01E S13 | SESE | 25.0 | T04N R01E S14 | NENE | 5.0  |
| T04N R01E S14 | NWNE | 25.0 | T04N R01E S14 | SWNE | 38.0 |
| T04N R01E S14 | SENE | 38.0 | T04N R01E S14 | NENW | 35.0 |
| T04N R01E S14 | NWNW | 35.0 | T04N R01E S14 | SWNW | 15.0 |
| T04N R01E S14 | SENE | 18.3 | T04N R01E S14 | NESW | 24.8 |
| T04N R01E S14 | NWSW | 23.7 | T04N R01E S14 | SWSW | 38.0 |
| T04N R01E S14 | SESW | 32.0 | T04N R01E S14 | NESE | 37.0 |
| T04N R01E S14 | NWSE | 39.0 | T04N R01E S14 | SWSE | 35.0 |
| T04N R01E S14 | SESE | 38.0 | T04N R01E S15 | NENE | 37.0 |
| T04N R01E S15 | SENE | 38.0 | T04N R01E S23 | NENE | 35.0 |
| T04N R01E S23 | NWNE | 37.0 | T04N R01E S23 | SWNE | 10.0 |
| T04N R01E S23 | SENE | 35.0 | T04N R01E S23 | NESE | 15.0 |
| T04N R01E S24 | NENE | 7.0  | T04N R01E S24 | NWNE | 38.0 |
| T04N R01E S24 | SWNE | 35.0 | T04N R01E S24 | SENE | 15.0 |
| T04N R01E S24 | NENW | 35.0 | T04N R01E S24 | NWNW | 32.5 |
| T04N R01E S24 | SWNW | 35.0 | T04N R01E S24 | SENE | 10.0 |
| T04N R01E S24 | NESW | 25.0 | T04N R01E S24 | NWSW | 39.0 |

|               |      |      |
|---------------|------|------|
| T04N R01E S24 | SWSW | 10.0 |
| T04N R01E S24 | NWSE | 30.0 |

|               |      |      |
|---------------|------|------|
| T04N R01E S24 | SESW | 20.0 |
| T04N R01E S24 | SWSE | 15.0 |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 63-147

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T04N R01E S24 | NWSE | 30.0 | T04N R01E S24 | SWSE | 15.0 |
| T04N R01E S24 | SESE | 15.0 | T04N R01E S25 | NENE | 20.0 |
| T04N R02E S18 | SWSW | 20.0 | T04N R02E S19 | NENE | 2.0  |
| T04N R02E S19 | NWNE | 15.0 | T04N R02E S19 | SWNE | 5.0  |
| T04N R02E S19 | SENE | 5.0  | T04N R02E S19 | NENW | 29.0 |
| T04N R02E S19 | NWNW | 15.0 | T04N R02E S19 | SWNW | 30.0 |
| T04N R02E S19 | SENE | 28.0 | T04N R02E S19 | NESW | 30.0 |
| T04N R02E S19 | NWSW | 8.6  | T04N R02E S19 | SWSW | 21.0 |
| T04N R02E S19 | SESW | 35.0 | T04N R02E S19 | NESE | 20.0 |
| T04N R02E S19 | NWSE | 20.0 | T04N R02E S19 | SWSE | 6.1  |
| T04N R02E S19 | SESE | 35.0 | T04N R02E S20 | SWSW | 35.0 |
| T04N R02E S29 | NWNW | 15.0 | T04N R02E S29 | SWNW | 20.0 |
| T04N R02E S29 | SWSW | 25.0 | T04N R02E S30 | NENE | 15.0 |
| T04N R02E S30 | NWNE | 25.0 | T04N R02E S30 | SWNE | 30.0 |
| T04N R02E S30 | SENE | 20.4 | T04N R02E S30 | NENW | 30.0 |
| T04N R02E S30 | NWNW | 35.0 | T04N R02E S30 | SWNW | 15.0 |
| T04N R02E S30 | SENE | 25.0 | T04N R02E S30 | NESW | 20.0 |
| T04N R02E S30 | NESE | 2.4  | T04N R02E S30 | NWSE | 25.0 |
| T04N R02E S30 | SESE | 5.0  | T04N R02E S31 | NENE | 3.0  |
| T04N R02E S32 | NENW | 15.0 | T04N R02E S32 | NWNW | 13.5 |
| T04N R02E S32 | SWNW | 8.0  | T04N R02E S32 | SENE | 31.0 |
| T04N R02E S32 | NESW | 4.0  | T04N R01W S01 | NWNW | 7.0  |
| T04N R01W S01 | SWNW | 13.0 | T05N R01W S33 | SENE | 15.0 |
| T05N R01W S33 | NESW | 2.0  |               |      |      |

Total Acres: 2542

Conditions of Approval:

1. 01D A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. R32 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 irrigation of the lands above.
3. T04 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 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.

Remarks:

1. General THIS CLAIM HAS BEEN SPLIT INTO 63-00147A AND 63-00147B BY APPROVED TRANSFER NO. 5119

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-147

Dates and Other Information:

Claim Received Date: 7/28/1989  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
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

XII.

That the defendants ~~JOHN L. GRAY, DAVID M. GRAY and WILLIAM~~  
~~GRAY~~, be, and they are hereby awarded the use of the waters of  
Boise River, diverted from a point on said river near the SE corner  
of NW 1/4 of NE 1/4, Sec. 21, T. 4 N. R. 1 E. B.M., for use upon  
Lots 2 and 3 in NW 1/4 NE 1/4 and NE 1/4 NW 1/4, and lot 1 in NE 1/4  
of NE 1/4, Sec. 20, and lots 3 and 4 in N. 1/2 NW 1/4, Sec. 21, all  
in T. 4 N. R. 1 E. B.M., in the following amount and from the follow-  
ing date;  
63 0144  
220 inches, from June 1, 1888, and hereby designated as Right No. 12.  
And be adjudged to pay \$15.40 costs, in addition to the costs incurred by  
them.

XIII.

That the defendant the ~~BOISE VALLEY IRRIGATION DITCH COMPANY~~, a corporation,  
be, and it is hereby awarded the use of the waters of Boise River,  
diverted at a point on the south side of said river easterly of what  
is now the farm of William Simpson in Sec. 23, T. 4 N. R. 1 W. B.M.,  
for use upon the lands lying under its canal system, in the following  
amount and from the following date;  
63 0145 T 1982, 1983, 1984  
1666 inches, from June 1, 1888, and hereby designated as Right No. 13.  
And be adjudged to pay \$116.62 costs, in addition to the costs incurred by it.

XIV.

That the defendant the ~~NEW UNION DITCH COMPANY~~, a corporation,  
be, and it is hereby awarded the use of the waters of Boise River,  
diverted at a point on the north bank of said river on Lot 2, Sec.  
23, T. 4 N. R. 1 E. B. M., for use upon the lands lying under its  
canal system, in the following amount and from the following date;  
63 0146  
688 inches, from June 1, 1888, and hereby designated as Right No. 14.  
And be adjudged to pay \$48.16 costs, in addition to the costs incurred by it.

XV.

That the defendant the ~~BOISE VALLEY IRRIGATION DITCH COMPANY~~,  
a corporation, be, and it is hereby awarded the use of the waters  
of Boise River, diverted from said river at the head of the canal of  
defendant the Farmers' Union Ditch Company, and taken through said  
canal to the point of use, for use upon the lands lying under its ca-  
nal system, in the following amount and from the following date;  
2729 inches, from June 1, 1888, and hereby designated as Right No. 15.  
And be adjudged to pay \$191.05 costs, in addition to the costs incurred by it.

54.58  
63 0147

T 1982  
1983