

08/11/2009

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

RIGHT NUMBER: 63-31857

NAME AND ADDRESS: UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE ID 83719-0420

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.480 CFS

PRIORITY DATE: 07/21/1928

POINT OF
DIVERSION:

T03N R01E S27 NWSW Within ADA County
T03N R01E S3 SENE Within ADA County
T03N R01E S14 NENE Within ADA County
T03N R01E S24 NESE Within ADA County
T03N R01E S36 NWNE Within ADA County
T03N R01E S36 NESE Within ADA County
T03N R02E S2 NENW Within ADA County
T03N R02E S4 SWSW Within ADA County
T03N R02E S7 SWSW Within ADA County
T03N R02E S8 NENE Within ADA County
T03N R02E S9 SENW Within ADA County
T03N R02E S10 NWNW Within ADA County
T03N R02E S13 SWNW Within ADA County
T03N R02E S14 SENW Within ADA County
T03N R02E S15 NWNW Within ADA County
T03N R02E S16 NWNW Within ADA County
T03N R02E S16 NWNW Within ADA County
T03N R02E S17 NESW Within ADA County
T03N R02E S18 NWNE Within ADA County
T03N R02E S18 NESW Within ADA County
T03N R02E S19 NENE Within ADA County
T03N R02E S19 NENW Within ADA County
T03N R02E S20 SENE Within ADA County
T03N R02E S21 NENE Within ADA County
T03N R02E S22 NWNE Within ADA County
T03N R02E S22 NWNE Within ADA County
T03N R02E S22 SESE Within ADA County
T03N R02E S24 SWNW Within ADA County
T03N R02E S25 NWSE Within ADA County
T03N R02E S27 NWSE Within ADA County
T03N R02E S28 NENE Within ADA County
T03N R02E S28 NWNW Within ADA County
T03N R02E S33 NENW Within ADA County
T03N R02E S36 SWNE Within ADA County
T04N R01E S27 NWSW Within ADA County
T04N R01E S34 NESW Within ADA County

T04N R01E S35 NENW Within ADA County
T04N R01E S36 NENW Within ADA County
T04N R02E S30 SWSE Within ADA County
T04N R02E S31 NWSW Within ADA County
T04N R02E S32 NWNW Within ADA County
T04N R02E S32 SWNW Within ADA County
T04N R02E S32 SWNW Within ADA County

~~The point of diversion for this right and Right Nos. 63 169F, 63 243E, 63 243H, 63 2500, 63 2506, 63 2576, 63 2595, 63 2605, 63 2668, 63 2703, 63 2808, 63 2874, 63 2892, 63 2915, 63 2954, 63 2956, 63 2989, 63 3064, 63 3073, 63 3105, 63 3112, 63 3128, 63 3164, 63 3172, 63 3202, 63 3239, 63 3291, 63 3292, 63 3293, 63 3295, 63 3411, 63 3448, 63 3494, 63 3562, 63 4015, 63 4414, 63 4424, 63 4752, 63 7066, 63 7067, 63 7204, 63 7282, 63 7348, 63 7479, 63 7577, 63 7589, 63 7658, 63 8059, 63 8236, 63 8432, 63 8990, 63 9147, 63 9204, 63 9205, 63 9219, 63 9223, 63 9671, 63 9855, 63 10386, 63 10405, 63 10533, 63 19456, 63 31797, 63 31798, 63 31856, 63 31857, and 63 31879 are also diverted through the forty three (43) points of diversion described in Right No. 10386.~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	2.480 CFS

PLACE OF USE:

Place of use is within the service area of United Water Idaho as provided for under Idaho law. The place of use is generally described as within the city limits of Boise and the surrounding service area.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from a well in the Halls Gulch Well Field located in T04N, R02E, S34, NESE.

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 - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Draft

04/26/2006

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

RIGHT NUMBER: 63-31857

NAME AND ADDRESS: UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE ID 83719-0420

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.480 CFS

PRIORITY DATE: 07/21/1928

POINT OF DIVERSION:

ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
2.480 CFS

PLACE OF USE:

Place of use is within the service area of United Water Idaho as provided for under Idaho law. The place of use is generally described as within the city limits of Boise and the surrounding service area.

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 - Beneficial Use

✓ DMR

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

RECEIVED

NOV 12 2004

DEPARTMENT OF
WATER RESOURCES

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

CIVIL CASE NUMBER: 39570

Ident. Number

63-31851

Date Received

9/14/2004

Receipt Number

C075760

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) United Water Idaho (UWID) Phone (208) 362-1300
Mailing Address 8248 W. Victory Road, P.O. Box 190420, Boise, ID Zip 83719-0420
2. Date of Priority (only one (1) per claim) July 21, 1928
3. Source of water supply (a) Ground water
which is tributary to (b) (not applicable)
4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____
1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____
Additional points of diversion if any: See Exhibit A for list of alternate points of diversion.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. This claim is a beneficial use claim for water
produced from wells in the Hulls Gulch area that were owned and operated by UWID's predecessor in interest.

6. Water is claimed for the following purposes

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount 2.48 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is (not applicable) acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) Municipal uses within municipal service area

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
							Within the Service Area of United Water Idaho Inc.												

Total number of acres irrigated (not applicable)

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

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

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

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

See "Remarks" section or None ()

14. Remarks:

1. UWID is a municipal water provider and claims this right as a municipal right under the Municipal Water Rights Act of 1996 and/or the common law.

2. UWID operates and integrated water supply network involving numerous ground water rights throughout its service area

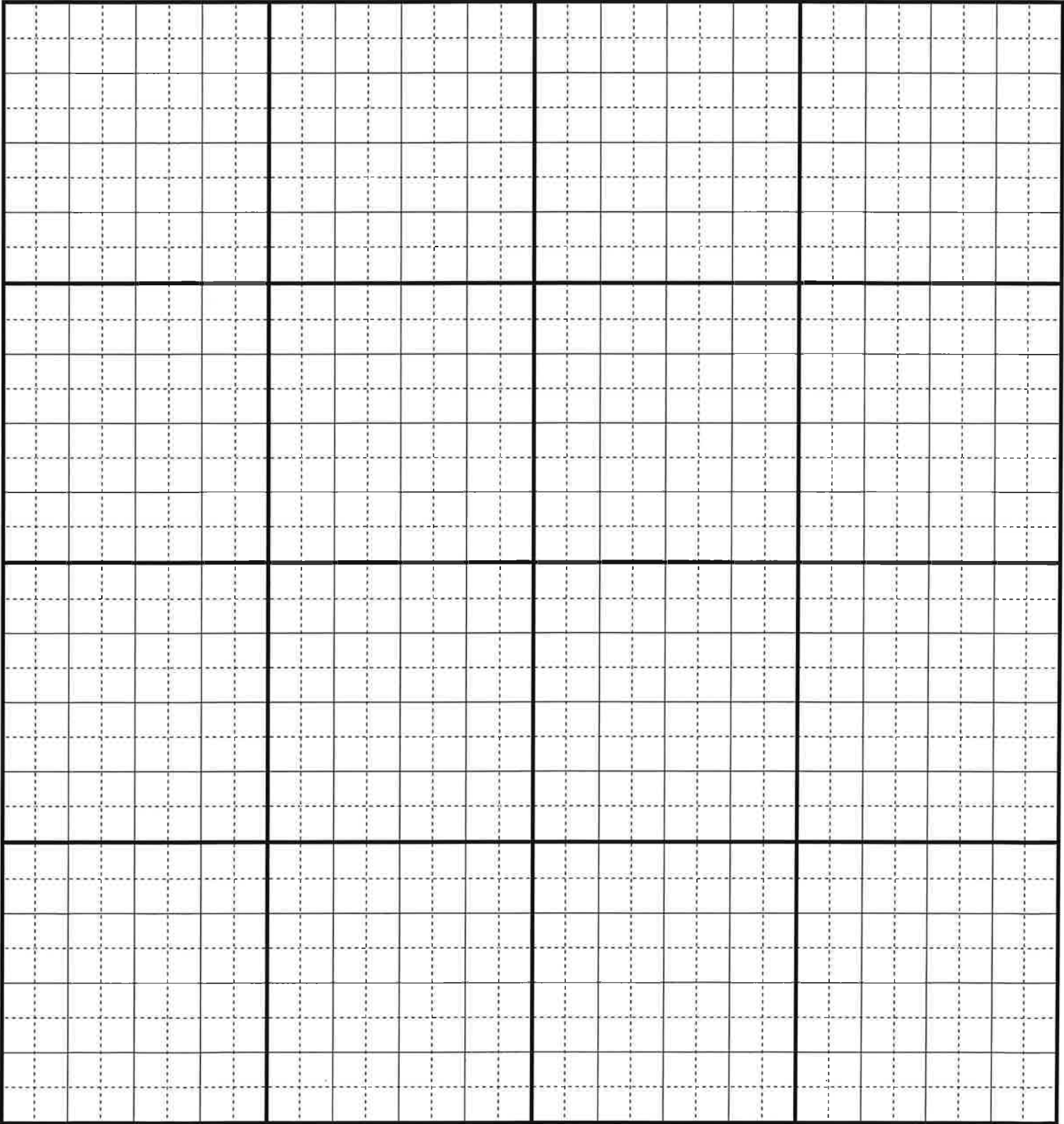
3. See attached Exhibit C.

Last Name UWID

Ident. No. 63-31857

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile **Please see Exhibit B**



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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s) _____

(a.) by signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒

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

Number of attachments 3

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

Signature of Claimant(s)  Date 4-13-04
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am John M. Marshall
_____ Title _____

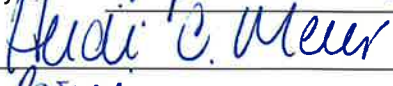
of Givens Pursley LLP, attorneys for UWID., that I have signed the foregoing
_____ Organization _____

document in the space below as Attorney of United Water Idaho Inc.
_____ Title _____ Organization _____

State of Idaho/or _____)
_____) SS.

County of Ada)

Subscribed and sworn (or affirmed) before me this 13th day of April, 2004

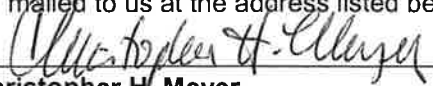
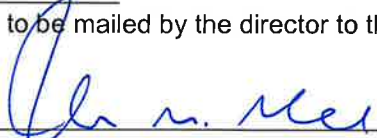
Notary Public 

Residing at Boise

My Commission Expires 9/29/04

17. Notice of Appearance. Please Print Name

Notice is hereby given that Christopher H. Meyer and John M. Marshall will be acting as attorneys at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to us at the address listed below.

Signature  
Christopher H. Meyer John M. Marshall, Givens Pursley LLP

Address 601 W. Bannock, PO Box 2720, Boise, ID 83702

Telephone 208-388-1200

Date 04-13-04

Last Name UWID Ident. No. 63-31857

EXHIBIT A: CLAIMED POINTS OF DIVERSION

WELL NAME	TWN	RGE	SEC	TRACT	OWNER AS OF NOV. 19, 1987	WELL EXISTING AS OF NOV. 19, 1987?	PART OF UWID'S INTEGRATED SYSTEM AS OF NOV. 19, 1987?
Amity	3N	1E	36	NW,NW,NE	United Water	Yes	Yes
Arctic #1	3N	2E	8	NE,NE,NE	United Water	Yes	Yes
B.I.F.	3N	2E	27	SE,NW,SE	United Water	Yes	Yes
Barber #1(Durham)	3N	3E	29	SE,NE	Barber	Yes	No, but integrated in Barber system
Barber #2 (Licorice)	3N	3E	28	SW,NW	Barber	Yes	No, but integrated in Barber system
Bali Hai #1	3N	1E	3	SW,SE,NE	United Water	Yes	Yes
Beacon	3N	2E	14	NW,SE,NW	United Water	Yes	Yes
Bergeson	3N	2E	26	NW,NE,SE	United Water	No	No
Bethel	3N	2E	7	NE,SW,SW	United Water	Yes	Yes
Broadway	3N	2E	22	SE,SE,SE	United Water	Yes	Yes
Brookhollow No. 1	3N	1E	15	SE,NE	South County	Yes	No, but integrated in South County system
Byrd	3N	2E	33	SW,NE,NW	United Water	Yes	Yes
Cassia	3N	2E	16	NE,NE,SE	United Water	No	No
Cassia #2	3N	2E	16	NE,NE,SE	United Water	No	No
Centennial	3N	2E	25	NW,NW,SE	United Water	Yes	Yes
Central Park	3N	2E	2	NW,NE,NW	United Water	Yes	Yes
Chamberlin #1	3N	2E	22	SE,NW,NE	United Water	Yes	Yes
Chamberlin #2	3N	2E	22	SE,NW,NE	United Water	Yes	Yes
Cliffside	3N	2E	15	SW,NW,NW	United Water	Yes	Yes
Clinton	3N	2E	8	SW,NE,SW	United Water	No	No
Cole	3N	1E	24	NE,NE,SE	United Water	Yes	Yes
Country Club	3N	2E	28	SE,NW,NW	United Water	Yes	Yes
Country Square	3N	1E	23	NW,NW	South County	Yes	No, but integrated in South County system
Countryman Estates	3N	1E	23	SE,NW	South County	Yes	No, but integrated in South County system
Edgeview	3N	1E	16	SE,NE	South County	No	No
Fisk	3N	2E	6	SW,SE,SE	United Water	No	No
Five Mile Estates W. #2	3N	1E	27	SE,NE	South County	Yes	No, but integrated in South County system

EXHIBIT A: CLAIMED POINTS OF DIVERSION

WELL NAME	TWN	RGE	SEC	TRACT	OWNER AS OF NOV. 19, 1987	WELL EXISTING AS OF NOV. 19, 1987?	PART OF UWID'S INTEGRATED SYSTEM AS OF NOV. 19, 1987?
Five Mile West #12	3N	1E	27	NW,SW	South County	Yes	No, but integrated in South County system
Floating Feather	4N	1E	5	SE,SW	United Water	No	No
Foxtail	4N	1W	24	SE,SW,SE	United Water	No	No
Franklin Park	3N	2E	18	SW,NW,NE	United Water	Yes	Yes
Frontier	4N	1E	34	SE,NE,SW	United Water	Yes	Yes
Goddard	4N	1E	36	SW,NE,NW	United Water	Yes	Yes
H.P.	4N	1E	27	SW,SE,NE	United Water	No	No
Hidden Valley Estates #1	2N	1E	3	SE,SE	South County	Yes	No, but integrated in South County system
Hidden Valley Estates #2	2N	1E	3	NE,SW	South County	Yes	No, but integrated in South County system
Hillcrest	3N	2E	20	SE,SE,NE	United Water	Yes	Yes
Hilton	3N	2E	17	SE,NE,SW	United Water	Yes	Yes
Hope	3N	1E	9	NE,SE,NE	United Water	No	No
Hummel	3N	2E	18	SW,NE,SW	United Water	Yes	Yes
Idaho	3N	2E	4	NE,SW,SW	United Water	Yes	Yes
Island Woods #1	4N	1E	16	NE,NW,SW (lot 5)	United Water	No	No
Island Woods #2	4N	1E	21	NW,NW,NW	United Water	No	No
J.R. Flat	2N	2E	2	SW,NW,NW	United Water	No	No
Joplin	4N	1E	27	NW,NW,SW	United Water	Yes	Yes
Kirkwood	3N	2E	19	SW,NE,NE	United Water	Yes	Yes
La Grange	3N	1E	34	NE,SW	South County	Yes	No, but integrated in South County system
Lizaso Well	3N	1E	15	SE,SW	South County	Yes	No, but integrated in South County system
Logger	3N	2E	24	NW,SW,NW	United Water	Yes	Yes
Longmeadow	3N	2E	13	NW,SW,NW	United Water	Yes	Yes
Mac	3N	2E	32	SW,NW,NW	United Water	No	No
Maple Hills #1	3N	1E	14	SW,NE,NE	United Water	Yes	Yes
Maple Hills #2	3N	1E	14	SE,NE,NE	United Water	No	No
Market	3N	2E	35	NE,NE,NW	United Water	No	No
McMillan	4N	1E	28	SE,SW,SW	United Water	No	No

EXHIBIT A: CLAIMED POINTS OF DIVERSION

WELL NAME	TWN	RGE	SEC	TRACT	OWNER AS OF NOV. 19, 1987	WELL EXISTING AS OF NOV. 19, 1987?	PART OF UWID'S INTEGRATED SYSTEM AS OF NOV. 19, 1987?
Mesa #1(Warm Springs)	3N	2E	24	NE,SW,NE	Warm Springs Mesa	Yes	No, but integrated in Warm Springs Mesa system
Mesa #2 (Warm Springs)	3N	2E	24	NE,SW,NE	Warm Springs Mesa	Yes	No, but integrated in Warm Springs Mesa system
Mesa #3 (Warm Springs)	3N	2E	24	NE,SW,NE	Warm Springs Mesa	Yes	No, but integrated in Warm Springs Mesa system
Overland #6	3N	2E	19	NW,NE,NW	United Water	Yes	Yes
Paradise	3N	1E	15	NE,SE	South County	Yes	No, but integrated in South County system
Pioneer	2N	2E	22	NE,NW,NE	United Water	No	No
Pleasant Valley	2N	2E	21	NW,NE,NW	United Water	No	No
Raptor	2N	2E	17	NW,NW,NW	United Water	No	No
Redwood Creek	4N	1E	7	SWNW (lot 2)	United Water	No	No
River Run	3N	2E	24	NE,SW,SE	United Water	Yes	Yes
Roosevelt #1	3N	2E	16	SW,NW,NW	United Water	Yes	Yes
Roosevelt #3	3N	2E	16	SW,NW,NW	United Water	Yes	Yes
Settlers	4N	1E	35	NW,NE,NW	United Water	Yes	Yes
Sherman Oaks	3N	1E	23	SE, SE	South County	Yes	No, but integrated in South County system
Sixteenth St.	3N	2E	9	SW,SE,NW	United Water	Yes	Yes
Spurwing	4N	1W	23	NE,SW	United Water	No	No
Sunset West #1	3N	1E	36	SE,NE,SE	United Water	Yes	Yes
Swift #1	3N	2E	30	SE,SW,SE	United Water	Yes	Yes
Swift #2	4N	2E	31	SE,SW,SE	United Water	No	No
Taggart #1	3N	2E	21	SW,NE,NE	United Water	Yes	Yes
Taggart #2	3N	2E	21	SW,NE,NE	United Water	No	No
Tenmile	2N	2E	17	NE,SE,NE	United Water	No	No
Terteling	3N	2E	36	NE,SW,NE	United Water	Yes	Yes
Twenty-seventh	3N	2E	4	SW,SW	United Water	Yes	Yes
Veterans	4N	2E	32	SW,SE,SE	United Water	No	No
Victory	3N	1E	27	NE,NE	South County	Yes	No, but integrated in South County system
Vista	3N	2E	28	NE,NE,NE	United Water	Yes	Yes
Westmoreland	4N	2E	31	NE,NW,SW	United Water	Yes	Yes

EXHIBIT A: CLAIMED POINTS OF DIVERSION

WELL NAME	TWN	RGE	SEC	TRACT	OWNER AS OF NOV. 19, 1987	WELL EXISTING AS OF NOV. 19, 1987?	PART OF UWID'S INTEGRATED SYSTEM AS OF NOV. 19, 1987?
Willow Lane #1	4N	2E	32	NW,NW,NW	United Water	Yes	Yes
Willow Lane #2	4N	2E	32	NW,SW,NW	United Water	Yes	Yes
Willow Lane #3	4N	2E	32	NW,SW,NW	United Water	Yes	Yes

Notes:

(1) The following claimed rights are associated with the South County System: 63-7641, 63-7896, 63-7979, 63-7998, 63-8011, 63-8248, 63-8265, 63-8405, 63-8635, 63-9087, 63-9106, 63-9198, 63-9199, 63-9384, 63-10391.

(2) The following claimed rights are associated with the Barber System: 63-4395, 63-8385 and 63-10150.

(3) The following claimed right is associated with the Warm Springs Mesa System: 63-3457.

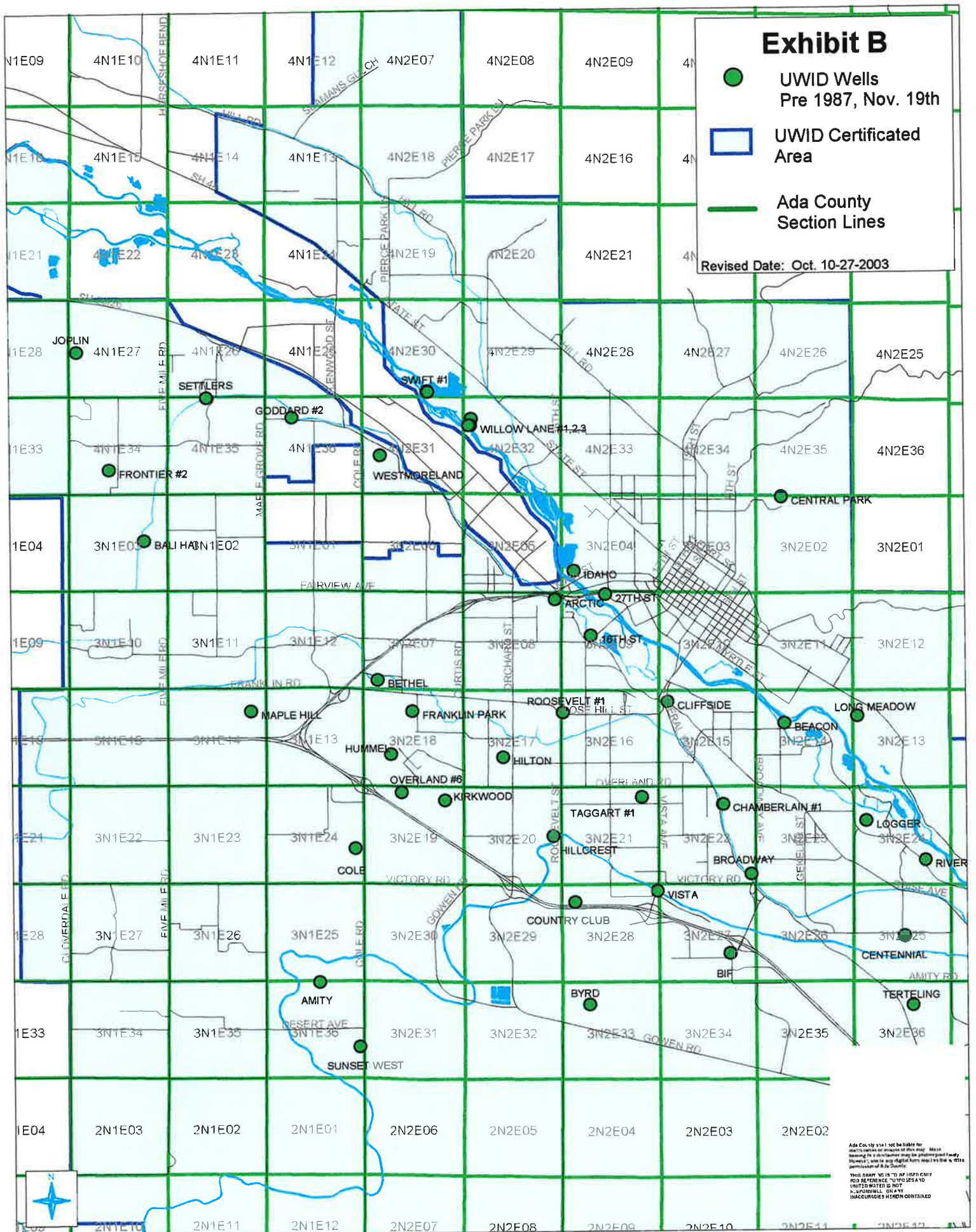
Exhibit B

● UWID Wells
Pre 1987, Nov. 19th

□ UWID Certificated
Area

— Ada County
Section Lines

Revised Date: Oct. 10-27-2003



Ada County will not be liable for
any damages or losses of any kind
resulting from the use of this map. Maps
bearing the name of the County are
not to be used for any purpose other than
the purpose for which they were
prepared.

THIS MAP IS NOT TO BE USED FOR
ANY PURPOSE OTHER THAN
FOR REFERENCE. IT DOES NOT
WARRANT OR GUARANTEE
THE ACCURACY OF THE INFORMATION
CONTAINED THEREIN.

Exhibit B

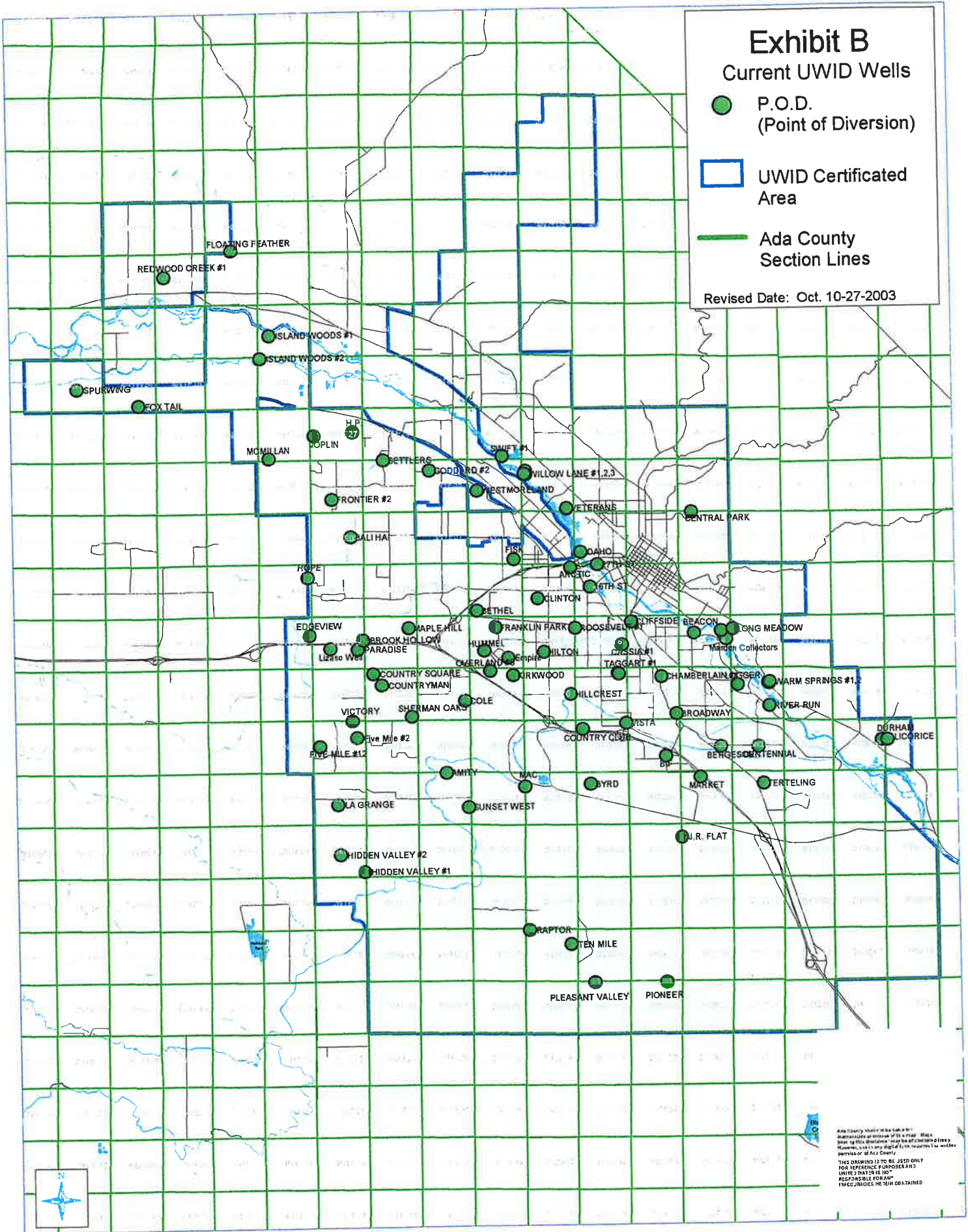
Current UWID Wells

● P.O.D.
(Point of Diversion)

□ UWID Certificated
Area

— Ada County
Section Lines

Revised Date: Oct. 10-27-2003



Ada County shall not be liable for any errors or omissions in this map. Map users are advised to verify the accuracy of any information shown on this map. This drawing is to be used only for reference purposes and does not constitute a warranty. The user assumes all responsibility for any use of this drawing.

EXHIBIT C

This is a claim for a water right developed by application of water to a beneficial use beginning on July 21, 1928 by the Boise Water Corporation, a predecessor in interest of UWID. The two attached newspaper articles from the Idaho Statesman and the Boise Capital News confirm that Boise Water Corporation connected a new, 210-foot well to Boise's municipal water supply system on July 21, 1928. The articles also state that the flow rate of this new well was 1,600,000 gallons per day, which is equivalent to 2.48 cfs.

UWID (and its predecessors in interest) eventually replaced the Hulls Gulch wells with new wells located throughout the valley floor. As UWID added new wells to its system, it accomplished transfers of this right to add the new wells as points of diversion and/or continued to hold this right to meet the reasonably anticipated future needs of its growing customer base. Each of UWID's operating wells as of November 1987 are claimed as alternate points of diversion for this right with the exception of the "collector" wells at the site of Marden treatment plant, which are treated separately from UWID's other wells.

FORECAST
ISE AND VICINITY:
mer tonight; warmer

READ THE SUNDAY NEWS NOW WHEN IT IS NEWS!

SERVICE
If your Sunday paper has not
been delivered, phone 24 or 25
and a copy will be sent.

BOISE CAPITAL NEWS

SUNDAY
EDITION

LX—5 Cents

BOISE, IDAHO, SUNDAY, JULY 22, 1928

No. 32

Prison Break Plot Here

KEEPS
SH WITH
EVENTS

acation With
ople But Knows
ioing on at Home
ad.

M NOSWAL

States Senator Wil-
son is spending his vaca-
tion in his home town,
Boise, meeting with his
constituents, he has
close touch with in-
terests and political
affairs at several occa-
sions has been pointed
out and in no one could
misunderstand the im-
portance of his more re-
cently made clear con-
stituents why he has
reluctantly accepted
legislation and he
is against it also.
He regrets to more
and much deeper
pressed himself, the
state have taken place
for chairman of the
relations-committee
to keep in close
Mexican situation.
on of President-elect
he fears turn Mexico
unless quick action is
taken there.

FLYING
STON, N. Y.

r and Pilot, Coll-
l From Liner;
ke Air.

uly 21. (UB)—John
B. D. Collier, and
companion arrived
at 7 a. m., took
of gasoline and
later after
y eating a few

uly 21. (UB)—On his
first race, John H.
York plane at 4:30
it then headed east
to arrive in New
York Sunday, thereby
new world's record of
the globe.
pilot, C. B. D. Col-
lier, B. C. at 3 a. m.
had intended to drop
field, Seattle, or
it, but passed it by
to reach Milwaukee

uly in Victoria at 10:10
board the Empress of
India.

FF BRIDGE

Prevents Major
ter in East.

Increase Gas Tax and Registration Fee Say Commissioners

Proposing a small increase in the
gasoline tax for the use of coun-
ties and possibly a proportionate
increase in the auto registration fee,
the board of commissioners of Ada
county issued statement Satur-
day dealing with the road situa-
tion in this county.

"The taxable valuation of
Ada county for 1927 was \$40-
040,000 including real estate,
personal property and public
utilities," says the statement.
"On this amount the county
commissioners can levy \$0.20 on
every hundred dollar valuation
and not more, as this is the
limit as prescribed by law.
"The \$0.20 levy on the total
taxable valuation of Ada county
would raise just \$80,000; from
this amount, Boise, the village
of Meridian, Kuna and two
highway districts got 33 per
cent or \$26,625, leaving a bal-
ance to be expended by the
county commissioners for road
purposes of just \$53,375.

"At the present time Ada
county has approximately 1200
miles of roads, 7000 culverts
and small bridges for which we
have just \$48.37 per mile to
spend for maintenance of these
roads, culverts and bridges.
Aside from this the county is
cooperating with the state and
government in building the
Horseshoe Bend road and the
highway between Boise and
Nampa. Also under the new
highway law which became ef-
fective this year, the county
must run on the above amount
as paid for road purposes from
the second Monday in January,
1929, to the second Monday of
April, 1931, a period of 15
months instead of 12 months.

"The county commissioners
are not guessing on the infor-
mation set forth in this let-
ter, the records of Ada county
will sustain every statement."

"We admit the roads are in
bad shape in many parts of the
county and the paramount ob-
ject of our board is that they
can give the taxpayers of this
county better roads. A small
increase in the gasoline tax and
possibly a small increase in the
auto registration fee, these in-
creases going exclusively to the
county, better roads can be ac-
complished.

"Idaho has a four-cent gasoline
tax all in which under the new
law goes to the state. Ada county
does not get any of it. Ninety
per cent of the registration fee
collected in this county goes to
the state and 10 per cent to
the county. The state pays for
the retirement of bonds and
the payment of interest.

"If the tax was placed as
above stated the expense of
building and maintaining would
be placed on the class of prop-
erty which wears the roads, and
as suggested it might be
well for those vitally concerned
to make a strenuous effort to
have some measures passed
this coming winter which will
relieve the situation.

"Knowing the taxpayers of
this county as this board does,
we feel sure there is not a con-
scientious person who will think
that the limited amount of money
we have to spend at this time, tak-
ing no exceptions to whoever
might have charge of the roads
in Ada county, is a small sum."
"PROSPER AVELINE."

Let's Remedy This Deplorable County Highway Condition

It's Depreciating The Value of Your
Property—It's A Problem That
Concerns Everyone.

By H. A. LAWSON
GO where you will in Boise and Ada county and the
condition of county roads is a real live and vital sub-
ject.

And if you take time to analyze the debates you will
find that those voicing their objection and criticism are
directing it against some particular stretch.

This brings us to a discussion of the importance
of localizing some of the county road work. With its
limited amount of funds the county cannot repair all
of the highways, BUT IT CAN REPAIR THE OUT-
STANDING ONES.

To do this the commissioners say they would be under
severe criticism. That may be true, but they are being
criticized anyway. At least they would have the satisfac-
tion of having some real roads.

OUR main county highways are the first that should
be given exclusive attention—I mean those roads that
travel the most and carrying the greater portion of the
traffic.

First among these comes the mile and a quarter stretch
—the missing link as it were, between the pavement east of
Star and the Ada-Canyon county line.

As long as I can remember and as long as you can
remember this short piece of road has been in a terrible

(Continued on Page Three)

What Others Say About the Road Campaign

H. J. McGirr—Fine. More pow-
er to the Capital News.

William McElrath—I heartily
indorse the Capital News in con-
tending for its good roads improve-
ment program.

William Simons—The Capital
News is entitled to the support of
the people in the fight it is mak-
ing for good roads in Ada county.
I personally know that hundreds of
people are anxious and usually in
the habit of coming to Boise to
trade who are finding it too diffi-
cult to enter the city.

Harry L. Yost—We want to
compliment you on your good roads
article in yesterday's issue. Ar-
ticles of this kind are constructive
and will prove of immense value to
the community and state at large.

W. E. Graham—I indorse the
Capital News' road improvement
program. Good roads are one of
the biggest factors in the city's
progress and the county's advance-
ment.

M. D. Whalen—In your article of
July 19, entitled "The People of
Ada County Want to Know," you
said: "Your campaign is fine and dandy."

LABOR PARTY ATTACKED FOR MEX. KILLING

Luis Morones, Leader of the
Party, Was Obregon's Bitter-
est Enemy—Execution
Held Up.

By G. F. FINE
Mexico City, July 21. (UB)—Psy-
chological complicity by the Labor
party in the assassination of Pres-
ident-elect Obregon was charged at
a mass meeting of the revolutionary
party as the government today was
blaming religious fanaticism for the
crime.

"Death to Morones," shouted
speakers at the mass meeting—re-
ferring to Luis Morones, leader of
the Labor party and minister of in-
dustry, commerce and labor in the
cabinet. Morones was Obregon's
bitterest political enemy.

OUT OF POLITICS
Those at the mass meeting, claim-
ing to represent seven states as well
as the Mexico City federal district,
demanded the elimination of the
Labor party from participation in
public affairs.

Inquiry along "religious lines"
also continued today into the as-
sassination of Obregon when punish-
ment of Jose De Leon Toral, the
confessed killer, delayed for at
least two days.

Toral is to be given a civil trial
and at present the war department
and police officials are prevented
from proceeding against the young
caricaturist by an amparo—similar
to a writ of habeas corpus—granted
yesterday.

Civil trial for Toral is unusual for
Mexico in the case of such a crime.
(Continued on Page Two)

NEW CITY WELL IS FOUND PURE

Boise Water Corporation Lo-
cates Well in Hull's
Gulch.

The Boise Water corporation of-
ficially announced Saturday through
its general manager, E. E. Smith,
that the results in operation of a new
26-inch well that will furnish the
city with water and that has been
found by state health authorities
to show no contamination or pollu-
tion of any kind.
The well has a depth of 210 feet,
and experimental work has been in
progress since May 1 to date ac-
cording to Manager Smith. During
this period, the capacity of the
well has shown an increase from
1,500,000 gallons per day to 1,800,000
gallons. Indications are that this
later rate will be maintained or
increased.

The well is located in Hull's
Gulch. Its operation has increased
the total gulch well supply to
1,750,000 gallons per day or approx-
imately seven times the supply that
it has been possible to obtain to
date. This increased capacity en-
ables the city to draw water from
place daily between the hours of
5 p. m. to 4 p. m. During these
hours water is delivered to the city
from the gulch reservoir and wells
at a rate of 3,000,000 to 5,000,000
gallons a day.
No typhoid bacteria, no color
odor or turbidity have been shown
in any of the samples analyzed.

Babe Ruth Swats
39th Homer of Year

Murderers' Plan To Flee Spoiled By Warden's Ti

Seven Convicts Plotted to Kidnap Gua-
rdian Steal Prison Truck and Batter Their
Way Through Penitentiary Gate

Warden Joe Wheeler and his staff at the
penitentiary Friday night nipped in the bud one of
the most elaborate prison-break plots that has been
tempted here in recent years.

As a result Saturday seven of the most dangero-
us prisoners in the penitentiary were in solitary
confinement on a bread and water diet and Ward
Wheeler promises they will remain there for some time.

Unknown to the criminals hatching up the
plot the prison officials were tipped off to it more
than two weeks ago. Saying nothing, but gaining new
information piecemeal almost daily as to the time
and method of the attempted break, Warden Wheeler
allowed the plotters to bring their plans almost to a head.

The officials discovered that
weapons had been smuggled
into the prison for the plotters,
all of whom were employed in
the shirt factory. The break
was to be timed at a period
when the prison truck had
backed up at the shipping room
door of the shirt factory to load
goods. Then, at a given signal,
the seven men in the plot were
to dash for the truck, seize a
nearby guard to use as a shield,
commandeer the auto and dash
with it through the flimsy outer
door of the penitentiary.

WOULD HAVE SUCCEEDED
The plan, it is said, had been a
surprise attack, undoubtedly
would have been successful, Wheeler
says. From the shipping room door
plotters would have had to drive
only 10 feet to gain possession
of another prison building and shut
off the fire from the guard on the
outer wall. The main gate of the
prison, 200 feet away, is flimsy and
could easily have been battered down
by a heavy speeding truck. It is
ordinarily guarded only by a turnkey
and his assistant.

"PRISON WIRELESS"
But two weeks ago word began to
filter out to the warden's office
through the "prison wireless" that
an escape plot was afoot. Picking
this information together bit by bit,
Warden Wheeler learned the details
of the plot.

"We at first planned to let the
men come out," he said. "Ma-
chine guns were planted on the
roof of the building. (Continued on Page Two)

HI JOHNSON ON HOOVER WAGON

Governor of California to
Be Hoover Guest At
Luncheon.

Palo Alto, Cal., July 21. (UB)—The
Hiram Johnson leadership which
has never been more than unknown
to the candidacy of Herbert Hoo-
ver, is enthusiastically getting
aboard the Hoover band wagon.
Governor C. C. Young of Cal-
ifornia, a Johnson leader, notified
Hoover today that he would be his
first guest and was invited to lun-
cheon.
Simultaneously a public announce-
ment was made that Johnson himself
will be one of the first callers when
Hoover opens his palatial villa of
office for conferences next week.
Both Young and Johnson are
coming to inform the Bureau and
presidential nominees they will take
as prominent a part in his cam-
paign as possible.

CAPITAL NEWS STARTS POL ON PRESIDE

Every Reader Asked to
as Test to Determine
Sentiment in Boise
Idaho.

How does Boise rank as
coming national election?
Is this talk of the pro-
for Al Smith just talk or is
something more behind it?

Will Hoover's strength on
the situation in this territory
"You're interested in these
things, of course. Otherwise
wouldn't discuss them on the
corner and in the cigar store
at your club and lodge meet-
ings?"

The Capital News wants to
find out. And it wants you to
help. On this page you will
a ballot on which you are ask-
ed to cast your vote for one of the
candidates, sign your name
address and mail it to The
Vote Editor, Boise Capital News.
All replies will be held strictly
confidential. Your name and ad-
dress are desired merely to prevent
attempt to "stuff the ballot."
Results of the poll will be
published daily in the Capital News.
It will be the first real opin-
ion poll on how Boise and I
feel about the election and its
issues.

JAPS JOIN PAI

Acceptance By the Civil
World is Seen.

Washington, July 21. (UB)—
The acceptance of the renunciation
of treaty by the whole civil-
ized world, is foreseen by Japan, w-
hich is approving the American
of the anti-war pact was publi-
cized today.
In the note, Foreign Min-
ister Tani said:
"The imperial government
proud to be among the first to
associated with a movement
plainly in unison with the in-
terests of the whole world and
co-ordinately with the high prin-
ciples of the international treaty
system and the maintenance of
peace."

ORD Statewide Support Sought In Fight For Lower Rates

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OFFERS.

Statewide moral and financial support will be drafted to support the application of fruit growers for a decrease in freight rates, John S. Welch, commissioner of agriculture, announced Saturday following a meeting of the recently appointed committee whose duty it is to organize support for the application.

The committee voted to make Commissioner Welch chairman of the committee and named Burton L. Cheney of Nampa, secretary. O. O. Haga, Boise attorney, was retained to continue his work with the case and support the complaint already filed with the interstate commerce commission.

The committee decided to sponsor organization of subcommittees in each fruit growing district to assist in gathering funds to carry the appeal through the interstate commerce commission.

BRIEF CITY NEWS

Held on Liquor Charge—Charged with violation of the federal prohibition act, Chester Isom was lodged in the Ada county jail Saturday. He was arrested by the federal prohibition officer at Shoshone.

Another Grass Fire—A grass fire called the department to 511 South Fifth street Saturday afternoon at 4:14 o'clock. The fire was put under control before any damage was done.

Woman Is Sentenced—Corla Gaskill, found guilty in the United States district court with the illegal possession and sale of liquor, was sentenced Saturday to 45 days in the Ada county jail. Judge C. C. Cavanah sentenced the woman bootlegger who admitted this was her second offence. She was arrested in Boise while making a sale.

Return From Eastern Trip—Mr. and Mrs. R. M. D. Childs and baby have returned to Boise after a 7000-mile tour through middlewestern and eastern states. While in New York Mr. Childs met William T. Wallace, and the former Boise man especially requested that he be remembered to his old friends, Mr. Childs said. Business conditions throughout the east were nothing spectacular, he found.

Meeting Scheduled—Better laws and law enforcement will be the main topic of a meeting to be held Monday evening at 8 o'clock at the Boise Y. W. C. A. F. E. Lukers, Idaho secretary of state will be a speaker of the meeting. Delegates to the Joint Legislative Council are sponsoring the meeting. An open forum will follow and suggestions from members and visitors will be heard.

Tourist Travel Increases—The summer tourist season is rapidly approaching a point where hundreds of tourists pass through the city daily. Saturday tourists registered at the Idaho State Automobile association office

CALIFORNIAN OFFERS SOLUTION TO IDAHO SPUD LICENSE ISSUE

"All this controversy over a spud on the Idaho license plate is the bunk," the out-of-state motorist expostulated forcefully Saturday. "Why, in California they raise a dozen of things where only one grew before."

"I suggest two plates for the Idaho automobile, one with a spud and 'futher without. Then the driver can exercise his prerogative about the matter, and change the plates when he sees fit, or the plate could be made with a pottato on one side and nuthin' on the other."

WILMOT WITHDRAWS FROM COUNTY RACE

Charles Wilmot Saturday announced his intention to withdraw from the race for the office of county commissioner on the Republican ticket, and has sent out the following statement:

"In view of the fact that there are numerous candidates for the nomination on the Republican ticket for the office of county commissioner from the Second commissioner district, I feel that it would be confusing to many voters to ask them to choose between so many candidates, and in order to promote harmony within my party, I have decided to withdraw as a candidate."

I wish to extend to my friends and supporters my heartiest thanks for their good will and loyalty, and release them so that they may support which ever candidate they may deem best."

Water Company's New Well Meets All Requirements

With the connection of the flow from a new well into the city water system Saturday, recently drilled in Hull's gulch, Boise homes are now getting water that is demonstrated by tests to be free from bacteria, and to be of the finest purity.

The new well flows 1,600,000 gallons of water a day, E. E. Smith, General manager of the Boise Water corporation reports, and is 24 inches in diameter and 210 feet deep. Total production of the company's wells now reaches 1,750,000 gallons a day. This amount takes care of the city's needs, and stores the surplus in the tanks near the wells.

The new well has been pumped at

the rate of 1,600,000 gallons a day since June 25, with no decrease of flow being witnessed. Analysis of the water shows no contamination nor pollution. The water has no odor, turbidity nor color.

COURT ASKED TO PAROLE YOUTHFUL OFFENDER

Counsel for Ray Mattison, who pleaded guilty to forging a check at a Star merchandise store recently, asked for parole of the youth in the Ada county district court Saturday.

Judge Clinton H. Hartson took the case under advisement.

Saturday was originally set as the day for sentence of Mattison, but four witnesses, who supported the move for parole, were examined in court. Mattison has been held in the Ada county jail.

McBRATNEY TO CONSTRUCT MODERN FUNERAL PARLOR

Construction is to start immediately on a modern funeral home and chapel for McBratney & Co. at Ninth and State streets, to cost \$25,000. The building will be of concrete and stucco and will be two stories high. It will contain a chapel, family room, music room, garage and modern equipment for the undertaking business. The building is expected to be completed by October 20.

HEADACHE?

Make This 15-Minute Test

Don't be troubled again with headache without making the 15-minute SED A REX test. SED A REX has in thousands of cases proven so effective and quick in its action in relieving headaches and all pains and distress of the body that the manufacturers have no hesitancy in guaranteeing SED A REX to you for the relief of pain, surely and quickly, or no cost to you. Step into your nearest drug store at the first indication of pain, aches or distress, purchase a 25c package of SED A REX tablets, take it according to directions, notice how quickly you will be relieved of all pain with positively no depressing after effect. SED A REX is so compounded that it acts as a tonic as well as a relief of pain and it is absolutely safe. Not habit forming in the slightest degree and contains no narcotics. Remember SED A REX sells for only a quarter and it is strictly guaranteed to relieve your pains or your money back.—Advertisement.