

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$62.40

Account Number 47628		Identification NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 63-03165 and A63-03165	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates June 4, 11, 1992
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 2344

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-03165 and 63A-03165

Notice is hereby given that Meadow Creek Homeowners Association of Boise, has applied to the Department of Water Resources for a change of point of diversion, place of use, and nature of use of the water of Unnamed Slough tributary to Boise River. The right sought to be changed is evidenced by license and adjudication claim and is recorded as follows:

Amount: 2.50 cfs
Priority: 8/11/1959

Point(s) of Diversion: Lot 3 (NESW) and Lot 4 (NWSW), Sec. 24, T04N, R01E, Ada County. The wa-

ter is used for irrigation purposes 3/15 to 11/15 in SWNW, Lot 4 (NWSW), and SWSW, Sec. 24, T04N, R01E, 63 acres total.

TO BE CHANGED AS FOLLOWS
Amount: 2.48 cfs Diversion to
Storage

2.48 cfs Aesthetic

.02 cfs Irrigation

40.0 a.f. Aesthetic Storage

2.509 cfs and 40 a.f. total

Point(s) of Diversion: Lot 4 (NWSW), Sec. 24 and Lot 2 (SWNE), Sec. 23, T04N, R01E, Ada County.

The water will be used for aesthetic purposes 3/15 to 11/15 in SWNW and Lot 4 (NWSW), Sec. 24 and for 3 years to irrigate 1 acre in Lot 2 (SWNE), Sec. 23, all in T04N, R01E. The unnamed drains to be used are locally known as Elmore Drain and Riverside Creek. The amount of water used under this proposal will not increase from the original amount.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before June 22, 1992.

R. Keith Higginson
Director
Pub. June 4, 11, 1992

2344

KAREN MARKER

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of JUNE 4, 1992

and ending with the issue of JUNE 11, 1992

Karen Marker

STATE OF IDAHO)

ss.

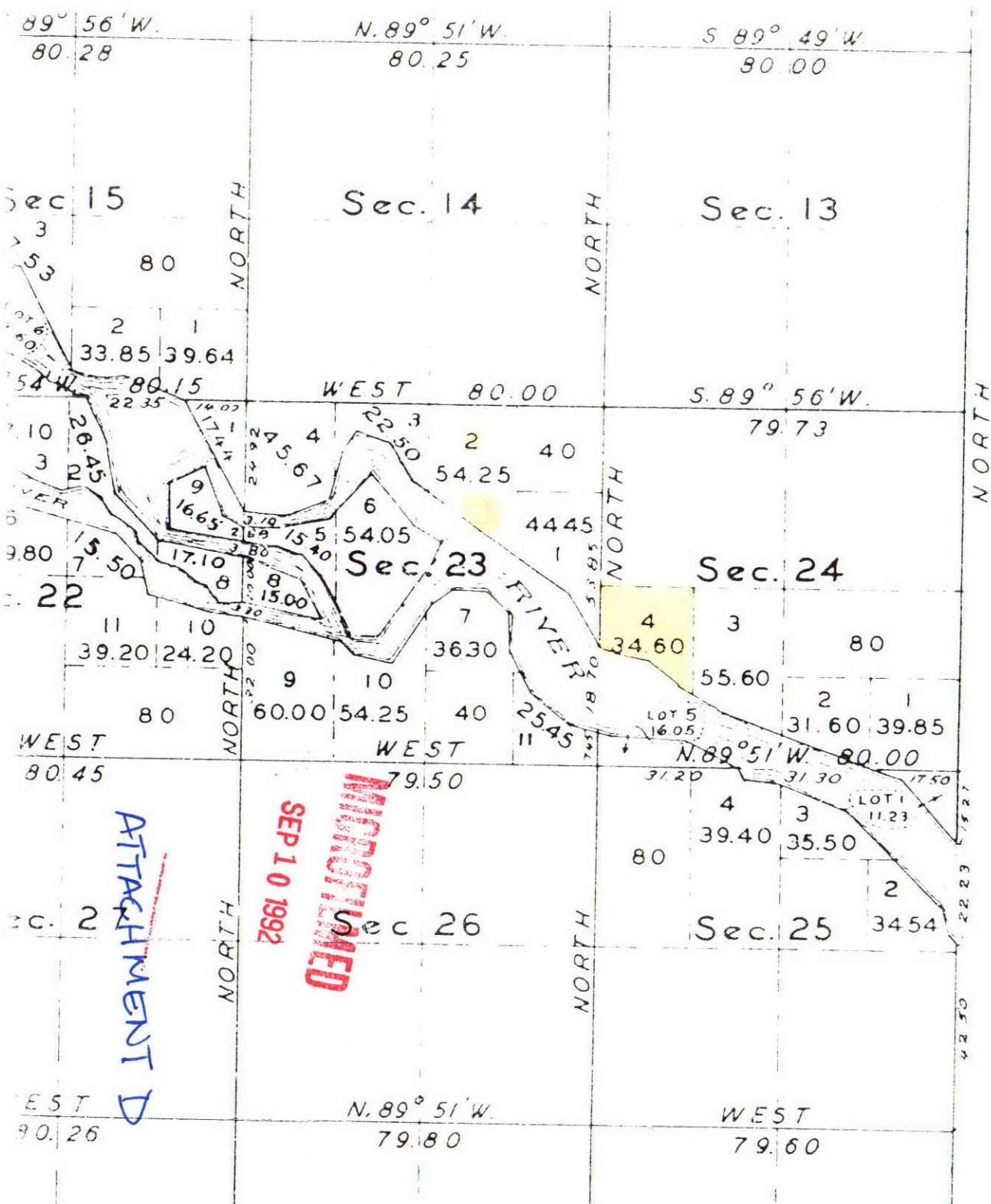
COUNTY OF ADA)

On this 11TH day of JUNE in the year of 1992, before me, a Notary Public, personally appeared KAREN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11-27-95



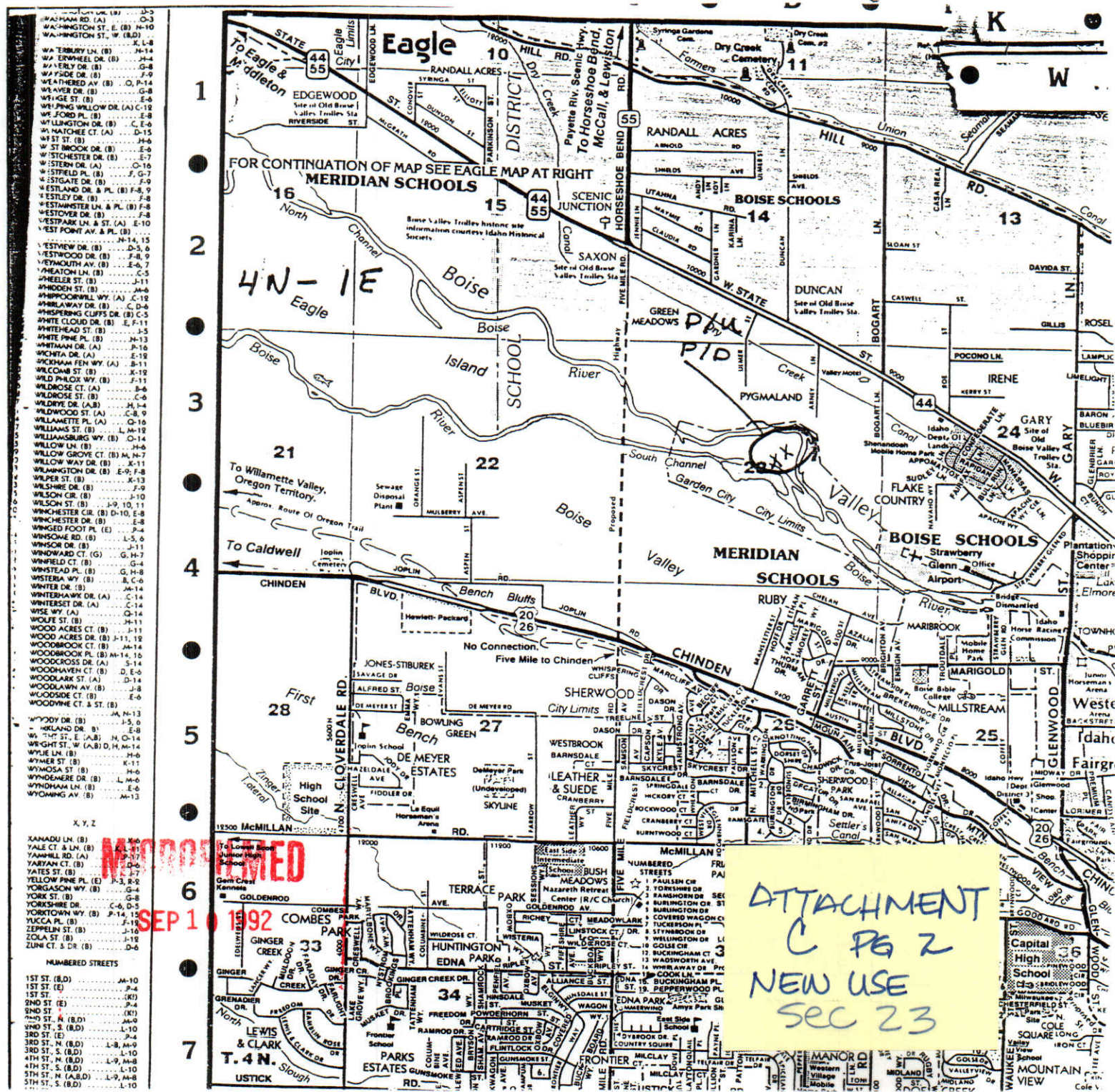
4N
1E

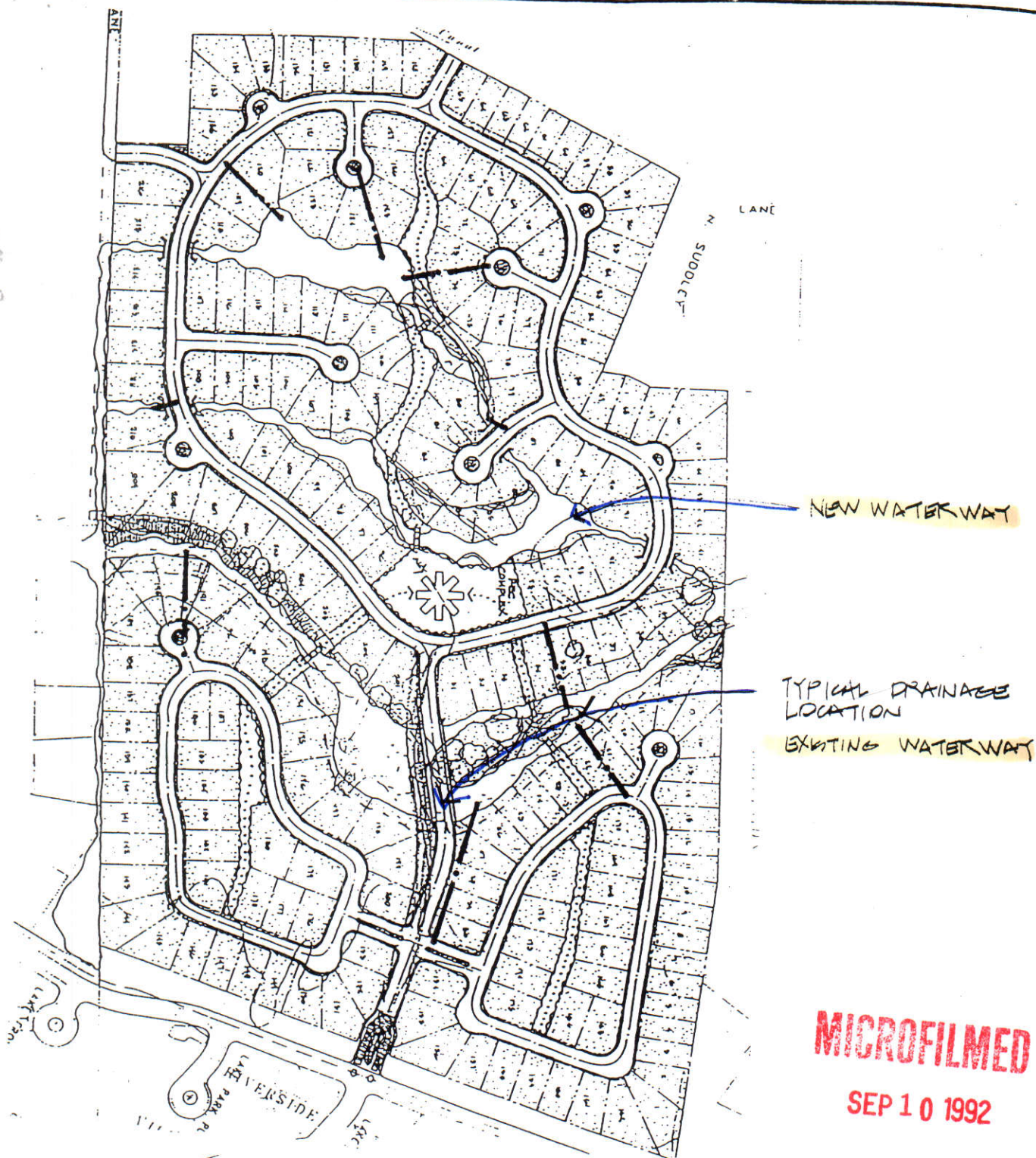
ATTACHMENT D

SEP 10 1992

RECORDED

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



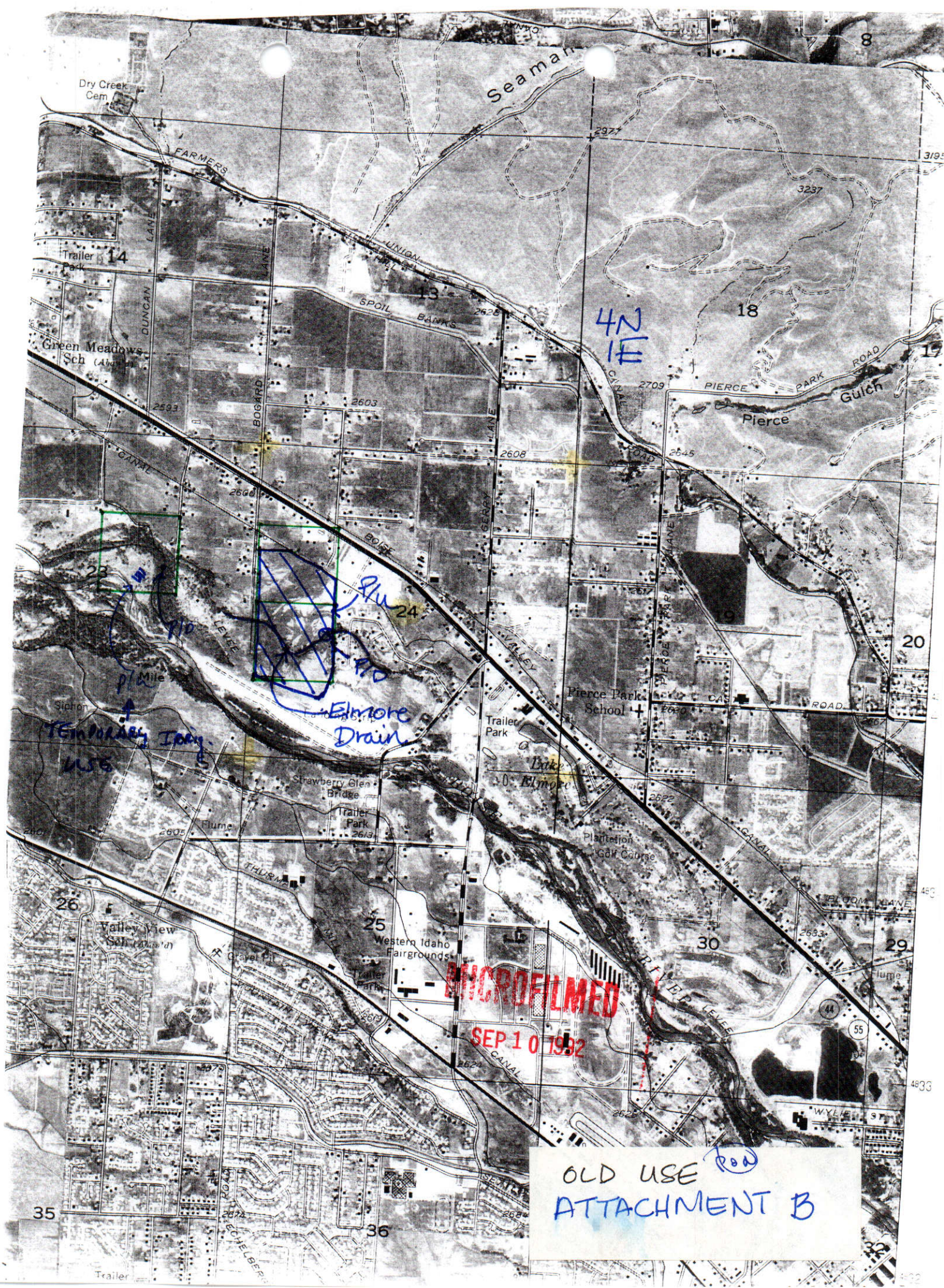


MICROFILMED

SEP 10 1992

Sec 24

IN: City of Boise
 IN/NEAR Riverside Subdivision
 Ada COUNTY, Idaho
 DATE: 9/10/91 SHEET 2 OF 4
 APPLICATION BY: O'Neill Enterprises Inc.
 NEW USE **POD**
 ATTACHMENT C



Seaman

Dry Creek Cem

FARMERS

Trailer Park 14

Green Meadows Sch (Abandoned)

DUNCAN LANE

BOGARD LANE

UNION

SPOIL BANKS

4N
1E

18

PIERCE PARK ROAD

Gulch

CANAL

23

Elmore Drain

24

Station

Temporary Irrig
LWS

Strawberry Glen Bridge

Trailer Park

Trailer Park

Pierce Park School

Dike Elmore

Plantation Golf Course

26

Valley View Sch (Abandoned)

25

Western Idaho Fairgrounds

30

MICROFILMED

SEP 10 1992

35

36

OLD USE ROAD
ATTACHMENT B

Trailer

13
24

20

40

② #M

allow

actual about 7

Aerial photograph showing a diamond-shaped plot of land. The plot is labeled with a handwritten 'A' and '4.0' in the center.

E
4.3

D
6.7

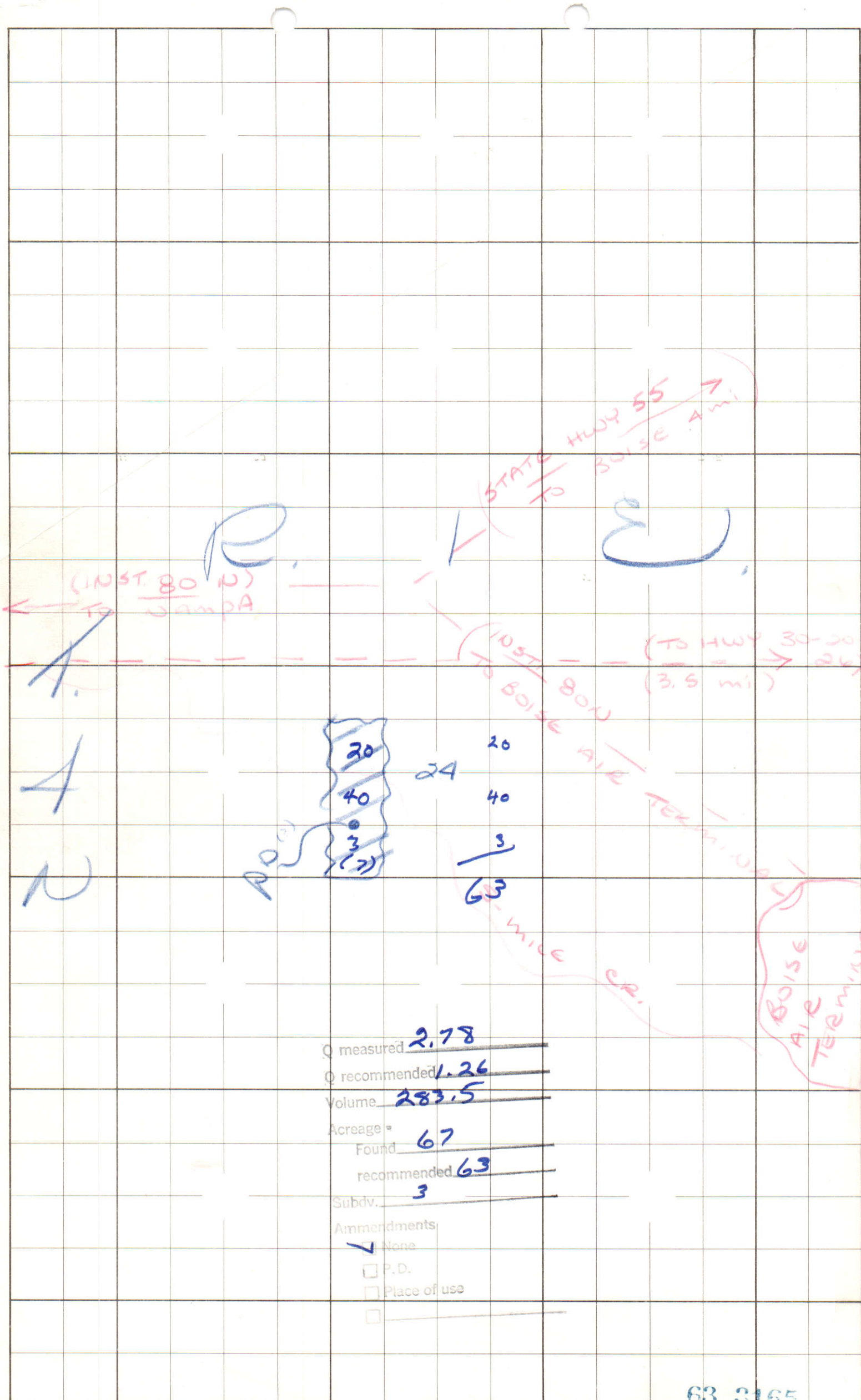
C
7.8

428B

B428

24	19
25	30

63 2165



Q measured 2.78
Q recommended 1.26
Volume 283.5
Acreage *
Found 67
recommended 63
Subdv. 3
Amendments
☒ None
☐ P.D.
☐ Place of use
☐

63 3165

rec'd
9-4-69
JMS
JMS

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion therein and which said newspaper has been continuously and
uninterruptedly published in said County during a period of
twelve consecutive months prior to the first publication of the
notice, a copy of which is attached hereto; that said notice was
published in the regular edition of The Idaho Daily Statesman for

Two ^{weekly} consecutive

insertions, beginning with the
issue of August 21, 19 69, and ending with the

issue of August 28, 19 69

Georgene Davis

Subscribed and sworn to before me this 28th day of

August, 19 69.

Jana A Young

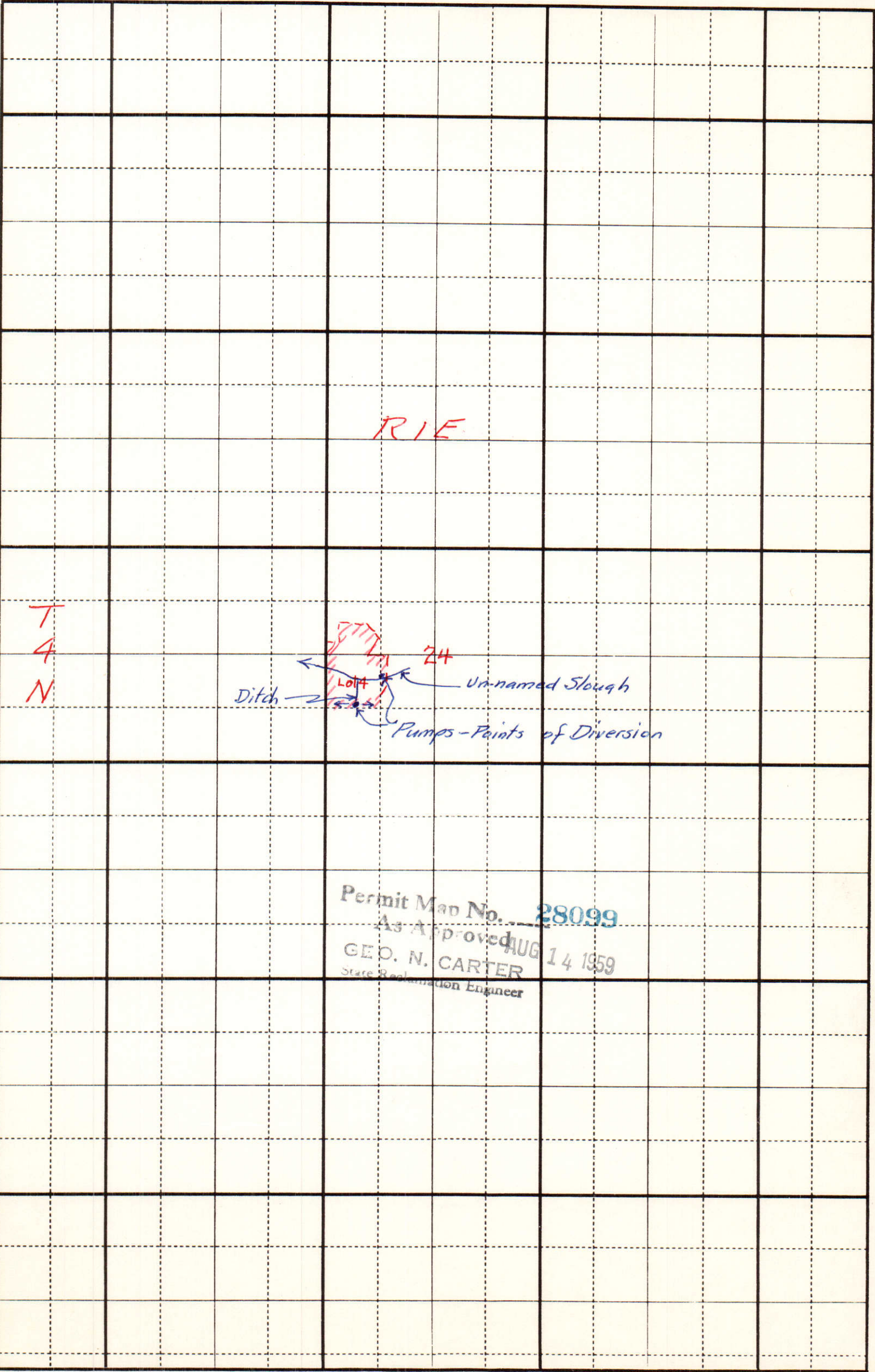
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF EXISTING
WATER PERMIT
Notice is hereby given that Alfred
and Margaret Wolfgram, Rk. 1, So.
Bozart Lane, Boise, Idaho, have re-
ceived an approved permit No.
18099 issued by the Idaho State Rec-
lamation Department authorizing
the diversion of 2.5 cubic feet per
second of water from an unnamed
slough tributary of Boise River, sub-
ject to all prior rights, the permit
to be established under this priority
is August 11, 1959 and the permit
was approved August 14, 1959.
Water is to be diverted by pumps
and ditches from 2 points within
Sec. 24 (Lot 3 & 4), T. 4 N., R. 1 E.,
B.M., Ada County to be used for ir-
rigation in the SW 1/4, NW 1/4, SW 1/4
(Lot 3 & 4), T. 4 N., R. 1 E., B.M.
Proof of the application of the water
to beneficial use is to be submitted
to the Department on or before Au-
gust 14, 1970. Any protests against
the issuance of a license for the
above referenced permit should be
filed with the Department of Recla-
mation within ten (10) days of the
last date of publication of Recla-
mation permit or prior to the licensing of this no-
tice or prior to the licensing of this no-
tice. Licensing may commence
prior to the date without further notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in The Idaho Daily
Statesman Boise Idaho on August
21 and August 28, 1969.

22099
63-3165

NAME OF APPLICANT H.F. or Helma Elms

Form No. 0



RECEIVED
AUG 12 1964
Department of Reclamation

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 28099 to ALFRED and MARGARET WOLFGAM of Route #1 - So. Bogart Lane - Boise, Idaho

* _____

H. F. Elms
Permit Holder

Thelma Elms
Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Ada)

On this 9th day of July, 19 64, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared H. F. Elms and Thelma Elms are known to me to be the person s whose name s ~~xx~~ subscribed to the within instrument and duly acknowledged to me that the y executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

A. C. Kiser
Notary Public
Residing at Boise, Idaho

My commission expires: 5-8-66

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

RECEIVED

SEP 21 1993

DEPT. of Water Resources

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 20 2000

PROOF OF COMPLETED TRANSFER

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 63-03165

Transfer No. 3958

2. Name of Water Right Holder(s): Meadow Creek Homeowners Association

Address: 871 E. Park Center Blvd. Boise, ID 83706

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete X

Not Complete _____

Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the change(s) to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Benny Topf Secretary/Treasurer 9/20/93
Signature Date
(& title if on behalf of a company or organization)
Meadow Creek Homeowners Association

SEP 28 1993

QUITCLAIM OF WATER RIGHTS

MEADOW CREEK LIMITED PARTNERSHIP, a limited partnership organized and existing under the laws of the State of Idaho, hereinafter referred to as the "Grantor", owner of that certain real property located in Ada County, Idaho, more particularly described in Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises", for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, does hereby relinquish and quitclaim unto MEADOW CREEK HOMEOWNERS' ASSOCIATION, INC., an Idaho corporation, hereinafter referred to as the "Grantee", whose address is c/o O'Neill Enterprises, Inc., 871 East Parkcenter Boulevard, Boise, Idaho 83706, all of Grantor's right, title and interest, if any, in any and all assessment obligations and any and all irrigation water rights, ditch company shares, water rights or entitlements within any irrigation district, and ditch rights and/or entitlements to receive irrigation water that Grantor may hold or which may exist as an incident to Grantor's ownership of the Premises.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of Grantor's general partner, has caused Grantor's partnership name to be hereunto subscribed this 30th day of December, 1992.

MEADOW CREEK LIMITED PARTNERSHIP,
an Idaho limited partnership

By: O'Neill Enterprises, Inc.
Its: General Partner

By: *P. S. O'Neill*
Peter S. O'Neill, President

9304497
Meadow Creek Homeowners
ADA COUNTY, ID. FOR *Assoc Inc.*
J. DAVID NAVARRO
RECORDER BY *K. Larson*
9.00

'93 JAN 19 PM 12 03

SEP 28 1993

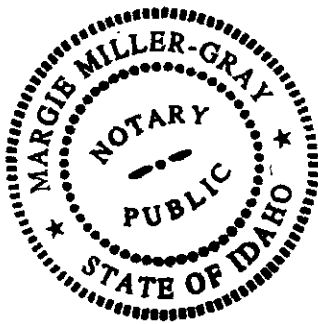
STATE OF IDAHO)

) ss.

County of Ada)

On this 3rd day of December, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared PETER S. O'NEILL, known or identified to me to be the President of O'Neill Enterprises, Inc., who is known or identified to me to be the general partner of the partnership that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Margie Miller-Gray
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: Aug 7, 1998



SEP 28 1993

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Lot 1, Block 1

Lot 1, Block 2

Lot 1, Block 3

Lot 1, Block 4

Lot 12, Block 5

Lot 6, Block 6

Lots 1, 4, 11, 23, 27, 34 and 37, Block 7

Lots 3, 4, 6, 14, 31, 34, 44, 45, 46 and 51, Block 8

of Amended Wolfgram Subdivision No. 1, according to the official plat recorded as Instrument No. 9230042 of records of Ada County, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 21 1992

RECEIVED
Transfer No. 3958

MAY 14 1992

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant MEADOW CREEK HOMEOWNERS ASSOC Phone 336-3430
Post Office address 46 O'NEILL ENTERPRISES 871 E. PARKCENTER BLVD BOISE ID

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other TEMPORARY X-FER OF PORTION

2. Describe the reason for the proposed changes 63 ACRES OF FARMLAND IS TO BE TAKEN OUT OF PRODUCTION FOR A HOUSING DEVELOPMENT, WITH DOMESTIC & IRRIG. WATER SUPPLIED BY GARDEN CITY. THIS PROPOSES TO CHANGE THE

USE OF THIS WATER RIGHT TO AESTHETIC USE WITHIN SUBDIVISION BOUNDARIES, AND TO TEMPORARILY TRANSFER A PORTION FOR RE-NATURALIZATION PURPOSES

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-03165</u>	<u>8/11/1959</u>	<u>2-502.48</u>	<u>AESTHETIC</u>	<u>3/15</u> to <u>11/15</u>
		<u>40 AF</u>	<u>AESTHETIC STR.</u>	<u>3/15</u> to <u>11/15</u>
		<u>2-502.48</u>	<u>DIV TO STORAGE</u>	<u>3/15</u> to <u>11/15</u>
		<u>.02</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u> (POT)

2. Total amount of water being transferred 2.50 cubic feet per second and/or 40 acre-feet per annum.

3. Source of water UNNAMED DRAIN tributary to BOISE RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>4</u>		<u>NW</u>	<u>SW</u>	<u>24</u>	<u>4N</u>	<u>1E</u>	<u>Ada</u>	<u>Elmore drain</u>
<u>2</u>		<u>SW</u>	<u>NE</u>	<u>23</u>	<u>4N</u>	<u>1E</u>	<u>Ada</u>	<u>RiverSide Creek</u> (POT)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>1E</u>	<u>24</u>										<u>A/AS</u>							
													<u>L.4</u>						
		<u>23</u>			<u>1</u>													<u>1</u>	(POT)
					<u>L.2</u>														

* This portion of water right to revert back to original after 3 yrs. Total acres 1 (see remarks)

PART 1

6. General Information:

Sec. 24:

- a. Description of diversion system Instream aesthetic in existing drain; Construction of 2 ponds, total 40 AC capacity, div to storage consisting of dike and pipeline; overflow to Elmore drain. Sec 23: Pump in drain (PON) to sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes (PON) No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

63 acres farmland taken out of production. Entire flow under water right retained during season for aesthetic purposes, except Surface area of storage ponds = 4 AC. No increase in consumptive volume. 0.02 cfs which will be temporarily transferred downstream, to be diverted for irrigation (3 yrs) (PON)

- d. Remarks:

Application for permit to be filed for off-season use. Stream alteration permits # 635878 & 858 on file; permit 635898 pending, for construction of aesthetic waterway.

* Homeowners Assoc.: Peter O'Neill, Pres; L. Edward Miller, Sec/Treas;

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

* **SEE ADDITIONAL REMARKS/APPROVAL CONDITIONS**

William Selva,
Project Mgr.
(PON)

This is to certify that I have examined Application for Transfer of Water Rights No. 63-03165

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

MICROFILMED

SEP 10 1992

Witness my hand this

13th

day of

August

19 92

J. Glen Saylor

CHIEF, WATER ALLOC. BUREAU

CONDITIONS OF APPROVAL
Transfer of Water Right No. 63-03165

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. 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.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Three years from the date of approval of this transfer, the portion of the right specified for irrigation of one acre shall revert to the aesthetic use.

Dated this 13th day of August, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 63-3165 (Attachment E) issued by the Idaho Department of Water Resources.

c. Claim No. A63-3145 (SRBA) (P&B) on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☒ Other Quitclaim Deed

3. Source of water Unnamed Slough tributary to Boise River

4. Date or priority Aug 11/1959

5. Water is used for the following purpose:

amount 2.50 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.50 cubic feet per second and/or 283.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
3				24	4N	1E	Ada	(in NESW)
4				24	4N	1E	Ada	(in NWSW)

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	24							20			40	3						63
												4.4							

MICROFILMED
SEP 10 1992

Total acres 63

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- .. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

RECEIVED
 SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
*	<u>Aesthetic</u>	<u>2.50 cfs</u>	<u>all season</u>	<u>3/15 to 11/15</u>
	<u>Aesthetic Storage</u>	<u>40 AF</u>	<u>" "</u>	<u>3/15 to 11/15</u>

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

Discharge point on west edge of property, along ditch back to Elmore drain. Quantity of flow should not be reduced. Quality of return flow may actually improve due to temporary impoundment.

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

No effect or reduction in flows. Actual decrease in Consumptive Volume.

* Ultimately, change for all 2.5 cfs. For 1st 3 yrs, change for 2.43 cfs only.
(PEN)

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

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

Subscribed and sworn to before me this

20th

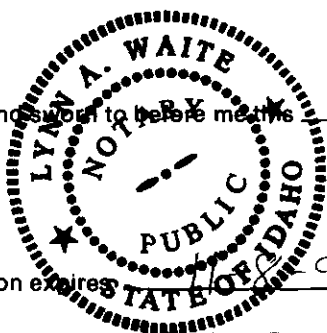
day of

April

, 19

92

(Signature of Applicant)

[Signature][Signature]

(Notary Public)

My commission expires

97**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 6 attachmentsReceived by CJH Date 4/21/92 Protest filed by (Pen)Prelim. check by gc Fee \$50.00Received by JH Date 4-21-92Published in THE IDAHO STATESMAN Copies of protest forwarded by _____Pub. dates 6/4 + 6/11/92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECORDED

SEP 10 1992

P.O. BOX 40, BOISE, IDAHO 83707

Amount Due
\$62.40

Account Number 47628		Identification NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 63-03165 and A63-03165	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates June 4, 11, 1992
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 2344

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of JUNE 4, 192

and ending with the issue of JUNE 11, 1922

STATE OF IDAHO)

SS.

COUNTY OF ADA

On this 11TH day of JUNE in the year of
1992, before me, a Notary Public, personally appeared
KAREN, known or identified to
me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at BOISE, ID

My commission expires: 11-27-93

PROPOSED CHANGE

The following is given that
the Board of Directors Assoc-
iated with the Farmers Assn.
of Adams County is the
owner of the water right for
diversion from the State Place
Channel, located at the base of the
mountain range between Industry
and Adams Counties, Adams Co., Idaho,
to the State Place Channel and is
proposed to be changed as follows:

Amount: 2.48 cfs
Date: 6/11/1972

3
4
4

ROUTE, AT ACRES TOTAL.
TO BE CHANGED AS FOLLOWS
Amount: 2.48 cfs Diversion to
Storage
2.48 cfs Aesthetic
.02 cfs Irrigation
40.0 a. Aesthetic Storage
2.50 cfs and 40 a. Total

Point(s) of Diversion: Lot 4
(NWSW), Sec. 24 and Lot 2 (SWNE),
Sec. 23, T8N, R01E, Ada County.
The water will be used for aesthetic
purposes 2 1/5 to 1 1/45 in SWNW and
Lot 4 (NWSE), Sec. 24 and for 3
years to irrigate 1 acre in Lot 2
(SWNE), Sec. 23, all in T8N, R01E.
The unshared drains to be used are
locally known as Elmore Drain and
Riverside Creek. The amount of
water used under this proposal will
not increase from its original
amount.

Any protest against approval of
the proposed change of water right
applications must be filed with the
Department of Water Resources,
Victory Station, 2725 Airport Way,
Boise, Idaho 83705 on or before **JUNE**
22, 1972.

R. Keith Hunsdon
Director
Pub. June 4, 11, 1972 **2344**

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28099/63-3165 Priority August 11, 1959 Amount 2.50 cfs

THIS IS TO CERTIFY, that ALFRED & MARGARET WOLFGAM
of Boise, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 28099/63-3165 issued pursuant to Application for Permit dated August 11, 1959,
and has submitted proof to the Department of Water Administration on August 6, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.78 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed slough
tributary of the Boise River, is hereby confirmed in the following amounts:
Amount 2.50 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.50 cfs of water be diverted at
any one time, said waters to be diverted within ~~the~~ Lots 3 & 4 of Sec. 24,

Twp. 4 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 283.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 N	1 E	24							20			40	3						63
												(lot 4)	(lot 3)						

Total number of acres irrigated 63

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
October, 19 73.


Director

63 3165

LICENSE ISSUED FOR 2.50 PER, FT.
LICENSE P: 0.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Identification No. _____
Permit No. **RECEIVED**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

1. a) Name of Permit Holder Alfred and Margaret Wolfgram
b) Post Office Address Route 1, South Bogart Lane, Boise, Idaho
2. Permit Number 28099
3. Date of Priority that you are prepared to establish August 1, 1959
4. a) Source from which water was appropriated unnamed slough
Lots 3 and 4
b) Location of the point of diversion: 1/4 SECTION 24
Township 4 N, Range 1 E, Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 2.5 for irrigation purposes from April 1 to October 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.5 c.f.s. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimated
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA
b) Describe the agreement or understanding by which you take water from the works: NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Electric powered water lifter pumps, open discharge, gravity irrigation
b) Describe the type and size of measuring device which you have installed at your point of diversion: none required none installed
c) Give well drillers name and address and date the well was completed NA

63-3165
28099 EXAM TYPED
10-31-69
JMB

of use _____ NA _____

sion: _____

Total number of acres irrigated 63 ✓

The above information is a true statement of the extent to which the above numbered permit has been developed.

Alfred Wolfgram
(Signature)
Margaret Wolfgram

On this 1st day of August, 19 69, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires July 9, 1970

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 36059
PERMIT No. 28099
DISTRICT No.

Assigned to Alfred & Margaret Weyman
Box 1 - Se. Bogart, Id.
Boise
Idaho

1. Name of Applicant: H. F. or Thelma Elms

Postoffice address: Rt. #1, Boise,

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 2.5

cubic feet per second.

3. Source of water supply: Un-named slough

which is a tributary of
Boise River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the Lots 3 and 4

of section 24 , T. 4 N , R. 1 E. , B. M., County of Ada

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$1500

8. Kind of works: Pumps and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 fee; width at water line 4 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 0.5 miles.

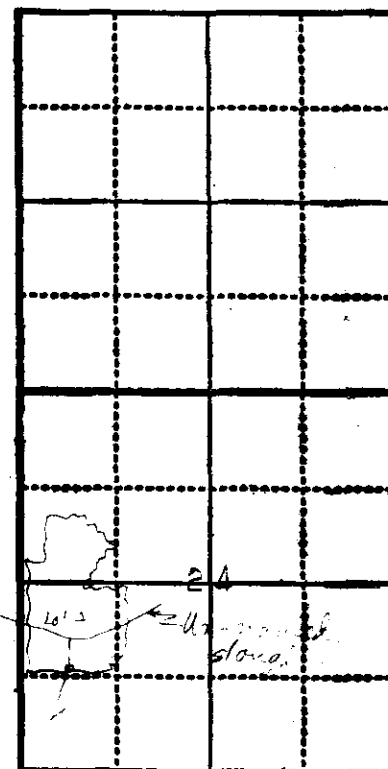
Average grade per mile 5 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none



16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ H. F. Elms *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:45 P.M. August 11, 1959

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 28099

Recorded in Book 99 Page 28099 Approved August 14, 1959

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before October 14, 1959 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 14, 1962

The whole of said work to be completed on or before August 14, 1964

Beneficial use of water appropriated in accordance herewith, to be made on or before August 11, 1970

WITNESS My hand this 14th day of August, 1959

s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SHYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th.....

day of August, 1959.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By S/ ROBERT E. SMYLLIE

GOVERNMENT.

Secretary of State.

REMARKS: Course, sandy soil requires more than 1 miners inch per acre

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	1 E	24									L.4 L.3 40 3								63
<u>A S S I G N M E N T</u> For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 28099 to ALFRED and MARGARET WOLFGAM of Route #1 - So. Bogart Lane - Boise, Idaho. /s/ H. F. ELMS Permit Holder /s/ THELMA ELMS Wife of Permit Holder STATE OF IDAHO) : ss County of Ada) On this 9th day of July, 1964, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared H. F. Elms and Thelma Elms known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written. My commission expires: 5/8/66 /s/ A. C. KISER Notary Public Residing at Boise, Idaho Total Number of Acres to be Irrigated 63																			

Permit No. 28099
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that H. F. or THELMA ELMS - Assignee - ALFRED and MARGARET WOLFGAM of Boise, County of Ada, and State of Idaho, the holder of Permit No. 28099, issued upon Application No. 36059 bearing date of priority of August 11, 1959, authorizing the diversion of 2.5 second feet of waters of Unnamed slough County of Ada, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of Unnamed slough tributary of Boise River that the point of diversion of said waters Lots 3 and 4, Sec. 24, T. 4 N., R. 1 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 63 acres in the SW¹/₄ NW¹/₄, Lots 3 and 4, Sec. 24, T. 4 N., R. 1 E., B.M.

Witness my hand this 14th day of August, A. D. 1964.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: August 12, 1964

AJ5809NP
No. A63-03165

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MEADOW CREEK HOMEOWNER'S ASSOC C/O O NEILL ENTERPRISES 871 E PARKCENTER BLVD BOISE ID 83706 (208) 336-3430	08/11/1959	IRRIGATION AESTHETIC AESTHETIC STORAGE	03-15 11-15 03-15 11-15 03-15 11-15	0.020 CFS 2.480 CFS	40.00 AFA
TOTAL DIVERSION:					2.500 CFS	283.50 AFA

Water Source: UNNAMED DRAIN

Tributary to: BOISE RIVER

Stage: LICENSE

Point(s) of Diversion: T04N R01E S23 Lot02(SWNE)
S24 Lot04(NWSW)

ADA County
ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	01E	23	:				02-01	:												:	1.0
																				TOTAL ACRES	1.0

Place of use Legal Description for: AESTHETIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
04N	01E	24	:					:			A	:			04-A	:				:	

POU County: ADA

Non-Irrigation Uses: AESTHETIC, INSTREAM AND PONDS

Other Rights: NONE

Remarks: GEN SOURCE KNOWN LOCALLY AS ELMORE DRAIN.
AMENDED CLAIM BASED ON APPROVED TRANSFER NO. 3958 DATED 8-13-92.
SEE CONDITIONS BELOW.
THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE YEAR OF THE DATE OF THIS APPROVAL.
A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCEPTABLE TO THE DEPARTMENT SHALL BE PERMANENTLY INSTALLED AND
MAINTAINED AS PART OF THE DIVERTING WORKS.
THREE YEARS FROM THE DATE OF APPROVAL OF THE TRANSFER, THE
PORTION OF THE RIGHT SPECIFIED FOR IRRIGATION OF ONE ACRE SHALL
REVERT TO THE AESTHETIC USE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Department of Water Resources

SEP 20 2000

RECEIVED

AJ5809WP
No. A63-03165

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/05/99
PAGE: 2

=====

Audit: 06/18/92 HODGES 12/22/92 HARRIS 03/30/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 16, 1993

MEADOW CREEK HOMEOWNERS ASSOCIATION
C/O O'NEILL ENTERPRISES
871 E PARKCENTER BLVD
BOISE ID 83706

RE: Approved Transfer No. 3958/Water Right No. 63-03165

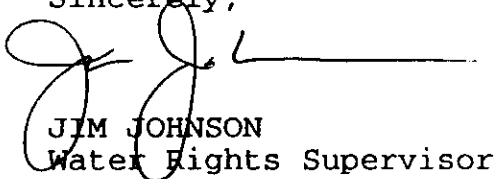
Dear Water Right Holder:

On August 13, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECORDED

SEP 28 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 17, 1992

MEADOW CREEK HOMEOWNERS ASSOCIATION
% O'NEILL ENTERPRISES
871 E PARKCENTER BLVD
BOISE ID 83706

RE: Transfer of Water Right No. 63-03165

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3958) Be sure to note any conditions of approval as listed on the second page.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED

SEP 10 1992

MEMORANDUM

TO: File 63-03165

FROM: Sharla

DATE: August 11, 1992

RE: Transfer Review (No. 3958)

The above referenced transfer proposes to change the point of diversion, place of use and nature of use under this right. The 63 acres previously irrigated under the right have been taken out of production for a housing development. The domestic water is supplied by City of Garden City. The transfer proposes to change the nature to aesthetic use within the subdivision (storage ponds). For a period of three (3) years, 0.02 cfs will be used for irrigation of one acre for re-vegetation of an island in the river channel.

Stream channel alteration permits have been filed. An application for permit has been filed for the off-season use (#63-11791).

Advertising was completed correctly. Proof of ownership of the lands from which the transfer is occurring is included in the file (Attachments A).

The transfer should be approved with the following conditions:

- T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 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.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
- R39 A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Three years from the date of approval of this transfer, the portion of the right specified for irrigation of one acre shall revert to the aesthetic use.

MICROFILMED

SEP 10 1992

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 63-03165

JUN 29 1992

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Western Regional Office

I, Lee Sisco, watermaster of Boise River,
of Water District No. 63, County of Ada, State of Idaho,
whose address is 214 Broadway Ave. Boise, Idaho
have read the attached copy of the application for transfer of water right for _____
Meadow Creek Homeowners, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

(B.) I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: Water in drain should be left
in drain if not use for Irr. this right would
only be in priority during flood control and has not
been in priority for the last six years. The river over

Dated at Boise, Idaho, this 26 day of June 19 92

Lee Sisco
(signature)

RECEIVED

SEP 28 1993

Please use reverse side if needed.

because of the drought needs all the return
flow from all the drains. Too much water loss
would be suffered from evaporation on the
storage. ~~and~~

RECEIVED

SEP 28 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 5, 1992

LEE SISCO
214 BROADWAY AVE
BOISE ID 83702

Re: Application for Transfer of Water Right No. 63-3165 in
Name of Meadow Creek Homeowners Assoc.

Dear Watermaster:

Enclosed is an application for transfer of water right within
your water district. Also enclosed is a form for your
recommendation concerning this application for transfer.

Please review the application and return your recommendation
within two weeks. If you have questions or need information,
feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dave'.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

RECEIVED
JUN 10 1992

9 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 63-03165 and A63-03165

Notice is hereby given that Meadow Creek Homeowners Association of Boise, has applied to the Department of Water Resources for a change of point of diversion, place of use, and nature of use of the water of Unnamed Slough tributary to Boise River. The right sought to be changed is evidenced by license and adjudication claim and is recorded as follows:

Amount: 2.50 cfs

Priority: 8/11/1959

Point(s) of Diversion: Lot 3 (NESW) and Lot 4 (NWSW), Sec. 24, T04N, R01E, Ada County. The water is used for irrigation purposes 3/15 to 11/15 in SWNW, Lot 4 (NWSW), and SWSW, Sec. 24, T04N, R01E, 63 acres total.

TO BE CHANGED AS FOLLOWS

Amount: 2.48 cfs Diversion to Storage
2.48 cfs Aesthetic
.02 cfs Irrigation
40.0 a.f. Aesthetic Storage

2.50 cfs and 40 a.f. total

Point(s) of Diversion: Lot 4 (NWSW), Sec. 24 and Lot 2 (SWNE), Sec. 23, T04N, R01E, Ada County. The water will be used for aesthetic purposes 3/15 to 11/15 in SWNW and Lot 4 (NWSW), Sec. 24 and for 3 years to irrigate 1 acre in Lot 2 (SWNE), Sec. 23, all in T04N, R01E. The unnamed drains to be used are locally known as Elmore Drain and Riverside Creek. The amount of water used under this proposal will not increase from the original amount.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before June 22, 1992.

R. Keith Higginson
Director

Published in the Idaho Statesman on 6/4 and 6/11/1992.

SEP 10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEETWATERMASTER COMMENT
LETTERINITIAL REVIEW BY: 821. Right number 63-03165 * Applicant MEADOW CK. HOMEOWNERS ASSOC.2. Type of right: ☐ Decree ☒ License ☐ Claim3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use☒ Other NATURE OF USE

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of useb. ☒ Description of original point of diversion.c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).c. ☒ Check description of point(s) of diversion.d. ☒ Check description of place of use.e. ☒ Check map (shows p.d. and p.u. after transfer).f. ☒ Check for correct signature, notarization, and fee.g. ☒ Check proof of ownership of right &/or land from which water is transferred.h. ☒ Check for expansion in use of right. Comments NO EXPANSION; probable decrease inCONSUME USE FROM IRRIG. TO AESTHETICi. ☒ Check for existing water rights from same source, on land water is being transferred to.Right number(s) NONEj. ☒ Is use within a Watermaster District? ☒ Yes ☐ NoIf yes, what district? 63 Comment letter sent ☐ Yes ☐ No

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve2. ☐ Deny

3. Conditions* _____

4. By _____ Date _____

* All uses within Watermaster Districts require special conditions.

* SRBA ^{claim} has been filed to match license. claim is being renewed for
data entry & is available at Region if needed.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 13, 1992

Bill Selvage
O'Neill Enterprises, Inc.
871 E. Parkcenter Blvd.
Boise, ID 83706

RE: Transfer application

Dear Bill:

Enclosed are:

1. Your receipt for transfer application fee, for your files.
2. The modified transfer application reflecting the temporary transfer of .02 cfs for a 3-year period. I arbitrarily selected 3 years; if a different time span is correct, this can be easily changed.

I have kept the ownership documentation here and will re-assemble everything when the transfer application returns. The application for permit is already being processed, and the amended adjudication claim will be reviewed and data-entered as soon as possible.

Please have Mr. O'Neill review and initial the changes, which have been made in black ink. If either of you have any questions, please call.

Return the application to this office as before.

Thanks again for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Cindy".

Cindy Hodges
Sr. Water Resource Agent

Enclosure

SEP 10 1992

May 13, 1992

To: Transfer file 63-03165 for Meadow Creek Homeowners
From: Cindy Hodges, Sr. Water Resource Agent
RE: Additional comments/Conditions of approval

This transfer is primarily to change the nature of use of license 63-03165, from irrigation to aesthetic. However, the applicants have also agreed to temporarily transfer .02 cfs of the right for irrigation of up to one acre for a period of up to three years, in order to accomplish the re-vegetation of an island in the Boise River channels just downstream. At the end of the three-year period, the applicants wish this portion of the right to default to the original place of use, and assume the changed nature of use identified in the balance of the transfer. The irrigation portion will be used by Victor Bertagnolli, who was unable to obtain a new appropriation from the Boise River system.

DRAFT CONDITION:

THREE YEARS FROM THE DATE OF APPROVAL OF THIS TRANSFER, THE IRRIGATION PORTION OF THIS WATER RIGHT SHALL AUTOMATICALLY REVERT BACK TO THE ORIGINAL PLACE OF USE, AND SHALL ASSUME THE CHANGE IN NATURE OF USE CONSISTENT WITH THE BALANCE OF THE WATER RIGHT.

PON

MICROFILMED

SEP 10 1992

W. R. "BILL" SCHROEDER
ADA COUNTY ASSESSOR
650 MAIN STREET
BOISE, ID 83702

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
010 IRR AG
100 RES HOME SITE
190 WASTE LAND
310 RESIDENT BLDG

THIS IS NOT A BILL

PARCEL NO. S05 234110

TAX CODE 112 AP-2

LOTS / ACRES	MARKET VALUE
67.14	21,154
.50	11,500
4.00	47,900

1991

TAXPAYERS

VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 24, 1991

383-4410

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

5656 S BOGART
PROPERTY ADDRESS
PREVIOUS NUMBER
LEGAL DESC
PAR #4110 OF W2
SEC 24 4N 1E
#234100-B
#9001904-05-5408
04N01E244110

Mail To:

O'NEILL PETER S
2188 BLUE STEM
BOISE
83706

ID

4N 1E 24

5/07/91

SEP 10 1992

ATTACHMENT BA

9001904

QUITCLAIM DEED

1-24
RECEIVED *all*

JAN 25 1990

RRDC

FOR VALUE RECEIVED, Alfred C. Wolfgram and Margaret I. Wolfgram, husband and wife, the Grantors, do hereby convey, release, remise and forever quitclaim unto Peter S. O'Neill whose current address is 2188 Blue Stem Lane, Boise, Idaho 83706, the Grantee, the real property located in Ada County, Idaho described as:

Government Lot 4 and the westerly 150 feet (plus or minus) of Government Lot 3 of Section 24, Township 4 North, Range 1 East, Boise-Meridian, in Ada County, Idaho, together with any accretion grounds which may attach to said property, and

Beginning at the $\frac{1}{4}$ Section Corner between Sections 23 and 24, Township 4 North, Range 1 East; thence North $89^{\circ}55'$ East along the north boundary of Lot 4 1,269 feet; thence North $64^{\circ}33'$ West 107.8 feet; thence North $21^{\circ}17'$ East 479.5 feet to a point on the South bank of a drain ditch; thence North $64^{\circ}22'$ West along the South bank of drainage ditch 665 feet to a point 8.13 chains South of the Northwest corner of the $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of said section; thence South $89^{\circ}55'$ West 575.6 feet; thence South $0^{\circ}25'$ West 264 feet; thence South $89^{\circ}55'$ West 165 feet; to a point on the West boundary of Section 24; thence; South $0^{\circ}25'$ West 517.4 feet to the place of beginning

together with their appurtenances.

IN WITNESS WHEREOF, the Grantors have caused their names to be subscribed to the within instrument effective the 4th day of January, 1990.

Alfred C. Wolfgram
Alfred C. Wolfgram

Margaret I. Wolfgram
Margaret I. Wolfgram

MICROFILMED

SEP 10 1992

ATTACHMENT ~~A~~ A
PG 2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 23 June, 1972 **DISCHARGE MEASUREMENT NOTES**

Wolffbrunn Pump #2 River at 12 ft. lower Div. Box

[illegible]

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 23 June, 1972 **DISCHARGE MEASUREMENT NOTES**

Wolfram Pump #1 River at 20' from Div. Box

[illegible]

No. _____ of _____ (Month) Camp, by _____ Chk. by _____

63 3755



April 17, 1992

Ms. Cindy Hodges
Senior Resource Agent
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: Meadow Creek

Dear Ms. Hodges:

Please note we are the holder of a development loan on the Meadow Creek/Wolfgram project. In specific reference to your application for transfer of water rights, Part I Question 6B, please note that we have no objection to any transfer of the water rights to the homeowner's association from Peter S. O'Neill. As a matter of fact, part and parcel to the recorded CC&R's and the City of Boise's approval on this project requires that the homeowner's association, in fact, receive the transfer of any and all water ownership rights.

Sincerely,

FIRST SECURITY BANK OF IDAHO, N.A.

A handwritten signature in dark ink, appearing to read "Gregory A. Gaston".

Gregory A. Gaston
Vice President

GAG:bam

MICROFILMED

SEP 10 1992

ATTACHMENT F

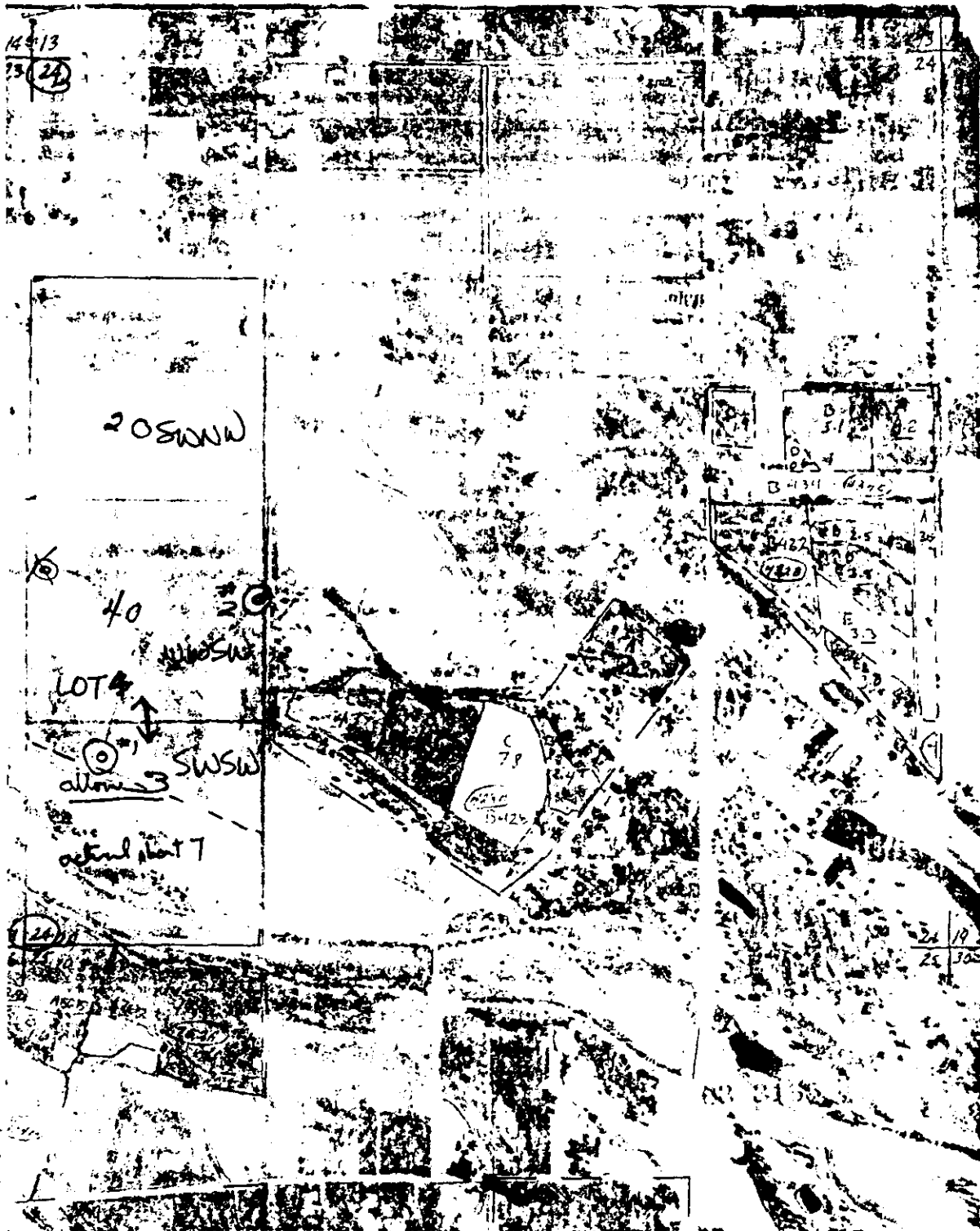
STATE OF IDAHO)
) ss
COUNTY OF ADA)

The foregoing instrument was acknowledged before me this
17th day of April 1992, by Gregory A. Gaston,
Vice President, of First Security Bank of Idaho,
N.A., a National Banking Association.

Barbara M. Moley
Notary Public

My Commission Expires: March 17, 1998
Residing at: Boise, Idaho

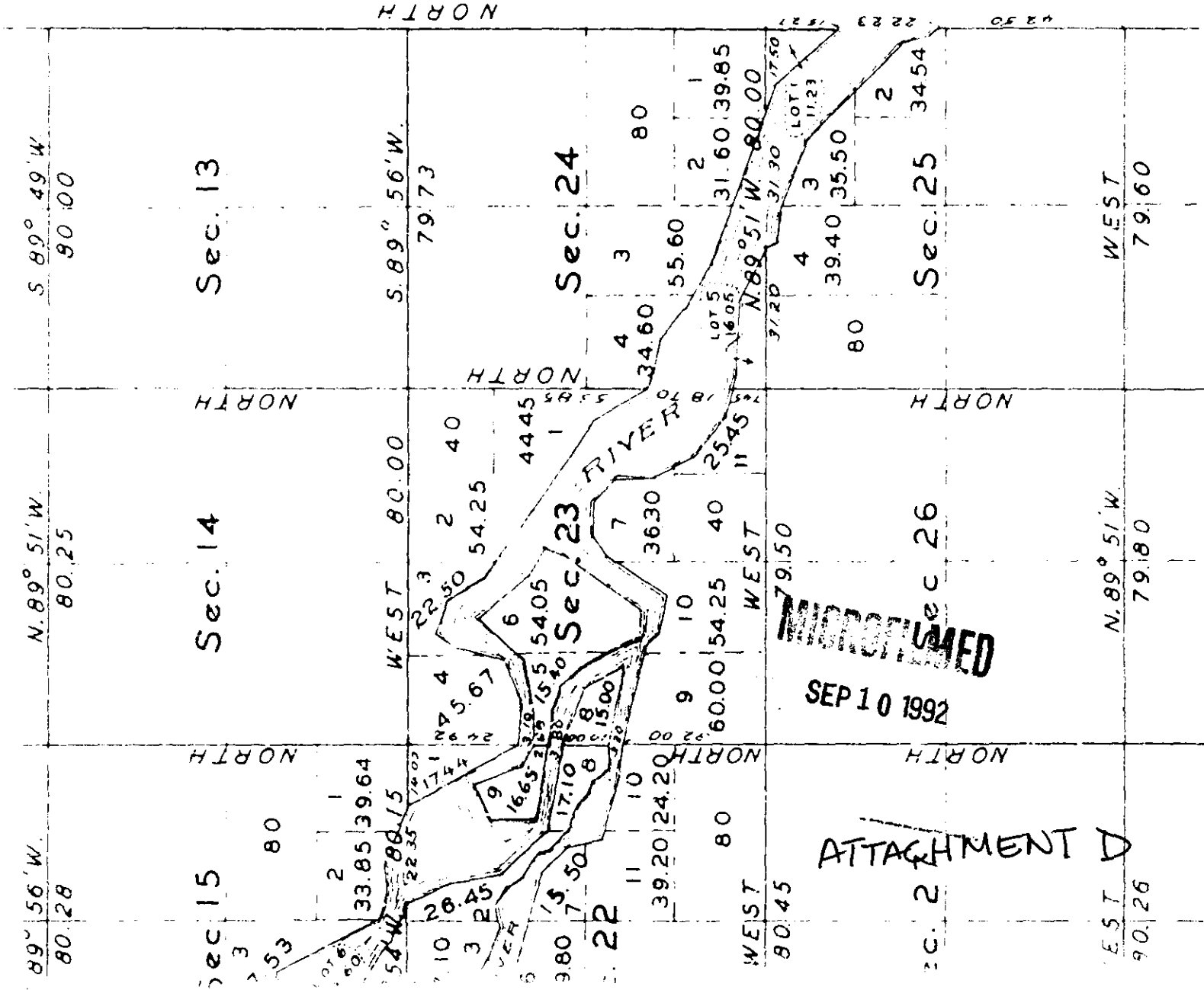
MICROFILMED
SEP 10 1992



		6	63	
		3		
		7		

MICROFILMED

SEP 10 1992



4N
1E

MICROFILMED
SEP 10 1992

ATTACHMENT D

SEC. 2

State of Idaho.
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 28099/63-3165 Priority August 11, 1959 Amount 2.50 cfs

THIS IS TO CERTIFY, that ALFRED & MARGARET WOLFGRAM
of Boise, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 28099/63-3165 issued pursuant to Application for Permit dated August 11, 1959
and has submitted proof to the Department of Water Administration on August 6, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.78 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed slough
tributary of the Boise River, is hereby confirmed in the following amounts:
Amount 2.50 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.50 cfs of water be diverted at
any one time, said waters to be diverted within ~~55~~ Lots 3 & 4 of Sec. 24,

Twp. 4 N, Rge. 1 E, B. M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 283.5 acre feet per year or
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	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	
4 N	1 E	24						20			40	3							63
											(lot 4)	(lot 3)							

Total number of acres irrigated 63

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

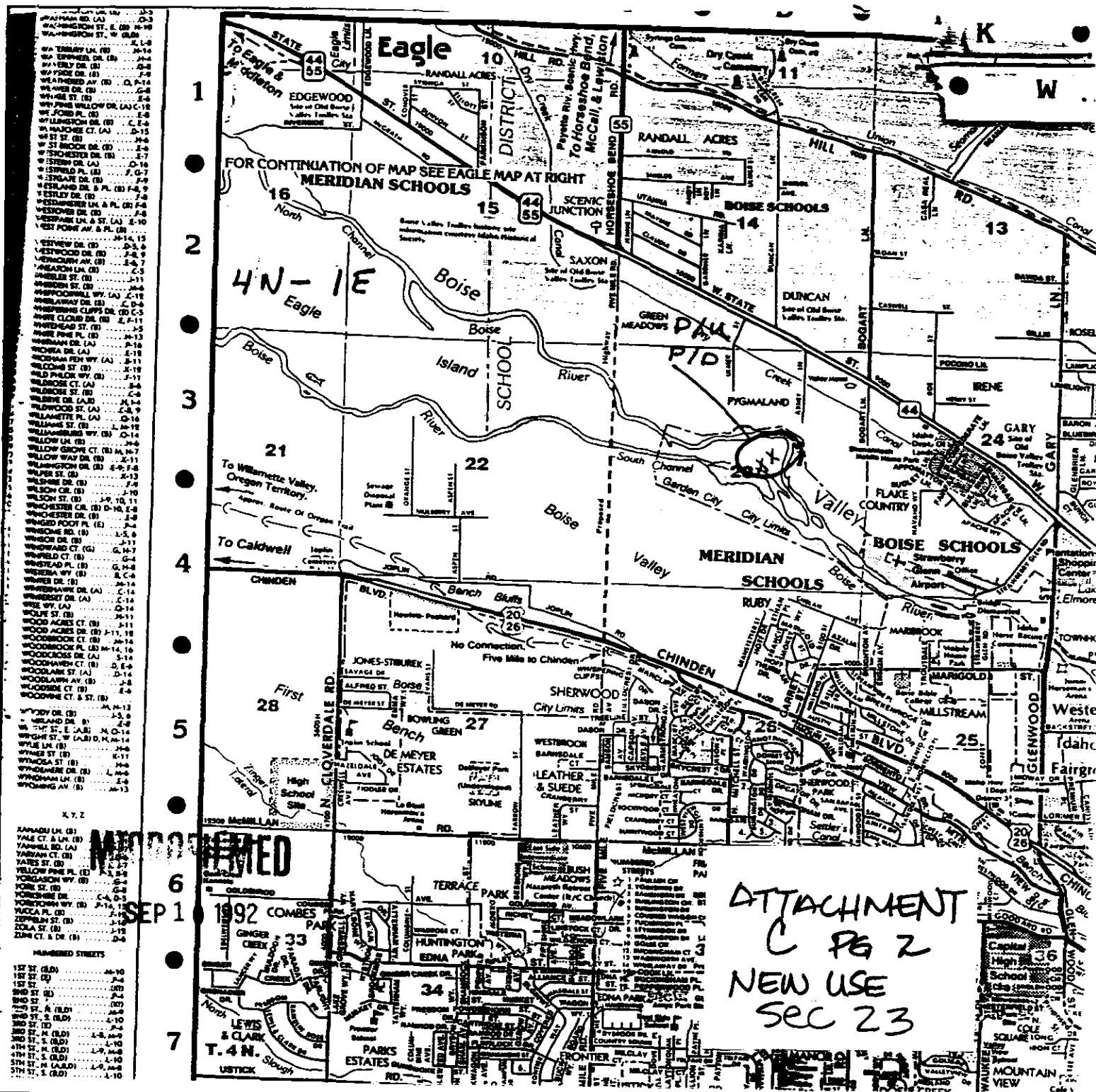
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
October, 19 73.

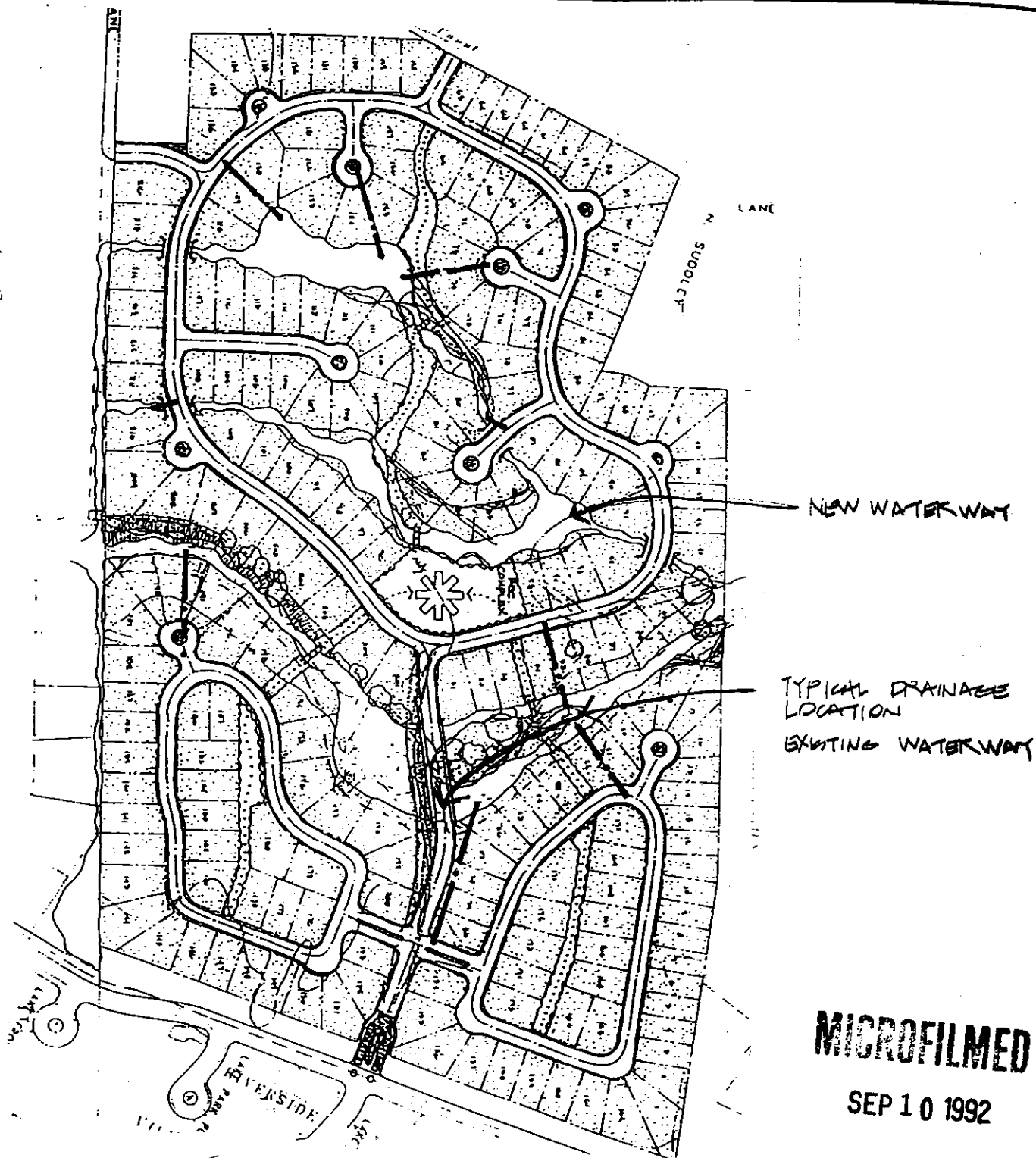
MICROFILMED
Director

SEP 10 1992

ATTACHMENT E
63 3165

- township and range number.





MICROFILMED

SEP 10 1992

Sec 24

IN: City of Boise
IN/NEAR Riverside Subdivision
Ada COUNTY, Idaho
DATE: 9/10/91 SHEET 2 OF 4
APPLICATION BY: O'Neill Enterprises Inc

NEW USE (POD)
ATTACHMENT C

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 21, 1973

Alfred & Margaret Wolfgram
Route 1, S. Bogart Lane
Boise, Idaho

Dear Mr. & Mrs. Wolfgram:

A representative of this Department has made an examination of the works covered by your Permit No. 28099/63-3165 and has found the following:

Quantity of water diverted: 2.78 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.50 cfs

The maximum quantity diverted shall not exceed 283.5 acre feet per year.

Beneficial use: Irrigation of 63 acres within the SW1/4NW1/4, W1/2SW1/4, Sec. 24, Twp. 4 N, Rge. 1 E, BM. (lots 3 & 4)

Source: Unnamed slough

Point of diversion: Lots 3 & 4 Sec. 24, Twp. 4 N, Rge. 1 E, B.M.

Priority date established: August 11, 1959

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

63 3165

14-13

5-28



A 847

(4288)

O'NEILL ENTERPRISES, INC.

May 14, 1992

Ms. Cindy Hodges
Sr. Water Resource Agent
State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Water Rights Transfer Application

Dear Cindy:

Please find the initialed revisions on the application for your processing. As discussed, we will be executing an additional agreement with Mr. Bertenogli. I am pleased we were able to assist you in this matter.

Should you have any additional questions or concerns, please do not hesitate to contact me.

Sincerely,

William C. Selvage/L.W.

William C. Selvage
O'NEILL ENTERPRISES, INC.

WCS/lw

RECEIVED
SEP 10 1992

NEILL ENTERPRISES, INC.

April 13, 1992

APR 21 1992

Department of Water Resources
Western Regional Office

Ms. Cindy Hodges
Senior Resource Agent
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: 63-3165

Dear Cindy:

Please find the enclosed for your processing:

1. Application for transfer of water right 63-3165.
2. Letter from Lienholder on property.
3. Proof of Ownership via tax notice and warranty deed.
4. \$50.00 processing fee.
5. Notarized amendment to adjudication claim.
6. Application for permit.

Sincerely, \

William C. Selvage
O'NEILL ENTERPRISES, INC.

WCS/lw
Enclosures

WCS41392.2

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 15, 1973

Re: Permit No. 28099/63-3165

Alfred & Margaret Wolfgram
Route 1, S. Bogart Lane
Boise, Idaho

Dear Mr. & Mrs. Wolfgram:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

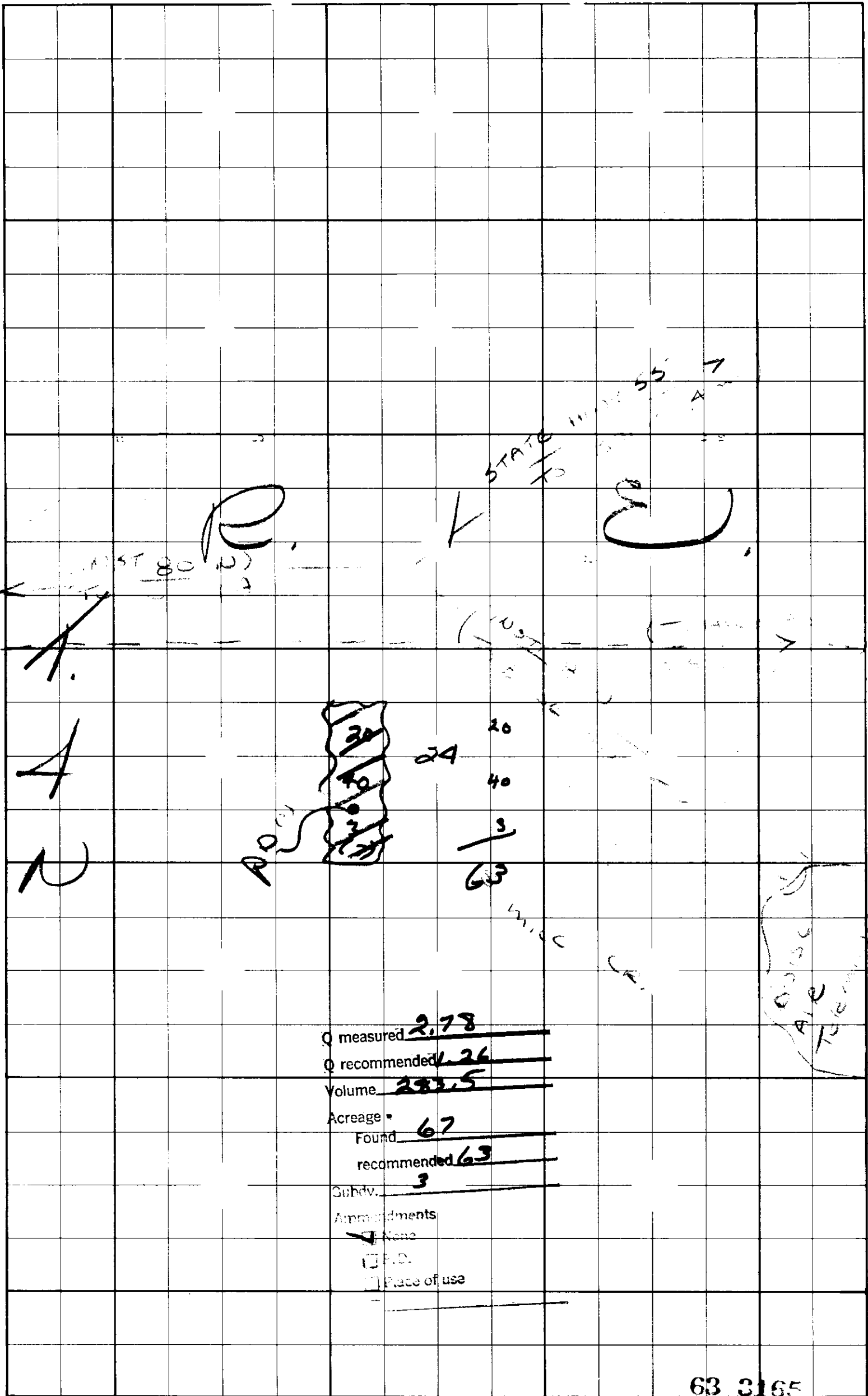
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/jfr

Enclosure

63 3165



*Write them a letter & call
in an appointment - Potlwork*

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 28099/63-3165

REPORT ON PROOF OF Alfred & Margaret Wolfgram

63 3165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 28099/63-3165

This proof is for 2.5 cfs

In Water District No.

1. Name of applicant Alfred & Margaret Wolfram, Rt. #1, S. Bogart Lane, Boise, Idaho

2. Source of water supply: un-named slough, tributary of the Boise River

3. Location of point of diversion: Is in the Lots 3 & 4 of Section 24

T. 4 N R. 1 E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:

pumps, and ditches

PROOF - electric powered water lifter pumps, open discharge, gravity irrigation -

General Electric Motor 1.5 HP 230 Volts Ser # XNT92006
V - Belt drive to submerged pump. Water is lifted 8" into an 8" pipe where it is carried 25' South to an East West diversion (open ditch)

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

PERMIT 210
4 N, R. 1 E, Sec. 24 SW 1/4 NW 1/4, Lots 3 & 4 (W 1/2 SW 1/4) 63 acres

2 pumps, both systems similar with same type pump & Motor as listed Above. One is inaccessible to get the pump information

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the day of 19

(Signed)

[Signature]

Examiner.

DATE

EXAMINATION RECORDS

71 Both people work. Call before
making exam and note on
appointment by: IEB

by:

by:

by:



e

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Permit No. 28099/63-3165

Examination for b/u - Alfred & Margaret Wolfgram

County Ada

Quantity: 2.5 cfs Sec. 24 T. 4N R. 1E

Source: unnamed slough, trib. of Boise R.

P.D.: Lots 3 & 4

Use: irrigation

~~Extension:~~

~~Protest:~~

~~Completion of Work:~~

~~Other Rights:~~

Filed: 8-11-59 Made: 8-6-69
Due: 8-14-70 Priority: 8-11-59

By: CHK gms
BB

63 3165

September 8, 1969

Re: Permit No. 28099 (New No. 63-3165)

Alfred and Margaret Wolfgram
Route 1, South Bogart Lane
Boise, Idaho

Dear Mr. and Mrs. Wolfgram:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

28099
63-3165

August 8, 1969

Re: Permit No. 28099

Alfred and Margaret Wolfgram
Rt. 1, So. Bogart Lane
Boise, Idaho

Dear Mr. & Mrs. Wolfgram:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 28099.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Idaho Daily Statesman, Boise, Idaho, (after August 28th) upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

28099
63-3165

August 8, 1969

Re: Permit No. 28099 - Alfred and Margaret Wolfgram

Idaho Daily Statesman
300 North 6th
Boise, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Alfred and Margaret Wolfgram, Rt. 1, South Bogart Lane, Boise, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

28099
63-3165

June 30, 1969

Re: Permit No. 28099

Alfred and Margaret Wolfgram
Route 1, So. Bogart Lane
Boise, Idaho

Dear Mr. & Mrs. Wolfgram:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Order
Advertising package
Proof package

28099
63-3165

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 28099)

in the name of Alfred & Margaret Wolfgram)

Route # 1, So. Bogart Lane, Boise, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

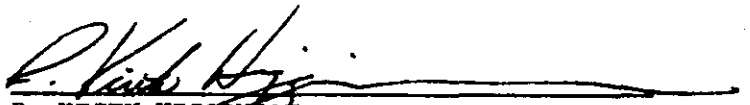
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 28099 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 30th day of JUNE, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

28099

63-3165

rec'd
9-4-69
JES

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion therein and which said newspaper has been continuously and
uninterruptedly published in said County during a period of
twelve consecutive months prior to the first publication of the
notice, a copy of which is attached hereto; that said notice was
published in the regular edition of The Idaho Daily Statesman for

Two weekly consecutive insertions, beginning with the
issue of August 21, 19 69, and ending with the
issue of August 28, 19 69

Georgene Davis

Subscribed and sworn to before me this 28th day of

August, 19 69

Jana R. Young

Notary Public for Idaho, Residing at Boise, Idaho

22099
63-3165

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Alfred and Margaret Wolfram, Rt. 1, So. Bogart Lane, Boise, Idaho, have has received an approved permit No. 28099 issued by the Idaho State Reclamation Department authorizing the diversion ~~of~~ of 2.5 cubic feet per second ~~of~~ of water from an unnamed slough tributary of Boise River, subject to all prior rights. The priority to be established under this permit is August 11, 1959 and the permit was approved August 14, 1959. Water is to be diverted by pumps and ditches from ² points within the Sec. 24 (Lot 3 & 4), T. 4 N., R. 1 E., B.M., Ada County to be used for irrigation in the SW¹/₄, W¹/₂SW¹/₄ (Lot 3 & 4), T. 4 N., R. 1 E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 14, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Daily Statesman, Boise, Idaho on August 21 and August 28, 1969.

State Reclamation Engineer: Permit No. 28099

You are hereby authorized to have the attached notice published at may expense in the Idaho Daily Statesman of Boise, Idaho; published in the county in which the works are situated.

Alfred Wolfram
(Signature)
Margaret Wolfram

Route #1 - Boise Idaho
(Address) 83702
August 1, 1969
(Date)

28099
63-3165

August 14, 1964

RE: Permit No. 28099

Alfred Wolfigram
Rt 1, S. Begart
Boise, Idaho

Dear Mr. Wolfigram:

Enclosed are the Assignment and the Certificate of Completion of Works on the above numbered permit.

Also enclosed is departmental receipt No. 32387 in the amount of \$5.50 covering the fees for recording the assignment and for the certificate.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

28099

Permit No. 28099STATE OF IDAHO
Department of Reclamation

RECEIVED

AUG 12 1964

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

SS.

_____, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 28099, and that his postoffice address is Route #1 - So. Bogart Lane State of Idaho

Second: That the name of the stream from which said water is to be diverted is _____

In-named sloughThird: That the point of diversion of said water is On Boise River -Lots 3 and 4 of Section 24, Twp. 4 N., Rge. 1 E. B. M. Ada County, IdahoFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 14, 1964Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: Pumps and ditches

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: _____

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 4

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 1 feet; diameter of pipe _____ inches, average grade per mile is 5 feet. Length of conduit is 0.5 miles.

Seventh: That said works are capable of conducting to the place of intended use _____

_____ second feet of water.

Eighth: That water appropriated under said permit is available for 63 acres of land described as follows: Lots 3 and 4 of Section 24, Twp. 4 N., Rge. 1 E.B.M.
Ada County, Idaho.

Ninth: Remarks:—That _____

Alfred Halfgren
(SIGN HERE)Subscribed and sworn to before me this 12th day of August, 1964Gladys Broadbent
NOTARY PUBLICMy commission expires 7-9-66

28099

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Parcel No. 28099 of Idaho, No. 28099 to Route #1 - So. 2nd St. Ada, Idaho of

STATE OF IDAHO

County of Ada

On this 5th day of July 1944, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared H. V. Kline and Thelma Kline known to me to be the person and whose name is subscribed to the within instrument and he acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public

Residing at Boise, Idaho

My commission expires: 5-8-46

* If fractional part of parcel is to be assigned, the fractional part of the land to which the assigned portion is to be assigned must be specified in the instrument.

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

I N S T R U C T I O N S

P R O O F O F C O M P L E T I O N O F W O R K S

Boise, Idaho

June 2, 1964

Re: Permit No. 28099

H. F. Or Thelma Elms
Route #1
Boise, Idaho

Dear Mr. & Mrs. Elms:

Under the terms of your Permit No. 28099 you are required to complete your diversion works on or before August 14, 1964. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

Enc. Form 6

28099

August 21, 1951

Re: Permit No. 28099

Mr. H. F. Elms,
Rt. #1,
Boise, Idaho.

Dear Mr. Elms:

We enclose Permit No. 28099 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

Departmental Receipt No. 29910 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit was given to you while in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR/pmk