

ATTACHMENT "A" 2

FEB 23 1994

PROPERTY BOUNDARY

8864066

QUITCLAIM DEED

TRINITY INVESTMENTS INTERNATIONAL, INC., an Idaho corporation, GRANTOR, pursuant to a plan for liquidation adopted December 15, 1988, at 9 a.m., does hereby transfer, convey, release, remise, and forever quitclaim unto Larry D. Knapp, a married man as his sole and separate property, whose address is P.O. Box 7613, Boise, Idaho 83707, and Ronald S. Hall, a married man, whose address is 8001 E. Del Rubi Drive, Scottsdale, Arizona 85258, GRANTEES, all of Grantor's right, title and interest in and to that certain real property, situate in Ada County, Idaho, described as follows:

PARCEL A

A portion of the SE 1/4 NW 1/4, and the NE 1/4 SW 1/4, and Government Lots 3, 4, 5 and 6, of Section 30, T. 3 N., R. 3 E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the section corner common to Sections 24 and 25, T. 3 N., R. 2 E., B.M., and Section 19 and 30, T. 3 N., R. 3 E., B.M., Ada County, Idaho; thence East along the section line common to said Sections 19 and 30, 611.00 feet to a steel pin; thence South 0°16'10" East, 851.15 feet to a steel pin; thence South 19°29' West 97.31 feet to the real point of beginning; thence South 19°29' West 384.94 feet to an existing steel pin being on the line established by the letter of agreement between Harris and Dahlor; thence West along said line, 268.50 feet to a steel pin on the Southwesterly right-of-way line of the Ridenbaugh Canal; thence along said right-of-way line whose chord bears South 56°31'50" East 133.00 feet to a point; thence along said right-of-way line whose chord bears South 59°55'50" East 105.37 feet to a point; thence along said right-of-way line whose chord bears South 55°13'20" East 102.91 feet to a point; thence along said right-of-way line whose chord bears South 49°00' East, 100.85 feet to a steel pin; thence South 48°26'30" West 193.01 feet to a steel pin on the Northeasterly right-of-way of Boise Avenue; thence South 41°33'30" East along said right-of-way 40.69 feet to a steel pin; thence North 48°26'30" East 94.40 feet to a steel pin; thence South 89°36' East 61.61 feet to a steel pin; thence South 39° 29' East 30.45 feet to a steel pin; thence South 18°29' East 232.40 feet to a steel pin; thence South 30°34' East 168.10 feet to a steel pin; thence South 40°57' East 368.40

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FEB 23 1994

feet to a steel pin; thence South 48°26'30" West 12.98 feet to a steel pin on the Northeasterly right-of-way line of Boise Avenue; thence South 41°33'30" East along said right-of-way line, 402.42 feet to an intersection with the mid-section line of said Section 30 from which a brass cap marking the West one-quarter corner of Section 30 bears West, 1261.57 feet; thence East along said mid-section line, 523.88 feet to a point; thence South 27°30' West (shown of record to be South 27°41' West), 98.33 feet to a point; thence South 69°24' East (shown of record to be South 69°13" East) 460.65 feet to a point; thence South 77°01' East (shown of record to be South 76°50' East) 139.93 feet to a point; thence South 89°46' East (shown of record to be South 89°35' East), 133.82 feet to a point; thence North 0°11' West (shown of record to be North), 281.24 feet to an auto axle marking the center of said Section 30; thence East along said mid-section line, 1329.70 feet to a steel pin in an existing fence line; thence North along said fence, 10.18 feet to a steel pin; thence South 78°41' East along said fence, 137.78 feet to an intersection with the original government meander line on the left bank of the Boise River; thence North 58°15' West along said meander line; 608.92 feet to a point; thence South 67° 37'40" West 22.50 feet to a point; thence North 89°21'30" West 235.57 feet to a point; thence North 85°56'40" West 145.28 feet to a point; thence South 87°31'20" West 166.77 feet to a point; thence North 87°30'20" West 335.93 feet to a point; thence North 87°37'10" West 333.82 feet to a point; thence North 36°50'40" West 196.03 feet to a point; thence North 14°24'20" West 330.33 feet to a point; thence North 1°04'40" West 207.34 feet to a point; thence North 11°07'20" West 67.35 feet to a point; thence South 65°58'30" West 415.09 feet to a steel pin; thence North 68°38'50" West 725.76 feet to a steel pin; thence North 47°17' West 492.28 feet to the real point of beginning,

Containing approximately 54.46 acres.

PARCEL B

A tract of land in the Northwest quarter of Section 30, T. 3N., R. 3E., B.M., Ada County, Idaho, more particularly described as follows:

ab 118

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FEB 23 1994

COMMENCING at the section corner common to Sections 24 and 25, T. 3N., R. 2E., B.M., and to Sections 19 and 30, T. 3N., R. 3E., B.M., thence East along the Section line common to said Sections 19 and 20, 521.00 feet to a point; thence South 0°16'10" East, 154.51 feet to the real point of beginning; thence continue South 0°16'10" East, 692.62 feet to a steel pin; thence South 19°29' West, 97.31 feet to a steel pin; thence South 47°17' East, 492.28 feet to a point; thence South 65°38'50" East, 725.76 feet to a point; thence North 65°58'30" East, 415.09 feet to a point on the westerly boundary line of the Green Belt property; thence North 11°07'20" West along said line, 85.30 feet to a steel pin; thence North 1°47'20" East along said line, 00.14 feet to a steel pin; thence North 25°20'50" West along said line, 280.42 feet to a steel pin; thence North 28°28'30" West along said line, 182.87 feet to a steel pin; thence North 37°39'40" West along said line, 101.76 feet to a steel pin; thence North 45°52'50" West along said line, 85.42 feet to a steel pin; thence North 32°20'40" West, along said line, 143.13 feet to a steel pin; thence North 42°36'20" West along said line, 78.28 feet to a steel pin; thence North 62°13'40" West along said line, 346.93 feet to a steel pin; thence North 77°47'30" West along said line, 237.90 feet to a steel pin; thence North 69°26'40" West along said line, 384.34 feet to the real point of beginning,

Containing approximately 27.6 acres.

SUBJECT TO all encumbrances thereupon.

TO HAVE AND TO HOLD the said premises with their appurtenances, unto GRANTEES, their heirs and assigns forever, as tenants in common with equal ownership and without right of survivorship.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 30th day of December, 1988.

GRANTOR: TRINITY INVESTMENTS INTERNATIONAL, INC.

By: _____
Larry D. Knapp, President

QUITCLAIM DEED - 3
05011.qi3

RECORDED
FEB 23 1994

ACKNOWLEDGEMENT

STATE OF IDAHO)
) ss
County of Ada)

On this 30th day of December, 1988, before me a Notary Public in and for said State, personally appeared LARRY D. KNAPP, known or identified to me to be the president of the corporation 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 first above written.

Notary Public for Idaho
Residing at [redacted], Idaho
Commission Expires [redacted]

Ada County, Idaho
Request of
TIME
DATE

QUITCLAIM DEED - 4
c501: gjc

FEB 23 1994

R2E

R3E

T3N

T2N

T1S

1987 ASCS PHOTO

NESE 5.30 "1988 N/A" = last irrigated in 1987, withdrawn for subd. development in 1988. PER ASCS INFO.

NOTE would Duck Island area converted to subdivision land 1/91.

NOTE 63-00278 & 63-00279 should include ≈ 5½ Acres in L.3 S.W.NW. S. 30 North of Ridenbaugh Canal - See Deed & previous transfer info, exclusion of this tract appears to be error in database. —SL 7/16/92

VOID

1925 ORDER NEVER EXECUTED BUT RECORDS INDICATE 5½ AC. IN SW NW.

63-00278 & 63-00279

63-00249

accomplished transfer 63-00278 + 00279

accomplished transfer 63-00249

GREEN SHADED AREA SHOWS POSSIBLE BOUNDARIES PER QQ FOR IRRIGATED LAND W/ DECREED RIGHTS

NO

1988 N/A Lot 7 Barber Pt. Subd.

Barber Park

Ridenbaugh Canal

ACRES South of Ridenbaugh Canal irrigated by this canal. ?

NO IRRIG. South of Canal

defunct pipes

New York Canal

East Amity Road

Boise Ave

X = 1 Acre Lot 7 owned by Applicant

W converted to subdivisions 1/91

Lot 4

Lot 5

Lot 3

Duck Island

NHEL

NW

AW

Also see Attach 01 (NAPP)

Attach 0

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NESE 5.25 area; Shows some irrigation 1987

"Babler" area; irrigated

Barker Point Subd. area; Not irrigated 1987

NAPP 7-6-1987 X59

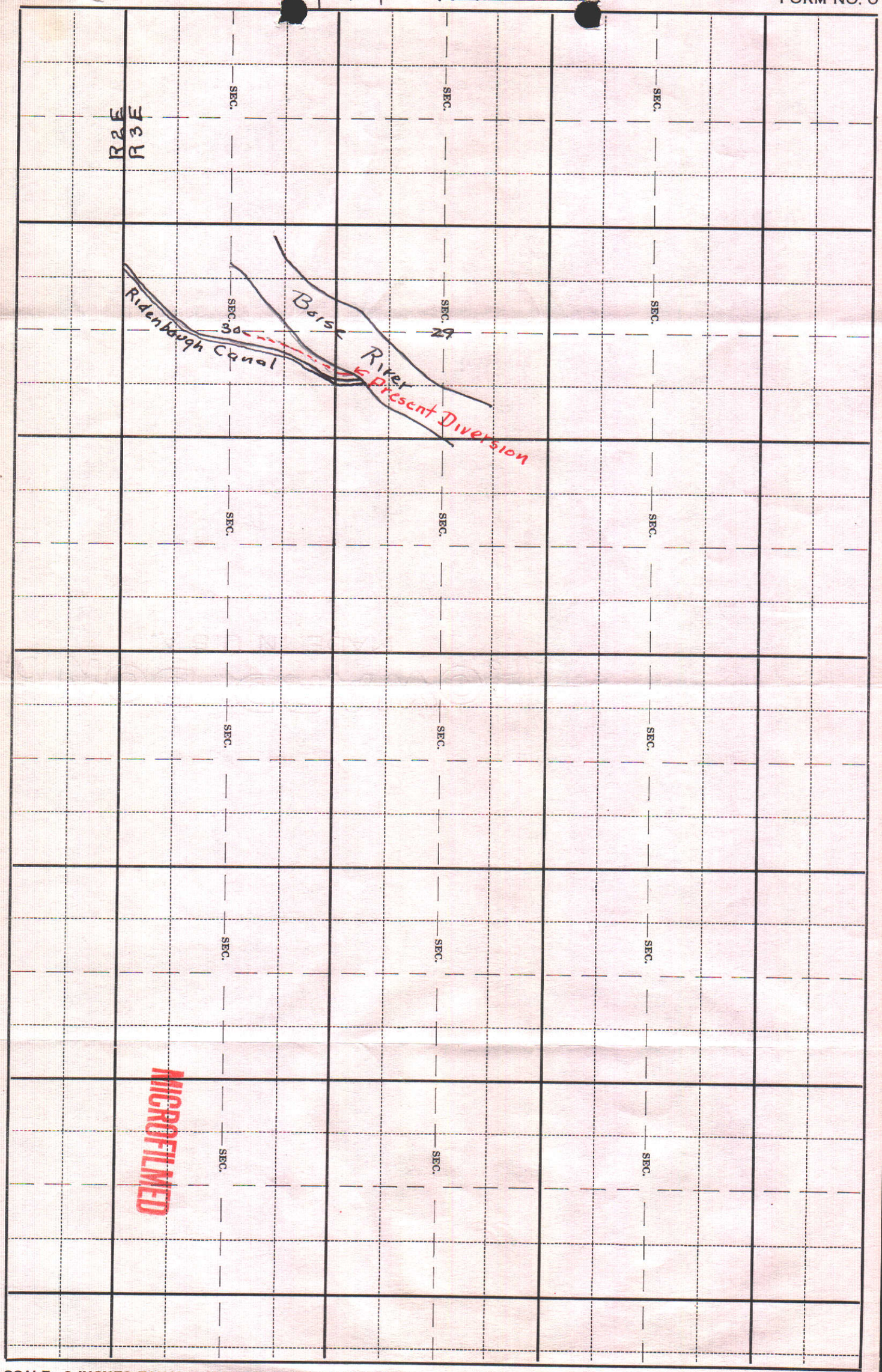
MICROFILMED FEB 23 1994

total area served by Babler account under Rights 63-00249, -00278, -00279 } complete overlap 2 Rights } partial overlap 3 Rights

Attachment D1

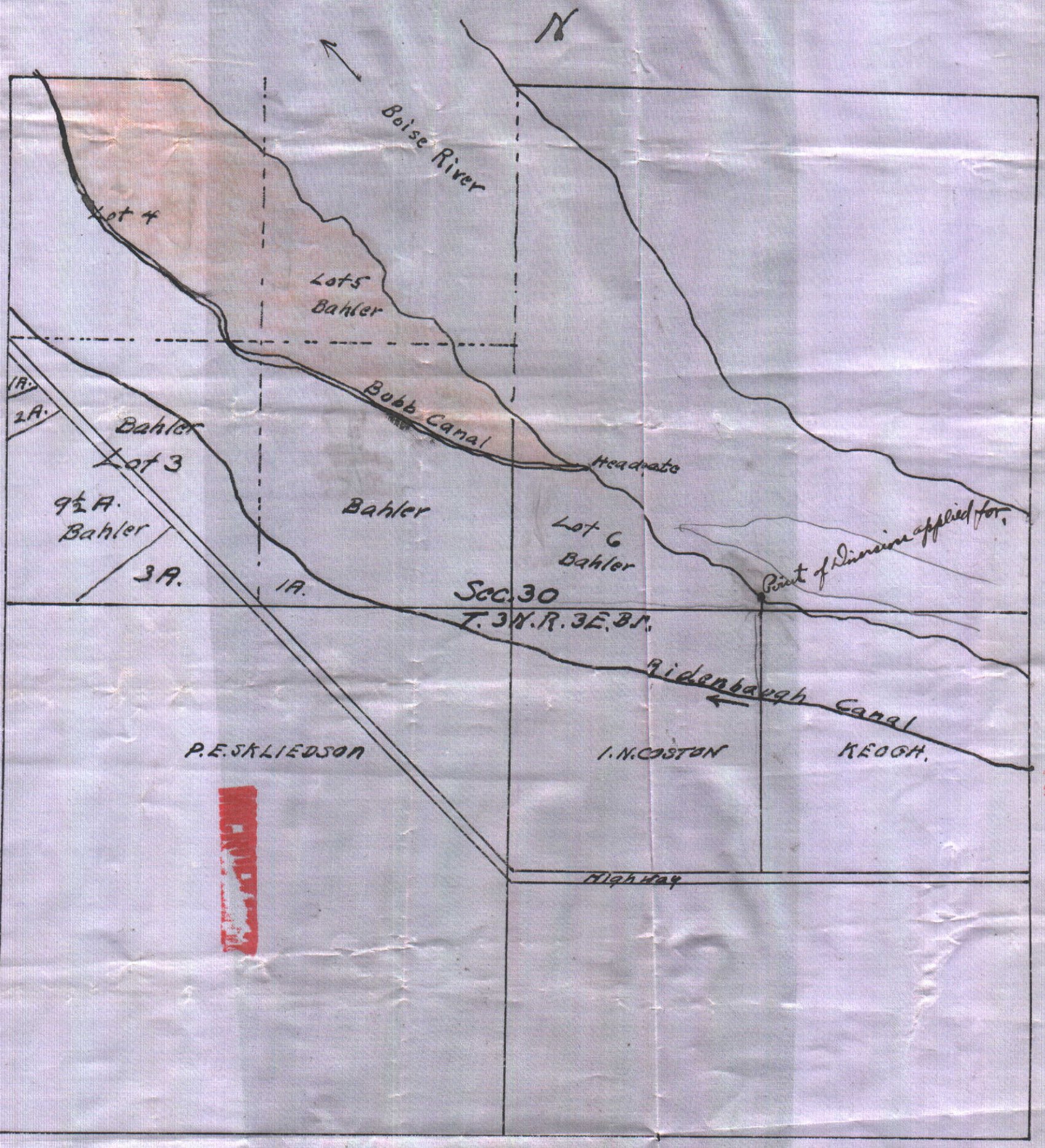
NAME OF APPLICANT Adolph Bahler

FORM NO. 0



MICROFILMED

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK


N
Boise River
Lot 4
Lot 5
Bahler
Bubb Canal
Headgate
1A.
2A.
Bahler
Lot 3
9½ A.
Bahler
3A.
Bahler
1A.
Lot 6
Bahler
Point of Diversion applied for.
W.
Sec. 30
T. 3 N. R. 3 E. B.M.
E.
Ridenbaugh Canal
P.E. SKLIEDSON
I.N. COSTON
KEOGH.
Highway
S

JOHN LEMP

24 19
25 30

WASTE WAY

BOOTH

HOLCOMB

NWNW

Bubb

Bahler

NENW

Balance by Bubb Canal per MAP

SWNW

Ridenhour

SENW

Bahler

NO COLOR ON ORIGINAL MAP FOR Bahler land

SWNE

Lot 6

Bahler

HEADGATE

Lot 4

Lot 3

Bahler

3A.

1A.

NESW

NWSE

NESE

VIA Keogh & Rien CANAL IN COSTON

KEOGH AND RIEN CANAL

12.2A

PESKLIEDSON

OAKS

60A

20A

19A

A. PRICKLER

W. FEASE

via Keogh & Rien Canal 21 ac.

via New York Canal

NESE

2.1A

CHAS. RIEN

4.5

EN

NEW YORK CANAL

TOWNSHIP 3 NORTH, RANGE 2 EAST

26 25
35 36

25
36

ELEV. 29 FT.

JOHN LEMP

19
30

29

NENW

COMB 19 Lot 7

Babler

Relinquishment by Bubb Canal per map

Ridenbaugh

SENW

Babler

NO COLOR ON ORIGINAL MAP FOR Babler land

HEADGATE

SWNE
Lot 6
Babler

1A.

NESW

NWSE

NESE

KEOGH AND RIEN CANAL

WATERED by SEEPAGE

SKLIEDSON

VIA Keogh & Rien CANAL

I.N. COSTON

KEOGH
23A

KEOGH AND RIEN CANAL

MILL DITCH

HEADGATE

RIEN BASIN CANAL

3.5 A

12.2 A

1904 Shows

Babler - SWNE
(278-299) NENW
SWNW
SENW

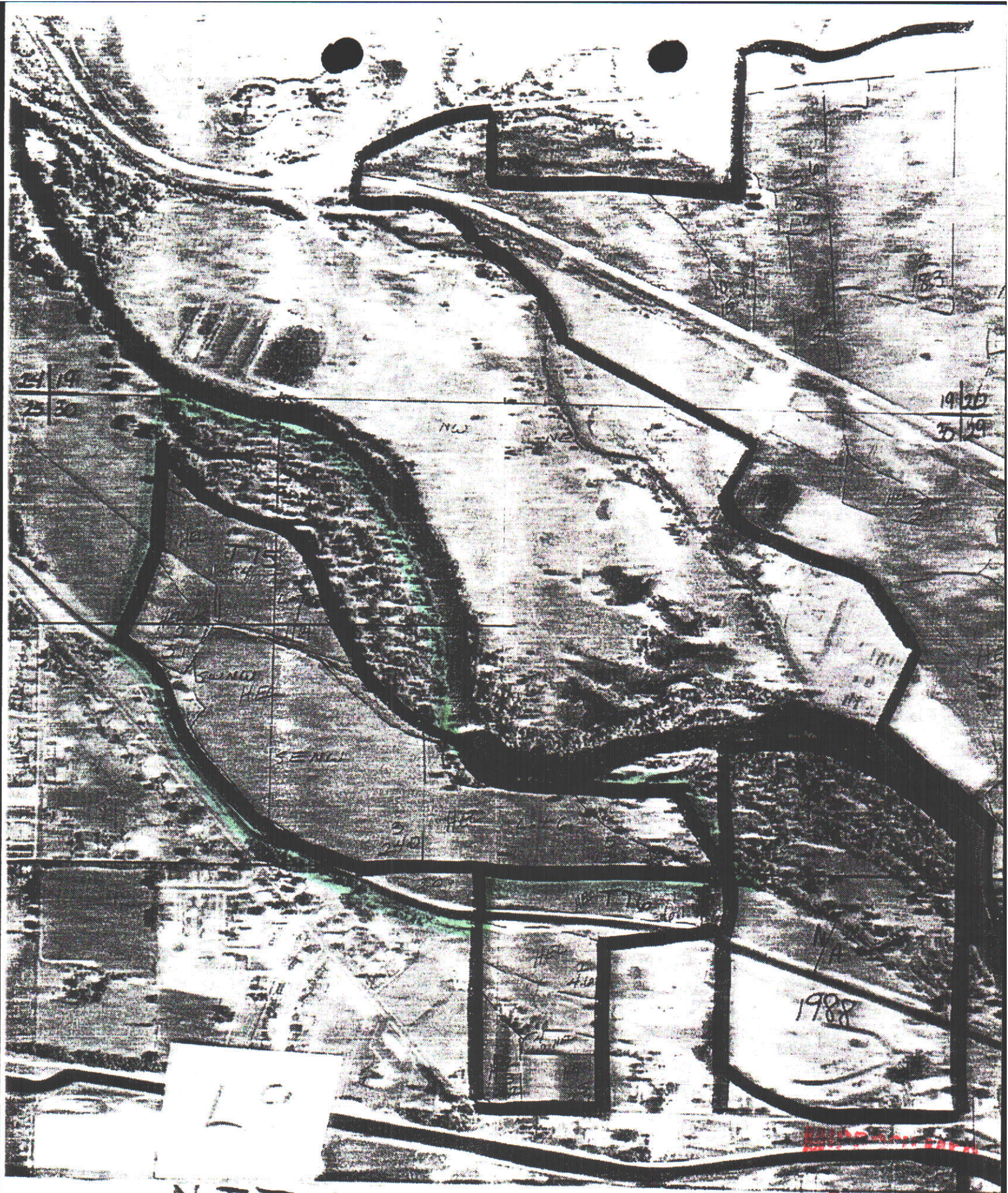
Rein-
Keogh NESE S. 20
(249) NESE S. 25

Mill ditch to Keogh & Rien Canal

LEGEND

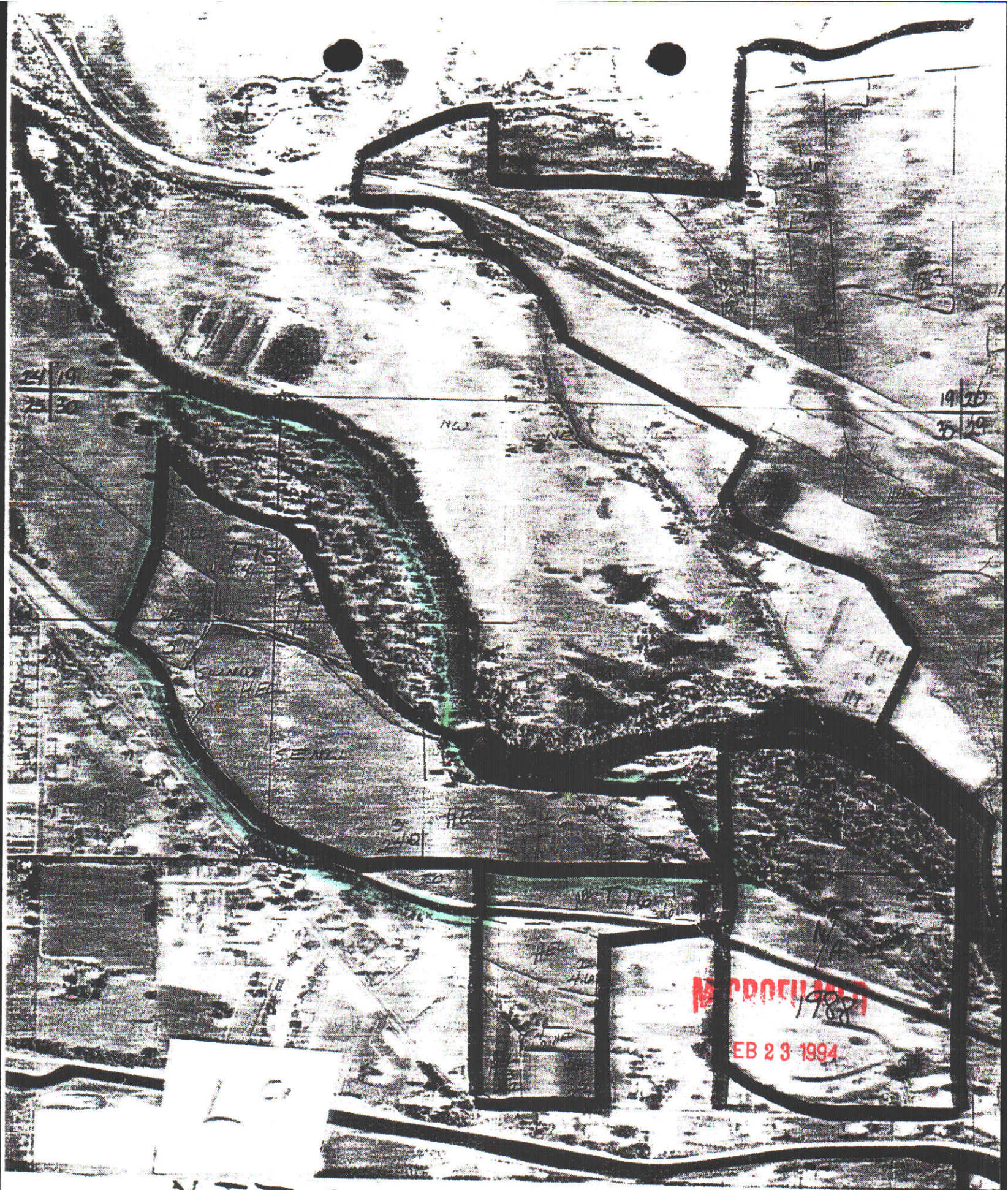
= Canal and Land watered by the Perrault Canal
" " " " " " Keogh and Rien Canal
" " " " " " BUBB Canal
" " " " " " New York Canal
" " " " " " Ridenbaugh Canal
" " " " " " Meeves Canal Canal
" " " " " " Mill ditch.

Payette - Boise Project
Boise River Survey
Office of State Engineer
1904



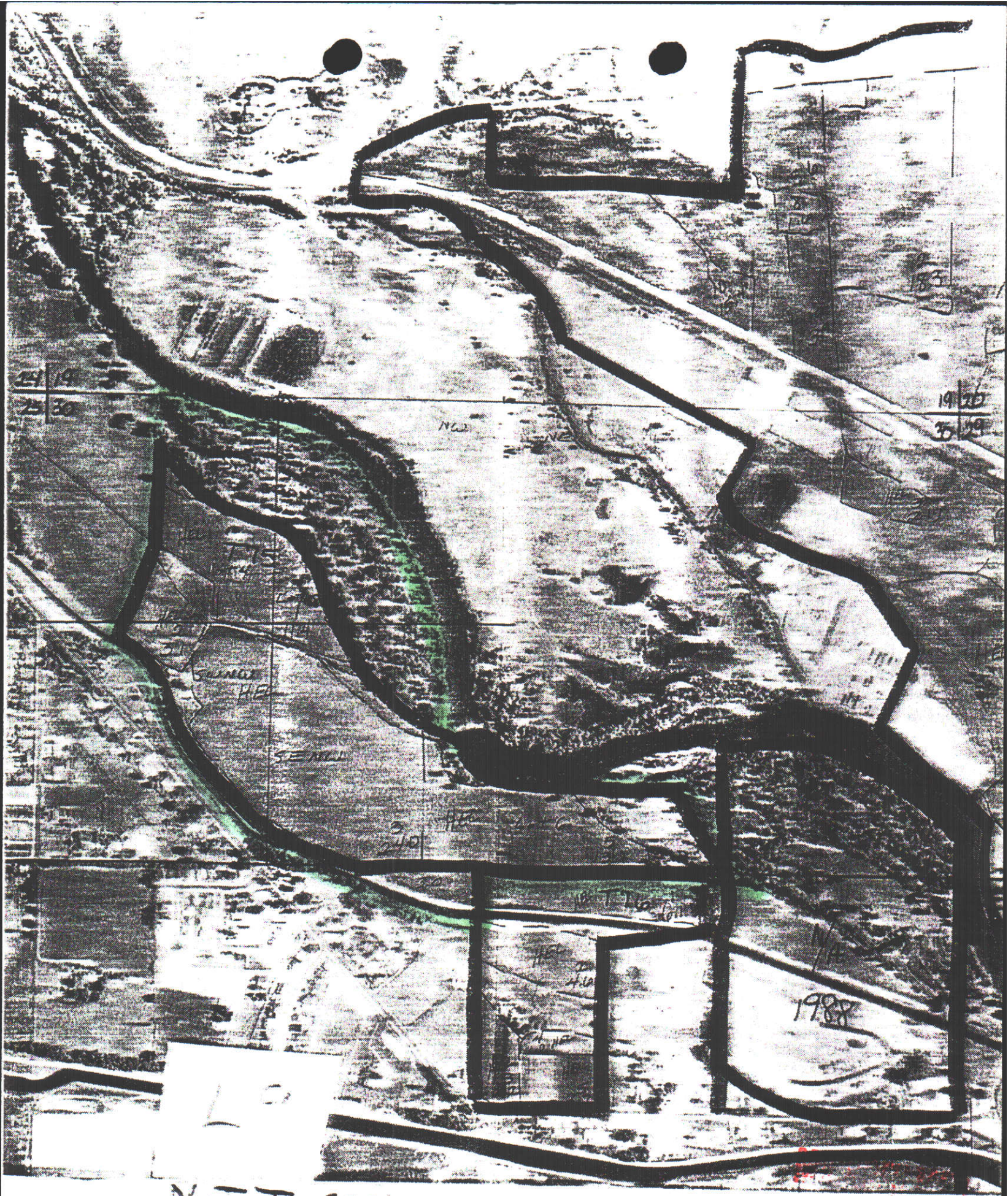
ATTACHMENT "A"

PROPERTY BOUNDARY



ATTACHMENT "A"

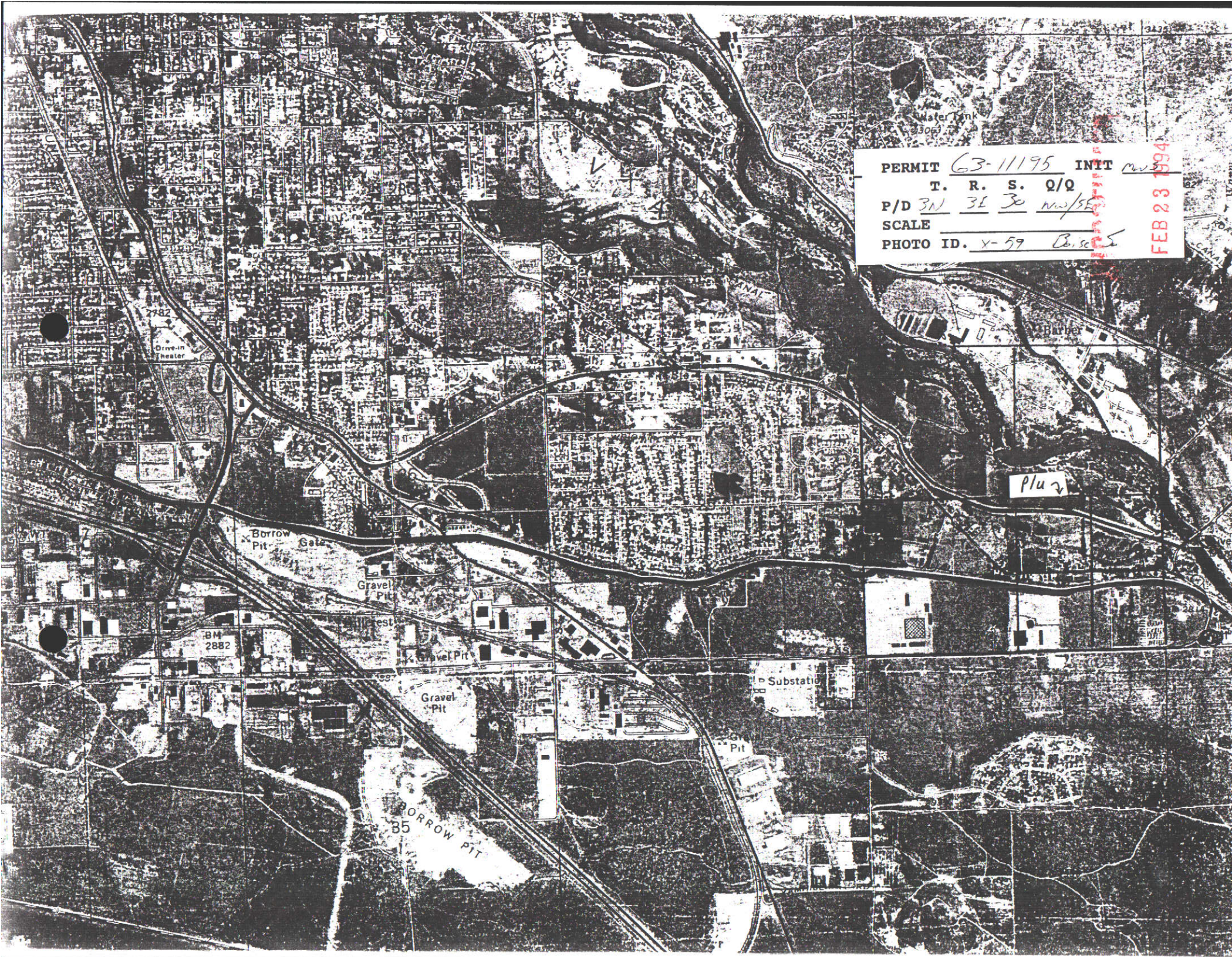
PROPERTY BOUNDARY



ATTACHMENT "A"

FEB 23 1994

PROPERTY BOUNDARY


PERMIT 63-11195 INIT MWS
T. R. S. Q/Q
P/D 3N 3E 30 NW/SE
SCALE
PHOTO ID. X-59
FEB 23 1994
Water Tank
Drive-in Theater
Barber
Borrow Pit
Gravel Pit
BM 2882
Substation
Gravel Pit
BORROW PIT
85
Plu

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

GENERAL INFORMATION

Permit No. 63-11195

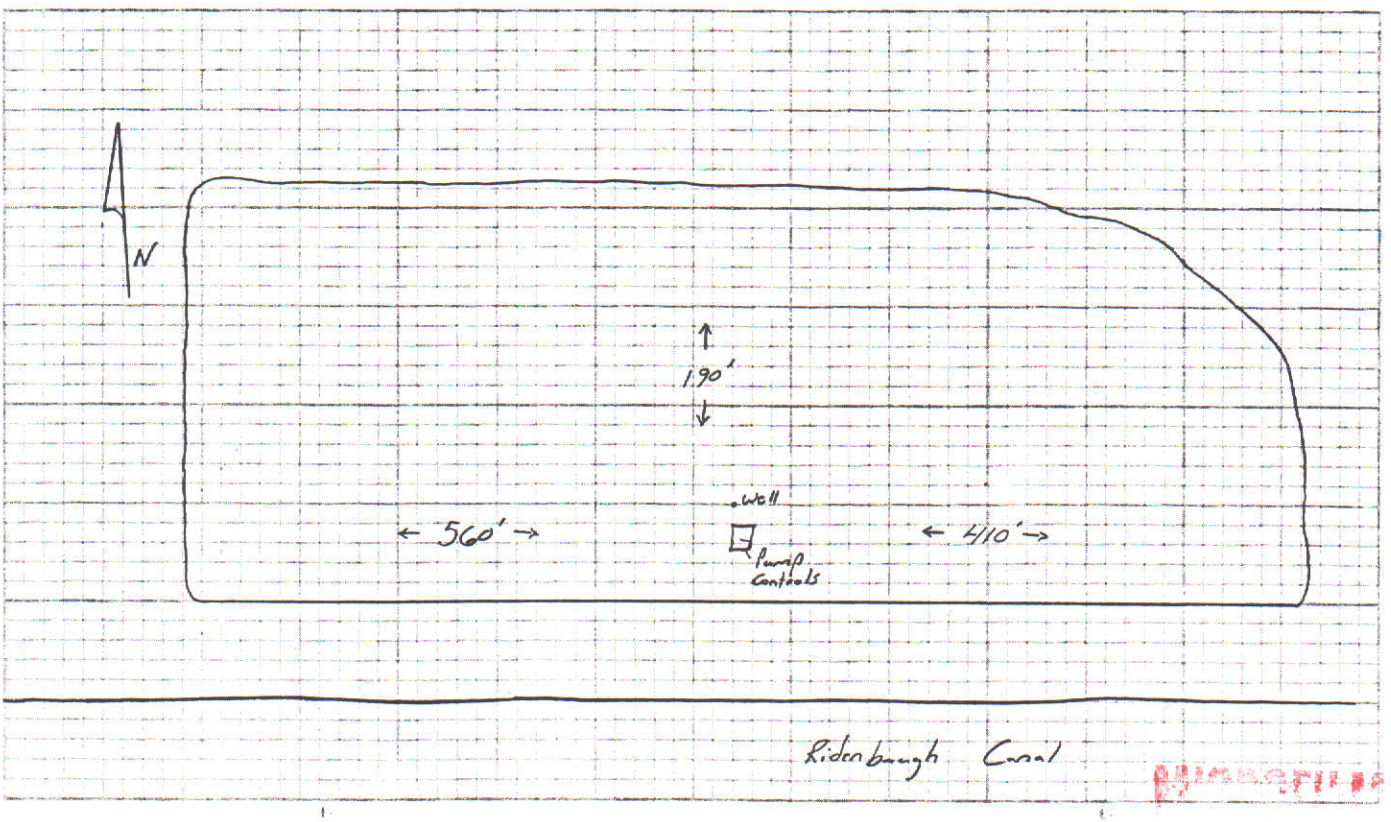
1. Owner: Ada County Parks Dept. Phone No. 343-1328
   Current Address: 650 Main, Boise, ID, 83702
2. Accompanied by: Louie Webb EXAM. DATE: 6-30-92
   Address: _____ Phone No. _____
   Relationship to Permit Holder: Grounds Keeper
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

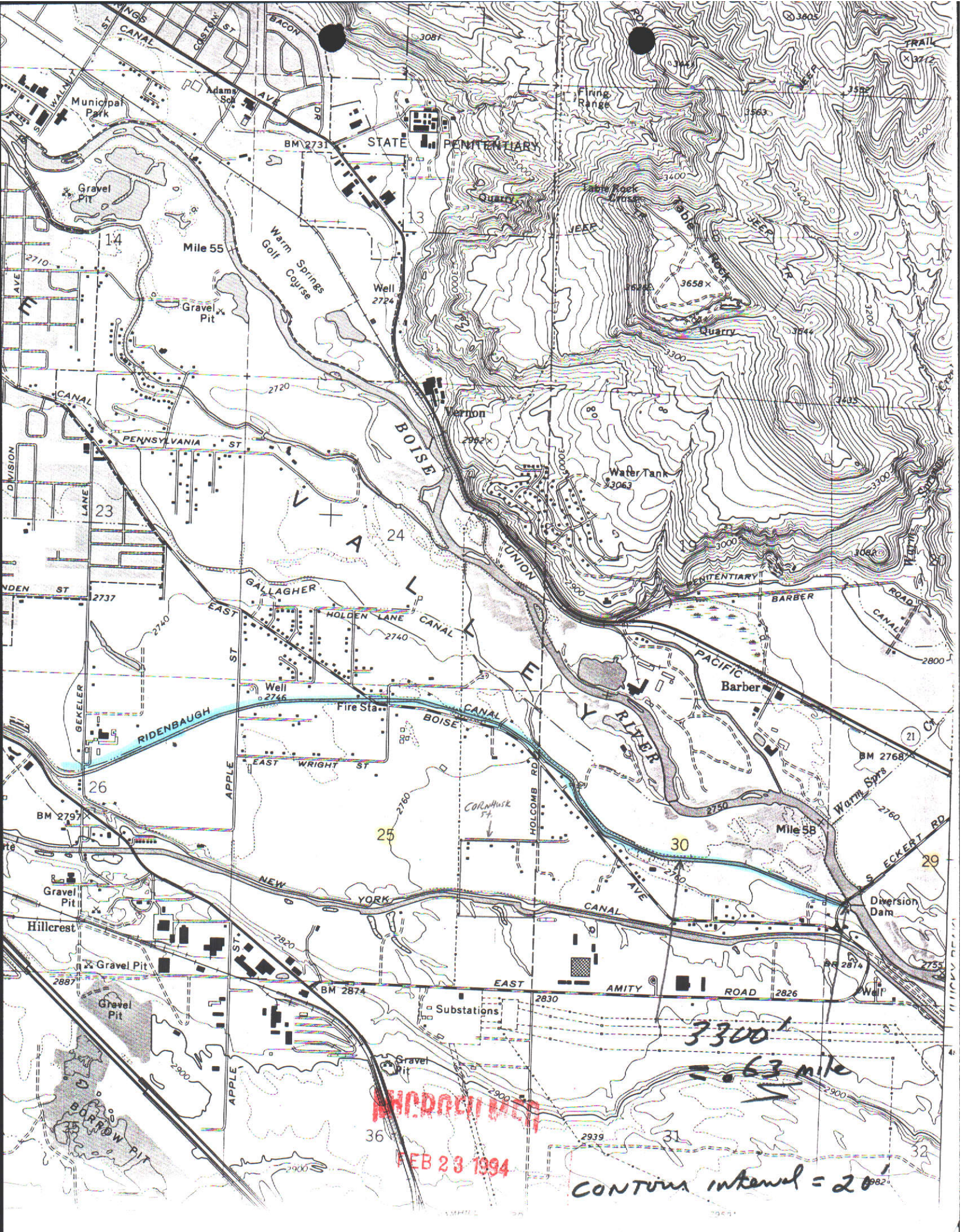
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

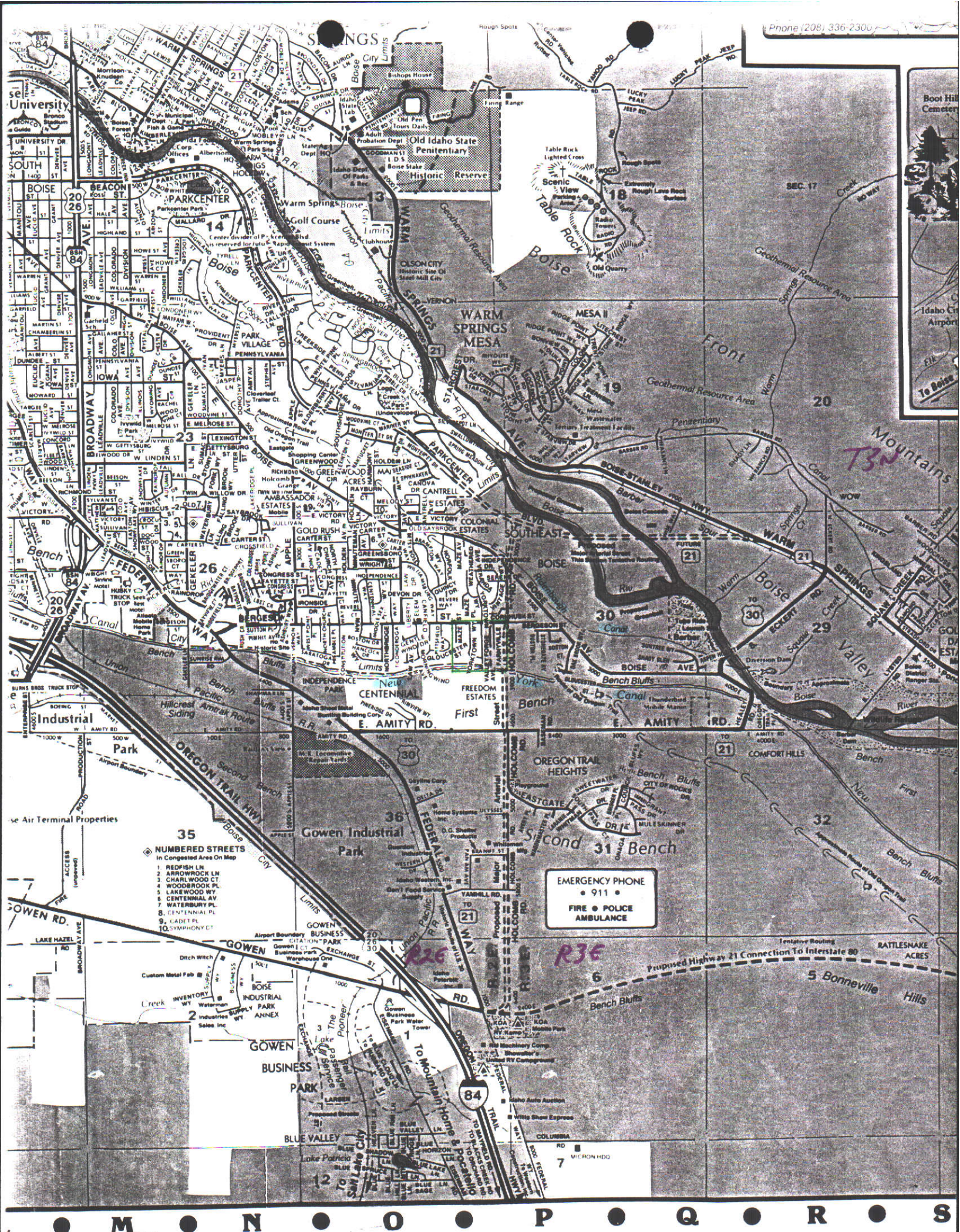


Scale: 1" = NONE.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Photo of Diversion and System Attached
   ☐ Aerial Photo Attached
   (required for irrigation of 10 acres or more).

FEB 23 1994


Municipal Park
Adams School
BM 2731
STATE PENITENTIARY
Firing Range
Gravel Pit
Quarry
Table Rock Cross
Table Rock
JEEP TR
Mile 55
Warm Springs Golf Course
Well 2724
Gravel Pit
Vernon
2992
Water Tank 3063
BOISE VALLEY
UNION PACIFIC
PENNSYLVANIA ST
CANAL
DIVISION LANE
GALLAGHER
EAST HOLDEN LANE CANAL
Well 2746
Fire Sta
BOISE CANAL
RIDENBAUGH
EAST WRIGHT ST
APPLE ST
GEKELER
HOLCOMB RD
CORNHUSK PL
Barber
BARBER ROAD
PENITENTIARY
BM 2768
Warm Spgs
Mile 58
S ECKERT RD
Diversion Dam
BM 2797
Gravel Pit
Hillcrest
NEW YORK CANAL
AVE
EAST AMITY ROAD
BM 2874
Substations
Gravel Pit
BORROW PIT
Well
BM 2814
3300'
= .63 mile
CONTOUR INTERVAL = 20'
FEB 23 1994


Phone (208) 336-2300
Old Idaho State Penitentiary
Historic Reserve
Table Rock
Scenic View
WARM SPRINGS MESA
MESA II
PARKCENTER
BOISE
BROADWAY
FEDERAL WAY
GOWEN RD.
Gowen Industrial Park
OREGON TRAIL HEIGHTS
COMFORT HILLS
GOWEN BUSINESS PARK
BLUE VALLEY
Proposed Highway 21 Connection To Interstate 80
Bonneville Hills
Mountains
Boise River
Foothills
Valley
Bench
Bluffs
Canal
Creek
Geothermal Resource Area
NUMBERED STREETS
In Congested Area On Map
1. REDFISH LN
2. ARROWROCK LN
3. CHARLWOOD CT
4. WOODBROOK PL
5. LAKEWOOD WY
6. CENTENNIAL AV
7. WATERBURY PL
8. CENTENNIAL PL
9. CADET PL
10. SYMPHONY CT
EMERGENCY PHONE
• 911 •
FIRE • POLICE
AMBULANCE
T3N
R2E
R3E
M
N
O
P
Q
R
S


R2E
R3E
24 19
25 30
19 20
30 29
1987 ASCS PHOTO
NESE S.30 "1988 NIF" = last irrigated in 1987, withdrawn for subd. development in 1988.
NOTE Wood Duck Island area converted to subdivision land 1/91.
NOTE 63-00278 & 63-00279 Should include ≈ 5½ Acres in L.3 SENW S.30 North of Ridenbaugh Canal - see decree & previous transfers, exclusion of this tract appears to be error in database.
7/16/92
VOID
1925 ORDER NEVER EXECUTED
T3N
63-00278
63-00279
VOID SWNW
Lot 4
CONVERTED TO SUBDIVISIONS 1/91
GREEN SHADED AREA SHOWS POSSIBLE BOUNDARIES PER QQ FOR IRRIGATED LAND IN DECREED RIGHT
63-00249
3 AC. NESW PER ACCOMPLISHED TRANSFER SRBA
BARBER PARK
Ridenbaugh CANAL
ACRES SOUTH OF Ridenbaugh CANAL IRRIGATED BY THIS CANAL. ?
1988 Lot 7 Barber Point Subd.
NEW YORK CANAL
East Amity Road
BOISE AVE
X = 1 Acre Lot 7 owned by Applicant
25 30
36 31
30 29
31 32
Attach D

24 19
25 30

WASTE WAY

BOOTH

HOLCOMB

NE¼NW

NWNW

Bubb

Lot 1

Bahler

Balance by Bubb Canal per MAP

SWNW

1A

2A

Lot 3

3rd Bahler

3A.

1A.

Ridenbaugh

SENW

Bahler

NO COLOR ON ORIGINAL MAP for Bahler land

SWNE

Lot 6

Bahler

HEADGATE

OAKS

60A

20A

NWSE

NESW

NESE

KEOGH AND RIEN CANAL WATERED by SEEPAGE

via Keogh & Rien Canal

21 AC.

via New York Canal

NENE

2A

CHAS. RIEN

2.5

P. ESKILDSON

via Keogh & Rien Canal

I.N. COSTON

KEOGH

23A

HEADGATE

3.5A

12.2A

Mill Ditch to Keogh & Rien

SHIP 3 NORTH, RANGE 2 EAST

25
36

ELEV. 3990 FT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

This is to certify that: **RIVERVIEW VENTURES**
PO BOX 9294
BOISE ID 83707

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 63-00278 :			
WILDLIFE	03/15 to 11/15	0.80 CFS	180.0 AF
AESTHETIC	03/15 to 11/15	0.80 CFS	180.0 AF
Priority: 04/01/1865			
Right No. 63-00279B :			
WILDLIFE	03/15 to 11/15	0.32 CFS	72.0 AF
AESTHETIC	03/15 to 11/15	0.32 CFS	72.0 AF
Priority: 04/01/1870			

SOURCE	TRIBUTARY OF
BOISE RIVER	SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: WILDLIFE

TWN	RGE	SEC			
03N	03E	30	Lot 6(SWNE)	Lot 5(NENW)	Lot 4(NWNW)
			Lot 3(SWNW)	SENW	NESW

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.

[illegible]

FEB 23 1994

TRANSFER NO. 4286
WATER RIGHT NO(S). 63-00278/63-00279B

CONDITIONS/REMARKS:

3. The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

Dated this 15th day of February, 1994.

Chief, Water Alloc. Bureau

MICROFILMED
FEB 23 1994

Form 222
1-87

Page 1 of 10

Transfer No. 4286

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Should questions arise during the processing of this application please contact:
SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

CHANGE Approved by
on 8/13/92 (power of Attorney)

Name of applicant Riverview Ventures Phone 336-4262

Post Office address P.O. Box 9294, Boise, Idaho 83707

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

RECEIVED
NOV 22 1993
Department of Water Resources

2. Describe the reason for the proposed changes

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
63-00249B	5/1/1895	.08 ~~0.8~~	Aesthetics/F&W	3/15	to	11/15
63-00278	4/1/1865	0.8	Aesthetics/F&W	3/15	to	11/15
63-00279	4/1/1870	0.8	Aesthetics/F&W	3/15	to	11/15
					to	

2. Total amount of water being transferred 1.68 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Boise River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	3E	30			W/J		W/J	W/J	W/J	W/J	W/J								
					2.6		2.5	2.4	2.3										

RECEIVED
NOV 19 1993
Department of Water Resources

FEB 23 1994

Total acres N/A

PART 1

6. General Information:

a. Description of diversion system Gravity diversion from the Ridenbaugh Canal pursuant to the June 5, 1937 agreement between Adolph Bahlor and the Nampa & Meridian Irrigation District.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

8/13/92

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

A part of the land presently irrigated will be no longer irrigated. Part of the water formerly used for irrigation will mitigate consumptive impacts from the application filed by Wood Duck Island (63-11923). The balance will be used under this transfer for aesthetics and fish and wildlife habitat or will remain in the Ridenbaugh Canal.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

_____

FEB 23 1994

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00249

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	1.00 CFS

SOURCE	TRIBUTARY OF
BOISE RIVER	SNAKE RIVER

Priority: 05/01/1895

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	02E	25		NESE			
	03E	30	Lot	7(NESE)			

CONDITIONS/REMARKS:

1. TRANS. 153 CHANGE P/D ONLY.

FEB 23 1994

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
NOV 22 1993
Department of Water Resources

Changes approved by [signature] on 8/13/92

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-00249 Decreed to ~~Adolph Bayler~~ Charles Reid & Jane Reid

in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District

dated 1/18/1906 in Fourth Judicial District County of Ada

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. 153 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 Quit Claim Deed

3. Source of water Boise River tributary to Snake River

4. Date or priority 5/1/1895

5. Water is used for the following purpose:

amount 1.0 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15 (Assumed)

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

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

6. Total amount of water under right 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6	~~NE~~	~~NE~~	SW	~~30~~	3N	3E	Ada	Ridenbaugh Canal per prior transfer
		NW		29				

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	2E	25													~~X~~				~~X~~
3N	3E	30													~~X~~				~~X~~
															Lot 7		FEB 23 1994		
				Per App.			and	total	not	specified	in	deed,							
				Assume			.02	cfs/ac	→	50	acres.	NESW							5.30
				included	per		exchange	transfer	in	SRBA.	SEE								

item 63 on pg 4.

Total acres 50

9. Describe any other water rights used for the same purpose as described above 63-00279; 63-00280

PART 2

Transfer No. _____

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 CHANGES approved by SRBA on 8/13/92

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 (cfs/ac-ft) .08 for Irrigation purposes from 3/15 to 11/15
   amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh CANAL

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	3E	30									3				1				4
															Lot 7				
		SEE COPY OF AG3-00249B																	

accomplished transfer per SRBA - most likely from acres in L.7 S.30 as Ridenbaugh Canal was developed.

Total acres 4

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* Balance of right

1. amount (cfs/ac-ft) _____ for _____ purposes from remains unchanged and is to _____
   amount (cfs/ac-ft) _____ for _____ purposes from owned by other parties
   amount (cfs/ac-ft) .92 for Irrigation purposes from 3/15 to 11/15

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6		NW	SW	29	3N	3E	Ada	Ridenbaugh Canal

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	2E	25													23				23
		30													L.7 23				

Assumed 50 acres per 1.00 ; ASCS photo for 1987 shows ≈ 27 Ac. L.7 minus 1 acre owned by applicant minus 3 acres NESW = 23 acres left for L.7

Total acres 46

RECEIVED FEB 3 1994

Page _____ of _____ TRANS NO. 4286

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **63-00278**

STAGE: DECREED

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.80 CFS

SOURCE	TRIBUTARY OF
BOISE RIVER	SNAKE RIVER

Priority: 04/01/1865

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
03N	03E	30	Lot 6(SWNE)	Lot 5(NENW)	SENW	

CONDITIONS/REMARKS:

1. TRANS. 77 & 154.

FEB 23 1994

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2 RECEIVED (Change approved by ~ 8/13/92)
(Attach one copy for each right)
NOV 22 1993
Department of Water Resources

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 63-00278 Decreed to Adolph Bahler
   in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District
   dated 1/18/1906 in Fourth Judicial District county of Ada
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 153 (77 i 1543) 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 Quit Claim Deed
3. Source of water Boise River tributary to Snake River
4. Date or priority 4/1/1865
5. Water is used for the following purpose:
   amount .80 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15 (assumed)
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .8 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6	~~NE~~	~~NE~~	SW	~~30~~	3N	3E	Ada	Ridenbaugh Canal per gain transfer
		NW		29				

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	3E	30			~~2~~ Lot 6		~~2~~ Lots 5			~~40~~									~~84~~
					acreage and total not specified in deed, assume .02 cfs/ac → 40 acres														FEB 23 1994

Total acres ~~84~~ 40

9. Describe any other water rights used for the same purpose as described above 63-00279; 63-00249

PART 2

Transfer No. _____

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

RECEIVED
FEB 23 1994

Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **63-00279**

STAGE: DECREED

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.80 CFS

SOURCE	TRIBUTARY OF
BOISE RIVER	SNAKE RIVER

Priority: 04/01/1870

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 29, Township 03N, Range 03E
ADA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
03N	03E	30	Lot 6(SWNE)	Lot 5(NENW)	SENW	

CONDITIONS/REMARKS:

1. TRANS. 77 & 152.
2. FROM BAHLER CANAL TO RIDENBAUGH CANAL. CHANGE IN P/D ONLY.

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
NOV 22 1993
Department of Water Resources

Changes approved by [signature] dtd 8/13/92

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 63-00279 Decreed to Adolph Bahler
      in case of Farmers Co-op Ditch Co. vs. Riverside Irrigation District
      dated 1/18/1906 in Fourth Judicial Dist. county of Ada
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 153 (77 & 152 ?) 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 Quit Claim Deed
3. Source of water Boise River tributary to Snake River
4. Date or priority 4/1/1870
5. Water is used for the following purpose:
   amount .80 (cfs/ac-ft) for Irrigation purposes from 3/15, assumed to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .80 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6	~~NE~~	~~NE~~	SW	~~30~~	3N	3E	Ada	Riverbrook Canal per prior transfer
		N½		29				

8. Lands irrigated or place of use:

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FEB 23 1994

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	3E	30			~~27.5~~ Lot 6		~~27.5~~ Lot 5			~~40~~									~~84~~
					Gross log		and total not specified in decree,												
							assume .02 cfs/acre → 40 acres												

(Therefore, 63-00278 + 63-00279 assume ≈ 80 acres) Total acres ~~84~~ 40

9. Describe any other water rights used for the same purpose as described above 63-00280; 63-00249

PART 2

Transfer No. _____

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

FEB 23 1994

Transfer No. [illegible]

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.

SEE ATTACHMENT "A"

FEB 23 1994

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

PART 3

B. CHANGES IN NATURE OF USE

8/13/92

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
Wildlife Habitat & Aesthetics	~~1.6~~ 1	240 days	3/15 to 11/15
	1.68		to

2. Quantity and quality of return flows and location of discharge:
See Attachment "B"

3. Describe effects on other water uses resulting from the proposed change:
No change or effect on other water rights. A portion of the land will be removed from irrigation which will more than make up any evapotranspiration loss to the system. Approximately acres will be removed from irrigation due to home construction and paving. This removal will also offset the evapotranspiration loss expected under application for permit #63-11923 for wildlife and aesthetics filed for this project.

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.

Sandra J Johnson Project Manager
(Signature of Applicant)

Subscribed and sworn to before me this 1 day of May, 19 92.

SHERL L. CHAPMAN NOTARY PUBLIC STATE OF IDAHO

Sherl L Chapman
(Notary Public)

My commission expires 6/14/94

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 6 attachments

Received by DRT Date 5/6/1992 Protest filed by _____

Prelim. check by SL Fee 50.00 W014644 _____

Receipted by DRT Date 5/6/1992 _____

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 9/3 & 9/10/1992 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DRT

Copy of transfer sent to lien holder _____

WORK PAPER

FEB 23 1994



ATTACHMENT "A" 2

FEB 23 1994

PROPERTY BOUNDARY

Sandra J. Johnson is hereby authorized to represent and sign all necessary documents on behalf of Boise River Ranch, Ltd. regarding the change in nature of use for all water rights on the attached described property from irrigation to wildlife and aesthetics.

BOISE RIVER RANCH, LTD.

Larry D. Knapp
General Partner

4/8/92
Date

FEB 23 1994

ATTACHMENT B

Sandra J. Johnson is hereby authorized to represent and sign all necessary documents on behalf of River View Ventures regarding the change in nature of use for all water rights on the attached described property from irrigation to wildlife and aesthetics.

RIVER VIEW VENTURES

William D. Tate
President

4/8/92
Date

FEB 23 1994

EXHIBIT A

LEGAL DESCRIPTION

PARCEL A

A portion of the SE 1/4 NW 1/4, and the NE 1/4 SW 1/4, and Government Lots 3, 4, 5 and 6, of Section 30, T. 3N., R. 3E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the section corner common to Sections 24 and 25, T. 3 N., R. 2 E., B.M., Ada County, Idaho; thence East along the section line common to said Sections 19 and 30, 611.00 feet to a steel pin; thence South 0° 16' 10" East, 851.15 feet to a steel pin; thence South 19° 29' West 97.31 feet to the real point of beginning; thence South 19° 29' West 384.24 feet to an existing steel pin being on the line established by the letter of agreement between Harris and Bahler; thence West along said line, 268.50 feet to a steel pin on the Southwesterly right-of-way line of the Ridenbaugh Canal; thence along said right-of-way line whose chord bears South 56° 31' 50" East 133.00 feet to a point; thence along said right-of-way line whose chord bears South 59° 55' 50" East 105.37 feet to a point; thence along said right-of-way line whose chord bears South 55° 13' 20" East 102.91 feet to a point; thence along said right-of-way line whose chord bears South 49° 00' East, 100.85 feet to a steel pin; thence South 48° 26' 30" West 193.01 feet to a steel pin on the Northeasterly right-of-way of Boise Avenue; thence South 41° 33' 30" East along said right-of-way 40.69 feet to a steel pin; thence North 48° 26' 30" East 94.40 feet to a steel pin; thence South 89° 36' East 63.61 feet to a steel pin; thence South 39° 29' East 39.45 feet to a steel pin; thence South 18° 29' East 232.49 feet to a steel pin; thence South 30° 34' East 168.10 feet to a steel pin; thence South 40° 57' East 388.40 feet to a steel pin; thence South 48° 26' 30" West 12.98 feet to a steel pin on the Northeasterly right-of-way line of Boise Avenue; thence South 41° 33' 30" East along said right-of-way line, 402.42 feet to an intersection with the mid-section line of

FEB 23 1994

said Section 30 from which a brass cap marking the West one-quarter corner of Section 30 bears West, 1261.57 feet; thence East along said mid-section line, 523.88 feet to a point; thence South 27° 30' West (shown of record to be South 27° 41' West), 98.33 feet to a point; thence South 69° 24' East (shown of record to be South 69° 13" East), 460.65 feet to a point; thence South 77° 01' East (shown of record to be South 76° 50' East), 139.93 feet to a point; thence South 89° 46' East (shown of record to be South 89° 35' East), 133.82 feet to a point; thence North 0° 11' West (shown of record to be North), 281.24 feet to an auto axle marking the center of said Section 30; thence East along said mid-section line, 1329.70 feet to a steel pin in an existing fence line; thence North along said fence, 10.18 feet to a steel pin; thence South 78° 41' East along said fence, 137.78 feet to an intersection with the original governmental meander line on the left bank of the Boise River; thence North 58° 15' West along said meander line; 608.92 feet to a point; thence South 67° 37' 40" West 22.50 feet to a point; thence North 89° 21' 30" West 235.57 feet to a point; thence North 85° 55' 40" West 145.28 feet to a point; thence South 87° 31' 20" West 166.77 feet to a point; thence North 87° 30' 20" West 335.93 feet to a point; thence North 57° 37' 10" West 333.82 feet to a point; thence North 36° 50' 40" West 196.03 feet to a point; thence North 14° 34' 20" West 330.33 feet to a point; thence North 1° 04' 40" West 207.34 feet to a point; thence North 11° 07' 20" West 67.35 feet to a point; thence South 65° 58' 30" West 415.09 feet to a steel pin; thence North 65° 38' 50" West 725.76 feet to a steel pin; thence North 47° 17' West 492.28 feet to the real point of beginning.

FEB 23 1994

PARCEL B

A tract of land in the Northwest quarter of Section 30, T. 3N., R. 3E., B.M., Ada County, Idaho, more particularly described as follows:

COMMENCING at the section corner common to Sections 24 and 25, T. 3N., R. 2E., B.M., and to Sections 19 and 30, T. 3N., R. 3E., B.M., thence East along the Section line common to said Sections 19 and 30, 611.00 feet to a point; thence South 0° 16' 10" East, 154.53 feet to the real point of beginning; thence continue South 0° 16' 10" East, 696.62 feet to a steel pin; thence South 19° 29' West, 97.31 feet to a steel pin; thence South 47° 17' East, 492.28 feet to a point; thence South 65° 38' 50" East, 725.76 feet to a point; thence North 65° 58' 30" East, 415.09 feet to a point on the Westerly boundary line of the Green Belt property; thence North 11° 07' 20" West along said line, 85.30 feet to a steel pin; thence North 1° 47' 20" East along said line, 90.14 feet to a steel pin; thence North 25° 20' 50" West along said line, 280.42 feet to a steel pin; thence North 28° 28' 30" West along said line, 181.87 feet to a steel pin; thence North 37° 39' 40" West along said line, 101.76 feet to a steel pin; thence North 45° 52' 50" West along said line, 85.42 feet to a steel pin; thence North 32° 20' 40" West along said line, 143.13 feet to a steel pin; thence North 42° 36' 20" West along said line, 78.28 feet to a steel pin; thence North 62° 13' 40" West along said line, 346.93 feet to a steel pin; thence North 77° 47' 30" West along said line, 237.90 feet to a steel pin; thence North 69° 26' 40" West along said line, 384.34 feet to the real point of beginning.

RECORDED
FEB 28 1994

8864066

QUITCLAIM DEED

TRINITY INVESTMENTS INTERNATIONAL, INC., an Idaho corporation, GRANTOR, pursuant to a plan for liquidation adopted December 15, 1988, at 9 a.m., does hereby transfer, convey, release, remise, and forever quitclaim unto Larry S. Knapp, A married man as his sole and separate property, whose address is P.O. Box 7613, Boise, Idaho 83707, and Ronald S. Hall, a married man, whose address is 8001 E. Del Rubi Drive, Scottsdale, Arizona 85258, GRANTEES, all of Grantor's right, title and interest in and to that certain real property, situate in Ada County, Idaho, described as follows:

PARCEL A

A portion of the SE 1/4 NW 1/4, and the NE 1/4 SW 1/4, and Government Lots 3, 4, 5 and 6 of Section 30, T. 3 N., R. 3 E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the section corner common to Sections 24 and 25, T. 3 N., R. 2 E., B.M., and Section 19 and 30, T. 3 N., R. 3 E., B.M., Ada County, Idaho; thence East along the section line common to said Sections 19 and 30, 611.00 feet to a steel pin; thence South 0°16'10" East, 851.15 feet to a steel pin; thence South 19°29' West 97.31 feet to the real point of beginning; thence South 19°29' West 384.94 feet to an existing steel pin being on the line established by the letter of agreement between Harris and Painter; thence West along said line, 268.50 feet to a steel pin on the Southwesterly right-of-way line of the Ridenbaugh Canal; thence along said right-of-way line whose chord bears South 56°31'50" East 103.[illegible] feet to a point; thence along said right-of-way line whose chord bears South 59°58'50" East 105.37 feet to a point; thence along said right-of-way line whose chord bears South 55°13'20" East 102.91 feet to a point; thence along said right-of-way line whose chord bears South 49°00' East, 100.65 feet to a steel pin; thence South 45°26'30" West 153.01 feet to a steel pin on the Northeasterly right-of-way of Boise Avenue; thence South 41°[illegible]'20" East along said right-of-way 30.69 feet to a steel pin; thence North 49°26'30" East [illegible] feet to a steel pin; thence South 85°[illegible] East 61.01 feet to a steel pin; thence South 30° 29' East 32.45 feet to a steel pin; thence South 15°19' East 232.49 feet to a steel pin; thence South 30°34' East 168.10 feet to a steel pin; thence South 40°57' East 360.40

MICROFILMED

QUITCLAIM DEED - 1
e501.q.3

FEB 23 1994

feet to a steel pin; thence South 48°25'30" West 12.98 feet to a steel pin on the Northeasterly right-of-way line of Boise Avenue; thence South 41°33'30" East along said right-of-way line, 402.42 feet to an intersection with the mid-section line of said Section 30 from which a brass cap marking the West one-quarter corner of Section 30 bears West 1761.67 feet; thence East along said mid-section line, 823.89 feet to a point; thence South 27°30' West (shown of record to be South 27°41' West), 98.33 feet to a point; thence South 69°24' East (shown of record to be South 69°13' East) 460.63 feet to a point; thence South 77°01' East (shown of record to be South 76°50' East) 139.93 feet to a point; thence South 83°44' East (shown of record to be South 83°35' East) 133.81 feet to a point; thence North 0°11' West (shown of record to be North), 281.24 feet to an axle marking the center of said Section 30; thence East along said mid-section line, 1329.70 feet to a steel pin in an existing fence line; thence North along said fence, 10.18 feet to a steel pin; thence South 78°41' East along said fence, 137.78 feet to an intersection with the original government meander line on the left bank of the Boise River; thence North 58°15' West along said meander line; 608.92 feet to a point; thence South 67° 37'40" West 22.50 feet to a point; thence North 89°21'30" West 235.57 feet to a point; thence North 85°56'40" West 145.28 feet to a point; thence South 87°31'20" West 186.77 feet to a point; thence North 87°30'20" West 335.93 feet to a point; thence North 57°07'10" West 333.82 feet to a point; thence North 36°50'40" West 196.03 feet to a point; thence North 14°34'20" West 330.50 feet to a point; thence North 1°44'40" West 307.34 feet to a point; thence North 11°07'20" West 67.35 feet to a point; thence South 65°58'30" West 413.09 feet to a steel pin; thence North 65°38'50" West 725.76 feet to a steel pin; thence North 47°17' West 492.20 feet to the real point of beginning.

Containing approximately 54.46 acres.

PARCEL B

A tract of land in the Northwest quarter of Section 30, T. 3N., R. 2E., B.M., Ada County, Idaho, more particularly described as follows:

COMMENCING at the Section corner common to Sections 24 and 25, T. 3N., R. 2E., B.M., and to Sections 19 and 30, T. 3N., R. 3E., B.M., thence East along the Section line common to said Sections 19 and 30, 511.00 feet to a point; thence South 0°16'10" East, 154.53 feet to the real point of beginning; thence continue South 0°16'10" East, 692.62 feet to a steel pin; thence South 19°29' West 97.31 feet to a steel pin; thence South 47°17' East, 492.28 feet to a point; thence South 65°38'50" East, 725.76 feet to a point; thence North 65°58'30" East, 415.09 feet to a point on the westerly boundary line of the Green Belt property; thence North 11°07'20" West along said line, 85.30 feet to a steel pin; thence North 1°47'20" East along said line, 90.14 feet to a steel pin; thence North 25°20'50" West along said line, 280.42 feet to a steel pin; thence North 28°28'30" West along said line, 181.87 feet to a steel pin; thence North 37°30'40" West along said line, 101.76 feet to a steel pin; thence North 45°52'50" West along said line, 88.42 feet to a steel pin; thence North 32°20'40" West, along said line, 143.13 feet to a steel pin; thence North 42°36'20" West along said line, 78.28 feet to a steel pin; thence North 62°13'40" West along said line, 946.90 feet to a steel pin; thence North 77°47'30" West along said line, 237.90 feet to a steel pin; thence North 69°26'40" West along said line, 304.34 feet to the real point of beginning.

Containing approximately 27.6 acres.

SUBJECT TO all encumbrances thereupon.

TO HAVE AND TO HOLD the said premises with their appurtenances, unto GRANTEES, their heirs and assigns forever, as tenants in common with equal ownership and without right of survivorship.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 30th day of December, 1988.

GRANTOR: TRINITY INVESTMENTS INTERNATIONAL, INC.

By _____
Larry D. Knapp, President

ACKNOWLEDGEMENT

STATE OF IDAHO)
) ss
County of Ada)

On this 10th day of December 1992, before me a Notary Public in and for said State, personally appeared LARRY D. KNAPP, known or identified to me to be the president of the corporation 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 first above written.

Notary Public for Idaho
Residing at [redacted], Idaho
Commission Expires [redacted]

Ada County, Idaho
Request of
Fee
Date

QUITCLAIM DEED - 4
0501 315

WARRANTY DEED

FOR VALUE RECEIVED

BOISE RIVER RANCH LTD, an Idaho Limited Partnership

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

SEE ATTACHED EXHIBIT "B" ATTACHED THEREOF

GRANTEE(S), whose current address is:
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A" ATTACHED THEREOF

91 00011

BOISE TITLE & ESCROW
BBelveal

'91 JUN 6 PM 4 36

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s), and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: **June 5, 1991**

Larry D. Knapp, Co-General Partner

Boise River Ranch LTD, an Idaho Limited Partnership

Ronald S. Hall Co-General Partner

ACKNOWLEDGEMENT — Partnership

STATE OF Idaho County of Ada ss

On this 5th day of June
in the year of 1991 before me, the undersigned, a Notary Public in and for said State, personally appeared Larry D. Knapp and Ronald S. Hall as co-general partners
known or identified to me to be co- of the partners in the partnership of Boise River Ranch LTD, an Idaho Limited Partnership
and the partners who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Signature:
Name: Alan D. Bendawald (type or print)

Residing at: Boise, Idaho
My commission expires: 6/17/91

87-009C

STATE OF IDAHO, COUNTY OF
I hereby Certify that this instrument was filed for record at the request of

at minutes past o'clock m., this day of 19 , in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder
By
Deputy.
Fee $
Mail to:

& Escrow, Inc.

FEE

EXHIBIT "B"

Grantee consists of RIVERVIEW VENTURES, an Idaho Joint Venture, which consists of LAND-VEST VENTURES INC., an Idaho Corporation, THE DEVELOPMENT GROUP, INC., an Idaho Corporation, and REAL ESTATE VENTURES, INC., an Idaho Corporation.

FEB 23 1994

HUBBLE ENGINEERING, INC.
7025 Emerald • Suite 200 • Boise, Idaho 83704 (208) 322-8992 • Fax (208) 378-0329

EXHIBIT "A"

Proj.:89-015 2/19/91

WOOD DUCK ISLAND B
PHASE I

REVISED DESCRIPTION FOR
WOOD DUCK ISLAND NO. 1 SUBDIVISION
PORTIONS OF GOVERNMENT LOT 6, SE 1/4 NW 1/4 AND
THE NE 1/4 SW 1/4, SECTION 30
T.3N., R.3E., B.M.,

A parcel of land lying in portions of Government Lot 6, SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4, all in Section 30, T.3N., R.3E., B.M., Boise, Ada County, Idaho and more particularly described as follows:

Commencing at the brass cap marking the section corner common to Sections 24 and 25, T.3N., R.2E., B.M., Section 19 and the said Section 30;

thence South 0°23'07" West 2,650.97 feet along the Westerly boundary of the said NW 1/4 of Section 30 to a brass cap marking the one-quarter corner common to the said Sections 25 and 30;

thence South 89°37'34" East (formerly described as South 89°37'37" East) 1,537.44 feet along the Southerly boundary of the said NW 1/4 of Section 30 to a 2-inch pipe, also said point being the REAL POINT OF BEGINNING (INITIAL POINT);

thence continuing South 89°37'34" East (formerly described as South 89°37'37" East) 246.93 feet along the said Southerly boundary of the NW 1/4 of Section 30 to an iron pin;

thence South 28°35'00" West 98.47 feet (formerly described as 98.46 feet) to an iron pin;

thence South 69°07'17" East 460.66 feet to a steel axle;

thence South 76°26'35" East 140.06 feet to an iron pin;

thence South 89°15'18" East 133.87 feet to an iron pin on the Easterly boundary of the said SW 1/4 of Section 30;

FEB 23 1994

thence North 0°22'12" East 280.94 feet along the said Easterly boundary of the SW 1/4 of Section 30 to a steel axle marking the Southwest corner of the said Government Lot 6 of Section 30;

thence along the following courses and distances to iron pins:

South 89°37'34" East 5.00 feet along the Southerly boundary of the said Government Lot 6 of Section 30;

thence North 10°00'00" West 109.04 feet;

thence South 82°55'00" West 14.95 feet to a point of curve;

thence Southwesterly along a curve to the left 23.29 feet, said curve having a central angle of 66°43'25", a radius of 20.00 feet, tangents of 13.17 feet and a long chord of 22.00 feet bearing South 49°33'17" West to a point of ending of curve, also said point being a point of beginning of curve;

thence Northwesterly along a curve to the left 100.16 feet, said curve having a central angle of 34°46'51", a radius of 165.00 feet, tangents of 51.68 feet and a long chord of 98.63 feet to a point of ending of curve, also said point being a point of beginning of curve;

thence Southeasterly along a curve to the left 27.40 feet, said curve having a central angle of 78°29'44", a radius of 20.00 feet, tangents of 16.34 feet and a long chord of 25.31 feet bearing South 57°50'08" East to a point of tangent;

thence North 82°55'00" East 39.44 feet;

thence North 4°32'00" East 23.02 feet;

thence North 47°10'00" West 58.85 feet;

thence North 32°47'01" East 99.60 feet;

thence North 57°12'59" West 310.00 feet;

FEB 23 1994

thence North 36°26'03" West 195.81 feet;

thence North 14°09'46" West 20.75 feet;

thence South 69°57'00" West 212.00 feet;

thence South 87°02'00" West 83.67 feet;

thence South 88°05'42" West 60.00 feet to a point of beginning curve;

thence Southeasterly along a curve to the right 69.53 feet, said curve having a central angle of 11°32'47", a radius of 345.00 feet, tangents of 34.88 feet and a long chord of 69.41 feet bearing South 1°07'55" East to point of compound curve;

thence Southwesterly and continuing along a curve to the right 31.37 feet, said curve having a central angle of 89°52'11", a radius of 20.00 feet, tangents of 19.95 and a long chord of 28.25 feet bearing South 49°34'34" West to a point of reverse curve;

thence Westerly along a curve to the left 10.33 feet, said curve having a central angle of 8°11'54", a radius of 185.14 feet, tangents of 5.17 feet and a long chord of 10.33 feet bearing North 87°05'18" West to a point of ending of curve;

thence South 1°18'46" West 40.00 feet;

thence South 0°41'14" East 71.71 feet;

thence South 20°00'00" West 222.00 feet;

thence South 56°27'00" West 97.00 feet;

thence South 88°11'00" West 100.00 feet;

thence North 63°26'00" West 319.00 feet;

thence North 39°32'00" West 173.69 feet;

thence South 48°49'58" West 93.23 feet;

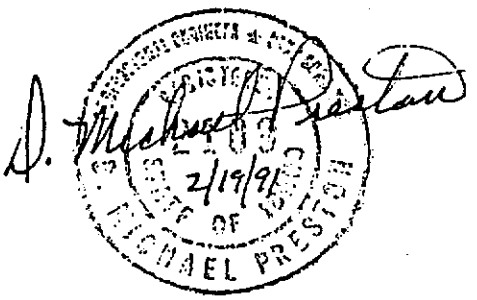
thence South 40°33'32" East 28.68 feet;

thence South 48°49'58" West 13.56 feet to a point on the Northeasterly right-of-way line of East Boise Avenue;

thence South 41°10'02" East 584.25 feet along the said Northeasterly right-of-way line of East Boise Avenue to a point having a witness corner iron pin bearing North 49°01'51" East 8.03 feet from said point;

thence North 49°01'51" East 207.78 feet to the point of beginning, comprising 15.44 acres, more or less.

Prepared by
HUBBLE ENGINEERING, INC.



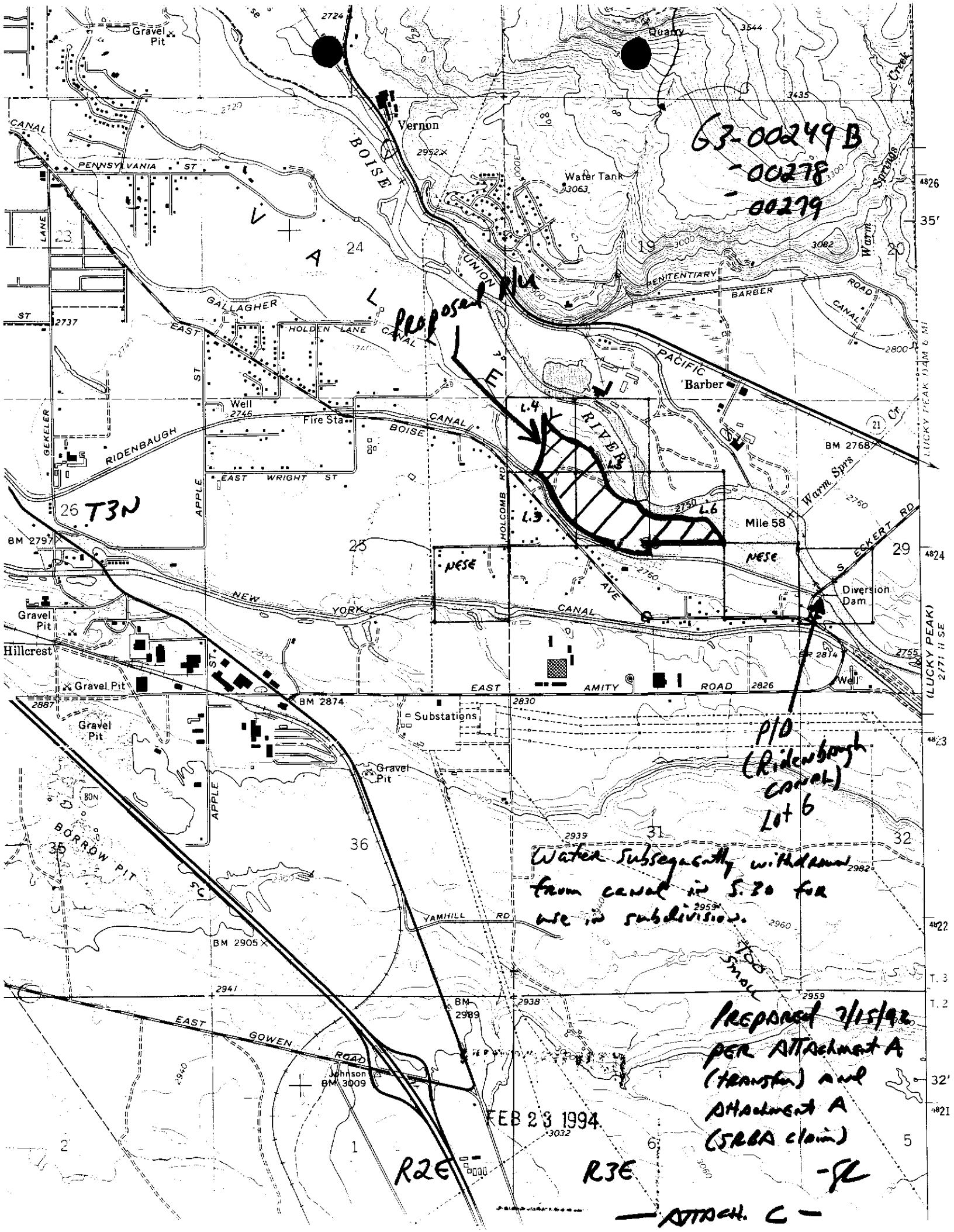
D. Michael Preston, P.E./L.S.

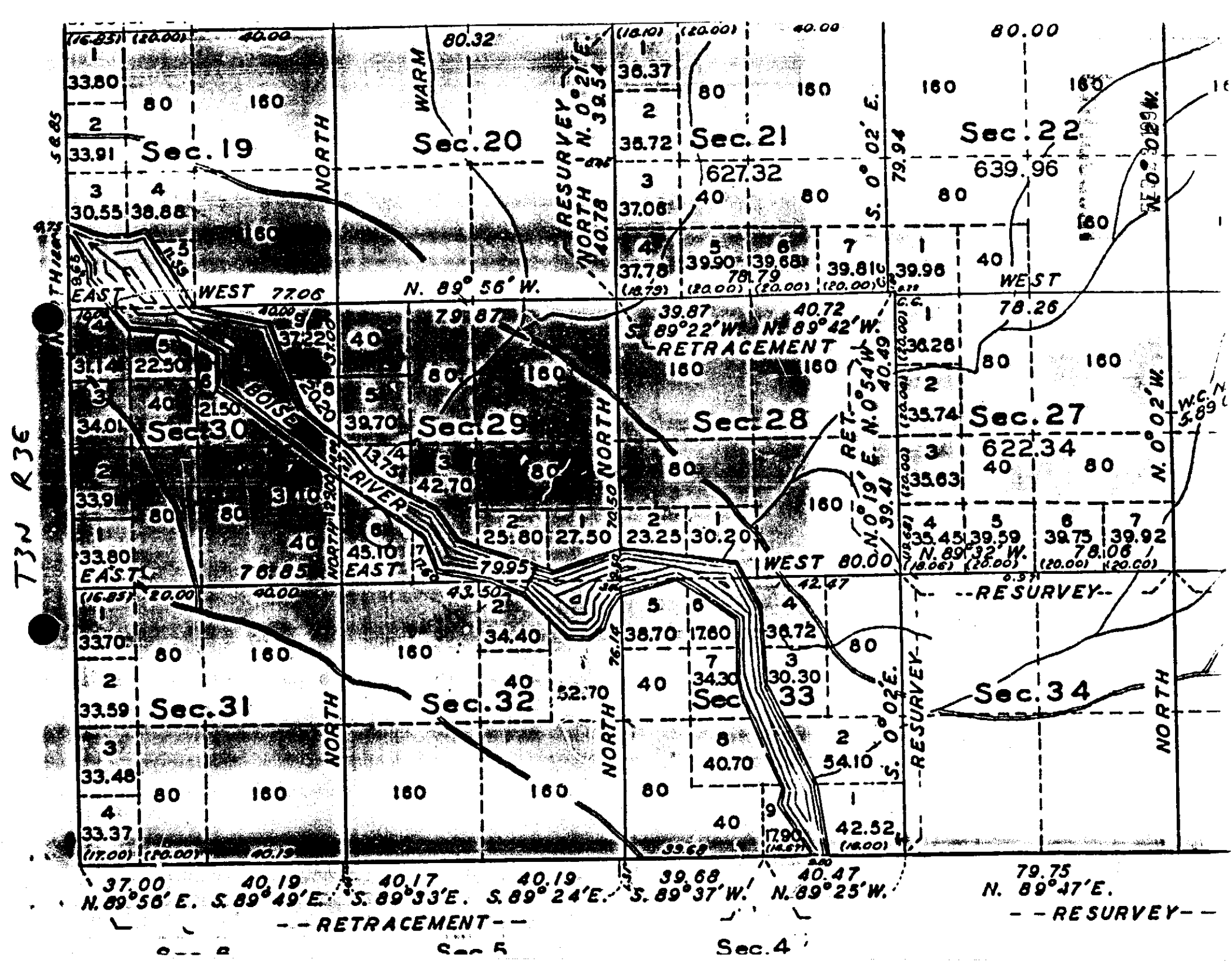
DMP/GLR/cms
724.des

ATTACHMENT B

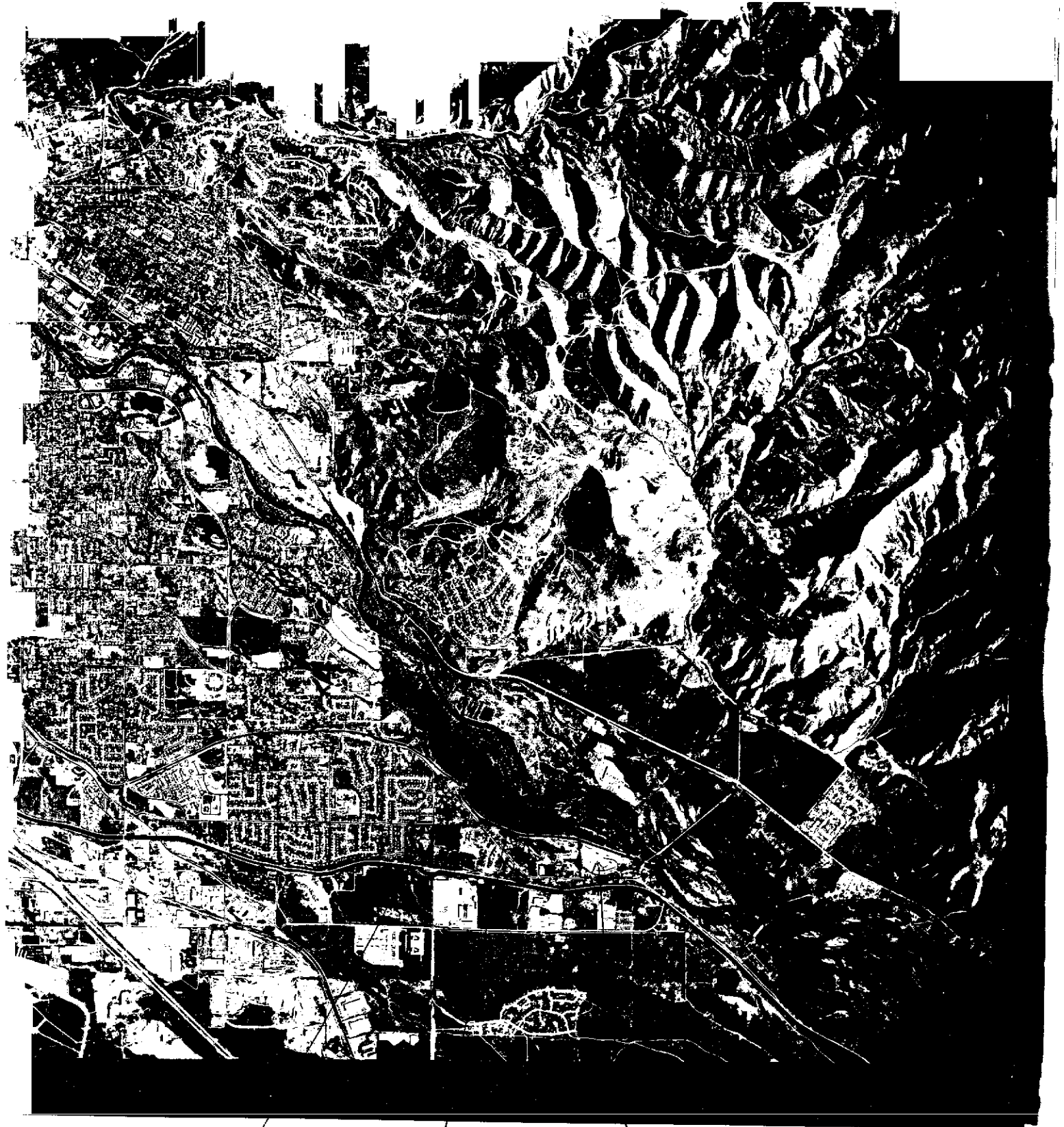
Nearly all of the water diverted will return directly to the Boise River or Loggers Creek. Water percolating to the ground water system will re-enter the river as inflow. The only loss from the system will be in the form of evapotranspiration. Water quality will be unchanged although some turbidity may be removed when water is diverted during periods of high flow.

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FEB 23 1994


63-00249B
-00278
-00279
Proposed NEW
P/D (Ridenbaugh canal) Lot 6
Water subsequently withdrawn from canal in S.20 for use in subdivision.
PREPARED 2/15/94 PER ATTACHMENT A (TRANSFER) AND ATTACHMENT A (SRBA claim)
FEB 23 1994
ATTACH. C
Vernon
Barber
Mile 58
Diversion Dam
Hillcrest
Gravel Pit
Substations
Water Tank
Fire Sta
Well
Quarry
BM 2797
BM 2874
BM 2905
BM 2989
BM 2768
Johnson BM 3009
PENNSYLVANIA ST
GALLAGHER
EAST WRIGHT ST
HOLDEN LANE
RIDENBAUGH
NEW YORK CANAL
BOISE CANAL
UNION PACIFIC
PENITENTIARY
BARBER ROAD CANAL
EAST AMITY ROAD
YAMHILL RD
EAST GOWEN ROAD
S ESKERT RD
APPLE ST
HOLCOMB RD
GEKELER LANE
BORROW PIT
RIVER
NESE
T3N
R2E
R3E
T. 3
T. 2


T3N R3E
Sec. 19
Sec. 20
Sec. 21
Sec. 22
Sec. 30
Sec. 29
Sec. 28
Sec. 27
Sec. 31
Sec. 32
Sec. 33
Sec. 34
Sec. 5
Sec. 4
NORTH
WEST 77.06
N. 89° 56' W.
627.32
639.96
WEST
78.26
622.34
WEST 80.00
N. 89° 32' W.
78.06
79.75
N. 89° 47' E.
37.00
N. 89° 56' E.
40.19
S. 89° 49' E.
40.17
S. 89° 33' E.
40.19
S. 89° 24' E.
39.68
S. 89° 37' W.
40.47
N. 89° 25' W.
--RETRACEMENT--
--RESURVEY--
BOISE RIVER


R36
63-00278
63-00279
63-00249
accomplished transfer
63-00278 + 00279
accomplished transfer
63-00249
1987 ASCS PHOTO
NESE S.30 "1988 N/A" = last irrigated in 1987, withdrawn for subd. development in 1988. Per ASCS info.
NOTE Would Duck Island area connected to subdivision land 1/91.
NOTE 63-00278 & 63-00279 should include ~ 5½ acres S of L.3 Survey S 30 North of Ridenbaugh Canal - see deeds & previous transfer info, exclusion of this land appears to be error in database.
—BL 7/16/92
VOID
BUT RECORD INDICATES 5½ AC. IN SW¼
T3N
Ridenbaugh Canal
ACRES South of Ridenbaugh Canal formerly part of Canal. ? NO IRRIG. South of Canal
NEW YORK CANAL
EAST Amity Rd
BOISE AVE
T81



NESE 5.25 acres; shows some irrigation 1987

"Barker" acres; irrigated

Barker Dist. Subd. acres; not irrigated 1987

NAPP 7-6-1987 X59

FEB 23 1994

total area served by Barker account under Rights 63-00249, -00278, -00279 } complete overlap 2 Rights } partial overlap 3 Rights

Attachment D1

RECEIVED
MAY 15 1992

WOOD DUCK
I · S · L · A · N · D

May 27, 1992

To Whom It May Concern:

RE: Power of Attorney

We hereby grant Power of Attorney to Sherl L. Chapman for the purpose of signing documents on behalf of Riverview Ventures and Boise River Ranch to modify the point of diversion for water rights on properities owned by the two entities. A copy of the legal description the property involved is attached hereto.

Sandra J. Johnson, Riverview Ventures

Larry D. Knapp, Boise River Ranch

FEB 23 1994

ATTACH C

P.O. Box 9294 • Boise, Idaho 83707
Information Center • 2800 East Boise Avenue

HUBBLE ENGINEERING, INC.

9550 Bethel Court ▪ Boise, Idaho 83709 208/322-8992 ▪ Fax 208/378-0329

RECEIVED
FEB 4 1993
Department of Water Resources
Western Regional Office

November 10, 1992

Sherl Chapman
Sherl L. Chapman Consulting, Inc.
410 South Orchard, Suite #144
Boise, Idaho 83705

RE: Wood Duck Island Property

Dear Sherl,

In answer to your letter of October 14, 1992, I have investigated your questions of whether the Wood Duck Island property does include a portion of Government Lot 7, Section 30, T.3N., R.3E., B.M. The metes and bounds legal description you referenced, which I have attached here to, does in fact encompass a portion of said Government Lot 7. I have underlined the courses in the metes and bounds description which describe this area and I have also enclosed a copy of our Record of Survey No. 1741, recorded in Ada County Records, with the area in Government Lot 7 circled.

I hope this will resolve the problem and if you have any further questions or comments please feel free to call me.

Sincerely,
HUBBLE ENGINEERING, INC.

Jim Washburn
Chief of Surveys

cc: Sandi Johnson

JRW/tlp/050.ltr

FEB 23 1994

Attach F

NOV 13 1992

EXHIBIT A

LEGAL DESCRIPTION

PARCEL A

A portion of the SE 1/4 NW 1/4, and the NE 1/4 SW 1/4, and Government Lots 3, 4, 5 and 6, of Section 30, T. 3N., R. 3E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the section corner common to Sections 24 and 25, T. 3 N., R. 2 E., B.M., Ada County, Idaho; thence East along the section line common to said Sections 19 and 30, 611.00 feet to a steel pin; thence South 0° 16' 10" East, 851.15 feet to a steel pin; thence South 19° 29' West 97.31 feet to the real point of beginning; thence South 19° 29' West 384.24 feet to an existing steel pin being on the line established by the letter of agreement between Harris and Bahler; thence West along said line, 268.50 feet to a steel pin on the Southwesterly right-of-way line of the Ridenbaugh Canal; thence along said right-of-way line whose chord bears South 56° 31' 50" East 133.00 feet to a point; thence along said right-of-way line whose chord bears South 59° 55' 50" East 105.37 feet to a point; thence along said right-of-way line whose chord bears South 55° 13' 20" East 102.91 feet to a point; thence along said right-of-way line whose chord bears South 49° 00' East, 100.85 feet to a steel pin; thence South 48° 26' 30" West 193.01 feet to a steel pin on the Northeasterly right-of-way of Boise Avenue; thence South 41° 33' 30" East along said right-of-way 40.69 feet to a steel pin; thence North 48° 26' 30" East 94.40 feet to a steel pin; thence South 89° 36' East 63.61 feet to a steel pin; thence South 39° 29' East 39.45 feet to a steel pin; thence South 18° 29' East 232.49 feet to a steel pin; thence South 30° 34' East 168.10 feet to a steel pin; thence South 40° 57' East 388.40 feet to a steel pin; thence South 48° 26' 30" West 12.98 feet to a steel pin on the Northeasterly right-of-way line of Boise Avenue; thence South 41° 33' 30" East along said right-of-way line, 402.42 feet to an intersection with the mid-section line of

FEB 8 8 1996

said Section 30 from which a brass cap marking the West one-quarter corner of Section 30 bears West, 1261.57 feet; thence East along said mid-section line, 523.88 feet to a point; thence South 27° 30' West (shown of record to be South 27° 41' West), 98.33 feet to a point; thence South 69° 24' East (shown of record to be South 69° 13" East), 460.65 feet to a point; thence South 77° 01' East (shown of record to be South 76° 50' East), 139.93 feet to a point; thence South 89° 46' East (shown of record to be South 89° 35' East), 133.82 feet to a point; thence North 0° 11' West (shown of record to be North), 281.24 feet to an auto axle marking the center of said Section 30; thence East along said mid-section line, 1329.70 feet to a steel pin in an existing fence line; thence North along said fence, 10.18 feet to a steel pin; thence South 78° 41' East along said fence, 137.78 feet to an intersection with the original governmental meander line on the left bank of the Boise River; thence North 58° 15' West along said meander line; 608.92 feet to a point; thence South 67° 37' 40" West 22.50 feet to a point; thence North 89° 21' 30" West 235.57 feet to a point; thence North 85° 55' 40" West 145.28 feet to a point; thence South 87° 31' 20" West 166.77 feet to a point; thence North 87° 30' 20" West 335.93 feet to a point; thence North 57° 37' 10" West 333.82 feet to a point; thence North 36° 50' 40" West 196.03 feet to a point; thence North 14° 34' 20" West 330.33 feet to a point; thence North 1° 04' 40" West 207.34 feet to a point; thence North 11° 07' 20" West 67.35 feet to a point; thence South 65° 58' 30" West 415.09 feet to a steel pin; thence North 65° 38' 50" West 725.76 feet to a steel pin; thence North 47° 17' West 492.28 feet to the real point of beginning.

ORIGINAL
DEC 23 1994

Form 13-A

RECEIVED
MAY 16 1937
Department of Reclamation

Affidavit for Change of Point of Diversion of Decreed Water Right

63-0278

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

Adolph Bahler, being first duly sworn, deposes and says: That his postoffice address is Boise Idaho; That he is the owner of and using a certain water right, bearing date of priority of April 1, 1865, ~~19~~, for 0.80 cubic feet per second of the waters of Boise River, County of Ada, State of Idaho, decreed to Adolph Bahler, by decree of Judge Ed L. Bryan, of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers Co-Op. Ditch Co vs. Riverside Irrig. Dist. Ltd. et al said decree bearing date of ....., for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 12 A., in the County of Ada, and State of Idaho, to-wit: SE¼NW¼ and Lots 5 and 6, Sec 30. T 3 N. R 3 E. B. M.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: .....

That said waters are now diverted from said stream in the NW ¼ SW ¼ of Sec. 29, Twp. 3N, Range 3E, and conducted to the above described lands through the Bahler ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NW ¼ of SW ¼, Sec. 29, Twp. 3N, Range 3E, and thereafter conduct same to the above described land through the Ridenbaugh ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: To avoid trouble with river sand

That no one will be injured by such change and that such change will be made at affiant's own risk.

Adolph Bahler
Affiant.

Subscribed and sworn to before me this 15th day of May, 1937.

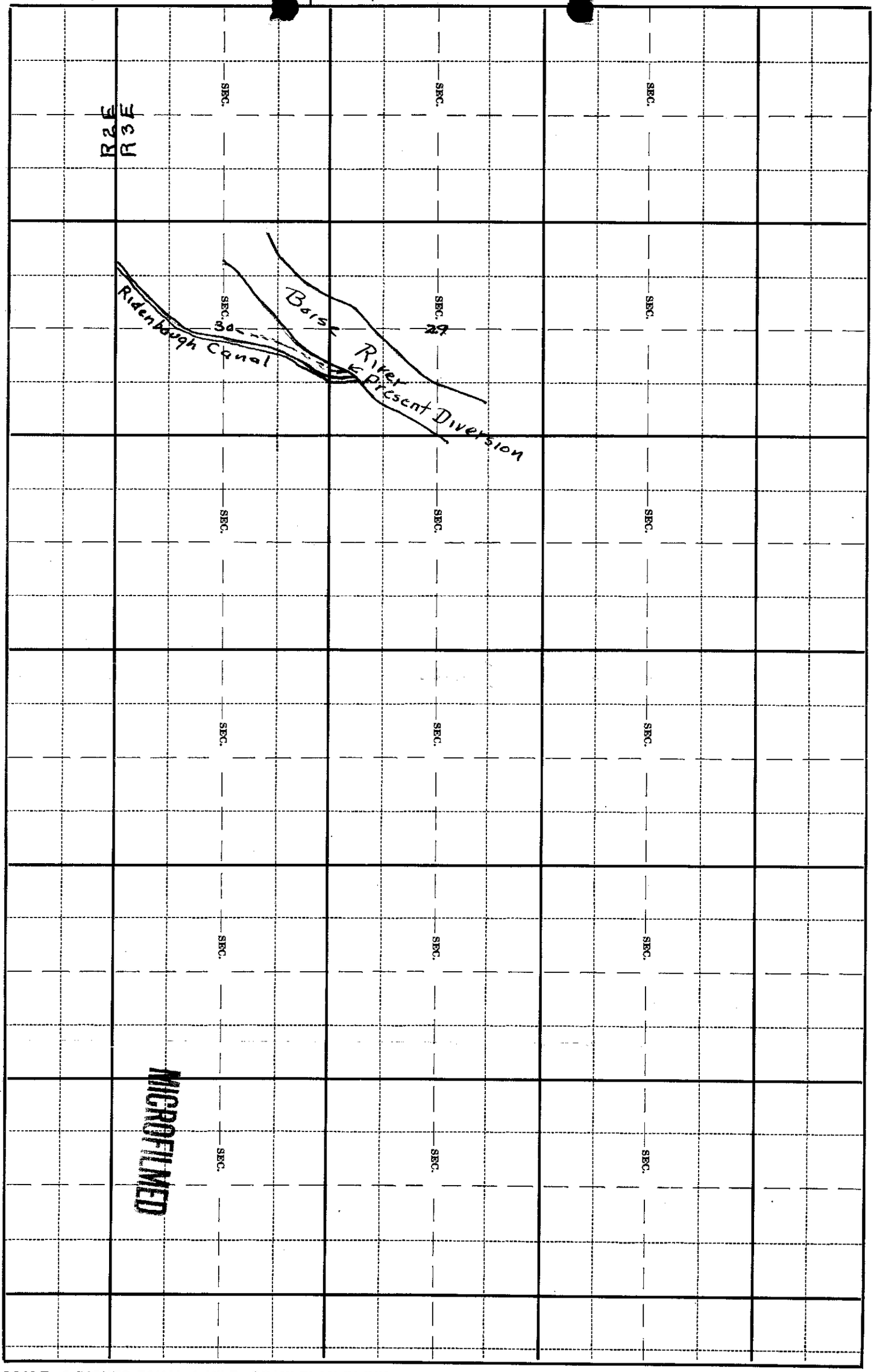
Frank K. Jamison
Notary Public for the State of Idaho
Residing at Boise, Idaho

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

FILED

NAME OF APPLICANT Adolph Bahler

FORM NO. O



MICROFILMED

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

63-0278

In the matter of the application of Adolph Bahler for an order to change the point of diversion of his water on Boise River.

ORDER

Upon the written application of Adolph Bahler, filed herein, and it satisfactory appearing therefrom that an order should be made granting to him permission to change the point of diversion of 80 inches of water from Boise River to be used upon: The Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) and Lots 5 and 6; and all that portion of Lot 3 lying North of what is known as the Ridenbaugh Canal, being about five and one-half acres, all situated in Section 30, Township 3 North of Range 3 East, Boise Meridian, situated in Ada County, Idaho.

It is therefore ordered that the point of diversion of said water of said Adolph Bahler on Boise River be, and the same is, hereby changed to be diverted at a point on the Southerly bank of Boise River, being about 20 feet North of the Southeast corner of Lot 6 in Section 30, Township 3, North of Range 3 East, Boise Meridian, Ada County, Idaho.

And it is further ordered that the Water Master on Boise River do supervise the making of such change and have constructed all necessary measuring devices at said point to measure out from said River said water to said Adolph Bahler, and that all costs and expenses incurred in the making of such change and the construction of such measuring devices are to be paid by the said Adolph Bahler, and such change shall be made at the sole risk of the said Adolph Bahler.

MICROFILMED

Dated March_____, 1925.

IN THE MATTER OF THE APPLICATION OF ADOLPH BAHLER FOR AN ORDER TO CHANGE THE POINT OF DIVERSION OF HIS WATER ON BOISE RIVER.

ORDER

630278

STATE OF IDAHO,)
(ss.
COUNTY OF ADA.)

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

That he is the owner of a decreed water right appurtenant to the following described land, to wit:

The Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) and Lots 5 and 6; and all that portion of Lot 3 lying North of what is known as the Ridenbaugh Canal, being about five and one-half acres, all situated in Section 30, Township 3 North of Range 3 East, Boise Meridian, as evidenced by the decree dated the 25th day of March, 1925, in the cause entitled, "Farmers Co-operative Ditch Company, a corporation, v. Riverside Irrigation District, Limited, et al., (said action being commonly known as the Boise River Priority Suit), Defendants, and Adolph Bahler, Intervenor, brought in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon.

That he intends to change the point of diversion, as described in said decree, to the following described point:

At a point on the Southerly bank of Boise River and being about 20 feet North of the Southeast corner of Lot 6 in Section 30, Township 3 North of Range 3 East, Boise Meridian, in Ada County, State of Idaho.

That such change will be made for the following reasons, to wit:

That the course of said River, where said water is now being taken out through what is known as the "Bubb Canal", has changed, making it too high and difficult to practically control and deliver said water upon the said land of affiant, and that the change of the said point of diversion from said "Bubb Canal" to the above described

MICROFILMED

changed point of diversion will make it possible for affiant's said water to be diverted to him and upon his said land from said River.

That no one will be injured by such change, and that deponent will make such change at his own risk.

And further deponent saith not.

Adolph Bohler

Subscribed and sworn to before me this 26th, day of March, 1925.

Wm C Dunbar
Notary Public for Idaho,
Residence: Boise, Idaho.

My commission expires Dec, 13, 1926

N

Boise River

Lot 4

4 Lots
Bahler

Bahler Canal

1A.

2A.

Bahler
Lot 3

9± A.
Bahler

3A.

Bahler

Headgate

Lot 6
Bahler

Part of Diversion applied for.

W.

1A.

Sec. 30
T. 3 N. R. 3 E. B.M.

E

Ridenbaugh Canal

P.E. SALIEDSON

I. N. COSTON

KEOOH.

Highway

S

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

February 18, 1994

RIVERVIEW VENTURES
PO BOX 9294
BOISE ID 83707

RE: Transfer of Water Right Nos. 63-00278 and 63-00279B

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4286). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
FEB 23 1994

TRANSFER REVIEW SHEET

Transfer # 4286 **Date Reviewed** 02-03-94/28

Right(s) ~~63-00249~~ _____ _____ _____ _____

63-00278 _____ _____ _____ _____

63-00279 _____ _____ _____ _____

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use (G)Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Option Agreement - Exhibit B & F
Total Acres Found 66.2 - 40 Acres/00278 16/00279
Acres Owned — 56

Transfer ✓ **All of Right** (00278/.8 cfs) ✓ **Portion of Right** (00279/.32 cfs) **(Part B** ✓ **)**

Resulting Split(s) 00279 Parts A & B
A = .48/.08 - 4 Acres verified
B = .32/16 Acres

Check Transfer Against Right

(1) ✓ **Priority** **(2)** ✓ **Use** **(3)** ___ **Season** **(4)** ✓ **Rate** **(5)** D/4.5 **Volume**

(6) ✓ **Source** **(7)** ✓ **P/D** **(8)** ___ **P/U** **(9)** ✓ **Proof/Owner** **(10)** ✓ **Map**

(11) 63 **Water District** **(12)** NONE **Pertinent Conditions** **(13)** NO **Expansion**

(3) Standard Season 3-15 to 11-15
(5) VOL limits per IRR Requirements 278 - 40 x 4.5 = 180 afa
279 - 16 x 4.5 = 72 afa
(8) Change P/U

* See File for extensive review & Steve Lester's Memo of 11-15-93.

Transfer Remarks Region Conditions 2 & 3

Conditions B04

Database/Processing Notes I files 278 & 279 A & B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	RIVERVIEW VENTURES	04/01/1865	WILDLIFE	03-15	11-15	0.80 CFS	180.00 AFA
	PO BOX 9294		AESTHETIC	03-15	11-15	0.80 CFS	180.00 AFA
	BOISE ID 83707				TOTAL DIVERSION:	0.80 CFS	180.00 AFA
	(208) 336-4262						

Water Source: BOISE RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T03N R03E S29 NWSW ADA County

Place of use Legal Description for: WILDLIFE

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
03N	03E	30			06-W		05-W	04-W	03-W	W	W							

Place of use location for AESTHETIC is the same location as described for: WILDLIFE

Pou County: ADA

Other Water Rights Listing Overlapping Place(s) of use:
63-00278 63-00279 63-02392 63-10864 T63-00279A

Conditions of Approval:
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 63.

Remarks: The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.
The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

Dates: App. Received: Priority Date: 04/01/1865
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 63 Field Exam Fee:

Comments: Date: 02/03/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4286
Transfer No. 4286 was originally filed reflecting Right Nos.

Comments: Date: 02/03/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4286
63-00249/00278 and 00279, but after thorough review 63-00249 was
removed from the approval. All of Right 63-00278 and part of
63-00279 were found available to be transferred. See file for
full explanation.

Audit: 02/03/94 SKAGGS 02/04/94 SKAGGS 02/04/94 SKAGGS 02/14/94 SKAGGS

WR0750NP
(OD-138)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 02/04/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

		NE				NW				SW				SE				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
WR-NUMBER	SOURCE	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
T63002798	T03N R03E S30	BOISE RIVER																
⊄ T6300278				06-X		05-X	04-X	03-X	X	X								
A6300243B	BOISE RIVE						04-21	03-01										22
6300249	BOISE RIVE													07-I				
A6300249	BOISE RIVE													07-01				1
6300278	BOISE RIVE			06-I		05-I			I									
A6300278	BOISE RIVE			06-07		05-03	04-07	13	21	03								54
6300279	BOISE RIVE			06-I		05-I			I									
A6300279	BOISE RIVE			06-07		05-03	04-07	13	21	03								54
T6300279A	BOISE RIVE			06-I		05-I			I									
6300365	WARM SPRIN				08-I													
A6300365	WARM SPRIN	04																4
6302388	BOISE RIVE																	
A6302388	BOISE RIVE																	
6302392	DRAIN A					I	I	I	I	I	I							
A6304511	GROUNDWATE							01										1
6304999	GROUNDWATE										02-16							16
6307304	GROUNDWATE																13	13
6308181	GROUNDWATE													07-05				5
A6308181	GROUNDWATE													07-05				5
6310617	GROUNDWATE																06	6
6310864	GROUNDWATE							03-0										
6311195	GROUNDWATE														04			4
A6315659	GROUNDWATE									01								1
	C1Q-X 59								39	29					39	03	19	129
NO QTRS	MAPPING	Lot02-28	Lot03-34	Lot04-34	Lot05-20	Lot06-30	Lot07-33	Lot08-07	Lot09-31									

Original & Transferred P/U

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

COMMENTS LETTERS
(1) WATERMASTER
(2) SEE BACK OF THIS PAGE →

INITIAL REVIEW BY: JL

1. Right number 63-00349 -00278 -00279 Applicant Riverview Ventures C/O Steve Chapman
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. 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 use
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☒ All of right. 00278 & 00279
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).* 00279
   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. Attachments B & F
   h. ☒ Check for expansion in use of right. Comments See 8/16/93 memo
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) None. (63-00280 Mining is the land to NE)
   j. ☒ Is use within a Watermaster District? ☑ Yes ☐ No
      If yes, what district? 63 Comment letter sent ☐ Yes ☐ No

all of 63-00278
63-00279
plus portion of 63-00349 as 63-00279B

RECEIVED
NOV 19 1993
Department of Water Resources

FINAL PROCESSING REVIEW BY: DR

1. Watermaster recommendation requested on 8/16/1993 Received on 9/3/1993
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☐ Yes ☑ No

NOTE - 63-00279A appears to be error in records. Previous Transfer of 00279 was split change only. Records show "split" of all of water in 00279 to 00279A but with same owner. Doesn't make sense. Purge from records?

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* See Attached page of Proposed Conditions.
   Note also the thorough analysis of this app conducted by Steve Lester dated 11/3/1993, with attachments. Note that we recommend approval for only 0.8 cfs (63-00278) 180 AFA
   0.32 cfs (63-00279B.) 72 AFA
   1.12 cfs Total 252 AFA Total
4. By DR Date 11/17/1993

* *All uses within Watermaster Districts require special conditions.*

Proposed Conditions of Approval

Application for Transfer in the Name of Riverview Ventures

1. These water rights are subject to control by the Watermaster of Water District 63, Boise River.

2. The water right holder shall install and maintain a measuring device and lockable controlling works at the point where water is diverted from the Ridenbaugh Canal.

3. The period of use of the water rights represented herein is limited to the period of irrigation diversions via the Ridenbaugh Canal.

DRS 11/4/93

FEB 23 1994

MEMORANDUM

TO: FILE

FROM: STEVE LESTER SL

DATE: NOVEMBER 15, 1993

SUBJECT: TRANSFER APPL. FOR 63-00249, 63-00278, 63-00279, Wood Duck Island

(Revised per review by DRT)

****

The transfer application proposes to change irrigation water under the Bahler water rights to a water amenity ditch through Wood Duck Island Subdivision just west of Barber Park. The lawns in the subdivision are and will be irrigated by Boise Water Corporation. The reviewer's task is to verify the number of acres irrigated within the last five years by these rights. The application was filed in 5/92 and the preceeding five year period dates to early 1987.

Some history will be helpful in this task. The Bahler rights were decreed as nos. 278 and 279 for a total of 80" within a common place of use north of the Ridenbaugh Canal in SWNE and E 1/2 NW 1/4, Sec. 30. Right no. 249 was decreed to Rein and Keoh (Keogh?) for 50" for land south of the canal in NESE Sec. 25 and NESE Sec. 30. The duty of water in the decree is assumed to be 1"/acre.

Bahler transferred the P/D for 80" in nos. 278 and 279 in 1925 to a point in Lot 6 in the southeast corner of SWNE Sec. 30. IDWR documents indicate by a 1925 letter and unexecuted order (Attachment A)[1] that the rights were used on the decreed P/U plus 5.5 acres in Lot 3 (SWNW) Sec. 30.

In 1937, Bahler transferred the P/D for 50" in right 249 to the Ridenbaugh Canal. No change in P/U is mentioned, although current information from the Nampa-Meridian Irrigation District (NMID) indicates that canal water is not and has not been delivered to land above the canal (Attachment B). The decreed P/U for no. 249 was above the Ridenbaugh Canal. By 1937, all three rights were part of the Bahler account as it is now referred to by NMID.

See Attachment C for P/U defined in the decree. The 1904 map is found in the S.O. Vault and is presumed to be the basis for the decreed P/U. It is not clear why Bahler acres in Lot 3 (SWNW) are in the 1904 map and post-decree department documents but not included in the decree. Based on 8/21/92 details provided by John Anderson of NMID, approximately 80" have been delivered to the Bahler account for use on lands north of the Ridenbaugh Canal in the vicinity of the subdivision. The key here is delivery to lands north of the canal. We can assume an accomplished P/U transfer for most or all of right no. 249 and for portions of right nos. 278 and 279 based on the records described thus far.

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1. Attachments are memo attachments unless specified as application attachments. See the application for the latter.

1994

SRBA claims for the Bahler rights document an accomplished transfer (Attachment D). Claim A63-00249B lists four acres, while claims A63-00278 and 279 define 54.6 acres. All of the acres, 55.6 unique acres, are north of the canal. See Application Attachment D, a 1987 ASCS photo depicting the irrigated acres north of the canal.[2] These are the acres that have received water via the Bahler account that includes all three water rights. The ASCS photo shows the decreed P/U for the rights and acres served by accomplished transfer(s). Note that canal irrigation for land south of the canal cannot be verified for the past five years (and most likely for many preceeding years). Irrigation in the decreed P/U for rights 278 and 279 is clearly seen. The other acres covered by the rights require some explanation.

The accomplished transfer(s) in SRBA claims for rights 278 and 279 is easily seen in the photo for land in NWNW, SWNW, and NESW Sec. 30. The acres in the top of NWSE are clearly irrigated and are immediately adjacent to irrigated ground in SWNE and NESW. These (NWSE) acres are not owned by the applicant, but it is clear to this reviewer that NWSE acres should be considered part of the Bahler account (why wouldn't they be?).

The acres north of the canal in NESE Sec. 30 should also be included. The applicant owns one acre in west end of this area (the X in Appl. Attachment D). Another 4.2 acres are irrigated as part of Barber Park. Within the last two or three years, the park's 4.2 acres were irrigated from the canal via portable pumps (see Attachment B, information from park manager). More than ten years ago, a pump and pipe system was used for this purpose at the location marked as "defunct pipes" on the ASCS photo. Now the park acres are served by a well, license no. 63-11195 shown as Attachment E. However, the park manager stated that the park still pays for its allotment of canal water and has used it within the last five years (but the forfeiture clock is ticking on this parcel). One can conclude from this information that acres south of the canal in NESE Sec. 30 were shifted to this piece north of the canal more than five years ago. Thus, 4.2 acres for the park and 1 acre for the applicant are included as part of the Bahler rights in NESE.

See Attachment F for a summary of the consultant's conclusions about historical use of the rights. This reviewer concurs with the consultant's thought that the nature of farming bottom lands along the Boise River prior to modern flood control developments makes it difficult to be precise when documenting historical practices.

Regarding SRBA claims, the applicant claimed 54.6 acres in rights 278 and 279 and four acres in right 249B, although only one additional unique acre is shown in A63-00249B when compared with A63-00278 and 279. The three claims define 55.6 unique acres. The reviewer did somewhat the same thing but included additional acres in NESE and NWSE as previously explained. The number of acres that can be verified in the transfer is 66.2 acres from the original 130 implied acres in the decree. All three rights represent an accomplished transfer(s) and have been used on the verified acres.

---

2. Also see Application Attachment D1, 1987 Napp information.

FEB 23 1994

Because a common P/U for the rights was developed by accomplished transfer, acres per right can be assigned in a manner to maximize senior rights. Thus, 40 acres will be covered by 63-00278 and 16 acres will be under 63-00279 for the applicant. Remaining verified acres can be shown as portions of 279 for other owners. Junior right 249 and unused portion of 279 appear forfeited, although other information might emerge in the SRBA review to refute evidence of forfeiture.

Designation of acres per right was based on decreed P/U and IDWR information linking use to accomplished transfers. It is recognized that some arbitrary elements may occur in this process since the record is not without gaps. See Attachment G for an acreage summary, especially item G in the attachment.

Average ditch loss for this reach of the Ridenbaugh Canal was estimated as .375% as documented in Attachments H and I. Total ditch loss for 66.2 acres is only .005 cfs, and such a negligible amount can be ignored or placed in 63-00279A if necessary. Ditch loss was ignored in the following summary of recommended rights in this transfer.

Resulting Flows for Rights and Portions Thereof

To determine the rate of flow a right or partial right should have, multiply the number of verified acres by the duty of water per acre. Use the data in Attachment G, item G to compute values.

1. Applicant's portion -

a) 63-00278: 40 X .02 = .80 cfs (all of the 1865 water)

b) 63-00279B: 16 X .02 = .32 cfs (part of the 1870 water)

c) 63-00249B: Redundant coverage of 4 acres, allow 0 cfs of implied .08 cfs claimed in A63-00249B (part of the 1895 water)

Total: 56 acres = 1.12 cfs (senior water maximized)

2. Other owners' portions -

a) 63-00279C: 4.2 X .02 = .084 cfs (1870 water, Barber Park in NESE S.30)

b) 63-00279D: 6 X .02 = .12 cfs (1870 water, unknown owner for NWSE S.30)

c) 63-00279A: Balance of right appears forfeited but can be confirmed in SRBA; could allow .005 cfs ditch loss in A for total 66.2 verified acres; .80 - .32 - .084 - .12 = .276 cfs without ditch loss.

d) 63-00249A: Balance of right appears forfeited but can be confirmed in SRBA; 1.00 - .08 = .92 cfs.

FEB 23 1994

Most but not all of the 66.2 verified acres are claimed in SRBA. The unclaimed land is not owned by the applicant and can be addressed outside of the scope of this transfer.

Volume of Water Approvable in Transfer

For purposes of this transfer, it is obvious that the volume of water will not increase when aesthetic use replaces irrigation. However, some volume limit must be assigned to the new use. Some perspective from the Watermaster, Lee Sisco, would be helpful.

I spoke with Lee on 7/17/92[3] and 11/15/93 about the Bahler rights. Generally speaking, natural flow rights in a normal year are not cut to zero below the mid-1880's priority dates. In the most severe years that the Watermaster recalls (1987 and 1992), natural flow rights were cut to zero around the 1868 to 1870 mark. Lee indicated that this date is more or less the cutoff point in severe shortages, although the zero delivery period for 1870 water would amount to no more than a handful of days. Essentially, 1865 and 1870 rights are not cut to zero, especially in a normal year. The rights in question are subject to the rationing system defined by the Stewart Decree (not exempted from rationing cuts per 1990 Watermaster Report book). Even at an extended 60% delivery level under the terms of the decree, the rights could provide full volume to the acres (compare volume required to volume diverted where rate of flow exceeds 1/2 inch/acre). Therefore, the volume limit in the transfer is the irrigation requirement of 4.5 af/acre or 180 af for 63-00278 (40 acres) plus 72 af for 63-00279B (16 acres).

The full rate of flow and full volume of water for 56 acres are provided in this transfer. Additional volume analysis such as "historical method" and "combined method" used in previous Boise River transfer nos. 3373, 3559 and 3756 are not needed in this case where the two rights are old enough to escape being cut to zero in an average year.

Copies of this memo are filed with appropriate SRBA claims.

---

3. 7/17/92 telecon: Bahler Account billed for 278 second feet per year. Thus, 551.4 afa billed (278 x 1.9835), and at 4.5 afa, this is volume requirement for 123 acres (551.4 / 4.5) or about double the number of verified acres found in transfer analysis. This suggests that other land might be irrigated with these rights or that live flow and storage water make up the Bahler account for 66 acres, in which case other acres are not served. This aspect can be explored in any SRBA forfeiture investigation.

Form 13-A

RECEIVED
OCT 15 1937

Affidavit for Change of Point of Diversion of Decreed Water Right

63-0249 for right #63-207 for reader.

STATE OF IDAHO, County of Ada } ss.

Adolph Bahler, being first duly sworn, deposes and says: That his postoffice address is Boise Idaho; That he is the owner of and using a certain water right, bearing date of priority of May 1, 1895, ~~19~~, for one cubic feet per second of the waters of Boise River, County of Ada, State of Idaho, decreed to Charles Rein and Jane Keoh by decree of Judge Geo. H. Stewart, of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers Co-op. Ditch Co. vs. Riverside Irrig. Dist. Ltd., et al said decree bearing date of Jan. 18th 1906 for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 12A, in the County of Ada, and State of Idaho, to-wit: NE¼ SE¼ Sec 25 T 3 N. R 2 E. B.M. and Lot 7 Sec 30 T 3 N. R 3 E. B.M. ← refers to plat decreed in 63-00249

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Purchase of land and appurtenant water rights

That said waters are now diverted from said stream in the NW¼ SW¼ of Sec. 29, Twp. 3 N., Range 3 E., and conducted to the above described lands through the Bahler ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NW ¼ of SW ¼, Sec. 29, Twp. 3 N., Range 3 E., and thereafter conduct same to the above described land through the Ridenbaugh ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: To avoid trouble with river sand

That no one will be injured by such change and that such change will be made at affiant's own risk.

Adolph Bahler
Affiant.

Subscribed and sworn to before me this 15th day of May, 1937.

Notary Public for the State of Idaho
Residing at Boise, Idaho

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

refers to 1937 plat
Change to Ridenbaugh Canal
from 63-00249
-00278
-00279

Attachment A

63-00278

March 27, 1925

Re: District 12-A

Mr. C. C. Cavanaugh
Attorney at Law
Boise, Idaho

Dear Sir:

I have the affidavit of Adolph Bahler, relative to change of point of diversion of decreed water as evidenced by the Stewart Decree, together with the order you have prepared which I assume you desire this office to sign.

So far as I am aware the statutes make no provision for the approval or disapproval of affidavits of this nature. In the case of a permit right this office does approve such requests. However, to my knowledge it never has been done in the case of decreed water rights.

Inasmuch as the statutes provide no procedure for securing permission to change point of diversion such as is provided for transfer of place of use of decreed water and neither do they require approval of this department, I take it that such action would be unwarranted and possibly exceed the departmental authority.

Ordinary procedure is that the water master of the district be notified of such notice of intention to change point of diversion and he acts accordingly. Mr. Welch, the water master for the Boise River, will be notified of this affidavit and I take it that he will take such action as seems appropriate in the matter.

Very truly yours,

Director of Water Resources.

GNC:EK

FEB 23 1994

from 63-00278
-00279
refers to 1925 pld change to SE corner of Lot 6 (SWNE)

63-00279

STATE OF IDAHO,)
) ss.
COUNTY OF ADA.)

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

That he is the owner of a decreed water right appurtenant to the following described land, to wit:

The Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) and Lots 5 and 6; and all that portion of Lot 3 lying North of what is known as the Ridenbaugh Canal, being about five and one-half acres, all situated in Section 30, Township 3 North of Range 3 East, Boise Meridian, as evidenced by the decree dated the 25th day of March, 1925, in the cause entitled, "Farmers Co-operative Ditch Company, a corporation, v. Riverside Irrigation District, Limited, et al., (said action being commonly known as the Boise River Priority Suit), Defendants, and Adolph Bahler, Intervenor, brought in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon.

refer to P/U 63-00278 - 00279 (although decree does not include Lot 3)

That he intends to change the point of diversion, as described in said decree, to the following described point:

At a point on the Southerly bank of Boise River and being about 20 feet North of the Southeast corner of Lot 6 in Section 30, Township 3 North of Range 3 East, Boise Meridian, in Ada County, State of Idaho.

That such change will be made for the following reasons, to wit:

That the course of said River, where said water is now being taken out through what is known as the "Bubb Canal", has changed, making it too high and difficult to practically convey and deliver said water upon the said land of affiant, and that the change of the said point of diversion from said "Bubb Canal" to the above described

FEB 23 1984

from 63-00278 - 00279

In the matter of the application of Adolph Bahler for an order to change the point of diversion of his water on Boise River.

ORDER

Upon the written application of Adolph Bahler, filed herein, and it satisfactory appearing therefrom that an order should be made granting to him permission to change the point of diversion of 80 inches of water from Boise River to be used upon: The Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) and Lots 5 and 6; and all that portion of Lot 3 lying North of what is known as the Ridenbaugh Canal, being about five and one-half acres, all situated in Section 30, Township 3 North of Range 3 East, Boise Meridian, situated in Ada County, Idaho.

It is therefore ordered that the point of diversion of said water of said Adolph Bahler on Boise River be, and the same is, hereby changed to be diverted at a point on the Southerly bank of Boise River, being about 20 feet North of the Southeast corner of Lot 6 in Section 30, Township 3, North of Range 3 East, Boise Meridian, Ada County, Idaho.

And it is further ordered that the Water Master on Boise River do supervise the making of such change and have constructed all necessary measuring devices at said point to measure out from said River said water to said Adolph Bahler, and that all costs and expenses incurred in the making of such change and the construction of such measuring devices are to be paid by the said Adolph Bahler, and such change shall be made at the sole risk of the said Adolph Bahler.

Dated March_____, 1925.

ORder not executed since deemed unnecessary for p/d change.

from 63-00278 -00279

1394

63-00279

changed point of diversion will make it possible for affiant's said water to be diverted to him and upon his said land from said River.

That no one will be injured by such change, and that deponent will make such change at his own risk.

And further deponent saith not.

Adolph Rohlen

Subscribed and sworn to before me this 26th day of March, 1925.

Wm C Dunbar
Notary Public for Idaho,
Residence: Boise, Idaho.

My commission expires Dec 13, 1926

- 2m-

from 63-00278
-00279

23 1994.

CONVERSATION MEMORANDUM

DATE 8/5/93

FILE 63-00249
-00278
-00279

NAME OF PARTY SEE BELOW

EMPLOYEE Steve Lester

RE:

(1) Barber Park Mgr. = Jack 343-4240

Has worked at park for last 10 years. Pipeline on south side of Ridenbaugh Canal across from park:

- 1 gravel swivel, used to have a pump but has not used water for at least 10 yrs.
- 1 gravel crosses canal & is buried in bank on south border of park. Used to deliver water to park but not used in last 10-15 yrs., instead has used portable pumps within last 5 yrs. to irrigate 4.2 acres along canal. Due to maint. problems, switched to a well to irrigate this land in last few years (lic. # 63-11195, well for 4.2 acres).

CAN credit 4.2 acres in NESE 5-30 to canal as of 63-00249 last used in 5 years.

Local diversion for Ridenbaugh is Gary Simmons 783-0102 (called but no answer)

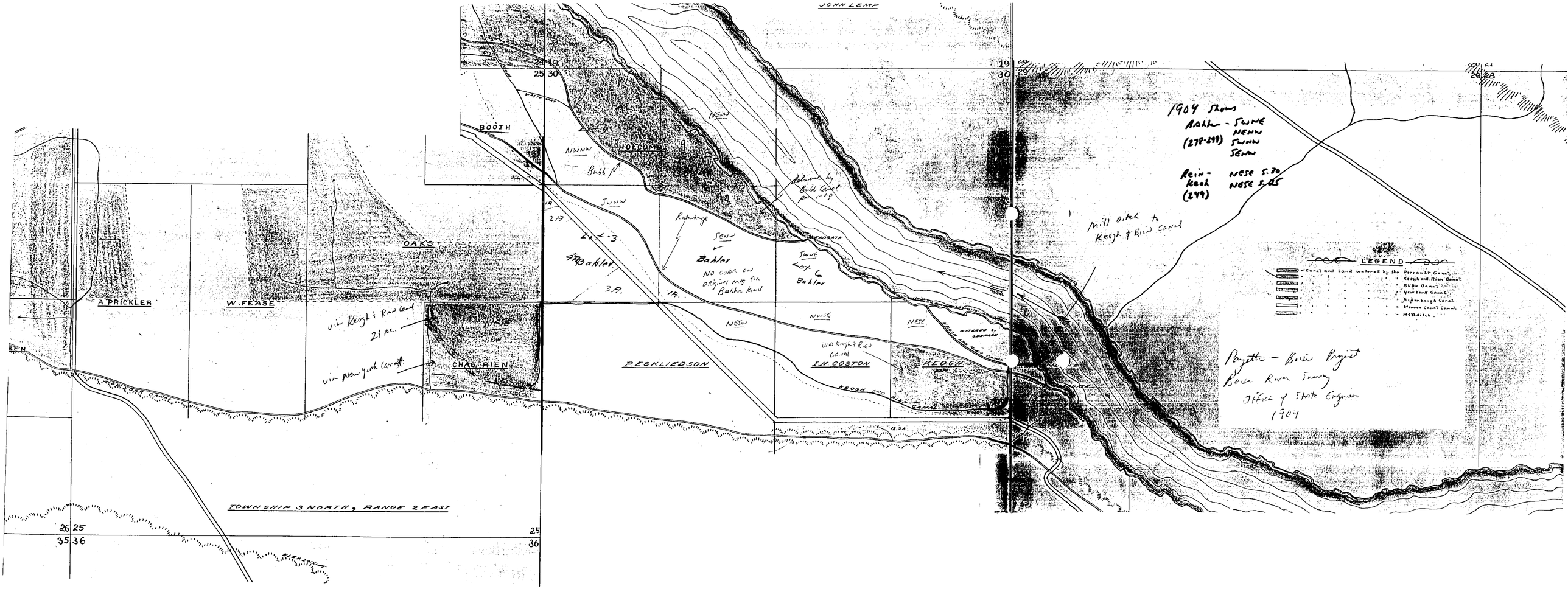
(2) Nampa meridian Irrig Dist Supt 466-[illegible] FEB 23 1994

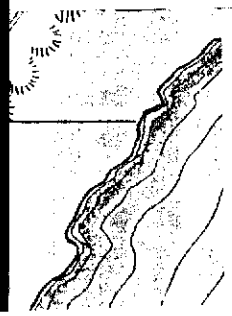
Julie Anderson on vacation.

Bill - no deliveries of canal water to land above the canal (in this case, to land south of canal). So Barber Pk Subd & other homes etc. south of canal do not receive water from canal (re: 63-00249).

NO use in last 5 years for land south of canal 1/4 in NESE 5-30 1/4 in NESE 5-25 63-00249

Attachment R


JOHN LEMP
BOOTH
HOLCOMB
OAKS
A PRICKLER
W. FEASE
CHAS. AIEN
PESKLIEDSON
IN COSTON
KEOGH
NEW YORK CANAL
KEOGH AND RIES CANAL
Bubb ft
Richardson
Bahler
No color on original map for Bahler land
Lot 6 Bahler
via Keogh & Ries Canal
21 Ac.
via New York Canal
Mill ditch to Keogh & Ries Canal
1904 Shows
Bahler - SWNE (278-279) NENW SWNW SENW
Rein-kook (249) NESE S.20 NESE S.25
LEGEND
Canal and land watered by the Perrault Canal
Keogh and Ries Canal
BUBB Canal
New York Canal
Richardson Canal
Meyers Canal Canal
Mill Ditch
Payette - Boise Project
Boise River Survey
Office of State Engineer
1904
TOWNSHIP 3 NORTH, RANGE 2 EAST
26 25
35 36
25
36
19
30
29
28
20
21



Attachment C

1904 MAP

Form No. 42-1409 (2) a 1/88

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

CIVIL CASE NUMBER: 39576

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

Ident. Number 63.00249

Date Received 7-6-92

Receipt Number W0050021

Should questions arise during the processing of this application please contact:
SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JUL - 6 1992
Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Riverview Ventures Phone (208) 336-4262

   Mailing Address P. O. Box 9294, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 5/1/1895

3. Source of water supply (a) Boise River
   which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 3E Section 29 ,
   _____ 1/4 of NW 1/4 of SW 1/4 , Govt. Lot, _____ B.M., County of Ada

   Additional points of diversion if any: None

   b. If instream flow, beginning point of claimed instream flow is: N/A

   Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of _____ 1/4,

   Govt. Lot _____ B.M., County of _____

   ending point is: Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Headgate from Boise River. Water conveyed via the Ridenbaugh Canal to a lateral ditch that serves the land. Irrigation is affected by gravity means.

FEB 23 1994

will be A63.00249B

Attachment D

5

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	Irrigation	purposes from	3/15	to 11/15	amount	.08	or 18
For		purposes from		to	amount		or
For		purposes from		to	amount		or
For		purposes from		to	amount		or

7. Total quantity claimed (a) .08 (cfs) and/or (b) 18 (acre feet)

8. Total consumptive use claimed is 14 acre feet per annum.

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

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	3E	30									3				Lot 7 1				4

Total number of acres irrigated 4

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

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
or None (X)

14. Remarks:
Applicant is filing claim for that portion of the right appurtenant to land presently owned.

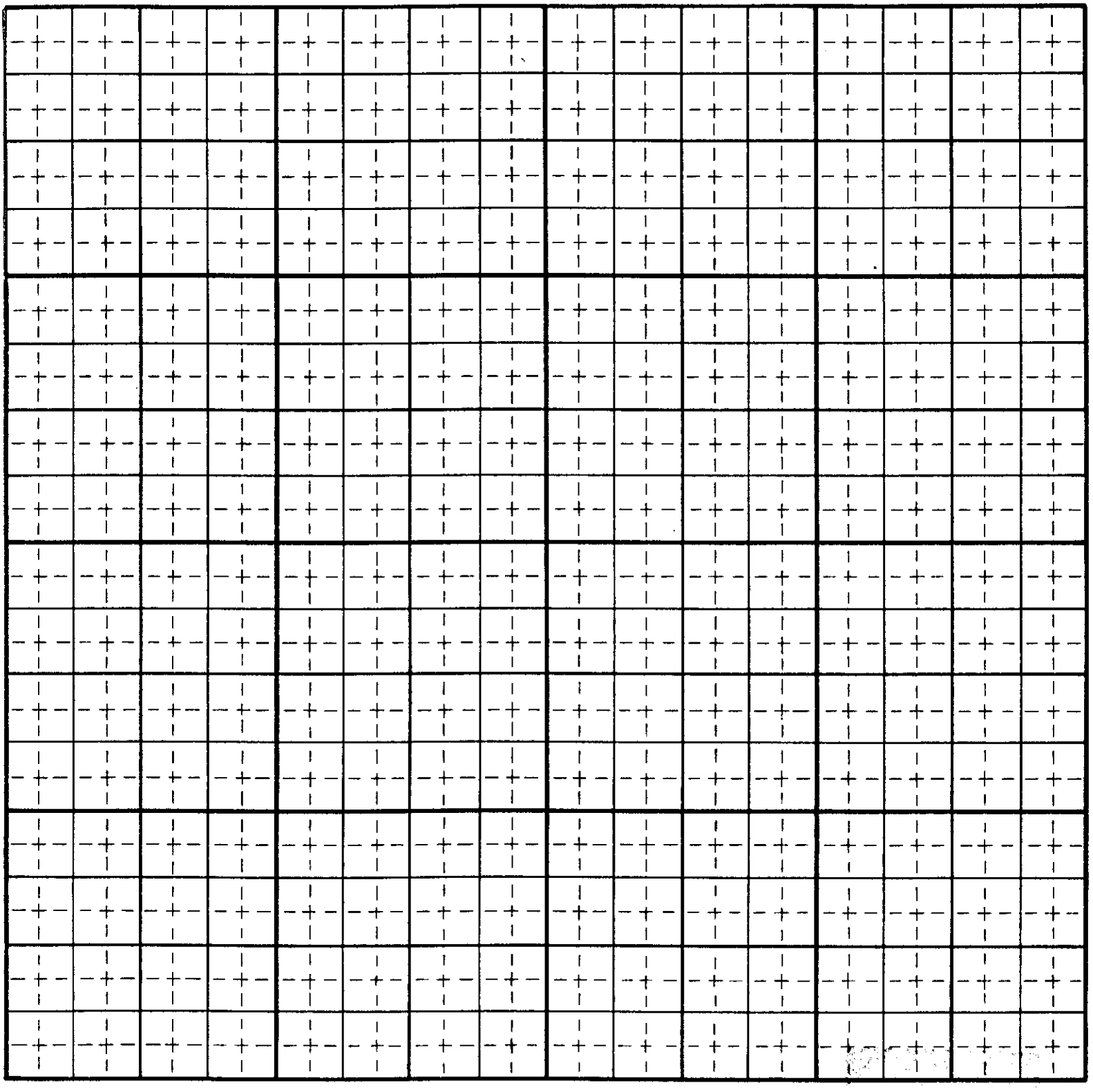
Last Name Riverview Ventures Ident No.

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHMENT "A"



FEB 22 1994

Last Name Riverview Ventures Ident No. _____ *Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-00249
Court Fourth Judicial District Case Number _____ Decree Date 1/18/1906
Plaintiff vs Defendant Farmers Co-op Ditch Co. v. Riverside Irrigation District

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary - Managing Partner (Title) of Riverview Ventures (Organization), that I have signed the foregoing document in the space below as Secretary - Managing Partner (Title) of Riverview Ventures (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Sandra J Johnson

Title and Organization Secretary - Managing Partner - Riverview Ventures Date 7-6-92

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

Subscribed and sworn (or affirmed) before me this 6 day of July 19 92

SHERL L. CHAPMAN NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Sherl Chapman

Residing at 2559 C Hillcrest, Meadows, Id

My Commission Expires 6/14/94

Please Print Name Sherl Chapman

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

FEB 82 1994

Last Name Riverview Ventures Ident. Number _____

Copies White-State, Yellow-Claimant



ATTACHMENT "A"

PROPERTY BOUNDARY

Form No. 42-1409 (2) a 1/88

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 63-00278
Date Received 7-6-92
Receipt Number W015021

Should questions arise during the processing of this application please contact:
SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL -6 1992
Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Riverview Ventures Phone (208) 336-4262

   Mailing Address P.O. Box 9294, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 4/1/1865

3. Source of water supply (a) Boise River
   which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 3E Section 29 ,
   _____ 1/4 of NW 1/4 of SW 1/4 , Govt. Lot, _____ B.M., County of Ada

   Additional points of diversion if any: None

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of _____ 1/4,

   Govt. Lot _____ B.M., County of _____

   ending point is: Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Headgate from Boise River. Water conveyed via the Ridenbaugh Canal to a lateral ditch that serves the land. Irrigation is affected by gravity means.

FEB 25

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	Irrigation	purposes from	3/15	to 11/15	amount .80	or	245
For		purposes from		to	amount	or	
For		purposes from		to	amount	or	
For		purposes from		to	amount	or	

7. Total quantity claimed (a) .80 (cfs) and/or (b) 245 (acre feet)

8. Total consumptive use claimed is 191 acre feet per annum.

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

10. Description of place of use:
    a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
    b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	3E	30			Lot 6 7		Lot5 3	Lot4 7.6	13	21	3								54.6

Total number of acres irrigated 54.6

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

12. Do you own the property listed above as place of use? Yes X No
    If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
    63-00279 or None ( )

14. Remarks:

FEB 3 1994

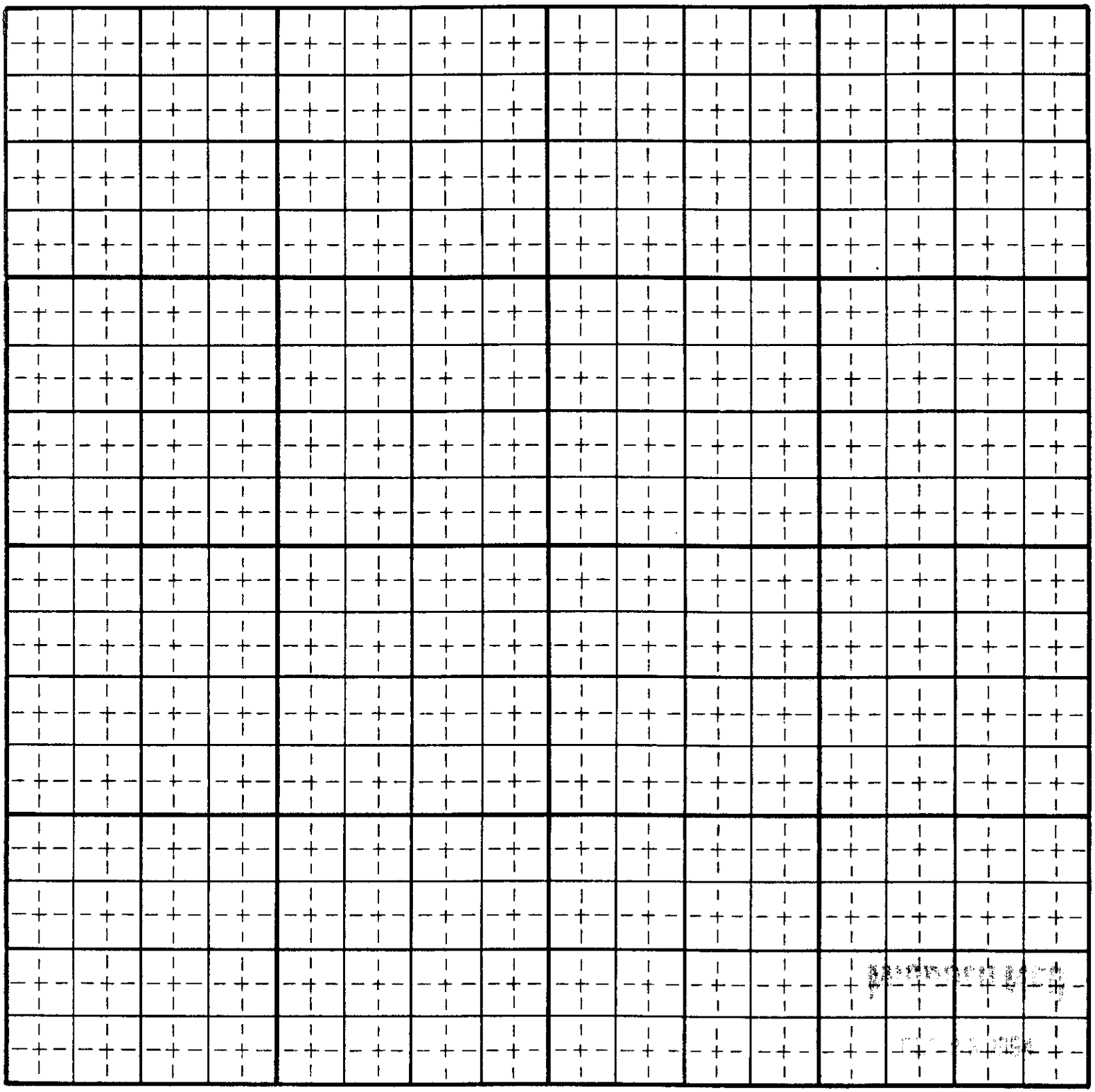
Last Name Riverview Ventures Ident No.

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHMENT "A"



Last Name Riverview Ventures Ident No. _____ *Copies: White-State, Yellow-Claimant*

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

If applicable provide IDWR Water Right Number 63-00278

Court Fourth Judicial District Case Number _____ Decree Date 1/18/1906

Plaintiff vs Defendant Farmers Co-op Ditch Co. v Riverside Irrigation District

16. Signature (s)

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

Number of attachments 1

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY - MANAGING PARTNER (Title) of Riverview Ventures (Organization), that I have signed the foregoing document in the space below as Secretary - Managing Partner (Title) of Riverview Ventures (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Sandra J Johnson

Title and Organization SECRETARY Managing Partner Riverview Ventures Date 7-6-92

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

Subscribed and sworn (or affirmed) before me this 6 day of July 19 92

SHERL L. CHAPMAN NOTARY PUBLIC STATE OF IDAHO

Notary Public Sherl Chapman

Residing at 2859 Cattle Way, Meridian Id.

My Commission Expires 6/14/94

Please Print Name Sherl Chapman

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

RECEIVED
JUL 23 1992

Last Name Riverview Ventures Ident. Number _____

Copies White-State, Yellow-Claimant



ATTACHMENT "A"

PROPERTY BOUNDARY

Form No. 42-1409 (2) a 1/88

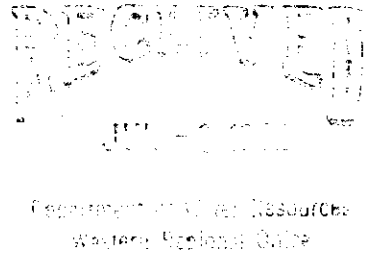
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576
Ident. Number 63-00279
Date Received 7-6-92
Receipt Number W0150021

Should questions arise during the processing of this application please contact:
SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) Riverview Ventures Phone (208) 336-4262

   Mailing Address P.O. Box 9294, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 4/1/1870

3. Source of water supply (a) Boise River
   which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 3E Section 29,
   _____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Ada

   Additional points of diversion if any: None

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

   Govt. Lot _____ B.M., County of _____

   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Headgate from Boise River. Water conveyed via the Ridenbaugh Canal to a lateral ditch that serves the land. Irrigation is affected by gravity means.

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	Irrigation	purposes from	3/15	to 11/15	amount	.80	or 245
For		purposes from		to	amount		or
For		purposes from		to	amount		or
For		purposes from		to	amount		or

7. Total quantity claimed (a) .80 (cfs) and/or (b) 245 (acre feet)

8. Total consumptive use claimed is 191 acre feet per annum.

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

10. Description of place of use:
    a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
    b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	3E	30			Lot6 7		Lot5 3	Lot4 7.6	13	21	3								54.6

Total number of acres irrigated 54.6

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

12. Do you own the property listed above as place of use? Yes X No
    If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
    63-00278 or None ( )

14. Remarks:

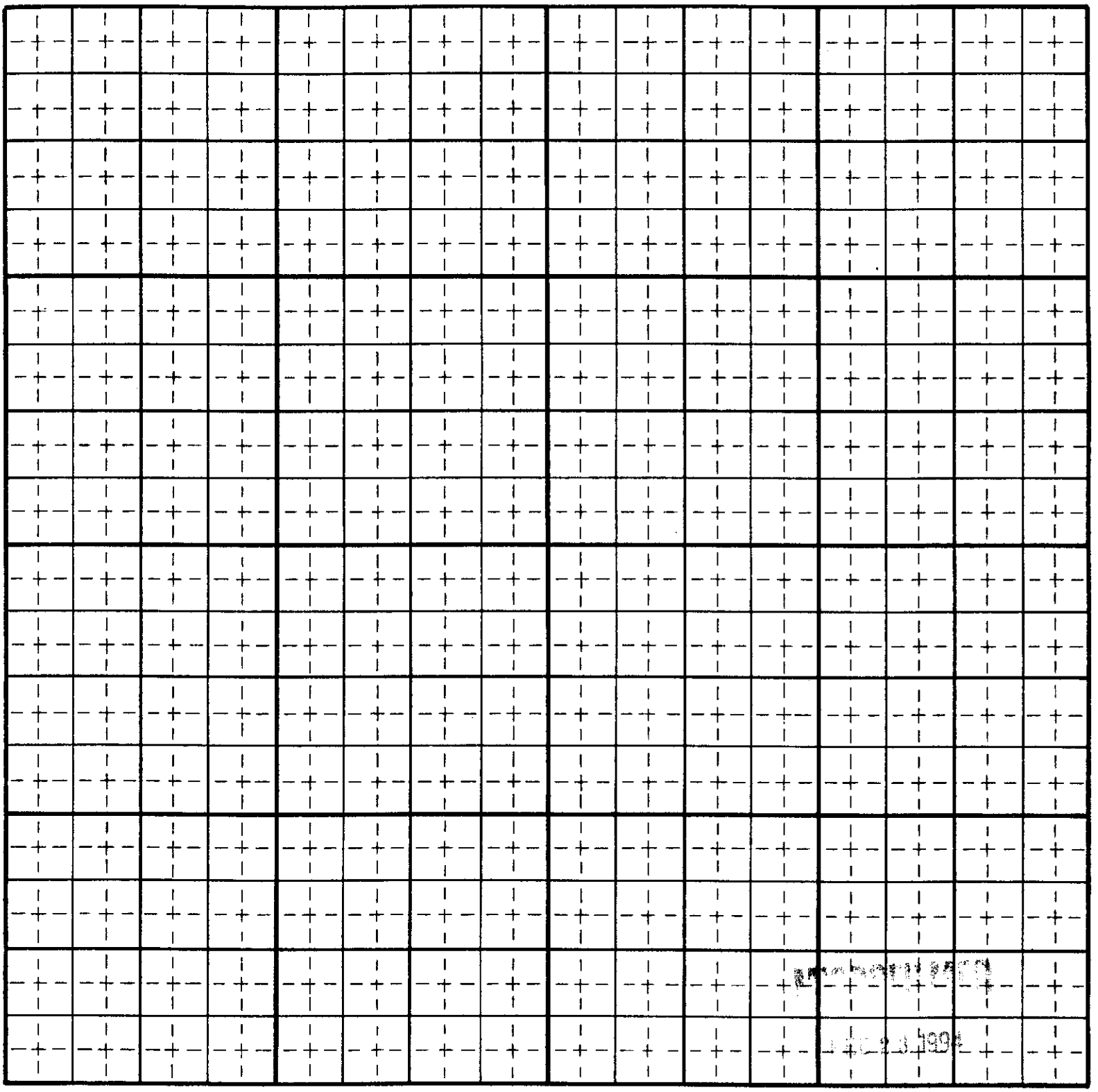
Last Name Riverview Ventures Ident No.

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHMENT "A"



Last Name Riverview Ventures Ident No. _____ *Copies: White-State, Yellow-Claimant*

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

If applicable provide IDWR Water Right Number 63-00279

Court Fourth Judicial District Case Number _____ Decree Date 1/18/1906

Plaintiff vs Defendant Farmers Co-op Ditch Co. v. Riverside Irrigation District

16. Signature (s)

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

Number of attachments 1

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY - MANAGING PARTNER (Title) of RIVERVIEW VENTURES (Organization), that I have signed the foregoing document in the space below as SECRETARY - Mging Partner (Title) of River View Denture (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Sandra J. Johnson

Title and Organization Secretary - Managing Partner - Riverview Ventures Date 7-6-92

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

Subscribed and sworn (or affirmed) before me this 6 day of July 19 92

SHERL L. CHAPMAN NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Sherl Chapman

Residing at 2859 Cattle Way Meridian Id

My Commission Expires 6/14/96

Please Print Name Sherl Chapman

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

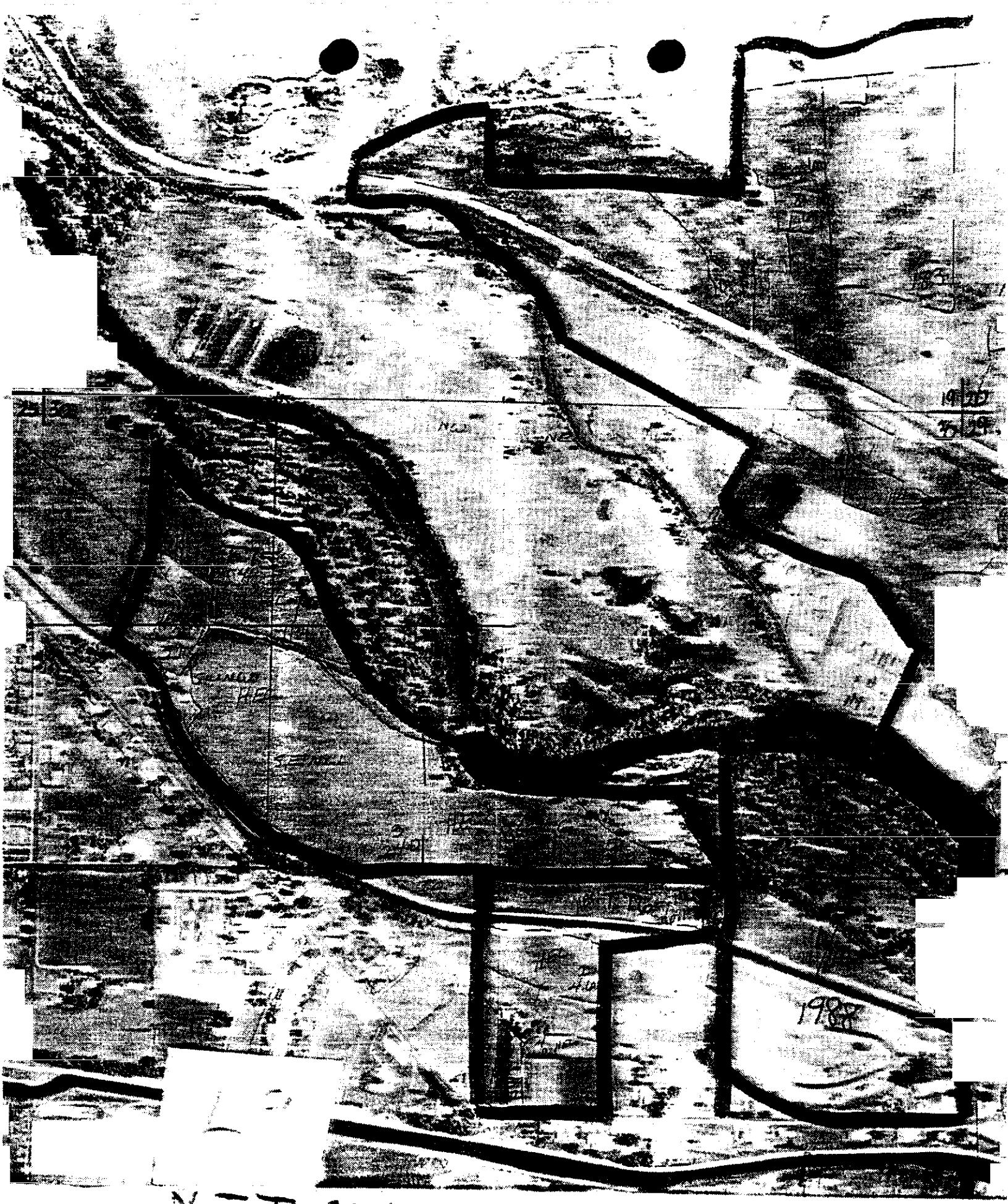
Date _____

[redacted]

SEP 8 1994

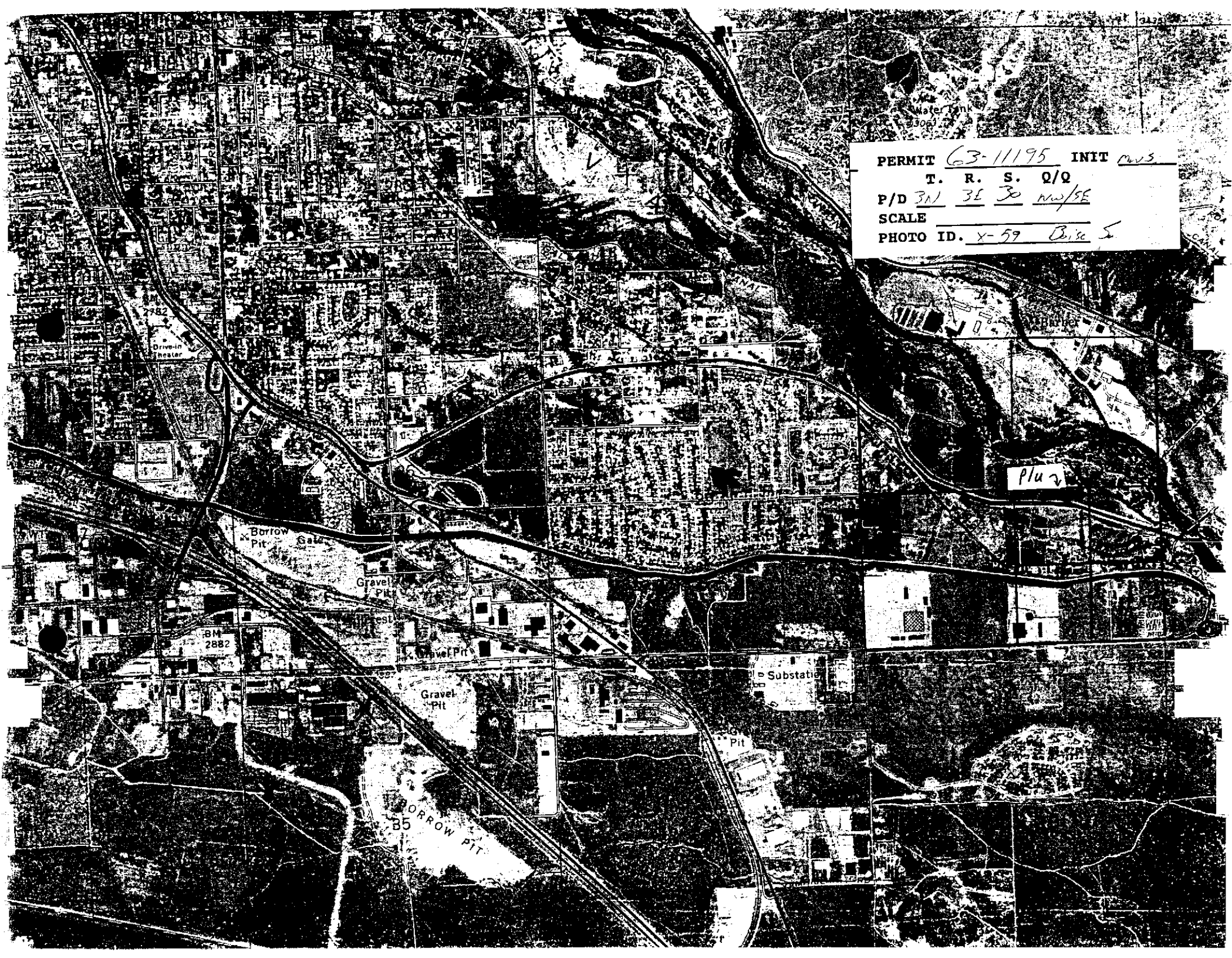
Last Name Riverview Ventures Ident. Number _____

Copies White-State, Yellow-Claimant



ATTACHMENT "A"

PROPERTY BOUNDARY


PERMIT 63-11195 INIT MWS
T. R. S. Q/Q
P/D 3N 3E 30 NW/SE
SCALE
PHOTO ID. X-59 Boise 5
Water Tank
Drive-in Theater
Borrow Pit
Gravel Pit
Gravel Pit
Gravel Pit
Substation
Pit
BM 2882
BORROW PIT
B5
Plus

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

GENERAL INFORMATION

Permit No. 63-11195

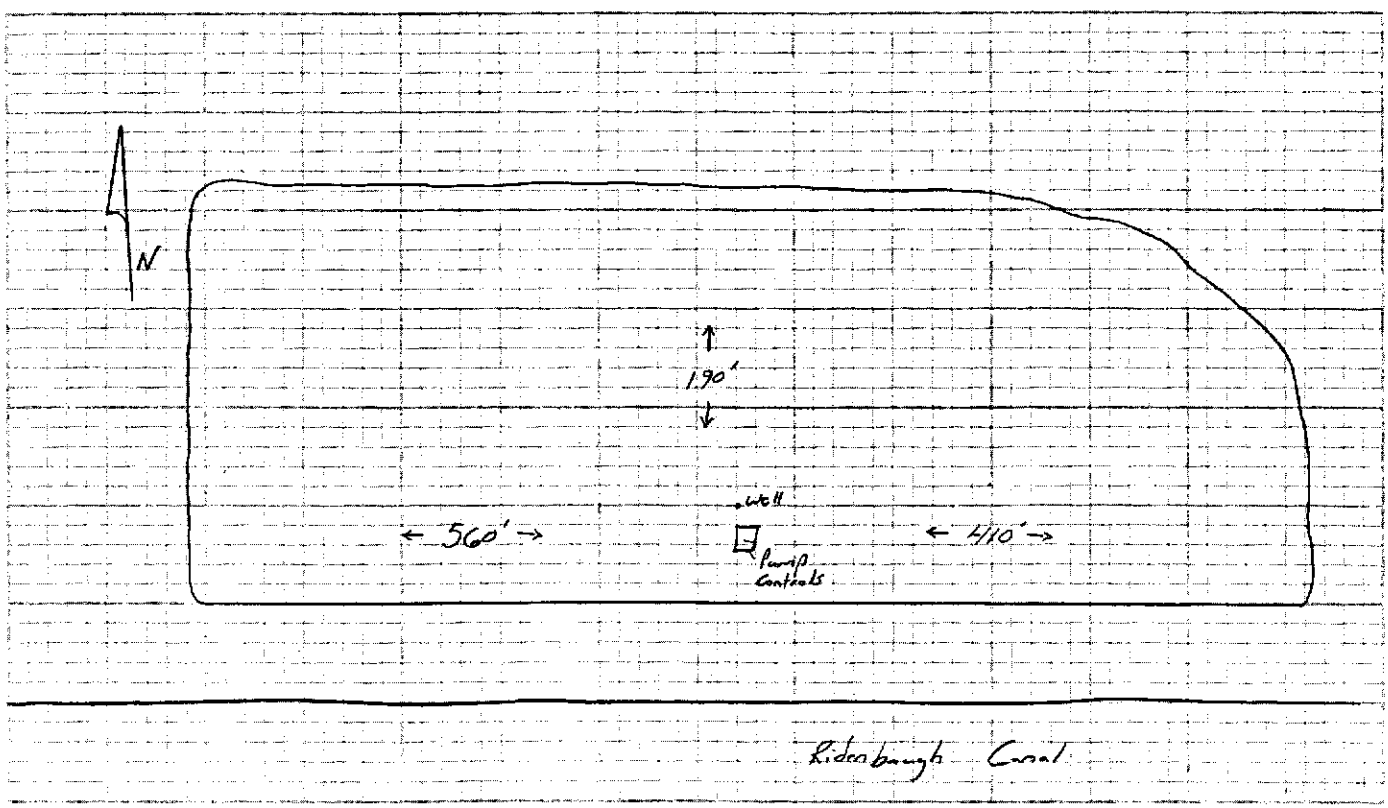
1. Owner: Ada County Parks Dept. Phone No. 343-1328
   Current Address: 650 Main, Boise, ID, 83702
2. Accompanied by: Louie Webb EXAM. DATE: 6-30-92
   Address: _____ Phone No. _____
   Relationship to Permit Holder: Grounds Keeper
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   _____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
   _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NONE .

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Photo of Diversion and System Attached
   ☐ Aerial Photo Attached
   (required for irrigation of 10 acres or more).

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11195

Priority: March 6, 1990

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 18.9 AF

This is to certify, that ADA COUNTY PARKS DEPT
650 MAIN
BOISE ID 83702 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 6, 1990; and has submitted Proof of Beneficial Use on August 1, 1991. An examination indicates that the works have a diversion capacity of .160 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.13 CFS	18.9 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 30, Township 03N, Range 03E
ADA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
03N	03E	30	NWSE	4.2			4.2
					Total number of acres irrigated:		4.2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
7. Place of use is located within Barber Park.

Attachment E

this is the land adjacent to Ridenbaugh Canal in Barber Park. Was served by 63-00249 within last 5 years. -SR 8/5/93

Sherl L. Chapman Consulting, Inc.

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690 / Fax (208) 344-2744

RECEIVED
APR 2 2 1993
Department of Water Resources
Western Regional Office

April 21, 1993

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Road
Boise, Idaho 83705

REFERENCE: SRBA CLAIMS #63-00249, #63-00278, #63-00279

Dear Steve:

After our meeting sometime back regarding the Application For Transfer and Adjudication Claims for the above referenced water rights, I've tried to gather as much information as I could from the descendents of Adolph Bahler and to determine the irrigated acreage we have included in the Application For Transfer. You had given me a sheet with a number of questions and I'll try to answer then as best I can, but if you need additional information or clarification, please let me know.

Regarding #63-00249, a question arose whether or not our Barber Park and Barber Point Subdivision are irrigated using the original water rights. We are unaware of the extent of the use of water for either of these properties but since River View Ventures only own approximately one acre of land in Lot 7 (NESE, Sec. 30, T3N, R3E), I don't believe that it is pertinent to the discussion of the transfer. We are only claiming one acre of water right in Lot 7 which would be included within the transfer.

noted by SR 8/5/93
1 acre on W. End of Barber Park area

One of the major questions under this right was the use of water in the NESE, Sec. 25, T3N, R2E, which was originally owned by Charles Rein and Jane Kroh. Based on the water right proof report, that right had been transferred to Adolph Bahler some years back and therefore we assume became part of the overall water supply used by Mr. Bahler to irrigate the lands we show as claimed in the Snake River Basin Adjudication.

claimed acres all N. of Ridenbaugh Canal

Regarding the land irrigated, the 1904 state engineer's map we discussed shows some of these lands being irrigated and the state engineer's 1925 order, which was never executed by the Department, at least discusses irrigation of land within Lots 5, 6, the SENW of Sec. 30, and the irrigation of land in Lot 3, all in Sec. 30. This discussion, of course, predates the Application For Transfer filed by Adolph Bahler in 1937 to move his point of diversion from the Boise River into the Ridenbaugh Canal. Therefore, we believe that the lands claimed were in fact irrigated in the early 1900s at least prior to the 1937 transfer of point of diversion and that the

L5 NENW
L6 SWNE
L3 SWNW (5½ Acres)
SENW

lands shown in 278+279 when combine info from: WR 1904 map 1925 order 1925 abstract info

Attachment F

irrigation of the lands under the present claims was essentially a transfer of water right rather than an expansion. We believe that the lands "dried up" were probably those lands in the NESE, Sec. 25. Obviously, because of the time period in which this water was moved around, was long ago, it is extremely difficult to find any documentation.

Additionally, you asked about the acreage in the NWSE, Sec. 30, and whether or not it is presently irrigated. It appears to be irrigated according to the orthophoto quadrangle maps but since this land is not a part of the project and is not owned by River View Ventures, we have not taken it upon ourselves to document the use of water on this land.

Regarding claims #63-00278 and 00279, you indicated that one of the early maps indicates water under these rights being applied to lands south of the Ridenbaugh Canal. I have not been able to find any information that would indicate this water was taken south of the Ridenbaugh and believe that the acreage was probably misplotted Land north of the Ridenbaugh Canal in Lot 3 is irrigated with water under these rights. Again, we believe that this water has been applied to these lands for many years and that this application was a de facto transfer from other lands, probably in Sec. 25, rather than an expansion. As you point out, the Department of Water Resources prepared an order in 1925 referring to irrigated lands under the Bahler rights for Lots 5, 6, the SENW, and Lot 3, all in Sec. 30. Even though the order was not executed, we believe that the draft order recognizes the fact that these lands were irrigated at that time and therefore our claims should move forward.

accomplish. transfer to North of canal

You also requested an affirmation of the total acreage we are claiming for Lot 3, Sec. 30. The total acreage under claims for both #63-00278 and 00279 total 13 acres together. They are all north of the Ridenbaugh Canal and, to our knowledge, no land south of the Ridenbaugh Canal in this area has been irrigated under these water rights.

As the bottom line, as you refer to it in your comments, the applicant's feel that the acreage claimed and the location described are as accurate as possible given the length of time over which the land was developed and used. Most of the individuals involved with Mr. Bahler during the early days of irrigation recall participating in irrigating and cropping these lands but only have vague recollections of the exact description of the land because of the very nature of it being river bottom land, essentially in a flood plain. The original decree awarded 80 miners inches under the three water rights for irrigation of the Bahler lands which, under today's standards, would be adequate for about 80 acres of ground or more. The applicant is claiming less acres and less water than is described

I concur

MICROFILMED
FEB 22

under the original decree and in addition is proposing to convert these rights to essentially a non-consumptive use which will, in effect, retain water within the Boise River system in a greater amount than is presently experienced. It is unfortunate that better documentation does not exist since it would make both of our jobs much easier.

If you need an additional response or more information Steve, please feel free to contact me.

Sincerely yours,

Sherl L. Chapman
President

SLC:kje
cc:Ms. Sandy Johnson

FEB 23 1994

ACREAGE WORKSHEET - VERIFIED IRRIGATION FOR 1992 - 1993

— SECTION 30 —

		L.6 SWNE	L.5 NENW	L.4 NWNW	L.3 SWNW	SENW	NESW	L.7 NESE	NWSE	TOTAL
A)	DECREED #278 + 279 (same tracts)	X	X			X		(40 acres/right) →		implies 80
B)	ADD'TL IDWR INFO + SRBA	7	3	7.6	13	21	3	(Applicant's land) →		54.6
C)	CURRENT IDWR REVIEW	7	3	8	13	21	3	5.2	6	66.2
D)	DECREED #249 (also includes NESE 5.25)							X	both sections →	implies 50
E)	ADD'TL IDWR INFO + SRBA						3	1		4
F)	CURRENT IDWR REVIEW						3	5.2	6	14.2

[A, B, C = INFO initially linked to 278 + 279 ; D, E, F = " " " " 249 ; F: ACRES = SUBSET OF C ACRES ; TOTAL ACRES FOUND = C = G]

G) RECOMMENDED ACRES

(13 unique acres this QQ)

										APPLICANT'S LAND
1865 →	63-00278	7	3	8	1	21				40
1870 →	63-00279B				12		3	1		16
	63-00279C	Barber Park						4.2		4.2
	63-00279D	UNKNOWN OWNER(S)							6	6

63-00279A — Balance of right apparently not used; forfeiture question can be settled in SRBA review if add'l info is found to refute apparent forfeiture.

This portion could provide ditch loss to 66.2 acres but since so minor perhaps can be ignored (66.2 x .02 x .00375 = .005 cfs total ditch loss for 66.2 acres).

1895 →

63-00249B — Applicant's 4 acres per A63-00249B; redundant coverage so Ø.

63-00249A — Balance of right apparently forfeited; this issue can be resolved in SRBA review.

(NOTE THAT TOTAL ACRES IN G equals TOTAL IN C)

ATTACHMENT G

FEB 28 1994

11/02/93 S.M.L.

****
* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE RIDENBAUGH CANAL *
* WATER RIGHT NO. 63-00249 ETC. *
****

RUN #1
Assume

Q DIVERTED: 457.77 ← See Attachment I
Q DELIVERED: 455.50
PERCENTAGE LOSS: 0.50

TYPE OF SOIL: CLAY LOAM AND SILT
SOIL CONSTANT= 1.00 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 0.63
LENGTH OF DELIVERY SECTION: 0.63

type of soil - this used in previous transfers for Bubb Canal, which is nearby.

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
0.63	456.63	1.14

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
0.63	0.00	1.14	455.50

MINOR
AVERAGE LOSS
$\frac{.50 + .25}{2} = .375\ \%$

11/02/93 S.M.L.

****
* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE RIDENBAUGH CANAL RUN #2 *
* WATER RIGHT NO. 63-00249 ETC. *
****

RUN #2
Assume

Q DIVERTED: 456.64
Q DELIVERED: 455.50
PERCENTAGE LOSS: 0.25

TYPE OF SOIL: HEAVY CLAY *
SOIL CONSTANT= 0.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 0.63
LENGTH OF DELIVERY SECTION: 0.63

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
0.63	456.07	0.57

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
0.63	0.00	0.57	455.50

FEB 23 1994

* Not concrete this reach of canal but considerable rock/gravel areas with earth base, select value between concrete & clay 100sm/sift for average value.

Attachment H

DATA FOR RIDENBAUGH CANAL TO CALCULATE ESTIMATE OF DITCH LOSS FROM P/D TO WOOD DUCK ISLAND

Source: Water Distribution of Boise River Water Dist. 63, 1980*;
"Chart #5: Discharge in Second Feet of Boise Valley Canals by Days During the Irrigation Season of 1980, Including Storage."

MONTH	# DAYS OF DELIVERY	TOTAL cfs DELIVERED
April	15	4,320
MAY	31	14,903
JUNE	30	14,722
July	31	15,545
AUGUST	31	15,295
SEPT.	30	11,852
OCT.	1	349
TOTAL	169	76,986

$\frac{76,986 \text{ total cfs delivered}}{169 \text{ days}} = 455.5$ cfs/day $\hat{=}$ is average delivery rate of water to canal.

Use this $\bar{x}$ value as basis for LOSER (Morit3) program.

FEB 23 1994

* considered in previous transfers as a normal water year

Attachment I

CONVERSATION MEMORANDUM

DATE 11/15/93

FILE 63-00278 Bahler
-00279 Account
-00249

NAME OF PARTY Lee Siemon, Watermaster

EMPLOYEE Steve Lester

RE: BOISE RIVER FLOWS - DELIVERY DATES

GENERALLY -

1865 - delivered 100% of time.

1870 - " 98% " "

- is ± cut-off date for zero delivery in adverse conditions

- Recalls (without consulting data) that 1870 water probably cut to zero for ≤ 1 WEEK mid to late August 1987 & 1992.* Otherwise thinks has always been delivered in last 70 + years.

Mid 1880's - in normal year this is the cut-off date for that short period in mid-late August for natural flow rights.

WM YEARLY REPORT BOOKS - do not show this data. If need specific rights/ specific years, ask WM or BOB SUTTER @ "daily flow accounting run" data to see what happened to given right in given year(s).

FEB 23 1994

* August 1987 & 1992 - 1868 was latest date deliverable on & off for @ 1 week period when natural flows were in mid-200 cfs range.

RECEIVED
SEP 07 1993
Department of Water Resources
Western Regional Office

Dan
File

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH NAMPA, IDAHO 83651-4395
FAX # 208-888-6201

Phones: Area Code 208
OFFICE: Nampa 466-7861
Boise 343-1884
SHOP: Nampa 466-0663
Boise 345-2431

3 September 1993

David Tuthill
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Application for Transfer of Water Right No. 63-0249, and 63-0279 in the Name of Riverview Ventures

Dear Dave:

The Nampa & Meridian Irrigation District does not protest the above mentioned application. Thanks for bringing this to our attention so promptly.

Sincerely,

John P. Anderson
District Water Superintendent

pc: Each Director
Secretary of the Board
Bill Ringert
Bill Henson
Rider 1
File

FEB 23 19[illegible]

APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

RECEIVED
SEP 03 1993
Department of Water Resources
Western Regional Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 63-0249, 0278 + 0279

RECOMMENDATION OF WATERMASTER

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, Id 83702 have read the attached copy of the application for transfer of water right for Riverview Ventures (name), and to the best of my knowledge believe the 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: watermaster control, period of use 4/1 to 10/31

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Boise, Idaho, this 2 day of Sept 19 93.

Lee Sisco
(signature)

Please use reverse side if needed.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 16, 1993

Lee Sisco, Watermaster
Water District 63
214 Broadway
Boise, ID 83702

Re: Application for Transfer of Water Right No. 63-0249, 63-0278 and 63-0279 in the Name of Riverview Ventures

Dear Watermaster:

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

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,

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

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 16, 1993

JOHN ANDERSON WATER SUPT
NAMPA MERIDIAN IRRIGATION DISTRICT
5525 GREENHURST
NAMPA ID 83651

Dear Mr. Anderson:

Re: Application for Transfer of Water Right No. 63-0249, 63-0279 and 63-0279 in the Name of Riverview Ventures

Dear Mr. Anderson:

Enclosed is a copy of the above referenced application for transfer of water right.

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

Sincerely,

David R. Tuthill, Jr.

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

DRT:st

Enclosure: Copy of Application

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-00249, 63-00278, 63-00279

Notice is hereby given that Riverview Ventures of Boise has applied to the Department of Water Resources for a change of place of use and nature of use of the water of the Boise River. The rights sought to be changed are evidenced by Decree and Snake River Basin Adjudication Claims and are recorded as follows:

Right	Amount	Priority	Point of Diversion	Place of Use
63-00249	1.00	05/01/1895	NWSW S.29 T03N R03E	NESE S.25 T03N R02E; NESE S.30 T03N R03E Assumed 50 Acres
A63-00249B	.08	as above	as above	NESW, NESE, S.30 T03N R03E a portion of right for 4 acres
63-00278	.80	04/01/1865	as above	SWNE, E1/2NW, S.30 T03N R03E Assumed 40 acres
A63-00278	Same as 63-00278 but claimed 55 acres.			
63-00279	.80	04/01/1870	as above	As in 63-00278 but assumed to be for 40 more acres
A63-00279	Same as 63-00279 but claimed for same 55 acres as in A63-00278.			

The point of diversion is the Ridenbaugh Canal; rights are the Bahler Rights used for irrigation purposes.

TO BE CHANGED AS FOLLOWS

Right and Amount: 63-00249B, .08 cfs; 63-00278, .80 cfs; 63-00279, .80 cfs; 1.68 cfs total.

Point of Diversion: Same as above (Ridenbaugh Canal). Water will be used for aesthetic purposes, including fish and wildlife habitat, in a water amenity in the Natures Wood Duck Island Subdivision No. 1 during the irrigation season 3/15 to 11/15, located in SWNE, NW1/4, NESW, S.30 T03N R03E.

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 September 21, 1992.

R. Keith Higginson
Director

Published in the Idaho Statesman on 9/3 and 9/10/1992.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 63-00249 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BAHLER	ADOLPH	1 - 2 - 3 - City- State- Zip- Phone -
*** O - ORIGINAL OWNER ***		
REIN	CHARLES	1 - 2 - 3 - City- State- Zip- Phone -
KEOH	JANE	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/01/1895	14 WESTERN	D - DECREED	

Source	Tributary
BOISE RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	03E	29	NW SW			(1) ADA	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			1.000	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
1.000		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	02E	25	NE SE			01	IRRIGATION	(1) ADA
03N	03E	30	NE SE	7		01	IRRIGATION	(1) ADA

- Diversion Means - via Ridenbaugh canal per T. 153
- Non-Irrigation Use -
- Other Rights for Same Use -

per STEWART DECREE 1st (1922 ~~45~~) per acre for ~~40 acres~~ 41 lands

assume .02 cfs

$\frac{1.00 \text{ cfs}}{.02 \text{ cfs/ac}} \approx 45$ acres irrigated
50

Water right number - 63-00249 Prefix Translation: WATER RIGHT

+ - - - Remarks - - - +

TRANS. 153 CHANGE P/D ONLY.

+ - - - Old Water Right Numbers - - - +

No Old Water Right Numbers found.

+ - - - Conditions of Approval - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	01/18/1906

7

+ - - - Comments - - - +

No Comments Found

+ - - Audit Fields - 07/01/85 05/01/88 CONVERT

+ - - - Water Rights Dates and Flags Area - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/01/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 01/18/1906	Presumption Flag	-		

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 63-00278 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** BAHLER	ADOLPH	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
04/01/1865	14 WESTERN	D - DECREED	

Source	Tributary
BOISE RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	03E	29	NW SW			(1) ADA	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			0.800	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
0.800		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	03E	30	SW NE	6		01	IRRIGATION	(1) ADA
03N	03E	30	NE NW	5		01	IRRIGATION	(1) ADA
03N	03E	30	SE NW			01	IRRIGATION	(1) ADA

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

The Stored will include 2.3 SWNW 5 30, portion Ridenbaugh Canal - see order + Letter from 3/27/192 original land lot 12 decree. Allow ≈ 5½ acres for combined Rights 63-00278 & 63- From decree : developed 40 ac ... from developed 40 ac ... according - one way to ... 77 - developed 12 - while

Remarks

TRANS. 77 & 154.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	03/25/1925

7th Jud Dist Canyon Co

Per decree 1" (1.02 cfs) per acre

$\frac{.80 \text{ cfs}}{.62 \text{ cfs/ac}} = 40$ acres irrigated

Water right number - 63-00278 Prefix Translation: WATER RIGHT

-Comments-

No Comments Found

Audit Fields - 07/08/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 03/25/1925	Presumption Flag	-		

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 63-00278A Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BAHLER	ADOLPH	1 - 2 - 3 - City- State- Zip- Phone -
*** O - ORIGINAL OWNER ***		
BAHLER	ADOLPH	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
04/01/1865	14 WESTERN	D - DECREED	

Source	Tributary
BOISE RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	03E	29	NW SW			(1) ADA	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			0.800	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
0.800		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	03E	30	SW NE	6		01	IRRIGATION	(1) ADA
03N	03E	30	NE NW	5		01	IRRIGATION	(1) ADA
03N	03E	36	SE NW			01	IRRIGATION	(1) ADA

↑ typo?

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

FROM BAHLER DITCH TO RIDENBAUGH CANAL. CHANGE IN P/D ONLY.

Old Water Right Numbers

No Old Water Right Numbers found.

(why is there a 63-00278A? Only 2 this proof report is same as 63-00278

2 transfer(s) was filed to change pld only (T 77 ; T 154).

For purposes of 1992 transfer, will disregard 63-00278A since went see R split. Pld was, 63-00278B.

Water right number - 63-00278A Prefix Translation: WATER RIGHT

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	01/18/1906

Comments
No Comments Found

Audit Fields - 04/22/80 05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	63
Licensed Date	00/00/0000	Appl Received	00/00/0000	Transfer/Amended	T
Decree Date	01/18/1906	Presumption Flag	-		

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water Right Number - 63-00279 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** BAHLER	ADOLPH	1 - 2 - 3 - City- BOISE State- ID Zip- Phone -

Priority Date	Region	Stage	Status
04/01/1870	14 WESTERN	D - DECREED	

Source	Tributary
BOISE RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	03E	29	NW SW			(1) ADA	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			0.800	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
0.800		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	03E	30	SW NE	6		01	IRRIGATION	(1) ADA
03N	03E	30	NE NW	5		01	IRRIGATION	(1) ADA
03N	03E	30	SE NW			01	IRRIGATION	(1) ADA

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

TRANS. 77 & 152.
FROM BAHLER CANAL TO RIDENBAUGH CANAL. CHANGE IN P/D ONLY.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	03/25/1925

That entire same land is L.3 Section 5 T3N R3E water right 63-00278. Allow ≈ 5 1/2 acres ir

As in 63-00278, 40 acres implied.
63-00279 + 63-00278 = 80 original acres per decree int'l

Water right number - 63-00279 Prefix Translation: WATER RIGHT

-Comments-

No Comments Found

Audit Fields - 07/01/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/01/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 03/25/1925	Presumption Flag	-		

Water Right Number - 63-00280 Prefix Translation: WATER RIGHT Old (D) Number -

Last Name / First Name / Address

*** C - CURRENT OWNER ***
FIRST NATIONAL BANK OF PUEBLO

1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date	Region	Stage	Status
04/01/1865	14 WESTERN	D - DECREED	

Source	Tributary
BOISE RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			1.800	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
1.800		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	02E	24	SW SE			01	IRRIGATION	1 ADA
03N	02E	24	SE SE	4		01	IRRIGATION	1 ADA
03N	02E	25	NE NW			01	IRRIGATION	1 ADA
03N	03E	19	SW SW	6		01	IRRIGATION	1 ADA
03N	03E	30	NW NW	4		01	IRRIGATION	1 ADA

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

THIS WATER CARRIED IN THE BUBB CANAL WITH P/D AT INTAKE.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
FARMERS CO-OP DITCH CO.	RIVERSIDE IRR. DIST.	05/11/1925

Water right number - 63-00280 Prefix Translation: WATER RIGHT

-Comments-

No Comments Found

Audit Fields - 02/11/86 05/01/88 CONVERT 01/26/92 DUPE-POU

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 07/01/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 05/11/1925	Presumption Flag	-		

WATER SOURCE	TWP	RNG	SECT	TRACT 1/4	1/4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
7 DRAIN A														
DRAIN B														
DRAIN B-1														
DRAIN E														
7 GROUNDWATER														
	03N	03E	30	NE	NW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				NE	NW			07,49	63-04064	BOISE CASCADE CORP	C	S	06/01/1952	BOISE RIVER
				NE	NW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NE	NE	5		01	63-00278	BAHLER	C	D	04/01/1865	BOISE RIVER
				NE	NE	5		01	63-00278A	BAHLER	O	D	04/01/1865	BOISE RIVER
										BAHLER	C			
				NE	NE	5		01	63-00279	BAHLER	C	D	04/01/1870	BOISE RIVER
				NE	NE	5		01	63-00279A	BAHLER	O	D	04/01/1870	BOISE RIVER
										BAHLER	C			
				NW	NW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				NE	NW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NE	NW	4		01	63-00280	FIRST NATIONAL BAN	C	D	04/01/1865	BOISE RIVER
				SE	NW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				SW	NW			43	63-04511	FARLEY	C	S	05/18/1968	GROUNDWATER
				SW	NW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				SE	NW	3	0.5	01	63-10864	NASMAN	C	P	07/17/1989	GROUNDWATER
										NASMAN	C			
				SW	NW	3		43	63-10880	KNOPP	C	P	08/08/1989	GROUNDWATER
				SE	NW			01	63-00278	BAHLER	C	D	04/01/1865	BOISE RIVER
				SE	NW			01	63-00279	BAHLER	C	D	04/01/1870	BOISE RIVER
				SE	NW			01	63-00279A	BAHLER	O	D	04/01/1870	BOISE RIVER
										BAHLER	C			
				SE	NW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				SE	NW			04,43	63-07288	CARLEY	C	L	01/05/1970	GROUNDWATER
										CARLEY	C			
				SE	NW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NE	SW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				NE	SW			43	63-04691	HADLEY	C	S	06/01/1944	GROUNDWATER
										HADLEY	C			
				NE	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NW	SW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A
														DRAIN B
														DRAIN B-1
														DRAIN E
				NW	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NW	SW	2	16.0	01	63-04999	GUILES	C	S	03/15/1927	GROUNDWATER
										GUILES	C			
				SW	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER

F 02

WATER SOURCE	TWP	RNG	SECT	TRACT 1/4	1/4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
1 GROUNDWATER	03N	03E	30	SE	SW			43	63-04753	SPILVER	C	S	06/01/1954	GROUNDWATER
7 DRAIN A				SE	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
DRAIN B				NE	SE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
DRAIN B-1				NE	SE	7		01	63-00249	KEIN	O	D	05/01/1895	BOISE RIVER
DRAIN E										KEON	O			
7 GROUNDWATER										BAHLER	C			
9 GROUNDWATER				NW	SE	7		43	63-05401	JAMES	C	S	03/01/1972	GROUNDWATER
1 GROUNDWATER										JAMES	C			
7 GROUNDWATER				NE	SE	7	5.0	01,43	63-08181	COUNTY OF ADA	C	L	07/26/1973	GROUNDWATER
				NW	SE			04,43	63-04969	ELSNER	C	S	12/01/1950	GROUNDWATER
2 GROUNDWATER				NW	SE		7.0	01	63-11195	BAKER	O	P	03/06/1990	GROUNDWATER
										RYALS	O			
1 BOISE RIVER										ADA COUNTY PARKS &	C			
7 GROUNDWATER				NW	SE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				SW	SE			43,49	63-05416	SECURITY INDUSTRIE	C	L	12/07/1964	GROUNDWATER
				SW	SE			43	63-04137	WRIGHT	C	S	05/01/1923	GROUNDWATER
7 DRAIN A										WRIGHT	C			
DRAIN B				SW	SE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
DRAIN B-1				SE	SE			43	63-04237	HORSTAD	C	S	03/06/1968	GROUNDWATER
DRAIN E										HORSTAD	C			
1 GROUNDWATER				SE	SE			43	63-04238	THIEL	C	S	02/02/1971	GROUNDWATER
1 BOISE RIVER										THIEL	C			
2 BOISE RIVER				SE	SE		13.0	01,43	63-07304	BEYNER	O	L	02/19/1971	GROUNDWATER
7 BOISE RIVER										THUNDERBIRD DEVELO	C			
1 GROUNDWATER				SE	SE		6.0	01,43	63-10617	BEYNER	C	P	04/19/1988	GROUNDWATER
				SE	SE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
1 BOISE RIVER			31	NE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
7 GROUNDWATER				NW	NE		31.0	01	63-03197	IDAHO POWER CO.	C	L	03/12/1920	GROUNDWATER
				NW	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NW	NE			43,49	63-08992	BAKER	O	P	07/25/1977	GROUNDWATER
1 GROUNDWATER										BOISE WATER CORP.	C			
				SW	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				SE	NE			43,49	63-08992	BAKER	O	P	07/25/1977	GROUNDWATER
1 BOISE RIVER										BOISE WATER CORP.	C			
				SE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
1 GROUNDWATER				NE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NW	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
1 BOISE RIVER										BOISE WATER CORP.	C			
7 DRAIN A				NE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
DRAIN B				SE	NE			43,49	63-08992	BAKER	O	P	07/25/1977	GROUNDWATER
DRAIN B-1										BOISE WATER CORP.	C			
DRAIN E				SE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
1 GROUNDWATER				NE	NE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NE	SE		15.0	01,40	63-11541	BOISE WATER CORP	C	P	05/31/1991	GROUNDWATER
1 BOISE RIVER										LES BOIS DEVTTA10	C			
1 BOISE RIVER				NE	SE		1.5	01	63-11610	GOLDEN DEVELOPMENT	C	A	07/15/1991	GROUNDWATER
				NW	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
				NW	SW	5	22.0	01,40	63-11541	BOISE WATER CORP.	C	P	05/31/1991	GROUNDWATER

1994

WR4001NP
(OD-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 01/11/92
PAGE: 548

TWP	RNG	SECT	TRACT 1\4	TRACT 1\4	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O C	STS	PRIORITY DATE	WATER SOURCE
03N	02E	25	NW	SW			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E
			NW	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
			SW	SW			07,43	63-02914	BUNTING TRACTOR CO	C	L	11/15/1952	GROUNDWATER
			SW	SW			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
			SE	SW		2.8	01	63-11521	BRECKENRIDGE OWNER	C	P	04/15/1991	GROUNDWATER
			NE	SE			01	63-00249	REIN	O	D	05/01/1895	BOISE RIVER
									KEOH	O			
									BAHLER	C			
			NE	SE			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E
			NE	SE		1.0	43,01	63-04354	THIESSEN	C	S	09/11/1974	GROUNDWATER
									THIESSEN	C			
			NE	SE			43	63-04389	ROGNLIE	C	S	06/01/1968	GROUNDWATER
									ROGNLIE	C			
			NE	SE			43	63-04391	BELCHER	C	S	04/08/1954	GROUNDWATER
			NE	SE			43	63-08336	LUNA	O	L	07/06/1976	GROUNDWATER
									LUNA	O			
									MATZINGER	C			
			NE	SE			40	63-11384	BOISE WATER CORP	C	P	08/07/1990	GROUNDWATER
			NW	SE			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E
			NW	SE		1.0	01,43	63-08161	WHITED	C	L	07/01/1975	GROUNDWATER
									WHITED	C			
			SW	SE		1.0	01,43	63-02948	LOREE	C	L	07/23/1953	GROUNDWATER
			SW	SE		2.0	01,43	63-03279	LOREE	C	L	03/15/1962	GROUNDWATER
		26					01	63-00174	MAMMON	O	D	06/01/1869	BOISE RIVER
									RANDALL	C			
							01	63-00175	MAMMON	O	D	06/01/1878	BOISE RIVER
									RANDALL	C			
							01	63-00201	MAMMON	O	D	06/01/1878	BOISE RIVER
									RANDALL	C			
							01	63-02388	U.S. DEPT. OF INTE	C	L	08/18/1924	BOISE RIVER
			NE	NE			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E
			NW	NE			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E
			NW	NE			07	63-04130	TRIANGLE DAIRY INC	C	S	04/01/1940	GROUNDWATER
			SW	NE			01,43	63-02392	DRAINAGE DISTRICT	C	L	09/13/1927	DRAIN A DRAIN B DRAIN B-1 DRAIN E

DECREES

Stewart Decree:

The old water rights from the Boise River are included in the decree in the case of FARMERS COOPERATIVE DITCH COMPANY, a Corporation, vs. RIVERSIDE IRRIGATION DISTRICT, LTD., a Corporation, et al, signed by District Judge George H. Stewart, January 18, 1906, commonly referred to as the "Stewart Decree". This case was appealed to the Supreme Court and affirmed as to priorities and acreage, but remanded to the District Court for the sole and only purpose of determining the duty of water. In 1914 testimony was taken before the Court as to the duty of water and was transcribed, which consists of approximately 2,630 typewritten pages. The final decree of the Court as to the duty of water has never been entered. However, Judge E. L. Bryan, Judge of the District Court of the Seventh Judicial District of the State of Idaho, issued a continuing order on May 31, 1919, which is still in effect, providing for the distribution of waters of the Boise River in the following manner, to-wit:

"The various rights, as adjudicated in the so-called "Stewart Decree", shall receive 100 percent, until the natural flow of the waters of the Boise River shall decrease, until all the rights in said decree cannot receive 100 percent, at which time the various rights as adjudicated in the so-called "Stewart Decree" shall first be cut to 75 percent of the amount of water decreed by the "Stewart Decree" as the natural flow of the Boise River decreases, beginning with the latest right and proceeding to the earliest rights in the order fixed is said "Stewart Decree", and after all of the rights shall have been reduced to 75 percent of the amount fixed in the "Stewart Decree", should the natural flow of the waters in the Boise River decrease

FEB 23 1994

From: Water Distribution of Boise River, District 63, 1990 by Lee Sisco, Water Master

below the amount necessary to supply said 75 percent of the water rights as decreed in said "Stewart Decree", then the various rights beginning with the latest and proceeding to the earliest, as aforesaid, shall be reduced to 60 percent of the amount specified in the "Stewart Decree", and 60 percent of the amount decreed in the "Stewart Decree" is hereby fixed and determined as the highest duty of water for year 1919.

Bryan Decree:

In the SEVENTH JUDICIAL DISTRICT of the State of Idaho, Judge E. L. Bryan signed a decree on February 14, 1929, in the case of PIONEER IRRIGATION DISTRICT vs. AMERICAN DITCH ASSOCIATION, et al, commonly referred to as the "Flood Water Suit", or "Bryan Decree". All rights decreed in this case are made subsequent to the "Stewart Decree. This case was appealed to the Supreme Court where it was upheld as to some of the rights involved but remanded to the District Court for retrial on the question of the duty of water and also for the purpose of determing certain other rights.

On January 30, 1932, Judge A. O. Sutton signed an order temporarily establishing the various rights in the "Flood Water Suit" and providing for a duty of water similar to the "Sliding Scale" in the Stewart Decree. On June 23, 1933, Judge Chas. E. Winstead of the THIRD JUDICIAL DISTRICT, sitting as Judge in the SEVENTH JUDICIAL DISTRICT for the State of Idaho, signed a continuing order making the order of Judge Sutton for 1932 effective for 1933 and continuing. This order has remained in effect since that time.

Chart #1 shows the condensed "Stewart Decree", listing right holders, priority dates and the amount decreed. Chart #2 shows the Intervenors in the "Stewart Decree", showing the owner, priority date and amount decreed.

FEB 23 1994

The Stewart and Bryan Decrees are also grouped under the canal name for ease in locating the current right owner, Chart #3.

Chart #4 shows the 60%, 75% and 100% flows required to satisfy the order of Judge Bryan for the Stewart Decree. Also, Chart #5 shows the same thing for the Bryan Decree.

FEB 28 1994

- Bryant Decree of 3/25/1925
- Considered part of Stewart Decree per Watermaster's explanation (SEE W.D. 63 Books)

(B)

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON.

This decree appears to show plm for 63-00278 & 63-00279 as 5.30 CFS with 4.6 in NE¼ and 4.5 in NE¼NW and 4.3 in SW¼NW and

Farmers Co-operative Ditch Company, a corporation, Plaintiff, v. Riverside Irrigation District, Limited, et al., (said action being commonly known as the Boise River Priority Suit.) Defendants, Adolph Bahler, Intervenor.	FINDINGS OF FACT AND CONCLUSIONS OF LAW

FILED
A. M. P. M.
MAR 25 1925
J. A. BAXTER, Clerk

THIS CAUSE, coming on regularly for hearing before the Court upon the answer and cross-complaint in intervention of the intervenor, defendant, and cross-complainant, Adolph Bahler, appearing in person and by his counsel Cavanah, Blake and MacLane, said party having been heretofore, by consent of all parties to this action and by order of this Court, permitted to intervene in this cause and file herein his answer and cross-complaint in intervention and asked to proceed with the trial, all of the parties to said suit having been heretofore, under stipulation, answered and denied the allegations of said answer and cross-complaint of said intervenor, and the several parties being before the Court, all present consented to the hearing of the evidence in the above entitled cause.

WHEREUPON, witnesses were sworn and testified in behalf of said intervenor and documentary evidence introduced, the evidence being closed, the cause was submitted to the Court for its consideration and decision, whereupon the Court hereby makes and finds the following findings of fact and conclusions of law, constituting its decision in said cause:

FEB 23 1994

- Decree # XVII -

FINDINGS OF FACT

I.

That the intervenor, Adolph Buhler, now is and his grantors and predecessors have been since the spring of the year 1865, entitled to the possession and in the possession, and became the owner in 1875, of that certain tract or parcel of land situated in Ada County, State of Idaho, and more particularly described as follows:

> The Southeast Quarter of the Northwest quarter and Lots 5 and 6; and all that portion of Lot 3 lying North of what is known as the Ridenbaugh Canal, being about five and one-half acres, all situated in Section 30, Township 3 North of Range 3 East, Boise Meridian.

L. 5 = NE¼NW¼
L. 6 = W½NE¼ South of River
L. 3 = SW¼NW¼

II.

That heretofore and during the winter and spring of 1864 the predecessors in interest of said intervenor constructed a ditch and diversion works of sufficient size and capacity to divert from the Boise River about three hundred (300) inches of water thereof, measured under a four inch pressure and during said Spring of 1865 actually diverted appropriated and applied to a beneficial use in irrigating and reclaiming 40 acres of said land, above described, with abbut forty (40) inches of water. That at the beginning of the irrigation season of 1870, to wit: About April 1st of said season, the said grantors and predecessors in interest of said intervenor increased the acreage under their said ditch in cultivation to 80 acres, and that during said year irrigated 80 acres of said land, with the waters from said ditch, which required the use of about 80 inches of water, and that said 80 inches of water was actually diverted from said Boise River through said ditch and applied on said 80 acres of land.

Implies 1 ft/acre

III.

That, since the construction of said ditch, the

FEB 23 1994

said grantors and predecessors in interest of said intervenor and other parties, filed on record in the County Recorder's office of Ada County, Idaho, a notice of appropriation of 1,000 inches of water from said Boise River at the point of diversion of said ditch on said River, a true copy of said notice is attached to said intervenors answer and cross-complaint and marked Exhibit "A". That the point of diversion of said ditch and diversion works above referred to, when constructed during the winter and spring of 1864, was and is described as follows, to wit:

On the South bank of said Boise River near where said bank is intersected by the line between Township 3 North of Range 2 East and Township 3 North of Range 3 East and near the point of diversion of said ditch as it is now located, which is commonly known as the "Bubb Canal", and which said ditch was, in 1889, enlarged by M. E. Pain, William Bubb, and others, and is described as follows, to wit:

> Commencing at the head gate of said ditch at a point on the Southerly bank of Boise River near where such bank is intersected by the line between Township 3 North of Range 2 East and Township 3 North of Range 3 East, and running thence in a Westerly direction along the South bank of said River to a point in Section 24, Township 3 North of Range 2 East about 60 rods North from the South line of said Section and running thence in a Westerly direction about two miles.

IV.

That during the month of March, 1889, one H. E. Paine, William Bubb, M. E. Pratt, Charles Rein and Jacob Rein enlarged the said ditch above referred to of sufficient size and capacity to divert, and did diver and appropriate from said River about twenty cubic feet of water per second, and, thereupon, said parties diligently proceeded to divert, by means thereof, said twenty cubic feet of water per second and diligently proceeded to apply the same to a beneficial purpose, to wit: in the irrigation and reclamation of said

FEB 23 1994

land lying under said ditch in Ada County, Idaho, owned by them.

V.

That, since the construction of said ditch and in the spring of 1865, said intervenor and his grantors and his predecessors in interest ~~had~~ have during the irrigation season, in each and every year, continuously appropriated, diverted and used the said 40 inches of water, and, also, ever since the irrigation season of 1870, appropriated and used 40 inches more of said water, measured under a four inch pressure, continuous flow, whenever the same was necessary and could be used, during the irrigation season and have used the said water of the said Boise River during said times upon the said land above described, and have applied the same under economical and husbandlike application thereof; that the amount of water so diverted and appropriated has been and is necessary to the proper irrigation of said land, which, without irrigation, is arid in character and unfit for cultivation, and that the said use of said 80 inches of water by said intervenor and his grantors and said predecessors in interest has been, and is, during said time, continuous, open, uninterrupted, and notorious, and adverse to the plaintiff, and to all of the said co-defendants in this action and to the whole world, and under a claim of right and ownership thereof.

VI.

That said intervenor's right to the use of said water upon his said land was not adjudicated or included in the original decree heretofore entered in this cause.

FILED
FEB 23 1934

CONCLUSIONS OF LAW.

As conclusions of law from the foregoing facts, the Court finds:

I.

That the intervenor, Adolph Bahler, is entitled to a decree of this Court awarding to him the use of the waters of the Boise River and the tributaries thereof, subject to such modifications as may be made in the final decree, with priority as to 40 inches of said water of [redacted] 1865, and also with priority as to 40 inches more of said water of April 1st, 1870, to be carried through what is known as the "Bubb Canal", and measured at the point of diversion of said Bubb Canal on Boise River, to be used upon the lands set forth and described in the answer and cross-complaint of said intervenor, Adolph Bahler.

Let judgement and decree be entered accordingly.

Done in open Court this 25 day of March, A.D. 1925.

Ed L Bryan
District Judge.

FILED
FEB 28 1927

Field notes etc.

11/28/93 - 2/4/93

-82

2/4/93 - visited Shark @ his office, gave him copy of my 2/3 notes + maps, asked for responses. Proceed after his response received.

Barber Park

- Lic 63-11195
- Well 4.2 acres
- Lic issued 2/3/93
- See exam map

may have bearing on Inv. into Barber Pk @ Sunflower Hwy

FEB 23 1994

Barker Rights - NOTES

SL
2/3/93

63-00249	1.00 cfs	decreed to	Reid & Keogh (spelling?)		Keogh?
63-00278	.80 "	"	"	Barker	
63-00279	.80 "	"	"	"	

63-00249

1) Decreed P/U NESE 5.30 & NESE 5.25.
1904 St. Engr. map shows Keogh & Reid Canal from Mill Ditch (started just below Ridenbaugh Canal) irrigated 23 ac. NESE 5.30 & 21 ac. NESE 5.25, all south of Ridenbaugh Canal.

2) John Anderson, Water Supt. of N-M Irr. Dist. thinks that Barker Park also was part of Barker Rights for irrigating: field immediately north of Ridenbaugh at park, plus grassy areas within park between field & river.
Is this true?

3) 1/28/93 I found a diversion pipe from Ridenbaugh Canal at 1st footbridge on canal just downstream from where Eckert Rd. crosses canal. This pipe is routed across canal & appears to go to park.

4) Also, on the south side of R[illegible] this pipe t's with a branch remaining on south side of canal in Barker Pk subd. - What is this branch of pipe used for? Is subd. in NESE 5.30 between Barker Res. & Ridenbaugh irrigated within last five years* via this?

5) Additionally, is water still routed to acres in NESE 5.25? If so, how? and how many acres have been irrigated

* Transfer application filed 5/6/92, five years period before that date commences 5/6/87

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within past 5 years?

6) Per SRBA claim 63-00249B for 4 acres: are the 3 acres in NESW 5.30 claimed as expansion of right or just a change in p/u*? If expansion, when did this occur? If just change, what 3 acres were given up? When did change occur? Approx dates OK.

also claimed? 278+279

7) For about 6 ac. in North part of NWSE 5.30 on north side of Ridenbaugh Canal: These are irrigated acres per 1987 ASCS photo & appear to be part of or related to subd. per 1/28/93 site visit. Are these irrigated by Bobbs rights? If so, which right(s)? When was it first irrigated (or, was it irrigated before 11/87 & can be claimed as expansion or just change in p/u per SRBA - if so, would need to be claimed).

PPL Land

63-00278 & 63-00279

1) Deeded p/u for each is Lot 6 (SWNE), Lot 5 (NENW), and SENW 5.30.

2) 1904 map shows Bobbs name in Lot 6, Lot 5, Lot 3 (SWNW), and SENW, where not [redacted] not colored/coded for a particular ditch.

FEB 23 1994

3) For Lot 3 (SWNW): not in deeded p/u but:

a) 1904 map shows 15 ac. for Bobbs south of Ridenbaugh Canal. Was this land irrigated with Bobbs rights; if so, was it irrigated since 5/6/87 with same? How? What # of acres were irrigated since 5/87? Is this an expansion or just change in p/u? Would need

* Expansion or accompanied through (more acres or same # acres but re-arranged)?

same 54.6 acres?

to be claimed in SRBA. (A63-00278 & 279 each claim 13 ac. SWNW 5.30; is this 13 total? - appears to be from 1987 ASCS photo, acres North of canal).

b) 1925 Order* by Water Resources to change p/d for Bakker rights: 50" (50 miner's inches 278+279) & meetings acres in Lots 5 & 6 & SENW 5.30, plus 5½ acres north of canal in Lot 3 (SWNW) 5.30 (although this QQ -SWNW- not in decreed p/d). That could be some evidence for 5½ ac. in Lot 3 NORTH of canal for SRBA consideration.

c) So for Lot 3 (SWNW): what is the total # acres claimed in 278+279? 13? Are these acres all NORTH of canal as ASCS photo shows? Are acres south of canal part of the Bakker water rights? If so, how etc.

Bottom Line all 3 rights: need to know total picture of acres involved with these rights, even though acres not owned by applicant. Then can determine what applicant's share of each right is & what's available to be transferred.

JUN 23 1994

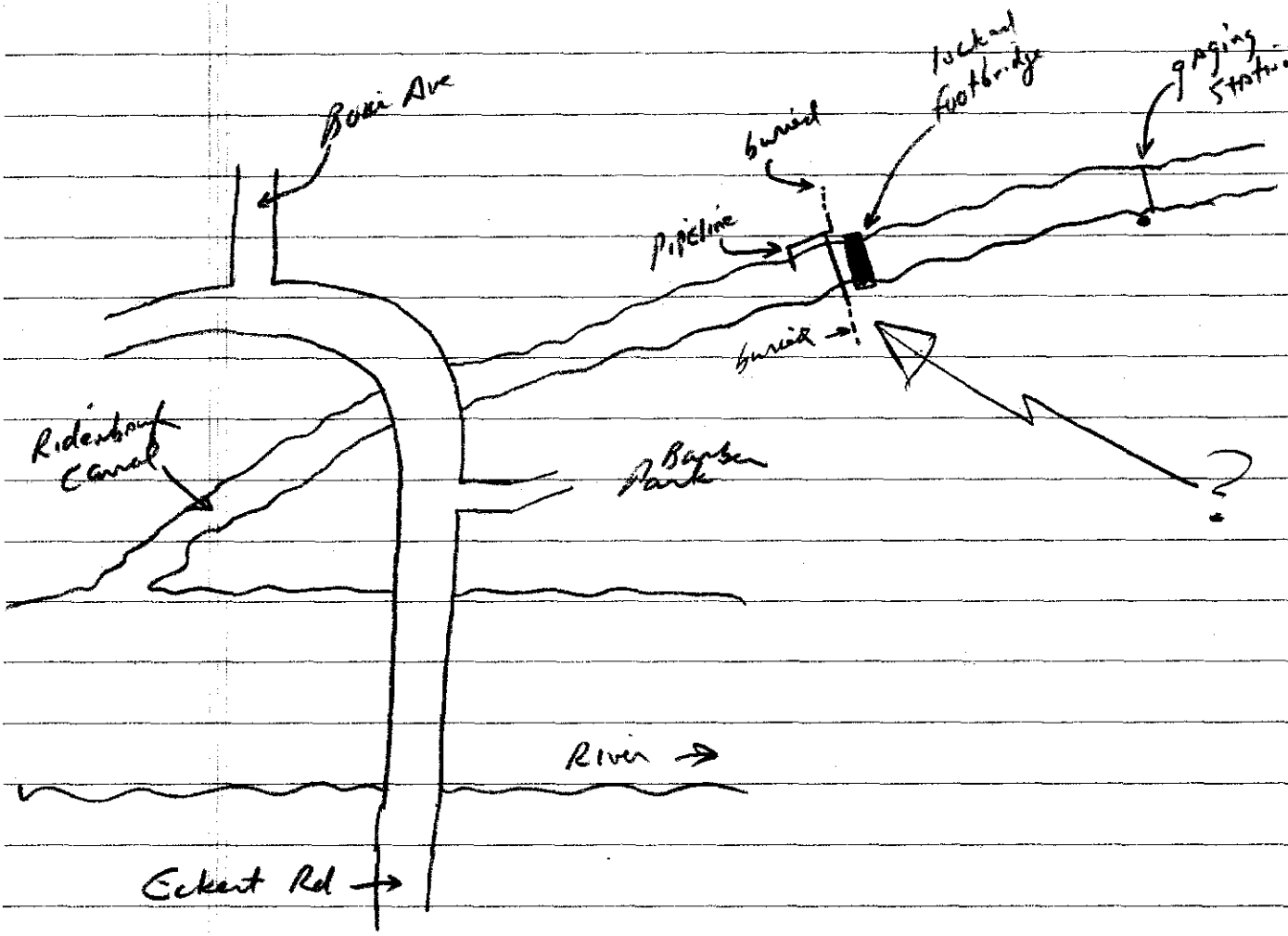
→ For acres claimed in SRBA but not in decreed p/d, need explanation of ~~how~~ how these are claimed. If shown irrigated in 1987 ASCS photo, that's sufficient to show is irrigated - need info showing how it's part of Bakker rights & approx. dates change(s) occurred.

5.30 NWNW Lot 4
SWNW Lot 3
NESW

---

* Never executed; letter of 1925 states that p/d change can be done via Watermaster without IDWR role at that time.

1/28/93



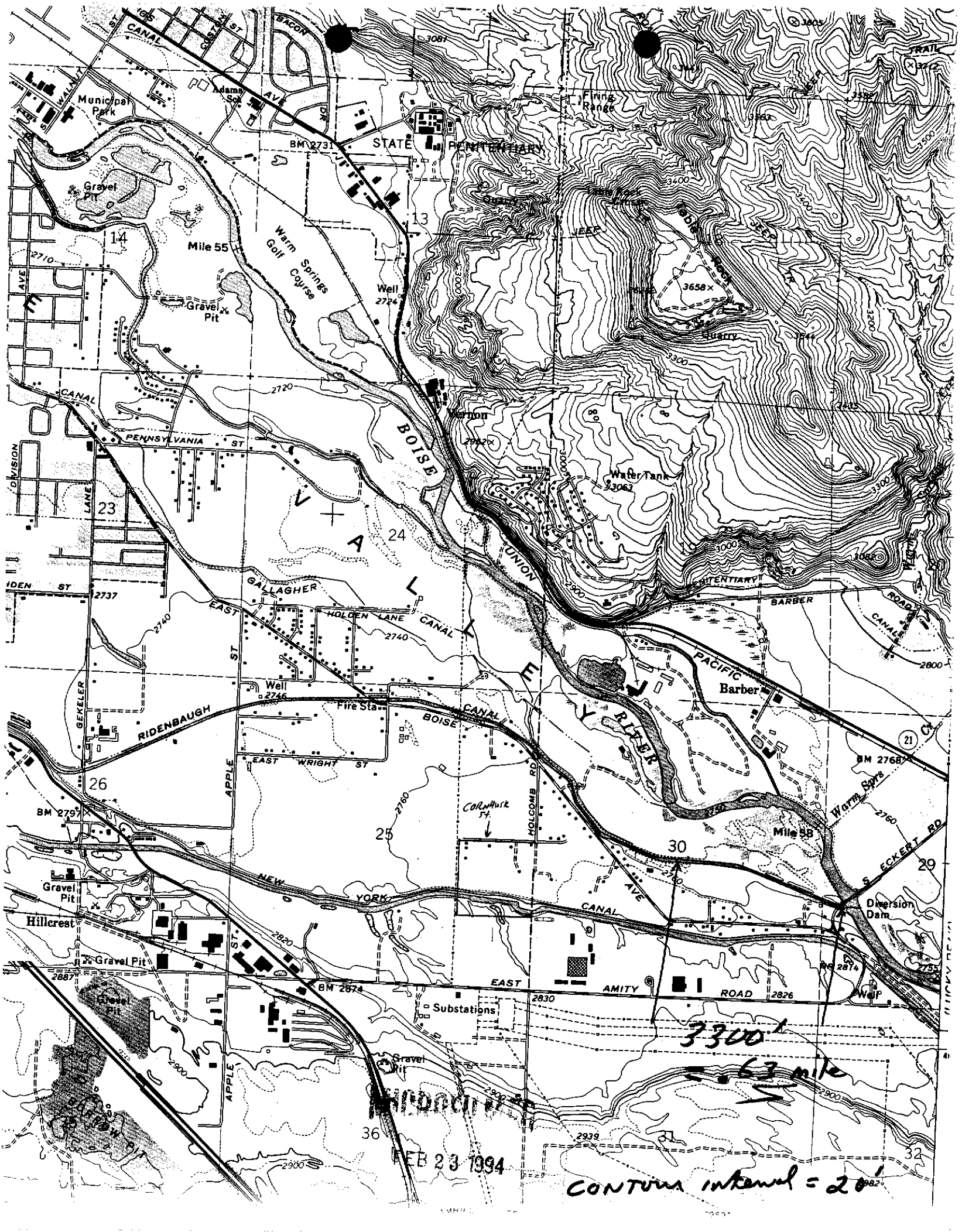
What is pipeline?

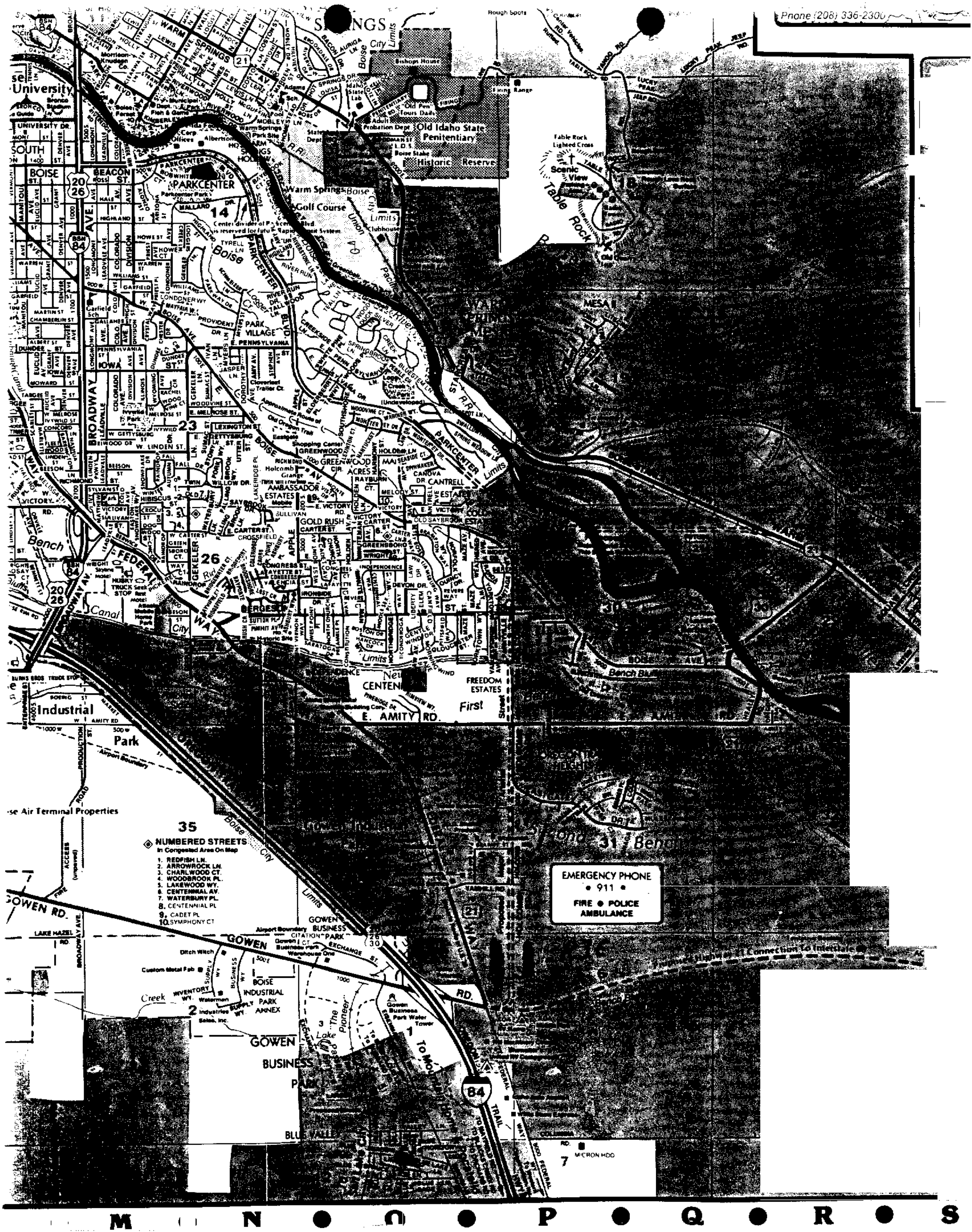
Old pump station? No pumps in place now.

One + buried on South side of canal at base of Barbers Pt. Subd.

one + crosses canal + buried by bank on edge of park.

FEB 23 199


Municipal Park
Adams School
BM 2731
STATE PENITENTIARY
Firing Range
Gravel Pit
Mile 55
Warm Springs Course
Well 2724
Quarry
Vernon
Water Tank 3063
BOISE VALLEY
UNION PACIFIC
Barber
Mile 58
Warm Springs
Cornhusk Pt.
Well 2746
Fire Sta.
Hillcrest
Gravel Pit
Substations
Diversion Dam
BM 2797
BM 2768
BM 2874
EAST AMITY ROAD
NEW YORK CANAL
BOISE CANAL
PENNSYLVANIA ST
GALLAGHER
HOLDEN LANE
EAST WRIGHT ST
RIDENBAUGH
APPLE ST
GEKELER LANE
HOLCOMB RD
S ECKERT RD
BARBER ROAD
JEEP TR
3300'
= .63 mile
FEB 23 1994
CONTOUR INTERVAL = 20'


Phone (208) 336-2300
Old Idaho State Penitentiary
Historic Reserve
Warm Springs Golf Course
Table Rock Lighted Cross
Scenic View
Table Rock
PARKCENTER
BROADWAY
BOISE AVE.
FEDERAL WAY
Boise City Limits
GOWEN RD.
Industrial Park
Boise Air Terminal Properties
NUMBERED STREETS
In Congested Area On Map
1. REDFISH LN.
2. ARROWROCK LN.
3. CHARLWOOD CT.
4. WOODBROOK PL.
5. LAKEWOOD WY.
6. CENTENNIAL AV.
7. WATERBURY PL.
8. CENTENNIAL PL
9. CADET PL
10. SYMPHONY CT
EMERGENCY PHONE
• 911 •
FIRE • POLICE
AMBULANCE
GOWEN BUSINESS PARK
BOISE INDUSTRIAL PARK ANNEX
FREEDOM ESTATES
E. AMITY RD.
MICRON HDQ
M N O P Q R S

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

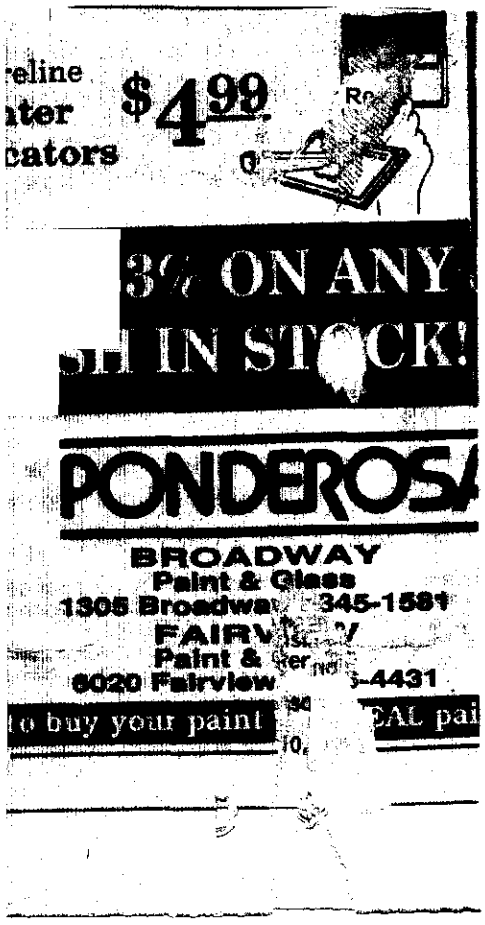
Amount Due
$139.80

Account Number	Identification
047628	NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 63-00249, 63-00278, 63-00279

Ordered By	P.O. Number	Rate	Run Dates
Gail Garrett		TT	September 3, 10, 1992

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Estimated Inches	Real Inches
# Affidavits	Legal Number
1	3064



JULIE DAY, 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

xx☐ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of SEPT. 3, 19 92

and ending with the issue of SEPT. 10, 19 92

Julie Day

STATE OF IDAHO)
ss.
COUNTY OF ADA)

On this 10th day of SEPTEMBER in the year of 1992, before me, a Notary Public, personally appeared JULIE DAY, 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

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SEP 16 1992
Department of Water Resources
Western Regional Office

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FEB 23 1994

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

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Gail Garrett		TT	September 3, 10, 1992

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Estimated Inches	Real Inches
# Affidavits: 1	Legal Number: 3064

LEGAL NOTICE
NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 63-00249, 63-00278, 63-00279

Notice is hereby given that Riverview Ventures of Boise has applied to the Department of Water Resources for a change of place of use and nature of use of the water of the Boise River. The rights sought to be changed are evidenced by Decree and Snake River Basin Adjudication Claims and are recorded as follows:

Right	Amount	Priority	Point of Diversion	Place of Use
63-00249	1.00	05/01/1895	NWSW S.29 T03N R03E	NESE S.25 T03N R02E; NESE S.30 T03N R03E Assumed 50 Acres
A63-00249B	.08	as above	as above	NESW, NESE, S.30 T03N R03E a portion of right for 4 acres
63-00278	.08	04/01/1865	as above	SWNE, E1/2NW, S.30 T03N R03E Assumed 40 Acres
A63-00278 Same as 63-00278 but claimed 55 acres.				
63-00279	.80	04/01/1870	as above	As in 63-00278 but assumed to be for 40 more acres

A63-00279 Same as 63-00279 but claimed for same 55 acres as in A63-00278.

The point of diversion is the Ridenbaugh Canal; rights are the Bahler Rights used for irrigation purposes.

TO BE CHANGED AS FOLLOWS

Right and Amount: 63-00249B, .08 cfs; 63-00278, .80 cfs; 63-00279, .80 cfs; 1.68 cfs total.

Point of Diversion: Same as above (Ridenbaugh Canal). Water will be used for aesthetic purposes, including fish and wildlife habitat, in a water amenity in the Natures Wood Duck Island Subdivision No. 1 during the irrigation season 3/15 to 11/15, located in SWNE, NW 1/4, NESW, S.30 T03N R03E.

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 **September 21, 1992.**

R. Keith Higginson
Director

Pub. September 3, 10, 1992

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3064

On t n the year of
ally appeared
r 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: 11-27-97

CONVERSATION MEMORANDUM

DATE 8/21/92

FILE 63-00249
-00278
-00279

NAME OF PARTY John Anderson Nampa Meridian Irrig Dist. Supt 466-0663

EMPLOYEE Steve Lester

RE:

Old weir for Baker Rights delivered to subd. area has not worked well for long time. NMID believes has delivered ≈ 80" to subd. area. (BAKER acct.; also used in Barber Park, he thinks).

Built new headgate, weir box & arrangements for Cip. weir for subd. delivery but have not had chance to use it this year. Should have it working by next year.

Asked for copy of transfer appl. when advertising it.

RECONCILED

1994

CONVERSATION MEMORANDUM

DATE 8/13/92

FILE Riverview Ventures

NAME OF PARTY Sheri Chapman, Consultant

EMPLOYEE Steve Lester

OFFICE visit

RE: Wood Duck Island Subd.

Transfer

Need proof of ownership / acre L.7 NESE 5.30.
(for split of WR as in SRBA claim).

SRBA claim includes 3 Ac. NESW 5.30 that are shown as irrigated 1987 ASCS phot. Claimed as accomplished transfer due to changes in L.7 NESE where Ridenbg. Canal & changes in riparian vegetation caused changes in irrigation practices.

Appl. for Permit (2)
Will provide addtl. Name / title for Applicant.

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FEB 28 1994

CONVERSATION MEMORANDUM

DATE 7/17/92

FILE 63.00249
-00278
-00279

NAME OF PARTY SCE Salton

EMPLOYEE Steve Lester

RE:

① Watermaster Lee Sisco -

Bills Balkan rights c/o KNAPP-Hall separately from other water in Ridenbaugh Canal.

~~Bills 63-00278~~

Bills for 278 24-hr. 50cond ft. per year to account.

Suggests contact Nampa Meridian Irr. Dist. for info about water s/or billing (re: withdrawal from canal to acres).

② Nampa Meridian Irr. Dist. 466-7861

Bonnie: 5:30 not in ~~their~~ the irrig. district.

Will check to see if have records:

- amount Hzo delivered to Lamgate from canal to lands
- amount Hzo billed for by NMID to BALKAN account.

Bonnie - called back later. Said Hzo Sup'td.

Judy Anderson will call me with info.

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FEB 23 1994

March 27, 1925

Re: District 12-A

Mr. C. C. Cavanaugh
Attorney at Law
Boise, Idaho

Dear Sir:

I have the affidavit of Adolph Bahler, relative to change of point of diversion of decreed water as evidenced by the Stewart Decree, together with the order you have prepared which I assume you desire this office to sign.

So far as I am aware the statutes make no provision for the approval or disapproval of affidavits of this nature. In the case of a permit right this office does approve such requests. However, to my knowledge it never has been done in the case of decreed water rights.

Inasmuch as the statutes provide no procedure for securing permission to change point of diversion such as is provided for transfer of place of use of decreed water and neither do they require approval of this department, I take it that such action would be unwarranted and possibly exceed the departmental authority.

Ordinary procedure is that the water master of the district be notified of such notice of intention to change point of diversion and he acts accordingly. Mr. Wel[illegible] the water master for the Boise River, will be notified of this affidavit and I take it that he will take such action as seems appropriate in the matter.

Very truly yours,

Director of Water Resources.

GNC:EK