

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 63-2392F
Date Received: 8/21/2009
Receipt No: C089637,

C089681

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BOISE PROJECT BOARD OF CONTROL Phone: (208)336-0700

ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE ID USA 83702-2139

2. Date of Priority: 08/13/1925

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03E	3	NW SW	ADA	

5. Description of diverting works:

New York Canal diversion structure at the Diversion Dam on the Boise River.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	7.65	

7. Total Quantity Appropriated is:
7.64 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho constitutional and statutory law title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water to the landowners in the boundaries of the districts listed in the place of use remark for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

Other water rights used at the same place and for the same purpose: All water rights in the same POU.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

_____, and that the statements contained in the

Organization

foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)

County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

RIGHT NUMBER: 63-2392F

NAME AND ADDRESS: BOISE PROJECT BOARD OF CONTROL
ATTN ALBERT BARKER
BARKER ROSHOLT
PO BOX 2139
BOISE ID 83702-2139

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 7.650 CFS

PRIORITY DATE: 09/13/1927

POINT OF DIVERSION:

T02N R03E S3 NWSW Lot 6 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	7.650 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

This water is collected within the boundaries of Drainage District No. 3 and is limited to the irrigation of 167,000 acres within the digital boundary of the Boise Project Board of Control.

Place of use is 167,000 acres within the following irrigation district boundaries: Boise-Kuna Irrigation District, Nampa Meridian Irrigation District, Wilder Irrigation District, New York Irrigation District and the Big Bend Irrigation District.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

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

The name of the Boise Project Board of Control appears in the Name and Address section of this partial decree. The Boise Project Board of Control is the operating agent of the Nampa-Meridian Irrigation District, Boise-Kuna Irrigation District, New York Irrigation District, Wilder Irrigation District and Big Bend Irrigation District. Pursuant to Idaho law, this right is appurtenant to the lands within the boundaries of or served by these irrigation districts.

The source of this right is wastewater collected by Drainage District No. 3 and returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at the point of diversion by the Boise Project Board of Control to be used within their digital boundary.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The source of this right is wastewater returned to the Boise River. The quantity of water returned to the Boise River is exchanged for an equal quantity of water which is diverted upstream at the point of diversion for the rightholder. Because the source of this water right is based upon the water returned to the Boise River, and the historic administration of this right, the quantity of water exchanged and diverted upstream at the point of diversion for the rightholder shall be curtailed only to the same extent that the amount of wastewater returned to the Boise River is reduced or less than the quantity provided in this right. This right is not subject to the Stewart Decree or the step down provisions and/or cuts provided in said Stewart Decree.

STATE OF IDAHO
LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. 16237 Priority 9-13-1927 Amount 15.4 sec. ft.

THIS IS TO CERTIFY that Drainage District #3 of Ada County, of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 10, 1925; that Permit No. 16237 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 15.4 second feet, was issued thereunder on September 4, 1930, showing that said works were completed on the 13th day of December, 1925; and that on the 15th day of May, 1928, Drainage District #3 of Ada County, of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Drain ditches "A", "B", "B-1", and "E", tributaries of Boise River, for the purpose of irrigation and domestic use under Use Permit No. 16237, of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3627, on the 4th day of September, 1930;

The right hereby confirmed dates from September 13, 1927;

The Points of Diversion are located as follows: Outlet Drain "A" bears N. 71°43' E. 562 ft. from Cor. Secs. 9, 10, 15 and 18, T. 3 N., R. 2 E. Outlet Drain "B" bears 660' E. and 165' N. of $\frac{1}{4}$ Cor. common to Secs. 14 and 25, T. 3 N., R. 2 E. Outlet Drain "B-1" bears 1320' E. and 2090' N. of $\frac{1}{4}$ Cor. common to Secs. 24 and 25, T. 3 N., R. 2 E. Outlet Drain "E" bears 215' E. of NW Cor. of E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 9, T. 3 N., R. 2 E., Ada County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 15.4 cubic feet per second.

Description and location of use: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30; T. 3 N., R. 3 E., B. M.; S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 14; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 15; NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 16; NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 21; All Sec. 22; All Sec. 23; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 24; NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; Twp. 3 N., R. 2 E., B. M.

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 4th day of September, 1930.


Commissioner of Reclamation

16237

EXHIBIT "A".

Points of Diversion will be the present diversions of
Four (4) Canals. (1) New York Canal, (2) Ridenbaugh Canal, (3) Bubb
Canal, (4) Rossi Mill Ditch.

#1 New York Canal	17.00	Sec.	ft.	Point of Diversion	NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 3, T. 2N, R. 3E	B M
#2 Ridenbaugh "	8.00	"	"	"	NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29 T3N, R3E	B M
#3 Bubb "	3.00	"	"	"	SE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 30 T3N, R3E	B M
#4 Rossi Mill "	2.00	"	"	"	NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 23 T3N, R2E	B M

Remark A. New York Headgate	Bears 220' E. & 360'S of W $\frac{1}{4}$ Cor. Sec. 3, T 2N, R. 3E
Ridenbaugh Headgate	" 1630' N. & 440'E of SW Cor. Sec. 29, T. 3N, R3E
Bubb Ditch Headgate	" 650' N. & 2340'E of W $\frac{1}{4}$ Cor. Sec. 30, T. 3N, R3E
Rossi Mill Headgate	" 1500' N. & 250'E of W $\frac{1}{4}$ Cor. Sec. 24, T. 3N, R2E

DRAIN OUTLETS.

Outlet Drain "A"	Bears N 71°43'E 562 ft. from Cor. Sees. 9, 10, 15 & 16 T. 3NR2E
" " "B"	" 660'E & 165'N of $\frac{1}{4}$ Cor. common to Sees. 14 & 23 T. 3NR2E
" " "B-1"	" 1320'E & 2090'N of $\frac{1}{4}$ Cor. " " 24 & 25 T. 3NR2E
" " "B"	" 215'E of SW Cor. of E $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 9 T. 3NR2E

Remark B. Present Canals, Diversion dams and headgates will be used all of
which are fully described in previous filings.

WASTEWATER
COURT ORDER

DD #3 (include 63-2392)
et. al. Basis of LHC.

dated 8-13-1925

IN THE DISTRICT COURT
OF THE
THIRD JUDICIAL DISTRICT
OF THE
STATE OF IDAHO
COUNTY OF ADA

*In the Matter of Draining
Lots 1st 2d 3d 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th 101st 102nd 103rd 104th 105th 106th 107th 108th 109th 110th 111th 112th 113th 114th 115th 116th 117th 118th 119th 120th 121st 122nd 123rd 124th 125th 126th 127th 128th 129th 130th 131st 132nd 133rd 134th 135th 136th 137th 138th 139th 140th 141st 142nd 143rd 144th 145th 146th 147th 148th 149th 150th 151st 152nd 153rd 154th 155th 156th 157th 158th 159th 160th 161st 162nd 163rd 164th 165th 166th 167th 168th 169th 170th 171st 172nd 173rd 174th 175th 176th 177th 178th 179th 180th 181st 182nd 183rd 184th 185th 186th 187th 188th 189th 190th 191st 192nd 193rd 194th 195th 196th 197th 198th 199th 200th 201st 202nd 203rd 204th 205th 206th 207th 208th 209th 210th 211st 212nd 213th 214th 215th 216th 217th 218th 219th 220th 221st 222nd 223rd 224th 225th 226th 227th 228th 229th 230th 231st 232nd 233rd 234th 235th 236th 237th 238th 239th 240th 241st 242nd 243rd 244th 245th 246th 247th 248th 249th 250th 251st 252nd 253rd 254th 255th 256th 257th 258th 259th 260th 261st 262nd 263rd 264th 265th 266th 267th 268th 269th 270th 271st 272nd 273rd 274th 275th 276th 277th 278th 279th 280th 281st 282nd 283rd 284th 285th 286th 287th 288th 289th 290th 291st 292nd 293rd 294th 295th 296th 297th 298th 299th 300th 301st 302nd 303rd 304th 305th 306th 307th 308th 309th 310th 311st 312nd 313th 314th 315th 316th 317th 318th 319th 320th 321st 322nd 323rd 324th 325th 326th 327th 328th 329th 330th 331st 332nd 333rd 334th 335th 336th 337th 338th 339th 340th 341st 342nd 343rd 344th 345th 346th 347th 348th 349th 350th 351st 352nd 353rd 354th 355th 356th 357th 358th 359th 360th 361st 362nd 363rd 364th 365th 366th 367th 368th 369th 370th 371st 372nd 373rd 374th 375th 376th 377th 378th 379th 380th 381st 382nd 383rd 384th 385th 386th 387th 388th 389th 390th 391st 392nd 393rd 394th 395th 396th 397th 398th 399th 400th 401st 402nd 403rd 404th 405th 406th 407th 408th 409th 410th 411st 412nd 413th 414th 415th 416th 417th 418th 419th 420th 421st 422nd 423rd 424th 425th 426th 427th 428th 429th 430th 431st 432nd 433rd 434th 435th 436th 437th 438th 439th 440th 441st 442nd 443rd 444th 445th 446th 447th 448th 449th 450th 451st 452nd 453rd 454th 455th 456th 457th 458th 459th 460th 461st 462nd 463rd 464th 465th 466th 467th 468th 469th 470th 471st 472nd 473rd 474th 475th 476th 477th 478th 479th 480th 481st 482nd 483rd 484th 485th 486th 487th 488th 489th 490th 491st 492nd 493rd 494th 495th 496th 497th 498th 499th 500th 501st 502nd 503rd 504th 505th 506th 507th 508th 509th 510th 511st 512nd 513th 514th 515th 516th 517th 518th 519th 520th 521st 522nd 523rd 524th 525th 526th 527th 528th 529th 530th 531st 532nd 533rd 534th 535th 536th 537th 538th 539th 540th 541st 542nd 543rd 544th 545th 546th 547th 548th 549th 550th 551st 552nd 553rd 554th 555th 556th 557th 558th 559th 560th 561st 562nd 563rd 564th 565th 566th 567th 568th 569th 570th 571st 572nd 573rd 574th 575th 576th 577th 578th 579th 580th 581st 582nd 583rd 584th 585th 586th 587th 588th 589th 590th 591st 592nd 593rd 594th 595th 596th 597th 598th 599th 600th 601st 602nd 603rd 604th 605th 606th 607th 608th 609th 610th 611st 612nd 613th 614th 615th 616th 617th 618th 619th 620th 621st 622nd 623rd 624th 625th 626th 627th 628th 629th 630th 631st 632nd 633rd 634th 635th 636th 637th 638th 639th 640th 641st 642nd 643rd 644th 645th 646th 647th 648th 649th 650th 651st 652nd 653rd 654th 655th 656th 657th 658th 659th 660th 661st 662nd 663rd 664th 665th 666th 667th 668th 669th 670th 671st 672nd 673rd 674th 675th 676th 677th 678th 679th 680th 681st 682nd 683rd 684th 685th 686th 687th 688th 689th 690th 691st 692nd 693rd 694th 695th 696th 697th 698th 699th 700th 701st 702nd 703rd 704th 705th 706th 707th 708th 709th 710th 711st 712nd 713th 714th 715th 716th 717th 718th 719th 720th 721st 722nd 723rd 724th 725th 726th 727th 728th 729th 730th 731st 732nd 733rd 734th 735th 736th 737th 738th 739th 740th 741st 742nd 743rd 744th 745th 746th 747th 748th 749th 750th 751st 752nd 753rd 754th 755th 756th 757th 758th 759th 760th 761st 762nd 763rd 764th 765th 766th 767th 768th 769th 770th 771st 772nd 773rd 774th 775th 776th 777th 778th 779th 780th 781st 782nd 783rd 784th 785th 786th 787th 788th 789th 790th 791st 792nd 793rd 794th 795th 796th 797th 798th 799th 800th 801st 802nd 803rd 804th 805th 806th 807th 808th 809th 810th 811st 812nd 813th 814th 815th 816th 817th 818th 819th 820th 821st 822nd 823rd 824th 825th 826th 827th 828th 829th 830th 831st 832nd 833rd 834th 835th 836th 837th 838th 839th 840th 841st 842nd 843rd 844th 845th 846th 847th 848th 849th 850th 851st 852nd 853rd 854th 855th 856th 857th 858th 859th 860th 861st 862nd 863rd 864th 865th 866th 867th 868th 869th 870th 871st 872nd 873rd 874th 875th 876th 877th 878th 879th 880th 881st 882nd 883rd 884th 885th 886th 887th 888th 889th 890th 891st 892nd 893rd 894th 895th 896th 897th 898th 899th 900th 901st 902nd 903rd 904th 905th 906th 907th 908th 909th 910th 911st 912nd 913th 914th 915th 916th 917th 918th 919th 920th 921st 922nd 923rd 924th 925th 926th 927th 928th 929th 930th 931st 932nd 933rd 934th 935th 936th 937th 938th 939th 940th 941st 942nd 943rd 944th 945th 946th 947th 948th 949th 950th 951st 952nd 953rd 954th 955th 956th 957th 958th 959th 960th 961st 962nd 963rd 964th 965th 966th 967th 968th 969th 970th 971st 972nd 973rd 974th 975th 976th 977th 978th 979th 980th 981st 982nd 983rd 984th 985th 986th 987th 988th 989th 990th 991st 992nd 993rd 994th 995th 996th 997th 998th 999th 1000th 1001st 1002nd 1003rd 1004th 1005th 1006th 1007th 1008th 1009th 1010th 1011st 1012nd 1013th 1014th 1015th 1016th 1017th 1018th 1019th 1020th 1021st 1022nd 1023rd 1024th 1025th 1026th 1027th 1028th 1029th 1030th 1031st 1032nd 1033rd 1034th 1035th 1036th 1037th 1038th 1039th 1040th 1041st 1042nd 1043rd 1044th 1045th 1046th 1047th 1048th 1049th 1050th 1051st 1052nd 1053rd 1054th 1055th 1056th 1057th 1058th 1059th 1060th 1061st 1062nd 1063rd 1064th 1065th 1066th 1067th 1068th 1069th 1070th 1071st 1072nd 1073rd 1074th 1075th 1076th 1077th 1078th 1079th 1080th 1081st 1082nd 1083rd 1084th 1085th 1086th 1087th 1088th 1089th 1090th 1091st 1092nd 1093rd 1094th 1095th 1096th 1097th 1098th 1099th 1100th 1101st 1102nd 1103rd 1104th 1105th 1106th 1107th 1108th 1109th 1110th 1111st 1112nd 1113th 1114th 1115th 1116th 1117th 1118th 1119th 1120th 1121st 1122nd 1123rd 1124th 1125th 1126th 1127th 1128th 1129th 1130th 1131st 1132nd 1133rd 1134th 1135th 1136th 1137th 1138th 1139th 1140th 1141st 1142nd 1143rd 1144th 1145th 1146th 1147th 1148th 1149th 1150th 1151st 1152nd 1153rd 1154th 1155th 1156th 1157th 1158th 1159th 1160th 1161st 1162nd 1163rd 1164th 1165th 1166th 1167th 1168th 1169th 1170th 1171st 1172nd 1173rd 1174th 1175th 1176th 1177th 1178th 1179th 1180th 1181st 1182nd 1183rd 1184th 1185th 1186th 1187th 1188th 1189th 1190th 1191st 1192nd 1193rd 1194th 1195th 1196th 1197th 1198th 1199th 1200th 1201st 1202nd 1203rd 1204th 1205th 1206th 1207th 1208th 1209th 1210th 1211st 1212nd 1213th 1214th 1215th 1216th 1217th 1218th 1219th 1220th 1221st 1222nd 1223rd 1224th 1225th 1226th 1227th 1228th 1229th 1230th 1231st 1232nd 1233rd 1234th 1235th 1236th 1237th 1238th 1239th 1240th 1241st 1242nd 1243rd 1244th 1245th 1246th 1247th 1248th 1249th 1250th 1251st 1252nd 1253rd 1254th 1255th 1256th 1257th 1258th 1259th 1260th 1261st 1262nd 1263rd 1264th 1265th 1266th 1267th 1268th 1269th 1270th 1271st 1272nd 1273rd 1274th 1275th 1276th 1277th 1278th 1279th 1280th 1281st 1282nd 1283rd 1284th 1285th 1286th 1287th 1288th 1289th 1290th 1291st 1292nd 1293rd 1294th 1295th 1296th 1297th 1298th 1299th 1300th 1301st 1302nd 1303rd 1304th 1305th 1306th 1307th 1308th 1309th 1310th 1311st 1312nd 1313th 1314th 1315th 1316th 1317th 1318th 1319th 1320th 1321st 1322nd 1323rd 1324th 1325th 1326th 1327th 1328th 1329th 1330th 1331st 1332nd 1333rd 1334th 1335th 1336th 1337th 1338th 1339th 1340th 1341st 1342nd 1343rd 1344th 1345th 1346th 1347th 1348th 1349th 1350th 1351st 1352nd 1353rd 1354th 1355th 1356th 1357th 1358th 1359th 1360th 1361st 1362nd 1363rd 1364th 1365th 1366th 1367th 1368th 1369th 1370th 1371st 1372nd 1373rd 1374th 1375th 1376th 1377th 1378th 1379th 1380th 1381st 1382nd 1383rd 1384th 1385th 1386th 1387th 1388th 1389th 1390th 1391st 1392nd 1393rd 1394th 1395th 1396th 1397th 1398th 1399th 1400th 1401st 1402nd 1403rd 1404th 1405th 1406th 1407th 1408th 1409th 1410th 1411st 1412nd 1413th 1414th 1415th 1416th 1417th 1418th 1419th 1420th 1421st 1422nd 1423rd 1424th 1425th 1426th 1427th 1428th 1429th 1430th 1431st 1432nd 1433rd 1434th 1435th 1436th 1437th 1438th 1439th 1440th 1441st 1442nd 1443rd 1444th 1445th 1446th 1447th 1448th 1449th 1450th 1451st 1452nd 1453rd 1454th 1455th 1456th 1457th 1458th 1459th 1460th 1461st 1462nd 1463rd 1464th 1465th 1466th 1467th 1468th 1469th 1470th 1471st 1472nd 1473rd 1474th 1475th 1476th 1477th 1478th 1479th 1480th 1481st 1482nd 1483rd 1484th 1485th 1486th 1487th 1488th 1489th 1490th 1491st 1492nd 1493rd 1494th 1495th 1496th 1497th 1498th 1499th 1500th 1501st 1502nd 1503rd 1504th 1505th 1506th 1507th 1508th 1509th 1510th 1511st 1512nd 1513th 1514th 1515th 1516th 1517th 1518th 1519th 1520th 1521st 1522nd 1523rd 1524th 1525th 1526th 1527th 1528th 1529th 1530th 1531st 1532nd 1533rd 1534th 1535th 1536th 1537th 1538th 1539th 1540th 1541st 1542nd 1543rd 1544th 1545th 1546th 1547th 1548th 1549th 1550th 1551st 1552nd 1553rd 1554th 1555th 1556th 1557th 1558th 1559th 1560th 1561st 1562nd 1563rd 1564th 1565th 1566th 1567th 1568th 1569th 1570th 1571st 1572nd 1573rd 1574th 1575th 1576th 1577th 1578th 1579th 1580th 1581st 1582nd 1583rd 1584th 1585th 1586th 1587th 1588th 1589th 1590th 1591st 1592nd 1593rd 1594th 1595th 1596th 1597th 1598th 1599th 1600th 1601st 1602nd 1603rd 1604th 1605th 1606th 1607th 1608th 1609th 1610th 1611st 1612nd 1613th 1614th 1615th 1616th 1617th 1618th 1619th 1620th 1621st 1622nd 1623rd 1624th 1625th 1626th 1627th 1628th 1629th 1630th 1631st 1632nd 1633rd 1634th 1635th 1636th 1637th 1638th 1639th 1640th 1641st 1642nd 1643rd 1644th 1645th 1646th 1647th 1648th 1649th 1650th 1651st 1652nd 1653rd 1654th 1655th 1656th 1657th 1658th 1659th 1660th 1661st 1662nd 1663rd 1664th 1665th 1666th 1667th 1668th 1669th 1670th 1671st 1672nd 1673rd 1674th 1675th 1676th 1677th 1678th 1679th 1680th 1681st 1682nd 1683rd 1684th 1685th 1686th 1687th 1688th 1689th 1690th 1691st 1692nd 1693rd 1694th 1695th 1696th 1697th 1698th 1699th 1700th 1701st 1702nd 1703rd 1704th 1705th 1706th 1707th 1708th 1709th 1710th 1711st 1712nd 1713th 1714th 1715th 1716th 1717th 1718th 1719th 1720th 1721st 1722nd 1723rd 1724th 1725th 1726th 1727th 1728th 1729th 1730th 1731st 1732nd 1733rd 1734th 1735th 1736th 1737th 1738th 1739th 1740th 1741st 1742nd 1743rd 1744th 1745th 1746th 1747th 1748th 1749th 1750th 1751st 1752nd 1753rd 1754th 1755th 1756th 1757th 1758th 1759th 1760th 1761st 1762nd 1763rd 1764th 1765th 1766th 1767th 1768th 1769th 1770th 1771st 1772nd 1773rd 1774th 1775th 1776th 1777th 1778th 1779th 1780th 1781st 1782nd 1783rd 1784th 1785th 1786th 1787th 1788th 1789th 1790th 1791st 1792nd 1793rd 1794th 1795th 1796th 1797th 1798th 1799th 1800th 1801st 1802nd 1803rd 1804th 1805th 1806th 1807th 1808th 1809th 1810th 1811st 1812nd 1813th 1814th 1815th 1816th 1817th 1818th 1819th 1820th 1821st 1822nd 1823rd 1824th 1825th 1826th 1827th 1828th 1829th 1830th 1831st 1832nd 1833rd 1834th 1835th 1836th 1837th 1838th 1839th 1840th 1841st 1842nd 1843rd 1844th 1845th 1846th 1847th 1848th 1849th 1850th 1851st 1852nd 1853rd 1854th 1855th 1856th 1857th 1858th 1859th 1860th 1861st 1862nd 1863rd 1864th 1865th 1866th 1867th 1868th 1869th 1870th 1871st 1872nd 1873rd 1874th 1875th 1876th 1877th 1878th 1879th 1880th 1881st 1882nd 1883rd 1884th 1885th 1886th 1887th 1888th 1889th 1890th 1891st 1892nd 1893rd 1894th 1895th 1896th 1897th 1898th 1899th 1900th 1901st 1902nd 1903rd 1904th 1905th 1906th 1907th 1908th 1909th 1910th 1911st 1912nd 1913th 1914th 1915th 1916th 1917th 1918th 1919th 1920th 1921st 1922nd 1923rd 1924th 1925th 1926th 1927th 1928th 1929th 1930th 1931st 1932nd 1933rd 1934th 1935th 1936th 1937th 1938th 1939th 1940th 1941st 1942nd 1943rd 1944th 1945th 1946th 1947th 1948th 1949th 1950th 1951st 1952nd 1953rd 1954th 1955th 1956th 1957th 1958th 1959th 1960th 1961st 1962nd 1963rd 1964th 1965th 1966th 1967th 1968th 1969th 1970th 1971st 1972nd 1973rd 1974th 1975th 1976th 1977th 1978th 1979th 1980th 1981st 1982nd 1983rd 1984th 1985th 1986th 1987th 1988th 1989th 1990th 1991st 1992nd 1993rd 1994th 1995th 1996th 1997th 1998th 1999th 2000th 2001st 2002nd 2003rd 2004th 2005th 2006th 2007th 2008th 2009th 2010th 2011st 2012nd 2013th 2014th 2015th 2016th 2017th 2018th 2019th 2020th 2021st 2022nd 2023rd 2024th 2025th 2026th 2027th 2028th 2029th 2030th 2031st 2032nd 2033rd 2034th 2035th 2036th 2037th 2038th 2039th 2040th 2041st 2042nd 2043rd 2044th 2045th 2046th 2047th 2048th 2049th 2050th 2051st 2052nd 2053rd 2054th 2055th 2056th 2057th 2058th 2059th 2060th 2061st 2062nd 2063rd 2064th 2065th 2066th 2067th 2068th 2069th 2070th 2071st 2072nd 2073rd 2074th 2075th 2076th 2077th 2078th 2079th 2080th 2081st 2082nd 2083rd 2084th 2085th 2086th 2087th 2088th 2089th 2090th 2091st 2092nd 2093rd 2094th 2095th 2096th 2097th 2098th 2099th 2100th 2101st 2102nd 2103rd 2104th 2105th 2106th 2107th 2108th 2109th 2110th 2111st 2112nd 2113th 2114th 2115th 2116th 2117th 2118th 2119th 2120th 2121st 2122nd 2123rd 2124th 2125th 2126th 2127th 2128th 2129th 2130th 2131st 2132nd 2133rd 2134th 2135th 2136th 2137th 2138th 2139th 2140th 2141st 2142nd 2143rd 2144th 2145th 2146th 2147th 2148th 2149th 2150th 2151st 2152nd 2153rd 2154th 2155th 2156th 2157th 2158th 2159th 2160th 2161st 2162nd 2163rd 2164th 2165th 2166th 2167th 2168th 2169th 2170th 2171st 2172nd 2173rd 2174th 2175th 2176th 2177th 2178th 2179th 2180th 2181st 2182nd 2183rd 2184th 2185th 2186th 2187th 2188th 2189th 2190th 2191st 2192nd 2193rd 2194th 2195th 2196th 2197th 2198th 2199th 2200th 2201st 2202nd 2203rd 2204th 2205th 2206th 22*

Saxton, Craig

From: Saxton, Craig
Sent: Friday, September 04, 2009 8:19 AM
To: Williams, Ray
Cc: Courtney, Andrea; Spencer, Nick
Subject: Need Fees for late claim 63-2392F

Hey Ray,

I have another one.

This e-mail is to document the need for additional filing fees if the motion to file late notice of claim 63-2392F is granted by the SRBA court.

63-2393F was filed by Albert Barker on behalf of Boise Project Board of Control.

The motion indicates that \$50 in filing fees were submitted to the court along with the motion.

Actual filing fee should be:

\$50 claim fee
\$50 late fee
\$0 variable fee (acres paid under other claims)
Total = \$100

If the motion is granted, an additional fee of \$50 needs to be paid before IDWR will consider the claim active.

Thanks,
Craig

9/4/2009

Claim No(s). 63-2392 F

Claim No(s). 63-2392 F

[illegible]

WATER DISTRICT 12-A

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

IN THE MATTER OF DRAINAGE DISTRICT
NO. 3, OF ADA COUNTY, SEAT OF IDAHO.)

COPY
ORDER.

The petition of Lyle Boone, C.A. Groves and Matt Beglan, Commissioners of Drainage District No. 3 of Ada County, State of Idaho, having been presented and considered by the court, and it appearing therefrom that said commissioners, as trustees, having heretofore filed upon the developed water made available by the construction of the drainage system herein before mentioned in the amount of about 1500 inches, for the benefit of the lands within the said drainage district, which filing has been approved by the Department of the Legislation of the State of Idaho, and Permit No. 16, 237, having been duly issued by said department to commissioners of said drainage district, and it further appearing that there is now available for distribution to the respective drainage canals supplying water to the land within said drainage district, No. 3, about 1000 inches of water, developed as appears by the verified petition on file herein, without in any manner interfering with prior existing rights in the said Boise River.

NOW THEREFORE, IT IS ORDERED, That the WaterMaster of Boise River, be and he hereby is authorized to retably distribute the water made available for irrigation purposes by reason of the construction of the said drainage system in Drainage District No. 3, of Ada County, State of Idaho, to the respective canals supplying irrigation water to the lands within said drainage district, not to exceed 1000 inches of said developed water or such portion of said 1000 inches as he shall determine, without interfering with prior existing

water rights in the said Boise River.

IT IS FURTHER ORDERED, That such diversion and distribution be by said Water Master continued when the water can be beneficially applied and the quantity of water distributed may be diminished or increased from time to time, such increase however, not to exceed 1500 inches, according to the data and information which is now available to said Water Master, or which may from time to time be furnished to him, until further order of this Court, and,

IT IS FURTHER ORDERED, that the Commissioners of Drainage District No. 3, of Ada County, State of Idaho, as soon as convenient, provide proper means for and supply the Water Master of Boise River with the necessary data and information upon which he may distribute said water in its ratable proportion to the respective irrigation canals supplying irrigation water to the lands within said Drainage District.

Dated this ^{13th} day of August, 1925.

Clinton H. Hartson
District Judge.

State of Idaho)
County of Ada) ss.

I, Stephen Utter, Clerk of the Third Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify the foregoing to be a full, true and correct copy of the original order in the above entitled matter with respect to the distribution of the developed water made available by the construction of the drainage system in Drainage District No. 3, of Ada County, State of Idaho; that the same was filed in my office on the ^{13th} day of August, 1925, and is still on file therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this ^{13th} day of August, 1925.

Stephen Utter
Clerk
W. E. Powell