

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

RIGHT NUMBER: 63-257

NAME AND ADDRESS: HOFF COMPANIES
1840 N LAKES AVE
MERIDIAN ID 83646

~~5257 FAIRVIEW #230~~
~~BOISE ID 83704~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.000 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: IRRIGATION in ADA County

T04N R01E S20 NWSE 23.00

23 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water delivered via Settlers Irrigation District Canal.

This right is designated as Right No. 85-B in the Boise River Stewart Decree and Boise River Water Distribution Report.

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

In Re SRBA)

Water Rights: 63-257

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 13, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

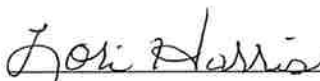
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Hoff Companies
1840 N Lakes Ave
Meridian ID 83646

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 13, 2007

HOFF COMPANIES
1840 N LAKES AVE
MERIDIAN ID 83646

Re: Water Right No. 63-257

Dear Sir or Madam:

Enclosed is a copy of the above referenced water right which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION



HOFF COMPANIES
5257 FAIRVIEW
#230
BOISE ID 83704

63-257



09/29/2006

RECEIVED

NOV 07 2006

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-257

HOFF COMPANIES
5257 FAIRVIEW
#230
BOISE ID 83704

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Change of address: 1840 N. Lakes Ave.
Meridian, Idaho 83646

3. Give a brief explanation as to why you disagree with these portions:

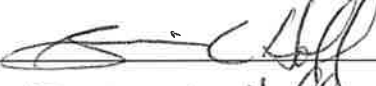
☒ I AGREE with this proposed recommendation: no changes need to be made.

Address Only!

DATE:

11/7/06

SIGNATURE:



Please print your name:

Brian C. Hoff

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

POSTAGE
SERVICE
REQUESTED

FIRST CLASS



02 1A
0004310839 OCT 08 2006
\$00.87
MAILED FROM ZIP CODE 83705

NOT PRINTED
AS REQUESTED
UNABLE TO FORWARD

8/1/08

HOFF COMPANIES
5257 FAIRVIEW
#230
BOISE ID 83704

1840 N Lakes Ave
Meridian 83642

RECEIVED
OCT 12 2006
WATER RESOURCES
WESTERN REGION

63-257
Resent 10-13-06

09/04/2006

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

RIGHT NUMBER: 63-257
NAME AND ADDRESS: HOFF COMPANIES
5257 FAIRVIEW
#230
BOISE ID 83704

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.000 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.000 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: IRRIGATION Within ADA County

T04N R01E S20 NWSE 23.00

23 ACRES TOTAL

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

09/04/2006

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water delivered via Settlers Irrigation District Canal.

This right is designated as Right No. 85-B in the Boise River Stewart Decree and Boise River Water Distribution Report.

Water Right(s) 63-257

IDAHO DEPT OF WATER RESOURCES

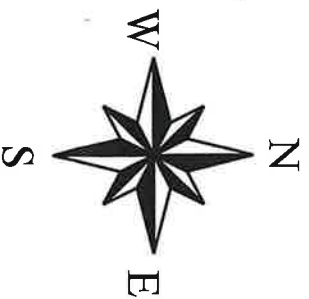
1987/1988 NAPP Photo
Prepared by: J. Shurte
Date: September, 2006

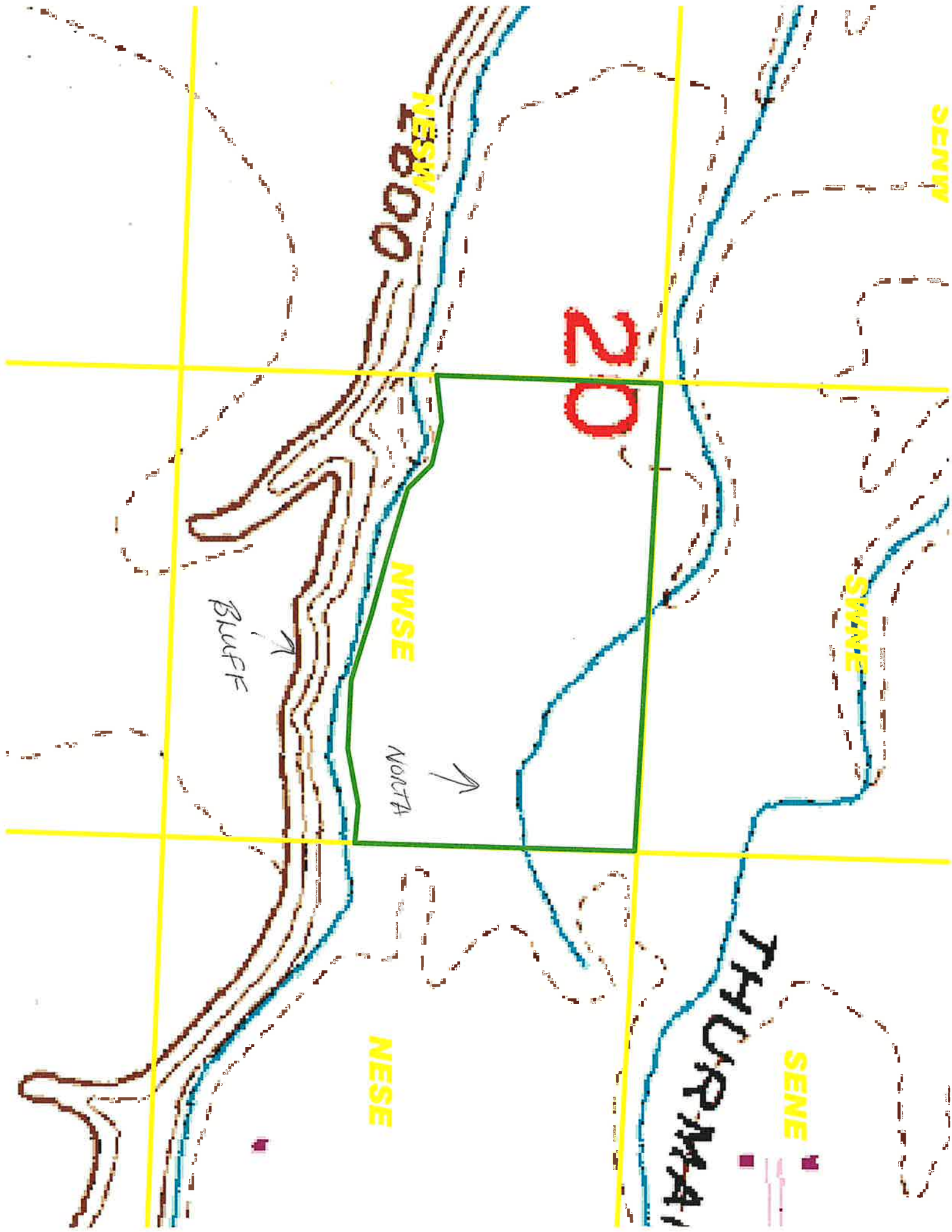
● Point of Diversion

View1

114114 Lines

Section Lines





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

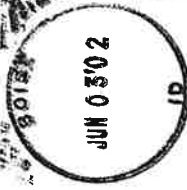
603-257

280 E. Corporate Dr.
Meridian 83642

Sent again 6/12/02

PRESORTED
FIRST CLASS

11/11/02



PB METER
7110094

0255

U.S. POSTAGE



UNDELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

HOFF COMPANIES
5257 FAIRVIEW
#230
BOISE ID 83704

RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION

DACTIME 6/12/02

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00257
Date Received: 9/08/1989
Receipt No: C011305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOFF COMPANIES
Address: 5257 FAIRVIEW
#230
BOISE, ID

83704

2. Date of Priority: APR 01, 1883

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	NW	NW			ADA

5. Description of diverting works:
CONCRETE DAM AND EARTHEN LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	20	NW	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:
TRANS. 76.
WATER CARRIED IN SETTLERS CANAL WITH P/D IN S9, T3N, R2E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BINGMAN
Decree Plaintiff

vs TALLMAN, A.V., WATERMASTER
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Date Received

Receipt Number

9-08-89

0011305

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Hoff Companies Phone ()

Mailing Address 5257 Fairview #230, Boise, Idaho Zip 83704

2. Date of Priority (Only one (1) per claim) April 1, 1883

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 2E Section 9,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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. Reinforced concrete diversion dam in river to earthen canal, to earthen lateral ditch system.

MICROFILMED

AUG 17 1992

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 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
4N	1E	20														40			40

Total number of acres irrigated 40

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 _____ No X
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.
Water Right Nos. 63-0230, 63-0231, 63-05262, 63-03618 and 63-03614 or None ()

14. Remarks: A power of attorney (Exhibit A) provides written authorization for the Chairman of Settlers Irrigation District to file this claim.
This water right is evidenced by a water right decree dated March 17, 1925
along with the supporting Judgment and Decree, filed December 13, 1919.

Last Name Hoff Ident No. _____

MICROFILMED
Copies: White -State, Yellow-Claimant
AUG 17 1992

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

Decree X

If applicable provide IDWR Water Right Number 63-0257

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 3

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Chairman

Title

of Settlers Irrigation District, that I have signed the foregoing

Organization

document in the space below as Chairman of Settlers Irrigation District

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Don S. Smithey

Title and Organization Chairman / President

Date 9/5/89

State of Idaho/or _____)

County of Cada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Sept 19 89

SEAL

Notary Public Joe Ann M. Bicanen

Residing at Meridian, id

My Commission Expires 8-1-93

Please Print Name

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 _____

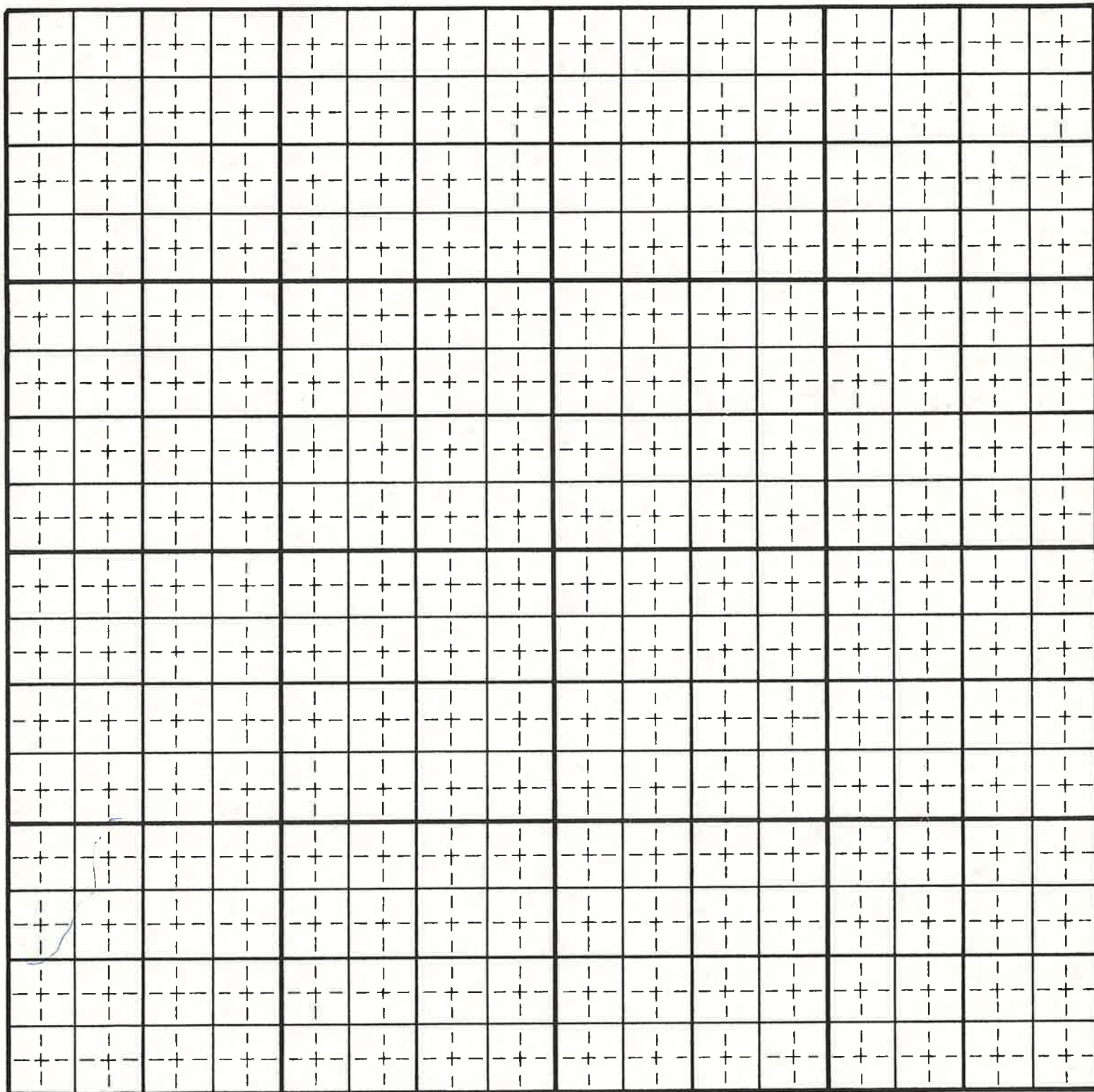
Last Name Hoff Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 17 1992

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 Exhibit B



Last Name Hoff Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 17 1992

63-009

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8/3/89
Date

Hoff Companies Inc
Harvey B. Hoff
Signature
Harvey B. Hoff
(Please print full name)

Date

Signature

(Please print full name)

MICROFILMED
AUG 17 1989

EXHIBIT A

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



Private groundwater diversions



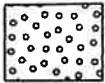
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



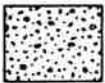
Farmers Union Ditch Co. (Boise River diversion)



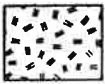
Little Pioneer Ditch Co. (Boise River diversion)



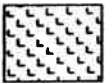
Nampa - Meridian Irrigation District (Boise River diversion)



New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED

AUG 17 1982

Rolling No. 5119

EXHIBIT

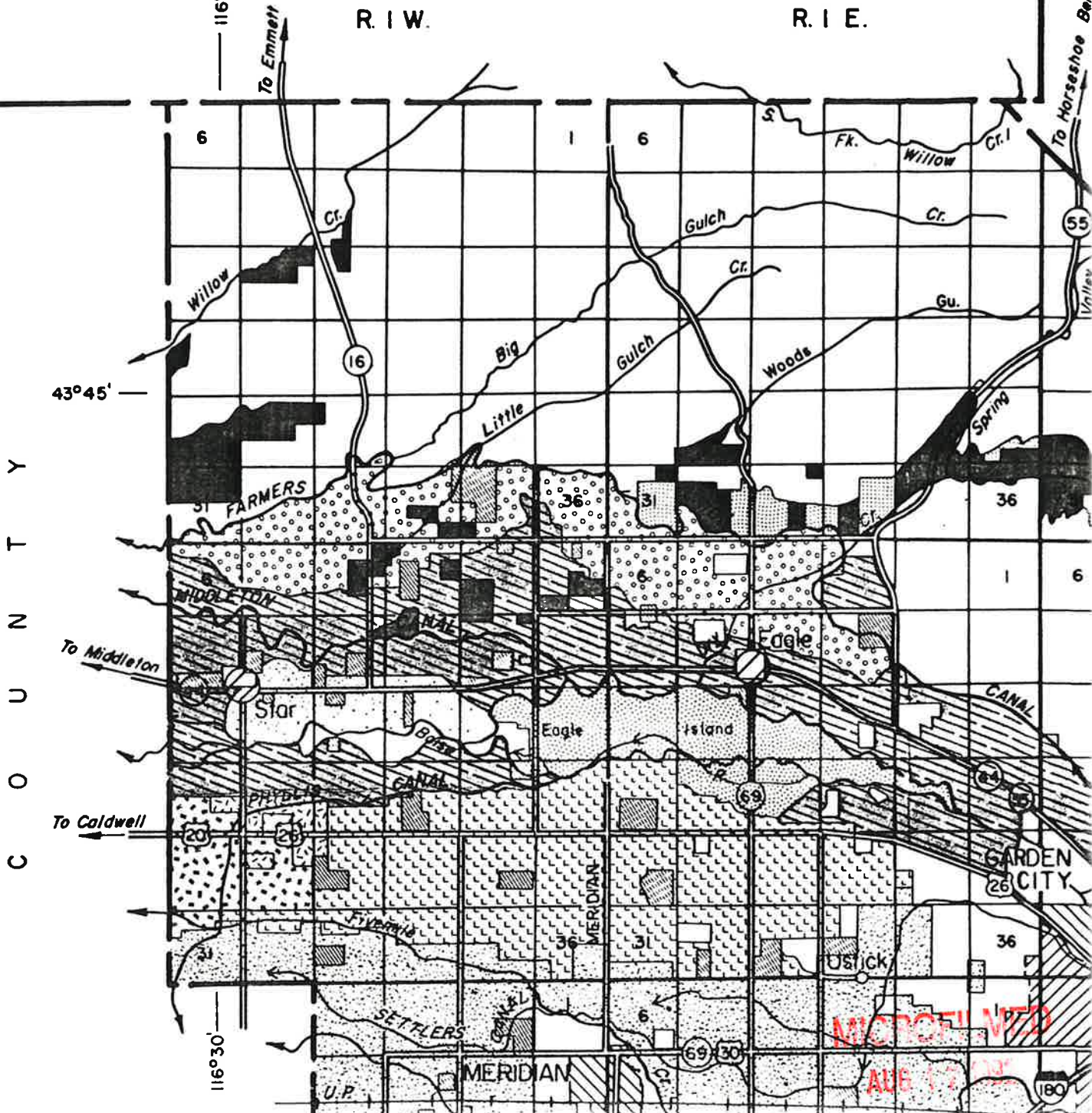
B



G E M M C O U N T Y

R. I. W.

R. I. E.



63-0251

63-0251

STATE OF IDAHO,
County of Ada } ss.

Jacob Bingman and Arissa C. Bingman, each 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:
that part of the northwest quarter of the southeast quarter of section
20, T. 4 N., R. 1 E. B. M., in Ada county, Idaho, lying under the fill
or bluff and extending northward therefrom,

as evidenced by the decree dated December, 1919,

in the cause entitled Jacob Bingman and Arissa C. Bingman, Hus. & Wife plaintiffs
vs. A. V. Talman, as Watermaster having charge of the dis- Defendant, brought
tributation of the waters of Boise river,
in the District Court of the seventh Judicial District of the State of Idaho; or,

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. _____

That he intends to change the point of diversion, as described in said decree or permit, to the follow-
ing described point:

the headgate of the main canal of the Settlers Irrigation District,
situated in section nine, township 3 north, range 2 east B. M., in
Ada county, Idaho;

That such change will be made for the following reasons, to-wit: that such water may
be combined with other water now being carried by said irrigation
district for these parties for use upon lands adjoining the above
described land in order to give these parties a better head of
water such as will enable them to more efficiently irrigate their
said lands and to diminish seepage and evaporation losses now suf-
fered in the use of a small head of water

That both of said canal companies consent to such change:

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.

Subscribed and sworn to before me this 17th day of March, 1925

My commission expires Aug 12-17-28.
(Over) Geo. Eugene Anderson Notary Public.

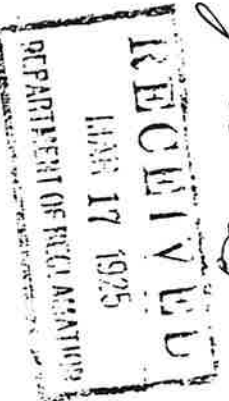


EXHIBIT C

Noted

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

✓ Jacob Blingman and Arissa C. Blingman,
husband and wife,

Plaintiffs,

vs.

JUDGMENT AND DECREE.

A. V. Tullman, as Watermaster having
charge of the Distribution of the
waters of Boise River,

Defendant.

This cause came on for hearing in open court on the 13th day of December, 1919, Martin & Cameron appearing for the plaintiffs and neither the defendant nor any one else appeared either in person or by attorney in opposition to the plaintiffs; the Court having heard all the evidence and proof adduced herein, and having examined the files, and duly considered the same, and being fully advised in the premises, and it appearing therefrom to the satisfaction of the Court;

1. That the summons in this action together with a copy of the complaint herein was duly and personally served upon the defendant in this action, and that said defendant has been duly and regularly summoned to answer the plaintiffs complaint in this action; that the time within which the said defendant may appear herein has expired, and that the defendant has made default in that behalf, and that the default of said defendant for not appearing and answering under plaintiffs complaint has been duly and regularly entered herein; that the plaintiffs have caused to be published for four weeks a notice of the pendency and purpose of this action in a newspaper, to wit, the Caldwell

That the pleadings herein be and the same hereby are amended to conform to the facts as found by the Court herein.

That the predecessors in interest of the plaintiffs did appropriate and divert from the waters of Boise River the quantity of water on the date hereinafter stated, such water being estimated and measured under a four inch pressure and did appropriate and divert such water for a beneficial use, and that ever since the date of such appropriation such water has been by the plaintiffs and their predecessors in interest so diverted and used.

That the plaintiffs are entitled to the use of the waters of Boise River upon the lands mentioned and described in their complaint, and they are hereby awarded the use of the waters of Boise River diverted at a point on the South side of said River in the Southeast Quarter of the Northeast Quarter of Section Five, Township Three North, Range Two East Boise Meridian, through the Thurman Mill Slough or Ditch for use upon lands lying under the hill or bluff and extending Northward therefrom in the Northwest Quarter of the Southeast Quarter of Section Twenty, Township 4 North, Range 1 East of Boise Meridian, in Ada County, Idaho, in the following amount from the following date:

63 0257
7- P.D. 76
2" 50

inches from April 1st 1883.

That the plaintiffs shall pay all costs arising under this action.

That the said waters shall be distributed to the plaintiffs in the same manner as though they had had their rights included in that decree adjudicating the waters of Boise River, dated January 1 1906, in that action in the District Court of the Third Judicial District of the State of Idaho in and for Canyon County, entitled "Farmers Co-operative Ditch Company (a corporation), Plaintiff, vs Riverside Irrigation District, Limited, a corporation, et als.,

Defendants."

Dated December 13th, 1919.

Ed L. Bryan
District Judge,

Filed and entered at 1:30 P. M. Dec. 13, 1919.

L. C. Knowlton, Clerk
B. L. Newell, Deputy.

I hereby Certify that the foregoing is a full, true and

correct copy of the original decree filed in the above entitled

action. B. 7- P. 294 .

compared.

L. C. Knowlton Clerk.

[Handwritten signature of L. C. Knowlton]

STATE OF IDAHO, }
County of Canyon, } ss. *L. C. Knowlton*

L. C. Knowlton, Clerk of the District Court and Ex-officio Recorder of the County of Canyon, State of Idaho, do hereby certify that the foregoing copy of Judgment and Decree

has been compared by me with the original, and that

it is a correct transcript therefrom, and of the whole of such original.

Judgment and Decree as the same appears
13017 Page 294 in file in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal this

18th

day of May 1921.

Boyer Edwards
Clerk of the District Court and Ex-Officio Recorder.

By *Carolina Fort Lincoln* Deputy.

Adj. Flag Translation:	Standard Water Right Number	Old (D) Number

*** C ~ CURRENT OWNER ***
BINGMAN

1 1 1
1 2 3

ARISSA C.

```

+ - - - - - Source - - - - - +
BOISE RIVER
+ - - - - - Tributary - - - - - +
SNAKE RIVER

```

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

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
04N	01E	20	NW SE			01	IRRIGATION	1 ADA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

--- Other Rights for Same Use ---

TRANS. 76.		Remarks	+

WATER CARRIED IN SETTLERS CANAL WITH P/D IN S9, T3N, R2E.

MICROFILMED

AUG 17 1963

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Hoff Companies

CLAIM IDENT. NO.

AG3-00257

DATE RECEIVED

9/8/89

CK #

0011305

AMOUNT \$

90

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) N/A | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt | ☒ | ☐ | * |

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AUG 17 1992

YES NO

23. Should this claim be receipted and data entered?

Claim checked by: Bruce A. Schmitt Date: 5/9/90

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: [Signature] Date: 9/8/89

Claim data entered by: [Signature] Date: 5/9/90 Checked by: BAS Date: 5/9/90

Sent to claimant by: _____ Date: _____

Comments: _____

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Adj. flag translation: Standard Water Right Number

+ - - -	- Decree Plaintiff	- - - +	+ - - -	- Decree Defendant TALLMAN, A.V., WATERMASTER	- - - +	+ - Decree Date 12/13/1919
BINGMAN						

05/01/88 CONVERT

[illegible]

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	-
Start Work 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	- 12/13/1919	Presumption Flag	-		- T

Microfilm Roll Number -

AUG 17 1992

MEMORANDUM

June 22, 1995

TO: SRBA Claims Submitted by Settler's Irrigation District

FROM: KAY WALKER *Kay*

RE: Correspondence prior to June 22, 1995

See File A63-00230F for all correspondence concerning
Settler's claims and claims they submitted for private individuals.

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OCT 02 1996