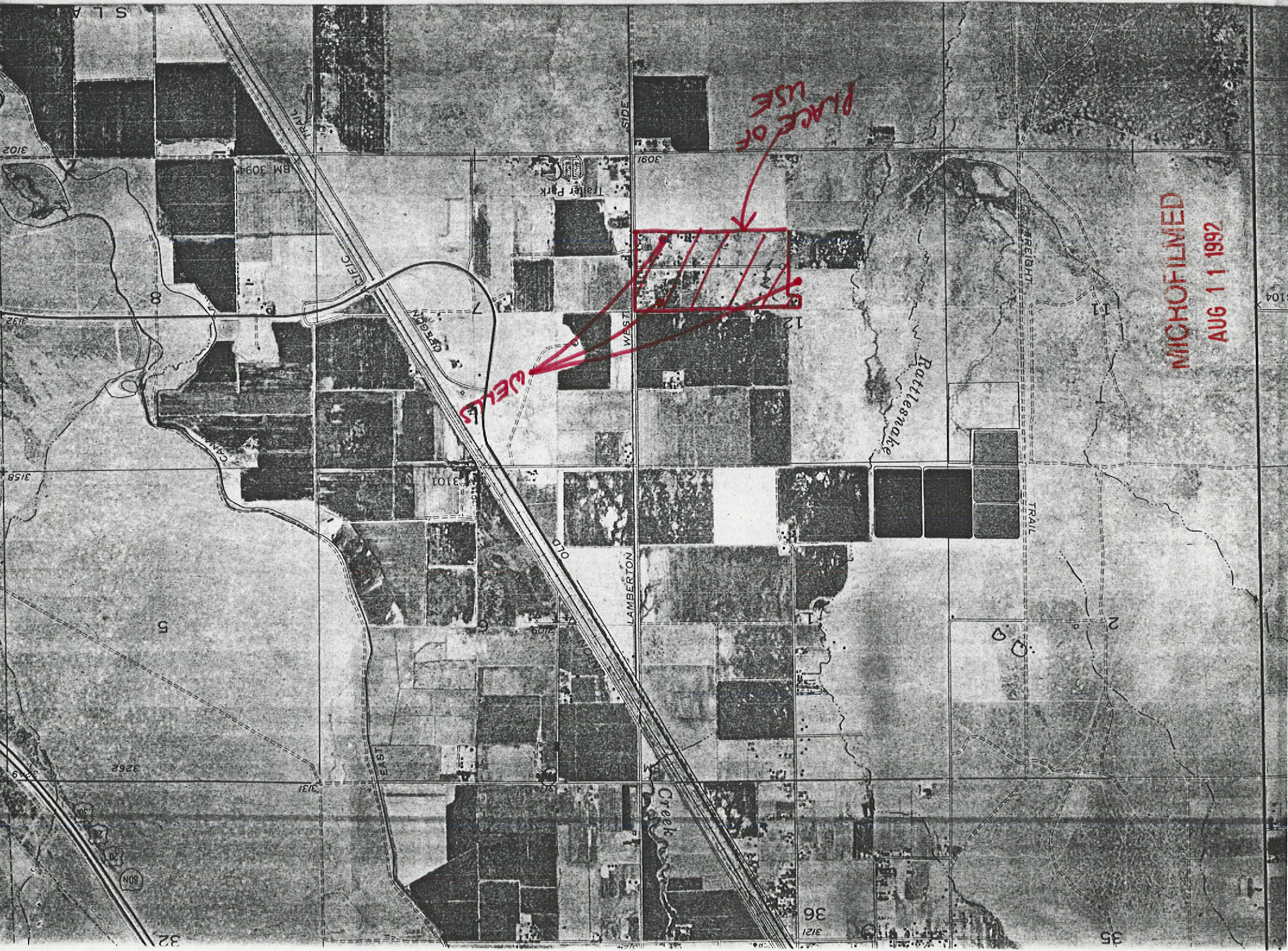


AUG 11 1992



WATER RESOURCES

T04S, R06E, S 12

Claimant(s): Splendid
Acres Water Assoc.

Claim No(s): 61-07106

Prepared by: Sue Bock

Date: 12/11/1998



Place of Use



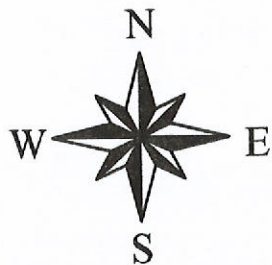
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo

0

0.25

0.5

0.75 Mile



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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: A61-07106

Date Received: 11/09/1989

Receipt No: 1005192

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPLENDID ACRES WATER ASSOC.
Address: 205 1/2 SUNRISE DRIVE
MOUNTAIN HOME, ID 83647

2. Date of Priority: JAN 28, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	06E	12	NE	SW			ELMORE
			NE	SE			ELMORE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 35 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	06E	12	NE	SW		DOMEST	
			NE	SE		DOMEST	

A61-07106

Page 1

Date: 11/09/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	06E	12	NW SE		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

APP. FOR PERMIT NO. 61-07572.

14. Remarks:

NOTE: TWO WELLS ARE LOCATED IN THE NESE, SEC. 12, AND ONE IN THE NESW, SEC. 12. DESC. OF DIVERTING WORKS - 1 WELL - 550' DEEP W/20 HP PUMP, 1 WELL - 440' DEEP, W/10 HP PUMP, 1 WELL - 550' DEEP W/20 HP PUMP WITH PIPELINES TO HOMES.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am CHAIRMAN of _____ Title

SPLendid ACRES WATER ASSN., that I have signed the foregoing Organization document in the space below as CHAIRMAN of Title

SPLendid ACRES WATER ASSN. and that the statements contained in the Organization foregoing document are true and correct.

Aris M. Christensen
Signature of Authorized Agent
CHAIRMAN
SPLendid ACRES WATER ASSN.
Title and Organization

Nov 9, 1989
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of November 19 89

Jan Spunte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



WESTERN REGION

CLAIM NUMBERS 61-07106

AGENT JB DATE 8/14/98

TOTAL ACRES FROM RECOMMENDATION 18.5

GEOGRAPHIC INFO SYSTEM ACRES N/A

READY FOR DECREE (YES) SENT FOR DECREE (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80

POLYGON # () () () () UPDATED BY

ATTRIBUTES OF B51-POU.SHP (37164) () ()

ATTRIBUTES OF B51-POD.SHP (371) (381) (284) () ()

B51-DBPOU.DBF JB UPDATED BY

B51-DBPOD.DBF JB UPDATED BY

initial to B61



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 1998

Splendid Acres Water Assn
205 1/2 Sunrise Dr
Mountain Home, ID 83647

Re: Claim No. 61-07106:

Thank you for coming to the meeting in Mountain Home last night. It is always a pleasure to meet with the claimants.

I am enclosing a profile report of the water right as I am recommending it, a map of the area with points of diversion as we discussed, and a Notice of Error of Reply.

Look this over, and if you agree please send back the Notice of Error Reply. If you do not agree, give me a call and we can set up an appointment.

Thank you,

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

Susan Bock
Sr. Water Resources Agent

Enclosures: Profile report, GIS map, Notice of Error Reply

AJ0749NP
No. R61-07106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SPLENDID ACRES WATER ASSN 205 1/2 SUNRISE DR MOUNTAIN HOME ID 83647	01/28/1972	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	0.37 CFS 0.28 CFS	74.00 AFA 22.20 AFA
TOTAL DIVERSION:					0.50 CFS	96.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R06E S12 NESW NESE ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	06E	12	:															10	08	:	18.5
TOTAL ACRES																			:	18.5	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
04S	06E	12	:															D	D	:	

POU County: ELMORE

Non-Irrigation Uses: 37 HOMES

Other Rights: 61-07572

Remarks: POD TWO POINTS OF DIVERSION LOCATED IN NESE, S 12, T04S, R06E.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates: Exam Made Date: 11/15/1994 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R61-07106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/21/98
PAGE: 2

=====

Comments: Date: 11/15/1994 User-ID: MMINICUC Subject: RECOMMENDATION
RECOMMENDED AS LICENSED. OVERLAPPING CLAIMS APPEAR TO BE FOR
PRIVATE WELLS USED FOR IRRIGATION IN ADDITION TO COMMUNITY WELL.
SEE FILE A61-10067 FOR LETTER REGARDING POSSIBLE EXCESSIVE
IRRIGATION, WHICH INDICATES USE OF LARGE WELLS FOR IRRIGATION OF
1 1/2 TO 2 ACRES BY CERTAIN INDIVIDUALS. THIS WATER RIGHT IS
LIMITED TO 1/2 ACRE OF IRRIGATION PER HOUSE. SEE IDWR CORR.
DATED 10/02/1992 EXPLAINING APPROVAL OF APPLICATIONS IN GWMA'S
AND LIMITATIONS ON DOMESTIC IRRIGATION. PERMIT NO. 61-07572 IS
INCLUDE A THIRD WELL WHICH BRINGS THE SUBDIVISION'S SYSTEM
CAPACITY UP TO THE STATUTORILY ALLOWED AMOUNT ALLOWED FOR THE
SUB'S USES.

Date: 11/15/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
NOTE: TWO WELLS ARE LOCATED IN THE NESE, SEC. 12, AND ONE IN
THE NESW, SEC. 12. DESC. OF DIVERTING WORKS - 1 WELL - 550' DEEP
W/20 HP PUMP, 1 WELL - 440' DEEP, W/10 HP PUMP, 1 WELL - 550'
DEEP W/20 HP PUMP WITH PIPELINES TO HOMES.

Audit: 11/21/98 JSHURTE

AJ0749NP
No. R61-07106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/06/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SPLENDID ACRES WATER ASSN 205 1/2 SUNRISE DRIVE MOUNTAIN HOME ID 83647	01/28/1972	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	0.37 CFS 0.28 CFS	74.00 AFA 22.20 AFA
TOTAL DIVERSION:					0.50 CFS	96.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R06E S12 NESW NESE ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	06E	12	:															10	08	:	18.5
																			TOTAL ACRES	:	18.5

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
04S	06E	12	:															D	D	:	

POU County: ELMORE

Non-Irrigation Uses: 37 HOMES

Other Rights: 61-07572

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: POD TWO POINTS OF DIVERSION LOCATED IN NESE, S 12, T04S, R06E.

Dates: Exam Made Date: 11/15/1994 Verified Date: 08/06/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R61-07106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/06/98
PAGE: 2

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Comments: Date: 11/15/1994 User-ID: MMINICUC Subject: RECOMMENDATION
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DATED 10/02/1992 EXPLAINING APPROVAL OF APPLICATIONS IN GWMA'S
AND LIMITATIONS ON DOMESTIC IRRIGATION. PERMIT NO. 61-07572 IS
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CAPACITY UP TO THE STATUTORILY ALLOWED AMOUNT ALLOWED FOR THE
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Date: 11/15/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
NOTE: TWO WELLS ARE LOCATED IN THE NESE, SEC. 12, AND ONE IN
THE NESW, SEC. 12. DESC. OF DIVERTING WORKS - 1 WELL - 550' DEEP
W/20 HP PUMP, 1 WELL - 440' DEEP, W/10 HP PUMP, 1 WELL - 550'
DEEP W/20 HP PUMP WITH PIPELINES TO HOMES.

Audit: 08/06/98 SBOCK

=====

Comments: Date: 11/15/1994 User-ID: MMINICUC Subject: RECOMMENDATION
RECOMMENDED AS LICENSED. OVERLAPPING CLAIMS APPEAR TO BE FOR
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SEE FILE A61-10067 FOR LETTER REGARDING POSSIBLE EXCESSIVE
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DATED 10/02/1992 EXPLAINING APPROVAL OF APPLICATIONS IN GWMA'S
AND LIMITATIONS ON DOMESTIC IRRIGATION. PERMIT NO. 61-07572 IS
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CAPACITY UP TO THE STATUTORILY ALLOWED AMOUNT ALLOWED FOR THE
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Date: 11/15/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
NOTE: TWO WELLS ARE LOCATED IN THE NESE, SEC. 12, AND ONE IN
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W/20 HP PUMP, 1 WELL - 440' DEEP, W/10 HP PUMP, 1 WELL - 550'
DEEP W/20 HP PUMP WITH PIPELINES TO HOMES.

Audit: 12/28/94 MMINICUC

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER LORE WHITE DATE SUBMITTED _____
ADJUDICATION AGENT _____ RESPONSE DUE DATE _____
COUNTY ELMORE OWNER'S NAME SPLENDID ACRES SUBD

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	<u>45</u>	<u>6E</u>	<u>12</u>	<u>NESE</u>	<u>45</u>	<u>6E</u>	<u>12</u>	<u>NESW</u>
P/U	<u>45</u>	<u>6E</u>	<u>12</u>	<u>N1/2SE</u>				

PROOF SUBMITTED DATE 7/7/1988 (due 1977)

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing:

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
☒ Claim filed for permit and copy attached *
☐ Claim filed although not required (proof filed after 11-19-87)
☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- ☐ Name index search
☐ Legal description search
☐ Non-data entry claims search
☐ Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Exam not Attached	Exam not Conducted
<u>A61-07106</u> Adj No. <u>7/23/91</u>		☒	☐	☐
_____ Adj No. _____		☐	☐	☐
_____ Adj No. _____		☐	☐	☐

☒ Exam completed date(s) data entered LW 10/31/91 (initial & date)

* copies included only if pertinent to permit field exam

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A61-07106

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>	<u>lw 7/23/91</u>		<u>N</u>	<u>N</u>	<u>lw 10/31/91</u>	
PT. OF DIV.	<u>Y</u>		<u>1,2,4,5</u>	<u>Y</u>			DATA ENTRY COMPLETED BY <u>MM</u> DATE <u>4/15/1994</u>
SOURCE	<u>Y</u>		<u>5</u>	<u>N</u>			
PL. OF USE	<u>Y</u>		<u>1,2,4,5</u>	<u>Y</u>			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	<u>Y</u>		<u>5</u>	<u>Y</u>			
CONSUMPTIVE USE	<u>Y</u>		<u>5</u>	<u>Y</u>			
NATURE OF USE	<u>Y</u>		<u>5</u>	<u>N</u>			
PERIOD OF USE	<u>N</u>			<u>N</u>			
BASIS OF CLAIM	<u>N</u>			<u>N</u>			
REMARKS	<u>N</u>			<u>Y</u>			

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE COMMENTS) = 6

COMMENTS: 4/15/1994: Review by MM. Attached are overlap review, & system description,
& ASCS map, all from license file. MM
FOZ: 2 ROD'S IN NESE S-12 T04S R06E MM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:24:40
10/31/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-07106

LAST: DAHL FIRST: DONN L.
ADDRESS: C/O FRANK ULREY REAL ESTATE
P.O. BOX 477
CITY: MOUNTAIN HOME STATE: ID ZIP: 83647
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

LAST: SPLENDID ACRES WATER ASSOC. FIRST:
ADDRESS: 205 1/2 SUNRISE DRIVE
CITY: MOUNTAIN HOME STATE: ID ZIP: 83647
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: NOTE: TWO WELLS ARE LOCATED IN THE NESE, SEC. 12, AND ONE IN
THE NESW, SEC. 12. DESC. OF DIVERTING WORKS - 1 WELL - 550' DEEP
W/20 HP PUMP, 1 WELL - 440' DEEP, W/10 HP PUMP, 1 WELL - 550'
DEEP W/20 HP PUMP WITH PIPELINES TO HOMES.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(☒)

TIME: __:__ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A61-07106 PRIORITY DATE: 01-28-1972 STAGE: P
B. WR RECORD: # 61-07106 PRIORITY DATE: - - STAGE: P

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
Y EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: 11/14/1994: See license file for memos regarding proof of
beneficial use. Lack of timely proof excused because of change
in ownership & in miscommunication b/w IOWA & claimant. TTT

RECOMMENDED PRIORITY DATE:

1-28-1972

REVIEWED BY

lw

DATE

10/31/91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07106	04S	06E	12		NE	SE		ELMORE
A61-07106	04S	06E	12		NE	SW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

61-07572
61-04060

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07106	04S	06E	12		NE	SE		ELMORE
61-07106	04S	06E	12		NW	SE		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

61-07572

A61-10067
A61-10499 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

2 P/D in NESE
11/14/1994: 61-07572 application filed - on GWMA hold. Filed by
splendid Acres after discovery by new owners that proof of
BIO had not been submitted, in case this ~~licensing~~ licensing
process (61-07106) fell through. TTN

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>4S</u>	<u>6E</u>	<u>12</u>	<u>NE</u>	<u>NE</u>	<u>SE</u>	<u>—</u>	<u>ELMORE</u>
<u>—</u>	<u>—</u>	<u>12</u>	<u>SE</u>	<u>NE</u>	<u>SE</u>	<u>—</u>	<u>—</u>
		<u>12</u>	<u>NE</u>	<u>NE</u>	<u>SW</u>		

SOURCE: GROUNDWATER

REVIEWED BY:

lw

DATE:

10/31/91

A. ROOT WATER RIGHT NUMBERS: A61-07106

11/15/1994

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	06E	12	NE	SE		SPLENDID ACRES WATER ASSOC.	A61-07106 /	61-07106 /	39.0	D	D
			NE	SE		WASHIK, JR., EDWARD D.	A61-10067 / 2.0	- /			
			NE	SE		SPLENDID ACRES WATER CORP.		61-07572 /20.0		10.0	10.0
04S	06E	12	NW	SE		SPLENDID ACRES WATER ASSOC.	A61-07106 /	61-07106 /	38.0	D	D
			NW	SE		HOYT, JOYCE D.	A61-10499 /	- /			
			NW	SE		SPLENDID ACRES WATER CORP.		61-07572 /20.0		8.5	8.5
04S	06E	12	NE	SW		SPLENDID ACRES WATER ASSOC.	A61-07106 /	- /	33.0		
			NE	SW		CROMAR, J. ROBERT	A61-04060 /20.0	61-04060 /20.0			
			NE	SW		HOFFER, VICTORIA	A61-10198 /20.0	- /			
TOTAL ACRES							A61-07106		110.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

18.5 18.5

PRESUMPTION FLAG:

REMARKS:

Subdiv located in N 1/2 SE only

RECOMMENDATIONS:

TOTAL ACRES: 0 18.5 - See license.

REVIEWED BY: LW

DATE: 10/31/91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-07106 DOMESTIC	FROM 01-01 TO 12-31	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-07106 DOMESTIC	FROM 01-01 TO 12-31	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u> </u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u> </u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u> </u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(/)

N(X)

Y()

N()

Explain in remarks, below.

REMARKS:

11/15/1994: Recommend as licensed. TTN

11/15/1994 TTN

Y(☒) N(☐)

MEASUREMENT REQUIRED? _____

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y _____

FIELD DATABASE EXAMINER _____

1997 → Trenchwell in NESW - no overlap as licensed. 

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

11/15/1994 TTT

1a. IRRIGATION RATE

ACRES 0 x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

as licensed.

1. $18.5 \times 0.02 = .37 \text{ CFS}$

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

2. $18.5 \times 3 = 55.5 \text{ AFA}$

ACRES 0 x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

3. $18.5 \times 4 = 74.0 \text{ AFA}$

TTT

ACRES 0 x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☒) N()

see permit file

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

F02 - 2 P/D located in T4S R6E sec 12 NE SE
F06 - appl. 61-07572 (withheld)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
DOMESTIC	01-01 12-31	DATABASE EXAMINER 0.500 <u>.27</u>	DATABASE EXAMINER <u>44.4</u>	DATABASE EXAMINER 0.0 <u>0</u>
TOTAL FOR THIS RIGHT		0.500		0.0

REVIEWED BY: lw

DATE: 10/31/91

1/15/1994:

IRR	4-1 TO 10-31	.37 CFS	74.0 AF	55.5 AFA
Dom	1-1 TO 12-31	.28 CFS	22.2 AF	0 AFA
		<u>.50 CFS</u>	<u>96.2 AF</u>	<u>55.5 AF</u>

As licensed. 7771

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-07106

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07106	0.500	-		61-07106	
TOTAL CFS		0.500				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: Lon White

DATE: 10/31/91

NAME OF FIELD EXAMINER: Lon White

TITLE: Water Agent

Maria Minicucci
MARIA MINICUCCI

11/15/1994

SR WATER AGENT

WATER RESOURCES

T04S, R06E, S 12

Claimant(s): Splendid
Acres Water Assoc.

Claim No(s): 61-07106

Prepared by: Sue Bock

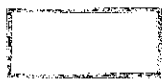
Date: 12/11/1998



Place of Use



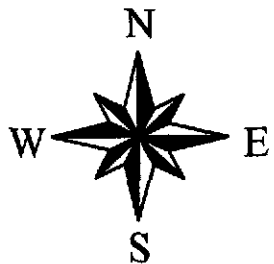
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07106

Priority: January 28, 1972

Maximum Diversion Rate:

0.50 CFS

Maximum Diversion Volume:

96.2 AF

This is to certify, that **SPLENDID ACRES WATER & SEWER ASSN INC**
205 1/2 SUNRISE DRIVE
MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 28, 1972; and has submitted Proof of Beneficial Use on July 7, 1988. An examination indicates that the works have a diversion capacity of .660 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.37 CFS	74.0 AF
DOMESTIC	01/01 to 12/31	0.28 CFS	22.2 AF
	Totals	0.50 CFS	96.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 12, Township 04S, Range 06E
NESE , Sec. 12, Township 04S, Range 06E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	06E	12	NESE 10	NWSE 8.5		18.5
Total number of acres irrigated:						18.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 limited to the amount that can actually be beneficially use 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.

State of Idaho
Department of Water Resources

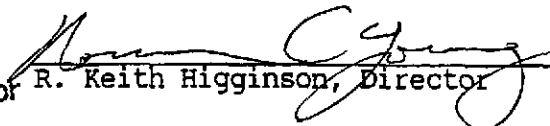
WATER RIGHT LICENSE

WATER RIGHT NO. 61-07106

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 37 homes.
7. Two points of diversion are located within NESE, S12, T04S, R06E. Place of use is also known as Splendid Acres Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18TH day of December, 1992.

Acting for  R. Keith Higginson, Director

State of Idaho
Department of Water Resources

RECEIVED

DEC 10 1992

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07106

Date of Priority: January 28, 1972

Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume: 96.2 AF

Comes now DONN L DAHL
C/O FRANK ULREY REAL ESTATE
PO BOX 477
MOUNTAIN HOME ID 83647

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 61-07106, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.37 CFS	74.0 AF
DOMESTIC	01/01 to 12/31	0.28 CFS	22.2 AF
	Totals	0.50 CFS	96.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 12, Township 04S, Range 06E
NESE , Sec. 12, Township 04S, Range 06E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	06E	12	NESE 10	NWSE 8.5		18.5
Total number of acres irrigated:						18.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at MTN HOME, ID, this 8 day of DECEMBER, 1992.


(Signature)

FOR SPLENDID ACRES
WATER/SEWER ASSOCIATION

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07106

FOR DEPARTMENT USE ONLY

Preliminary check by CR Fee = \$20.00 Receipted by gy # C025981 Date 11-12-92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 61-07106 with the following;

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 limited to the amount that can actually be beneficially use 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 .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 37 homes.
7. Two points of diversion are located within NESE, S12, T04S, R06E. Place of use is also known as Splendid Acres Subdivision.

Witness my hand this 18TH day of DECEMBER, 1992.

Acting for R. Keith Higginson, Director

61-07106

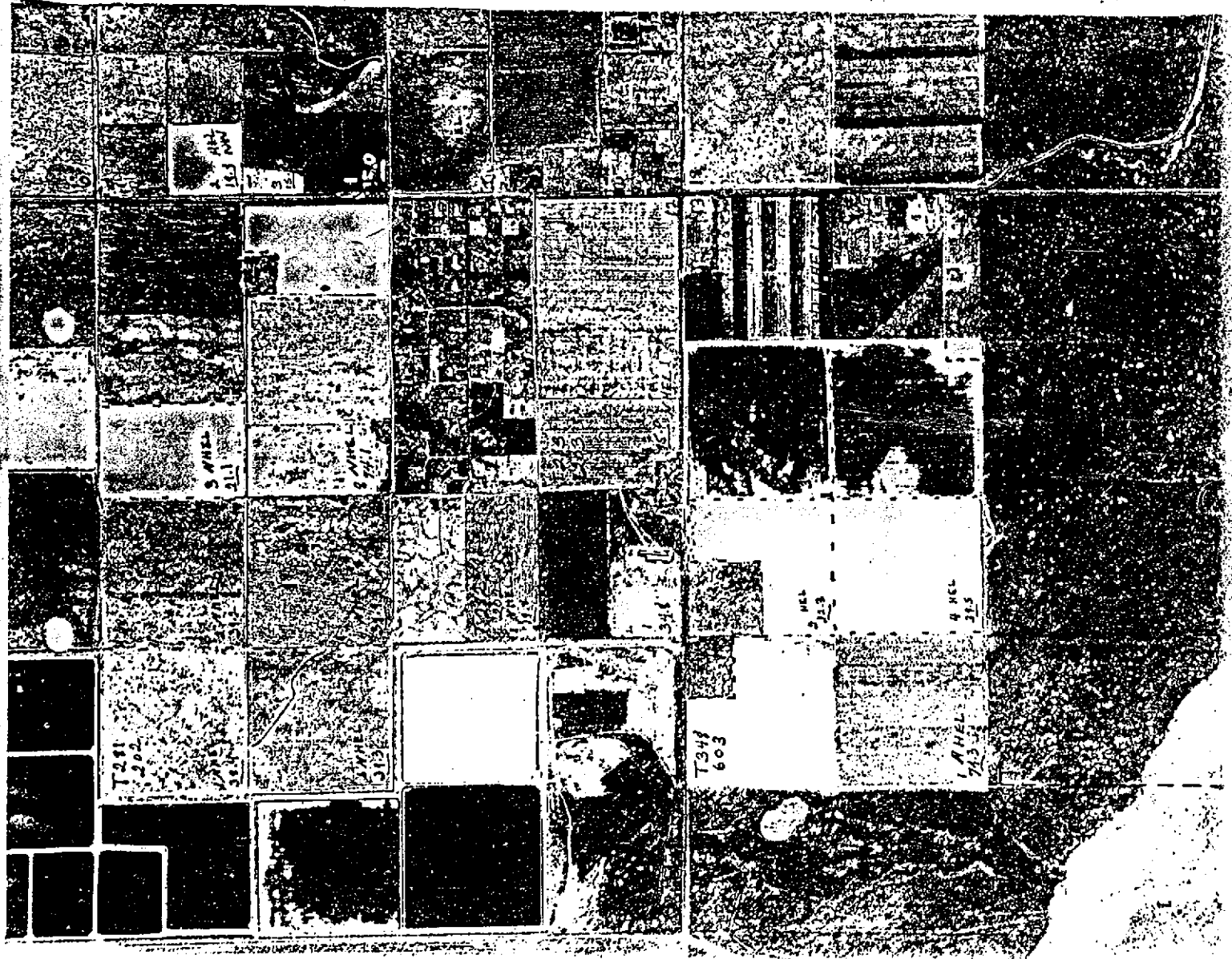


EXHIBIT 1
SYSTEM DESCRIPTION

WELL #1 (10 HP), WELL #2 (20 HP) AND WELL #3 (20 HP) SUPPLY WATER TO SPLENDID ACRES SUBDIVISION. THE SUBDIVISION CONSISTS OF 35 DEVELOPED LOTS WITH ACCESS TO THE 3 WELL WATER SYSTEM AND 2 VACANT LOTS (SEE ENCLOSED PLAT MAP). THE LAWN IRRIGATION IS ALLOWED FOR WELL #1 & #2 ONLY BECAUSE THE APPLICATION WAS FILED IN 1972, BEFORE THE DESIGNATION OF THE MTN HOME MANAGEMENT AREA.

THE CFS CALCULATIONS FOR THIS PERMIT ARE BASED ON WELL #1 & #2 ONLY. WELL #3 WAS DRILLED AFTER 1982, AND WAS NOT PART OF THIS ORIGINAL PERMIT. ALTHOUGH THE SYSTEM IS COMBINED, WELL #3 HAS BEEN EXCLUDED FROM THE FLOW CALCULATIONS.

THEORETICALS

$$\text{WELL \#1: } \frac{10 \times 8.8 \times .7}{320 + 40 \times 2.31} = .15 \text{ CFS}$$

$$\text{WELL \#2: } \frac{20 \times 8.3 \times .7}{360 + 40 \times 2.31} = .27 \text{ CFS}$$

$$\text{TOTAL CAPACITY} \quad .42 \text{ CFS}$$

THE DYNAMIC PUMPING LEVEL FOR EACH WELL WAS ESTIMATED 15-20' ABOVE THE BOWL SETTINGS OBTAINED FROM HIDDLESTON DRILLING.

CALCULATIONS

BASED ON INTERNAL DOMESTIC USE: 35 LOTS X .6 AFA = 21 AFA
DOMESTIC REQUIREMENT CHART: 35 LOTS = .26 CFS

BASED ON 1/2 ACRE IRRIGATION PER LOT: 35 LOTS X .5 AC = 17.5 AC
17.5 AC X .02 = .35 CFS
17.5 X 4.5 = 78.75 AFA
.35 X 1.9835 X 246 = 170.7 AFA

61-07106

EXHIBIT 2
REMARKS AND OVERLAP ANALYSIS

APPLICATION 61-07572 WAS FILED IN 1985 ON THE SAME WATER SYSTEM FOR SPLENDID ACRES SUBDIVISION. THE APPLICATION REPRESENTS THE 3RD WELL DRILLED IN 1986 AND INCLUDES IRRIGATION USE. THIS APPLICATION IS BEING WITHHELD BECAUSE IT WAS FILED AFTER THE DESIGNATION OF THE MTN HOME GROUNDWATER MANAGEMENT AREA IN 1982 AND CANNOT BE APPROVED FOR ANY TYPE OF IRRIGATION WHAT SO EVER.

PERMIT AND PROOF FOR 61-07106 WERE FILED ON WELLS #1 & #2 ONLY. BECAUSE THE PERMIT WAS FILED PRIOR TO THE MTN HOME GROUNDWATER MANAGEMENT DESIGNATION, IRRIGATION OF UP TO 1/2 ACRE PER LOT IS ALLOWED AS PART OF THE DOMESTIC USE FOR WELLS #1 & #2 ONLY. SINCE THE SYSTEM IS COMBINED WITH WELL #3, THE PERMIT CAN BE AMENDED TO INCLUDE WELL #3 BUT WOULD BE LIMITED TO THE .42 CFS SYSTEM CAPACITY OF WELLS #1 & #2. ALSO, A SPECIAL CONDITION WOULD NEED TO BE ADDED REGARDING THE IRRIGATION USE SINCE WELL #3 CAN ONLY BE USED FOR IN-HOUSE DOMESTIC USE.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 27, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Splendid Acres Water Users Association
c/o Rick Chendenning
205 1/2 Sunrise Drive
Mountain Home ID 83647

Dear Sirs:

Enclosed please find application for amendment for permit 61-07106, application for amendment and proof of beneficial use for application 61-07572 along with exhibits 1 and 2.

Application for amendment of permit 61-07106 is required because well no. three (Cromar well) was listed in the wrong quarter on the original permit. The field exam conducted 7/23/1991 confirmed that the point of diversion for well no. three is actually in the NE quarter of the SW quarter rather than the NW quarter of the SE quarter as listed on the original permit.

The Department will now approve applications in groundwater management areas for multiple domestic wells, provided irrigation for each domestic unit does not exceed one-half acre, and total diversion per household does not exceed 13,000 gallons per day. Now application 61-07572 can be processed, if amended, to reflect one-half acre irrigation per household, which calculates to 18.5 total acres based on 37 lots. The application currently lists 40 acres irrigation. The .15 cfs listed on the amendment represents the difference between the maximum statutory amount allowed for the subdivision's uses and the amount authorized for licensing 61-07106 (see exhibits 1 and 2). Proof of beneficial use normally is not requested until after the permit has been issued, however we can speed things up since 61-07572 represents the same system examined for 61-07106.

The amendment fee for licensing 61-07106 is \$20. There is no amendment fee for application 61-07572 since it does not require re-advertising. The proof of beneficial use fee for 61-07572 is \$50. Please sign all three documents and return to me. Keep the exhibits for your information. Let me know if you have any questions.

Sincerely,

Lori A. Graves
Sr. Water Resource Agent

Encl: permit amendment, application amendment, proof of
beneficial use form, exhibits 1 and 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

KEITH HIGGINSON

DIRECTOR

May 30, 1990

RECEIVED

MAY 31 1990

Joyce Hoyt
215 Sunrise Drive
Mountain Home, ID 83647

Department of Water Resources
Western Regional Office

RE: Reinstated Permit to Appropriate Water No. 61-7106 and
Application to Appropriate Water No. 61-7572

Dear Ms. Hoyt:

I acknowledge receipt of your letter dated May 20, 1990. I have worked with and spoken to various users of water residing in the Splendid Acres subdivision. I am disturbed about your allegation that your organization has received conflicting answers from the Department.

Some of the conflict may have resulted from contact with other employees in the Department. May I suggest, however, that conflicting answers are often given because of failure of the requesting party to fully disclose all of the facts. Answers are often interpreted differently in instances where the users are sharply divided and contentious, as is the case within the Splendid Acres subdivision. May I suggest that at least part of the confusion probably has been caused by the volatility of the individual subdivision homeowners. May I also suggest that if you want to avoid conflicting answers in the future, that you and your members direct all of your questions to one person in the Department.

Even the questions you have asked are general in nature, and the answers to them depend upon the status of the water right filings. As a result, I will try to answer your questions as they specifically apply to your development. The answers may be different if the circumstances are different.

Two water right filings relate to the Splendid Acres subdivision. One of the filings is permit no. 61-7106, which was filed by Donn L. Dahl. Mr. Dahl failed to file proof of beneficial use and the permit lapsed. Through the efforts of some of the members of your association, the permit was reinstated. The permit authorized use of water for domestic purposes. The permit also approved lawn and garden watering, but full irrigation of the large acreage lots was not contemplated by the permit. An irrigation component would have been necessary. As a result, I interpret permit no. 61-7106 to authorize diversion of water for in-house domestic use and irrigation of up

to 1/2 acre for 37 lots contained in Splendid Acre subdivision. The proof of beneficial use only depicted 37 lots to which water was being supplied.

The other filing is application for permit to appropriate water no. 61-7572. This filing is an application, and has not been approved because it requests diversion of water for both domestic and irrigation use. Prior to filing of the application, the Department designated the area where Splendid Acres subdivision is located as a ground water management area, and enjoined further development of water in the area. I understand that application no. 61-7572 represents a third well drilled for the subdivision on Mr. Cromar's property. No right to divert water from the Cromar well exists at the present time. Because of a recent change in policy, however, the Department will consider approving diversion from the Cromar well for in-house domestic use only. The water right cannot be approved for any irrigation, even of gardens and lawns. With the above explanation of the Splendid Acres water rights, I will answer your questions:

1. In a community water system can a household use community water to irrigate more than 1/2 acre of lawn, garden or field?

Answer: Irrigation of 37 lots within the Splendid Acres subdivision is limited to irrigation of 1/2 acre of lawn and/or garden per lot. Irrigation is only authorized from the two oldest wells identified by permit no. 61-7106.

2. Using a privately owned shallow well on one's own property within the corporation, what is the maximum acreage that a household can irrigate for lawn, garden and field?

Answer: A private individual is entitled, under the law, to drill a well for domestic purposes, which includes irrigation of up to 1/2 acre. The moratorium resulting from a ground water management designation probably prevents the irrigation of lawn, garden and field, however.

3. Using a combination of community water and a privately owned shallow well, what is the maximum amount of land that can be irrigated for lawn, garden and field?

Answer: At best, it appears that the most land that could be irrigated from the community wells or privately owned wells within Splendid Acres is 1/2 acre per residential lot.

4. After being informed of Idaho state law concerning water usage limitations, if a member refuses to abide by the law, what

recourse does the corporation have to ensure compliance by the member?

Answer: The primary responsibility for enforcement ought to rest with the corporation or association. It was my understanding that bylaws and resolutions of the association have prohibited irrigation of more than 1/2 acre anyway. I believe that it is the responsibility of the association to enforce its rules.

Nevertheless, if a person is irrigating more land than his water right authorizes him to divert, the Department of Water Resources can, if it finds a violation, issue a cease and desist order to the offender, and, if offenses continue, can assess civil penalties of up to \$100 per day.

The Department uses its enforcement power with restraint. Let me also warn you that the Department may, if forced into a legal battle, also decide other matters against the subdivision, such as an injunction against use of the Cromar well, which may be adverse to the goals of the association.

If I can be of further assistance, please contact me.

Respectfully,

A handwritten signature in cursive script, reading "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Western Region