

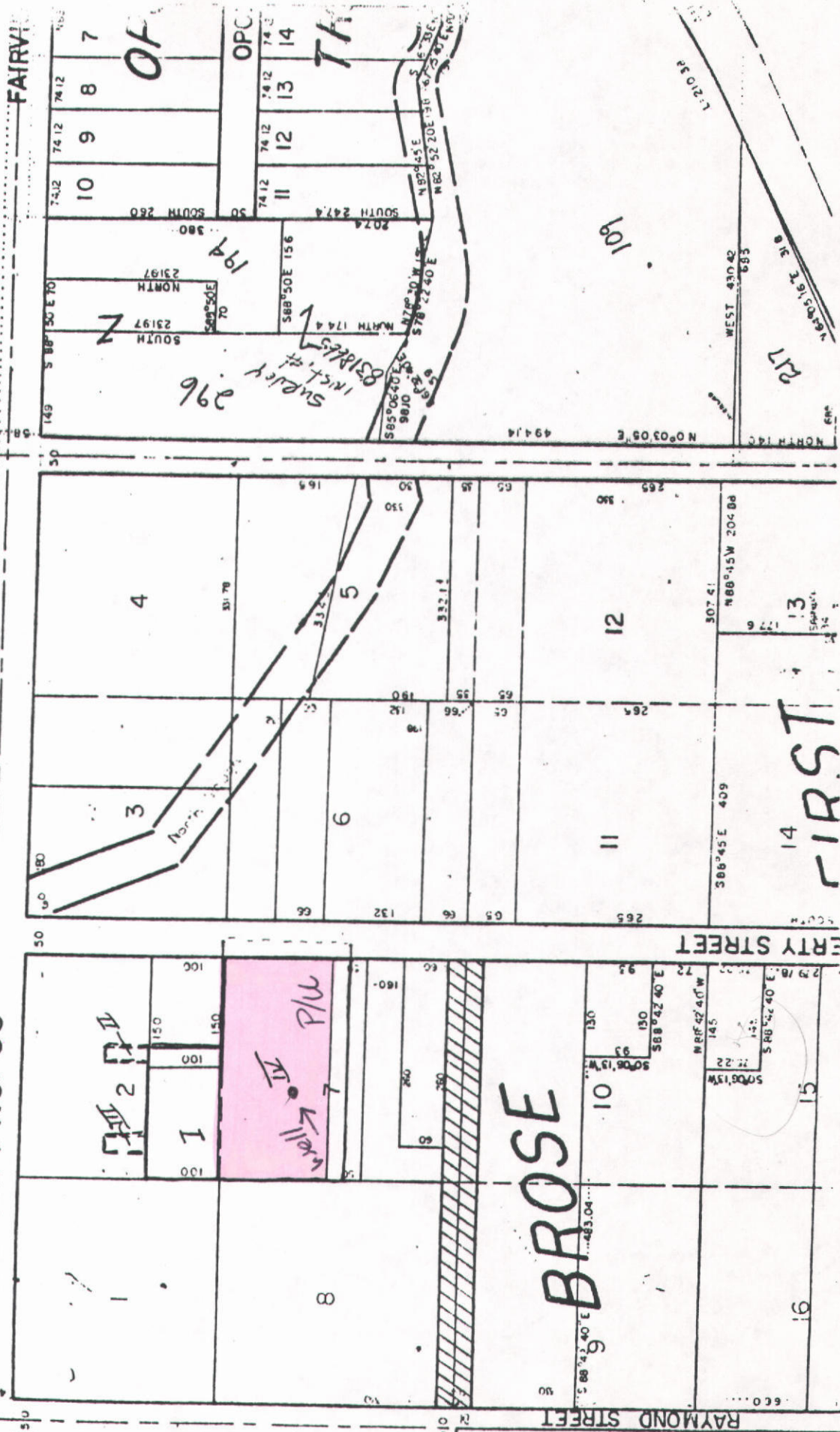
NE. 1/4 SEC. 7, T.3N, R.2E

N. 1/4 CORNER
SEC. 7

24

63-4989

U.S. HWY NO. 30



MICROFILMED
AUG 20 1992

Idaho Department of Water Resources

63-4989

T03N R02E S7



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: 4-29-05

1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

63-4997 & 4989

HEAD FLOW COMBINATION

TABLE 1

8316
2772

tdh	3 BHP gpm	1BHP gpm	Total gpm	Total cfs	At 25psi min. Ft Lift Available	At 40 psi
108	77	25.67	102.67	0.23	50.25	15.5
113	73.6	24.5	98.1	0.22	55.3	20.5
118	70.5	23.5	94.0	0.21	60.3	25.5
123	67.6	22.5	90.1	0.20	65.3	30.5
128	65.0	21.7	86.6	0.19	70.3	35.5
133	62.5	20.8	83.4	0.19	75.3	40.5
138	60.3	20.1	80.3	0.18	80.3	45.5
143	58.2	19.4	77.5	0.17	85.3	50.5
148	56.2	18.7	74.9	0.17	90.3	55.5
153	54.4	18.1	72.5	0.16	95.3	60.5
158	52.6	17.5	70.2	0.16	100.3	65.5
163	51.0	17.0	68.0	0.15	105.3	70.5
168	49.5	16.5	66.0	0.15	110.3	75.5
173	48.1	16.0	64.1	0.14	115.3	80.5
178	46.7	15.6	62.3	0.14	120.3	85.5
183	45.4	15.1	60.6	0.13	125.3	90.5
188	44.2	14.7	59.0	0.13	130.3	95.5
193	43.1	14.4	57.5	0.13	135.3	100.5
198	42.0	14.0	56.0	0.12	140.3	105.5
203	41.0	13.7	54.6	0.12	145.3	110.5
208	39.98	13.33	53.31	0.12	150.3	115.5
213	39.0	13.0	52.1	0.12	155.3	120.5
218	38.1	12.7	50.9	0.11	160.3	125.5
223	37.3	12.4	49.7	0.11	165.3	130.5
228	36.5	12.2	48.6	0.11	170.3	135.5
233	35.7	11.9	47.6	0.11	175.3	140.5
238	34.9	11.6	46.6	0.10	180.3	145.5
243	34.22	11.41	45.63	0.10	185.25	150.5
248	33.53	11.18	44.71	0.10	190.25	155.5
253	32.87	10.96	43.83	0.10	195.25	160.5
258	32.23	10.74	42.98	0.10	200.25	165.5
263	31.62	10.54	42.16	0.09	205.25	170.5
268	31.03	10.34	41.37	0.09	210.25	175.5
273	30.46	10.15	40.62	0.09	215.25	180.5
278	29.91	9.97	39.88	0.09	220.25	185.5
283	29.39	9.80	39.18	0.09	225.25	190.5





Pump #1, Looking Southwest



Pump #1, Pump and Sprinkler Controls

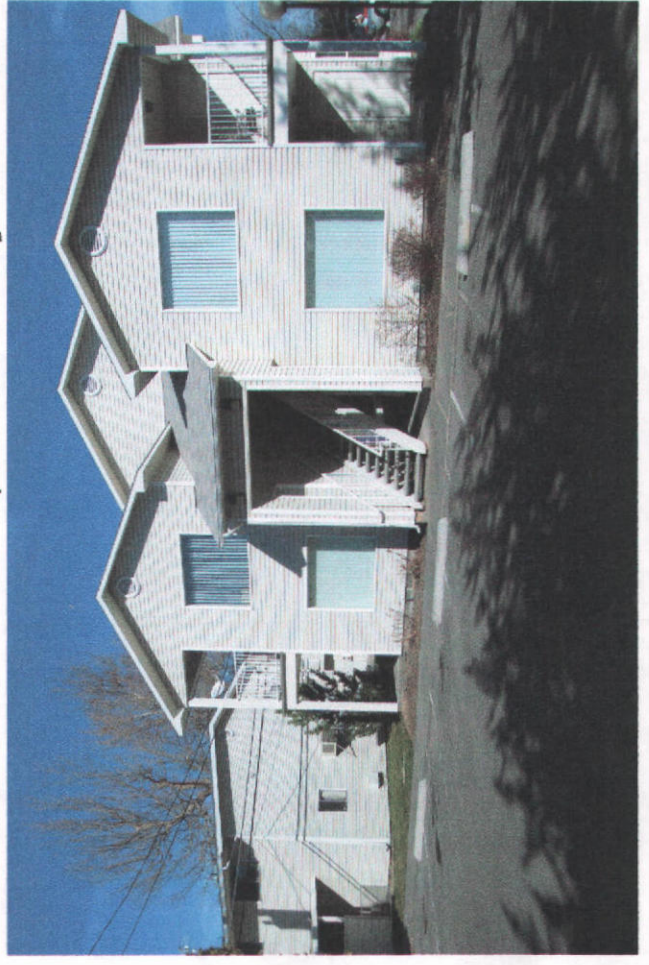
63-4997 4989

Aspen

Newer Apartments
Looking Northwest from Liberty St.



Newer Apartments, Looking East





Newer Apartments, Looking East



Pump House
Pump #2

Newer Apartments

63-4997 4989

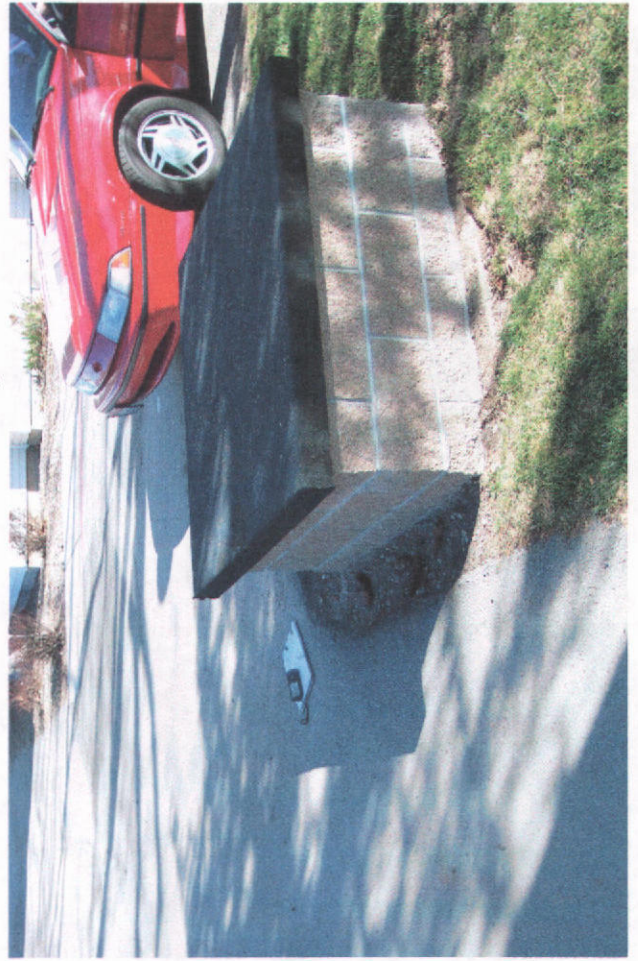
Aspen

Older Apartments, looking Southeast



entrance

exit



Pump House—Pump #2
Looking Southeast



Well / Pump #2, looking West

63-4997 4989

Aspen

Pump #2
Plumbing, etc.



Pump #2,
Pressure tanks & controls





Older Apartments, looking Southwest



Older Apartments, Looking Northwest

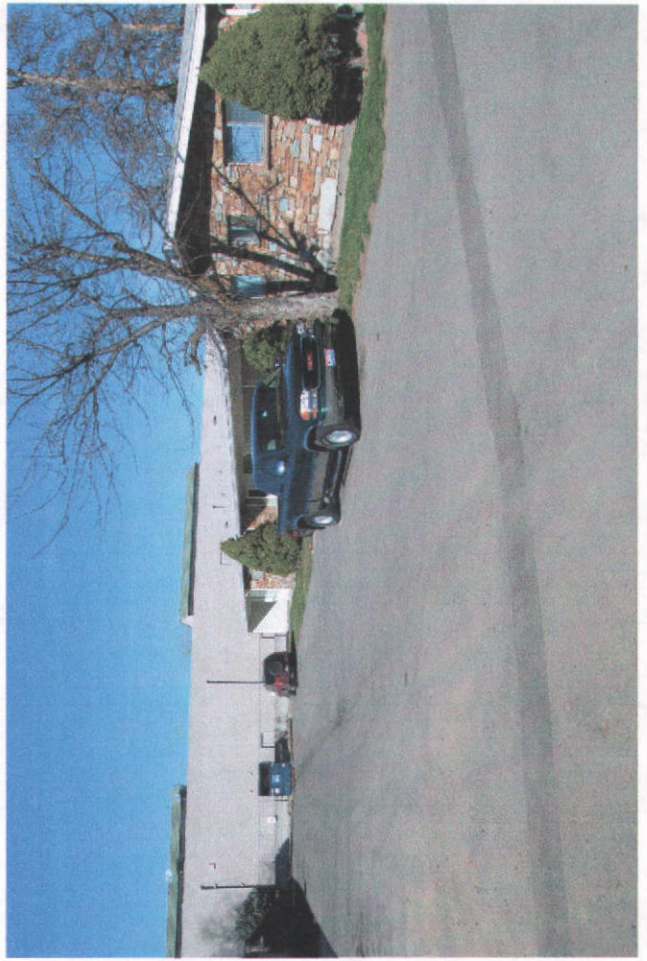
63-4997 4989

Aspen

Older Apartments, looking Northeast



Older Apartments, looking North



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Property Details for Parcel R1097500530**General Information**

Property Acres: 1.445
Zone Code: R-2
Primary Code Area: 01-1 [Tax Districts](#)
Group Type: SUB
Subdivision: BROSE 01ST SUB
Section: 3N2E07

Property Description

PAR #0530 OF NWLY POR
 LOT 7 & SWLY POR LOT 2
 BROSE 1ST SUB
 PARCEL 2 R/S 4387
 #0141-B #0513-S

Property Address

1425 N LIBERTY RD
 BOISE, ID 83704



[Click to View Interactive Map](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	420-COM IMPROVEMENT	0.000	\$627,400	INCOME
Primary	420-COM IMPROVEMENT	0.000	\$185,700	INCOME
Primary	420-COM IMPROVEMENT	0.000	\$32,800	INCOME
Primary	210-COM LOT OR TRACT	1.445	\$173,100	MARKET

Total Assessed Value: \$1,019,000

Parcel Valuation History

Assessed value for year 2004 \$1,019,000
Assessed value for year 2003 \$881,100
Assessed value for year 2002 \$929,200
Assessed value for year 2001 \$776,600

Property Characteristics

[Commercial](#)
[Land](#)

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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 63-4989
Date Received: 8/28/1989
Receipt No: C010362
Received By:

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

1. Name of Claimant(s)

LEONARD M. WELTER 1983 TRUST Phone: (208)703-7688
PO BOX 1985
BOISE ID USA 83701

2. Date of Priority: 07/01/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	02E	7	NW	NW	NE	ADA	

5. Description of diverting works:

WELL, PUMP, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.09	
DOMESTIC	1/01	12/31	0.19	

7. Total Quantity Appropriated is:
0.19 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
03N	02E	7	NW	NE	IRRIGATION	3
			NW	NE	DOMESTIC	
					Section Acres	3
					Total Acres	3

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:

14. Remarks:

2 P/D NWNE, S7, T3N, R2E.

CLAIMANT IS UNAWARE OF LOCATION OF SECOND WELL; CLAIMANT IS ONLY AWARE OF ONE WELL, HOWEVER, SECOND WELL MAY BE AT SAME LOCATION HOOKED UP TO SAME SYSTEM.

STATUTORY CLAIM DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF THE LAWN AS A PORTION OF THE ORIGINAL USE. NO CHANGE HAS OCCURRED IN WATER USE.

CHANGE OF OWNERSHIP LG 5/26/2005

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 09 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4997					
63-4989					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

Aspen Apartment LLC
250 S. 5th Street. 2nd Flr, Boise, ID 83702
Leonard M. Welter 1983 Trust (aka Aspens
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
P.O. Box 1985
Boise, ID 83701
208-703-7688 (cell: 808-938-0718)
11/15/04

I'm working on
 Proof of priority on

63-4989
 63-4997

also.

Len Welter
 808-938-0718

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 09 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4997					
63-4989					

2. The following **REQUIRED** information must be submitted with this form:

- ↖ A. The appropriate **FILING FEE**. See instructions for fee amounts.
- ↖ B. A copy of the most recent **(DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Aspen Apartment LLC
250 S. 5th Street. 2nd Flr, Boise, ID 83702

4. New Owner/Claimant(s)

Leonard M. Welter 1983 Trust (aka Aspens Apartments)
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 1985

City, State and ZIP Code

Boise, ID 83701

New Telephone Number

208-703-7688 (cell: 808-938-0718)

5. Date you acquired the property

11/15/04

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Leonard M. Welter, trustee
(include title if applicable) Leonard M. Welter 1983 Trust, owner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 11, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Leonard M. Welter 1983 Trust
dba Aspen Apartments
PO Box 1985
Boise ID 83701

RE: Water Right No. 63-4997 & 63-4989

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check number 1090 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

ASPENS APARTMENTS
P. O. BOX 1985
BOISE, ID 83701
(208) 703-7688

WASHINGTON MUTUAL BANK
98-7197/1232

1090

PAY TO
THE ORDER
OF

IDWR Western Region

Fifty and 00/100*****

Date 4/30/05
\$ *****50.00

DOLLARS

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

Memo 63-4989;63-4997 water

Leonard M. Welter
AUTHORIZED SIGNATURE

⑆123271978⑆ 0954043031⑆ 1090

SANDY

Details on Back.
Security Features Included

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/19/04 04:48 PM
DEPUTY Nikola Olson
RECORDED - REQUEST OF
Title One

AMOUNT 9.00

3



Order No.: A0432609

WARRANTY DEED

FOR VALUE RECEIVED,

ASPEN APARTMENTS, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto LEONARD M. WELTER, Trustee of THE LEONARD M. WELTER 1983 TRUST, DATED MAY 31, 1983 as amended, whose current address is PO Box 1836, Kailua-Kona, HI 96745, the Grantee, the following described premises, in Ada County, Idaho, TO WIT:

The land referred to in this commitment is located in the County of Ada, State of Idaho and described as follows:

Parcel 1

A parcel of land being a portion of Lot 7, BROSE FIRST SUBDIVISION, filed in Book 4 of Plats at Page 177, records of the Ada County Recorder's Office lying in Section 7, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of Lot 7, BROSE FIRST SUBDIVISION; thence South 00 degrees 00' 38" West 59.56 feet along the East line of said Lot 7 to the REAL POINT OF BEGINNING of this description; thence continuing South 00 degrees 00' 38" West 59.00 feet along the East line of said Lot 7 to a point; thence North 88 degrees 48' 38" West 102.50 feet to a point; thence North 00 degrees 00' 38" East 59.00 feet to a point; thence South 88 degrees 48' 38" East 102.50 feet to the REAL POINT OF BEGINNING of this description.

Parcel 2

A parcel of land being a portion of Lots 2 and 7, BROSE FIRST SUBDIVISION, filed in Book 4 of Plats at Page 177, records of the Ada County Recorder's Office lying in Section 7, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Lot 7, BROSE FIRST SUBDIVISION, the REAL POINT OF BEGINNING of this description; thence

South 00 degrees 00' 38" West 59.56 feet along the East line of said Lot 7 to a point;
thence
North 88 degrees 48' 38" West 102.50 feet to a point; thence
South 00 degrees 00' 38" West 59.00 feet to a point; thence
South 88 degrees 48' 38" East 102.50 feet to a point on the East line of said Lot 7; thence
South 00 degrees 00' 38" West 55.44 feet along the East line of said Lot 7 to a point;
thence
North 88 degrees 48' 26" West 306.57 feet to a point on the West line of said Lot 7;
thence
North 00 degrees 00' 18" East 273.98 feet along the West line of said Lot 7 and Lot 2 to a
point; thence
South 88 degrees 48' 38" East 156.59 feet parallel with the North Line of said Lot 7 to a
point; thence
South 00 degrees 00' 38" West 100.00 feet to a point on the North line of said Lot 7;
thence
South 88 degrees 48' 38" East 150.00 feet along the North line of said Lot 7 to the REAL
POINT OF BEGINNING of this description.

Parcel 3

A parcel of land being a portion of Lot 7, BROSE FIRST SUBDIVISION, filed in Book 4 of Plats at Page 177, records of the Ada County Recorder's Office lying in Section 7, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Lot 7, BROSE FIRST SUBDIVISION; thence
South 00 degrees 00' 38" West 202.00 feet along the East line of said Lot 7 to the REAL
POINT OF BEGINNING of this description; thence continuing
South 00 degrees 00' 38" West 68.50 feet along the East line of said Lot 7 to a point;
thence
North 88 degrees 48' 26" West 99.50 feet to a point; thence
North 00 degrees 00' 38" East 68.50 feet to a point; thence
South 88 degrees 48' 26" East 99.50 feet to the REAL POINT OF BEGINNING of this
description.

Parcel 4

A parcel of land being a portion of Lot 7, and a portion of a vacated platted road, BROSE FIRST SUBDIVISION, filed in Book 4 of Plats at Page 177, records of the Ada County Recorder's Office lying in Section 7, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Lot 7, BROSE FIRST SUBDIVISION; thence

South 00 degrees 00' 38" West 174.00 feet along the East line of said Lot 7 to the REAL POINT OF BEGINNING of this description; thence continuing South 00 degrees 00' 38" West 28.00 feet along the East line of said Lot 7 to a point; thence North 88 degrees 48' 26" West 99.50 feet to a point; thence South 00 degrees 00' 38" West 68.50 feet to a point; thence South 88 degrees 48' 26" East 99.50 feet to a point on the East line of said Lot 7; thence South 00 degrees 00' 38" West 59.50 feet along the East line of said Lot 7 to a point on the centerline of a vacated road; thence North 88 degrees 48' 26" West 306.55 feet along said centerline to a point on the West line of said lot 7, extended Southerly; thence North 00 degrees 00' 18" East 156.00 feet along the West line of said Lot 7 to a point; thence South 88 degrees 48' 26" East 306.57 feet to the REAL POINT OF BEGINNING of this description.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 2004

ASPEN APARTMENTS, LLC, an Idaho limited liability company

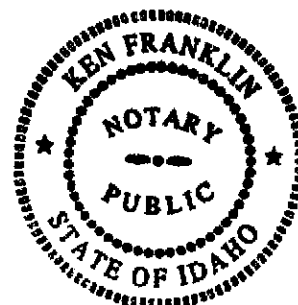
By: Everett Davis
Everett Davis, Member

State of Idaho)
) ss.
County of Ada)

On this 11th day of November 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Everett Davis known or identified to me to be a Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

K. Franklin
Notary Public for Idaho
My Commission Expires: 10/3/10



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: A63-04989
Date Received: 8/28/1989
Receipt No: C010362
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD E. RUMSEY 208-343-2121
Address: 1425 NORTH LIBERTY
BOISE, ID 83704

2. Date of Priority: JUL 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	7	NW	NW	NE		ADA

5. Description of diverting works:
WELL, PUMP, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.190		
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/18 APARTMENT UNITS, 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	7	NW	NE		DOMEST	
			NW	NE		IRR	3.0

10. Place of Use: Continued

Section Acres 3.0

Total Acres 3.0

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:

NAMPA-MERIDIAN IRRIG. DIST. WATER

14. Remarks:

2 P/D NWNE, S7, T3N, R2E.

CLAIMANT IS UNAWARE OF LOCATION OF SECOND WELL; CLAIMANT IS ONLY AWARE OF ONE WELL, HOWEVER, SECOND WELL MAY BE AT SAME LOCATION HOOKED UP TO SAME SYSTEM.

STATUTORY CLAIM DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF THE LAWN AS A PORTION OF THE ORIGINAL USE. NO CHANGE HAS OCCURRED IN WATER USE.

15. Basis of Claim: STATUTORY CLAIM

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 _____

fee \$72

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: A63-04989

Date Received:

Receipt No: CO10362

Received By: CP

rat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD E. RUMSEY 208-343-2121
Address: 1425 NORTH LIBERTY
BOISE, ID 83704

2. Date of Priority: JUL 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02E	7	NW	NW	NE		ADA

5. Description of diverting works:
WELL, PUMP, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.190		
IRRIGATION	03/15	11/15	0.090		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/18 APARTMENT UNITS, 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02E	7	NW	NE		DOMEST	
			NW	NE		IRR	3.0

Section Acres 3.0

A63-04989

Page 1

Date: 08/18/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Total Acres 3.0

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:

NAMPA-MERIDIAN IRRIG. DIST. WATER

14. Remarks:

2 P/D NWNE, S7, T3N, R2E.

CLAIMANT IS UNAWARE OF LOCATION OF SECOND WELL; CLAIMANT IS ONLY AWARE OF ONE WELL, HOWEVER, SECOND WELL MAY BE AT SAME LOCATION HOOKED UP TO SAME SYSTEM.

STATUTORY CLAIM DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF THE LAWN AS A PORTION OF THE ORIGINAL USE. NO CHANGE HAS OCCURRED IN WATER USE.

15. Basis of Claim: STATUTORY CLAIM

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: 2

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): Harold E. Remy Date: August 18, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day

of August 19 89

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____



SCHEDULE C

The land referred to in this policy is situated in the State of Idaho County of Ada and is described as follows:

PARCEL I:

The Southerly 100 feet of Lot 2 in BROSE FIRST SUBDIVISION according to the Official Plat thereof filed in Book 4 of Plats at Page 177, records of Ada County, Idaho;

EXCEPT the Easterly 150 feet thereof;

Together with easements over the following two parcels:

PARCEL II:

An easement 10 feet in width over the following, the centerline of which is described as follows:

Beginning at the Northeast corner of the property herein described as Parcel I; thence

West along the North boundary of said Parcel I, 10 feet to the point of beginning; thence

North at a right angle 50 feet to a point.

PARCEL III:

An easement 10 feet in width over the following, the centerline of which is described as follows:

Beginning at the Northeast corner of the property herein described as Parcel I; thence

West along the North boundary line of Parcel I, 140 feet to the point of beginning; thence

North at a right angle 50 feet to a point.

PARCEL IV:

Lot 7 in BROSE FIRST SUBDIVISION, less and excepting the South 160 feet, according to the official plat thereof filed in Book 4 of Plats at Page 177, records of Ada County, Idaho.

EXCEPT right-of-way for Liberty Street.

MICROFILMED

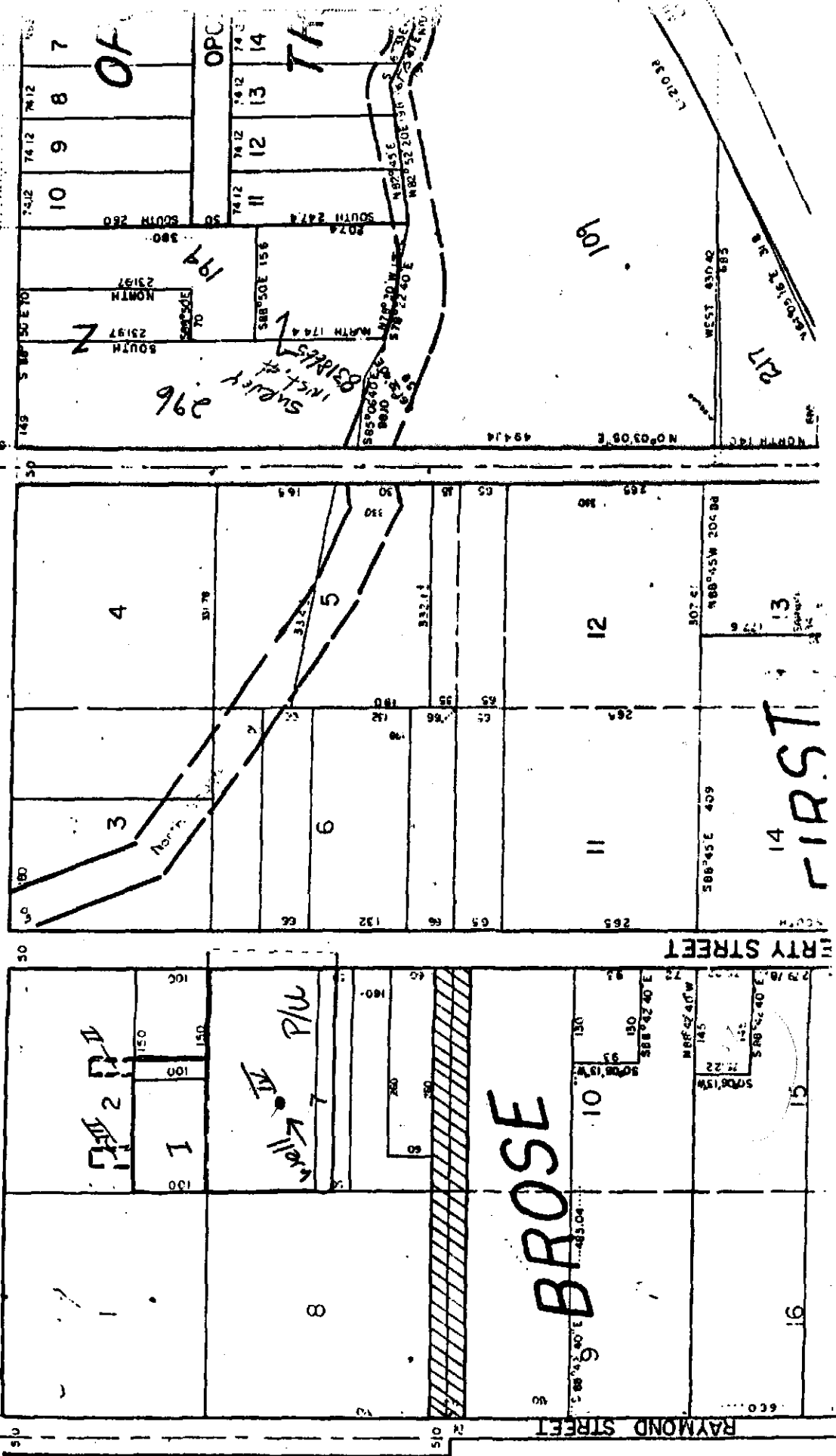
AUG 20 1992

42

FAIRY!

N. 1/4 CORNER
SEC. 7

MICROFILMED
AUG 20 1992



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Reemsey

CLAIM IDENT. NO.

AB3-04989

DATE RECEIVED

8/28/89

CK #

C010362

AMOUNT \$

2000

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
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. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
(b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
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. ☒ YES ☐ NO ☐ Required Info? *
Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ Required Info? *
Is the consumptive use correct? ☐ YES ☒ NO ☐ Required Info? *
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. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
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.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☐ YES ☒ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by:

RB

Date:

6/11/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

RB

Date:

6/11/90

Checked by:

Date:

Sent to claimant by:

Comments:

C.U. = 10.5

(3.5 X 3 Acres)

MICROFILMED

AUG 20 1992

05/02/2005

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

RIGHT NUMBER: 63-4989

NAME AND ADDRESS: HAROLD E RUMSEY
1425 N LIBERTY
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
18.200 AFY

Use of this right with Right No. 63-4997 is limited to a total combined diversion rate of .19 cfs and to a total combined annual diversion volume of 31.6 AF.

PRIORITY DATE: 01/01/1960

POINT OF DIVERSION:

T03N R02E S7 NWNWNE Within ADA County

T03N R02E S7 NWNWNE Within ADA County

Two points of diversion are located within NWNE, S7, T03N, R02E.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.050 CFS 6.80 AFY
DOMESTIC	01/01 12/31	0.190 CFS 11.40 AFY

Domestic use is for 19 homes.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S07 NWNE 1.5

DOMESTIC Within ADA County

T03N R02E S07 NWNE

1.5 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Parcel Nos. R1097500530, R1097500540, R1097500535

Idaho Department of Water Resources

63-4989

T03N R02E S7



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



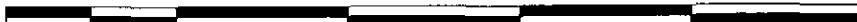
IDWR

Prepared by: Sandy Egbert

Date: 4-29-05

1987 NAPP Photography

600 0 600 1200 1800 2400 Feet



Adjudication Recommendation Report 63-4989 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DECKER PROPERTIES LTD PO BOX 491 MERIDIAN, ID 83642
Current Owner	HAROLD E RUMSEY 1425 N LIBERTY BOISE, ID 83704 (208)343-2121

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Location of Point(s) of Diversion

GROUND WATER ADA County	NW1/4NW1/4NE1/4	Sec. 7,	Twp 03N,	Rge 02E, B.M.
GROUND WATER ADA County	NW1/4NW1/4NE1/4	Sec. 7,	Twp 03N,	Rge 02E, B.M.

IRRIGATION

Total Acres: 1.5

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4989 V1

Conditions of Approval:

1. C18 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.
2. X32 Two points of diversion are located within NWNE, S7, T03N, R02E.
3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
4. Parcel Nos. R1097500530, R1097500540, R1097500535
5. X01 Domestic use is for 19 homes.
6. E60 Use of this right with Right No. 63-4997 is limited to a total combined diversion rate of .19 cfs and to a total combined annual diversion volume of 31.6 AF.

Remarks:

Comments:

1. segbert 4/15/2005 POD
Comment: Updated shape
2. segbert 4/15/2005 POD
Comment: Updated shape
3. segbert 5/2/2005 Domestic Use
Comment: These apartments were hooked up to city water in Nov. of 2004
4. segbert 5/2/2005 POU
Comment: Updated Shape
5. segbert 5/2/2005 POU
Comment: Updated Shape

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4989 V1

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.16	13.4	1.5

Combined Water Rights: 63-4989 , 63-4997

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/15/2005 12:41:27 PM	segbert			Active
POD	4/15/2005 12:41:52 PM	segbert			Active
Source	4/15/2005 12:43:24 PM	segbert			Active
POU	4/15/2005 12:43:53 PM	segbert			Active
Use	4/15/2005 12:44:16 PM	segbert			Active
Season	4/15/2005 12:45:03 PM	segbert			Active
Quantity	4/15/2005 12:47:21 PM	segbert			Active
Summary			04/15/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	4/15/2005 12:41:27 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use?
Source	4/15/2005 12:43:24 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - field exam
Use	4/15/2005 12:44:16 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - field exam

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4989 V1

Season	4/15/2005 12:45:04 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	4/15/2005 12:43:54 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - field exam
Quantity	4/15/2005 12:47:22 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - under .2 cfs Description for Question 10 - .6 x 19 homes for domestic 4.5 x 1.5 acres for irrigation
Summary	4/15/2005 1:02:39 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4989 V1

POD	4/15/2005 12:41:53 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4989

WATER RIGHT NUMBER: 63-4989

Owner Type Name and Address
 Original Owner DECKER PROPERTIES LTD
 PO BOX 491
 MERIDIAN, ID 83642
 Current Owner HAROLD E RUMSEY ✓
 1425 N LIBERTY
 BOISE, ID 83704
 (208)343-2121

Priority Date: 07/01/1950

Basis: ~~Statutory Claim~~ *BU*

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

IRRIGATION ✓

DOMESTIC ✓

From To

3/15 to 11/15

1/01 to 12/31

Diversi^{on} Rate

0.090 CFS

0.190 CFS

Total Diversion:

0.190 CFS

Annual Volume

6.8

11.4

18.2

*.6 x 19*Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 7, Twp 03N, Rge 02E, B.M.

ADA County

*2 wells*Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	7			3.0														3.0
																			1.5

Total Acres: 3

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	7			X														

Conditions of Approval:

18 apts, 1 house
Parcel #'s R1097500530, R1097500540, R 1097500535
Combined w/ 4997

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4989

Remarks:

1. General 2 P/D NWNE, S7, T3N, R2E.
CLAIMANT IS UNAWARE OF LOCATION OF SECOND WELL; CLAIMANT IS ONLY AWARE OF ONE WELL, HOWEVER, SECOND WELL MAY BE AT SAME LOCATION HOOKED UP TO SAME SYSTEM.
STATUTORY CLAIM DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF THE LAWN AS A PORTION OF THE ORIGINAL USE. NO CHANGE HAS OCCURRED IN WATER USE.

Comments:Dates and Other Information:

Claim Received Date: 8/28/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Field Exam Date 3/10/05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 72.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-4997 + 63-4989

% LYNETTE HORTON MANAGER

Owner: LEONARD M. WELTER 1983 TRUST Phone No. 208 703 7688

Current Address: P.O. Box 1985 Boise ID 83701

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER LEONARD M. WELTER TRUST (LYNETTE HAS FORMS TO GET CHANGES MADE)
- ☐ No change Address
- ☒ NEW ADDRESS P.O. Box 1985 Boise ID 83701
- ☒ How long owned property? SINCE NOV. 2004

Accompanied by: LYNETTE HORTON

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

advanced priority date to 1-1-06 the year the oldest apt. complex was built (1960) per tax lot data

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

LYNETTE HORTON, MGR SAID SHE WOULD WORK ON THIS. I GAVE HER AFFIDAVIT FORMS AS WELL AS "CHANGE OF WATER RIGHT OWNERSHIP" FORMS.

Source: GROUND WATER Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

3HP
SOUTH PUMP/WELL

SITE TAG = E0006742 (DEQ INSTALLED PREVIOUSLY)

GPS = 2317489
1382169

1HP
NORTH PUMP/WELL

SITE TAG = E0008371

GPS = 2317509
1382113

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
1		NW	NW	NE	7	3N	2E	ADA	AERIAL PHOTO + GPS
2		NW	NW	NE	7	3N	2E	ADA	" " "

Description of diverting works

THERE ARE 2 WELLS WITH SUBMERSIBLE PUMPS. THERE ARE PIPELINES FROM EACH TO DISTRIBUTE IRRIGATION WATER TO ALL THE COMMON AREAS LAWNS + ALL LANDSCAPE. THIS WATER IS NO LONGER OVERLAP REVIEW BEING USED FOR DOMESTIC. DOMESTIC USE IS NOW BEING Other water rights with the same point of diversion: SUPPLIED BY THE CITY SYSTEM.

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☒ Different Uses IRRIGATION USE ONLY - 3AC @ 4.5 = AFA

63-4989 Use IRRIGATION From 3/15 To 11/15 Amount .09 CFS 13.5 AFA

63-4997 Use IRRIGATION From 3/15 To 11/15 Amount .09 CFS AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL 0.18 (?)

TOTAL VOLUME - Groundwater only

SEE ATTACHED TABLE

☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes 0 Stock # 0

Types IRRIGATION ONLY Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

BOTH RIGHTS

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2E	7		3.0															3.0

Overlap with other water rights: THEY HAVE WATER RIGHT IN "BENCH IRR. DIST" BUT HAVE NO WAY TO USE IT. (THEY PAY "BENCH" AN ANNUAL BILL
 Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: THERE ARE TWO WELLS FOR THIS PROPERTY. THE SOUTH WELL IS A 3 HP SUBMERSIBLE PUMP & THE NORTH WELL IS A 1 HP SUBMERSIBLE PUMP. THE WELLS ARE Cased FULL LENGTH ARE BOTH 6" DIA WELLS. THEY IRRIGATE ALL THE COMMON AREAS IN THE APARTMENT COMPLEX. BOTH PUMPS ARE INTERCONNECTED AND TWO SETS OF CONTROLS FOR AUTO-SPRINKLER SYSTEM.

	Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
#1	<u>SOUTH Pump</u>	FRANKLIN	3	2823028110	UNKNOWN	<u>1 1/4" DISCHARGE</u>
#2	<u>NORTH Pump</u>	FRANKLIN	1	2801084915	UNKNOWN	<u>1" (PROBABLY - AT PUMP/WELL IT IS UNDER-GROUND DISCHARGE)</u>

FLOW MEASUREMENTS: THEORETICAL SEE ATTACHED TABLE WITH VARIOUS SCENARIOS.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

THIS APARTMENT COMPLEX HAS 45 RENTAL UNITS. THERE ARE BOTH OLDER BUILDINGS AND NEWER BUILDING. OWNERSHIP CHANGE IN NOVEMBER OF 2004. AT THAT TIME THE WATER SYSTEM WAS CHANGED OUT. THE DOMESTIC WATER WAS DISCONNECTED FROM THE WELL PUMPS AND CONNECTED TO THE CITY WATER SYSTEM. THE WELLS/PUMPS ONLY PROVIDE IRRIGATION WATER. THE IRRIGATION RIGHT IS FOR .09 CFS. FROM EACH RIGHT. (?) THE IRRIGATION SYSTEM CAN IRRIGATE ALL LAWN/LANDSCAPE AREA OF THE COMPLEX. IT IS VERY DIFFICULT TO DETERMINE THE TOTAL IRRIGATED AREA. I ESTIMATED GREEN AREAS FROM AERIAL PHOTO AND GOT 1.4 AC MAX. THE TOTAL AREA WITHIN THE COMPLEX IS ABOUT 3.5 AC TOTAL.

THE MANAGER OF THE COMPLEX IS LYNETTE HORTON. I GAVE HER
THE FORMS FOR "CHANGED OWNERSHIP OF A WATER RIGHT" AND AFFIDAVIT
FORMS FOR "EVIDENCE OF PRIORITY" ALONG WITH INSTRUCTIONS.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3/10/05 IN FIELD 4/7/05 COMPLETED

FIELD EXAMINER: Daniel H. Schenck

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4989

WATER RIGHT NUMBER: 63-4989

Owner Type Name and Address
 Original Owner DECKER PROPERTIES LTD.
 PO BOX 491
 MERIDIAN, ID 83642
 Current Owner HAROLD E RUMSEY
 1425 N LIBERTY
 BOISE, ID 83704
 (208)343-2121

6" CASING

IRRIGATION ONLY
 CONVERTED TO
 CITY WATER IN
 NOVEMBER 2004
 FOR DOMESTIC

SUBMERSIBLE

FRANKLIN MOTOR
 3HP 3450 RPM
 230V. 14.5 AMP
 SER. 150 17.0 AMP MAX
 MODEL ZB230ZB110

Priority Date: 07/01/1950
 Basis: Statutory Claim
 Status: Active

SITE TAG = E0006742
 ALREADY IN PLACE
 FROM DEQ

GPS: 2317489
 1382170
 69

Source Tributary
 GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	3/15	11/15	0.090 CFS	→ 40.46 PM
~~DOMESTIC~~	1/01	12/31	0.190 CFS	
Total Diversion:			0.190 CFS	85.28 GPM

Location of Point(s) of Diversion

GROUND WATER
 ADA County

NW1/4NW1/4NE1/4
OK

Sec. 7, Twp 03N, Rge 02E, B.M.

Place of Use

IRRIGATION

ONLY

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	7			3.0													3.0	
																		OK	

Total Acres: 3

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	7			X														

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4989

Remarks:

1. General 2 P/D NWNE, S7, T3N, R2E.
CLAIMANT IS UNAWARE OF LOCATION OF SECOND WELL; CLAIMANT IS ONLY AWARE OF ONE WELL, HOWEVER, SECOND WELL MAY BE AT SAME LOCATION HOOKED UP TO SAME SYSTEM.
(STATUTORY CLAIM) DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF THE LAWN AS A PORTION OF THE ORIGINAL USE. NO CHANGE HAS OCCURRED IN WATER USE.

Comments:Dates and Other Information:

Claim Received Date: 8/28/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

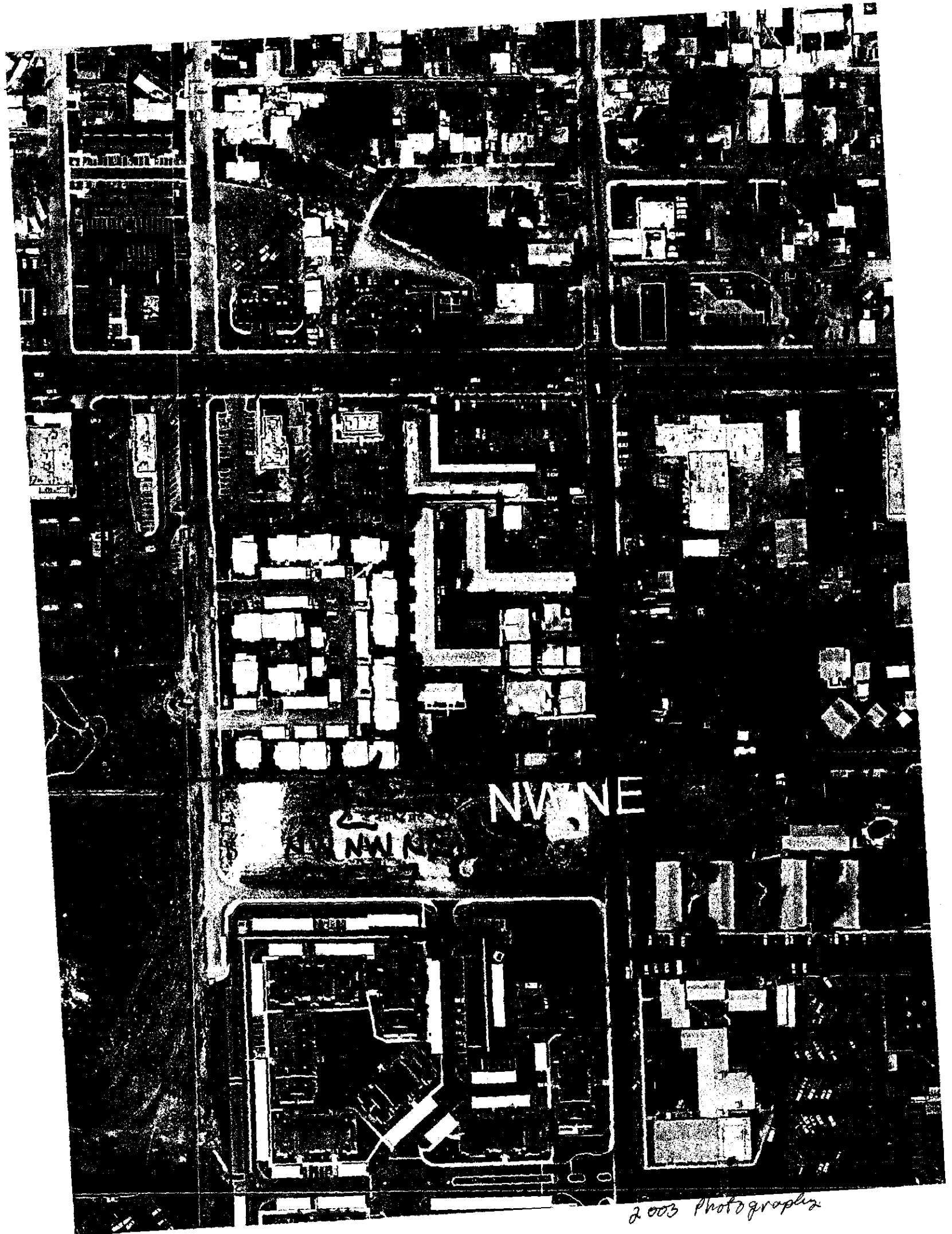
63-4997 & 4989

HEAD FLOW COMBINATION

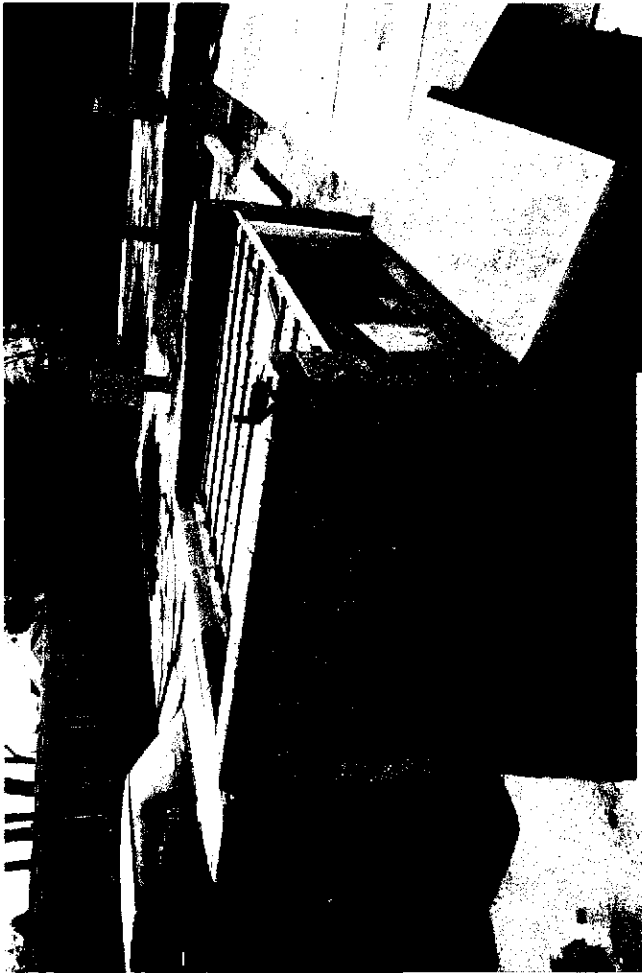
TABLE 1

8316
2772

tdh	3 BHP gpm	1BHP gpm	Total gpm	Total cfs	At 25psi min. Ft Lift Available	At 40 psi
108	77	25.67	102.67	0.23	50.25	15.5
113	73.6	24.5	98.1	0.22	55.3	20.5
118	70.5	23.5	94.0	0.21	60.3	25.5
123	67.6	22.5	90.1	0.20	65.3	30.5
128	65.0	21.7	86.6	0.19	70.3	35.5
133	62.5	20.8	83.4	0.19	75.3	40.5
138	60.3	20.1	80.3	0.18	80.3	45.5
143	58.2	19.4	77.5	0.17	85.3	50.5
148	56.2	18.7	74.9	0.17	90.3	55.5
153	54.4	18.1	72.5	0.16	95.3	60.5
158	52.6	17.5	70.2	0.16	100.3	65.5
163	51.0	17.0	68.0	0.15	105.3	70.5
168	49.5	16.5	66.0	0.15	110.3	75.5
173	48.1	16.0	64.1	0.14	115.3	80.5
178	46.7	15.6	62.3	0.14	120.3	85.5
183	45.4	15.1	60.6	0.13	125.3	90.5
188	44.2	14.7	59.0	0.13	130.3	95.5
193	43.1	14.4	57.5	0.13	135.3	100.5
198	42.0	14.0	56.0	0.12	140.3	105.5
203	41.0	13.7	54.6	0.12	145.3	110.5
208	39.98	13.33	53.31	0.12	150.3	115.5
213	39.0	13.0	52.1	0.12	155.3	120.5
218	38.1	12.7	50.9	0.11	160.3	125.5
223	37.3	12.4	49.7	0.11	165.3	130.5
228	36.5	12.2	48.6	0.11	170.3	135.5
233	35.7	11.9	47.6	0.11	175.3	140.5
238	34.9	11.6	46.6	0.10	180.3	145.5
243	34.22	11.41	45.63	0.10	185.25	150.5
248	33.53	11.18	44.71	0.10	190.25	155.5
253	32.87	10.96	43.83	0.10	195.25	160.5
258	32.23	10.74	42.98	0.10	200.25	165.5
263	31.62	10.54	42.16	0.09	205.25	170.5
268	31.03	10.34	41.37	0.09	210.25	175.5
273	30.46	10.15	40.62	0.09	215.25	180.5
278	29.91	9.97	39.88	0.09	220.25	185.5
283	29.39	9.80	39.18	0.09	225.25	190.5



2003 Photograph



Pump #1, Looking Southwest



Pump #1, Pump and Sprinkler Controls

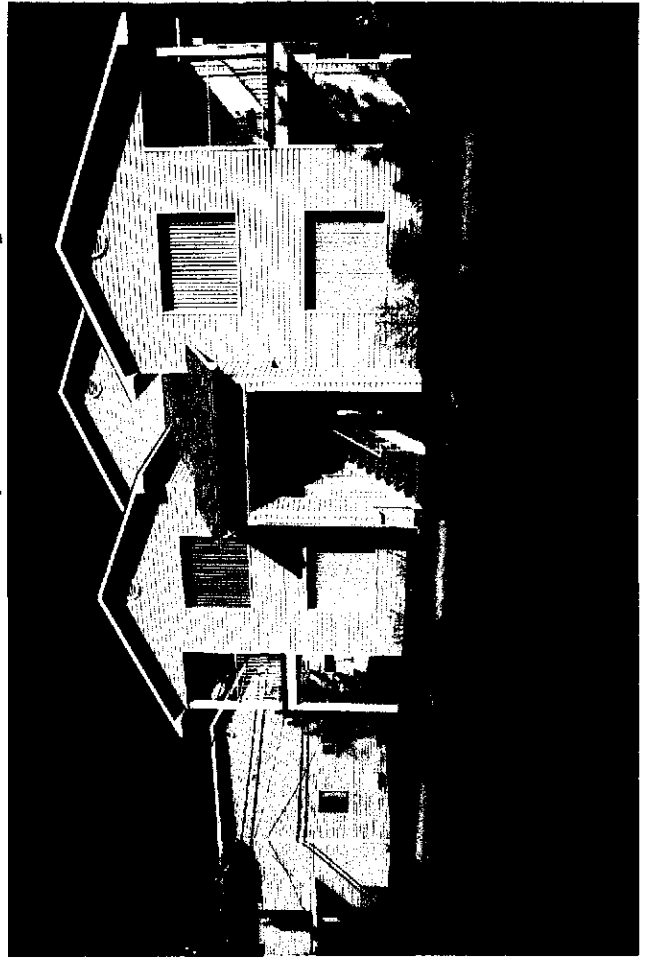
63-4997 4989

Aspen

Newer Apartments
Looking Northwest from Liberty St.



Newer Apartments, Looking East



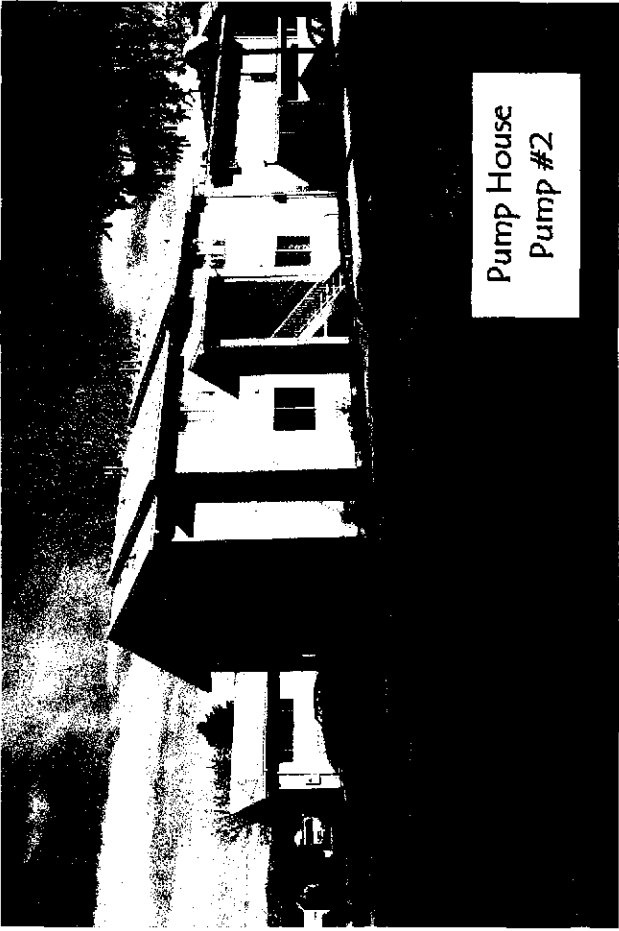


Newer Apartments, Looking East

63-4997 4989

Aspen

Older Apartments, looking Southeast

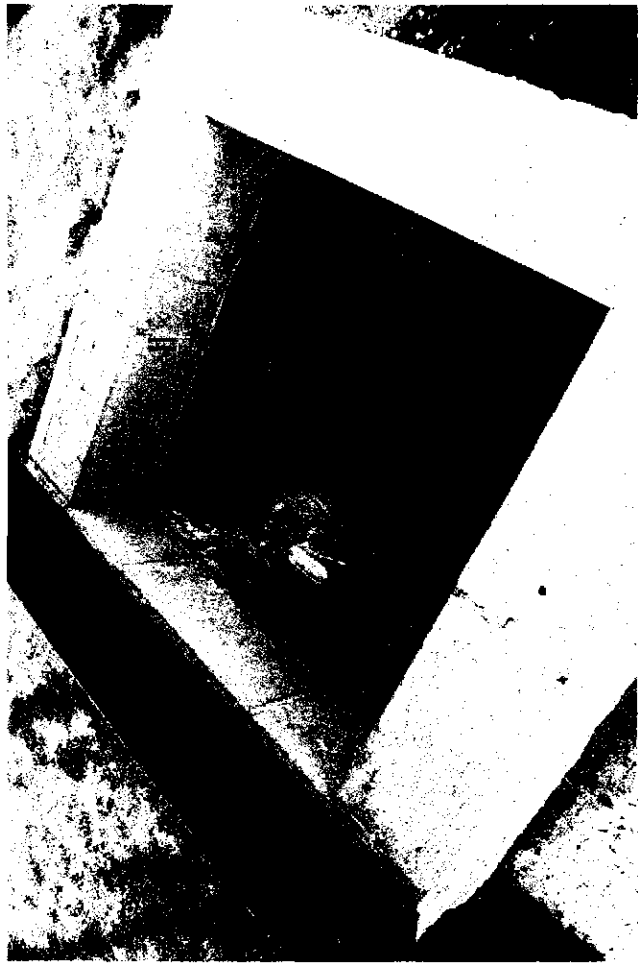


Pump House
Pump #2

Newer Apartments

Pump House—Pump #2
Looking Southeast

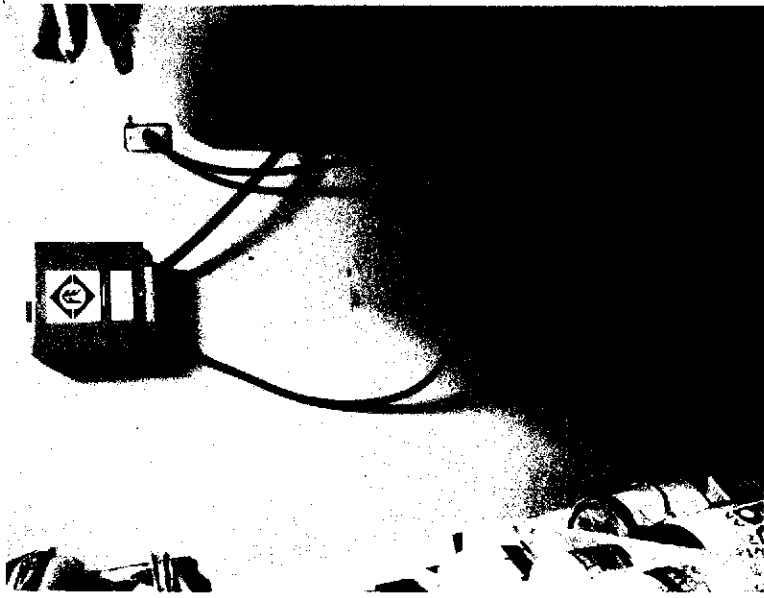




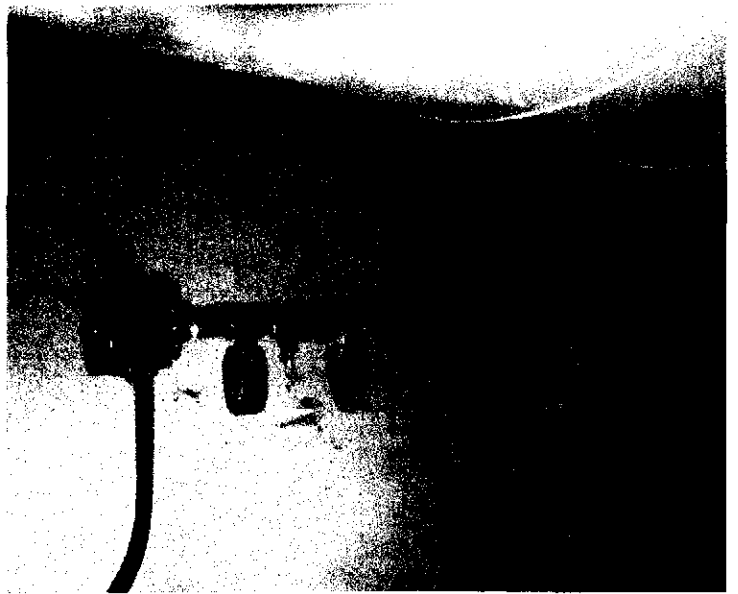
Well / Pump #2, looking West

63-4997 4989

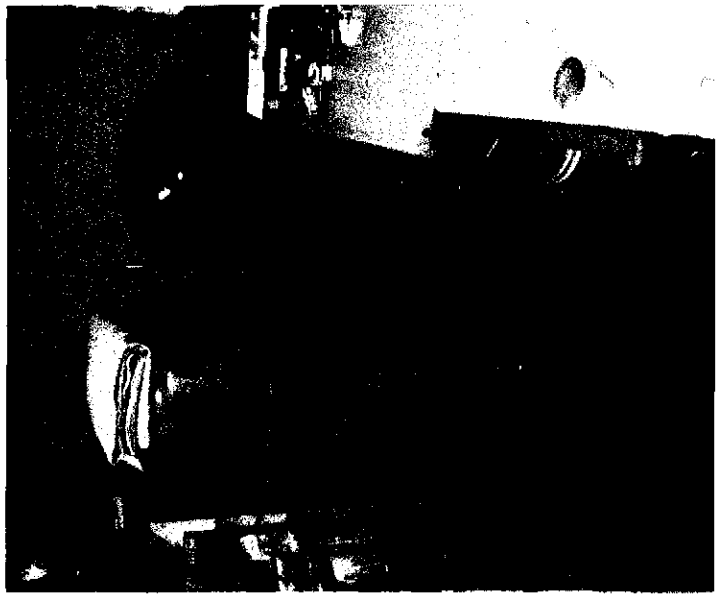
Aspen



Pump #2,
Pressure tanks & controls

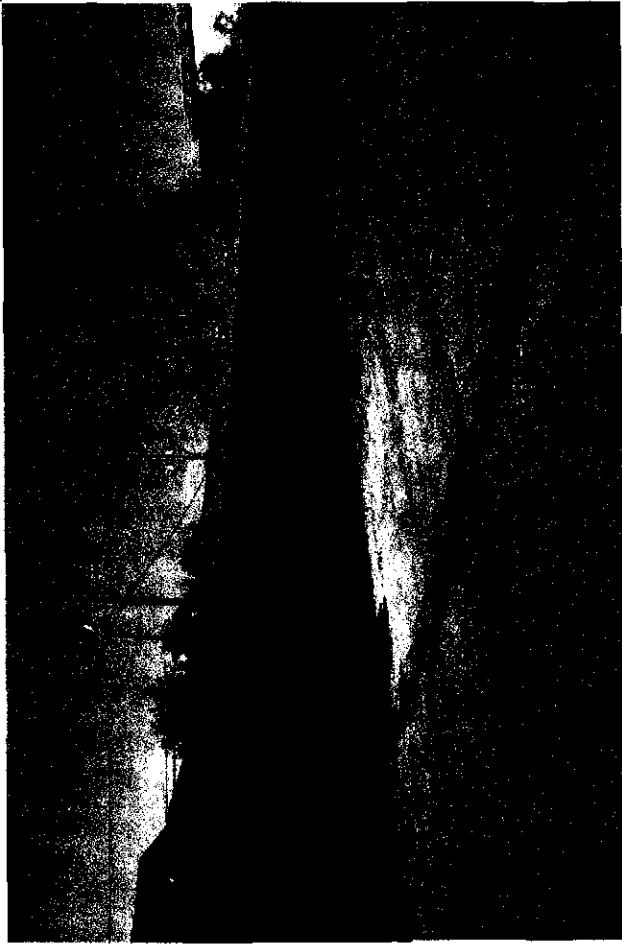


Pump #2
Plumbing, etc.





Older Apartments, looking Southwest

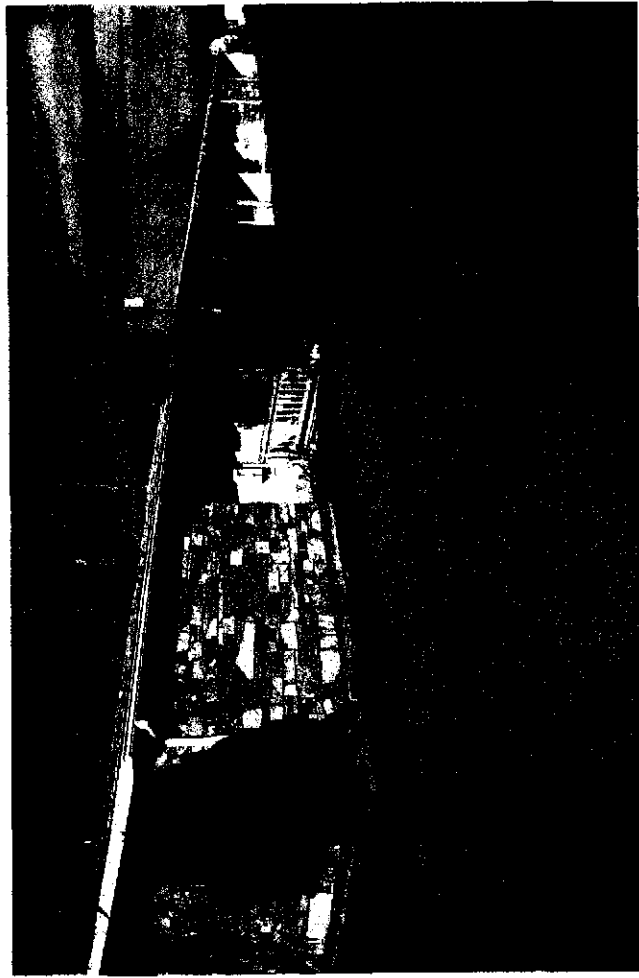


Older Apartments, Looking Northwest

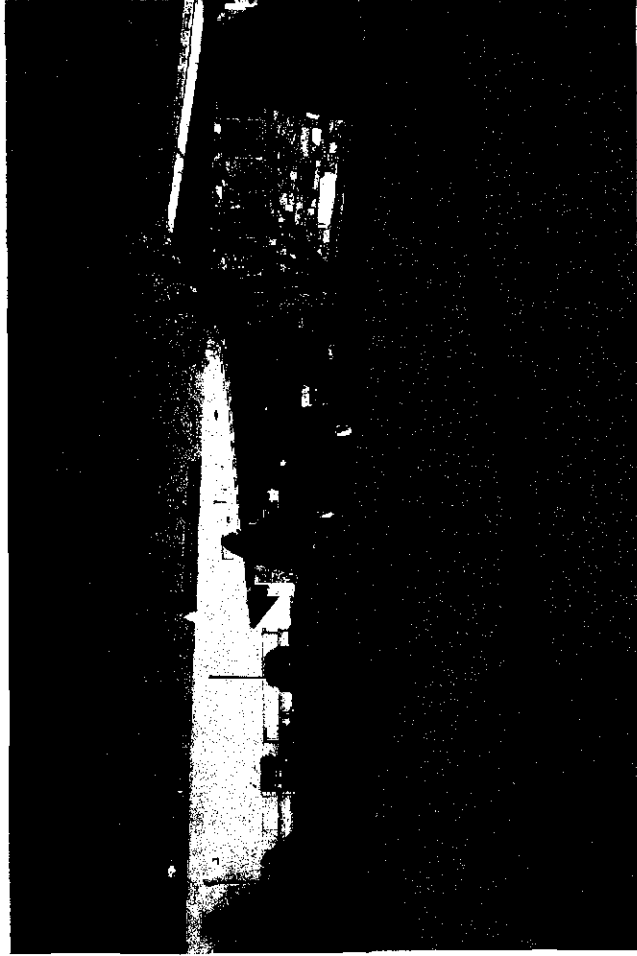
63-4997 4989

Aspen

Older Apartments, looking Northeast



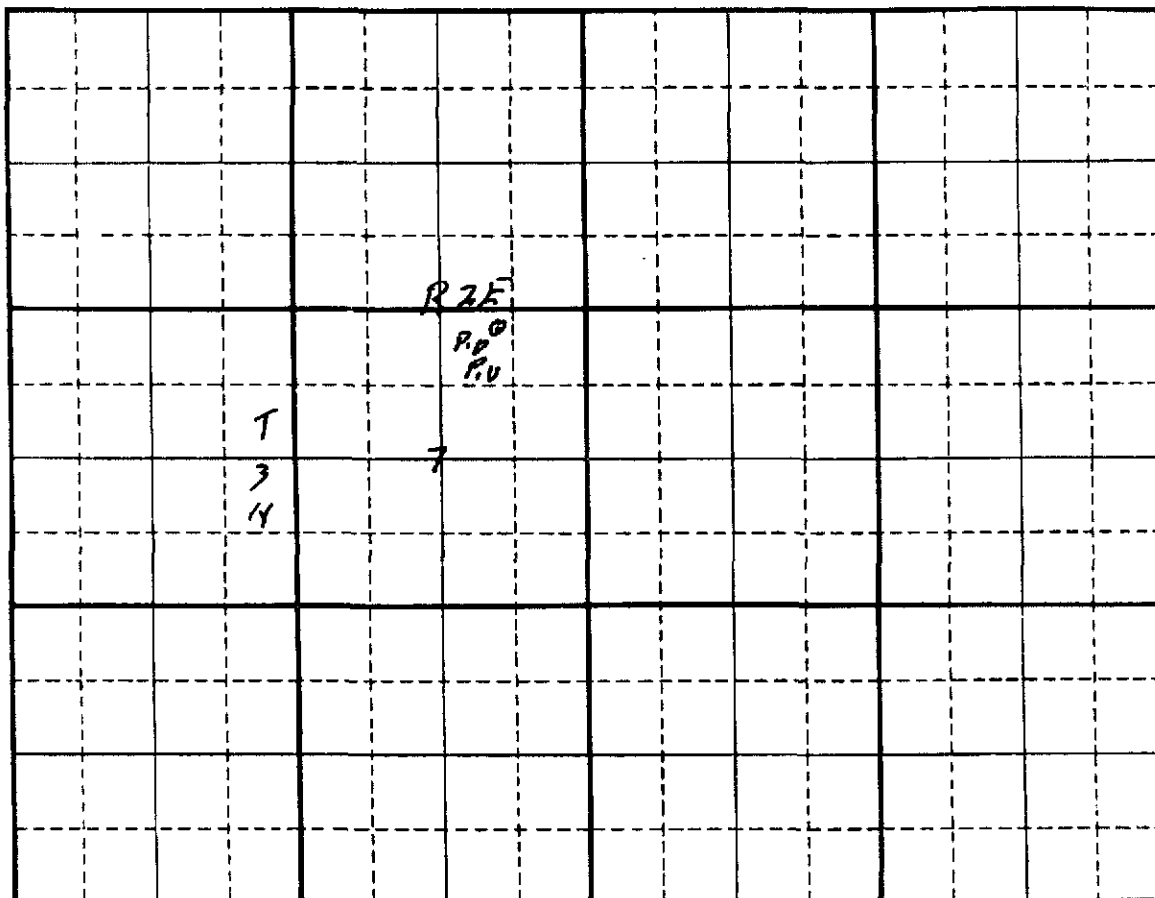
Older Apartments, looking North



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

NOTE: Include here the type and number of stock watered: _____
If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Liberty Manor



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gem) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 6 day of April, 1983.

Randall E. Decker
(Claimant) Centine Perrier

[Signature]
Notary Public
Residing at Emmett

My commission expires lifetime

FOR DEPARTMENT USE ONLY

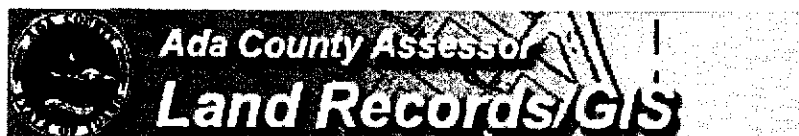
Received by JKN Date 4/6/83 Exception filed by: _____ Date _____
Preling. check by [Signature] Date 4/7/83 Forwarded to claimant by: _____ Date _____
\$30.00 fee received by J.P. Date 4/6/83 # 27907
Published in [Signature]
Dates 4/6/83

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-4989

02/10/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-4989	Claim	03N	02E	7	NW	NE		IRRIGATION	3/3	HAROLD E RUMSEY
63-4997	Claim	03N	02E	7	NW	NE		IRRIGATION	3/3	HAROLD E RUMSEY
63-18022	Claim	03N	02E	7	NW	NE		IRRIGATION	2/2	MARION D GROOTHUIS

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R1097500530

- [Main Page](#)
- [Property Search](#)
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- [Help Index](#)
- [FAQ](#)
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- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 1.445
Zone Code: R-2
Primary Code Area: 01-1 Tax Districts
Group Type: SUB
Subdivision: BROSE 01ST SUB
Section: 3N2E07

Property Description

PAR #0530 OF NWLY POR
 LOT 7 & SWLY POR LOT 2
 BROSE 1ST SUB
 PARCEL 2 R/S 4387
 #0141-B #0513-S

Property Address

1425 N LIBERTY RD
 BOISE, ID 83704


[Click to View Interactive Map](#)
Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	420-COM IMPROVEMENT	0.000	\$627,400	INCOME
Primary	420-COM IMPROVEMENT	0.000	\$185,700	INCOME
Primary	420-COM IMPROVEMENT	0.000	\$32,800	INCOME
Primary	210-COM LOT OR TRACT	1.445	\$173,100	MARKET

Total Assessed Value: \$1,019,000

Parcel Valuation History

Assessed value for year 2004 \$1,019,000
Assessed value for year 2003 \$881,100
Assessed value for year 2002 \$929,200
Assessed value for year 2001 \$776,600

Ada County Links

- [Ada County Home Page](#)
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- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics
 Commercial
 Land

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Land Records

Characteristics Detail

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**Commercial Characteristics 1 for Parcel "R1097500530"**

Commercial Group Type: APARTMENT - LOW RISE - COMPLEXES 16-40 UNITS
Year Built: 1970
Remodel Year: 0
Occupancy Date: No Date Available
Business Name: Aspen I Apts
Number of Floors: 2
Number of Units: 18
Leasable Sq Ft: 16569
Ground Floor Sq Ft: 14441
Excess Land Sq Ft: 11456
Used Land Acres: 1.182
Used Land Sq Ft: 51488
Excess Land Acres: 0.263
Total Land Sq Ft: 16569
Total Land Acres: 1.445
Method: INCOME

Assessor Links

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- [Administration](#)
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- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
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Commercial Characteristics 2 for Parcel "R1097500530"

Commercial Group Type: APARTMENT - LOW RISE - COMPLEXES 16-40 UNITS
Year Built: 2000
Remodel Year: 0
Occupancy Date: No Date Available
Business Name: Aspen I - 4 Plex
Number of Floors: 2
Number of Units: 4
Leasable Sq Ft: 2838
Ground Floor Sq Ft: 1419
Excess Land Sq Ft: 51488
Used Land Acres: 0.263
Used Land Sq Ft: 11456
Excess Land Acres: 1.182
Total Land Sq Ft: 2838
Total Land Acres: 1.445
Method: INCOME

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Commercial Characteristics 3 for Parcel "R1097500530"

Commercial Group Type: APARTMENT - LOW RISE - COMPLEXES 16-40 UNITS
Year Built: 1960
Remodel Year: 0
Occupancy Date: No Date Available
Business Name: Aspen I - Rental House
Number of Floors: 1
Number of Units: 1
Leasable Sq Ft: 1499
Ground Floor Sq Ft: 1100
Excess Land Sq Ft: 0
Used Land Acres: 0.139
Used Land Sq Ft: 6055
Excess Land Acres: 0.0
Total Land Sq Ft: 1499
Total Land Acres: 0.139
Method: INCOME

Receipt Details for ID C010362

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/28/1989 9:41:09 AM	8/28/1989	State	\$141.00	Check
Payer		ASPEN APARTMENTS		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
967			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$141.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4997		\$69.00	Claim
63	4989		\$72.00	Claim

Print Report

Attn: Jan Shurtz

IDWR

2735 Airport Way

Boise, ID 83705-5082

IN THE MATTER OF
NOTICE OF CLAIM TO
A WATER RIGHT NO. (S)

63-4997

63-4989

State of Idaho
County of ADA

208-334-2190

AFFIDAVIT

RECEIVED

MAY 26 2005

WATER RESOURCES
WESTERN REGION

Bernie Zamzow being first duly sworn,
deposes and says: One subject well was drilled
in 1967 and the second subject well
was drilled in 1969. The wells were
used for both drinking water and
irrigation but were converted to
irrigation "only" use in 2004.

* Bernie Zamzow
(Signature)

Bernie Zamzow

*Date 5/23/05

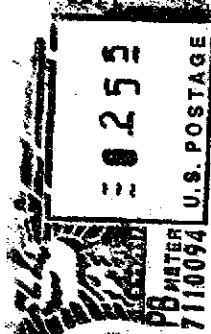
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

603-4989 3NDE
4997

3071 S. Cadet Ln.
Boise 83706

PRESORTED
FIRST CLASS

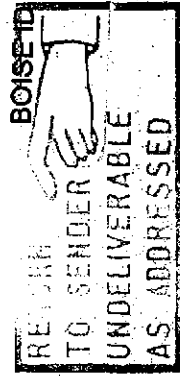


RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION

HAROLD E RUMSEY (Sue?)
1425 N LIBERTY
BOISE ID 83704



Sent again 6-14-02

0604726125634194-1347

0604726125634194-1347



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 26, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Leonard M. Welter 1983 Trust
PO Box 1985
Boise ID 83701

Re: Notice of Claim to a Water Right No. 63-4989 & 63-4997

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure