

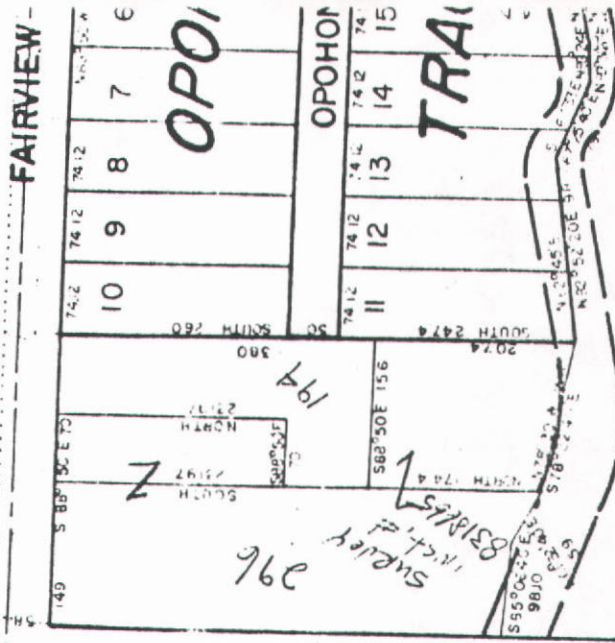
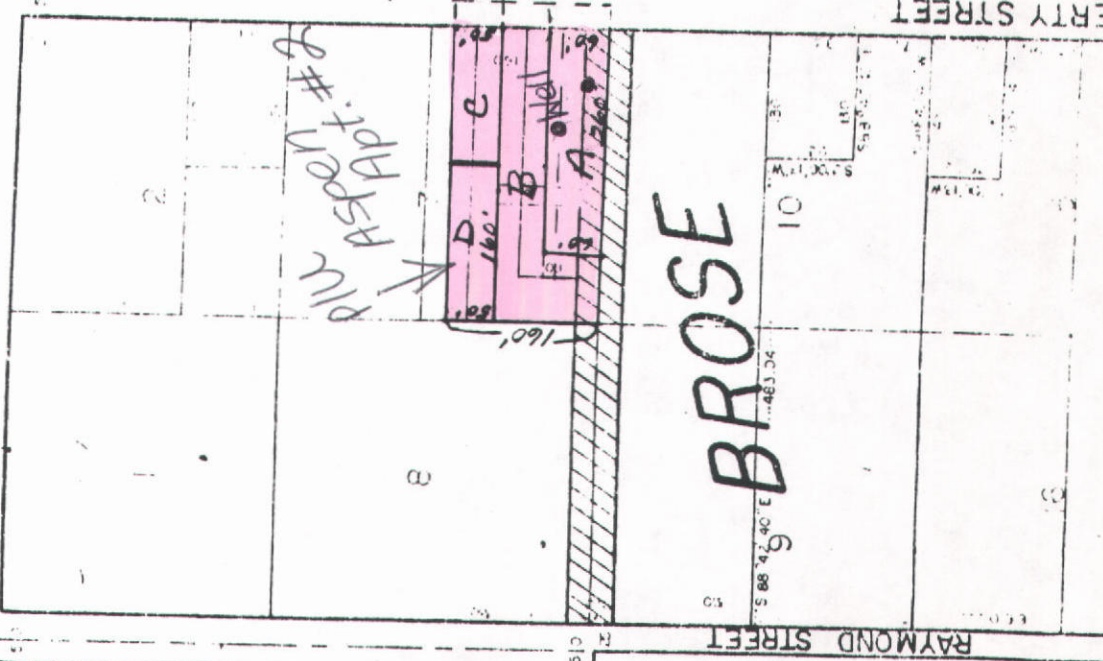
NE. 1/4 SEC. 7, T.3N, R.2E

24

N. 1/4 CORNER
SEC. 7

U.S. HWY. NO. 30

FAIRVIEW



MICROFILMED

AUG 20 1992

Idaho Department of Water Resources

63-4997

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

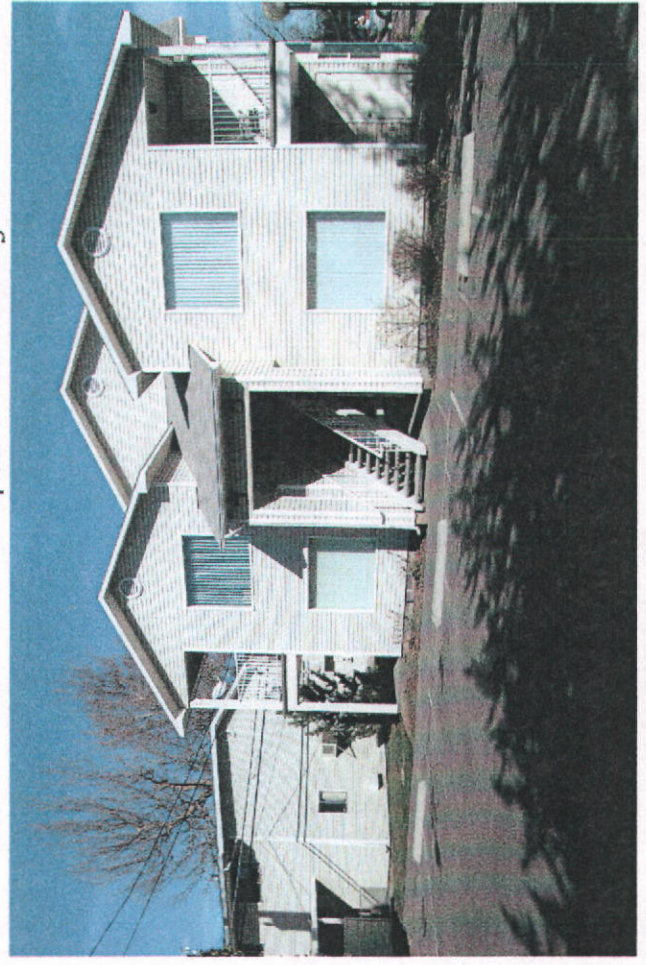
63-4997 4989

Aspen

Newer Apartments
Looking Northwest from Liberty St.



Newer Apartments, Looking East





Newer Apartments, Looking East

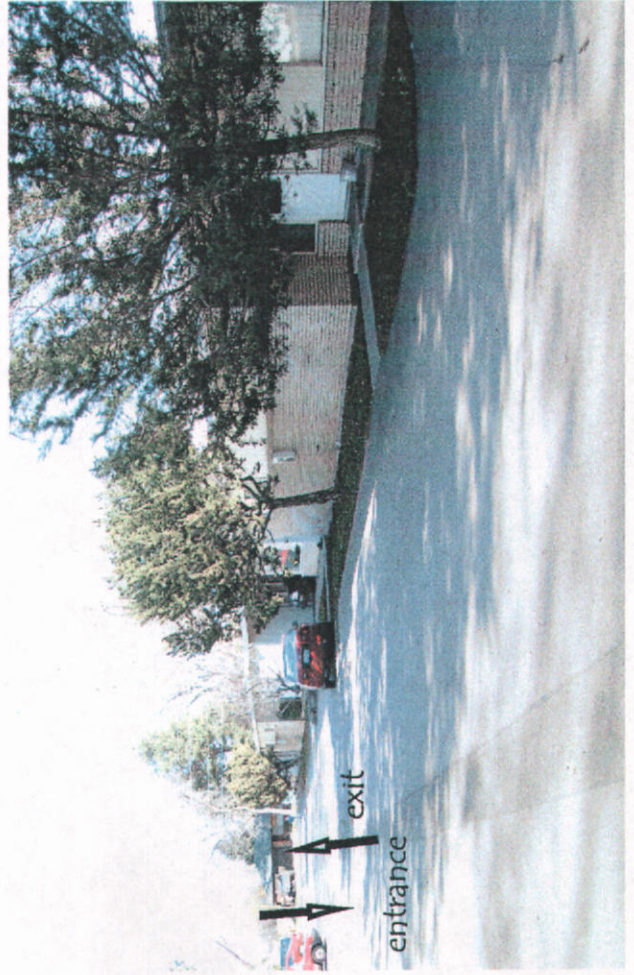


Newer Apartments

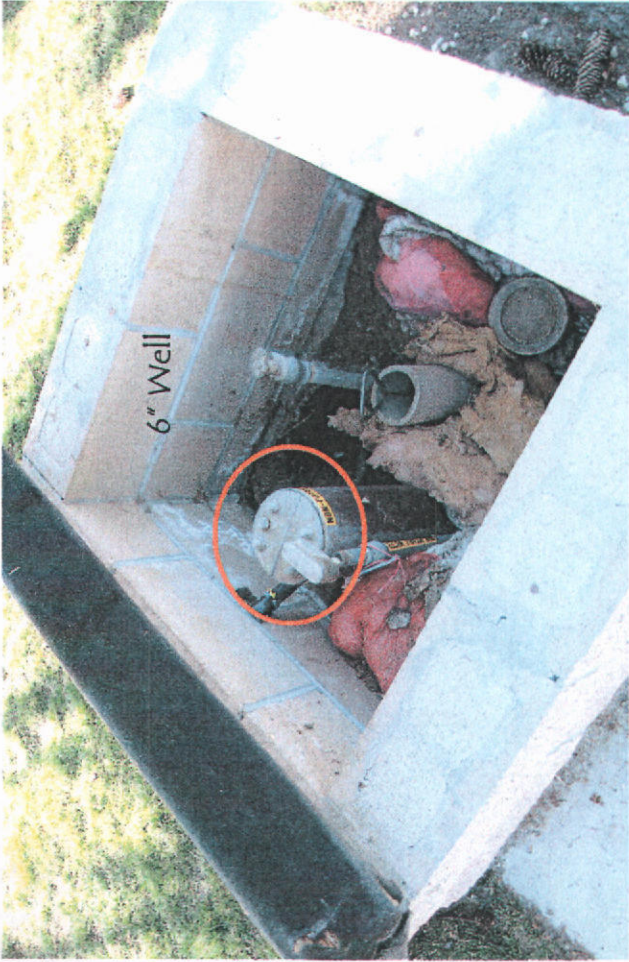
63-4997 4989

Aspen

Older Apartments, looking Southeast

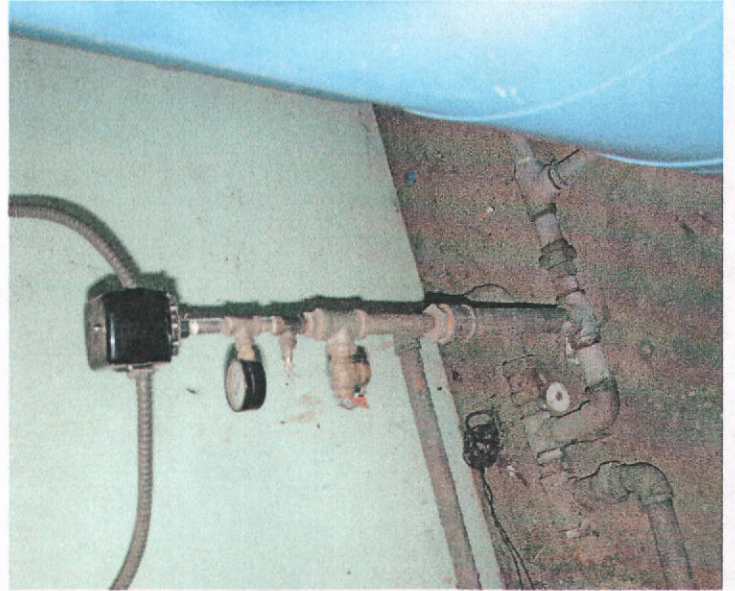
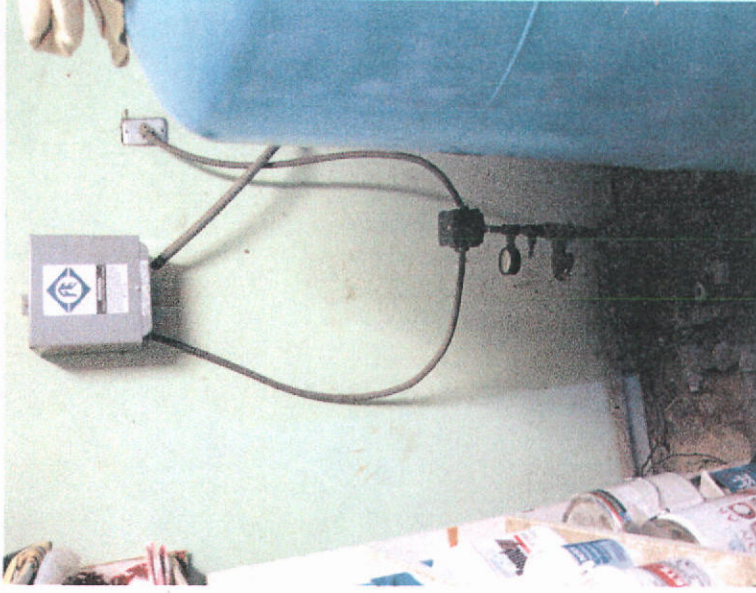


Pump House—Pump #2
Looking Southeast



Well / Pump #2, looking West

Pump #2,
Pressure tanks & controls



Pump #2
Plumbing, etc.



63-4997 4989

Aspen



Older Apartments, looking Southwest



Older Apartments, Looking Northwest

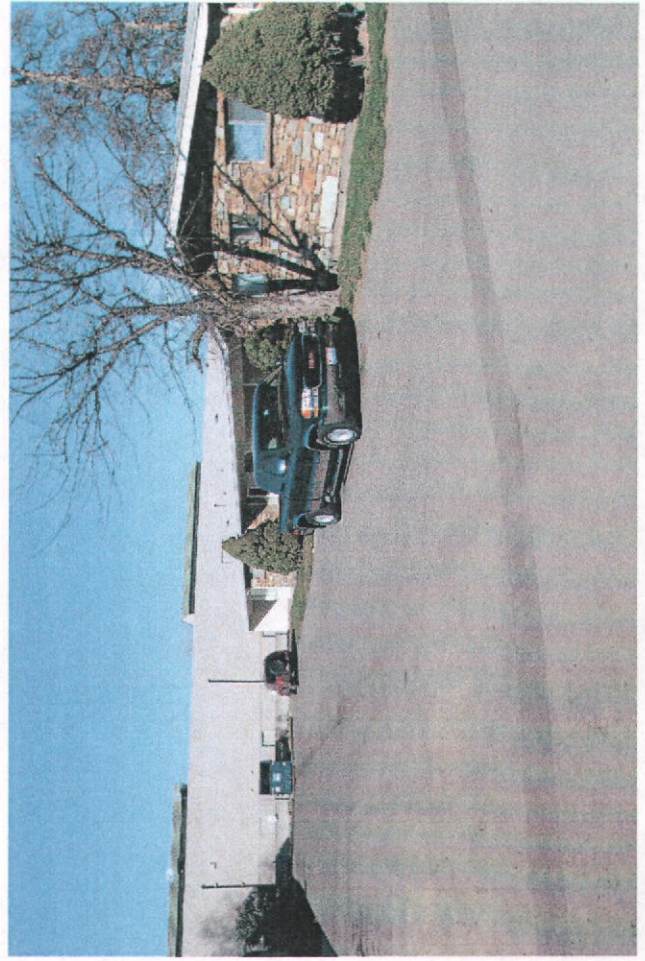
63-4997 4989

Aspen

Older Apartments, looking Northeast



Older Apartments, looking North





Raymond

Fairview

Liberty

POD

POD

NW NE
SEC 7

NW NE

1992 Photo a.m.s.k.



Ada County Assessor Land Records/GIS

Land Records

- Main Page
- Property Search
- Online Map
- Contact Us
- Disclaimer
- Help Index
- FAQ
- About Us
- Image Documents
- Old interactive map

Assessor Links

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- Administration
- Information
- Appraisal
- Exemptions and Reductions
- Motor Vehicles
- Levy Rates

Ada County Links

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- Treasurer
- Clerk/Auditor/Recorder
- Development Services
- Human Resources

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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

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

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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 63-4997
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: 07/01/1952

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 AND PIPES

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	0.16	

7. Total Quantity Appropriated is:
0.16 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	DOMESTIC	
			NW	NE	IRRIGATION	3
					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:

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

CHANGE OF OWNERSHIP LG 5/26/05

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)

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
 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

a/s/o.

Len Welter
 808-938-0718



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

SANDY

ASPENS APARTMENTS

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

WASHINGTON MUTUAL BANK

96-7197/1232

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

Details on Sa
Security Features Included



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

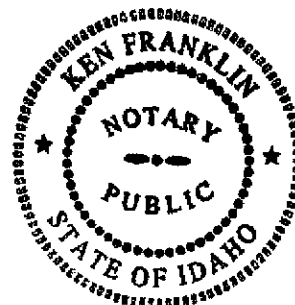
By: Everett Davis
 Everett Davis, Member

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.

Ken 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: A63-04997
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, 1952

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 AND PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
IRRIGATION	03/15	11/15	0.090		

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

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

9. Non-irrigation uses:
D/10 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

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					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:
STATUTORY CLAIM DID NOT CORRECTLY IDENTIFY THE IRRIGATION OF
LAWN AS A PORTION OF ORIGINAL USE. NO CHANGE IN WATER USE
HAS OCCURRED.

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 \$69

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: A63-04997

Date Received:

Receipt No: CG 10362

Received By: CP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

208-343-1102 8 1989

Department of Water Resources

1. Name: HAROLD E. RUMSEY
Address: 1425 NORTH LIBERTY
BOISE, ID

83704

2. Date of Priority: JUL 01, 1952

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 AND PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
IRRIGATION	03/15	11/15	0.090		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/10 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

A63-04997

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:

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

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. Ramsey 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 _____

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

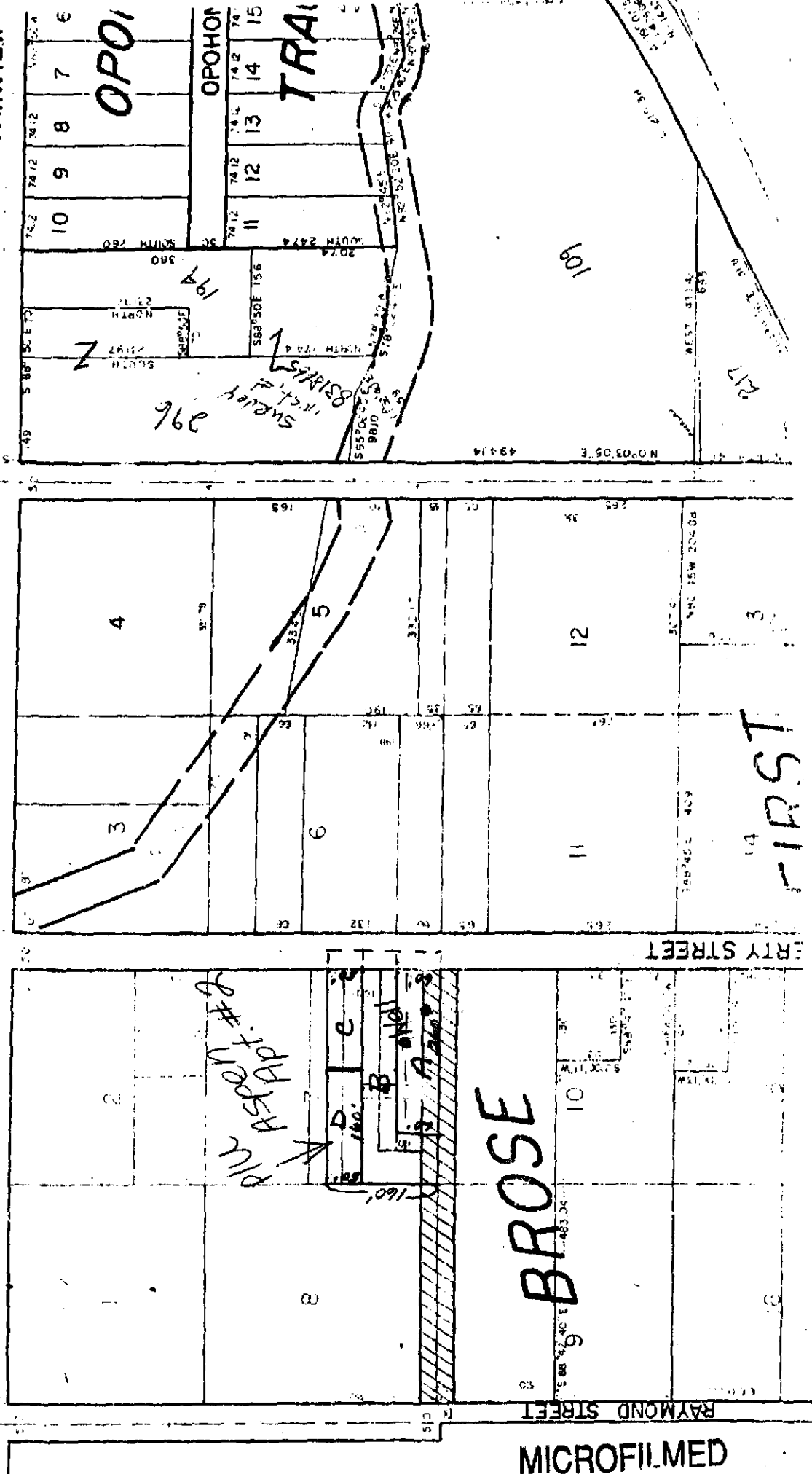
24

N 1/4 CORNER
SEC. 7

63-4997

U.S. HWY. NO. 30

FAIRVIEW



MICROFILMED

AUG 20 1992



SCHEDULE C

File No. FA-69557

Policy No. H 213628

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

PARCEL A:

The East 260 feet of the South 60 feet of Lot 7 of BROSE FIRST SUBDIVISION, according to the official plat thereof, filed in Book 4 of Plats at Page 177, Official Records of Ada County, Idaho.

EXCEPT right-of-way for Liberty Street.

PARCEL B:

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

EXCEPT the North 50 feet thereof.

ALSO EXCEPT the East 260 feet of the South 60 feet thereof.

FURTHER EXCEPT right-of-way for Liberty Street.

PARCEL C:

The North 50 feet of the South 160 feet of Lot 7 of BROSE FIRST SUBDIVISION, according to the official plat thereof, filed in Book 4 of Plats at Page 197, Official Records of Ada County, Idaho.

EXCEPT the West 160 feet thereof.

ALSO EXCEPT right-of-way for Liberty Street.

PARCEL D:

The North 50 feet of the South 160 feet of the West 160 feet of Lot 7 of BROSE FIRST SUBDIVISION, according to the official plat thereof, filed in Book 4 of Plats at Page 177, Official Records of Ada County, Idaho.

MICROFILMED

Aug 20 1992

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

Return Service Requested

63-4989
4997 2128

3071 S. Cadet Ln.

Boise 83706

HAROLD E RUMSEY
1425 N LIBERTY
BOISE ID 83704

(Sue)?

RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION

PRESORTED
FIRST CLASS



0255

U.S. POSTAGE
711094
METER



088452613583454



Sent again 6-14-02

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

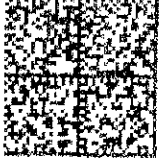
RECEIVED
DEC 21 2005
DEPARTMENT OF
WATER RESOURCES

RECEIVED
DEC 22 2005
WATER RESOURCES
WESTERN REGION

ATTEMPTED DELIVERY
HAROLD R. RUMSEY
1425 N. LIBERTY
BOISE ID 83704
KNOWIN
63.4997

ANX

UNITED STATES POSTAGE
02 1A
\$ 00.83
0004310839 DEC 16 20
MAILED FROM ZIP CODE 837



FIRST CLASS

05/02/2005

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

RIGHT NUMBER: 63-4997

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
13.400 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-4989 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, T03N R 02E S7.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.160 CFS 6.60 AFY
IRRIGATION	03/01 11/15	0.050 CFS 6.80 AFY

Domestic use is for 11 homes.

PLACE OF USE: DOMESTIC Within ADA County

T03N R02E S07 NWNE

IRRIGATION Within ADA County

T03N R02E S07 NWNE 1.5

1.5 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

Parcel No. R1097500530, r1097500540, R1097500535

Idaho Department of Water Resources

63-4997

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4997 V1

WATER RIGHT NUMBER: 63-4997 V1

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

Priority Date: 01/01/1960

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01	12/31	0.160 CFS	6.60 AF
IRRIGATION	03/01	11/15	0.050 CFS	6.80 AF
	<u>Total Diversion:</u>		0.160 CFS	13.40 AF

Location of Point(s) of Diversion

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

Place of Use

DOMESTIC

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

IRRIGATION

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

Total Acres: 1.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4997 V1

Conditions of Approval:

1. Parcel No. R1097500530, r1097500540, R1097500535
2. X01 Domestic use is for 11 homes.
3. X32 Two points of diversion are located within NWNE, T03N R 02E S7.
4. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
5. 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.
6. E60 USE OF THIS RIGHT WITH RIGHT NO. 63-4989 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 4/15/2005 POU
Comment: Updated Shape
4. segbert 4/15/2005 POU
Comment: Updated Shape
5. segbert 5/2/2005 Domestic Use
Comment: These apartments were hooked up to city water in Nov. of 2004

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 63-4997 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 11:29:14 AM	segbert			Active
POD	4/15/2005 11:30:14 AM	segbert			Active
Source	4/15/2005 11:35:04 AM	segbert			Active
POU	4/15/2005 11:35:46 AM	segbert			Active
Use	4/15/2005 11:37:13 AM	segbert			Active
Season	4/15/2005 11:38:00 AM	segbert			Active
Quantity	4/15/2005 11:40:21 AM	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>
POD	4/15/2005 11:30:14 AM	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?
Priority Date	4/15/2005 11:29:15 AM	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 11:35:05 AM	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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4997 V1

Quantity	4/15/2005 11:40:21 AM	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 - less than .2 cfs Description for Question 10 - 4.5 x 1.5 acres
POU	4/15/2005 11:35:47 AM	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
Use	4/15/2005 11:37:14 AM	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
Season	4/15/2005 11:38:00 AM	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 administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4997 V1

Summary 4/15/2005 12:04:26 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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4997

S. WATER DEPTH =

WATER RIGHT NUMBER: 63-4997

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

IRRIGATION
USE ONLY

CONVERTED TO
CITY WATER IN
NOVEMBER 2004
FOR DOMESTIC

SUBMERISABLE

6" CASING
1 1/4" DISCHARGE
2- 50 GAL PRES. TANKS
FRANKLIN MOTOR
1 HP 230V.
MODEL Z801084915

Priority Date: 07/01/1952

Basis: Statutory Claim *BU*

Status: Active

SourceTributaryGROUND WATERBeneficial Use

From To

Diversion RateAnnual Volume

DOMESTIC

1/01 to 12/31

0.160 CFS

6.6

IRRIGATION

3/15 to 11/15

0.090 CFS

6.8

3-1 to 11-15

0.05 CFS

Total Diversion:

0.160 CFS 71.81

726pm

13.4 AFA

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

DOMESTIC

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

IRRIGATION

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

Total Acres: 3

Conditions of Approval:*10 apts 1 house**N coals**combined w/ 4989**119 cfs**31.6 AFA*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4997

Remarks:

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

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>
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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 1-1-00 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 (DEINSTALLED 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 LAWN + 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 - 3 AC @ 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)

4.5 x 1.5 = 6.75

.16 x 1.9835 x 365 = 115.8

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: THE 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 3HP SUBMERSIBLE PUMP & THE NORTH WELL IS A 1HP 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 DIS-CONNECTED FROM THE WELL/PUMPS AND CONNECTED TO THE CITY WATER SYSTEM. THE WELLS/PUMPS ONLY PROVIDE IRRIGATION WATER. THE IRRIGATION RIGHT IS FOR 109 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.

Reduced acreage on recommendation per field exam
findings

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: Debra H. Schaefer

Field Exam Questions

Water Right No. 63-4997 and 63-4989

Current Owner: Harold Rumsey (listed as current owner but probably not the owner)

^{House}
1425 N. Liberty
Boise, ID 83704
~~343-2121~~

Disconnected
~~376-4469~~

631 6475

Owner from Ada County tax lot data:

Aspen Apartments LLC
250 S 5th St. Fl 2
Boise, ID 83702

LYNETTE
703-7688

THURS
@ 2:00 PM
MAR 10th

LYNETTE
HAS
FORMS

Who owns the property now?

LEONARD M. WELTER 1983 TRUST
P.O. Box 1985 % LYNETTE HORTON
BOISE 83701

• Need evidence of priority

②

• How many wells are there? There were two claimed ^{OK} maybe tied together ^{THEY ARE} in the same system.

PARCEL
OUTLINE
ON AERIAL
PHOTO

• There are 4 parcels that Aspen Apartments LLC own. The outline in the photo is just one of the 4 parcels. Are apartments in the other parcels connected to this same system?

GPS'D • Where is the well(s) located?

• How many houses and apartments? 45 units

• How many acres are they irrigating? Is it all lawns? ^{YES} LANDSCAPE

• Do they use any water from an irrigation company? If so, which irrigation company? BENCH IRR DIST.

Return to: Sandy Eggert

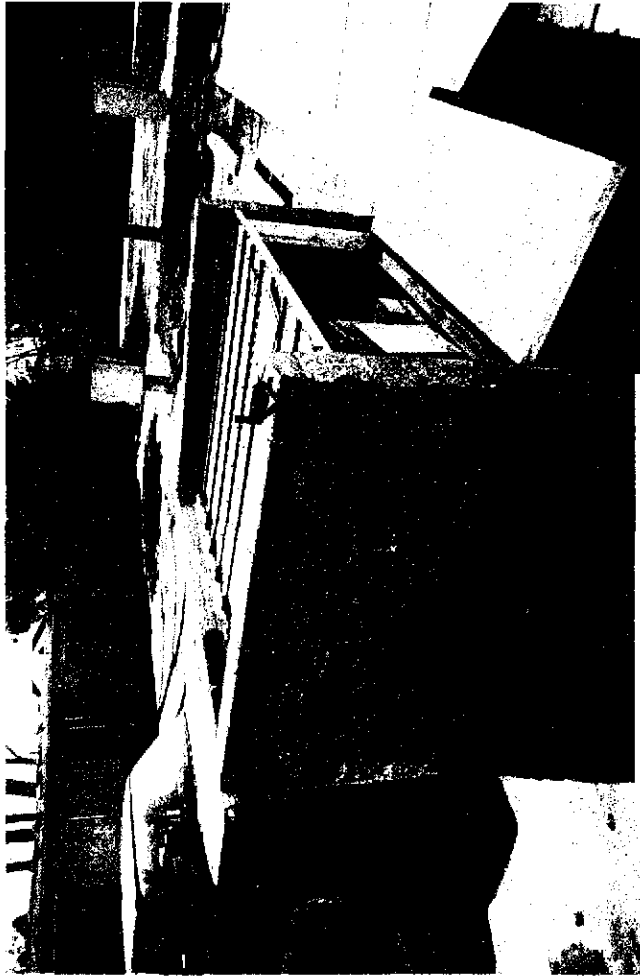
63-4997 & 4989

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

63-4997 4989

Aspen

Newer Apartments
Looking Northwest from Liberty St.



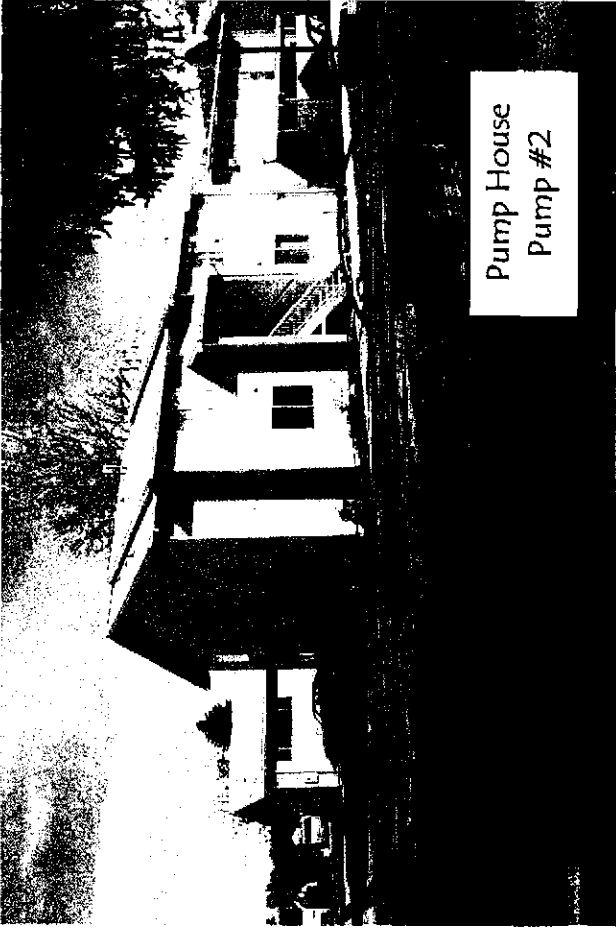
Pump #1, Pump and Sprinkler Controls

Newer Apartments, Looking East





Newer Apartments, Looking East



Pump House
Pump #2

Newer Apartments

63-4997 4989

Aspen

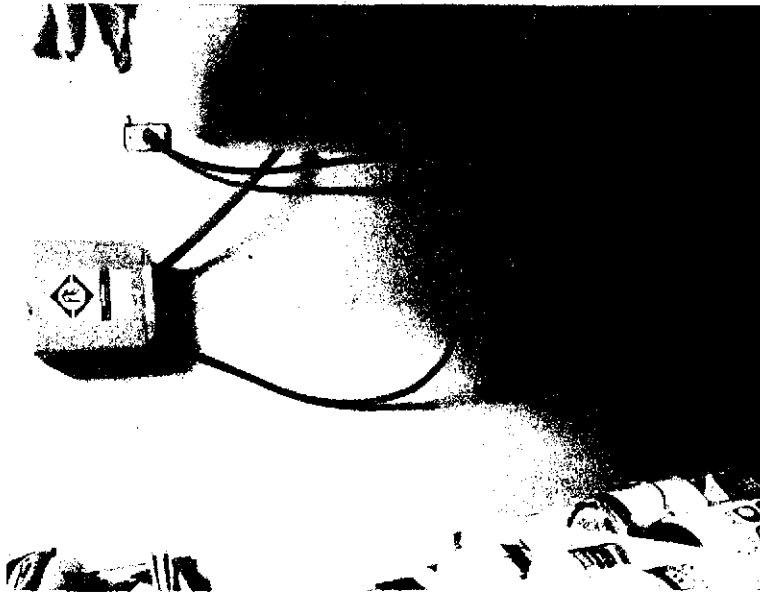
Older Apartments, looking Southeast



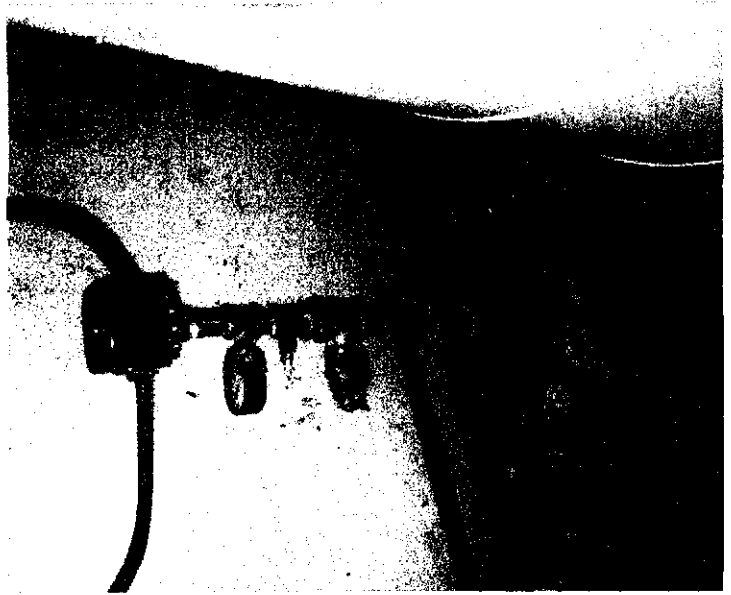
Pump House—Pump #2
Looking Southeast



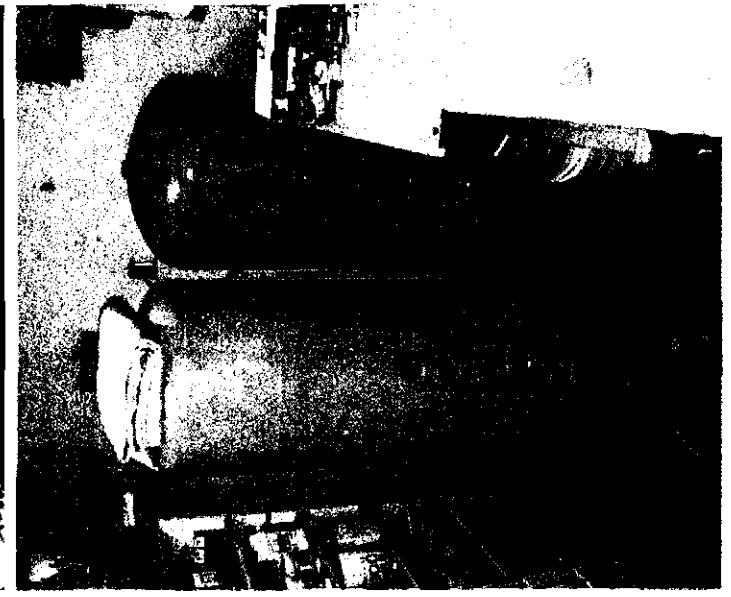
Well / Pump #2, looking West



Pump #2,
Pressure tanks & controls



Pump #2
Plumbing, etc.



63-4997 4989

Aspen



Older Apartments, looking Southwest

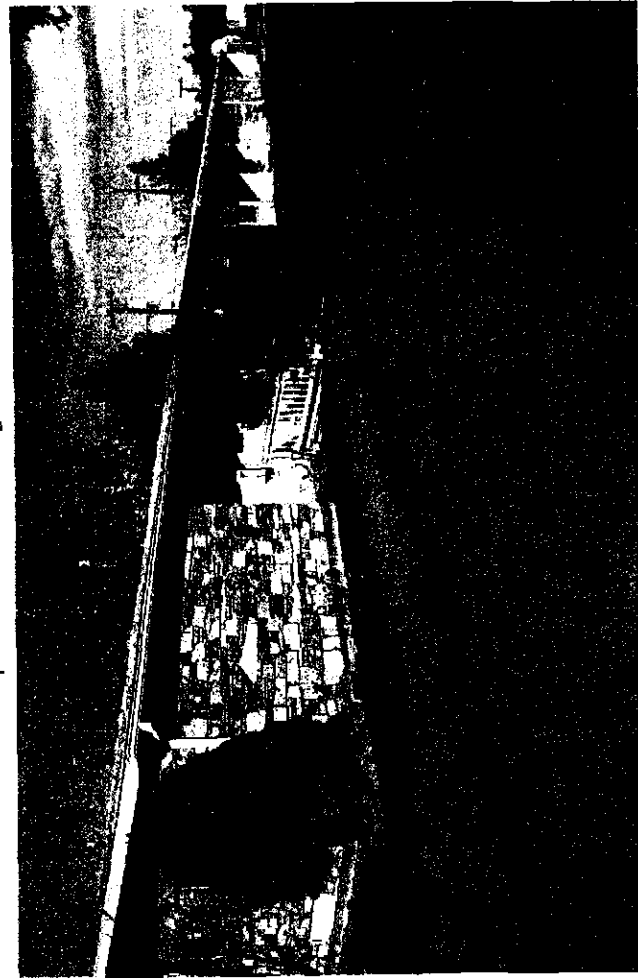


Older Apartments, Looking Northwest

63-4997 4989

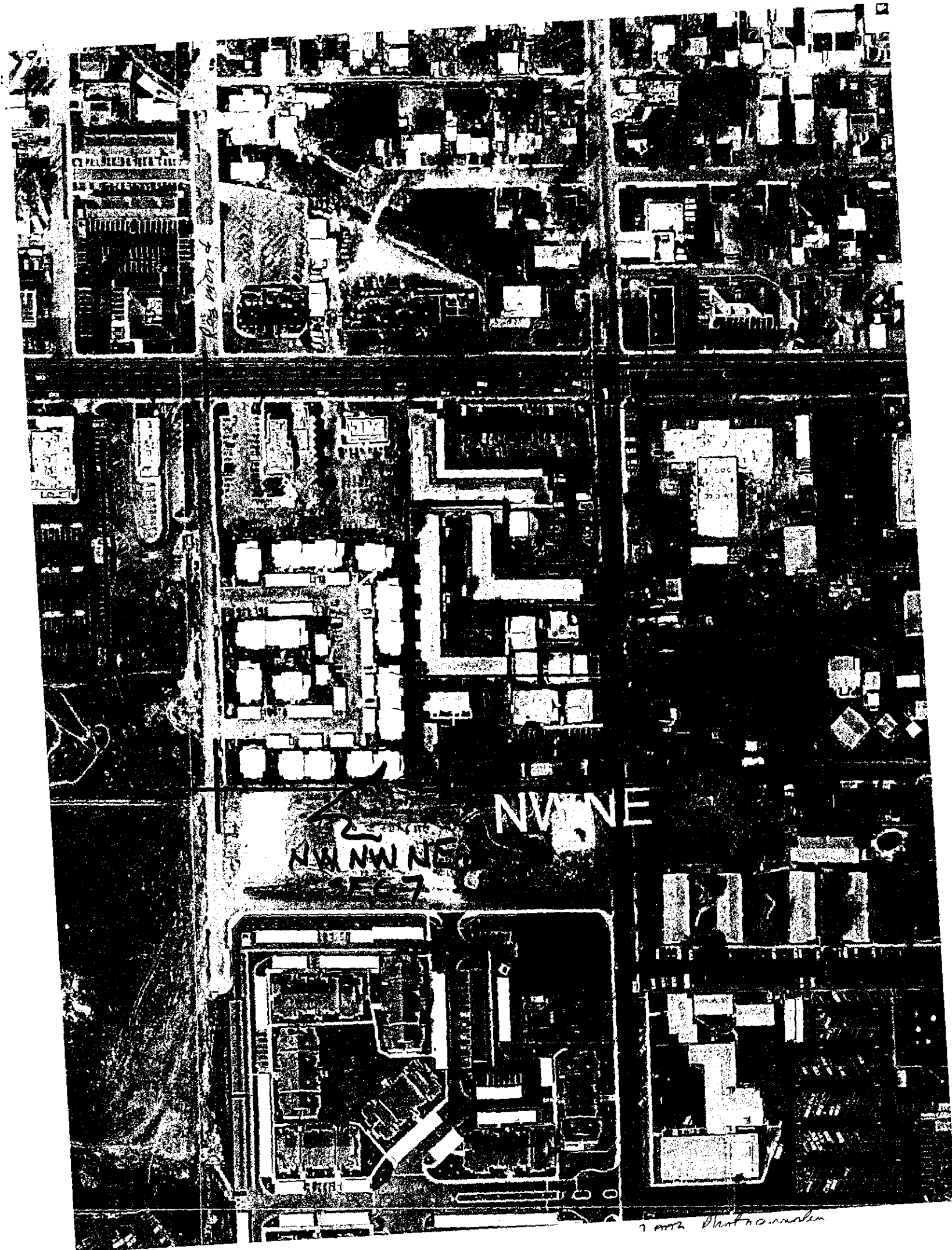
Aspen

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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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

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- [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

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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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Randall E. Decker, Jr.
(Name of Claimant)
P. O. Box 491 Meridian, ID 83642 Telephone No. 888-4338
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 1, 1952
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

groundwater tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.16 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) .16 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NE 1/4, Sec. 7 Twp. 3N Rge. 2E B.M., County of Ada

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pipd to place of use

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	7		X															

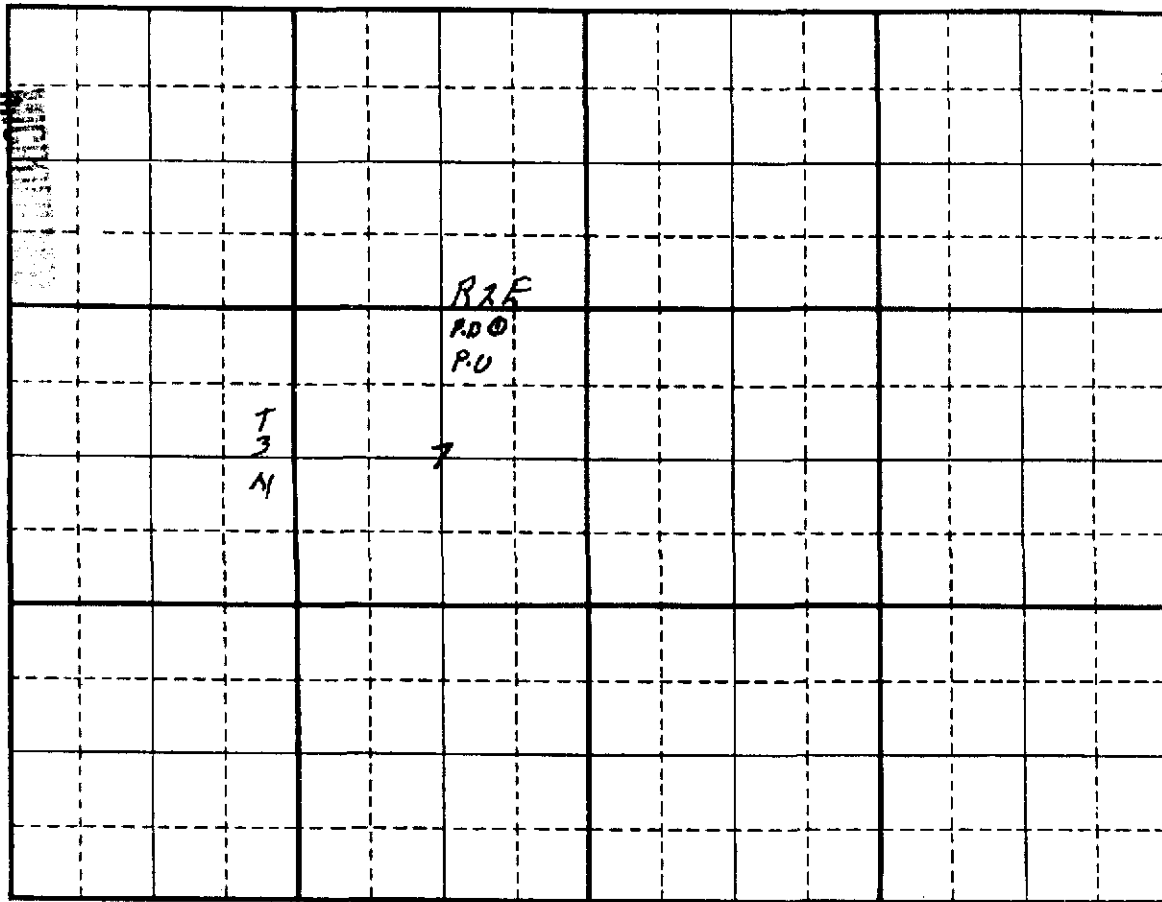
No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: D/11 domestic units

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Liberty Apartments



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

Randall E. Decker
(Claimant)

19 83

Notary Public

Residing at Emmett

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by 9KAI Date 4/6/83 Exception filed by: _____ Date _____
Prelim. check by C Date 4/14/83 Forwarded to claimant by: _____
\$30.00 fee received by I.P. Date 4/6/83 # 27908
Published in Idaho Statesman
Dates 4-28-83

Attn: Jan Shurtz

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, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

June 20, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Mr. Harold E. Rumsey
1425 North Liberty
Boise, ID 83704

RE: Snake River Basin Adjudication - Ada County

Dear Mr. Rumsey:

We are returning your Notices of Claim(2) to a Water Right filed for your property in Ada County. We are also enclosing Receipt #C010362 in the amount of \$141.00, for the filing fees. We have noted some problems with your claim which we would like you to correct.

On both claims, at Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.5 acre feet per annum. You are claiming three acres of irrigated land, therefore your consumptive use would be 10.5 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

Please return the documents to this office to the attention of Anna Baumhoff. If you will make these corrections before July 20, 1990, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours truly,

John D. Carlson
Adjudication Supervisor

JC:AB/dms:west

Enclosures:

Notice of Claim (2)
Receipt #C010362

MICROFILMED

AUG 20 1992

5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Rumsey

CLAIM IDENT. NO.

A63-04997

DATE RECEIVED

8/28/89

CK #

C010362

AMOUNT \$

6900

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required.
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? *
10.5
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? *
N/A
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? *
Exempt
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:

B

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:

Sent to claimant by:

B

Date:

6/11/90

Checked by:

Date:

Comments:

3.5 X 3 Acres = 10.5

MICROFILMED

AUG 20 1992



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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

ATE OF IDAHO
PARTMENT OF WATER RESOURCES
ESTERN REGIONAL OFFICE
35 AIRPORT WAY
HSE, IDAHO 83705

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 01.06
0004389363 JUN 06 2005
MAILED FROM ZIP CODE 83702

RETURNED TO SENDER
ATTEMPTED, NOT KNOWN

3071 S. Cadet Ln
Boise ID 83706

ANK

RETURNED TO SENDER
HAROLD E. HUNTER
ATTEMPTED, NOT KNOWN
BOISE ID 83706

63-4997
63-4989

RECEIVED
JUN 08 2005
WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED

Sandy -
Cardboard
box