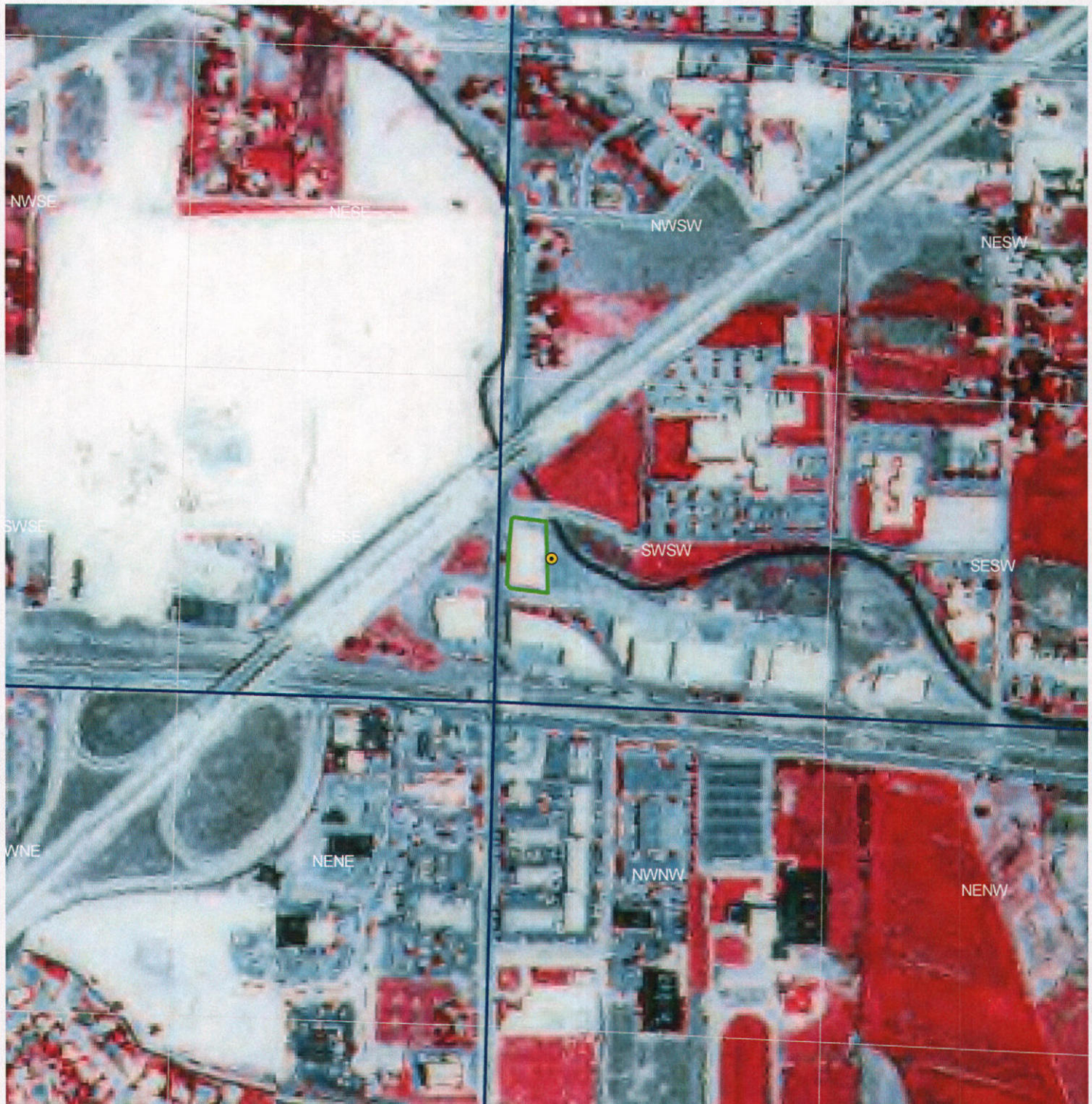


Idaho Department of Water Resources

63-9827

T03N R02E S7



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



500 0 500 Feet



IDWR

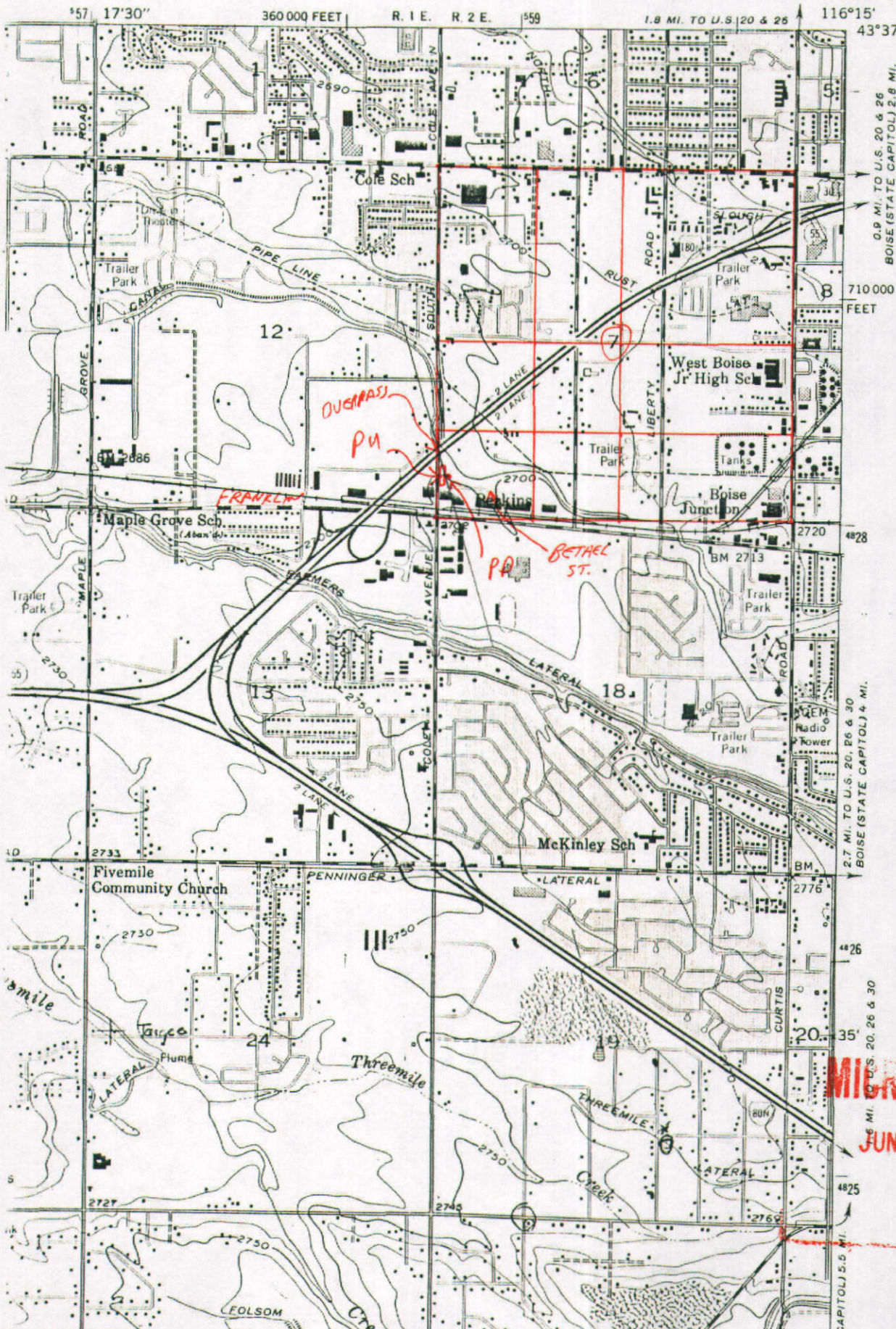
Prepared by: Sandy Egbert

Date: 2-2-05

1987 NAPP Photography

CLOVERDALE QUADRANGLE
IDAHO—ADA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

2771 II NW
(BOISE NORTH)



63.9827
3N 2E S.7
SWSW
LOT 4

164°
350'
From intersection
overpass & col rd
To wall

350'
240'
11°
15'

MICROFILMED
JUN 04 1980

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: A63-09827
Date Received: 7/24/1989
Receipt No: W003795
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PROPERTY DEVELOPMENT CO 208-375-0033
Address: 7225 BETHEL ST
BOISE ID 83704

2. Date of Priority: NOV 2, 1981

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	SW	SW	SW	4	ADA

5. Description of diverting works:
200' WELL, 12" CASING, PUMP AND PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.200		

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

8. Total consumptive use is 0.2 Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL, DOMESTIC, IRRIG. FOR LANDSCAPE AND HEATING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	7	SW	SW	4	COMMER	

11. Place of use in counties: ADA

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JUL 25 1994

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

13. Other Water Rights Used:
NONE

14. Remarks:
COMMERCIAL USE IS FOR ROLLER SKATING RINK AND ADJACENT
LANDSCAPING.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For 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 _____

MICROFILMED

JUL 26 1994

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 63-9827Date Received 7-24-89Receipt Number W003795

RECEIVED

JUL 24 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) PROPERTY DEVELOPMENT CO Phone (208) 375-0033Mailing Address 7225 BETHEL ST. BOISE ID Zip 837042. Date of Priority (Only one (1) per claim) JANUARY, 19823. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 2E Section 7,SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, 78 B.M., County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 12" Well, 200 ft. deep with
pump and pipeline to place of use.

MICROFILMED

JUL 26 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from Jan 1 to Dec 31 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.20 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Commercial includes domestic, small amount irrigation for landscaping and

10. Description of place of use: use in heating pump for heating and cooling building.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	7																	
3N	2E	7											L						0.2 cfs
"	"	"											G						0.2 cfs

Total number of acres irrigated 0.2 cfs

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

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JUL 26 1994

Last Name PROPERTY DEVELOPMENT Co. Ident No. _____

Permit No 63-9827

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

B M ADA COUNTY, ID
R 2 E

T-3N

POINT OF DIVERSION
AND USE → ⊗

(7)

MICROFILMED
JUL 26 1994

Permit N 63-9827
Last Name PROPERTY DEVELOPMENT Ident No. _____
Co. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit 63 9827

Decree _____
If applicable provide IDWR Water Right Number 63-9827

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of PROPERTY DEVELOPMENT CO, that I have signed the foregoing

Organization

document in the space below as PARTNER of PROPERTY DEVELOPMENT CO

Title

Organization

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

Signature of Authorized Agent Frederick R. Bagley

Title and Organization Property Development Co., Partner

Date June 7 1989

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day of June 19 89

SEAL

Notary Public Leann Mugnier

Residing at Boise, Idaho

My Commission Expires 2/11/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Frederick R. Bagley

Address 7225 Bethel St. Boise, Id 83704

Date June 7, 1989

MICROFILMED

JUL 26 1994

Last Name PROPERTY DEVELOPMENT CO PERMIT NO 63-9827
Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
JUL 26 1994

Water right number -	Prefix Translation:	WATER RIGHT
63-09827	-Comments-	No Comments Found

```
+ - - Audit Fields - 07/07/87 05/01/88 CONVERT 01/24/90 REVU 04/09/90 CURTIS
```

Proof Due Date	- 01/01/1987	Field Exam Made	- 06/09/1987	Field Exam Fee	- R
Approved/Denied	- 01/04/1982	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 11/05/1986	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/04/1990	Appl Received	- 11/02/1981	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
JUL 26 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Property Development Co.

CL#

IDENT. NO.

AG3-9827

DATE RECEIVED

7-24-89

RECEIPT #

W3795

FEE PAID \$

70

FEE REQ'D \$

0

Required Info?

1. Is the name and address complete with zip code? Bagley = Attorney of Record. YES ☒ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ N/A ☒ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ lot 4 ☒ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? ☒ YES ☐ NO ☐ *
- The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ N/A ☒ *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ N/A ☒ *
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☒ YES ☐ NO ☐ *
- If multiple domestic, is single ownership indicated? ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ lot 4 ☒ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
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 ☐ N/A ☒ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO ☐ N/A ☒ *
- If yes, compare claim w/existing right and attach proof report noting any differences in comments.
- If no, was water right no. found? ☒ YES ☐ NO ☐ *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☒ YES ☐ NO ☐ N/A ☒ *
- (If yes, attach a proof report & complete number change)
- NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, was the fee paid? ☒ YES ☐ NO ☐ N/A ☒ *
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO ☐ *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
21. Was this claim filed on time? ☒ YES ☐ NO ☐ *
- (Check ML3 for date mailed-not all were mailed on the planned date)
- If no, was an extension of time filed & approved? ☒ YES ☐ NO ☐ *
22. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Exempt ☒ *

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JUL 26 1994

	YES	NO
23. Is this claim being rejected and returned to claimant?	☐	☒
24. Can this claim be data entered?	☒	☐
25. Was claim modified?	☒	☒
If yes, do modifications require notification to claimant?		
Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: L. Wimmer Date 12-7-92
 Claim data entered by: LD Date 12-10-92

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Priority date different than license. 1-1982 vs 11-2-81
Quantity . 20 cfs vs. 13 cfs on license
* D.E. P.O.U. as commercial as indicated by license
Add lot 4 to POD & POU

MICROFILMED
 JUL 26 1994

05/31/2005

RECEIVED

JUL 13 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR

REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-9827

PROPERTY DEVELOPMENT CO

7225 BETHEL ST

BOISE ID 83704

Telephone Number: (208)375-0033

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

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

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

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

DATE:

7/7/05

SIGNATURE:

Property Development Co.

Please print your name:

by F.R. Bagley
F.R. Bagley

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

02/02/2005

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

RIGHT NUMBER: 63-9827

NAME AND ADDRESS: PROPERTY DEVELOPMENT CO
7225 BETHEL ST
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
9.000 AFY

PRIORITY DATE: 11/02/1981

POINT OF DIVERSION:

T03N R02E S7 SWSW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.130 CFS

9.00 AFY

PLACE OF USE: COMMERCIAL Within ADA County

T03N R02E S07 Lot 4 SWSW

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

Commercial use is for roller skating rink and adjacent landscaping

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: License

Idaho Department of Water Resources

63-9827

T03N R02E S7



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



500 0 500 Feet

IDWR

Prepared by: Sandy Egbert

Date: 2-2-05

1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9827 V1

WATER RIGHT NUMBER: 63-9827 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	FREDERICK R BAGLEY 7225 BETHEL ST BOISE, ID 83704
Current Owner	PROPERTY DEVELOPMENT CO 7225 BETHEL ST BOISE, ID 83704 (208)375-0033
Original Owner	PROPERTY DEVELOPMENT CO 6922 MC MULLEN BOISE, ID 83709

Priority Date: 11/02/1981

Basis: License

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>
COMMERCIAL	01/01 to 12/31	0.130 CFS	9.00 AF
	<u>Total Diversion:</u>	0.130 CFS	9.00 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (SW1/4SW1/4)	Sec. 7,	Twp 03N,	Rge 02E, B.M.
ADA County				

Place of Use

COMMERCIAL

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						
													L 4						

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.

Remarks:

1. General Commercial use is for roller skating rink and adjacent landscaping

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9827 V1

Comments:

1. segbert 2/2/2005 POD
Comment: Updated shape

2. segbert 2/2/2005 POD
Comment: Updated shape

3. segbert 2/2/2005 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: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	2/2/2005 3:12:17 PM	segbert			Active
POD	2/2/2005 3:12:45 PM	segbert			Active
Source	2/2/2005 3:54:49 PM	segbert			Active
POU	2/2/2005 3:55:06 PM	segbert			Active
Use	2/2/2005 3:56:43 PM	segbert			Active
Season	2/2/2005 3:57:10 PM	segbert			Active
Quantity	2/2/2005 3:57:59 PM	segbert			Active
Summary			02/02/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	2/2/2005 3:54:50 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9827 V1

POU	2/2/2005 3:55:06 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Priority Date	2/2/2005 3:12:18 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	2/2/2005 3:12:45 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Use	2/2/2005 3:56:44 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	2/2/2005 3:57:11 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	2/2/2005 3:57:59 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - as licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9827 V1

Summary	2/2/2005 4:02:43 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 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? (No) 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 Claim Report 63-9827

WATER RIGHT NUMBER: 63-9827

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	FREDERICK R BAGLEY 7225 BETHEL ST BOISE, ID 83704
Current Owner	PROPERTY DEVELOPMENT CO ✓ 7225 BETHEL ST BOISE, ID 83704 (208)375-0033
Original Owner	PROPERTY DEVELOPMENT CO 6922 MC MULLEN BOISE, ID 83709

Priority Date: 11/02/1981 ✓

Basis: License ✓

Status: Active ✓

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
COMMERCIAL ✓	1/01 to 12/31 ✓		0.200 CFS
	<u>Total Diversion:</u>		0.200 CFS

License # 13

Annual Volume

License

6.7 on field exam for commercial
9.0 AF Total

Location of Point(s) of Diversion

GROUND WATER

ADA County

L4 (SW1/4SW1/4) ✓

Sec. 7, ✓ Twp 03N, ✓ Rge 02E, B.M. ✓

Place of Use

COMMERCIAL ✓

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						
													L 4						

Conditions of Approval:Remarks:

1. General COMMERCIAL USE IS FOR ROLLER SKATING RINK AND ADJACENT LANDSCAPING.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9827

Dates and Other Information:

Claim Received Date: 7/24/1989
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>
----------------	------------------------	-----------------	-----------------

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 63-9827

1. ☒ No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS _____

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted

Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority. *Recommended priority date*
from license & not original claim.

Priority date, per claimant, is: _____

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

3. ☒ No Change — SAME SOURCE

Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. ☒ No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

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

☒ Changes found, the new total is, Amount .13 CFS 9.0 AFA
Recommended 9.0 per field exam - commercial 6.7
8. No Change - NON-IRRIGATION USES: *irrigation 2.3*
9.0

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: *Recommended as claimed rather than as licensed because those uses are mentioned in field exam.*

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

Permit list .2 cfs license is for .13 CFS

Claim is for .2 - Recommended .13 CFS because of field examiners calculations & opinion the pump probably could not pump .20 cfs.

SYSTEM DIAGRAM INCLUDED NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 2-2-05

FIELD EXAMINER: _____
Print Name

Sandy Egbert
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

December 10, 1992

[Frederick R. Bagley
Property Development Co.
7225 Bethel St.
Boise, ID 83704
[]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and Receipt No. W3795 are enclosed. Only the item(s) shown below with a checkmark have been either changed or added to your claim(s).

See Next Page

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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JUL 26 1994

- Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.
- Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.
- Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.
- Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.
- Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

X other Based on license number 63-9827, lot 4 was entered
under items 4 + 10 + commercial use was entered
under place of use (item 10).

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

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JUL 26 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09827

Priority: November 2, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.13 CFS
9.0 AF

This is to certify, that PROPERTY DEVELOPMENT CO.

6922 MC MULLEN

BOISE, ID 83709

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 2, 1981; and has submitted Proof of Beneficial Use on November 5, 1986. An examination indicates that the works have a diversion capacity of .130 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.13 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 7, Township 03N, Range 02E
ADA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03N 02E 7 LOT 4(SWSW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for roller skating rink and adjacent landscaping.

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JUN 04 1990

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09827

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4th
day of MAY, 1990.

acting for

R. Keith Higginson, Director

RECEIVED
JUL 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

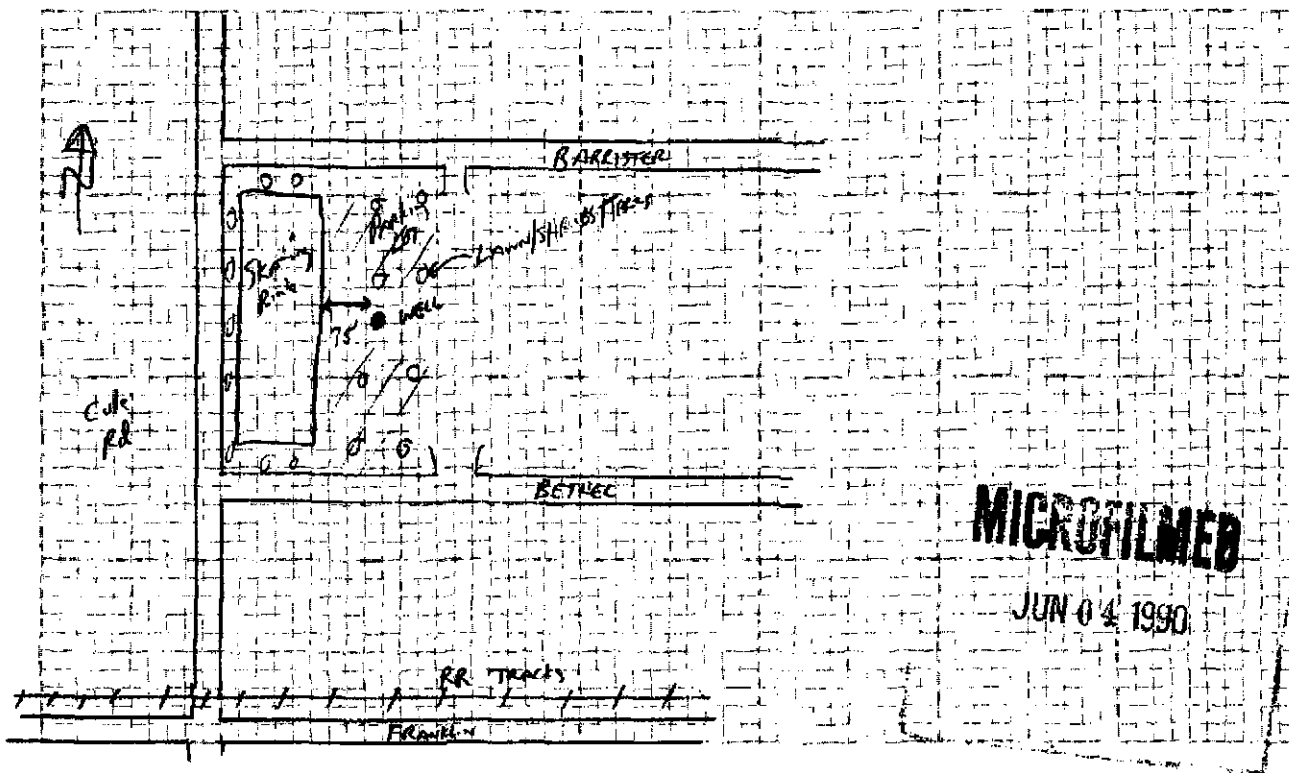
Permit No. 63-9827
Phone No. 375-7944 or 375-0033
1. Owner: Property Development Co.
Current Address: 6922 McMillan Rd Boise, Id. 83709
2. Accompanied by: NO ONE AVAILABLE * EXAM. DATE: 6/9/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____
*obtained necessary info. over phone, Fred Bagley, Antena

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-10292, 4133, 8194
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 63-10292, 4133, 7348, 8194
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached
copies unnecessary

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

12" casing for a 200' deep well has a 1 HP. submersible Jacuzzi pump to provide water to Skateworld commercial establishment. Water is used for bathrooms, heating/cooling pump, and misc. shrubs, trees, patches of lawn around building and parking lot. Buried lines of unknown size deliver the water. The well is found in parking lot approx. 75' E. of building.
 Skating rink business is open 15 hrs/day, 7 days/week, max. capacity of 500. Business has a "mini-kitchen" that serves snacks, drinks, small catering service.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Submersible Jacuzzi	1	—	Submersible Jacuzzi	5-S6A10-T-208

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	04		SW	SW	7	3N	2E	Ada	USGS 7 1/2' quad. PD is found 164°, 350' from intersection of overpass and Cole Rd.

6. Place(s) of Use:

Indicate Method of Determination Same as in PD above

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	7											0.5 04						—
													C						—
													.5						.5

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Do not use this space

JUN 04 1981

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

NONE. No well log found. 16 other well logs in S. 7 shown & depth of 80' and static water level of 15'. A high water table is suggested. Size of mainline is unknown. Operating pressure unknown.

Assume: $psi = 40$ (1/2 way between dom. & irrig), $z = 10$, then $Q = \frac{(8.8)(.8)(40)}{(2.31 \times 40) + 10} = .07$ cfs.

$psi = 20$, $z = 10$, then $Q = \frac{(8.8)(.8)(20)}{(2.31 \times 20) + 10} = .13$ cfs. CONTINUE ON ADD'L SHEET.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

IRRIGATION: $.5 \text{ AC} \times .03 \text{ cfs/AC} = .015$
 $= .02$ cfs

2. Alternate Method for Checking Purposes:

~~NOT POSSIBLE~~
 z unknown in HP equation but owner estimates 10'.

F. PUMP EFFICIENCY DATA (Optional) NOT POSSIBLE

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (.5)(4.5) = 2.3$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.02)(245)$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 2.3$

2. Volume Calculations for Other Uses:

commercial use

15 hrs/day, 7 days/week, 52 wks/yr, 500 people.
 estimated use similar to restaurant with toilet facilities & bar = 12 gpd/person.

$\frac{500 \times 12 \times 7 \times 52}{325,850} = 6.7 \text{ AF}$ v. $(.11)(365)(1.9835) = 79.6$

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Be sure to see additional ~~calculation~~ computation sheet for discussion of diversion rate.

Amend we to include irrigation with standard season for this area. This seems more appropriate than showing domestic (exterior) use for 1/2 acre.

Overlap: NONE -

P/D - 63-10292 is 1985 application for same owner but well has not been drilled.

63-4133, 7348, 8194 are all different wells for other owners.

P/U - 63-10292 - see above.

63-8194 is for domestic & irrigation use on Ada Co. Bldg nearby.

63-4133 is for commercial use at different businesses.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	~~20~~ .11	6.7
Irrigation	3/15	11/15	.02	2.3
Totals:			.13	9.0

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other nature of use

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Steven Lester
Stan Lester

6/9/87 & 12/30/87

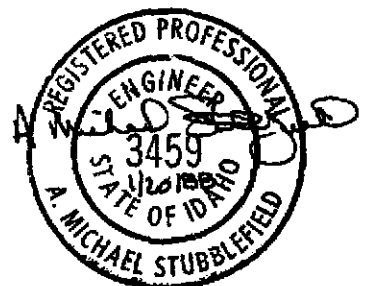
BD 1/12/88

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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JUN 04 1990



63-9827 ADDITIONAL COMPUTATION SHEET

SL 12/30/87

Permit is for .20 cfs.

HP equations provide estimates up to .13 cfs.

Using commercial use values of:

500 people, 7 days/wk, 52 wks/yr. At 12 gallons/person = 2,184,000 gallons/yr.

Working backwards to estimate cfs:

Business is open 15 hrs/day:

$$15 \times 60 \times 7 \times 52 = 327,600 \text{ minutes/yr.}$$

$$\frac{2,184,000 \text{ gallons/yr}}{327,600 \text{ minutes/yr}} = 6.7 \text{ gpm} = \underline{.01 \text{ cfs}}$$

However, assume that pump operates 2 hrs/day (of the 15 hrs/day):

$$2 \times 60 \times 7 \times 52 = 43,680 \text{ minutes/yr.}$$

$$\frac{2,184,000}{43,680} = 50 \text{ gpm} = \underline{.11 \text{ cfs}}$$

Owner cannot provide any additional information (mainline size, pump test data, etc.).

A one-hp pump probably could not pump .20 cfs.

Based on the above, I recommend limiting the water right to:

commercial .11 cfs

Irrigation .02 cfs

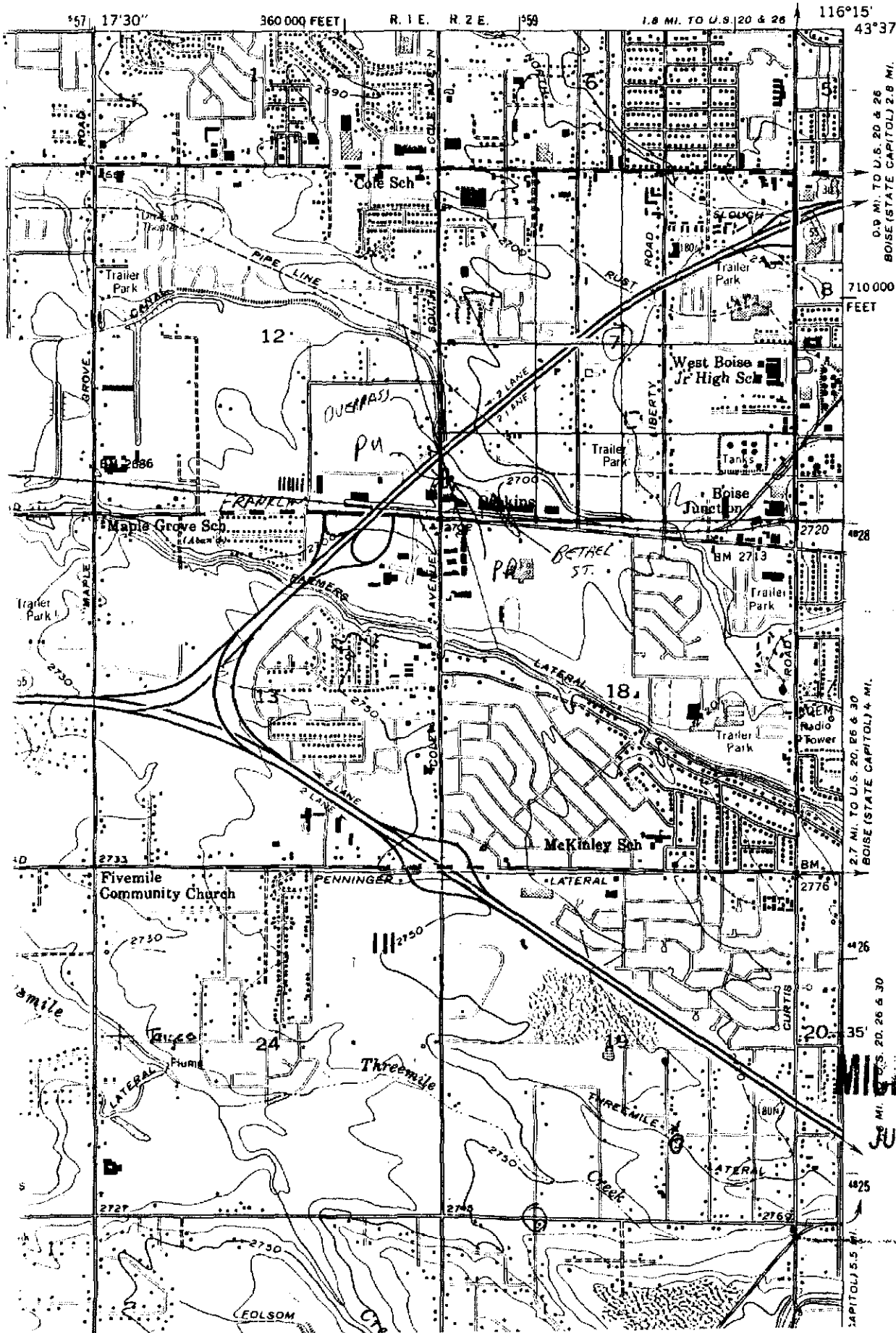
TOTAL .13 cfs

MIN 4-1990

This should provide more than adequate amounts of water.

CLOVERDALE QUADRANGLE
IDAHO-ADA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

271° 11' NW
(BOISE NORTH)



63.9827
3N 2E S.7
SWSW
Lot 4

164°
350'
From intersection
overpass i cole rd
To wall

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JUN 0 1970