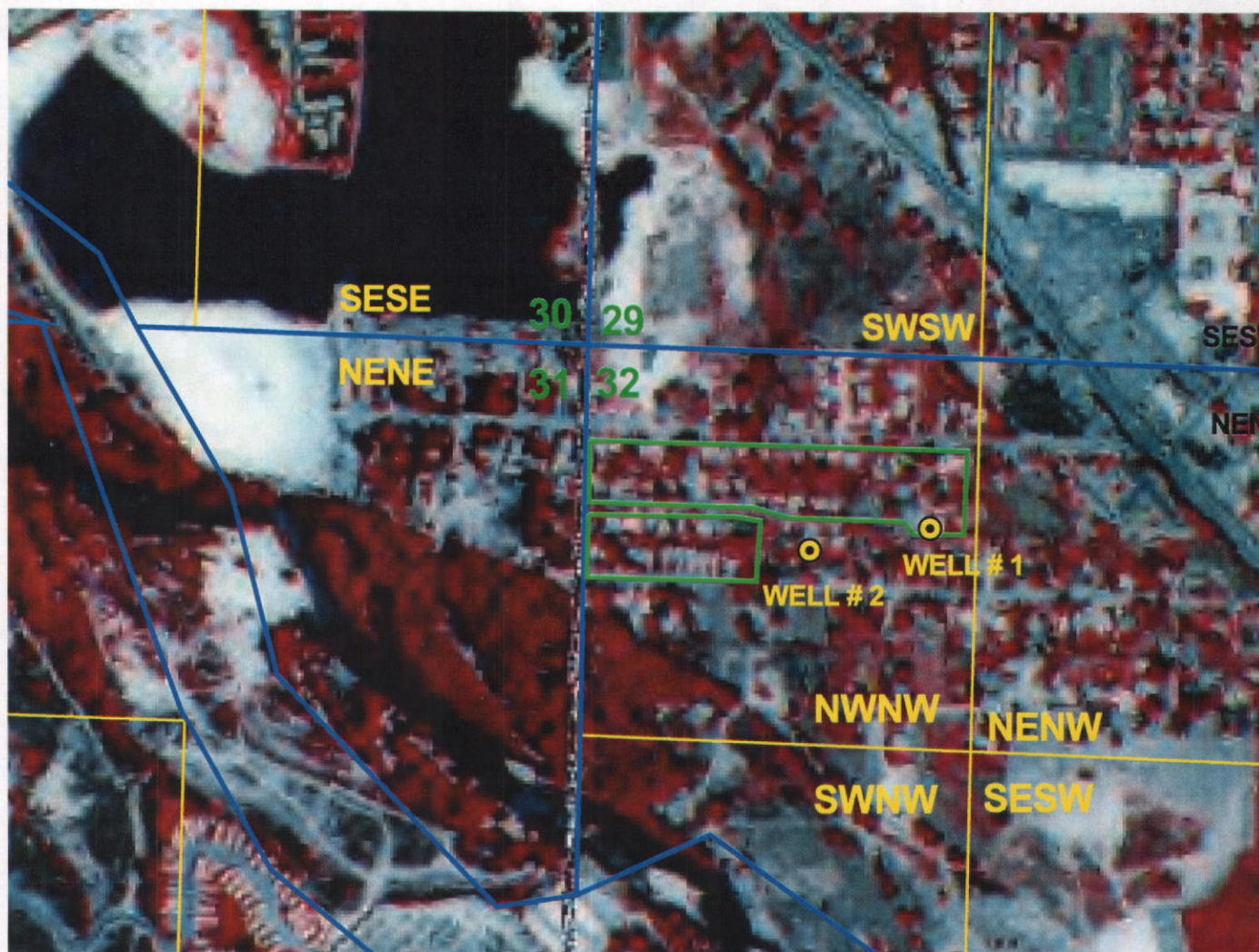






State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 32
Water Right(s) : 63-15592



1320 0 1320 Feet

TOTAL IRRIGATED ACRES = 4.0



-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: January 2005



15502

B/U CLAIM 63-15593 AND LICENSE 63-7409 -- 2003 aerial.
 63-15593² CLAIM IS FOR 60 HOUSES AND SHOULD BE 2 WELLS.
 THIRD WELL LICENSED IN 1971 UNDER 63-7409 FOR 7 HOMES.
 WATER ASSOC. PRES. SAYS CURRENTLY 73 HOMES.

"This sketch is made solely for the purpose of assisting in locating the premises, and the Company assumes no liability for variations, if any, with an actual survey."

WYMOSA SUBDIVISION

Sec. 32, T. 4N, R. 2E, B.M. - BOISE, ADA COUNTY, IDAHO

A RESUBDIVISION OF LOTS 1 to 13 OF JOHNSON'S SUBDIVISION AND
LOTS 30, 31 AND 25 (EXCEPTING EAST 75 FEET) OF ALAMOSA SUBDIVISION

SURVEY BY J.L. HOFFMANN & C.C. FISKE CONSULTING ENGINEERS BOISE, IDAHO

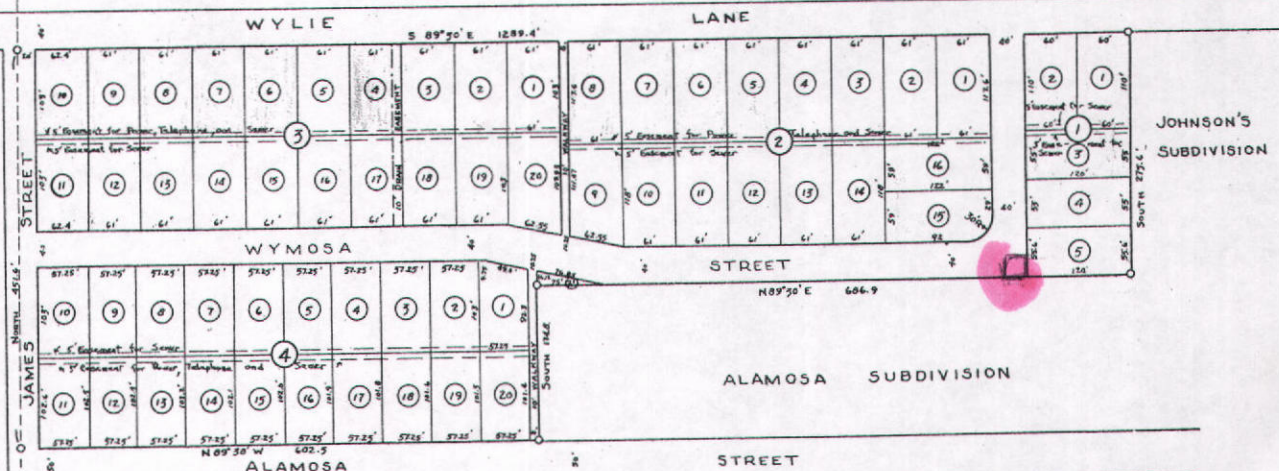
SCALE 1 INCH = 100 FEET

JUNE, 1949

30 29
31 32
Sec. 32

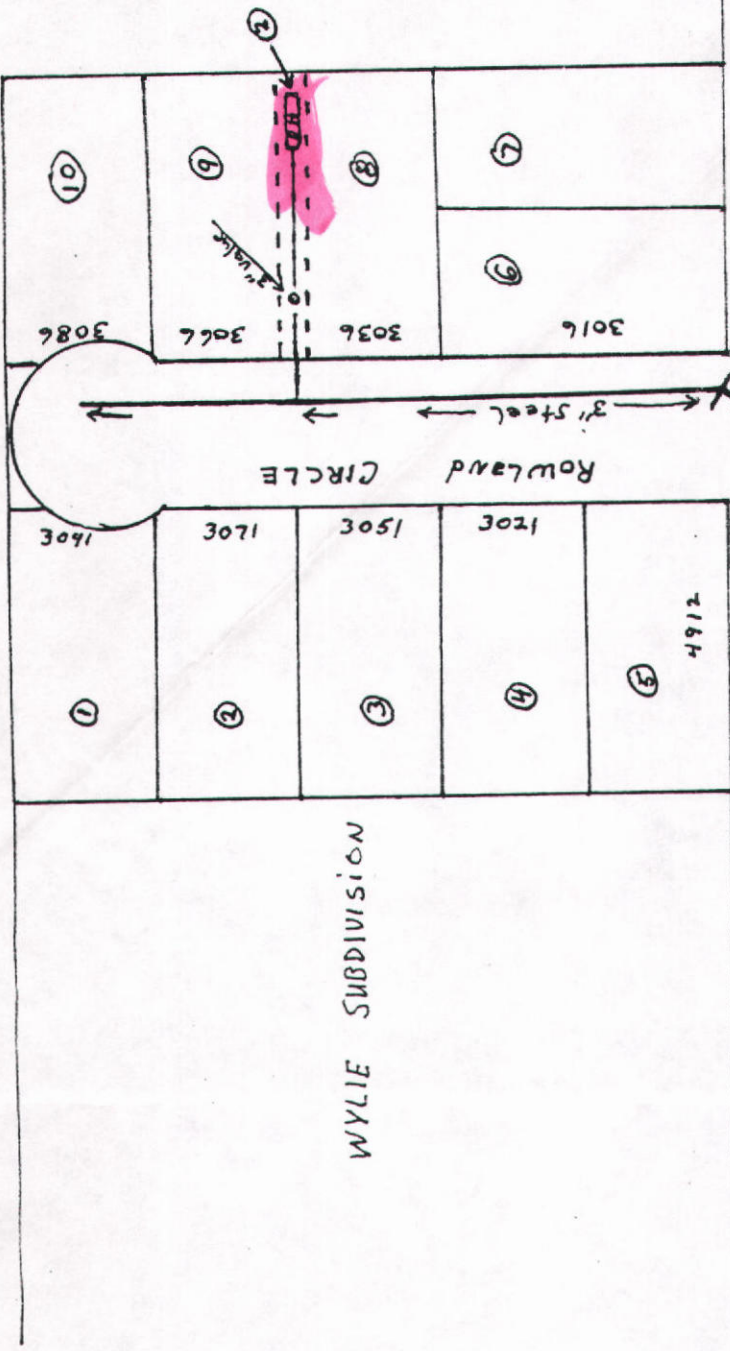
317.75' Standard Line

WYLIE SUBDIVISION



ALAMOSA SUBDIVISION

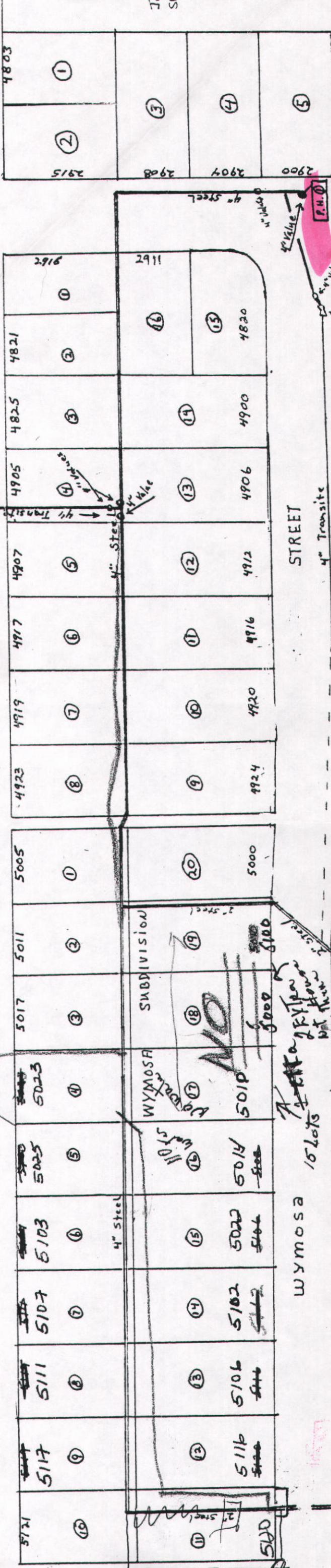
BERRIDGE SUBDIVISION



WYLIE SUBDIVISION

LANE

WYLIE



JAMES STREET

STREET

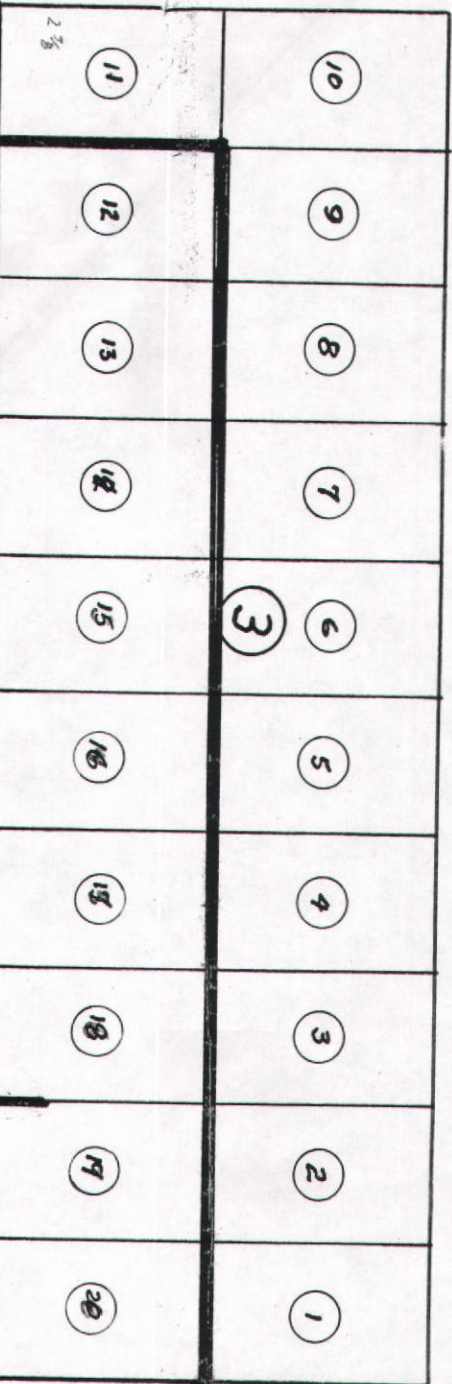
ALAMOSA SUBDIVISION

1-2-3 R.H. Par

WYMOOSA SUBDIVISION

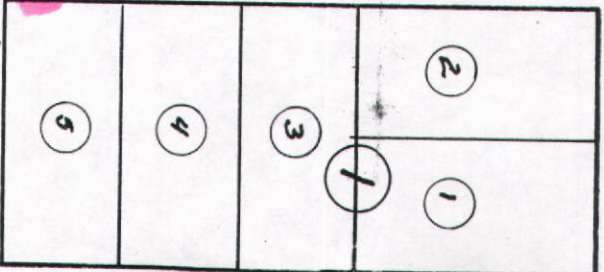
WYLLIE

LANE



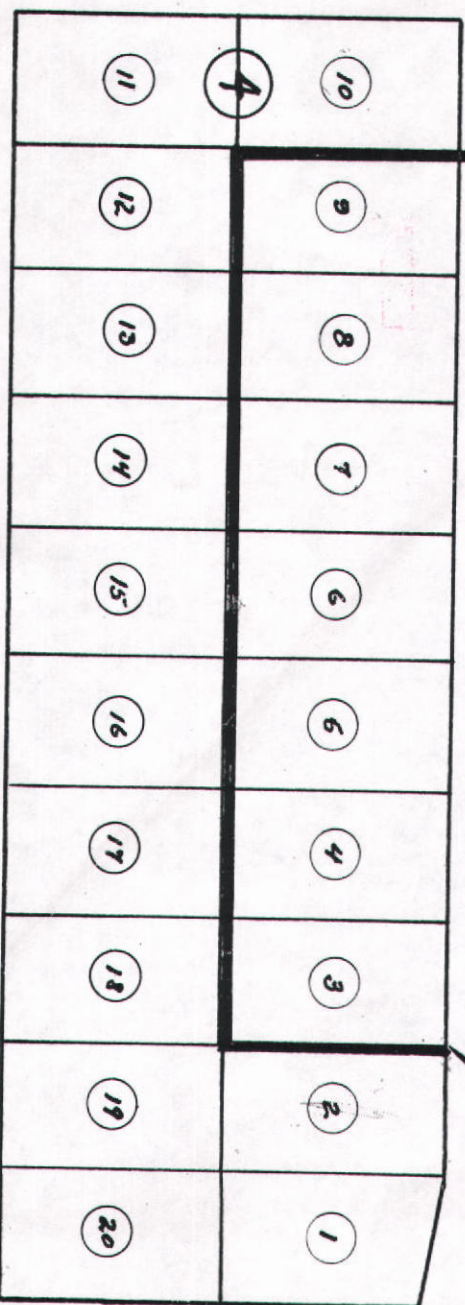
WYMOOSA

STREET



JAMES

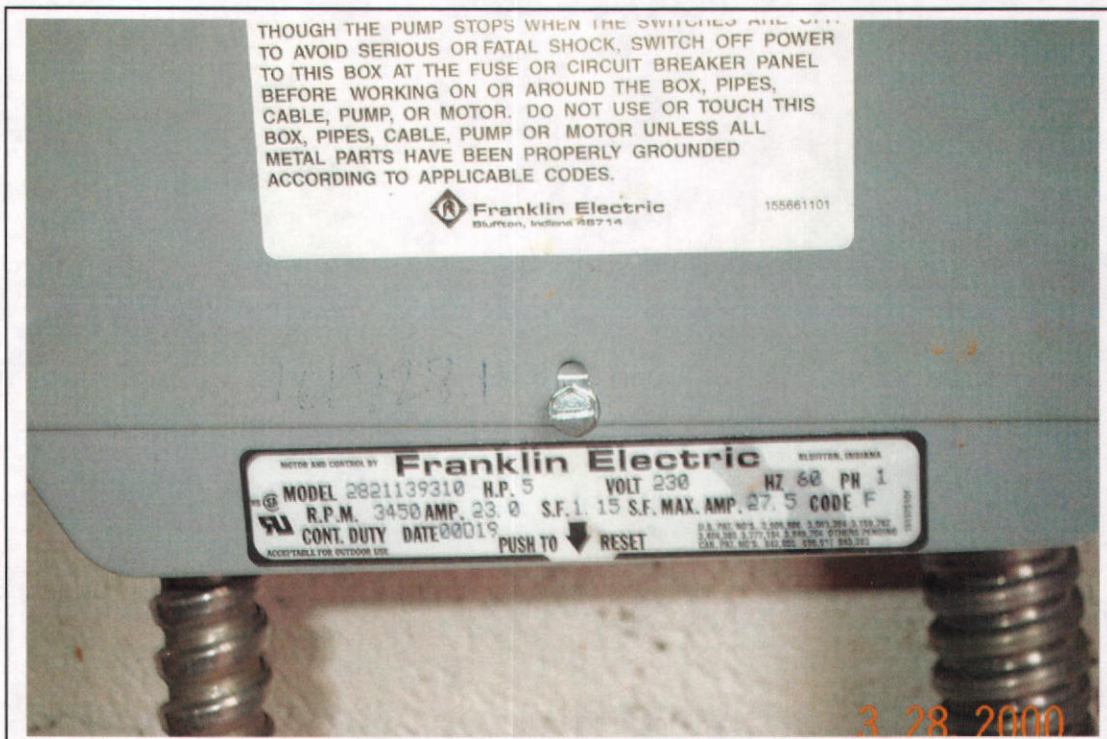
STR. ET



ALAMOSA

STREET





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 63-15592
Date Received: 6/9/1989
Receipt No: W003172
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WYMOSA WATER TRUST Phone: (208)344-8112
PO BOX 140463
GARDEN CITY ID USA 83714

2. Date of Priority: 06/16/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	32	NW NW	ADA	

5. Description of diverting works:

3 WELLS - SEE REMARKS FOR DESC. OF DIVERTING WORKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.12	
DOMESTIC	1/01	12/31	0.4	

7. Total Quantity Appropriated is:
0.52 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

*Need C/O for
name change*

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	32	NW	NW	IRRIGATION	4
			NW	NW	DOMESTIC	
					Section Acres	4
					Total Acres	4

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:

THREE WELLS LOCATED IN THE NWNW, SEC. 32. TWO OF THESE WELLS WHICH ARE LOCATED ON 4927 WYMOSA AND BEHIND 3066 ROLAND ARE BACKUP WELLS FOR THE MAIN WELL LOCATED AT 2900 WYMOSA. CLAIM NO. A63-07409 COVERS THE BACKUP WELL LOCATED AT 4927 WYMOSA AND WAS LICENSED FOR 7 HOMES. ALL THREE WELLS CAN BE USED FOR THE 60 HOMES NOW BEING SERVED.

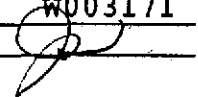
***** DESC. OF DIVERTING
 WORKS - #1 WELL - 8" 60' DEEP WELL W/10 HP TURBINE PUMP W/4" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR. TANK W/4" DISCHARGE LINE TO HOMES. #2 WELL - BACKUP WELL - 8" 110' WELL W/5 HP SUBM. PUMP W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/ STOR. TANK. #3 WELL - BACKUP WELL - 8" 80' DEEP WELL W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR TANK.

15. Basis of Claim: Beneficial Use

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: A63-15592
Date Received: 6/09/1989
Receipt No: W003171
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WYMOSA WATER TRUST 208-344-0045
Address: 4900 WYMOSA
BOISE, ID 83703

2. Date of Priority: JUN 16, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	32		NW	NW		ADA

5. Description of diverting works:
3 WELLS - SEE REMARKS FOR DESC. OF DIVERTING WORKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.400		
IRRIGATION	03/15	11/15	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/60 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	32	NW	NW		DOMEST	
			NW	NW		IRR	4.0
Section Acres							4.0

A63-15592

Page 1

Date: 06/09/89

MICROFILMED
AUG 25 1992

10. Place of Use: Continued

Total Acres 4.0

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:
CLAIM NO. A63-07409.

14. Remarks:

THREE WELLS LOCATED IN THE NWNW, SEC. 32. TWO OF THESE WELLS WHICH ARE LOCATED ON 4927 WYMOSA AND BEHIND 3066 ROLAND ARE BACKUP WELLS FOR THE MAIN WELL LOCATED AT 2900 WYMOSA. CLAIM NO. A63-07409 COVERS THE BACKUP WELL LOCATED AT 4927 WYMOSA AND WAS LICENSED FOR 7 HOMES. ALL THREE WELLS CAN BE USED FOR THE 60 HOMES NOW BEING SERVED.

DESC. OF DIVERTING WORKS - #1 WELL - 8" 60' DEEP WELL W/10 HP TURBINE PUMP W/4" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR. TANK W/4" DISCHARGE LINE TO HOMES. #2 WELL - BACKUP WELL - 8" 110' WELL W/5 HP SUBM. PUMP W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR. TANK. #3 WELL - BACKUP WELL - 8" 80' DEEP WELL W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR TANK.

15. Basis of Claim: BENEFICIAL USE

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: 0

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of
WYMOSEA WATER TRUST, that I have signed the foregoing
document in the space below as PRESIDENT of
WYMOSEA WATER TRUST and that the statements contained in the
foregoing document are true and correct.

Joseph R. Sanchez
Signature of Authorized Agent
PRESIDENT (H.T.)
Title and Organization
6-9-89
Date

State of Idaho)
County of ADA) SS.

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

Jan Shute
Notary Public

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

Receipt Details for ID W003171

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/9/1989 2:28:15 PM	6/9/1989	Western	\$112.00	Check
Payer		WYMOSA WATER TRUST		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1241			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$112.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	15592		\$94.00	Claim
63	7409		\$62.00	Claim

Print Report



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 15592
POD ID 161728.1
Quad Boise North 1
Claim Type Large
Easting 318691
Northing 285322
GPSID A0011925

Diversion Description

3 WELLS - SEE REMARKS FOR DESC. OF DIVERTING WORKS. Well is located in alley between 4841 and 2900 Wymosa. Pump house was locked.

Assumptions

Elevation head. Pump information derived from IDWR claim file.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos\161728.1a.JPG Photos\161728.1c.JPG Photos\161728.1e.JPG

Photos

Photos\161728.1b.JPG Photos\161728.1d.JPG Photos\161728.1f.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

17 LH

1/4/02

1.30

0.50

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined .016
Smooth earth .025
Earth .033
Rough bed, weeds on sides .04
Smooth natural stream .033
Rough natural stream .1

Pumped System

☒

HP 10

Pressure Head (psi) 40

Elevation Head (ft) 30

Motor Mfg Franklin

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information

☒

New Contact Comments

Contact phone is a dedicated fax line. The contact phone doesn't work

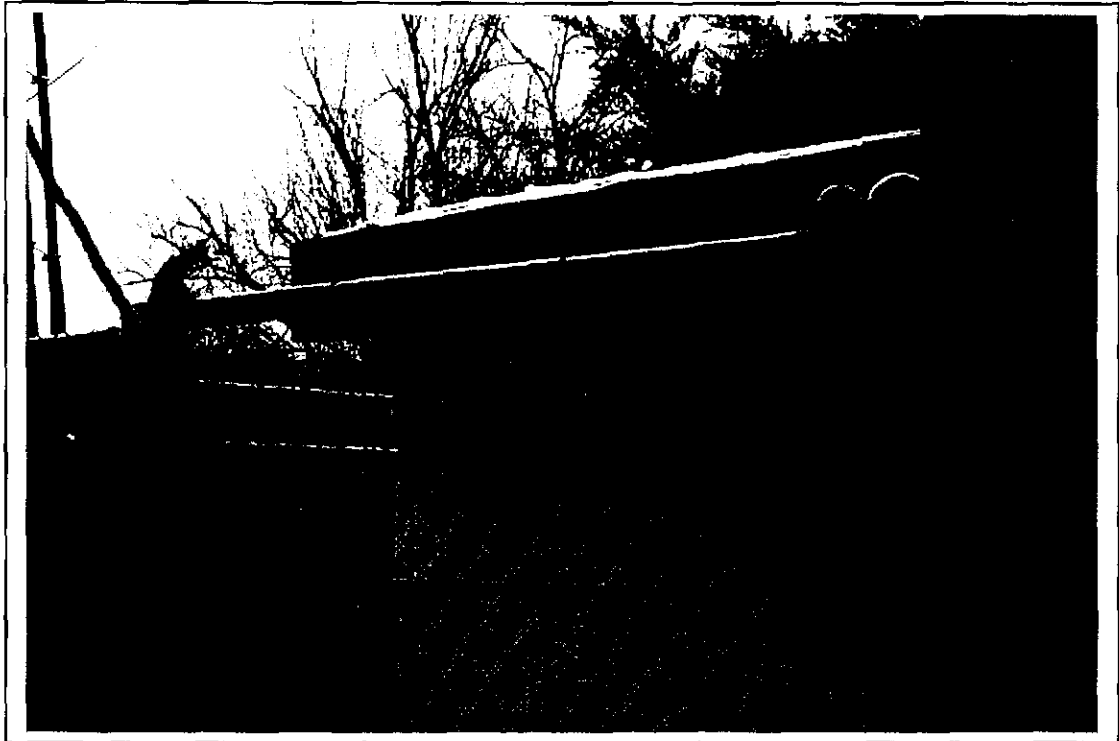
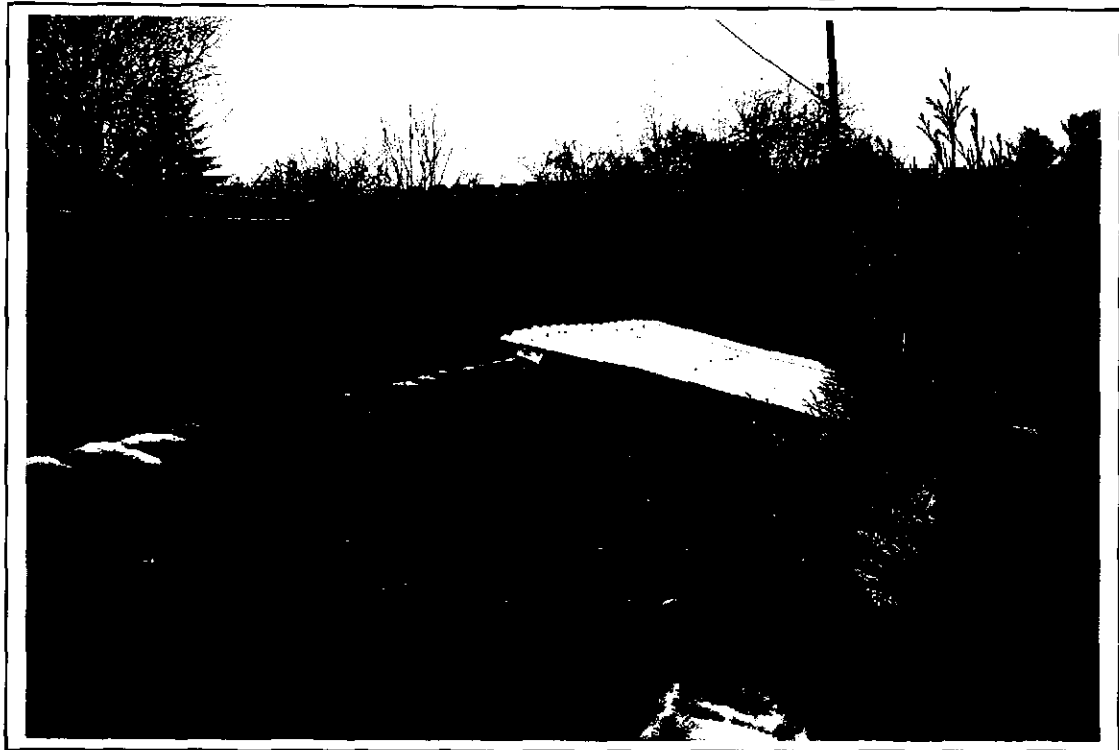
This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Service, Inc.



INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 15592





STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 7, 2004

RECEIVED

DEC 10 2004

WATER RESOURCES
WESTERN REGION

WYMOSA WATER TRUST
4900 WYMOSA
BOISE ID 83703

Re: SRBA Claim No. 63-15592

Dear Claimant:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make positive recommendations of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right early next year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Vicky Music at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. **If we do not hear from you by January 7, 2005 then your water right will be recommended as disallowed.**

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer". The signature is stylized with a large, sweeping flourish at the end.

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Vicky Music



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 15, 2005

Susan Lankford
Wymosa Water Trust
P.O. BOX 140463
Garden City, ID 83714

RE: CLAIM NOS. 63-15592 and 63-7409

Dear Susan,

This correspondence is in response to our conversation yesterday. Idaho State law requires that the Department be notified of a change of owner or address on a water right. Enclosed is a change of ownership form with instructions. Please complete the form and send it back to our office with the required documentation. This will allow us to recommend the claims referenced above to the SRBA Court in the correct name of the corporation, The Wymosa Water Association, Inc.

Please call if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vicky Music'.

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: change of ownership form with instructions

01/28/2005

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

RIGHT NUMBER: 63-15592

NAME AND ADDRESS: WYMOSA WATER TRUST
PO BOX 140463
GARDEN CITY ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/16/1950

POINT OF DIVERSION:

T04N R02E S32 NWNW Within ADA County

T04N R02E S32 NWNW Within ADA County

Two points of diversion are located within NWNW, S32, T04N, R02E.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.120 CFS 18.00 AFY
DOMESTIC	01/01 12/31	0.400 CFS

Domestic use is for 60 homes and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S32 NWNW 4.0

DOMESTIC Within ADA County

T04N R02E S32 NWNW

4 ACRES TOTAL

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

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

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

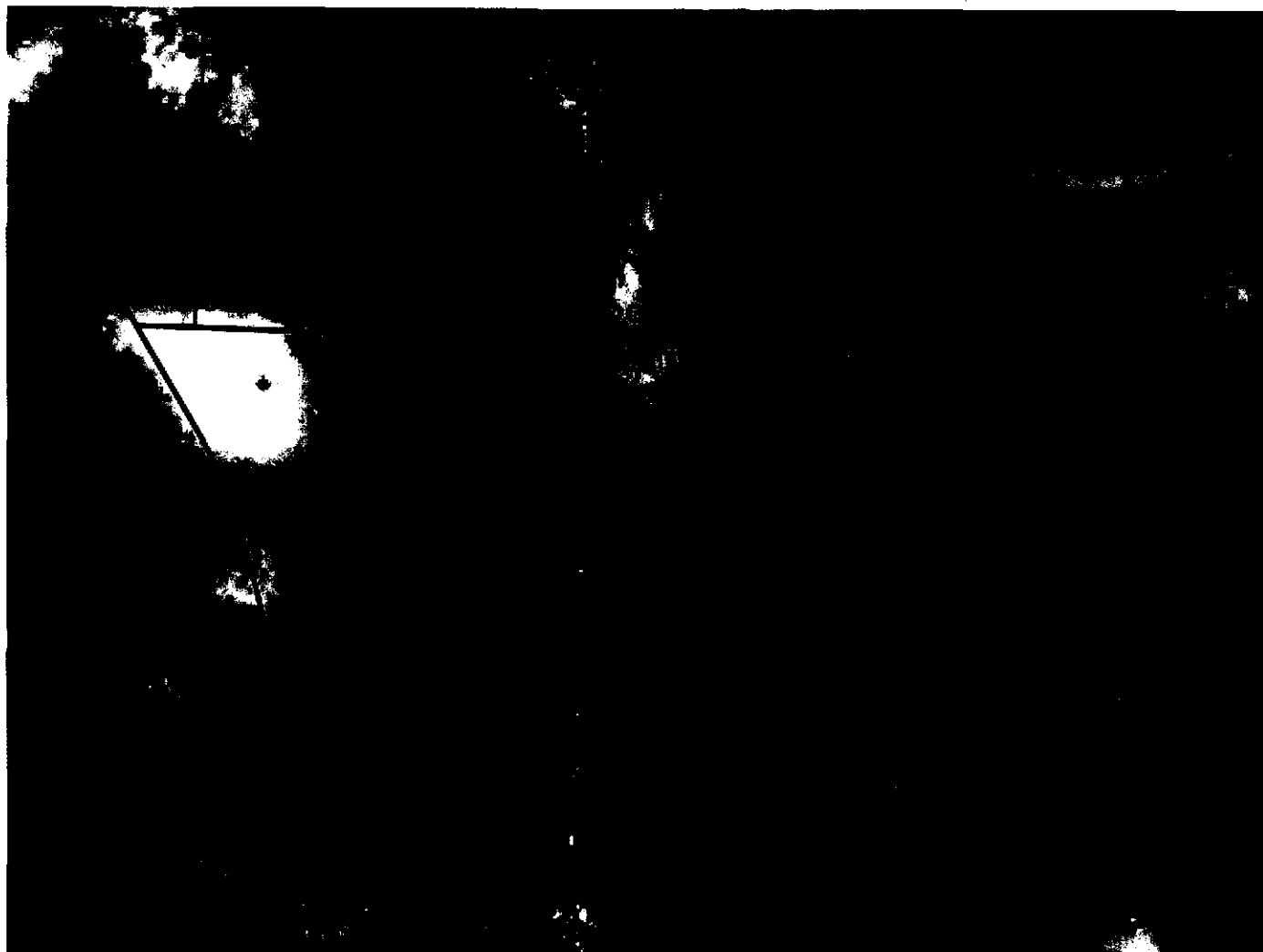
EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS WYMOSA SUBDIVISION.



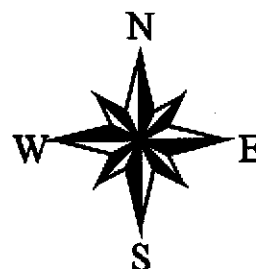
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 32
Water Right(s) : 63-15592



1320 0 1320 Feet

TOTAL IRRIGATED ACRES = 4.0



- Point of Diversion
- Place Of Use
- Quarter Quarter Lines
- Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: January 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15592 V1

WATER RIGHT NUMBER: 63-15592 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WYMOSA WATER TRUST PO BOX 140463 GARDEN CITY, ID 83714 (208)344-8112

Priority Date: 06/16/1950
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>
IRRIGATION	03/01 to 11/15	0.120 CFS	18.00 AF
DOMESTIC	01/01 to 12/31	0.400 CFS	
	<u>Total Diversion:</u>	0.520 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 32, Twp 04N, Rge 02E, B.M.
ADA County		
GROUND WATER	NW1/4NW1/4	Sec. 32, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T04N R02E S32 NWNW 4.0

Total Acres: 4

DOMESTIC Within ADA County

T04N R02E S32 NWNW

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. WB5 Domestic use is for 60 homes and does not include lawn, garden, landscape, or other types of irrigation.
4. X32 Two points of diversion are located within NWNW, S32, T04N, R02E.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15592 V1

1. Explanatory PROPERTY IS ALSO KNOWN AS WYMOSA SUBDIVISION.

Comments:

1. vmusic 1/28/2005 PODs

Comment: 3 WELLS ARE USED FOR WYMOSA SUB. THE THIRD WELL WAS LICENSED UND 63-7409 IN 1971. NOT SURE WHEN SECOND WELL WAS DRILLED. WILL RECOMMEND 2 PODs UNDER THIS B/U RIGHT.

2. vmusic 1/28/2005 POU & QUANTITY

Comment: CLAIM - BOTH POU AND Q - IS FOR 60 HOMES AND WILL RECOMMEND FOR 60 HOMES. LICENSE 63-7409 IS FOR ADDITIONAL 7 HOMES. SUBDIVISION PRES SAYS CURRENTLY 73 HOMES.

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>
Contacts	1/28/2005 10:11:55 AM	vmusic			Active
Priority Date	1/28/2005 10:12:46 AM	vmusic			Active
POD	1/28/2005 10:14:03 AM	vmusic			Active
Source	1/28/2005 10:16:04 AM	vmusic			Active
POU	1/28/2005 10:17:31 AM	vmusic			Active
Use	1/28/2005 10:20:12 AM	vmusic			Active
Season	1/28/2005 10:21:00 AM	vmusic			Active
Quantity	1/28/2005 10:23:02 AM	vmusic			Active
Summary			01/28/2005	vmusic	Active

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 22 2004

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

[] Name(s):

Susan Hankford

63-15592, 63-7409

[] Old Mailing Address:

Wymosa Water Trust

4900 Wymosa Lane

Boise ID 83703

[] New Mailing Address:

Wymosa Water Association, Inc

PO Box 140463

Garden City ID 83714

Telephone Number:

(208) 344 - 8112

[]

Signature(s)

(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Susan Hankford

President

(include your title if on behalf of company or organization)

Date:

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 14, 2004

Susan Lankford
Wymosa Water Trust
5005 Wylie Lane
Boise, ID 83703

RE: Change of Address and Proof of Priority re SRBA Claim No. 63-15592

Dear Susan,

Thanks for your phone call today. This correspondence is per that conversation regarding a change of address and evidence of priority for claim no. 63-15542. Enclosed is a change of address form. Please complete the form and send it back to me. Enclose with it the plat map or notes of any conversation you have with a resident who has knowledge of the claimed 1950 priority date. As I mentioned, the priority date is an important element of a water right and the documentation I requested will allow me to recommend that date to the SRBA Court.

Please call if you have additional questions.

Sincerely,

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: change of address form

CONVERSATION MEMORANDUM TO FILE

TO: CLAIM FILE NOS. 63-15592 AND 63-7409
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: SRBA CLAIM ANALYSIS/ DESKTOP REVIEW
DATE: 12/14/2004
CC: N/A

PROOF OF PRIORITY – 63-15592

I received a phone call from Susan Lankford, [344-8112] Pres of the homeowners' assoc. for Wymosa subdivision today re statutory claim 63-15592. The letter from OAG DAG Nick Spencer was forwarded to her by the widow of Joseph Sanchez, one of the past assoc. pres. and the man who filed the claims.

Susan didn't know anything about water rights or what I was asking for. I explained the need for proof of priority for the 1950 priority date. She thinks she has a copy of a plat map with the original well located on it, dated 1952. I told her if she could find that for me and was not able to find anything with the 1950 date, I would recommend the 1952 date. I suggested that she interview some of the older residents.

Additionally, I will send her a change of address form.

LICENSE CLAIM – 63-7409

She mentioned that there are 3 wells. I told her that this license mentions the 3 wells. She said there are currently 73 homes in the subdivision.

Her address: 5005 Wylie Lane, Boise, 83703.

VLM

Music, Vicky

From: Harvey, Becky
Sent: Friday, December 03, 2004 2:10 PM
To: Music, Vicky
Subject: RE: B 63 letters

Will do.

-----Original Message-----

From: Music, Vicky
Sent: Friday, December 03, 2004 2:08 PM
To: Spencer, Nick; Harvey, Becky
Subject: B 63 letters

Hi - I received a great response from the last batch of letters you sent for me -thanks! I need more ! Below is some information but let me know if it is not enough. Also, will you please ask that they have the info to me sometime in the first week of Jan 2005?

1 - 63-4993 and 63- 4994. EOP/ field exam letter sent 8/24 and have been in touch since but has not given me info.

attn: Lee Hanson

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE

SALT LAKE CITY, UT 84150-6312

2 - 63-5274. EOP/ filed exam letter sent 8/24. No response - sent to all 3 guys.

J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE, ID 83707
(208)336-2110

Attorney

J R SIMPLOT CO
ENV AND REGULATORY AFFAIRS
ATTN: GRAY YOUNG OR TERRY UHLING
PO BOX 27
BOISE, ID 83707-0027
(208)389-7318

3 - 63-4815/ EOP letter sent 10/15. No response.

Current Owner LINDA RUSH
MICHAEL RUSH
9412 W WRIGHT ST
BOISE, ID 83709
(208)362-4348

4 - 63-15603. EOP/ field exam letter sent 10/15. No response.

HELEN L HUFFMAN
JOHN HUFFMAN
2045 E AMITY RD
MERIDIAN, ID 83642
(208)888-0099

5 - 63-18687. EOP letter sent 10/15. No response.

AARON W KREGER
JANICE KREGER
4410 E FRANKLIN RD
MERIDIAN, ID 83642
(208)322-0346

6 - 63-4995. EOP letter sent 10/12. No response. [new address per Ada co assessor info]

JOHN JOSEPH SMILEY, trustee
2825 Sophie Lake Rd
Eureka ,MT 59917

7 - EOP letter sent 11/8. No response.

63-15592

WYMOSA WATER TRUST
4900 WYMOSA
BOISE, ID 83703
(208)344-0045

Thanks again - Vicky M



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 8, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WYMOSA WATER TRUST
4900 WYMOSA
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-15592

Dear Claimant(s),

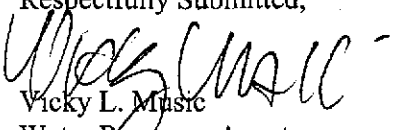
In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by November 19, 2004. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully Submitted,


Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim Report A63-15592

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

desktop review/VLM

**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
- ☐ 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 completeClaim No(s) 63-15592

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

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?

Priority date, per claimant, is: 1950

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

Source: _____ 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? _____

2 PODs under this claim

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

Description of diverting works

see claim & intrepid exam

OVERLAP REVIEW

Other water rights with the same point of diversion:

63-7409

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

Yes - 116 for 6 more homes

WATER USES

☒ No change

☐ Different Uses

Use *DOM* From *1-1* To *12-31* Amount *.40* CFS *18* AFA
4 ac. Use *WV* From *3-1* To *11-15* Amount *.12* CFS *18* AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount *.12* CFS *18* AFA

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

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

(4ac)(4.5af) = 18 AFA *OR (.12)(1.9935)(260) = 61.89 AFA*

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

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	

Overlap with other water rights: 63-1409

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

GL claim & interpid exam

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

aka Wynona Subdivision
Wynona use is for 200 houses & does not include wv
not a det of inst bld for domestic
has ft, which is combined use remark re 63-1409?
2.8
5.7
9.5 total ac. x 2.7 = 6 ac.

this rec is for 2 of the 3 wells. license 63-1409
is for 3rd well.

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:

- 1-28-05

FIELD EXAMINER:

Wick MUSIC

Well # 1

2900

Wyandea

#2

4927

Wyandea

? no such # (see map)

#3

well # R1597000062

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15592

WATER RIGHT NUMBER: 63-15592

Owner Type Name and Address
 Current Owner WYMOSA WATER TRUST
 4900 WYMOSA
 BOISE, ID 83703
 (208)344-0045

Priority Date: 06/16/1950 - ✓

Basis: Beneficial Use

Status: Active

Source

GROUND WATER ✓

3/1 - no shoulder remark
Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15 to 11/15	0.120 CFS	
DOMESTIC ✓	1/01 to 12/31	0.400 CFS	
<u>Total Diversion:</u>		0.520 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4

Sec. 32, Twp 04N, Rge 02E, B.M. ✓

ADA County

Place of UseIRRIGATION Within ADA County ✓

T04N R02E S32 NWNW 4.0 ✓

Total Acres: 4

DOMESTIC Within ADA County ✓

T04N R02E S32 NWNW

Conditions of Approval:Remarks:

1.General THREE WELLS LOCATED IN THE NWNW, SEC. 32. TWO OF THESE WELLS WHICH ARE LOCATED ON 4927 WYMOSA AND BEHIND 3066 ROLAND ARE BACKUP WELLS FOR THE MAIN WELL LOCATED AT 2900 WYMOSA. CLAIM NO. A63-07409 COVERS THE BACKUP WELL LOCATED AT 4927 WYMOSA AND WAS LICENSED FOR 7 HOMES. ALL THREE WELLS CAN BE USED FOR THE 60 HOMES NOW BEING SERVED.

***** DESC. OF DIVERTING WORKS - #1
 WELL - 8" 60' DEEP WELL W/10 HP TURBINE PUMP W/4" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR. TANK W/4" DISCHARGE LINE TO HOMES. #2 WELL - BACKUP WELL - 8" 110' WELL W/5 HP SUBM. PUMP W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/ STOR. TANK. #3 WELL - BACKUP WELL - 8" 80' DEEP WELL W/2" DISCHARGE LINE TO 2,500 GAL. PRESS/STOR TANK.

Comments:

2 PODs in sec.

2 wells 160 homes

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15592

01/28/2005

1

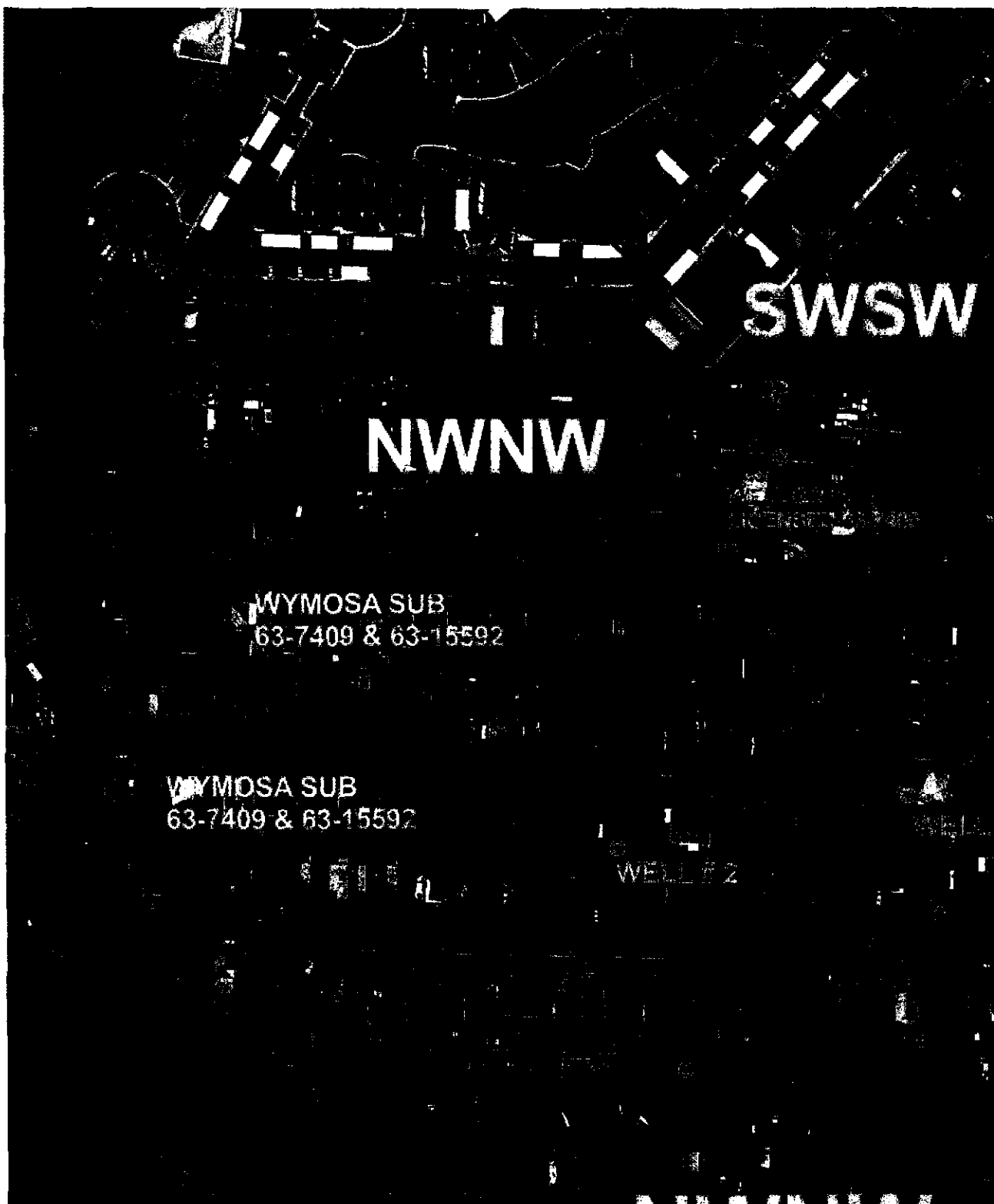
ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-3291	Claim	04N	02E	32	NW	NW		GROUND WATER	UNITED WATER IDAHO INC
63-4348	Claim	04N	02E	32	NW	NW		GROUND WATER	JOHN AND GRACE SUMMERS TRUS
63-7409	Claim	04N	02E	32	NW	NW		GROUND WATER	WYMOSA WATER TRUST
63-15016	Claim	04N	02E	32	NW	NW		GROUND WATER	GEORGE P JASZKOWIAK
63-15592	Claim	04N	02E	32	NW	NW		GROUND WATER	WYMOSA WATER TRUST
63-16881	Claim	04N	02E	32	NW	NW		GROUND WATER	JOSEPH S BREIDING
63-24156	Claim	04N	02E	32	NW	NW		GROUND WATER	DENISE A DREYER
63-15690	Claim	04N	02E	32	NW	NW		GROUND WATER	WILMA B RANSOM
63-26856	Claim	04N	02E	32	NW	NW		GROUND WATER	LAURIE A MILLER
63-16053	Claim	04N	02E	32	NW	NW		GROUND WATER	EVELYN MC NEES
63-18832	Claim	04N	02E	32	NW	NW		GROUND WATER	CLYDE WHEELER
63-21668	Claim	04N	02E	32	NW	NW		GROUND WATER	JUNE EDDINGTON
63-22930	Claim	04N	02E	32	NW	NW		GROUND WATER	DEBY CORBIN
63-26898	Claim	04N	02E	32	NW	NW		GROUND WATER	KELLY KENNEDY
63-3291	Water Right	04N	02E	32	NW	NW		GROUND WATER	UNITED WATER IDAHO INC
63-4348	Water Right	04N	02E	32	NW	NW		GROUND WATER	JOHN R SUMMERS
63-7409	Water Right	04N	02E	32	NW	NW		GROUND WATER	WYMOSA WATER TRUST
63-15016	Water Right	04N	02E	32	NW	NW		GROUND WATER	GEORGE P JASZKOWIAK
63-16881	Water Right	04N	02E	32	NW	NW		GROUND WATER	MARIAN H BREIDING
63-24156	Water Right	04N	02E	32	NW	NW		GROUND WATER	DENISE A DREYER
63-15690	Water Right	04N	02E	32	NW	NW		GROUND WATER	AMY L WILLIAMS
63-26856	Water Right	04N	02E	32	NW	NW		GROUND WATER	LAURIE A MILLER
63-16053	Water Right	04N	02E	32	NW	NW		GROUND WATER	DELBERT MC NEES
63-18832	Water Right	04N	02E	32	NW	NW		GROUND WATER	CLYDE WHEELER
63-19554	Water Right	04N	02E	32	NW	NW		GROUND WATER	KEN R BARNES
63-21668	Water Right	04N	02E	32	NW	NW		GROUND WATER	DAVID J EDDINGTON
63-22930	Water Right	04N	02E	32	NW	NW		GROUND WATER	TIM MC NEIL
63-26898	Water Right	04N	02E	32	NW	NW		GROUND WATER	KELLY KENNEDY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15592

01/28/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4348	Claim	04N	02E	32	NW	NW		IRRIGATION	1/1	JOHN AND GRACE SUMMERS TRUST
15592	Claim	04N	02E	32	NW	NW		IRRIGATION	4/4	WYMOSA WATER TRUST
2058	Water Right	04N	02E	32	NW	NW		IRRIGATION		JOHN W CAGE
4348	Water Right	04N	02E	32	NW	NW		IRRIGATION	1/1	JOHN R SUMMERS
2576	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	32	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7409	Claim	04N	02E	32	NW	NW		DOMESTIC		WYMOSA WATER TRUST
15592	Claim	04N	02E	32	NW	NW		DOMESTIC		WYMOSA WATER TRUST
7409	Water Right	04N	02E	32	NW	NW		DOMESTIC		WYMOSA WATER TRUST
15016	Water Right	04N	02E	32	NW	NW		DOMESTIC		GEORGE P JASZKOWIAK
15690	Water Right	04N	02E	32	NW	NW		DOMESTIC		AMY L WILLIAMS
16053	Water Right	04N	02E	32	NW	NW		DOMESTIC		DELBERT MC NEES
16881	Water Right	04N	02E	32	NW	NW		DOMESTIC		MARIAN H BREIDING
18832	Water Right	04N	02E	32	NW	NW		DOMESTIC		CLYDE WHEELER
19554	Water Right	04N	02E	32	NW	NW		DOMESTIC		KEN R BARNES
21668	Water Right	04N	02E	32	NW	NW		DOMESTIC		DAVID J EDDINGTON
22930	Water Right	04N	02E	32	NW	NW		DOMESTIC		TIM MC NEIL
24156	Water Right	04N	02E	32	NW	NW		DOMESTIC		DENISE A DREYER
26856	Water Right	04N	02E	32	NW	NW		DOMESTIC		LAURIE A MILLER
26898	Water Right	04N	02E	32	NW	NW		DOMESTIC		KELLY KENNEDY



15602
B/U CLAIM 63-15593 AND LICENSE 63-7409 -- 2003 aerial.
63-15593 CLAIM IS FOR 60 HOUSES AND SHOULD BE 2 WELLS.
THIRD WELL LICENSED IN 1971 UNDER 63-7409 FOR 7 HOMES.
WATER ASSOC. PRES. SAYS CURRENTLY 73 HOMES.

"This sketch is made solely for the purpose of assisting in locating the premises, and the Company assumes no liability for variations, if any, with an actual survey."

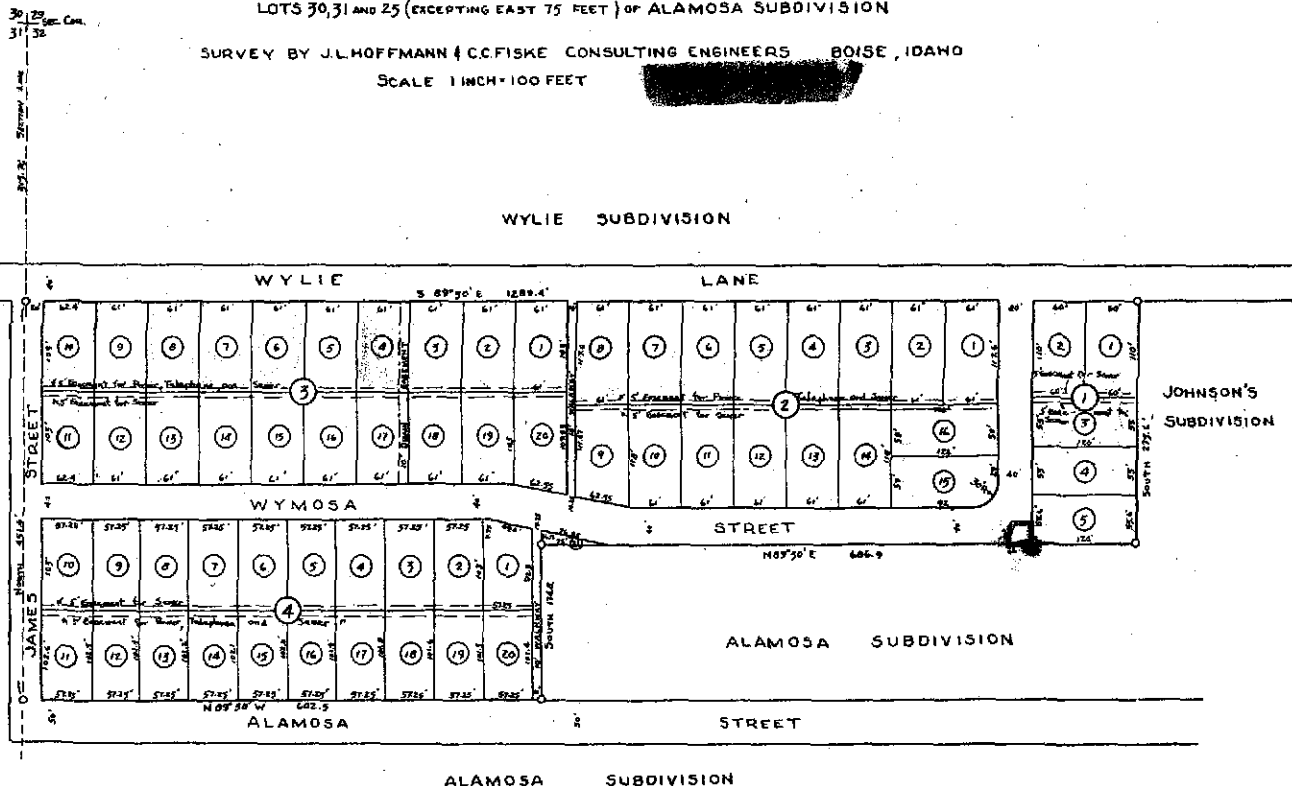
WYMOSA SUBDIVISION

Sec. 32, T. 4N, R. 2E, B.M. - BOISE, ADA COUNTY, IDAHO

A RESUBDIVISION OF LOTS 1 to 13 OF JOHNSON'S SUBDIVISION AND
LOTS 30, 31 AND 25 (EXCEPTING EAST 75 FEET) OF ALAMOSAS SUBDIVISION

SURVEY BY J.L. HOFFMANN & C.C. FISKE CONSULTING ENGINEERS BOISE, IDAHO

SCALE 1 INCH = 100 FEET



$$\begin{array}{r} 150 \\ 12 \overline{) 300} \\ \underline{12} \\ 180 \\ \underline{12} \\ 60 \\ \underline{60} \\ 0 \end{array}$$

30 29 50.00
31 32

[illegible]

ALAMOSA SUBDIVISION

WYMOSA SUBDIVISION

LOTS - There are 62 lots in the subdivision. Average size is 61' x 118'. Lots are restricted to residential use. The entire subdivision is tile drained providing insurance against high water table. Domestic water is supplied from a central well with an 8" casing pumped with a Deming 10 H. P. turbine and distributed through 4" mains - FHA and Public Health approved.

HOUSES - Price \$8150.00. Constructed by J. B. King

Foundation	Concrete
Drive	Gravel
Walks	From driveway to front door
Roof	210 lb. asphalt shingles underlaid with felt.
Floors	Oak, except under linoleum in bath and kitchen - 2" x 8" Floor joists on 16" centers.
Walls	Gypsum rock with perfataping in inside walls. Cedar siding Sheathing is Nu-wood insulating material. 2" x 6" ceiling joists and rafters on 16" centers.
Linoleum	California original inlay.
Windows	Completely weatherstripped spring balance
Insulation	Mineral wool 4" overhead.
Heating	Heatlox Corp. Heatcolumn type (80,000 B.T.U.) located under the floor with the heatcolumn extending to the attic and heat distribution by ducts to each room. Cost of furnace - \$750.00 - considerably more than the usual installation in this size home. It burns economical deisel fuel. The chimney is insulating type with low carbon residue which makes for greater efficiency and hence more economical heating. Further economy is obtained through the utilization of hot air which is removed from the ceiling and mixed with fresh hot air and blown again into the room at the floor. (Other systems lose the hot air at the ceiling.) The oil tank is 280 gal. buried.

Other Special Features

Youngstown Metal Kitchens
Bendix Washing machines
Frigidaire water heaters.

Dimensions of Rooms

Living room	16 $\frac{1}{2}$ x 11 $\frac{1}{4}$
Front bedroom	12 $\frac{1}{2}$ x 9 $\frac{1}{4}$
Rear bedroom	8 $\frac{1}{2}$ x 10 $\frac{3}{4}$
Kitchen	15 x 11 $\frac{1}{4}$ including breakfast nook
Breakfast nook	7 x 11 $\frac{1}{4}$
Storage space	248 cubic feet

SALES AGENTS - PAUL B. LARSEN REAL ESTATE, Phone 8181, Capitol Blvd. & Grove

Salesmen:

Vic Thompson,	Home phone	2465
Dave Johnson,	" "	7614-M
Bill Fenwick,	" "	8550-W
Don Walker,	" "	7802-NW
Geo. Benson,	" "	5207

AL HROZA and WINNIS M. HROZA,
husband and wife

PROTECTIVE COVENANTS FOR WYMOSA
SUBDIVISION IN ADA COUNTY, STATE
OF IDAHO #303389

Dated June 16th, 1950

Recorded June 20th, 1950

Book 22 of Miscellaneous Records
at Page 589

to

THE PUBLIC

KNOW ALL MEN BY THESE PRESENTS that the undersigned, AL HROZA and WINNIS M. HROZA, husband and wife, of Boise, Ada County, State of Idaho, do hereby certify and declare:

1. That they are the owners in fee simple of all that certain real estate situate in Ada County, State of Idaho, and particularly described as follows:

All of Wymosa Subdivision according to the official plat thereof on file in the office of the Recorder of Ada County, State of Idaho, as shown in Book 12 of Plats at page 735 and 736, records of Ada County, State of Idaho.

2. That all of the real estate and lots, parcels and tracts thereof, and any conveyance covering or describing all or any part thereof, either by reference to the above described plat or by any number or designation thereon, or by other description, shall be subject to the following restrictions, covenants and conditions, and that by the acceptance of any conveyance the grantee or grantees and their heirs, executors, administrators, successors and assigns covenant with the said Al Hroza and Winnis M. Hroza, husband and wife, their heirs and assigns, and with each other as to the property described in or by such covenants as follows:

(a) LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and private garage for not more than two cars.

(b) DWELLING COST, QUALITY AND SIZE. No dwelling shall be permitted on any lot at a cost of less than \$5,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 600 square feet for a one-story dwelling, nor less than 600 square feet for a dwelling of more than one story.

(c) BUILDING LOCATION. No building shall be located on any lot nearer to the front lot line than 25 feet, nor nearer than 5 feet to any side lot line or interior lot line, except that a garage may be located on any lot provided its location shall conform to the building requirements of the City of Boise.

(d) LOT AREA AND WIDTH. No dwelling shall be erected or placed on any lot having a width of less than 55 feet at the minimum building setback line of 25 feet, nor shall any dwelling be erected or placed on any lot having an area of less than 5,500 square feet.

(continued)

(e) EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five (5) feet of each lot.

(f) NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

(g) TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, except that a garage may be used as a residence while the owner of said lot is erecting his house, provided that it shall be for a period no longer than six (6) months.

(h) SANITATION. All bathroom, sink, and toilet facilities shall be inside the dwelling house, and shall be connected by underground pipes with a private septic tank, or with a sanitary sewer system when such has been constructed to serve the area. If connected with private septic tank, the same must be of a depth and type of construction approved by the State of Idaho health authorities. The drain from any such septic tank shall be kept within the building limites of each building site. The affluent from such septic tank shall not be permitted to discharge into a stream, storm sewer, open ditch or drain unless it has first passed through an absorption field approved by the health authorities.

3. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

4. If an interested party, or any of his or her heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against said person or persons violating or attempting to violate any such covenant, and either to prevent him or them from so doing, or to recover damages or other dues for such violations.

5. Invalidation of any one of these covenants by judgment or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, Al Hroza and Winnis M. Hroza, husband and wife, have hereunto set their hands this 16th day of June, 1950.

Al Hroza
Winnis M. Hroza

Acknowledged by Al Hroza and Winnis M. Hroza, June 16th, 1950
Before Victor M. Thompson, N. P. for Idaho, Residence: Boise, Idaho.
Ack. in Ada Co. Idaho. Seal.

Attached to and made a part of LAWYERS TITLE INSURANCE CORPORATION Policy No. 950-097

1. Any state of facts an accurate survey and inspection would show; the existence of roads, easements or ways not established of record, or existence of public roads; water rights, water locations, mining rights; exceptions and reservations in United States patents.

2. Rights or claims of persons in possession or claiming to be in possession, not shown of record; rights claimed under instruments of which no notice is of record and rights or claims based upon facts of which no notice is of record but of which the insured has notice; material or labor liens of which no notice is of record.

3. Matters relating to special assessments and special levies, if any, preceding the same becoming fixed and shown as a lien; taxes not yet payable; matters relating to vacating, opening or other changing of streets or highways preceding the final termination of the same.

4. Regulations and restrictions imposed by building and zoning ordinances or by a planning authority; any governmental action based on the claim that any part of the insured premises is within or under navigable waters.

DECLARATION OF TRUST
Dated March 29, 1951
Recorded April 25, 1951
Recorder's fee No. 316930

KNOW ALL MEN BY THESE PRESENTS:

That we, AL HROZA and WINNIS M. HROZA, husband and wife, Boise Idaho, hereinafter designated as 'donors', were the owners of Wymosa Subdivision in Ada County, State of Idaho; and

WHEREAS the donors have constructed a well with necessary pumping equipment and water mains for distribution of water from said well to all of the lots in said Wymosa Subdivision; and

WHEREAS donors and others are now constructing residences upon said subdivision and are contemplating the construction of residences upon the remainder of said property; and

WHEREAS it is the desire of the donors to supply water for domestic and irrigation purposes for the use and benefit of themselves and to the owners of said property or to the purchasers of said property and their assigns;

NOW, THEREFORE, It is stated, certified and declared that for the purposes of supplying such water to the property located in Wymosa Subdivision, the donors do hereby set over, transfer, assign, convey and quitclaim to LaVor A. Clays, Raymond J. Murphy and Al Hroza as Trustees, the well and all pumping equipment and water mains now located in Wymosa Subdivision for the purpose of supplying water to the owners of property in Wymosa Subdivision.

It is understood that said well is now completed, that the pump is installed and the water mains laid in such a manner through the subdivision to permit the owner of any lot in the subdivision to connect onto such mains, and upon the execution of this agreement, all responsibility to operate said water system shall be assumed by the said trustees; it being the intent and purpose of this trust that the responsibility for the operation of such system by the donors, herein, shall terminate and said system shall be operated by the Trustees as hereinafter provided.

NUMBER OF TRUSTEES AND TERM OF OFFICE

The Board of Trustees shall consist of not less than three (3) members, the first of whom have been selected by the donors and each of whom is now an owner of property in Wymosa Subdivision. The said trustees shall hold office until such time as their successors are elected as herein provided. The trustees herein designated shall hold office for a period of five (5) years unless sooner removed by a petition of a majority of the owners of the property in Wymosa Subdivision. At the end of five (5) years the trustees shall again be selected by a vote of the majority of the owners of the property in Wymosa Subdivision and the owner of each lot in said subdivision shall be entitled to cast one

(continued)

Declaration of Trust
Page 2

vote for each trustee in such election and shall be entitled to cast one vote in connection with the removal of any trustee by petition as hereinbefore provided.

The owner of property shall be construed to mean the person holding legal title to said property, unless the same is sold under contract of sale, in which event the contract purchaser shall be construed to be the owner.

In the event of a vacancy of a trustee, caused by death, resignation or removal, the remaining trustees shall fill such vacancy, provided, however, that a vacancy in the Board of Trustees shall not prevent the remaining trustees from acting effectively to carry out the objects and purposes of this trust.

QUORUM

A majority of the Board of Trustees shall be sufficient to authorize and official act including the designation of one of their number to represent the Board in any transaction.

DUTIES OF TRUSTEES

For the term of this trust the trustees and their successors shall hold, control, maintain and operate said water system for the use and benefit of the beneficiaries as defined herein, to the end that each of the said beneficiaries may, upon compliance with the terms and conditions hereof and the rules and regulations adopted by the trustees pursuant thereto, receive water from said system; provided, however, that if, through the failure of natural supply, major catastrophe or increase in demand, said water system shall become unusable or inadequate, the trustees shall be under no obligation to expand, augment or replace said system.

The trustees shall keep a record of their acts and proceedings as such and shall, further, keep and maintain full, accurate and adequate books of account, correctly and accurately recording all receipts and disbursements and disclosing the financial condition of the trust from time to time, and all such records shall be open to the inspection of the beneficiaries hereunder at any and all reasonable times.

Upon qualification of any person as beneficiary hereunder, the trustees shall furnish to such person a copy of this trust and also a copy of the rules and regulations then in force and effect, pertaining to said water system and the furnishing of said water or service to the users thereof.

POWERS OF TRUSTEES

The trustees hereunder shall have the following powers:

(1) To adopt regulations pertaining to the manner of beneficiary connecting unto existing mains, including the specification of the size and type of materials to be used and the location and depth of the service line; the restriction upon the use of water by beneficiaries where, in the opinion of the trustees, such restrictions are necessary to conserve the supply or to permit repairs or replacements.

(continued)

(2) To adopt such further regulations as may, in the discretion of the trustees, be deemed necessary for the proper operation of the system.

(3) ~~To fix the initial hook-in or connection charge, if necessary.~~

(4) ~~From time to time to fix rates to be charged users of water~~ from the system in an amount, in the discretion of the trustees, which shall be sufficient to realize necessary income for the operation, repair and maintenance of said water system and the execution of this trust, including a sufficient amount to permit accumulation of a reserve fund in such amount as the trustees, in their discretion, shall deem expedient and advisable in view of possible demands upon said trustees for replacements and emergencies occurring in the course of operation.

(5) To pay any and all taxes, levies and assessments of any kind or nature, by any governmental or taxing body; provided, however, it shall not be the duty of the trustees to object or contest any such tax, levy or assessment.

(6) To obtain and pay for in such amounts as the trustees shall deem wise, insurance of such type and covering such contingencies, including any and all liability of the trustees, as shall be available and as to the trustees in their discretion shall seem wise and expedient.

(7) To employ such agents, servants, attorneys and other professional assistance as trustees in their discretion shall deem reasonably necessary and expedient in the operation of said water system.

(8) To transfer or lease said water system, either with or without consideration, to any municipal or public corporation, or to any person, association, corporation or partnership, if in the sole judgment and discretion of the trustees, the beneficiaries hereunder would be assured of a constant and equivalent supply of water subsequent to such transfer or lease, either from the transferred system or some other source of public supply, upon such condition and at such rates as the trustees in their discretion shall deem reasonable and satisfactory.

(9) To abandon such water system upon the advent of any reliable source of public supply to the property of Wymosa Subdivision.

(10) To adopt and enforce regulations and measures deemed in the discretion of the trustees to be necessary to compel compliance with the regulations adopted by them; and the power given hereunder shall include the right to refuse to furnish water to a beneficiary and to cut off the service thereto in the event of the failure of said beneficiary to comply with the regulations of the trustees or to pay for service of water furnished in the manner provided in the regulations.

(11) To borrow money for the purpose of this trust and to that end to pledge the income of said trust, if in the discretion of the trustees such action is necessary.

COMPENSATION OF TRUSTEES

The trustees hereunder shall serve without compensation; provided, however, that one of their number shall be authorized by the trustees to keep records herein provided for, or a part thereof, and shall assume

(continued)

Declaration of Trust

Page 4

such duty, the trustees may provide for the payment to such member of such reasonable compensation as they may from time to time determine.

LIABILITY OF TRUSTEES

The trustees hereunder shall be neither jointly or severally liable for any acts or omissions by them or any of them in carrying out the terms and provisions of this trust, except for the failure to properly account for moneys handled by said trustees, nor in that respect shall any trustee be liable for the debt or default of another trustee; and provided further that by no act or omission by said trustees shall any personal liability be imposed upon said trustees or any of them either in law or equity, in contract or tort, except as in this paragraph specifically provided.

BENEFICIARIES

A beneficiary hereunder is defined to be any person who shall from time to time be the owner, either legal or equitable or the contract purchaser, of any lot in Wymosa Subdivision as such lots are designated on the official plat of Wymosa Subdivision; provided, that any person qualified as a beneficiary hereunder, who shall cease to own a lot in said Wymosa Subdivision, shall thereupon cease to be a beneficiary.

ACCEPTANCE BY BENEFICIARIES

Each and every beneficiary hereunder, before he shall be entitled to water service, shall execute in writing his application therefor, which application shall include an acceptance of all of the terms and provisions of this trust and an agreement to abide by the rules, regulations and requirements of the trustees hereunder.

FIRE PROTECTION

The trustees hereunder shall be under no obligation to furnish water for the protection of the property of the beneficiaries against fire, but may in their discretion maintain and make available for such fire protection the facilities presently existing.

TERM OF TRUST

This trust shall terminate Twenty-five years after its date and upon such termination the trustees shall cause to be transferred and conveyed to each of the then beneficiaries hereunder an undivided equal interest in and to said water system, including any and all supplies, tools and equipment, and after paying any and all obligations of said trust, shall pay any and all monies on hand in equal parts to the then beneficiaries; provided that in event of an earlier termination of this trust by transfer or abandonment, the trustees shall make similar distribution to the beneficiaries.

IN WITNESS WHEREOF, the donors have hereunto set their hands and seals this 29th day of March, 1951.

AL HROZA
WINNIS M. HROZA

Al Hroza, et ux

to

The Public

Instrum at Number 303389.

AL HROZA and WINNIS M. HROZA,
husband and wife

to

THE PUBLIC

PROTECTIVE COVENANTS FOR WYMOSA SUBDIVISION
IN ADA COUNTY, STATE OF IDAHO.

KNOW ALL MEN BY THESE PRESENTS That the undersigned, AL HROZA and WINNIS M. HROZA, husband and wife, of Boise, Ada County, State of Idaho, do hereby certify and declare:

1. That they are the owners in fee simple of all that certain real estate situate in Ada County, State of Idaho, and particularly described as follows:

All of Wymosa Subdivision according to the official plat thereof on file in the office of the Recorder of Ada County, State of Idaho, as shown in Book 12 of Plats at page 735 and 736, records of Ada County, State of Idaho.

2. That all of the real estate and lots, parcels and tracts thereof, and any conveyance covering or describing all or any part thereof, either by reference to the above described plat or by any number or designation thereon, or by other description, shall be subject to the following restrictions, covenants and conditions, and that by the acceptance of any conveyance the grantee or grantees and their heirs, executors, administrators, successors and assigns covenant with the said Al Hroza and Winnis M. Hroza, husband and wife, their heirs and assigns, and with each other as to the property described in or by such covenants as follows:

(a) LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and private garage for not more than two cars.

(b) DWELLING COST, QUALITY AND SIZE. No dwelling shall be permitted on any lot at a cost of less than \$5,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 600 square feet for a one-story dwelling, nor less than 600 square feet for a dwelling of more than one story.

(c) BUILDING LOCATION. No building shall be located on any lot nearer to the front lot line than 25 feet, nor nearer than 5 feet to any side lot line or interior lot line, except that a garage may be located on any lot provided its location shall conform to the building requirements of the City of Boise.

(d) LOT AREA AND WIDTH. No dwelling shall be erected or placed on any lot having a width of less than 55 feet at the minimum building setback line of 25 feet, nor shall any dwelling be erected or placed on any lot having an area of less than 5,500 square feet.

(e) EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five (5) feet of each lot.

MISCELLANEOUS RECORDS

22

(f) NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

(g) TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, except that a garage may be used as a residence while the owner of said lot is erecting his house, provided that it shall be for a period no longer than six (6) months.

(h) SANITATION. All bathroom, sink, and toilet facilities shall be inside the dwelling house, and shall be connected by underground pipes with a private septic tank, or with a sanitary sewer system when such has been constructed to serve the area. If connected with private septic tank, the same must be of a depth and type of construction approved by the State of Idaho health authorities. The drain from any such septic tank shall be kept within the building limits of each building site. The affluent from such septic tank shall not be permitted to discharge into a stream, storm sewer, open ditch or drain unless it has first passed through an absorption field approved by the health authorities.

3. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

4. If an interested party, or any of his or her heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against said person or persons violating or attempting to violate any such covenant, and either to prevent him or them from so doing, or to recover damages or other dues for such violations.

5. Invalidation of any one of these covenants by judgment or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF Al Hroza and Winnis M. Hroza, husband and wife, have hereunto set their hands this 16th day of June, 1950.

Al Hroza
Al Hroza

Winnis M. Hroza
Winnis M. Hroza

STATE OF IDAHO }
County of Ada } ss.

On this 16th day of June, 1950, before me, the undersigned, a Notary Public in and for said State, personally appeared AL HROZA and WINNIS M. HROZA, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they acknowledged and executed the same.

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

(SEAL)

Victor M. Thompson
Notary Public for Idaho, Residence: Boise, Idaho
Recorded at the request of Idaho Title Company at 49 minutes past 3 o'clock P.M., this
20 day of June, 1950
Victor M. Thompson Recorder

Page 82.25

MISCELLANEOUS RECORDS

22

Al Hroza, et ux

Instrument Number 316930

to

LaVor A. Clays, et al
Trustees

DECLARATION OF TRUST

KNOW ALL MEN BY THESE PRESENTS: That we, AL HROZA and WINNIS M. HROZA, husband and wife, Boise, Idaho, hereinafter designated as "donors", were the owners of Wymosa Subdivision in Ada County, State of Idaho; and

WHEREAS the donors have constructed a well with necessary pumping equipment and water mains for distribution of water from said well to all of the lots in said Wymosa Subdivision; and

WHEREAS donors and others are now constructing residences upon said subdivision and are contemplating the construction of residences upon the remainder of said property; and

WHEREAS it is the desire of the donors to supply water for domestic and irrigation purposes for the use and benefit of themselves and to the owners of said property or to the purchasers of said property and their assigns;

NOW, THEREFORE, It is stated, certified and declared that for the purposes of supplying such water to the property located in Wymosa Subdivision, the donors do hereby set over, transfer, assign, convey and quitclaim to LaVor A. Clays, Raymond J. Murphy and Al Hroza, as Trustees, the well and all pumping equipment and water mains now located in Wymosa Subdivision for the purpose of supplying water to the owners of property in Wymosa Subdivision.

It is understood that said well is now completed, that the pump is installed and the water mains laid in such a manner through the subdivision to permit the owner of any lot in the subdivision to connect onto such mains, and upon the execution of this agreement, all responsibility to operate said water system shall be assumed by said trustees; it being the intent and purpose of this trust that the responsibility for the operation of such system by the donors, herein, shall terminate and said system shall be operated by the Trustees as hereinafter provided.

NUMBER OF TRUSTEES AND TERM OF OFFICE

The Board of Trustees shall consist of not less than three (3) members, the first of whom have been selected by the donors and each of whom is now an owner of property in Wymosa Subdivision. The said trustees shall hold office until such time as their successors are elected as herein provided. The trustees herein designated shall hold office for a period of five (5) years unless sooner removed by a petition of a majority of the owners of the property in Wymosa Subdivision. At the end of five (5) years the trustees shall again be selected by a vote of the majority of the owners of the property in Wymosa Subdivision and the owner of each lot in said subdivision shall be entitled to cast one vote for each trustee in such election and shall be entitled to cast one vote in connection with the removal of any trustee by petition as hereinbefore provided.

The owner of property shall be construed to mean the person holding legal title to said property, unless the same is sold under contract of sale, in which event the contract purchaser shall be construed to be the owner.

In the event of a vacancy of a trustee, caused by death, resignation or removal, the remaining trustees shall fill such vacancy, provided however, that a vacancy in the Board of Trustees shall not prevent the remaining trustees from acting effectively to carry out the objects and purposes of this trust.

MISCELLANEOUS RECORDS

123

QUORUM

9 1413

A majority of the Board of Trustees shall be sufficient to authorize any official act including the designation of one of their number to represent the Board in any transaction.

DUTIES OF TRUSTEES

For the term of this trust the trustees and their successors shall hold, control, maintain and operate said water system for the use and benefit of the beneficiaries as defined herein, to the end that each of the said beneficiaries may, upon compliance with the terms and conditions hereof and the rules and regulations adopted by the trustees pursuant thereto, receive water from said system; provided, however, that it, through the failure of natural supply, major catastrophe or increase in demand, said water system shall become unusable or inadequate, the trustees shall be under no obligation to expand, augment or replace said system.

The trustees shall keep a record of their acts and proceedings as such and shall, further keep and maintain full, accurate and adequate books of account, correctly and accurately recording all receipts and disbursements and disclosing the financial condition of the trust from time to time, and all such records shall be open to the inspection of the beneficiaries hereunder at any and all reasonable times.

Upon qualification of any person as beneficiary hereunder, the trustees shall furnish to such person a copy of this trust and also a copy of the rules and regulations then in force and effect, pertaining to said water system and the furnishing of said water or service to the users thereof.

POWERS OF TRUSTEES

The trustees hereunder shall have the following powers:

(1) To adopt regulations pertaining to the manner of beneficiary connecting onto existing mains, including the specification of the size and type of materials to be used and the location and depth of the service line; the restriction upon the use of water by beneficiaries where, in the opinion of the trustees, such restrictions are necessary to conserve the supply or to permit repairs or replacements.

(2) To adopt such further regulations as may, in the discretion of the trustees, be deemed necessary for the proper operation of the system.

(3) To fix the initial hook-in or connection charge, if necessary.

(4) From time to time to fix rates to be charged users of water from the system in an amount, in the discretion of the trustees, which shall be sufficient to realize necessary income for the operation, repair and maintenance of said water system and the execution of this trust, including a sufficient amount to permit accumulation of a reserve fund in such amount as the trustees, in their discretion, shall deem expedient and advisable in view of possible demands upon said trustees for replacements and emergencies occurring in the course of operation.

(5) To pay any and all taxes, levies and assessments of any kind or nature, by any governmental or taxing body; provided, however, it shall not be the duty of the trustees to object or contest any such tax, levy or assessment.

(6) To obtain and pay for in such amounts as the trustees shall deem wise, insurance of such type and covering such contingencies, including any and all liability of the trustees, as shall be available and as to the trustees in their discretion shall seem wise and expedient.

(7) To employ such agents, servants, attorneys and other professional assistance as trustees in their discretion shall deem reasonably necessary and expedient in the operation of said water system.

MISCELLANEOUS RECORDS

123

(8) To transfer or lease said water system, either with or without consideration, to any municipal or public corporation, or to any person, association, corporation or partnership, if in the sole judgment and discretion of the trustees, the beneficiaries hereunder would be assured of a constant and equivalent supply of water subsequent to such transfer or lease, either from the transferred system or some other source of public supply, upon such condition and at such rates as the trustees in their discretion shall deem reasonable and satisfactory.

(9) To abandon such water system upon the advent of any reliable source of public supply to the property of Wymosa Subdivision.

(10) To adopt and enforce regulations and measures deemed in the discretion of the trustees to be necessary to compel compliance with the regulations adopted by them; and the power given hereunder shall include the right to refuse to furnish water to a beneficiary and to cut off the service thereto in the event of the failure of said beneficiary to comply with the regulations of the trustees or to pay for service of water furnished in the manner provided in the regulations.

(11) To borrow money for the purpose of this trust and to that end to pledge the income of said trust, if in the discretion of the trustees such action is necessary.

COMPENSATION OF TRUSTEES

The trustees hereunder shall serve without compensation; provided, however, that one of their number shall be authorized by the trustees to keep records herein provided for, or a part thereof, and shall assume such duty, the trustees may provide for the payment to such member of such reasonable compensation as they may from time to time determine.

LIABILITY OF TRUSTEES

The trustees hereunder shall be neither jointly or severally liable for any acts or omissions by them or any of them in carrying out the terms and provisions of this trust, except for the failure to properly account for moneys handled by said trustees, nor in that respect shall any trustee be liable for the debt or default of another trustee; and provided further that by no act or omission by said trustees shall any personal liability be imposed upon said trustees or any of them either in law or equity, in contract or tort, except as in this paragraph specifically provided.

BENEFICIARIES

A beneficiary hereunder is defined to be any person who shall from time to time be the owner, either legal or equitable or the contract purchaser, or any lot in Wymosa Subdivision as such lots are designated on the official plat of Wymosa Subdivision; provided, that any person qualified as a beneficiary hereunder, who shall cease to own a lot in said Wymosa Subdivision, shall thereupon cease to be a beneficiary.

ACCEPTANCE BY BENEFICIARIES

Each and every beneficiary hereunder, before he shall be entitled to water service, shall execute in writing his application therefor, which application shall include an acceptance of all of the terms and provisions of this trust and an agreement to abide by the rules, regulations and requirements of the trustees hereunder.

FIRE PROTECTION

The trustees hereunder shall be under no obligation to furnish water for the protection of the property of the beneficiaries against fire, but may in their discretion maintain and make available for such fire protection the facilities presently existing.

9 1415

TERM OF TRUST

This trust shall terminate Twenty-five years after its date and upon such termination the trustees shall cause to be transferred and conveyed to each of the then beneficiaries hereunder an undivided equal interest in and to said water system, including any and all supplies, tools and equipment, and after paying any and all obligations of said trust, shall pay any and all monies on hand in equal parts of the then beneficiaries; provided that in event of an earlier termination of this trust by transfer or abandonment, the trustees shall make similar distribution to the beneficiaries.

IN WITNESS WHEREOF, the donors have hereunto set their hands and seals this 29th day of March, 1951.

Al Hroza (---)

Winnis M. Hroza (---)

STATE OF IDAHO)
) ss
County of Ada)

On this 29th day of March, 1951, before me, the undersigned, Notary Public in and for said State, personally appeared AL HROZA and WINNIS M. HROZA, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(SEAL)

David Ash Johnson
Notary Public for Idaho
Residing at Boise, Idaho.

ACCEPTANCE OF TRUST

The undersigned does, each for himself, certify that he is an owner of a lot in Wymosa Subdivision and that, pursuant to the foregoing declaration of trust, does hereby accept the obligation as Trustee of said trust.

Dated: March 29, 1951,

Signed Raymond J. Murphy

Dated: March 29, 1951

Signed LaVer A. Clays

Dated: March 29, 1951

Signed Al Hroza

Recorded at the request of Idaho Title Company at 40 minutes past 2 o'clock P. M., this 25th day of April, 1951.

Fees, \$4.75

David Ash Johnson

Recorder.

Compland

MISCELLANEOUS RECORD No. 28

11-1412

Al Hroza, et ux

Instrument Number 316930

to

LaVer A. Glays, et al
Trustees

DECLARATION OF TRUST

KNOW ALL MEN BY THESE PRESENTS: That we, AL HROZA and WINNIE M. HROZA, husband and wife, Boise, Idaho, hereinafter designated as "donors", were the owners of Wymosa Subdivision in Ada County, State of Idaho; and

WHEREAS the donors have constructed a well with necessary pumping equipment and water mains for distribution of water from said well to all of the lots in said Wymosa Subdivision; and

WHEREAS donors and others are now constructing residences upon said subdivision and are contemplating the construction of residences upon hereinafter of said property; and

WHEREAS it is the desire of the donors to supply water for domestic and irrigation purposes for the use and benefit of themselves and to the owners of said property or to the purchasers of said property and their assigns;

NOW, THEREFORE, It is stated, certified and declared that for the purposes of supplying such water to the property located in Wymosa Subdivision, the donors do hereby set over, transfer, assign, convey and quitclaim to LaVer A. Glays, Raymond J. Murphy and Al Hroza, as Trustees, the well and all pumping equipment and water mains now located in Wymosa Subdivision for the purpose of supplying water to the owners of property in Wymosa Subdivision.

It is understood that said well is now completed, that the pump is installed and the water mains laid in such a manner through the subdivision to permit the owner of any lot in the subdivision to connect onto such mains, and upon the execution of this agreement, all responsibility to operate said water system shall be assumed by said trustees; it being the intent and purpose of this trust that the responsibility for the operation of such system by the donors, herein, shall terminate and said system shall be operated by the Trustees as hereinafter provided.

NUMBER OF TRUSTEES AND TERM OF OFFICE

The Board of Trustees shall consist of not less than three (3) members, the first of which have been selected by the donors and each of whom is now an owner of property in Wymosa Subdivision. The said trustees shall hold office until such time as their successors are elected as herein provided. The trustees herein designated shall hold office for a period of five (5) years, unless sooner removed by a petition of a majority of the owners of the property in Wymosa Subdivision. At the end of five (5) years the trustees shall again be selected by a vote of the majority of the owners of the property in Wymosa Subdivision and the owner of each lot in said subdivision shall be entitled to cast one vote for each trustee in such election and shall be entitled to cast one vote in connection with the removal of any trustee by petition as hereinbefore provided.

The owner of property shall be construed to mean the person holding legal title to said property, unless the same is sold under contract of sale, in which event the contract purchaser shall be construed to be the owner.

In the event of a vacancy of a trustee, caused by death, resignation or removal, the remaining trustees shall fill such vacancy, provided however, that a vacancy in the Board of Trustees shall not prevent the remaining trustees from acting effectively to carry out the objects and purposes of this trust.

Date	15 Oct 1988	1 of 1 pages
From	Jack Clark	
To	LaVer A. Glays et al	
Phone #		
Fax #		
Post-It Fax Note	7671	
To	Kathy Smith	
Content	ACHP R/W	
Phone #		
Fax #	307-4880	

MISCELLANEOUS RECORDS

123

ADA COUNTY, IDAHO

QUORUM

A majority of the Board of Trustees shall be sufficient to authorize any official act including the designation of one of their number to represent the Board in any transaction.

DUTIES OF TRUSTEES

For the term of this trust the trustees and their successors shall hold, control, maintain and operate said water system for the use and benefit of the beneficiaries as defined herein, to the end that each of the said beneficiaries may, upon compliance with the terms and conditions hereof and the rules and regulations adopted by the trustees pursuant thereto, receive water from said system; provided, however, that if, through the failure of natural supply, major catastrophe or increase in demand, said water system shall become unusable or inadequate, the trustees shall be under no obligation to expand, augment or replace said system.

The trustees shall keep a record of their acts and proceedings as such and shall, further keep and maintain full, accurate and adequate books of account, correctly and accurately recording all receipts and disbursements and disclosing the financial condition of the trust from time to time, and all such records shall be open to the inspection of the beneficiaries hereunder at any and all reasonable times.

Upon qualification of any person as beneficiary hereunder, the trustees shall furnish to such person a copy of this trust and also a copy of the rules and regulations then in force and effect, pertaining to said water system and the furnishing of said water or service to the users thereof.

POWERS OF TRUSTEES

The trustees hereunder shall have the following powers:

(1) To adopt regulations pertaining to the manner of beneficiary connecting onto existing mains, including the specification of the size and type of materials to be used and the location and depth of the service line; the restriction upon the use of water by beneficiaries where, in the opinion of the trustees, such restrictions are necessary to conserve the supply or to permit repairs or replacements.

(2) To adopt such further regulations as may, in the discretion of the trustees, be deemed necessary for the proper operation of the system.

(3) To fix the initial hook-in or connection charge, if necessary.

(4) From time to time to fix rates to be charged users of water from the system in an amount, in the discretion of the trustees, which shall be sufficient to realize necessary income for the operation, repair and maintenance of said water system and the execution of this trust, including a sufficient amount to permit accumulation of a reserve fund in such amount as the trustees, in their discretion, shall deem expedient and advisable in view of possible demands upon said trustees for replacements and emergencies occurring in the course of operation.

(5) To pay any and all taxes, levies and assessments of any kind or nature, by any governmental or taxing body; provided, however, it shall not be the duty of the trustees to object or contest any such tax, levy or assessment.

(6) To obtain and pay for in such amounts as the trustees shall deem wise, insurance of such type and covering such contingencies, including any and all liability of the trustees, as shall be available and as to the trustees in their discretion shall seem wise and expedient.

(7) To employ such agents, servants, attorneys and other professional assistance as trustees in their discretion shall deem reasonably necessary and expedient in the operation of said water system.

MISCELLANEOUS RECORDS 123

MISCELLANEOUS RECORD No. 23

9.14.14

(8) To transfer or lease said water system, either with or without consideration, to any municipal or public corporation, or to any person, association, corporation or partnership, if in the sole judgment and discretion of the trustees, the beneficiaries hereunder would be assured of a constant and equivalent supply of water subsequent to such transfer or lease, either from the transferred system or some other source of public supply, upon such condition and at such rates as the trustees in their discretion shall deem reasonable and satisfactory.

(9) To abandon such water system upon the advent of any reliable source of public supply to the property of Wynosa Subdivision.

(10) To adopt and enforce regulations and measures deemed in the discretion of the trustees to be necessary to compel compliance with the regulations adopted by them; and the power given hereunder shall include the right to refuse to furnish water to a beneficiary and to cut off the service thereto in the event of the failure of said beneficiary to comply with the regulations of the trustees or to pay for service of water furnished in the manner provided in the regulations.

(11) To borrow money for the purpose of this trust and to that end to pledge the income of said trust, if in the discretion of the trustees such action is necessary.

COMPENSATION OF TRUSTEES

The trustees hereunder shall serve without compensation; provided, however, that one of their number shall be authorized by the trustees to keep records herein provided for, or a part thereof, and shall assume such duty, the trustees may provide for the payment to such member of such reasonable compensation as they say from time to time determines.

LIABILITY OF TRUSTEES

The trustees hereunder shall be neither jointly or severally liable for any acts or omissions by them or any of them in carrying out the terms and provisions of this trust, except for the failure to properly account for moneys handled by said trustees, nor in that respect shall any trustee be liable for the debt or default of another trustee; and provided further that by no act or omission by said trustees shall any personal liability be imposed upon said trustees or any of them either in law or equity, in contract or tort, except as in this paragraph specifically provided.

BENEFICIARIES

A beneficiary hereunder is defined to be any person who shall from time to time be the owner, either legal or equitable or the contract purchaser, of any lot in Wynosa Subdivision as such lots are designated on the official plat of Wynosa Subdivision; provided, that any person qualified as a beneficiary hereunder, who shall cease to own a lot in said Wynosa Subdivision, shall thereupon cease to be a beneficiary.

ACCEPTANCE BY BENEFICIARIES

Each and every beneficiary hereunder, before he shall be entitled to water service, shall execute in writing his application therefor, which application shall include an acceptance of all of the terms and provisions of this trust and an agreement to abide by the rules, regulations and requirements of the trustees hereunder.

FIRE PROTECTION

The trustees hereunder shall be under no obligation to furnish water for the protection of the property of the beneficiaries against fire, but may in their discretion maintain and make available for such fire protection the facilities presently existing.

ADA COUNTY, IDAHO

438

9 1415

TERM OF TRUST

This trust shall terminate Twenty-five years after its date and upon such termination the trustees shall cause to be transferred and conveyed to each of the then beneficiaries hereunder an undivided equal interest in and to said water system, including any and all supplies, tools and equipment, and after paying any and all obligations of said trust, shall pay any and all monies on hand in equal parts of the then beneficiaries; provided that in event of an earlier termination of this trust by transfer or abandonment, the trustees shall make similar distribution to the beneficiaries.

IN WITNESS WHEREOF, the donors have hereunto set their hands and seals this 29th day of March, 1951.

Al HROZA (---)

Winnis M. HROZA (---)

STATE OF IDAHO }
County of Ada }

On this 29th day of March, 1951, before me, the undersigned, Notary Public in and for said State, personally appeared AL HROZA and WINNIS M. HROZA, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(SEAL)

David Ash Johnson
Notary Public for Idaho
Residing at Boise, Idaho.

ACCEPTANCE OF TRUST

The undersigned does, each for himself, certify that he is an owner of a lot in Wynosa subdivision and that, pursuant to the foregoing declaration of trust, does hereby accept the obligation as Trustee of said trust.

Dated: March 29, 1951,

Signed Raymond J. Murphy

Dated: March 29, 1951

Signed LeVer A. Clays

Dated: March 29, 1951

Signed Al Hroza

Recorded at the request of Idaho Title Company at 40 minutes past 2 o'clock P. M., this 25th day of April, 1951.

Fees, \$4.75

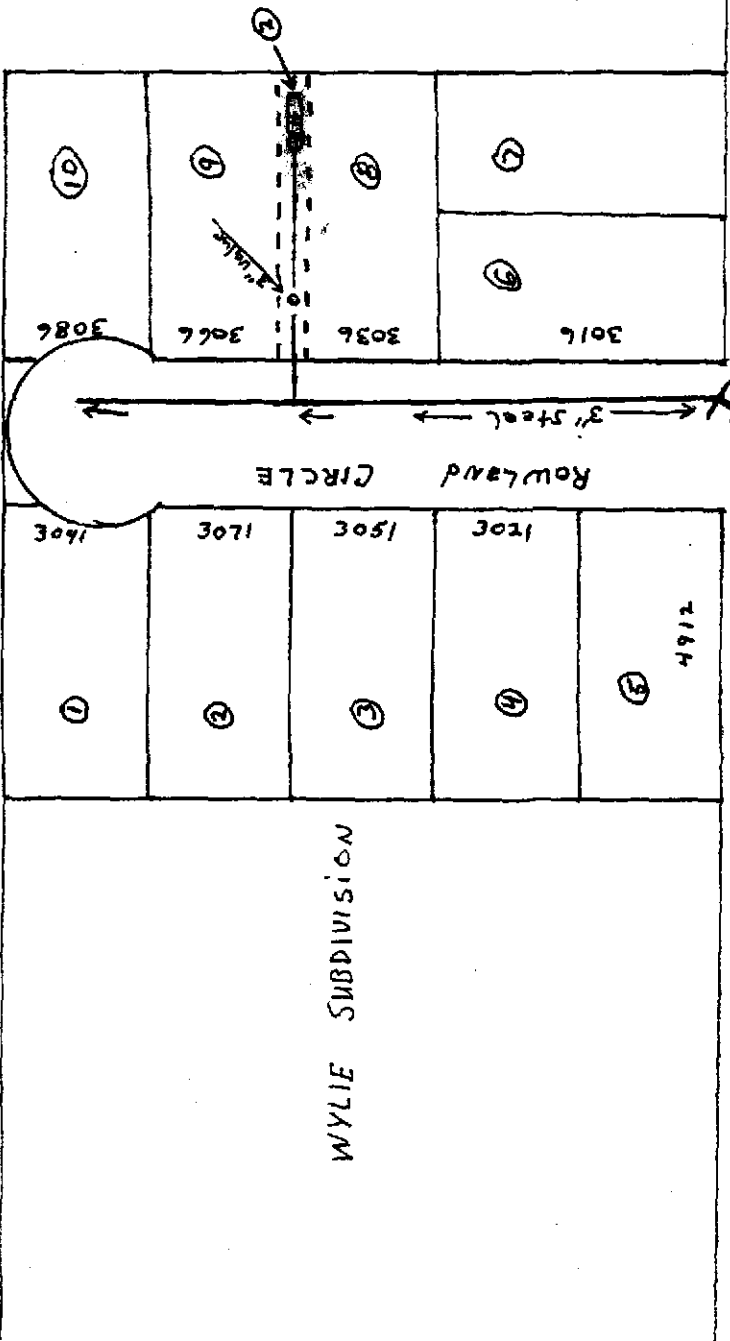
David Ash Johnson

Recorder.

MISCELLANEOUS RECORDS

173

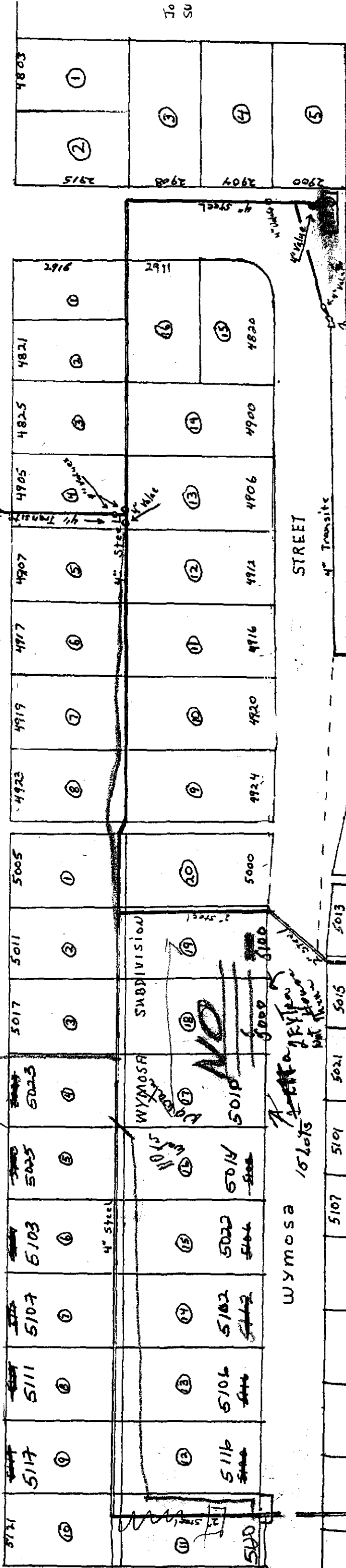
BERRIDGE SUBDIVISION



WYLIE SUBDIVISION

LANE

WYLIE



JAMES STREET

WYMOSA

STREET

ALMOSA SUBDIVISION

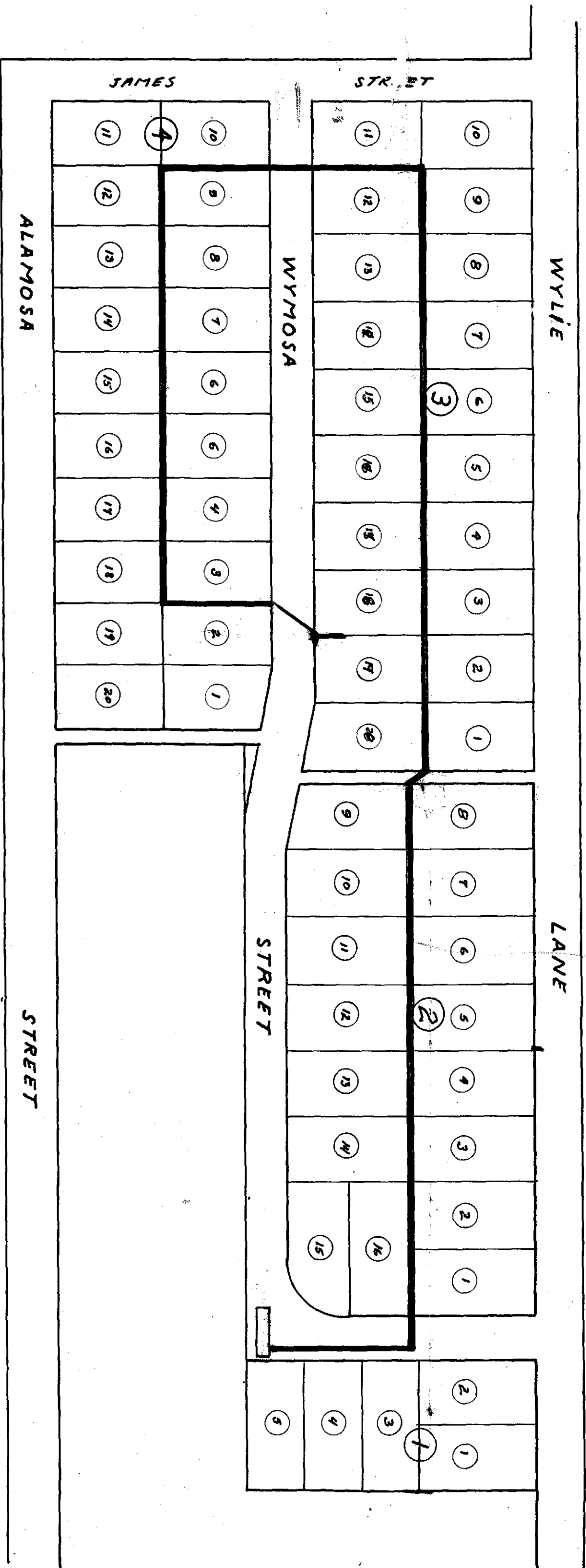
12-3 [] [] []

TRANSITS

5002

WYMOSA SUBDIVISION

?





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 15592
POD ID 161728.3
Quad Boise North 1
Claim Type Large
Easting 318563
Northing 285298
GPSID A0011926

Diversion Description

3 WELLS - SEE REMARKS FOR DESC. OF DIVERTING WORKS. Locked pumphouse. Located between 4935 and 4925 Wymosa.

Assumptions

Horse power and elevation head. Pump data derived from IDWR claim file.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos\161728.3a.JPG

Photos

EPE (ft)

17 LH

Date (M/D/Y)

1/4/02

Time

1.55

Flow Rate (CFS)

0.25

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

☒

HP 5

Pressure Head (psi) 40

Elevation Head (ft) 30

Motor Mfg

Motor Serial #

Pump Type Vertical Turbine

Pump Mfg

Pump Serial#

New Contact Information

☒

New Contact Comments

dedicated fax line
Contact Phone doesn't work

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RIGHT ID

63 15592

wymosa





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

Diversion Description

RIGHT ID 63 15592
POD ID 161728.2
Quad Boise North 1
Claim Type Large
Easting 318643
Northing 285462
GPSID A0011927

3 WELLS - SEE REMARKS FOR DESC. OF DIVERTING WORKS. Located between 4935 and 4925 Wymosa.

Assumptions

Elevation head. Pump data derived from IDWR claim file.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

17 LH

Date (M/D/Y)

1/4/02

Time

11.55

Flow Rate (CFS)

0.25

Photos\161728.2a.JPG Photos\161728.2c.JPG Photos\161728.2e.JPG

Photos\161728.2b.JPG Photos\161728.2d.JPG Photos\161728.2f.JPG

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 5

Pressure Head (psi) 40

Elevation Head (ft) 30

Motor Mfg Franklin

Motor Serial #

Pump Type Vertical Turbine

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

Dedicated fax line
Contact phone doesn't work

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INTREPID
Engineering Services, Inc. (INC)
Enabling People and Solutions

RIGHT ID

63 15592

WYMOsa

