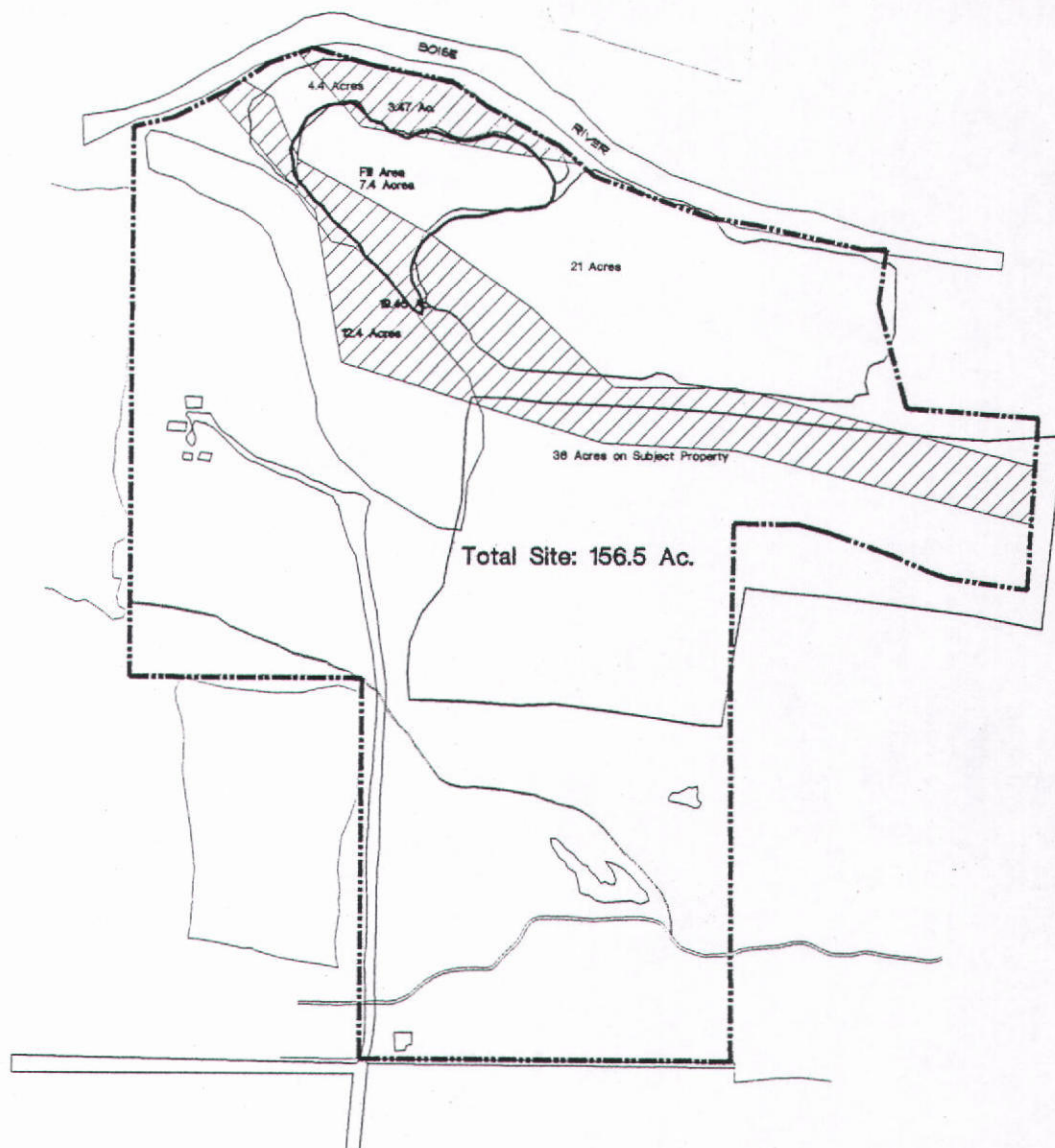
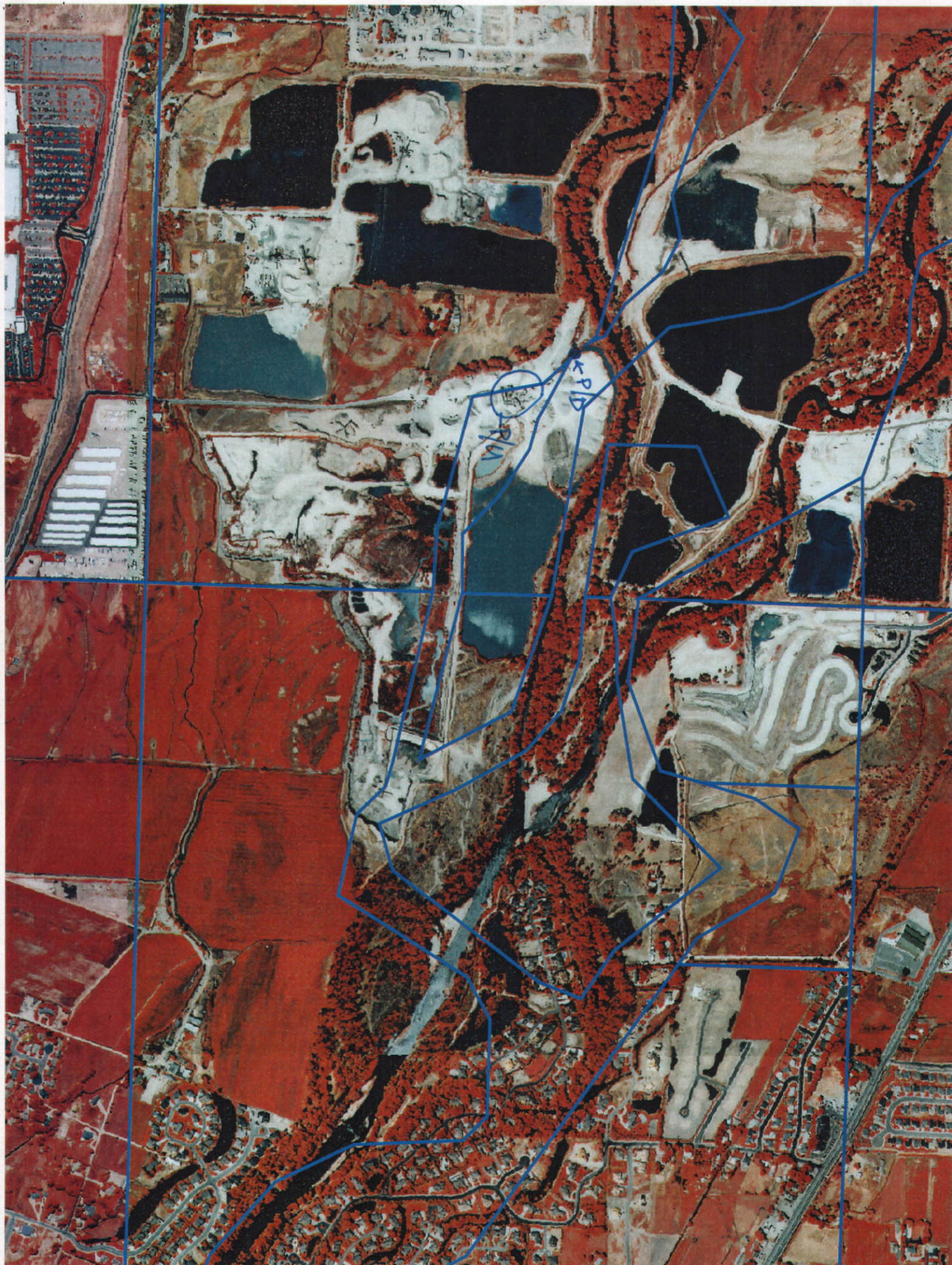
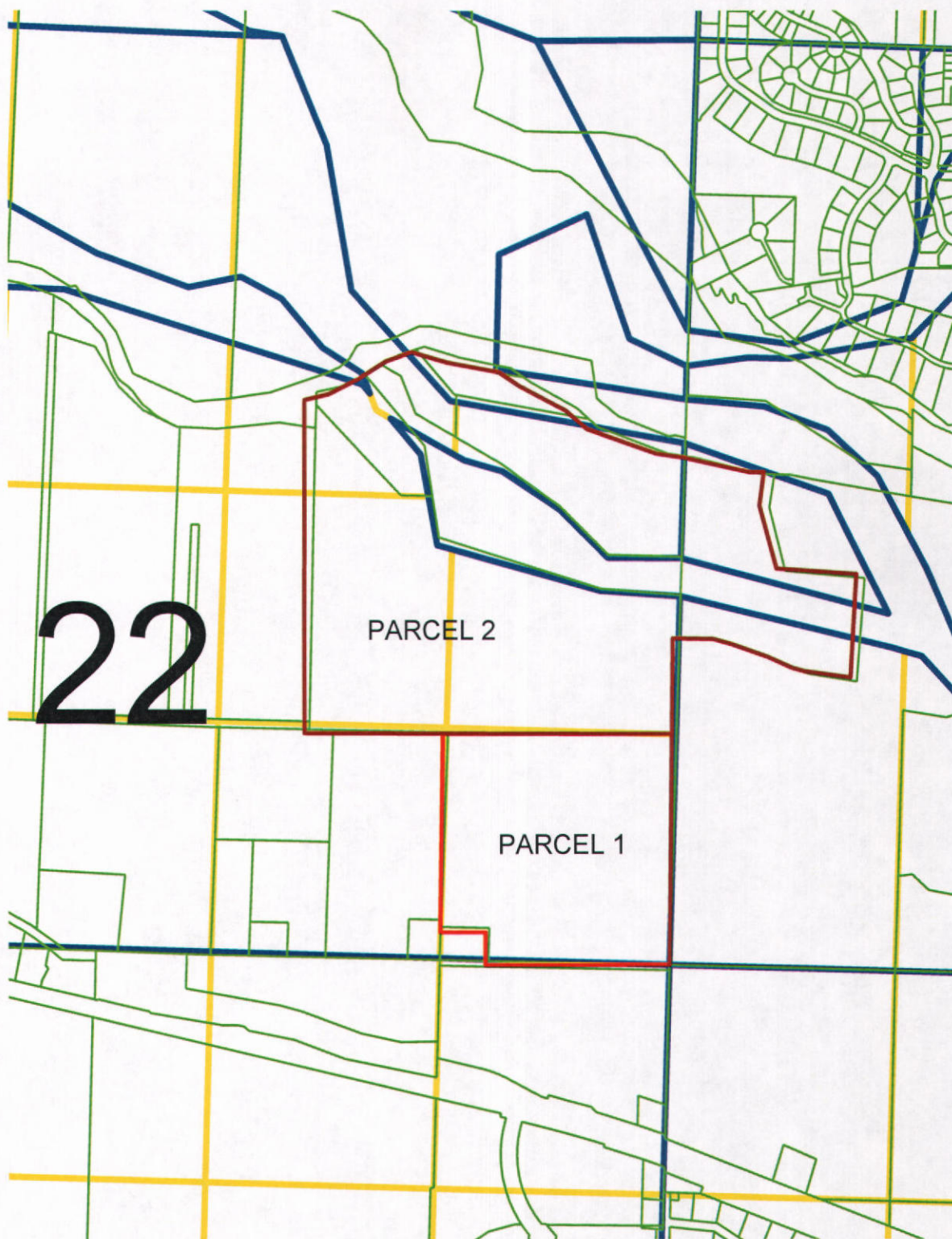




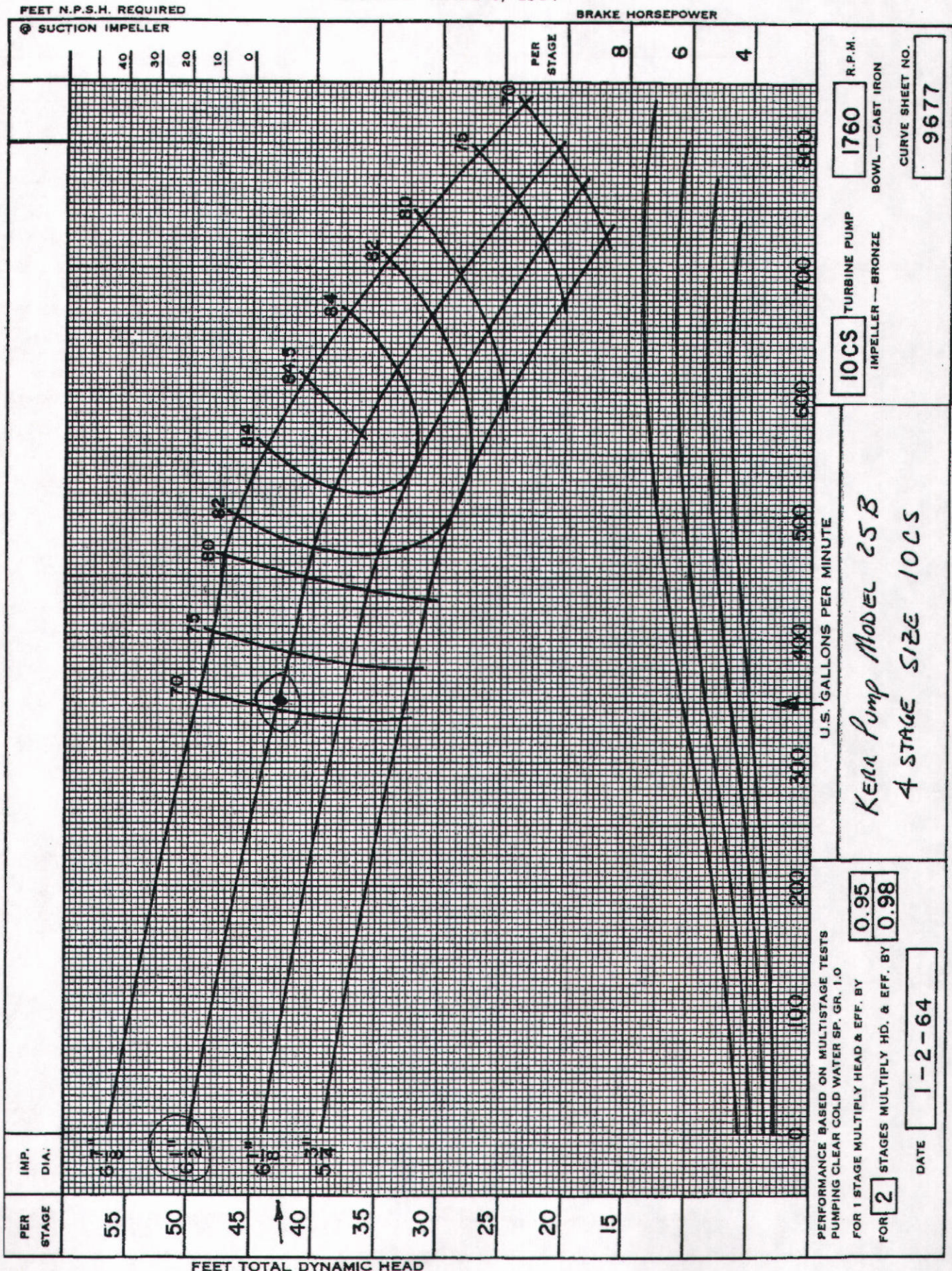
LAND DYNAMICS
PLANNING AND REAL ESTATE CONSULTING
499 MAIN STREET
BOISE IDAHO 83702
(208) 336-8299 FAX: 336-8441





T4NR1E

PAGE 68 APRIL 6, 1964



350 GPM @ 170' HD (42.5' PER STAGE)

S/N KT 10145

Idaho Department of Water Resources

T04N, R01E, S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



Place of Use



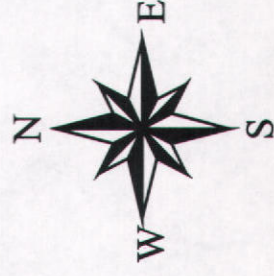
Section Lines



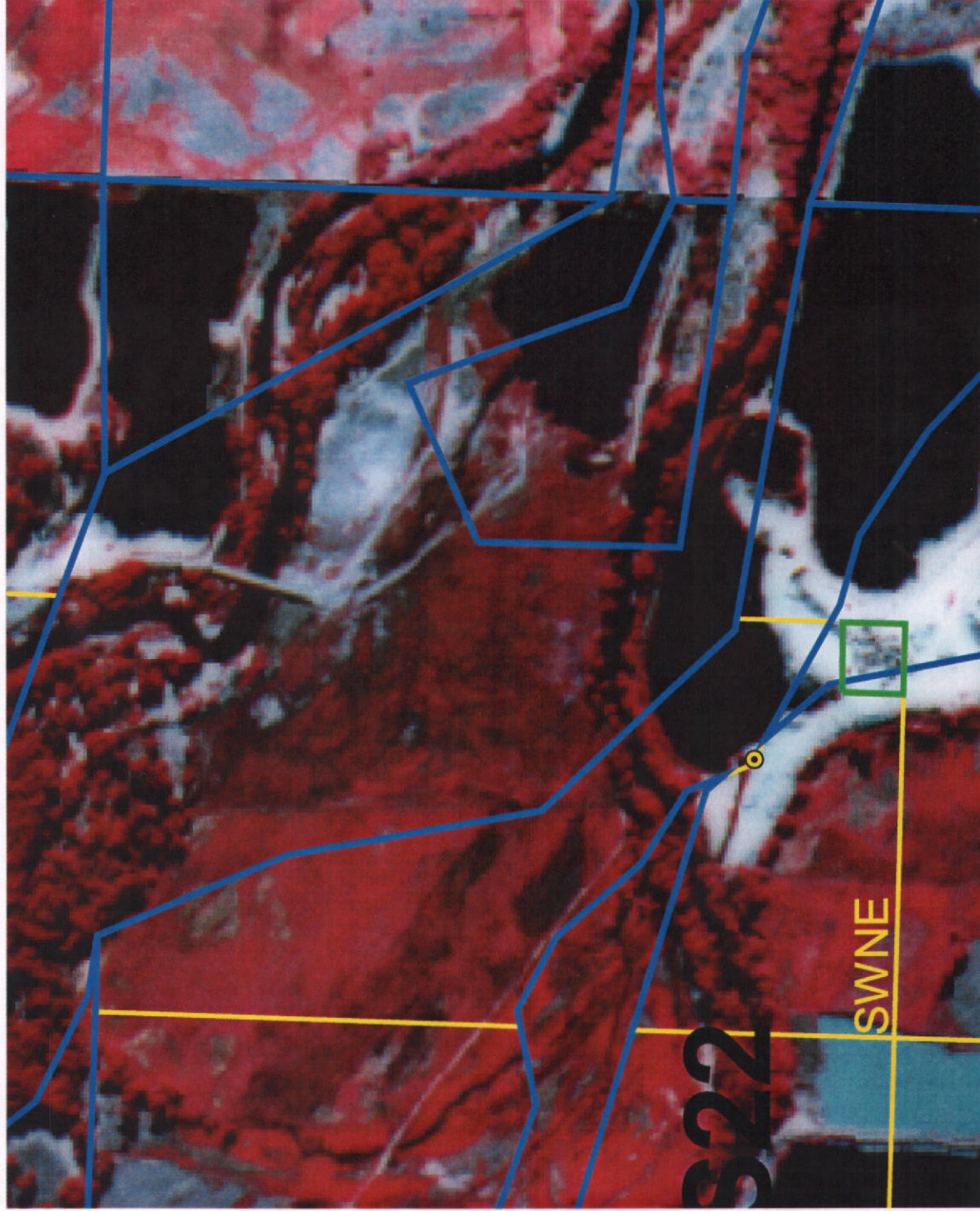
1/4 1/4



Point of Diversion



1987 NAPP



0.03 0 0.030.06 Miles



Idaho Department of Water Resources

T04N, R01E,
S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



Place of Use



Section Lines



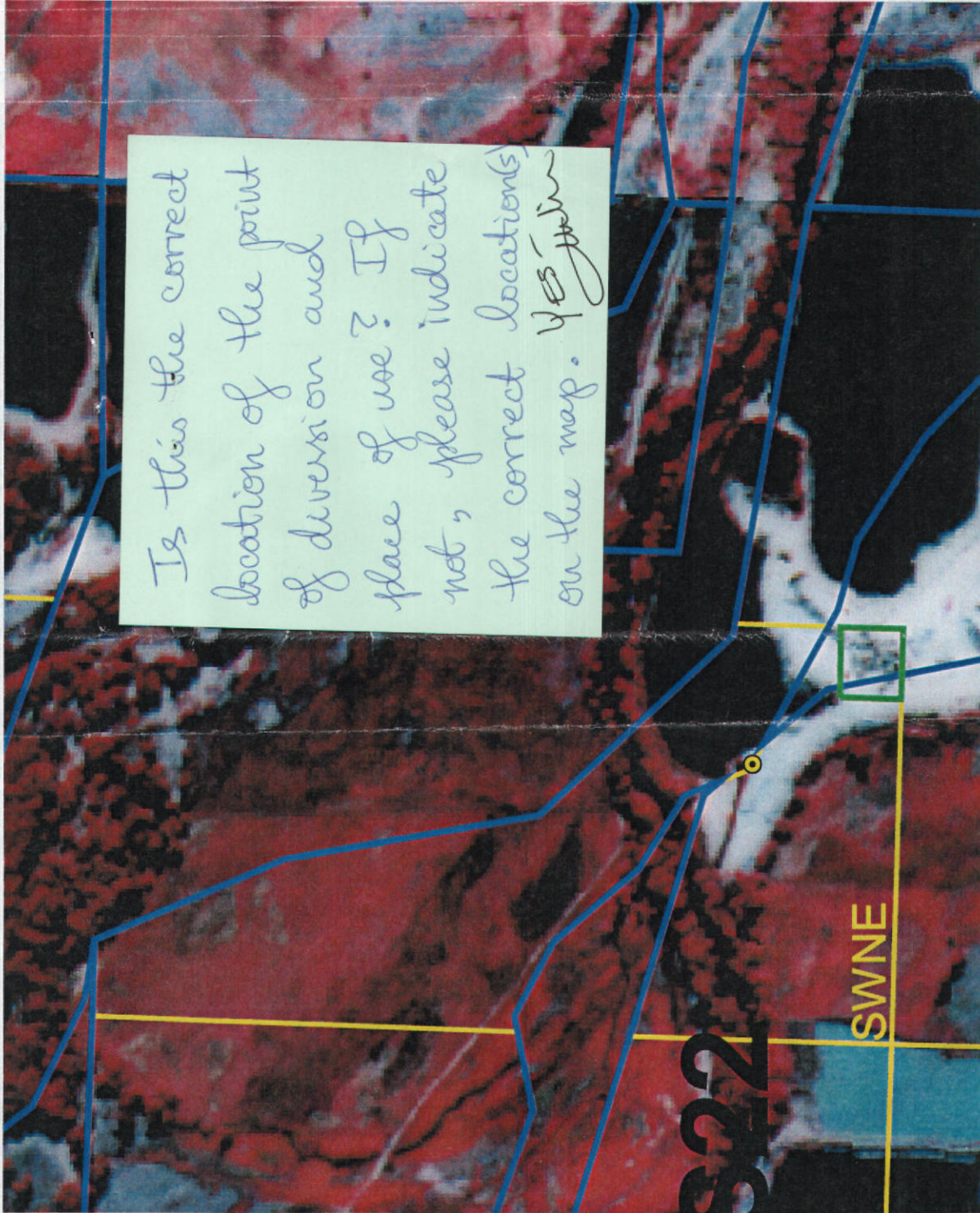
1/4 1/4



Point of Diversion



1987 NAPP



0.03 0 0.030.06 Miles



Idaho Department of Water Resources

T04N, R01E, S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



Place of Use



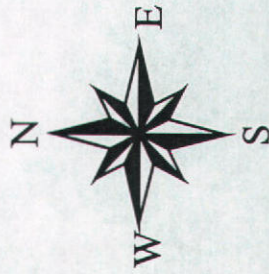
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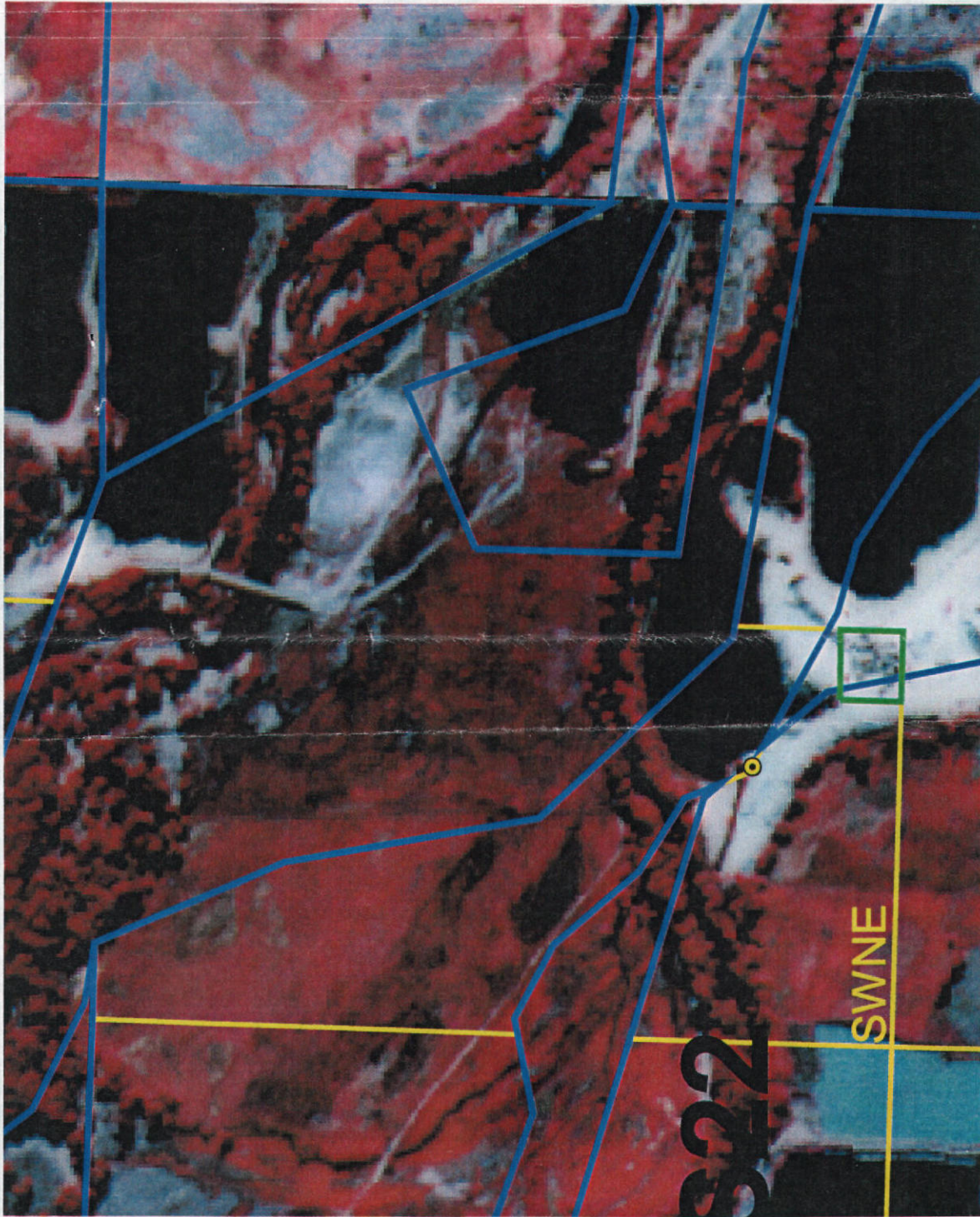
1/4 1/4



Point of Diversion



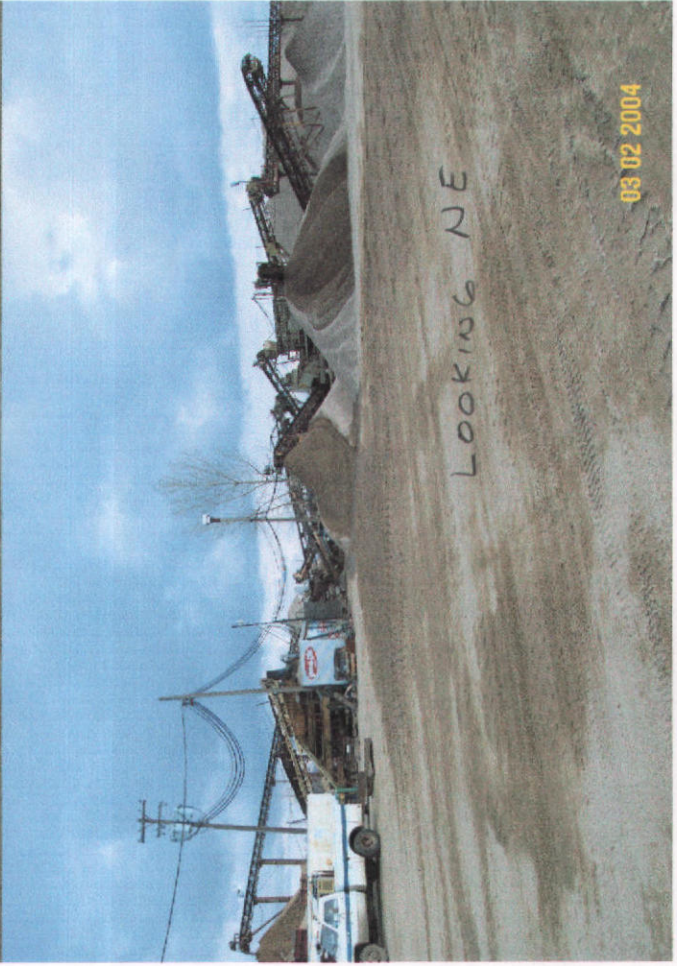
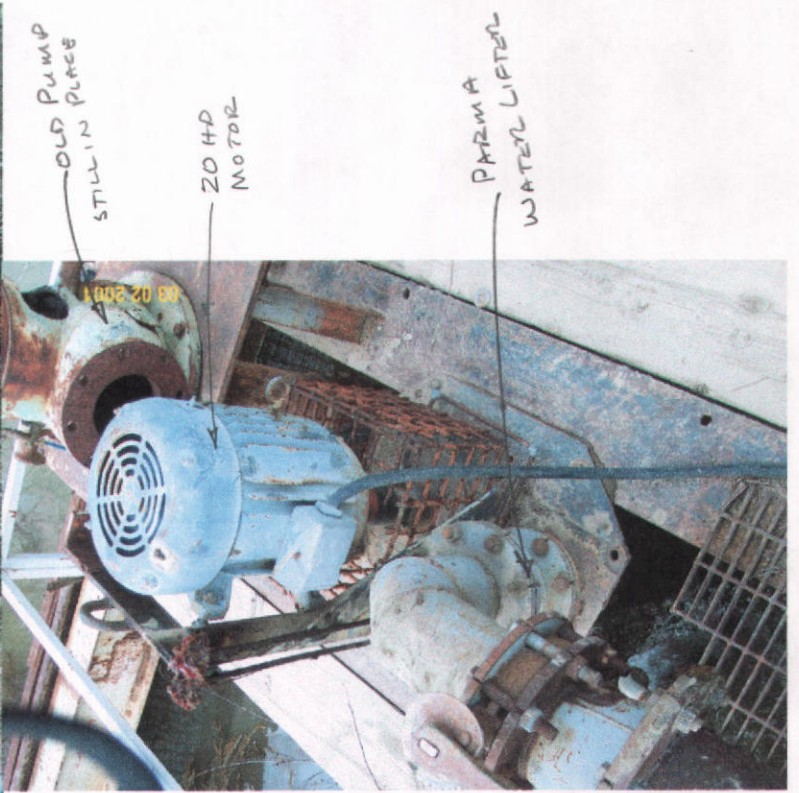
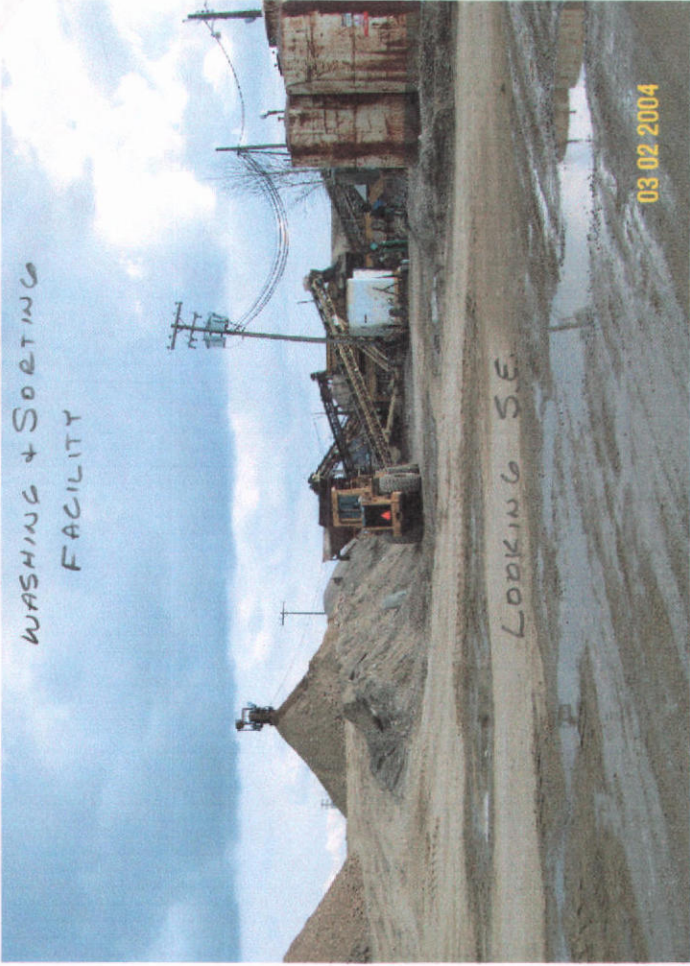
1987 NAPP



0.03 0 0.030.06 Miles



SAND & GRAVEL
WASHING & SORTING
FACILITY



MIKE'S SAND & GRAVEL
63-16686



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 63-16686
Date Received: 7/26/1989
Receipt No: C008554
Received By:

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

RECEIVED

JAN 28 2005

**WATER RESOURCES
WESTERN REGION**

1. Name of Claimant(s)

7M GROUP LLC
10988 JOPLIN RD
BOISE ID USA 83714

Phone: (208) 939-2000

2. Date of Priority: 07/29/1960

3. Source: POND

Trib. to: Boise River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	22	SW NE 7	ADA	

5. Description of diverting works:

25 HP PUMP W/ 6" LINE TO GRAVEL WASH PLANT

6. Water is used for the following purposes:

Purpose
COMMERCIAL

From To
1/01 12/31

C.F.S.

1,500

(or) A.F.A

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

8. Total consumptive use:

9. Non-irrigation uses:

Please [↑]fill-in
requested cfs.
amount &
notorize.

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	22	NE SW	7	COMMERCIAL	

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:

COMMERCIAL USE IS FOR A SAND & GRAVEL WASH PLANT.

CHANGE OF OWNERSHIP 1-18-05

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT/OWNER of
Title
7M Group LLC, that I have signed the foregoing
Organization
document in the space below as PRESIDENT/OWNER of
Title
7M Group LLC and that the statements contained in the
Organization
foregoing document are true and correct.
Signature of Authorized Agent
PRESIDENT 7M Group LLC
Title and Organization

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

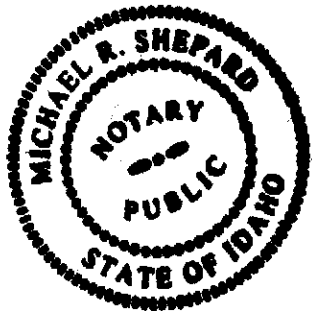
of January 2005

26TH DAY
Whit R. Shepard

Notary Public

Residing at BOISE

My commission Expires 1-15-05



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 63-16686
Date Received: 7/26/1989
Receipt No: C008554
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

7M GROUP LLC Phone: (208)939-2000
10988 JOPLIN RD
BOISE ID USA 83714

2. Date of Priority: 07/29/1960

3. Source: POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	22	SW SE NE	ADA	

5. Description of diverting works:

25 HP PUMP W/ 6" LINE TO GRAVEL WASH PLANT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	22	SE	NE	COMMERCIAL	

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:

CHANGE OF OWNERSHIP 1-18-05

15. Basis of Claim: Beneficial Use

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	<u>63-16686</u>				
<u>63-16695</u>					

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

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

OR

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

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

BIRDIE E DALRYMPLE
10984 JOPLIN RD. BOISE, ID

4. New Owner/Claimant(s)

7 M Group LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

10988 JOPLIN ROAD

City, State and ZIP Code

BOISE, ID 83714

New Telephone Number

208 939-2000

5. Date you acquired the property

SEP 4, 2003

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

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

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

* 7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Michael R. Stutz
OWNER

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

For Office Use Only

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

CRUSHED ROCK • TRUCK HIRE • GRAVEL PRODUCTS



MIKE'S SAND & GRAVEL

10988 JOPLIN ROAD
BOISE, ID 83714

MIKE MATZDORFF
MELINDA MATZDORFF

Phone (208) 939-2000
Cell (208) 869-2111
FAX 208) 939-7056

226784 JBH20

A63-16686

4

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 09/05/03 04:17 PM
DEPUTY Bonnie Oberbillig
RECORDED-REQUEST OF
Pioneer
AMOUNT 12.00

**WARRANTY DEED****FOR VALUE RECEIVED**

Mulchay Properties L.L.C., an Idaho limited liability company, does hereby grant, bargain, sell, and convey unto 7M Group, LLC, an Idaho limited liability company, those certain premises located in Ada County, Idaho, and legally described on the attached Exhibit A hereto which, by this reference, is made a part hereof.

To have and to hold the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that the premises are free and clear from all encumbrances, except current taxes and assessments, easements, rights of way, restrictions, and reservations of record, and restrictions of which the Grantee has actual knowledge, and that it will warrant and defend the quiet and peaceful possession of said premises by said Grantees, and their heirs and assigns forever, against all claims that are in breach of the covenants and warranties herein provided.

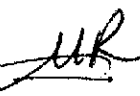
DATED: September 4, 2003

GRANTOR: Mulchay Properties L.L.C.,
an Idaho limited liability company


Paul M. Mulchay, Manager

GRANTEE'S MAILING ADDRESS: 3295 N. Croft Way, Eagle, Idaho 83616

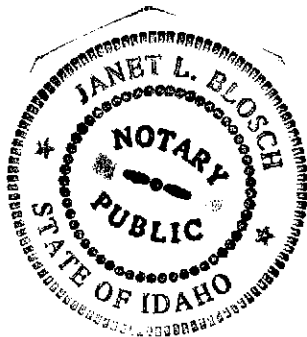
WARRANTY DEED
Page 1 of 4

Reviewed By: 

STATE OF IDAHO)
) ss
County of Ada)

On the 4 day of September, 2003, before me, the undersigned notary public in and for said State, personally appeared Paul M. Mulchay, known or identified to me to be the Manager of Mulchay Properties L.L.C., the limited liability company that executed the within instrument or the person who executed the same on behalf of said limited liability company, and acknowledged to me that said limited liability company executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Janet L. Bloch
Notary Public for Idaho.
Residing at: Boise, Idaho
My Commission Expires: 3-17-2005

PARCEL 1

EXHIBIT A

A parcel of land being a portion of the Southeast quarter of the Southeast quarter of Section 22, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the section corner common to Sections 22, 23, 26 and 27, Township 4 North, Range 1 East, Boise Meridian, also being the real point of beginning;
Thence along the section line common to said Sections 22 and 27, North 89 degrees 56' 22" West 1078.00 feet to an iron pin;
Thence leaving said section line, North 0 degrees 49' 28" East 190.00 feet to an iron pin;
Thence North 89 degrees 56' 22" West 265.00 feet to an iron pin on the East 1/16 section line of said Section 22;
Thence along the East 1/16 section line of said Section 22, North 0 degrees 49' 28" East 1140.75 feet to an iron pin marking the Southeast 1/16 corner of said Section 22;
Thence leaving the East 1/16 section line of said Section 22 and along the South 1/16 section line of said Section 22, South 89 degrees 49' 33" East 1338.72 feet to an iron pin marking the South 1/16 corner common to said Sections 22 and 23;
Thence leaving the South 1/16 section line of Section 22 and along the section line common to said Sections 22 and 23, South 0 degrees 37' 56" West 1328.05 feet to the real point of beginning.

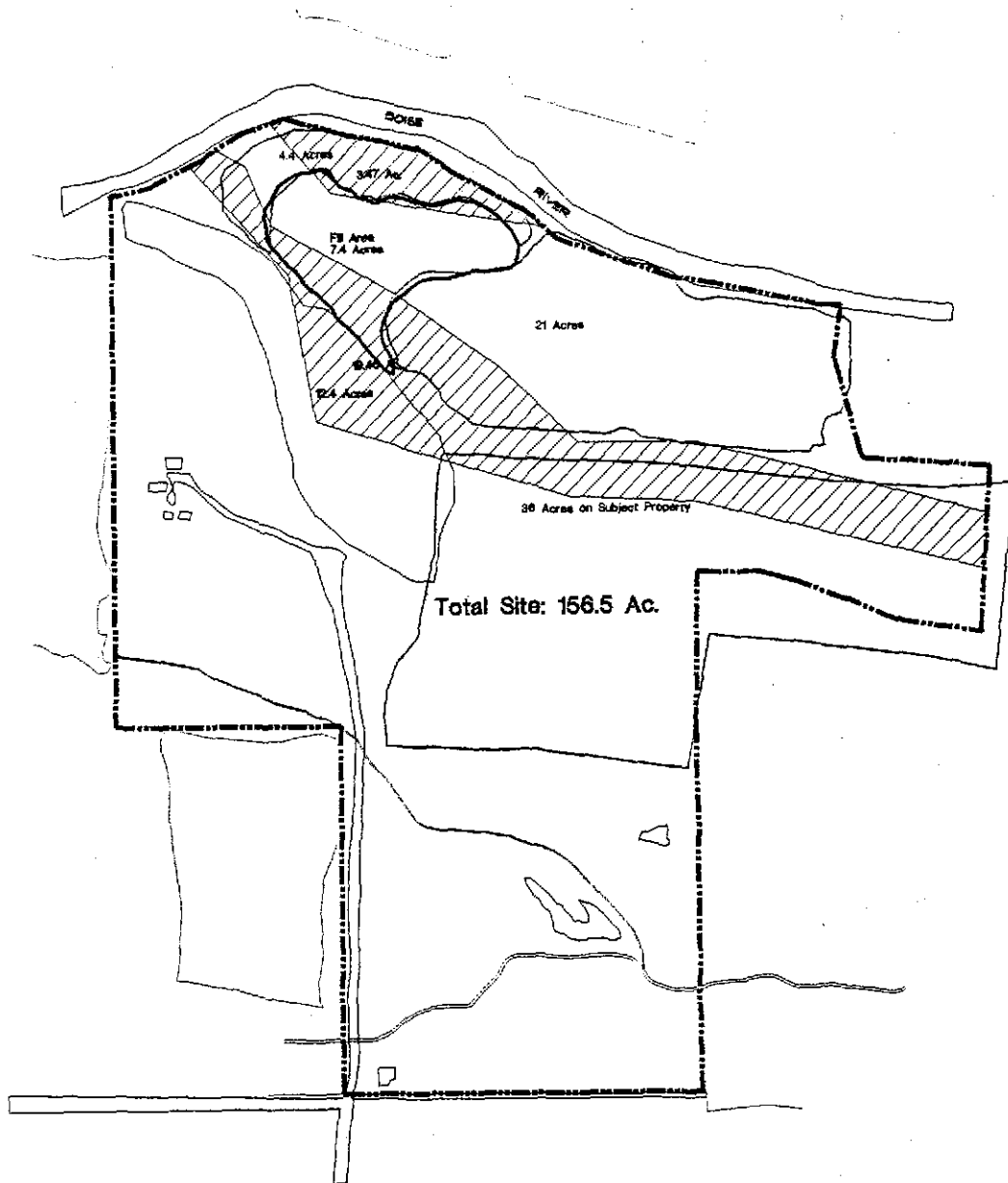
PARCEL 2

A parcel of land being a portion of U.S. Government Lots 2, 7, 8, 10, and 11 of Section 22; and U.S. Government Lot 8 of Section 23; being located in the East half of Section 22, and the West half of Section 23, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at an Ada County brass cap marking the section corner common to Sections 22, 23, 26 and 27, Township 4 North, Range 1 East, Boise Meridian;
Thence along the section line common to said Sections 22 and 23, North 0 degrees 37' 56" East 1328.05 feet to an aluminum cap marking the South 1/16 corner common to said Sections 22 and 23, also being the real point of beginning;
Thence continuing along said section line North 0 degrees 37' 56" East 548.30 feet to an iron pin;
Thence leaving said section line, and along the following courses and distances:
South 88 degrees 59' 38" East 236.11 feet to an iron pin;
Thence South 74 degrees 56' 46" East 105.23 feet to an iron pin;
Thence South 70 degrees 43' 20" East 233.03 feet to an iron pin;
Thence South 66 degrees 25' 54" East 155.18 feet to an iron pin;
Thence South 72 degrees 56' 32" East 71.35 feet to an iron pin;
Thence South 82 degrees 15' 24" East 277.20 feet to an iron pin;
Thence North 3 degrees 18' 45" East 596.26 feet to an iron pin;

2,313, 417.38 easting
1,387, 268.58 northing

Thence North 85 degrees 57'20" West 468.43 feet to an iron pin;
Thence North 15 degrees 17'58" West 374.76 feet to an iron pin;
Thence North 7 degrees 31'29" East 193.87 feet to an iron pin on the existing ordinary high water line of the South bank of the South channel of the Boise River;
Thence meandering along said existing ordinary high water line, the following courses and distances:
North 88 degrees 58'35" West 84.30 feet to a point;
Thence North 77 degrees 37'59" West 392.47 feet to a point;
Thence North 81 degrees 47'23" West 164.60 feet to a point;
Thence North 70 degrees 45'04" West 431.31 feet to a point;
Thence North 49 degrees 28'44" West 162.50 feet to a point;
Thence North 62 degrees 22'04" West 302.38 feet to a point;
Thence North 56 degrees 44'26" West 148.03 feet to a point;
Thence North 79 degrees 38'33" West 302.75 feet to a point;
Thence North 74 degrees 16'29" West 217.65 feet to a point;
Thence South 71 degrees 00'02" West 160.17 feet to a point;
Thence South 57 degrees 52'11" West 189.04 feet to a point;
Thence South 63 degrees 40'43" West 197.65 feet to a point;
Thence South 76 degrees 43'26" West 144.16 feet to an iron pin on the East boundary line of Webster Subdivision, as recorded in Book 6 of Plats at Page 263, records of Ada County, Idaho;
Thence leaving said existing ordinary high water line, and running along the said East boundary line of Webster Subdivision, South 0 degrees 04'51" West 1913.23 feet to an iron pin marking the Southeast corner of said Webster Subdivision, also being the on the South 1/16 section line of said Section 22;
Thence, leaving the said East boundary line of Webster Subdivision, and running along the said South 1/16 section line, South 89 degrees 49'33" East 2149.47 feet to the real point of beginning.



LAND DYNAMICS
PLANNING AND REAL ESTATE CONSULTING
499 MAIN STREET
BOISE IDAHO 83702
(208) 336-8299 FAX: 336-8441



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16686

WATER RIGHT NUMBER: 63-16686

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIRDIE E DALRYMPLE 10984 JOPLIN RD BOISE, ID 83704 (208)939-2236

Priority Date: 07/29/1960
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
POND	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

POND	SW1/4SE1/4NE1/4	Sec. 22, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

COMMERCIAL

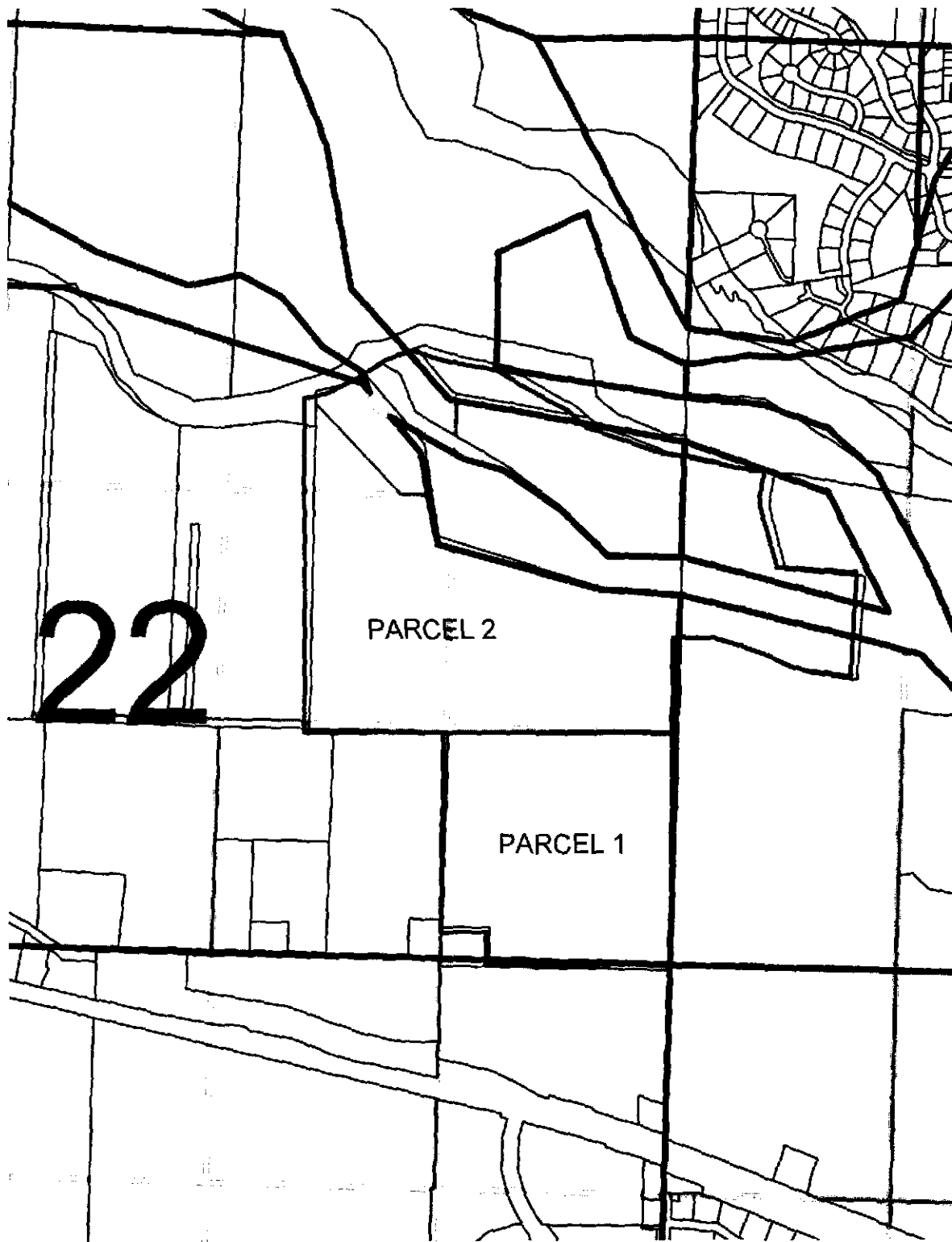
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	22				X													

Conditions of Approval:

Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-16686



T4NR1E

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: A63-16686
Date Received: 7/26/1989
Receipt No: C008554
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIRDIE E. DALRYMPLE 208-939-2236
Address: 10984 JOPLIN RD
BOISE, ID 83704

2. Date of Priority: JUL 29, 1960

3. Source: UNNAMED POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	22	SW	SE	NE		ADA

5. Description of diverting works:
25 HP PUMP W/ 6" LINE TO GRAVEL WASH PLANT

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
GRAVEL WASH PLANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	22	SE	NE		COMMER	

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:
NONE

14. Remarks:

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-16686
Date Received: 7/26/1989
Receipt No: CO0857
Received By: PHS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIRDIE E. DALRYMPLE 208-939-2236
Address: 10984 JOPLIN RD
BOISE, ID 83704

2. Date of Priority: JUL 29, 1960

3. Source: UNNAMED POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	22	SW	SE	NE		ADA

5. Description of diverting works:
25 HP PUMP W/ 6" LINE TO GRAVEL WASH PLANT

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
GRAVEL WASH PLANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01E	22	SE	NE		COMMER	

11. Place of use in counties: ADA

A63-16686

Page 1

Date: 07/26/89

MICROFILMED

AUG 25 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Birdie E. Dabrymple Date: 7-26-89
Date:

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 26 day
of July 19 89 Bruce A. Sel
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 4/11/95

11/29/2005

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

RIGHT NUMBER: 63-16686

NAME AND ADDRESS: 7M GROUP LLC
10988 JOPLIN RD
BOISE ID 83714

SOURCE: POND

TRIBUTARY: BOISE RIVER

QUANTITY: 1.500 CFS

PRIORITY DATE: 07/29/1960

POINT OF DIVERSION:

T04N R01E S22 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

1.500 CFS

PLACE OF USE: COMMERCIAL Within ADA County

T04N R01E S22 Lot 7 SWNE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

COMMERCIAL USE IS IN A SAND AND GRAVEL WASH PLANT.

MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-16686

July 9, 2005

After receiving the Notice of Error Reply, I found the number for Kerr Pump (#248-542-3880) and called to request a copy of the pump curve for KT10145. When I called, all I could hear was a screeching sound.

July 11, 2005

I called Kerr Pump and Supply and left a message on the answering machine.

July 12, 2005 @ 7:50 a.m.

Early this morning, I called the number once again and was able to speak with Pat Wing, an engineer for Kerr Pump. I gave Mr. Wing all of contractor Burke Scholer's pertinent information and my fax machine number.

A few hours after speaking with Mr. Wing, I received the performance curve for Kerr S/W KT10145 A Model 25B10CS4.

July 14, 2005

Based on the performance curve received from Kerr, IDWR contractor, Burke Scholer, did some recalculations (see file). Therefore, I was able to change the diversion rate to the requested amount.

Kimberly Brown
Senior Water Resource Agent
Western Region

MIKES SAND & GRAVEL

RECEIVED

JUL 14 2005

MIKES

7/12/05 BWS

1.5 CFS =

WATER RESOURCES
WESTERN REGION

1-2	455.8	19.2	18.1
1-3	458.7	18.5	18.8
2-3	460.2	19.8	19.6
	<u>458.23</u>	<u>19.17</u>	<u>18.83</u>

19.0 AVE

OLD

PUMP

STERLING A.C. MOTORS
25HP 1800RPM 324UC FRAME
3 PHASE 60 CYCLE CODE G
230/480 VOLTS CLASS 5B
TYPE ABFO

KERR MACHINERY CORP
PUMPS & PROCESSING EQUIP.
FIG 25B10CS4 GPM 350
SIZE 12x6 FT = 170
SN = KT-10145 DIA = 6 5/8

$$\frac{(458.23)(19.0)(.925)(1.732)}{1000} = 13.95 \text{ kW}$$

$$(13.95)(1.34) = 18.69 \text{ IHP}$$

$$(18.69)(.90) = 16.82 \text{ BHP}$$

$$\text{GPM} = \frac{(\text{HP})(\text{EFF})(3960)}{\text{TDM}}$$

$$\text{GPM} = \frac{(16.82)(.5)(3960)}{(51.85)} = 642$$

$$\frac{16.82(.59)(3960)}{51.85} = 757.92$$

EFF. 59%

51.85

TDM

EFFICIENCY

756 GPM

$$= 1.6843 \text{ cfs}$$

BALDOR INDUSTRIAL MOTOR
CAT NO 23341 20HP
1760RPM 2561ERAME
29201739 SER. 1/83
230/460 V. 50/25 AMPS
NEW

MOTOR
OR
WATER
LIFTER

6" DISCHARGE

8" STEEL 8' FT

8" PUC

BUTTERFLY
VALVE

DISCHARGE
PRESSURE

PRESS. GAGE
= 20.5 PSI

8" STEEL
8" PUC

20.5 PSI = 47.35

4.50 L.F.T

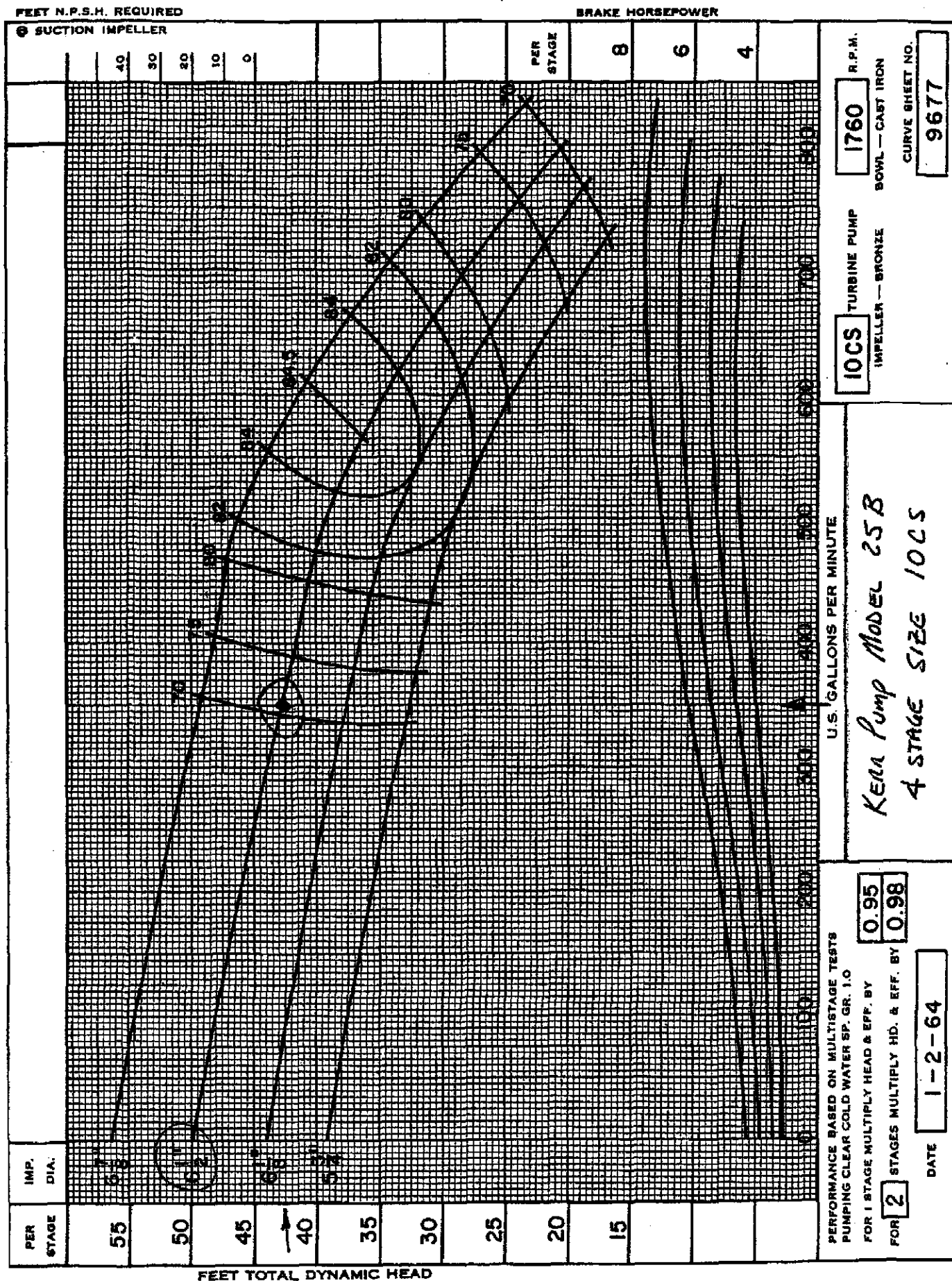
51.85 TDM

employee worked
18 yrs. for co.

20 HP was in
use in 1989-1991

**FAX TRANSMISSION**P.O. BOX 37160 • 12680 CLOVERDALE • OAK PARK, MI 48237
FAX # (248) 543-3236 • PHONE (248) 543-3880DATE: 7-12-05NO. PGS: 2
(INCLUDING COVER SHEET)TO: IDAHO Dept. W.R. ATTN: Kimberly Brown
FROM: PAT WING FAX NO. 1-209-334-2348
RE: PERFORMANCE CURVE
MESSAGE: _____KIMBERLY,PLEASE SEE THE FOLLOWINGPERFORMANCE CURVE FOR KERR S/NKT 10145 A MODEL 25B10CS4THANK YOU.PAT WING

PAGE 68 APRIL 6, 1964



S/N KT 10145 350 GPM @ 170' HD (42.5' per stage)

CRUSHED ROCK • TRUCK HIRE • GRAVEL PRODUCTS



MIKE'S SAND & GRAVEL

10988 JOPLIN ROAD
BOISE, ID 83714

MIKE MATZDORFF
MELINDA MATZDORFF

Office (208) 939-2000
FAX (208) 939-7056
Cell (208) 869-2111
Cell (208) 870-1149

RECEIVED
05/31/2005
JUN 13 2005
WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 63-16686

7M GROUP LLC
10988 JOPLIN RD
BOISE ID 83714

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

QUANTITY

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

1.500 CFS

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

IDWR CONTRACTOR BURKE SCHOLER FOUND CAPACITY & USE
HISTORICALLY HAD BEEN 1,500 CFS OR GREATER - ORIGINAL CLAIM BY 80 YR OLD
OWNER WAS MIS-READ OR APPLIED BY IDWR INCORRECTLY DUE TO LACK OF INFORMATION.

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

DATE: 6-7-05

SIGNATURE



Please print your name: M.R. (MIKE) MATZDORF

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

400-500 gpm

02/02/2005

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

RIGHT NUMBER: 63-16686

NAME AND ADDRESS: 7M GROUP LLC
10988 JOPLIN RD
BOISE ID 83714

SOURCE: POND

TRIBUTARY: BOISE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 07/29/1960

POINT OF DIVERSION:

T04N R01E S22 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

1.000 CFS

PLACE OF USE: COMMERCIAL Within ADA County

T04N R01E S22 Lot 7 SWNE

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.

EXPLANATORY MATERIAL: Beneficial Use

COMMERCIAL USE IS IN A SAND AND GRAVEL WASH PLANT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-16686 V1

WATER RIGHT NUMBER: 63-16686 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BIRDIE E DALRYMPLE 10984 JOPLIN RD BOISE, ID 83704 (208)939-2236
Current Owner	7M GROUP LLC 10988 JOPLIN RD BOISE, ID 83714

Priority Date: 07/29/1960

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
POND	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	1.000 CFS	
<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

POND	L7 (SW1/4NE1/4)	Sec. 22, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	22			X														
					L 7														

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. COMMERCIAL USE IS IN A SAND AND GRAVEL WASH PLANT.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-16686 V1

Comments:

1. kbrown 2/2/2005 Parcel Numbers

Comment: PARCEL NO: S0522417250 & S0522131610.

2. kbrown 2/2/2005 Recommended CFS Amount

Comment: The field examiner found that the capacity of the system was greater than the claimed amount of 0.5 cfs. Therefore, the current owner, Mike Matzdorff, requested that we increase the flow rate to 1.5 cfs. After speaking with my supervisor, Jan Shurte, on 1/22/05 she advised that we recommend the capacity of the old pump (which is 1.0 cfs according to the field exam and was being used for many years previously) ; not the capacity of the new pump (which Mr. Matzdorff requested as a capacity of 1.5 cfs and was only recently installed).

Water Supply Bank:

CRUSHED ROCK • TRUCK HIRE • GRAVEL PRODUCTS



MIKE'S SAND & GRAVEL

10988 JOPLIN ROAD
BOISE, ID 83714

MIKE MATZDORFF
MELINDA MATZDORFF

Phone (208) 939-2000
Cell (208) 869-2111
FAX 208) 939-7056

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16686

WATER RIGHT NUMBER: 63-16686 ✓

Owner Type

Current Owner

Name and Address

BIRDIE E DALRYMPLE ✓
 10984 JOPLIN RD
 BOISE, ID 83704
 (208)939-2236

Current Owner: 7 M Group ^{LLC}

(Mike's Sand & Gravel)

Mike Matzdorff (& Melinda)

10988 Joplin Road

Boise 83714

939-2000

Priority Date: 07/29/1960 ✓

Basis: Beneficial Use ✓

Status: Active

Source

POND ✓

Beneficial Use

COMMERCIAL ✓

Tributary

Boise River

From To

1/01 to 12/31 ✓

Diversion Rate1.0 ~~0.500~~ CFS ✓Annual VolumeTotal Diversion: ~~0.500~~ CFS ✓

1.0

Location of Point(s) of Diversion

POND

ADA County ✓

~~SW 1/4 SE 1/4 NE 1/4~~ ✓

SW NE, lot 7

(surface water
 claim - don't
 need AF amount)
 capacity of old
 pump
 Sec. 22, Twp 04N, Rge 01E, B.M. ✓

Place of Use

COMMERCIAL

Tag # A0002458

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01E	22			X														
					L7														

Conditions of Approval:

ADD - Commercial use is for a ^{sand &} gravel
 wash plant.

Remarks:Comments:Dates and Other Information:

Parcel No: 30522417250 & 30522131610.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16686

Dates and Other Information:

Claim Received Date: 7/26/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Idaho Department of Water Resources

T04N, R01E,
S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



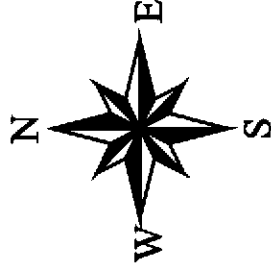
Place of Use



Section Lines

1/4 1/4

☉ Point of Diversion



1987 NAPP



0.03 0 0.030.06 Miles



* no electronic back-file available

Field Exam Date 1.14.05

(in office review)

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 \$100.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 7
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-16686

Owner: Birdie E. Dalrymple Phone No. (208) 939-2236

Current Address: 10984 Goplin Rd., Boise 83704

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER TM Group, LLC
- ☐ No change Address
- ☐ NEW ADDRESS 10988 Goplin Rd., Boise 83714
- ☒ How long owned property? 9/4/2003

Accompanied by: N/A

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: 7/29/1960

2 Affidavits submitted on
3/9/04 by Birdie Dalrymple
& Michael Matzdorff.

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

Source: Unnamed Pond Tributary to _____

- ☐ No Change – SAME SOURCE
- ☒ Source found is different than claimed: ADD Tributary to: Boise River

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: SWNE, lot 7
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	7		SW	NE					GPS ID 0313025 0288210

Description of diverting works

See Field Report

OVERLAP REVIEW

Other water rights with the same point of diversion:

63-16695

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

No overlap - 63-16695 is from a groundwater source for domestic purposes.

WATER USES

☐ No change

☐ Different Uses

Use Commercial From To Amount 1.0 CFS N/A AFA (surface water)

Use From To Amount CFS AFA

Use From To Amount CFS AFA

1-22-05/ I agree with my supervisor, Jan Shurte, about Mr. Matzdorff's request to increase the claimed flow rate, based on the field exam conducted on 3/2/04 (See Conversation Memo).

TOTAL VOLUME - Groundwater only

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

☒ Changes found, the new total is, Amount 1.0 CFS N/A AFA

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

Recommended capacity of owb pump.

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

None

PLACE OF USE:

☐ No Change

☒ Changes shown below:

[illegible]

Commercial use is for a sand and gravel wash
plant.

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: 2.2.05 (in office review)

FIELD EXAMINER: Kimberly Brown

overlap review-

IDAHO DEPARTMENT OF WATER RESOURCES

02/02/2005

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-16686

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~16686~~	Claim	04N	01E	22	SE	NE		COMMERCIAL		7M GROUP LLC
16695	Water Right	04N	01E	22	SE	NE		DOMESTIC		BIRDIE E DALRYMPLE

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-16686

02/02/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-16695	Claim	04N	01E	22	SE	NE		GROUND WATER	BIRDIE E DALRYMPLE
~~63-16686~~	~~Claim~~	~~04N~~	~~01E~~	~~22~~	~~SE~~	~~NE~~		~~POND~~	~~7M GROUP LLC~~
63-16695	Water Right	04N	01E	22	SE	NE		GROUND WATER	BIRDIE E DALRYMPLE

no overlap -
separate sources.

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 09/26/03
Time: 12:36:36

Rec/No - C008554 AR/No -
From: - DALRYMPLE, BIRDIE ETUX

Receipt Type - CK Doc/No - 489
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 07/26/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		125.00

Total Due - 125.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6316695	25.00	A6316686	100.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 24, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

7M GROUP LLC
10988 JOPLIN RD
BOISE ID 83714

RECEIVED

JAN 28 2005

WATER RESOURCES
WESTERN REGION

RE: AMENDED CLAIM #63-16686

Dear Mr. Matzdorff,

During the field investigation conducted on 3/2/04, IDWR contractor Burke Scholer found that the capacity of your system was greater than the original claimed amount of 0.5 cfs. Mr. Scholer's comments in the Field Report stated that you "want the flow rate changed upward because it has been operating the same way for at least 20-25 years." In addition, you wrote as a comment on the attachment to the *Commercial Use Volume* questionnaire that you want the diversion rate changed to 1.5 cfs. Please fill in the cfs amount in #6. on the enclosed *Amended Claim* and have it notarized. After filling in the new cfs amount and having the Amended Claim notarized, please send it back to me, before February 4, 2005, to:

ATTN: Kimberly Brown
IDWR
2735 Airport Way
Boise, ID 83705-5082

If you have any questions, please contact me at 334-2190.

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

*In addition, please
make sure the enclosed
map accurately depicts
the locations of the
place of use and the
point of diversion.
Thank You-*

RECEIVED
APR 26 2004
WATER RESOURCES
WESTERN REGION

Page:1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-16686

WATER RIGHT NUMBER: 63-16686

Owner Type Name and Address

Current Owner

~~BIRDIE E DALRYMPLE~~
~~10084 JOPLIN RD~~
~~BOISE, ID 83704~~
~~(208)939-2236~~

MICHAEL R MATZDORFF
105 10988 Joplin Road
BOISE, ID 83714
208-939-2000

Priority Date: 07/29/1960

Basis: Beneficial Use

Status: Active

Source

Tributary

POND

Beneficial Use

COMMERCIAL

From To

1/01 to 12/31

Diversion Rate

0.500 CFS

Annual Volume

14,000,000 CF

Total Diversion:

0.500 CFS

Location of Point(s) of Diversion

POND

SW1/4SE1/4NE1/4

Sec. 22, Twp 04N, Rge 01E, B.M.

ADA County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	22				X													

Conditions of Approval:

Remarks:

Comments:

DIVERSION RATE: 1.500 CFS

Idaho Department of Water Resources

T04N, R01E,
S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



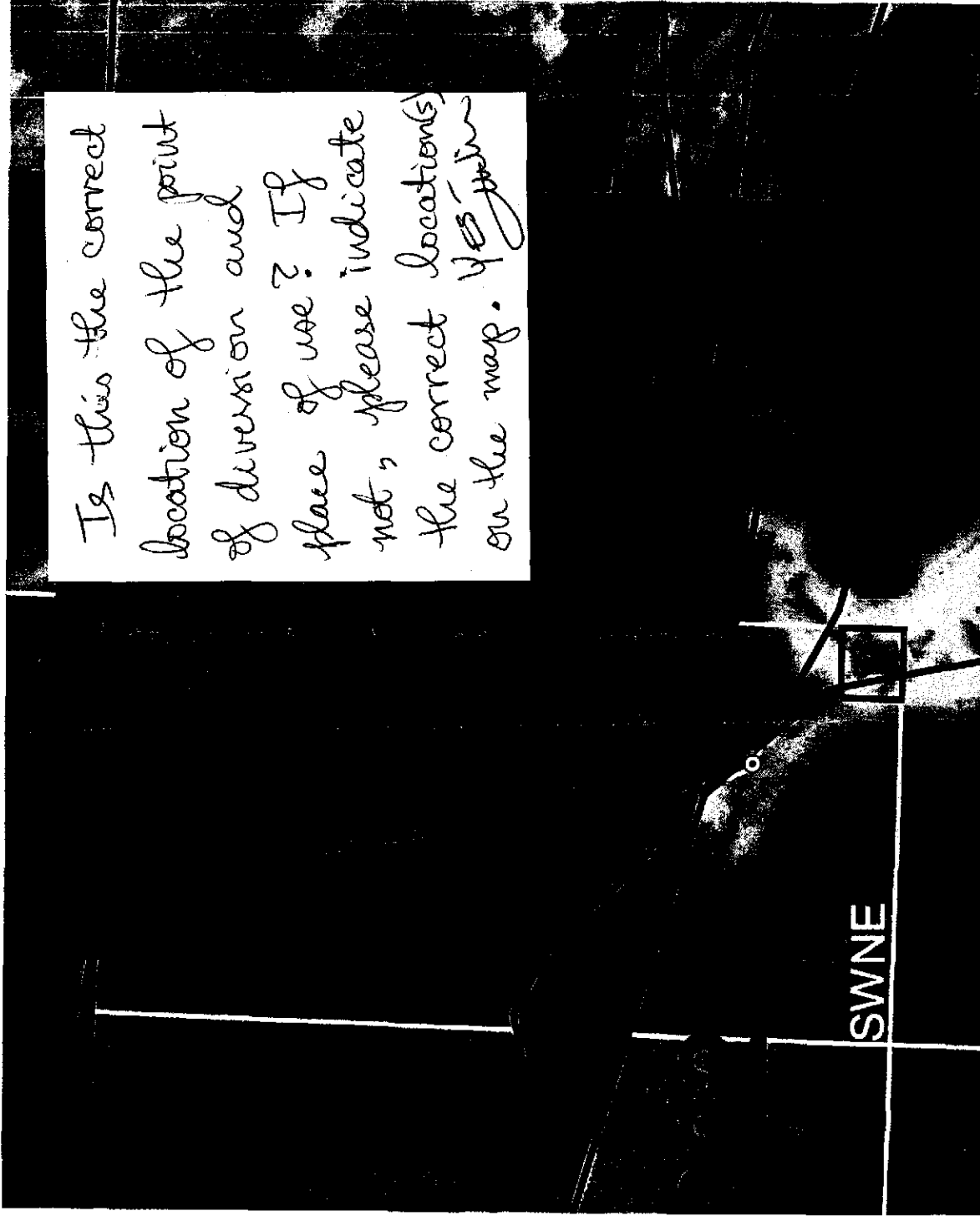
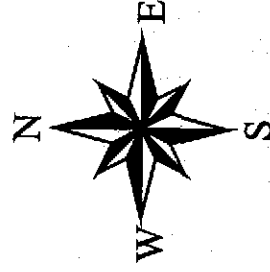
Place of Use



Section Lines

1/4 1/4

⊙ Point of Diversion



0.03 0 0.030.06 Miles



Idaho Department of Water Resources

T04N, R01E,
S22

Claim No: 63-16686

Prepared By: Kimberly Brown

Date: January 14, 2005



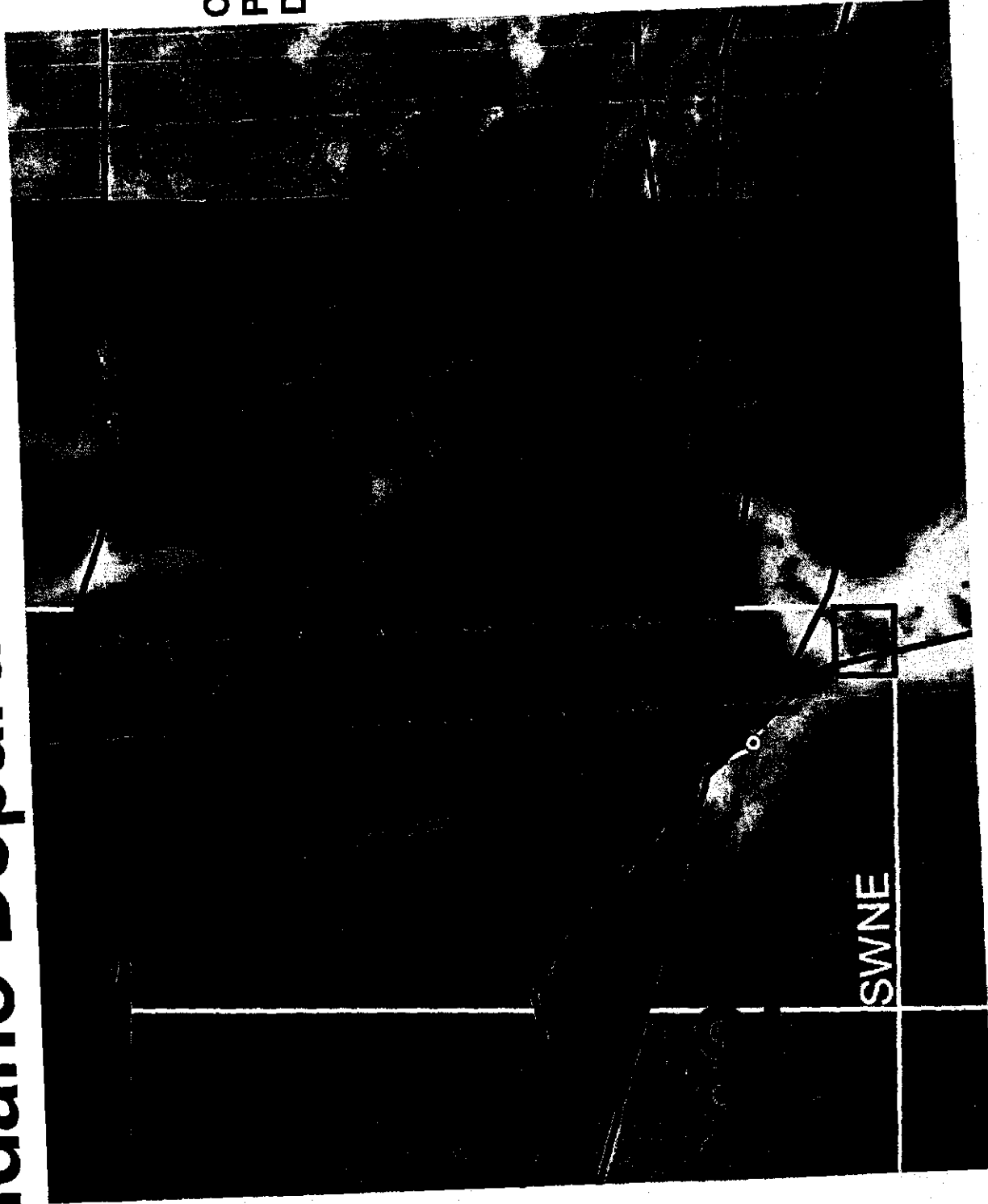
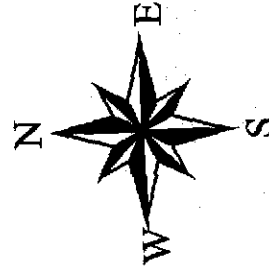
Place of Use



Section Lines

1/4 1/4

⊙ Point of Diversion



0.03 0 0.030.06 Miles





MIKE'S SAND & GRAVEL

10988 JOPLIN ROAD
BOISE, IDAHO 83714



GREETINGS FROM
BOISE, IDAHO
JANUARY 27, 2005

ATTN: Kimberly Brown
IDWR
2735 Airport Way
Boise, Idaho 83705-5082

83705+5082



CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-16686
Evidence of Priority**

February 20, 2004

Dolores Ashley (6851 N. Pencross, Meridian 83642 / #888-3030) called on behalf of her mother, Birdie Dalrymple, who now lives in an "old folks" home. Mrs. Ashley said that they sold this property in late 2001. According to Mrs. Ashley, her parents purchased this property in 1950 and she (Dolores) lived on the property until 1964. Mrs. Ashley said that the gravel use is still being used and that she would have her mother, Birdie, fill-out and sign an affidavit to submit as evidence of priority.

February 24, 2004

According to 2003 Ada County Tax Lot information, the current owner of this property is Mike Matzdorff of "Mike's Sand and Gravel" (10988 Joplin Rd, Boise 83714). I contacted Mr. Matzdorff at #939-2000 to inform him that he needs to fill-out a Change In Ownership form. He said that he would go to our website to find the form. In addition, I spoke to him about the need for evidence of priority and my conversation with Dolores Ashley. Mr. Matzdorff said that he would write an affidavit and have Birdie Dalrymple sign it.

January 22, 2005

Since IDWR contractor, Burke Scholer, conducted a field exam and found the capacity of the pump to be more than what was claimed, Mr. Matzdorff requested that he be able to claim the larger amount. I, therefore, sent him an amended claim and he filled-in the requested amount of 1.5 cfs. On 1/22/05, I spoke to my supervisor, Jan Shurte, regarding a few questions I had concerning this claim. Mrs. Shurte said that we should recommend the amount of 1.0 cfs; since it is the capacity of the **old** pump (which was used for many years previously) and not use the new pump's capacity (which was recently installed).

Kimberly Brown – Senior Water Resource Agent – Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 24, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

7M GROUP LLC
10988 JOPLIN RD
BOISE ID 83714

RE: AMENDED CLAIM #63-16686

Dear Mr. Matzdorff,

During the field investigation conducted on 3/2/04, IDWR contractor Burke Scholer found that the capacity of your system was greater than the original claimed amount of 0.5 cfs. Mr. Scholer's comments in the Field Report stated that you "want the flow rate changed upward because it has been operating the same way for at least 20-25 years." In addition, you wrote as a comment on the attachment to the *Commercial Use Volume* questionnaire that you want the diversion rate changed to 1.5 cfs. Please fill in the cfs amount in #6. on the enclosed *Amended Claim* and have it notarized. After filling in the new cfs amount and having the Amended Claim notarized, please send it back to me, before February 4, 2005, to:

ATTN: Kimberly Brown
IDWR
2735 Airport Way
Boise, ID 83705-5082

If you have any questions, please contact me at 334-2190.

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

() Also sent
a 1987 NAPP for verification
of FOD & FOU locations.*

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 63-16686
Date Received: 7/26/1989
Receipt No: C008554
Received By:

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

1. Name of Claimant(s)

7M GROUP LLC
10988 JOPLIN RD
BOISE ID USA 83714

Phone: (208)939-2000

2. Date of Priority: 07/29/1960

3. Source: POND

Trib. to: Boise River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	22	SW NE 7	ADA	

5. Description of diverting works:

25 HP PUMP W/ 6" LINE TO GRAVEL WASH PLANT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31		

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	22	NE SW	7	COMMERCIAL	

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:

COMMERCIAL USE IS FOR A SAND & GRAVEL WASH PLANT.

CHANGE OF OWNERSHIP 1-18-05

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 19, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

7M Group LLC
10988 Joplin Rd.
Boise ID 83714

Re: Notice of Claim to a Water Right No. 63-16686

Dear Claimant(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

RECEIVED
APR 26 2004
WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16686

WATER RIGHT NUMBER: 63-16686

Owner Type

Current Owner

Name and Address

~~BIRDIE E DALRYMPLE~~
~~10984 JOPLIN RD~~
~~BOISE, ID 83704~~
(208)939-2236

MICHAEL R MATZDORFF
10984 Joplin Road
BOISE, ID 83714
208-939-2000

Priority Date: 07/29/1960

Basis: Beneficial Use

Status: Active

Source

POND

TributaryBeneficial Use

COMMERCIAL

From To

1/01 to 12/31

Diversion Rate

0.500 CFS

Annual Volume

14,640,000 CF

Total Diversion:

0.500 CFS

Location of Point(s) of Diversion

POND

SW1/4SE1/4NE1/4

Sec. 22, Twp 04N, Rge 01E, B.M.

ADA County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	22				X													

Conditions of Approval:Remarks:

Comments: DIVERSION RATE: 1.500 CFS

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report**.

Type of Establishment: (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

SAND & GRAVEL PROCESSING FACILITY

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

SAND & GRAVEL WASH PLANT

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

N/A

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

300+

How many hours per day is the facility open for this specific use?

10 hours/day +

How many days per week is the facility open for this use?

6 DAYS/WEEK

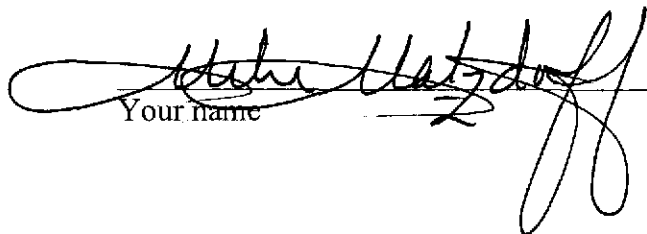
Is this facility open year round? ☒ Yes ☐ No

If not, please indicate the length of time the facility is open during the year.

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Additional information you feel may be pertinent:

WATER IS RETURNED TO FILTERING PONDS
AND RETURNED TO BOISE RIVER AND
SOME AGRICULTURAL USE.


Your name

208-939-2000
Business telephone number

Please return to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

NAME PLATE PUMP DATA

~~350~~ 350 GPM @ 70 FT TDH
25 HP MOTOR

$$\underline{\underline{EFF = \frac{(350)(70)}{3960 \cdot 25} = 24.7\%}}$$

$$\begin{aligned} \text{GPM} &= \frac{\text{HP} \cdot \text{EFF}}{\text{TDH}} = \frac{(25)(.247)(3960)}{35} = \underline{\underline{698.66 \text{ GPM}}} \\ &\quad \text{ZONED AREA MEASUREMENT (763.7)} \end{aligned}$$

$$\text{TDH} = \underline{\underline{50'}}$$

$$\text{GPM} = \frac{(25)(.247)(3960)}{50} = \underline{\underline{489.06}} \quad (= 1.08963 \text{ cfs})$$

Kerr Pump -
#(248) 543-3880
#1-800-441-8140

0888-543-3880
- would have to measure the head pressure
- need TDH
- need discharge pressure
- Banks - needs TFP
- pump curve
- performance curve

need pump curve
PUMP AGE 21 for SW: KT 10145

NAME PLATE PUMP DATA

~~350~~ 350 GPM @ 70 FT TDH
25 HP MOTOR.

$$\underline{\underline{EFF = \frac{(350)(70)}{3960 \cdot 25} = 24.7\%}}$$

$$\text{GPM} = \frac{\text{HP} \cdot \text{EFF}}{\text{TDH} = 3.5} = \frac{(25)(.247)(3960)}{35} = \underline{\underline{698.66 \text{ GPM}}}$$

ZONE DRAINAGE MEASUREMENT
(763.9)

$$\text{TDH} = \underline{\underline{50'}}$$

$$\text{GPM} = \frac{(25)(.247)(3960)}{50} = \underline{\underline{489.06}} \quad (= 1.08963 \text{ cfs})$$

www.kepp pumps.
6.30.05 com
WYOM

248-543-3880

— would have to measure the head pressure
— need TDH — $\rightarrow$ Bunker — needs TFP $\rightarrow$ need discharge pressure

* pump curve
performance curve

need pump curve

PUMP AGE 21 for SW: KT 10145

10 35 25

6500
27.1%

OLD on nameplate

Get a pump curve for old pump.

RECEIVED

MAR 17 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

WATER RESOURCES
WESTERN REGION

A. GENERAL INFORMATION

Permit No. 63-16686

1. Owner: MIKE MATZDORFF Phone No. 939-2000

Phone No. 939-2000
869-2111 (CELL)

Current Address: 10988 JOPLIN ROAD, BOISE ID 83714

2. Accompanied by: MIKE MATZDORFF EXAM DATE: 3-2-04

EXAM DATE: 3-2-04

Address: (SAME) Phone No.

Phone No. _____

Relationship to Permit Holder: (SAME)

(Same)

3. Source: POND SUB-WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM SITE TAG A0002458

SITE TAG A0002458

1. Point(s) of Diversion:

GPS 0313025 #12
0288210 171 POINTS

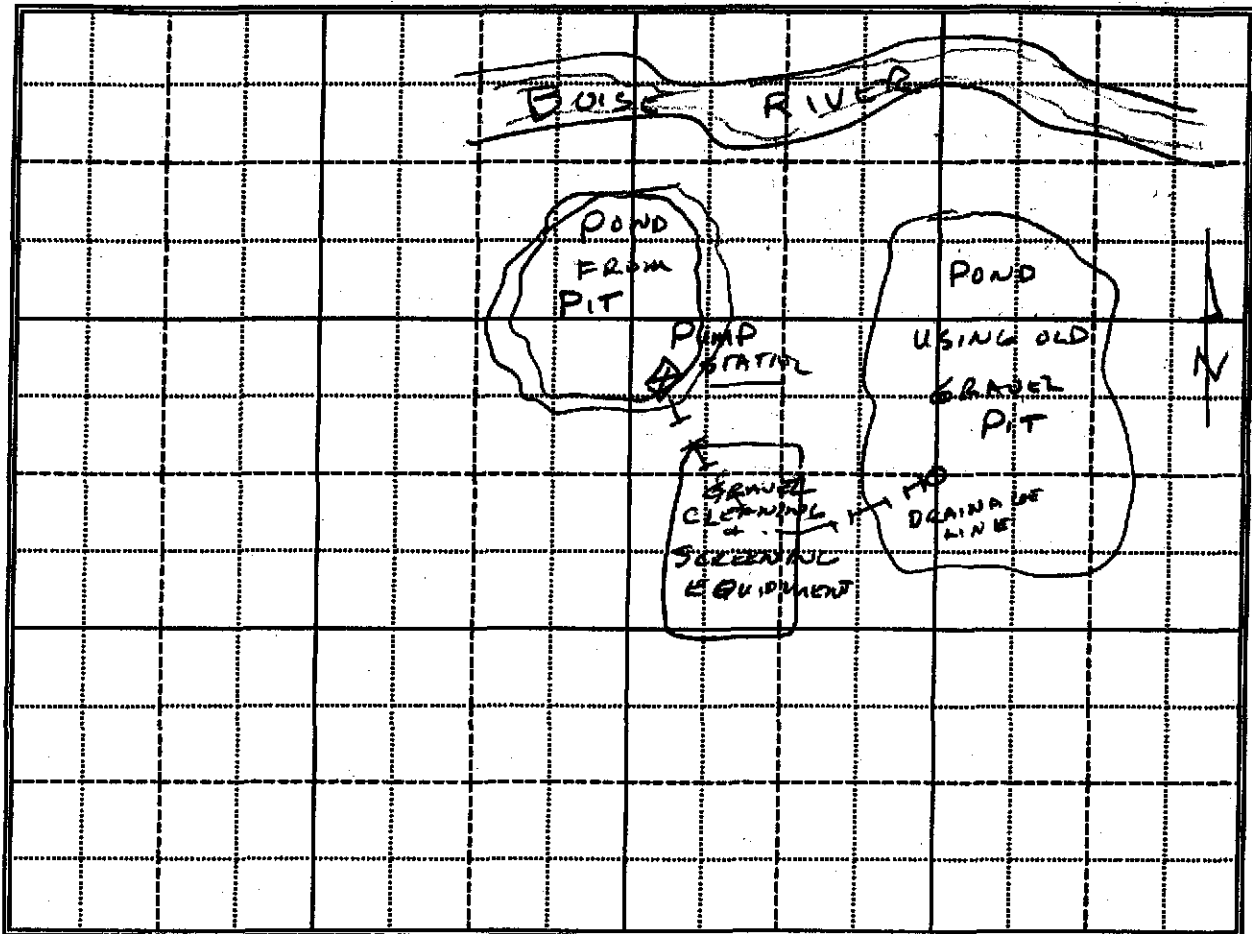
[illegible]

2. Place(s) of Use:

Indicate Method of Determination ADJ. CLAIM REPORT

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0002458	BALDOR	20	N/A	PARMA WATER	LIFTER - NONE/A

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

D. FLOW MEASUREMENTS (THEORETICAL) —

1. ALSO MEASURED FLOW RATE

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
FUJI METER	ULTRASONIC	FUJI	S1012	01A5411T		2001

2. Measurements: NAMEPLATE ON OLD TURBINE PUMP (STILL IN PLACE) INDICATED IT WAS DESIGNED FOR 350 GPM @ 170' TAN (SN KT10145 - KERR MACHINE CO W/ STERLING 25HP MOTOR)

THEORETICAL WAS MADE ON CURRENT PARMA WATER LIFTER WHICH HAS BEEN USED FOR THE PAST 20-25 YEARS SEE "F."

E. NARRATIVE/REMARKS/COMMENTS

I MET WITH MIKE MATZDORFF ON 3/2/04 AT THE PLACE OF BUSINESS KNOWN AS MIKE'S SAND + GRAVEL. HE SHOWED ME AROUND THE BUSINESS AND THE PUMPING EQUIPMENT INSTALLED ON THE BANK OF A POND. THE WATER IS PUMPED FROM ONE POND, THROUGH ^{A 6" PVC PIPELINE TO} THE GRAVEL PROCESSING PLANT AND THEN RETURNS TO A DIFFERENT POND. THE WATER BEING PUMPED IS SUB-WATER, PROBABLY FROM THE RIVER. THE OWNER IS QUITE DETERMINED THAT HE WANTS THE FLOW RATE CHANGED UPWARD BECAUSE IT HAS BEEN OPERATING THE SAME WAY FOR "AT LEAST 20-25 YEARS". THE THEORETICAL IS BASED ON THE MOTOR HP OF 20, THE TOTAL DYNAMIC HEAD @ ^{WRONG} 70 FT (FROM PUMP NAME PLATE OF OLDER PUMP STILL IN PLACE, AND A 40% EFFICIENCY BASED ON PERFORMANCE RATING CURVE FOR THIS TYPE OF PUMP).

HE DISCUSSED THE EVIDENCE OF PRIORITY WITH ME. HE HAS OBTAINED TWO AFFIDAVITS AND AN OLD AERIAL PHOTO TO SUBSTANTIATE THE PRIORITY DATE. HE IS GOING TO HAND DELIVER IT TO IDWR (KIMBERLY) BEFORE THE 12TH OF MARCH

Don H. Schen

3-10-04

I WENT BACK TO THE PUMP AND MEASURED THE FLOW RATE + POWER AND OBTAINED A MORE ACCURATE ESTIMATE ON PUMP LIFTS + ELEV.

I CALCULATED A NEW THEORETICAL AS WELL AS COMPUTING FRICTION LOSS ETC. FOR NEW TDH. SEE ATTACHED DOCUMENTATION.

Don H. Schen

Have conditions of permit approval been met? ☐ yes ☐ no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

THEORETICAL MADE USING 20 HP MOTOR AND PUMP EFFICIENCY @

40% (TYPICAL FOR PARMA WATER LIFTER)

$$Q = \frac{(20 \text{ HP}) \times (40\% \text{ EFF})}{70 \text{ TDH}} = 452 \text{ GPM} = 1.008 \text{ CFS}$$

FROM OLD PUMP (WRONG - SHOULD HAVE BEEN 170' BIS 5/11/04)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \Rightarrow 1.7 \text{ CFS}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

THIS WATER RIGHT IS USED FOR GRAVEL & SAND CLEANING AND SORTING AND IS A NON-CONSUMPTIVE USE. THE WATER IS CONSTANTLY BEING RE-CYCLED.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
COMMERCIAL	1/01	12/31	1.70 CFS	N/A
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other INCREASE FLOW RATE TO 1.0 CFS

I. AUTHENTICATION

Field Examiner's Name Quinn A. Schen Date 3/9/04

Reviewer _____ Date _____

SEAL

IDAHO DEPARTMENT OF WATER RESOURCES

Farm Name: MIKES SAND & GRAVEL Date 3/10/04
 Pump ID #: A0002458 Well Name _____

Well Pump Motor Data		Booster Pump Motor Data <u>OLD TURBINE</u>		Electrical Information	
Manufacturer	<u>BALDOR</u>	Manufacturer	<u>STERLING</u>	Meter Manufacturer	
Serial No.		Serial No.	<u>084503</u>	Serial No.	
HP <u>(20?)</u>	<u>NO NAME -</u>	HP	<u>25</u>	PSC #	
Rate Amps	<u>PLATE</u>	Rate Amps	<u>29</u>	Kh	
Rate Volts		Rate Volts	<u>460</u>	Multiplier	
Service Factor		Service Factor		CTR	
Rpm		Rpm	<u>1800</u>	PTR	
Pump Data		Pump Data		Other Information	
Manufacturer	<u>PARMA WATER LIFT</u>	Manufacturer	<u>KERR MACH</u>	Static Water Level	
Serial Number		Serial Number	<u>KT-10145</u>	Pumping Water Level	
Type <u>VERTICAL</u>	<u>CENTRIFUGAL</u>	Type	<u>TURBINE</u>	Disch. PSI	
Rated TDH		Rated TDH	<u>170</u>	Disch. PSI x 2.31 = ft	
Rated GPM		Rated GPM	<u>350</u>	TDH	<u>34</u>
No. of Stages	<u>SINGLE</u>	No. of Stages	<u>1246</u>		
Discharge OD	<u>8.01 8 1/2</u>	Discharge OD	<u>6"</u>		
Wall Thickness	<u>0.125</u>	Wall Thickness			
Spacing	<u>5.602</u>	Spacing			

Notes / Comments: PARMA WATER LIFT
PUMPS INTO 6" PVC

Power Measure	Sec./Revs	# Revs
Disc Rev #1		
#2		
#3		
Average		
Demand kW		
Calculated kW		
IHP		
Motor Eff		
BHP		
Percent Load		

Direct Power Measure	
Leg	Volts
1-2	<u>483.6</u>
1-3	<u>482.8</u>
2-3	<u>485.1</u>
Average=	<u>483.83</u>
Leg	Amps
1	<u>19.2</u>
2	<u>20.0</u>
3	<u>19.3</u>
Average=	<u>19.5</u>
kW=	<u>14.38</u>
IHP	<u>19.27</u>
Motor Eff.	<u>.90</u>
BHP	<u>17.34</u>
@ 20 HP % Load	<u>87%</u>
@ 15 HP	<u>115%</u>

Flow Rate-GPM
<u>763.9</u>
<u>PCC</u>
<u>WHP</u>
<u>6.56</u>
<u>Pumping Plant</u>
<u>Efficiency</u>
<u>37.8%</u>

Notes / Comments:

kW = PF X volts X amps
 X 3 11000
 PF assumed -92.5%

THE TOTALIZER RUN FOR 10 MINUTES

$$\frac{(483.83)(19.5)(.88)(1.732)}{1000} = 14.38$$

10 MIN TOTAL = 763.9 GALLONS

10' AVE. GPM = 763.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Date: 3/11/2004

Hazen- Williams C Factor			Pipeline Hydraulics Program									
Steel old	100											
Steel new	120											
Alum	120		Name:Mikes Sand & Gravel					Location:		Date:March 11, 2004		
PVC	150											
	C	Pipe	Flow	Velo-	Dist.	Loss	Loss/	Elev.	Elev.	Avail	Avail	Req'd
Station	Factor	ID In	Rate gpm	city Ft/sec	(ft)	1000ft (ft)	Sect. (ft)	HGL (ft)	Grnd (ft)	Head (ft)	psi	psi
0								134.65	100	34.65	15	15
	150	7.76	763.9	5.18	350	9.88	3.46					
350								131.19	130	1.19328	0.51657	0
	0	0	0	0.00	-350	0.00	0.00					
0								131.19	0	131.193	56.7936	0
	0	0	0	0.00	0	0.00	0.00					
0								131.19	0	131.193	56.7936	0
	0	0	0	0.00	0	0.00	0.00					
0								131.19	0	131.193	56.7936	0
	0	0	0	0.00	0	0.00	0.00					
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	0	0	0	0.00	0	0.00	0.00					
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	0	0	0	0.00	0	0.00	0.00					
0								131.19	0	131.193	56.7936	0
	0	0	0	0.00	0	0.00	0.00					
0								131.19	0	131.193	56.7936	0
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0								131.19	0	131.193	56.7936	0
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SAND & GRAVEL
WASHING & SORTING
FACILITY

03 02 2004

03 02 2004

MIKE'S SAND & GRAVEL
63-16686

03 02 2004

OLD PUMP
STUCK IN PLACE

20 HP
MOTOR

PARMA
WATER LIFTING

09/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16686

WATER RIGHT NUMBER: 63-16686

Owner TypeName and Address

Current Owner

BIRDIE E DALRYMPLE — ~~MATZDORFF~~
 10984 JOPLIN RD
 BOISE, ID 83704
 (208)939-2236

MATZDORFF
~~MATZDORFF~~
 CURRENT MIKES SAND & GRAVEL
 939-2000

Priority Date: 07/29/1960

Basis: Beneficial Use

Status: Active

Source

POND

TributaryBeneficial Use

COMMERCIAL

(Gravel wash plant)

From To

1/01 to 12/31

Diversion Rate

0.500 CFS

Annual VolumeTotal Diversion:

0.500 CFS

Location of Point(s) of Diversion

POND

SW1/4SE1/4NE1/4

Sec. 22, Twp 04N, Rge 01E, B.M.

ADA County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	22				X													

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Description of diverting works—

25 HP pump w/ 6" line to
 gravel wash plant

20 HP 20-25 yrs
 BALDOR OLD
 1760 RPM
 230V 50 AMP
 PARMA WATERLIFT
 DISCHARGE PSI = (?)
 ORIGINAL OLD PUMP
 W/ 25 HP TURBINE
 OLD 350 GPM @ 70 PSI
 65% EFFICIENCY
 SN: KT10145
 KERR MACHINE CO.
 STERLING MOTOR
 OB 4503

A 0002458
 0313025
 0288210 #12
 1712 HRS

* Need evidence of priority date — due 9/1/03.



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

April 21, 2004

MIKE MATZDORFF
MIKE'S SAND & GRAVEL
10988 JOPLIN RD
BOISE ID 83714

RE: Commercial use for Snake River Basin Adjudication claim 63-16686

Dear Mr. Matzdorff,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Commercial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by May 7, 2004 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Water Resource Agent

ADJUDICATION MEMORANDUM

CLAIM NO.: 63-16686EMPLOYEE: Jan SkuteSUBJECT: EVIDENCE OF PRIORITY
& CHANGE OF OWNERSHIPDATE: 2-26-07

Mike Matzdorff of Mike's Sand & Gravel came in today concerning 63-16686. He will be submitting a change of ownership from Budie Dalrymple to himself & his wife, plus an affidavit from Budie explaining the 1960 priority date. In speaking w/Mr. Matzdorff it is indicated this has been a gravel extraction business prior to 1960 & he will write up the documentation, have Budie sign it & submit w/the change of ownership. (P)

RECEIVED

MAR 09 2004

WATER RESOURCES
WESTERN REGION

7M Group, LLC

Dana L. Hofstetter, ISB # 3867
HOFSTETTER LAW OFFICE, LLC
608 West Franklin Street
Boise, ID 83702
Telephone: (208) 424-7800
Facsimile: (208) 424-8774

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY**

	)	
	)	
In Re SRBA	)	Subcase No. 63-16686
	)	
Case No. 39576	)	AFFIDAVIT OF BIRDIE E. DALRYMPLE
	)	
	)	
	)	
	)	

STATE OF IDAHO	)
	) ss.
COUNTY OF ADA	)

Birdie E. Dalrymple, being first being duly sworn upon oath, deposes and says:

(1) On or about July 26, 1989, I, Birdie E. Dalrymple of 10984 Joplin Road, Boise, Idaho 83704, signed and submitted SRBA Claim No. A63-16686 to the Idaho Department of Water Resources.

(2) In about the year 1950, my husband and I purchased the land and other property associated with SRBA Claim No. 63-16686.

(3) On or about July 1960, my husband and I entered into an agreement with Idaho Concrete Company ("ICCO") for the purpose of extracting gravel from this same property.

(4) This extraction process required the use of water to process extracted materials into finished products for ICCO's facilities in Garden City, Idaho and for retail sales. The water was pumped from a pond on the subject property to the washing operations which also were on the same property. As it became necessary to drain water from the gravel pit, water also was pumped from the gravel pit into this pond. The gravel pit generally averaged about 20 to 25 feet deep. SRBA Claim No. A63-16686 was intended to cover the water use described in this paragraph.

(5) The extraction and processing of gravel on this property and the associated use of water has been an ongoing commercial business since 1960 to the present with different business owners.

(6) As described in SRBA Claim No. A63-16686 that I submitted, during the entire period of time of which I am aware, a 25 horsepower pump with a 6 inch line to the gravel wash plant was used to divert water from the pond. The quantity of 0.5 cubic feet per second ("cfs") on SRBA Claim No. A63-16686 was based on a "guesstimate" that I made with regard to how much water was being diverted. That number may not be accurate as I was aware of no measurements or calculations concerning what quantity actually was being diverted.

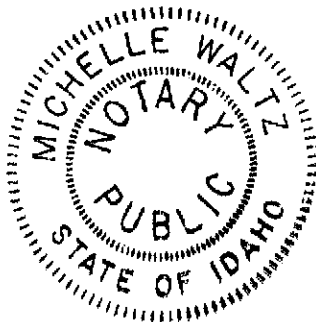
(7) I have lived on this same property continuously from about 1950 until 1996 and have witnessed all of the above described activities during this period of time.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 8th day of March 2004.

Birdie E. Dalrymple
Birdie E. Dalrymple

SUBSCRIBED AND SWORN to before me this 8th day of March 2004.



Michelle Waltz
Notary Public in and for the State of Idaho
Residing at: Down Idaho
My Commission Expires:
11-28-07

E:\4022.1\5774

RECEIVED

MAR 09 2004

WATER RESOURCES
WESTERN REGION

7M Group, LLC

Dana L. Hofstetter, ISB # 3867
HOFSTETTER LAW OFFICE, LLC
608 West Franklin Street
Boise, ID 83702
Telephone: (208) 424-7800
Facsimile: (208) 424-8774

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY**

	)	
	)	
In Re SRBA	)	Subcase No. 63-16686
	)	
Case No. 39576	)	AFFIDAVIT OF MICHAEL R. MATZDORFF
	)	
	)	
	)	
_____	)	
STATE OF IDAHO	)	
	) ss.	
COUNTY OF ADA	)	

Michael R. Matzdorff, being first being duly sworn upon oath, deposes and says:

(1) I am Michael R. Matzdorff, the managing member of 7M Group, LLC dba Mike's Sand & Gravel which is the owner of the property where Water Right No. 63-16686 is diverted and used.

(2) In late February 2004, I requested from Idaho Repro-Graphics in Garden City, Idaho copies of aerial photographs from the 1950's and 1960's for the property associated with Water Right No. 63-16686.

(3) In response to this request, I was informed by Idaho Repro-Graphics that a 1964 photograph, attached hereto as Exhibit A, was the aerial photograph of the subject property nearest to the year 1960 that was available to them.

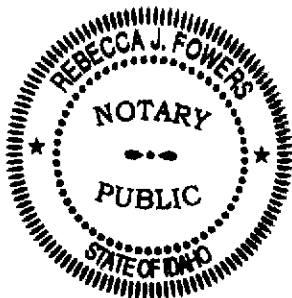
(4) Exhibit A depicts the gravel pit operations that were underway on the subject property on that date.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 8th day of March 2004.


Michael R. Matzdorff

SUBSCRIBED AND SWORN to before me this 8th day of March 2004.




Notary Public in and for the State of Idaho
Residing at: Bonanza, ID
My Commission Expires: 9/12/09



SRBA CASE # 39574

63-16484

RECEIVED

MAR 09 2004

WATER RESOURCES
WESTERN REGION

IDAHO REPRO GRAPHICS, INC.
140 Ellen Street Boise, Idaho 83714
(208) 376-2294 fax (208) 376-3147

Customer ID: _____
Film Date: _____ Scale 1: _____ *
Job ID: _____



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

BIRDIE E DALRYMPLE
10984 JOPLIN RD
BOISE ID 83704

Re: SRBA Claim A63-16686

Dear Claimant(s):

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 a positive recommendation 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 later this 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 Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

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

NBS/pm

cc: Kimberly Brown