

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: A63-22904
Date Received: 8/23/1989
Receipt No: C010248
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAKEWOOD HOMEOWNERS ASSN. #6 & #7 208-342-7278
Address: 2902 FALLING BROOK
BOISE, ID 83706
2. Date of Priority: MAY 01, 1948
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N | 02E | 23 | SE | SW | SE | | ADA |
5. Description of diverting works:
REDRILLED 1984 58FT, 10IN, WELL; 5HP PUMP/PIPELINE/SPRINKLER/POND
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| AESTHETIC | 03/15 | 11/15 | 0.330 | | |
| IRRIGATION | 03/15 | 11/15 | 0.090 | | |
7. Total Quantity Appropriated is:
0.330 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 10.5 Acre Feet Per Annum.
9. Non-irrigation uses:
ASTHETICS/3 PONDS
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	23	SW	SE		IRR	3.0
			SW	SE		AES	

A63-22904

Page 1

Date: 06/28/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
WELL WATER IS PUMPED TO PONDS FOR ASTHETICS, FLOW IS CONTINUOUS,
THERE ARE THREE(3) PONDS IN SUCCESSION - 2.1 ACRE M.O.L.
IRRIGATION ID FOR AREA AROUND PONDS, PLAYGROUND AND OTHER COMMON
AREA.

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
_____, 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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME LAKEL JOD Home Owners CLA IDENT. NO. A63-

DATE RECEIVED 8/23/89 CK # C010248 AMOUNT \$ 86⁰⁰

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒ N/A	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: JB Date: 6/13/96

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: JB Date: 4/28/90 Checked by: Date:

Claim data entered by: JB Date: 4/28/90

Sent to claimant by: Date:

Comments:

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: ³⁹⁵⁷⁶

Ident. Number

A63-22904

Date Received

8-23-89

Receipt Number

C 010248

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lake Wood Homeowners Assoc. #67 Phone (208) 342-7278Mailing Address 2902 FALLING BROOK Zip 832062. Date of Priority (Only one (1) per claim) MAY 1, 19483. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 2E Section 23,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

IN 1948 well was drilled to
estimated 30' AND Redrilled to 58' in 1984 - Cased to 43'.
CASING - 10"
Pump - 5H.P. Berkley Sub.
Pipeline to Ponds AND sprinkler system
3 Ponds in succession - size 2.1 Acres MDL.

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(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

8. Total consumptive use claimed is 10.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Aesthetics - 3 ponds

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

[illegible]

Total number of acres irrigated 3

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

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

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

14. Remarks:

- Well water is pumped to ponds for Aesthetics
- Flow is continuous
- There three (3) ponds in succession - 2.1 Acres M.O.L.
- Irrigation is for area around ponds, playground, and other common area

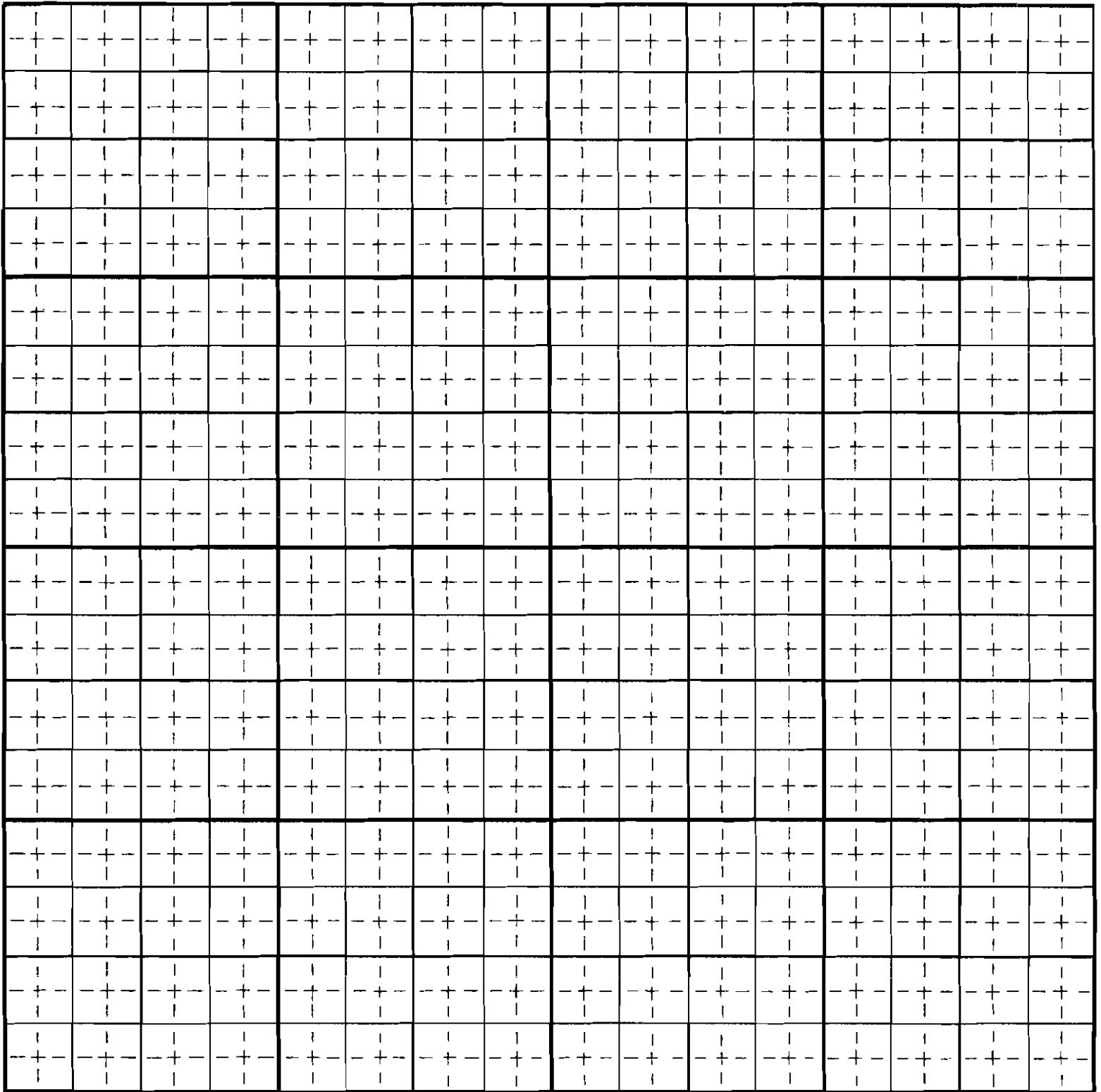
Last Name Lakeview Homeowners Ident No. _____
Assoc. #647

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Copies: White - 1, Yellow - 1

SEP 08 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile - *See Attached*



See Attachment

Last Name Lakewood Homeowners Ident No. _____
Assoc. # 6 & 7

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Copies: White-State, Yellow-Claimant

SEP 08 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) N/A Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT Title _____

of LAKEWOOD HOMEOWNERS ASSOC #6 & #7 , that I have signed the foregoing
Organization _____

document in the space below as PRESIDENT of LAKEWOOD HOMEOWNERS ASSOC 6 & 7
Title _____ Organization _____

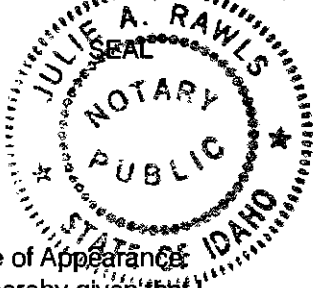
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Michael M Mooney, Pres.

Title and Organization PRESIDENT L.H.A #6 & #7 Date 8/8/89

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

Subscribed and sworn (or affirmed) before me this 17th day of August 19 89



Notary Public Julie A Rawls

Residing at Boise, Idaho

My Commission Expires 7/2/93

Please Print Name _____

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant
SEP 08 1992

IDAHO DEPT OF WATER RESOURCES.
1301 N. ORCHARD
Boise, Idaho

RECEIVED

AUG 23 1989

Department of Water Resources

RE: WATER ADJUDICATION

Gentlemen

FIND ENCLOSED OUR CLAIM TO WATER RIGHTS FOR
LAKESWOOD HOMEOWNERS #6 & 7. THE ATTACHED CHECK
COVERS THE Fee calculated as follows:

1-	Filing Fee	\$50 ⁰⁰
2-	Per Acre ~~\$200/A~~	3 ⁰⁰
	3 acres M.O.L.	
3-	CFS @ \$100/CFS	
	1 CFS = 449 gal/min	\$33 ⁰⁰
	EST usage .33 CFS	
		<u>\$86⁰⁰</u>

Any QUESTIONS PLEASE CONTACT ME AT 334-7031 OR 342-7278

Sincerely

Mike Mooney

Pres. LAKESWOOD HOMEOWNERS 6 & 7
167 FALL DR
Boise, 83706

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SEP 08 1992

RECEIVED

MAY - 8 2007

Department of Water Resources
Adjudication Bureau

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 7 AM 10 39

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-22904

I. FINDINGS OF FACT

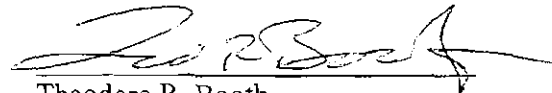
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On February 2, 2006, the claimant of the water right, the Lakewood Homeowners' Association Nos. 6 and 7, filed an objection to the *Director's Report*, asserting that the right should allow for a continuous flow of water for aesthetic purposes. On May 2, 2007, the parties to the subcase filed a *Standard Form 5 – Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-22904 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated May 3, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-22904

2007 MAY 7 AM 10 39

NAME AND ADDRESS: LAKEWOOD HOMEOWNERS ASSN
NO 6 & NO 7
2611 STONEY FORK WAY
BOISE, ID 83706

SOURCE: GROUND WATER

QUANTITY: 0.33 CFS
188.20 AFY

PRIORITY DATE: 03/01/1951

POINT OF DIVERSION: T03N R02E S23 SESWSE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.09 CFS 13.50 AFY
	Aesthetic	01-01 TO 12-31	0.24 CFS 174.70 AFY

PLACE OF USE:	Irrigation	Within Ada County
	T03N R02E S23 3.0 Acres Total	SWSE 3.0
	Aesthetic	Within Ada County
	T03N R02E S23	SWSE

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

MAY -7 2007

John M. Melanson
SPECIAL MASTER

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 MAY 7 AM 10 39

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

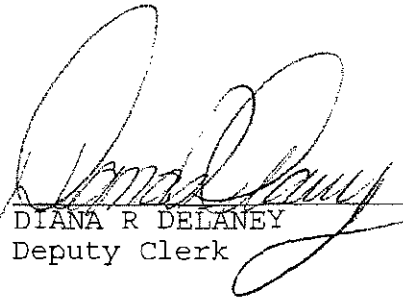
Water Right(s): 63-22904

On May 07, 2007, Special Master JOHN M MELANSON
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED May 07, 2007.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 MAY 7 AM 10 39

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 63-22904

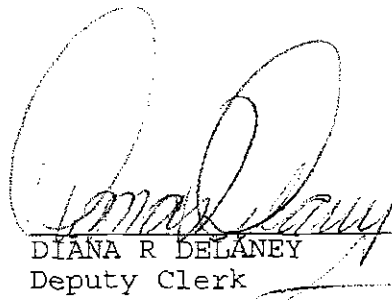
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 07, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LAKEWOOD HOMEOWNERS ASSN
NO 6 & NO 7
2611 STONEY FORK WAY
BOISE, ID 83706
Phone: 208-342-7278

RICHARD E O'HARA
167 FALL DR
BOISE, ID 83706
Phone: 208-331-8400


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/07/07

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

In Re SRBA	)	Subcase No. 63-22904
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
_____	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Lakewood Homeowners Assn No. 6 & No 7

Richard O'Hara
President

Date

IDWR Concurrence:

Sandy Egbert 3-2-07
Sandy Egbert Date
GIS Specialist

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Lakewood Homeowners Assn No 6 & No 7
2611 Stoney Fork Way
Boise, ID 83706

Richard O'Hara, President
167 Fall Dr
Boise, ID 83706

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-22904

NAME AND ADDRESS:

LAKEWOOD HOMEOWNERS ASSN NO 6
& NO 7
2611 STONEY FORK WAY
BOISE ID 83706

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.330 CFS
188.200 AFY

~~0.260 CFS~~
~~18.000 AFY~~

MC

PRIORITY DATE: 03/01/1951

POINT OF DIVERSION:

T03N R02E S23 SESWSE
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

0.090 CFS 13.50 AFY

AESTHETIC

01/01 12/31

0.240 CFS 174.70 AFY

~~03/01 11/15~~

~~0.260 CFS 4.50 AFY~~

PLACE OF USE:

IRRIGATION within ADA County

T03N R02E S23 SWSE 3.0

AESTHETIC within ADA County

T03N R02E S23 SWSE

3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Egbert, Sandy

From: Shurte, Jan
Sent: Thursday, February 01, 2007 11:12 AM
To: Egbert, Sandy
Subject: FW: Affidavit concerning water claim

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

From: Richard O'Hara [mailto:ROHARA@americanecology.com]
Sent: Monday, January 29, 2007 5:11 PM
To: Shurte, Jan
Cc: Spencer, Nick; Josie
Subject: Affidavit concerning water claim

Ian,

RE: Claim Number A63-22904.

I talked with Nick Spencer today and he asked that I send the attached affidavit to you for your review.

When we met at the court house last year you asked for an affidavit that would establish that the well was used to irrigate Triangle Dairy property in the 1950's. I talked with Bill Tate, who ran the dairy operations then, and he signed the attached statement. He notes that the well was used to irrigate 80 acres and that they were milking about 200 head of cattle at the time. This affidavit should provide all the information you need.

Our next status conference is on March 6th at 11:30 am. I hope we can report then that this matter is settled.

==Rich O'Hara==

2/1/2007

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT)
NUMBER: A63-22904)

AFFIDAVIT

JANUARY 11, 2007

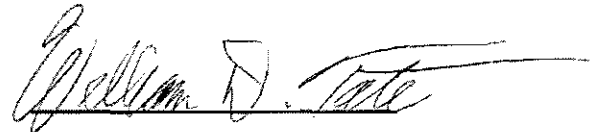
State of Idaho)
County of Ada)

William (Bill) Tate

Deposes and says:

I worked at the Triangle Dairy with my father, David Tate and my uncle, John Tate and eventually operated the dairy with my cousin, Pat Tate. I ran the dairy operations and Pat handled the milk sales and such. At that time the dairy occupied over 300 acres and included all the area now occupied by Timberline High School, White Pine Elementary School and the Lakewood subdivisions.

When we drilled the irrigation well in the early 1950's we used that well to irrigate the fields at the dairy. We pumped the well almost all the time and ran the water through a pipe up to our main irrigation ditch that ran along a route that's now known as Old Saybrook Road. That ditch ran across Gekeler Road to about 80 acres of farm fields we had on the west side of Gekeler. We used flood irrigation on those fields. We grew alfalfa and corn there, and rotated the crop with a mixture of wheat, oats and barley. We didn't pasture our cows much, they were mostly fed on the alfalfa and grains that we grew on the farm. We must have been milking about two hundred head back then.



**William (Bill) Tate
2930 North Silverleaf Way
Meridian, ID 83642**

RECEIVED

FEB 02 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

A.

Subcase

63-22904

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Richard E. O'Hara

Address:

167 FALL DRIVE
BOISE, ID 83706

Daytime Phone:

331-8400

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

LAKEWOOD HOMEOWNERS ASSN NO. 6 & NO. 7

Address:

2611 STONEY FORK WAY
BOISE, ID 83706

SCANNED
OCT 11 2006

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 174.7 AFY For Aesthetic Use
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: 01/01 to 12/31 for Aesthetic
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Historic use has been continuous. Aesthetic use requires continuous water source for habitat for wild fowl & aquatic resources. Without continuous flow, ponds would dry out & the Association would lose its prime asset. See AMENDED CLAIM OF 12/14/05

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

Richard E. O'Hara, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

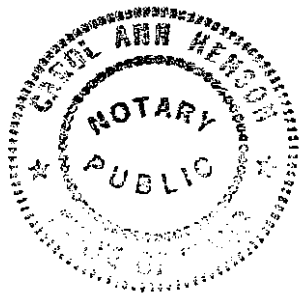
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Richard E. O'Hara
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 1, 2006



Carol Ann Henson

Notary Public for State of Idaho

Residing at: Basis, Idaho

My Commission Expires: 7-29-2011

Lakewood Homeowner's Association #6 and #7
2611 Stoney Fork Way
Boise, ID 83706

December 14, 2005

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Amended Claim for Water Right #63-22904

An amended claim to water rights for the Lakewood Homeowner's Association #6 and #7 is attached, along with associated records.

In addition, a check is included for \$86, as calculated below. If a fee is not required for review of an amended claim, please return the check to the address on this letterhead:

1. Filing Fee:	\$50.00
2. Irrigation Fee @ \$1/ac. For 3 ac. MOL	\$ 3.00
3. CFS Fee @\$100/cfs for 0.33 cfs	<u>\$33.00</u>

TOTAL	\$86.00
-------	---------

This claim is being amended to emphasize that the beneficial use for aesthetic purposes is based on a continuous use of 0.26 cubic feet per second (cfs), and that the annual quantity used for aesthetic purposes is 174.7 acre feet per year (AFY). The preliminary recommendation (dated 11/14/05) miscalculates the acre feet per year for aesthetic purposes, and recommends an annual total of 3.78 acre feet. This is the approximate volume of water held by the Lakewood Ponds. Limiting annual use to this amount would be inconsistent with state law. These ponds have never been operated in this way. The ponds would stagnate and evaporate early each year without continuous replenishment. The ponds are the primary asset of Lakewood Homeowner's Association #6 and #7, they sustain habitat for wildfowl and aquatic life, and they have consistently been maintained through continuous flow.

The two field inspectors sent by the IDWR to verify the location and pumping rate of this diversion were fully briefed on the use of diverted water and explicitly understood that the ponds are and have been sustained through continuous flow. No information has been provided by IDWR to explain how the annual amount for aesthetic purposes was calculated.

The preliminary recommendation correctly identifies a consumptive use for irrigation of 3 acres of common grounds from 03/01 to 11/15 of each year and amounting to 13.50 acre feet annually. The amended claim does not change this amount.

Adding together the amounts incorporated in the amended claim, the total annual quantity should be expressed as:

QUANTITY: 0.330 CFS (seasonally adjusted; 0.26 cfs for aesthetic purposes, and $(0.090 \text{ cfs} \times 0.75 = 0.07 \text{ cfs})$ for irrigation purposes

188.2 AFY .

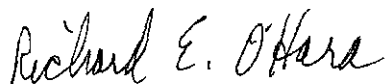
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	01/01 12/31	0.260 CFS 174.7 AFY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY

The attached documents are provided to facilitate review of the amended claim:

1. A copy of the original claim from 1989. Note that the remarks clearly state that "flow is continuous." Also note that fees were paid and the claim was made on the basis of 0.33 cfs total use.
2. A copy of the envelope and note received from IDWR on approximately December 1, 2005, which contained the preliminary recommendation. This was the first notice received from IDWR concerning the preliminary recommendation of water rights acquired under state law.
3. A copy of the preliminary recommendation dated 11/14/2005.
4. A copy of the "Notice of Error Reply" faxed and mailed to IDWR on 12/1/05. Note that this request identifies a total aesthetic use quantity of 174.7 acre feet and a total overall use of 188.2 acre feet based on a sustained pumping rate of 0.26 cfs.
5. The amended claim containing the changes noted above.

Please let me know if you have any questions.



Richard E. O'Hara, President
Lakewood Homeowner's Association #6 and #7
167 Fall Drive
Boise, ID 83706
208 331 8400 (W)
208 424 8594 (H)

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on February 1, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

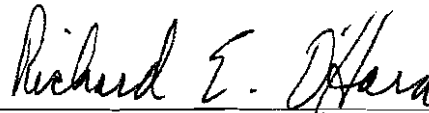
Name: LAKEWOOD HOMEOWNERS ASSN. NO. 6 & NO. 7
Address: 2611 STONEY FORK WAY
BOISE, ID 83706

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

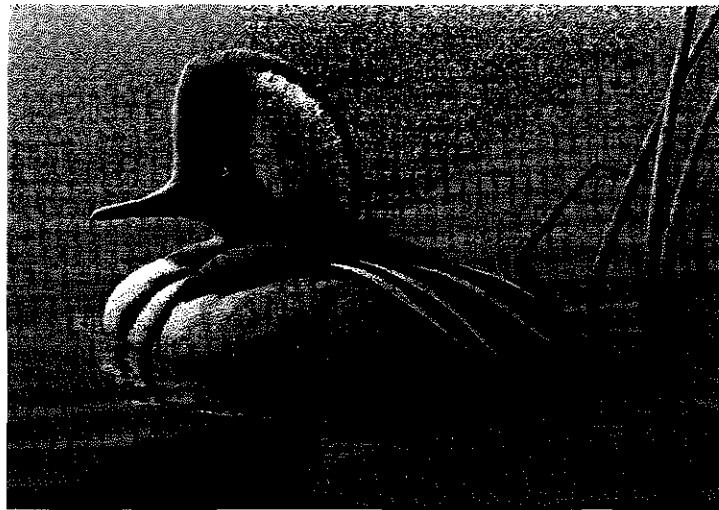


Signature of objector or attorney
mailing on Objector's behalf

Hooded Mergansers Are Here!

Two pairs of Hooded Mergansers arrived last week, and are paddling around the Lakewood ponds. These spectacular, rare ducks are not often seen in this area, according to long-time residents.

The ponds are supplying them with the fresh fish and quiet surroundings that they need to flourish. They are sharing the pond with American Widgeons, Wood Ducks, Mallards, and Geese. Bring your binoculars!



The Hooded Merganser is 16" to 19" long with a slender pointed bill. The male has a white, fan-shaped, black-bordered crest, blackish body with dull rusty flanks, and white breast with 2 black stripes down the side. Female is dull gray-brown, with warmer brown head and crest.

The smallest of our mergansers, Hoodeds are most often seen along rivers and in estuaries during the fall and winter. They are usually found in pairs or in flocks of up to a dozen. They are among the fastest flying of our ducks. Hoodeds feed chiefly on small fish, which they pursue in long, rapid, underwater dives, but also take small frogs, newts, tadpoles, and aquatic insects.

Rich O'Hara
167 Fall Drive

Idaho Department of Water Resources Receipt

Receipt ID W033681

Payment Amount	\$86.00	Date Received	12/15/2005 12:33:33 PM	Region	Western	Status
Payment Type	Check	Check Number	2543			

Payer LAKEWOOD UNITS 6 & 7 HOMEOWNERS ASSOC

Comment NOTICE OF CLAIM

Fee Detail

Amount Description

\$86.00 ADJUDICATION

AK

Signature Line (Dr

1-17-06

Had a telephone Conf. with

Mike with Jan present also.

It was decided that Lakewood should file an objection -

their only recourse actually.

The amended claim came in too late to be delt

with before the rec. went

out. The recommendations

were being stuffed the

week the amended claim

arrived. Further investigation

is required - the volume

requested on the amended claim

is unusually high.

Egbert, Sandy

From: Harvey, Becky
Sent: Tuesday, December 13, 2005 2:43 PM
To: Egbert, Sandy
Subject: FW: forms

Sandy - fyi - you might want to stick this in the claim file. Thanks. Becky

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

From: Harvey, Becky
Sent: Tuesday, December 13, 2005 2:43 PM
To: 'rohara@usecology.com'
Subject: forms

Dear Mr. O'Hara:

Pursuant to our conversation on this date, attached please find: a) original claim filed by the Lakewood Homeowners Association; b) Amended Claim form; c) Instructions for completing the claim form.

Please review the instructions carefully and complete the amended claim. There may be other portions of the claim which require an amendment in addition to adding the volume you are requesting. Please know that this amended claim will have to be investigated and researched. It does not necessarily mean that the homeowners association will be granted what you request in the amended claim. However, it is a step you must take in the process since IDWR is limited to recommending no more than what is on the notice of claim. The Director's Report is scheduled to be filed at the end of this week. Please return the completed, signed and notarized amended claim to the Western Regional office.

When you receive the Director's Report, read the Notice carefully and follow the deadlines and procedures outlined in the Notice for Basin 63, Part 2 to file your objection with the SRBA Court.

Sincerely,

Becky Harvey
Paralegal
AGO/IDWR
Phone: 287-4814



200512131427383920051213142722802005121314270660
9.pdf



2.pdf



9.pdf

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank you.

Lakewood Homeowner's Association #6 and #7
2611 Stoney Fork Way
Boise, ID 83706

December 14, 2005

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED
DEC 15 2005
WATER RESOURCES
WESTERN REGION
W 0 3 3 6 8 1

RE: Amended Claim for Water Right #63-22904

An amended claim to water rights for the Lakewood Homeowner's Association #6 and #7 is attached, along with associated records.

In addition, a check is included for \$86, as calculated below. If a fee is not required for review of an amended claim, please return the check to the address on this letterhead:

1. Filing Fee:	\$50.00
2. Irrigation Fee @ \$1/ac. For 3 ac. MOL	\$ 3.00
3. CFS Fee @\$100/cfs for 0.33 cfs	<u>\$33.00</u>

TOTAL \$86.00

This claim is being amended to emphasize that the beneficial use for aesthetic purposes is based on a continuous use of 0.26 cubic feet per second (cfs), and that the annual quantity used for aesthetic purposes is 174.7 acre feet per year (AFY). The preliminary recommendation (dated 11/14/05) miscalculates the acre feet per year for aesthetic purposes, and recommends an annual total of 3.78 acre feet. This is the approximate volume of water held by the Lakewood Ponds. Limiting annual use to this amount would be inconsistent with state law. These ponds have never been operated in this way. The ponds would stagnate and evaporate early each year without continuous replenishment. The ponds are the primary asset of Lakewood Homeowner's Association #6 and #7, they sustain habitat for wildfowl and aquatic life, and they have consistently been maintained through continuous flow.

The two field inspectors sent by the IDWR to verify the location and pumping rate of this diversion were fully briefed on the use of diverted water and explicitly understood that the ponds are and have been sustained through continuous flow. No information has been provided by IDWR to explain how the annual amount for aesthetic purposes was calculated.

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Adding together the amounts incorporated in the amended claim, the total annual quantity should be expressed as:

QUANTITY: 0.330 CFS (seasonally adjusted; 0.26 cfs for aesthetic purposes, and $(0.090 \text{ cfs} \times 0.75 = 0.07 \text{ cfs})$ for irrigation purposes
188.2 AFY .

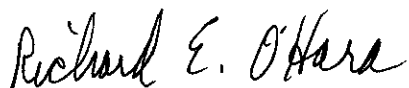
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	01/01 12/31	0.260 CFS 174.7 AFY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY

The attached documents are provided to facilitate review of the amended claim:

1. A copy of the original claim from 1989. Note that the remarks clearly state that "flow is continuous." Also note that fees were paid and the claim was made on the basis of 0.33 cfs total use.
2. A copy of the envelope and note received from IDWR on approximately December 1, 2005, which contained the preliminary recommendation. This was the first notice received from IDWR concerning the preliminary recommendation of water rights acquired under state law.
3. A copy of the preliminary recommendation dated 11/14/2005.
4. A copy of the "Notice of Error Reply" faxed and mailed to IDWR on 12/1/05. Note that this request identifies a total aesthetic use quantity of 174.7 acre feet and a total overall use of 188.2 acre feet based on a sustained pumping rate of 0.26 cfs.
5. The amended claim containing the changes noted above.

Please let me know if you have any questions.



Richard E. O'Hara, President
Lakewood Homeowner's Association #6 and #7
167 Fall Drive
Boise, ID 83706
208 331 8400 (W)
208 424 8594 (H)

ORIGINAL CLAIM OF 1989

IDAHO DEPT OF WATER RESOURCES
1301 N. OREGON
Boise, Idaho

RECEIVED
AUG 23 1989

RE: WATER ADJUDICATION

Department of Water Resources

Gentlemen

FIND ENCLOSED OUR CLAIM TO WATER RIGHTS FOR
LAKEWOOD HOMEOWNERS #6 & 7. THE ATTACHED CHECK
COVERS THE Fee calculated as follows:

1- Filing Fee	\$50.00
2- Per Acre ~~\$100/A~~	3.00
3 acres M.O.L.	
3- CFS @ \$100/CFS	
1 CFS = 449 gal/min	\$33.00
EST usage .33 CFS	
	<u>\$86.00</u>

Any QUESTIONS PLEASE CONTACT ME AT 334-7031 OR 342-7278

Sincerely,

Duke Moore

Pres. LAKEWOOD HOMEOWNERS 6 & 7

167 FALL DR

Boise, 83706

MICROFILMED

SEP 08 1992

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 963-22904
Date Received 8-23-89
Receipt Number C 010248

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lake Wood Homeowners Assoc. #67 Phone (208) 342-7278
Mailing Address 2902 FALLING BROOK Zip 83706

2. Date of Priority (Only one (1) per claim) May 1, 1948

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 23
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well IN 1948 well was drilled to
estimated 30' and redrilled to 58' in 1984 - cased to 43'.
Casing - 10"
Pump - 5H.P. Berkey Sub.
Pipeline to Ponds and sprinkler system
3 Ponds in succession - size 2.1 Acres MOL.

MICROFILMED

SEP 08 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Aesthetics purposes from 3/15 to 11/15 amount .33 or _____

For Irrigation purposes from 3/15 to 11/15 amount .09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .33 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg Domestic: Give number of households served; Stockwater: Type and number of livestock Etc) Aesthetics - 3 ponds

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3N</u>	<u>2E</u>	<u>23</u>															<u>3</u>		<u>3</u>

Total number of acres irrigated 3

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

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

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

14. Remarks:
 • Well water is pumped to ponds for Aesthetics
 • Flow is continuous
 • There three (3) ponds in succession - 2.1 Acres M.O.L.
 • Irrigation is for area around ponds, playground, and other common area

Last Name Lakewood Homeowners Assoc. #667 Ident No _____

Copies WMA **MICROFILMED**

SEP 08 1992

15 Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16 Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) N/A Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT Title _____

of LAKEWOOD HOMEOWNERS ASSOC #6 & #7 Organization _____, that I have signed the foregoing
document in the space below as PRESIDENT Title _____ of LAKEWOOD HOMEOWNERS ASSOC #6 & #7 Organization _____

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

Signature of Authorized Agent Michael M Mooney, Pres.

Title and Organization PRESIDENT L.H.A. #6 & #7 Date 8/8/89

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

Subscribed and sworn (or affirmed) before me this 17th day of August 19 89

Notary Public Julie A. Rawls

Residing at Boise, Idaho

My Commission Expires 7/2/93

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

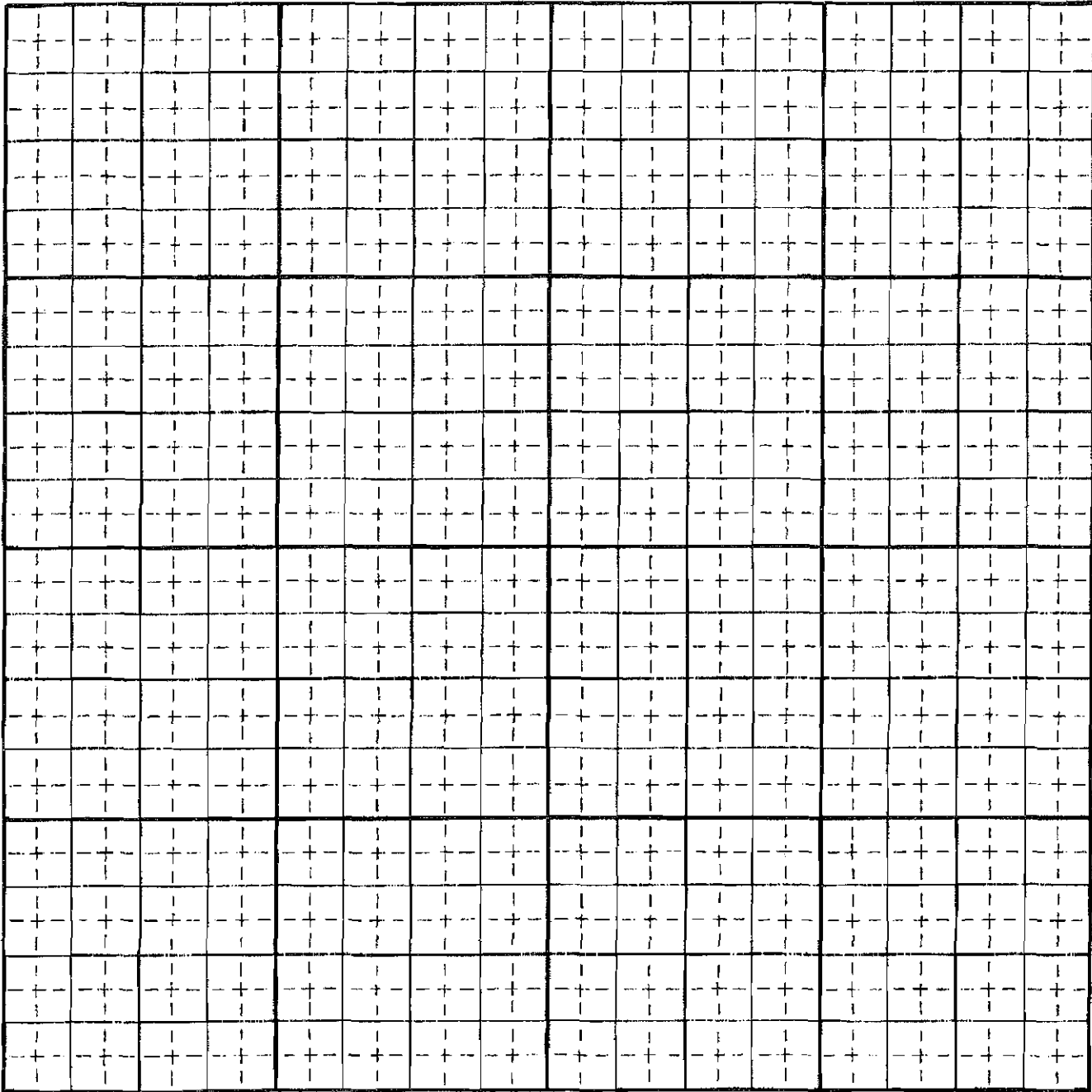
Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
SEP 08 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number

Scale: 2 inches equals 1 mile - *See Attached*



See Attachment

Last Name Lakeview Homeowners Ident No _____
Assoc. # 6 E 7

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 08 1992

**NOTE AND ENVELOPE FROM IDWR
RECEIVED c. 12/1/05**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 00.83⁰⁰
0004389383 NOV 28 2005
MAILED FROM ZIP CODE 83702

*This was sent out
Nov. 15 then returned
to IDWR.*

*If there is an error
on this Preliminary
Recommendation please
call our office at
334-2190*

Sandy

IDAHO DEPARTMENT OF WATER RESOURCES

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

TO

LAKEWOOD HOMEOWNERS ASSN NO 6 & 7
2611 STONEY FORK WAY
BOISE ID 83706

ADDRESS SERVICE
REQUESTED



PRELIMINARY RECOMMENDATION FROM IDWR

11/14/2005

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

RIGHT NUMBER: 63-22904

NAME AND ADDRESS: LAKEWOOD HOMEOWNERS ASSN NO 6 & NO 7
2902 FALLING BROOK
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
17.28 AFY

PRIORITY DATE: 03/01/1951

POINT OF DIVERSION:
T03N R02E S23 SESWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	03/01 11/15	0.260 CFS 3.78 AFY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY

PLACE OF USE: IRRIGATION Within ADA County
T03N R02E S23 SWSE 3.0
AESTHETIC Within ADA County
T03N R02E S23 SWSE

3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

NOTIFICATION OF ERROR REPLY

→ Sandy Egbert

IDWR

334-2348

VIA FAX

12/1/5

Sandy,

This should be sufficient
to correct the preliminary
recommendation. If you need
more information, please call
@ 331-8400.

Rich O'Hara
Lakewood 6/7
President

11/14/2005

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: November 25, 2005

Water right number: 63-22904

LAKEWOOD HOMEOWNERS ASSN NO 6 & NO 7

~~2902 FALLING BROOK~~

BOISE ID 83706

Telephone Number: (208)342-7278

(NOTE CHANGE OF ADDRESS)

R.E. O'Hara
Lakewood 6/7
President

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

- QUANTITY (AFY) IS INCORRECT FOR AESTHETIC USE & IN TOTAL
- PERIOD FOR AESTHETIC USE IS INCORRECT

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

TOTAL QUANTITY: 0.260 CFS 108.2 AFY

PURPOSE & PERIOD: AESTHETIC YEAR ROUND 0.260 CFS 174.7 AFY
IRRIGATION (O.K. AS IS)

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

AESTHETIC USE IS CONTINUOUS & YEAR ROUND.

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

DATE: 12/1/05

SIGNATURE: Richard E. O'Hara

Please print your name: Richard E. O'Hara

PRESIDENT, LAKEWOOD 6/7 HOMEOWNERS ASSOC.

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

AMENDED WATER RIGHT CLAIM

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 _____

Date Received _____

Receipt Number _____

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

WATER RIGHT
63-22904

Please type or print clearly

1. Name of Claimant (s) LAKEWOOD HOMEOWNERS' ASSOC #64 #7 Phone (208) 424-8594

Mailing Address 2611 STONEY FORK WAY BOISE, ID Zip 83706

2. Date of Priority (Only one (1) per claim) MARCH 1, 1951 - SEE AFFIDAVIT OF CARL TATE

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____
ON FILE @
IDWR WESTERN
REGION

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 23,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. PROXIMATE TO THE DATE OF PRIORITY A WELL WAS DRILLED TO AN ESTIMATED DEPTH OF 30 FEET. IN 1984, THE WELL WAS REDRILLED TO 58' AND A 10" CASING WAS INSTALLED TO 43 FEET. IN 2004, A NEW WELL SCREEN WAS PLACED. A 5 H.P. BERKELEY SUB. PUMP SUPPLIES WATER TO 3 PONDS CONTINUOUSLY AND TO AN IRRIGATION SYSTEM SEASONALLY. THE PONDS ARE CONNECTED BY GRAVITY FLOW AND DISCHARGE TO LOCAL STORM SEWERS. PONDS ARE APPROXIMATELY 2.5 ACRES M.O.L. IN SURFACE AREA. IRRIGATION COVERS 3 ACRES M.O.L. OF CHANAN GROUNDS. (SEE REMARKS.)

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For AESTHETIC purposes from JAN 1 to DEC 31 amount 0.26 or 174.7

For IRRIGATION purposes from 3/1 to 11/15 amount 0.09 or 13.50

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.33 (cfs) and/or (b) 188.2 (acre feet)

8. Total consumptive use claimed is 13.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) PONDS SUPPORT WILDFOWL & AQUATIC HABITAT AND ARE THE PRIME ASSET

10. Description of place of use: OF THE 79 HOMEOWNERS OF LAKEWOOD HOMEOWNERS ASSOC. #6 & #7.

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3W	2E	23															3		3

Total number of acres irrigated 3 M.O.L.

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above

or None X

14. Remarks:

IRRIGATED ACREAGE IS OWNED BY ASSOCIATION & CONSISTS OF A PARK, PARKWAYS, ROADSIDE BUFFERS, AND OPEN SPACE NEXT TO PONDS. WELL WATER IS CONSISTENTLY & CONTINUOUSLY PUMPED TO PONDS, WHICH ARE INTERCONNECTED WITH CULVERTS & OVERFLOW PIPES. THIS AMENDED CLAIM INCLUDES A CALCULATION OF THE ANNUAL VOLUME OF WATER USED TO MAINTAIN THESE PONDS (174.7 AFY), AESTHETICALLY, STORAGE OF FRESH WATER AT CONSISTENT LEVELS IS (& HAS BEEN) IMPORTANT AT LAKEWOOD 647 PONDS.

Last Name

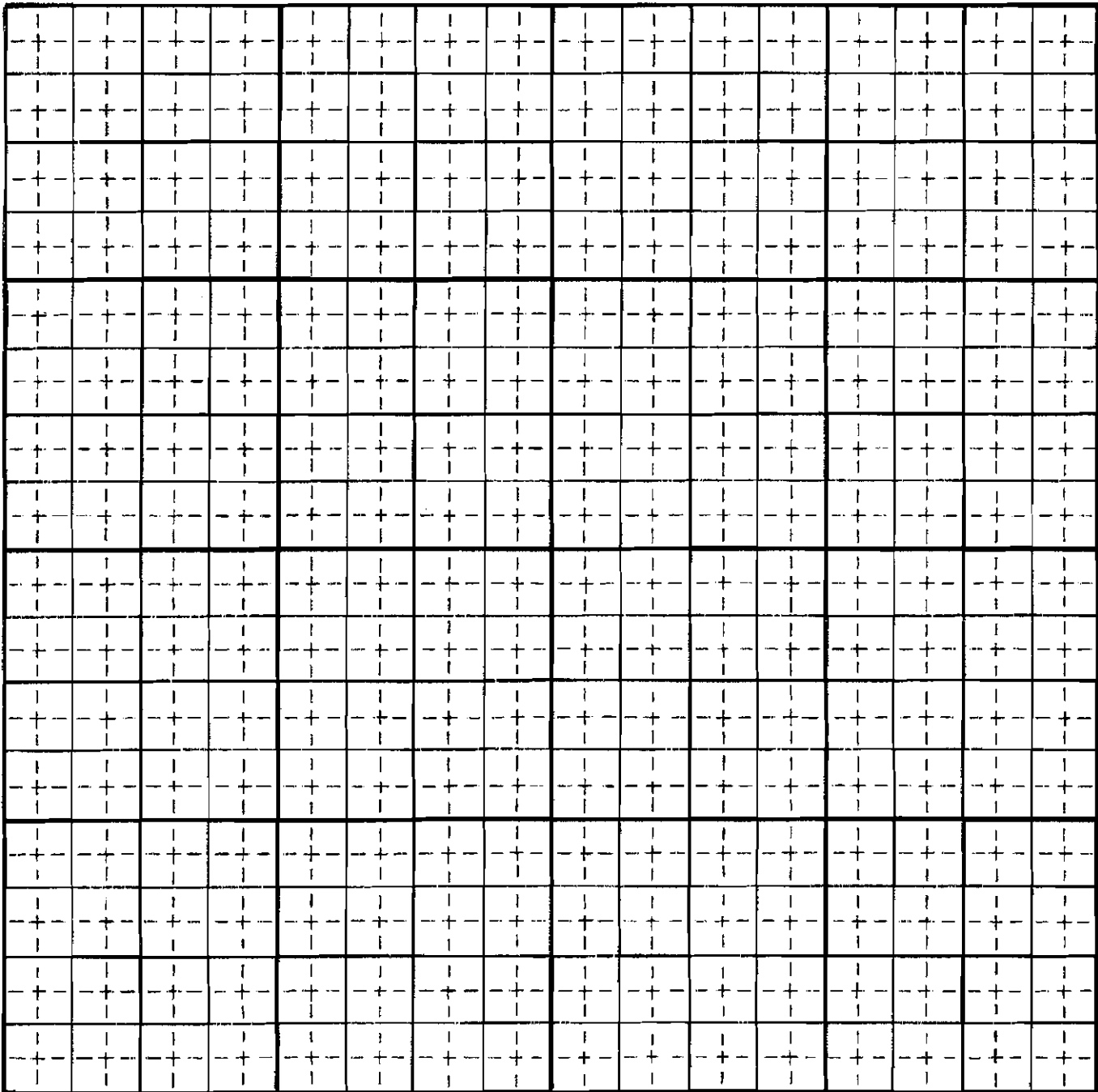
LAKEWOOD H.A. 647

Ident No.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See Attached IDWR & USGS Maps



Last Name LAKEWOOD H.A. 687 Ident No. _____

Idaho Department of Water Resources

63-22904

T03N R02E S23



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



0 500 1000 1500 2000 Feet

IDWR

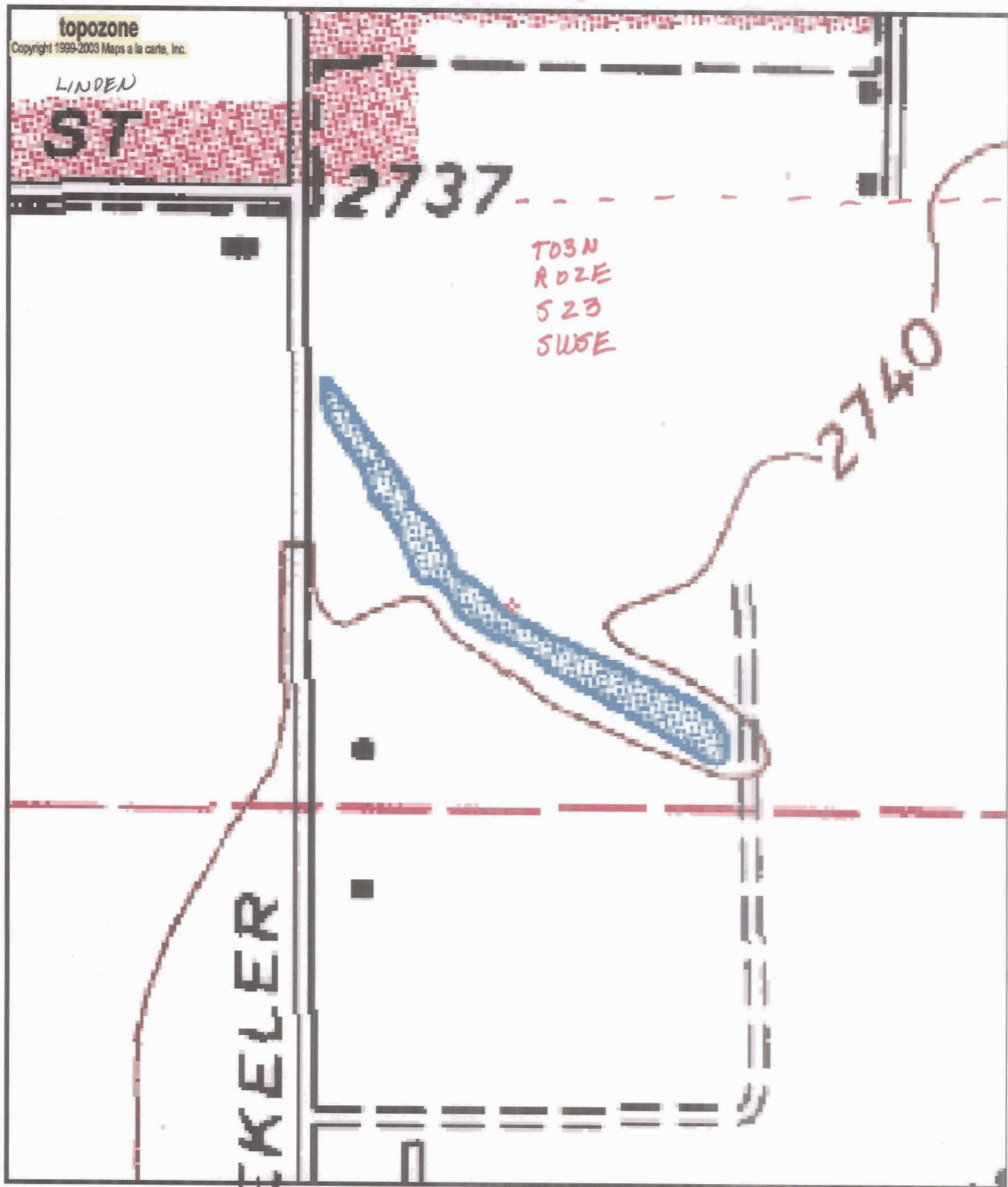
Prepared by: Sandy Egbert

Date: 11-14-05

1987 Photography

LAKEWOOD HRA #69#7

LAKWOOD POND 1972



0 0.07 0.14 0.21 0.28 0.35 km
0 0.04 0.08 0.12 0.16 0.2 mi

Map center is UTM 11 566071E 4825151N (WGS84/NAD83)
Boise South quadrangle
Projection is UTM Zone 11 NAD83 Datum

* M
G
M=15.417
G=0.564

Lakewood #66#7 HOMEOWNER'S ASSOC.



BOISE SOUTH TOPO DATE

VIEW MAPS

GET DATA

MY TOPOZONE

WEB SERVICES

ABOUT US

USGS Map Detail

Please use this information if you're ordering a printed USGS topographic map from a dealer. Different dealers may prefer to use either the ISBN Number or the Order ID to specify a map, so keep all the information with you when placing an order.

To find a USGS printed map dealer, consult the **USGS Map Dealer Directory**

Name	BOISE SOUTH
State(s)	ID
Map Type	Topographic (feet)
Scale	1:24000
Currentness Year	1972



ISBN Number	0607169745
USGS Order ID	TID0166
USGS Entity ID	MPTID0166PP01

Area Covered	7.5 minute
Projection	Transverse Mercator / Transverse Conformal Cylindrical

Northwest corner	43.6250°N, -116.2500°W
Northeast corner	43.6250°N, -116.1250°W
Southwest corner	43.5000°N, -116.0000°W
Southeast corner	43.5000°N, -116.1250°W

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LAKEWOOD #68#7 HOMEOWNER'S ASSOC

15 Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16 Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) N/A Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT Title _____

of LAKEWOOD HOMEOWNERS ASSOCIATION #68 #7 Organization _____, that I have signed the foregoing

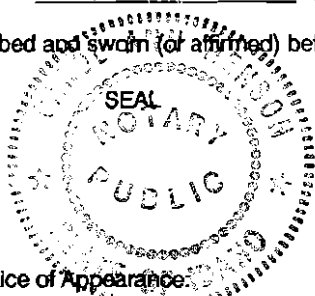
document in the space below as PRESIDENT Title _____ of LAKEWOOD HOMEOWNERS ASSN. 687 Organization _____

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

Signature of Authorized Agent Richard E. O'Hara
Title and Organization PRESIDENT, LAKEWOOD H.A. 687 Date 12-14-05

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

Subscribed and sworn (or affirmed) before me this 14th day of December 2005



Notary Public Carol Christensen

Residing at Boise, Ada County, Idaho

My Commission Expires 7-29-2011

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

Last Name LAKEWOOD H.A. 687 Ident. Number _____

RECEIVED

DEC 07 2005

WATER RESOURCES
WESTERN REGION

→ Sandy Egbert
IDWR

334-2328

VIA FAX

12/1/5

Sandy,

This should be sufficient
to correct the preliminary
recommendation. If you need
more information, please call
@ 331-8400.

Rich O'Hara
Lakewood 6/7
President.

11/14/2005

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

RIGHT NUMBER: 63-22904

NAME AND ADDRESS: LAKEWOOD HOMEOWNERS ASSN NO 6 & NO 7
2902 FALLING BROOK
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
17.28 AFY

PRIORITY DATE: 03/01/1951

POINT OF DIVERSION:
T03N R02E S23 SESWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	03/01 11/15	0.260 CFS 3.78 AFY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY

PLACE OF USE: IRRIGATION Within ADA County
T03N R02E S23 SWSE 3.0
AESTHETIC Within ADA County
T03N R02E S23 SWSE

3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/14/2005

NOTICE OF ERROR
REPLY

RECEIVED

DEC 07 2005

WATER RESOURCES
WESTERN REGION

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: November 25, 2005

Water right number: 63-22904

LAKEWOOD HOMEOWNERS ASSN NO 6 & NO 7

~~2902 FALLING BROOK~~

BOISE ID 83706

Telephone Number: (208)342-7278

2611 STONEY FORK WAY (NOTE CHANGE OF ADDRESS)

R. E. O'Hara
Lakewood 6/7
President

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

- QUANTITY (AFY) IS INCORRECT FOR AESTHETIC USE & IN TOTAL
- PERIOD FOR AESTHETIC USE IS INCORRECT

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

TOTAL QUANTITY: 0.260 CFS 188.2 AFY

PURPOSE & PERIOD: AESTHETIC YEAR ROUND 0.260 CFS 174.7 AFY

IRRIGATION (O.K. AS IS)

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

AESTHETIC USE IS CONTINUOUS & YEAR ROUND.

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

DATE:

12/1/05

SIGNATURE:

Richard E. O'Hara

Please print your name:

Richard E. O'Hara

PRESIDENT, LAKEWOOD 6/7 HOMEOWNERS ASSOC.

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

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004310839
MAILED FROM ZIP 0

RECEIVED

NOV 25 2005

WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

TO

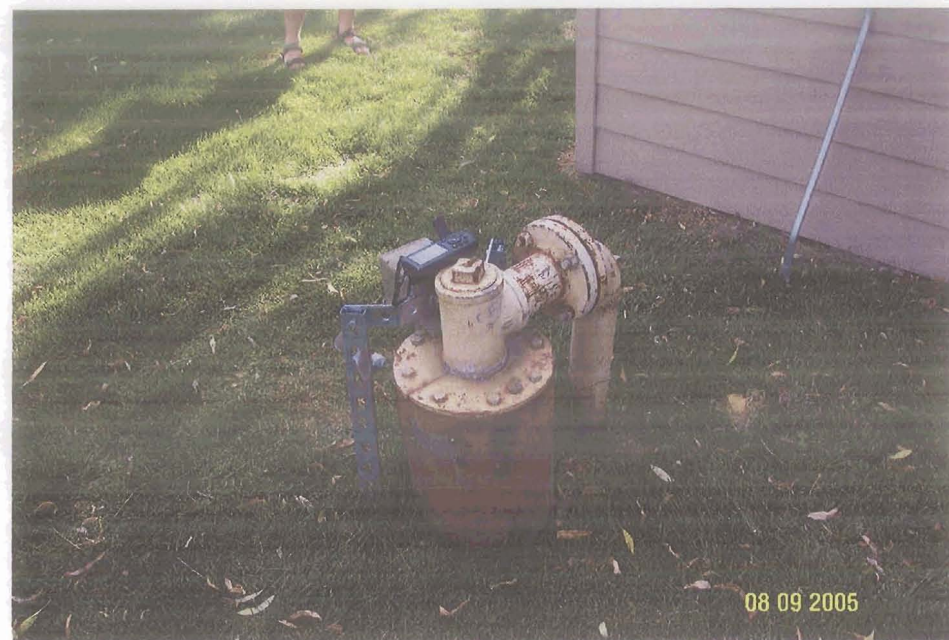
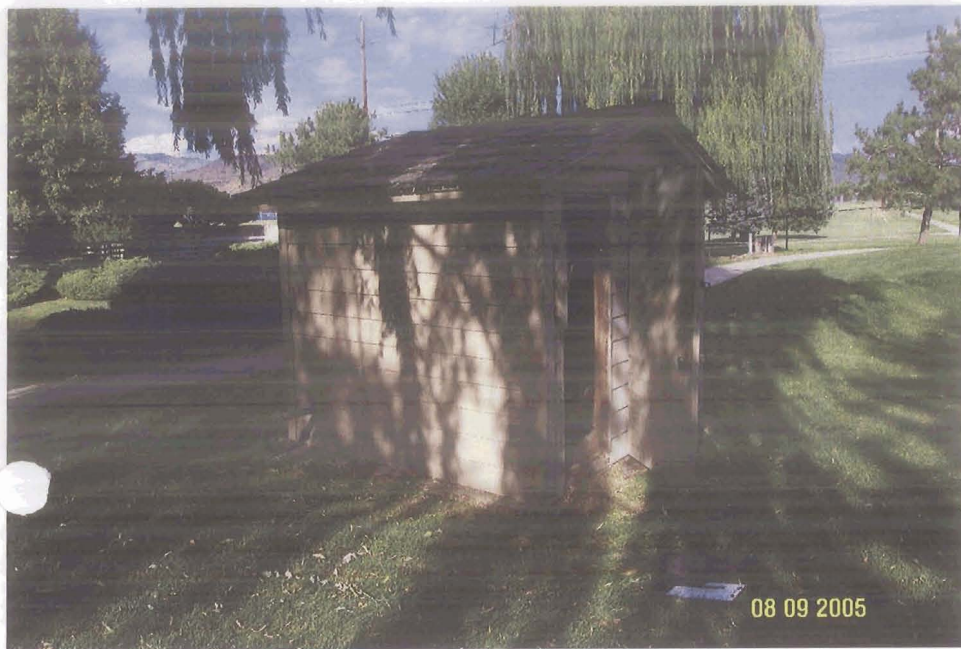
LAKWOOD HOMEOWNERS ASSN NO 6 & 7
~~2902 FALLING BROOK~~
BOISE ID 83706

W. W. W. 11/25/05

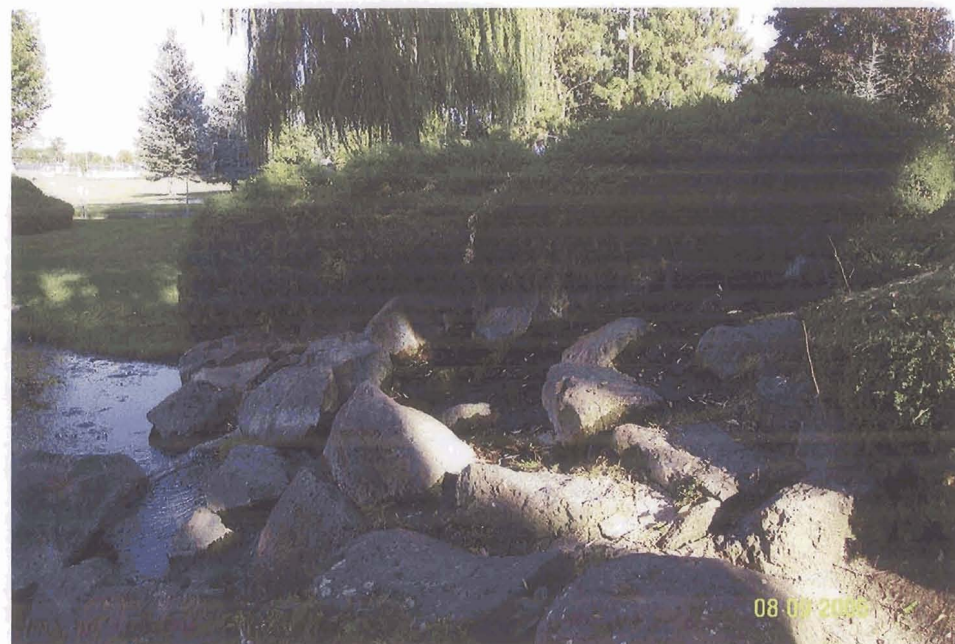
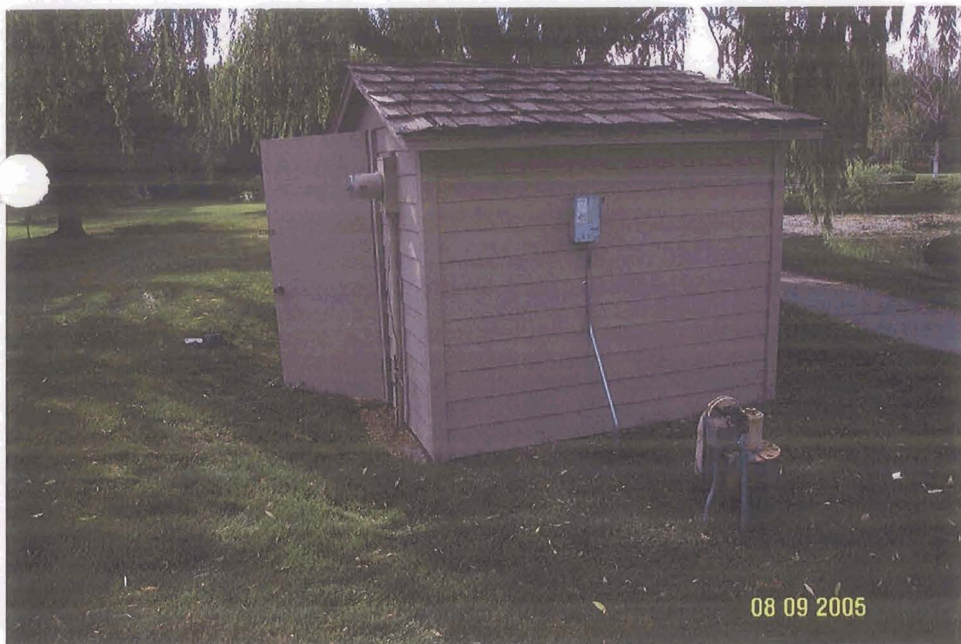
2611 Stony Fork Way

63-22904

[Handwritten signature]

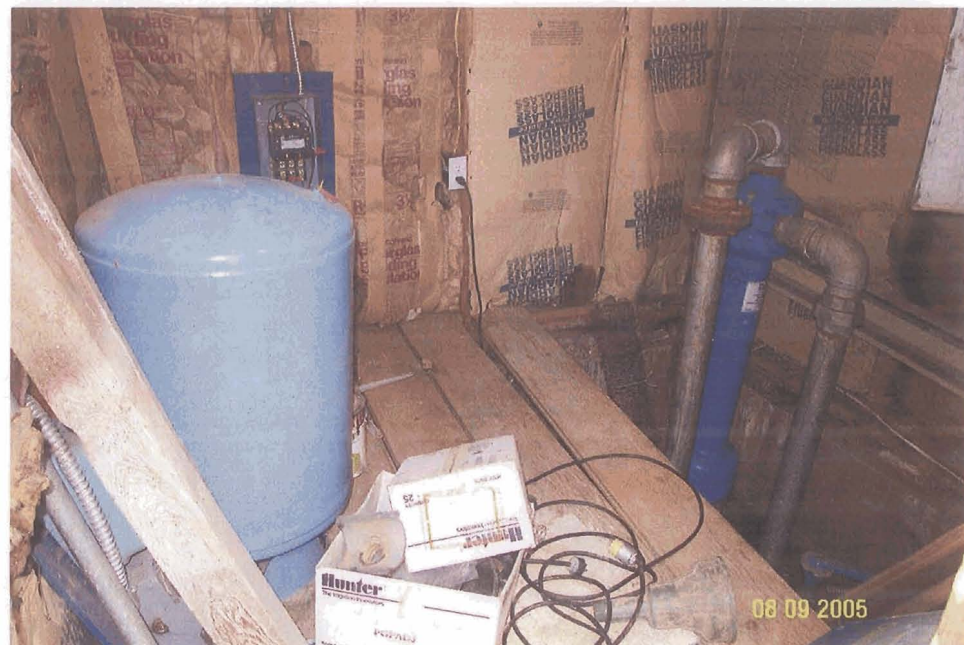


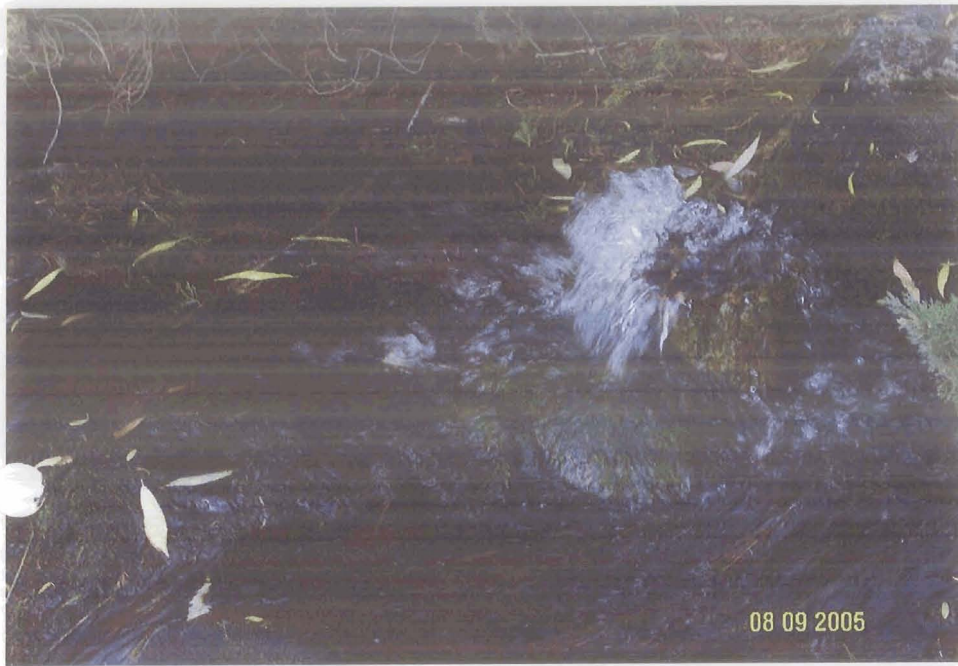
Lakewood
63-22904





Lakewood
63-22904





Lakewood
63-22904



11/14/2005

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

RIGHT NUMBER: 63-22904

NAME AND ADDRESS: LAKEWOOD HOMEOWNERS ASSN NO 6 & NO 7
2902 FALLING BROOK
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
17.280 AFY

PRIORITY DATE: 03/01/1951

POINT OF DIVERSION:

T03N R02E S23 SESWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	03/01 11/15	0.260 CFS 3.78 AFY
IRRIGATION	03/01 11/15	0.090 CFS 13.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S23 SWSE 3.0

AESTHETIC Within ADA County

T03N R02E S23 SWSE

3 ACRES TOTAL

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

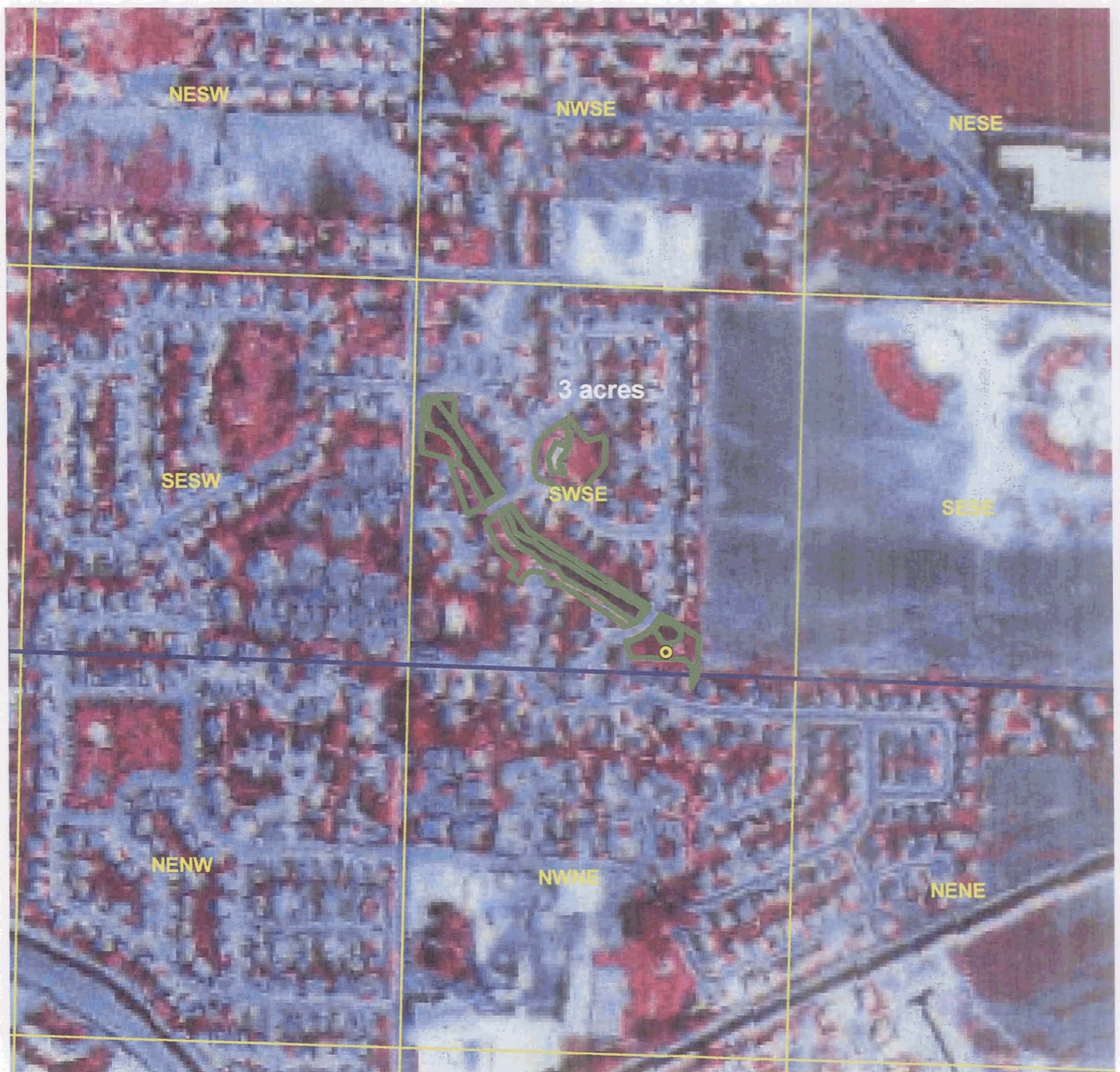
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

63-22904

T03N R02E S23



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



0 500 1000 1500 2000 Feet

IDWR

Prepared by: Sandy Egbert

Date: 11-14-05

1987 Photography

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{5} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ \text{Static Water Level} &= \underline{14} \text{ ft.} \\ \text{Assumed Draw down} &= + \underline{10} \text{ ft.} \\ \text{Lift} &= \underline{24} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{40} \text{ psi}$$

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{70}{Eff} \right] \div \left[\frac{24}{Lift} + \left(\frac{40}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{30.8} \right] \div \left[\underline{116.32} \right]$$

$$Q_{cfs} = \underline{.26} \text{ cfs}$$

Well drillers report - $100 \text{ gpm} = .22 \text{ cfs} \quad (100 \div 450)$
 $150 \text{ gpm} = .33 \text{ cfs} \quad (150 \div 450)$

PERMIT NO.

**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) G3-22904Owner: Lake Wood Homeowners Assn Phone No. FAX 208-342-7278Current Address: 2902 Falling Brook

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

Accompanied by: George Fink**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: _____

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

Unable to Contact Homeowners AssnSource: Ground water Tributary to _____

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

POINT OF DIVERSION

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

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
		SE	SW	SE	23	3	2		4334528 11610827

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: N/A

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

N/A**WATER USES**

- ☐ No change
☐ Different Uses

Use Irr From 3-15 To 10-15 Amount _____ CFS _____ AFA
 Use Aes From 3-15 To 10-15 Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME -- Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes _____ 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	
054V	02E	23			1/4	1/4												1/4	30
					1/4	1/4												1/4	

Overlap with other water rights: None

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

Delivery System Narrative: Place of use 22 AK wood home owner
Q552. Common area, Ponds - Dr. Sprinkler System
for Park

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
9334528					
11610827					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Building was locked w/ pump can't get Ahold
of person in charge of Lake wood Home owner Ass.

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:

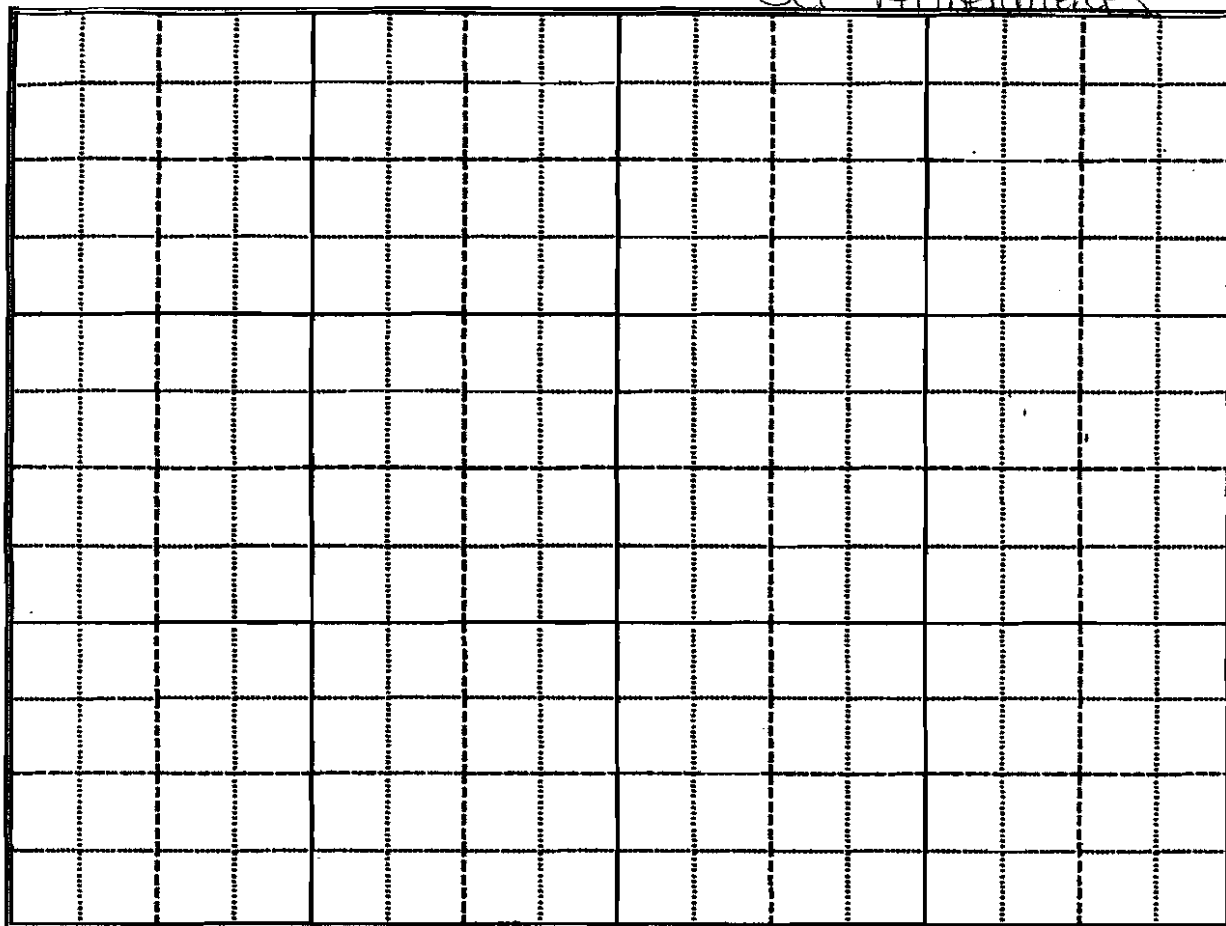
10-20-05

FIELD EXAMINER:

Michael R. Sely

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

See Attachments



Scale: 1" = _____

____ Copy of USGS Quadrange 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
D0031046					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

LAKEWOOD 6/7 HOMEOWNER'S ASSOCIATION

RECEIVED

NOV 02 2005

WATER RESOURCES
WESTERN REGION

October 31, 2005

Merlaine Bishop
Western Region Field Examiner
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

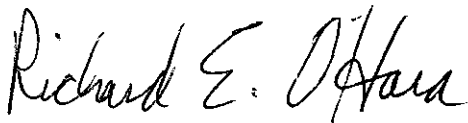
RE: Affidavit Related to Claim A63-22904

Greetings,

I've enclosed the affidavit of Mr. Carl Tate, a resident of Lakewood 6/7 whose ancestors first settled the property that eventually became the Lakewood Subdivision. Mr. Tate grew up next to original dugout house first built by his great grandfather, David Gekeler. His affidavit speaks for itself and would seem to serve as an adequate basis for establishing a water right beginning in 1951.

On a related note, Mr. Kevin Satterlee, one of our Association Board members, reports that a person employed by your agency already inspected the well months ago. I do not have all the details about this because I am rushing this affidavit to you for your use.

Please let me know if you have any further questions.



Richard E. O'Hara, President
167 Fall Drive
Boise, ID 83706

208 424 8594

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NOV 02 2005

WATER RESOURCES
WESTERN REGION

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

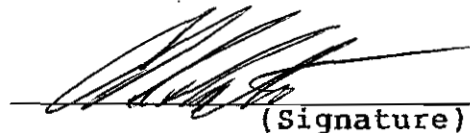
163-22904)

State of Idaho)
County of ADA)

AFFIDAVIT

Carl Tate

deposes and says: I grew up on the Tate Farm. My great grand father, David Gekeler, homesteaded that land in 1879. My Dad, David Tate, & his brother John, started Triangle Dairy here in 1923. My brother, Bill Tate, (who now lives in Meridian) says that they drilled an irrigation well for the dairy in the early 50's, say about 1952. That well was right where the well is now that feeds the ponds for the Lakewood 6/7 subdivision. I've lived next to those ponds since 1979. The ponds were widened by Triangle Development when Lakewood started in 1973, and the well has been used to feed the ponds & irrigate the area since then.


(Signature)

2912 Waterbury Place
BOISE, ID 83706
10-30-05

Lakewood Home owners Assn #6-#7
2902 Falling Brook
Boise Idaho 83706

63-22904

On 10-20-05 I talked to a Mr. George Fink who lived at 2964 Falling Brook Way: who lives next to the well know as POD for the Lake wood homeowners Assn. Mr. Fink gave me phone # for a Lorene Curtis phone # 208-384-5114 who takes care of the finances for the homeowners assn. Mr. Fink supplied me with a homeowners map with the sizes of the ponds. As far a finding evidence of priority Mr. Fink does not know who has kept all the information from the Lakewood Homeowners Ass. Mr. Fink's Property adjoins the well; he has owned his home since 1990 and knew a lot of the history of the homeowner's assn. In addition he used to be on the Board. Mr. Fink stated the homeowners Assn. was not anymore and there is not anyone on the board. Mr. Fink stated that the well supplied water for the common area ponds and irrigation for the private park of the homeowner's assn. It was the original well from 1948 when it was triangle dairy. He couldn't remember how big the pump is. (*See attachment's well log*) The subdivision was developed in the 1980's the ponds park and common area have stayed the same since 1987 and no changes have been made with the use of the water. In 2004 the well was depend to 80 feet tag # (d0031646)

There are no other water rights adjoined to the Lakewood homeowner's assn. The water flows from the well and T's from a 4 inch pipe that flows into a pond 1# and also goes to the sprinkler system that waters the common area and park, well GPS 43.34.528 116.10827

The water then flows under falling brook way into pond 2 flows then under willow drive into pond 3 where it is pumped for circulation for the pond. GPS 43.34620-11610922 The pump houses where locked therefore I can't get any information on the pumps but Mr. fink supplied me with a homeowners map with the sizes of the ponds (see attachments) as far as finding a evidence of priority Mr. fink does not know who has kept all the information from the Homeowners assn.

10-27-05 talked to Lorene Curtis she has a name of A Richard O'Hara who is the new appointed president of the homeowner's ass.

On 10-28-05 I talked to Richard O'Hara at 424-8595 who is the new president of the homeowner's ass. I gave Mr. O'Hara an affidavit that he was going to have signed by a woman that new the area when it was a diary. He is going to get this back to us ASAP. The Pumping system for the Lakewood homeowners Ass. Is a 5 hp Jacuzzi pump. Model #36032412 motor 3.7 rpm with 4 inch pipe leaving the pump house. Mr. O'Hara also stated that the pump for all sprinkler systems including stony Brook Park and ponds are pumped at the one location the pumps at the end of the pond is for circulation system for the pond.

JACUZZ

State of Idaho

D Series Performance — Model DB1

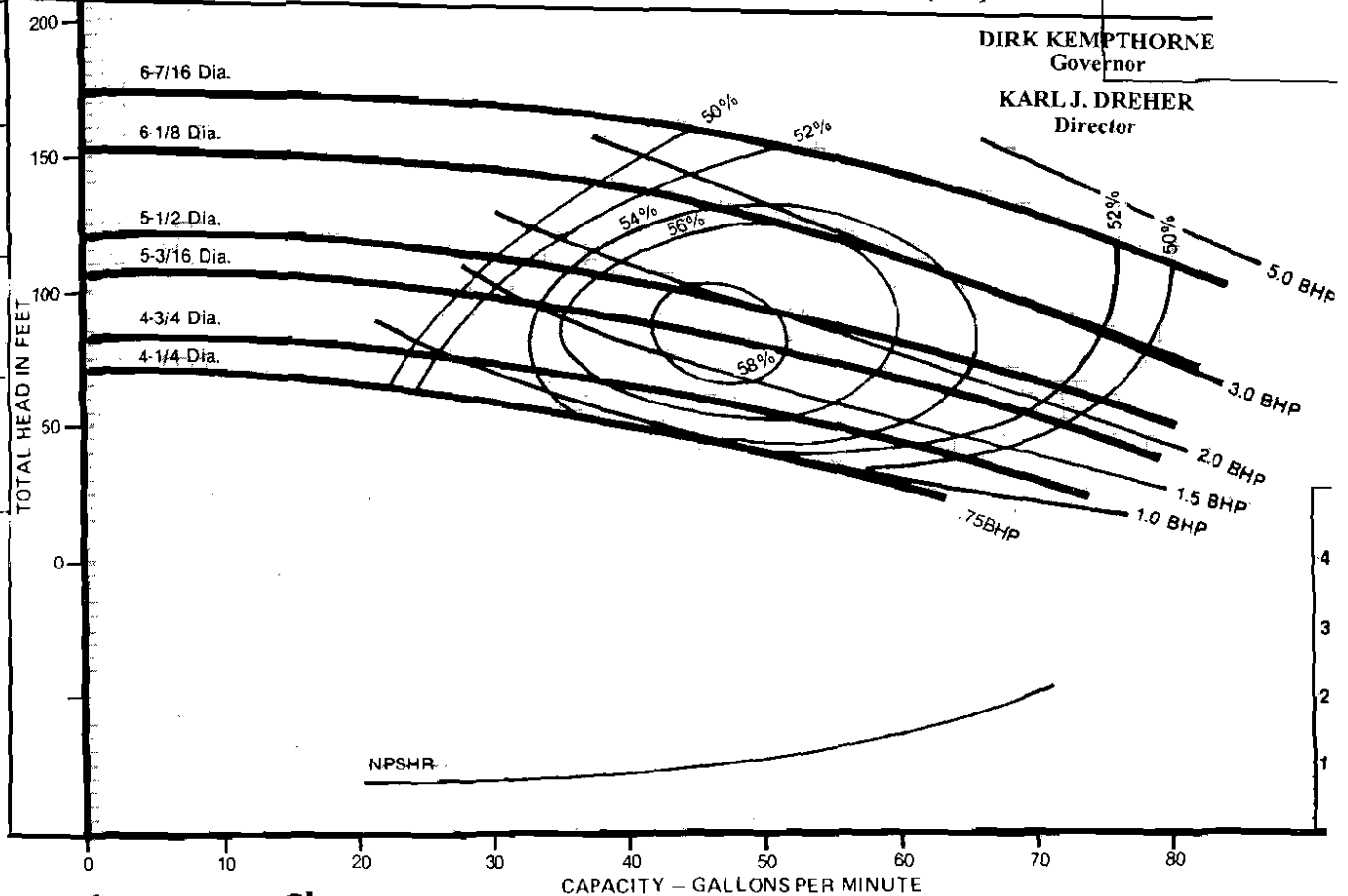
DEPARTMENT OF WATER RESOURCES 1½" Suction

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

FAX (208) 334-2348 3500 RPM

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director



Performance Chart - 3500RPM

DB1 1" Discharge x 1½" Suction			CAPACITIES GPM																	S F
			Total Head in Feet																	
Model	HP	Imp. Dia	25	30	35	40	45	50	60	70	80	90	100	110	120	130	140	150	160	
7DB1	¾	4¼"	61	58	54	49	46	41	29											
1DB1	1	4¾"			67	63	59	56	46	36	20									
15DB1	1½	5¾ ₁₆ "						72	65	58	50	39	28							
2DB1	2	5½"							74	68	61	53	45	33						
3DB1	3	6¼ ₈ "									78	73	67	61	54	46	37			
5DB1	5	6¾ ₁₆ "												80	74	68	62	53	42	

Note: All performance data based on rated motor nameplate voltage.

Ordering Information - DB1

Order No.	Model No.	HP	Mtr. Phase	Volt.	Amps	Svc. Fact.
9312-0285	7DB1-S	¾	1	115/230	14.8/7.4	1.50
9312-0293	1DB1-S	1	1	115/230	17.0/8.5	1.50
9312-0301	15DB1-S	1½	1	115/230	19.8/9.9	1.33
9312-0319	2DB1-S	2	1	115/230	22.6/11.3	1.25
9312-0327	3DB1-S	3	1	230	14.4	1.15
9312-0335	5DB1-S	5	1	230	26	1.15
9312-0343	7DB1-T	¾	3	230/460	3.7/3.4/1.7	1.50
9312-0350	1DB1-T	1	3	230/460	4.7/4.4/2.2	1.50
9312-0368	15DB1-T	1½	3	230/460	6.2/5.7/2.9	1.33
9312-0376	2DB1-T	2	3	230/460	7.2/6.5/3.2	1.25
9312-0384	3DB1-T	3	3	230/460	5.0/2.5	1.15
9312-0392	5DB1-T	5	3	230/460	13.4/5.7	1.15

CONVERSATION MEMORANDUM

SUBJECT

Lakewood Homeowner Ass.

WITH

Claim/WR #

63-72904

Agent:

Date:



1 well 3 ponds - Sprinkler system. Borehole well on dairy ground 1948 - (Triumph Dairy)

Deepened in 1980 redoped in 2004 to protect

Pond stayed same after 1987

ground water.

Green Curtis 384-5114 -

Ground water only. Enter pond #1 into #2 then #3 which is in use for Park.

GPS #3 Pond is 43 3466.7

116 10 993

Tag # D0031646

well house #

Stony Park 43 346.20

116 10 922

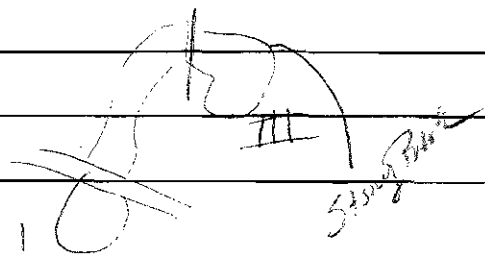
A0002406

well

43 34528

43 34 528

Pond 1



**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-22904**

03/02/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
16888	Claim	03N	02E	23	SW	SE		IRRIGATION	1/1	JOHN P TATE III
22904	Claim	03N	02E	23	SW	SE		IRRIGATION	3/3	LAKEWOOD HOMEOWNERS ASSN NO 6 NO 7
2392	Water Right	03N	02E	23	SW	SE		IRRIGATION		DRAINAGE DIST NO 3
2418	Water Right	03N	02E	23	SW	SE		IRRIGATION	5/85	GOFF ESTATE OF GUY D GOFF
10846	Water Right	03N	02E	23	SW	SE		IRRIGATION	8/26.5	BOISE CITY INDEPENDENT SCHOOL DISTRICT
11567	Water Right	03N	02E	23	SW	SE		IRRIGATION	8/26.5	BOISE CITY INDEPENDENT SCHOOL DISTRICT
17054	Claim	03N	02E	23	SW	SE		COMMERCIAL		LLOYD A KANGAS
2576	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	02E	23	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
22904	Claim	03N	02E	23	SW	SE		AESTHETIC		LAKEWOOD HOMEOWNERS ASSN NO 6 NO 7





10-20-05- Jms



Pond III



Pump House At Pond III that Irr.
Stony Park GPS 43°34.620 - 11610922

10-20-05 Jms



4in Pipe leaving Pump House



Pond II



Water Entry Pond 1 from water fall



Pond #I

10-20-05 - Jm3



Pond II Falling Brook w/ny Crosses



Pond III Water Pumped for Stony Park Irr.
4 inch Pipe leading

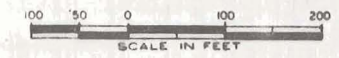


Well Tag # D0031646



Well GPS 43 34 528 43.581333
116 10 827 116.189639

PLAT SHOWING
LAKEWOOD-UNIT NO. 6
A SUBDIVISION
A PORTION OF THE SW 1/4 SE 1/4, SECTION 23, T.3N, R.2E, B.M.
BOISE, ADA COUNTY, IDAHO
1977



CURVE DATA					
Curve	Radius	Δ	Tangent	Length	Chord
C-1	20.00'	90°00'00"	20.00'	31.42'	28.28'
C-2	227.88'	12°14'42"	24.44'	48.70'	48.61'
C-3	227.88'	5°03'00"	10.05'	20.09'	20.08'
C-4	227.88'	18°19'06"	36.74'	72.86'	72.55'
C-5	252.88'	3°03'30"	67.90'	132.67'	131.15'
C-6	252.88'	5°53'18"	12.27'	24.52'	24.51'
C-7	277.88'	14°30'29"	35.37'	70.36'	70.18'
C-8	277.88'	7°49'59"	19.02'	37.99'	37.96'
C-9	67.38'	70°48'30"	62.11'	107.99'	107.25'
C-10	112.38'	45°20'56"	46.95'	86.95'	86.64'
C-11	112.38'	29°27'34"	25.39'	49.94'	49.53'
C-12	137.38'	8°50'42"	10.63'	21.21'	21.19'
C-13	137.38'	28°47'04"	35.19'	68.50'	68.18'
C-14	213.00'	27°32'29"	51.91'	101.83'	100.89'
C-15	213.00'	18°41'44"	35.06'	69.50'	69.19'
C-16	238.00'	46°25'13"	101.24'	191.44'	186.32'
C-17	263.00'	25°17'41"	76.16'	135.56'	135.58'
C-18	263.00'	16°27'35"	38.04'	75.59'	75.29'
C-19	263.00'	13°59'51"	32.27'	64.23'	64.01'
C-20	263.00'	12°40'53"	29.22'	58.21'	58.00'
C-21	231.40'	85°04'57"	21.23'	34.36'	31.29'
C-22	325.00'	18°17'21"	46.51'	92.40'	92.03'
C-23	325.00'	20°38'49"	59.20'	117.12'	116.48'
C-24	325.00'	46°33'03"	100.68'	245.57'	245.79'
C-25	375.00'	10°35'39"	34.71'	69.27'	69.12'
C-26	375.00'	4°43'58"	35.26'	70.32'	70.22'
C-27	375.00'	10°27'51"	34.54'	68.49'	68.39'
C-28	375.00'	10°59'45"	36.09'	71.97'	71.80'
C-29	20.00'	94°18'19"	17.25'	3.42'	3.42'
C-30	20.00'	47°09'49"	8.75'	16.46'	16.00'
C-31	45.00'	59°27'22"	25.70'	45.73'	45.63'
C-32	45.00'	10°35'39"	34.71'	69.27'	69.12'
C-33	183.00'	21°07'42"	30.77'	60.85'	60.50'
C-34	183.00'	20°21'32"	29.40'	58.20'	57.90'
C-35	140.00'	46°35'13"	60.27'	113.89'	110.72'
C-36	115.00'	58°45'16"	40.45'	77.79'	76.31'
C-37	115.00'	7°49'59"	7.87'	15.72'	15.71'
C-38	45.00'	37°59'34"	18.58'	35.13'	35.37'
C-39	80.00'	69°24'47"	20.81'	40.72'	40.22'
C-40	80.00'	8°09'47"	5.71'	11.40'	11.39'
C-41	20.00'	67°42'48"	13.33'	23.32'	22.19'
C-42	45.00'	53°01'48"	22.45'	41.65'	40.18'
C-43	45.00'	59°00'00"	7.57'	15.00'	14.93'
C-44	45.00'	19°08'00"	7.57'	15.00'	14.93'
C-45	45.00'	43°51'48"	17.97'	34.19'	33.37'
C-46	20.00'	67°22'48"	13.33'	23.32'	22.19'
C-47	520.00'	9°59'24"	27.21'	54.36'	54.34'
C-48	520.00'	29°30'38"	11.39'	22.78'	22.78'
C-49	495.00'	69°00'00"	36.78'	73.43'	73.37'
C-50	470.00'	67°58'	26.55'	53.04'	53.01'
C-51	470.00'	2°03'04"	8.35'	16.67'	16.67'
C-52	100.00'	28°43'27"	28.64'	50.19'	49.97'
C-53	100.00'	20°13'11"	17.83'	35.29'	35.11'
C-54	100.00'	11°30'10"	10.07'	20.08'	20.04'
C-55	100.00'	26°40'23"	23.71'	46.55'	46.13'
C-56	100.00'	9°44'21"	5.01'	10.02'	10.01'
C-57	75.00'	59°43'32"	76.88'	121.60'	108.77'
C-58	50.00'	59°43'32"	39.61'	61.05'	47.41'
C-59	75.00'	59°43'32"	39.61'	61.05'	47.41'
C-60	50.00'	59°43'32"	39.61'	61.05'	47.41'
C-61	75.00'	59°43'32"	39.61'	61.05'	47.41'
C-62	75.00'	59°43'32"	39.61'	61.05'	47.41'
C-63	75.00'	59°43'32"	39.61'	61.05'	47.41'
C-64	75.00'	59°43'32"	39.61'	61.05'	47.41'
C-65	100.00'	59°43'32"	39.61'	61.05'	47.41'
C-66	125.00'	17°44'50"	19.32'	38.72'	38.57'
C-67	20.00'	59°43'32"	10.56'	19.43'	18.67'
C-68	45.00'	44°45'53"	18.29'	34.75'	33.90'
C-69	45.00'	59°43'32"	10.17'	20.00'	19.84'
C-70	45.00'	59°43'32"	10.17'	20.00'	19.84'
C-71	45.00'	59°43'32"	10.17'	20.00'	19.84'
C-72	45.00'	59°43'32"	10.17'	20.00'	19.84'
C-73	25.00'	59°43'32"	5.08'	10.00'	9.92'
C-74	20.00'	11°42'28"	15.38'	30.65'	30.60'
C-75	150.00'	12°00'00"	8.77'	31.42'	31.36'
C-76	140.00'	69°50'56"	96.00'	168.31'	158.37'
C-77	165.00'	37°50'56"	56.59'	109.04'	107.05'
C-78	165.00'	37°50'56"	56.59'	109.04'	107.05'
C-79	190.00'	18°37'51"	31.18'	61.80'	61.53'
C-80	190.00'	29°49'47"	42.97'	84.54'	83.83'
C-81	20.00'	7°25'08"	14.92'	23.85'	23.80'
C-82	20.00'	7°25'08"	14.92'	23.85'	23.80'

CURVE DATA					
Curve	Radius	Δ	Tangent	Length	Chord
C-83	20.00'	77°37'51"	16.09'	27.10'	25.07'
C-84	20.00'	77°37'51"	16.09'	27.10'	25.07'
C-85	180.16'	26°00'00"	41.59'	81.75'	81.05'
C-86	205.16'	26°00'00"	47.36'	93.10'	92.30'
C-87	230.16'	19°10'25"	30.66'	60.89'	60.78'
C-88	230.16'	10°49'33"	21.81'	43.49'	43.42'
C-89	105.00'	53°41'42"	53.15'	98.40'	94.84'
C-90	130.00'	53°41'42"	65.80'	121.83'	117.42'
C-91	155.00'	53°41'42"	78.46'	148.26'	140.00'
C-92	197.77'	84°28'42"	17.93'	29.12'	28.58'
C-93	200.00'	82°16'56"	17.47'	28.72'	28.32'
C-94	100.00'	14°18'00"	12.50'	24.81'	24.61'
C-95	120.00'	14°18'00"	15.00'	29.77'	29.57'
C-96	140.00'	14°18'00"	17.50'	34.62'	34.32'
C-97	20.00'	52°07'13"	9.76'	18.16'	17.84'
C-98	45.00'	44°38'16"	18.45'	35.02'	34.14'
C-99	45.00'	50°59'50"	23.89'	43.93'	42.78'
C-100	45.00'	71°48'18"	32.58'	55.40'	52.70'
C-101	45.00'	52°15'38"	27.01'	41.05'	39.64'

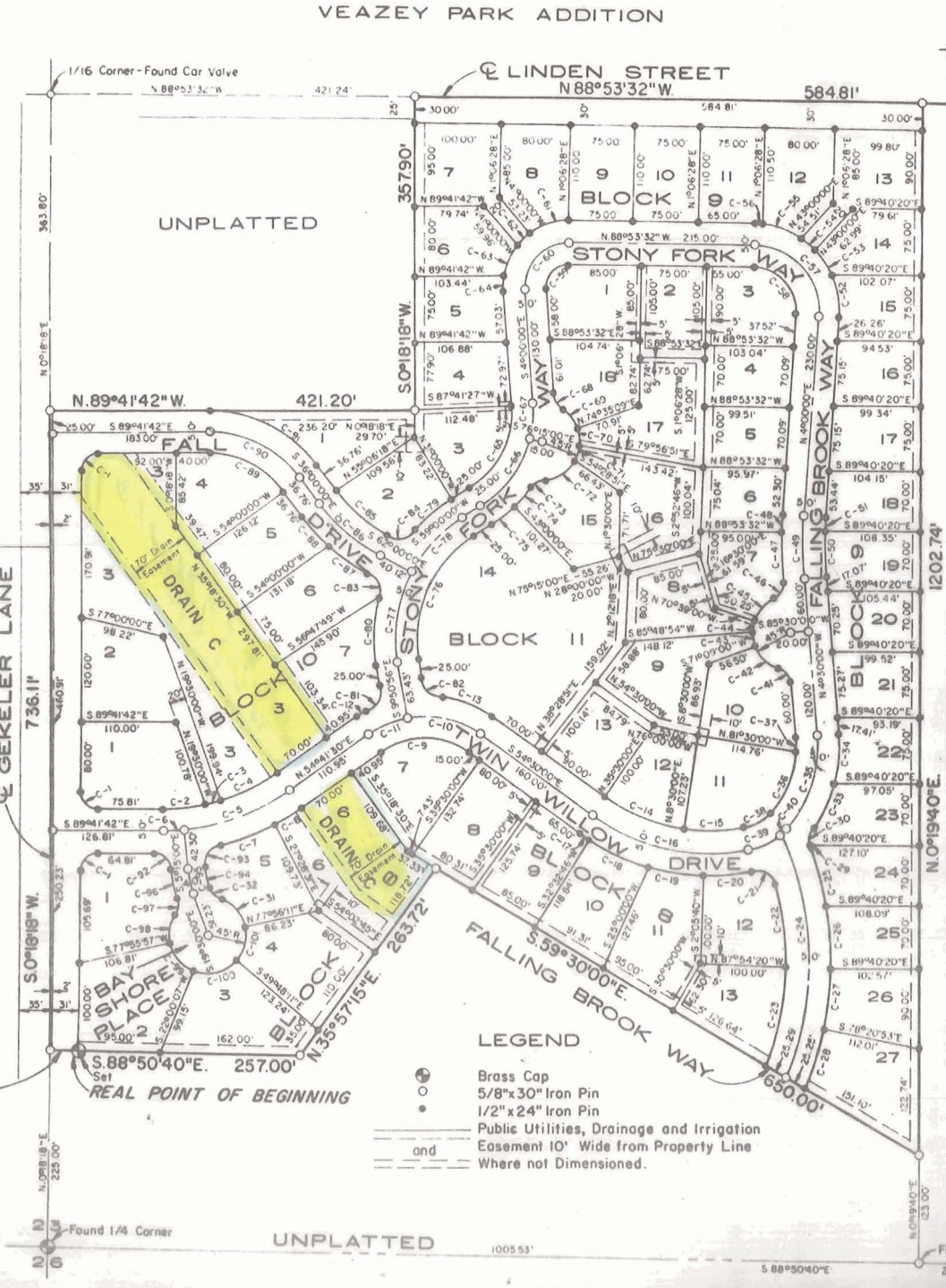
NOTES

- All lot lines common to a public right-of-way line have a 5 foot wide permanent public utilities, drainage and irrigation easement.
- Side yard lot lines have a 5 foot wide permanent public utilities, drainage and irrigation easement.
- Building set-backs in this subdivision shall conform to the applicable Zoning Regulations of Ada County and Boise City.
- Restricted Access: No lots in this subdivision shall be provided with a primary access Geveler Lane and Linden Street unit primary access is specifically approved by the Ada County Highway District.
- Public Utility Companies are given the right to locate, construct and maintain Mains and Service Lines in Lot 3, Block 10, Lot 6, Block 8 and Lot 14, Block 11.
- Lot 3, Block 10, Lot 6, Block 8 and Lot 14, Block 11 are hereby designated as Landscaped Common Areas.

BASIS OF BEARING

Basis of Bearing for this subdivision is on the Modified State Plane Coordinate System. Combination Factor 1.000289.

TRIANGLE DEVELOPMENT COMPANY, INC.
Developers
Boise, Idaho
J-U-B ENGINEERS, INC.
Engineers Planners
Boise, Idaho



A SUBDIVISION

A PORTION OF THE SE 1/4 OF SECTION 23 AND
A PORTION OF THE NE 1/4 OF SECTION 26,
T.3N., R.2E., B.M.,
BOISE, ADA COUNTY, IDAHO
1978



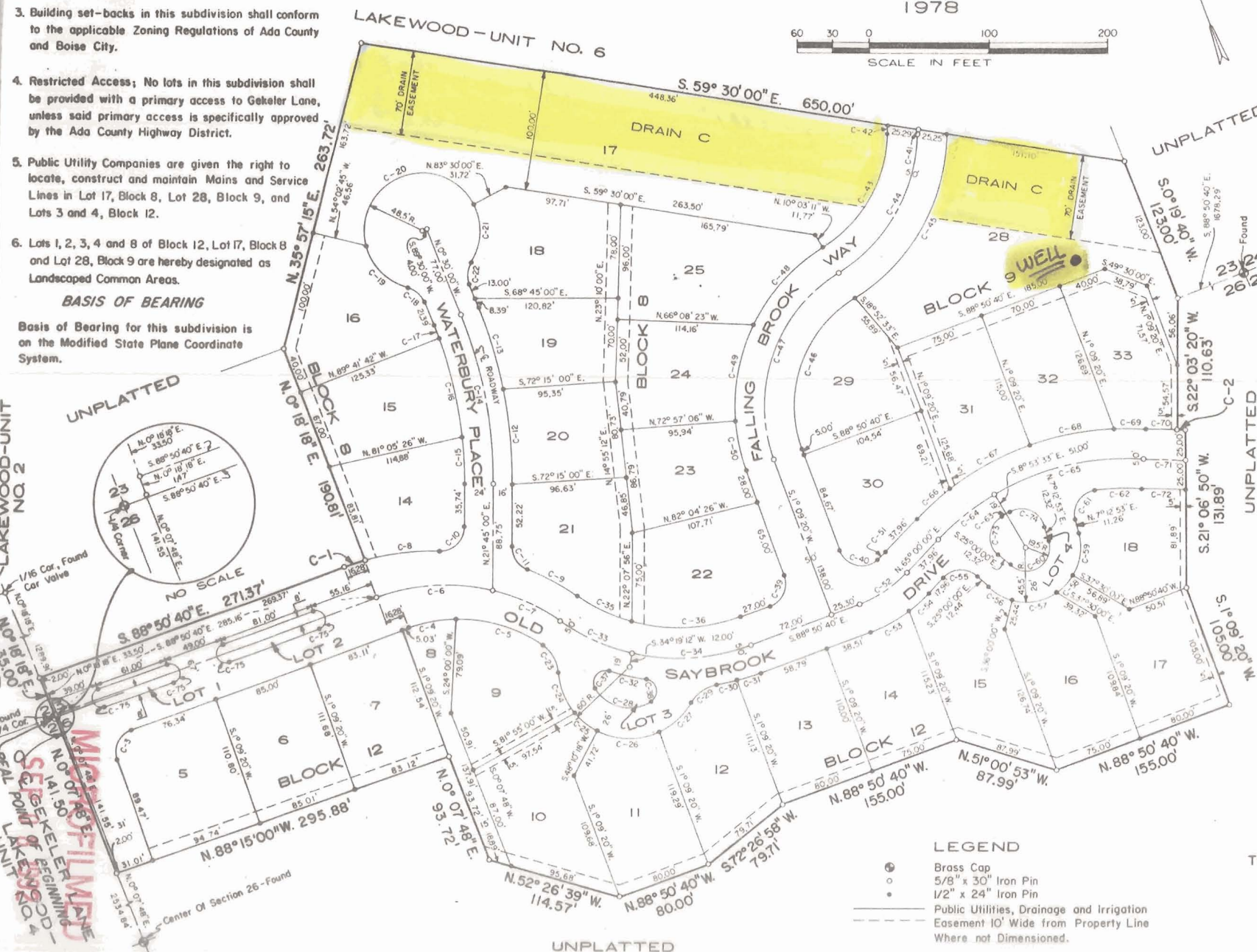
CURVE DATA

Curve	Radius	Angle	Tangent	Length	Chord	Chord
C-1	213.13	50° 50' 45"	9.34	18.66	18.66	5.88°
C-2	405.03	59° 06' 45"	3.51	6.66	6.66	5.88°
C-3	200.00	91° 01' 00"	20.36	51.17	77.76	24.45°
C-4	123.63	123° 03' 00"	10.00	20.00	20.00	24.45°
C-5	123.63	123° 03' 00"	10.00	20.00	20.00	24.45°
C-6	168.49	34° 00' 44"	51.53	102.00	98.56	5.71°
C-7	168.49	21° 00' 49"	51.43	62.04	61.79	5.71°
C-8	213.13	71° 08' 29"	32.15	63.82	65.95	5.75°
C-9	213.13	12° 49' 40"	23.98	47.76	47.66	5.40°
C-10	200.00	93° 33' 34"	20.55	51.96	28.67	6.67°
C-11	200.00	68° 16' 18"	13.56	26.92	26.92	6.67°
C-12	310.00	62° 30' 00"	14.00	80.62	68.15	5.50°
C-13	310.00	10° 24' 25"	35.61	71.20	70.92	5.41°
C-14	375.00	22° 25' 00"	73.74	145.63	144.71	10.10°
C-15	351.00	63° 33' 05"	20.09	40.13	40.11	10.10°
C-16	351.00	13° 54' 33"	42.81	85.21	85.00	10.10°
C-17	351.00	15° 42' 12"	44.18	10.96	10.96	10.10°
C-18	200.00	68° 16' 18"	13.56	26.92	26.92	10.10°
C-19	485.00	62° 30' 00"	14.00	80.62	68.15	10.23°
C-20	485.00	16° 36' 18"	40.13	140.70	96.50	5.69°
C-21	485.00	62° 30' 18"	28.16	51.02	48.70	5.23°
C-22	200.00	54° 16' 18"	10.25	18.98	18.24	5.26°
C-23	200.00	51° 02' 27"	14.52	26.72	25.85	5.23°
C-24	60.00	35° 59' 50"	19.06	36.61	36.33	5.23°
C-25	60.00	25° 55' 00"	12.71	25.05	24.85	5.23°
C-26	60.00	25° 55' 00"	12.71	25.05	24.85	5.23°
C-27	60.00	34° 50' 29"	18.64	36.14	35.59	5.23°
C-28	340.00	94° 50' 30"	37.03	56.30	50.09	5.30°
C-29	300.00	51° 02' 27"	14.52	26.72	25.85	10.76°
C-30	100.00	5° 06' 01"	8.91	17.80	17.80	8.00°
C-31	200.00	6° 05' 12"	10.63	21.25	21.24	8.00°
C-32	194.00	9° 56' 32"	16.87	33.66	33.62	5.50°
C-33	194.00	9° 56' 32"	16.87	33.66	33.62	5.50°
C-34	175.00	33° 09' 58"	52.11	101.30	99.89	5.72°
C-35	150.00	19° 47' 00"	26.16	51.79	51.54	5.43°
C-36	150.00	35° 52' 31"	47.81	92.57	91.11	5.71°
C-37	100.00	33° 31' 51"	25.74	24.00	18.64	5.00°
C-38	100.00	33° 31' 51"	25.74	24.00	18.64	5.00°
C-39	20.00	93° 00' 00"	20.00	31.1	28.28	10.80°
C-40	20.00	93° 00' 00"	20.00	31.1	28.28	10.80°
C-41	350.00	9° 13' 49"	3.45	3.44	3.44	22.21°
C-42	325.00	19° 12' 58"	3.45	6.90	6.90	22.21°
C-43	113.53	57° 51' 57"	62.24	133.94	109.25	5.11°
C-44	138.93	57° 17' 57"	75.90	138.94	132.22	5.11°
C-45	163.93	57° 17' 57"	89.56	163.94	157.19	5.11°
C-46	166.00	97° 00' 00"	19.06	36.61	36.33	5.23°
C-47	166.00	78° 47' 29"	10.75	20.51	16.22	5.40°
C-48	156.00	32° 30' 12"	45.47	88.60	78.32	5.63°
C-49	156.00	30° 23' 43"	42.38	82.67	81.79	5.36°
C-50	156.00	15° 53' 34"	21.78	43.27	43.13	5.36°
C-51	80.00	6° 59' 27"	4.89	9.78	9.75	16.68°
C-52	105.00	26° 09' 20"	24.39	47.93	47.52	16.78°
C-53	105.00	45° 17' 00"	18.63	37.26	36.76	16.83°
C-54	131.82	31° 14' 14"	1.21	2.26	2.23	16.89°
C-55	200.00	90° 00' 00"	20.00	31.42	28.28	5.70°
C-56	45.00	28° 00' 00"	11.77	23.03	22.76	3.58°
C-57	45.00	47° 25' 27"	9.98	37.68	36.59	5.77°
C-58	45.00	26° 04' 38"	10.54	20.71	20.53	6.63°
C-59	45.00	45° 00' 00"	16.98	33.58	33.03	16.23°
C-60	10.00	147° 47' 00"	1.00	1.00	1.00	16.89°
C-61	200.00	90° 49' 23"	22.51	35.77	35.29	16.89°
C-62	190.00	1° 55' 04"	19.71	39.28	39.21	5.70°
C-63	196.00	1° 54' 45"	3.27	6.54	6.54	5.71°
C-64	215.00	16° 06' 27"	30.42	60.45	60.42	5.71°
C-65	215.00	34° 42' 29"	67.19	132.48	128.21	5.71°
C-66	240.00	4° 58' 28"	18.31	37.59	37.59	5.71°
C-67	240.00	18° 09' 29"	18.31	37.59	37.59	16.83°
C-68	240.00	7° 50' 18"	35.88	71.23	70.97	5.71°
C-69	240.00	6° 40' 29"	14.00	27.98	27.94	5.67°
C-70	405.03	34° 45' 36"	13.29	26.58	26.57	5.68°
C-71	430.00	42° 42' 06"	17.65	35.29	35.28	5.68°
C-72	455.00	42° 42' 06"	18.68	37.34	37.33	5.68°
C-73	475.00	105° 09' 04"	1.00	1.00	1.00	16.89°
C-74	20.00	105° 09' 04"	26.14	36.77	36.71	16.89°
C-75	8.00	180° 00' 00"	25.13	11.00	11.00	5.71°

1. All lot lines common to a public right-of-way line have a 10 foot wide permanent public utilities, drainage and irrigation easement.
2. Each side of common lot lines have a 5 foot permanent public utilities, drainage and irrigation easement, unless otherwise noted.
3. Building set-backs in this subdivision shall conform to the applicable Zoning Regulations of Ada County and Boise City.
4. Restricted Access; No lots in this subdivision shall be provided with a primary access to Gekeler Lane, unless said primary access is specifically approved by the Ada County Highway District.
5. Public Utility Companies are given the right to locate, construct and maintain Mains and Service Lines in Lot 17, Block 8, Lot 28, Block 9, and Lots 3 and 4, Block 12.
6. Lots 1, 2, 3, 4 and 8 of Block 12, Lot 17, Block 8 and Lot 28, Block 9 are hereby designated as Landscaped Common Areas.

BASIS OF BEARING

Basis of Bearing for this subdivision is on the Modified State Plane Coordinate System.



LEGEND

- Brass Cap
 ○ 5/8" x 30" Iron Pin
 • 1/2" x 24" Iron Pin
 ——— Public Utilities, Drainage and Irrigation
 - - - - Easement 10' Wide from Property Line
 Where not Dimensioned.

TRIANGLE DEVELOPMENT COMPANY

Developers
Boise, Ida

J-U-B ENGINEERS, INC.

Engineers	Planner
Boise	Idaho

Sent
10-10-05
AMB
Pamphlet & Bus Card

October 10 2005

RE: Snake River Basin Claim No(s):63-22904

Dear Lakewood Homeowners Assn.

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, this print out is not to be returned or re-filed. You have 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. Your 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. Any other claims you may have filed, that are not listed above, do not require evidence of priority to be submitted at this time.

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. If no evidence is submitted, or we do not hear from you within the 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. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Departmental water resource agents.

The required evidence supporting the priority date(s) requested needs to be submitted by . 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 above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam. Please call to set up appointment 208-539-4626 or 208-334-2190

Sincerely,

J MERLAINE BISHOP
FIELD EXAMINER

Maintenance Schedule for Lakes

March

3rd Burned cattails. Takes 15 gals. of #2 diesel fuel.

April

21st Dug trench in lake #1 to locate underground pipe and cable for contractor.

23rd Dig-line (343-6700) established underground lines in common area.

25th Shoemaker Excavation started work on lake #2.

26th Shoemaker completes contract.

26th (P.A.) Started filling lakes.

May

5th Lake 3/4 full - water table too low to run pump on automatic.

7th Recirculation pump turned on in lake #1.

10th Lake full and aerators installed.

12th Recirculation pump turned on in lake #2.

13th Cutreen added to lake #3 in liquid form as a test (Joe & Kenny)

16th Well running 24 hours - now on automatic.

June

16th Copper sulfate (powder form) applied to west end of lake #2 as a test (Clark Stewart & Guy Keilman)

21st Well off to drop lakes for treatment.

23rd Aerators and recirculation pumps off to treat lakes.

23rd Lakes sprayed by Kenny Jessen and lawn contractor Rod Burke for algae and plant growth. 100 gals water, 7 1/2 gals. of Aquathol-K, 2 gals. Cutreen mixed in spray tank rented from Ada County Weed Control in Meridian (888-2316) - 317 Meridian Ave. Cost: \$15.00. Call 24 hours in advance. Took 2 1/2 hrs. Aquathol-K and Cutreen purchased from Wilbur Ellis Co., Caldwell.

June (con't)

25th All pumps turned on. Lakes set 36-40 hrs. to allow treatment to work. (some dead fish).

July

8th Due to hot weather some algae growing in Lake #2. Guy Keilman applied Granulated Copper Sulfate to problem areas - hand broadcast takes about 45 min. per end. Cost: \$36.00 - 50 lbs. from Great Western Chemical, 1717 E. Fargo Ave., Nampa (466-8437). Water off about 36 hrs. Few dead goldfish.

August

9th Well off to drop lakes for treatment.

10th Joe Marshall picked up spray rig from Ada County Weed Control. \$15.00 for 24 hrs.

11th Joe Marshall sprayed weeds and grass around Lake #3 with Round-up.

11th (6 P.M.) Joe and Kenny sprayed lakes with $7\frac{1}{2}$ gal. Aquathol-K, 2 gal Cutreen, 100 gals. water. Takes nearly 3 hours. Aquathol-K costs \$32.00 a gal. in 5 gal. can. Liquid Cutreen costs \$20.65 a gal.

13th All pumps restarted 6:00 P.M. Lakes set idle 36 hrs.

19th Bottom growth now breaking loose. Surface water at bridge very dirty with sludge.

October

1st Recirculation pumps turned off for the winter. Aerators removed from lake and stored - one in each pump house.

9th Recirculation pumps winterized by Mayne Pump. Cost \$30.00 Labor.

15th (On or about) Well pump broke shaft and lakes beginning to drop.

December

8th Lake Committee burned cattails - some appeared too green to burn. Maybe too early - wait 'till spring next time.

8th Lake Committee met with Ron Murphy and accepted his bid for a new 10" well, 28-40 ' with a new centrifugal pump.

POWER METER LOCATION IN LAKEWOOD 6/7

METER	LOCATION	PURPOSE
009070	145 Fall Dr. (Tanner Home)	recirculation pump #1
2-6159 527120812	2912 Waterbury PL. (TATE Home)	recirculation pump lake#2 aerator #1
68130971	Falling Brook & Bridge (by street light)	aerator #2
2-7230	Pump House	Lake well and aerator #3
55459658	151 Old Saybrook	Medium strip sprinkler system

2

Brook

WATERBURY

WATERBURY

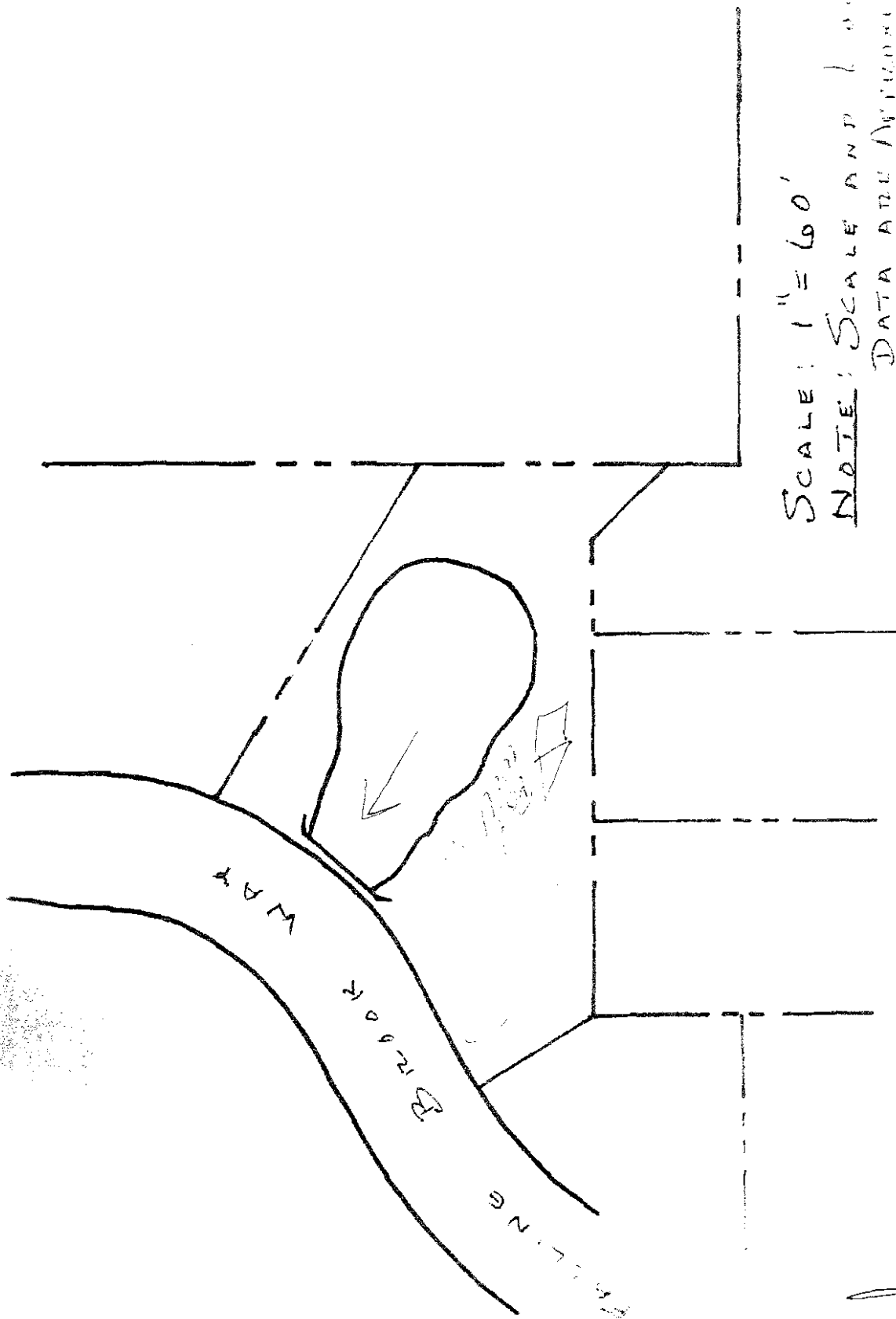
goes to
Bellevue
Lake

WATERBURY

Scale 1" = 60'

Scale and Location
Data are approximations
only. Do not use for
navigation purposes.

2



SCALE: 1" = 60'

NOTE: SCALE AND LOCATION

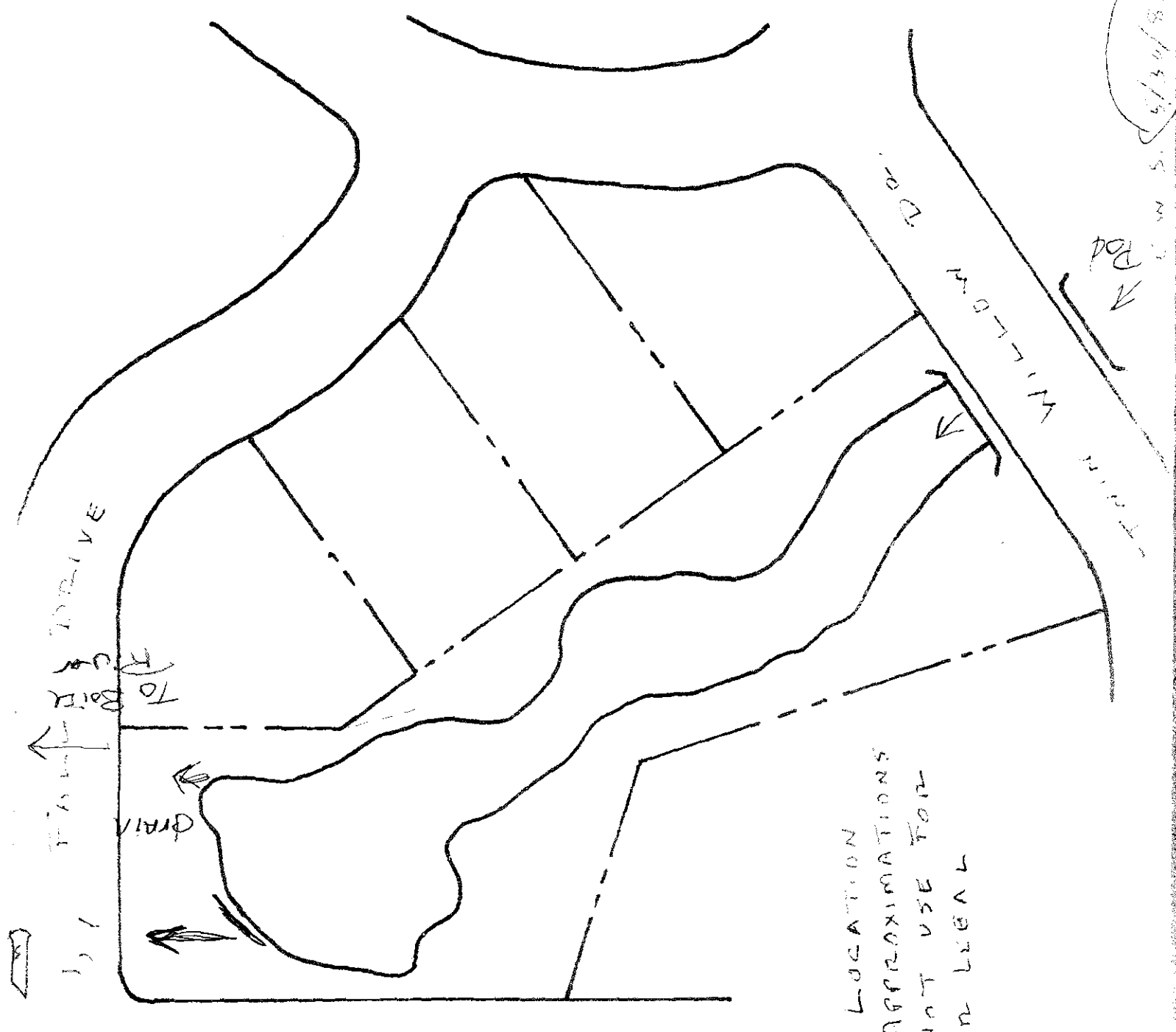
DATA ARE APPROXIMATIONS

ONLY FOR GENERAL INFORMATION

NOT TO BE USED FOR

CONSTRUCTION

4/1/11



G R A K E L E R L I N E

SCALE: 1" = 60'
 NOTE: SCALE AND LOCATION
 DATA ARE APPROXIMATIONS
 ONLY. DO NOT USE FOR
 OFFICIAL OR LEGAL
 PURPOSES.

6/30/82

WIDTH (50' INTERVALS)

Pond I

120
30
20
40
30
25
25

$$\frac{290}{7} = \underline{\underline{41.4}} \text{ AVE.}$$

02: $41 \times 375 = 15,375 \text{ Sq. Ft.}$

02: $\frac{43,560}{1} = \frac{15,375}{x} = \underline{\underline{0.35}} \text{ ACRE}$

ASSUME: AVE. DEPTH	2'	= 0.70 ACRE	FEET H ₂ O
✓	✓	3' = 1.05	✓
✓	✓	4' = 1.40	✓

= POND Pond 2

LENGTH: 600'

WIDTH: (50' INT'S.)

30 48
60 78
60 66
60 70
60 54
60 38
70 30
340 389

$$\frac{340}{727} \div 13 = \underline{\underline{56.1}} \text{ AVE}$$

02: $56 \times 600 = 33,600 \text{ Sq. Ft.}$

02: $\frac{43,560}{1} = \frac{33,600}{x} = \underline{\underline{0.77}} \text{ ACRE}$

ASSUME: AVE. DEPTH	2'	= 1.54 ACRE	FEET H ₂ O
✓	✓	3' = 2.31	✓
✓	✓	4' = 3.08	✓

WIDTH (50' INT'S.)

Pond III

27
40
82
40

$$189/4 = 47.3' \text{ AVE.}$$

$$OR: 47 \times 130 = 6,110 \text{ Sq. Ft.}$$

$$OR: \frac{43,560}{1} = \frac{6,110}{x} = \underline{\underline{0.14 \text{ ACRE}}}$$

ASSUME: AVE. DEPTH	2'	= 0.28	ACRE	FT. H ₂ O
	3'	= 0.42		
	4'	= 0.56		

PONDS * 2 & 3

$$33,600 + 6,110 = 39,710 \text{ Sq. Ft.}$$

$$OR: \frac{43,560}{1} = \frac{39,710}{x} = \underline{\underline{0.91 \text{ ACRE}}}$$

ASSUME: AVE. DEPTH	2'	= 1.82	ACRE	FT. H ₂ O
	3'	= 2.73		
	4'	= 3.64		

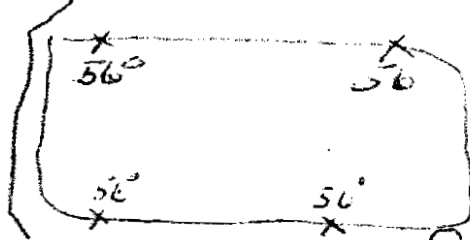
PONDS 1, 2 & 3

$$\underset{\text{Pond 1}}{15,375} + \underset{\text{Pond 2}}{33,600} + \underset{\text{Pond 3}}{6,110} = 55,085 \text{ Sq. Ft.}$$

$$OR: \frac{43,560}{1} = \frac{55,085}{x} = \underline{\underline{1.26 \text{ ACRE}}}$$

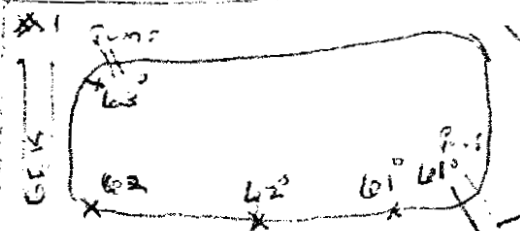
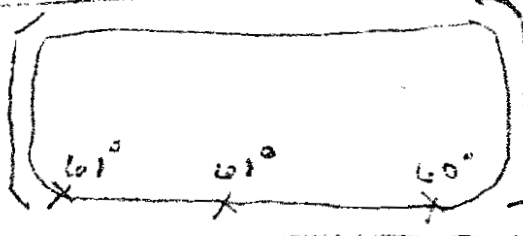
ASSUME: AVE DEPTH	2'	= 2.52	ACRE	FT. H ₂ O
	3'	= 3.78		
	4'	= 5.04		

WELL 54' F (13-2)
#3 POND



5/18/83

#2 POND (1400-1415)



$$56 \times 600 = 33,600 \text{ Sq. Ft.}$$

$$43,500 - 33,600$$

$$\frac{9,900}{1} = 0.77 \text{ ACRE}$$

DEPTH	2'	= 1.54 ACRE FEET	H=0
	3'	= 2.31	
	4'	= 3.08	



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

Diversion Description

RIGHT ID 63 22904
POD ID 213718
Quad Boise South 3
Claim Type Large
Easting
Northing
GPSID

REDRILLED IN 1984 TO 58FT, 10IN, WELL; 5HP PUMP/PIPELINE/SPRINKLER/POND. No such address. Phone # is direct fax line. Could not locate well in area shown.

Assumptions

POD does not exist.

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)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.00

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 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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

RIGHT ID

63 22904



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:

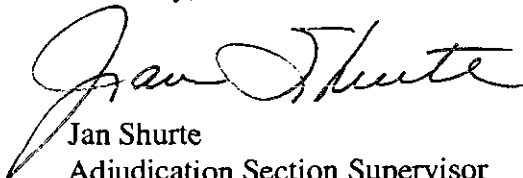
As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist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

Lakewood 6/7
c/o Betty J. Jessen
2902 Halling Brook Way
Boise Idaho 83706



Idaho Dept of Water Resources
1301 N Orchard
Boise Idaho 83706

MICROFILMED

SEP 08 1992