

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31726
Date Received: 7/31/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARY B HORMAECHEA Phone: (208)336-2200
PO BOX 6887
BOISE ID USA 83707

RICHARD M HORMAECHEA Phone: (208)336-2200
PO BOX 6887
BOISE ID USA 83707

2. Date of Priority: 10/08/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

WELL, PUMP, DITCHES AND PIPING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
AESTHETIC STORAGE	01/01	12/31		14
DIVERSION TO STORAGE	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	4	NE	SW	AESTHETIC STORAGE	
			SW	SW	AESTHETIC STORAGE	
			SE	SW	AESTHETIC STORAGE	
			NE	SE	AESTHETIC STORAGE	
			NW	SE	AESTHETIC STORAGE	
			SE	SE	AESTHETIC STORAGE	
			SW	SE	AESTHETIC STORAGE	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Right 63-31726 authorizes the diversion of an annual total of 14.0 af to be used for the replacement of losses caused by evaporation from the 5.2 acre total surface area of six (6) ponds established under Right 63-32169.

Rights 63-31726 and 63-31689 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 40.0 af.

The diversion and use of water described in Transfer 70604 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Beneficial Use

WATER RIGHT NO. 63-31726
As Modified by Transfer No. 70604

In accordance with the approval of Transfer No. 70604, Water Right No. 63-31726 is now described as follows.

Right Holder: MARY B HORMAECHEA And
 RICHARD M HORMAECHEA
 PO BOX 6887
 BOISE ID 83707

Priority Date: October 08, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC STORAGE	01/01	12/31		14.0 AF
DIVERSION TO STORAGE	01/01	12/31	0.04 CFS	
			0.04 CFS	14.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 4 Twp 04N Rge 01E ADA County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	4									X		X	X	X	X	X	X	

CONDITIONS OF APPROVAL

1. Right 63-31726 authorizes the diversion of an annual total of 14.0 af to be used for the replacement of losses caused by evaporation from the 5.2 acre total surface area of six (6) ponds established under Right 63-32169.
2. Rights 63-31726 and 63-31689 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 40.0 af.
3. The diversion and use of water described in Transfer 70604 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 63-31726
As Modified by Transfer No. 70604

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ~~7.~~ Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 8th day of August, 2006



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70604

This is to certify that: ARIES DEVELOPMENT LLC
 PO BOX 6887
 BOISE ID 83707
 (208)336-2200

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-5087	AJC/Beneficial Use	10/08/1962	0.31 cfs	29.4 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

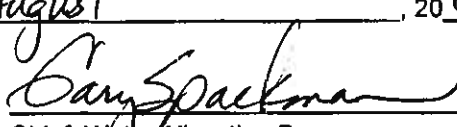
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-5087	YES	YES	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-5087	63-31726	0.04 cfs	14 af	N/A	N/A	63-31725	0.27 cfs	15.4 af	N/A	N/A
COMBINED TOTALS		0.04 cfs	14 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of August, 2006


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-5087

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70604

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Aries Development L.L.C. Phone 208-336-2200

Post Office address P.O. Box 6887 Boise, ID 83707

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To provide ground water for mitigation of
consumptive use due to evaporation from aesthetic ponds. See attached narrative.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | | | | | | |
|----|--|-------------------|-------------------------------|-------------------------------------|---|
| 1. | <u>Right Number</u> | <u>Priority</u> | <u>Amount
(cfs/ac-ft)</u> | <u>Nature
of Use</u> | <u>Period of Use</u> |
| | <u>63-5087</u> | <u>01/01/1962</u> | <u>0.40/333.0</u> | <u>Stockwater</u> | <u>1/1</u> to <u>12/31</u> |
| | <u> </u> | <u> </u> | <u>.04/28</u> | <u>Domestic</u> | <u>1/1</u> to <u>12/31</u> |
| | <u> </u> | <u> </u> | <u>.04/14.0</u> | <u>Rec./Aes.</u> | <u>1/1</u> to <u>12/31</u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. | <u>Total amount of water being transferred</u> | | <u>.44</u> | <u>cubic feet per second and/or</u> | <u>375</u> <u>acre-feet per annum.</u> |
| 3. | <u>Source of water</u> | | <u>Ground water</u> | <u>tributary to</u> | <u> </u> |
| 4. | <u>Point(s) of Diversion:</u> | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

- a. Description of diversion system Well and pipe/ditch distribution to ponds within Brookwood
Subdivision See attached narrative
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

pg 3a of 6

Page 1

PART 2

12/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5087

WATER RIGHT NUMBER: 63-5087

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	QUARTER CIRCLE DJ RANCH CO C/O JAMES C WARREN PO BOX 279 EAGLE, ID 83616 (208)286-7131
Representative	SHERL CHAPMAN 410 S ORCHARD SUITE 144 BOISE, ID 83705 (208)344-6690

Priority Date: 01/01/1962
Basis: Statutory Claim
Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	28.00 AF
STOCKWATER	1/01 to 12/31	0.440 CFS	347.00 AF
	<u>Total Diversion:</u>	0.480 CFS	375.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 3, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X			X									

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X			X									

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Page 2

12/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5087

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 7/31/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.4/14.0 for Stockwater purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	3	4N	1W	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1W	3					S			S									

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount .40/333.0 for Stockwater purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount .04/28 for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NW	3	4N	1W	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1W	3					S D			S D									

Total acres _____

Page 5 of 6

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A. Draw a map or attach a

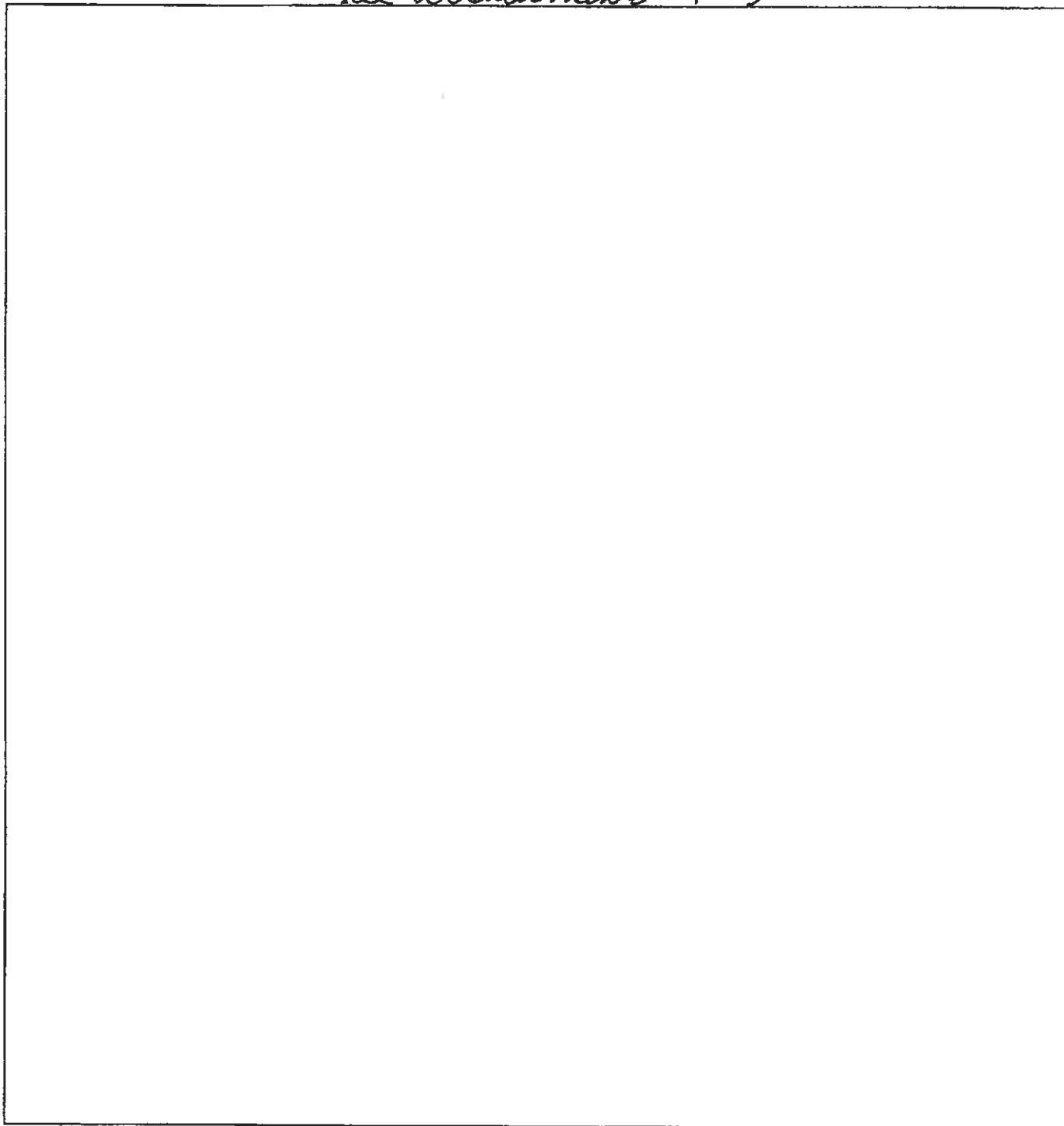
USGS map indicating the new

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attachments 1-3



SCALE: 2 inches equals 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Rec./Aes.</u>	<u>.04/14</u>	<u>AS NEEDED</u>	<u>1/1</u> to <u>12/31</u>
				to _____

2. Quantity and quality of return flows and location of discharge:

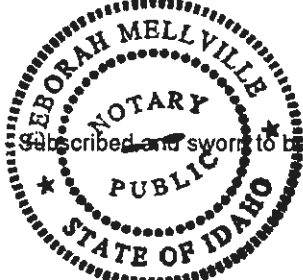
None

3. Describe the effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this 11th day of December 2002.

(Signature of Applicant)

Deborah Mellville
(Notary Public)

My commission expires 9-15-04

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and 6 attachmentsReceived by AG Date 12/11/02 Protest filed by _____Prelim. check by _____ Fee 100.00Receipted by AG Date 12/11/02 W0029917

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

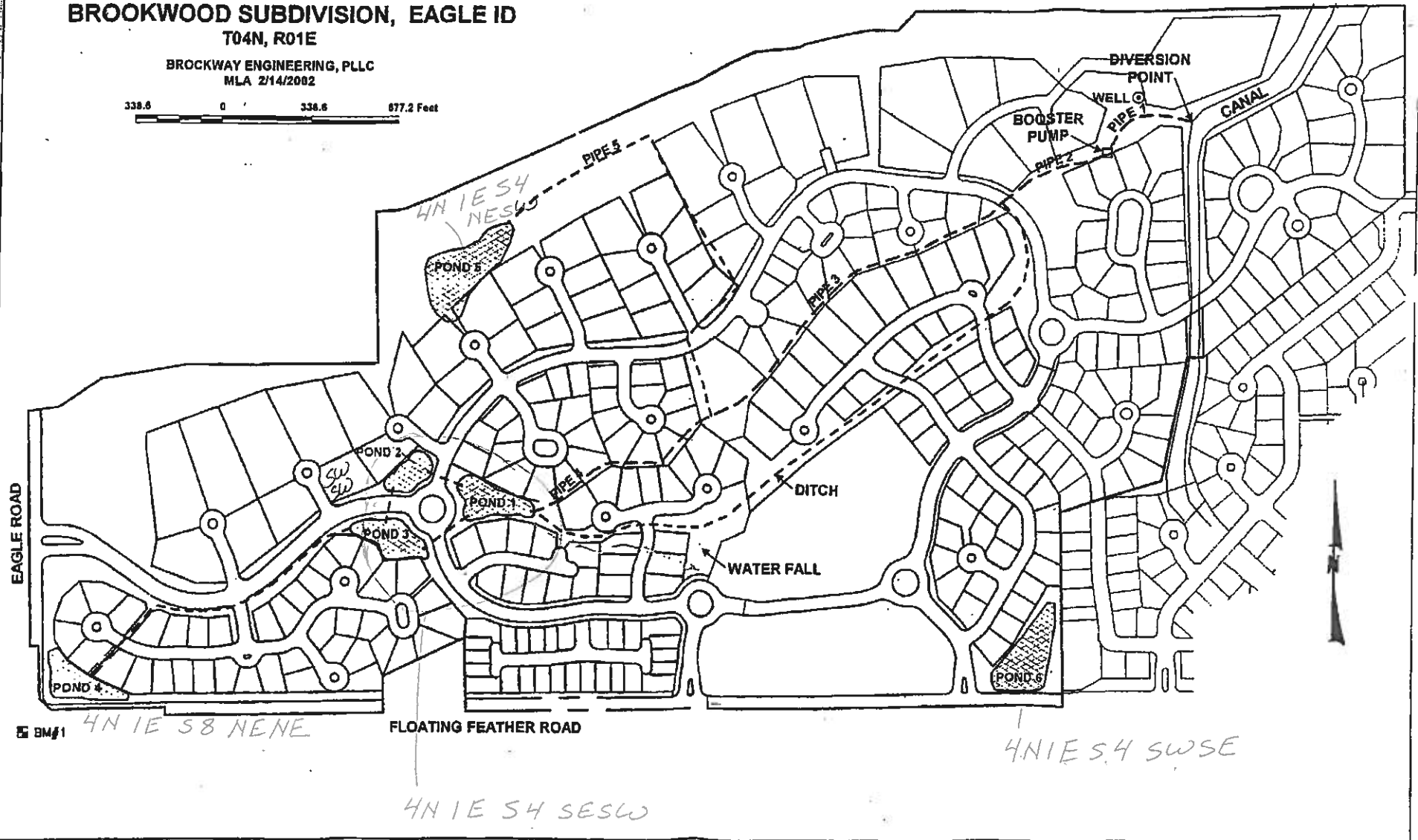
_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

**FIGURE 1.
BROOKWOOD SUBDIVISION, EAGLE ID
T04N, R01E**

BROCKWAY ENGINEERING, PLLC
MLA 2/14/2002

338.6 0 338.6 677.2 Feet



Attachment 1

Attachment 1

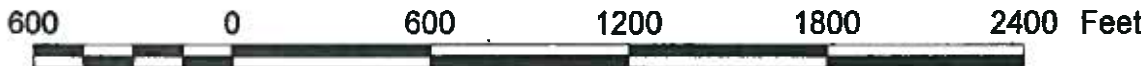
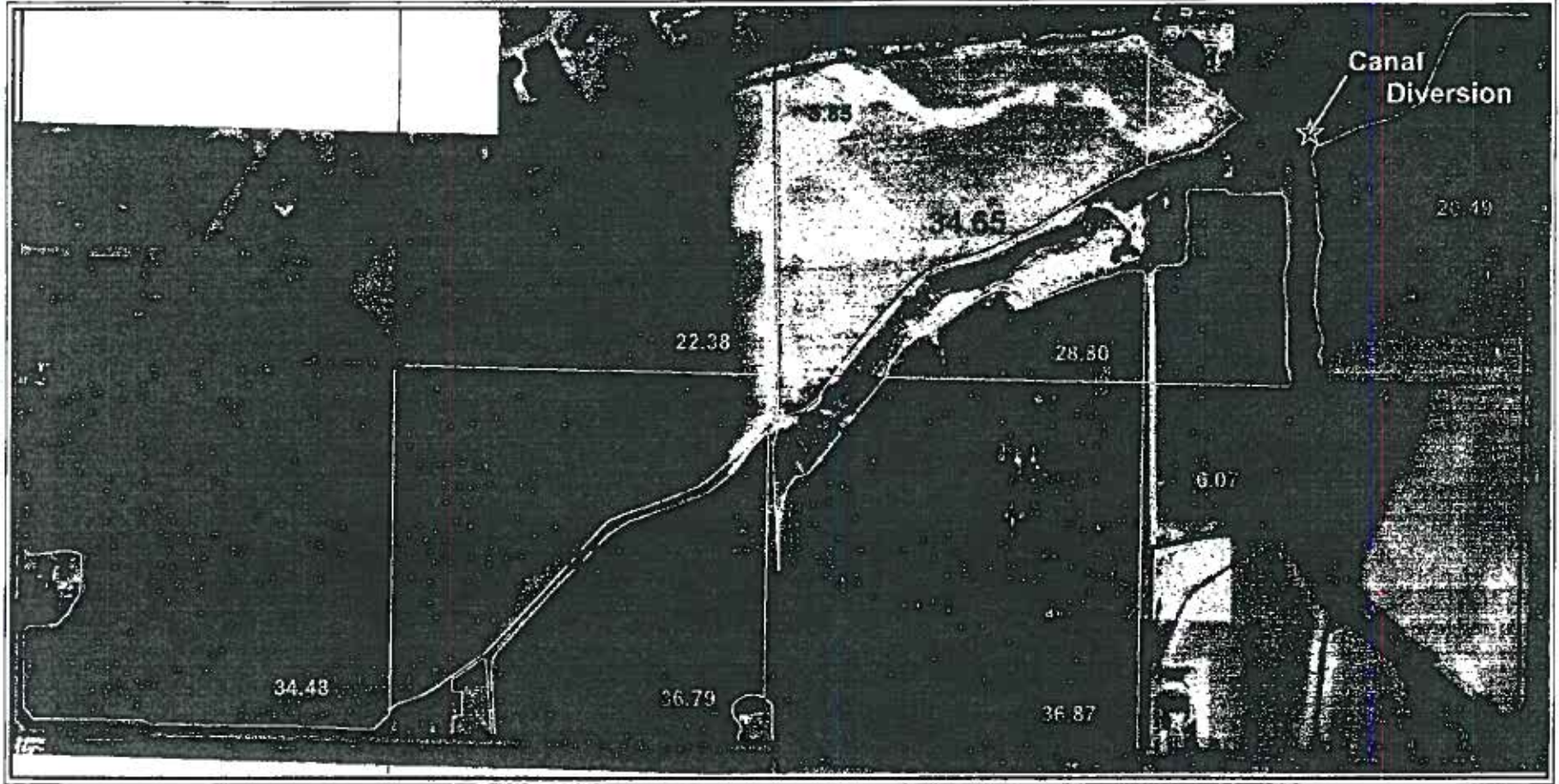
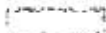
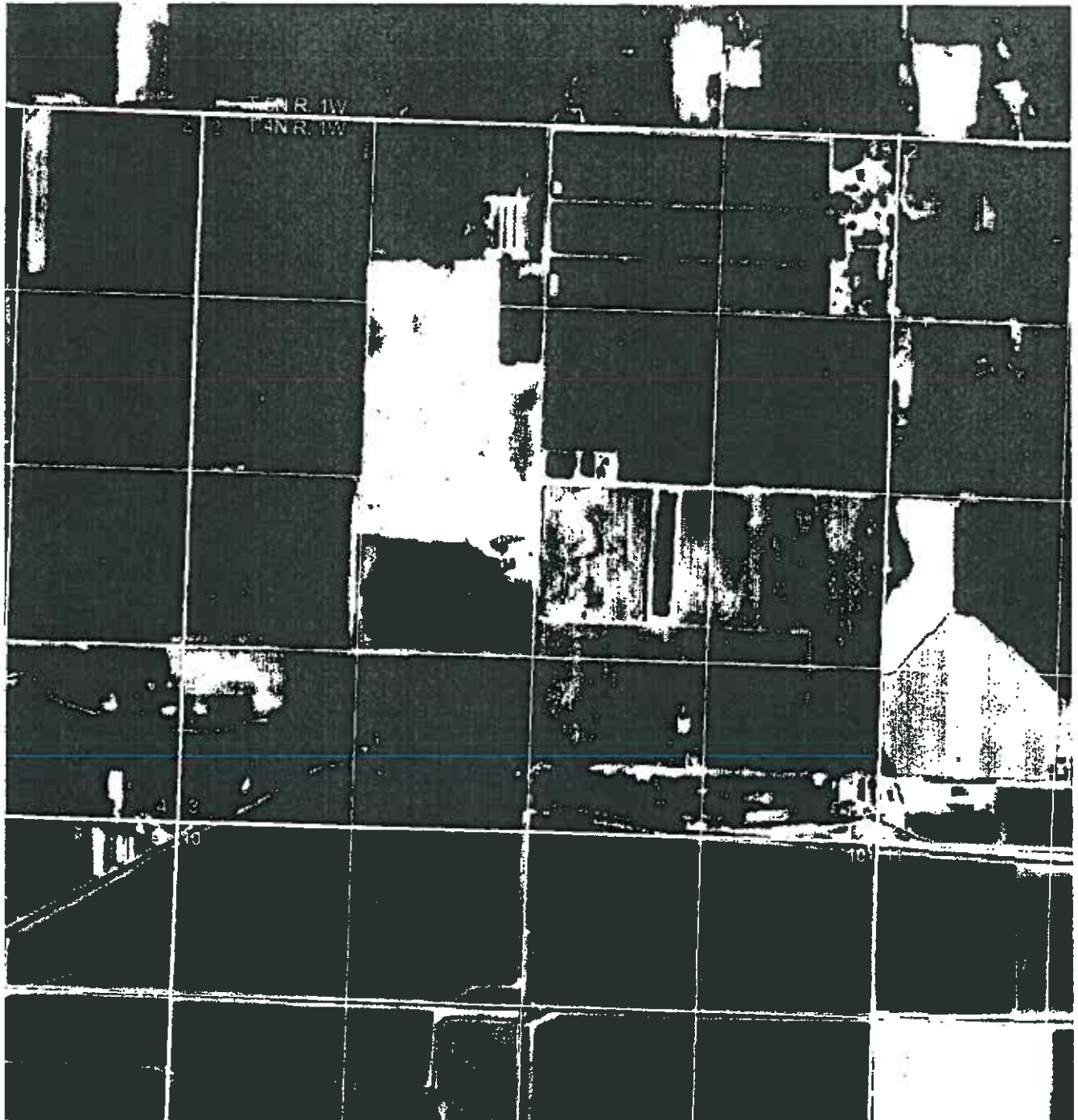


Figure 2.
Brookwood Subdivision
Irrigated Acreage

-  Property Boundary
-  Irrigated Acreage
- Overall Acreage = 185.92

Quarter Circle DJ Ranch Feedlot



PROPERTY DESCRIPTION

The South 10 acres of Lot 3 and the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 3, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho



Brockway Engineering, PLLC.

November 11, 2002

ATTACHMENT 3

WARRANTY DEED

9046013
ADA COUNTY, IDAHO
FOR Lawyers Title

For Value Received

Quarter Circle DJ Ranch, an Idaho general partnership,
the grantor, does hereby grant, bargain, sell, and convey unto
Richard M. Hornaschea and Mary S. Hornaschea, Husband and Wife
the grantee, whose current address is P. O. Box 6887, Boise, Idaho 83707

90 AUG 28 PM 3 24

JOHN BASTIDA, RECORDER

BY B. Bastida

300

the following described premises, to-wit:

The South 10 acres of Lot 3 and the Southeast Quarter of the
Northwest Quarter and the Northeast Quarter of the Southwest Quarter
of Section 3, Township 4 North, Range 1 West, Boise Meridian, Ada
County, Idaho.

EXCEPT DITCH AND ROAD RIGHTS-OF-WAY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years
taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

Dated: August 28, 1990

Quarter Circle DJ Ranch

James C. Warren
James C. Warren, General Partner

David M. Harney III
James C. Warren, his attorney
in fact

BY:
David M. Harney, General Partner
by James C. Warren, his Attorney
in Fact

STATE OF IDAHO

}

COUNTY OF ADA

}

On this 28th day of August, in the year 1990, before me, a Notary Public in and
for said State, personally appeared James C. Warren, known or identified by me to
be one of the partners in the partnership of Quarter Circle DJ Ranch, and the partner
or one of the partners who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same in said partnership
name.

David M. Harney III
Notary Public of Idaho
Residing at Boise, Idaho
Commission Expires: 6/27/92

STATE OF IDAHO
COUNTY OF ADA

On this 28th day of August, in the year 1990, before me, a Notary Public in
and for said State, personally appeared, James C. Warren, partner of the partner-
ship of Quarter Circle DJ Ranch, known to be the person whose name is subscribed
to the within instrument as the attorney-in-fact of David M. Harney, partner of
the partnership of Quarter Circle DJ Ranch, and acknowledged to me that he
subscribed the name of David M. Harney, partner of the partnership, and his own name as
attorney-in-fact.


First American Title Company of Idaho

AHACHMEH

Narrative in Support of Application for Permit, Revised

Brookwood Subdivision Exchange Well

Aries Development L.L.C.

by Brockway Engineering P.L.L.C.

January 7, 2003

Brookwood is a 382 unit subdivision located in Section 4, T 4N R 1E Boise Meridian north of Eagle, Idaho. This subdivision, located on bottom land and bench areas of Dry Creek, is being developed on irrigated farmland served by the Farmers Union Canal. The Farmer's Union Canal is the east boundary of the subdivision and the historical irrigation diversion from the canal will continue to serve the irrigation requirements for a pressure irrigation system serving all lots and common areas. Domestic water is provided by the municipal system of the City of Eagle.

The subdivision will include water amenities including six (6) multi-purpose ponds providing irrigation storage and aesthetic benefits, Figure 1. The ponds serve as storage for diversions of shares from the canal system during the irrigation season and will be supplemented by ground water provided from an exchange well during the non-irrigation season.

The purpose of this Application is to obtain a permit for a well to provide water for non-irrigation season maintenance of the pond and ditch system. Year round evaporation from the aesthetic/recreational ponds will be mitigated by transfer of a portion of water right 63-5087 from a feedlot owned by the applicant. No mitigation for evaporation from the irrigation/storage ponds is contemplated. *during the irrigation season.*

Figure 1 shows the plat of the subdivision, canal diversion, distribution system and the six (6) ponds. Ponds 1,2,3, and 4 are lined with bentonite and compacted earth and Pond 6 is lined with a membrane liner. Pond 5 is unlined and any waste water from the canal system during the summertime and exchange water from the well will infiltrate back into the aquifer thereby reducing any surface water runoff from the property. During the non-irrigation season, the pond levels will be maintained with ground water pumped as necessary.

Brookwood owns 11 shares in the Farmer's Union Canal. Each share represents 11 miner's inches of discharge so the canal discharge available to the project is 121 miner's inches or 2.42 cfs. Historically, 186.0 acres have been irrigated on the Brookwood property from the canal, see Figure 2.

The project plan includes 382 single family lots with approximately 50 acres of common area. Irrigation of landscaping and turf on each lot and the common area will be from a pressure distribution system with two booster pumps from the pipe/pond system. The upper booster is located near the canal diversion, and the lower booster diverts from Pond 1 near the west end of the subdivision. Based on the average lot size of 0.22 acres, a residence footprint and paved area of 4200 square feet, the irrigated area on each lot is

estimated to be 0.12 acres. For the 382 residences the irrigated area is therefore 45.8 acres. The total irrigated area is therefore 50 + 45.8 or 95.8 acres.

Ponds 1, 2, and 3 are utilized as irrigation storage and are tied together hydraulically. The pumping plant for the irrigation system is located at the southwest corner of Pond 1. Ponds 4, 5, and 6 are off-line ponds and are primarily recreational; however, Pond 4 does provide storage for waste water which would normally flow off the property at the corner of Eagle Road and Floating Feather Road. The combined area of ponds 4, 5, and 6 is 3.69 acres. The six ponds are designed with an average surface area of 5.17 acres and a volume of 60.7 acre feet.

A model of the pipe, ditch and pond system was prepared to simulate the operation of the system during the irrigation season and evaluate the various components of the water balance. A copy of the spreadsheet model is attached to this narrative as Figure 3.

Evapotranspiration for the project was determined using procedures outlined in Allen and Brockway, 1983, using the Boise WSO AP station meteorological and Et data. Free water surface evaporation was determined using procedures outlined in 'Monthly Shallow Pond Evaporation in Idaho by Molnau, Kpordze, and Craine, 1992. ASAE paper PNW 92-111.

Seepage from Pond 5 was measured during the period October 1-12, 2001 by Toothman-Orton Engineering Company. Seepage rates for this unlined pond varied from 0.16 to 0.47 ft/day over pond elevations from 2577.2 to 2580.4. Loss rates were extrapolated to proposed operating pond levels up to elevation 2588 at which the estimated maximum seepage rate for Pond 5 is 0.98 ft per day or 1.08 cfs. This loss rate is expected to decrease with time as sediment on the bottom of the pond increases. Pond 5 will be operated at a lower water level elevation during the winter at which the estimated seepage rate is about 0.95 cfs. The lined ponds and ditch were estimated to have operating loss rates of 0.005 ft/day (1/16 in), Appendix

The pond model indicates that the system can operate during the irrigation season utilizing the 0.95 cfs inflow from the exchange well with irrigation demand furnished from the canal. Infiltration back to the aquifer through the pond will be equal to the well discharge plus any system waste. The total seepage through all ponds during the irrigation season is estimated to be 1.09 cfs. Evaporation from the pond system during the irrigation season is 16.2 acre feet which includes all ponds and ditches used for irrigation storage and recreation/aesthetics.

The total consumptive use of the project including turf and landscape irrigation, pond evaporation, and residential in-house consumptive use (not provided by the irrigation system) is 258 af/year whereas the pre-project consumptive use from crop irrigation on 185.96 acres is 489 acre feet per year.

Infiltration back to the aquifer through the pond system is estimated at 386 acre feet during the irrigation season. Ground water extraction from the exchange well required to maintain pond seepage and evaporation, including seepage from unlined Pond 5, is 380 acre feet.

The maximum required discharge from the exchange well is 425 gpm or 0.95 cfs.

APPENDIX 1

Brookwood Pond 5 Seepage Data

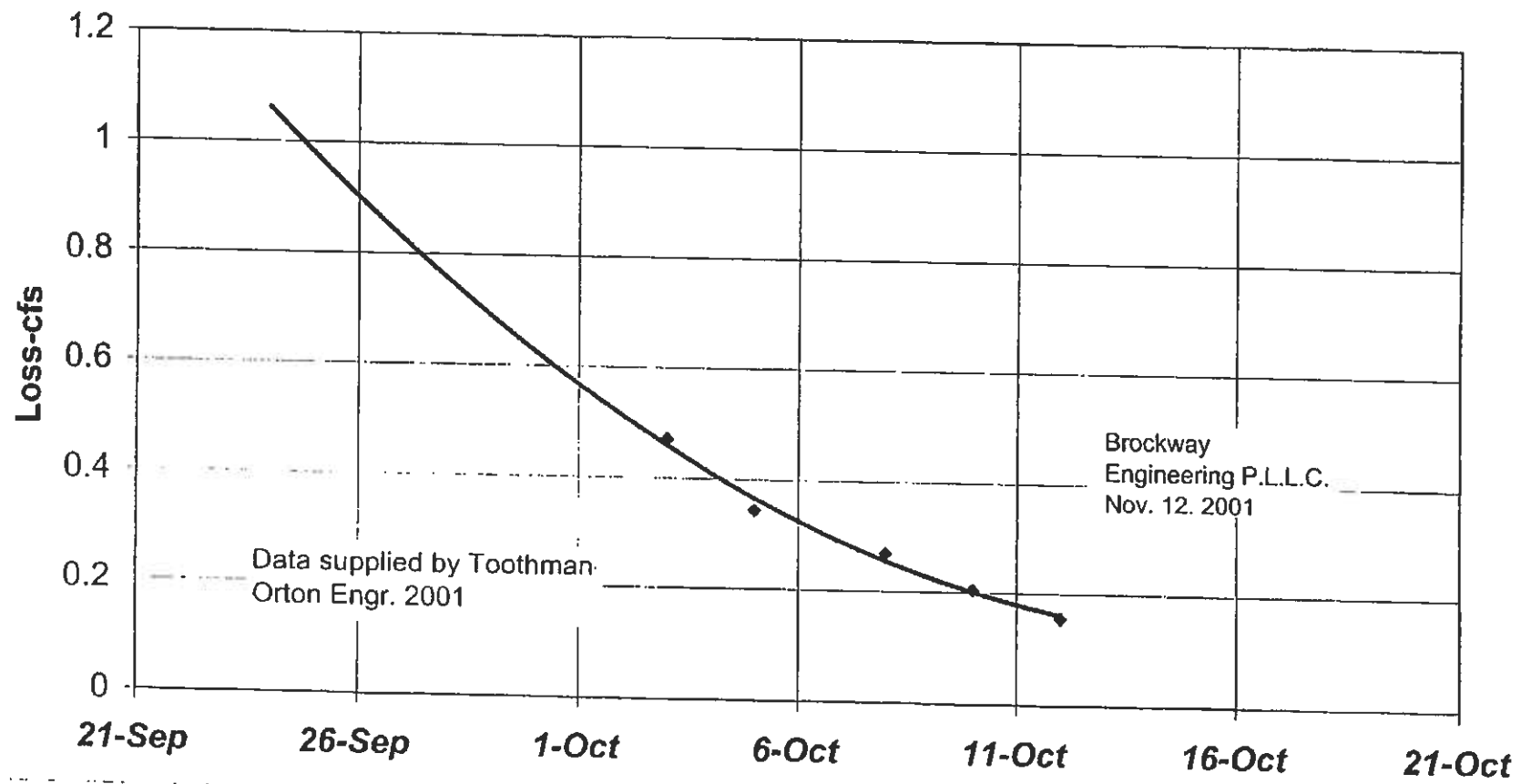
The water balance and pond model indicates that pumping from an exchange well on the project of not-more-than 330 acre feet during the non-irrigation season at a rate of 0.95 cfs will maintain pond water levels. Current and any future consumptive use from the pond system will be mitigated. Evaporation from the ponds will be mitigated by transfer of 0.04 cfs and ~~13.1~~^{13.9} af of ground water under water right 63-5087. The ~~13.1~~^{13.9} af/a is the calculated evaporation from open water surfaces associated with the non-irrigation ponds during the irrigation season and all ponds during the non-irrigation season. Water right 63-5087 is a stockwater right located in the NE1/4 NW1/4 Sec 3 T 4N R1W in Ada County.

The proposed exchange well would be located near the canal diversion so that discharge can be integrated into the entire distribution system. The aquifer underlying the area is composed of alluvial sand and gravels with a hydraulic conductivity estimated at 40 ft/day based on well driller's logs in the area. The water bearing zone from which water is to be appropriated is estimated to be from 80 to 200 feet below ground surface. An estimate of the draw down from a 12 inch diameter well pumping 0.95 cfs was estimated using a Theis analysis assuming continuous pumping for a 40 day period. The Theis analysis output is on the spreadsheet included the Appendix. This analysis shows the estimated draw down at 100 feet from the pumped well of 3.6 feet and a draw down of 0.9 feet at 1320 feet from the well. This analysis assumes no return of water to the aquifer through seepage from ponds, particularly Pond #5. The nearest well to the exchange well is approximately 1200 feet. Operation of the pumped well will not significantly affect aquifer water levels in the area.

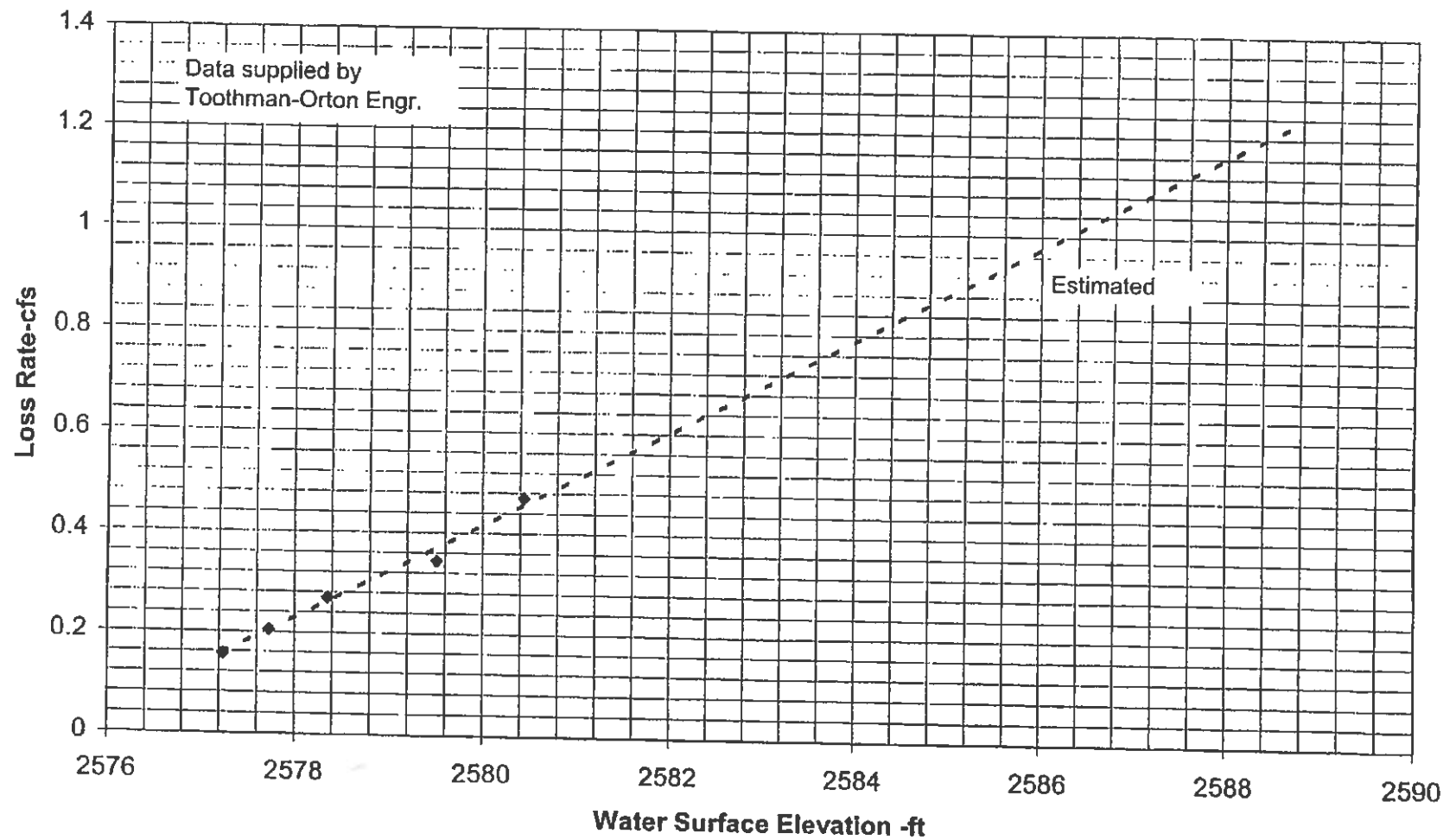
During the non-irrigation season operation of the exchange well, a maximum of 425 gpm (.95 cfs) will be pumped from the well. The pond water levels will be maintained in all ponds and the seepage back into the aquifer from all ponds will be 420 gpm so the impact on the regional aquifer system will not be significant. Pond 5 where 95% of the non-irrigation season seepage returns to the aquifer is approximately 2709 feet from the exchange well.

Aries Development L.L.C. members are: Mike Hormachea, Amy Wray, Richard Hormachea, and the Hormachea Grandchildren's Trust.

Brookwood Pond 5 Loss Rate vs Time

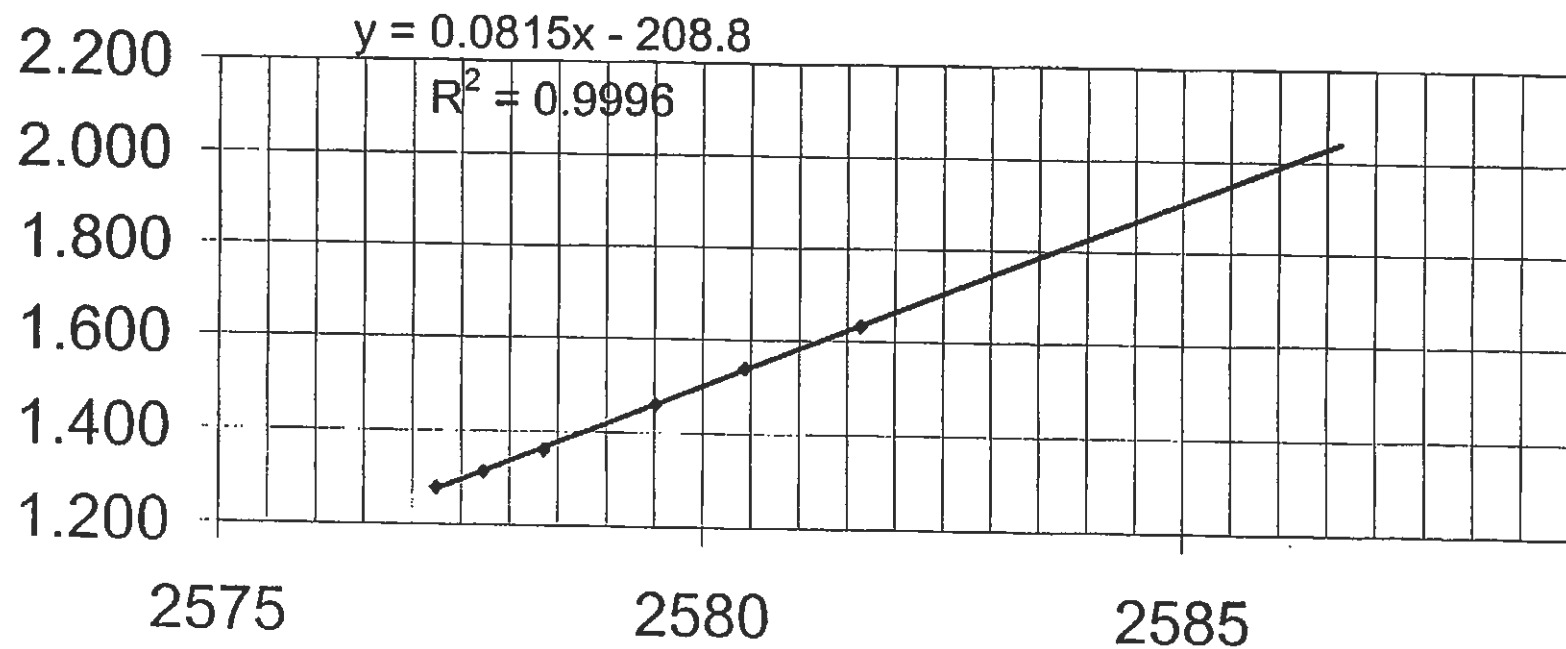


Brookwood Pond 5 Loss Rate vs Water Surface Elevation



Brookwood Pond No 5

Area vs Elev

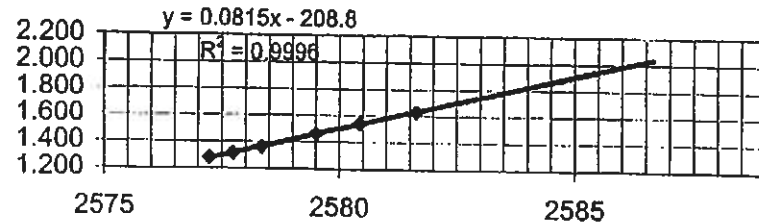


Brookwood
Analysis of Pond Seepage Data
Data furnished by Toothman-Orton Engineering

Pond Number 5
Area/Elevation Curve

Elevation	Area ft ²	acres
2581.64	81.64	71126
2580.44	80.44	67014
2579.51	79.51	63620
2578.35	78.35	59292
2577.73	77.73	57229
2577.24	77.24	55689
Intercept	2.09E+02	
Coefficient	0.0815	

**Brookwood Pond No 5
Area vs Elev**



Date/Time	Water Level	Area	Delta H	Elapsed Time	Loss Rate	Loss Rate	Loss Rate	Loss Rate
		acres fitted		Hr	ft/day	ft ³ /day	ac ft/day	cfs
10/1/01 12:00 AM	2581.64	1.604						
10/3/01 12:00 AM	2580.44	1.506	1.20	48.00	0.60	40635	0.933	0.470
10/5/01 12:00 AM	2579.51	1.430	0.93	48.00	0.46	29734	0.683	0.344
10/8/01 12:00 AM	2578.35	1.336	1.16	72.00	0.39	23291	0.535	0.270
10/10/01 12:00 AM	2577.73	1.285	0.62	48.00	0.31	17693	0.406	0.205
10/12/01 12:00 AM	2577.24	1.245	0.49	48.00	0.25	13501	0.310	0.156

APPENDIX 2

Brookwood Pond Model 1 And Water Use

BROOKWOOD POND MODEL

POND AND IRRIGATION SYSTEM INFLOW AND OUTFLOW LOSS ESTIMATES (SUMMER)

CANAL DIVERSION 2.42 CFS SOURCE:FARMERS UNION CANAL #SHARES 11.00 IN/SHARE= 11.00
 EXCHANGE WELL 0 CFS
 TOTAL DIVERSION 2.42 CFS IRRIGATED ACREAGE : UPPER BOOSTER 45.8 LOWER BOOSTER 50 ACRES
 DITCH SIDE SLOPE 0 TO 1 SEEPAGE RATES PIPE 0 FT/DAY DITCH 0.005 FT/DAY
 POND SIDE SLOPE 3 TO 1 PONDS 0.005 FT/DAY POND 5 0.98 FT/DAY SUMMER ELEV 2588
 PIPE 2 TO DITCH SPLIT 35 PERCENT POND 5 0.8 FT/DAY WINTER ELEV 2584
 PIPE 3 TO PIPE 5 SPLIT 90 PERCENT
 POND 1 TO POND 2 SPLIT 50 PERCENT

winter
↓
out

	L	WIDTH	AVG DEPTH	SURF. AREA	AREA	WET AREA	WET AREA	SEEP. RATE	VOL	IN-FLOW	SEEP-AGE	EVAP (MAX)	ACRES IRRIG.	IRRIG. DIV.	OUT-FLOW	TURN-OVER
	FT	FT	FT	FT^2	AC.	FT^2	AC.	FT/D	FT^3	CFS	CFS	CFS		CFS	CFS	HRS
PIPE 1(TO BOOSTER 1)	200			0	0.00	0	0.00	0.000	0	2.44	0.000	0.0000	0.0	0.00	2.44	0.0
PIPE 2	650				0.00	0	0.00	0.000	0	2.44	0.000	0.0000	45.8	0.56	1.88	0.0
PIPE 3	1400				0.00	0	0.00	0.000	0	1.22	0.000	0.0000	0.0	0.00	1.22	0.0
PIPE 5	2100				0.00	0	0.00	0.000	0	1.10	0.000	0.0000	0.0	0.00	1.10	0.0
PIPE 4	800				0.00	0	0.00	0.000	0	0.12	0.000	0.0000	0.0	0.00	0.12	0.0
PIPE 6	350				0.00	0	0.00	0.000	0	0.66	0.000	0.0000	0.0	0.00	0.66	0.0
DITCH 1	1850	3	0.50	5550	0.13	7400	0.17	0.005	2775	0.86	0.000	0.0012	0.0	0.00	0.66	1.2
POND 1	150	140	6.60	21000	0.48	21321	0.49	0.005	138600	0.78	0.001	0.0047	50.0	0.61	0.16	49.4
PIPE TO POND 1-2	100				0.00	0	0.00	0.000	0	0.08	0.000	0.0000	0.0	0.00	0.08	0.0
POND 2	100	150	7.50	15000	0.34	16500	0.38	0.005	112500	0.08	0.001	0.0033	0.0	0.00	0.08	390.1
PIPE TO POND 1-3	100				0.00	0	0.00	0.000	0	0.08	0.000	0.0000	0.0	0.00	0.08	0.0
PIPE TO POND 2-3	100				0.00	0	0.00	0.000	0	0.08	0.000	0.0000	0.0	0.00	0.08	0.0
POND 3	230	100	8.00	23000	0.53	26680	0.61	0.005	184000	0.16	0.002	0.0051	0.0	0.00	0.15	327.8
PIPE TO POND 3-4	1200			0	0.00	0	0.00	0.000	0	0.15	0.000	0.0000	0.0	0.00	0.15	0.0
POND 4	200	100	6.00	20000	0.46	20389	0.47	0.005	120000	0.15	0.001	0.0044	0.0	0.00	0.14	223.3
POND 5	200	450	14.00	90000	2.07	95600	2.19	0.980	1260000	1.10	1.084	0.0200	0.0	0.00	-0.01	318.1
POND 6(IRRIG.SOURCE)	230	220	16.30	50600	1.16	58098	1.33	0.005	824780	0.01	0.003	0.0112	0.0	0.00	0.00	
TOT. DITCH	1850			5550	0.13	7400	0.17		2775		0.0004	0.0012				
TOT. PONDS				169000	5.04	180491	4.14		1815100		1.0893	0.0375				
TOTAL				225150	5.17	245989	5.65		2642655		1.093	0.0500	95.800	1.174		1310.0

SUMMERTIME

SYSTEM POND & DITCH SEEPAGE LOSS= 0.01 CFS= 0.4 MINERS IN.= 4 GPM
 POND 5 RECHARGE 1.08 CFS= 54.2 MINERS IN.= 487 GPM
 SYSTEM DESIGN EVAP LOSS= 0.050 CFS= 2.50 MINERS IN.= 22 GPM
 SYSTEM IRRIG. REQ'T= 1.174 CFS= 58.70 MINERS IN.= 527 GPM
 SYSTEM WATER REQ'T= 2.32 CFS= 115.9 MINERS IN.= 1040 GPM
 SYSTEM DIVERSION AVAILABLE= 2.44 CFS= 122.1 MINERS IN.= 1096 GPM
 SYSTEM RETURN FLOW 0.12 CFS= 6.2 MINERS IN.= 56 GPM
 MAX POND TURNOVER TIME- ALL PONDS= 1310.0 HOURS TOTAL WATER REPLACEMENT

SYSTEM IRRIGATION SEASON POND WATER USE ESTIMATE

IRRIGATION SEASON LENGTH	180.0 DAYS
AVERAGE PROJECT SEEPAGE	0.009 CFS
POND 5 RECHARGE	1.084 CFS
IRRIG SEASON PROJECT SEEPAGE	3 ACRE FEET
IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	16.2 ACRE FEET

all ponds & ditches

SYSTEM IRRIGATION SEASON DISCHARGE REQ'T

POND SEEPAGE LOSS FOR	5.17 ACRES=	4 GPM
POND 5 RECHARGE		487 GPM
MAX. EVAPORATION LOSS		22.4 GPM
IRRIGATION OF	95.8 ACRES FROM PONDS	527 GPM
TOTAL IRRIGATION SEASON DISCHARGE REQ'T		1040 GPM

SYSTEM NON-IRRIGATION SEASON POND WATER USE ESTIMATE

NON-IRRIGATION SEASON LENGTH	185 DAYS
AVERAGE PROJECT SEEPAGE	0.009 CFS
POND 5 RECHARGE	0.885 CFS
NON-IRRIG SEASON PROJECT SEEPAGE	3 ACRE FEET
NON-IRRIG. SEASON EVAP. (CONSUMPTIVE USE)	2.6 ACRE FEET

SYSTEM NON-IRRIGATION SEASON DISCHARGE REQ'T (PONDS FULL)

POND SEEPAGE LOSS FOR	5.17 ACRES=	4 GPM
POND 5 RECHARGE		397
MAX. EVAPORATION LOSS (OCTOBER)		5.8 GPM
TOTAL NON IRRIGATION SEASON DISCHARGE REQ'T		407 GPM

BROOKWOOD POND MODEL
WATER REQUIRMENTS AND USE DATA
AERIES INVESTMENT COMPANY,

C.E. BROCKWAY P.E 12/5/02

CROP EVAPOTRANSPIRATION FROM BROCKWAY AND ALLEN 1983
 FREE WATER SURFACE EVAPORATION FROM MOLNAU ET AL 1992
 ANNUAL FWS LAKE EVAPORATION FOR BOISE = 42 INCHES
 BOISE IS LOCATED IN REGION #3 FOR FWS EVAPORATION

MAX. IRRIG. DIV PER ACRE= 5.5 GPM USING SPRINKLERS IRRIG. EFFICIENCY= 90 PERCENT
 DIVERSION FROM CANAL 122.1 INCHES
 RECIRCULATION 0 INCHES
 OTHER DIVERSION 0 INCHES
 TOTAL DIVERSION TO POND INFLOW= 122.1 INCHES OR 2.44 CFS
 ALL DITCHES & PONDS HAVE 3 TO 1 SIDE SLOPES TOTAL POND AREA = 5.04 ACRES
 SEEPAGE RATES ESTIMATED FROM LOSS MEASUREMENTS <<<

MO.	AVG	AVG	TOTAL	PRECIP	PROJECT			EVAP-	PROJECT			EWS EVAP			AVG DAY IN
	EVAP	EVAP	MON.	BOISE IN.	AVG	AVG	AVG	PRECIP	EVAP-	EVAP-	EVAP-	MON.	MON.		
	AVG	AVG	EVAP		EVAP	EVAP	EVAP	IN/ DAY	PRECIP	PRECIP	PRECIP	DIST	IN.		
	DAY	DAY	IN.		CFS	GPM	MIN.IN	CFS	GPM	MIN. IN.	%	IN.			
JAN	0.5	0.020	0.61	2.20	0.004	1.92	0.21	0.00	0.000	0.00	0.00	0.5	0.2	0.007	
FEB	0.6	0.024	0.66	1.50	0.005	2.31	0.26	0.00	0.000	0.00	0.00	1.5	0.6	0.023	
MAR	0.76	0.030	0.93	1.03	0.007	2.92	0.33	0.00	0.000	0.00	0.00	4	1.7	0.054	
APR	3.67	0.144	4.33	1.17	0.031	14.11	1.57	0.11	0.023	10.30	1.15	8	3.4	0.112	
MAY	5.41	0.213	6.60	1.11	0.046	20.79	2.32	0.18	0.039	17.30	1.93	14	5.9	0.190	
JUN	6.61	0.260	7.81	0.96	0.057	25.41	2.83	0.23	0.050	22.28	2.48	15	6.3	0.210	
JUL	6.73	0.265	8.21	0.31	0.058	25.87	2.88	0.25	0.055	24.89	2.77	17	7.1	0.230	
AUG	5.11	0.201	6.24	0.50	0.044	19.64	2.19	0.19	0.040	18.07	2.01	16	6.7	0.217	
SEP	3.68	0.145	4.35	0.58	0.032	14.15	1.58	0.13	0.027	12.26	1.37	10	4.2	0.140	
OCT	1.45	0.057	1.77	0.81	0.012	5.57	0.62	0.03	0.007	3.02	0.34	6	2.5	0.081	
NOV	1.01	0.040	1.19	1.20	0.009	3.88	0.43	0.00	0.000	0.00	0.00	5	2.1	0.070	
DEC	0.63	0.025	0.77	2.20	0.005	2.42	0.27	0.00	0.000	0.00	0.00	4	1.7	0.054	
	MAX MON.		8.21	2.20	0.058	25.87	2.88	0.25	0.055	24.89	2.77	17	7.1		
	ANNUAL TOT.		43.47	13.57											
	APR-SEP TOT.		37.54	4.63											

42.4 = Annual Total
 - 33.6 = Apr - Sept
 8.82 = Nov - Mar

POND EVAPORATION MITIGATION*			
	IRRIGATION SEASON		NON IRRIGATION
	180 DAYS	185 DAYS	185 DAYS
MAX EVAP RATE in/day	0.2303	0.08129	
AREA	POND EVAPORATION AF/DAY		
acres			
POND 1	0.48209		0.003
POND 2	0.34435		0.002
POND 3	0.52801		0.004
POND 4	0.46	0.01	0.003
POND 5	2.07	0.04	0.014
POND 6	1.16	0.02	0.008
	(3.69) (5.03)		
TOTAL AF/DAY	0.07	0.034	
TOTAL CFS	0.04	0.017	
TOTAL GPM	16.04	7.741	
TOTAL MINERS IN.	1.79	0.862	
SEASON EVAP IN.			
TOTAL VOL AF	*	33.6 X 3.69/12	8.82 X 5.03/12
ANNUAL VOL AF		10.32	2.71 3.69
		~~43.03~~	14.0
FOR EVAP MITIGATION	IN.	1.79	0.86
	AF	10.32	2.71

MITIGATION OF EVAPORATION FROM PONDS 1, 2, AND 3 IS REQUIRED ONLY IN THE WINTER TIME SINCE THESE PONDS ARE PART OF THE IRRIGATION SYSTEM. PONDS 4, 5, AND 6 ARE NOT PART OF THE IRRIGATION SYSTEM AND EVAPORATION FROM THESE SURFACES CONSTITUTES ADDITIONAL CONSUMPTIVE USE WHICH WOULD BE MITIGATED WITH THE TRANSFER OF A PORTION OF GROUND WATER RIGHT

$$3.69 \times .2303 = 10.32 \text{ af}$$

$$5.03 \times .08129 = 3.69 \text{ af}$$

14.0 af

* 33.6 and 8.82 are derived from the FWS EVAP column listed on page 3, Appendix 2.

EXHIBIT C

CONSUMPTIVE USE COMPARISON

ESTIMATED MAXIMUM NET GROUNDWATER USE FOR RESIDENCES

IRRIGATION				DOMESTIC C.U.		75 % OCCUPANCY	
NUMBER OF LOTS	380	IRRIG EFF=	60 %	USE/HOUSHOLD		75 GPD	
ACRES IRR/LOT=	0 ACRES			FOR	380 LOTS	28500 GPD MAXIMUM	
TOTAL ACRES IRRIG.	0.00 ACRES			SEASONAL DOMESTIC USE		7801875 GAL	
MAXIMUM DAILY ET=	0.25 INCHES				OR	23.94 ACRE FEET/YEAR	
MAX DAILY PR-ET	0.000 CFS=	0.0	GPM				
MAX DAILY DIV. REQ	0.000 CFS=	0.0	GPM				
SEASONAL ET	0.00 ACRE FT/YEAR			MAX REF ET =	0.3264 INCHES/DAY=	8.29 MM/DAY(ALLEN & BROCKWAY,1983)	
				SEAS. REF ET=	52.56 INCHES/YEAR=	1335 MM(ALLEN & BROCKWAY,1983)	

PROJECT IRRIGATION NON-DOMESTIC

SYSTEM IRRIGATED ACREAGE AND ESTIMATED MAXIMUM ET

VEGETATION	ACRES	CROP	ET	MAX US	MAX USE
EST		COEFF.	IN/DAY	AF/DAY	GPD
TURF	57.48	0.80	0.26	1.25	407508
SHRUBS	38.32	0.75	0.24	0.78	254692
TOTAL	95.80			2.03	662200

WEIGHTED MAX DAY CROP COEFF.	0.78
SEASONAL AVG CROP COEFF	0.52 (ALLEN & BROCKWAY, 1983)
SEASONAL REFERENCE ET	52.56 INCHES
SEASONAL WEIGHTED ET=	27.33 INCHES
TOTAL SEASON ET	218.2 ACRE FEET

CURRENT CROPPING

TOTAL IRRIGATED ACREAGE	185.96 ACRES
CROP	ALFALFA
SEASONAL ALFALFA CROP COEFF	0.6
SEASONAL ALFALFA ET	31.54 INCHES
TOTAL SEASON ET(ALFALFA)	488.69 ACRE FEET

PRE PROJECT V PROJECT	PRE	PROJECT
IRRIGATION C.U. WATER BUDGET		
CROP CONSUMPTIVE USE		489
POND CONSUMPTIVE USE	16	
LANDSCAPING CONSUMPTIVE USE	218	
RESIDENTIAL CONSUMPTIVE USE	24	
TOTAL	258	489 AF

ANNUAL PROJECT WATER USE SUMMARY

IRRIGATION SEASON		NON-IRRIGATION SEASON	
CANAL WATER USE	862 ACRE FEET	0	
POND 5 INFILTRATION	386 ACRE FEET	324 ACRE FEET FROM EXCHANGE WELL	
OTHER POND SEEPAGE	3 ACRE FEET	3 ACRE FEET FROM EXCHANGE WELL	
POND EVAPORATION	16 ACRE FEET	3 ACRE FEET FROM EXCHANGE WELL	
IRRIGATION APPLICATION	242 ACRE FEET	0	
TOTAL RECHARGE +SEEPA	390 ACRE FEET	330 ACRE FEET FROM EXCHANGE WELL	

EXCHANGE WELL MAX DISCHARGE= 407 GPM OR 0.91 CFS *average non-ir season req from well*
1.95 CFS after ir season when seepage is higher

Boise WSO AP Consumptive Use from Allen and Brockway 83

** Monthly average daily (mm/day) and Seasonal Totals (mm) **

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
ETr									
MEAN ETr	2.17	4.29	5.91	7.65	8.29	6.72	5.24	3.38	1335.
STDV ETr	0.31	0.38	0.46	0.47	0.32	0.40	0.44	0.32	35.
Alfalfa Hay									
MEAN CU	0.76	3.67	5.41	6.61	6.73	5.11	3.68	1.45	1021.
MEAN IR	0.22	2.93	4.63	5.86	6.56	4.84	3.33	1.04	899.
STDEV CU	0.11	0.32	0.42	0.41	0.26	0.30	0.31	0.14	27.
STDEV IR	0.32	0.64	0.75	0.76	0.31	0.57	0.59	0.39	47.
Alfalfa Seed									
MEAN CU	1.20	3.67	5.29	6.32	4.53	2.53	1.18	0.25	762.
MEAN IR	0.65	2.93	4.52	5.59	4.38	2.31	0.88	-0.13	645.
STDEV CU	0.17	0.32	0.41	0.39	0.18	0.15	0.10	0.02	24.
STDEV IR	0.35	0.64	0.74	0.74	0.24	0.41	0.39	0.32	44.
Dry Beans									
MEAN CU			1.77	3.87	7.63	3.25	0.56		525.
MEAN IR			1.25	3.34	7.47	3.05	0.31		474.
STDEV CU			0.14	0.24	0.30	0.19	0.05		16.
STDEV IR			0.42	0.51	0.33	0.41	0.31		29.
Field Corn									
MEAN CU			1.77	3.54	7.58	6.15	3.77	0.91	728.
MEAN IR			1.19	2.96	7.40	5.88	3.43	0.53	656.
STDEV CU			0.14	0.22	0.30	0.36	0.32	0.09	19.
STDEV IR			0.46	0.53	0.34	0.63	0.58	0.34	34.
Silage Corn									
MEAN CU			1.77	3.54	7.58	6.15	3.77		700.
MEAN IR			1.19	2.96	7.40	5.88	3.43		640.
STDEV CU			0.14	0.22	0.30	0.36	0.32		19.
STDEV IR			0.46	0.53	0.34	0.63	0.58		37.
Sweet Corn									
MEAN CU			1.77	3.54	7.48	5.83			574.
MEAN IR			1.19	2.96	7.30	5.56			524.
STDEV CU			0.14	0.22	0.29	0.34			18.
STDEV IR			0.46	0.53	0.34	0.61			32.
Peas									
MEAN CU		1.38	4.13	5.43	2.09				397.
MEAN IR		0.82	3.50	4.82	1.98				338.
STDEV CU		0.12	0.32	0.34	0.08				15.
STDEV IR		0.41	0.60	0.63	0.16				33.
Potatoes									
MEAN CU		1.29	2.18	5.81	6.90	5.03	2.64		729.
MEAN IR		0.81	1.71	5.28	6.76	4.83	2.40		667.
STDEV CU		0.11	0.17	0.36	0.27	0.30	0.22		20.
STDEV IR		0.35	0.40	0.59	0.29	0.48	0.41		36.

Sugar Beets									
MEAN CU	1.29	1.79	4.18	8.16	6.52	4.42	2.07	871.	
MEAN IR	0.66	1.19	3.55	7.98	6.23	4.07	1.66	777.	
STDEV CU	0.11	0.14	0.26	0.32	0.39	0.37	0.20	21.	
STDEV IR	0.44	0.47	0.58	0.36	0.66	0.64	0.43	40.	
Spring Grain									
MEAN CU	0.65	1.39	4.77	7.64	6.52	1.27		680.	
MEAN IR	0.20	0.84	4.13	6.95	6.37	1.09		598.	
STDEV CU	0.09	0.12	0.37	0.47	0.25	0.07		23.	
STDEV IR	0.27	0.40	0.64	0.77	0.29	0.29		40.	
Winter Grain									
MEAN CU	1.24	4.12	5.91	7.65	5.23	1.05		769.	
MEAN IR	0.73	3.40	5.16	6.91	5.09	0.86		675.	
STDEV CU	0.18	0.36	0.46	0.47	0.20	0.06		27.	
STDEV IR	0.34	0.65	0.76	0.80	0.25	0.30		47.	
Pasture									
MEAN CU	0.86	3.29	4.55	5.89	6.38	5.17	4.04	2.60	1003.
MEAN IR	0.35	2.59	3.85	5.21	6.22	4.91	3.70	2.19	887.
STDEV CU	0.12	0.29	0.35	0.36	0.25	0.31	0.34	0.25	25.
STDEV IR	0.31	0.59	0.66	0.69	0.30	0.56	0.60	0.47	43.
Orchard									
MEAN CU	1.84	3.81	6.31	7.04	5.71	4.32	2.09		952.
MEAN IR	1.20	3.14	5.61	6.87	5.44	3.97	1.69		854.
STDEV CU	0.16	0.30	0.39	0.28	0.34	0.36	0.20		24.
STDEV IR	0.48	0.60	0.72	0.32	0.60	0.63	0.43		42.
Vegetables									
MEAN CU		1.80	4.00	6.38	5.34	3.58			647.
MEAN IR		1.35	3.54	6.25	5.14	3.32			600.
STDEV CU		0.14	0.25	0.25	0.32	0.30			18.
STDEV IR		0.37	0.47	0.27	0.50	0.49			30.
Onions									
MEAN CU	1.39	2.94	5.05	6.51	5.37	4.05			774.
MEAN IR	0.91	2.45	4.55	6.38	5.17	3.78			711.
STDEV CU	0.12	0.23	0.31	0.25	0.32	0.34			21.
STDEV IR	0.36	0.45	0.54	0.27	0.50	0.53			36.
Hops									
MEAN CU	1.34	4.14	7.26	7.87	6.37	4.72			969.
MEAN IR	0.73	3.46	6.51	7.69	6.09	4.36			882.
STDEV CU	0.12	0.32	0.45	0.31	0.38	0.40			27.
STDEV IR	0.44	0.63	0.79	0.35	0.64	0.66			49.

End of Data Set

APPENDIX 3

Brookwood Well Interference Analysis

Well Interference Analysis Brookwood Proposed Exchange Well

Estimated Well Drawdown

C.E. BROCKWAY February 12, 2002 Brockway Engineering P.L.L.C.

AQUIFER PROPERTIES BASED ON USBR GROUNDWATER MANUAL-ALLUVIAL SANDS AND GRAVEL

AND LOCAL WELL DRILLER'S LOGS

EST. HOLE DIA. 12 INCHES

USING THEIS FORMULA $S=114.8 \cdot Q/T \cdot W(U)$

S= DRAWDOWN IN FT

Q= PUMPING RATE GPM

T= COEFFICIENT OF TRANSMISSIBILITY GPD/FT

W(U)= WELL FUNCTION OF U

$W(U) = -5772 - \log U + U \cdot U^2 / (2 \cdot 2!) + U^3 / (3 \cdot 3!) - U^4 / (4 \cdot 4!) + \dots$

$U = 1.87 \cdot r^2 \cdot S / (T \cdot t)$

r= DISTANCE IN FT. FROM CENTER OF PUMPED WELL TO DRAWDOWN POINT

S= COEFFICIENT OF STORAGE

T= COEFFICIENT OF TRANSMISSIBILITY, GPD/FT

t= TIME SINCE PUMPING STARTED, DAYS

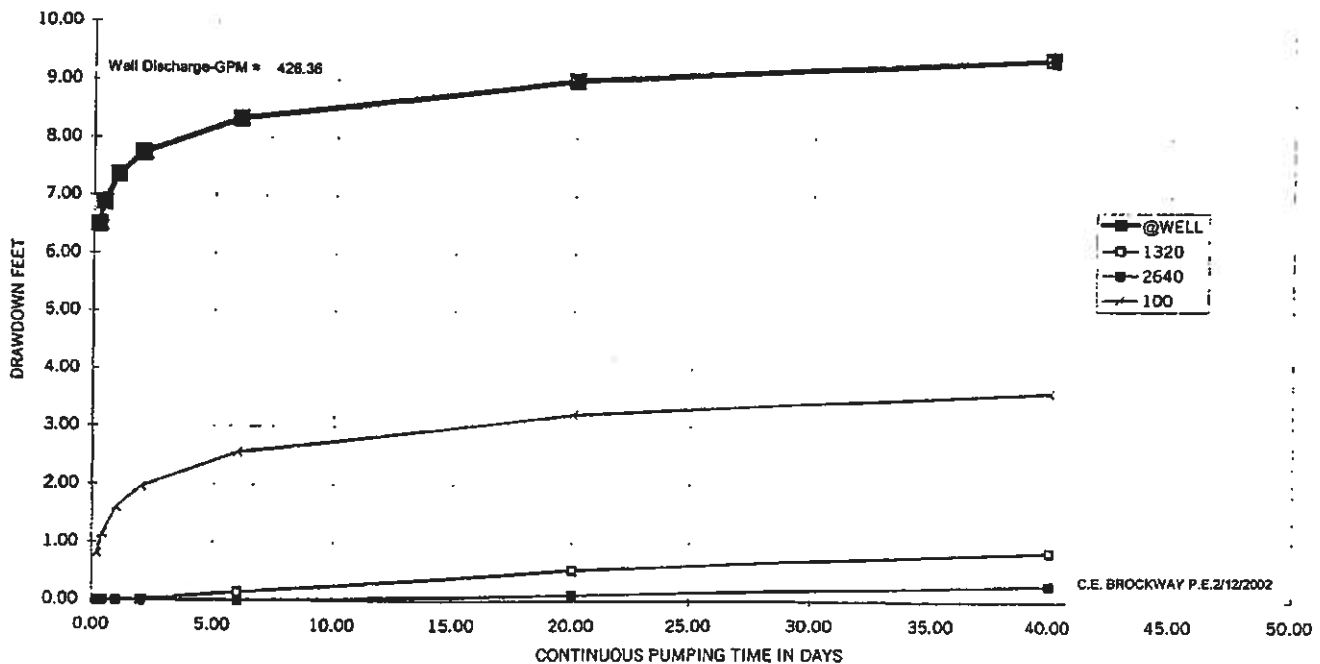
INPUT

r1= 0.500 FT K= 40.00 FT/DAY
r2= 100 FT K= 0.00046296 CFS/FT^2
r3= 1320 FT K= 2.98E+02 GPD/FT^2
r4= 2640 FT WRIGHT SAT. DEPTH EST.= 300 FT
r5= 5280 FT TRANSMISSIVITY= 89520 GPD/FT
S= 0.15 TRANSMISSIVITY= 1.39E-01 FT^2/SEC
T= 89520 GPD/FT TRANSMISSIVITY= 11967.9 FT^2/DAY
Q/WELL 428.36 GPM = 0.950 CFS

HOURS	TIME DAYS	U	WELL FUNCT. W(U)1	DRAW DOWN @WELL	SPEC. CAP GPM/FT	U	WELL FUNCT. W(U)2	DRAW DOWN @ 100	U	WELL FUNCT. W(U)3	DRAW DOWN @ 1320	U	WELL FUNCT. W(U)4	DRAW DOWN @ 2640
5	0.21	3.780E-06	11.9139	8.50	66	1.504E-01	1.4622	0.80	2.621E+01	0.0000	0.00	1.048E+02	0.0000	0.00
10	0.42	1.880E-06	12.6070	8.88	82	7.520E-02	2.0842	1.14	1.310E+01	0.0000	0.00	5.241E+01	0.0000	0.00
24	1.00	7.833E-07	13.4825	7.36	58	3.133E-02	2.9169	1.69	5.460E+00	0.0000	0.00	2.184E+01	0.0000	0.00
48	2.00	3.917E-07	14.1756	7.74	55	1.587E-02	3.5846	1.86	2.730E+00	0.0184	0.01	1.092E+01	0.0000	0.00
144	6.00	1.306E-07	15.2743	8.34	51	5.222E-03	4.6828	2.56	9.089E-01	0.2558	0.14	3.640E+00	0.0032	0.00
480	20.00	3.917E-08	16.4782	8.99	47	1.567E-03	5.8832	3.21	2.730E-01	0.9766	0.53	1.092E+00	0.1885	0.10
960	40.00	1.958E-08	17.1714	9.37	45	7.833E-04	6.5755	3.69	1.365E-01	1.5463	0.84	5.460E-01	0.5076	0.28

HOURS	DAYS	@WELL	100	1320	2640	DISTANCE FEET
0	0.00	0	0	0	0	0
5	0.21	-8.50	-0.80	0.00	0.00	
10	0.42	-8.88	-1.14	0.00	0.00	
24	1.00	-7.36	-1.59	0.00	0.00	
48	2.00	-7.74	-1.96	-0.01	0.00	
144	6.00	-8.34	-2.56	-0.14	0.00	
480	20.00	-8.99	-3.21	-0.53	-0.10	
960	40.00	-9.37	-3.59	-0.84	-0.28	

ESTIMATED DRAWDOWN FROM PROPOSED BROOKWOOD EXCHANGE WELL



Brookwood
Well Driller's Logs
Twonship 4N Range 1E

Log Number	Date	Owner	Address	Section	Quarter Quarter	Well Depth	S.W.L	Pump Test Discharge	Pumping Level
								gpm	
1	1966	Danny Tolman	RFD Eagle ID	4	SESE	120	10	20	NA
2	1969	Howard Jenkins	10310 Whispering Cliffs Boise	4	SESE	140	10	45	47
3	1969	Howard Jenkins	10310 Whispering Cliffs Boise	4	SESE	140	10	36	38
4	1970	Howard Jenkins	10310 Whispering Cliffs Boise	4	SESE	116	14	25	30
5	1970	Boyce Peterson	4655 Shannon Ln. Boise	4	SESE	99	8	50	NA
6	1971	Boyce Peterson	720 North Orchard	4	SESE	67	11' 10"	36	NA
7	1970	Boyce Peterson	720 North Orchard	4	SESE	138	8' 5"	60	NA
8	1970	Quarter Circle DJ Ranch	Box 27 F Eagle ID	4	SESE	361	30	40	50
9	1961	William J Holman	Rt. 1 # 334 Boise	4	SWNE	60'2"	40	NA	45
10	1972	Forrest Prohasha	3700 Hill Rd Boise	4	SWSE	285	51	37	42
11	1978	Larry Human	NA	4	SENE	123	43	NA	NA
12	1978	Stan Bastun	Eagle ID	4	NESW	63	15	NA	NA
13	1978	Larry Crawford	5215 Tinker Boise ID	4	SENE	89	11	40	NA
14	1977	Gregory Design Constr.	P.O. Box 362 Eagle ID	4	NWSW	116	20	30	NA
15	1978	Glen Rhodes Cons	Boise ID	4	NWSW	89	40	NA	NA
16	1978	Rick Bechteld	NA	4	NESW	90	43	15	75
17	1979	Gregory Design Constr.	P.O. Box 362 Eagle ID	4	NWSW	45	10	30	NA
18	1975	Cecil Arnold	1024 W. Avalon Kuna ID	4	SENE	95	25	20	30
19	1975	Al Miller	Beacon Light	4	NWSW	47	20	15	20
20	1979	Bill Taylor	Eagle Idaho	4	SWNE	39	14	50	15
21	1980	Behrman Bros. Const.	2075 Ridgeview Way Boise	4	NWSW	112	34	NA	NA
22	1981	Bob A Wright	1311 Jackson Boise	4	NESW	82	NA	50	34
23	1981	Bob A Wright	1311 Jackson Boise	4	NESW	82	31	50	34
24	1983	Jim Trent	Eagle ID	4	NWSW	56	18	45	43
25	1991	Ivan Flemming	4200 Ballantine Ln Eagle ID	4	SWNE	228	60	30	90

Log Number	Date	Owner	Address	Section	Quarter	Well Depth	S.W.L	Pump Test Discharge	Pumping Level
26	1992	William Weiler	5231 Amberidge Dr. Agoura CA 71301-2301	4	NESW	100	28	50	33
27	1991	Bob Yearsley	P.O. Box 4787 Boise	4	NESW	84	20	30	NA
28	1990	Roger Crandelmire	1400 Floating Feather Rd Eagle	4	SESE	323	32	NA	NA
29	1990	Dan Seanons	50 Rooster Drive Eagle	4	NWSW	120	25	NA	NA
30	1989	Ed Carlson	4280 Greenmeadow Ave Boise	4	SWNE	85	18	60	60
31	1988	Pete Cintirino	Eagle ID	4	SWSE	80	1	60	NA
32	1987	Lowell Rosanbalm	Eagle	4	SENE	57	27	40	NA
33	1983	Laura Ford	NA	4	NWSW	47	10	40	NA
34	1984	Greg Brown	P.O. Box 241 Meridian	4	SENE	90	32	60	NA
35	1993	LDS Church	2710 NW Sunrise Rim Rd Suite200	4	SWNW	470	28	NA	NA
36	1993	LDS Church	2710 NW Sunrise Rim Rd Suite200	4	SWNW	430	28	100	52
37	1993	McCarter-Moonehouse	9703 Ustick Boise	4	SENE	101	25	65	NA
38	1992	Rick Rainer	199 Rooster Eagle ID	4	NWSW	128	25	43	NA
39	1992	Monty Marcus	4102 Star Valley St Boise	4	NESW	104	25	70	NA
40	1992	Rober Slager	575 E Rooster Eagle	4	SENE	87	28	35	75
41	1992	Bud Stork	133 Rooster Dr. Eagle	4	NWSW	199	30	75	NA
42	1998	Mark Urness	2224 N Ram St Eagle	4	SENE	93	20	50	NA
43	1999	Wally Day	153 E Rocky Dr Eagle	4	SENE	87	35	45	82
44	1999	Tim Unruh	2392 N Ram Eagle	4	SENE	108	32	70	100
45	1999	Jack Pfeffers	801 Los Luceros Eagle	4	SWNE	84	35	60	77

MEMORANDUM

TO: Transfer File No. 70604
Permit File No. 63-31689

FROM: Lori Graves

DATE: 5/30/03

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicant proposes retiring .04 cfs and 14 afa stockwater use from a cattle feedlot located in S3 T4N R1W to mitigate year around evaporation from six proposed ponds in S4 T4N R1E. The ponds utilize surface water during the irrigation season and will be supplemented from a proposed well located in the NESE S4 during the non-irrigation season (see accompanying application no. 63-31689).

The site is aka Brookwood Subdivision located just North of Eagle and Floating Feather Road.

Contact person for the applicant is Chuck Brockway.

Authority to File: A warranty deed in the name of Richard Hormeachea for the claim p/u has been provided. Richard is a member of Aries Development, owners of the proposed p/u, as confirmed by Ada County Assessors office.

Water Right Validity:

Right presumed valid since the right was claimed on 7/31/1989 and beneficial use is assumed to have occurred within the five year period prior to that date. Beneficial use was evidenced by a 1987 aerial photo, supporting documentation provided by the applicant and a preliminary investigation/ recommendation for SRBA claim 63-5087 by Ron Howerton.

Injury to Other Water Rights: The new well is proposed approximately 5 miles East of the existing well. A previous ground water proposal for Floating Feather Subdivision, which is next to Brookwood Subdivision, was heavily protested. Notice will be sent to those protestants.

The purpose of this transfer is to prevent injury due to the consumptive use resulting from the development of application 63-31689. Chuck Brockway analyzed surrounding wells and the underlying aquifer of the proposed well. He estimated the potential draw down using a Theis analysis assuming continuous pumping for a 40 day period. The Theis analysis output is on a spreadsheet included in the Appendix 3, Attachment 6. Based on the results of the analysis, operation of the pumped well, as proposed, will not significantly reduce affect aquifer water levels in the area.

Enlargement of Use: Based on supporting evidence provided by Burgess Pump Co., who installed the pumps for the feedlot, and supporting documentation provided by the applicants, claim 63-5087 will be recommended for decree based on beneficial use for .31 cfs and 375 afa in the SRBA, per Ron Howerton.

Chuck Brockway prepared a pond model of the Brookwood pipe, ditch and pond system to simulate the operation of the system during the irrigation season and evaluate the various components of the water balance. Evapotranspiration for the project was determined using the Allen/Brockway Report and alfalfa as the historical crop. Free water surface evaporation was determined using procedures outlined in Monthly Shallow Pond Evaporation in Idaho by Molnau, Kpordze, and Crane, 1992. After incorporating information from these sources, the model indicates that mitigation is required for consumptive use of 14 afa resulting from pond evaporation and a flow rate of .04 cfs is needed to refresh the maximum daily evaporation from the ponds in the summer. The recommendation for claim 63-5087 is more than sufficient to support these amounts.

Using the latest Department pond spreadsheet, 5.17 acres of pond area loses 13 afa to evaporation. The applicant's spreadsheet calculated 14 afa, which is the amount being mitigated. Allen Brockway data shows that the historical alfalfa crop consumed 15.3 afa. These comparisons indicates that enlargement is not an issue.

Local Public Interest: No negative impacts are anticipated, however, notice will be sent to concerned citizens in the area as mentioned above.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with Department standards. The transfer application was filed in 2002 and lists the nature of use change for mitigation as aesthetic/recreation. Department policy now allows mitigation to be listed as an actual use. Sharla Curtis confirmed that data entering mitigation as the new use, rather than aesthetic/recreation, was acceptable without requiring applicants initials.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: Data entry appeared to affect the correct record. Processing of the application has been delayed due to requirements for additional information and clarifications necessary in understanding the pond model.

Supporting documentation for the statutory claim is located in the SRBA claim file. Explanation of the permit proposals, pond model and water balance is attachment no. 5. The actual model and water balance are attachment no. 6. Please note that on page 3 of Appendix 2, 16.2 af consumptive use represents evaporation from the ponds **and** existing ditches. The ditches are part of the canal water delivery system and have been incorporated into the subdivision's water amenity system. Page 4 of Appendix 2

calculates the consumptive use for the ponds only, which equates to 14.0 afa. Ponds 1, 2, and 3 are used for delivery of irrigation shares and are tied together hydraulically. Evaporation from these three ponds was calculated during the non-irrigation season only. Ponds 4, 5, and 6 are off-line aesthetic ponds. Evaporation from these three ponds was calculated year around. Pond 5 is unlined and serves as a recharge pond. The pond model indicates that infiltration back to the aquifer through pond 5 will be equal to the well discharge as proposed on application 63-31689 (see Appendix 1, Attachment 6).

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the following conditions of approval should be applied:

WATER RIGHT NO. 63 5087

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

DATA ENTRY BY Rat

98-00

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: A63-05087

Date Received: 7/31/1989

Receipt No: C008673

Received By: Rat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: QUARTER CIRCLE DJ RANCH 208-286-7131
Address: P.O. BOX 279
EAGLE, ID 83616

2. Date of Priority: JAN 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01W	3	NE	NE	NW		ADA

5. Description of diverting works:
WELL, PUMP, DITCHES AND PIPING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.440		347.00
DOMESTIC	01/01	12/31	0.040		<u>28.00</u>

7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) 375.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2000 RANGE, C/WATER FOR FEEDLOT PERSONNEL

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01W	3	NE	NW		STOCK	
			NE	NW		DOMEST	

A63-05087

Page 1

Date: 08/01/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	3	SE	NW		STOCK	
			SE	NW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

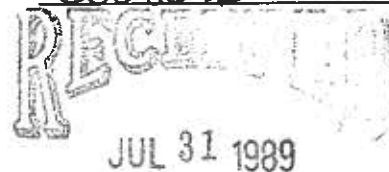
**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576
Ident. Number AL63-05087
Date Received 7-31-89 Rad
Receipt Number 00086703

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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



Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Quarter Circle DJ Ranch Phone (208) 286-7131
Mailing Address P. O. Box 279, Eagle, Idaho Zip 83616

2. Date of Priority (Only one (1) per claim) 1/1/62

3. Source of water supply (a) Groundwater
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 4N Range 1W Section 3,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is: N/A
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. Drilled well, pump, ditches and piping.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stock purposes from 1/1 to 12/31 amount .44 or 347

For Domestic purposes from 1/1 to 12/31 amount .04 or 28

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .48 (cfs) and/or (b) 375 (acre feet)

8. Total consumptive use claimed is -0- acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2,000 head of beef cattle, water for feedlot personnel

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
			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	
4N	1W	3					S/D			S/D									

Total number of acres irrigated -0-

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)

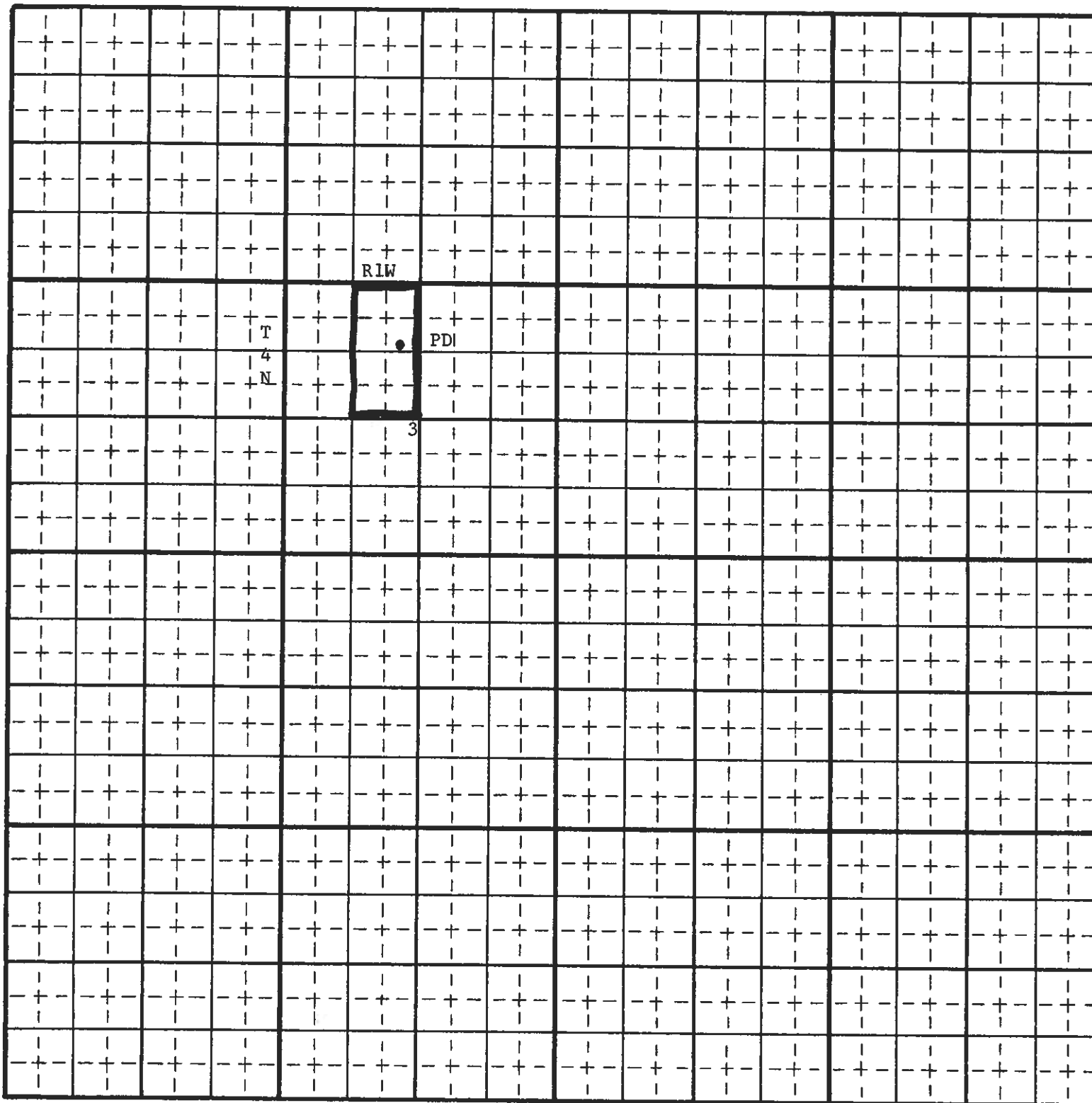
14. Remarks:

Last Name Quarter Circle DJ Ranch Ident No. _____

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AUG 28 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



Last Name Quarter Circle DJ Ranch Ident No. _____

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Copies: White-State, Yellow-Claimant
AUG 29 1992

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

Decree _____

If applicable provide IDWR Water Right Number 63-5087

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments -0-

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Partner

Title

of Quarter Circle DJ Ranch, that I have signed the foregoing

Organization

document in the space below as General Partner of Quarter Circle DJ Ranch

Title

Organization

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

Signature of Authorized Agent [Signature]

Title and Organization General Partner, Quarter Circle DJ Ranch Date 7/27/89

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

Subscribed and sworn (or affirmed) before me this 27th day of July 19 89

SEAL

Notary Public Sheila L. Brinton

Residing at Eagle, ID

My Commission Expires 4/17/93

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 _____

MICROFILMED

AUG 28 1992

Copies White-State, Yellow-Claimant

Last Name Quarter Circle DJ Ranch Ident. Number _____

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 02 2006

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: October 31, 2006

Water right number: 63-31726

MARY B HORMAECHEA
PO BOX 6887
BOISE ID 83707
Telephone Number: (208)336-2200

RICHARD M HORMAECHEA
PO BOX 6887
BOISE ID 83707
Telephone Number: (208)336-2200

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

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

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

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

DATE: 10/30/06 SIGNATURE: *Richard M. Hormaechea*

Please print your name: For Richard M. Hormaechea

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

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

RIGHT NUMBER: 63-31726

NAME AND ADDRESS: MARY B HORMAECHEA
PO BOX 6887
BOISE ID 83707

RICHARD M HORMAECHEA
PO BOX 6887
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
14.000 AFY

Rights 63-31726 and 63-31689 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 40.0 af.

PRIORITY DATE: 10/08/1962

POINT OF DIVERSION:

T04N R01E S4 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	14.00 AFY
DIVERSION TO STORAGE	01/01 12/31	0.040 CFS

PLACE OF USE: AESTHETIC STORAGE Within ADA County

T04N R01E S04	NESW	T04N R01E S04	SWSW
T04N R01E S04	SESW	T04N R01E S04	NESE
T04N R01E S04	NWSE	T04N R01E S04	SWSE
T04N R01E S04	SESE		

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

The right holder shall accomplish the change authorized by Transfer 70604 within one (1) year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The diversion and use of water described in Transfer 70604 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right 63-31726 authorizes the diversion of an annual total of 14.0 af to be used for the replacement of losses caused by evaporation from the 5.2 acre total surface area of six (6) ponds established under Right 63-32169.



Idaho Department of Water Resources

SRBA Recommendation:

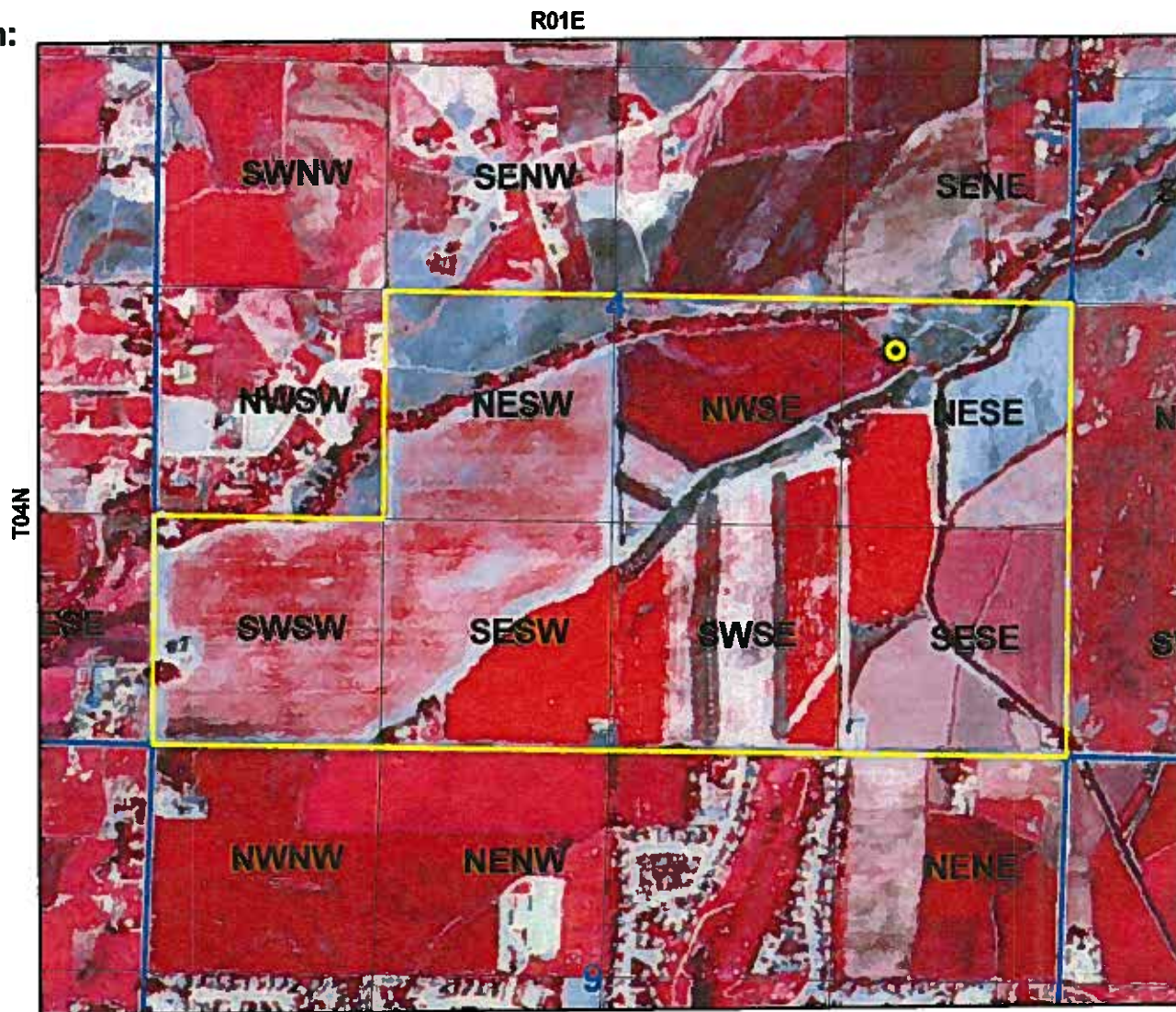
63-31726

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



0 0.4 0.8 Miles



Prepared by S. Egbert
On Friday, August 25, 2006
1987/88 Aerial Photography

**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	)	Water Rights: 63-5087 (Split)
	)	63-31725, 63-31726
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

☐ Period of use XX Nature of use

XX Split of water right XX Change in ownership

XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: August 10, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 10, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Richard M Hormaechea	☐ overnight mail
Mary B Hormaechea	☒ regular mail
PO Box 6887	☐ hand-delivered
Boise ID 83707	☐ facsimile

Aries Development	☐ overnight mail
PO Box 6887	☒ regular mail
Boise ID 83707	☐ hand-delivered
	☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

RICHARD M. HORMAECHEA
MARY B. HORMAECHEA
PO BOX 6887
BOISE ID 83707

Dear Mr. & Mrs. Hormaechea:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

cc: Aries Development