

12/29/2006

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

RIGHT NUMBER: 78-7173

NAME AND ADDRESS: MEADOWCREEK PROPERTY OWNERS ASSN
PO BOX 415
NEW MEADOWS ID 83654

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.660 CFS
300.000 AFY

Right Nos. 78-7173 and 78-7177 are limited to a total combined annual diversion volume of 1.2 AF per lot for domestic use.

PRIORITY DATE: 05/15/1981

POINT OF DIVERSION:

T19N R01E S11 NESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.660 CFS 300.00 AFY
Domestic use is for 250 homes.		

PLACE OF USE: DOMESTIC in ADAMS County

T19N R01E S01	SWNW	T19N R01E S01	NWSW
T19N R01E S01	SWSW	T19N R01E S02	SENE
T19N R01E S02	NESW	T19N R01E S02	NWSW
T19N R01E S02	SWSW	T19N R01E S02	SESW
T19N R01E S02	NESE	T19N R01E S02	NWSE
T19N R01E S02	SWSE	T19N R01E S02	SESE
T19N R01E S11	NENE	T19N R01E S11	NWNE
T19N R01E S11	SWNE	T19N R01E S11	SENE
T19N R01E S11	NENW	T19N R01E S11	NWNW
T19N R01E S11	SENW	T19N R01E S11	NESE
T19N R01E S11	NWSE		

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 - License

09/20/2005

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

RIGHT NUMBER: 78-7173

NAME AND ADDRESS: KIMBERLAND MEADOWS CO INC
PO DRAWER C
NEW MEADOWS ID 83654

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.660 CFS
300.000 AFY

Right Nos. 78-7173 and 78-7177 are limited to a total combined annual diversion volume of 1.2 AF per lot for domestic use.

PRIORITY DATE: 05/15/1981

POINT OF DIVERSION:

T19N R01E S11 NESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.660 CFS 300.00 AFY
Domestic use is for 250 homes.		

PLACE OF USE: DOMESTIC Within ADAMS County

T19N R01E S01	SWNW	T19N R01E S01	NWSW
T19N R01E S01	SWSW	T19N R01E S02	SENE
T19N R01E S02	NESW	T19N R01E S02	NWSW
T19N R01E S02	SWSW	T19N R01E S02	SESW
T19N R01E S02	NESE	T19N R01E S02	NWSE
T19N R01E S02	SWSE	T19N R01E S02	SESE
T19N R01E S11	NENE	T19N R01E S11	NWNE
T19N R01E S11	SWNE	T19N R01E S11	SENE
T19N R01E S11	NENW	T19N R01E S11	NWNW
T19N R01E S11	SENW	T19N R01E S11	NESE
T19N R01E S11	NWSE		

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 - License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

- Permit No. 78-7173
1. Owner: BA Properties I, Inc. Phone No. 347-2162
Current Address: P.O. Drawer C New Meadows, ID 83654
2. Accompanied by: Brad Pearson & Dave Geddes EXAM. DATE: 9/16/87
Address: Same Phone No. Same
Relationship to Permit Holder: Project Maint. Mng. & Property Owners Assoc. Maint. Foreman, respectively
3. Source: Groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: 78-7177 and those shown in 78-7177
☒ Copies Attached See 78-7177
2. Other water rights with same point of diversion: 78-7262
☐ Copies Attached N/A ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

See 78-7177

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Scale: 1" = NOT TO SCALE

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

See 78-7177

* I do not see the need to include irrigation
System Description (continued) under this right.

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
See 78-7177; this well ties into the common system.

7173 is a 502' deep well with 10" casing and 6" main ~~that~~ that leads 2100' N. to booster bldg. Again, a booster pump (40 hp) contributes to system. The 6" outflow line, shown in top left of system diagram on 7177 diagram, will lead to another storage tank currently under construction. Meanwhile, the water is channeled to mainline in 7177 and goes to storage tank previously described. One could argue that this well therefore helps irrigate the 5 acres discussed under 78-7177, but this is a temporary situation to be resolved when other storage tank is completed. Because domestic demand is not very high, 7173 serves more of a back-up role now (fills storage tank). ☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well pump	Submersible Gould	20	no Tag	Submersible Gould	no Tag; 6" main
booster pump	GE	40	Gould SK286AL115C	Gould	265B22713; 4" main

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	11	19N	1E	Adams	USGS 7 1/2' Quad and Project map

6. Place(s) of Use:

Indicate Method of Determination AS IN P/P

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	
19N	1E	1							D			D	D						—
		2				D					D	D	D	D	D	D	D	D	—
		11	D	D	D	D	D	D		D					D	D			—

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

NONE - Broken McCrometer flowmeter. Note that flowmeter in 7177 measured that well's water upstream from addition by 7173.
PSI AT 6" entering Bldg is 50; PSI downstream from booster is 160.
Static level ^{Live} is unknown, and Z is estimated at 100'.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: NONE but note that domestic chart for 250 units is approx. .66 cfs. 2a) MAIN pump, $h_p = 20$, $eff = .8$, $psi = 50$, $Z = 100$ $Q = \frac{(8.8)(.8)(20)}{(2.31 \times 50) + 100} = .65 \text{ cfs}$
2. Alternate Method for Checking Purposes: HP equation as in 78-7177 2b) MAIN pump plus booster, assuming higher psi, reduced efficiency, somewhat larger Z value. Here $h_p = 20 + 40$ $Q = \frac{(8.8)(.6)(60)}{(2.31 \times 160) + 100} = .67 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ 66.4 x 100 x 1.9835
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic...

409 lots total →
but 250 lots as permit allows
250 units, int + ext.
(Property covenant limits yards to 2000 ft² ea)
 $250 \times 1.2 = 300.0 \text{ AF}$
v. $(.66)(365)(1.9835) = 477.8 \text{ AF}$
See Remarks

MAR 16 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Measuring device requirement waiver attached. Diversion rate rec'd as .66 cfs based on domestic chart and hp. equations as shown. The permit assumed .004 cfs/unit (1.00 ÷ 250 units). The rec'd rate, when combined with .58 cfs of 7177, would allow 1.24 cfs for 409 units, which should be very adequate. Int. & ext. demands on water should be light (per unit) in this recreational context where limited yards etc are found.

Overlap

P/O 78-7262 is another well, proof not submitted at this time.

P/U 78-7177 is another well providing domestic water to same development.

The other rights do not involve Kimberly Meadows domestic use.

License condition - This right, combined with 78-7177, should provide no more than .04 cfs or 1.2 AFA per lot for domestic use.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.66	300.0
Totals: _____				

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other
NOT AN EXPANSION

J. AUTHENTICATION

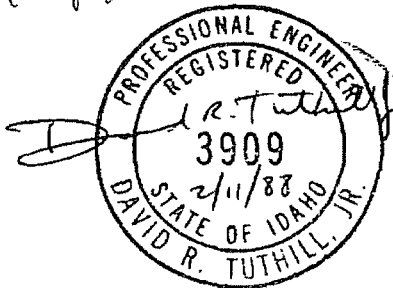
Field Examiner's Name Steve Lester BD
Signature [Signature] 2/11/88
Certification Date _____
Field Report Preparation Date 9/16/87 CONSULTANT SEAL

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

for 12/16/88

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MAR 16 1990



9/16/87

I request that the measuring device requirement
on 78-7173 be removed. The maximum rate of diversion
for 250 domestic units is less than 0.70 cfs.

signed Brad A. H.

title Project Mgmt. Manager

Witnessed by
title

John Lester
Water Resource Agent

RECEIVED

MAR 16 1990

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: **A78-07173**
Date Received: 4/26/1988
Receipt No: W000136
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

RECEIVED
SEP 09 2005
Department of Water Resources

1. Name: KIMBERLAND MEADOWS CO INC
Address: PO DRAWER C
NEW MEADOWS ID 83654

2. Date of Priority: MAY 15, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	01E	11	NE	SE			ADAMS

5. Description of diverting works:
WELL, PUMP & STORAGE TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.660		300.00

7. Total Quantity Appropriated is:
0.660 C.F.S. (and/or) 300.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 250 UNITS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	1	SW	NW		DOMEST	
			NW	SW		DOMEST	
			SW	SW		DOMEST	
		2	SE	NE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	2	NE		SW		DOMEST	
			NW		SW		DOMEST	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			NE		SE		DOMEST	
			NW		SE		DOMEST	
			SW		SE		DOMEST	
			SE		SE		DOMEST	
		11	NE		NE		DOMEST	
			NW		NE		DOMEST	
			SW		NE		DOMEST	
			SE		NE		DOMEST	
			NE		NW		DOMEST	
			NW		NW		DOMEST	
			SE		NW		DOMEST	
			NE		SE		DOMEST	
			NW		SE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
WATER RIGHT NO. 78-7177.

14. Remarks:

REINSTATED 11-13-1986. THIS WELL AND THE WELL DESCRIBED IN PERMIT NO. 78-7177 FEED INTO A COMMON STORAGE TANK THEN TO INDIVIDUAL LOTS. THE WELLS ARE USED ALTERNATELY ON A WEEKLY BASIS TO KEEP BOTH WELLS FRESH. ONE WELL ALSO SERVES AS BACK-UP TO THE OTHER IN CASE OF FAILURE.

CLAIM AMENDED 5/12/98 TO REFLECT LICENSE ISSUED 2/8/90. KW THIS RIGHT WHEN COMBINED WITH RT. 78-07177 SHALL PROVIDE NO MORE THAN 0.04 CFS OR 1.2 AFA PER LOT FOR DOMESTIC USE.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
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 _____

State of Idaho
Department of Water Resources

RECEIVED
FEB 12 1990

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07173

Department of Water Resources
Western Regional Office

Priority: May 15, 1981

Maximum Diversion Rate: 0.66 CFS
Maximum Diversion Volume:¹ 300.0 AF

This is to certify, that KIMBERLAND MEADOWS CO. INC.

P.O. DRAWER C

NEW MEADOWS, ID 836540000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 22, 1981; and has submitted Proof of Beneficial Use on July 24, 1986. An examination indicates that the works have a diversion capacity of .670 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.66 CFS	300.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 11, Township 19N, Range 01E
ADAMS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

19N 01E	1	SWNW	NWSW	SWSW
	2	SENE	NESW	NWSW
		SWSW	SESW	NESE
		NWSE	SWSE	SESE
11		NENE	NWNE	SWNE
		SENE	NENW	NWNW
		SENE	NESE	NWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with Right 78-7177 shall provide no more than 0.04 cfs or 1.2 afa per lot for domestic use.
6. Domestic use is for 250 units within Kimberland Meadows.

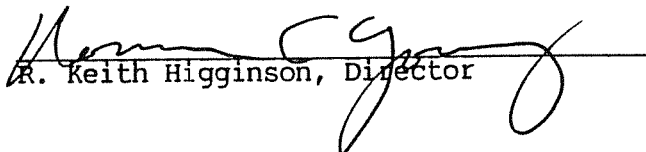
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07173

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of FEBRUARY, 1991.

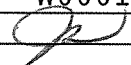
Acting for


R. Keith Higginson, Director

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: A78-07173
Date Received: 4/26/1988
Receipt No: W000136
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: B.A. PROPERTIES I INC. 208-347-2162
Address: P.O. DRAWER C
NEW MEADOWS, ID 83654-0000

2. Date of Priority: MAY 15, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	01E	11	NE	NE	SE		ADAMS

5. Description of diverting works:
WELL, PUMP & STORAGE TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.660		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 250 HOMES, S/25 HEAD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	01E	1	SW	NW		DOMEST	
			NW	SW		DOMEST	

A78-07173

Page 1

Date: 07/19/88

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OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	1	SW		SW		DOMEST	
		2	NW		NE		STOCK	
			SE		NE		DOMEST	
			NE		SW		DOMEST	
			NW		SW		DOMEST	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			NE		SE		DOMEST	
			NW		SE		DOMEST	
			SW		SE		DOMEST	
		11	SE		SE		DOMEST	
			NE		NE		DOMEST	
			NW		NE		DOMEST	
			SW		NE		DOMEST	
			SE		NE		DOMEST	
			NE		NW		DOMEST	
			NW		NW		DOMEST	
			SE		NW		DOMEST	
			NE		SW		DOMEST	
			SE		SW		DOMEST	
			NE		SE		DOMEST	
			NW		SE		DOMEST	
			SW		SE		DOMEST	
			SE		SE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
WATER RIGHT NO. 78-7177.

14. Remarks:
REINSTATED 11-13-1986. THIS WELL AND THE WELL DESCRIBED IN PERMIT NO. 78-7177 FEED INTO A COMMON STORAGE TANK THEN TO INDIVIDUAL LOTS. THE WELLS ARE USED ALTERNATELY ON A WEEKLY BASIS TO KEEP BOTH WELLS FRESH. ONE WELL ALSO SERVES AS BACK-UP TO THE OTHER IN CASE OF FAILURE.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: ⁵⁷ 39886

Ident. Number A78-07173

Date Received 3/24/1988 4-26-88 *Jr*Receipt Number W000136

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) B.A. PROPERTIES I INC. Phone (208) 347-2162
Mailing Address P.O. DRAWER C NEW MEADOWS, IDAHO Zip 83654

2. Date of Priority (Only one (1) per claim) MAY 15, 1981

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

4. a. Location of existing point of diversion is: Township 19N Range 01E Section 11,
NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ADAMS

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.

WELL, PUMP & STORAGE TANK.

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Copies: White-State, Yellow-Claimant

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from 01/01 to 12/31 amount 0.660 or _____

For STOCKWATER purposes from 01/01 to 12/31 amount 0.020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.680 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) D/ 250 HOMES S/ 25 HEAD

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	
19N	01E	1							D			D	D						-
19N	01E	2		S		D					D	D	D	D	D	D	D	D	-
19N	01E	11	D	D	D	D	D	D		D	D			D	D	D	D	D	-

Total number of acres irrigated _____ -

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

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.
78-7177 or None ()

14. Remarks: REINSTATED 11-13-1986. THIS WELL AND THE WELL DESCRIBED IN PERMIT NO. 78-7177
feed into a common storage tank then to individual lots. The wells are used alternately
on a weekly basis to keep both wells fresh. One well also serves as back-up to the
other in case of failure.

Last Name BAP-I, INC. Ident No. A78-07173

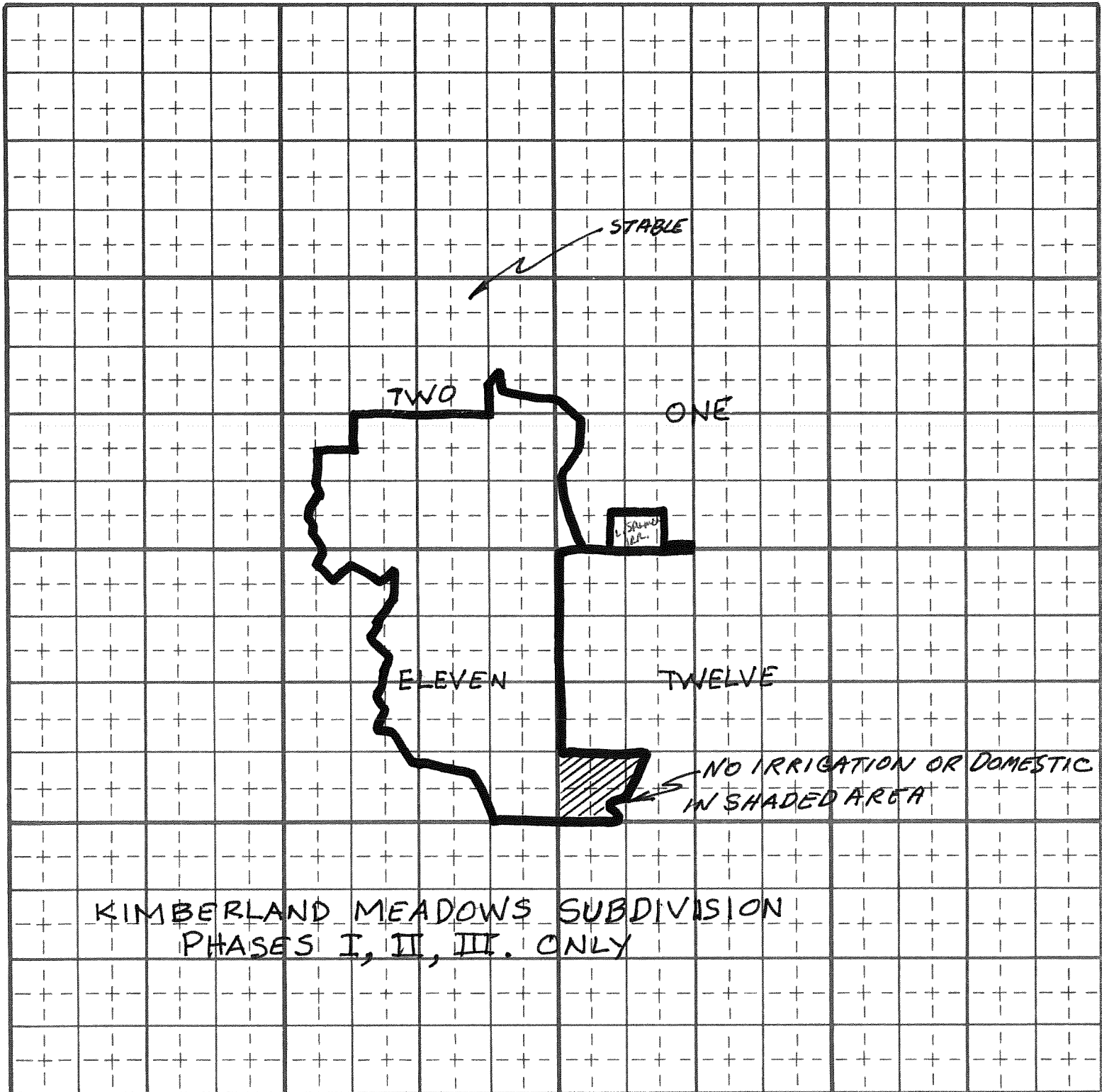
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Copies: White State, Yellow Claimant

OCT 05 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

TWP. 19N, R. 1E



KIMBERLAND MEADOWS SUBDIVISION
PHASES I, II, III. ONLY

Last Name _____ Ident No. _____

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

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I 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 ENGINEER-DEVELOPMENT MANAGER
Title

of KIMBERLAND MEADOWS , that I have signed the foregoing
Organization

document in the space below as ENGINEER-DEVELOPMENT MANAGER of KIMBERLAND MEADOWS
Title Organization

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

Signature of Authorized Agent Richard D. Cowdery

Title and Organization KIMBERLAND MDWS - ENGINEER-DEVELOPMENT MGR. Date _____

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

Subscribed and sworn (or affirmed) before me this 25th day of APRIL 19 88

SEAL

Notary Public EMILE D. COWDERY Emile D. Cowdery

Residing at NEW MEADOWS, IDAHO

My Commission Expires AUGUST 12, 1993

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 BAP-I, INC. Ident. Number A78-07173

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OCT 05 1992

W000136

March 30, 1988

Bank America Properties #1
Attn: Richard Cowdery
P.O. Drawer C
New Meadows, ID 83654

Dear Mr. Cowdery:

Enclosed are several Rough Draft Adjudication Claims completed based on the latest information contained in the water right files. The adjudication claims for Water Right No.'s 78-0142B, 78-0143B, and 78-0144B were completed based on the application for transfer recently submitted.

As we discussed by phone, the application for transfer will not be necessary due to the adjudication claims filing now taking place in Adams County. The adjudication claims can be filed showing changes in the water rights without a transfer being filed. The \$50 filing fee will be applied to the adjudication claims once they are finalized.

Claim No.'s 78-7173, 78-7177, and 78-7238 were completed based on Steve Lester's field examination conducted on September 16, 1987. Please note that Claim No. 78-7262 covers a permitted water right upon which proof of beneficial use has not been submitted. If this permit will be developed and proof filed on or before the proof due date, August 1, 1989, then the adjudication claim can be filed now. However, if you have not and will not develop this permit, then no claim should be submitted.

I noticed in the documents submitted with the application for transfer, an assignment was included which assigned several water rights from Simpcos Lands to BA Properties, Inc.. Most of these rights have adjudication claims enclosed, except for Water Right No.'s 78-0142A, 78-0143A, 78-0144A and Permit No. 78-7106. Water Right No.'s 78-0142A, 78-0143A, and 78-0144A cover the lands that remained after Transfer No. 3183 was filed and approved to change a portion of the original water rights. These remaining lands are located within the NESW, NWSW, Sec. 12; NWNW, SWNW, NWSW, SWSW, Sec. 1; NENE, SENE, Sec. 2, Twp. 19N, Rge. 1E, and the NESE, SESE, Sec. 35, Twp. 20N, Rge. 1E for 380 acres. If BA Properties, Inc. do own these remaining lands, then adjudication claims will need to be filed on these rights also. The portions that were transferred are now numbered as 78-0142B, 78-0143B, and 78-0144B, which have adjudication claims enclosed as explained in paragraph one. Permit No. 78-7106, was also listed on this assignment document. However, it appears that this assignment was not submitted to our Department on this permit since the permit holder of record, Campbell Ranches, relinquished this right on November 10, 1987, due to no development of the right having been started or completed. Enclosed are copies of our correspondence and relinquishment form filed by Steve Campbell.

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OCT 05 1992

Enclosed are copies of other licensed rights found in your area using the place of use report also enclosed. These licenses need to be reviewed by you to see whether BA Properties, Inc. owns the land and is using the water rights. The best way to be sure that all of the water rights are re-filed on under this adjudication is to either send in or bring in a legal description of all of the lands covered by your company for Kimberland Meadows and we can research the water rights. At this point I have used the map prepared by Steve Lester for the field examinations on 78-7173, 78-7177 and 78-7238. Some lands, however, may not have been included on this map.

The rough draft adjudication claims enclosed need to be reviewed carefully, and if any changes are required, feel free to make them on these claim forms. Then return the claims to me and finalized claims will be completed. When these finalized claims are returned to you, your signature before a notary public will be needed and the claim forms returned with the following filing fees: Water Right No.'s 78-0142B & 78-0143B are being filed on one claim form since both priority dates are the same for a fee of \$128(\$50 flat fee plus \$1/acre for 78 acres), 78-0144B, 78-7173, 78-7177, and 78-7238 for a fee of \$50 each(\$50 flat fee only since no fee can be charged for the same acres on more than one claim), and Permit No. 78-7262 for a fee of \$150(\$50 flat fee plus \$75 for .75 cfs heating and \$25 for .25 cfs recreation use), for a total of \$478.

The closing date for filing adjudication claims in Adams County is June 8, 1988, therefore, the legal description of all the lands covered by your company for Kimberland Meadows should be submitted at your earliest convenience in order for any other claims to be completed and submitted timely. Please feel free to contact me if you have any questions concerning the enclosed claims or any portion of this letter.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Enclosures

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OCT 05 1992

W000136

04/29/88
16:18:24

KIMBERLAND MEADOWS RESORT

ADJUDICATION CLAIM FEES

0410162 9337 6490

\$462.00

\$462.00

CHECK 2375

WR/NO: A78-00142B A78-07238 A78-02018A A78-07173 A78-07177

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

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OCT 05 1992

W000004

02/26/88
13:43:24

KIMBERLAND MEADOWS RESORT

ADJUDICATION FEE	0410162 9337 6490	\$50.00
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\$50.00

CHECK 2152

WR/NO: A78-00144B

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

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OCT 05 1992