

07/18/2005

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

RIGHT NUMBER: 78-7034

NAME AND ADDRESS: RAPID RIVER HOMEOWNERS ASSOCIATION
RIGGINS ID 83549

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
96.000 AFY

PRIORITY DATE: 12/08/1972

POINT OF DIVERSION:

T23N R01E S5 NWNW Within IDAHO County

T24N R01E S32 SWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.180 CFS

96.00 AFY

PLACE OF USE: DOMESTIC Within IDAHO County

T23N R01E S05

NWNW

T24N R01E S32

SWSW

T24N R01E S32

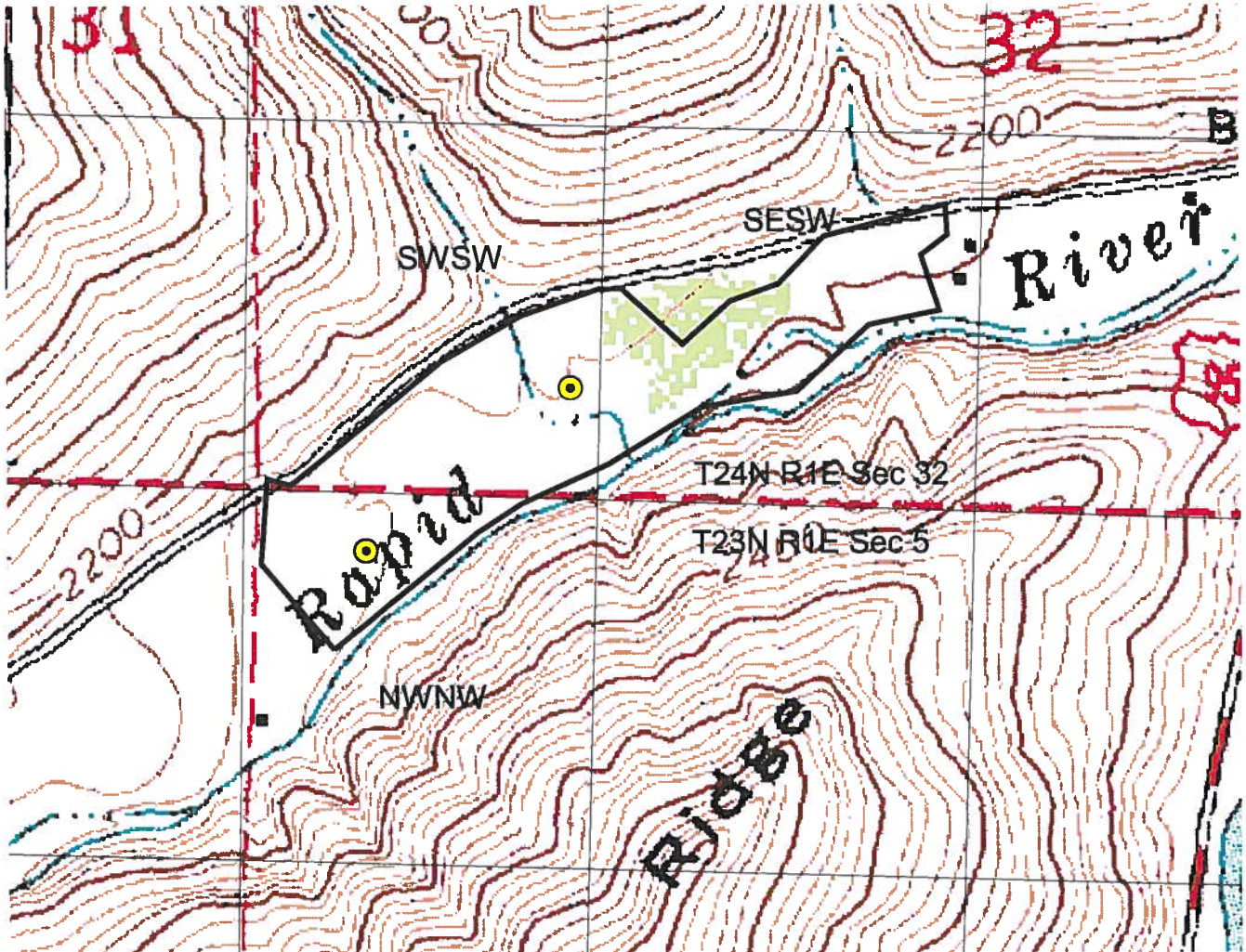
SESW

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

78-7034



0 400 800 Feet

Section 5
T23N R1E
Section 32
24N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 18, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A78-07034**
Date Received: 5/25/1988
Receipt No: C000883
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RAPID RIVER HOMEOWNERS ASSOCIATION
Address: RIGGINS ID 83549

2. Date of Priority: DEC 8, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	5		NW	NW		IDAHO
24N	01E	32		SW	SW		IDAHO

5. Description of diverting works:
WELL, PUMP, RESERVOIR & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/80 HOMES.

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10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	5	NW	NW		DOMEST	
24N	01E	32	SW	SW		DOMEST	
			SE	SW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMANT IS AN ASSOCIATION ELECTED BY HOMEOWNERS OF THE
SUBDIVISION

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 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 _____

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

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

CIVIL CASE NUMBER: 39576

RECEIVED
FEB 19 1991

Ident. Number: A78-07034
Date Received: 5/25/1988
Receipt No: C000883
Received By: _____

Department of Water Resources
Western Regional Office

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RAPID RIVER HOMEOWNERS ASSOCIATION
Address: RIGGINS, ID 83549

2. Date of Priority: DEC 8, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	32	SW	SW	SW	13	IDAHO
23N	01E	5	NW	NW	NW	21	

5. Description of diverting works:
WELL, PUMP, RESERVOIR & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/80 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	5	NW	NW		DOMEST	
24N	01E	32	SW	SW		DOMEST	
			SE	SW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT IS AN ASSOCIATION ELECTED BY HOMEOWNERS OF THE
SUBDIVISION

~~THERE ARE TWO POINTS OF DIVERSION WITHIN SWSW SEC. 32, T24N R01E
R01E~~ ¹
~~1 11 NW NW SEC 5, T23N R01E~~

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

Number of attachments: 1

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): X Frank Heath Date: 2-15-91
Jim Heath Date: 2-15-91

State of Idaho)
County of IDAHO) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Feb 19 91 Chick S. Heath
Notary Public

Seal

Residing at Riggins
My Commission Expires 8-15-93

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: A78-07034
Date Received: 5/18/1988
Receipt No: C000883

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAPID RIVER HOMEOWNERS ASSOCIATION

Address: RIGGINS, ID 83549

2. Date of Priority: DEC 08, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	32	SW	SW	SW		IDAHO

5. Description of diverting works:
WELL, PUMP, RESERVOIR & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/80 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	5	NW	NW		DOMEST	
24N	01E	32	SW	SW		DOMEST	
			SE	SW		DOMEST	

11. Place of use in counties: IDAHO

A78-07034

Page 1

Date: 05/18/88

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT IS AN ASSOCIATION ELECTED BY HOMEOWNERS OF THE
SUBDIVISION

15. Basis of Claim: LICENSE
Water Right Number:

16. Signature(s)

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

Rapid River Homeowners Assn., that I have signed the foregoing
Organization

document in the space below as President of _____
Title

Rapid River Homeowners Assn. and that the statements contained in the
Organization

foregoing document are true and correct.

Jim A. Heath
Signature of Authorized Agent

Pres. Rapid River Homeowners Assn.
Title and Organization

5-23-88

Date

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 23 day

of May 19 88

Killetta M. Heath
Notary Public

Seal

Residing at Piggins Idaho

My Commission Expires 5-17-94

Old (D) Number -

1
2
3
4
5
6
7
8
9
10

*** C - CURRENT OWNER ***

1 -
2 -
3 -
City- RIGGINS
Phone - 208-000-0000

State- ID Zip- 83549

*** O - ORIGINAL OWNER ***
HEATH

FRANKIE A.

1 - P.O. BOX 362
2 -

State- ID Zip- 83549

City- RIGGINS
Phone - 208-000-0000

```
+ - - Priority Date - - +      + - - Region - - +      + - - Stage - - +      + - - Status - - +
          12/08/1972                                L - LICENSE
```

[illegible]

Twn	Rng	Sec	Tract	Lot	RFig	County (Blank if no Index Code)	Point of Diversion
-----	-----	-----	-------	-----	------	---------------------------------	--------------------

24N	01E	32	SW SW	(49)	IDAHO
-----	-----	----	-------	------	-------

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
+	+	+	+	+	+	+

43 - DOMESTIC	01/01	12/31	0.180
---------------	-------	-------	-------

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.180			

	Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
--	-----	-----	-----	-------	-----	-------	------	-------------	--------

43	DOMESTIC	(49)	IDAHO
43	DOMESTIC	(49)	IDAHO
43	DOMESTIC	(49)	IDAHO

Total Acres:

+ - - Diversion Means - WELL, PUMP, RESERVOIR & PIPELINE.

+ - - Non-Irrigation Use - P/80 HOMES.

+C- other Rights for same Use - NONE

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Water right number - A78-07034 Adj. flag translation: ADJUDICATION CLAIM

+ - - - - - CLAIMANT IS AN ASSOCIATION ELECTED BY HOMEOWNERS OF THE
SUBDIVISION

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

+ - - - - - No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - Decree Date - +
00/00/0000

+ - - - - - -Comments- - - - - +

+ - - - - - No Comments Found

+ - - - - - Audit Fields - - +

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/25/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C000883	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

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old (D) Number -

[illegible]

1 - P.O. BOX 362
2 -

City- RIGGINS
Phone -

```

+ - - Priority Date - - + + - - - Region - - - + - - - Stage - - - + - - - Status - - -
14 WESTERN 12/08/1972 14 LICENSE 14 LICENSE

```

```

+ - - - - Source - - - - - +
GROUNDWATER
+ - - - - Tributary - - - - - +

```

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
+	-	-	-	-	-	-	- Point of Diversion -	-

24N	01E	32	SW SW	(49)	IDAHO
-----	-----	----	-------	------	-------

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
+	-	-	-	-	-	+

43 - DOMESTIC	01/01	12/31	0.180	96.00
+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.180	96.00			

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County	+
---	-----	-----	-----	-------	-----	-------	--------------	-------------	--------	---

43 DOMESTIC
43 DOMESTIC

+ - - Diversion Means - WELL, PUMP, RESERVOIR & PIPELINE.

+ - - Non-Irrigation Use - D/80 HOMES.

+ - - Other Rights for Same Use -

	Remarks
	No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

IC
OC

	+ - - +	+ - - -	- Decree Defendant	- - - +	+ - Decree Date -
					00/00/0000

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESMAY 17 1991 Transfer No. 3831

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 19 1991

PART 1

APPROVED

Department of Water Resources
Name of applicant Rapid River Subdivision Homeowners Phone 628-3829
Post Office address c/o Tim Heath, president ↓ Riggin ID 83549
PO Box 377

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add place of use
2. Describe the reason for the proposed changes Applicant is providing a backup well for Rapid River Subdivision. This well is for supplemental purposes only. No expansion is desired. Change in Place of Use is a correction of the license. There were no homes added.

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

1. Right Number 78-07034 Priority 12-08-1972 Amount (cfs/ac-ft) .18cfs/96AF Nature of Use Domestic Period of Use 1-01 to 12-31
2. Total amount of water being transferred .18 cubic feet per second and/or 96 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	32	24N	01E	Idaho	} 2 points of diversion total
4		NW	NW	5	23N	01E	Idaho	

5. Lands irrigated or place of use: (NO CHANGE)

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	
24N	01E	32											D	D					
23N	01E	5							D										

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Total acres _____

PART 1

6. General Information:

a. Description of diversion system Wells, pumps, (each well capable of producing 80 gpm or .18 cfs, used alternately) reservoir & pipeline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

None

d. Remarks:

Domestic use is for 80 homes.

License was issued in the name of Frankie Heath. Ownership has been assumed by Rapid River Subdivision Homeowners.

P/O = Lots 13 & 24, Bl. 3 Rapid River Subd. # 2 per Attachment B.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 78-07034

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

See attached sheet for conditions of approval.

Witness my hand this

10th

day of

May

, 1991

L. Glen Saylor

Chief, Water Allocation

Bureau

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CONDITIONS OF APPROVAL

Transfer of Water Right No. 78-07034

Transfer No. 3831

1. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 10th day of May, 1991.

A. Glen Saxton

Chief, Water Allocation Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 78-07034 issued by the Idaho Department of Water Resources.

c. Claim No. ~~78-07034~~ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: *ownership of P/W is not really an issue in correcting the record.*

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority 12-08-1972

5. Water is used for the following purpose:

amount .18 cfs for Domestic purposes from 1-01 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .18 cubic feet per second and/or 96 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	32	24N	01E	Idaho	
		~~NW~~	~~NW~~	~~5~~	~~23N~~	~~01E~~	~~Idaho~~	
		~~SW~~	~~SW~~	~~32~~	~~24N~~	~~01E~~	~~Idaho~~	

8. 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	
24N	01E	32											D	D					
~~23N~~	~~01E~~	~~5~~																	

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Total acres _____

9. Describe any other water rights used for the same purpose as described above None

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 _____ for _____ purposes from _____ to _____
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

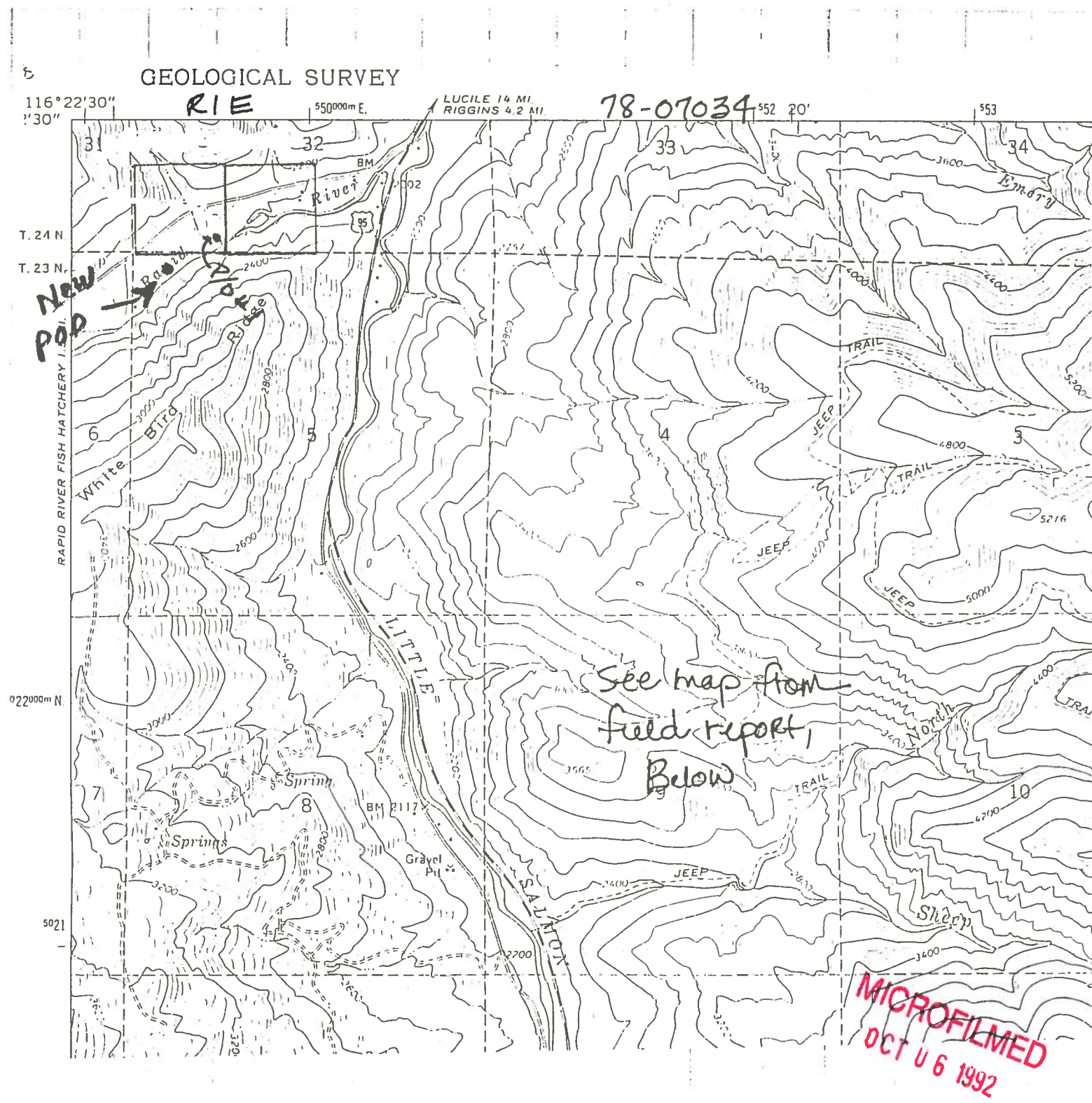
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new 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.



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft)
No Change _____ to _____
_____ to _____

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

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

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.

Frankie Heath
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of Feb., 19 91.

Thelma S. Heath
(Notary Public)

My commission expires 8-15-1993

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by CH Date 2-20-91 Protest filed by _____

Prelim. check by 82 Fee 30.00 W013021

Receipted by JRN Date 2-19-91

Published in Idaho County Free Press Copies of protest forwarded by _____

Pub. dates 4/3 & 4/10/91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DET

Copy of transfer sent to lien holder _____ 91 5-7-91

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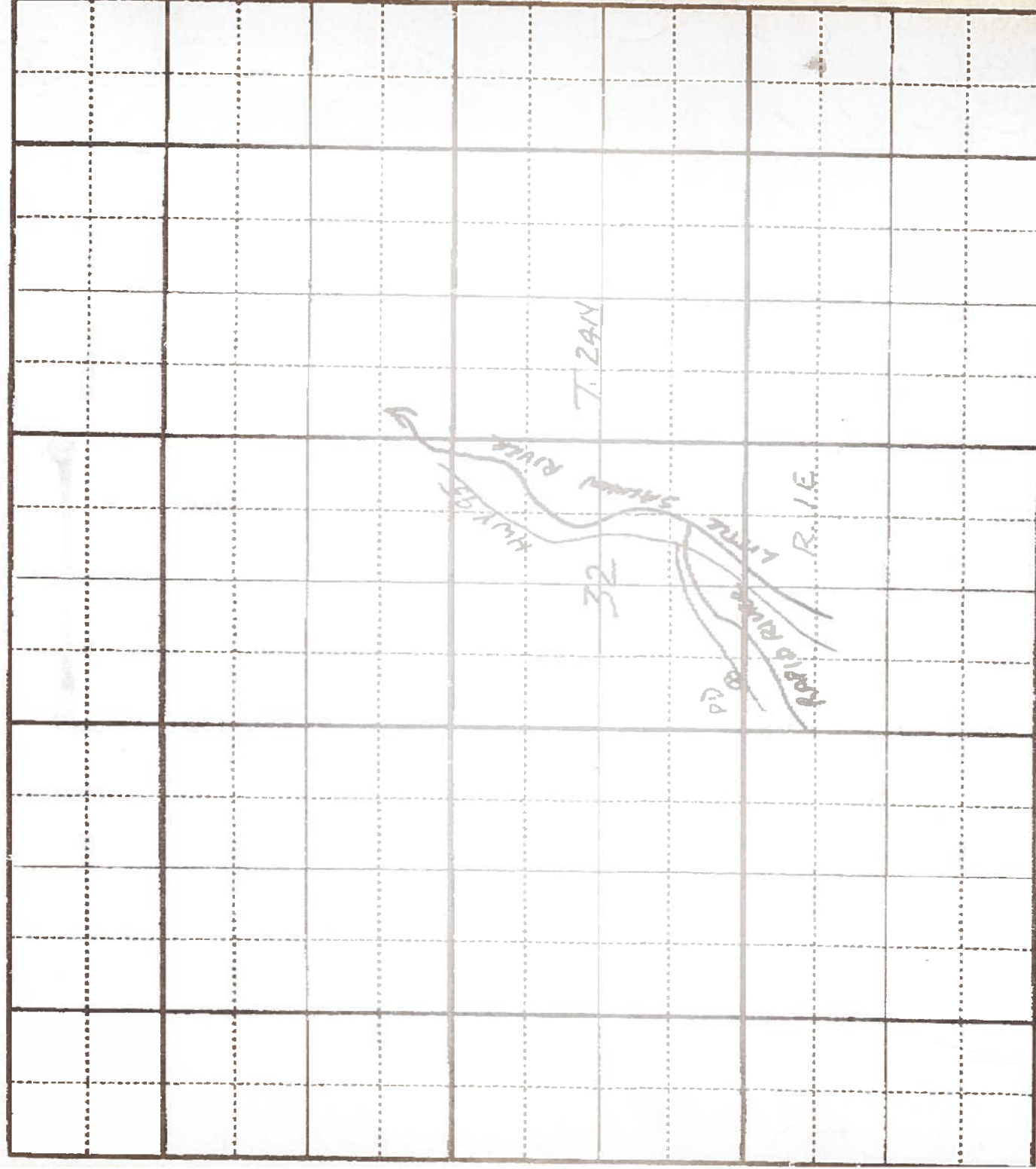


Diagram of System

OCT 0 0 1985
UNRECORDED

DATE OF EXAM 6/26/79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q =	<u>0.18</u> c.f.s.	V =	<u>120.0</u> AF/Ann.	from	<u>10</u>
Domestic Q =		V =		from	<u>10</u>
Livestock Q =		V =		from	<u>10</u>

Is water co-mingled? yes _____ no ✓

Name source: _____
 twp. _____ N/S, Rge _____ EW, B.M., Sec. _____, Sub. _____, County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
 twp. _____ N/S, Rge _____ EW, B.M., Sec. _____, Sub. _____, County _____

Point of injection: _____
 twp. _____ N/S, Rge _____ EW, B.M., Sec. _____, Sub. _____, County _____

Point of exchange: _____
 twp. _____ N/S, Rge _____ EW, B.M., Sec. _____, Sub. _____, County _____

Total Q measured 80 gpm = .18 cfs Method of measurement DIRECT MEASUREMENTTotal Q recommended .18 cfs Meter No. 1101-3285 Type BADELS Condition GOODTotal V recommended 120.0 AF/Ann

Recommended Amendments:

P.D. _____
 Place of Use _____
 Other _____
 None ✓

MEASUREMENT CALCULATION:

$$Q = 80 \text{ gpm } (1.002720) = .18 \text{ cfs capacity}$$

$$V = 1.2 \text{ AF/Ann } (100 \text{ domestic units}) = 120.0 \text{ AF/Ann}$$

$$V = .18 \text{ cfs } (1.19) (66.5 \text{ days/yr}) = 130.7 \text{ AF/Ann}$$

$$V = 1.2 \times 80 = 96$$

SYSTEM DESCRIPTION:

JACUZZI 7 hp SUBMERSIBLE PUMP, 90 PSI

REMARKS:

per telecon w/ Mrs Heath 3/9/81 she stated that
 80 cfs in the Rapid River Subdivision had been stubbed
 with 39 lots currently using the water
 pressure should be around 10/80 units gain

Examiner's Signature Charles W. Boyan Jr Date 6/26/79 ✓Checked by William H. Boyan Date 3.9.82Approved by Robert Date 3/5/83

RESERVE
2000
LITTL

MAP SHOWS ^{Altitude} ²⁷⁰⁰ ^{is} ^{exists} ^{at} ^{time} ^{of} ^{field} ^{exam.} ^{Concent}

Q3's are now showing the transfer
R & S REALTY CORP.
(concentric v. expansion)

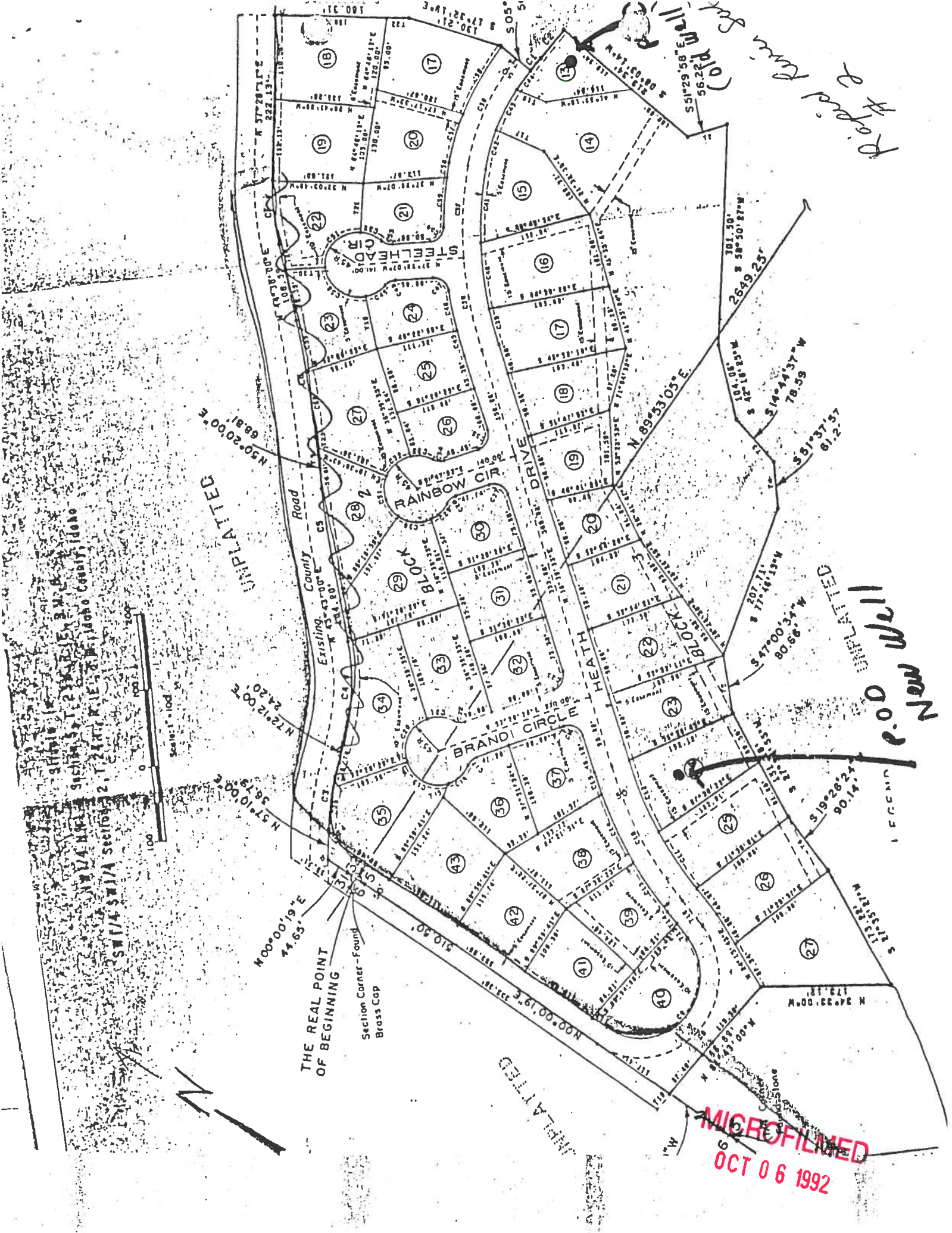
3/25/11

32

RECEIVED

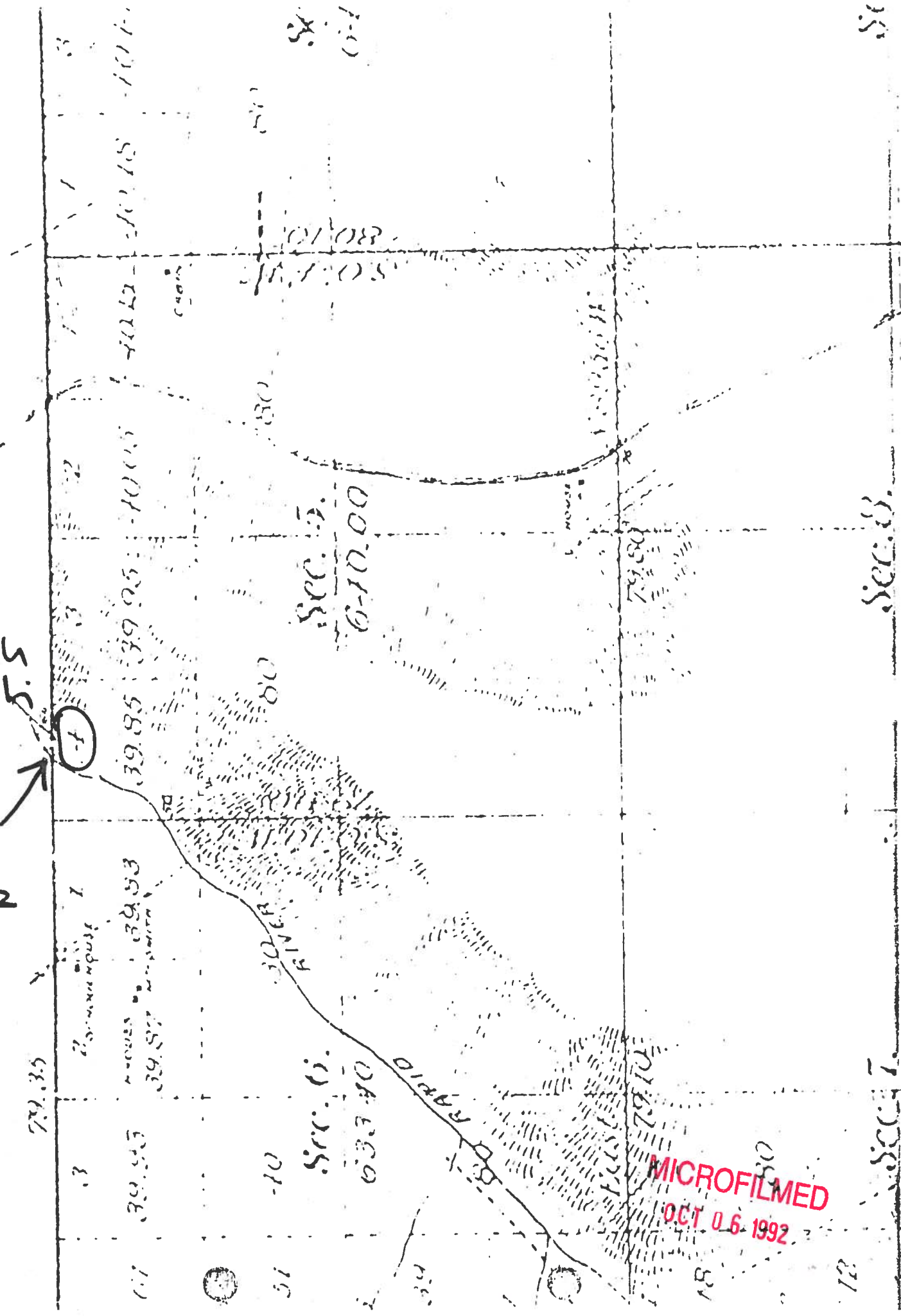
2 845
MICROFILMED
OCT 6 1992
Chemist B
2 (pgs)
2

A hand-drawn map of Newbury Park, CA, showing a proposed route for a new road. The map includes labels for 'Newbury Park', 'Rancho Conejo', '2400', '559', and '560'. A dashed line indicates the proposed road alignment, and a solid line shows the existing road layout.



MICROFILMED
OCT 06 1992

T23N
R1E
S5.5



MICROFILMED
OCT 06 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR JOHN TETRO
HC 69 BOX 130
RIGGINS ID 83549

--- REPLY VIA FAX ---

RE: QUESTIONS FROM YOUR FAX OF 3-2-98

Dear Mr. Tetro:

Your fax letter dated March 2, 1998 contained three questions related to the community water system(s) for Rapid River Homeowners Association. I regret that I was unable to respond by March 10 as we discussed in our March 4 telephone conversation.

Questions 1 and 3 are legal matters beyond my expertise and have been referred to the department's legal staff located in Boise. I hope the legal staff can clarify those points for you.

I can respond to Question 2. Licensed water right no. 78-07034 includes ground water (wells) for the community system. The license provides potable water and lawn irrigation water. The association can provide internal and external water to the homes served under this water right.

Enclosed are profile reports of the rights serving the association. Two reports are water rights (nos. 78-04031 and 78-07034) while three reports cover Snake River Basin Adjudication claims (nos. A78-04031, A78-07034 and A78-10188). Adjudication claims are filed to protect already recorded water rights and/or to document beneficial uses of water that not have been previously recorded.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

c: IDWR Legal Services

*follow up → faxed cc of Transfer 3831 to him
After he rec'd this letter i called. T3831 allowed
add'l. well in 78-07034.*

Attn: Mr. Gary Spackman / Mr. Steve Lester One of One (No Cover)

March 2, 1998

Mr. Gary Spackman / Mr. Steve Lester
I.D.W.R.
2735 Airport Way
Boise, ID. 83705

Subject: Charging of a fee for the use of water for irrigation purpose from a water system that derives it's water from wells that were drilled for the purpose of supplying potable water for a community.

Dear Mr. Gary Spackman / Mr. Steve Lester

The purpose of my letter is to get a written clarification from the Department of Water Resources of Idaho as to the following three questions;

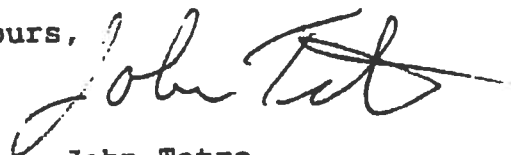
- 1.) Can a Homeowners Association and or a Water and Sewer District charge a separate fee to their memberships respectively for the purpose of irrigation, if said water that the fee is being charged for is derived from a source that is the same source the Association and or the District use to deliver potable water to their membership?
- 2.) Can water from a well or wells drilled for the purpose of supplying potable water to a community (public water system) be used for irrigation purposes also?
- 3.) Can a Water and Sewer District formed under Idaho Code Chapter 32, Section 42-3201, charge a fee to it's membership for "Ditch Cleaning"?

- yes per
License
78-07034
-FL

This ditch (irrigation ditch) runs in, out, through and around the District.

If you have any questions before you reply to this fax/letter, please feel free to call me at the following unlisted number; 208 628 3616.

Await your soonest response, Sincerely Yours,



John Tetro
HC 69 Box 130
Riggins, ID. 83549

Licensed 4-2-82
18 CFS, 96 AFA

DO NOT FILM

APPROVED

Identification No.

Application No. 78-7034

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant FRANKIE A. LEATH
post office address BOX 362 RIGGINS, IDAHO
- 2 Source of water supply SUBTERRANEAN which is a tributary of RAPID RIVER
- 3 a Location of point of diversion is SW 1/4 of Sec 22 Township 24 N
Range 13 B.M. Idaho County, additional points of diversion if any _____
- b If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes:
Amount 2.0 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
- 5 Total quantity to be appropriated
a 2.0 cubic feet per second and or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. Pump, 20,000 gal per minute
and piping system.
- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ Mo. _____ Ds. _____ inclusive.
- c Proposed well diameter is 8 inches; proposed depth of well is 30 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
5 years
b Estimated construction cost is \$ _____
c Description of proposed uses
d If water is not for irrigation
(1) Location of place of use of water SW 1/4 of Sec 22 Township 24 N
Range 13 B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____ or number of families to be supplied with domestic water 100
(5) If water is to be used for other purposes describe _____

7034

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

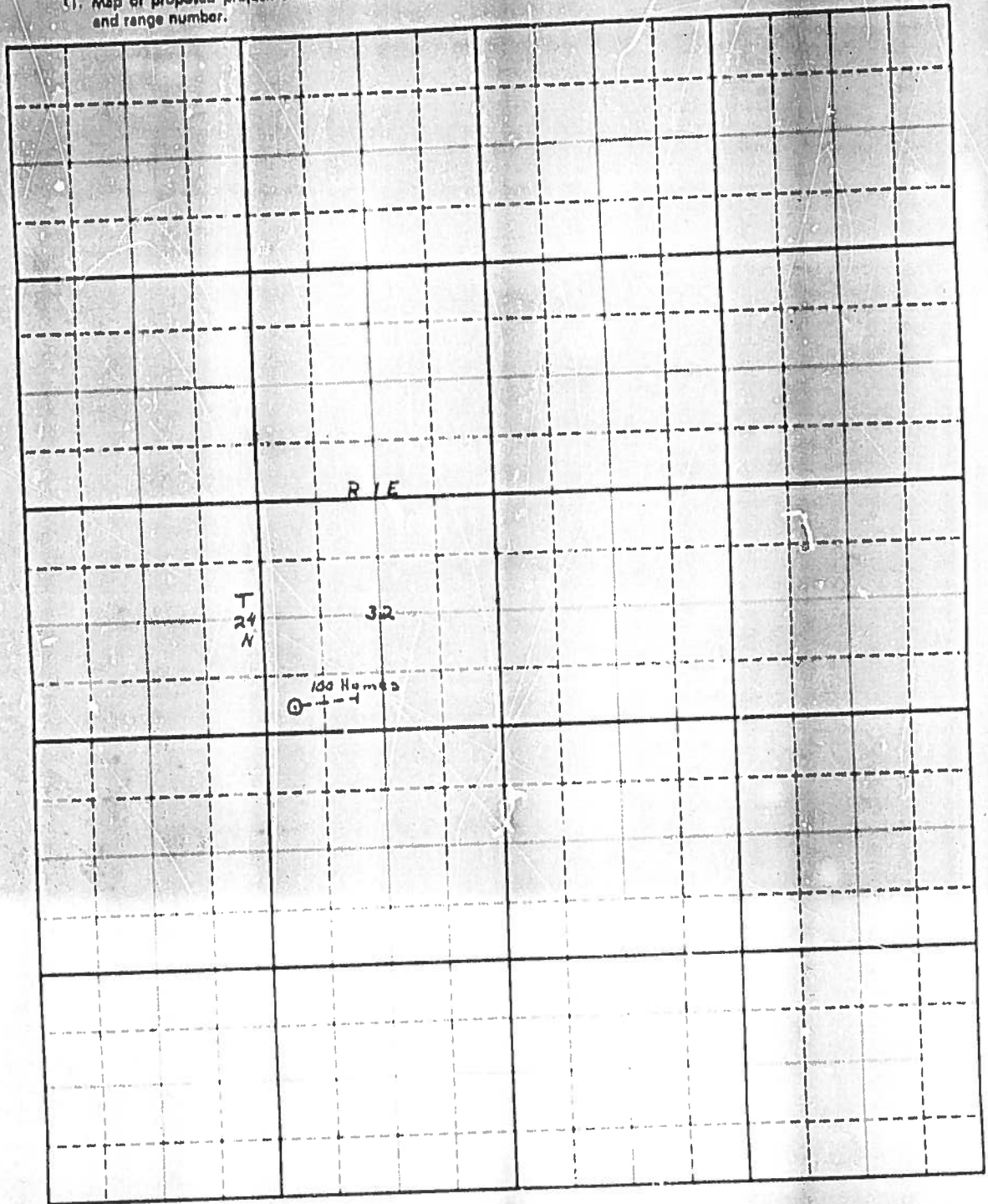
Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above:

9. a. Who owns the property at the point of diversion Applicant
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

1. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

78 7024

Proposed Priority 12-8-1972

78

Received by ef Date 12-8-72 Time 1:14
Preliminary check by ef Fee \$ 5.00
Receipted by ef Date 12-8-72 "ack" 7/1/7
Publication prepared by ef Date 12-13-72
Published in Idaho County News
Publication dates 12-20 & 12-27-72
Publication approved ef Date 1-3-73
Priority ~~XXXX~~ to 12-8-72 Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval Denial by ef 3F

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 78-7034, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18th day of January, 1973.

R. Keith Higo
Director