

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: A63-07743
Date Received: 1/03/1990
Receipt No: W007330
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEISURE HEIGHTS HOMEOWNERS ASSOC. 208-466-2700
Address: P.O. BOX 625
NAMPA, ID 83653

2. Date of Priority: MAR 12, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	29	NE	NE	NW		CANYON
			SE	NE	NW		CANYON

5. Description of diverting works:
TWO WELLS, 7.5 & 15 HP PUMPS, PIPELINES, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.550		84.00
FIRE PROTECTION	01/01	12/31	0.550		

7. Total Quantity Appropriated is:
0.550 C.F.S. (and/or) 84.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/70 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	29	NE	NW		DOMEST	

A63-07743

Page 1

Date: 01/03/90

MICROFILMED

AUG 21 1992

11. Place of use in counties: CANYON

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: 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 Treasurer of
Title
Leisure Heights Homeowners Assoc., that I have signed the foregoing
Organization
document in the space below as Treasurer of
Title
Leisure Heights Homeowners Assoc. and that the statements contained in the
Organization
foregoing document are true and correct.

Megann R. Schaefer
Signature of Authorized Agent

Treasurer - Leisure Heights Homeowners Assoc.
Title and Organization

January 3, 1990
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of Jan 19 90

Seal

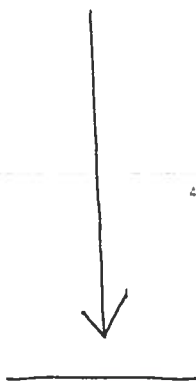
M. P. E. E. E. E.
Notary Public

Residing at Boise, Idaho

My Commission Expires 9-2-1994

T3N
R1W
S-29

T3N
T2N



Receipt Details for ID W007330

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/3/1990 9:45:54 AM	1/3/1990	Western	\$105.00	Check
Payer		LEISURE HEIGHTS ASSOC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
0434			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$105.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	7743		\$105.00	Claim

Print Report

09/29/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

RECEIVED

Water right number: 63-7743

NOV 01 2006

LEISURE HEIGHTS HOMEOWNERS ASSN
PO BOX 625
NAMPA ID 83653-0625
Telephone Number: (208)466-2700

WATER RESOURCES
WESTERN REGION

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

*DOMESTIC USE for entire 40A NE NW Sec 2
See enclosed Plat Map -
OWN DW
Assigned.*

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

*Change right to include Total of 71 existing homes -
76 Building Lot Sites, Approx 5 ac of common area
FOR PARKS - All of which is located From The Two existing water*

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:

10/26/06

SIGNATURE:

[Signature]

Please print your name:

Etherton WFB

Sec Treas Leisure Heights Homeowners Assn, Inc.

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

*11/3/06 - TCT Mr. Webb. I.m. and machine that it was
recommended as licensed. no change to be made.*

693212

LEISURE HEIGHTS SUBDIVISION

RECORDED
at the Request of
MELVIN V. DAVENPORT
Plat Book 11 Page 26
Fee: \$ 5.00

FILED

OCT 13 4 47 PM '72

J. FRY
RECORDER

James Fry

PLAT

of the Northeast 1/4 of the Northwest 1/4 of Section 29,
Township 3 North, Range 1 West of the Boise Meridian in
Canyon County, Idaho.

STATE OF IDAHO)
COUNTY OF CANYON) SS

I, Melvin V. Davenport, a Professional Engineer, do
hereby certify that the survey of the

LEISURE HEIGHTS SUBDIVISION

was made by me or under my direction, I further certify that
the DESCRIPTION written in the DEDICATION is correct
according to the survey and that this PLAT correctly rep-
resents the survey as made.

IN WITNESS WHEREOF: I have hereunto set my
hand and seal this 20th day of Sept., 1972

Melvin V. Davenport
Registered Professional Engineer



STATE OF IDAHO)
COUNTY OF CANYON) SS

Acknowledged before me this 20th day of Sept. 1972

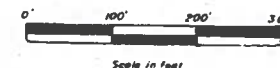
Orval L. Grier
Notary Public

Residing at Boise, Idaho



N

1



NOTE:

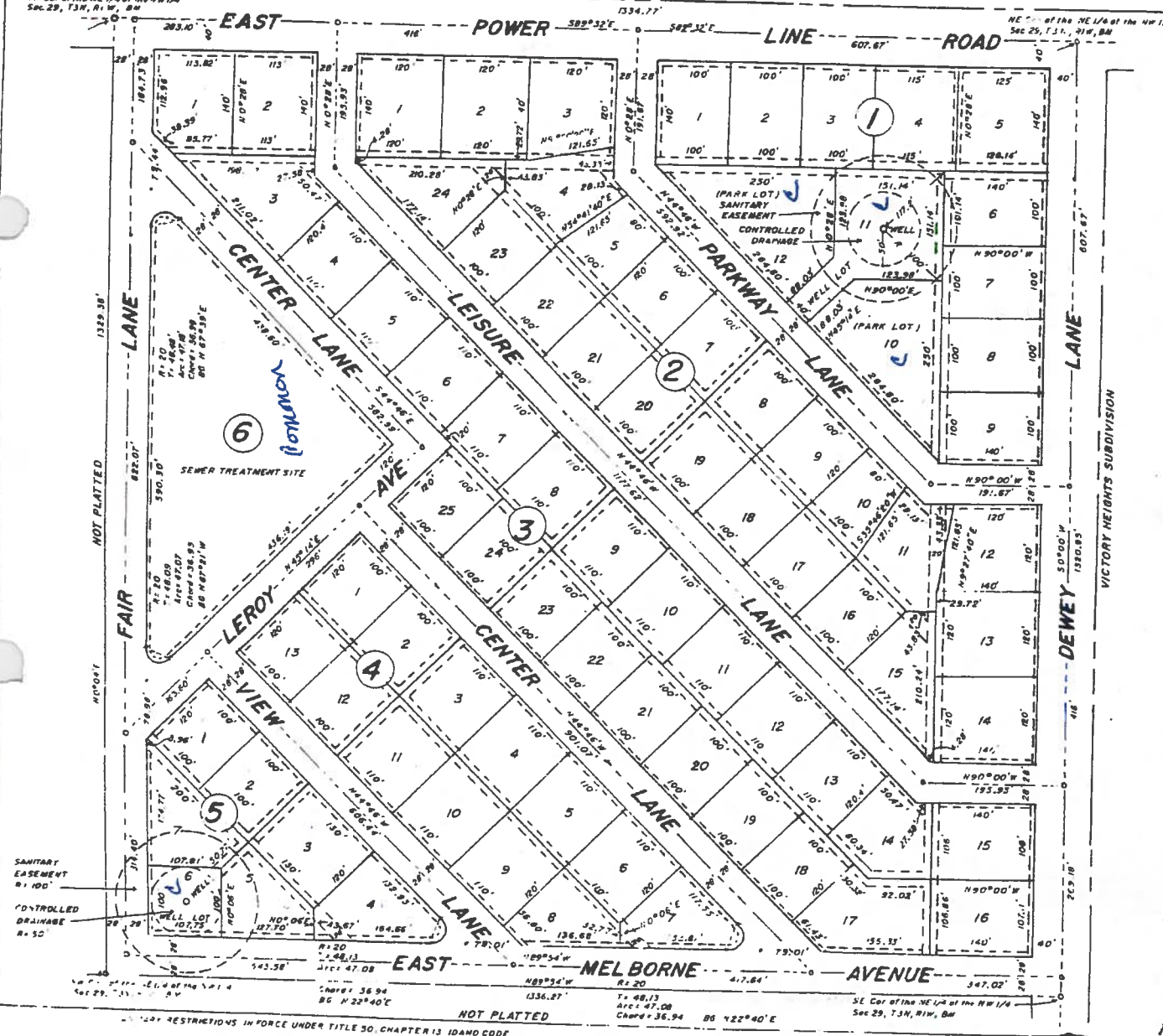
ALL LOTS HAVE A 5 FOOT UTILITY EASEMENT ALONG ALL
STREET FRONTAGES UNLESS OTHERWISE NOTED.
OTHER EASEMENTS ARE 10 FEET UNLESS OTHERWISE NOTED.

PLAT BOOK 11 PAGE 26

NE Cor of the NE 1/4 of the NW 1/4
Sec. 29, T3N, R1W, BM

NOT PLATTED

NE Cor of the NE 1/4 of the NW 1/4
Sec. 29, T3N, R1W, BM



NOT PLATTED

RESTRICTIONS IN FORCE UNDER TITLE 50, CHAPTER 13, IDAHO CODE

02/14/2006

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

RIGHT NUMBER: 63-7743

NAME AND ADDRESS: LEISURE HEIGHTS HOMEOWNERS ASSN
PO BOX 625
NAMPA ID 83653-0625

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
84.000 AFY

PRIORITY DATE: 03/12/1973

POINT OF DIVERSION:

T03N R01W S29 NENW Within CANYON County

T03N R01W S29 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.550 CFS
		84.00 AFY
FIRE PROTECTION	01/01 12/31	0.550 CFS
Domestic use is for 70 homes.		

PLACE OF USE: DOMESTIC Within CANYON County

T03N R01W S29 NENW

FIRE PROTECTION same as DOMESTIC

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

Desktop review/plan

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-1143

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary *211ance*
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1973(If priority date, based on your exam, seems questionable, explain below.)

_____Source: dw - 2 Tributary to _____

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

POINT OF DIVERSION

- ☒ No change *2 wells*
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

GR HANSON EXAM

OVERLAP REVIEW

Other water rights with the same point of diversion: *none*

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

NA

WATER USES

☒ No change

☐ Different Uses

Use *DOM* From *1-1* To *12-31* Amount *.55* CFS *84* AFA
Use *FIRE* From *1-1* To *12-31* Amount *.55* CFS AFA
Use _____ From _____ To _____ Amount _____ CFS AFA

TOTAL VOLUME – Groundwater only

11.45 cfs

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

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: none

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

no

Delivery System Narrative:

Self licensing exam

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

DOM use is for 10 horses -
PDS located on parcels R23929000000

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

2-14-06
Wiley LMS/C

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7743

WATER RIGHT NUMBER: 63-7743

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EARL D GESELLE 534 LAKE RIDGE DR BOX NAMPA, ID 83651
Current Owner	LEISURE HEIGHTS HOMEOWNERS ASSN PO BOX 625 NAMPA, ID 83653-0625 (208)466-2700

Priority Date: 03/12/1973

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.550 CFS	84.00 AF
FIRE PROTECTION	1/01 to 12/31	0.550 CFS	
<u>Total Diversion:</u>		0.550 CFS	84.00 AF

Location of Point(s) of Diversion

GROUND WATER	~~SE~~ 1/4NE1/4NW1/4	Sec. 29, Twp 03N, Rge 01W, B.M.
CANYON County		
GROUND WATER	~~NE~~ 1/4NE1/4NW1/4	Sec. 29, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	01W	29					X												

FIRE PROTECTION same as DOMESTICConditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7743

WATER RIGHT NUMBER: 63-7743

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL D GESELLE 534 LAKE RIDGE DR BOX NAMPA, ID 83651

Priority Date: 03/12/1973 ✓

Basis: License ✓

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.550 CFS ✓	84.00 AF
FIRE PROTECTION	1/01 to 12/31	0.550 CFS	
	<u>Total Diversion:</u>	0.550 CFS	84.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER ✓	NE1/4NW1/4	Sec. 29, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use ✓
DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	29					X												

FIRE PROTECTION same as DOMESTICConditions of Approval:

1. 2 P/D IN NENW, S29, T3N, R1W.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7743

02/14/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-7743	Claim	03N	01W	29	NE	NW		GROUND WATER	LEISURE HEIGHTS HOMEOWNERS AS
63-7743	Claim	03N	01W	29	NE	NW		GROUND WATER	LEISURE HEIGHTS HOMEOWNERS AS
63-7743	Water Right	03N	01W	29	NE	NW		GROUND WATER	EARL D GESELLE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7743

01/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7743	Claim	03N	01W	29	NE	NW		DOMESTIC		LEISURE HEIGHTS HOMEOWNERS ASSOCIATION
7743	Water Right	03N	01W	29	NE	NW		DOMESTIC		EARL D GESELLE

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that EARL GESELLE

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (70 units)	from January 1 to December 31	0.55 cfs and	84 acre feet
Fire Protection	from January 1 to December 31	0.5 cfs and	N/A
	from _____ at _____	cfs and	

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of December, 19 79.

Director

Identification No. _____

Application No. 63-7743

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant EARL GESELLE
post office address Route #7, Box 9244, Nampa, Idaho
2. Source of water supply Groundwater (2 pumps) which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 3N
Range 1W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.80 ^{app by phone 1/3/73} for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
Amount 2.80 ^{for fire protection 4/3/73} for Fire Protection purpose from 1/1 to 12/31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated: 2.80 ^{app by phone 4/3/73}
a. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Two wells and pumps

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. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 12 inches; proposed depth of well is 196 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 3N
Range 1W 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 70 homes.
(5) If water is to be used for other purposes describe: _____

63 7743

MICROFILMED

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

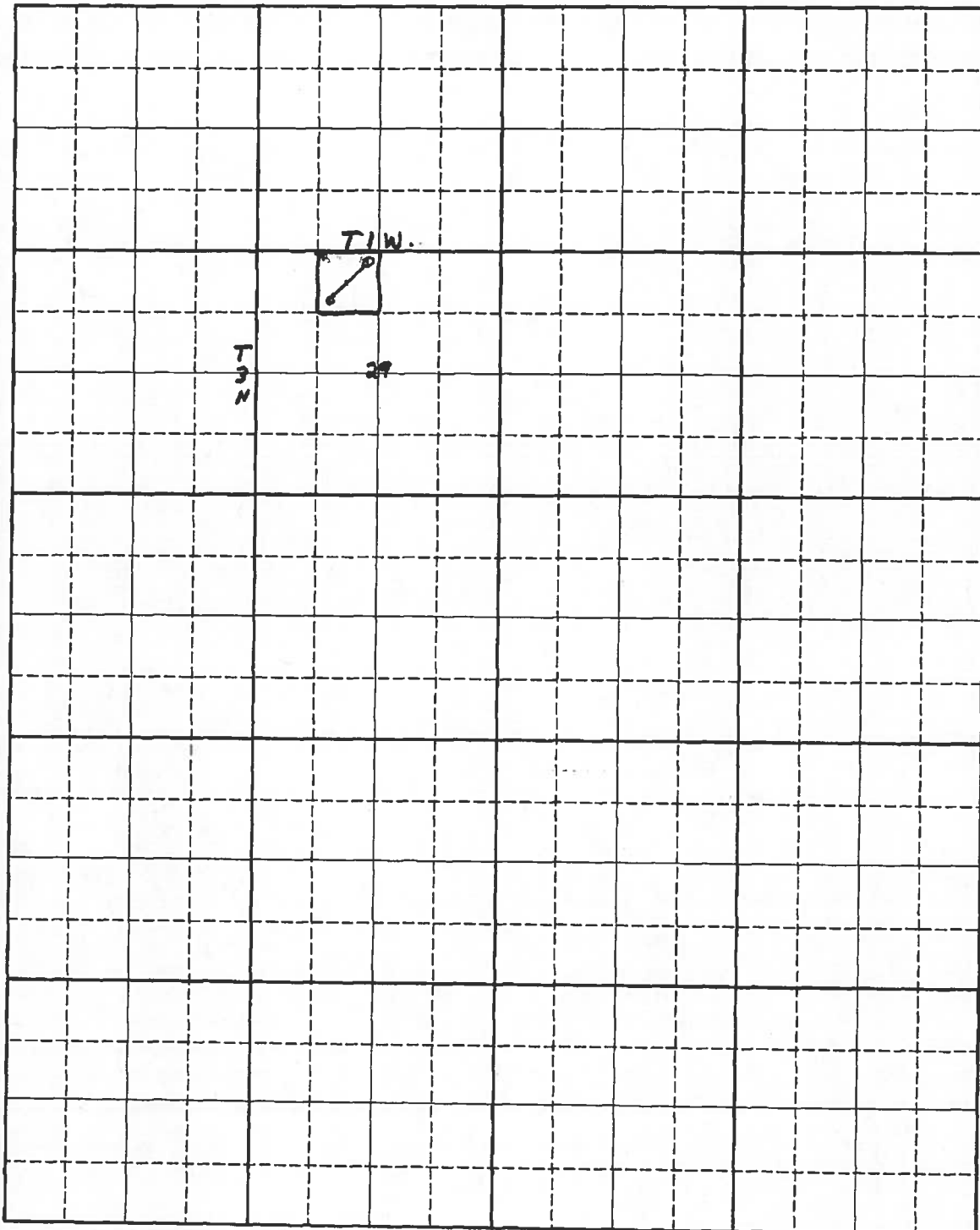
9. a. Who owns the property at the point of diversion APPLICANT

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 _____

11. 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.

Paul D. Haseltine
(Applicant)

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

TOTAL ACREAGE _____

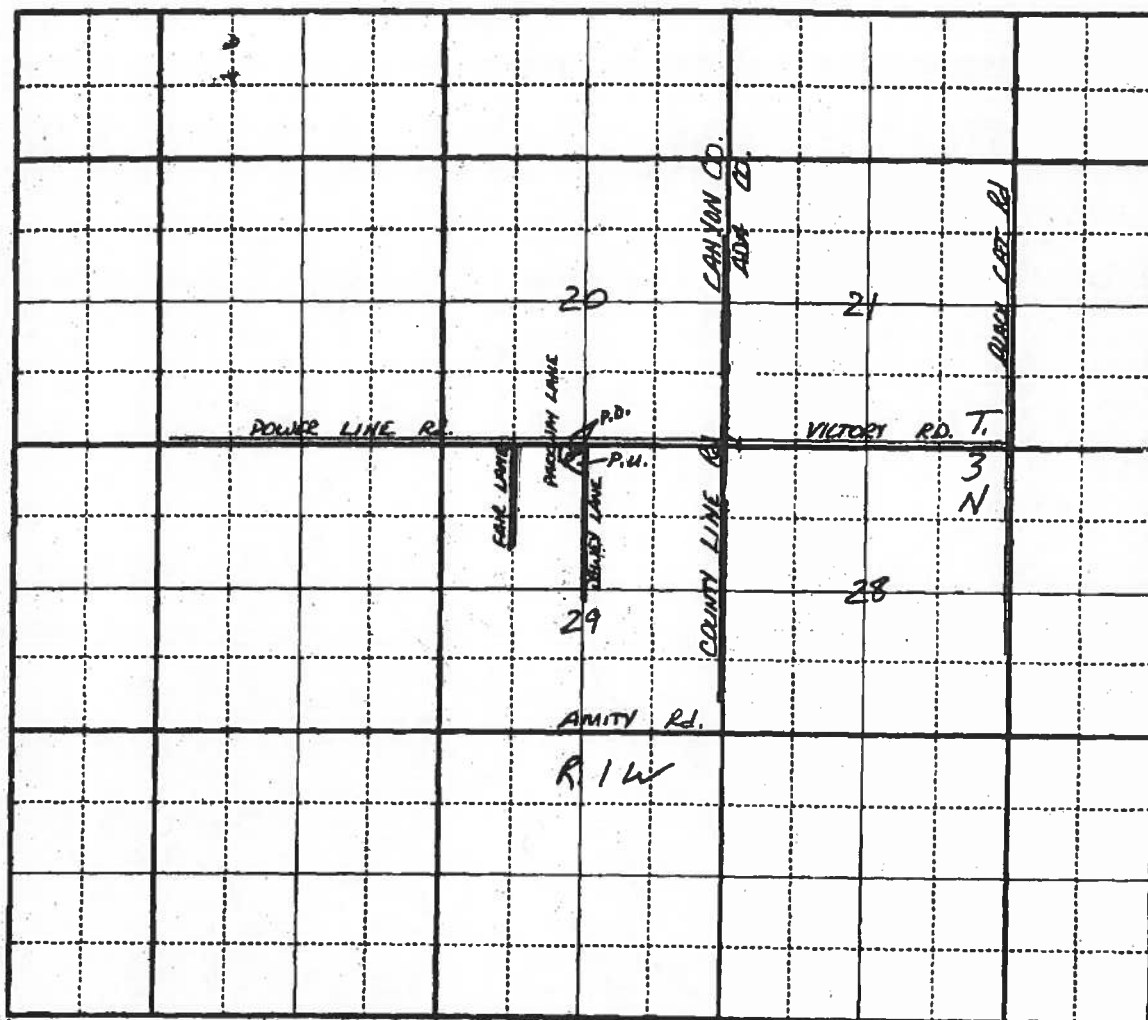


Diagram of System

9
24
25
13
7

DATE OF EXAM 4/27/79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 0.55 c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = 0.34 c.f.s. V = 84.0 AF/Ann. from 1/1 to 12/31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
FIRE PROTECTION Q = 0.55 c.f.s. from 1/1 to 12/31

Is water co-mingled? yes _____ no ☒

Name source: GROUNDWATER
twp. 3N N/S, Rge 1W E/W, B.M., Sec. 29, Sub. NE 1/4 NW 1/4 CANYON
County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Total Q measured 0.55 c.f.s. Method of measurement DIRECT MEASUREMENT (FLOW METER)
PAT NO 3049009
Total Q recommended 0.34 c.f.s. Meter No. 73-4-507 Type McCOMBES Condition GOOD
Total V recommended 84.0 76-4-228 McCOMBES GOOD

Recommended Amendments:

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

MEASUREMENT CALCULATION:

No 1 WELL FLOW METER READ 150 GPM = .33 cfs
No 2 WELL (BACK UP) READ 110 GPM = .11 cfs
* 100 GPM = .22 cfs + .33 cfs = .55 cfs (TOTAL DIVERSION)
TOTAL CAPACITY OF SYSTEM = .44 cfs
V = 70 units X 1.2 AFA = 84 AF/Ann

SYSTEM DESCRIPTION:

#2: 2 1/2 hp + 7 1/2 hp SUBMERSIBLE PUMPS WHICH CAN RUN SIMULTANEOUSLY
2 3'X6' TANKS, 1 2 1/2' X 5' TANKS = 800 gal TOTAL CAPACITY
#1: 7.5 hp pump, + 2 X 4' TANKS = 400 gal CAPACITY TOTAL

REMARKS:

#1 WELL IS MAIN SOURCE, #2 IS BACKUP, BOTH CAN RUN SIMULTANEOUSLY.

Examiner's Signature Charles W. Rye Jr. Date 4/27/79

Checked by DBS Date 4/27/79

Approved by _____ Date _____

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT