

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7126

WATER RIGHT NUMBER: 67-7126

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHAMPION HOME BUILDERS CO 1442 SUNNYSIDE RD PO BOX 190 WEISER, ID 83672 (208) 549-1410

Priority Date: 01/11/1973

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>
COMMERCIAL	01/01 to 12/31	0.040 CFS	4.00 AF
	<u>Total Diversion:</u>	0.040 CFS	4.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 9, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	05W	9								X									X

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. X01 Commercial use is for home manufacturing facility.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. 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.
5. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7126

Comments:

1. scurtis 5/9/2005 POD

Comment: Updated shape

2. scurtis 5/9/2005 POU

Comment: Updated Shape

3. psdaggs 8/5/2005 12:57:53 PM Transferred Right

Comment: This is now an approved transfer, transfer number = 71943

Dates and Other Information:

Claim Received Date: 9/21/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

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

Combined Use Limits: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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

Saxton, Craig

From: Shaff, Don
Sent: Friday, August 05, 2005 1:11 PM
To: Saxton, Craig
Cc: Shurte, Jan
Subject: FW: 71943 Champion Home Builders Co - Approved Transfer

FYI B67 transfer

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov

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

From: Skaggs, Pam
Sent: Friday, August 05, 2005 1:01 PM
To: Curtis, Sharla; Nelson, Dan; Shaff, Don; Shurte, Jan
Subject: 71943 Champion Home Builders Co - Approved Transfer

Rights associated with approved Transfer 71943

WR Number	Current#	Type
67-7124	67-7124	Recommendation
67-7126	67-7126	Recommendation
67-7128	67-7128	Recommendation

This message is notification that this transfer has been approved and is available for distribution as appropriate.

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 67-7126
Date Received:
Receipt No: **W032736**
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 29 2005

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

Champion Home Builders Company Phone: (208) 549-1410

1442 Sunnyside Road
PO Box 190
Weiser, ID 83672

2. Date of Priority: January 11, 1973

3. Source: Ground Water

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	5W	9	SE NW	Washington	

5. Description of diverting works:

Well with submersible pump and pipe to place of use

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Commercial	1/1	12/31	0.04	4.00

7. Total Quantity Appropriated is:

0.04 cfs and 4.00 AFA

8. Total consumptive use:

9. Non-irrigation uses:

Commercial use at a home manufacturing facility.

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	5W	9								D									
		9								I									

Total number of acres irrigated _____

11. Place of use in counties: **Washington**

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

13. Other Water Rights Used:

67-7124 and 67-7128

14. Remarks:

This water right was originally licensed for domestic use. IDWR staff have suggested that the right be claimed for commercial use because the use has always been associated with a manufacturing facility. Uses include domestic (sinks, toilets, etc.), dry wall cleaning and cellulose moister. The license exam noted use by 100 employees per day at 50 gallons per employee per day.

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 GENERAL MANAGER of
Title
Champion Home Builders, that I have signed the foregoing
Organization

document in the space below as GENERAL MANAGER of
Title
Champion Home Builders and that the statements contained in the
Organization
foregoing document are true and correct.

Jim Bell
Signature of Authorized Agent

GENERAL MANAGER - Champion Home Builders
Title and Organization

3-14-05

Date

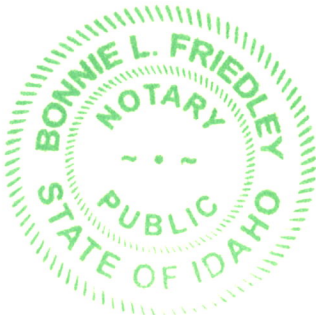
State of Idaho)
County of Washington) SS.

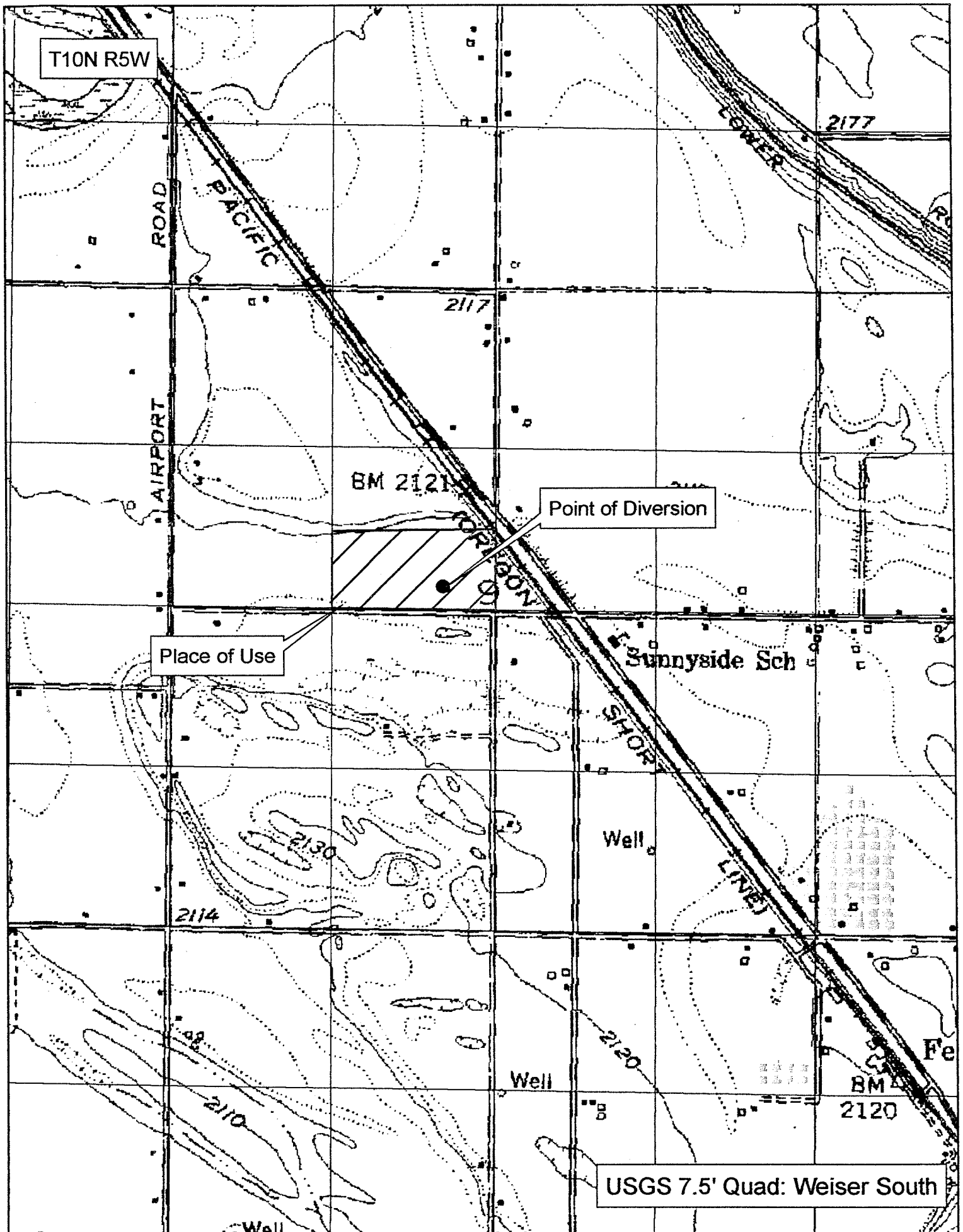
Subscribed and sworn (or affirmed) before me this 14th day
of March 2005 Bonnie L. Friedley

Notary Public

Residing at Wenatchee, Wa.

My commission Expires 12-14-2010





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 67-7126
Date Received: 9/21/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHAMPION HOME BUILDERS CO Phone: (208) 549-1410
1442 SUNNYSIDE RD
PO BOX 190
WEISER ID USA 83672

SCANNED
NOV 03 2004

2. Date of Priority: 01/11/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	05W	9	SE NW	WASHINGTON	

5. Description of diverting works:

Well w/submersible pump and pipe to place of use.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	9	SE	NW	DOMESTIC	
			SE	NW	INDUSTRIAL	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: 67-7124, 67-7128

14. Remarks:

A small amount of water (500 gallons per day) has always been used for industrial purposes at this facility. Industrial purposes include dry wall cleaning and cellulose moister. Annual industrial use is estimated to be .4 af based on 500 gallons per day and 250 days per year. The industrial use is claimed as accomplished transfer.

Domestic and industrial use is for home manufacturing facility.

15. Basis of Claim: License

\$52-

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 67-7126

Date Received:

Receipt No:

Received By:

W032244
Do

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

RECEIVED

SEP 21 2004

**WATER RESOURCES
WESTERN REGION**

1. Name of Claimant(s)

Champion Home Builders Company Phone: (208) 549-1410

1442 Sunnyside Road
PO Box 190
Weiser, ID 83672

2. Date of Priority: **January 11, 1973**

3. Source: **Ground Water**

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	5W	9	SE NW	Washington	

5. Description of diverting works:

Well with submersible pump and pipe to place of use

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Domestic	1/1	12/31	0.02	
Industrial	1/1	12/31	0.02	

7. Total Quantity Appropriated is:

0.04 cfs

8. Total consumptive use:

9. Non-irrigation uses:

Domestic and industrial use at a home manufacturing facility.

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	5W	9								D									
		9								I									

Total number of acres irrigated _____

11. Place of use in counties: **Washington**

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

13. Other Water Rights Used:

67-7124 and 67-7128

14. Remarks:

A small amount of water (500 gallons per day) has always been used for industrial purposes at this facility. Industrial purposes include dry wall cleaning and cellulose moister. Annual industrial use is estimated to be 0.4 acre-feet based on 500 gallons per day and 250 days per year. The industrial use is claimed as accomplished transfer.

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: one (map)

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

General Manager - Champion Home Builders Co.
Title and Organization

9-14-04

Date

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this

of 14th September 2004

Bonnie L. Laird

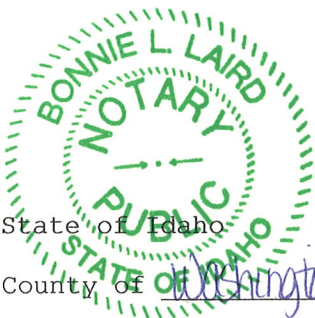
Notary Public

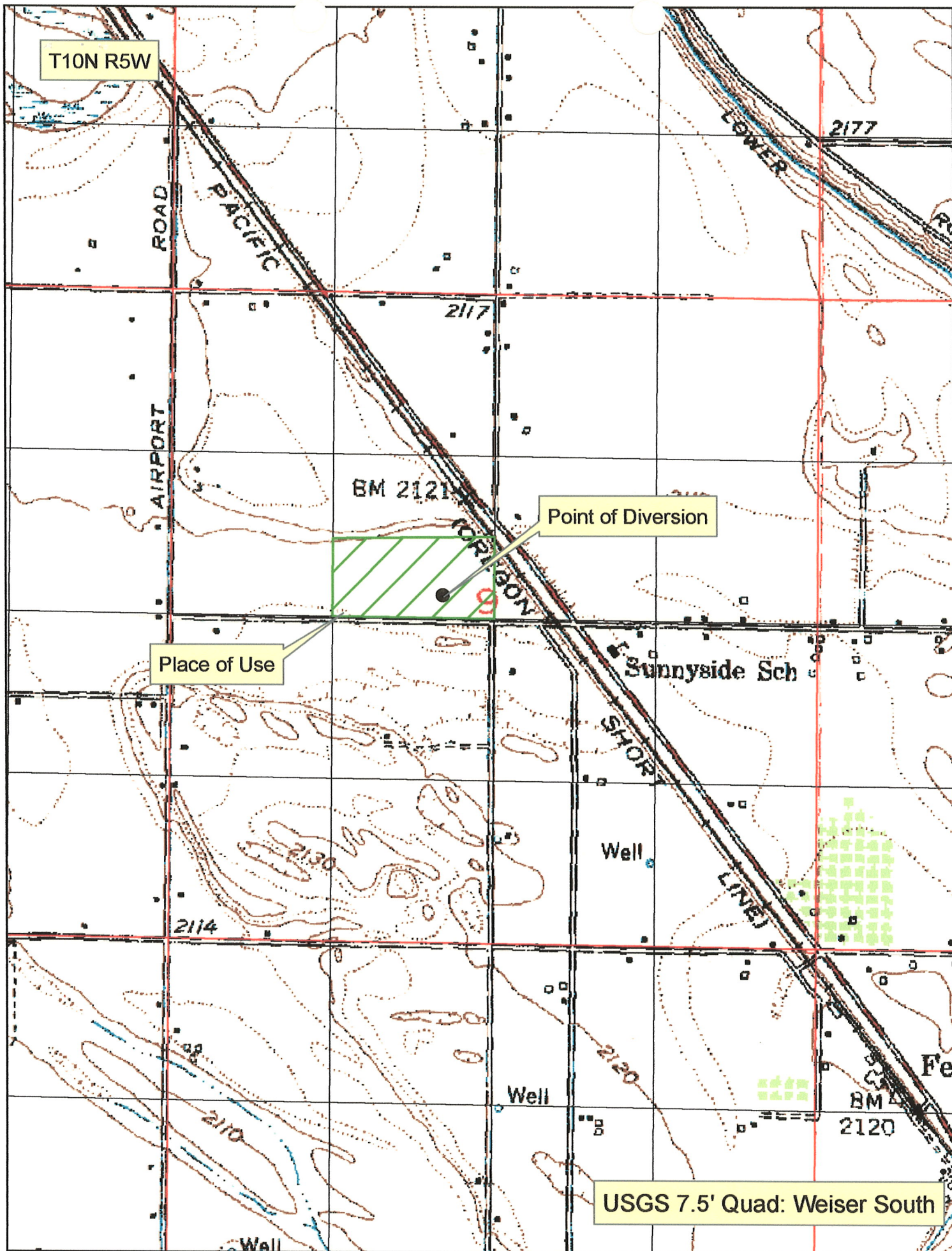
Residing at

Ureter, Idaho

My commission Expires

12-4-04





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7126 Priority Jan. 11, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Champion Home Builders Co.
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7126 issued pursuant to Application for Permit dated January 11, 1973,
and has submitted proof to the Department of Water Resources on September 12, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>4.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.0 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4 of Sec. 9,
Twp. 10 N, Rge. 5 W, B. M. in the County of Washington.

Description and location of place of use: (Tamarack Division Plant)

Twp.	Range	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	
10 N	5 W	9							X										

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
November, 19 74.

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Champion Home Builders Co.

Post office address P. O. Box 551, Weiser, ID 83672 Phone

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)

Tributary to _____

3. Water will be used for the following purposes:

Amount .04 c.f.s. for domestic
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 67-7126
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion .04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10N N/S, Range 5W E/W, B.M., Section 9, Subdivision SE 1/4 NW 1/4, Washington

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: 6" x 40' well w/pump & domestic pressure system.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

REFORMED

TOTAL ACREAGE



Diagram of System

DATE OF EXAM Sept 19, 1979

ACREAGE

Found _____
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = .04 c.f.s. V = 3.99 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
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 .04 cfs Method of measurement est

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 3.99 A.F./Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$$V = 5200 \text{ Gal/Day} \quad (50 \text{ GPD/Employee} \times 100 \text{ Employees})$$
$$5200 \text{ Gal/Day} = .01534 \text{ A.F./Day}$$
$$.01534 \times 260 \text{ working days} = 3.99 \text{ A.F./Ann.}$$

SYSTEM DESCRIPTION:

40' x 6" well at submersible pump & domestic
pressure system for factory restroom facilities &
drinking fountains.

REMARKS:

Domestic use within Trailer factory, 100 employees labor
source. Same irrig. for less than 1/2 here.

Examiner's Signature M. Clayton Davis Date Sept 19, 1979

Checked by _____ Date _____

Approved by _____ Date _____

08/05/2005

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

RIGHT NUMBER: 67-7126

NAME AND ADDRESS: CHAMPION HOME BUILDERS CO
1442 SUNNYSIDE RD
PO BOX 190
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
4.000 AFY

PRIORITY DATE: 01/11/1973

POINT OF DIVERSION:

T10N R05W S9 NESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 4.00 AFY
Commercial use is for home manufacturing facility.		

PLACE OF USE: COMMERCIAL Within WASHINGTON County

T10N R05W S09 SENW T10N R05W S09 NESW

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

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

Parcel No: RP10N05W09001AA

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

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

04/06/2005

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

RIGHT NUMBER: 67-7126

NAME AND ADDRESS: CHAMPION HOME BUILDERS CO
1442 SUNNYSIDE RD
PO BOX 190
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
4.000 AFY

PRIORITY DATE: 01/11/1973

POINT OF DIVERSION:

T10N R05W S9 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.040 CFS
4.00 AFY

Commercial use is for home manufacturing facility.

PLACE OF USE: COMMERCIAL Within WASHINGTON County

T10N R05W S09 SENW

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: License

Parcel No: RP10N05W09001AA

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



STATE OF IDAHO

Department of Water Resource

Water Right(s): 67-07126



1320

0

1320 Feet

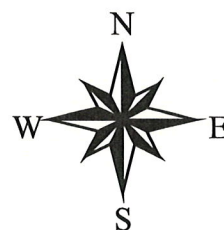
Total Irrigated Acres: N/A

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: April 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7126 V1

WATER RIGHT NUMBER: 67-7126 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHAMPION HOME BUILDERS CO 1442 SUNNYSIDE RD PO BOX 190 WEISER, ID 83672 (208) 549-1410

Priority Date: 01/11/1973

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>
COMMERCIAL	01/01 to 12/31	0.040 CFS	4.00 AF
	<u>Total Diversion:</u>	0.040 CFS	4.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 9,	Twp 10N,	Rge 05W, B.M.
WASHINGTON County				

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10N	05W	9																		

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
2. C18 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.
3. X01 Commercial use is for home manufacturing facility.

Remarks:

1. Explanatory Parcel No: RP10N05W09001AA

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7126 V1

Comments:

1. csaxton 4/6/2005 Nature of Use

Comment: Licensed for Domestic but claimed as commercial. Actual use is for employees that work in a home manufacturing facility. Recommend as commercial but add C04 to show change from license. Actual use really has not changed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 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

Combined Use Limits: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>
Contacts	4/6/2005 11:19:23 AM	csaxton			Active
Priority Date	4/6/2005 11:20:30 AM	csaxton			Active
POD	4/6/2005 11:21:08 AM	csaxton			Active
Source	4/6/2005 11:26:32 AM	csaxton			Active
POU	4/6/2005 11:26:58 AM	csaxton			Active
Use	4/6/2005 11:29:03 AM	csaxton			Active
Season	4/6/2005 11:29:40 AM	csaxton			Active
Quantity	4/6/2005 11:31:32 AM	csaxton			Active
Summary			04/06/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/6/2005 11:19:28 AM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7126 V1

POD	4/6/2005 11:21:14 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	4/6/2005 11:21:37 AM	csaxton	Edited point location
POD	4/6/2005 11:23:00 AM	csaxton	Edited point location
POU	4/6/2005 11:27:26 AM	csaxton	Edited shape boundary
Priority Date	4/6/2005 11:20:36 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	4/6/2005 11:26:38 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	4/6/2005 11:27:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Season	4/6/2005 11:29:47 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7126 V1

Use	4/6/2005 11:29:10 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 7 - Licensed for Domestic but claimed as commercial. Actual use is for employees that work in a home manufacturing facility. Recommend as commercial but add C04 to show change from license. Actual use really has not changed. Description for Question 10,11,12 - Licensed for Domestic but claimed as commercial. Actual use is for employees that work in a home manufacturing facility. Recommend as commercial but add C04 to show change from license. Actual use really has not changed.
Quantity	4/6/2005 11:31:39 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed.
Summary	4/6/2005 11:34:56 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7126

WATER RIGHT NUMBER: 67-7126

Owner Type

Current Owner

Name and Address

CHAMPION HOME BUILDERS CO ✓
 1442 SUNNYSIDE RD
 PO BOX 190
 WEISER, ID 83672
 (208) 549-1410

Priority Date: 01/11/1973 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial UseCOMMERCIAL *OK*

From To ✓

01/01 to 12/31

Diversion Rate

0.040 CFS ✓

Annual Volume

4.00 AF ✓

Total Diversion:

0.040 CFS ✓

4.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER ✓

WASHINGTON County ✓

SE1/4NW1/4 ✓

Sec. 9, Twp 10N, Rge 05W, B.M. ✓

Place of Use

COMMERCIAL ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10N	05W	9	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									

Conditions of Approval:Remarks:

1. Explanatory This water right was originally licensed for domestic use. IDWR staff have suggested that the right be claimed for commercial use because the use has always been associated with a manufacturing facility. Uses include domestic (sinks, toilets, etc.), dry wall cleaning and cellulose moister. The license exam noted use by 100 employees per day at 50 gallons per employee per day.

Comments:Dates and Other Information:

Claim Received Date: 9/21/2004
 Mitigation Plan: False

C 18
x: #1 = Commercial use is for home manufacturing Facility

Parcel #: RP10.005W09001AA

**SPF**

Water Engineering, LLC
water resource consultants

RECEIVED

MAR 29 2005

WATER RESOURCES
WESTERN REGION

March 27, 2005

Dan Nelson
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Amended Water Right Claims – Champion Home Builders

Dear Dan:

In response to our email correspondence of February 14 and 16 (copy enclosed), I have enclosed amended water right claims for Champion Home Builders Company. The claims change the purpose of use to commercial rather than domestic. A check for \$61 in additional fees is included.

Please contact me with any questions. Thank you for your patience.

Sincerely,

Terry M. Scanlan, P.E.

DB W032736 3/29/05

Idaho Department of Water Resources Receipt

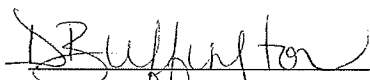
Receipt ID W032736

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$61.00	ADJUDICATION FILING FEE	0337	42503	1155	


Signature Line (Dept. Representative)

Terry Scanlan

From: Terry Scanlan
Sent: Wednesday, February 16, 2005 6:14 PM
To: 'Nelson, Dan'
Subject: RE: Additional Information

Dan -

I apologize for causing you to write the long version. I recognize that such explanations take a lot of time. We will make the changes that you suggested as the path of least resistance. However, I can't let it go without making a couple of comments -- no need to respond as we are both wasting too much time on this.

Idaho code 42-1414(i) only provides one option for domestic -- \$25. Apparently, in practice there is a flat fee plus variable fee for domestic, but it doesn't read that way.

The transfer memo specifically prohibits transfer of rights that relied on domestic exemption. These did not.

Terry

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

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Wednesday, February 16, 2005 4:14 PM
To: Terry Scanlan
Subject: RE: Additional Information

Terry,

I am sorry, my earlier information was confusing, but when you first asked me to address this issue you asked that I give you the short version. I guess I was a little too brief, so I am afraid I am going to have to give you the long version.

Your client paid a fee for their adjudication claims of \$25.00 each for both 67-7124 and 67-7128. Idaho code 42-1414 (i) states that claims for domestic and/or stockwater uses are required to pay a \$25.00 fee. Idaho code 42-1401A (4) defines domestic use for the purpose of chapter 42-1400 through 42-1428 as "domestic use is defined in section 42-111, Idaho Code. Idaho Code 42-111 (b) limits a commercial type of use to 2,500 gallons per day. The Idaho Rules of Procedures 37.03.01 030 01 also limits the adjudication staff to viewing domestic uses to the definition in 42-111 or to a maximum of 13,000 gpd single family households and stockwater and 2,500 gpd for all other uses.

Therefore, by paying the \$25.00 fee, your client has further defined their water rights to be limited to 2,500 gallons per day as described in Idaho Code 42-111. The payment of this fee overrides any past licensing exams or decrees. The reason the fee overrides everything else is because your client has basically told us that they do not want to pay for the full water right as listed on the license or decrees, but just that portion defined in Idaho Code 42-111. I am sure this is just a misunderstanding, but we cannot allow the full licensed amounts to be decreed unless the full fee is paid.

To answer your question on the subdivisions. If you review the above codes, you will notice that municipalities are treated much like a commercial use. They are not allowed to pay the minimum \$25.00 fee, unless they want the entire water use limited to a maximum of 13,000 gallons per day. The same holds true for a multi home subdivision. Unless the entire subdivision wants to be limited to 13,000 gallons per day instead of 13,000 gallons per day per home, they need to pay the full fee required under 42-1401A, which is based on the diversion rate. This has been the way the fees and recommendations have been handled since the beginning of the adjudication process.

The use that your client has is actually a commercial use. It has always been a commercial use, and I recommend that you take the proper steps change the adjudication claim so it is described that way to avoid the confusion described above by your clients,

and prevent anything may future explanations to fit with changing administrative memorandums, rules and statutes. During the time that these water rights were licensed, it was common practice to call small commercial uses supplying water mainly for restrooms and drinking fountains domestic, even though they used more than the 2,500 gallons per day. After observing the complications that arise by calling these uses domestic, we now try to convince all water users to call these uses commercial, and avoid the confusion your clients are currently going through.

Craig has informed me that you can change the use at this time to a commercial use, which I strongly suggest you do. You will need to provide evidence that the use is actually a commercial use. This evidence could be an affidavit from the owner stating that these uses have been used in a factory setting as described in the departments beneficial field exam report. This would draw attention to field exam that clearly states that this use was for a commercial use.

My main concern is that our new transfer memo clearly states that we cannot process a transfer on a domestic use. The Western Region office's interpretation of this portion of the memo is that it relates only to domestic water rights as described in 42-111. However, we have found that in the last few months our State Office staff are interpreting the memo more literally than we anticipated. The main reason for this is that they are trying to maintain a consistency across the state for water right transfers. Transfer issues are much stricter in the Eastern Snake Plain Aquifer area with the recent water disputes, and we are finding ourselves being required to adhere to the same standards as the other Regions.

Terry, I hope this clarifies these issues. The filing fee and domestic limitation issue is not a new one, and has been around since the beginning of the adjudication. The issue about not allowing domestic uses to be involved in a transfer has existed since the transfer processing memo was adopted in 2002. The only issue that is really negotiable is leaving the use description as a domestic use instead of changing it to a commercial use. I feel it would be in your client's best interest to seek to change the record, or you could be facing similar troubles regarding this description down the road. It may make future water right work easier to change the use to its correct description.

If you have any further questions, please contact me and I will do my best to answer your questions.

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

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

From: Terry Scanlan [mailto:TScanlan@spfwater.com]
Sent: Wednesday, February 16, 2005 11:26 AM
To: Nelson, Dan
Subject: RE: Additional Information

Dan -

I don't see how these rights are subject to the domestic limitation in 42-111. My reading of 42-111 is that it refers to uses that are restricted to less than 2500 gpd, which these rights are not. Nor are these rights a combination of exempt domestic uses as defined under 42-111(3). These rights were developed and licensed under the mandatory application and permit process. Maybe I incorrectly filed the claims? I don't see where I listed the annual volumes on claims 7125, 7126, and 7128, but as you pointed out they are licensed for more than the 2500 af volume. There is no volume on the license for 7124, but there also is not a limitation of 2500 gpd.

I am confused. I think I see where Craig is coming from in terms of adjudication, as 42-111 references 42-1401A (and vice versa). However, how does the adjudication handle domestic use for large multiple home subdivisions with public water systems? These uses don't meet the requirements of 42-111 either.

I'm not trying to cause trouble here, but I am reluctant to go back to Champion with another change if we don't need to. The fee is not an issue, but I don't want to amend if I can avoid the hassle.

Terry

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

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Monday, February 14, 2005 9:35 AM
To: Terry Scanlan (E-mail)
Subject: Additional Information

Hello Terry,

I passed this email by Craig to ensure that said everything correctly, and of course I didn't. You are going to need to send some type of evidence that these uses are actually commercial uses. I would suggest a statement and reference to the field exam that clearly shows that these rights were licensed for a commercial type use. I would mention that these should actually be referred to a commercial use, since more than 2500 gallons per day have been used as allowed by the licenses, which grant volumes above the maximum 2.8 afa for a commercial domestic use.

Unfortunately, domestic use was a common verbiage used several years ago that is now causing problems with small commercial type uses. Hopefully, we can get this clarified and taken care of fairly easily. I am sorry for the inconvenience.

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

> -----Original Message-----

> From: Nelson, Dan
> Sent: Monday, February 14, 2005 9:12 AM
> To: Terry Scanlan (E-mail)
> Subject: Champion Homes Transfer

>
> Hello Terry,

>
> I received the initial review of the adjudication claims for Champion
> Homes. In speaking with Craig Saxton, claims 63-71224 and 63-7128
> were
> filed as domestic water rights subject to the domestic definition
> listed
> in Idaho Code subsection 42-111. This means that each of these claims
> will be limited to 2,500 gallons per day, and cannot be included in
> the
> transfer. The departments current transfer memo does not allow a
> domestic
> water rights to be involved in a transfer, since a new domestic use
> can be
> attained. Unfortunately, this will reduce the annual volume of these
> two
> rights to 2.8 afa each.

>
> In order to avoid this situation, I would like to suggest that you
> amend
> the three water rights to list the use as commercial instead of
> domestic,
> and pay the needed fees to make these rights a standard commercial use
> and
> not a domestic use. This should remove any confusion associated with
> these rights in regard to the amount of water that can be diverted,
> and
> would actually list the proper use (commercial) for these rights. In

> order to change these you will need to amend the use to commercial and
pay
> the following fees:
>
> 67-7124 - \$29.00
> 67-7128 - \$30.00
> 67-7126 - \$2.00 (please note that the fee for this right was paid
> for a commercial type use, but was short by \$2.00).
>
> If you have any questions, please let me know. As soon as we get the
> adjudication claims clarified, we can proceed with processing. I will
> hold the applications for 30-days to allow you time to put this
> information together. If you need additional time, please contact me
and
> make a written request for additional time.
>
> Thank you.
>
> Daniel A. Nelson
> Senior Agent
> Western Region
> Idaho Department of Water Resources
>
>

02/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7126

WATER RIGHT NUMBER: 67-7126

Owner Type Name and Address
 Current Owner CHAMPION HOME BUILDERS CO
 1442 SUNNYSIDE RD
 PO BOX 190
 WEISER, ID 83672
 (208) 549-1410

Priority Date: 01/11/1973 ✓

Basis: License ✓

Status: Active ✓

Source Tributary
 GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC ✓	01/01 to 12/31 ✓	0.020 CFS ✓	~~3.6~~ 3.6 AF
INDUSTRIAL ✓	01/01 to 12/31 ✓	0.020 CFS ✓	~~0.4~~ 0.4 AF - per claimant calc
<u>Total Diversion:</u>		0.040 CFS	4.0

Location of Point(s) of Diversion
 GROUND WATER ✓ SE1/4NW1/4 Sec. 9, Twp 10N, Rge 05W, B.M.
 WASHINGTON County

Place of Use
 DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	9	NE	NW	SW	SE	
						X	

INDUSTRIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	9	NE	NW	SW	SE	
						X	

Conditions of Approval:

1. X01 Domestic and industrial use is for home manufacturing facility.

Remarks:

Parcel #: RP10N05W08001AA

C#4

5200
 2.00

Amended
 4-4-05
 This no longer
 Valid

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-7126

1. General A small amount of water (500 gallons per day) has always been used for industrial purposes at this facility. Industrial purposes include dry wall cleaning and cellulose moisture. Annual industrial use is estimated to be .4 af based on 500 gallons per day and 250 days per year. The industrial use is claimed as accomplished transfer.

Comments:

Dates and Other Information:

Claim Received Date: 9/21/2004
Mitigation Plan: False

2-10-06: Not Permitted for Industrial use

: My Guess is that the industrial portion will be taken care of with the proposed transfer. However, I don't see why we can't change a portion of this right to Industrial as I don't see how it would enlarge water use or cause injury. In addition, statement on claim could be used as affidavit of 1st use.



October 30, 2004

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
NOV 02 2004
WATER RESOURCES
WESTERN REGION

Subject: Water Rights Champion Home Builders Company

Dear Dan:

I have discussed the questions and comments in your letter of October 15, 2004, with a representative of Champion Home Builders. The following is our response.

Transfer of Water Right 67-7225. Given that a transfer is not required, Champion would be pleased to withdraw the transfer. Can you send us a withdrawal form?

Water Right 67-7125. I have marked on the enclosed map the location of the former Weiser Products Division Plant. The approximate location of the well supplying this right is shown by the "x" on the north side of the building. As noted in your letter, this facility is no longer owned by Champion and is not part of the transfer.

Water Right 67-7124. I have marked on the enclosed map the location of the former Home Division Plant. The location of the well supplying this right is shown by the "x" on the south side of the building. The use under this water right is being transferred to the new plant and new public water system well in the NESW of Section 9. Any continued use from this well for the former Home Division Plant will be de minimis (less than 2500 gpm). This is the facility that has been eliminated.

Water Right 67-7126 and 67-7128. I have marked on the enclosed map the location of the Tamarack Division Plant and the Main Plant (i.e., both located in the same complex). The location of the well supplying these rights is shown by the "x" on the south side of the building. This well will be abandoned, and the water will now be supplied from the new public water system well in the NESW of Section 9.

Back-Up Well. A back-up well is not proposed. The new well will be the only well to supply the facilities.

As requested, we will send you a deed for the property if it can be located. In the meantime, please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

T10N R05W S9

SENW

SWNW

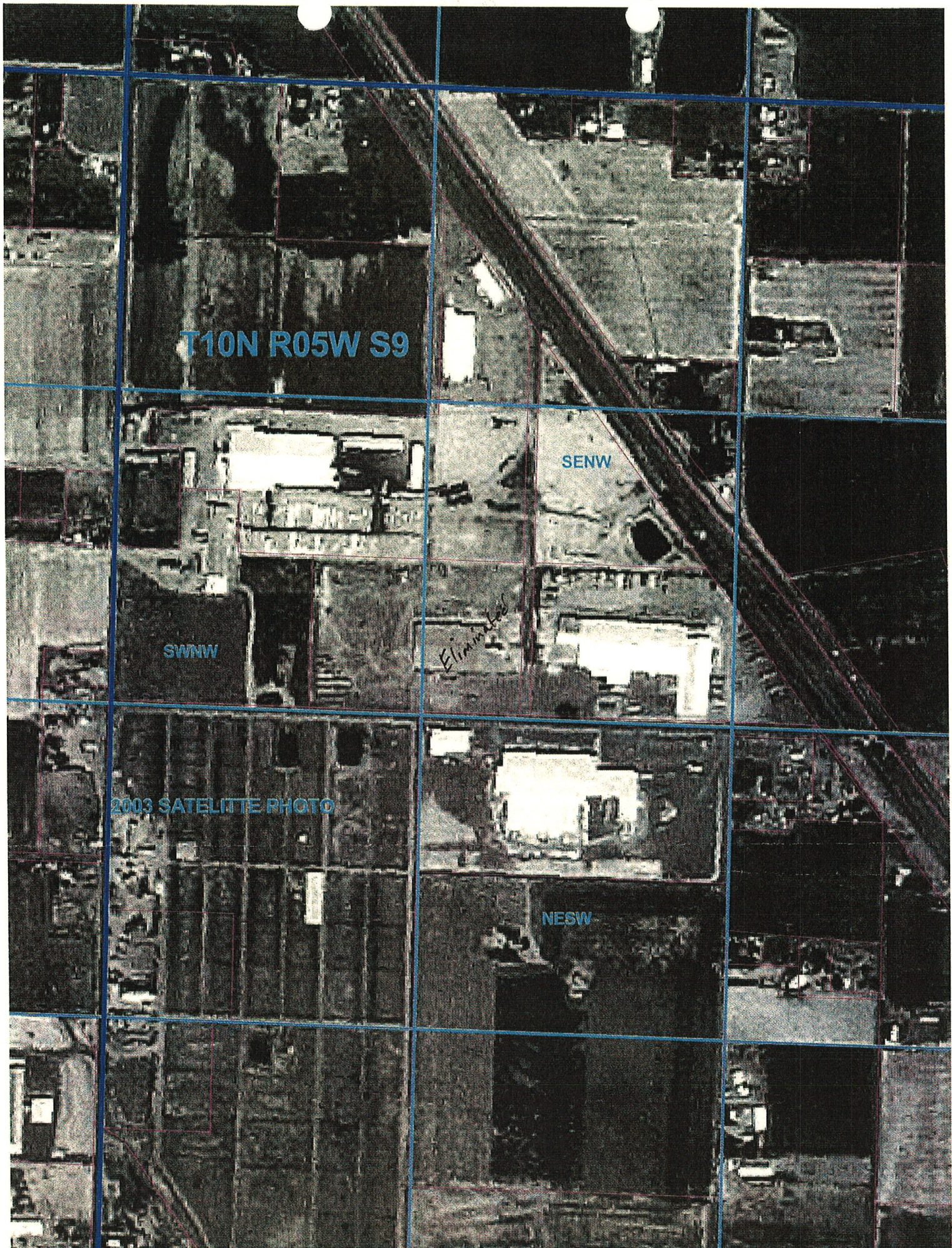
Weiser Div
Prod. Div
Plant

Hart
Division

Tamarack
Division
Plant

1997 AERIAL PHOTO

NESW



T10N R05W S9

SENW

SWNW

Eliminated

2003 SATELLITE PHOTO

NESW



RECEIVED

SEP 21 2004

WATER RESOURCES
WESTERN REGION

September 18, 2004

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Water Rights Champion Home Builders Company

Dear Dan:

On behalf of Champion Home Builders Company, we are pleased to submit the following documents.

- SRBA Claim for Water Rights 67-7124
- SRBA Claim for Water Rights 67-7126
- SRBA Claim for Water Rights 67-7128
- SRBA Claim for Water Rights 67-7225
- Application for Transfer of Water Rights 67-7124, 67-7126, and 67-7128
- Application for Transfer of Water Right 67-7225

The water right claims reflect water use at the facility at the start of the Snake River Basin Adjudication in 1987. These uses included a small amount of industrial water use that continues to the present. Industrial use was not listed on the original water right licenses, but we have listed it on claim 67-7126 as an accomplished transfer.

Champion no longer owns or operates a facility in the SWNW of Section 9. As a result, Champion is not submitting a claim for domestic water right 67-7125 that serves that facility.

The application for transfer of water rights 67-7124, 67-7126, and 67-7128 seeks to modify the water rights to reflect current and future uses at the site. Champion Homes constructed a new facility in the NESW of Section 9 in approximately 1998. This facility replaced one of two facilities in the SENW of Section 9.

The application for transfer of water right 67-7225 seeks to provide fire protection to the Champion facility in the NESW of Section 9. The fire protection system continues to provide fire protection to facilities in the SWNW and SENW of Section 9.

As part of this submittal, Champion also requests that their application for permit submitted on March 31, 2004 be withdrawn. The claims and transfer described above will support the uses sought by the application for permit.

We have enclosed a check for \$442 for filing fees. This check is based on \$25 each for claims 67-7124 and 67-7128 (as diversion under each of these water rights is 13,000 gpd or less), \$52 for claim 67-7226 (\$50 flat fee plus \$2 for 0.02 cfs industrial), \$50 for claim 67-7225 (\$50 flat fee), \$100 for the transfer of 67-7124, 67-7126, and 67-7128, \$290 for transfer of 67-7225, and \$100 credit for the filing fee associated with the withdrawn application for permit.

Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Terry M. Scanlan".

Terry M. Scanlan, P.E, P.G.

Receipt Details for ID W032244

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/21/2004 1:45:38 PM	9/21/2004 3:07:57 PM	WESTERN	\$442.00	Check
Payer		SPF WATER ENGINEERING LLC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1156			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM: 67-7124, 67-7128 (\$25 EA); 67-7126 (\$52); 67-7225 (\$50); APPLICATION FOR TRANSFER: 67-7225 (\$290)

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$152.00	ADJUDICATION FILING FEE	42503	0337			1155
\$290.00	TRANSFERS	62105	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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[Print Report](#)