

12/02/2006

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

RIGHT NUMBER: 67-7225

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.550 CFS

PRIORITY DATE: 09/12/1974

POINT OF DIVERSION:

T10N R05W S9 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FIRE PROTECTION

1/01 12/31

1.550 CFS

PLACE OF USE: FIRE PROTECTION in 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: BASIS OF CLAIM - License



Idaho Department of Water Resources

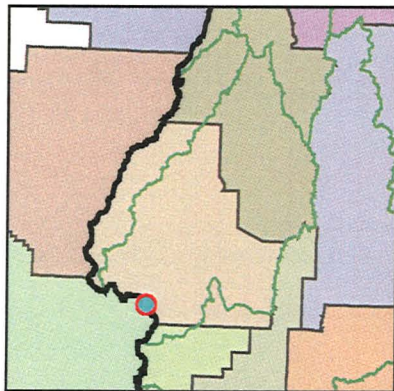
SRBA Recommendation:

67-7225

(Fire Protection)

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Saturday, December 2, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7225 V1

WATER RIGHT NUMBER: 67-7225 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: 09/12/1974

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>
FIRE PROTECTION	1/01 to 12/31	1.550 CFS	
	<u>Total Diversion:</u>	1.550 CFS	

Location of Point(s) of Diversion

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

Place of Use

FIRE PROTECTION

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. 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.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7225 V1

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	2/10/2005 8:23:12 AM	awarntje			Active
Priority Date	2/10/2005 8:25:17 AM	awarntje			Active
Source	2/10/2005 8:28:44 AM	awarntje			Active
POU	2/10/2005 8:52:42 AM	awarntje			Active
POD	2/10/2005 9:02:31 AM	awarntje			Active
Use	2/10/2005 9:03:09 AM	awarntje			Active
Season	2/10/2005 9:03:49 AM	awarntje			Active
Quantity	2/10/2005 9:04:42 AM	awarntje			Active
Summary			02/10/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	2/10/2005 8:23:12 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	2/10/2005 8:50:55 AM	awarntje	Edited shape boundary
Source	2/10/2005 8:28:45 AM	awarntje	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7225 V1

Priority Date	2/10/2005 8:25:18 AM	awarntje	(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?
POD	2/10/2005 8:57:09 AM	awarntje	Edited point location
POU	2/10/2005 8:52:43 AM	awarntje	(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?
Use	2/10/2005 9:03:09 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Quantity	2/10/2005 9:04:43 AM	awarntje	(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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7225 V1

Summary	2/10/2005 9:06:59 AM	awarntje	(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?
POD	2/10/2005 9:02:32 AM	awarntje	(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?
Season	2/10/2005 9:03:49 AM	awarntje	(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?

Water Supply Bank:

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 67-7225
Date Received: 9/21/2004
Receipt No: W032244
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: 09/12/1974

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/electric pump, storage pond, and pipe to place of use.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
FIRE PROTECTION		1/01	12/31 1.55	

7. Total Quantity Appropriated is:
1.55 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	FIRE PROTECTION	

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:

14. Remarks:

Fire protection for industrial facilities.

15. Basis of Claim: License

\$50-

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 67-7225

Date Received:

Receipt No:

Received By:

W032244

AS

**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: September 12, 1974

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 electric pump, storage pond, and pipe to place of use

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Fire Protection	1/1	12/31	1.55	

7. Total Quantity Appropriated is:

1.55 cfs

8. Total consumptive use:

9. Non-irrigation uses:

Fire protection for industrial facilities.

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								F									

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:

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 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.

Jim Bell
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

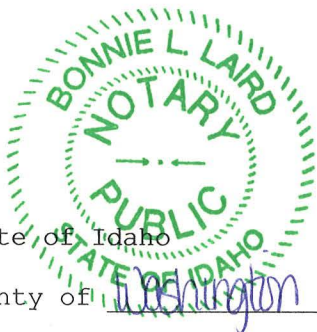
of 14th September 2004

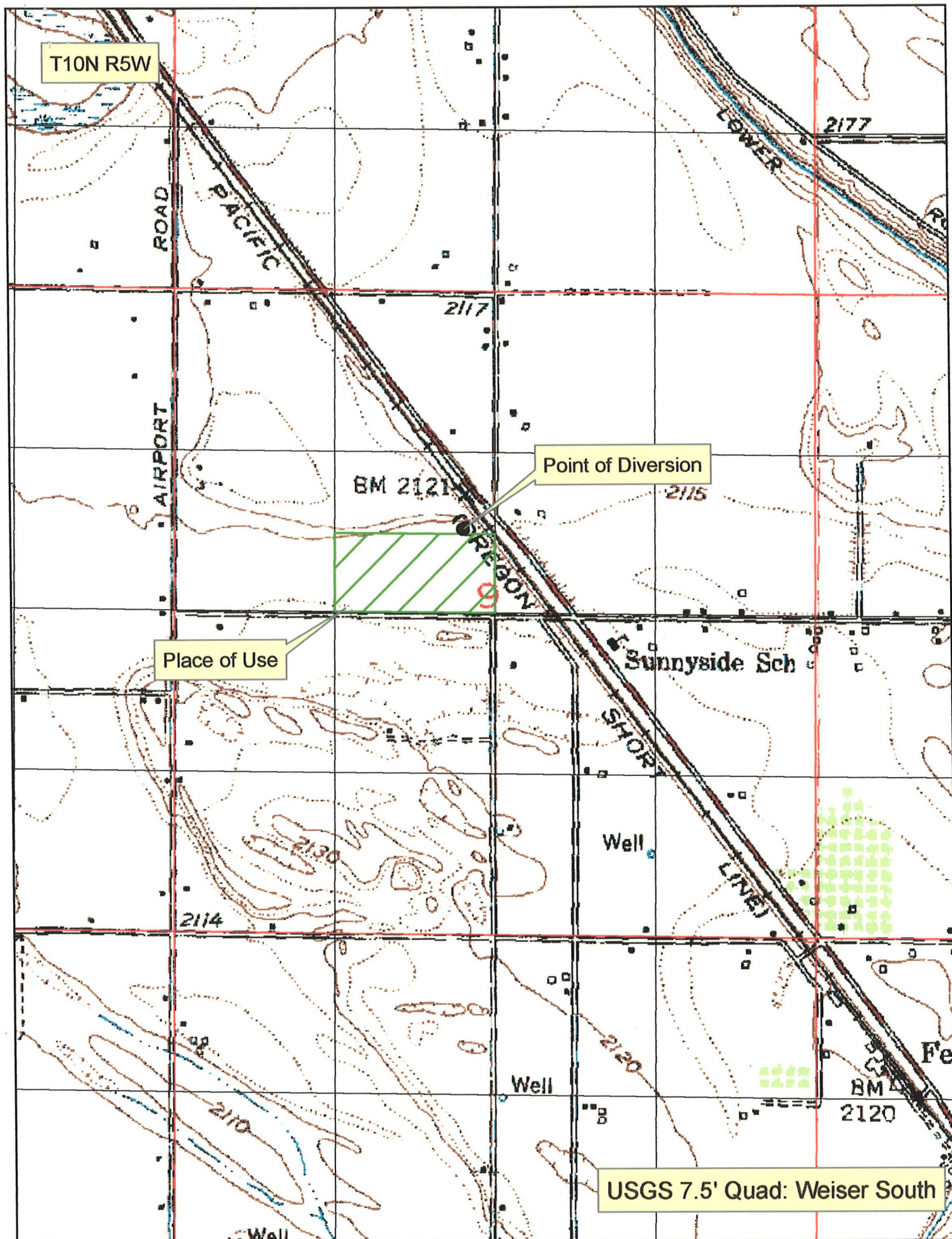
Bonnie L. Laird

Notary Public

Residing at Wusky Idaho

My commission Expires 12-14-04







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.

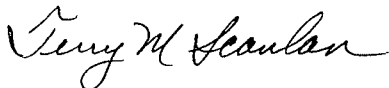
The application for transfer of water right 67-7225 seeks to provide fire protection to the Champion facility in the NESW of Section 9. The fire protection system continues to provide fire protection to facilities in the SWNW and SENW of Section 9.

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, reading "Terry M. Scanlan".

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7225 Priority Sept. 12, 1974 Amount 1.55 cfs

THIS IS TO CERTIFY, that CHAMPION HOME BUILDERS
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7225 issued pursuant to Application for Permit dated September 12, 1974,
and has submitted proof to the Department of Water Resources on November 16, 1976,
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 1.55 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
Fire	from Jan 1 to Dec 31	1.55 cfs and	n/a
Protection	from _____	cfs and	
	from _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.55 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
n/a 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:

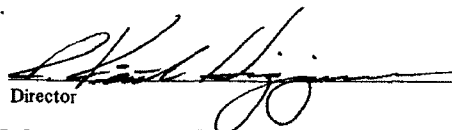
Twp.	Range	Sec.	NEW				NW 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 N	5 W	9							X						

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 23 day of
December, 19 76.


Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7225 Priority Sept. 12, 1974 Amount 1.55 cfs

THIS IS TO CERTIFY, that CHAMPION HOME BUILDERS
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7225 issued pursuant to Application for Permit dated September 12, 1974,
and has submitted proof to the Department of Water Resources on November 16, 1976,
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 1.55 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
Fire	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>1.55</u> cfs and	<u>n/a</u>
Protection	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.55 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
n/a 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:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 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	
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 23 day of
December, 19 76.

Director