

Sec. 11, T. 3N., R. 2E. BM

FOR: EMKAY DEVELOPMENT COMPANY, INC.
400 Broadway
Boise, Idaho

RECEIVED

APR 29 1975

Department of Water Resources

STATE OF IDAHO)
COUNTY OF ADA) ss.

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
EMKAY DEVELOPMENT
COMPANY, INC., 400 Broad-
way Avenue, Boise, Id., has on
April 7, 1975 submitted Appli-
cation No. 63-8109 for a permit
to appropriate 1.34 cu-
bic feet per second of water
from groundwater by means
of well with pump within the
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3 N, R. 2
E, B.M. Ada, to be used from
Jan. 1 to Dec. 31 for Industrial
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11
T. 3 N, R. 2 E, B.M.
If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must be
filed with the Idaho Depart-
ment of Water Resources,
Statehouse, Boise, Idaho,
83720, on or before May 5, 1975.
R. KEITH HIGGINSON
Director
Pub. April 17, 24, 1975 503

Dorothy Eiguren, being duly
sworn, deposes and says: That she is the Principal
Clerk of The Idaho Statesman, a daily newspaper
printed and published at Boise, Ada County, State
of Idaho, and having a general circulation therein
and which said newspaper has been continuously and
uninterruptedly published in said County during a
period of twelve consecutive months prior to the
first publication of the notice, a copy of which
is attached hereto; that said notice was published
in the regular edition of The Idaho Statesman for

two ~~consecutive~~ insertions, beginning with the
issue of April 17, 1975, and ending with the
issue of April 24, 1975.

Dorothy Eiguren

Subscribed and sworn to before me this 28th

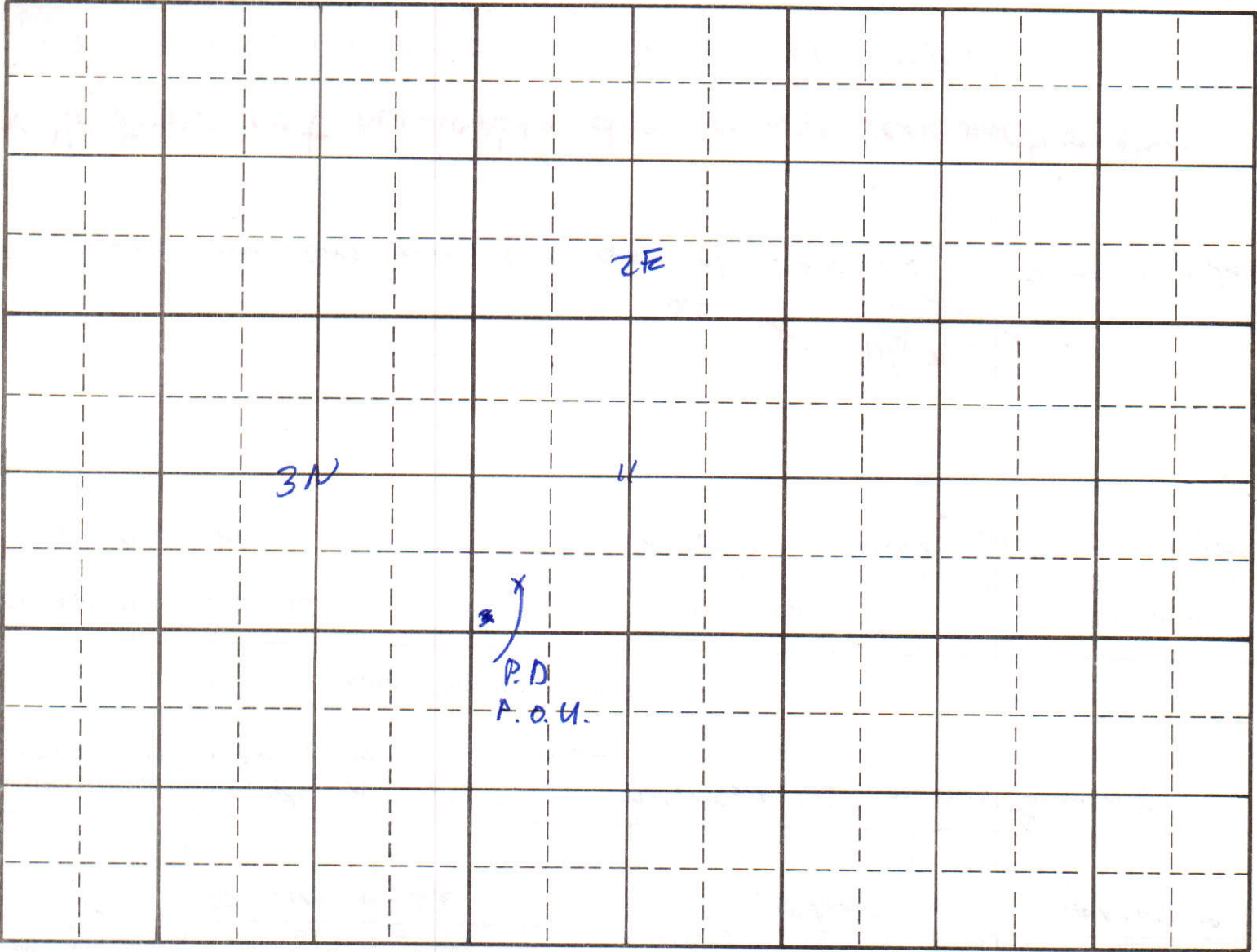
day of April, 1975.

Jana A. Young

Notary Public for Idaho, Residing at Boise, Idaho

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW SW S. 11 3N 2E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	2E	11											X						

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature Carl E Morris

Checked by DBS

Approved by Tolym

Date 9 Oct 80

Date 10/11/80

Date 5/21/81

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that EMKAY DEVELOPMENT COMPANY, INC.

Total number of acres irrigated _____

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **63-8109**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

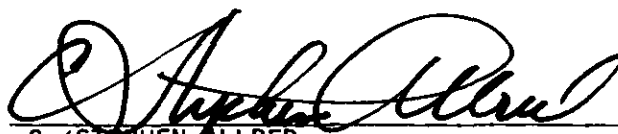
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. _____

Application No. 63-8109

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 EMKAY DEVELOPMENT COMPANY, INC.
post office address 400 Broadway Avenue, Boise, Idaho
2. Source of water supply Ground Water which is a tributary of --
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11 Township 3N
Range 2E B.M. Ada County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into Boise River at a point in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14 Township 3N Range 2E B.M. _____
4. Water will be used for the following purposes:
Amount 1.34 for Industrial purpose from January 1 to Dec. 31 (both dates inclusive)
cfs (cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.34 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well with Pump
- 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 _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 12 inches; proposed depth of well is 450 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 \$ 30,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11 Township 3N
Range 2E 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 _____
(5) If water is to be used for other purposes describe: Cooling for Air Conditioning.

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[illegible]

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

b. Who owns the land to be irrigated or place of use _____

[illegible]

Sec. 11, T. 3 N., R. 2 E. BM

•

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.

 , P.E.
(Applicant) Vice President
SMITH & MONROE ENGINEERS, INC.

FOR: EMKAY DEVELOPMENT COMPANY, INC.
400 Broadway
Boise, Idaho

Received by ef Date 4/07/75 Time 2:30pm
 Preliminary check by cs Fee \$ 35.00
 Receipted by Ca Date 4/7/75 # 482
 Publication prepared by gg Date 4-10-75
 Published in The Statesman
 Publication dates April 17 & 24
 Publication approved gg Date 4-29-75
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by gg

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. 63-8109, 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 June 1, 19 80.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

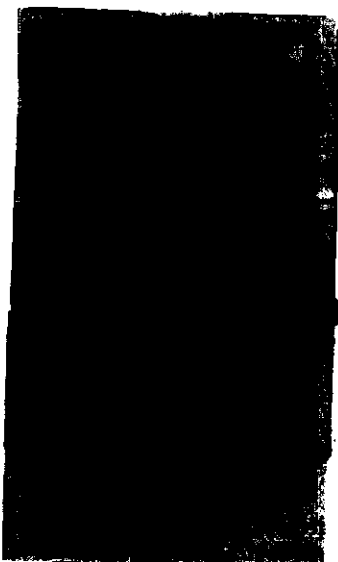
2. Denial of said application is for the following reasons: _____

Witness my hand this 11th day of June 19 75.


 Director

RECORDED
INDEXED

STATE OF IDAHO)
COUNTY OF ADA) ss.



Dorothy Eiguren, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for two ~~consecutive~~ insertions, beginning with the issue of April 17, 1975, and ending with the issue of April 24, 1975.

Dorothy Eiguren
Subscribed and sworn to before me this 28th
day of April, 1975.

Lana A. Young
Notary Public for Idaho, Residing at Boise, Idaho

RECORDED

WATER RIGHT NUMBER 63-8109

OWNER LAST NAME - EMKAY DEVELOPMENT CO, INC.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - 400 BROADWAY AVE.

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83702

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-07-1975 COUNTY - ADA

TOTAL DIV. RATE - .8700 CFS

TOTAL DIV. VOLUME -

70.60 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 11 03N 02E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE -

.8700 CFS

USE DIV. VOLUME -

70.60 AFA

USE - INDUSTRIAL

PLACE OF USE - TWN 03N RNG 02E SEC 11 TRACT SWSW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE - I/AIR CONDITIONING.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 06-01-1980 PERMIT/DENIED - 06-11-1975 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - WELL & PUMP.

VERIFIED FE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~E. STEPHEN KILGORE~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 8, 1981

Emkay Development Co., Inc.
400 Broadway Ave.
Boise, ID 83706

Dear Sirs,

RE: Permit No. 63-8109

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure

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INTER-DEPARTMENT MEMO — 1

DATE 6-25-81

FROM Jim Johnson *Jim*
TO Dave Tuthill *OK ✓*

SUBJECT Volume consumed by air conditioning units.

Attached is my estimate of annual volume used for industrial cooling.

If you concur with the assumptions we can issue the license and also use this as a guide for future cooling uses in the Boise area.

SIGNATURE

MEMO

TO: File
FROM: Jim Johnson
DATE: 6-25-81
RE: Volume consumed by air conditioning units

GIVEN:

Measured rate of diversion: .87 cfs

ASSUME:

1. All of water diverted is consumed by evaporation.
2. Air conditioner keeps temperature at 70⁰
Period of use:
Temperature in Boise area averages above 70⁰ during the day 4 months of the year.
Assume:
That May 15 is the beginning of the 70⁰ average and September 15 is the ending
70⁰ period.

Average daily use:
Average daily temperature reaches 70⁰ at noon and lasts until 7 p.m.

Volume consumed during period of use:

$$v = 1.9035 \times 8/24 \times .87 \times 123 = 70.6 \text{ AF/ANN.}$$

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CONVERSATION MEMORANDUM

DATE 6/1/81

FILE 63-8109

NAME OF PARTY Doug M^c Kibben

EMPLOYEE Jim Johnson

RE: Doug M^c Kibben called today
in regards to 10 day letter mailed
5/26/81.

He is forwarding our letter to
Mike Shirley for review and comment.
We should allow additional
time for response.

This file should be delayed
5 days.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

A STEPHEN M. DUNN
XXXXXXXXXX

Doug Mc

May 26, 1981

Sent Mike Shirley

Emkay Development Co., Inc.
400 Broadway Ave.
Boise, Idaho 83706

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. **62-8109**, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **.87 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **N/A** acre feet per year.

Point(s) of diversion: **SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, Twp. 3N, Rge. 2E, B.M.**

Beneficial use: **Industrial use within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, Twp. 3N, Rge. 2E.**

Priority date established: **April 7, 1975**

Conditions (if any): **Industrial is cooling for air conditioning.**

you do not concur with these findings please contact us within 10 days, otherwise water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

EmKay Development
Company, Inc.

P/D SW SW, S. 11

T. 3N R. 2E

#63-8109

Permit No. _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

39C

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	6/4/80	NN	no visit made
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 9 OCT 80 Accompanied by KEITH YOUNG BLOD Total Q measured (.07) capacity
If source is surface water, estimate total flow of source _____
Methods of measurement IN LINE FLOW METER Meets Permit requirements? YES

Measurement calculations:

$$(200 \text{ days}) \left(\frac{14 \text{ hr}}{24 \text{ day}} \right) (1.98) (0.87 \text{ af}) = \underline{201} \text{ af/annum.}^{**}$$
[illegible]

System Description well, pump, into industrial cooling system AT
M-K PLAZA Two 6" pipe

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE

Industrial

Q (cfs)

87

V (afa)

70.6

201

FROM

TO

Total

27

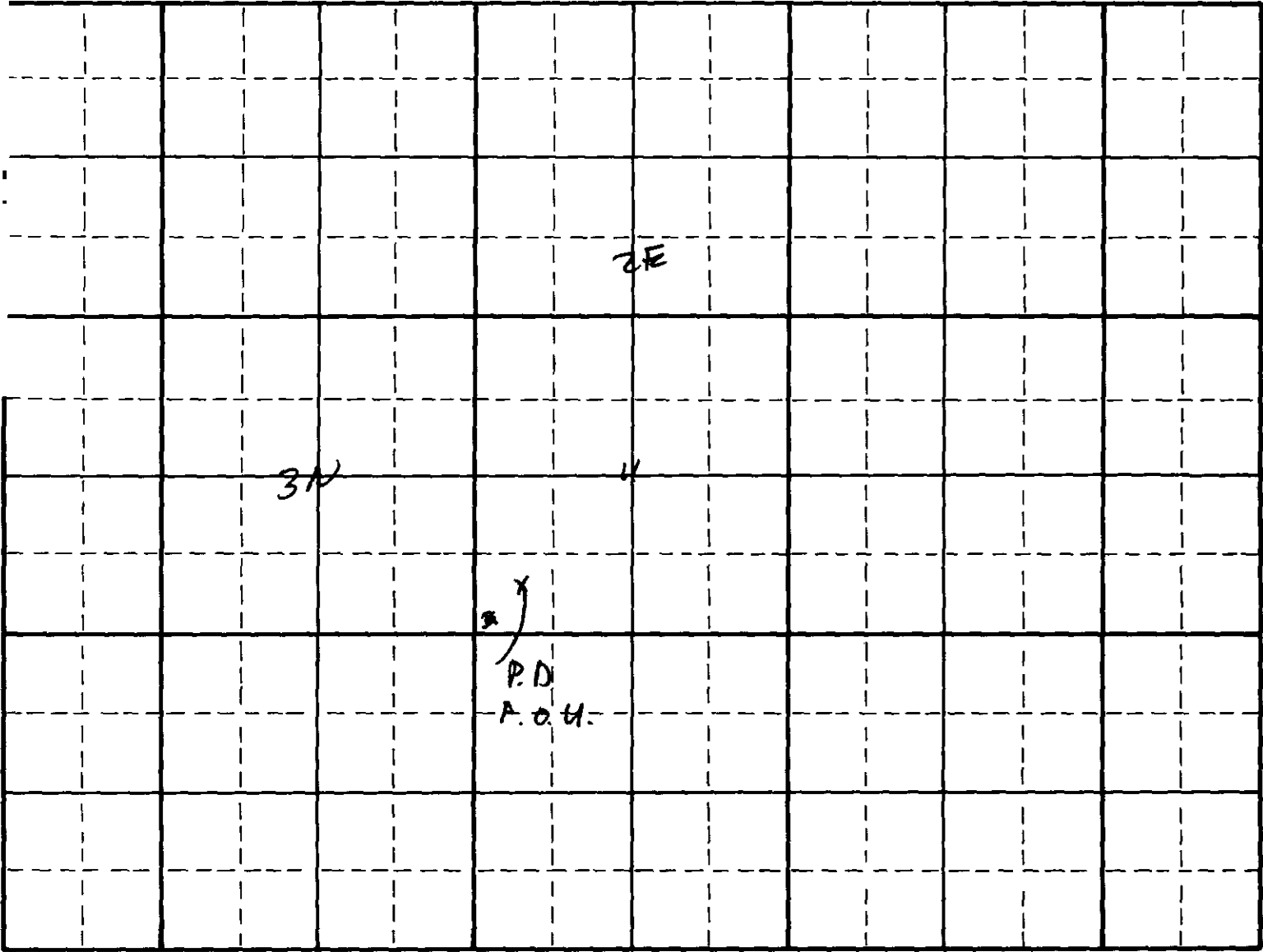
N/A * **
70.6
~~3.562~~

Remarks Use 200 days year 14 Hrs/day @ .87 CFS = $3.56 \frac{\text{AFI}}{\text{ANN}}$

* ~~Volume~~ not applicable due to non consumptive use

SEE ATTACHED MEMO TO FILE DATED 6/25/81 FOR CALCULATION
OF VOLUME USED per GNUM: Jim
6/25/81

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW SW S. 11 3N 2E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	2E	11											X						

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature Carl E. Morris

Date 9 Oct 80

Checked by DBS

Date 10/11/80

Approved by [Signature]

Date 5/21/81

WRD417

WATER RIGHTS PROOF READING REPORT

10/17/80

PAGE 1

WATER RIGHT NUMBER 63-8109

OWNER LAST NAME - EMKAY DEVELOPMENT CO. INC. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - 400 BROADWAY AVE. ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83702
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - PERMIT STATUS - PRIORITY - 04-07-1975 COUNTY - ADA TOTAL DIV. RATE - 1.3400 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWSW 11 03N 02E LOT REDIV -
FROM - 01-01 TO - 12-31 USE - INDUSTRIAL USE DIV. RATE - 1.3400 CFS USE DIV. VOLUME - .00 AFA
USE - INDUSTRIAL PLACE OF USE - TWN 03N RNG 02E SEC 11 TRACT SWSW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE - I/AIR CONDITIONING.
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 06-01-1980 PERMIT/DENIED - 06-11-1975 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - 01 05
DIVERSION MEANS - WELL & PUMP.

WATER RIGHT NUMBER 63-8109

WATER RIGHTS EDIT REPORT

06/16/80

PAGE 42

ACT
ION

L

L PROOF MADE - P

ACTION

N OWNER LAST NAME - EMKAY DEVELOPMENT CO. INC.
N ADDRESS LINE 1 - 400 BROADWAY AVE.

CITY - BOISE

STATE - ID ZIP CODE - 83702

N SOURCE - GROUNDWATER

N STAGE - PERMIT

PRIORITY - 04-07-1975 COUNTY - ADA

TOTAL DIV. RATE - 1.3400CFS

N DIVERSION POINT - SWSW 11 03N 02E

N FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE - 1.3400CFS

N USE - INDUSTRIAL

PLACE OF USE - TWN 03N RNG 02E SEC 11 TRACT SWSW

N NON IRRIG USE - I/AIR CONDITIONING.

V PROOF DUE - 06-01-1980 PERMIT/DENIED - 06-11-1975

N COND. OF APPRVL - 01

N DIVERSION MEANS - WELL & PUMP.

IDENT. NO. 103-8109

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- | | <u>Tract</u> | <u>Sec.</u> | <u>Twp.</u> | <u>Rge.</u> | <u>Gov't
Lot</u> | <u>Rediv.</u> |
|--------------------------|--------------|-------------|-------------|-------------|----------------------|---------------|
| 6. A. Point of Diversion | <u>SW SW</u> | <u>11</u> | <u>3 N</u> | <u>2 E</u> | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

9579

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

I / ~~cooling for~~ air conditioning

12. Other Rights for Same Use:

13. A. Proof Due Date: 6-1-1980

B. Date Permit Approved or Denied: 6-11-1975

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: 01

14. Diversion Means (brief narrative):



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

June 4, 1980

Emkay Development Co., Inc.
400 Broadway Ave., P.O. Box 7808
Boise, ID 83729

RE: Permit 63-8109

Dear Gentlemen:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

CONTRACTORS
ENGINEERS
DEVELOPERS



MORRISON-KNUDSEN COMPANY, INC.

EXECUTIVE OFFICE
ONE MORRISON-KNUDSEN PLAZA / P.O. BOX 7808 / BOISE, IDAHO 83729 / U.S.A.
TELEX: 368439
PHONE: (208) 345-5000

RECEIVED

MAY 16 1980

Department of Water Resources

May 14, 1980

State of Idaho
Department of Water Resources
State House
Boise, ID 83720

ATTN: Ms. Rita Fleck
Senior Secretary

SUBJECT: Water Permit No. 63-8109

We have enclosed your postcard as a submittal of the required proof of beneficial use.

Please advise if there is any other information that you may require.

Yours truly,

I. V. Victory
Real Estate Manager

IVV:jmp

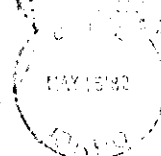
Enclosure

ENCLOSURE



MORRISON-KNUDSEN COMPANY, INC.

ONE MORRISON-KNUDSEN PLAZA
P.O. BOX 7808
BOISE, IDAHO 83729



State of Idaho
Department of Water Resources
State House
Boise, ID 83720

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit
holder(s) has completed development to the extent shown below of Permit No. 63-8109

Name(s) of Permit Holder: Enkay Development Co., Inc.

Post Office Address: 400 Broadway Avenue, P.O. Box 7808
Boise, ID 83729

Tel. No. 208/345-5000

Source of Water: Ground Water

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☒ Other 1.34 CFS industrial cooling for air
conditioner

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which development has been developed.

Morrisson-Jensen Co., Inc.
I. V. Victory

May 14, 1980

Date

I. V. Victory
Signature of Permit Holder
Real Estate Manager

PLACE
TEN CENT
STAMP
HERE



RECEIVED

MAY 16 1980

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

EMKAY DEVELOPMENT CO. INC.
400 BROADWAY AVE.
BOISE, ID 83702

1041916

MARCH 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8109 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED
MAY 1 1980



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 25, 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office
Rt. #5, Box 203 Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

Western Region Office
92 S. Cole Road
Boise, Idaho 83705

RECEIVED
SEP 28 1979
WATER RESOURCES

June 11, 1975

Re: Permit No. 63-8109

Emkay Development Company, Inc.
400 Broadway Avenue
Boise, ID 83702

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8109 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

FILED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8109

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 4-9-75

In form to receipt

(2) NA

Send Copies to:

Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management

(3) NA

Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant

(4) R.W.H. 4-9-75

In form for advertising

(5) NA

Platted on Map No. NA

(6) NA

Located within Water District No. NA

(7) NA 5-5-75

Critical groundwater area: yes NA no ☒

(8) NA 5-5-75

Groundwater levels:

NA Declining, ☒ Stable, NA Increasing

(comment) NA

(9) NA

Other rights on the same place of use

(10) NA

Comments: NA

(11) NA 5-5-75

Affidavit of Publication received(date) 4-29-75

(12) NA 5-5-75

Final date for protests May 5, 1975
Protests received: yes NA no ☒

(13) NA

All requested information received from agencies or applicant: yes NA no NA

(14) NA

Action recommended:

☒ Approve NA Deny

NA Proposed Priority

NA Reason for Reduction

☒ Measuring device required

NA See attached sheet for other conditions of approval

NA No special conditions for approval

(15) District Western

By W. H. Clayton Date 6-10-75

RECEIVED

JUN 10 1975

Department of Water Resources

MICROFILMED

May 5, 1975

Smith & Monroe Engineers
1707 Linda Vista Lane
Boise, ID

Re: Permit No. 63-8109

Gentlemen:

On April 7, 1975, permit no. 63-8109 was filed with this department in the name of EMKAY Development Co. Inc. Mr. Gordon B. Smith signed this permit form for EMKAY Development Co. Inc. Before final approval of this permit it is necessary that we receive a copy of power of attorney, authorizing Mr. Smith to sign for EMKAY Development Co. Inc.

Sincerely,



M. Clayne Barron
W.R. Technician II

MCB:jg

RECEIVED
MAY 10 1975



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

April 11, 1975

The Idaho Statesman
Box 2640
Boise, ID 83701

Re: Claim to a Water Right No. 63-4299 - Idaho Land Developers, Inc.
App for Permit 63-8109 - Ekay Development Company, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

Sincerely,

(Signature of Claimant)

Bill Submitted
4-29-75
JG - OK

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~EMKAY DEVELOPMENT COMPANY, INC.~~
~~400 Broadway Avenue, Boise, ID~~
has on ~~April 7, 1975~~ submitted Application No. ~~63-8109~~
for a permit to appropriate ~~1.34~~ cubic feet per second ~~XXXXXXX~~ acre feet
~~XXXXXXX~~ per annum of water from ~~groundwater~~
by means of ~~well with pump~~
within the ~~SW1/4, Sec. 11, T. 3 N, R. 2 E, B.M. Ada~~

to be used from ~~Jan. 1 to Dec. 31~~
for ~~Industrial~~

within the ~~SW1/4, Sec. 11 T. 3 N, R. 2 E, B.M.~~

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
~~May 5, 1975~~.

R. KEITH HIGGINSON

Director

Published in the ~~The Idaho Statesman, Boise~~
on ~~April 17, 1975~~ and ~~April 24, 1975~~.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

April 8, 1975

Smith & Monroe Engineers, Inc.
1707 Linda Vista Lane
Boise, ID 83704

Gentlemen:

Enclosed is your Receipt No. 482 in the amount of \$ 35.00 for
1 application for permit (Emkay app.) which was received in this office
on April 7, 1975.

Sincerely,

JANE GRIDLEY
Stenographer

JG:jg

Enclosure

RECORDED