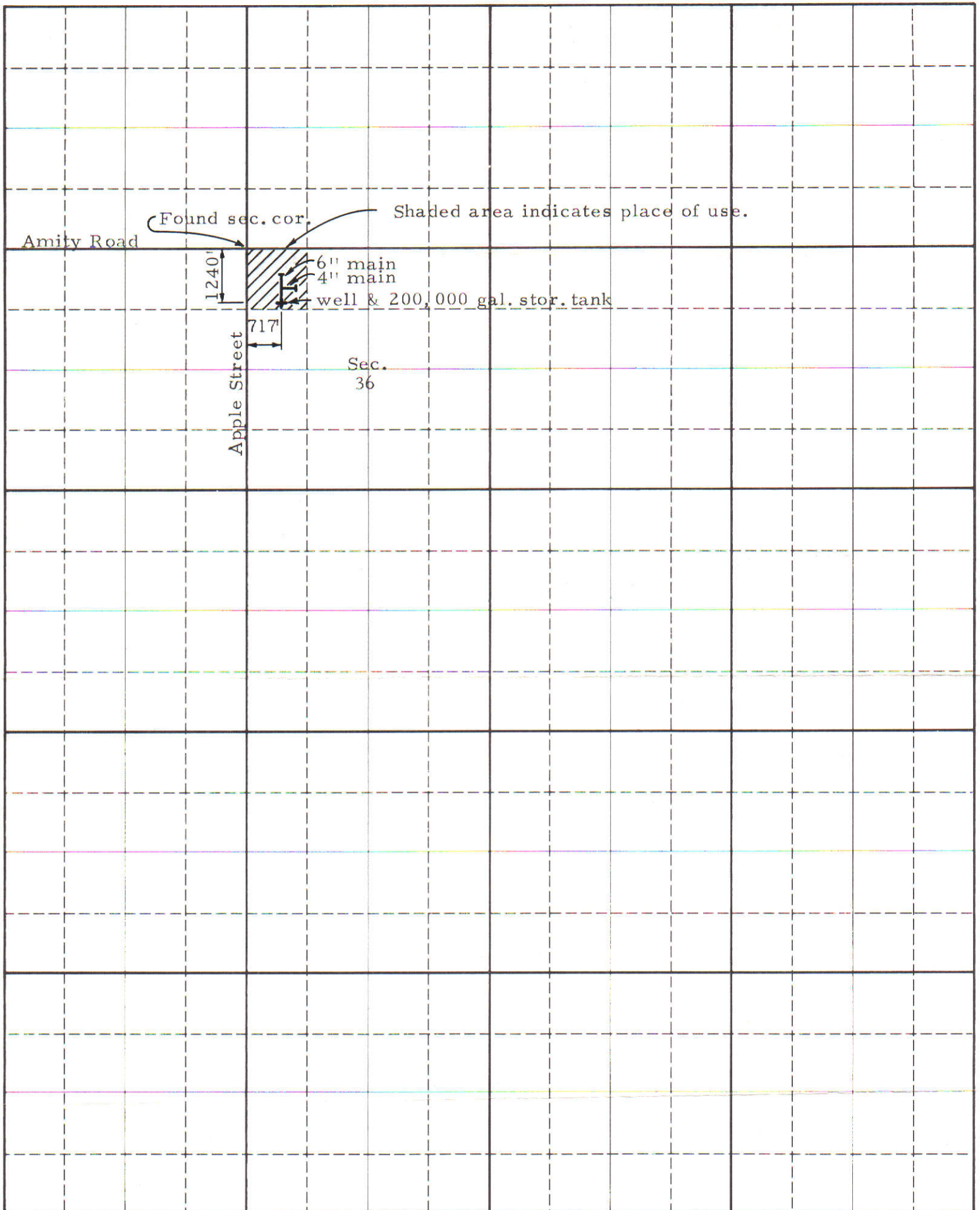


11. Map of proposed project:

T. 3 N.; R. 2 E.; B.M.



Scale: 2 inches equal 1 mile

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

BROADWAY HOLDING COMPANY

By *E. W. Glass*
(Applicant)

VICE PRESIDENT

63-7199

RECEIVED

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion 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 Daily Statesman for

Two ^{weekly} consecutive insertions, beginning with the
issue of May 8, 1969, and ending with the
issue of May 15, 1969.

Georgene Davis

Subscribed and sworn to before me this 16th day of

May, 1969.

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

NOTICE OF CORRECTION
Notice is hereby given that Appli-
cation for Permit No. 63-7199 in the
name of Broadway Holding Com-
pany was advertised incorrectly.
The point of diversion was given as
NW 1/4 NW 1/4, Sec. 36, T. 3 N, R. 2 E,
B.M., Ada County; whereas, the ac-
tual point of diversion is located in
the NW 1/4 NW 1/4, Sec. 36, T. 3 N, R. 2
E, B.M.
Any protests against this appli-
cation must be filed with the De-
partment of Reclamation within ten
(10) days from the last date of pub-
lication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Pub. May 8, 15, 1969.

63-7199

RECEIVED

MAR 24 1969

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion 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 Daily Statesman for

Two weekly consecutive insertions, beginning with the

issue of March 13, 1969, and ending with the

issue of March 20, 1969.

Georgene Davis

Subscribed and sworn to before me this 20th day of

March, 1969.

Jana A. Young

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Broad-
way Holding Company, 319 Broad-
way Avenue, Boise, Idaho has on
February 21, 1969 applied for permit
to divert 2.23 cubic feet per second
of water from a groundwater source
under application No. 63-7199. Water
will be diverted by well, pump, res-
ervoir and pipe within the
NW 1/4 NW 1/4, Sec. 36 T. 3 N. R. 3 E.
B.M., Ada County and is to be used
from January 1 to December 31 for
industrial purposes in NW 1/4 NW 1/4,
Sec. 36, T. 3 N. R. 2 E. B.M.

Any protest against this appli-
cation must be filed with the De-
partment of Reclamation within ten
days from the last date of publica-
tion of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. March 13 and 20, 1969.

63-7199

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7199 Priority Feb. 21, 1969 Amount 1.09 cfs

THIS IS TO CERTIFY, that Emkay Development Company, Inc.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7199 issued pursuant to Application for Permit dated February 21, 1969,
and has submitted proof to the Department of Water Resources on November 26, 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 1.09 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
<u>Industrial</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>1.09</u> cfs and	<u>20</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 1.09 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
20 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36,
Twp. 3 N, Rge. 2 E, B.M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	2 E	36		X															

Total number of acres irrigated _____

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 1 day of
July, 19 75.

Director

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

X, Broadway Holding Company, hereby assigns to Emkay Development Company, Inc.
of 400 Broadway Avenue, Boise, Idaho,
Address

CHECK ONE

☒ All ~~its~~ right, title, and interest, in and to Permit No. 63-7199
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 3N, Rge. 2E, B.M. Ada County, State of Idaho.

Made this 25th day of November, 19 74.

BROADWAY HOLDING COMPANY

Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 25th day of November, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that ~~XX~~ (~~XXX~~) (they) executed the same.

Deloris W. Bryson
Notary Public residing at
Boise, Idaho

My commission expires: 4-24-78

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF REINSTATING AND EXTENDING)
THE PROOF DUE DATE FOR PERMIT NO. 63-7199)
IN THE NAME OF BROADWAY HOLDING COMPANY)

ORDER

WHEREAS, on February 21, 1969, the Broadway Holding Company applied to the Department of Water Administration for a permit to appropriate 2.23 cubic feet per second of groundwater within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 3N, Rge. 2E, B.M., Ada County, to be used for industrial purposes; and,

WHEREAS, on June 16, 1969, the Department approved said application and issued Permit No. 63-7199 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1974; and,

WHEREAS, on April 1, 1974, the Department notified the permit holders by certified mail that proof of beneficial use was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on June 6, 1974, the Department notified the permit holders that Permit No. 63-7199 had lapsed for failure to submit the required proof of beneficial use; and,

WHEREAS, on June 17, 1974, the Department received a request for reinstatement and extension of the proof due date for said permit; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

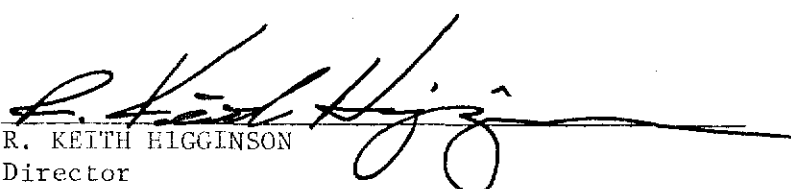
WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated; and,

WHEREAS, it appears that under the circumstances the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-7199 be REINSTATED and the priority advanced to March 9, 1969;

IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use under Permit No. 63-7199 be extended to December 1, 1974.

Dated this 18 day of June, 1974.


R. KEITH HIGGINSON
Director

Identification No. 63-7199

Application No. _____

ASSIGNED TO: EMKAY DEVELOPMENT COMPANY, INC. **STATE OF IDAHO**
11/26/74 400 Broadway Avenue
Boise, ID

DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

INSE ISSUED FOR 1.07 SEC. FT. To Appropriate the Public Waters of the State of Idaho
INSE PAGE NO. _____ (TYPE OR PRINT IN INK)

1. Name of applicant Broadway Holding Company
post office address 319 Broadway Avenue, Boise, Idaho
2. Source of water supply -- Well which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 3 N.
Range 2 E. B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into seepage septic tank & pit at a point in NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 36 Township 3 N. Range 2 E. B.M. Ada County
4. Water will be used for the following purposes:
Amount 2.23^{cfs} for industrial purpose from 1 January to 31 Dec. (both dates inclusive)
(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. 2.23 cubic feet per second and/or
b. -- acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
1- 12" x 401' deep well w/ 1000 gpm deep well turbine.
1- 200,000 gallon reservoir, 1- 1000 gpm booster pump, 1 -80 gpm booster
pump, 6" & 4" distribution mains.
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 401 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 \$ 67,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 3 N
Range 2 E. 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: water for shops and warehouses for
Morrison-Knudsen Co., Inc. and for other proposed commercial and
industrial developments.

63-7199

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated None.

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

9. a. Who owns the property at the point of diversion Broadway Holding Company

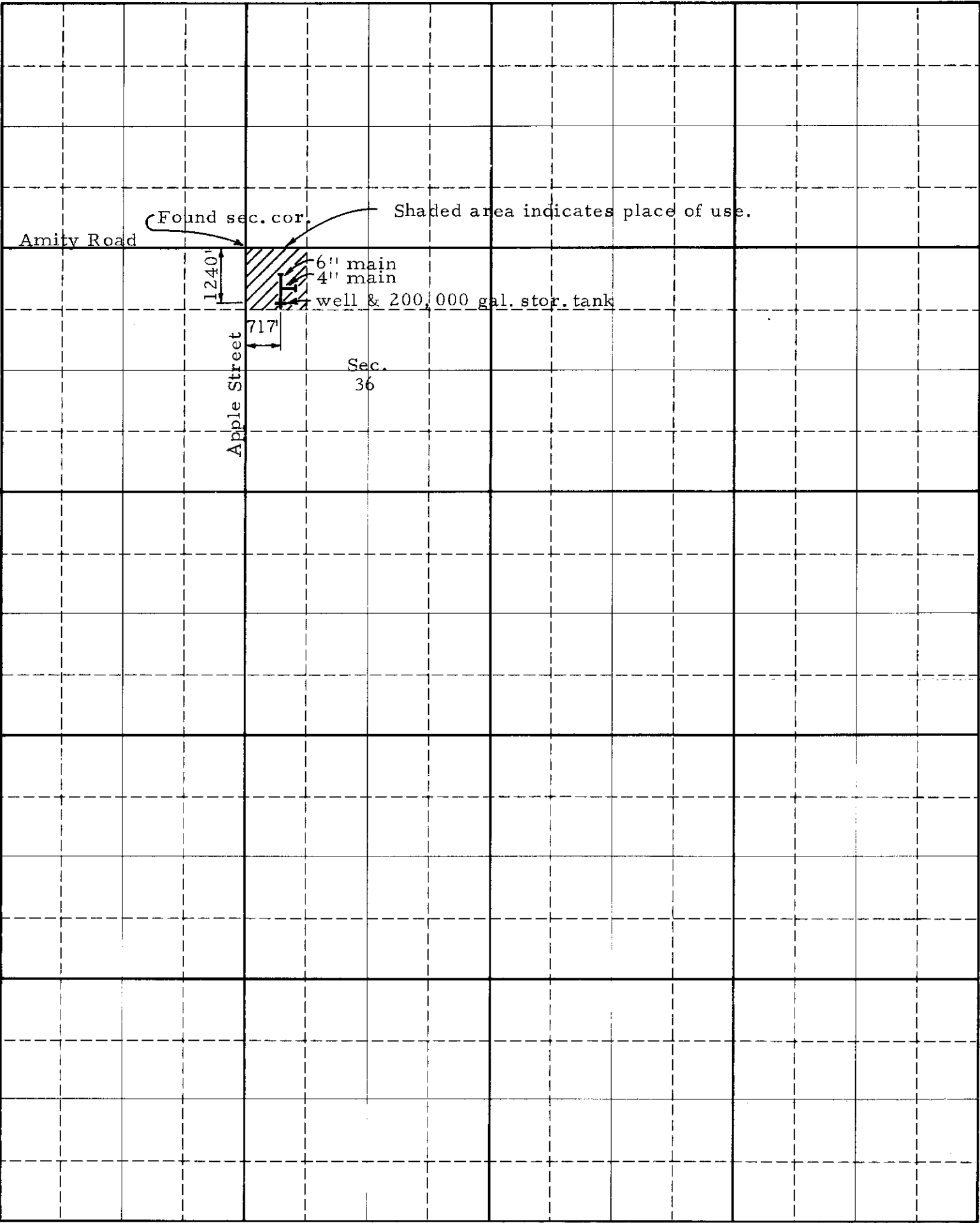
b. Who owns the land to be irrigated or place of use Broadway Holding Company

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The well has been drilled and test pumped at 1000 gpm by B & M Equipment Co. and a "Report of Well Driller" submitted to the State Reclamation Engineer. It is anticipated that initial water use will be 440,000 cubic feet per year, with a maximum rate of pumping from the well of 300 to 500 gallons per minute. The application anticipates possible expansion to 880,000 cubic feet per year and maximum rate of pumping from the well of 1000 gallons per minute within the next 5 years.

11. Map of proposed project:

T. 3 N.; R. 2 E.; B. M.



Scale: 2 inches equal 1 mile

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

BROADWAY HOLDING COMPANY
By *K. W. Glass* VICE PRESIDENT
(Applicant)

63-1191

Received by dy Date 2-21-69 Time 8:00 am

Preliminary check by OWH Fee \$ 30.00 2-21-69

Receipted by ef Date 2-21-69

Publication prepared by WJ Date 3-13-69 (14)

Published in Idaho Daily Star

Publication dates 3-13-20-69

Publication approved WJ Date No L

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by OSTA R.N.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7199, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 74.
- Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 16th day of June, 19 69.

R. Keith Higgins
State Reclamation Engineer

DETACH THIS STUB BEFORE DEPOSITING ABOVE CHECK.

NO RECEIPT NECESSARY.

Application for water right Shop & Warehouse site \$30.00

BROADWAY HOLDING COMPANY

P.O. BOX 7808

BOISE, IDAHO 83707

Nº 1474

THE STATESMAN NEWSPAPER

BOISE, IDAHO

FOR LEGAL ADVERTISING

IDAHO DEPT. OF RECLAMATION
 Statehouse - Annex 2
 Boise, Idaho 83707

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
MAY 15 69	WATER APPL 63 7199 Broadway Holding Co.	18L 2x		~~18L 2x~~ NO CHARGE			~~18L 2x~~
MAY 22 60	WATER APPL 63 7206 Ebbe			NO CHARGE --			

... if not paid by the 10th of the month following, it shall be
 considered as a delinquent account and the balance thereof shall be
 rendered as charged.

PRINTED AND PUBLISHED BY
 J. A. Young

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
 THIS COLUMN
 IS BALANCE
 DUE

63-7199

RECORDED

May 15, 1969

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion 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 Daily Statesman for

Two ^{weekly} consecutive insertions, beginning with the
issue of May 8, 1969, and ending with the
issue of May 15, 1969.

Georgene Davis

Subscribed and sworn to before me this 16th day of

May, 1969.

Lorna A. Gaunt

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CORRECTION
Notice is hereby given that appli-
cation is hereby given to the
Commissioner of the State of Idaho
for the purpose of correcting the
record of the State of Idaho
whereas the ac-
tion is located in
the State of Idaho
proceedings against the appli-
cant, the State of Idaho
has been in the State of Idaho
for the last date of pub-
lication of this notice.
W. J. GIGGINS
State Registration Engineer
Pub. May 8, 15, 1969.

63-7199

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis

, being duly sworn,
deposes and says: That she is the Principal Clerk of The Idaho
Daily Statesman, a daily newspaper printed and published at
Boise, Ada County, State of Idaho, and having a general circula-
tion 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 Daily Statesman for

Two weekly
consecutive insertions, beginning with the

issue of March 13, 1969, and ending with the

issue of March 20, 1969.

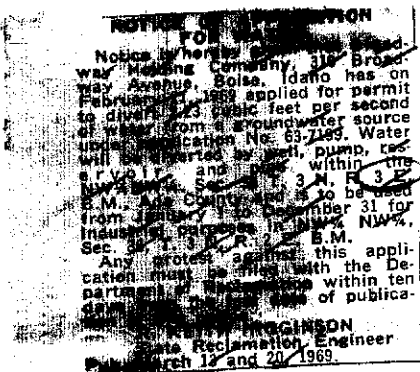
Georgene Davis

Subscribed and sworn to before me this 20th day of

March, 1969.

Jana A. Gausling

Notary Public for Idaho, Residing at Boise, Idaho



63-7199

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE STATESMAN NEWS PAPERS
BOISE, IDAHO

FOR LEGAL ADVERTISING

. Idaho Dept. of Reclamation
. Statehouse - Annex 2
. Boise, Idaho 83707

100-443681-10

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
MAR 20 69	WATER APPL 63 7199 Broadway Holding	23L 2x		5.75			5.75
<i>Sa Young</i>							

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

THE STATESMAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

. Idaho Dept. of Reclamation
. Statehouse - Annex 2
. Boise, Idaho 83707
.

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
MAR 20 69	WATER APPL 63 7199 Broadway Holding	23L 2x		5.75			5.75
				To the advertiser's account to contact and to the advertiser's account to contact and and that we have not received payment therefor. Signed STATESMAN PRINTING CO. By 			

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

July 1, 1975

Re: Permit No. 63-7199

C
O
P
Y
Emkdy Development Co., Inc.
400 Broadway Avenue
Boise, ID 83706

Gentlemen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

June 16, 1975

Emkay Development Company, Inc.
Attn: C.L. Winder
Box 7808
Boise, Idaho 83729

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 63-7199 and has found the following:

Quantity of water diverted: 1.09 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 1.09 cfs

The maximum quantity diverted shall not exceed 20 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 3 N, Rge. 2 E, B.M.

Beneficial use: Industrial purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 3 N, Rge. 2 E, B.M.

Priority date established: Feb. 21, 1969

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

measuring device incorrectly installed 4/1/78

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

DEC 10 1974

1. Name of permit holder Emkay Development Company, Inc.
Post office address 400 Broadway Ave., Boise, ID Phone _____
Person to contact Chuck Winder Phone 345 5000

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

3. Water will be used for the following purposes:

Amount 2.23 c.f.s. for industrial
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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.23 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 2E E/W, B.M., Section 36, Subdivision NW 1/4 NW 1/4, Ada
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County _____

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

Other Points of Diversions: _____

Description of diverting works: 1-12"x401' deep well w/1000 gpm deep well turbine, 1-200,000 gallon reservoir; 1-1000 gpm booster pump, 1-80 gpm booster pump; 6" & 4" distribution mains.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

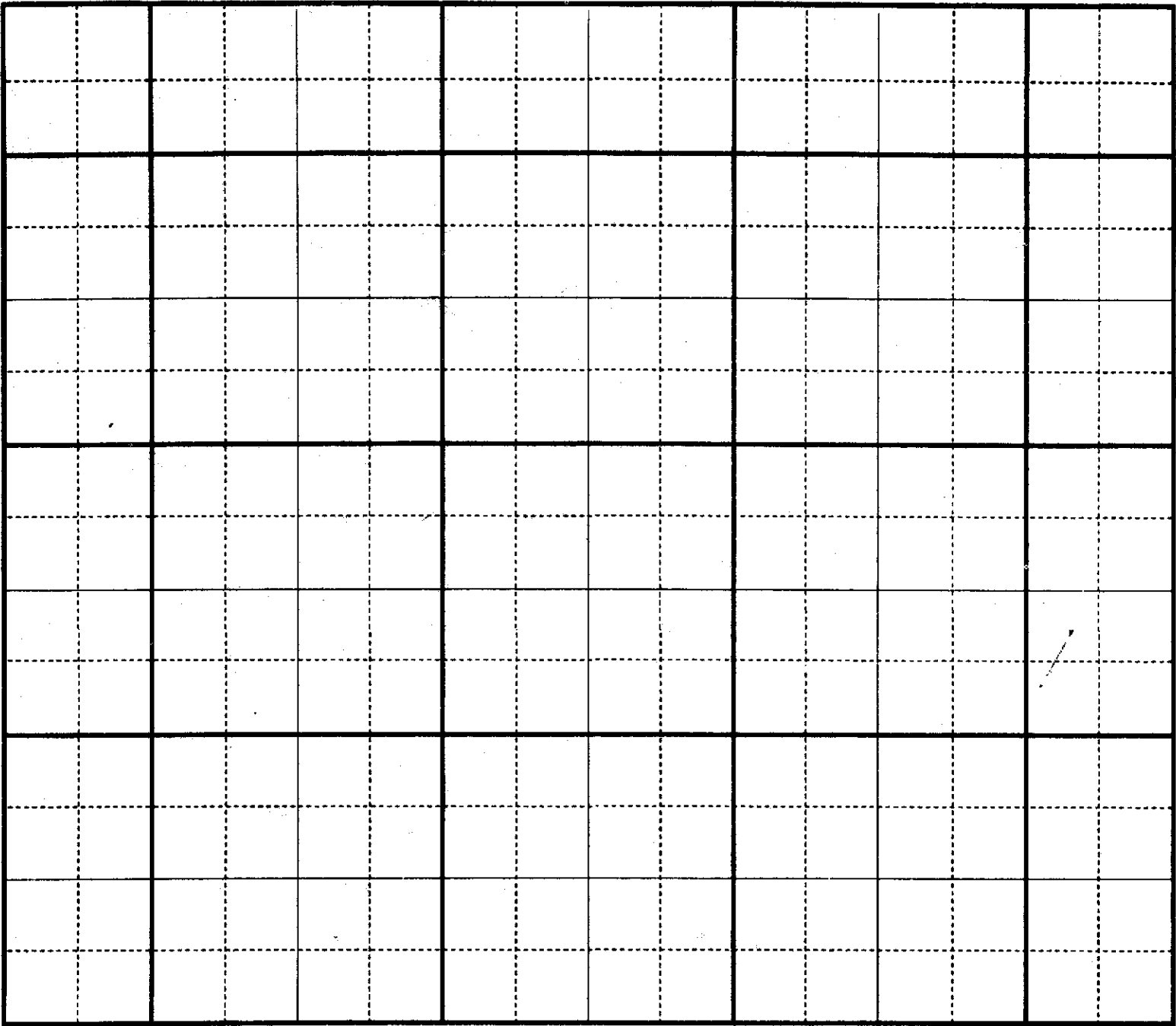


Diagram of System

acres feet?

400 employees = 7.00 af
sanitation = 2.25 af
fire protection = N/A

Boilers

Total 20 ac.ft. ~~14~~

$\frac{850,000 \text{ ft}^3}{43,560 \text{ acre}} = 20 \text{ ac.ft.}$ see application remarks

DATE OF EXAM 4-22-75

ACREAGE

Found _____
Recommended NA

Irrigation Requirement _____ Ac Ft/Ac

USE Industrial
~~Irrigation~~ Q= 1.09 c.f.s. V= open AF/Ann. from Jan 1 to Dec 31
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
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 1.09 cfs. Method of measurement Rockwell flowmeter
→ discharge rate from well into Res.

Total Q recommended 1.09 cfs Meter No. 11354 Type 6" inline Condition _____

Total V recommended Open (because of fire protection)

Recommended Amendments:

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

MEASUREMENT CALCULATION:

491 gpm = 1.09 cfs.

SYSTEM DESCRIPTION: M.K.'s Diesel Rebuilding Plant System.

12" x 401' well w/ (1000 gpm) Submersible pump, 200,000 gal conc. storage reservoir,
20 HP booster pump (Ser# VN-29116), 30 HP booster pump (Ser# 2-10V936-M). both
pumps discharge into 6" & 4" mainline averaging from 50 to 75 psi.
pipelines run throughout plant for various uses described below.

REMARKS:

uses: Domestic for 400 employees; lawn irrigation for small lawn
around office; boilers for steam cleaning; fire protection.

Examiner's Signature M. Clayton Brown Date 4-22-75

Checked by _____ Date _____

Approved by _____ Date _____

① 001473 10
001469 000

491.0 gpm

1.09 cfs

Domestic Pump 30 HP # 2-10V93C-M

220/440V
Pacific 4" intake - 3" disch.

Fire 20 HP # VN-29116
220/440V

Deming Pump. 2"

75 PSI w/in line max
Domestic = 50 PSI

Drinking & Toilet 400 employees

Small lawn around office

Line protect.

boilers, steam cleaning

December 10, 1974

Re: Permit No. 63-7199

EmKay Development Company, Inc.
P. O. Box 7808
Boise, ID 83729

ATTN: C. L. Winder, Project Coordinator

Dear Mr. Winder:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to the EmKay Development Company, Inc. The Assignment has been recorded and the Department's records changed accordingly. We also acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you when he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our Western District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. _____

Permit No. 63-7199

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

OK.
Jg

1. a) Name of Permit Holder Emkay Development Company, Inc. (assigned to Emkay by Broadway Holding Co.)
b) Post Office Address P. O. Box 7808 Boise, Idaho 83729
2. Permit Number 63-7199
3. Date of Priority that you are prepared to establish February 21, 1969
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: N 0' 1/4 Sec 36
Township 3N, Range 2E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 2.23 cfs for industrial purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.23 cfs ~~XXXXX/XXXXX/XXXXX~~ per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Rockwell No. 405 irrigation saddle meter
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N.A.
b) Describe the agreement or understanding by which you take water from the works:
N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1- 12"x401' deep well with 1000 gpm deep well turbine;
1- 200,000 gallon reservoir; 1- 1000 gpm booster pump; 1- 80 gpm booster pump;
6" & 4" distributton mains
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Rockwell No. 405 irrigation saddle meter magnetic drive, with straight reading
gallon register, for 300 gpm. minimum and 1500 gpm maximum flow.
c) Give well driller's name and address and the date the well was completed: _____
B & M Equipment Co.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
water for shops and warehouses, and for railroad rebuild facility owned by
Morrison-Knudsen Co., Inc. and for other proposed commercial and industrial
development.

MICROFILMED

Exam typed 12/10/64 by Jg

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: The well has been drilled and test pumped at 1000 gpm by B & M Equipment Co. and a "Report of Well Driller" submitted to the State Reclamation Engineer. It is anticipated that initial water use will be 440,000 cubic feet per year, with a maximum rate of pumping from the well of 300 to 500 gallons per minute. The application anticipates possible expansion to 880,000 cubic feet per year and maximum rate of pumping from the well of 1000 gallons per minute within the next 5 years.

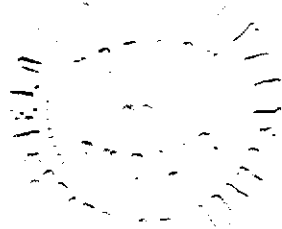
The above information is a true statement of the extent to which the above numbered permit has been developed.

Nov. 25, 1974
(Date)

[Signature]
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 25th day of November, 1974, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (they) executed the same.



Deloris W. Bryant
Notary Public residing at Boise, Idaho

My commission expires April 24, 1978



EMKAY DEVELOPMENT COMPANY, INC.

4101 MACARTHUR BOULEVARD • POST OFFICE BOX 2390 • NEWPORT BEACH, CALIFORNIA 92663

November 26, 1974

PLEASE REPLY TO
BOX 7808, BOISE, IDAHO 83729
(208) 345-5000

Ms. D. Darlene Reich
Water Rights Supervisor
State of Idaho
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Re: Permit No. 63-7199

Dear Ms. Reich:

Enclosed are the following:

1. The Assignment of Permit form dated November 25, 1974, assigning the interest of Broadway Holding Company to Emkay Development Company, Inc. For your information this was a name change and consolidation of our real estate holdings into one corporate entity called Emkay Development Company, Inc.
2. The Proof of Application of Water to Beneficial Use dated November 25, 1974.

Please note that the permanent metering device has been installed and is operative at this time.

If you desire any further information or have any questions regarding the enclosed assignment or proof of application of water to beneficial use, please contact me at your convenience.

Very truly yours,

A handwritten signature in cursive script, appearing to read "C. L. Winder".

C. L. Winder
Project Coordinator

CLW:sah

Enclosures

MICROFILMED

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **DELIVER ONLY TO ADDRESSEE** and
show to whom and date delivered..... 65¢
☐ **DELIVER ONLY TO ADDRESSEE** and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

Warrisen-Knudsen Company, Inc.

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

26092

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

4.

DATE OF DELIVERY

OCT 1 1974

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

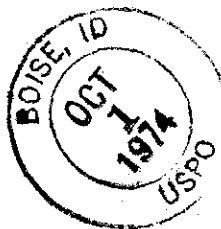
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



September 30, 1974

CERTIFIED MAIL

#26092

Re: Permit No. 63-7199

Broadway Holding Company
Box 7898
Boise, ID 83707

Gentlemen:

One of the conditions of approval of your water Permit No. 63-7199 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1974. Enclosed is an affidavit form which must 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 affidavit 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECORDED

INDEXED

June 19, 1974

Re: Permit No. 63-7199 - Broadway Holding Company

Chuck Winder
Morrison-Knudsen Company, Inc.
Box 7808
Boise, Idaho 83707

Dear Mr. Winder:

Enclosed is an Order which reinstates and extends the proof due date in connection with the above referenced permit. Please note that the priority has been advanced to March 9, 1969.

The time within which to submit proof of beneficial use of water has been extended to December 1, 1974.

Also enclosed is an assignment form which you may use to change the name on this permit from Broadway Holding Company to Morrison-Knudsen Company, Inc. Please complete this form and return it to our office if you wish to change the name.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enc: Order
Assignment form

MICROFILMED



RECEIVED

EMKAY DEVELOPMENT COMPANY, INC.

4101 MACARTHUR BOULEVARD • POST OFFICE BOX 2390 • NEWPORT BEACH, CALIFORNIA 92663

Department of Water Administration

ROBERT J. KOPKE
MARKETING MANAGER

June 17, 1974

PLEASE REPLY TO
BOX 7808, BOISE, IDAHO 83707
(208) 345-5000

Mr. Keith Higginson
State of Idaho
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Re: Permit No. 63-7199

Dear Mr. Higginson:

I am in receipt of your June 6, 1974, letter regarding the above captioned permit. As you may recall, we were in contact with your office on a number of occasions regarding permit No. 63-7170 and were granted an extension for the completion of the installation of a metering device which has been completed, and your office notified of same; however, to the best of my knowledge and records, no application form was ever received for permit No. 63-7199. We therefore request that an extension of time be granted by your office to clear up the matter and for filing of a proper application as provided for in the Idaho Code.

I will be contacting you immediately regarding this matter.

Very truly yours,

C. L. Winder
Project Coordinator

CLW:sah

C
June 17, 1974

Chuck Winder
Morrison-Knudson Co., Inc.
P. O. Box 7808
Boise, Idaho 83729

Dear Mr. Winder:

I have enclosed a copy of your lapsed permit no. 63-7199.

P
Please submit your request for re-instatement of this permit as soon as possible.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF: def

Enclosures

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 6, 1974

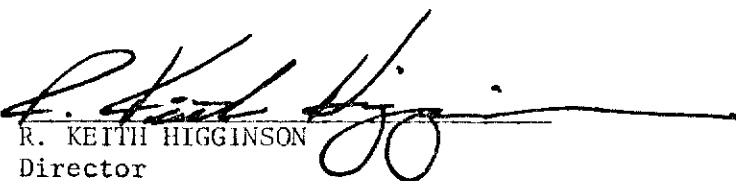
Re: Permit No. 63-7199

Broadway Holding Company
319 Broadway Ave.
Boise, Idaho

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 63-7199 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

63-7199

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

①

MORRISON-KATZMAN COMPANY, INC.

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

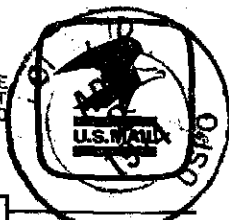
APR 2 1974

③

63-7199

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707.**

PS Form 3811
June 1973

63-7199

April 1, 1974

CERTIFIED MAIL

#25276

Re: Permit No. 63-7199

Broadway Holding Company
319 Broadway Avenue
Boise, Idaho

Gentlemen:

One of the conditions of approval of your water Permit No. 63-7199 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1974. Enclosed is an affidavit form which must 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 affidavit 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

63 7199

April 24, 1969

Re: Application for Permit No. 63-7199-correction notice- Broadway
Holding Company

Idaho Daily Statesman
300 North 6th
Boise, Idaho

Gentlemen:

Enclosed please find a legal notice which we request that you publish at your expense. We have enclosed a copy of the affidavit of publication which we received from your office and a copy of the notice which we previously forwarded to you. If the error is indeed in your publication, please publish the notice at your expense.

We wish to have the notice published for two consecutive weekly issues of your newspaper. We have inserted the dates of publication allowing ample time for you to submit a galley proof to us for review before publication. After sending us a galley proof, proceed with the publication on the dates we have inserted assuming that the notice is correct. If we have any corrections we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please submit an affidavit of publication to the Department after the notice has been published.

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:TG
Enc: Legal notice (1)

63-7199

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 63-7199 in the name of Broadway Holding Company was advertised incorrectly. The point of diversion was given as NW¹/₄NW¹/₄, Sec. 36, T. 3 N, R. 3 E, B. M., Ada County, whereas, the actual point of diversion is located in the NW¹/₄NW¹/₄, Sec. 36, T. 3 N, R. 2 E, B. M.,

Any protests against this application must be filed with the Department of Reclamation within then (10) dayssfrom the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Daily Statesman, Boise, Idaho on May 8, and May 15, 1969.

C
O
P
Y

14
63-7199

June 19, 1969

Re: Permit No. 63-7199

Broadway Holding Company
319 Broadway Avenue
Boise, Idaho

Dear Sirs:

We enclose a copy of your approved application for permit 63-7199
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 2711 for \$30.00
1 informational letter

63-7199

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 3, 1969

Re: Application no. 63-7198-Howard V. Johnston
Application no. 63-7199-Broadway Holding Company
Application no. 63-7200-Theodore L. Schlenker

Idaho Daily Statesman
Boise, Idaho

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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: legal notices (5)

63-7199

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Broadway Holding Company, 319 Broadway
Avenue, Boise, Idaho has on February 21, 1969
applied for permit to divert ~~acre~~ 2.23 cubic feet per second ~~acre/foot~~
of water from _____ a groundwater source
under application No. 63-7199. Water will be diverted by well, pump,
reservoir, and pipe within the NW1/4NW1/4, Sec. 36, T. 3 N,
R. 2 E, B. M. Ada County
and is to be used from January 1 to December 31 for industrial
purposes
in NW1/4NW1/4, Sec. 36, T. 3 N, R. 2 E, B. M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Daily Statesman, Boise, Idaho,
on March 13 and March 20, 1969

63-7199