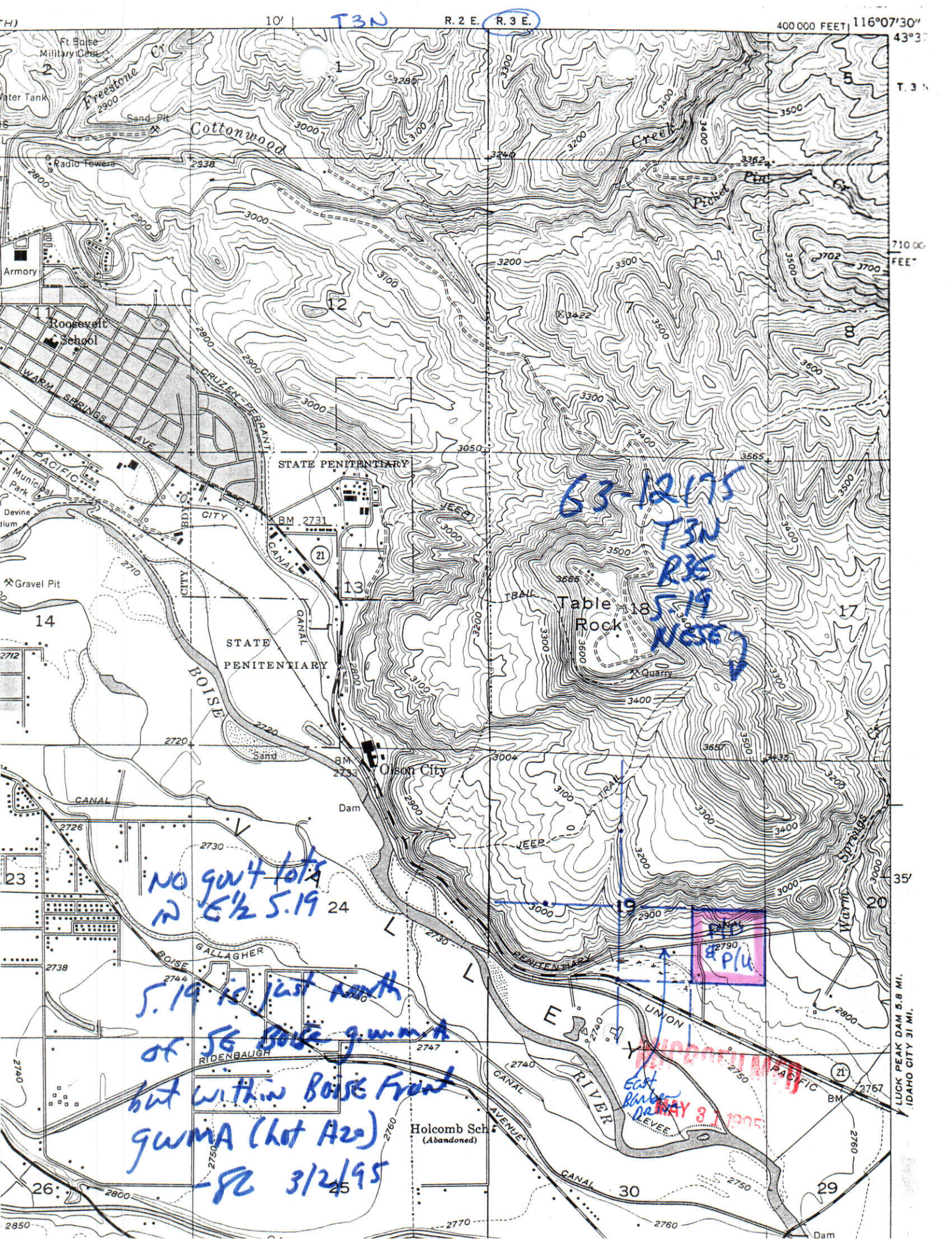




NO gwm4 lots
in E 1/2 5.19

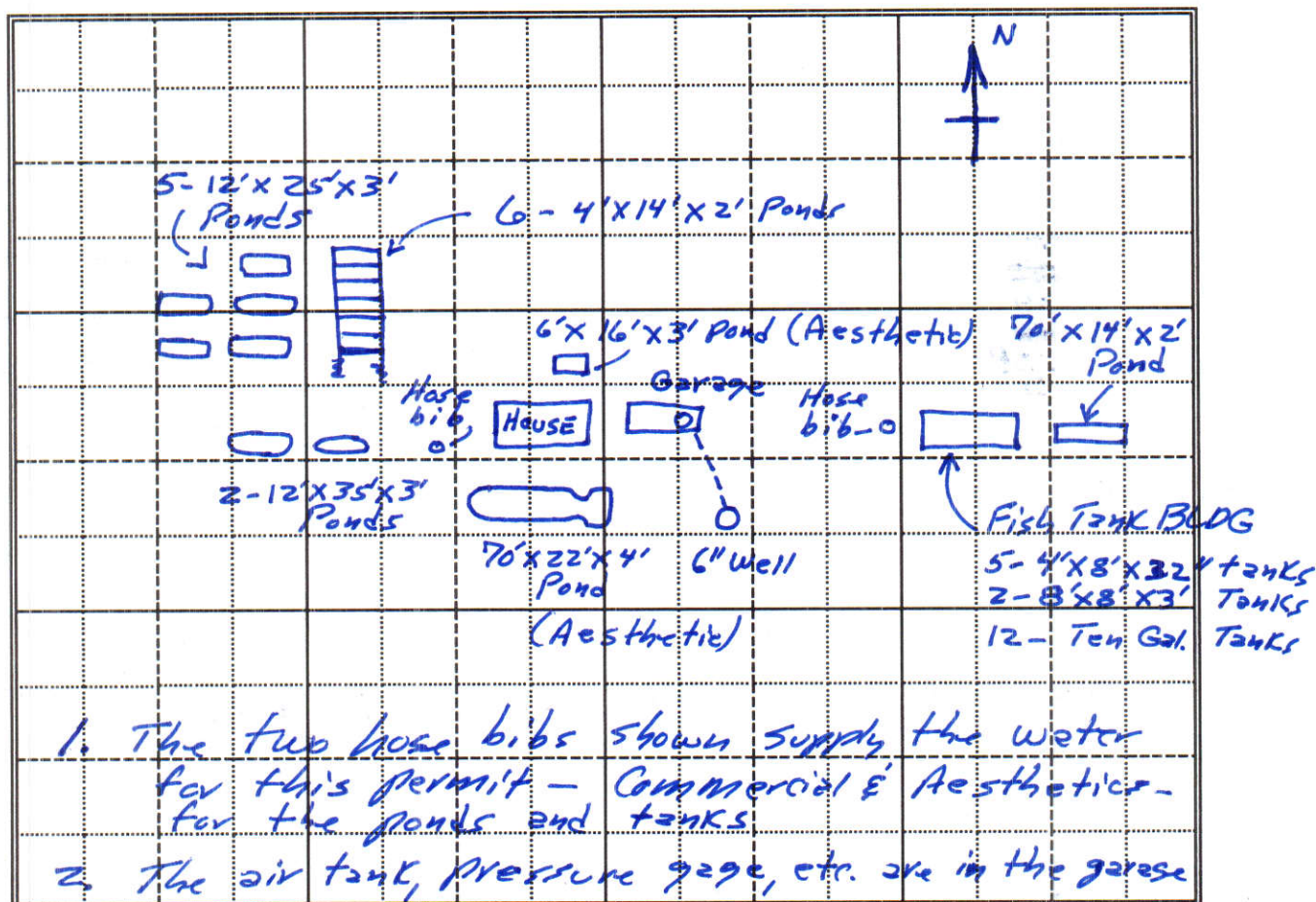
5.19 is just north
of SE Boise gwm4
but within Boise Front
gwm4 (hot A2)
-82 3/2/95

63-12175
T3N
R3E
5.19
NCS

R1B
& P/U

MAY 8 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
6" Well		5		Sta-Rite	2C P4 E 0 Z 5
			(Submersible)		

*Code to correspond with No. on map and aerial photo

Pump set at 48' static water level at 28' - is drawdown when pumping.

D. FLOW MEASUREMENTS

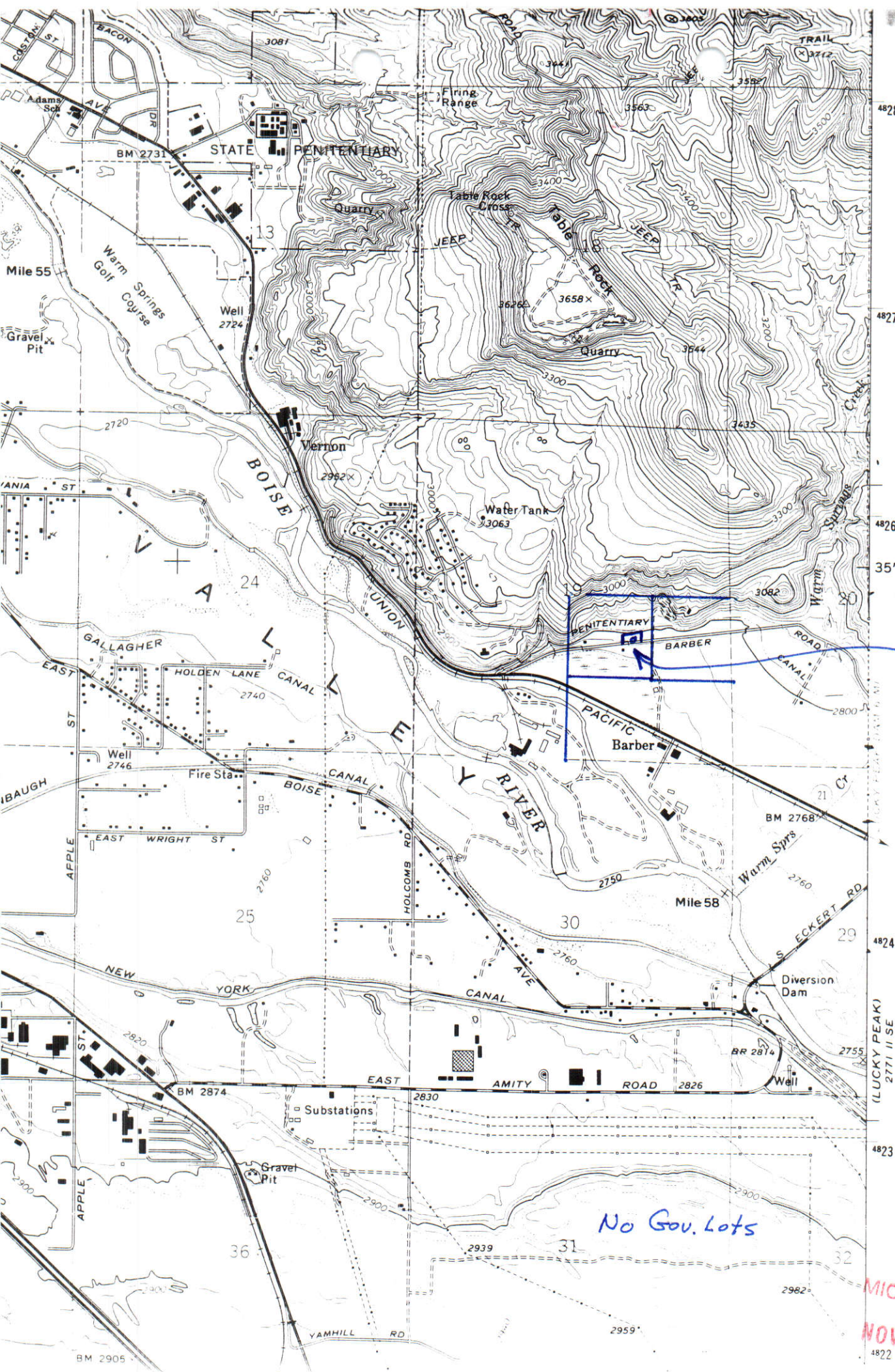
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None taken

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T3N
R3E
S19
NWSE

P/O
P/u

No Gov. Lots

63-12175

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8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☒ Yes ☐ No

If yes, what Type? Possible contamination from house septic

How far away from the well is this source? system and fish ponds / yard.
Well is within 50'-200' of possible sources.

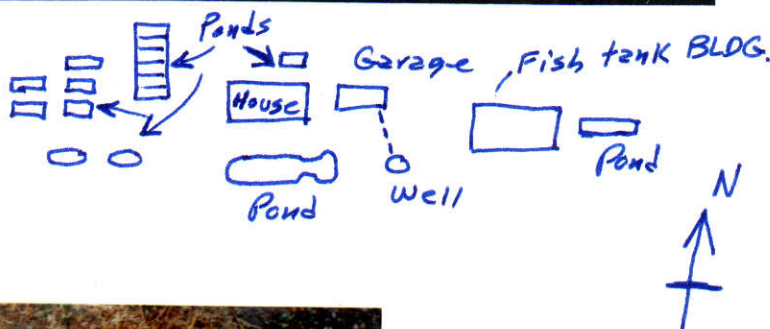
9. REMARKS:

The well is only 80' deep and could
be contaminated from the house septic system
and the nearby fish ponds and yard

Dan Zernich
Signature of Dept. Representative & Title

10-24-96
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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10-24-96

1 of 3



P/O

6" well
and valve
Box

View looking

South west



P/O

6" Well in
foreground.

P/u

Fish Tank
Building in
background.

View looking

North east

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63-12175

2 of 3

P/u

4'x8'x32"
tanks in
Fish Tank
Building



P/u

Ten Gal.
tanks
in Fish
Tank
Building



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63-12175

3 of 3

P/u

70'x 22'x 4'

Aesthetic
Pond.

View

Looking
East



P/u

one of the
two hose
bibs used
to fill the
Ponds.

6-4'x14'x2'
Ponds in
background.

View looking
Northwest



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63-12175

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12175

Priority: February 27, 1995

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that ANN MEDSKER
DAVID KIRK MEDSKER

3550 BARBER DR
BOISE ID 83712

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 27, 1995; and has submitted Proof of Beneficial Use on March 4, 1996. An examination indicates that the works have a diversion capacity of 0.230 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.1 AF
COMMERCIAL STORAGE	01/01 to 12/31		0.2 AF
AESTHETIC	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC STORAGE	01/01 to 12/31		0.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 19, Township 03N, Range 03E
ADA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03N 03E 19 NWSE

PLACE OF USE:

AESTHETIC, same as COMMERCIAL use

CONDITIONS OF APPROVAL AND REMARKS

1. The daily diversion volume for the commercial and aesthetic uses authorized under this right shall not exceed 2,500 gallons per day.
2. Aesthetic use is for ponds.
3. Commercial use is for exotic fish and aquatic plant sales.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30TH day of

OCTOBER, 1992.

Acting for KARL J. DREHER, Director

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NOV 09 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12175

Date of Priority: February 27, 1995 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

Comes now ANN MEDSKER
DAVID KIRK MEDSKER

3550 BARBER DR
BOISE ID 83712

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-12175, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.1 AF
COMMERCIAL STORAGE	01/01 to 12/31		0.2 AF
AESTHETIC	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC STORAGE	01/01 to 12/31		0.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 19, Township 03N, Range 03E
ADA County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
03N 03E 19 NWSE

PLACE OF USE:
AESTHETIC, same as COMMERCIAL use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, this 20 day of OCTOBER, 1998.

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NOV 09 1998


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12175

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Received by KS # C043736 Date 10/21/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-12175 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Aesthetic use is for ponds.
2. Commercial use is for exotic fish and aquatic plant sales.
3. The daily diversion volume for the commercial and aesthetic uses
authorized under this right shall not exceed 2,500 gallons per
day.

Witness my hand this 30TH day of OCTOBER, 1998.

Acting for 
KARL J. DREHER, Director

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MAR 04 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12175 Telephone No. 385 9944

2. Name(s) of Permit Holder(s): DAVID KIRK MEDSKER

3. Mailing Address: 3550 BARBER DR., BOISE, ID. 83712

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. JUNE / yr. 91

a. Well Driller: STEVENS & SONS Drilling Permit Number: _____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: X

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR .2 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>

8. Fee Enclosed: \$ NA (See Fee Schedule on back of the instructions for filling proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: _____ Telephone Number: _____

Address: _____

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: David Kirk Medsker Date: 3-4-96
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12175

Proposed Priority: February 27, 1995 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **ANN MEDSKER**
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.02 CFS	
COMMERCIAL STORAGE	01/01 to 12/31		0.2 AF
AESTHETIC	01/01 to 12/31	0.02 CFS	
AESTHETIC STORAGE	01/01 to 12/31		0.2 AF
AESTHETIC FROM STORAGE	01/01 to 12/31		0.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 19, Township 03N, Range 03E
ADA County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
03N 03E 19 NESE

PLACE OF USE: AESTHETIC, same as COMMERCIAL use

PLACE OF USE: AESTHETIC FROM STORAGE, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1996.
2. Subject to all prior water rights.
3. Aesthetic use is for ponds.
4. Commercial use is for exotic fish and aquatic plant sales.
5. The daily diversion volume for aesthetic and commercial uses authorized under this right shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

15th day of May, 1995.

[Signature]
for R. Keith Higginson, Director

APPROVED
MAY 31 1995

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APR 21 1995

Ident. No. 63-12175

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DAVID KIRK MEDSKER 208-385-9944
Address: 3550 BARBER DR
BOISE ID 83712

AND/OR

Name: ANN MEDSKER 208-385-9944
Address: 3550 BARBER DR
BOISE ID 83712

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NESE Sec. 19, Township 03N, Range 03E
ADA County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
COMMERCIAL	01/01	12/31	0.020		
COMMERCIAL STORAGE	01/01	12/31			0.20
AESTHETIC	01/01	12/31	0.020		
AESTHETIC STORAGE	01/01	12/31			0.20
AESTHETIC FROM STORAGE	01/01	12/31			0.20
DIVERSION TO STORAGE	01/01	12/31	0.020		

5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
EXISTING WELL, PUMP & PIPELINE TO PONDS & TANKS, RECYCLE POND H2O
- Height of storage dam ∞ /A feet; active reservoir capacity 0.20
acre-feet; total reservoir capacity 0.20 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- Proposed well diameter is 6 inches; proposed depth of well is 80
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when? 06/11/1990
Drilling Firm STEVENS & SONS
Well was drilled for MEDSKER

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is ~~12~~ ¹² month(s).

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8. Place of Use: COMMERCIAL

TWN RGE SEC

03N 03E 19

NESE

Place of Use: AESTHETIC, same as COMMERCIAL use

Place of Use: AESTHETIC FROM STORAGE, same as COMMERCIAL use

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

APPLICANT

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

APPLICANT

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

10. Remarks:

Aesthetic use is for ponds.

Commercial use is for exotic fish and aquatic plant sales.

11. Map of proposed point of diversion and place of use attached? ll

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.

See original
Applicant

Received by C3 Date 2/27/95 Time 4:30 Preliminary check by fl

Fee \$ 50.00 Receipted by C3 #C032225 Date 2/27/1995

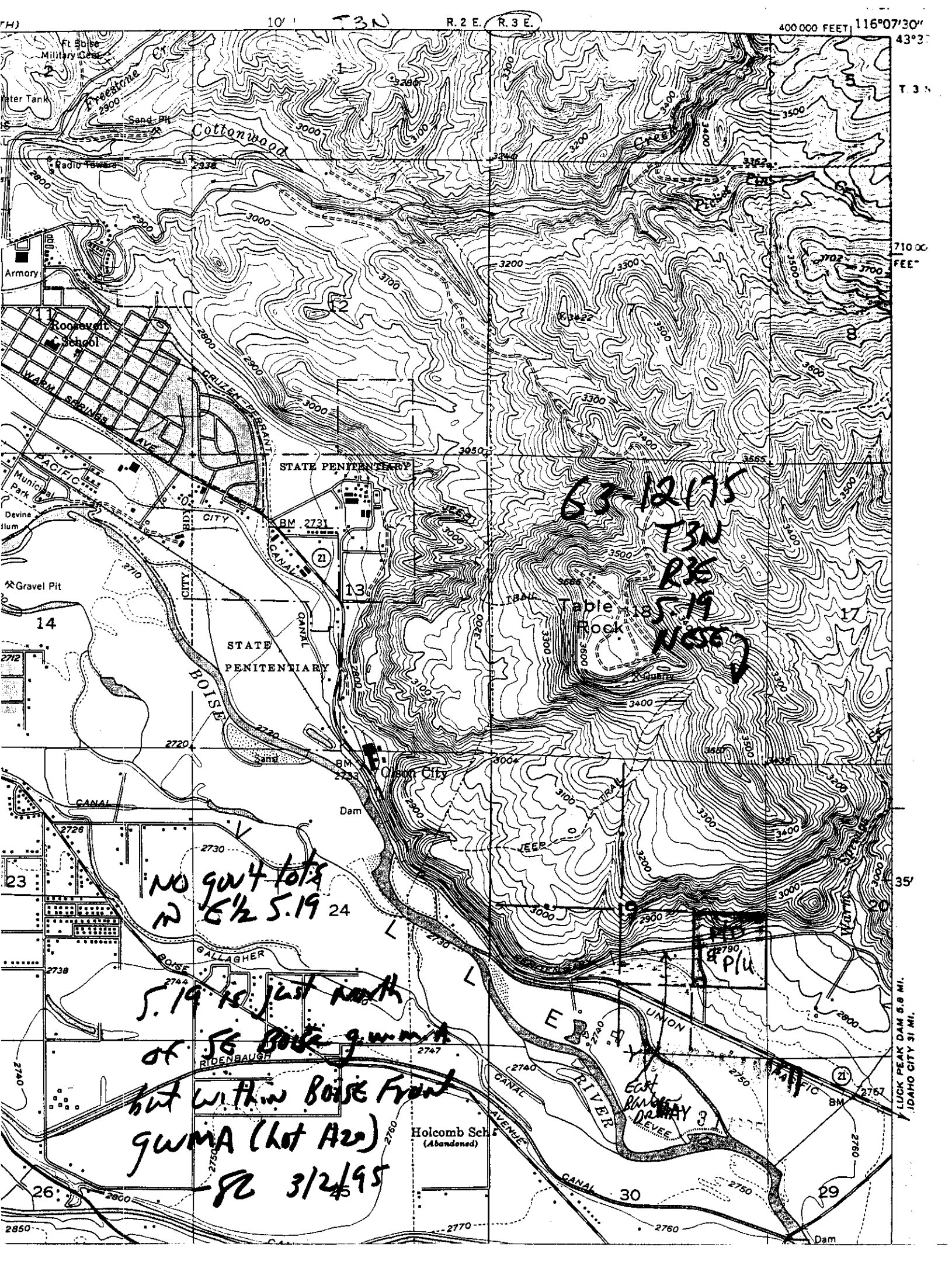
Publication prepared by st Date 3-8-95 Published in Id. Statesman

Publication approved st Date 4-6-95

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MAY 31 1995

See Comments



(H)

10'

T3N

R.2 E. R.3 E.

400,000 FEET 116°07'30"

43°2'

T3N

7100 FEET

63-12175
T3N
R2E
S19
N65E

NO GWN 4 lots
in E 1/2 S. 19 24

S. 19 is just north
of SE Boise gwn
but within Boise front
gwn (lot A2)
- R 3/2/95

LUCK PEAK DAM 5.8 MI.
IDAHO CITY 31 MI.

63-12175

Comments: Date: 2/ 27/ 1995 User-ID: CZIMMERM

Subject:

DIVERSION DESCRIPTION

Well with pump piped to 8 interconnected ponds of approximately 8'x 8'x 4' size each. Well also serves 12 ten gallon and four 8'x 8'x 2' tanks in store. Reservoir capacity is less than 0.2 AF. Ponds are filled once then topped off in summer; pond water is filtered and recycled ^{*} year round.

6" by 100' deep well was drilled in June 1991 by Wayne Stevens for applicant.

* assume = C3's Aesth. from storage
-82

Comments: Date: 3/ 2/ 1995 User-ID: SLESTER

Subject:

MORATORIUM EXEMPTION & LIMITATIONS

This right is exempted from the drought moratorium providing that the following 42-111B limits are honored:

- 1) Max. rate is .04 cfs and maximum daily use is 2500 gallons.
- 2) Storage ponds cannot exceed 1/2 acre in surface area.

It appears that these limits will be met according to the appl. information.

Diversion to storage was added per staff review to describe flow from well to ponds.

Although not in database, found hard copy of well log showing drilling permit 63-90-Z-121 for this well. Regional Office will

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63-12175

add the d.p. & log to d'base. No additional d.p. fee is needed per water right usage limits.

Note that this well is just north of the SE Boise GWMA but is in the Boise Front (geothermal) GWMA. Application states cold water & log does not indicate temperature. Shallow well appears ok.

However, also note pump test on log: 40 gpm, which significantly exceeds 18 gpm limit of application.

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MAY 21 1995

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

ces
63-12175

[illegible]

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Form 202
10/92

FEB 28 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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FEB 27 1995

Department of Water Resources

63-12175

To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID KIRK MEDSKER, AND ANA MEDSKER Phone 385-9944

Post office address 3550 BARBER DRIVE BOISE IDAHO 83712

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____

Sec. 19 Township 03N Range 03E B.M. Ada County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 for aesthetic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) aesthetic from storage

Amount .2 for aesthetic storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .2 for Commercial storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 8 interconnected ponds approximately 8'x15'x4' each. with 12 ten gallon tanks and 4 8'x8'x2' tanks in a store served by well. Use is less than 2500 gallons per day.

b. Height of storage dam _____ feet; active reservoir capacity .2 acre-feet; total reservoir capacity .2 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.

c. ~~Proposed~~ EXISTING well diameter is 6 inches; proposed depth of well is 100-80' feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 6/91; Drilling firm Wayne Stevens;

Well was drilled for (well owner) applicant

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 years (minimum 1 year).
MAY 31 1995

add Div. to storage per app with well to ponds

ORIGINAL

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Aesthetic use is for ponds.
Commercial use is for exotic fish and aquatic plant sales.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	03E	19													Cg				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? applicant

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

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

12. Remarks: _____

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See Attached

MAY 31 1995

David Kirk Melton
(Applicant)

Received by CJ Date 2/27/95 Time 4:30pm Preliminary check by R
Fee \$ 50.00 Received by CJ # 0032225 Date 2/27/95
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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MAY 31 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

RE: WATER RIGHT NO. 63-12175

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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NOV 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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2 NOV 09 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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NOV 09 1998

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12175

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712


Kari Lynn Townsend
Secretary

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NOV 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

RE: WATER RIGHT NO. 63-12175

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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B/U FIELD EXAM REVIEW

by Cindy LouPermit #: 63-12175 Name: Medsker Date: 10/9/99 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
SOURCE		✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D	✓		Amendment Needed? Addn'l 1/4? _____ Legal <u>change to NWSE</u> P39 Same 1/4? _____ W32 _____ P36 Overlap(s) _____
P/U	✓		Amendment Needed? <u>change to NWSE</u> P41 Overlap(s) _____ (Gov't use special T's) _____ *P/D & P/U Amend? P37
RATE		✓	Permit/proof fee limits <u>0.04</u> / <u>0.04</u> Measured Quantity = _____ cfs Theoretical Quantity = <u>0.23</u> cfs <u>license rate as permitted</u> (HP) $\frac{8.8 \times 0.70 \times 5}{28 + (2.31 \times 45)} = 0.23$ cfs Recommended capacity <u>0.23</u> cfs Recommended rate <u>0.04</u> cfs Season: (_____) <u>1/1 - 12/31</u> = <u>365</u> days Calculations: <u>see back side of this review sheet.</u> <u>(aest = 0.1) + (aest stor = 0.2) + (Comm = 0.1) + (Comm stor = 0.2)</u> <u>+ (div to stor = 0) = 0.6 AF</u> Flow limit: <u>0.04</u> cfs x <u>365</u> days/yr. x 1.9835 = <u>29.0</u> AF Recommended volume <u>0.6</u> AF
USES		✓	Same Nature of Use? <u>(delete aesthetic from storage)</u> P46 Amendment Needed? _____
REMARKS		✓	Multiple p/d's in same 1/4? Use W32 _____ <u>① Comm ② Aesth ③ W03</u>
CONDITIONS			Measuring Device (R43) or Lockable Controlling Works (R02) _____ Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplements surface water (065) _____ Water Quality _____ Other _____
PRIORITY	App Rec'd	<u>2/27/95</u>	Due <u>5/1/96</u> Rc'd <u>3/4/96</u> Receipt# <u>NA</u> Fee OK? <u>(Yes/No)</u> Order to Reinstate Needed? Yes <u>(No)</u> Done? _____ Advanced to: _____ Priority <u>2/27/95</u> Examined <u>10/24/96</u>

COMMENTS: amend P/D & P/U

USE	CFS	VOLUME
<u>Commercial</u>	<u>0.02</u>	<u>0.1</u>
<u>Comm Storage</u>	<u>—</u>	<u>0.2</u>
<u>Aesthetic</u>	<u>0.02</u>	<u>0.1</u>
<u>Aest. Storage</u>	<u>—</u>	<u>0.2</u>
<u>Div to Storage</u>	<u>0.04</u>	<u>—</u>
<u>TOTALS</u>	<u>0.4</u>	<u>0.6</u>

SRBA Overlap none
~~adjustment~~
 LICENSE
 #1 AMEND: P37/P38
 #2 AMEND: (R)P42/(C)P47

Annual Volume Calculations: $AF = \frac{[(\text{surface area} = L \times W) \times \text{Depth}]}{43,560}$

Aesthetic ponds: $70' \times 22' \times 4' = 0.14$ AF
 $6' \times 16' \times 3' = 0.01$
 $\underline{0.15} \approx \underline{0.2} \text{ AF}$

Commercial ponds: $5 @ 12' \times 25' \times 3' = 0.10$ AF
 $6 @ 4' \times 14' \times 2' = 0.01$
 $2 @ 12' \times 35' \times 3' = 0.06$
 $1 @ 70' \times 14' \times 2' = 0.04$
 $5 @ 4' \times 8' \times 2.7' = 0.01$
 $2 @ 8' \times 8' \times 3' = \underline{0.01}$
 0.23

$12 @ 10g = 1200g = \underline{0.01}$
 $0.24 \approx \underline{0.2} \text{ AF}$

per Ann Medsker, evaporation $\approx \frac{1}{2}$ pond volume

$\therefore \text{Commercial} = (0.2/2) = 0.1 \text{ AF}$

$\text{Aesthetic} = (0.2/2) = 0.1 \text{ AF}$

MEMORANDUM

DATE: October 9, 1998
TO: File No. 63-12175
FROM: Cindy Lou Zimmerman *CS*
SUBJECT: Review of Beneficial Use Field Report

The examiner did not recommend annual volumes for the aesthetic and commercial use developed under this right. I called Ann Medsker, the right holder, who agreed that on a hot year the ponds volume may evaporate by half. Mrs. Medsker agreed that 0.1 afa sounded like a reasonable volume to replace pond evaporation.

The following adjustments¹ were made on the field report to reflect department standards and licensing practises for uses developed under this permit:

G. Volume Calculations.

- a. Commercial = (surface area of ponds/2) = **0.1** AF
- b. Commercial Storage = 0.2 AF.
- c. Aesthetic = **0.1** AF
- d. Aesthetic Storage = 0.2 AF.
- e. Diversion to Storage = NA.
- f. Total Annual Volume = 0.1 + 0.2 + 0.1 + 0.2 + NA = **0.6** AF.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Commercial	1/1-12/31	0.02 cfs	<u>0.1</u> AF
Commercial Storage	1/1-12/31	-	0.2 AF
Aesthetic	1/1-12/31	0.02 cfs	<u>0.1</u> AF
Aesthetic Storage	1/1-12/31	-	0.2 AF
Diversion to Storage	1/1-12/31	0.04 cfs	NA
Totals:		0.04 cfs	<u>0.6</u> AF

Examiner: Dan Tomich
Examined: October 24, 1996

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NOV 09 1998

¹ Adjustments are **bolded and underlined**.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 24 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12175

1. Owner: Ann & David Kirk Medsker Phone No. (208) 385-9944

Current Address: 3550 Barber Dr. Boise, ID 83712

2. Accompanied by: David Medsker EXAM DATE: 10-24-96

Address: (Same) Phone No. _____

Relationship to Permit Holder: (Owner)

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: The well supplies water for

2. Other water rights with the same point of diversion: Commercial (fish), Aesthetics (Ponds),
and domestic (house) and yard.

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

No water right found for domestic & yard

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
				NWSE	19	3N	3E	Ada	Site visit, map

2. Place(s) of Use:

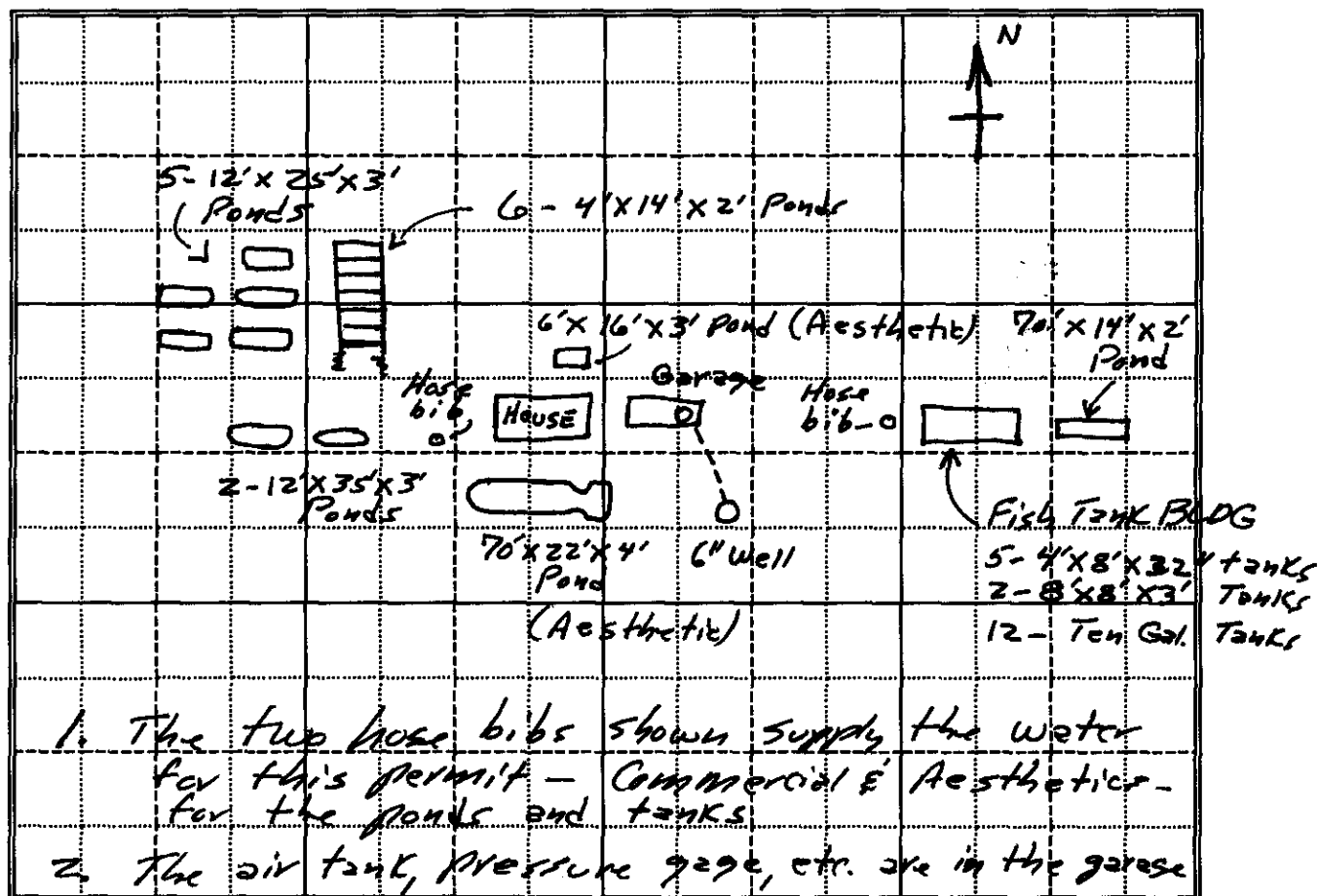
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3E	19																	
~~3N~~	~~3E~~	~~19~~																	
~~3N~~	~~3E~~	~~19~~																	

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: T = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
6" Well		5		Sta-Rite	ZCP4E0Z5
			(Submersible)		

*Code to correspond with No. on map and aerial photo

Pump set at 48' static water level at 28' - no drawdown when pumping.

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None taken

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E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for the water used in commercial production of fish, and for aesthetic ponds, and aquatic plants,
2. The 6" well supplies water for domestic (house) and for the yard, as well as the ponds and tanks. The water for the ponds and tanks is supplied from the two hose bibs shown in the drawing. Hoses are used to fill the ponds and tanks, and the water is then recycled through a cleaning system once the ponds and tanks are full. Water is added as needed for evaporation and other losses.
3. The two hose bibs are also used to water the lawn and operate at an average pressure of 45 psi. The pressure tank in the garage operates between 35-60 psi.
4. The water temperature is 62°F, and some tanks have heaters to warm the water for some fish species.
5. The location of the PID & P/u is in the NWSE, instead of in the NESE, section 19, as shown on the permit.
6. Condition 5 - once the tanks & ponds are filled, very little water is added throughout the year to replace losses. The water is recycled through a cleaning system.
7. There is no "Aesthetics from Storage", since the water remains in the ponds once they are filled.

Have conditions of permit approval been met? ☒ yes ☐ no

NOV 09 1998

Note: Fills ponds (AES) + Tanks (Comm) at same time.
Add div. rates. Div. to Storage = $0.02 + 0.02 = 0.04$.

F. FLOW CALCULATIONS

Measured Method: (None)

Additional Computation Sheets Attached

Hose bibs = 2 @
(Assume) 6 GPM

$$Q = \frac{(8.8)(5 \text{ HP})(70\%)}{28' + (45 \text{ PSI}) \left(\frac{34 \text{ ft}}{14.7 \text{ PSI}} \right)} = 0.23 \text{ cfs}$$

(for well pump)

$$= (2)(6) \left(\frac{1 \text{ cfs}}{448.8 \text{ GPM}} \right)$$

$$Q = \frac{(8.8)(5)(70\%)}{28' + (30) \left(\frac{34}{14.7} \right)} = 0.32 \text{ cfs}$$

Allow 0.04 cfs

$$= 0.03 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.04)(365)(1.9835)$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} =$$

$$= 29.0 \text{ AFA}$$

This could go up to 0.04 cfs, depending on hose size and system pressure.

2. Volume Calculations for Other Uses: Commercial & Aesthetic Storage.

1. Aesthetics: $\text{Vol.} = [(70' \times 22' \times 4') + (6')(16' \times 3')] / (66' \times 66' \times 10) = 0.15 \text{ AF} = 0.2 \text{ AF}$

2. Commercial (Fish): $\text{Vol.} = [(5')(12')(25' \times 3') + (6')(4' \times 14')(2') + (12')(12')(13.5')(3') + (70')(14')(2') + (5')(4' \times 8')(32') + (2')(8' \times 8')(3') + (12')(10 \text{ Gals}) \left(\frac{1 \text{ ft}^3}{7.48 \text{ Gals}} \right)] / (66' \times 66' \times 10) = 0.24 \text{ AF}$

H. RECOMMENDATIONS

1. Recommended Amounts

Very little losses / year, so 0.2 AFA for each should be OK.

Use 0.2 AF

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Commercial	1/1 12/31	0.02	*
Commercial Storage	1/1 12/31		0.2
Aesthetic	1/1 12/31	0.02	*
Aesthetic Storage	1/1 12/31		0.2
~~Commercial~~	~~1/1 12/31~~	~~0.02~~	~~0.2~~
~~Aesthetic~~	~~1/1 12/31~~	~~0.02~~	~~0.2~~
Totals:		0.04	0.4*
Diversion to Storage	1/1 12/31	0.04 cfs	

2. Recommended Amendments

✓ Change P.D. as reflected above

___ Add P.D. as reflected above

None

1) P/D + P/U is NWSE.

✓ Change P.U. as reflected above

___ Add P.U. as reflected above

Other

2) Div. to Storage is 0.04 cfs.

I. AUTHENTICATION

Field Examiner's Name

Jan Tomlin

Date

4-3-98

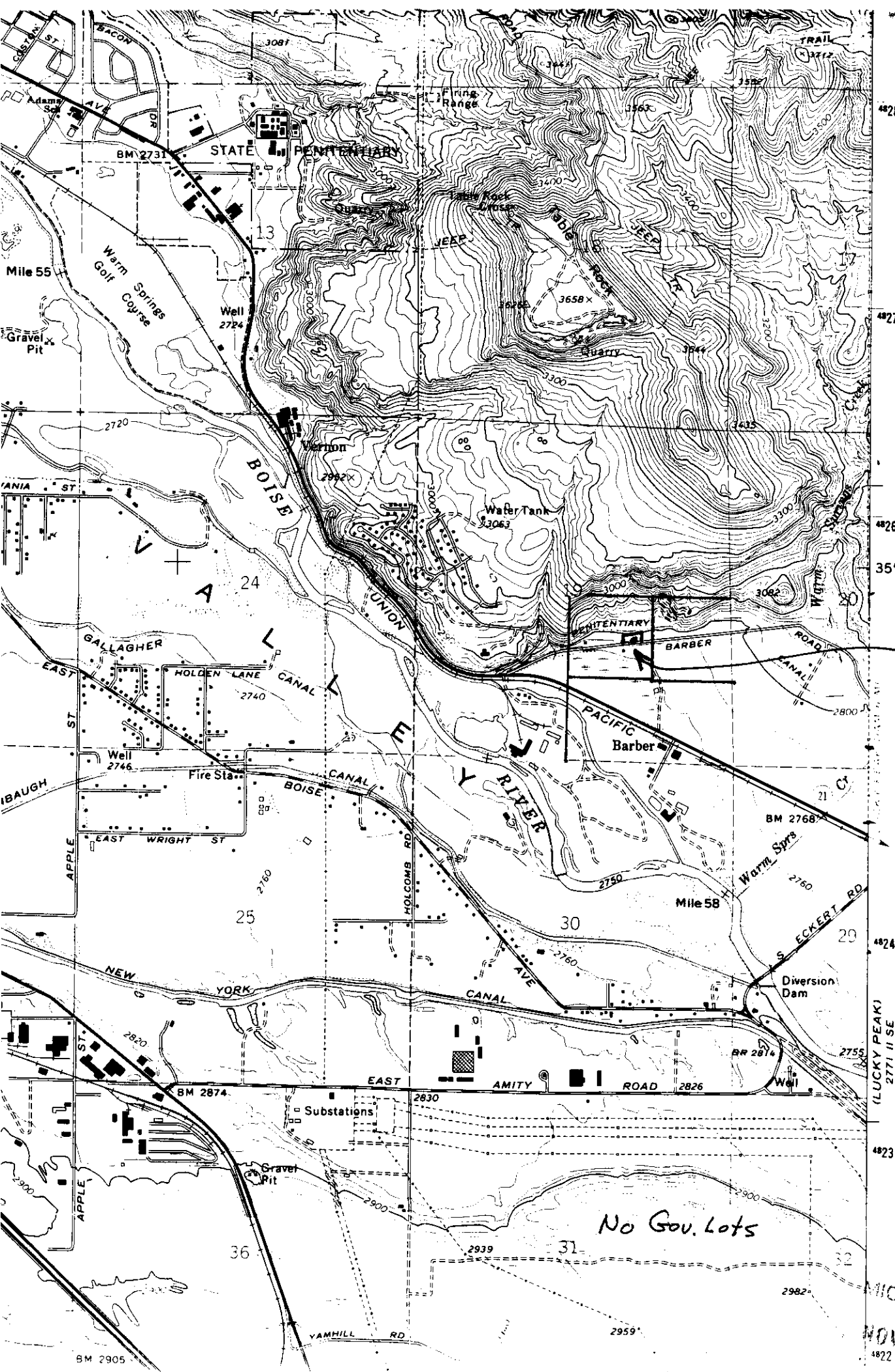
Reviewer

Date

SEAL

* Adjustments made during review of this right for license approval. See Memo for additional information. 10/9/98

NOV 09 1998



T3N
R3E
S19
NWSE

P/O
P/u

63-12175

No Gov. Lots

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NOV 09 1998

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-90-E-121 OTHER APPLICABLE NO: 63-12175
2. OWNER: Ann & David Kirk Medsker Phone: (208) 385-9944
Address: 3550 Barber Dr. Boise, ID 83712
3. WELL LOCATION: Twp 3N, Rge. 3E, Sec. 19, NW 1/4 SE 1/4
County Ada (Provide sketch map and photo on reverse.)
4. DRILLER: Stevens & Son Lic. No. Firm #153
When Drilled? 6-8-90 to 6-11-90
5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 75 ft. Method Drilled Air-Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☒ Yes ☐ No Bentonite
Are there obvious construction problems that may be a source for contamination or waste of water?
☒ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 28 ft. Water Temperature 62 °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation yard ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: Commercial (Fish), Aesthetic 6/15/98

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8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☒ Yes ☐ No

If yes, what Type? Possible contamination from house septic

How far away from the well is this source? system and fish ponds / yard.

Well is within 50'-200' of possible sources.

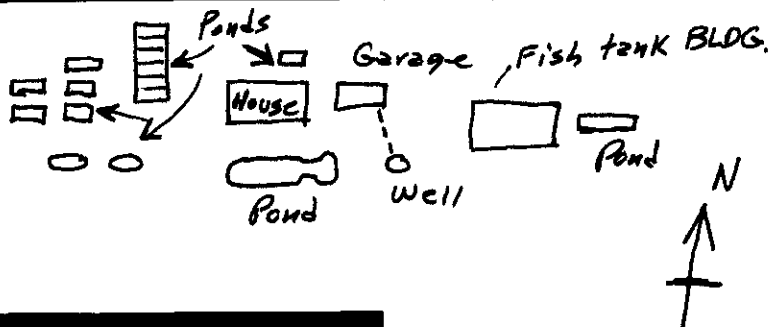
9. REMARKS:

The well is only 80' deep and could
be contaminated from the house septic system
and the nearby fish ponds and yard

Dan Zornich
Signature of Dept. Representative & Title

10-24-96
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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NOV 09 1998

1 of 3



P/O

6" well
and valve
Box

View looking
South west



P/O

6" Well in
foreground.

P/u

Fish Tank
Building in
background.

View looking
North east

NOV 09 1998

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63-12175

2 of 3

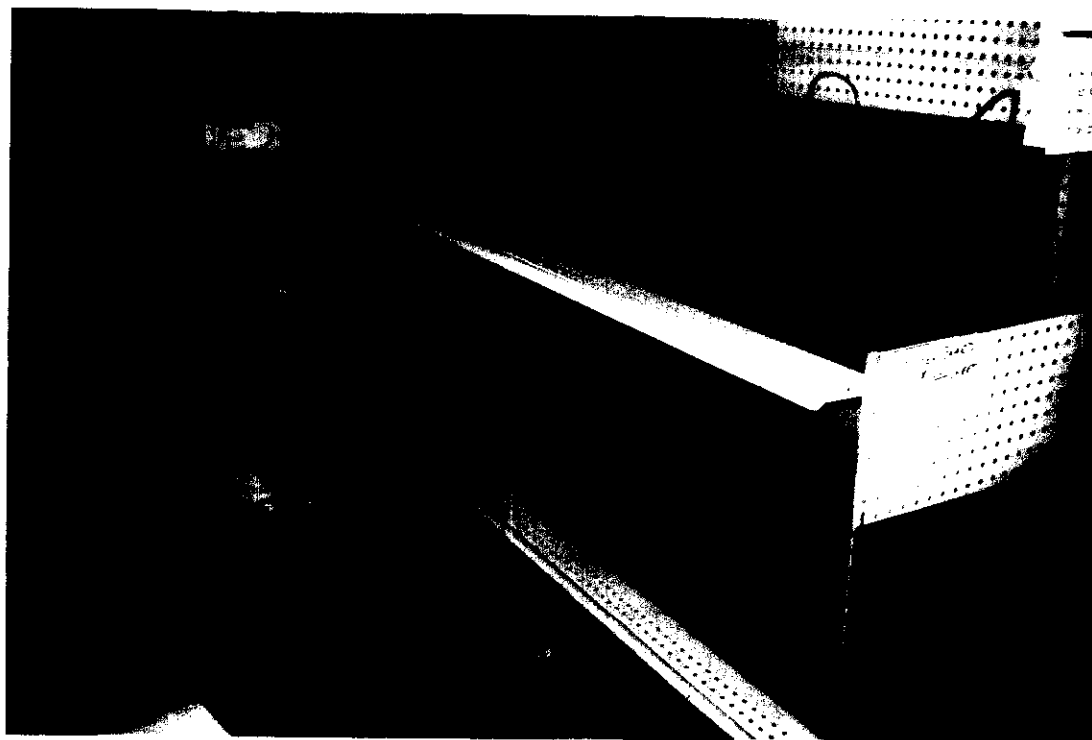
P/u

4'X8'X32"
tanks in
Fish Tank
Building



P/u

Ten Gal.
tanks
in Fish
Tank
Building



MICRO

NOV 09 1998

63-12175



P/u

70'x 22'x 4'

Aesthetic
Pond.

View
Looking
East



P/u

one of the
two hose
bibs used
to fill the
Ponds.

6-4'x14'x2'
Ponds in
background.
View looking
Northwest

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NOV 09 1998

63-12175

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12175 Reviewed by [Signature] Date 3-8-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? _____
If not, complete calculation below.

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 63-90-C0121-000
35⁰⁰ Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?
/ Amount Submitted
/ Correct?
no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	<u>X</u>	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 3-4-96

March 8, 1996

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12175

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED

MAR 11 1996

February 28, 1996

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

PROOF DUE NOTICE

RE: PERMIT NO. 63-12175

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

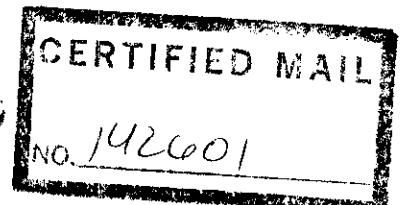
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAR 11 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 15, 1995

ANN MEDSKER
DAVID KIRK MEDSKER
3550 BARBER DR
BOISE ID 83712

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12175

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

MAY 31 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 63-12175 Name: Medsker Date: 5/1/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: 603225 Priority: 2/27/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? *use exempt* - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH>(Surface water that doesn't sink):

Water District(~~dam~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ L Peak); 064(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP:Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① Comm. use *exotic fish pond & aquatic plant sales*
② *AcEthetic use/ponds* ③ *W03*

5-1-1996

RECEIVED
1995

Form No. 202a.
1/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: SL DATE: 3/2/95 APPLICATION: 63-12175

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☒ In form to receipt:

Gov't. Lots:

A P/D
P/U

ADDITIONAL INFORMATION

YES NO

☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion:
☐ Field check required: Field check by: _____
☐ Field report attached:
☒ Critical groundwater area:
☒ Groundwater management area:
☒ 1992 moratorium:
☒ Copy to SCA staff: (perennial stream, non-pump diversion)
☒ Copy to Dam Safety staff: (for any storage)
☒ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
☒ Send power requirement letter:
☒ Send fish farm requirement letter:
☒ Power residency affidavit:
☒ Power efficiency form:
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side:

* Cold H2O (shallow) in Boise Front GWMA; moratorium exemption
use - see appl. Comments

PROCESSING

APPLICATION NO.

63-12175

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest

4-3-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DR

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

(Existing well)

See below for additional information

Recommended Date or Priority 2/27/1995

Recommended by: DR

Date 4/17/1995

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Overlap - NONE Significant -

63-09343 different well 2 Q2, different property.

63-08627 " " " different Q2, other property.

RECEIVED

MAR 27 1995

WATER RESOURCES
WESTERN REGION

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Account Number 04762800			Identification NOTICE OF APPLICATION FOR WATER RIGHT		Amount Due \$113.16
Ordered By Sue Taylor	P.O. Number	Rate NT	Run Dates March 16 & 23, 1995		
IDAHO DEPARTMENT OF WATER RESOURCES Western Region Attn: Sue Taylor 2735 Airport Way Boise, Idaho 83705-5082			Estimated Inches	Real Inches	
			# Affidavits 1	Legal Number 1531	

LEGAL NOTICE NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-12176
MADSEN, FLOYD
5005 W HILLSIDE AVE
BOISE, ID 83703
Source: GROUNDWATER
Diversión Pt: SENW Sec 12 T03N
R01W In ADA County.
Use: IRRIGATION (0.138 CFS)
Total Diversión: (0.138 CFS)
Date Filed: 3/1/1995
In: ADA County

T03N R01W S12 SENW
4.6 ACRES TOTAL
Irrigation is for 1/2 acre or less per domestic lot, thereby exempt from the Snake River Basin moratorium.

63-12175
MEDSKER, DAVID KIRK
MEDSKER, ANN
3550 BARBER DR
BOISE, ID 83712
Source: GROUNDWATER
Diversión Pt: NESE Sec 19 T03N
R03E in ADA County.

Use:
Commercial (0.020 CFS)
Commercial Storage (0.20 AF)
Aesthetic (0.020 CFS)
Aesthetic Storage (0.20 AF)
Aesthetic from Storage (0.20 AF)
Diversión to Storage (0.020 CFS)
Total Diversión: (0.040 CFS)
Date Filed: 2/27/1995
In: ADA County

T03N R03E S19 NESE
Existing well for minor ponds, use will not exceed 18 gpm and 2,500 gallons per day and therefore exempt from drought moratorium.

63-12178
MC DEVITT, VIRGINIA L
4940 BOISE RIVER LN
BOISE, ID 83706
Source: GROUNDWATER
Diversión Pt: Lot 2 (NWNE) Sec 32
T03N R03E in ADA County.
Use: DOMESTIC (0.040 CFS)
Total Diversión: (0.040 CFS)
Date Filed: 2/24/1995
In: ADA County

T03N R03E S32 Lot 2(NWNE)
63-12179
MC DEVITT, VIRGINIA L
4940 BOISE RIVER LN
BOISE, ID 83706
Source: GROUNDWATER
Diversión Pt: Lot 2 (NWNE) Sec 32
T03N R03E in ADA County.
Use: DOMESTIC (0.040 CFS)
Total Diversión: (0.040 CFS)
Date Filed: 2/24/1995
In: ADA County

T03N R03E S32 Lot 2(NWNE)
63-12181
CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversión Pt: SWSW Sec 32 T04N
R01E in ADA County.
Use: MUNICIPAL (4.500 CFS)
Total Diversión: (4.500 CFS)
Date Filed: 3/1/1995
Place of use is within the city limits of Meridian and surrounding service area.
Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before APRIL 3, 1995. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, Director

Pub. March 14 & 22, 1995

LINDA PORTER

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 Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of MARCH 16, 19 95

and ending with the issue of MARCH 23, 19 95

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 23rd day of MARCH in the year of 1995, before me, a Notary Public, personally appeared LINDA PORTER, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 5/97

MICROFILMED

MAY 31 1995

63-12175

MEDSKER, DAVID KIRK
MEDSKER, ANN
3550 BARBER DR
BOISE, ID 83712

Source: GROUNDWATER

Diversion Pt: NESE Sec 19 T 03N R 03E in ADA County.

Use: COMMERCIAL	(	0.020 CFS)	
COMMERCIAL STORAGE			(0.20 AF)
AESTHETIC	(	0.020 CFS)	
AESTHETIC STORAGE			(0.20 AF)
AESTHETIC FROM STORAGE			(0.20 AF)
DIVERSION TO STORAGE	(	0.020 CFS)	
Total Diversion:	(	0.040 CFS)	

Date Filed: 2/27/1995

In: ADA County
T03N R03E S19 NESE

Existing well for minor ponds, use will not exceed 18 gpm and 2,500 gallons per day and therefore exempt from drought moratorium.

RECORDED

MAY 31 1995