



63-11964

63-92-W-0702-100
NEW WELL
HICKORY 2143 ASPEN CURE DRIVE

T3N
R1W

OVERLAND

BIG POND

NWSE

LITTLE POND

ASPER CURE DRIVE

VICTORY

new well appears to feed both ponds with separate lines.
grassy (irrigated) slopes - both sides
Big Pond, exceed 1/2 acre total
+ occur on several lots with
homes -> Irrig. > 1/2 acre, multiple
owners implied.

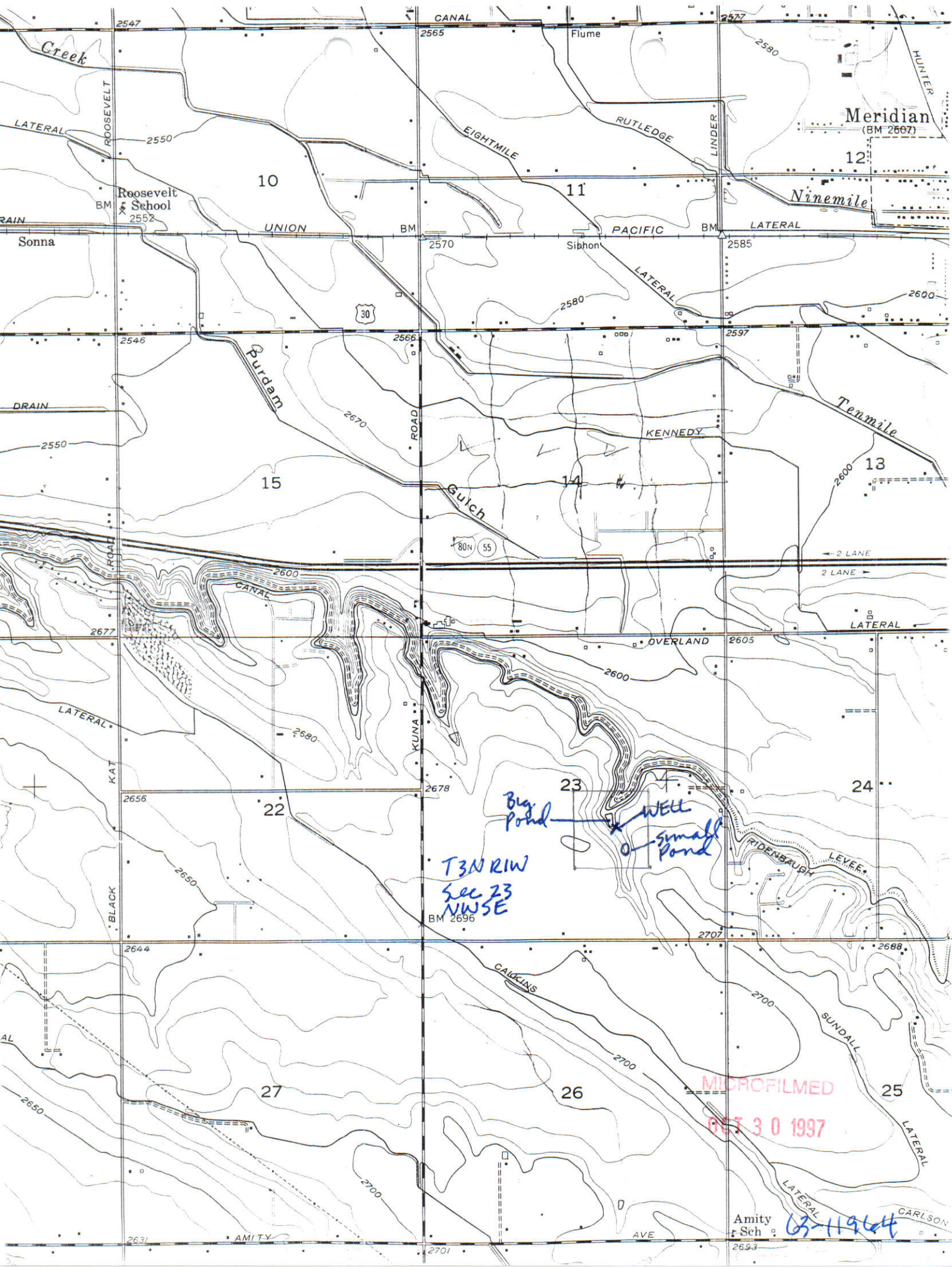
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11/3/92
site visit

34

36

31



BLOCKS 3,4,5
A PORTION THE SE $\frac{1}{4}$ OF SEC. 23, T.3N., R.1W., B.M.
ADA COUNTY
1974



POINT OF BEGINNING

- 5/8"x30" Steel Pin
- 1/2"x24" Steel Pin

2 LOT NUMBER

SOUTH-LINDER - - - - - ROAD - - - - -

Each dwelling shall construct a septic system consisting of a 1000 gallon tank and a drain field of 500 square feet per bedroom unless otherwise approved by the Department of Health.

10. The undersigned engineer licensed to practice by the State of Idaho, that he has compared the above copy with the original plot and that the same is a true and exact copy of that plot.

895
131
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63-11964



63-11964
7/26/94 S.H

6" casing
submers.
65-70gpm
3HP

2" pipe

Big Pond 1.5 af
average
3' deep,
325' X 100' pond

2" 2 1/2" pipe
5 sec./5 gal.



other source
of water:
N.Y. Canal

MICH
N.Y. Canal
1037

63-11964



Small Pond
140' x 30' x 2'
.2 af



measuring
device for
well located
inside Glen
Hickey's garage

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63-11964

Diagram

11/3/92
JC



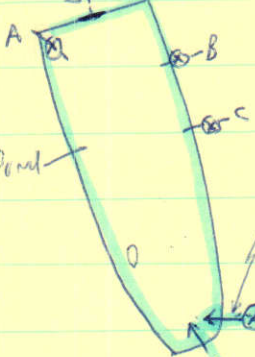
headgate & small
cement ditch from
pond to canal;
closed now

Ridenbaugh canal (dry)

Big Pond

A, B, C = 3 small
irrig. pumps from
pond; about
1 or 2 hp.

Sideslopes on the side of
pond are $\approx 1/2$ acre area



2" pipe to pond
new well, could have
pump running

8" line connects
little & big ponds

CEMENT pad
(for garage to
be built?)

2" pipe flowing
into pond
Little Pond

New
House
#2143

63-92-W-0702-000

Aspen ~~Core~~ Drive

Another domestic well,
not feeding ponds
today & no signs
that it was on.
See 1976 log.

Big Pond (sketch on
orthophoto)

acing 325' x 100' max
x 80' mid
x 20' mid.

depth - est. $\bar{x}$ = 3' today
about $2/3 - 3/4$ full now (based on high H₂O marks)

Little Pond

acing 140' x 40' max
10' mid
30' max

depth - est. $\bar{x}$ = 2' today

Culvert for road drain
connects to Little pond

dry - small pond
= Ross #2143

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FEB 18 1993

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Top Change Enterprises
Address Meridian
Owner's Permit No. _____

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

- ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

- ☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 103 feet
Casing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>6</u> inches	<u>+1</u> feet	<u>103</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

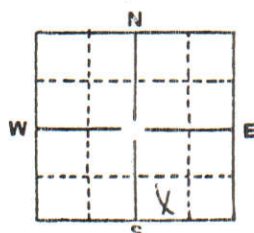
Well screen installed? ☒ Yes ☐ No
Manufacturer's name Johnson
Type Standard Steel Model No. _____
Diameter 5 1/8 slot size 20 Set from 98 feet to 103 feet
Diameter _____ slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 20' Material used in seal ☐ Cement grout
☒ Puddling clay ☐ Well cuttings
Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name Rainbow Ave
Lot No. 21 Block No. 5
Aspen Cove Dr.

County Ada

SE 1/4 SE 1/4 Sec. 23, T. 3 N, R. 1 W, N.M.

7. WATER LEVEL

Static water level 20 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☒ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other _____
Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____
Department of Water Resources
Western Regional Office

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	2	Top soil		
	2	32	Gravel		
	32	68	fine black sand + clay		
	68	89	yellow clay		
	89	94	fine sand		
	94	103	coarse sand		

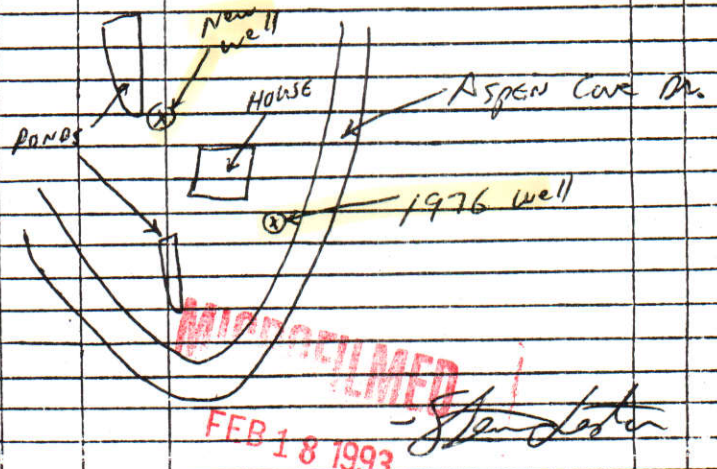
Location is NWSE

PER 11/3/92 site visit:

NW = Glenn & Peggy Hickey

2143 Aspen Cove Dr.

Also see 63-92-W-0702-000
for new well on site



10.

Work started 9/26/76 finished 10/2/76

11. DRILLERS CERTIFICATION

Firm Name Trident Drilling Company Firm No. 260
Address Box 96, Meridian, ID Date 11/10/76
Signed by (Firm official) [Signature]
and
(operator) [Signature]

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11964

Priority: November 25, 1992

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

2.8 AF

This is to certify, that ASPEN COVE LAKE ASSN
C/O KEITH EBELING
2288 ASPEN COVE DR
MERIDIAN ID 83642

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 25, 1992; and
has submitted Proof of Beneficial Use on January 19, 1994. An examination indicates
that the works have a diversion capacity of 0.130 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>
AESTHETIC STORAGE	01/01 to 12/31		1.7 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals	0.04 CFS	2.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 23, Township 03N, Range 01W
ADA County

PLACE OF USE: AESTHETIC STORAGE

TWN RGE SEC

03N 01W 23

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation and seepage.

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OCT 30 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11964

CONDITIONS OF APPROVAL AND REMARKS

6. Rights 63-11964, 63-12164, and 63-12273 when combined shall not exceed a total diversion rate of 0.13 cfs.
7. The daily diversion volume for the aesthetic use authorized under this right shall not exceed 2,500 gallons per day.
8. Rights 63-11964, 63-12164 and 63-12273 are limited to a combined storage volume of 1.7 af; this right combined with Right 63-12273 authorizes the annual volume measured in the filling of the storage facility and the replacement of losses through evaporation and seepage.
9. Rights 63-12164 and 63-12273 are also diverted through the point(s) of diversion described above.
10. Aesthetic storage is for 2 ponds.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of OCTOBER, 19 97.


Acting for KARL J. DREHER, Director

MICROFILMED
OCT 30 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 63-11964 IN THE NAME	)	ORDER RESCINDING
	)	CONDITIONS OF APPROVAL
OF ASPEN COVE LAKE ASSN.	)	
_____	)	

WHEREAS, on November 25, 1992, Aspen Cove Lake Assn. filed an application for permit to appropriate groundwater for aesthetic storage purposes; and,

WHEREAS, on February 10, 1993, the department approved the Permit No. 63-11964 with the following conditions:

Use of water under this right shall be non-consumptive.

and,

WHEREAS, requiring the water use to be non-consumptive is not possible due to evaporation of water from the surface of a pond; and,

WHEREAS, diversion and water use, including the ponds, was developed as described by the applicant at the time of filing the application for permit; and,

WHEREAS, there appears to be reasonable cause to rescind the condition,

IT IS, THEREFORE, HEREBY ORDERED That the condition of approval limiting the permit to non-consumptive use is RESCINDED.

Dated this 17th day of October, 1997.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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OCT 30 1997

RECEIVED

JAN 19 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 1/20/94
Receipt No. C029466
Receipt by DW

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11964 Telephone No. 887-2047 or 888-2793
2. Name(s) of Permit Holder(s): Aspen Cove Lake Association
3. Mailing Address: 2288 Aspen Cove Dr Meridian, Id. 83642
4. Source of Water: _____

If GROUNDWATER, Well Driller's Name: Adamson Pump & Drilling Date Drilled: 9-1-92

OPTIONAL:

Pump horsepower: 3HP Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation _____ (No. of acres) Other Aesthetic Storage

6. Total rate and/or volume for which proof is submitted _____ cfs OR 2.3 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

Flow Measurement Port: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Keith Ebeling 887-2047 or Tim Russell 888-2793
Name Telephone No.

2150 Aspen Cove _____ 2288 Aspen Cove
Address

10. The above information 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.

FEB 24 1994

1-17-94
Date

Keith Ebeling Pres. Aspen Cove Lake Ass.
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11964

Proposed Priority: November 25, 1992 Maximum Diversion Rate: 0.04 CFS
This is to certify, that **ASPEN COVE LAKE ASSOCIATION**

C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN ID 83642

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>
AESTHETIC STORAGE	01/01 to 12/31		2.3 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 23, Township 03N, Range 01W
ADA County

PLACE OF USE: AESTHETIC STORAGE
TWN RGE SEC

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1994.
2. Subject to all prior water rights.
3. Use of water under this right shall be non-consumptive.
4. The daily diversion volume for the aesthetic use authorized under this right shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
5. Aesthetic storage is for 2 ponds.

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

10th day of February, 1993

[Signature]
for R. Keith Higginson, Director

[Stamp]

FEB 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ASPEN COVE LAKE ASSN 208-887-2047
Address: C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN ID 83642
 2. Source: GROUNDWATER Trib. to:
 3. Location of Point of Diversion: NWSE Sec. 23, Township 03N, Range 01W
ADA County
 4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
AESTHETIC STORAGE	01/01	12/31			2.30
DIVERSION TO STORAGE	01/01	12/31	0.040		
 5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
 6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP, PIPELINES, AND 2 INTERCONNECTED PONDS
 - b. Height of storage dam $\approx$ 11 feet; active reservoir capacity 2.30
acre-feet; total reservoir capacity 2.30 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 160
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
 8. Place of Use: AESTHETIC STORAGE
- TWN RGE SEC
03N 01W 23 NWSE
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.

10318 1993

10. Remarks:

Aesthetic Storage is for for 2 ponds.

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

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.

Keith Del
Applicant

Received by SL Date 11/25/92 Time 8:55 Preliminary check by cy

Fee \$ 30⁰⁰ Receipted by SL # WD 15885 Date 11/25/92

Publication prepared by GG Date 12/9/92 Published in Idaho Statesman

Publication approved st Date 1-11-93 12/16 & 12/23/92

- See comments -

RECORDED

DEC 18 1993

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 11/25/92
Time: 09:05:54

Water Right Number: 63-11964

Comment Date: 11/25/1992 User ID: LESTER

Subject: MISC. INFO. _____

Officers: Keith Ebeling, Pres. _____

Tim Russell, Vice Pres. _____

Phyllis Weis, Sec. _____

Drilling Permit 63-92-W-0702-000. _____

Location and pond sizes verified per 11/3/92 site visit by Steve
Lester. _____

Pond #1: triangular - area $(325' \times 100' \times .5) / 43,560 = .37$ acre ;
depth 5', volume $.37$ acre $\times 5' = 1.85$ af ; _____

Pond #2: rectangular- area $(140' \times 30') / 43,560 = .1$ acre ; _____
depth 4', volume $.1$ acre $\times 4' = .4$ af ; _____

Approvable under moratorium: total surface area @ $1/2$ acre, total
volume 2.3 af, rate of flow meets 42-111 limits.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

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FEB 18 1993



The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

37.56

Account Number 047628		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates December 17, 24, 1992
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 3791

DEC 30 1992

JULIE DAY

, 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 DEC. 17, 1992

and ending with the issue of DEC. 24, 1992

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 24th day of DECEMBER in the year of 1992, before me, a Notary Public, personally appeared JULIE DAY,

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, ID

My commission expires: 11 22 93

**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:
63-11964 ✓
ASPEN COVE LAKE
ASSOCIATION
C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN ID 83642
Source: Groundwater
Diversion Pt: NWSE
Sec 23 T 03N R 01W in ADA County.
Use: AESTHETIC STORAGE
(2.30 AF)
DIVERSION TO STORAGE
(.040 CFS)
Total Diversion:
(.040 CFS)
Date Filed: 11/25/1992
In: ADA County
T03N R01W S23 NWSE
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
2735 Airport Way, Boise, Idaho
83705 on or before January 4, 1993.
R. Keith Higginson, Director
Pub. Dec. 17, 24, 1992 3791

FEB 18 1993



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 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ASPEN COVE LAKE ASSN INC
2288 ASPEN COVE DR
MERIDIAN ID 83642

RE: WATER RIGHTS 63-11964/63-12164

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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.

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.

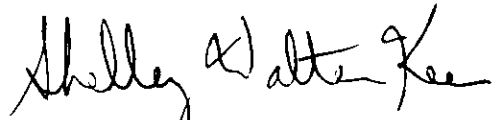
APPEAL OF FINAL ORDER TO DISTRICT COURT

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.

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.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

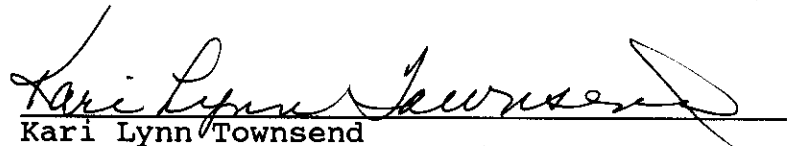
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 63-11964/63-12164

ASPEN COVE LAKE ASSN INC
2288 ASPEN COVE DR
MERIDIAN ID 83642


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 30 1997

MEMORANDUM

TO: Files 63-11964/12164/12273

FROM: Sharla Curtis

DATE: October 16, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for these rights are based on the following:

63-12164:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.09 cfs	12.0 afa
Irrigation Storage	1/1 - 12/31		1.7 afa
Irrig. From Storage	3/15 - 11/15		1.7 afa
	TOTALS	0.09 cfs	13.7 afa

The storage volume is additive to the irrigation volume.

63-12273:

H. RECOMMENDATIONS

Aesthetic Storage	9/1 - 5/31		1.7 afa
Diversion to Storage	1/1 - 12/31	0.13 cfs	
	TOTALS	0.13 cfs	1.7 afa

In reading the findings of fact and conclusions of law in the order approving 63-12273, it was clear that the use of water under the right was to allow year round diversion to the storage pond and aesthetic storage limited to pond capacity of 1.7 af. No amendment will be solicited for this clarification.

All three rights will contain a condition limiting the combined diversion rate to 0.13 cfs, the capacity of the well. The total annual volume being shown on 63-12273 is 7.0 af. The information submitted in the 8/5 letter was used to calculate the total annual volume used not only for storage but also reflects the diversion from the well to maintain the level of the pond (November 1996 through April 1997 = 2,274,844 gallons = 7.0 af). A remark explaining these figures will be placed on the license.

Examiner: Lori Graves

Exam Date: October 15, 1996

MICROFILMED

OCT 30 1997

Aspen Cove Lake Association
2288 Aspen Cove Drive
Meridian, Idaho 83642

RECEIVED
AUG 08 1997
Department of Water Resources

August 5, 1997

State of Idaho
Department of Water Resources
1301 N. Orchard St., P.O. Box 83720
Boise, Idaho 83720-0098

Re: Record of Water Usage, Permit Nos. 63-11964, 63-12164 and 63-12273

Dear Mr. Keen:

Enclosed please find record of gallons pumped from the Aspen Cove Lake Association well over a period of eighteen months. During previous meetings with Dave Tuthill and other personnel at Water Resources it was agreed that the following formula would suffice for record of consumption:

Formula: 3 hp pump (17 amp) x 220V = 3740 watts
= 3.74 KW

take monthly use (KWH) divide by 3.74 = monthly hours

take monthly hours X 3600 (60 gl/min x 60 min/hr) = gl pumped per ~~hour~~
month

July 97	none	
June 97	698 KWH divided by 3.74 x 3600 =	671,871 gl
May 97	none	
April 97	none	
March 97	698 KWH	= 671,871 gl
February 97	288 KWH	= 277,219 gl
January 97	237 KWH	= 228,128 gl
December 96	283 KWH	= 331,424 gl 272,406
November 96	98 KWH	= 94,331 gl

RECEIVED

AUG 10 1997

October 96	none	
September 96	none	
August 96	none	
July 96	none	
June 96	none	
May 96	91 KWH	= 87,593 gl
April 96	480 KWH	= 462,032 gl
March 96	435 KWH	= 418,716 gl
February 96	267 KWH	= 257,005 gl
January 96	345 KWH	= 332,085 gl

The power meter for the well is located in one of the association member's garage and is accessible for inspection by anyone from the Water Resources Department. No other power is drawn from this meter.

Please address any questions to the undersigned. My home telephone number is 888-2793, work is 422-5126.

Sincerely,


John T. Russell

President, Aspen Cove Lake Association

ENCLOSURE

SEP 30 1997

MEMORANDUM

DATE: July 18, 1997

TO: Water Right Files 63-11964, 63-12164, and 6312273

FROM: Shelley W. Keen *SK*

RE: Call from Tim Russell

Today Tim Russell called in response to the letter I wrote to Aspen Cove Lake Assn. on July 14, 1997. He said that he believed that the subdivision had reached an agreement with Dave Tuthill to use power records to record diversions and that the subdivision has been keeping records of power use ever since. He also believes that the pump is the only thing on the meter. Mr. Russell is going to supply me with copies of the power consumption records when he returns from vacation in two weeks.



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

July 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Aspen Cove Lake Assn. Inc.
2288 Aspen Cove Dr.
Meridian, ID 83642

RE: Permit Nos. 63-11964, 63-12164, and 63-12273

Dear Water Right Holders:

In October of 1996, a representative from the department conducted an examination of the diversion and delivery system(s) associated with the three permits listed above. The information collected in this examination will serve as the basis for issuance of water right licenses.

When issued, Permits 63-12164 and 63-12273 contained conditions of approval requiring the installation and maintenance of totalizing flow measuring devices and lockable controlling works along with maintenance of records of the amounts of water diverted. At the time of the examination, our examiner noted that there were no devices installed and that the use of power meter records is not a suitable substitution for the measuring devices.

The department cannot proceed with issuing licenses for your rights unless all of the permit conditions have been met.

Within 30 days, please install the required measuring devices and notify me that you have done so, or submit a written request asking the department to remove the requirement. If you ask for the measuring device requirement to be removed, you must explain why you think the requirement is unnecessary. If you wish to discuss this matter, please give me a call.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

RECEIVED

AUG 19 1997

MEMORANDUM

DATE: June 18, 1997

TO: Water Right File 63-11964

FROM: Shelley W. Keen *(SWK)*

RE: Conditions of Approval

Water Right Permit 63-11964 carried two contradictory conditions. Condition No. 3 said that the water use shall be non-consumptive. Condition No. 4 said that the daily diversion volume shall not exceed 2,500 gallons per day. Condition No. 4 was applied to permits that must be limited to 2,500 gallons per day in order to be exempt from the moratorium in place in Basin 63. The moratorium did not apply to non-consumptive uses. Therefore, only one of the two conditions is applicable.

To determine which condition is appropriate, we need to look at whether the water use is, in fact, non-consumptive. The water use is storage in a small reservoir for aesthetic purposes. Storing the water in a small reservoir exposes it to consumption via evaporation. Therefore, the use is consumptive. It was appropriate to limit the daily diversion volume to 2,500 gallons, but the non-consumptive condition was not appropriate.

WR5809NP
No. L63-11964

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/09/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ASPEN COVE LAKE ASSN C/O KEITH EBELING 2288 ASPEN COVE DR MERIDIAN ID 83642 (208) 887-2047	11/25/1992	AESTHETIC STORAGE DIVERSION TO STORAGE	01/01 12/31 01/01 12/31	0.040 CFS	1.70 AFA
TOTAL DIVERSION:					0.040 CFS	1.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity:

0.13 AFA

should pick up rate

Point(s) of Diversion:

T03N R01W S23

NWSE

ADA County

Place of use Legal Description for: AESTHETIC STORAGE

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	01W	23	:													A	

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-11964 63-12164 63-12165 63-12273 L63-12164 L63-12273

Other Water Rights Listing Overlapping Place(s) of use:

63-12164 63-12165 L63-12164

Conditions of Approval:

027 - Use of water under this right shall be non-consumptive.

Remarks:

Rights 63-11964, 63-12164, and 63-12273 when combined shall not exceed a total diversion rate of 0.13 cfs.

Rights 63-12164 and 63-12273 are also diverted through the point(s) of diversion described above.

Aesthetic storage is for 2 ponds.

Dates:

App. Received: 11/25/1992

Priority Date:

11/25/1992

Proof Due Date: 03/01/1994

Proof Made Date:

01/19/1994

Exam Made Date: 07/26/1994

Exam Sent to S.O.:

01/07/1997

Licensed Date:

Misc:

Water District Number: 63

Field Exam Fee: N (Not Required)

Comments: Date: 11/25/1992 User-ID: LESTER Subject: MISC INFORMATION
Officers: Keith Ebeling - President
Tim Russell - Vice President
Phyllis Weis - Secretary
Drilling Permit 63-92-W-0702-000.
Location and pond sizes verified per 11/3/92 site visit by Steve
Lester.
Pond #1: triangular - area $(325' \times 100' \times .5) / 43,560 = .37$ acre ;
depth 5', volume $.37$ acre $\times 5' = 1.85$ af ;
Pond #2: rectangular- area $(140' \times 30') / 43,560 = .1$ acre ;
depth 4', volume $.1$ acre $\times 4' = .4$ af ;
Approvable under moratorium: total surface area @ $1/2$ acre, total
volume 2.3 af, rate of flow meets 42-111 limits.

Date: 02/09/1993 User-ID: MILLER Subject: MORATORIUM EXEMPTION
This permit has been conditioned to fall within the acceptable
parameters of the Snake River Basin Moratorium.

Date: 02/09/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 06/06/97 SCURTIS

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11964

DATE 6/6/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change ✓

Is change/clarification of originally intended source? NO

POINT OF DIV Change ✓

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change ✓

Amendment required NO - permit

Does map agree with written description? ✓ yes NO no

computer error
no plu printed

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate .04 cfs

Fee limit .20 cfs \$50.00

Measured .13 cfs

Theoretical .10 cfs @ 95' lift and 40 psi

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES NO

Use ✓

Aes. Stor
Div. to Stor.

Volume Calculation

1.7 af

NA af

NO af

NO af

SUBTOTAL 1.7 af

Flow rate NO cfs X NO days X 1.9835 = NO af

Total volume recommended NO af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W35 (63-12164, 63-12273)
W36 " " .13 cfs)
1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-34, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-45, 1-46, 1-47, 1-48, 1-49, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-56, 1-57, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-69, 1-70, 1-71, 1-72, 1-73, 1-74, 1-75, 1-76, 1-77, 1-78, 1-79, 1-80, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-98, 1-99, 1-100, 1-101, 1-102, 1-103, 1-104, 1-105, 1-106, 1-107, 1-108, 1-109, 1-110, 1-111, 1-112, 1-113, 1-114, 1-115, 1-116, 1-117, 1-118, 1-119, 1-120, 1-121, 1-122, 1-123, 1-124, 1-125, 1-126, 1-127, 1-128, 1-129, 1-130, 1-131, 1-132, 1-133, 1-134, 1-135, 1-136, 1-137, 1-138, 1-139, 1-140, 1-141, 1-142, 1-143, 1-144, 1-145, 1-146, 1-147, 1-148, 1-149, 1-150, 1-151, 1-152, 1-153, 1-154, 1-155, 1-156, 1-157, 1-158, 1-159, 1-160, 1-161, 1-162, 1-163, 1-164, 1-165, 1-166, 1-167, 1-168, 1-169, 1-170, 1-171, 1-172, 1-173, 1-174, 1-175, 1-176, 1-177, 1-178, 1-179, 1-180, 1-181, 1-182, 1-183, 1-184, 1-185, 1-186, 1-187, 1-188, 1-189, 1-190, 1-191, 1-192, 1-193, 1-194, 1-195, 1-196, 1-197, 1-198, 1-199, 1-200, 1-201, 1-202, 1-203, 1-204, 1-205, 1-206, 1-207, 1-208, 1-209, 1-210, 1-211, 1-212, 1-213, 1-214, 1-215, 1-216, 1-217, 1-218, 1-219, 1-220, 1-221, 1-222, 1-223, 1-224, 1-225, 1-226, 1-227, 1-228, 1-229, 1-230, 1-231, 1-232, 1-233, 1-234, 1-235, 1-236, 1-237, 1-238, 1-239, 1-240, 1-241, 1-242, 1-243, 1-244, 1-245, 1-246, 1-247, 1-248, 1-249, 1-250, 1-251, 1-252, 1-253, 1-254, 1-255, 1-256, 1-257, 1-258, 1-259, 1-260, 1-261, 1-262, 1-263, 1-264, 1-265, 1-266, 1-267, 1-268, 1-269, 1-270, 1-271, 1-272, 1-273, 1-274, 1-275, 1-276, 1-277, 1-278, 1-279, 1-280, 1-281, 1-282, 1-283, 1-284, 1-285, 1-286, 1-287, 1-288, 1-289, 1-290, 1-291, 1-292, 1-293, 1-294, 1-295, 1-296, 1-297, 1-298, 1-299, 1-300, 1-301, 1-302, 1-303, 1-304, 1-305, 1-306, 1-307, 1-308, 1-309, 1-310, 1-311, 1-312, 1-313, 1-314, 1-315, 1-316, 1-317, 1-318, 1-319, 1-320, 1-321, 1-322, 1-323, 1-324, 1-325, 1-326, 1-327, 1-328, 1-329, 1-330, 1-331, 1-332, 1-333, 1-334, 1-335, 1-336, 1-337, 1-338, 1-339, 1-340, 1-341, 1-342, 1-343, 1-344, 1-345, 1-346, 1-347, 1-348, 1-349, 1-350, 1-351, 1-352, 1-353, 1-354, 1-355, 1-356, 1-357, 1-358, 1-359, 1-360, 1-361, 1-362, 1-363, 1-364, 1-365, 1-366, 1-367, 1-368, 1-369, 1-370, 1-371, 1-372, 1-373, 1-374, 1-375, 1-376, 1-377, 1-378, 1-379, 1-380, 1-381, 1-382, 1-383, 1-384, 1-385, 1-386, 1-387, 1-388, 1-389, 1-390, 1-391, 1-392, 1-393, 1-394, 1-395, 1-396, 1-397, 1-398, 1-399, 1-400, 1-401, 1-402, 1-403, 1-404, 1-405, 1-406, 1-407, 1-408, 1-409, 1-410, 1-411, 1-412, 1-413, 1-414, 1-415, 1-416, 1-417, 1-418, 1-419, 1-420, 1-421, 1-422, 1-423, 1-424, 1-425, 1-426, 1-427, 1-428, 1-429, 1-430, 1-431, 1-432, 1-433, 1-434, 1-435, 1-436, 1-437, 1-438, 1-439, 1-440, 1-441, 1-442, 1-443, 1-444, 1-445, 1-446, 1-447, 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1-591, 1-592, 1-593, 1-594, 1-595, 1-596, 1-597, 1-598, 1-599, 1-600, 1-601, 1-602, 1-603, 1-604, 1-605, 1-606, 1-607, 1-608, 1-609, 1-610, 1-611, 1-612, 1-613, 1-614, 1-615, 1-616, 1-617, 1-618, 1-619, 1-620, 1-621, 1-622, 1-623, 1-624, 1-625, 1-626, 1-627, 1-628, 1-629, 1-630, 1-631, 1-632, 1-633, 1-634, 1-635, 1-636, 1-637, 1-638, 1-639, 1-640, 1-641, 1-642, 1-643, 1-644, 1-645, 1-646, 1-647, 1-648, 1-649, 1-650, 1-651, 1-652, 1-653, 1-654, 1-655, 1-656, 1-657, 1-658, 1-659, 1-660, 1-661, 1-662, 1-663, 1-664, 1-665, 1-666, 1-667, 1-668, 1-669, 1-670, 1-671, 1-672, 1-673, 1-674, 1-675, 1-676, 1-677, 1-678, 1-679, 1-680, 1-681, 1-682, 1-683, 1-684, 1-685, 1-686, 1-687, 1-688, 1-689, 1-690, 1-691, 1-692, 1-693, 1-694, 1-695, 1-696, 1-697, 1-698, 1-699, 1-700, 1-701, 1-702, 1-703, 1-704, 1-705, 1-706, 1-707, 1-708, 1-709, 1-710, 1-711, 1-712, 1-713, 1-714, 1-715, 1-716, 1-717, 1-718, 1-719, 1-720, 1-721, 1-722, 1-723, 1-724, 1-725, 1-726, 1-727, 1-728, 1-729, 1-730, 1-731, 1-732, 1-733, 1-734, 1-735, 1-736, 1-737, 1-738, 1-739, 1-740, 1-741, 1-742, 1-743, 1-744, 1-745, 1-746, 1-747, 1-748, 1-749, 1-750, 1-751, 1-752, 1-753, 1-754, 1-755, 1-756, 1-757, 1-758, 1-759, 1-760, 1-761, 1-762, 1-763, 1-764, 1-765, 1-766, 1-767, 1-768, 1-769, 1-770, 1-771, 1-772, 1-773, 1-774, 1-775, 1-776, 1-777, 1-778, 1-779, 1-780, 1-781, 1-782, 1-783, 1-784, 1-785, 1-786, 1-787, 1-788, 1-789, 1-790, 1-791, 1-792, 1-793, 1-794, 1-795, 1-796, 1-797, 1-798, 1-799, 1-800, 1-801, 1-802, 1-803, 1-804, 1-805, 1-806, 1-807, 1-808, 1-809, 1-810, 1-811, 1-812, 1-813, 1-814, 1-815, 1-816, 1-817, 1-818, 1-819, 1-820, 1-821, 1-822, 1-823, 1-824, 1-825, 1-826, 1-827, 1-828, 1-829, 1-830, 1-831, 1-832, 1-833, 1-834, 1-835, 1-836, 1-837, 1-838, 1-839, 1-840, 1-841, 1-842, 1-843, 1-844, 1-845, 1-846, 1-847, 1-848, 1-849, 1-850, 1-851, 1-852, 1-853, 1-854, 1-855, 1-856, 1-857, 1-858, 1-859, 1-860, 1-861, 1-862, 1-863, 1-864, 1-865, 1-866, 1-867, 1-868, 1-869, 1-870, 1-871, 1-872, 1-873, 1-874, 1-875, 1-876, 1-877, 1-878, 1-879, 1-880, 1-881, 1-882, 1-883, 1-884, 1-885, 1-886, 1-887, 1-888, 1-889, 1-890, 1-891, 1-892, 1-893, 1-894, 1-895, 1-896, 1-897, 1-898, 1-899, 1-900, 1-901, 1-902, 1-903, 1-904, 1-905, 1-906, 1-907, 1-908, 1-909, 1-910, 1-911, 1-912, 1-913, 1-914, 1-915, 1-916, 1-917, 1-918, 1-919, 1-920, 1-921, 1-922, 1-923, 1-924, 1-925, 1-926, 1-927, 1-928, 1-929, 1-930, 1-931, 1-932, 1-933, 1-934, 1-935, 1-936, 1-937, 1-938, 1-939, 1-940, 1-941, 1-942, 1-943, 1-944, 1-945, 1-946, 1-947, 1-948, 1-949, 1-950, 1-951, 1-952, 1-953, 1-954, 1-955, 1-956, 1-957, 1-958, 1-959, 1-960, 1-961, 1-962, 1-963, 1-964, 1-965, 1-966, 1-967, 1-968, 1-969, 1-970, 1-971, 1-972, 1-973, 1-974, 1-975, 1-976, 1-977, 1-978, 1-979, 1-980, 1-981, 1-982, 1-983, 1-984, 1-985, 1-986, 1-987, 1-988, 1-989, 1-990, 1-991, 1-992, 1-993, 1-994, 1-995, 1-996, 1-997, 1-998, 1-999, 1-1000, 1-1001, 1-1002, 1-1003, 1-1004, 1-1005, 1-1006, 1-1007, 1-1008, 1-1009, 1-1010, 1-1011, 1-1012, 1-1013, 1-1014, 1-1015, 1-1016, 1-1017, 1-1018, 1-1019, 1-1020, 1-1021, 1-1022, 1-1023, 1-1024, 1-1025, 1-1026, 1-1027, 1-1028, 1-1029, 1-1030, 1-1031, 1-1032, 1-1033, 1-1034, 1-1035, 1-1036, 1-1037, 1-1038, 1-1039, 1-1040, 1-1041, 1-1042, 1-1043, 1-1044, 1-1045, 1-1046, 1-1047, 1-1048, 1-1049, 1-1050, 1-1051, 1-1052, 1-1053, 1-1054, 1-1055, 1-1056, 1-1057, 1-1058, 1-1059, 1-1060, 1-1061, 1-1062, 1-1063, 1-1064, 1-1065, 1-1066, 1-1067, 1-1068, 1-1069, 1-1070, 1-1071, 1-1072, 1-1073, 1-1074, 1-1075, 1-1076, 1-1077, 1-1078, 1-1079, 1-1080, 1-1081, 1-1082, 1-1083, 1-1084, 1-1085, 1-1086, 1-1087, 1-1088, 1-1089, 1-1090, 1-1091, 1-1092, 1-1093, 1-1094, 1-1095, 1-1096, 1-1097, 1-1098, 1-1099, 1-1100, 1-1101, 1-1102, 1-1103, 1-1104, 1-1105, 1-1106, 1-1107, 1-1108, 1-1109, 1-1110, 1-1111, 1-1112, 1-1113, 1-1114, 1-1115, 1-1116, 1-1117, 1-1118, 1-1119, 1-1120, 1-1121, 1-1122, 1-1123, 1-1124, 1-1125, 1-1126, 1-1127, 1-1128, 1-1129, 1-1130, 1-1131, 1-1132, 1-1133, 1-1134, 1-1135, 1-1136, 1-1137, 1-1138, 1-1139, 1-1140, 1-1141, 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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 08 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11964

1. Owner: Aspen Cove Lake Area Inc Phone No. 888-2793

Current Address: 2288 Aspen Cove Dr Meridian 83642

2. Accompanied by: Glen Hickey EXAM DATE: 10/15/96

Address: same Phone No. _____

Relationship to Permit Holder: Representative

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388, -12164, -12165, -12273

2. Other water rights with the same point of diversion: 63-12164, -12165, -12273

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	23	3N	1W	Ada	USGS Quad, Sub-Plot

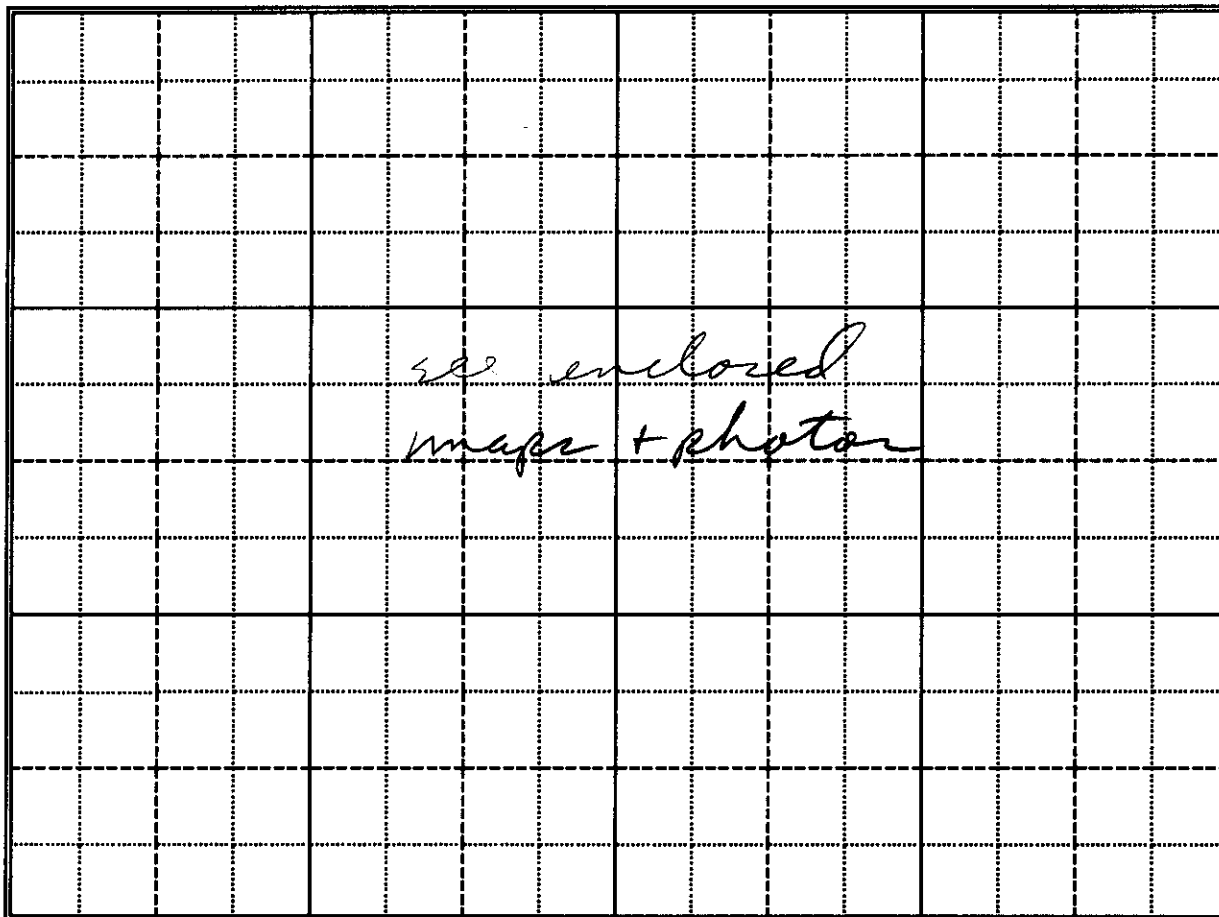
2. Place(s) of Use:

Indicate Method of Determination

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	1W	23																	

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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: 1" =

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

N/A

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
		3	submersible		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 gal bucket						

2. Measurements:

see Attachment 2, pg 2
(Steve Linters 11/3/92 site visit)

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E. NARRATIVE/REMARKS/COMMENTS

see attachment 1

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

see attachment 1, 3, +4

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F. FLOW CALCULATIONS

Measured Method:

 / Additional Computation Sheets Attached*see attachment 2***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

*see attachment 2***H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Artificial Storage</i>	<i>1/1</i>	<i>12/31</i>	<i>.04</i>	<i>1.7</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.04</i>	<i>1.7</i>

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name *Lon Guaver* Date *11/22/96*

Reviewer _____ Date _____

SEAL

MICROFILMED

OCT 30 1997

ATTACHMENT 1
ASPEN COVE LAKE ASSOC.
RE: 63-11964, 63-12164, 63-12273

A 6" well equipped with a 3 hp submersible pump supplies water to 2 ponds and six subdivision lots (external use only). The well is used as a supplemental source to surface water and was developed before filing the appropriate water rights. In response to a complaint, a field investigation was conducted in 1992. Based on the field findings (attachment 2), the Association filed the appropriate water rights listed above along with application for permit 63-12165, which is currently on hold due to moratorium constraints.

The flow from the well was measured at 60 gpm. 1.5 af capacity was calculated for the large pond volume and .2 af capacity was calculated for the small pond volume. 10 acres can be irrigated, 3 approvable on permit 63-12164 and 7 on hold in application 63-12165. The primary source of water is the New York canal. No other water rights are used. Internal domestic uses are on separate systems.

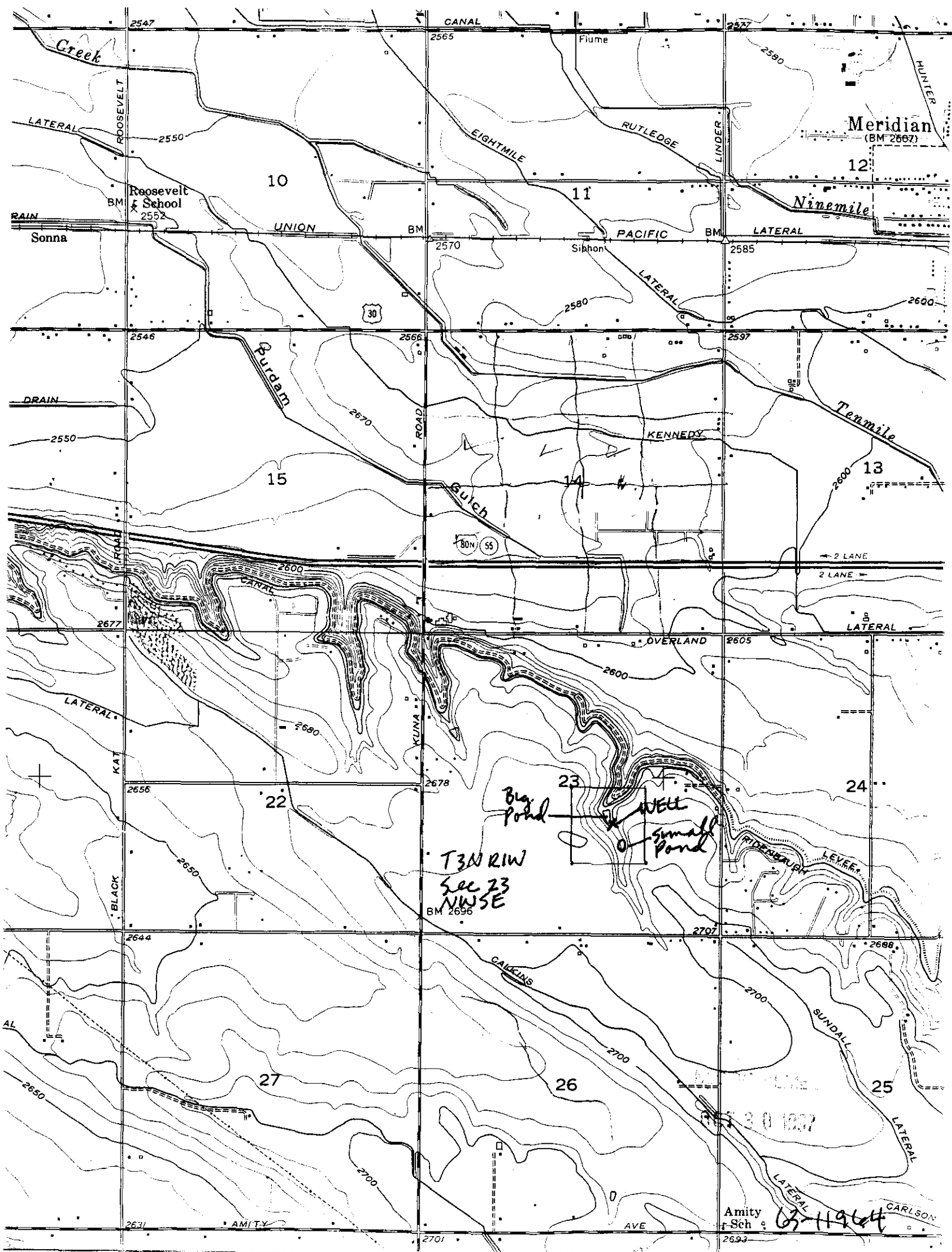
P/U also known as Lts 1 and 2, Blk 2, and Lts 1-4, Blk 5, Aspen Cove Subdivision. Irrigation on right 63-12164 is limited to 1/2 acre per lot, 3 acres total.

The rights, when combined are limited to .13 cfs pumping capacity and 1.7 af storage capacity.

Permits 63-12164 and 63-12273 required a lockable flow measuring device prior to diversion. Glen Hickey, Aspen Cove Lake Assoc. representative, stated that the Association decided to use power meter records to satisfy this condition since the well has its own meter. Glen submitted power records for this well from 1994-1996. After evaluating the records submitted, it was apparent that the power meter readings were in excess of what the well would have produced for irrigation and storage during this period. A field investigation was made on 11/20/1996 and found that the meter also recorded power supplied to the three pond pumps, a house furnace fan, garage lights, garage outlets, and an air conditioner. These uses were listed on the meter's panel/circuit breaker box. All circuit breakers were on. These other uses help explain the excess power computed for the well from the records submitted. Based on these findings, the use of power meter records does not appear to satisfy the flow measuring device requirement for Aspen Cove Association's ground water use (see attachments 3 & 4).

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OCT 30 1997

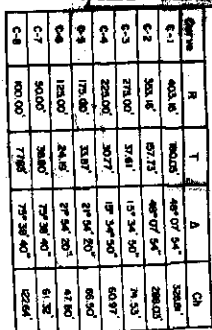
ASPEN COVE



T3N R1W
Sec 23
NWSE

67-11964

BLOCKS 3, 4, 5
A PORTION THE SE $\frac{1}{4}$ OF SEC. 23, T.3N., R.1W., B.M.
ADA COUNTY
1974



POINT OF BEGINNING

5/8"x30" Steel Pin

1/2"x24" Steel Pin

LOT NUMBER

UTILITY EASEMENT

ALLRED & DUNN ENGINEERS
11530 Wildrose Court
Boise, Idaho

SOUTH-LINDER - - - - - ROAD

63-11964

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: WR # 63-11964
2. OWNER: Aspen Cove Lake Assoc. Phone: (208) 887-2047
Address: 2288 Aspen Cove Dr. Meridian Id 83642
3. WELL LOCATION: Twp 3N, Rge. 1W, Sec. 23, NW 1/4 SE 1/4
County Ada (Provide sketch map and photo on reverse.)
4. DRILLER: Adams Lic. No. 457
When Drilled? 9/92
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 120' ft. Method Drilled rotary / air
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
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 21 ft. Water Temperature cold °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 will get a permit for this ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: aesthetic use

63-11964

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? [] Yes [x] No

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

Is there a possible source of contamination nearby? [] Yes [x] No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

Sam Hemenway, WR Agent
Signature of Dept. Representative & Title

7-26-94
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

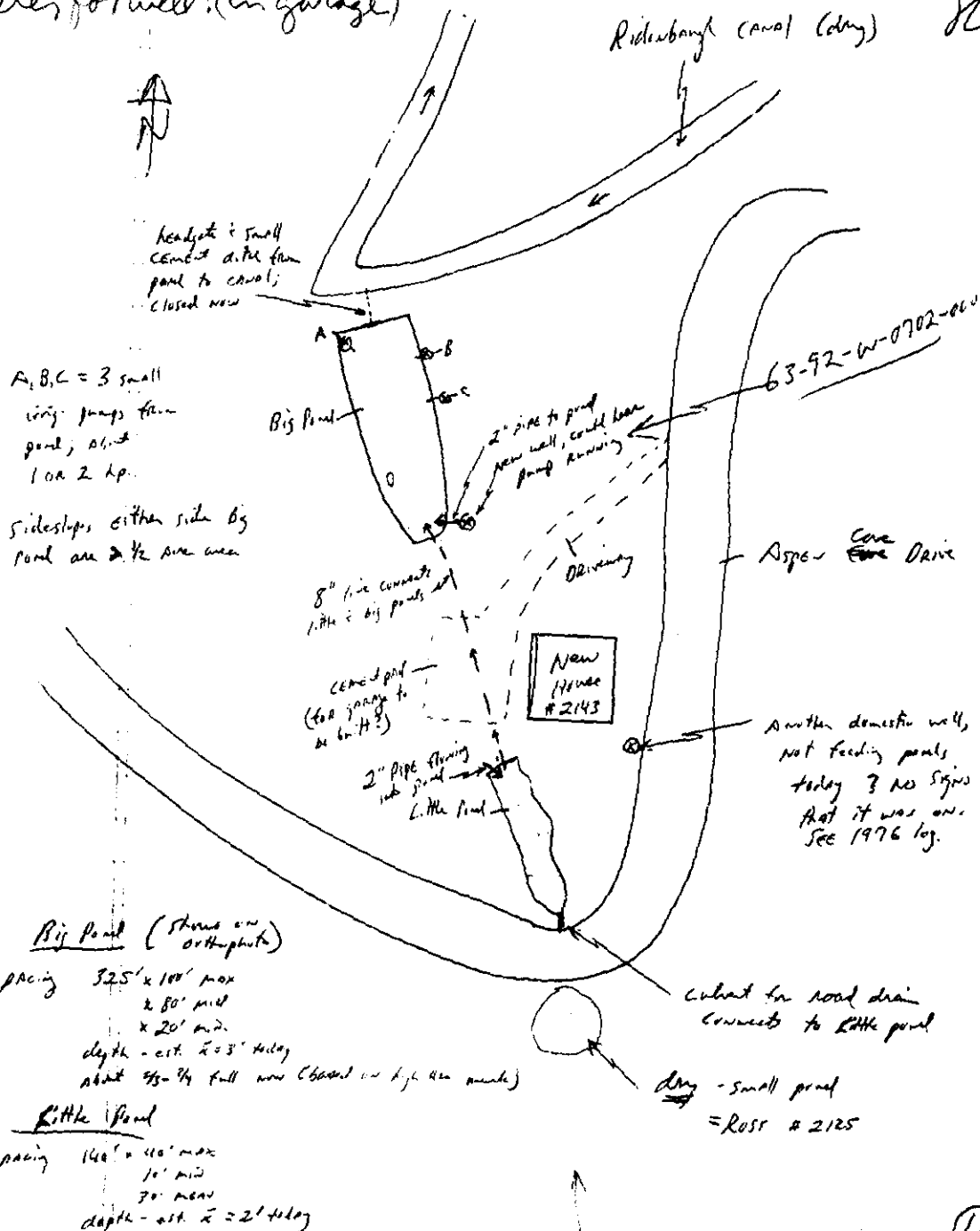
on another sheet

ATTACHMENT 2

11/3/92

FL

Meters for well: (in garage)



ASPEN COVE
ATTACHMENT 2

No one home & Hickey's place,
where well & Little Pond found.

Flow

- a) Big Pond - 2" pipe to new well - could have pump running.
MEAS 2 times
Result:

$$\frac{55}{55} = \frac{60 \text{ gpm}}{55} = .13 \text{ cfs}$$

~ ± 5.5 gpm @ this rate of fill - per S.O. Period comm. available.

- b) Little Pond - ~2" pipe - gamma tank from new well (could not have any activity at other domestic well on this property).
MEAS 2 times

Result:

$$\left(\frac{55}{125}\right)\left(\frac{605}{10}\right) = \frac{25 \text{ gpm}}{10} = .06 \text{ cfs}$$

~ ± 1.1 gpm @ this rate of fill

Pond Volumes

- c) Big Pond ± rectangular

$$L = 325 \quad W = 100 \quad D = 3 \quad (\text{Pacing})$$

$$\text{Today's volume} = \frac{(325)(100)(3)(1.5)}{43,560} = \frac{1.1 \text{ a.f.}}{43,560}$$

$$\frac{\text{Surface area}}{3} = \frac{1.1}{3} = \underline{.37 \text{ acre}}$$

est. ~ 3/4 full now per high H2O marks, then:

$$\frac{\text{max volume}}{\text{volume}} = x = \frac{1.1}{.75} = \underline{1.5 \text{ a.f.}}$$

$$\frac{\text{max surface area}}{\text{surface area}} = x = \frac{.37}{.75} = \underline{.49 \text{ acre}}$$

- d) Little Pond ± rectangular

$$L = 140 \quad W = 70 \quad D = 2 \quad (\text{Pacing})$$

$$\text{volume} = \frac{(140)(70)(2)}{43,560} = \underline{.19 \text{ a.f.}}$$

$$\frac{\text{surf. area}}{\text{area}} = \frac{.19}{2} = \underline{.1 \text{ acre}}$$

more or less full today so no projected maximums. (2)

PER
11/15/12
Office not
5' and
E depth 4'

-JL

APPROX. 12.5
01.730 02.7

e) Flows vs. 42-111 provisions

$$\text{flows } a+b = 60 + 25 = 85 \text{ gpm} = .19 \text{ cfs}$$

$\leftarrow \pm 6.5 \text{ gpm} \quad \leftarrow \pm .014 \text{ cfs}$

If 42-111 A 13,000 g/day, no flow component

$$\frac{13,000 \text{ g}}{85 \text{ g/min}} \times \frac{1 \text{ hr}}{60 \text{ min}} = 2.5 \text{ hrs.}$$

CAN run well @ .19 cfs for 2 1/2 hr./day

If 42-111 B

.04 cfs = 2,500 g/day limit
reduce flow to about 80% to .04 cfs or
18 gpm

$$\frac{2500 \text{ g}}{18 \text{ g/min}} \times \frac{1 \text{ hr}}{60 \text{ min}} = 2.3 \text{ hrs.}$$

CAN run well @ .04 cfs for 2 1/3 hrs./day

AOEB

TOTAL irrig from pond(s) if well feeds pond(s)
is limited to 1/2 acre.

Observed area much greater than 1/2 acre around big
pond where 3 irrig pumps from pond are found.
Richards Canal has been dry for quite some
time this year.

(3)

NOV 20 1961
MKT 20 1961

f) Constant Flow per Complaint (24 hr/day)
 $(85 \text{ gpm})(60 \text{ min/hr})(24 \text{ hr/day}) = \underline{122,400 \text{ gallons/day}}$

$$\frac{122,400}{325,550} = \underline{.4 \text{ a.f./day}}$$

$$\left(\begin{array}{l} 85 \text{ gpm} = .19 \text{ cfs} \\ .19 \text{ cfs} \times 1.9535 \rightarrow .4 \text{ a.f./day} \end{array} \right)$$

g) Water Rpt: Storage fraction

Amount Stored $V_1 + V_2 = 1.1 + .19 = 1.29 = \underline{1.3 \text{ a.f.}}$

(could be up to 1.7 a.f. for max projection from pg. 2, item c)

IF 42-111A $.19 \text{ cfs} \times 1.9535 \rightarrow .4 \text{ a.f./24 hr.}$, need storage water right

IF 42-111B $.04 \text{ cfs limit}$, need storage water right

If use to irrig. $> \frac{1}{2}$ acre from pond (or) via well, need irrig. W.R. for well. Will also require \$165 add'l fee for d.p. 63-92-W-0792.

(4)

NOV 3 1967

Aspen Cove Lake Association Pump Power

<u>Month/Year</u>	<u>KWH/Cum</u>	<u>KWH/Month</u>	<u>Total</u>	<u>Check#/Date Paid</u>
Aug 94	19290	998 x .048	\$47.91	1550/ 8-21-94
Sep 94	20135	845 x .048	\$40.56	1553/ 9-20-94
Oct 94	21563	1428 x .048	\$68.55	1556/10-09-94
Nov 94	22149	586 x .048	\$28.13	1558/11-23-94
Dec 94	22548	399 x .048	\$19.15	1560/12-19-94
Jan 95	22968	420 x .048	\$20.16	1563/ 1-21-95
Feb 95	23681	713 x .048	\$34.23	1565/ 2-26-95
Mar 95	23993	312 x .048	\$14.98	1566/ 3-27-95
Apr 95	24686	693 x .048	\$33.26	1567/ 5-01-95
May 95				
Jun 95				
Jul 95				
Aug 95				
Sep 95				
Oct 95				
Nov 95	24995	309 x .048	\$14.83	1572/11-18-95
Dec 95	25178	183 x .048	\$8.78	1574/12-10-95
JAN 96	25523	345 x .048	\$16.56	1575/01-14-96
FEB 96	25790	267 x .048	\$12.82	1578/02-14-96
MAR 96	26225	435 x .048	\$20.88	1579/03-22-96
April 96	26705	480 x .048	\$23.09	1580/ 4-21-96
May 96	26796	91 x .048	4.37	1585/ 6-21-96
June 96	26796			
July				
Aug.				
Sept.	26796			

MADE
BY S. H. H.

ATTACHMENT 4
51HP 70 GPM
126' setting

Aspen Cove

For 1994, KWH total = 4256 KWH

1) Div. Rate: 3 HP motor, 50' TDI+

$$Q = \frac{(8.8)(3)(702)}{50'} = 0.37 \text{ cfs}$$

(166 GPM)

2) AFA

$$\begin{aligned} \text{KW of motor} &= (0.746)(1\text{HP}) \\ &= (0.746)(3) \\ &= 2.24 \text{ KW (shaft output)} \end{aligned}$$

Assume Power Line (wire) to Motor output (shaft)
eff. = 85%

$$\begin{aligned} \text{KW demand @ meter} &= \frac{2.24 \text{ KW}}{0.85} \\ &\approx 2.6 \text{ KW} \end{aligned}$$

$$\text{Ann. HRS} = \frac{4256 \text{ KWH}}{2.6 \text{ KW}} = 1637 \text{ HRS}$$

if this pump is using all the power

$$\begin{aligned} \text{AFA} &= 0.37 \text{ cfs} \cdot \frac{1.983 \text{ AF}}{24 \text{ HRS}} \cdot \frac{1637 \text{ HRS}}{\text{Ann.}} \\ &= \underline{\underline{50 \text{ AFA !!}}} \end{aligned}$$

63-11964

Don Smith
11-19-96
ATTACHMENT 4

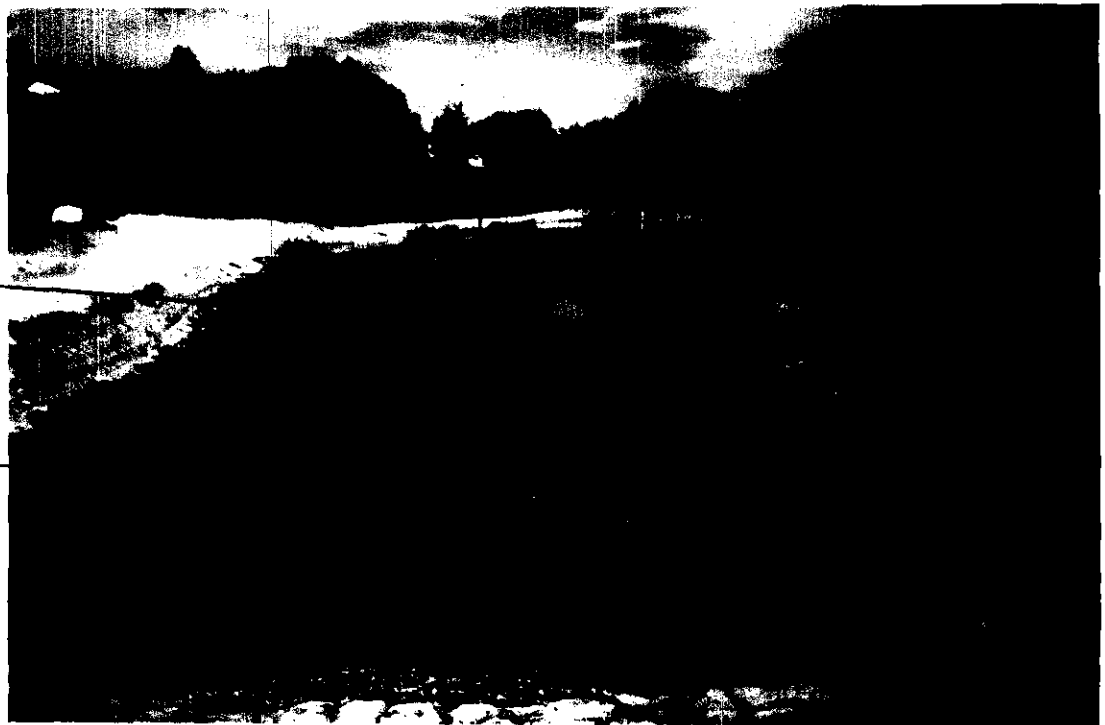


63-11964
7/26/94 S.H

6" casing
submers.
65-70gpm
3HP

2" pipe

Big Pond 1.5 of
average
3' deep,
325' X 100' pond



2" $\frac{1}{2}$ " pipe
5 sec./5 gal.



other source
of water:
N.Y. Canal

63-11964



Small Pond
140' x 30' x 2'
.2 af



measuring
device for
well located
inside Glen
Hickney's garage

MEASURING DEVICE
LOCATED INSIDE

63-11964

February 4, 1994

Aspen Cove Lake Association
2288 Aspen Cove Dr.
Meridian, ID 83642

RE: Permit No. 63-11964

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.

You indicate on the proof the total volume of storage of 2.3 acre feet. If the source of water is groundwater (well) and the volume of storage is 4.0 acre feet or less, a license examination fee is not required. You are, therefore, entitled to a \$50.00 refund. I have enclosed a copy of the fee schedule for your reference.

I have begun the process to refund the \$50.00 exam fee. The process takes approximately one (1) week and will arrive under separate cover.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Region, Fiscal

RECEIVED

FEB 24 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11964

Reviewed by [Signature] Date 2-3-94

GENERAL CONSIDERATIONS

yes Name same as permit?
no yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

storage
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

yes Drilling permit required?
no Copy in the file? Drilling Permit No. 63-92-W-0702-000
35.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

no Required?
1 Amount Submitted
 Correct?

MEASURING DEVICE

 Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>1</u>	-	<u>1</u>
Date proof due	<u> </u>	-	<u> </u>
No. of days late	<u> </u>	=	<u> </u>
Priority Date	<u> </u>	+	<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

Refund 50.00 exam fee. Storing
less than 4.0 AF

DATA ENTRY
New Address

Proof Made 1-19-94

December 31, 1993

ASPEN COVE LAKE ASSOCIATION
C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN ID 83642

PROOF DUE NOTICE

RE: PERMIT NO. 63-11964

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 March 1, 1994. (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.

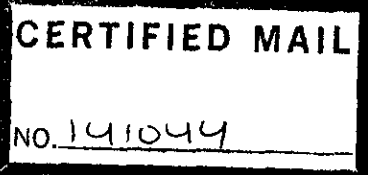
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

FEB 24 1994





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 11, 1993

ASPEN COVE LAKE ASSOCIATION
C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN ID 83642

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11964

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

RECEIVED

FEB 18 1993

APPLICATION FOR PERMIT REVIEW

BLM

Application #: 03-11964 Date: 2-9-93 Reviewer: Brenda Miller

SYSTEM COMPLETED:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

AREA OF CONCERN? YES

SNAKE RIVER BASIN

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

- <Approved> w/permit - P99 Permit No. 03-92-W-0702
- Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. 63
- Surface water - R04, R04-01H-P01(LT.2 w/pump)
- Groundwater EXISTING - R04-01J-P08(GT.2), NMR <flow chart>
- Irrigation Districts - P05
- Canal Co. Areas - 023
- Drainage Districts - 023
- Boise Front (63) - 024
- Swan Falls Flag - 058 (Groundwater) Outside AREA
- Trust - (1, Blank or Other)
- Non Trust <1> - 051-052-053-P74(Consumptive Uses)
- 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021 (Boise River - upstream from L Peak)
- (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date - 03-01-1994

Other Conditions/Remarks: - W03 (BASED ON pre-app exam information)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: gy DATE: 12/7/92 APPLICATION: 63-11964

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:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
3 P/D
3 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 <u>Exempt, see comments</u>
☐	☐	Diversion within interim protected river area
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
FEB 9 1993

Department of Water Resources

PROCESSING

APPLICATION NO

-103-11964

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

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

Protest dates, resolution of protest recorded on application:

Recommendations attached: 9

Measuring device required: Approve, DO

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 11/25/1992

Recommended by: DM

Date 2/3/1993

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Surface area < 1/2 acre, Flow w/in 42-111 limits
 so approvable during moratorium. See also comments &
 supporting info with application.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 13, 1992

Glenn and/or Peggy Hickey
2143 Aspen Cove Drive
Meridian, ID. 83642

RE: Complaint of Illegal Use of Ground Water (Well)

Dear Mr. and Mrs. Hickey:

This office received a complaint that you are using a new domestic well for uses exceeding allowable domestic purposes defined by Sec. 42-111, Idaho Code. I was told that the well continuously supplies water to two ponds and that ~~water is pumped from at least one pond to irrigate more than one-half acre of lawn and/or common area for several homeowners.~~ The complainant is worried about adverse impacts on domestic wells in the local area. I visited the site on 11/3/92 but did not find anyone home at your place. I inspected the new well and its apparent use. Upon returning to the office, I researched department records to locate a well drilling permit, a well log, and any water rights or adjudication claims associated with your name and/or property.

~~The new well was drilled under domestic drilling permit no. 63-92-W-0702, and a well log was submitted to this office by the driller. Water rights are not required for domestic wells, and there are no ground water (well) rights for non-domestic use associated with property in your vicinity.~~

During the field visit, the well was being pumped and delivered water to the large pond adjacent to the well. I measured approximately 60 gpm or .13 cfs flowing from the well into the large pond. Also, a pipe supplied water to the smaller pond located uphill from the well and adjacent to your home. I measured approximately 25 gpm or .06 cfs delivered to this pond. Total flow diverted from the well to the ponds is approximately 85 gpm or .19 cfs. The estimated surface area of the combined ponds is about one-half acre based on high water marks.

Three irrigation pumps bordering the large pond were observed. Due to the fact that this year's canal water was no longer provided by late summer and to the irrigated appearance of the large grassy area surrounding the larger pond, I assumed that well water had been recently used to irrigate lawns for several homeowners. The irrigated area exceeds one-half acre.

FEB 18 1993

but kind of weak argument?
Poss. 2 1/2
integrated use of well into pond(s) to irrigate 5 or 6
homeites @ 1/2 acre/home as several domestic users each
within 42-111A & using a common pit instead of each user having
own well - then could have 1/2 ac. irrig per home home.

Glenn and/or Peggy Hickey
November 13, 1992
Page 2

Without a non-domestic water right, the well is limited to use defined in Sec. 42-111, Idaho Code, which allows domestic use as follows:

a) for a single ownership setting including up to one-half acre irrigation where the rate of flow is not restricted but use is limited to 13,000 gallons per day; or

b) for up to 18 gpm or .04 cfs and not to exceed 2,500 gallons per day and a total of one-half acre irrigation for multiple ownership subdivisions and/or other uses.

The situation observed on 11/3/92 appears to fit the latter part of the definition. In either case, no more than one-half acre can be irrigated. Based on the flow measurements that I made, the well could supply water to the ponds under the domestic definition as follows:

a) under part (a) of the above description, the well could deliver water at 85 gpm for 2.5 hours per day (13,000 gallons per day); or

b) under part (b) of the definition, the well can pump water at 18 gpm for 2.3 hours per day (2,500 gallons per day).

Additionally, a water right is required to store well water in the ponds. The current moratorium on new water rights will not prohibit the approval of a storage right for ponds of this size for non-consumptive uses such as recreation or aesthetics. An irrigation water right is also required to use the well water to irrigate anything exceeding one-half acre. Although the department cannot approve new irrigation rights at this time, at least you could file an irrigation application to obtain a date of priority or seniority. It is possible that supplemental irrigation rights will be approved for the 1993 irrigation season, depending upon the water supply outlook.

Therefore, based on Idaho statutes and on conditions observed by department staff, the following actions are necessary.

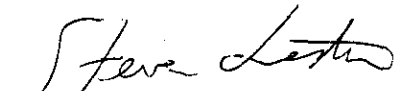
1. The well must be restricted to comply with the domestic definition, which appears to be 18 gpm and no more than 2,500 gallons per day in this case. The well can supply water to the ponds at 18 gpm for 2.3 hours per 24 hour period.
2. A water right application must be filed to allow well water to be delivered to the ponds.
3. Prior to any use of this well, either directly or via the pond(s), for irrigation of more than one-half acre, a valid irrigation right must be issued by this department. You and/or the other homeowners can file an irrigation application now or next spring.

FEB 18 1993

Glenn and/or Peggy Hickey
November 13, 1992
Page 3

Perhaps there are pieces of the puzzle that elude me in this matter. I welcome any clarification that you can provide in this situation. Please do not think that I am accusing you or anyone else of deliberately violating Idaho law in this situation. Instead, it appears that some confusion exists about the nature of domestic well use. I suggest that you contact me by 11/23/92 to make arrangements to take care of this matter. I will be glad to assist you in this rather complicated process.

Sincerely,


Steve Lester
Water Rights Supervisor

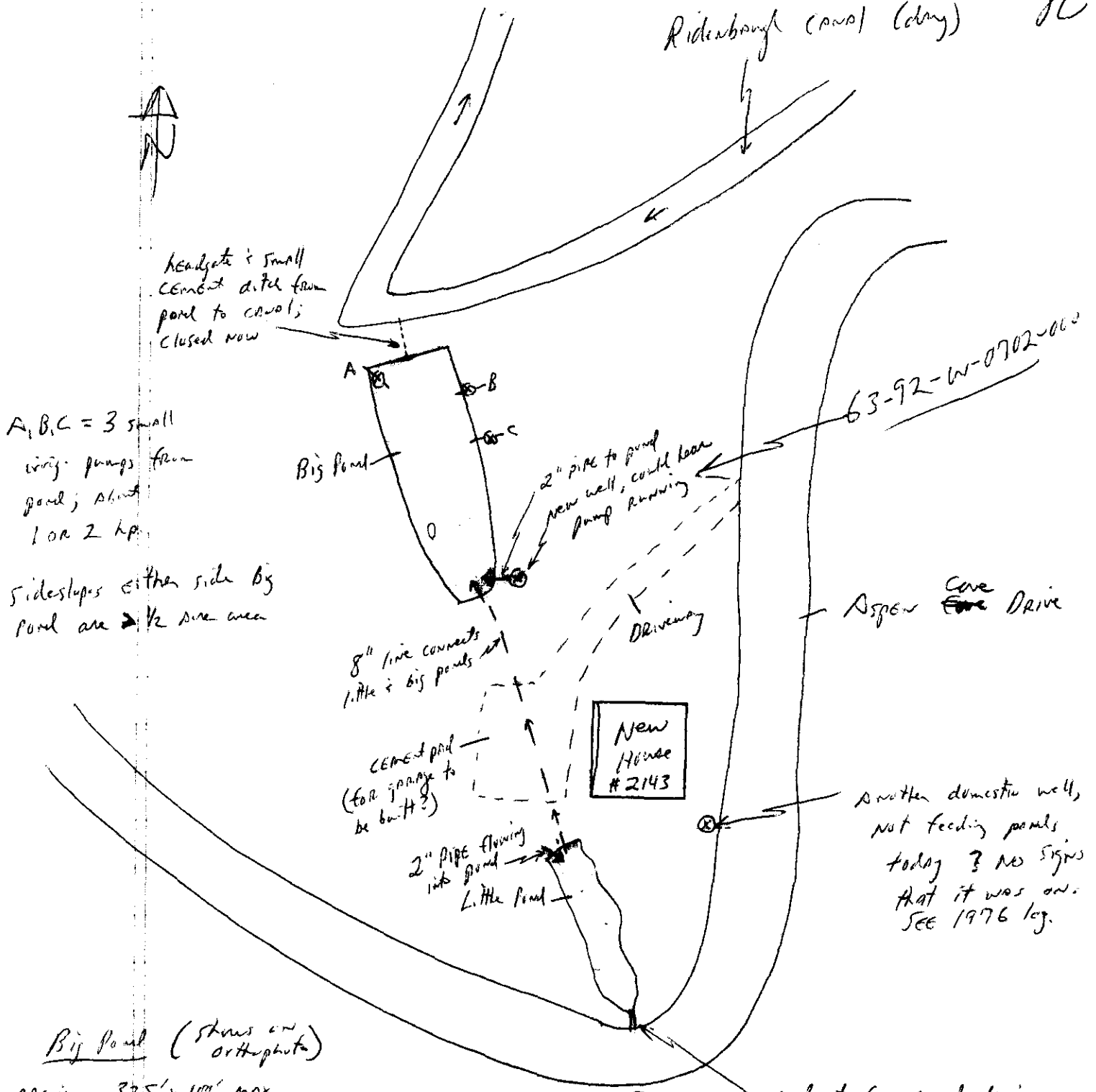
CC: Illegal Diversion File

RECEIVED
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Diagram

11/3/92

FL



Big Pond (shows on orthophoto)

padding 325' x 100' max
x 80' mid
x 20' mid.
depth - est. $\bar{x}$ = 3' today
about $\frac{3}{4}$ full now (based on high water marks)

Little Pond

padding 140' x 40' max
10' mid
30' near
depth - est. $\bar{x}$ = 2' today

REC'D MED
FEB 18 1993

(1)

G. & R. Hickey 2143

Keith & Diane Ebeling 2150

Wm. Weiss 2101

Bob Carlson 2201

Several of the users
of pond to
Irving. Lewis



No one home - Hickey's place,
where well & Little pond found.

Flow

a) Big Pond - 2" pipe from new well - could have pump running.

MEAS 2 times

Result:

$$\frac{59}{55} = \frac{60 \text{ gpm}}{55} = .13 \text{ cfs}$$

± 5.5 gpm @ this rate of fill - per S.O. Revised Exam. Handbk.

b) Little Pond - ≈ 2" pipe appears fed from new well (could not
have any activity at other domestic well on this property).

meas 2 times

Result:

$$\left(\frac{59}{125}\right)\left(\frac{60}{1 \text{ in}}\right) = \frac{25 \text{ gpm}}{125} = .06 \text{ cfs}$$

± 1.0 gpm @ this rate of fill

Pond Volumes

c) Big Pond ± triangular

$$L = 325 \quad W = 100 \quad D = 3$$

(Pacing)

$$\text{Today's volume} = \frac{(325)(100)(3)(.5)}{43,560} = \underline{1.1 \text{ a.f.}}$$

$$\frac{\text{Surface area}}{\text{area}} = \frac{1.1}{3} = \underline{.37 \text{ acre}}$$

est. ≈ 3/4 full now per high H2O marks, then:

$$\frac{\text{max volume}}{\text{volume}} = x = \frac{1.1}{.75} = \underline{1.5 \text{ a.f.}}$$

$$\frac{\text{max surf. area}}{\text{surf. area}} = x = \frac{.37}{.75} = \underline{.49 \text{ acre}}$$

d) Little Pond ± rectangular

$$L = 140 \quad W = 30 \quad D = 2$$

(Pacing)

$$\text{volume} = \frac{(140)(30)(2)}{43,560} = \underline{.19 \text{ a.f.}}$$

$$\frac{\text{surf. area}}{\text{area}} = \frac{.19}{2} = \underline{.1 \text{ acre}}$$

more or less full today so no projected maximums.

PER
11/25/92
office visit
5' and
E depth 4'

-92

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FEB 18 1993

e) Flows vs. 42-111 provisions

$$\text{flows } a+b = 60 + 25 = 85 \text{ gpm} = .19 \text{ cfs}$$

$\leftarrow \pm 6.5 \text{ gpm} \quad \leftarrow \pm .014 \text{ cfs}$

If 42-111 A 13,000 g/day, no flow component

$$\frac{13,000 \text{ g}}{85 \text{ g/hr}} \times \frac{1 \text{ hr}}{60 \text{ min}} = 2.5 \text{ hrs.}$$

CAN run well @ .19 cfs for 2 1/2 hr./day

If 42-111 B

.09 cfs & 2,500 g/day limits

reduce flow by about 80% to .09 cfs or
18 gpm

$$\frac{2,500 \text{ g}}{18 \text{ g/hr}} \times \frac{1 \text{ hr}}{60 \text{ min}} = 2.3 \text{ hrs.}$$

CAN run well @ .09 cfs for 2 1/3 hrs./day

A or B

TOTAL irrig from pond(s) if well feeds pond(s)
is limited to 1/2 acre ~~or more~~

Observed area much greater than 1/2 acre around Big
pond where 3 irrig pumps from pond are found.
Richborough Canal has been dry for quite some
time this year.

RECEIVED
FEB 18 1993

f) Constant Flow per Complaint (24 hrs/day)

$$(85 \text{ gpm})(60 \text{ m/hr})(24 \text{ hr/day}) = \underline{122,400 \text{ gallons/day}}$$

$$\frac{122,400}{325,850} = \underline{.4 \text{ A.F./day}}$$

$$\left(\begin{array}{l} 85 \text{ gpm} = .19 \text{ cfs} \\ .19 \text{ cfs} \times 1.9835 \rightarrow .4 \text{ A.F./day} \end{array} \right)$$

g) Water Right: Storage Question

Amount Stored $V_1 + V_2 = 1.1 + .19 = 1.29 = \underline{1.3 \text{ A.F.}}$

(could be up to 1.7 A.F. for max projection from pg. 2, item C)

IF 42-111A $.19 \text{ cfs} \times 1.9835 \rightarrow .4 \text{ A.F./24 hr}$, need storage water right

IF 42-111B $.09 \text{ cfs/min}$, need storage water right

If use to irrig. $\Rightarrow \frac{1}{2}$ acre from pond (w) via well, need irrig. W.R. for well. Will also require \$165 add'l fee for d.p. 63-92-W-0702.

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FEB 18 1993

Ident. No.

63-92-W-0702-000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR DRILLING PERMIT

1. Name: GLENN HICKEY 208-887-2498
Address: 2143 ASPEN COVE DR
MERIDIAN ID 83642

Name: PEGGY HICKEY 208-887-2498
Address: 2143 ASPEN COVE DR
MERIDIAN ID 83642

2. Proposed Well Location: *NWSE*
NESW Sec. 23, Township 03N, Range 01W
ADA County

Street Address of Well Site: 2143 ASPEN COVE DR
MERIDIAN ID

Lot, Block, and Subdivision: Lt 002
Blk 005
ASPEN COVE SUB

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

- A. New Well
- B. Proposed Surface Diameter 6 In. Proposed Maximum Depth 160 Ft.
- C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

5. Construction Start Date: 8/26/1992

6. Anticipated Well Driller: ADAMSON PUMP & DRILLING

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ _____ Received by _____ No. _____ Date _____

✓ Well log into found in computer 11/13/92

FEB 18 1993

ACT ION OF THE DEPARTMENT OF WATER RESOURCES

This permit verbally issued on 08/26/1992

This permit is _____

Date: _____

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed or modified in compliance with the applicable statutes; specific conditions of approval shown on the water right permit, transfer, amendment, or injection well permit; and the rules and regulations of the Department for water appropriation, injection wells, and well construction.
2. This drilling permit is valid for two (2) months from approval date for the start of drilling.
3. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller licensed in the State of Idaho.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by _____

Approval Date: _____

Expires On: _____

FEB 18 1993

Date: 11/13/92
Time: 13:47:36

FEB 18 1993

Department of Water Resources

JK WELL INSPECTION FORM

63-92-W-0702-000

If well is associated with water right, provide WR# N/A

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 3N, Rge 1W, Sec. 23, NW 1/4 SE 1/4 or Lot _____.
2. Owner: Glen / Peggy Hickey
Address 2143 Aspen Cove ~~St~~ Dr., City Merriden, St Id
3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐
4. Access Port: Yes ☒ No ☐ Static Water Level: ?
Pressure Gauge: Yes ☐ No ☒ Casing Diameter: 6"
Flowing: Yes ☐ No ☒ Temperature: cold
Properly Valved: Yes ☐ No ☒
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

excess flow for domestic well

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks:

L 2 BLS Aspen Cove Subd.
Access port via removable cap.
Well borders large pond below house.
Pump was on, water piped to 2 ponds on site on 11/3/92 visit.

Can't find paper well log but some log info in computer d'base.

Original: RBW 11/13/92
CC: "Illegal Diversion" file

RECORDED

FEB 18 1993

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Exchange Enterprises
Address 77 Persimmon
Owner's Permit No. _____

7. WATER LEVEL

Static water level 20 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☒ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other _____
Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____
Department of Water Resources
Western Regional Office

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotory ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 10.3 feet
Casing schedule: ☐ Steel ☐ Concrete
Thickness _____ Diameter _____ From _____ To _____
2.50 inches 6 inches + 1 feet 10.3 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☒ Yes ☐ No
Manufacturer's name Johnson
Type Standard Steel Model No. _____
Diameter 5 Slot size 20 Set from 9.8 feet to 10.3 feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 20' Material used in seal ☐ Cement grout
☒ Pudding clay ☐ Well cuttings
Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location. 63
Subdivision Name Rainbow Ave
Lot No. 21 Block No. 5
Aspen Cove Dr
County Adair
SE 1/4 Sec. 23, T.13 N, R.11 W, N.1

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	2	Top soil		
	2	3.2	gravel		
	3.2	6.8	fine black sand + clay		
	6.8	8.9	yellow clay		
	8.9	9.4	fine sand		
	9.4	10.3	coarse sand		

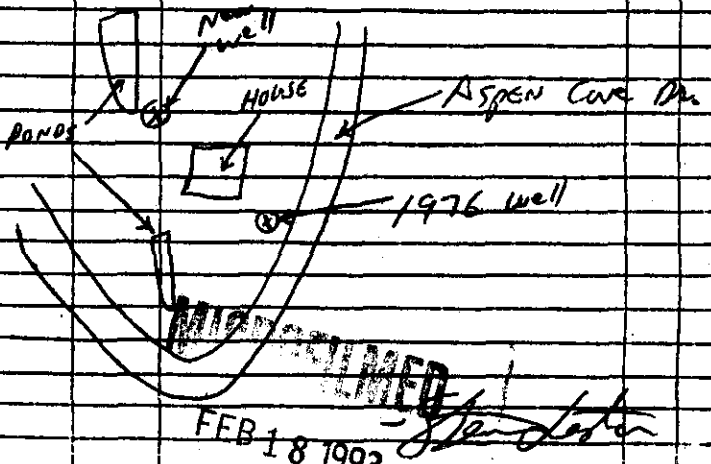
Location is NWSE

PER 11/3/92 Site Visit:

NWSE = Glenn + Peggy Hickey

2143 Aspen Cove Dr.

Also see 63-92-W-0702-000
for new well on site



10.

Work started 9/26/76 finished 10/2/76

11. DRILLERS CERTIFICATION

Firm Name Tri-State Pump & Repair Firm No. 260
Address Box 86, Millington, TN Date 11/10/76
Signed by (Firm Official) John V. Smith
and Harold Smith
(Signature)

Department of Water Resources

- 82 WELL INSPECTION FORM

1976 well

If well is associated with water right, provide WR# N/A

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 3N, Rge 1W, Sec. 23, NW1/4 SE 1/4 or Lot _____.
2. Owner: Glenn / Peggy Hickey
Address 2143 Aspen Cove Dr., City Meriden, St Id
3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐
4. Access Port: Yes ☒ No ☐ Static Water Level: 20'
Pressure Gauge: Yes ☐ No ☒ Casing Diameter: 6"
Flowing: Yes ☐ No ☒ Temperature: cold
Properly Valved: Yes ☐ No ☒ N/A
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks:

L-2 BL-5 Aspen Cove Sub.
Access port via removable cap.
Well borders Aspen Cove Drive & by house on
uphill side

Original: R.BW 11/13/92
CC: "Illegal Diversion" file

RECORDED

FEB 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

DECEMBER 9, 1992

The Idaho Statesman
P.O. Box 40
Boise, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 4, 1993.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MICROFILMED

FEB 18 1993

63-11964

ASPEN COVE LAKE ASSOCIATION
C/O KEITH EBELING
2150 ASPEN COVE DR
MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: NWSE Sec 23 T 03N R 01W in ADA County.

Use: AESTHETIC STORAGE (2.30 AF)
DIVERSION TO STORAGE (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 11/25/1992

In: ADA County
T03N R01W S23 NWSE

RECEIVED
FEB 18 1993