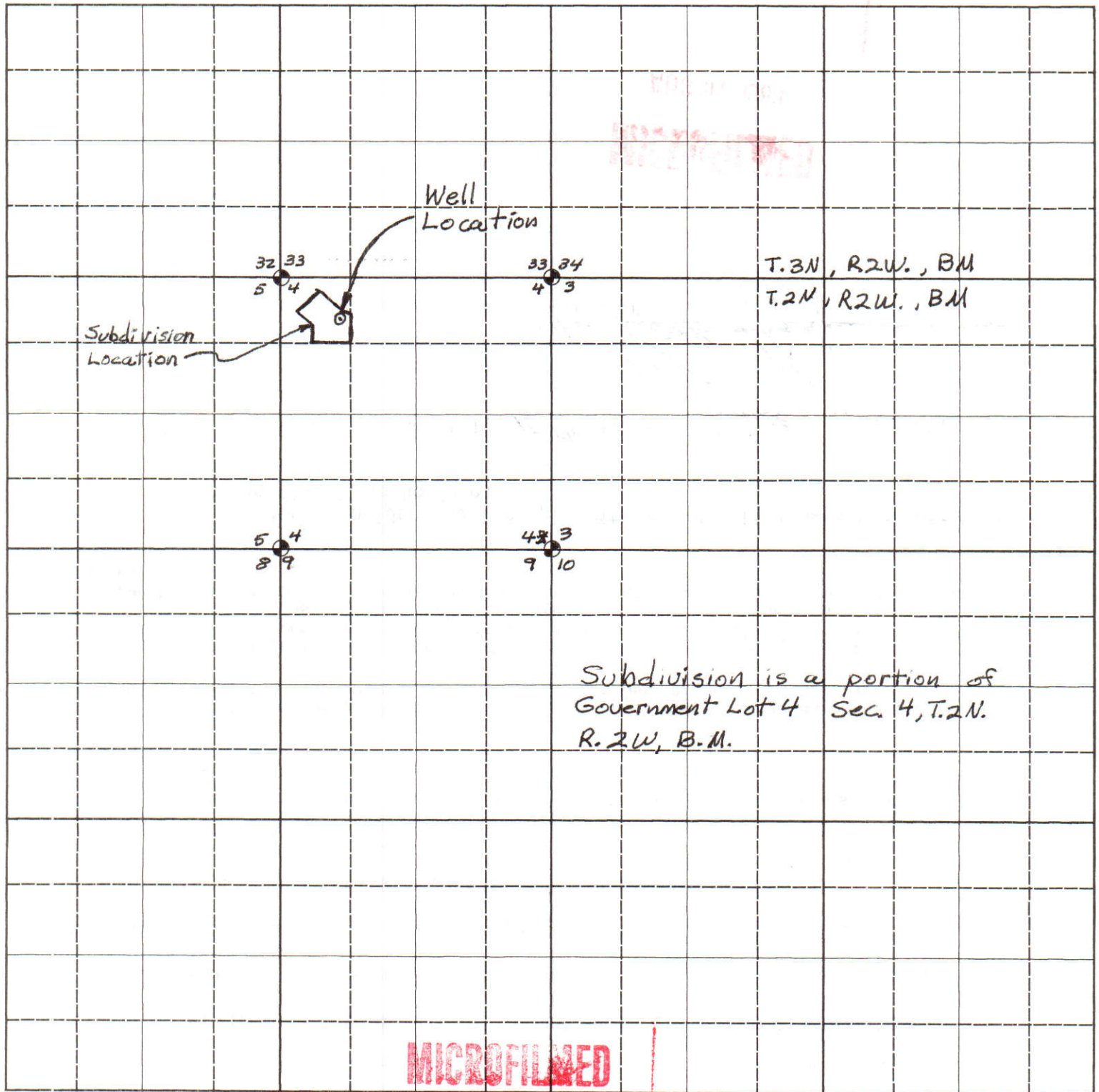


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

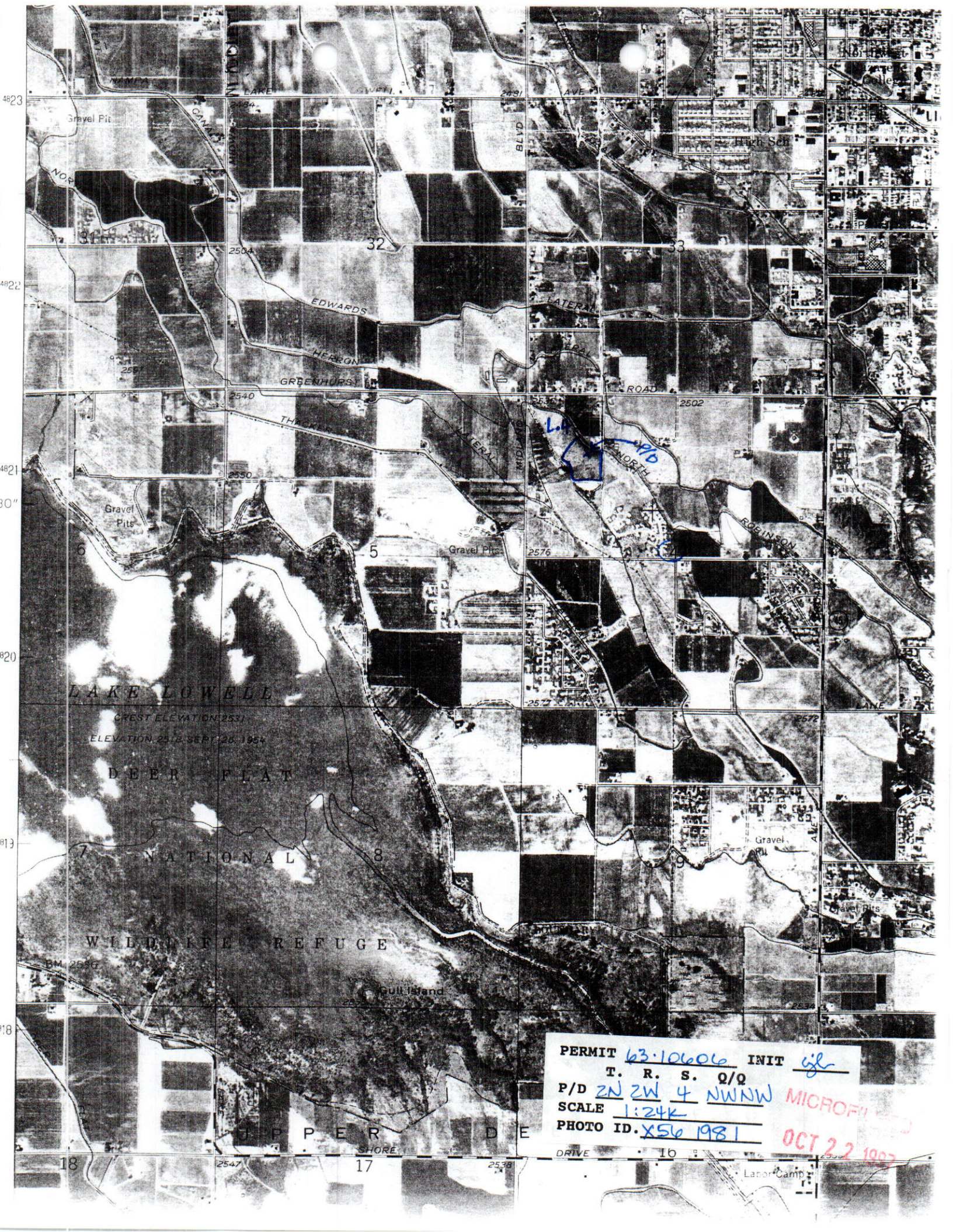


Scale: 2 inches equal 1 mile.

AUG 08 1988

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.

Connie L. Malson
(Applicant)



PERMIT 63-10606 INIT ylr
T. R. S. Q/Q
P/D ZN ZW 4 NWNW
SCALE 1:24K
PHOTO ID. X56 1981

MICROFILMED
OCT 22 1983

DRIVE 10

Labor Camp

Topographic map of a section of the Natchez Trace Parkway, showing sections 3 through 17. The map includes contour lines, a grid, and various labels such as "Sec. 3", "Sec. 4", "Sec. 5", "Sec. 8", "Sec. 9", "Sec. 10", "Sec. 15", "Sec. 16", and "Sec. 17". A prominent road or path is shown running diagonally across the map. A red stamp in the bottom right corner reads "MICROFILMED OCT 22 1997".



P/O
View to NW
Pumphouse in
background



Typical home
lots. view to
SW fr. well
lot.



Entry & common
area. View to
NW. P/O located
behind truck.

REPRODUCED
OCT 22 1997

63-10606

TOWNSHIP 2 NORTH RANGE 3

SURVEYED BY WALTER WARD, ASSISTANT

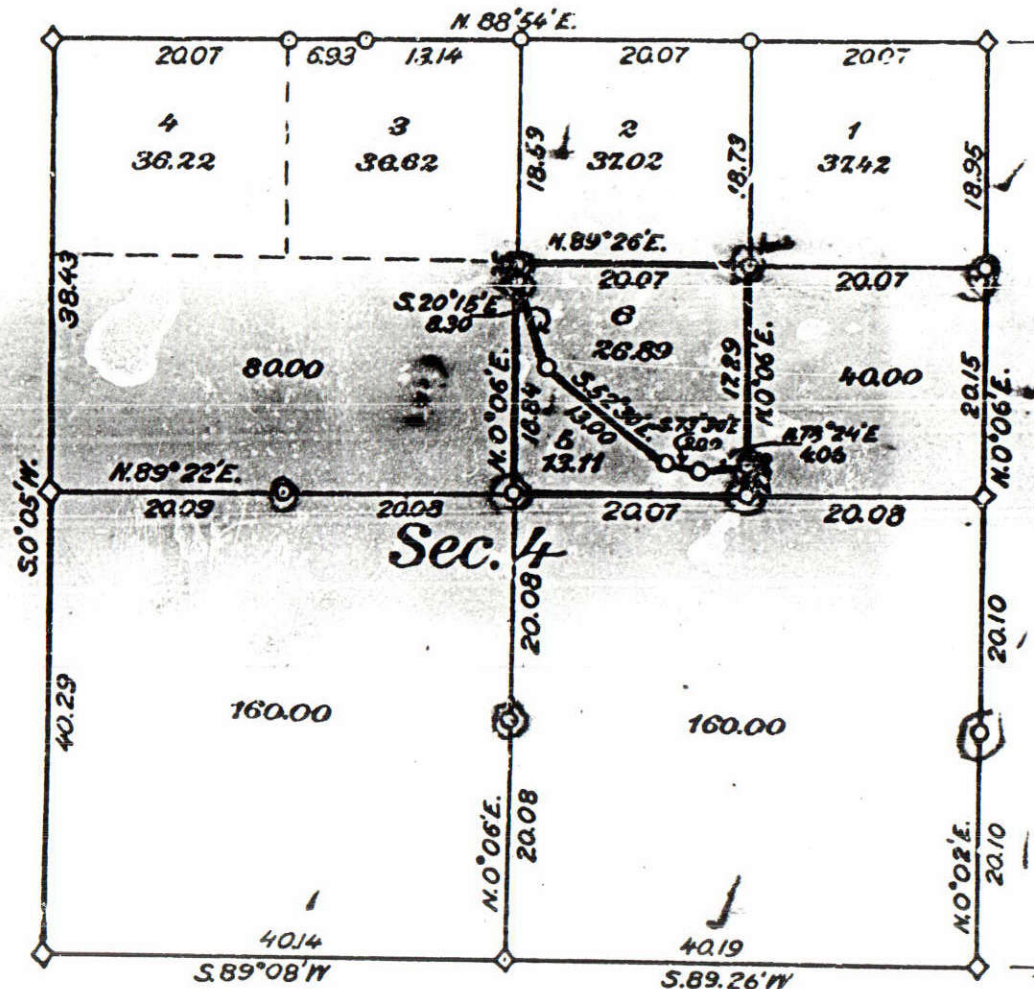
JAN. - FEB. 1910

AND J. L. BURKHOLDER ASSISTANT

JUNE - AUGUST 1910

DEPARTMENTAL INSTRUCTIONS OF 1908

SCALE: 4 INCHES = 1 MILE



RECORDED

AUG 6 1988

Sec. 3

4	3	2	1
36.22	36.62	37.02	37.42

4	3	2	1
39.91	40.31	40.71	41.10

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10606

Priority: April 7, 1988

Maximum Diversion Rate:

0.38 CFS

Maximum Diversion Volume:

49.8 AF

This is to certify, that THOMAS M MALSON
CONNIE L MALSON

2601 TOMA CT
NAMPA ID 83651

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 7, 1988; and has submitted Proof of Beneficial Use on May 11, 1989. An examination indicates that the works have a diversion capacity of 0.460 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>
IRRIGATION	03/15 to 11/15	0.16 CFS	36.0 AF
DOMESTIC	01/01 to 12/31	0.22 CFS	13.8 AF
Totals		0.38 CFS	49.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 4, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	02W	4	Lot 4(NWNW)	8		8

Total number of acres irrigated: 8

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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 that 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

MICROFILMED
OCT 22 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10606

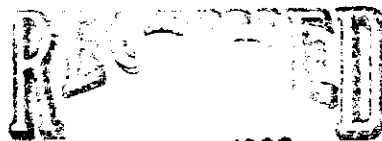
CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 23 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 25TH
day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
OCT 22 1987



MAY 11 1989

For Office Use Only

Fee Received 100.00

Date 5/11/89

Receipt # CD 6760

Receipt by H. Young

Reviewed by _____

Sent to region _____

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-10606

Name(s) of Permit Holder: Thomas M. Malson and/or Connie L. Malson

Post Office Address: 2700 Pascoe Lane, Nampa, Idaho 83651

Telephone No. (208) 467-3856

Source of Water: ground water

Extent of Use:

Domestic 23 (number of households) Stockwater 0 (number and type of stock)

Irrigation 9.0 (acres) Other/Remark The well, pumphouse and

distribution system are complete, however, only one home is completed.

Total rate and/or volume for which proof is submitted 0.40 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: December 1988

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

Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination:

Dennis A. King, P.L.S. (208) 467-5252
(Name) (Telephone Number)

J-U-B ENGINEERS, Inc. 212 Tenth Avenue South, Nampa, Idaho 83651
(Address)

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.

MICROFILMED

Connie L. Malson AUG 29 1989
Date Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Thomas M. Malson &/or Connie L. Malson Phone (208) 467-3856
Post office address 2700 Pascoe Lane, Nampa, ID 83651

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 4
Sec. 4 Township 2 N. Range 2 W. B.M. Canyon County; additional
points of diversion if any: None

4. Water will be used for the following purposes:

Amount .18 cfs* for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .22 cfs* for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .40 cfs* and/or (b)
.446 cfs cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. N/A Well with pump and pipeline to homes,
irrigation via sprinkler systems.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.

c. Proposed well diameter is ten inches; proposed depth of well is 350 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water for the proposed beneficial use is
one years (minimum 1 year).

NOT REFILED

AUG 08 1988

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 23 households, 9.0 Acres of lawn irrigated
- e. Other; describe fully. None

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	
2N	2W	4						Lt. 4											
								D											
2N	2W	4						9											9

Total number of acres to be irrigated 9

10. Describe any other water rights used for the same purposes as described above. Existing Canal Irrigation water rights will be abandoned to meet pressure irrigation requirements of the City of Nampa, Idaho.

11. a. Who owns the property at the point of diversion? Thomas M. Malson

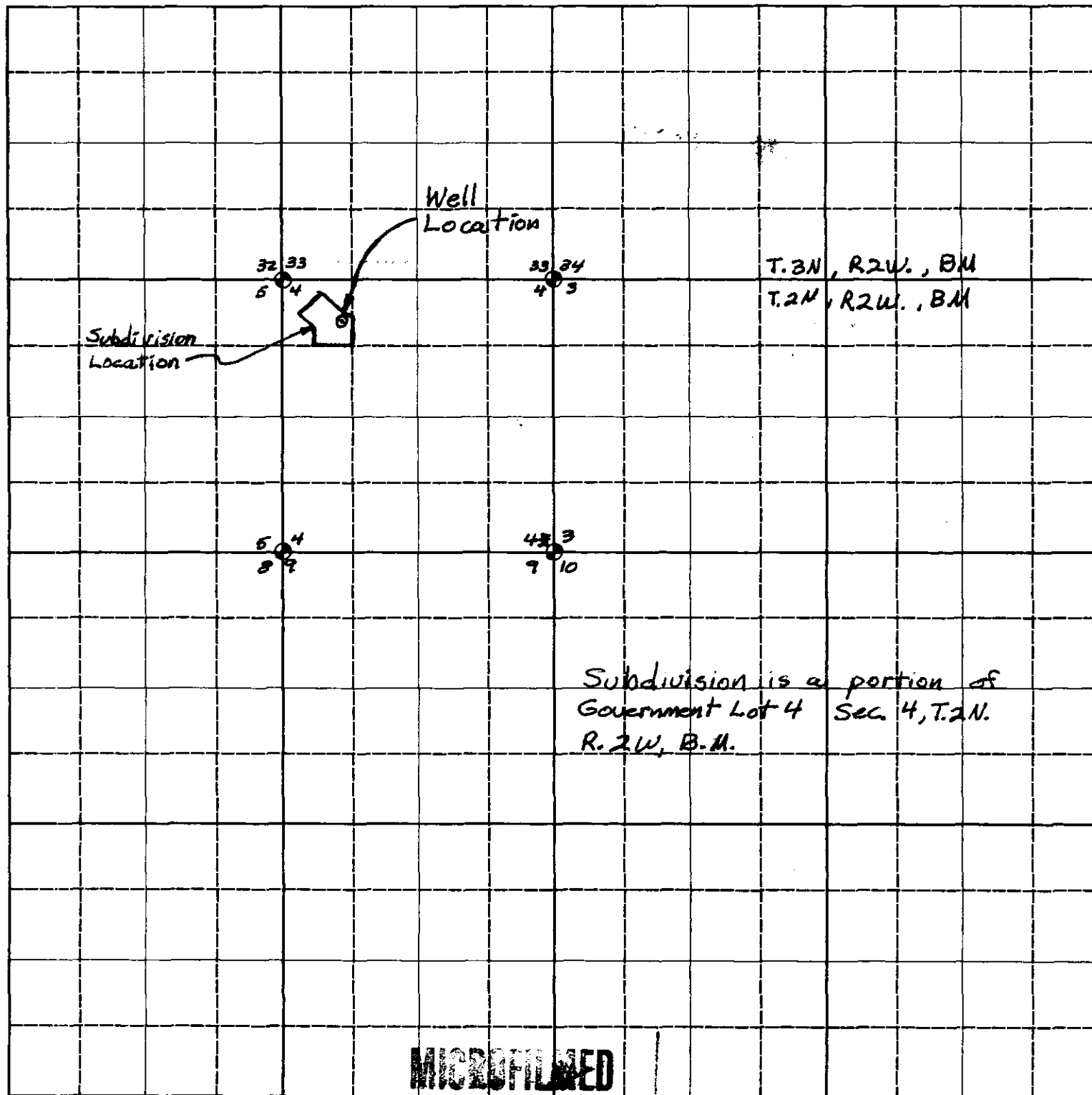
b. Who owns the land to be irrigated or place of use? Thomas M. Malson

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

12. Remarks: Well Driller will be Adamson Pump and Drilling Company, 1320 Smith Ave., Nampa, Idaho, 83651. Well is being developed to provide domestic and lawn irrigation water for a 23 lot rural subdivision located south of the City of Nampa.

FILED

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

AUG 08 1988

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.

Connie G. Malson
(Applicant)

Proposed Priority 4/7/88

Received by nl Date 4-7-88 Time 10:00 am Preliminary check by [Signature]

Fee \$ 45.00 Receipted by [Signature] # W000094 Date 4/11/88

Publication prepared by GG Date 4-13-88 Published in Press-Tribune

Publication approved [Signature] Date 5/11/88 4/20 - 4/27/88

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. 63-10606, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 89.

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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 10TH day of JUNE, 1988.

[Signature]
Director

MICROFILMED

AUG 08 1988

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-10600

ROBISON FRUIT RANCH, INC.,
Rt. 10, Box 354, Caldwell, ID 83605
Source: GROUNDWATER
Diversion Pt: NWSE Sec 15 T 03 N
R 04W

Use: IRRIGATION (2,500 CFS)
Date Filed: April 7, 1988

In: NESW Sec 15 T 03N R 04W
FOR 40.0 ACRES
NWSW Sec 15 T 03N R 04W FOR
40.0 ACRES
NESE Sec 15 T 03N R 04W FOR
25.0 ACRES
NWSE Sec 15 T 03N R 04W FOR
20.0 ACRES
Total acres: 125

63-10601

SIDENER, WIMONA &/or CLINE
J. Rt. 8 Box 234, Caldwell, ID 83605
Source: GROUNDWATER
Diversion Pt: SESW Sec 11 T 03N
R 03W

Use: IRRIGATION (.800 CFS)
Date Filed: April 6, 1988

In: SESW Sec 11 T 03N R 03W FOR
40.0 ACRES

63-10602

JOHNSON, GEORGE R., Rt. A
Box 163, Caldwell, ID 83605
Source: GROUNDWATER
Diversion Pt: SESW Sec 32 T 03N
R 03W

Use: IRRIGATION (.740 CFS)
Date Filed: March 29, 1988

In: SESW Sec 32 T 03N R 03W FOR
19.0 ACRES
SWSE Sec 32 T 03N R 03W FOR
18.0 ACRES
For a total of 37 acres

63-10603

EGGIMAN, RICHARD &/or
JOHANNA, Rt. 1 Box 141D, Malba,
ID 83641

Source: GROUNDWATER
Diversion Pt: SWSW Sec 15 T 01N
R 02W

Use: IRRIGATION (.030 CFS)
DOMESTIC (.020 CFS)
Date Filed: March 31, 1988

In: SWSW Sec 15 T 01N R 02W
FOR 1.0 ACRES

63-10604

EGGIMANN, RICHARD &/or
JOHANNA, Rt. 1 Box 141D, Malba,
ID 83641

Source: GROUNDWATER
Diversion Pt: SWSW Sec 15 T 01N
R 02W

Use: IRRIGATION (.400 CFS)
COMMERCIAL (.110 CFS)
HEATING (.050 CFS)
COOLING (.050 CFS)
DOMESTIC (.040 CFS)

Date Filed: March 31, 1988
In: SWSW Sec 15 T 01N R 02W
FOR 20.0 ACRES

63-10606

MALSON, THOMAS M. &/or
CONNIE L., 2700 Pascoe Ln.,
Nampa, ID 83651

Source: GROUNDWATER
Diversion Pt: Lot 4 (NWNW) Sec 4
T 02N R 02W

Use: IRRIGATION (.180 CFS)
DOMESTIC (.220 CFS)
Date Filed: April 7, 1988

In: Lot 4 (NWNW) Sec 4 T 02N R
02W FOR 9.0 ACRES

The permits 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 May 9, 1988.

R. KEITH HIGGINSON
Director
April 20, 27, 1988

RECEIVED

APR 27 1988

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo
of Nampa, Canyon County, Idaho, being first duly sworn, deposes
and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of eighteen years,
and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily, (except Saturday) newspaper published in the City of Nampa
and Caldwell, in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of Canyon,
and in the vicinity of Nampa and Caldwell, and has been uninterru-
ptedly published in said County during a period of seventy-eight
consecutive weeks prior to the first publication of the notice, a copy
of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper
Two times
in the regular and entire issue of said paper, and was printed in
the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
April 20, 27, 1988

Debra Martin del Campo
Subscribed and sworn to before me this 27th
day of April
19 88

James L. Smith
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

RECEIVED
AUG 08 1988

SC

10/16/97

Mr Larry Burtis (Sec/Treas)
of the Joma Ridge Home
Owners Assn. came into
the office w/ a copy of
the license and wanted
to give us the address
for the assn. in case any
future correspondence was
sent. We filled out a notice
of change of ownership but
they don't care if the computer
~~gets~~ record gets changed &
didn't want to have to find
plat map, deeds, etc - just
a note in the file - that's the
way this document will be handled.

STATE OF IDAHO
IDWR DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 63-10606
Adjudication Claim Number(s) N/A
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Thomas M. & Connie L. Malson
2601 Joma Ct Nampa, Id 83651
4. New Owner/Claimant(s) Toma Ridge Home Owners Assn.
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 836 Horizon Way 1
City, State and ZIP Code Nampa Id 83686
New Telephone Number (208) 466-8767 Larry Bunts (Sec/Treas)
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated 8 Number and type of stock _____
Diversion rate in CFS 38 Number of homes 23 Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Larry Bunts Date Oct 16 1997
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



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

September 26, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS M MALSON
CONNIE L MALSON
2601 TOMA CT
NAMPA ID 83651

RE: WATER RIGHT NO. 63-10606

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.

RECORDED

OCT 22 1997

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". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MCRC

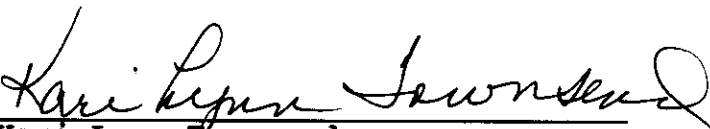
OCT 22 1997

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of **September, 1997**, 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. 63-10606

THOMAS M MALSON
CONNIE L MALSON
2601 TOMA CT
NAMPA ID 83651



Kari Lynn Townsend
Secretary

RECEIVED

OCT 22 1997

Report

Analysis of System Capacity for Subdivisions

Operator: S. Curtis

Date: 9/23/97

Right No.: 63-10606

Existing or Proposed System

Storage capacity in gallons	1000 gal	
Pump horsepower	20 hp	
Dynamic lift	150 ft	
Pump discharge pressure	50 psi	
Theoretical pumping capacity	0.46 cfs	208.3 gpm
Measured pumping capacity	0.38 cfs	170.5 gpm

Requirements

Number of homes	23 homes
Gallons per day per home	1000 gal
Area irrigated	8 acres
Peak demand period	60 min

Calculations

Peak instantaneous demand	0.38 cfs	168.8 gpm
Suggested pump capacity	0.11 cfs	50.6 gpm
Peak demand volume	14438 gal	
Max potential daily diversion vol.	245583 gal	
Total daily volume required	31617 gal	0.097 af
Time required to pump daily vol.	3.1 hr	185 min
Time required to refill storage	1.4 hr	85 min

Key Questions

Does existing storage capacity exceed peak demand volume?	No
Does existing pumping capacity meet or exceed the suggested pumping capacity?	Yes ✓
Can the system produce the required daily volume in under 24 hours?	Yes ✓

Notes:

MEMORANDUM

TO: File 63-10606

FROM: Sharla

DATE: September 24, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 63-10606 are based on the following:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.16 cfs	36.0 afa
Domestic	1/1 - 12/31	0.22 cfs	13.8 afa
	TOTALS	0.38 cfs	49.8 afa

The number of homes to be covered under this license is 23; using 0.6 af/home, the annual volume for domestic purposes is 13.8 af, making the total volume 49.8 afa.

Examiner: Cindy Hodges
Exam Date: April 30, 1996

63-10606-12
OCT 22 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-10606

DATE 9/23/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>2601 Joma Ct.</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.40</u> cfs
Fee limit	<u>1.0</u> cfs <u>\$100.00</u>
Measured	<u>—</u> cfs
Theoretical	<u>.46</u> cfs

Recommended Total Div Rate .38 cfs

ANNUAL VOLUME/ NATURE OF USES

<u>✓</u>	Use	cfs	Volume Calc
	<u>Dom.</u>	<u>.16</u>	<u>8 X .45 = 36.0</u> af
	<u>Dom.</u>	<u>.22</u>	<u>23 X .6 = 13.8</u> af
			<u>—</u> af
			<u>—</u> af
	SUBTOTAL	<u>.38</u>	<u>49.8</u> af

Flow rate .16 cfs X 246 days X 1.98 = 78.0 af
 Total volume recommended 36.0 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1723 homes (WBS)

CONDITIONS

— Watermaster Control WD# —
1320 GW Measurement/Measuring Device
1320 Overlap

— Use-specific conditions
 Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo dom volume (23)
total "

1st Amend Letter N/A
 2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 22 1996

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 63-106061. Owner: ? See attached letter, or license as recorded. Phone No. _____

Current Address: _____

2. Accompanied by: NONE (info from Tom Nelson) EXAM DATE: 4/30/96Address: 2601 Tama Ct Nampa ID 83651 Phone No. 467-1370Relationship to Permit Holder: developer/resident of subdivision3. Source: GROUND WATER tributary to _____**B. OVERLAP REVIEW**1. Other water rights with the same place of use: 63-2388, 41842. Other water rights with the same point of diversion: 63-4184**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
	4		NW	NW	4	2N	2W	Canyon	Map, Site Visit

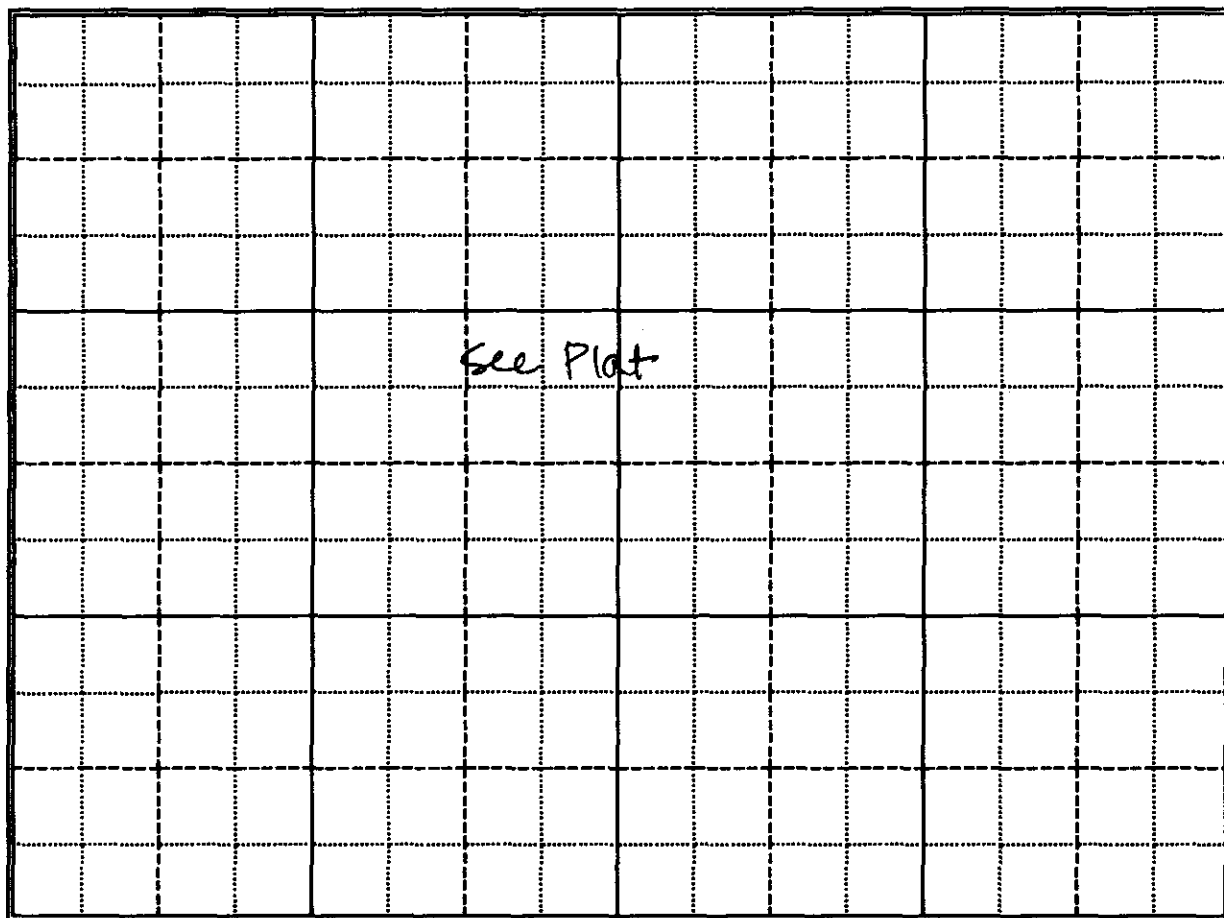
2. Place(s) of Use:

Indicate Method of Determination Flat

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	2W	4						D/8											8
								L.4											

MICROFILMED
OCT 22 1997

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).

_____ 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
*	Subm	20			

*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

2. Measurements: *per Adamson Drilling (Suzy) pump replaced ¹⁹⁹⁰ same HP as original installation. Set @ 168. Pump house locked so could not obtain distribution system sketch. See PSI 40-60

MICROFILMED

OCT 27 1987

E. NARRATIVE/REMARKS/COMMENTS

Domestic & Irrigation system for 23 homes (19 existing, 4 stubbed) from single 10" well. See plat map.

Per permit holder: Well discharges into 1000 gal pressurized holding tank. A backup array of air pressure tanks provides emergency pressure for delivery during power outages. A dual system of 6" mains are used for internal and irrigation supply. Irrigation main is turned off in winter. There are ^{no} surface ^{water} shares for this property. It had never been irrigated ~~before~~ ^{before being} developed.

Overlap review: Although project water shows in overlap review, acreage is situated above the Robinson lateral. 1987 NAPP photography shows the area as unirrigated. 63.4184 is one of several private stock/dom rights (w/ SRBA listings) in this QQ, presumed separate.

All lots stubbed. All lots ~~for~~ & common area have been developed except the following residential lots: 7, 8, 11 & 17 are vacant but stubs are evident. Irrigation will be credited for those lots in accordance w/ policy

~~Acreage~~ ^(fract) entire parcel less roads:	9.1 ac
Less 23 homes @ 2000 ft ² ea	1.1 ac
($23 \times 2000 / 43560 = 1.1$)	8.0 ac

Domestic use is for 23 homes.

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

MICROFILMED
OCT 22 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{20 \times 8.8 \times 7}{150 + (50 \times 2.31)} = .46 \text{ cfs System capacity}$$

(Horsepower equation)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8 \times 4.5 = 36$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .16 \times 246 \times 1.9835 = 78$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 36$$

2. Volume Calculations for Other Uses:

$$D/S \text{ internal } 8 \times .6 = 4.8$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

(adjusted to present standard)

Period of Use

From

To

Rate of Diversion

Q (cfs)

Annual Volume

V (afa)

IRR

3/15

11/15

.16

36.0

DOM

1/1

12/31

.22

4.8

Totals: .38

40.8

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. AUTHENTICATION

Field Examiner's Name

Cindy Hodges

Date

5/6/96

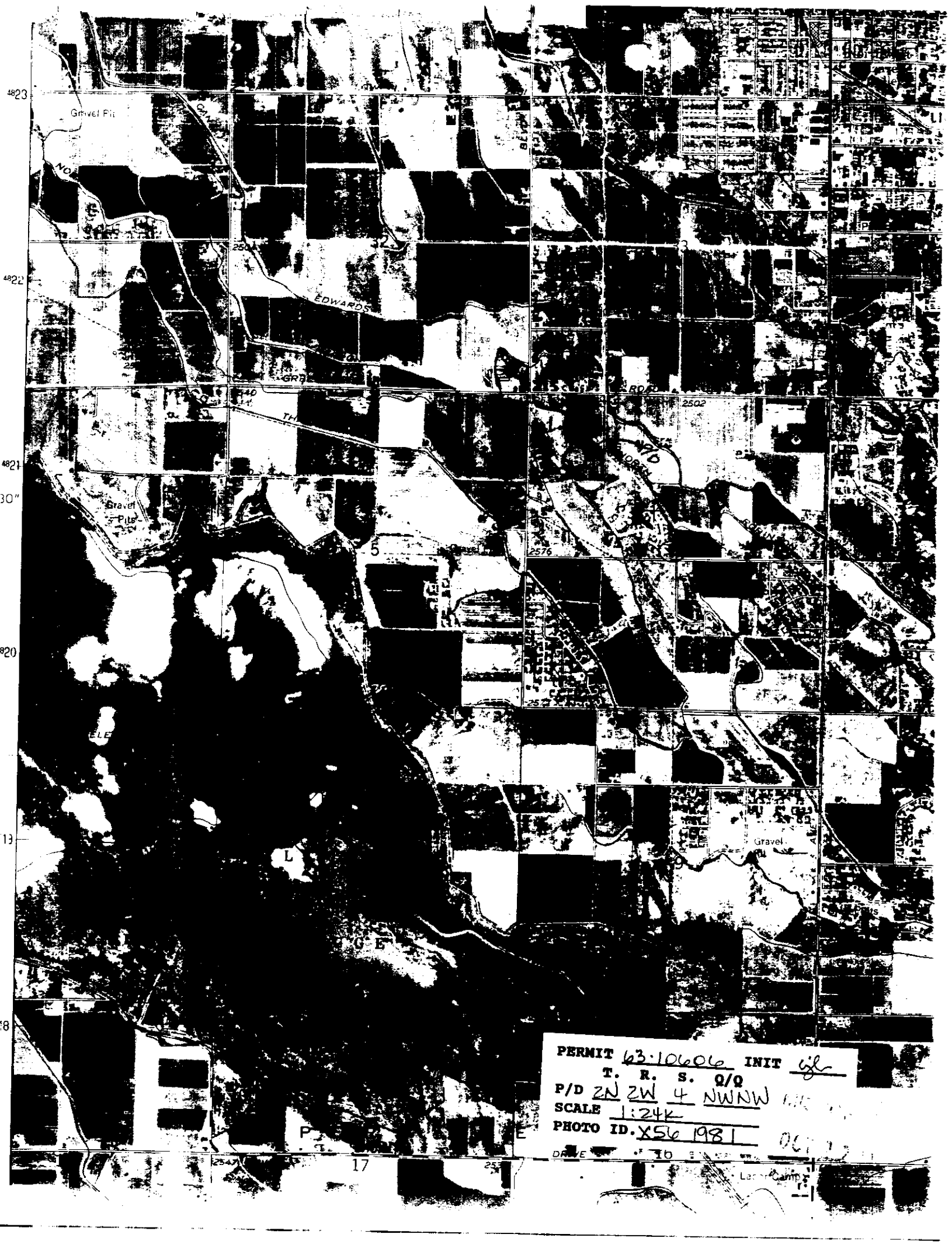
Reviewer

Date

SEAL

MICROFILM

OCT 22 1997



PERMIT 63-10606 INIT gl
T. R. S. Q/Q
P/D ZN ZW 4 NWNW 1/4
SCALE 1:24K
PHOTO ID. X56 1981

DATE 10 1981
Lar-y Camp

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-88-Z-0057 OTHER APPLICABLE NO: 63-10606

2. OWNER: TOMA RIDGE / TOM MALSON Phone: _____
Address: _____

3. WELL LOCATION: Twp 2N, Rge. 2W, Sec. 4, Lot 4 NW 1/4 NW 1/4
County _____ (Provide sketch map and photo on reverse.)

4. DRILLER: Adamson Lic. No. 457
When Drilled? 10-88

5. WELL CONSTRUCTION: TD=330
Casing Diameter 10 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 280 ft. Method Drilled Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No ?
Condition of Piping and Valving N/A - locked inside bldg.
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 60 ft. Water Temperature _____ °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 ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: Community

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? _____

How far away from the well is this source? _____

9. REMARKS: Pumphouse locked - wellhead outside but unable
to observe storage/pressure/chlorination (?) system.

Cyl
Signature of Dept. Representative & Title

4/30/96
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

NOV 27 1997



P/D
View to NW
Pumphouse in
background



Typical home
lots. View to
SW fr. well
lot.



Entry & common
area. View to
NW. P/D located
behind truck.

01/12/07

63-10606



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1996

TOM MALSON
2601 TOMA CT
NAMPA ID 83651

RE: Assignment of Permit 63-10606

Dear Mr. Malson:

Thank you for the information regarding the water system at Toma Ridge Subdivision. I plan on conducting the field exam during the week of April 29, 1996.

Enclosed is an assignment of permit form which may be used to convey the permit to the Homeowner's Association. Please note that a notarized signature is required. A \$25.00 processing fee must also accompany the assignment request.

Please return the form to my attention at the above address. Feel free to contact me at 208-334-2190 if you have additional questions.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

Enclosure

MICROFILMED
OCT 22 1997

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10606

Date: 8/9/89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely
Y Reinstated

Source of Water:

Y Surface water
Y Groundwater
Y 1. well log in file
Y 2. drilling permit
Y A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
Y Waiver or modification of measuring device requested

Remarks:

Proof Acceptable

Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Permit #63-10606
MR + MRS Thomas M. MALSON
DATA Entry done 9/10/90 KWO
PO Box 555
Nampa, ID 83653
Change of address
per phone 9/15/90
Dann Smith

**RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES**

Receipt No: 0006760

Date: 05/12/89
Time: 12:07:07

Received

From: MALSON, TOM

Type of Payment	Program Acct Class	Amount
BENEFICIAL USE (63-10606)	0620122 1238 6490	\$100.00
	Total	\$100.00

CHECK 2890

Idaho Department of Water Resources

Region: STATE

Signature: _____

K. Young

MICROFILMED

AUG 29 1989



J-U-B ENGINEERS, INC.

212 Tenth Avenue South • Nampa, Idaho 83651 • Telephone (208) 467-5252

May 6, 1989

RECEIVED
MAY 11 1989

Rita Fleck
Secretary/Records Manager
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Permit No. 63-10606

Dear Ms. Fleck:

Attached you will find a completed Proof of Beneficial Use Form for the above mentioned permit. A well, pump house, distribution piping and services have been constructed for domestic water and pressure irrigation. These improvements are a part of the development of Sunrise at Toma Ridge Subdivision. Although the improvements are complete, only one dwelling has been constructed at this time.

Attached you will also find a check for \$100.00 which is the license examination fee. Please call our office to schedule the field examination with your department representative.

If you have any questions or need further information concerning this Proof of Beneficial Use Form, please feel free to call.

Sincerely,

J-U-B ENGINEERS, Inc.

Michael D. Choat

Michael D. Choat, E.I.T.

MDC:wa

cc: Tom & Connie Malson
Enclosure

MICROFILMED

AUG 29 1989

1. WELL OWNER

Name THOMAS & CONNIE MALSON

Address 2700 PASCO LANE NAIIPA IDA.

Owner's Permit No. 63-88-2-57

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

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

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>10"</u> inches	<u>+ 1</u> feet	<u>280</u> feet
<u>OPEN HOLE</u> inches	<u>10"</u> inches	<u>280</u> feet	<u>330</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

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 _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☒ Yes ☐ No Size of gravel 1/2"

Placed from 280 FT feet to _____ feet

Surface seal depth 20 Material used in seal: ☐ Cement grout

☒ Bentonite ☒ Puddling clay ☐ _____

Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port WELL SEAL

6. LOCATION OF WELL

Sketch map location must agree with written location.

N				
W		4		E

Subdivision Name SUNRISE AT

TONA RIDGE SUBDIVISION

Lot No. #1 Block No. MICROFILMED

County CAYDON

1/4 1/4 Sec. 4 T. 2N N/S. R. 2W E/W.

7. WATER LEVEL

Static water level 60 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>APPROX 600 GPM</u>		<u>4</u>

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10"	0	8	TOP SOIL		0
{	8	22	GRAVEL & COBBLESTONS		0
	22	42	GRAVEL & SAND		0
	42	77	CLAY	VERY LITTLE	X
	77	87	CLAY - SMALL GRAVEL	MORE	X
	87	97	CLAY SOME SAND		0
	97	108	SAND	SOME	X
	108	112	SAND		0
	112	125	FINE BLOW SAND		X
	125	129	FINE SAND		X
	129	137	TIGHT CLAY		0
{	137	168	HARD BLUE CLAY		0
	168	193	CLAY		0
	193	197	FINE SAND	LITTLE	X
	197	200	FINE SAND	FAIR AMOUNT	X
	200	202	CLAY LAYER		0
	202	208	HEAVY SAND	SOME	X
	208	210	CLAY		0
	210	246	SAND & CLAY LAYERS	ALOT	X
	246	249	SAND & CLAY FINE SAND	ALOT	X
	249	280	CLAY		0
{	280	290	SAND	ALOT	X
	290	310	SANDY CLAY		0
	310	330	SANDY CLAY LAYERS		X

RECEIVED
JAN 17 1989
Department of Water Resources
Western Regional Office

10.

Work started 8-88 finished 10-88

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Adamsen Pump & Drill Firm No. 457

Address NAIIPA IDA Date 12-88

(Firm Official) Dave Adamsen

and (Operator) Dave Adamsen

AUG 29 1989

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

THOMAS M. MALSON
CONNIE L. MALSON
2700 PASCOE LN.
NAMPA, ID 83651

April 30, 1989

138194

PROOF DUE NOTICE

RE: PERMIT NO. 63-10606

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 July 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 29 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

June 13, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: Permit No. 63-10606

Thomas M. &/or Connie L. Malson
2700 Pascoe Ln.
Nampa, ID 83651

Dear Permit Holder(s):

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the Department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed 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 for your convenience is the statement of beneficial use that must be submitted when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:sc

Enclosures

RECEIVED

AUG 08 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Jim Thurt DATE 4/13/88 APPLICATION NUMBER 63- 63-10606

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ 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 signator is required)
- ☒ See
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) SEE BACK
- ☒ Overlapping point of diversion NONE
- ☐ Yes ☒ No Field check required
- Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested MAY 13 1988

Department of Water Resources

PROCESSING

☒ Yes ☐ No in form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5/9/88
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached Approve, Dar
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 63
☐ Yes ☒ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended 4/7/1988
By Dar Date 5/11/1988

STATE OFFICE REVIEW 423,605, 4110 46

☐ See below for additional information

By KW Date 5/17/88

ADDITIONAL INFORMATION

Permit No. 63-10375 is for a subdivision
and north of this application. The maps
on both clearly show each location. No
overlapping pl. of use.

Note: ^{Plz} Approve drilling permit (attached) when water right permit is issued.

Drilling permit approved - see below

COPY

RECEIVED
APR 7 1988

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources
Western Regional Office (Authorizing Construction of a Well)*

1. Applicant Thomas M. Malson &/or Connie L. Malson Phone No: (208) 467-3856

2. Address 2700 Pascoe Lane, Nampa, ID 83651

() Well Owner () Well Operator (x) Other, specify developer

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well location 1/4 1/4 1/4, or Gov't lot No. 4,

Sec. 4, Twp. 2N., Rge. 2W., County Canyon,

Lot, block and subdivision Lot 1, Block 2, Sunrise at Toma Ridge Subdivision

5. Proposed use of well: (Check all that apply)

(x) Domestic () Stockwater () Monitoring

(x) Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

6. Well construction information:

(x) New well () Deepen () Replace

Proposed surface diameter 10 inches Proposed depth 350 Feet

Anticipated bottom hole temperature:

(x) 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

7. Anticipated construction start date early summer 1988

8. Well Driller (if known) Adamson Pump and Drilling Company

Address 1320 Smith Ave., Nampa, Idaho 83651

Date 4-6-88 Applicant's signature Connie L. Malson

Title owner

MICROFILMED

* After other pre-requisite approvals have been obtained.

AUG 08 1988

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Approval of this permit does not authorize diversion and use of water from the well.

Dated this 17th day of May, 1988
Signed J. Glen Saxton
Title Chief, Operations Bureau

Received by JP Fee \$100 Date 4/11/88
Receipt No. W000094 Construction start date MILWAUKEE
Construction start extension to AUG 08 1988
Extension approved by _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 14, 1988

Idaho Dept. of Health & Welfare
Division of Environment
Attn: George Varin
Statehouse
Boise, ID 83720

Re: Application for Permit No. 63-10606 in the Name of Thomas M. &/or
Connie L. Malson

Dear Mr. Varin:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by May 9, 1988.

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

Sincerely,

for DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure(s):

MICROFILMED

AUG 08 1988



J-U-B ENGINEERS, INC.

212 Tenth Avenue South • Nampa, Idaho 83651 • Telephone (208) 467-5252

April 6, 1988

Jan Shurte
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Ms. Shurte:

Attached is an Application for a Permit to establish water rights and a Drilling Permit for a proposed well serving Sunrise at Toma Ridge Subdivision located in Canyon County, Idaho.

This Subdivision will contain 23 lots, and the well will provide water for both domestic and lawn irrigation purposes.

Also attached is the required \$45.00 application fee and the required \$100.00 drilling permit fee.

Your expedient processing of the Application will be greatly appreciated. Drilling of the well will commence as soon as the permit has been issued.

Thank you.

Sincerely,
J-U-B ENGINEERS, Inc.

Dennis A. King
Dennis A. King, P.E.S.
Area Manager

DAK/bdw

attch.

cc: Tom & Connie Malson

RECEIVED

AUG 08 1988

RECEIVED
APR 7 1988

Department of Water Resources
Western Regional Office

TOWNSHIP 2 NORTH RANGE 3

SURVEYED BY WALTER WARD, ASSISTANT

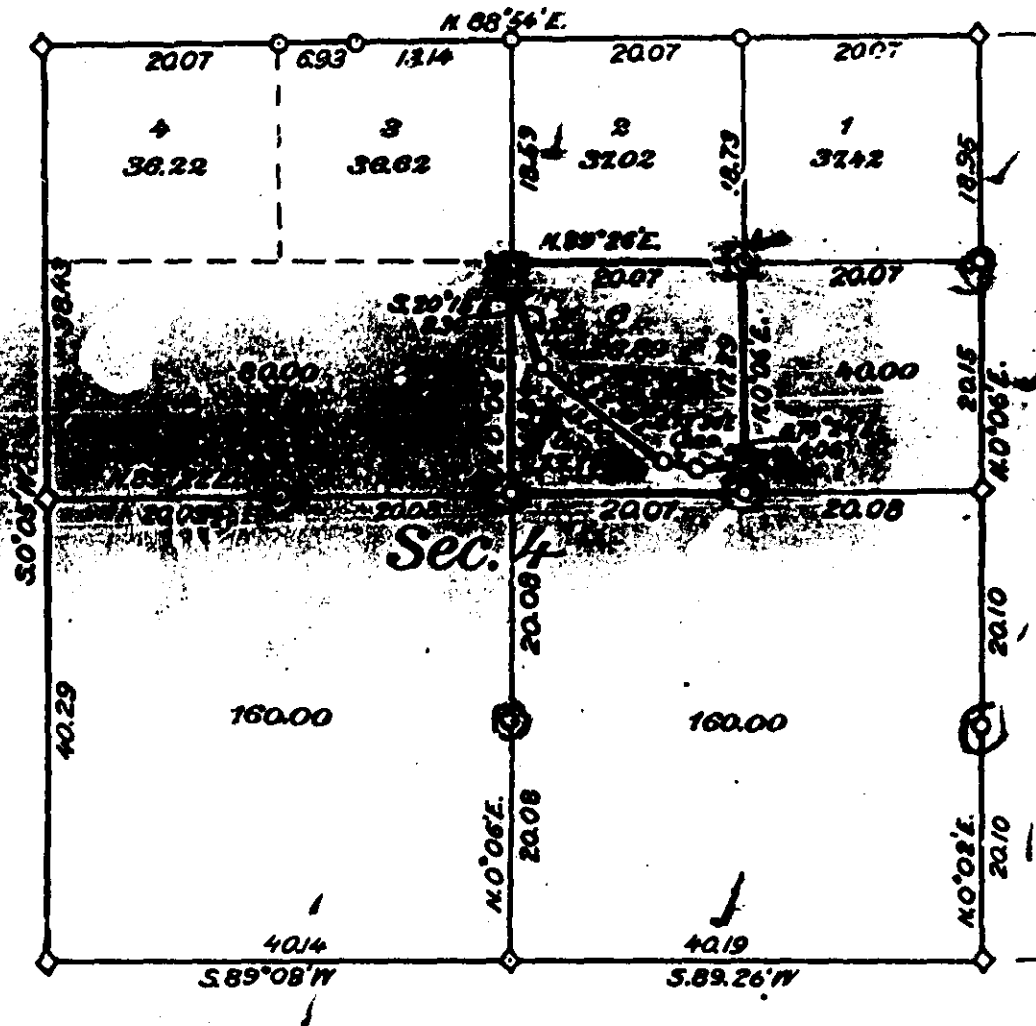
JAN. - FEB. 1911

AND J. L. BURKHOLDER ASSISTANT

JUNE - AUGUST 1911

DEPARTMENTAL INSTRUCTIONS OF 1906

SCALE: 4 INCHES = 1 MILE



RECORDED

AUG 08 1988

Sec. 3

4	3	2	1
36.22	36.62	37.02	37.42

4	3	2	1
39.91	40.31	40.71	41.10

[illegible][illegible][illegible]

Malson, Thomas M. &/or
Connie L.
2700 Pascoe Ln.
Nampa, ID 83651

Source: GROUNDWATER

Tributary:

Diversion Pt: ^{LOT 4}(NWNW) Sec 4 T 02N R 02W

Use: IRRIGATION (.180 CFS)
DOMESTIC (.220 CFS)

Date Filed: 4/07/1988

^{LOT 4}
In: (NWNW) Sec 4 T 02N R 02W FOR 9.0 ACRES

4/18/88

Called Legal Department Added Lot 4 to P/D and P/U . New System did not
print Lot. Rick G. will fix programming.

RECEIVED
FILMED

AUG 08 1988

WATER RIGHT
DATA ENTRY LOG

[illegible]