

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34154

Priority: October 22, 2015

Maximum Diversion Rate: 0.32 CFS

Maximum Diversion Volume: 36.0 AF

It is hereby certified that:

ROCKY MOUNTAIN BUSINESS PARK ASSN INC C/O SENTRY MANAGEMENT INC
6149 N MEEKER PL STE 150 BOISE ID 83713-1587

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 22, 2015, and has submitted Proof of Beneficial Use on February 23, 2022. An examination confirms water is diverted from:

Source : GROUND WATER

Tributary: BOISE RIVER

Beneficial Use

IRRIGATION

Period of Use

03/01 to 11/15

Rate of Diversion

0.32 CFS

Location of Point(s) of Diversion

GROUND WATER NW¼ NE¼, Sec. 16, Twp 04N, Rge 01E, B.M. ADA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	9															0.7	0.1	0.8
04N	01E	16	3.2	3.4		0.6 L1													7.2

Total Acres: 8.0

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The ground water diversion rate for this right shall not exceed 0.32 cfs. Provided, further, this right when combined with all other rights shall provide no more than 0.02 cfs, per acre when averaged over a twenty-four hour period based upon the amount of water applied over such twenty-four hour period. However, should the lands authorized to be irrigated under this right ever cease to be irrigated for public turf grass recognized by the Department as allowing more than one inch per acre, then this right when combined with all other rights shall provide no more than 0.02 cfs, per acre at the field headgate for irrigation of the place of use.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Water bearing zone to be appropriated is 5 to 180 feet.

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5. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation by non-use. The mitigating right may also include a condition stating that the mitigation by non-use is for the benefit of this right.

Use Changed to Right No. Acres	Mitigation Mitigation by Non-Use	Mitigation Rate (cfs)	Mitigation Volume (AF)
63-146 8.0	Irrigation	0.16	28.0

The land that will no longer be irrigated under this right is located within the service area of New Union Ditch Co. LTD.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

6. This right does not grant any right-of-way or easement across the land of another.
7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 22nd day of December, 2022.



SCOTT STORMS
Water Rights Supervisor

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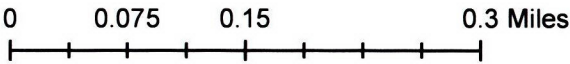
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63-34154

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  Taxlots



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-34154
Exam Date: 09/23/2022

1. Current Owner:
ROCKY MOUNTAIN BUSINESS PARK ASSN INC C/O SENTRY MANAGEMENT INC
6149 N MEEKER PL STE 150 BOISE ID 83713-1587
2. Accompanied by: Bill Beckham
Phone No: 208-634-9397
Address:
Relationship to permit Holder: Sentry Management Inc. Community Manger

3. **SOURCE:**
GROUND WATER

Tributary
BOISE RIVER

Method of Determination: Site visit, aerial imagery

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point-of-diversion: None

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW¼ NE¼, Sec. 16, Twp 04N, Rge 01E, B.M. ADA County

Method of Determination: GPS'd at 43° 41' 28.17" N, 116° 20' 34.21" W

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	9															0.7	0.1	0.8
04N	01E	16	3.2	3.4		0.6 L1													7.2

Total Acres: 8.0

Method of Determination: Field photos, aerial photography, and GIS analysis used to verify irrigation use site.

3.
 - ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components.
 - ☒ Indicate weir size/pipe as applicable.
 - ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
 - ☐ Aerial Photo Attached (required for irrigation of 10+ acres).
 - ☒ Photo of Diversion and System Attached

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4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Berkeley	15 hp		6TS115	

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A	N/A	N/A	N/A	N/A	N/A	N/A

2. Measurements: The buried pump and conveyance system did not provide suitable circumstances to directly measure the diversion rate.

E. FLOW CALCULATIONS

Y Additional Computation Sheets Attached

Measured Method: Pump specifications and performance curve information provided by the applicant were used to estimate flow. Performance curve at maximum performance at 147' total head yields 0.36 cfs capacity.

Theoretical Irrigation Use = 0.36 cfs

Permitted Total Rate 0.32 cfs

License Recommendation 0.32 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8.0 \text{ acres} \times 4.5 \text{ AFA} = 36.0 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.16 \text{ cfs} \times 259 \text{ days} \times 1.9835 = 82.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = V_{I.R.} = \underline{36.0 \text{ AF}}$$

G. NARRATIVE/REMARKS/COMMENTS

A field exam was conducted on 09/23/2022 by Senior Water Right Agent Laura McSherry and was accompanied by Mr. Bill Beckham. Bill Beckham is a community manager for Sentry Management Inc. The water right permit was issued on March 27, 2017, and proof of beneficial use was submitted on February 23, 2022.

The point of diversion (POD) location was confirmed at ground water well head in the NWNE QQ and is accurately described by the permit. The well uses an underground 15 hp Berkeley motor and pump to divert water underground, using 2.0" pvc piping, to sprinklers in a commercial landscaping irrigation system. Water right overlap did not discover any other water rights associated with the ground water POD. No amendment required to correct the legal description.

The permit authorizes 0.32 cfs for irrigation use within a permissible place of use (PPU) in the SWSE, SESE Sec 09, T04N, R01E and NENE, NWNE, SENE Sec 16, T04N, R01E. Irrigation of 8.0 acres in the PPU was verified using ArcMap tools, aerial imagery, and supported by photos taken during the field exam. The irrigated acres will not shift from year-to-year, therefore, the specific 8 acre POU will be licensed instead of a PPU. No amendment required to correct the legal description

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of the POU.

The POD motor and pump are buried at unknown depths. Pump and motor information was provided by the applicant's consulting representative, Scott King. Using the pump specifications for the 15 hp Berkeley pump with likely discharge pressure of 40-60 psi, 147 ft of head, and assuming 70% efficiency, a theoretical flow rate of 0.36 cfs was calculated which is more than enough to provide the permitted rate. Outlined in AP memo #60 – Irrigation Diversion Rate for Turf Grass in Public Areas, a higher diversion rate is permitted given the duration of irrigation is 12 hours and not the standard 24 hours. The recommended licensed flow rate for irrigation use is 0.32 cfs.

Condition 103 replaced condition 121 per department standards. Condition 26A and 046 were removed. Condition 930 was updated to 5 to 180 feet based on water elevations of surrounding wells. Conditions R61, X27, 170, 01M, 004, and the write-in condition were carried forward to license.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.32 CFS	36.0 AF

Totals: 0.32 CFS 36.0 AF

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 ☒ None

I. AUTHENTICATION

Laura McSherry – Water Resource Agent, Sr.

Field Examiner's Name [Signature] Date 12.22.22

Reviewer [Signature] Date 12/20/22

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DELIVERY SYSTEM DIAGRAM

Water Right No. 63-34154



THEORETICAL HORSEPOWER EQUATION WORKSHEET

Water Right No.: 63-34154
 Examiner: Laura M
 Date of Field Exam: 9/23/2022

Irrigation Use

	OPTION 1	OPTION 2	OPTION 3
P/D No.:			
PUMP HORSEPOWER	15	15	15
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	140	145	150
DISCHARGE PRESSURE	40	50	60
FRICTION	0	0	0
RATE OF FLOW (cfs)	0.40	0.35	0.32
(gpm)	178.5	159.2	143.7

AVE
0.36

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency

Examiners Notes: A standard 40-60 psi for sprinkler irrigation use was used.

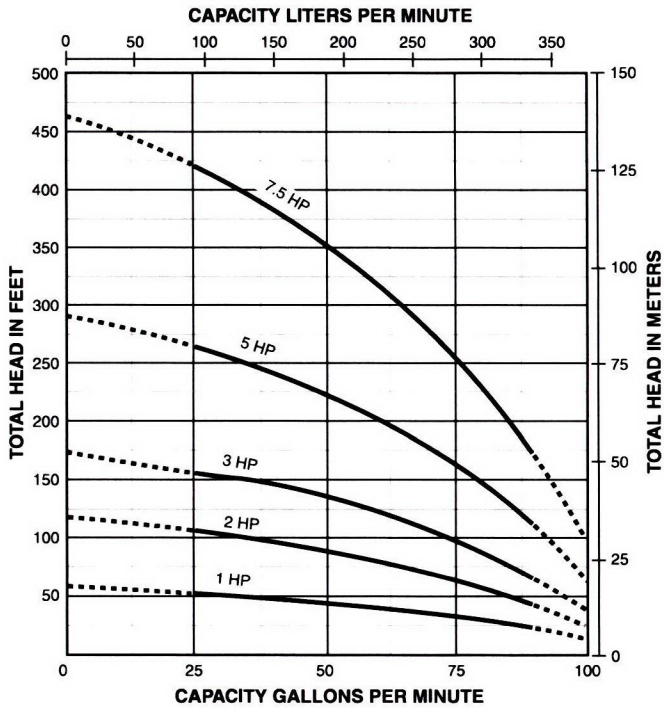
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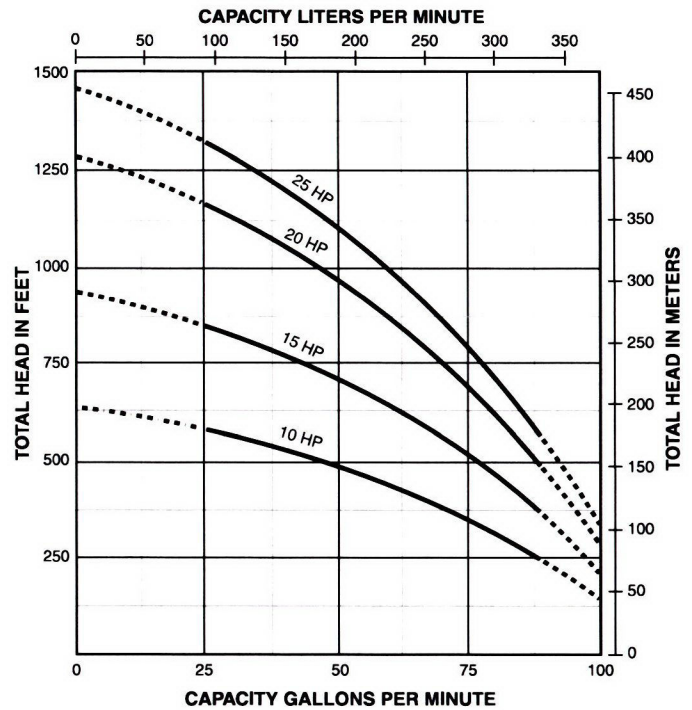
6TS series

6" Submersible Pumps

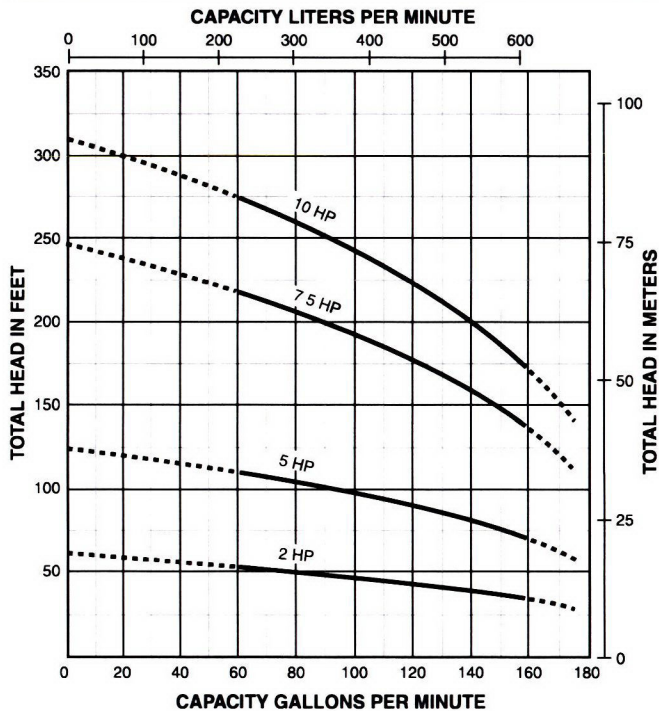
PUMP PERFORMANCE - 6TS70 (1 - 7.5 HP)



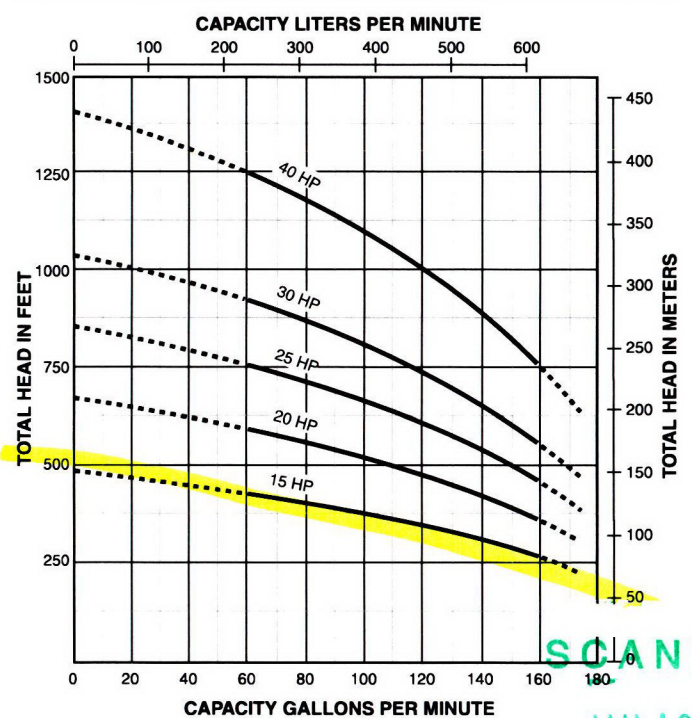
PUMP PERFORMANCE - 6TS70 (10 - 25 HP)



PUMP PERFORMANCE - 6TS115 (2 - 10 HP)



PUMP PERFORMANCE - 6TS115 (15 - 40 HP)



State of Idaho
Department of Water Resources

Attachment to Water Right License

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VERIFIED IRRIGATED ACRES

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01E



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- Taxlots

0 0.075 0.15 0.3 Miles

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Fig. 1 – The point of diversion (POD) is inside the Crunch Fitness State Street location. View looking east.



Fig. 2 – The POD is in a ground floor utility room in the Crunch Fitness basketball court.

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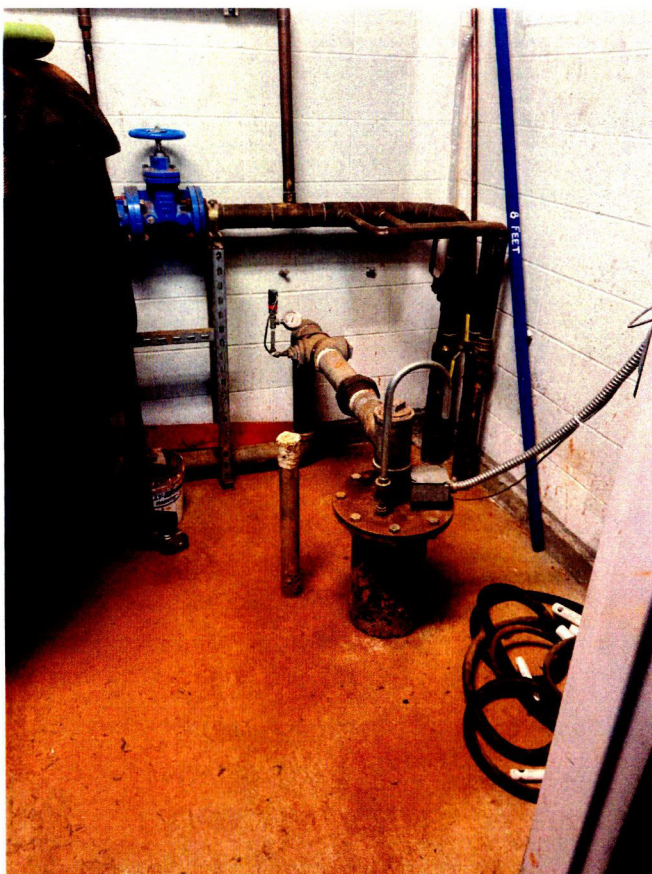
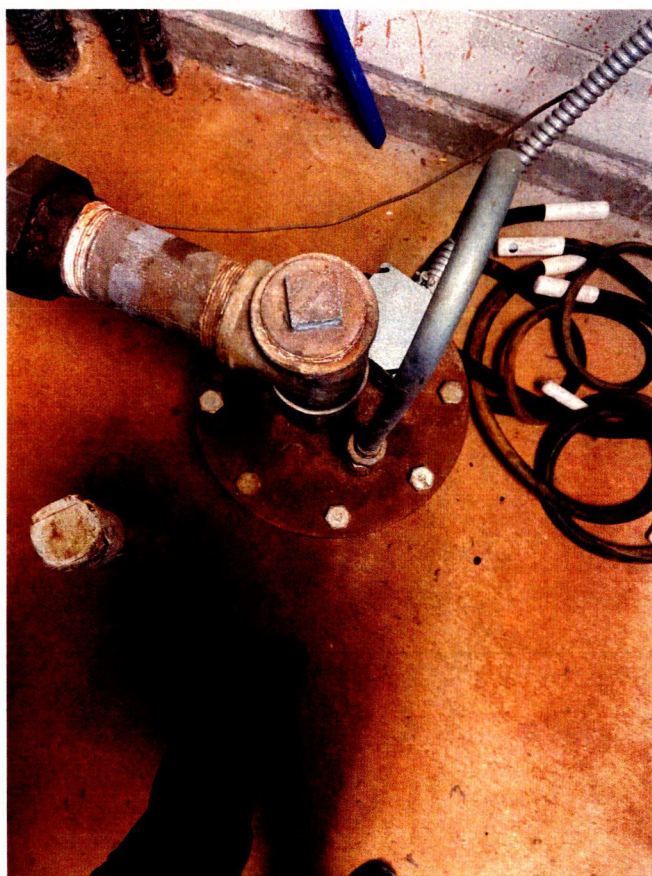


Fig. 3 – Location of the POD or well. GPS'd at:

43° 41' 28.17" N

116° 20' 34.21" W



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Fig. 4 – The POD system components in the utility room.



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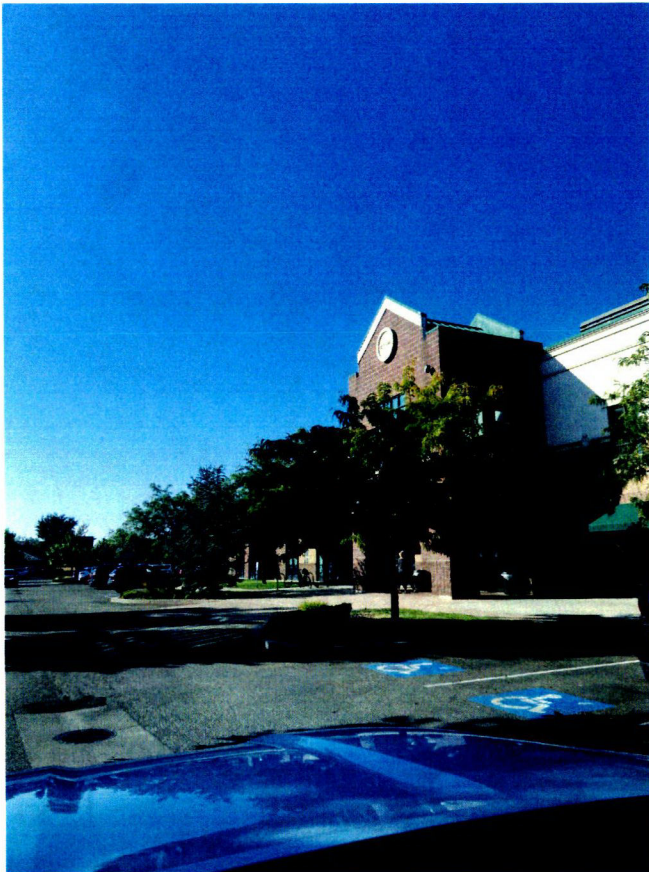


Fig. 5 – The place of use (POU) is landscaping, irrigated by an underground sprinkler system within a large commercial complex. View looking SE.



Fig. 6 – Undeveloped irrigable acres within the POU. View looking east.



Fig. 7 – Undeveloped irrigable acres within the POU. View looking SE.



Fig. 8 – Undeveloped irrigable acres within the POU. View looking west.



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 23, 2022

ROCKY MOUNTAIN BUSINESS PARK ASSN INC
C/O SENTRY MANAGEMENT INC
6149 N MEEKER PL STE 150
BOISE ID 83713-1587

RE: License No. 63-34154

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 605-4624.

Sincerely,


Cor Scott Storms
Water Rights Supervisor

Enclosure(s)

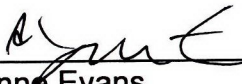
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CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2022, I served a true and correct copy of Water Right License No. 63-34154 by U.S. Mail, postage prepaid, to the following:

ROCKY MOUNTAIN BUSINESS PARK ASSN INC
C/O SENTRY MANAGEMENT INC
6149 N MEEKER PL STE 150
BOISE ID 83713-1587



Lynne Evans
Administrative Assistant I

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (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 brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 fourteen (14) 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) 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 Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director 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 Director 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 service date 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.