Submitted to the
Idaho Department of Water Resources

By:

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WATER RESOURCES
WESTERN REGION

M3 Eagle, LLC

Second Amended
Application for Water Right Permit

February 1, 2008

M3 Eagle, LLC
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Second Amended version @ 2/1/08

FORM 202
12/99

Ident. No. 63-32573

SECOND AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant **M3 Eagle, LLC** Phone **208-939-6263**

   Mailing address **533 E. Riverside Drive Suite 110**
   Eagle, ID 83616

2. Source of water supply **Ground water** which is a tributary of **n/a**

3. Locations of points of diversion are in all quarter-quarter sections within the Planned Community service area, provided that there will be a maximum of fifteen new wells, plus the twelve existing points (or as they may be relocated). The property currently includes:

   Township **5N** Range **1W** **§§ 11-15, 21-24, 26-28, and 33.**

   and

   Township **5N** Range **1E** Sec. **§§ 18, 19 and 20**, in the **See Attachment B for quarter-quarter information**

   ____ ¼, ____ ¼, Govt. Lot ____, B.M., **Ada** County;

   Additional points of diversion, all as alternate points of diversion for each other: **Up to fifteen new wells (plus 12 ground water existing points of diversion) to be located within the Planned Community described in section 8(c), below.**

4. Water will be used for the following purposes:

   Amount **23.18 cfs** (cfs or acre-feet per annum) for **municipal** purposes from **1/1** to **12/31** (both dates inclusive)

5. Total quantity to be appropriated is (a) **23.18 cfs** (cubic feet per second) and/or (b) **6,535** (acre feet per annum)

6. Proposed diverting works:

   a. Describe type and size of devices used to divert water from the source **Up to 15 new and 12 existing wells diverting from aquifers beneath the project site.**

   b. Height of storage dam **n/a** feet; active storage pond capacity **828 (pond) + 8.04 (potable)** acre-feet; total reservoir capacity **1,828 (pond) + 8.04 (potable)** acre-feet

   c. Proposed well diameter is **10-18 inches** inches; proposed depth of well is **from 200-800** feet

   See Attachment A for a description of the proposed wells.

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

   e. If well is already drilled, when? **Twelve existing wells as described in Attachment C.**; Drilling firm ____

   Well was drilled for (well owner) ____; Drilling Permit No. ____

7. Time required for completion of works and application of water to proposed beneficial use is **30** years (*minimum 1 year*)

   This application seeks a planning horizon of thirty years pursuant to I.C. §§ 42-202B(7)-(9), 42-202(2), and 42-223(2).

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.

   Horses will be kept at some locations in the Project, and water will be used for their maintenance under the general municipal use.

c. Municipal; show name of municipality. **The place of use is a proposed municipal service area currently consisting of an approximately 6,000-acre Planned Community (the "Property") proposed by Applicant on Applicant's lands north of Eagle, Idaho. At build-out, the project is planned to contain 7,153 dwelling units, plus parks, open space, commercial and government uses, schools, golf courses, playing fields, community gardens and vineyards, and related uses. See Attachment A for more details. The entire Property is proposed as the service area under the municipal right.**

d. Domestic; show number of households. _____

e. Other; describe fully. **Aesthetic features, water amenities, and storage for these purposes.**

9. Description of place of use: **See Attachment A.**

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. **Irrigation is one of the uses within the overall municipal use, and is described in Attachment A.**

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. **The water in this municipal application will be used for several purposes other than irrigation, as described in Attachment A.**

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

See Attachment A

Total number of acres irrigated _____

10. Describe any other water rights used for the same purposes described above. _____

Applicant owns the water rights described in Attachment D.

11. a. Who owns the property at the point of diversion? **Applicant (and future residents of the planned community)**

b. Who owns the land to be irrigated or place of use? **Applicant (and future residents of the planned community)**

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

12. Remarks: **Attachment A and its exhibits provide additional detail concerning this application.**

13. **MAP OF PROPOSED PROJECT REQUIRED –** Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

Maps are included as exhibits to Attachment A.

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

[signature], Manager

Signature of Applicant (and title, if applicable)

William I. Brownlee

Received by SL Date 2/1/08 Time 1:30 Preliminary check by _____

Fee $ * Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

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