



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

July 24, 2009

DAVID R. TUTHILL, JR.
Director

JEFFREY C FEREDAY
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

ALAN SMITH
3135 OSPREY RD
EAGLE ID 83616

M3 EAGLE LLC
533 E RIVERSIDE DR STE 110
EAGLE ID 83616

JOHN THORNTON
NORTH ADA COUNTY
GROUNDWATER USERS ASSO.
5264 NORTH SKY HIGH LN
EAGLE ID 83616

NORMAN L EDWARDS
884 W BEACON LIGHT RD
EAGLE ID 83616

Re: Application for Permit No. 63-32573, in the name of M3 Eagle, LLC.

Dear Interested Parties:

Enclosed for your information are three comment letters the Department has received on July 1, 7, and 20, 2009 that refer to the M3 Eagle matter. Mr. Spackman has asked that I send you copies of these letters and make them a part of the record.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson". The signature is written in black ink and is positioned above the typed name and title.

Deborah J. Gibson
Administrative Assistant
Water Management Division

Dr. David Tuthill, Director
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720-0098

RECEIVED
JUL 07 2009
DEPARTMENT OF
WATER RESOURCES

Dr. Tuthill,

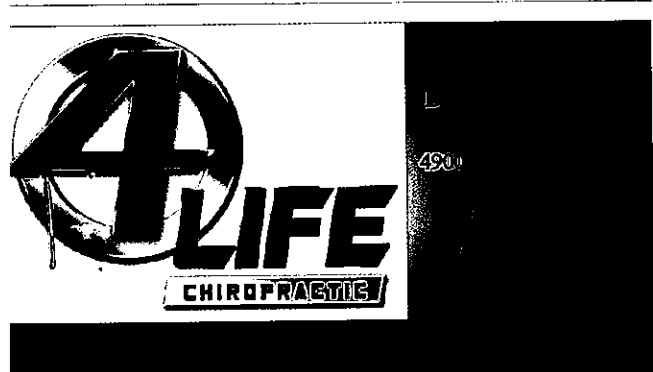
I am writing this letter in support of M3's Water Rights Application. They are a company of integrity, with a long history of success, illustrating that they know how to come in and do the job right—serving as stewards of the land and wisely integrating their communities into the existing terrain and lifestyle. One has only to look at the successful projects they have completed in the past to see this. M3 knows how to effectively plan their communities, looking to the needs of the final project, rather than simply one phase.

Growth is inevitable and we are fortunate here in the Valley to have a company of M3's caliber to oversee planned development in our foothills, a development that will bring homes, amenities, and jobs to our community for years to come.

I am extremely impressed with their water conservation plan, especially taking waste water and treating it in a manner that will bring it back up to class A drinking standards to use for irrigation. Along with other water conservation measures that M3 plans to implement, this is expected to conserve 3,000 acre-feet of water.

I urge you to approve their Water Rights Application. Thank you for your attention to this matter.

Sincerely,



RECEIVED

JUL 01 2009

DEPARTMENT OF
WATER RESOURCES

From: MR Greg Taylor

June 29, 2009

4216 N. Ballantyne Lane

Eagle, Idaho

June 30, 2009

RE: M3 Eagle Water Right Application Permit # 63-32573

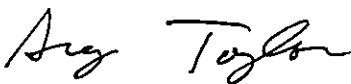
To: Mr. Spackman,

I want to first appreciate the opportunity for allowing me to serve as a Public Witness on June 23, 2009 regarding my concern with the declining water level in my well and the potential impact that the large groundwater request by M3 Eagle may have on my well and my neighbor's wells (domestic and irrigation). During my testimony I referred to some information that I brought with me but I did not remember to turn this information in to you, the other protestants, and M3 to consider using during your hearing. This information includes my original well log completed in 1955, my new well log, completed this spring 2009, and letters from your department, IDWR, when they have measured my water level, including the visit they made when my well was dry. I am providing copies of this information to you, Mr. John Thornton, Mr. Alan Smith, Mr. Edwards and I will send this to M3's attorney Mr. Fereday so this can be used as part of the hearing.

As I stated in my testimony, my well and several other of my neighbor's wells have had a loss of water level in their wells requiring them to drill new wells or deepen their existing wells. It appears that the water levels are dropping as a result of the growth and development in the Eagle area, even before the potential withdrawal of M3's request for groundwater. This has and is likely to cause further water level declines resulting in an economic burden on any of the well owners in the Eagle area.

I appreciate your consideration of this information during the hearing procedures.

Sincerely,



Greg Taylor

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
 Rec. April 26, 1955
 Well No. _____
 Permit No. 9-25043
9-27982

(DO NOT FILL IN)

Owner Warren Strawn Address RT 1, Eagle, Ida
 Driller Charles D. Skinsy Address RT 1, Eagle, Ida Lic. No. 33
 Location of Well 1/4 Sec. 31, T. 5 N/S, R. 1 E/W Bird Hawk, Ida
 and mid way on west line feet N/S, and feet E/W from Corner of 1/4 1/4 Sec.
 Size of Drilled Hole 10" Total depth of Well 114
 Give depth of standing water from surface 90' Water Temp. _____ °Fahrenheit
 On pumping test delivery was 387 g.p.m. or _____ c.f.s. Drawdown was _____ feet.
 Size of pump and motor used to make the test _____
 Length of time pumped during check was 4 hr., _____ minutes.
 If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
 If flowing well, describe control works _____
 (TYPE AND SIZE OF VALVE, ETC.)
 Water will be used for Irrigation Weight of casing per linear foot 13.1
 Thickness of casing 12 Gage Casing material Red Hard Steel
 E.G., PIPE, CONCRETE, WOOD.
 Diameter, length and location of casing 10" 114
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
 Number and size of perforations 3/16 x 1 1/2 10/ft located Bottom 40' feet to _____ feet
 from surface of ground.
 Other perforations _____
 Date of commencement of well 7-16-54 Date of completion of well 7-20-54
 Type of well rig Cable Tool

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

✓



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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 1, 2008

Greg Taylor
4216 N Ballentyne
Eagle, ID 83616

Re: Water Level Measurement Results in your domestic well

Dear Greg,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On June 27, 2008, the depth to water in your irrigation well was 108.97 feet below the top of the casing. Your well was pumping during our measurement.

We are in the process of determining suitable monitoring site to install data loggers for our research needs. This determination will be occurring within the next month and I will keep you informed of the selection process. If you have any interest in allowing the Department access to install additional monitoring equipment in your well, please contact me at your convenience to discuss in further detail.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dennis Owsley', written over a horizontal line.

Dennis Owsley, P.G.
Technical Hydrogeologist
Idaho Department of Water Resources
Technical Services Bureau, Hydrology Section
Phone: (208) 287-4855
Fax: (208) 287-6700
Mobile: (208) 921-2910
dennis.owsley@idwr.idaho.gov



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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 17, 2008

Greg Taylor
4216 N Ballentyne
Eagle, ID 83616

Re: Water Level Measurement Results in your domestic well

Dear Greg,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On September 11, 2008, the depth to water in your well was 108.1 feet below the top of the casing. Please note that the water levels in your well were rising during the measurement due to recent pumping of your well.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. For additional information regarding this project, please visit <http://www.idwr.idaho.gov/hydrologic/projects/nac/>. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dennis Owsley', is written over a light blue horizontal line.

Dennis Owsley, P.G.
Technical Hydrogeologist
Idaho Department of Water Resources
Phone: (208) 287-4855 Fax: (208) 287-6700
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 31, 2008

Greg Taylor
4216 N Ballentyne
Eagle, ID 83616

Re: Water Level Measurement Results in your irrigation well

Dear Greg,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On December 29, 2008, the depth to water in your well was 101.11 feet below the top of the casing.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. For additional information regarding this project, please visit <http://www.idwr.idaho.gov/hydrologic/projects/nac/>. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dennis Owsley', written over a horizontal line.

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Technical Hydrogeologist
Idaho Department of Water Resources
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 26, 2009

Greg Taylor
4216 N Ballentyne
Eagle, ID 83616

Re: Water Level Measurement Results in your irrigation well

Dear Greg,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On March 24, 2009, your irrigation well was dry. We measured down to 125 feet below the casing and did not encounter water. We will be back out measuring again in June.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Owsley', is written over a horizontal line.

Dennis Owsley, P.G.
Technical Hydrogeologist

Idaho Department of Water Resources

Phone: (208) 287-4855 Fax: (208) 287-6700

Mobile: (208) 921-2910

dennis.owsley@idwr.idaho.gov

Drilling Permit No. _____
Drilling Permit I.D. Tag No. D 0053550
Water Right Permit No. ~~63-26829~~ 63-31223
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Owner (please print): Greg Taylor

2. Mailing Address: 4216 Ballantine Ln.

City: Eagle State: Idaho Zip Code: 83616 Telephone (208) 939-0710

3. Proposed Well Location: Twp. 5N, Rge. 1E, Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$

Gov't Lot No. _____ County Ada Lat. 43 : 44 : 001'N Long. 116 : 22 : 761'W

Street Address of Well Site Same City Eagle

Lot, block and subdivision L 3 Bk 1 Rimrock Estates Sub
Give at least name of road + Distance to Road or Landmark

4. Proposed Use of Well:

DOMESTIC: The use of water for homes, organization camps, public campgrounds; livestock and for any other purpose in connection therewith, including irrigation of up to $\frac{1}{2}$ acre 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.

NON-DOMESTIC: Irrigation Municipal Industrial
 Livestock Test Other _____
Type _____ Number Hd. _____ (Describe)

INJECTION

MONITORING: A well bore schematic and map is required for each blanket permit. No. of proposed wells: _____

5. Well Construction Information:

A. New Well Modify Replace

B. Proposed Casing Diameter 8" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

85 F or less (Cold Water Well) 85 F to 212 F (Low Temp. Geo. Well) 212 F or more (Geothermal Well)

6. Construction Start Date: April 16, 2009

7. Anticipated Well Driller: Dennis Phipps Well Drilling Inc. Driller's Lic. No. 332

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

8. Applicant's Signature: Greg Taylor Date April 16, 2009

Address (if different than owner): _____

City: _____ State: _____ Zip Code: _____ Telephone () _____

Title: Owner

(Owner, Firm Representative, Other)

RECEIVED
APR 16 2009
WATER RESOURCES
WESTERN REGION

ID NUMBER _____

State of Idaho Department of Water Resources
AUTHORIZATION TO ABANDON A WELL

1. WELL OWNER INFORMATION:

Date 4/24/09 Phone Number (208) 939-0710
Name Greg Taylor
Mailing Address 4216 N. Ballantine Ln.
City Eagle State Idaho Zip Code 83616

2. WELL LOCATION:

Township: 5N Range: 1E Section: 31 NE $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$
Gov't Lot No. _____ County Ada
Street Address of well site: Same
City Eagle Lot 3 Block 1 Subdivision Name: Rimrock Estates Sub.
GPS Location: Lat: 43 44.001'N Long: 116 22.761'W

3. TYPE OF WELL:

DOMESTIC MONITORING IRRIGATION OTHER _____
(Describe)

4. WELL INFORMATION: (Well depth, measured, casing size & static water level required).

Well Tag Number: N/A
Previous Drilling Permit Number: G-27972
Water Right Number: 63 - 31223
Well Log on File? Yes No
*Casing Size: 10" *Material: Steel
Temperature: <85°F >85°F Flowing Artesian? Yes No
*Static Water Level: 105' (measured) *Well Depth 114' (measured)

5. REASON FOR ABANDONMENT OF WELL

Not enough water, drilling a replacement well.

6. PROPOSED METHOD OF ABANDONMENT:

(This Application must be reviewed prior to commencement of abandonment)
Pour bentonite chips to bottom up to 20' then pour in #5 bentonite to top, then cut casing off below ground and weld on metal plate to top of casing.

7. Drilling Company proposing abandonment Dennis Phipps Well Drilling Inc.

8. License Number 332 Date of abandonment 4/24/09

9. APPLICANT'S SIGNATURE [Signature] DATE: 4/24/09

Title Well Driller

(Owner, Firm Representative, Other)

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D D0053550

Drilling Permit No. _____
Water right or injection well # 63-31223

2. OWNER

Name Greg Taylor
Address 4216 N. Ballantine Ln.
City Eagle State Id Zip 83616

3. WELL LOCATION:

Twp. 5 North or South Rge. 1 East or West
Sec. 31 NE 1/4 NE 1/4 1/4
10 acres 40 acres 160 acres

Gov't Lot _____ County Ada
Lat. 43 ° 44.001'N (Deg. and Decimal minutes)
Long. 116 ° 22.761'W (Deg. and Decimal minutes)
Address of Well Site Same

City _____
City of least name of road • Distance to Road or Landmark
Lot 3 Blk. 1 Sub. Name Rimrock Estates Sub.

4. USE:

Domestic Municipal Monitor Irrigation Thermal Injection
 Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

New Well Replacement well Modify existing well
 Abandonment Other _____

6. DRILL METHOD:

Air Rotary Mud-Rotary Cable Other _____

7. SEALING PROCEDURES

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
5/8 Bentonite	0	23	900 lbs.	12" Overbore

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
8"	2	234	.250	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5"	226	237	.258	Steel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5"	252	253	.258	Steel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Was drive shoe used? Y N Shoe Depth(s) 234'

9. PERFORATIONS/SCREENS:

Perforations Y N Method _____
Manufactured screen Y N Type Johnson
Method of installation Washdown

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
237	252	.020	15'	5"	Stainless	304

Length of Headpipe 10.9 Length of Tailpipe 1.0

Packer Y N Type Rubber K-Packer

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
N/A				

11. FLOWING ARTESIAN:

Flowing Artesian? Y N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) _____ Static water level (ft) 106'
Water temp. (°F) _____ Bottom hole temp. (°F) _____
Describe access port _____

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method:			
			Pump	Bailer	Air	Flowing artesian
	100+ GPM	1 Hr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
136'	260 GPM	4 HRS.				

Water Quality test or comments:

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
12"	0	2	Top Soil		X
	2	23	Brown Sandy Clay		X
8"	23	53	Brown Sandy Clay		X
	53	57	Brown Clay		X
	57	85	Brown Sandy Clay		X
	85	97	Brown Clay		X
	97	128	Gravel	X	
	128	134	Brown Clay		X
	134	157	Brown Sandy Clay		X
	157	169	Sand	X	
	169	177	Sandy Brown Clay		X
	177	193	Sand	X	
	193	200	Sandy Brown Clay		X
	200	213	Sand	X	
	213	222	Sandy Brown Clay		X
	222	230	Fine Brown Sand	X	
	230	238	Brown Clay		X
	238	253	Brown Coarse Sand	X	

Completed Depth (Measurable) 253'

Date: Started 4/20/09 Completed 4/24/09

14. DRILLER'S CERTIFICATION

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

Company Name Dennis Phipps Well Drilling Inc. Co. No. 332

*Principal Driller [Signature] Date 4/24/09

*Driller [Signature] Date 4/24/09

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.



DENNIS PHIPPS WELL DRILLING INC.

12440 KARCHER ROAD • NAMPA, ID 83651
(208) 465-4444 | FAX (208) 465-4465

Invoice

Date	Invoice #
4/27/2009	225

Bill To
Greg Taylor 4216 N. Ballantine Ln. Eagle, Id. 83616

Ship To
Greg Taylor 4216 N. Ballantine Ln. Eagle, ID 83616

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
D0053550			4/27/2009		208-939-0710	
Quantity	Item Code	Description			Price Each	Amount
253		8" Drilling & Casing			40.00	10,120.00
1		Bentonite Seal			700.00	700.00
1		8" Drive Shoe			125.00	125.00
1		Irrigation Well Permit			200.00	200.00
1		15' x 5" Stainless Screen Installed & Developed			2,800.00	2,800.00
1		4 Hour Test Pump at 260 GPM			1,500.00	1,500.00
1		Abandonment of 10" Well			1,000.00	1,000.00
1		10% Discount			-1,645.00	-1,645.00
1		Payment on 4/18/09 Ch# 1543			-500.00	-500.00
		Sales Tax			0.00%	0.00
Total						\$14,300.00

**BURGESS PUMP COMPANY, INC.**

(208) 585-6202
P.O. BOX 778
MIDDLETON, ID 83644

Invoice

DATE**INVOICE #**

5/22/2009

13777

BILL TO:

Taylor, Greg
4216 Ballantyne Ln.
Eagle, ID 83616

SHIP TO:

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
-------------	-------	-----	------	-----	--------	---------

Net 15

5/22/2009

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
	Material	4" Manifold/4" Butterfly Valve/Redo 4" 90Deg Elbow	518.82	518.82T
	Misc. Fittings	Box/Conduit/Ground/Sweep/Bolts/Splice Tapr/Cumbrick Tape	252.00	252.00T
	Material	(63') 3" Galv. Pipe	883.89	883.89T
	Material	(63') #6 Well Wire	270.90	270.90T
	Misc. Fittings	1" Coupler	3.10	3.10T
1	Liquid Gauge	Liquid Filled Pressure Gauge	26.00	26.00T
1	1" Ball Valve	1" Ball Valve	22.00	22.00T
7.5	Labor	Service Call/Installed Manifold/Buterfly Valve/Redo Elbow	80.00	600.00
		State Sales Tax	6.00%	118.60

TOTAL**\$2,695.31**

RECEIVED

JUN 23 2009

DEPARTMENT OF
WATER RESOURCES

2862 North Haven Drive
Eagle, Idaho 83616

June 24, 2009

RE: Application for Water Right-Groundwater Permit No. 63-32573
M3 Eagle LLC

Dear Mr. Spackman,

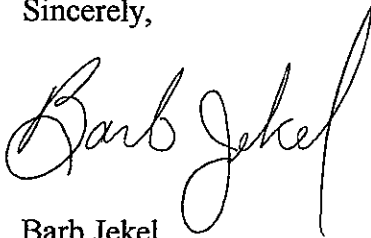
In the interest of accuracy, I ask that the following be submitted into record. This is in regards to my testimony of June 23, 2009, on question asked of me by counsel for M3 Eagle LLC, of which I stated at the time that I wasn't sure of exact figures. The question asked was if I knew the static water level of my well.

The exact figures are as follows (copies of IDWR reports of same are attached).

IDWR measured the static water level of my well on December 30, 2008. The depth to water was 85.90 feet below the top of the casing. IDWR measured the static water level of my well on March 24, 2009. The depth to water was 88.14 feet below the top of the casing.

Thank you for your consideration of inclusion to the record.

Sincerely,



Barb Jekel

copy to: John Thornton
David Head
Alan Smith
M3 Eagle LLC
Dennis Owsley
Jeffrey C. Fereday
Norman L. Edwards



State of Idaho

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C. L. "BUTCH" OTTER
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DAVID R. TUTTILL, JR.
Director

January 5, 2009

Barb Jekel
2862 N Haven Dr.
Eagle, Idaho 83616

Subject: Water level measurements in your domestic well

Dear Barb,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On December 30, 2008, the depth to water in the domestic well in your yard was 85.90 feet below the top of the casing.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. For additional information related to this project, please visit <http://www.idwr.idaho.gov/hydrologic/projects/nac/>. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

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Dennis Owsley, P.G.
Technical Hydrogeologist
Idaho Department of Water Resources
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Director

March 26, 2009

Barb Jekel
2862 N Haven Dr.
Eagle, Idaho 83616

Subject: Water level measurements in your domestic well

Dear Barb,

Thank you for allowing the Department the opportunity to measure the static water level in your well. On March 24, 2009, the depth to water in the domestic well in your yard was 88.14 feet below the top of the casing.

As we collect additional information, I will be sending you updates and summaries of the data related to this project. If you have any questions or concerns, feel free to contact me at (208) 287-4855. Again, the Department thanks you for your cooperation in this project.

Sincerely,

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Dennis Owsley, P.G.
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Idaho Department of Water Resources
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