

RECEIVED

APR 30 2002

FORM 202
12/99

WATER RESOURCES
WESTERN REGION

Ident. No. 63-31515

Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant Sylvan Williamson &/or Howell-Kiser Development Corp. Phone 208-376-3100
Mailing address 850 Williamson Ln., Eagle, ID 83616 & 619 Queens Guard Way, Boise, ID 83709
2. Source of water supply Shallow Ground Water which is a tributary of Boise River
3. Location of point of diversion is Township 4N Range 1E Sec. 16, in the 1/4, 1/4, SE 1/4, Govt. Lot See plat map B.M., Ada County; additional points of diversion if any: N1/2NE1/4 Sec 21, T4N, R1E, B.M.
4. Water will be used for the following purposes:
* Amount 49.5 ~~45.9~~ ac-ft for Aesthetic Storage purposes from 1/1 to 12/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. * Total quantity to be appropriated is (a) _____ cfs and/or (b) ~~45.9~~ 49.5 acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 15 excavated ponds will intercept ground water in the range of 0 - 30 feet in depth
 - b. Height of storage dam NA feet; active reservoir capacity 49.5 acre-feet; total reservoir capacity 49.5 acre-feet
 - c. Proposed well diameter is NA inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85° F being sought? No
 - e. If well is already drilled, when? NA; 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 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Year round amenity for RiversEnd Subdivision

* CORRECTIONS approved by SEE Applicant's letter received 7/27/04 on _____ to agree
initials date
with original Application & clarification about ponds.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16													~~1.8~~	J 6.7	J 6.7	J 6.8	
		21	J 6.1	J 6.2															

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purposes as described above. See Application for Transfer 63-270 for depletion from these ponds.
- Who owns the property at the point of diversion? Applicants
 - Who owns the land to be irrigated or place of use? Applicants
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
- Remarks: See Attachment A.
- 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.)

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

William Williamson
Signature of Applicant (and title, if applicable)

Excel-River Development Corp
William Williamson - V.P.
Signature of Applicant (and title, if applicable)

Received by *SL* Date 4/30/02 Time 3:00 Preliminary check by *SL*
Fee \$ 250 Received by *SL* for *KG* # W028794 Date 2/26/02 *
Publication prepared by *SL* Date 7-18-02 Published in THE IDAHO STATESMAN
Publication approved *SL* Date 4-5-02

* per original filing

ATTACHMENT A

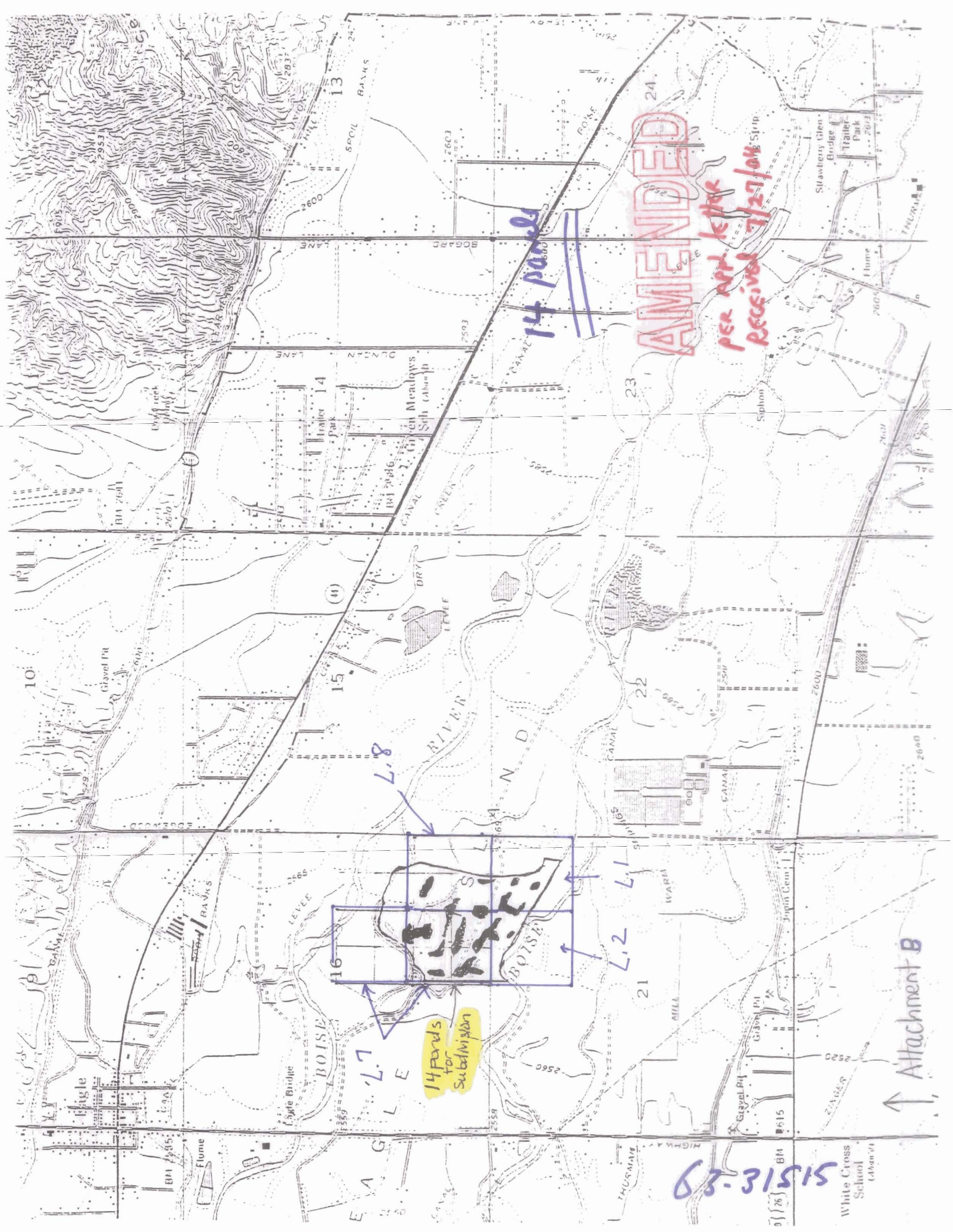
Summary

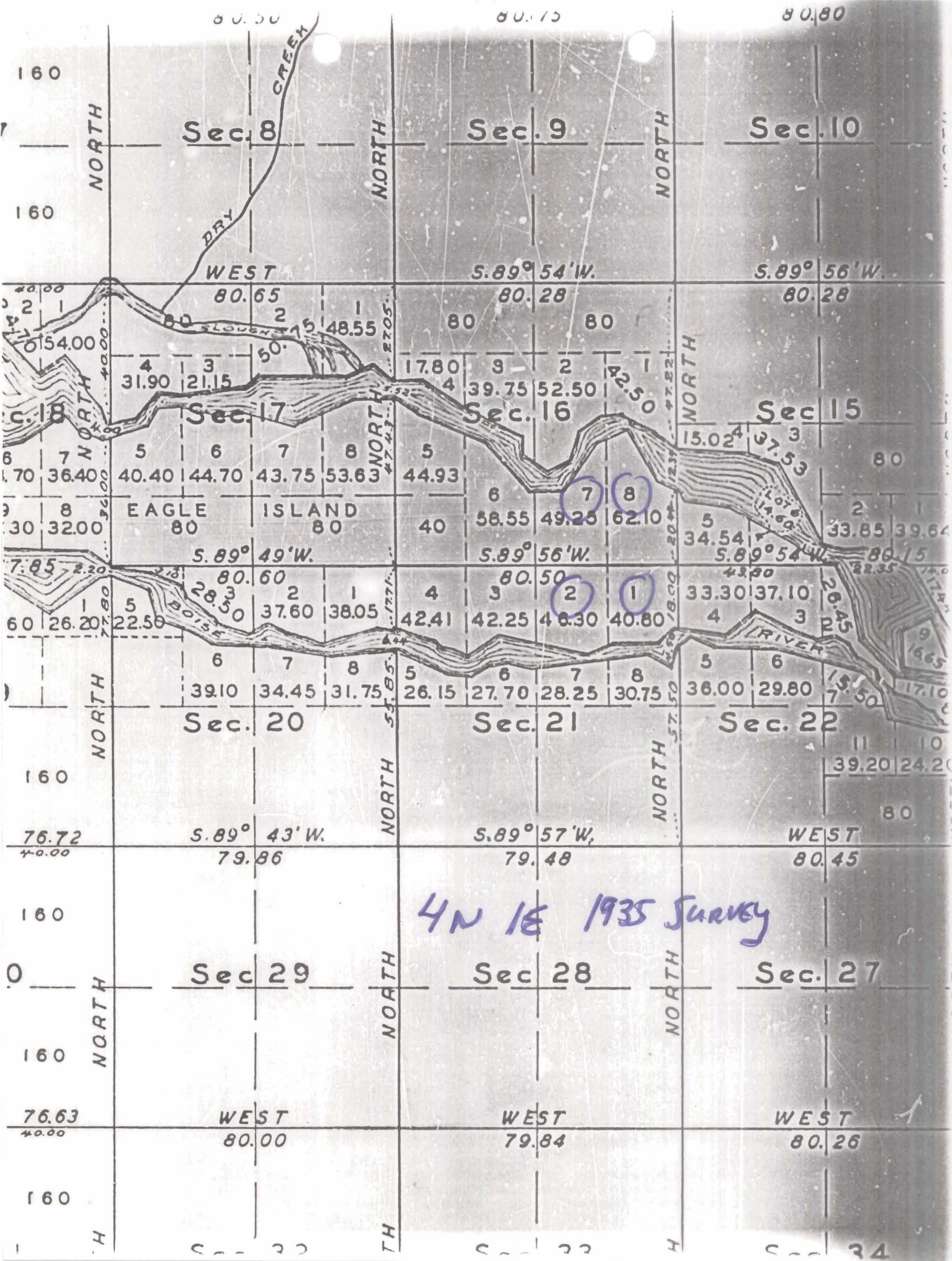
*
14

The purpose for this application for permit is to construct ~~18~~ ponds as a year-round amenity for RiversEnd Subdivision. Shallow ground water that is tributary to the Boise River will be intercepted by the ponds and fill the ponds to the static level of the ground water. The ponds have 11 acres of total surface area and 49.5 ac-ft of total storage volume. The ponds will be constructed on land that was previously irrigated and the irrigation rights for that land will be converted to aesthetic purposes to account for the surface evaporation from the ponds. The transfer of the irrigation right of 0.22 cfs for the 11 acres of presently irrigated land to aesthetic purposes will provide mitigation for this new appropriation allowing the ponds to be developed immediately.

RiversEnd Subdivision will be developed in four phases with new ponds being added in each phase. This application is for all the ponds in all phases, accordingly, a five-year development time is requested as part of this application.

* Applicant letter received 7/27/04





RiversEnd Subdivision



Attachment B

RECEIVED

APR 30 2002

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Sylvan Williamson Howell-Kizer Development Corp

Mailing Address

850 Williamson Ln 619 Queens Guard Way
Engle ID 83616 Boise ID 83709

Application No.
(if known)

____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

✓ PROPOSE MITIGATION NOW SEE companion transfer application (63-270)

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

____ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

✓ Signature

Sylvan Williamson

Howell-Kizer Dev Corp
By [Signature]

✓ Date

4/22/02

4/29/02

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

FORM 202
12/99

FEB 26 2002

Ident. No. _____

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Sylvan Williamson Phone 208-939-6287
Mailing address 850 Williamson Ln. Eagle, ID 83616
2. Source of water supply Shallow groundwater which is a tributary of Boise River
3. Location of point of diversion is Township 4N Range 1E Sec. 16 in the SE $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: T.4N., R.1E., Sec. 21, NE 1/4, B.M.
4. Water will be used for the following purposes:

$N\frac{1}{2}$ of

Amount <u>49.5 ac-ft</u> for <u>Aesthetic Storage</u> purposes from <u>1/1</u> to <u>12/31</u> (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)
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 49.5 ac-ft
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 15 excavated ponds
naturally filled with shallow groundwater.
 - b. Height of storage dam N/A feet; active reservoir capacity 49.5 acre-feet; total
reservoir capacity 49.5 acre-feet
 - c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; 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 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Year round amenity for RiversEnd Subdivision.

Superseded

~~AMENDED~~

ORIGINAL

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16													J	J	J	J	
4N	1E	21	J	J															

Total number of acres to be irrigated N/A

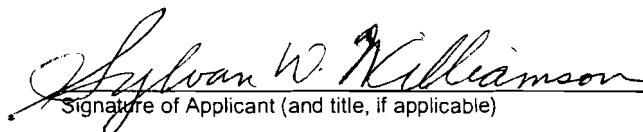
10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: See Attachment A.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

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 of Applicant (and title, if applicable)

Received by K6 Date 2/26/02 Time 3:09 Preliminary check by _____
 Fee \$ 25000 Received by K6 # W028794 Date 2/26/02
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

*Original signature
e next page*

3. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	16													J	J	J	J	
4N	1E	21	J	J															

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

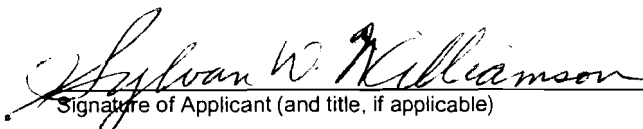
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: See Attachment A.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

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 of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ # _____ Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

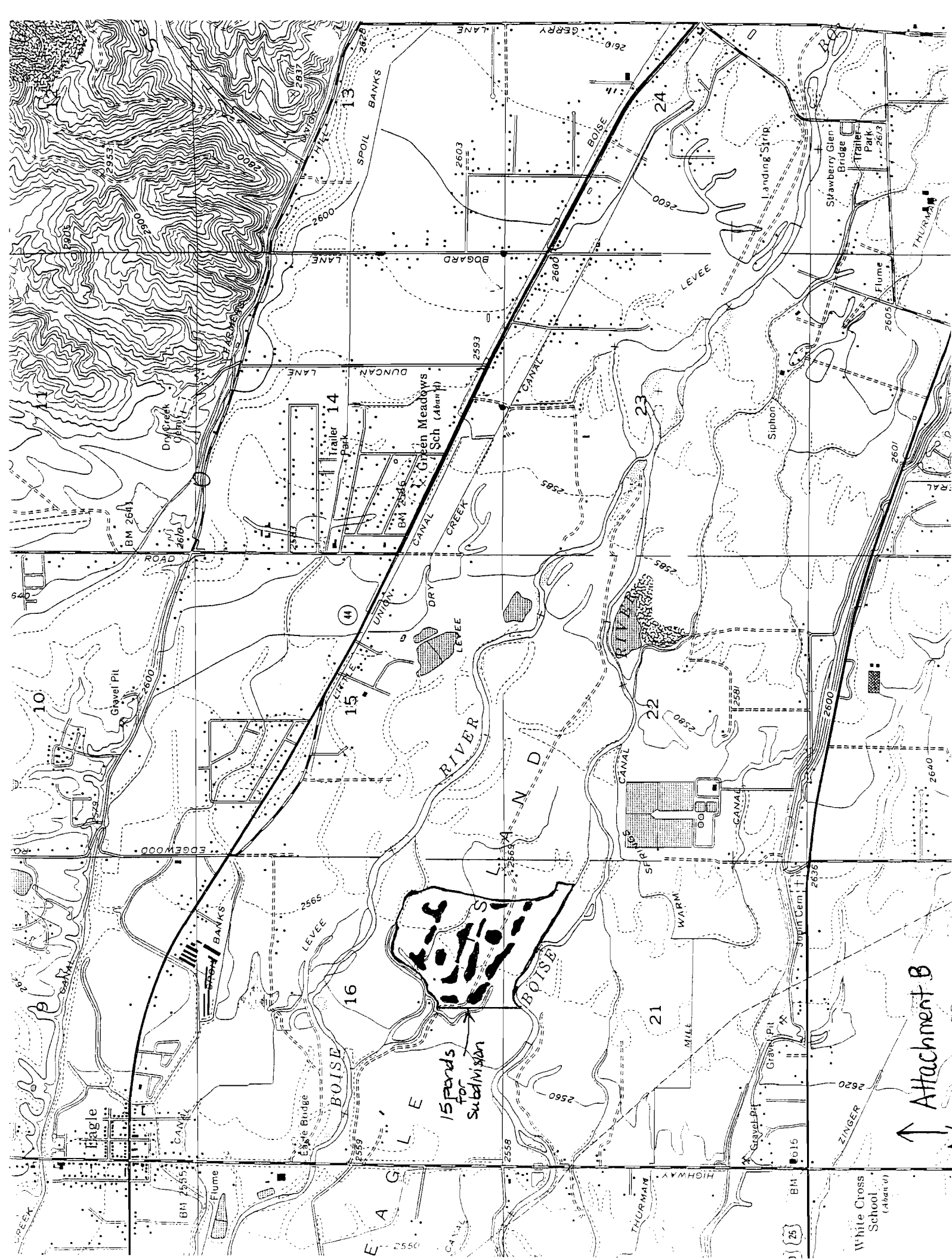
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

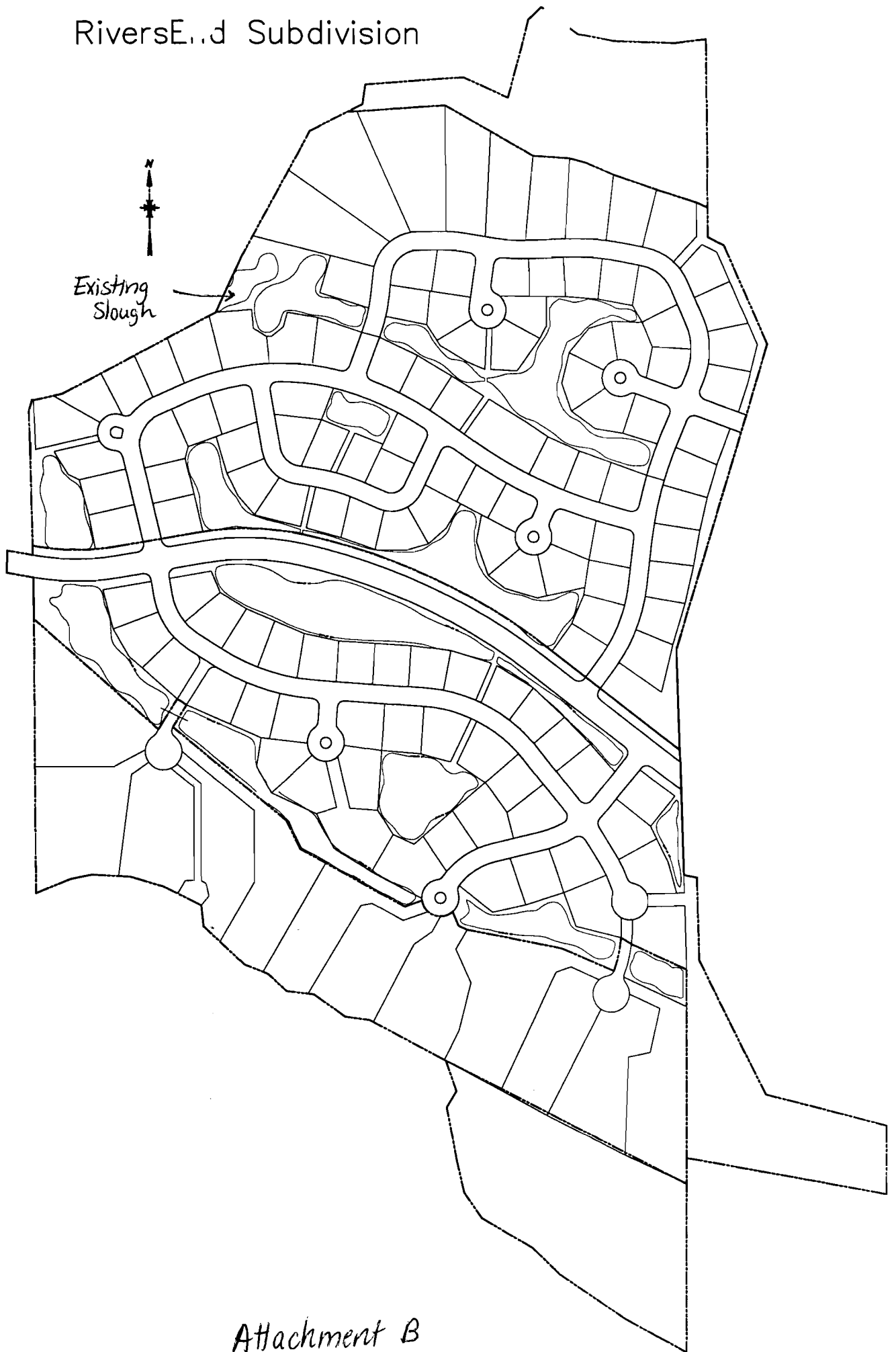
Summary

The purpose of this application for permit is to construct 15-ponds as a year-round amenity for RiversEnd Subdivision. Shallow groundwater that is considered tributary to the Boise River will naturally fill the amenity ponds to a static water level. The ponds have 11-acres of total surface area and 49.5-acre-ft of total storage volume. The ponds will be constructed on land that was previously irrigated, but the water rights for the land will not be changed. No longer irrigating the land that is now covered with ponds will mitigate the amount of water that evaporates from the ponds during irrigation season. Water evaporation outside of the irrigation season is negligible; therefore, all consumptive-use is covered by the irrigation water right #63-270. Since there is no increase in consumptive-use for the proposed ponds, future mitigation issues are not applicable. RiversEnd Subdivision will be developed in four phases, so a time period of a few years is required for completion of construction and application of water to the proposed beneficial use.



↑ Attachment B

RiversE..d Subdivision



Attachment B



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 1, 2002

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-31515 in the Name of Sylvan Williamson &/or
Howell-Kiser Development Corp.

Dear Watermaster:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application and return any comments you might have within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

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

Steve Lester

SL:st

Encl: Copy of Application
Recommendation of Watermaster Form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2001

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit No. 63-31515 in the Name of Sylvan Williamson &/or Howell-Kiser Development Corp
Application for Permit No. 65-22694 in the Name of Ailene Russell
Application for Permit No. 65-22695 in the Name of Howard Goul
Application for Permit No. 65-22696 in the Name of ID Dept of Fish & Game

Dear Sir:

Enclosed are copies of the above-referenced applications for permit that the proposed use is from surface water. Please review the application 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 along with the \$25.00 protest fee must be received in this office by August 26, 2002.

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

Sincerely,

A handwritten signature in black ink that reads "Daniel A. Nelson". The signature is written in a cursive, flowing style.

Dan Nelson

DN:st

Encl.

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

July 9, 2002

Steve Lester
Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

RE: Williamson / Howell-Kiser Application for Permit.

63-31515

Dear Steve:

Below are the names and titles of officers for the Howell-Kiser Development Corporation, which you requested today by telephone:

Kevin A. Howell – President
James W. Kiser – Vice President, Secretary

If you need any additional information please call.

Yours truly,

A handwritten signature in cursive script that reads "Dave".

David B. Shaw
Project Manager

DBS:sw

RECEIVED

JUL 11 2002

WATER RESOURCES
WESTERN REGION

*Consultants in
Natural Resources
and the Environment*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 63-31515 in the Name of Sylvan Williamson &/or
Howell-Kiser Development Corp.

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit that the proposed use is
from surface water. Please review the application 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, your written protest along with the \$25.00
protest fee must be received in this office by August 5, 2002.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester

SL:lm

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-31515 in the Name of Sylvan Williamson &/or Howell-Kiser Development Corp.

Dear Mr. Sisco:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester'.

Steve Lester

SL:lm

Encl: Copy of Application

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No. 69991, 70024 and Water Right No. 63-31515

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 08/05/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-31515

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE ID 83616
HOWELL-KISER DEVELOPMENT CORP
619 QUEENS GUARD WY
BOISE ID 83709

Point(s) of Diversion	L8	NESE	S16	T04N R01E	ADA County	Source GROUND WATER
Point(s) of Diversion	L7	NWSE	S16	T04N R01E	ADA County	Source GROUND WATER
Point(s) of Diversion	L7	SWSE	S16	T04N R01E	ADA County	Source GROUND WATER
Point(s) of Diversion	L8	SESE	S16	T04N R01E	ADA County	Source GROUND WATER
Point(s) of Diversion	L1	NENE	S21	T04N R01E	ADA County	Source GROUND WATER
Point(s) of Diversion	L2	NWNE	S21	T04N R01E	ADA County	Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 To 12/31 49.5 AFA

Total Diversion: 49.5 AFA

Date Filed: 02/26/2002

Place Of Use: AESTHETIC STORAGE

T04N R01E S16 NESE Lot 8 NWSE Lot 7 SWSE Lot 7 SESE Lot 8

T04N R01E S21 NENE Lot 1 NWNE Lot 2

Remark: Mitigation is proposed for consumptive use. Mitigation will occur under proposed Transfer 70024.
Water bearing zone to be appropriated is from 0 to 30 feet for 15 excavated ponds to be filled with shallow ground water considered tributary to the Boise River.
The water amenity is for RiversEnd Subdivision on Eagle Island.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 08/05/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on July 18 and 25, 2002.