

FAX COVER SHEET

Date 10-9-07 7 Page(s) to follow

Deliver To:

Name: Idaho Dept of Water ResourcesDept. Well Water Permits Dept.Fax # 334-2348 Tele: 334-2190RE: Steve Jupper water Permit.

Sent By:

Name: Tony Moreda

Fax# (208) 344-1151

Tele# (208) 331-6187

Messages: Please advise me who this
application and this response is
assigned to.

Sincerely,Tony Moreda

To: Department of Water Resources

Re: Application for Permit - Steven Tupper , dated September 26, 2007 (attached).

To whom it May Concern,

I , along with other concerned neighbors, are concerned about well water usage and aquifer draw down. We oppose the above mentioned Application due to the inaccurate information given for water use by the Applicant per the following:

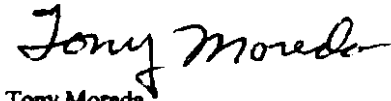
1) The Applicant states 2,500 gallon usage for a single family home, 136 head of horses and public bath room. The horses alone will almost use the 2,500 gallons per day. Splitting usage per the Application not possible for stated uses.

2) The Applicant fails to mention that he has applied for a Ada County Conditional Use Permit for a Commercial Horse Boarding Business Facility, that as a Condition of Approval, requires a Water Usage Permit per the attached Site Plan which encompasses the attached list of possible uses.

An accurate water usage must be ascertained so as to comply with the right application for a Permit.

We are concerned about the local aquifer draw down without the proper accurate permitted water usage in place.

Sincerely,



Tony Moreda

16834 S. Vista Ave., Kuna, Idaho 83634

Telephone : 331-6187

Fax: 344-1151

Dated: 10-9-07

No. 9317 P. 2

26 2007

FORM 202
12/99

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of Applicant STEVEN F. TUPPER Phone 208 921-8087
Mailing address 16973 S. VISTA
2. Source of water supply Well (GROUND WATER) which is a tributary of _____
3. Location of point of diversion is Township 1N Range 2E Sec. 4, in the / X.
SE X. SE X. Govt. Lot _____ B.M., _____ County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount .03 for COMMERCIAL purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .02 for STOCKWATER 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) Not To Exceed 2500 gal per Day acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 6" well PIPELINE
To place of use 1000ft from source. (well shaft) Deep pump set 350ft.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? 2002; Drilling firm HIDDESTON
Well was drilled for (well owner) APPLICANT; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 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 136
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other, describe fully. HOUSE BOARDING. 36 STALL BARN PUBLIC
BATH ROOM. (STOCK WATER) CONDITIONAL USE PERMIT
CAPPED @ 136 HEAD.

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	
1N	2E	4																S 1/2	

Total number of acres to be irrigated _____

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

Well ALSO USED FOR DOMESTIC USES - 1 Home

11. a. Who owns the property at the point of diversion? 8 APPLICANT

b. Who owns the land to be irrigated or place of use? 11

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: 11

12. Remarks: _____

(3. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

ASC
 Signature of Applicant (and title, if applicable)

Received by [Signature] Date 9-26-07 Time 12:15 PM Preliminary check by [Signature] Date 9-26-07
 Fee \$ 100.00 Received by [Signature] Date 9-26-07 Published in 10035851
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

EXHIBIT 2

Conditions of Approval

File #200700105-CU

Steven E. Tupper

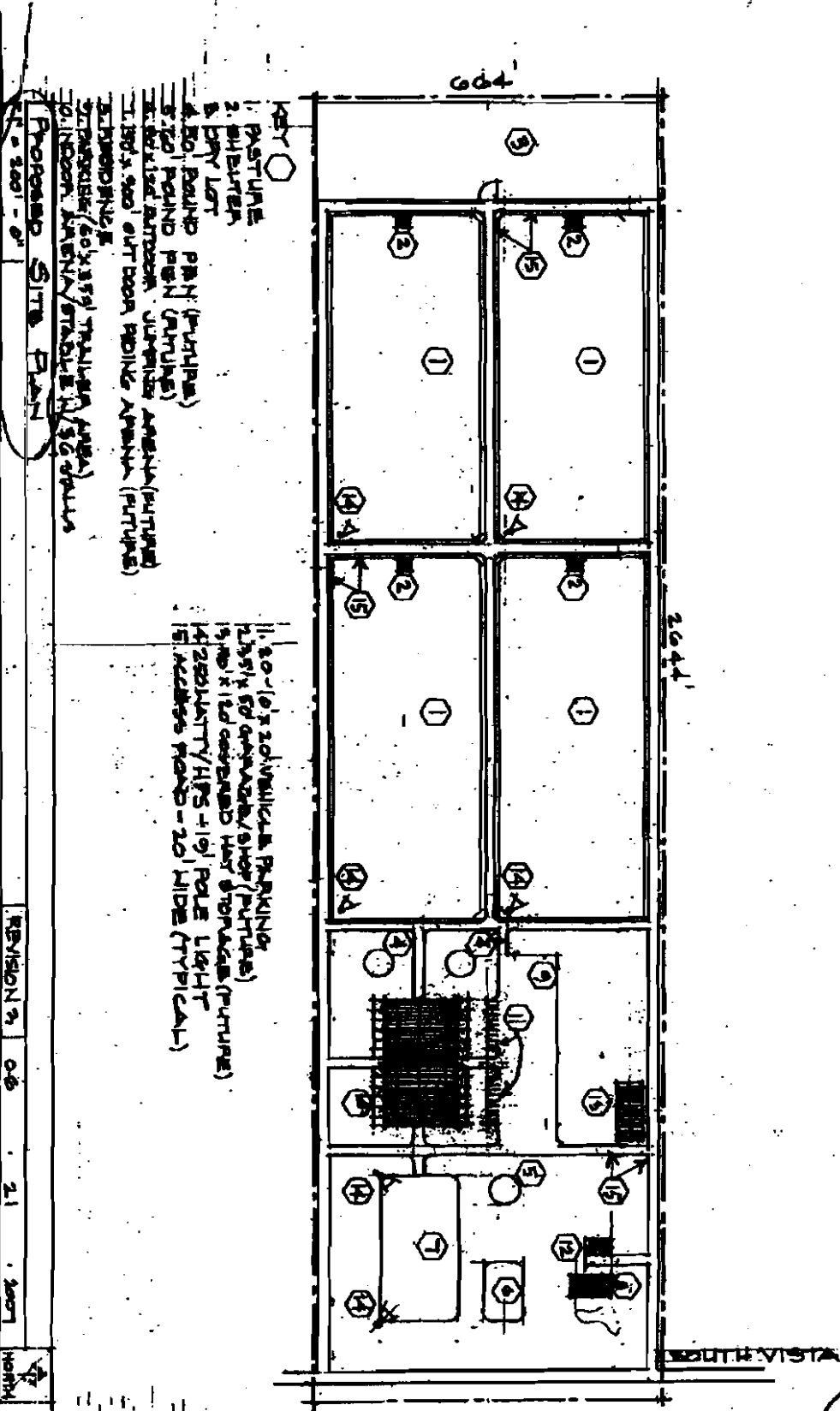
REQUIRED ACTIONS. The following list details the tasks that must be completed before the approval of File #200700105-CU will be considered final. The applicant and/or owner have until one year of the written decision to complete the Required Actions and to obtain a zoning certificate. If a building permit is required, the zoning certificate shall be issued with the building permit. This approval shall become void if a valid zoning certificate has not been issued by that date. Site improvements are not allowed until the zoning certificate has been issued.

1. The applicant and/or owner shall obtain written approval of the development site plan and/or use from the agencies noted below. All site improvements are prohibited prior to approval of these agencies.
 - a) Central District Health Department must approve the septic permit.
 - b) The County Engineer must approve a surface drainage run-off plan. Please contact the County Engineer at 287-7900 for fee and application information. See Section 8-4A-11 of the Ada County Code for drainage plan standards.
 - c) Idaho Department of Water Resources must approve the dual concurrent use of both the domestic water uses associated with the single family home and the domestic water uses as excepted per Idaho Code 42-111 for commercial related uses. ~~Idaho Department of Water Resources must approve the shared use of the existing well providing potable water.~~
 - d) The Ada County Highway District must indicate that all applicable roadway improvements and conditions / requirements have been satisfied.
2. If required by the Ada County Building Code as set forth in Title 7, Chapter 2, of the Ada County Code, the applicant and/or owner shall obtain a building permit prior to commencing any development. Please contact the County Building Official at 287-7900 for fee and application information. The design and construction of the development shall comply with the approved and stamped conditional use site plan and the Ada County Code.
3. The applicant shall obtain written verification from ACHD that they have approved the construction of the driveway cuts, that all their conditions of approval are met and that all impact fees have been paid.

Estimated daily water usage for attached Plat of Commercial Horse Boarding Facility:

- 1) One single family residence with landscaping and trees.
- 2) 136 head of horses.
- 3) Horse washing stall.
- 4) Dust control:
 - A) 26,000 sq. ft. inside arena.
 - B) 80' X 120' outdoor arena.
 - C) 150' X 300' outdoor arena.
 - D) Parking area 60' X 353'.
 - E) Onsite access roads- 20' wide X 9,800'.
 - F) Offsite access gravel road - 18' wide X 720'.
- 5) Restroom for visitors, boarders and employees (2).
- 6) General minimum landscaping and trees around arenas and property fence lines.
- 7) Facility use for all types of events including Rodeo events. (Attached ad in one of 2007 Telephone Directory) . Even though the Applicant has stated prior that no events will be held, the Conditional Use does not place any such "no event condition".

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EXHIBIT



RECEIVED
JUN 4 1 2007
ALA COUNTY
CIVIL ENGINEERING

Exhibit D

Ad in Sep Phone Directory -2007
Page 431

DUSTY ACRES EQUESTRIAN CENTER

Full Boarding • Training • Shows • Breeding
All Lessons (Western & English)
Birthday Parties

Miles Of Trails/Located In SE Bolse-
Behind Micron On The Historic Oregon Trail

866-3579

336-7469