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NOV 26 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

DEC 28 2007

WATER RESOURCES
WESTERN REGION

WATER RESOURCES
WESTERN REGION

Applicant Coast 2 Coast L.L.C.

Phone (208) 938-2955

Mailing address 1676 S. Streampointe Lane Eagle, ID 83616

2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 4N Range 1E Sec. 21, in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot Ada County; additional points of diversion if any: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

4. Water will be used for the following purposes:

Amount 690 AFA for Aesthetic Storage purposes from 01/01 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)

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) 690 AFA
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 See Attached Narrative

b. Height of storage dam N/A feet; active reservoir capacity 690 AFA acre-feet; total reservoir capacity 840 AFA 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? _____

e. If well is already drilled, when? _____; 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 3 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. See Attached Narrative

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	21		J	J		J	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. See Attached Narrative

11. a. Who owns the property at the point of diversion? See Attached Narrative

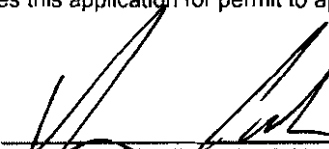
b. Who owns the land to be irrigated or place of use? See Attached Narrative

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

12. Remarks:

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.)

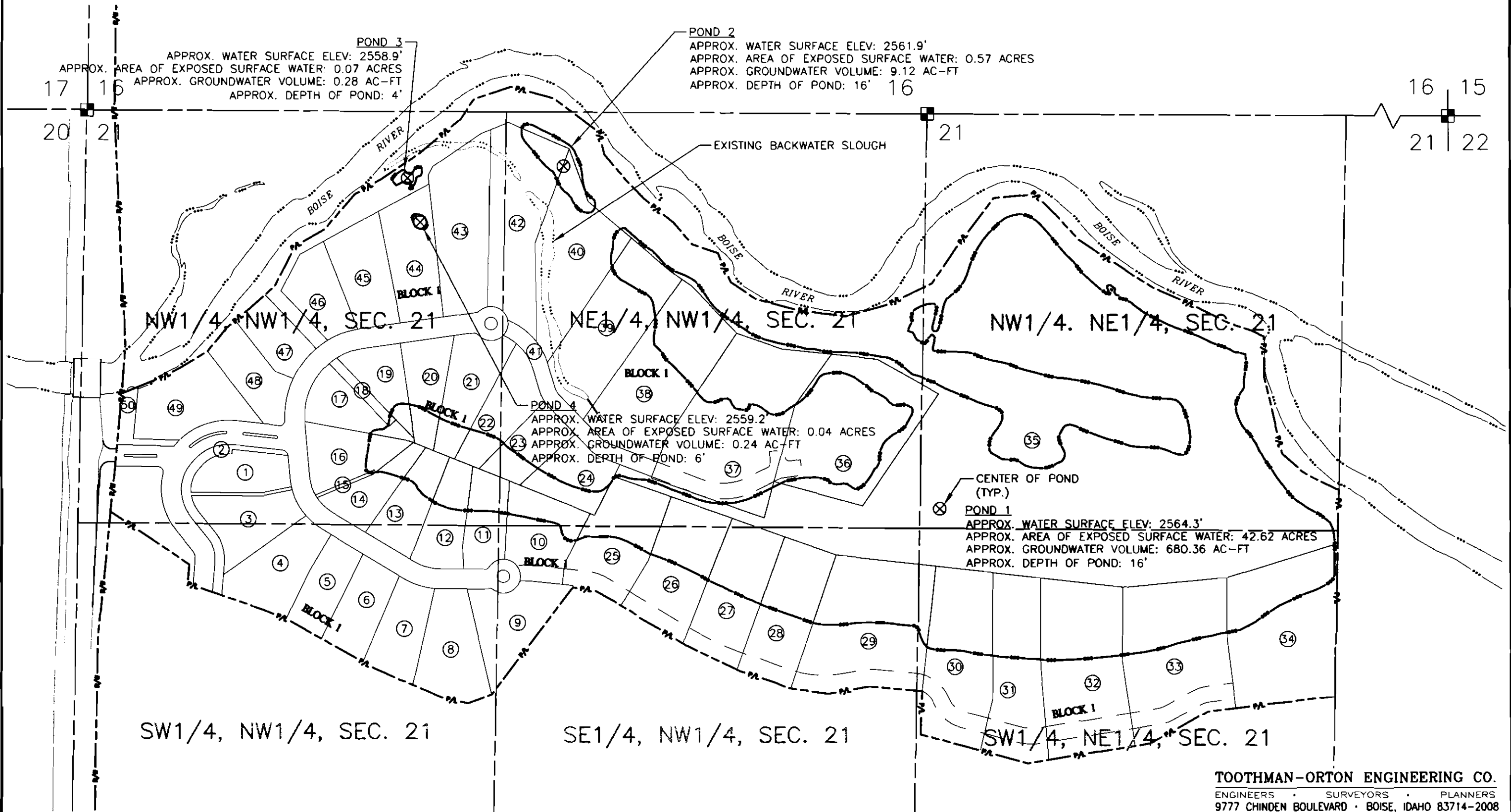
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

 Project Manager
Signature of Applicant (and title, if applicable)

Received by 82 Date 12/28/05 Time 4:35 Preliminary check by DAN
Fee \$ 490 Recaptured by 82 # 10/29 WA33711 Date 12/29/05
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

FEE REC'D w/ Appl. ON 12/28/05 RE d-o-p

FIGURE 1: PROPOSED STORAGE PONDS COAST TO COAST SUBDIVISION APPLICATION FOR PERMIT FOR APPROPRIATION OF AESTHETIC STORAGE



NOTE: ALL QUARTER-QUARTER SECTIONS ARE LOCATED IN TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

TOOTHMAN-ORTON ENGINEERING CO.

ENGINEERS • SURVEYORS • PLANNERS

9777 CHINDEN BOULEVARD • BOISE, IDAHO 83714-2008

PHONE: 208-323-2288 • FAX: 208-323-2399

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State of Idaho
Department of Water Resources
Application for Permit

Narrative

Applicant: Coast 2 Coast, L.L.C.

This Application seeks a permit and license for aesthetic storage of ground water. The Application seeks to appropriate 690 acre-feet of shallow alluvial ground water as aesthetic storage that will naturally fill four existing and excavated ponds on property owned by the Applicant. The Application does not seek to divert groundwater from the pond system. The Application proposes use of surface water delivered pursuant to existing shares in the Graham-Gilbert Ditch and existing irrigation water rights to mitigate evaporative losses from the ponds.

The property is located at 2260 South Eagle Road along the South Channel of Boise River, within the City of Eagle (the "Property"). The Property is being developed for mixed-use residential and commercial use (the "Project"). Two of the four ponds will be incident to excavation on the Property to provide necessary fill material for site grading, while maintaining the Property's floodplain storage capacity as required by the City of Eagle floodplain development ordinance. The other two ponds are located in wetlands and will not be modified. Irrigation water currently delivered to the Property by the Graham-Gilbert Ditch and water rights on file with the Idaho Department of Water Resources will be delivered into, and diverted from, the ponds to a pressure irrigation system that will serve landscaped areas within the Project. The ponds will be constructed, landscaped and maintained to maximize aesthetic benefits to the Project.

Figure 1 illustrates the proposed pond locations. The four ponds are distributed across the project and are generally located at the back of proposed lots to provide a water amenity for future homeowners in addition to the other pond uses described previously. The majority of the pond area and volume is located on the east end of the Project.

This Application seeks the right to store, for aesthetic purposes, up to 690 acre-feet of ground water that will naturally fill excavated ponds within the Property. The requested 690 acre-feet are based on the storage volume in the proposed geometry of excavated ponds at the proposed normal pond water level. The proposed normal pond water level is based on ground water monitoring data collected, March 20, 2003 through October 20, 2004, and the use of a proposed overflow weir to control the elevation. Because of natural variations in seasonal high ground water that are beyond the Applicant's control, the actual storage volume may be slightly more or less than 690 acre-feet at the time of seasonal high or low ground water in any given water year. Additionally, use of the ponds in maintaining floodplain storage capacity, as required by the City of Eagle, will result in periodic short-term increases in pond volume above the requested 690

acre-feet of aesthetic storage during flood events in the South Channel Boise River. The total pond capacity will be 840 acre-feet to accommodate on-site storage of the 100-year flood event. The total capacity excludes any additional freeboard as a result of fill adjacent to the ponds to elevate residential structures at least 2 feet above the 100-year flood elevation as required by the City of Eagle.

The ponds will be excavated below finish grade and no berms, dikes or dams will be required along the perimeter of the ponds to retain stored water. Pond side slopes will be excavated at 6:1 (horizontal to vertical) for a safety shelf up to a depth of 2-feet and then at a 2:1 below the safety shelf level. For safety and aesthetic reasons, pond side slopes above pond level will have a gradual slope, in the range of 6:1, and will be landscaped with riparian grasses, shrubs, trees and intermittent boulders. Any landscaping will be irrigated using existing ditch shares and irrigation water rights.

Excavation of the ponds will eliminate an estimated 43.3 acres of agricultural land and existing gravel ponds and expose ground water to the effects of evaporation. The estimated 43.3 acres of exposed ground water is based on the proposed geometry of the excavated ponds at the proposed water level.

The site has been historically irrigated to produce pasture grass that has a consumptive use close to alfalfa, an agricultural product typically taken as the standard for a highly consumptive crop. In accordance with the Idaho Department of Water Resources (IDWR) "1:1 Swap" policy, 1 acre of irrigation for each acre of pond surface area will be retired to offset evaporative losses in the pond. The 43.3 acres will be changed from irrigation to aesthetic use.

The proposed pond locations generally coincide with historical gravel pit dewatering ponds. Regardless of the location of ponds relative to historically irrigated fields, the Applicant will "dry up" 43.3 acres within the historic place of use of the Applicant's water rights and Graham-Gilbert ditch shares. The water rights and ditch shares associated with the 43.3 acres will be delivered to the ponds but will not be diverted for irrigation within the Project. The Applicant's plan for mitigation of evaporative losses is described in more detail in an application for transfer of water rights with respect to irrigation rights appurtenant to the Property.

The Applicant also intends to provide supplemental aeration at one or more of the ponds by recirculating ground water using waterfalls. Any individual waterfall will pump ground water from a given pond and "cascade" the water over a constructed rock wall to return the water to the same pond. The waterfalls are anticipated to be located along the pond perimeter to facilitate recirculation across the pond surface.

Specific Application Items

3. Location of Point of Diversion

The four existing and proposed ponds for excavation and aesthetic storage are all located within Township 4 North, Range 1 East, Section 21, Boise Meridian, Ada County, Idaho. Specific pond locations within quarter-quarter sections are shown on Figure 1. The points of diversion for aesthetic storage are summarized in the following table. Note that the points of diversion are taken to be the geometric center of the pond surface area.

Pond	Location
1	NW 1/4 of NE 1/4
2	NE 1/4 of NW 1/4
3	NW 1/4 of NW 1/4
4	NW 1/4 of NW 1/4

6a. Describe type and size of devices used to divert water from the source.

The aesthetic storage right requested in this Application will be “diverted” from shallow alluvial groundwater as a consequence of pond excavation. That is, groundwater will naturally fill the ponds up to existing water table levels after pond excavation.

The proposed pond water level is estimated to be approximately 1-foot below the high seasonal groundwater level. This water level will be maintained by the use of an overflow weir structure that will discharge excess groundwater into an existing backwater slough and onto the Boise River.

6b. Height of storage dam, active reservoir capacity and total reservoir capacity.

The ponds will be excavated below grade and will, therefore, not be constructed as a typical reservoir with a dam to support storage levels above natural downstream water levels. Application Item #6b lists 690 acre-feet of active storage based on seasonal high groundwater levels. Application Item #6b lists 840 acre-feet of total storage based on estimated pond levels during the 100-year flood event in the Boise River. Additional freeboard will be constructed in the ponds as a result of elevating residential structures at least 2 feet above the 100-year flood level.

8e. Description of proposed uses.

As explained in the preceding narrative, 690 acre-feet of “aesthetic storage” of ground water is requested to represent the ground water that will naturally fill the excavated ponds and become an aesthetic water amenity for the development.

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

None. As explained in the preceding narrative, irrigation water pursuant to ditch shares and irrigation water rights on file with the Idaho Department of Water Resources will flow through the ponds to convey irrigation water from the on-site diversion works to the pressure irrigation pump station. As explained in the accompanying transfer application, a portion of the irrigation rights will be accumulated into the ponds to accommodate peak irrigation demands but the

accumulated amount is less than the allowable irrigation diversion over a 24-hour period. A portion of the irrigation rights and ditch shares will also be retained in the ponds to offset evaporative losses. However, neither irrigation water or ditch shares will be used for aesthetic storage.

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

As of the date of this Application, properties at the points of diversion for aesthetic storage in the ponds are owned by the applicant Coast 2 Coast, L.L.C.

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

As of the date of this Application, the place of use is owned by the applicant Coast 2 Coast, L.L.C.

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

N/A

REQUEST TO PROCESS

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

Name of Applicant Coast 2 Coast L.L.C.
Mailing Address 1676 S. STREAMPOINTE LANE
EAGLE, ID 83616
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.

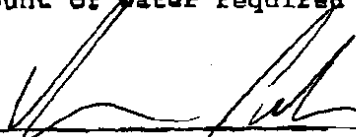
X PROPOSE MITIGATION NOW

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



Date

12-28-05

Please return this form to:

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