



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

October 31, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

L222-3 ID SUMMERWIND LLC
1059 E IRONG EAGLE DR
STE 155
EAGLE ID 83616

RE: Permit 63-31884

To Whom It May Concern:

On January 10, 2007 the Department of Water Resources (IDWR) received a request from SPF Engineering to change condition number 5 on permit 63-31884 which is currently assigned to you. The condition states that the water bearing zone to be appropriated is from 155 to 185 feet. Due to water quality concerns, SPF is requesting that this condition be changed to read that the water bearing zone to be appropriated is 350 to 750 feet.

The well location does not present a problem with changing this condition and there are other wells within a 3 miles radius with the same well depth the change is requesting. Based on our findings, IDWR will update the condition as requested. Please find a copy of the permit record as evidence of this change.

If you have any questions regarding this matter you can contact me at 208-287-4944.

Sincerely,

Pam Skaggs
for Pam Skaggs
Water Right Supervisor
Water Allocation Bureau

Enclosure

cc: SPF Engineering

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31884

WATER RIGHT NUMBER: 63-31884

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L222-3 SUMMERWIND LLC 1059 E IRON EAGLE DR STE 155 EAGLE, ID 83616

Priority Date: 12/03/2003

Basis:

Status: Active

Source

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
FIRE PROTECTION	01/01 to 12/31	2.230 CFS
DOMESTIC	01/01 to 12/31	0.600 CFS
	<u>Total Diversion:</u>	2.230 CFS

Location of Point(s) of Diversion

GROUND WATER SW¼SW¼ Sec. 32, Twp 04N, Rge 04W, B.M. CANYON County

GROUND WATER SW¼SW¼ Sec. 32, Twp 04N, Rge 04W, B.M. CANYON County

Place of Use

FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	32									X	X	X	X	X	X	X	X	

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	32									X	X	X	X	X	X	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31884

Conditions of Approval:

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. X59 Points of diversion are located within Lot 15, Blk. 1, Homestead at Bartlett Creek.
5. Water bearing zone to be appropriated is from 350 to 750 feet.
6. X60 Place of use is located within Lots 2-14, 18-37, 39-62, 64-65, Blk. 1; Lots 1-17, 19-20, Blk. 2; and Lots 1-14, Blk. 4; Homestead at Bartlett Creek.
7. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
8. 070 The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
9. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
11. X01 Domestic use is for 92 homes.
12. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
13. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

Comments:

1. dgibson 5/19/2006 Extension of Time

Comment: Assignment of Permit received changing the ownership to the Status Corporation of Idaho. The new owner filed a request for extension of time for filing proof. The request was granted extending the proof deadline to June 1, 2011 based on due diligence.

2. cpadilla 10/31/2007 Condition Update

Comment: Permit holder submitted request to have WBZ changed. Updated condition. See memo in file for more information.

Dates and Other Information:

Permit Proof Due Date: 6/1/2011

Permit Approved Date: 6/12/2004