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APR 07 2005

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 Roth Construction, Inc. Phone 208-323-2233
Mailing address P.O. Box 140677, Boise, ID 83714-0677
(with copy to Christian Petrich, SPF Water Engineering, LLC, 600 East River Park Lane, Ste. 105, Boise, ID 83706)
2. Source of water supply ground water which is tributary to n/a
3. Location of point of diversion is Township 04N, Range 01E, Sec. 23, in the SE NW
Govt. Lot _____, B.M., Ada County; additional points of diversion if any: n/a
4. Water will be used for the following purposes:
Amount 14.25 acre feet for aesthetic storage purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.08 cfs for Irrigation purposes from 3/1 to 11/15 (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) 0.08 cfs and/or (b) 14.25 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: A pond covering approximately 0.57 acres will be constructed for aesthetic and water storage benefits. The pond will be approximately 25 feet deep and will intercept shallow ground water. Water will be drawn from this pond to irrigate approximately 4 acres of common area in the Ulmer Lane Townhomes development.
 - b. Height of storage dam n/a feet; active reservoir capacity _____ acre-feet; total reservoir capacity 14.25 acre-feet
 - c. Well diameter is _____ inches; 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? _____; 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.Other; describe fully. Water will be used for aesthetic storage and irrigation of common areas in Ulmer Lane Townhome development

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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	
04N	01E	23								4									4
04N	01E	23								J									

(J=Aesthetic)

Total number of acres to be irrigated 4

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

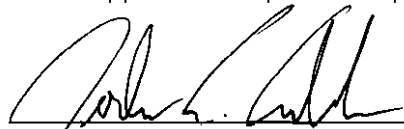
b. Who owns the land to be irrigated or place of use? Applicant

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: Mitigation for (1) evaporative losses from the new pond and (2) irrigation withdrawals from the new pond will be accomplished by diverting water currently used for irrigation on property under water right 63-146 to an adjacent pond for ground water recharge (see accompanying transfer under water right 63-146). Total amount of annual mitigation consists of 0.09 cfs (4 acres of irrigation at 0.02 cfs/acre and 0.6 acres of evaporative losses at 0.02 cfs/acre). Applicant will not divert storage water for mitigation that is limited to irrigation uses under current New Union Ditch Company storage contracts.

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 RL Date 4/7/05 Time 3:30 Preliminary check by RL
Fee \$ 100 Receipted by RL for DR # W032790 Date 4/11/05
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

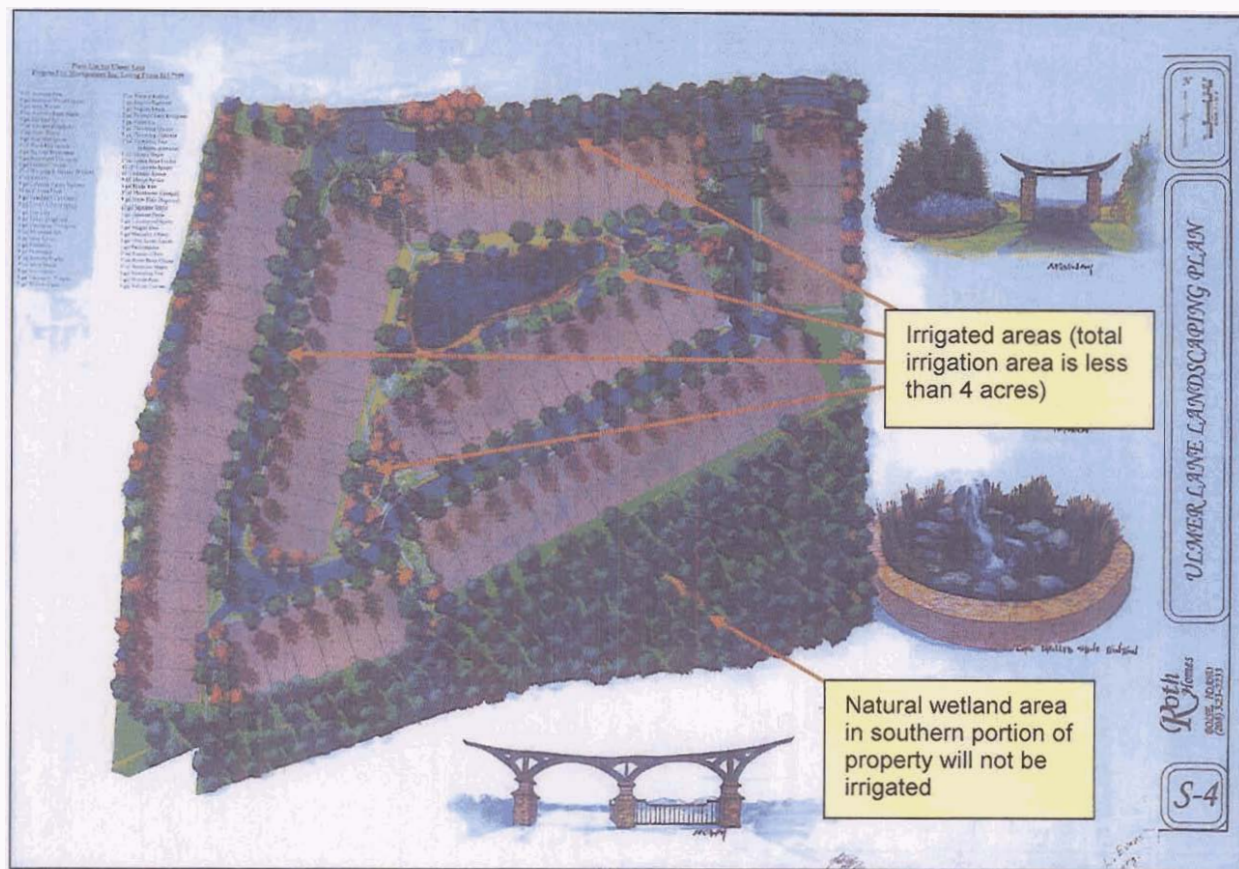
Exhibit A: Map of Proposed Point of Diversion and Place of Use (Evaporative Losses)
 (See next page for irrigation Place of Use)



Scale: 1 inch equals 2000 feet

63-32143

Exhibit B: Approximate Irrigated Area



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