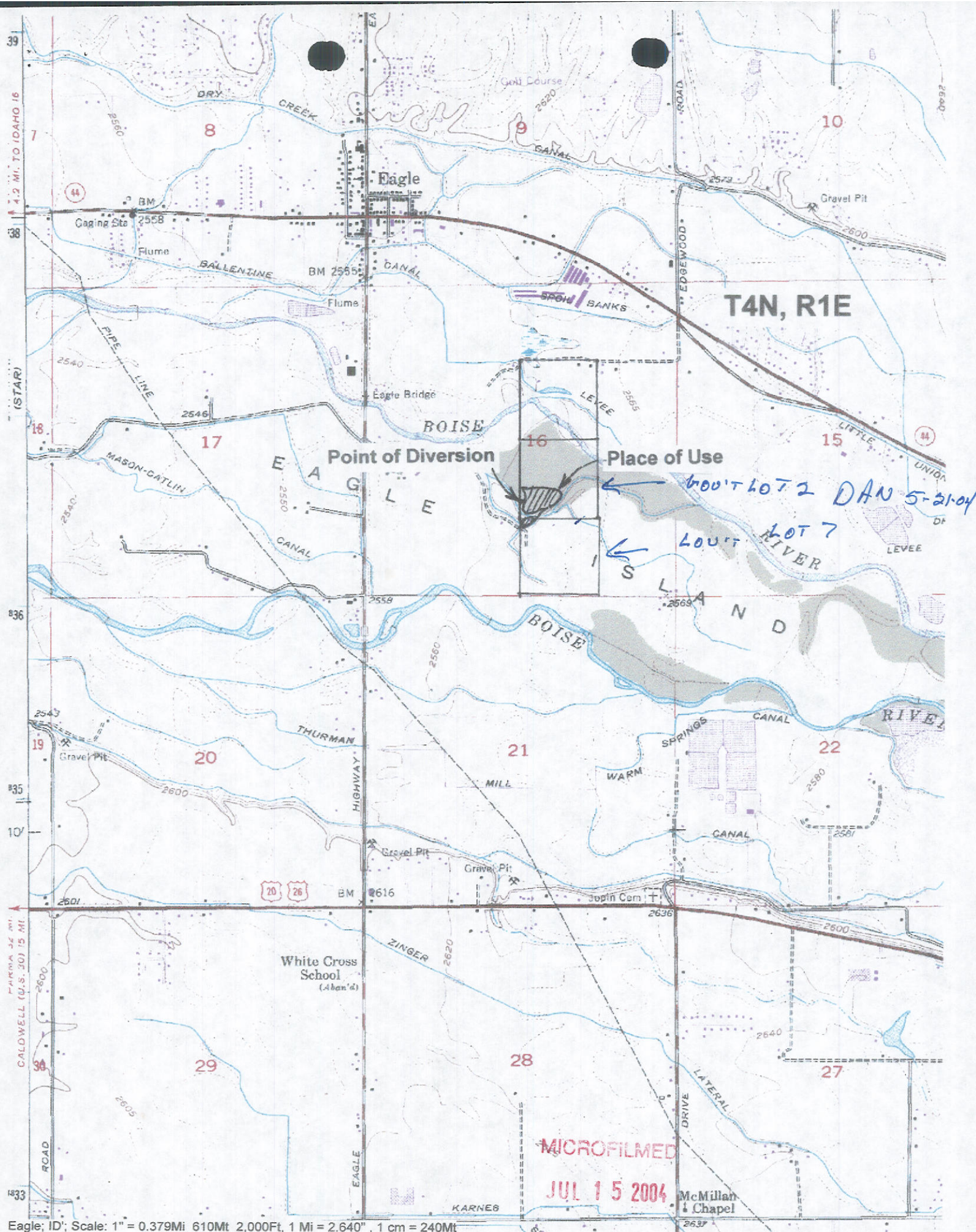
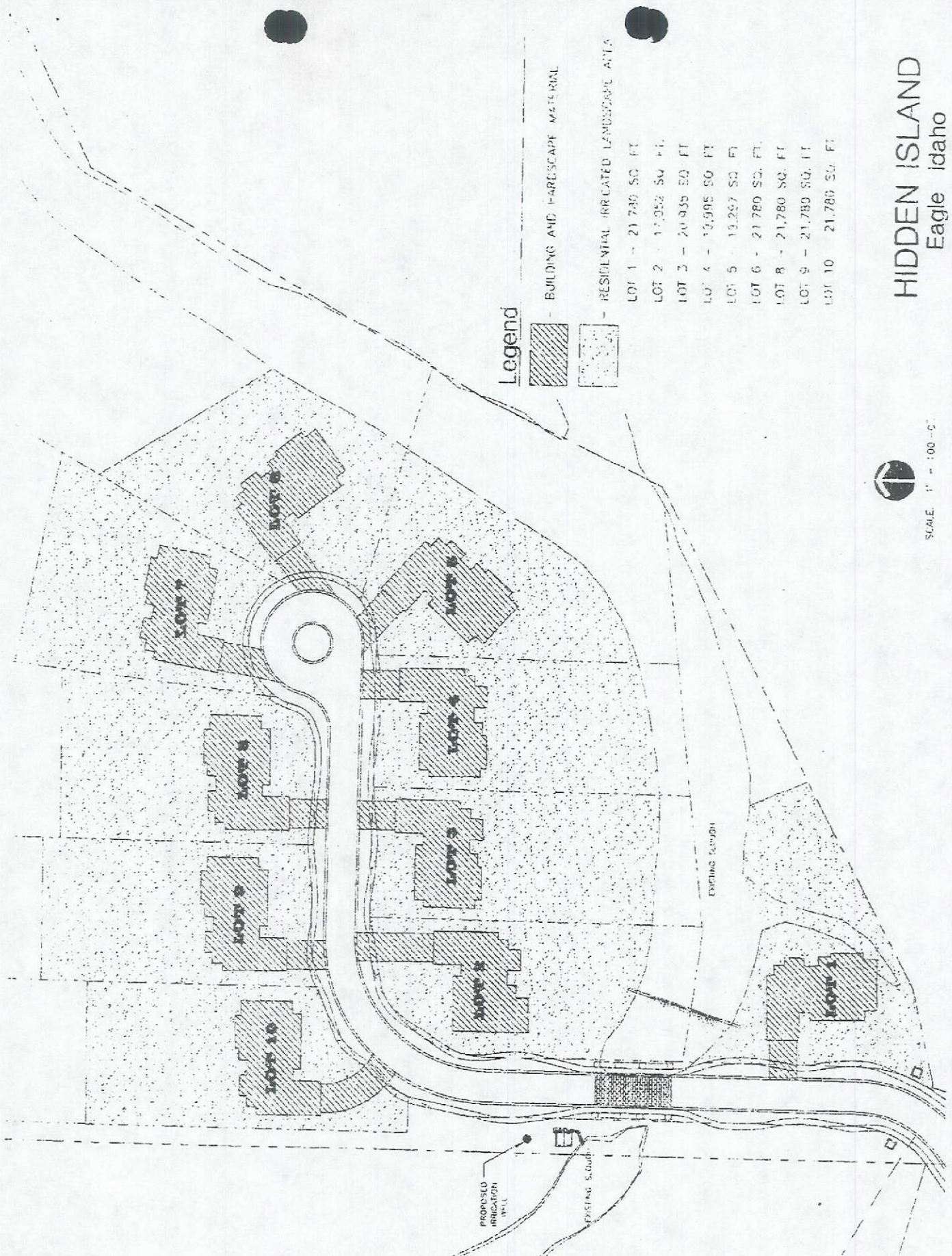


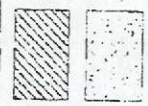


Eagle, ID; Scale: 1" = 0.379Mi 610Mt 2,000Ft, 1 Mi = 2.640", 1 cm = 240Mt

63-31931



Legend



BUILDING AND LANDSCAPE MATERIAL

RESIDENTIAL IRRIGATED LANDSCAPE AREA

- LOT 1 - 21,730 SQ. FT.
- LOT 2 - 11,052 SQ. FT.
- LOT 3 - 20,935 SQ. FT.
- LOT 4 - 12,995 SQ. FT.
- LOT 5 - 13,267 SQ. FT.
- LOT 6 - 21,780 SQ. FT.
- LOT 8 - 21,780 SQ. FT.
- LOT 9 - 21,780 SQ. FT.
- LOT 10 - 21,780 SQ. FT.



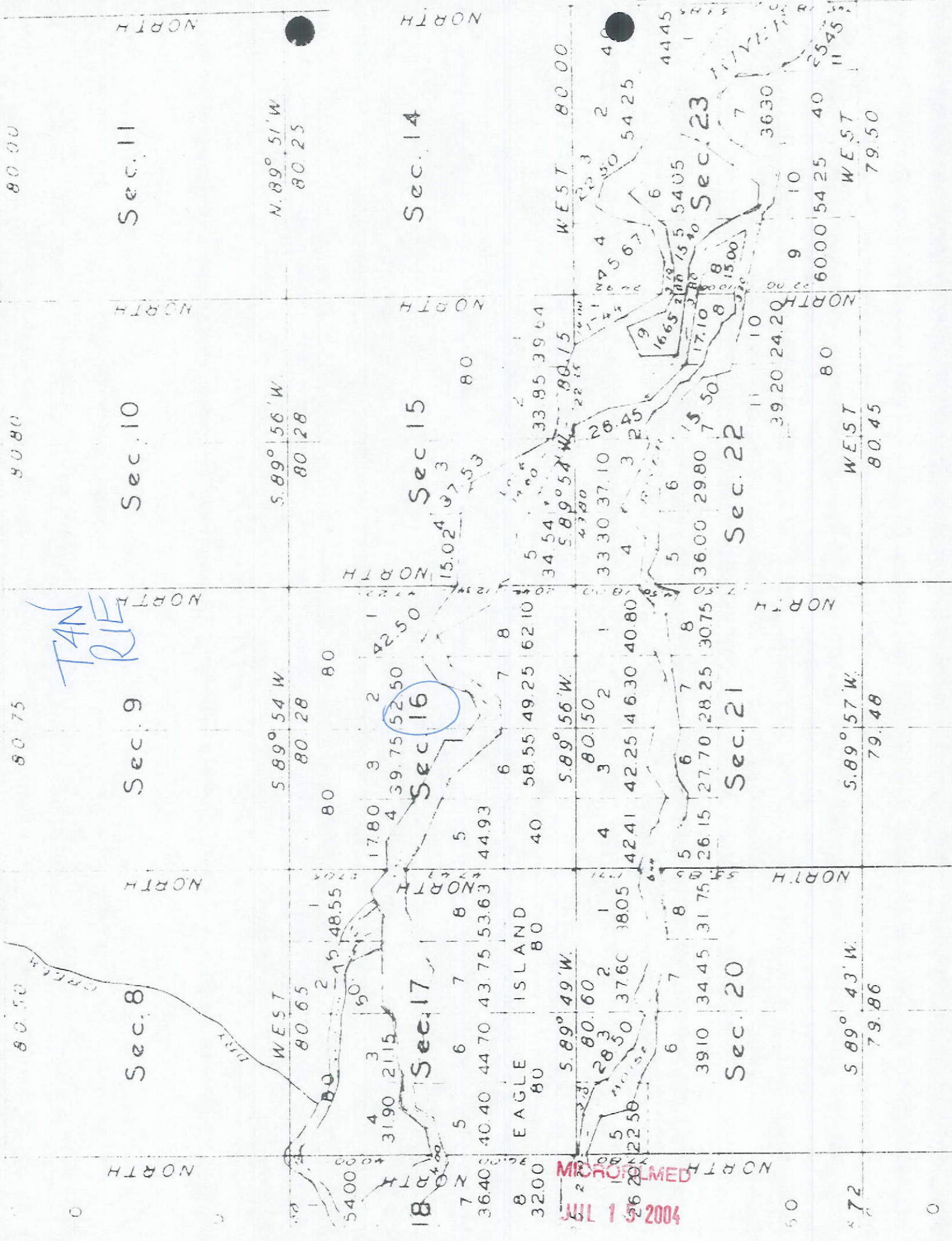
SCALE: 1" = 100'-0"

HIDDEN ISLAND
Eagle Idaho

MICROFILMED

JUL 15 2004

63-31931



NORTH

NORTH

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NORTH

72

0

80 00

80 80

80 75

80 50

Sec. 11

Sec. 10

Sec. 9

Sec. 8

N. 89° 51' W.
80 25

S. 89° 56' W.
80 28

S. 89° 54' W.
80 28

WEST
80 65

Sec. 14

Sec. 15

Sec. 16

Sec. 17

WEST 80 00

S. 89° 54' W.
80 15

S. 89° 56' W.
80 50

S. 89° 49' W.
80 60

Sec. 23

Sec. 22

Sec. 21

Sec. 20

WEST
79 50

WEST
80 45

S. 89° 57' W.
79 48

S. 89° 43' W.
79 86

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JUL 15 2004

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 5-21-04 Application # 63-31931

RECEIVED

JUN 28 2004

DEPARTMENT OF
WATER RESOURCES

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included) *NEED LIST OF*
- ☒ Address
- ☒ Source (see USGS quad for source names)
- ☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of use (list details in appl. Item 8 if non-irrigation)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ P/U
- ☒ Map (show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
yes P/D
yes P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) *Boise River water overlaps*
- ☒ P/U overlap (explain) *P/U. under 63-7316*
- ☒ Critical groundwater area (send letter) *This right should.*
- ☒ Ground water management area (send letter)
- ☒ Drilling concern area (send letter)
- ☒ 1992 moratorium (send letter)
- ☒ Surface water source, IDFG comment letter
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to Dam Safety staff (if any storage)
- ☒ Mitigation plan: "request to process form" in file:
- ☐ Immediate = closed areas, acceptable plan required & submitted
- ☐ Future = open areas, plan not required
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested _____ Date Response Received _____

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31931

Priority: March 09, 2004

Maximum Diversion Rate: 0.15 CFS

This is to certify, that HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.15 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L2 (NW¼SE¼) Sec. 16, Twp 04N, Rge 01E, B.M., ADA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 16														X	X		
														L2	L7		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2009**.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is from 150 to 300 feet.
6. Domestic use is for landscape irrigation for 10 homes.
7. Place of use is located within Lots 1-10, Hidden Island Subdivision.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
9. 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.
10. 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.

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MAY 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31931

11. 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 without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30 day of June, 2004.


for KARL J DREHER, Director

MICROFILMED

JUL 15 2004

RECEIVED

FORM 202

JUN 28 2004

Ident. No.

63-31931

12/99

RECEIVED

MAR 09 2004

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Hidden Island Homeowners Association, c/o Larry Flynn Phone (208) 939-9179Mailing address P.O. Box 564, Eagle, ID 836162. Source of water supply Ground Water which is a tributary of _____3. Location of point of diversion is Township 4N Range 1E Sec. 16, in the _____
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Ada County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.15 cfs for domestic purposes from 3/15 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) 0.15 and/or (b) _____
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 Water will be diverted from one well using an electric pump. Water will be delivered into a pressurized irrigation system for irrigation of landscape areas not to exceed 0.5 acres on a total of 10 residential lotsb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 8 inches; proposed depth of well is 200 feetd. Is ground water with a temperature of greater than 85°F being sought? Noe. 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. 10 residential lots; landscape irrigation

e. Other; describe fully. _____

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JUL 15 2004

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														D	D		

Total:

GOVT LOT 2
GOVT LOT 7

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

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

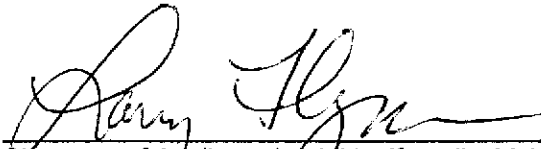
b. Who owns the land to be irrigated or place of use? Homeowner

c. If the property is owned by a person other than the applicant, describe the _____
this filing: Applicant is homeowner association for Hidden Island subdivision

12. Remarks: This application proposes irrigation on 10 residential lots (not to exceed 0.5-acres per lot) within the Hidden Island Subdivision project. The pressurized irrigation system from the well may be supplemented with surface water (63-7316 and District 63 Rental Pool). The surface water will be pumped from a separate pressurized irrigation system. The pressurized irrigation system from the well will serve only landscape irrigation (0.5 acres maximum per lot). A check valve will prevent well water from the well pressurized system from flowing into the portion of the surface water pressurized irrigation system that serves the pasture areas of large lots. Water-bearing interval is 150 to 300 feet.

13. I am the sole owner of the Sub. A+ this true & c.
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 DS Date 3-9-04 Time 1:15 PM Preliminary check by _____
Fee \$ 100- Received by DS # W031361 Date _____
Publication prepared by sk Date 6-3-10-04 Published in THE IDAHO STATESMAN
Publication approved sk Date 6-18-04 MICROFILMED

JUL 15 2004

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														D	D		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 63-7316 and District 63 Rental Pool

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

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

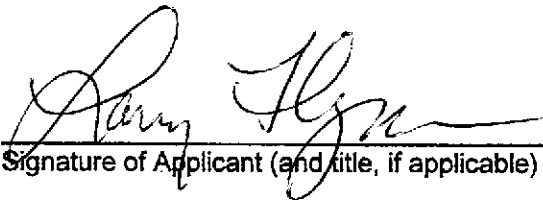
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant is homeowner association for Hidden Island subdivision

12. Remarks: This application proposes irrigation on 10 residential lots (not to exceed 0.5-acres per lot) within the Hidden Island Subdivision project. The pressurized irrigation system from the well may be supplemented with surface water (63-7316 and District 63 Rental Pool). The surface water will be pumped from a separate pressurized irrigation system. The pressurized irrigation system from the well will serve only landscape irrigation (0.5 acres maximum per lot). A check valve will prevent well water from the well pressurized system from flowing into the portion of the surface water pressurized irrigation system that serves the pasture areas of large lots. Water-bearing interval is 150 to 300 feet.

I am the sole owner of the Sub. A + this time A +

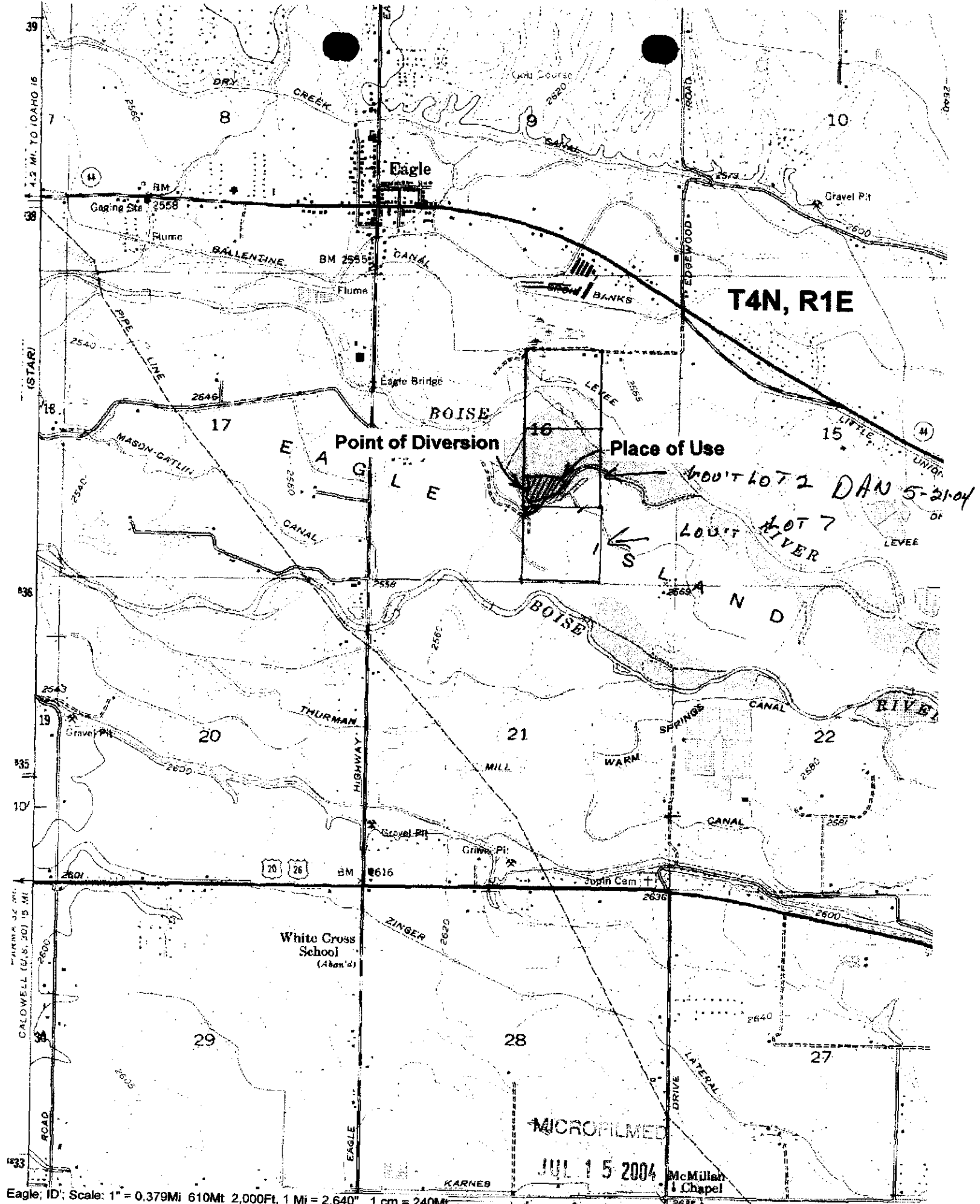
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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Signature of Applicant (and title, if applicable)

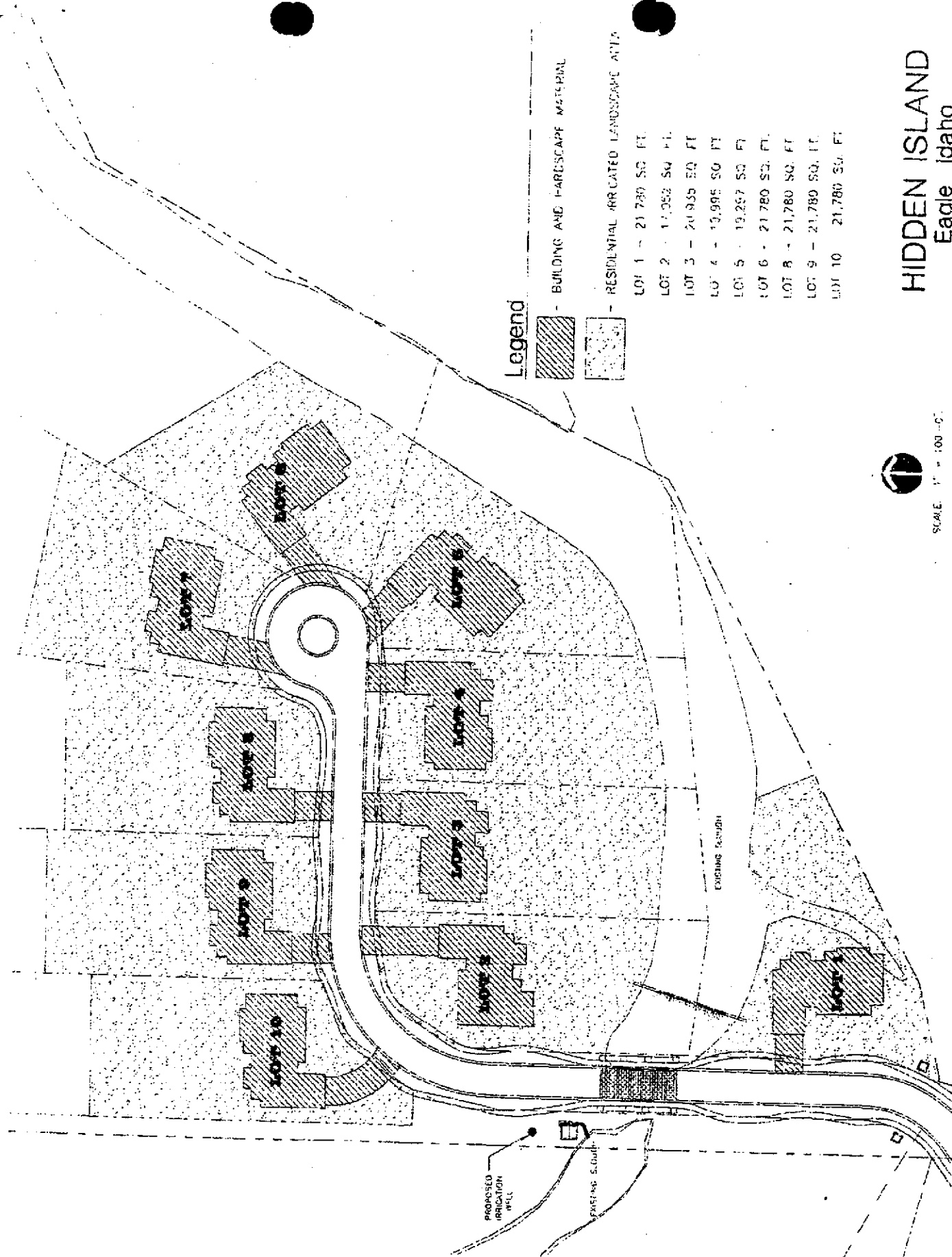
Received by DB Date 3-9-04 Time 1:15 PM Preliminary check by _____
 Fee \$ 100- Receipted by DB # W031361 Date _____
 Publication prepared by sk Date 6-3-10-04 Published in THE IDAHO STATESMAN
 Publication approved sk Date 6-18-04 MICROFILMED

JUL 15 2004



Eagle, ID; Scale: 1" = 0.379Mi 610Mt 2,000Ft, 1 Mi = 2,640' , 1 cm = 240Mt

63-31931



Legend



BUILDING AND LANDSCAPE MATERIAL

RESIDENTIAL ARCATED LANDSCAPE AREA

- LOT 1 - 21,780 SQ. FT.
- LOT 2 - 11,952 SQ. FT.
- LOT 3 - 20,935 SQ. FT.
- LOT 4 - 10,995 SQ. FT.
- LOT 5 - 19,257 SQ. FT.
- LOT 6 - 21,780 SQ. FT.
- LOT 8 - 21,780 SQ. FT.
- LOT 9 - 21,780 SQ. FT.
- LOT 10 - 21,780 SQ. FT.



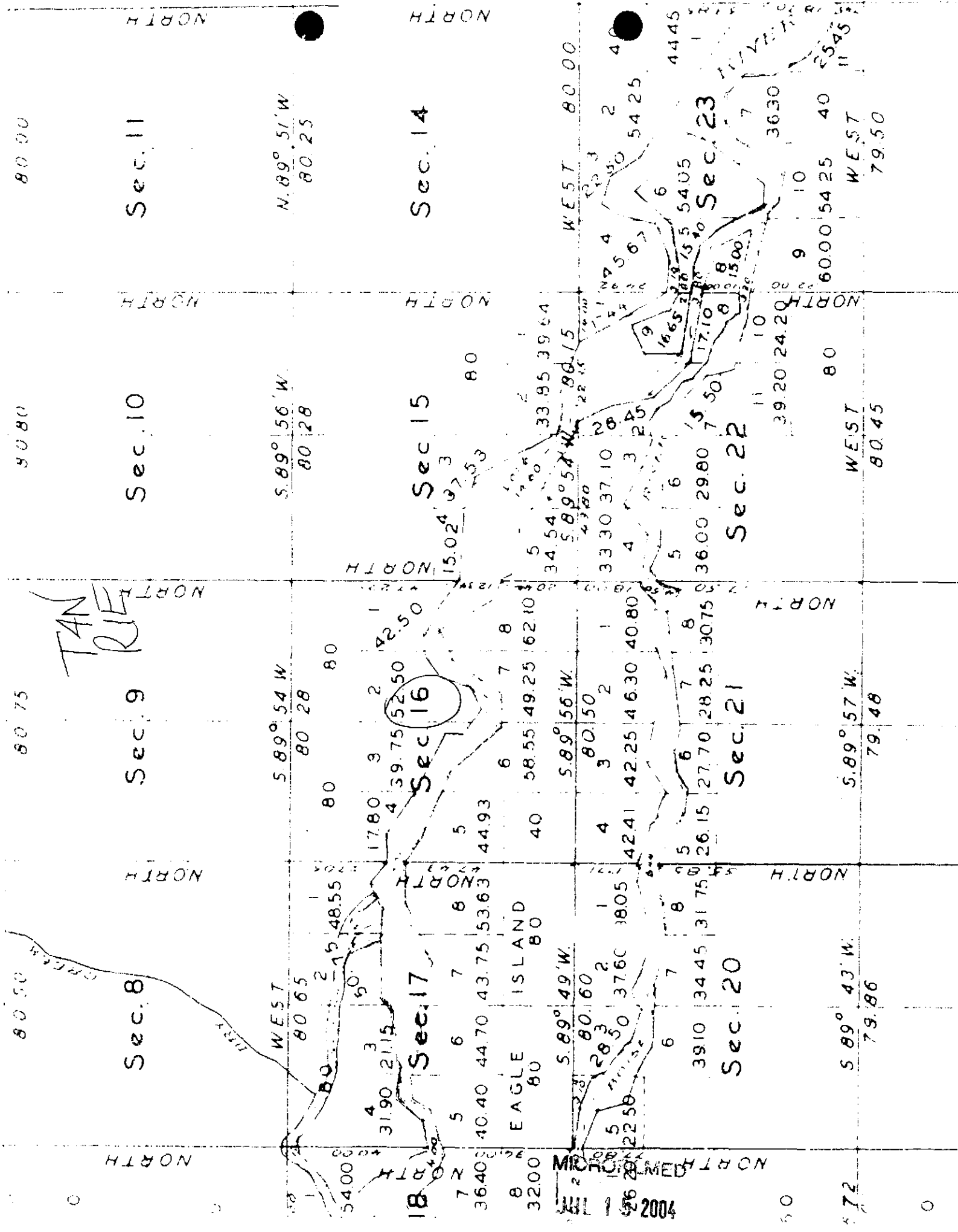
SCALE: 1" = 100'-0"

HIDDEN ISLAND
Eagle Idaho

MICROFILMED

JUL 15 2004

63-31931





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 30, 2004

HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616

RE: Permit No. 63-31931

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

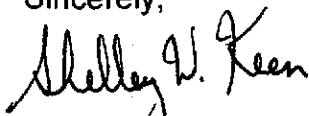
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED
JUL 15 2004

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klr

Enclosure(s)

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JUN 15 2004

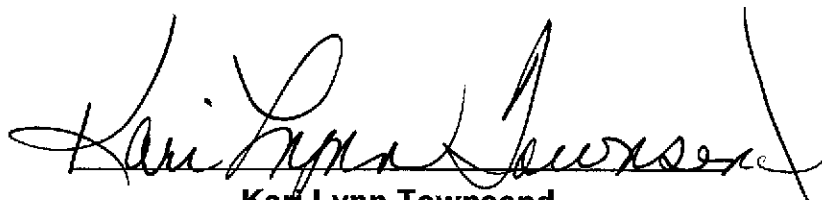
CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31931

HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616



Karl Lynn Townsend
Secretary

MICROFILMED

2004 15 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

63-31931

1. scurtis 5/24/2004 Legal Notice Remarks

Comment: Domestic use is for landscape irrigation for 10 residential lots, not to exceed 0.5 acres per lot.

Water bearing zone to be appropriated is from 150 to 300 feet.

2. dnelson 5/24/2004 Comment/Analysis

Comment: This application is for yard irrigation not to exceed ½ acre of yard irrigation. The land in question already has surface water allocated to the property under water right 63-7316. Therefore, this application should be supplemental to the existing surface water right. I contacted the applicant on 5/21/2004 by telephone and informed that this application would be supplemental to the existing surface water. The in-house use will be supplied by Eagle Water Company. There are no other significant overlapping water rights on this property.

3. kwalker 6/29/2004 Permit Review

Comment: Recommend approval as shown by region.

MICROFILMED

JUL 15 2004

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAW Date 5-21-04 Application # 63-31931

RECEIVED

JUN 25 2004

DEPARTMENT OF
WATER RESOURCES

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- ☒ Address
- ☒ Source (see USGS quad for source names)
- ☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- ☒ County
- ☒ Quantity (flow & /or volume)
- ☒ Period of use
- ☒ Nature of use (list details in appl. Item 8 if non-irrigation)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ P/U
- ☒ Map (show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
YES P/D
YES P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) Boise River water overlaps
- ☒ P/U overlap (explain) P/U. under 63-7316
- ☒ Critical groundwater area (send letter) This right should.
- ☒ Ground water management area (send letter)
- ☒ Drilling concern area (send letter)
- ☒ 1992 moratorium (send letter)
- ☒ Surface water source, IDFG comment letter
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to Dam Safety staff (if any storage)
- ☒ Mitigation plan: "request to process form" in file:
- ☐ Immediate = closed areas, acceptable plan required & submitted
- ☐ Future = open areas, plan not required
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APPLICATION # 63-31931

YES NO

☒ ☐ In form for advertising
☒ ☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, & date recorded on application

COMMENT LETTERS

YES NO

☐ ☒ IDEQ
☐ ☒ District Health
☐ ☒ IDFG
☐ ☒ IDL

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

☒ ☐ Publication dates & paper recorded on application
☐ ☐ Final date for protest 6-21-04
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter

Supplemental TO 63-7316, Condition 046,
Standard Conditions, Limited TO 1/2 acre/lot.

Recommended Date of Priority

Recommendation ☐ Approve ☐ Deny by Date

ADDITIONAL INFORMATION

☒ See attached proof report, note Legal Notice Remarks &/or Comments

☒ Shapefile completed (optional: attach with proof report)

Supplemental TO 63-7316.

Water Application Report 63-31931

HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE, ID 83616
(208)939-9179

GROUND WATER

0.150 CFS

ADA County

X

Comment: Domestic use is for landscape irrigation for 10 residential lots, not to exceed 0.5 acres per lot. Water bearing zone to be appropriated is from 150 to 300 feet.

Comment: This application is for yard irrigation not to exceed ½ acre of yard irrigation. The land in question already has surface water allocated to the property under water right 63-7136. Therefore, this application should be supplemental to the existing surface water right. I contacted the applicant on 5/21/2004 by telephone and informed that this application would be supplemental to the existing surface water. The in-house use will be supplied by Eagle Water Company. There are no other significant overlapping water rights on this property.

Time to Complete Works: 5

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	1095060	NOTICE OF APPLICATION	\$127.50
Attention:	P.O. #	Run Dates	
SUE KREGER		JUNE 3, 10, 2004	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2 X 35
RECEIVED			Affidavit 1
			Legal # 19591

JUN 14 2004

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

63-31931
HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616

✓ sk

Point(s) of Diversion L2 (NWSE) S16 T04N R01E
Use: DOMESTIC
Total Diversion: 01/01 To 12/31
Date Filed: 03/09/2004
Place Of Use: DOMESTIC
ADA County Source
GROUND WATER
0.15 CFS
0.15 CFS
T04N R01E S16 NWSE Lot 2 SWSE Lot 7

Remark: Domestic use is for landscape irrigation for 10 residential lots, not to exceed 0.5 acres per lot. Water bearing zone to be appropriated is from 150 to 300 feet. 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 Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/21/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Jun. 3, 10, 2004

19591

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: JUNE 3, 2004

ending issue of: JUNE 10, 2004

Janice Hildreth

STATE OF IDAHO)
.ss

COUNTY OF ADA)

On this 10 day of JUNE in the year of 2004 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

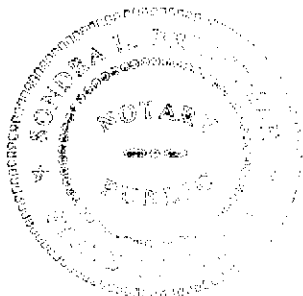
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/30/06

MICROFILMED

JUN 15 2004



**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

May 27, 2004

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-31931 and 63-31934

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices 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 notices 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 06/21/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

MICROFILMED

III 15 2004

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

63-31931

HIDDEN ISLAND HOMEOWNERS ASSN
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616

Point(s) of Diversion L2 (NWSE) S16 T04N R01E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 03/09/2004

Place Of Use: DOMESTIC

T04N R01E S16 NWSE Lot 2 SWSE Lot 7

Remark: Domestic use is for landscape irrigation for 10 residential lots, not to exceed 0.5 acres per lot.
Water bearing zone to be appropriated is from 150 to 300 feet.

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 Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/21/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on June 3 and 10, 2004.

MICROFILMED
JUL 15 2004

December 17, 2003

APPLICATION RESEARCH

Completed by Sharla Date 4/1/04

Add reviewer's initials DAW to APPS.LIS and SAVE, forward file to reviewer after research completed.

Check items #1 through #4 unless otherwise noted.

RESEARCH ITEMS

1. ☒ Corporation, partnership or other business entity: conduct Business Entity search at ID Sec. of State website and list results:

_____ registration #

☒ not registered

2. ☒ Gov't Lots, attach results if any in the entire section(s). Use most recent survey found on microfiche.

3. ☒ P/D overlap, existing/proposed site(s). Attach results or summarize here.

_____ none _____ see attached

63-7316 (Flynn)
3618 (Eagle Island Water Users)

4. ☒ P/U overlap, existing/proposed site(s). Attach results or summarize here.

_____ none ☒ see attached

Additional Notes to Reviewer

☒ SRBA N/A _____ SRBA Reviewer for AJ Record in "active" basin

-JR 3/29/04

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7316

WATER RIGHT NUMBER: 63-7316

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MURIEL B CRAINE
	, ID
Current Owner	JANET B PERKINS-WELLS
	PO BOX 1068
	PAUMA VALLEY, CA 92601

Priority Date: 06/29/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.150 CFS	73.20 AF
	<u>Total Diversion:</u>	0.150 CFS	73.20 AF

Location of Point(s) of Diversion

BOISE RIVER	L7 (NW1/4SE1/4)	Sec. 16, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

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	16															29.0		29.0
																	L 7		

Total Acres: 29

Conditions of Approval:

1. Prior to diverting water under this water right each year, the right holder shall seek approval of the watermaster. No water shall be diverted under this right without prior approval of the watermaster.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7316

Dates and Other Information:

Licensed Date: 5/16/2002

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 63

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 4.5

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7316 V1

WATER RIGHT NUMBER: 63-7316 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY FLYNN PO BOX 564 EAGLE, ID 83616

Priority Date: 06/29/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.150 CFS	73.20 AF
	<u>Total Diversion:</u>	0.150 CFS	73.20 AF

Location of Point(s) of Diversion

BOISE RIVER	L7 (NW1/4SE1/4)	Sec. 16, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

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	16																	29.0
																			L 7

Total Acres: 29

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Explanatory Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Explanatory Prior to diverting water under this water right each year, the right holder shall seek approval of the watermaster. No water right shall be diverted under this right without prior approval of the watermaster.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7316 V1

3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. kbrown 2/5/2004 Parcel Number
Comment: Parcel No: S0516131506.

2. kbrown 2/5/2004 Amended Claim
Comment: Claim amended per license issued 5/16/02.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: