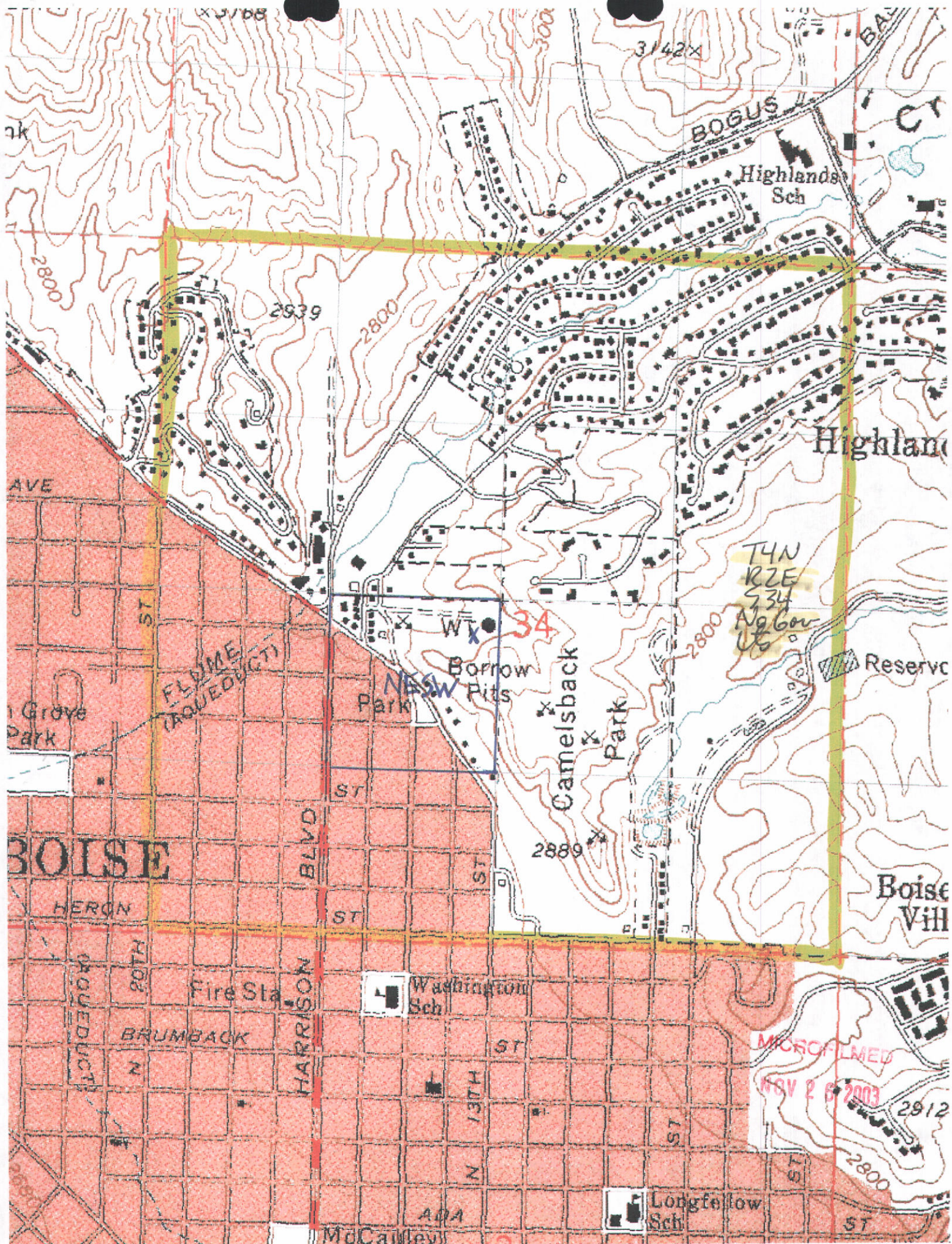






State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31752

Priority: August 25, 2003

Maximum Diversion Rate: 0.13 CFS

This is to certify, that CAMELS BACK APARTMENT ASSOCIATES LLC
817 W FRANKLIN ST
BOISE ID 83702

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	03/01 to 11/15	0.13 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, Twp 04N, Rge 02E, B.M., ADA County

PLACE OF USE: 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 02E 34									X								

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2008**.
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 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 272 to 296 feet.
6. Domestic use is for external use for 13 apartment buildings.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre for each lot upon which an apartment building has been constructed.
8. 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.

MICROFILMED
NOV 26 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31752

9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of October, 2003.


KARL J DREHER, Director

MICROFILMED

NOV 2 6 2003

RECEIVED

MAY 20 2003

FORM 202
12/99agree to the following
application changes.

8/26/03 Date.

Department of Water Resources

Ident. No.

63-31752

RECEIVED

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

OCT - 2 2003

MAY 21 2003

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

WATER RESOURCES
WESTERN REGIONName of Applicant Camel's Back Apartment Associates, LLC Phone (208) 345-3221 Ext. 27Mailing address 817 W. Franklin St., Boise, ID 83702

2. Source of water supply Ground Water which is a tributary of - - -
3. Location of point of diversion is Township 4N Range 2E Sec. 34 in the - - - NE SE SW NE SE SW Govt. Lot - - - B.M. Ada County;

additional points of diversion if any: - - -

4. Water will be used for the following purposes:

Amount .13 for Domestic 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)

Amount - for - purposes from - to - (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a)
- .13
- 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 Existing Well, Pump & Pipelinesb. Height of storage dam N/A feet; active reservoir capacity - acre-feet; total reservoir capacity - acre-feetc. Proposed well diameter is 10 inches; proposed depth of well is 307 feet (Existing)d. Is ground water with a temperature of greater than 85°F being sought? Noe. If well is already drilled, when? 1977; Drilling firm Stevens & SonsWell was drilled for (well owner) Smith / Givens; Drilling Permit No. N/A

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. Lawn Irrigation / Landscaping for 13 Multi-unit
- e. Other; describe fully. Appartment buildings at maximum 1/2 acre per building.
6.5 acres x .02 cfs/acre = .13 cfs requested.

*See Remarks @ Season of Use

RECEIVED

AUG 27 2003

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAY 26 2003

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	2E	34									D				D				

Total number of acres to be irrigated Approximately Six

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

- Who owns the property at the point of diversion? Camel's Back Apartment Associates, LLC
- Who owns the land to be irrigated or place of use? Camel's Back Apartment Associates, LLC
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Same well as pending application 63-12231. Probably a portion of same use as that application but seeking a separate application now for business reasons. Water bearing zone to be appropriated per 1977 well log is 272 to 296 feet.
Irrigation season of use requested for landscaping purposes.

13. **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.

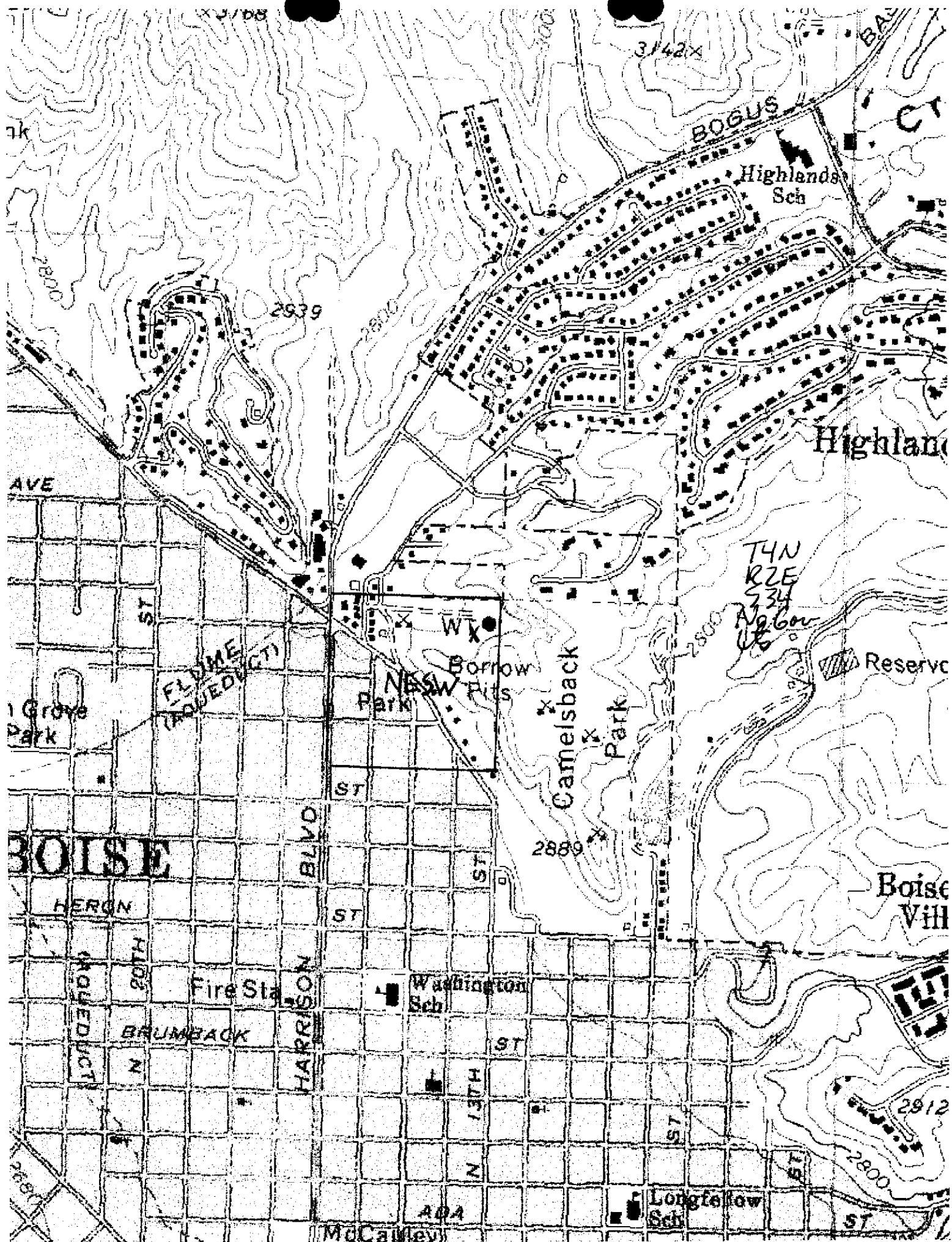
[Signature]
 Signature of Applicant (and title, if applicable)
President, R.H.I. Managing Member Camel's Back's

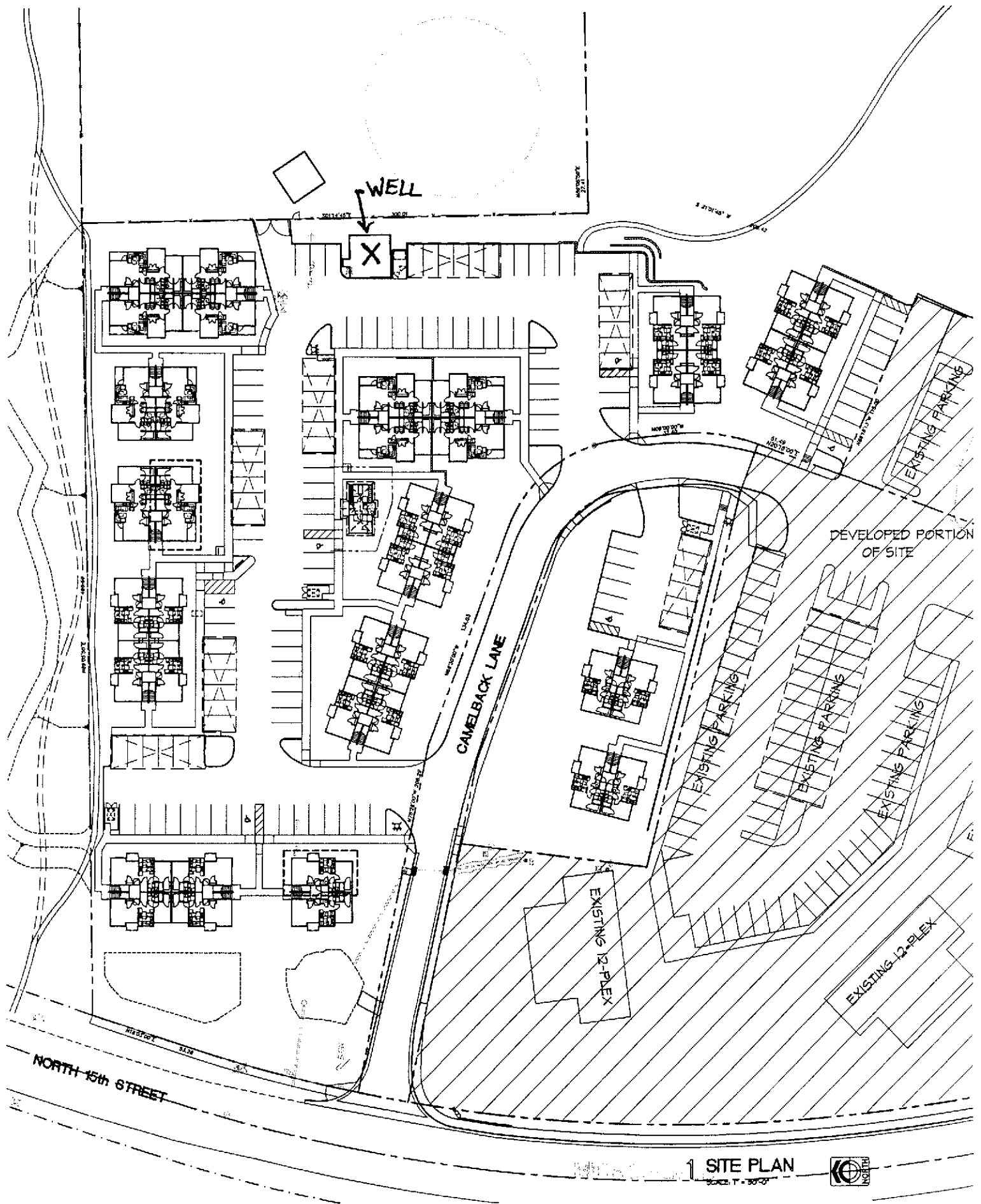
Received by * JL for Jim Date 5/24/03 Time 9:19 Preliminary check by [Signature]
 Fee \$ 100 Received by JL for Jim # C069158 Date 5/24/03
 Publication prepared by [Signature] Date 9-4-11-03 Published in THE IDAHO STATESMAN
 Publication approved [Signature] Date 9-17-03

* Received at IOWA State Office: Rescinded ~~not~~ initiated at that time.
 Receiptal date/time per receipt into. -JL

MICROFILMED

NOV 2 8 2003





1 SITE PLAN



SUMMARY OF SALIENT FACTS AND CONCLUSIONS

PROPERTY TYPE: Existing Multi-family complex will contain 13 apartment buildings, one laundry/office building and 84 units.

LOCATION: NEC of N. 15th Street and Camel Back Lane, Boise, Idaho

SUBJECT DESCRIPTION: Existing Camels Back Apartments includes 14 buildings, of which 8 are eight-plex buildings (3-story designs), 5 are four-plex buildings (3-story designs), and one single level office/laundry building. The construction includes 2x6 exterior, wood framed walls with painted, concrete board, lap siding. The buildings feature pitched roofs on all structures, including the 7 carport structures. The apartment buildings are all 3-story buildings.

The units are single-level and two-level, and include 5 different, but similar, floor plans.

OWNER OF RECORD: Camels Back Apartments Associates, LLC
P.O. Box 2725
Boise, ID 83701

PARCEL NUMBERS: S0634314806 & S0634314840

LEGAL DESCRIPTION: Tax Lots 4806 and 4840 of the NE 1/4 of the SE 1/4, Sec. 34, T.4N., R.2E., B.M. A copy of the lengthy metes and bounds legal description appears in the addenda for review.

SITE SIZE: 5.51± acres total
3.84± acres developed

SITE CONFIGURATIONS: Irregular

ZONING: R-2D

BUILDING DESCRIPTION: Gross Building Area is calculated at 64,455± square feet; Rentable/Livable Area is 63,752± square feet. The units are single-level (flats) designs and two-level designs; each unit includes a patio/balcony. Each unit has

RECEIVED

MAY 20 2003

Department of Water Resources

REQUEST TO PROCESS

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

Name of Applicant Camell's Back Apartment Associates, LLC
Mailing Address 817 W. Franklin
Boise, ID 83702
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.

 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.

 X 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

Robert A. Howell

Date

5/15/03

Please return this form to:

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

MICROFILM

MAY 26 2003



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

October 6, 2003

CAMELS BACK APARTMENT ASSOCIATES LLC
817 W FRANKLIN ST
BOISE ID 83702

RE: Permit No. 63-31752

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.

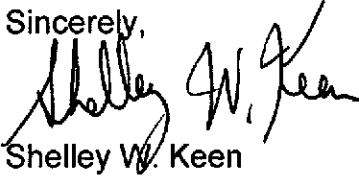
MICROFILMED

NOV 26 2003

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,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
NOV 26 2003

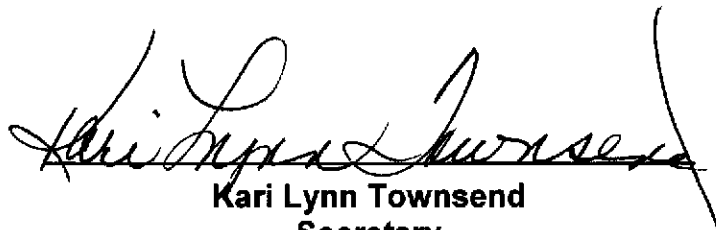
CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2003 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.

63-31752

CAMELS BACK APARTMENT ASSOCIATES LLC
817 W FRANKLIN ST
BOISE ID 83702



Kari Lynn Townsend
Secretary

MICROFILMED

OCT 26 2003

**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.

RECEIVED
JUN 26 2003

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by ly

Date 8/19/03

Application # 63-31752

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 $\geq$ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U

RECEIVED
OCT - 2 2003

Department of Water Resources

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ ☐ P/D overlap (explain)
- ☒ ☐ P/U overlap (explain)
- ☒ ☒ Critical groundwater area (send letter)
- ☒ ☒ Ground water management area (send letter) *see comments*
- ☒ ☒ 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

Bottom Hole temp

* legal description clarification

Date Requested 6/6/03

Date Response Received 8/11/03

* 8/19/03

8/25/03

PROCESSING

APPLICATION # 63-31752

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 9-22-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter

see comments regarding Boise Front BW
Wgt Area concern. Irrigation limited
to 1/2 acre per building

Recommended Date of Priority 8/25/03

Recommendation ☒ Approve ☐ Deny by Loi Granger Date 9/29/03

ADDITIONAL INFORMATION

- ☒ See attached proof report, note Legal Notice Remarks &/or Comments
☒ Shapefile completed (optional: attach with proof report)



The Idaho Statesman

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	944420	APPLICATION FOR PERMIT	\$109.08
Attention:		P.O. #	Run Dates
SUE TAYLOR			SEPTEMBER 4, 11, 2003
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705		Number of Lines	
		2 X 34	
		Affidavit	Legal #
		1	17342

RECEIVED

SEP 15 2003

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

CAMELS BACK APARTMENT ASSOCIATES LLC 63-31752 ✓ st
817 W FRANKLIN ST
BOISE ID 83702
Point(s) of Diversion NESW S34 T04N R02E ADA County Source GROUND WATER

Use: DOMESTIC 03/01 To 11/15 0.13 CFS
Total Diversion: 0.13 CFS

Date Filed: 08/25/2003
Place Of Use: DOMESTIC
T04N R02E S34 NESW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 13 yards in Camels Back Apartments.
Water bearing zone to be appropriated is from 272 to 296 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 09/22/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Sept. 4, 11, 2003

17342

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: SEPTEMBER 4, 2003

ending issue of: SEPTEMBER 11, 2003

Janice Hildreth

STATE OF IDAHO)
SS

COUNTY OF ADA)

On this 11 day of SEPTEMBER in the year of 2003 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.

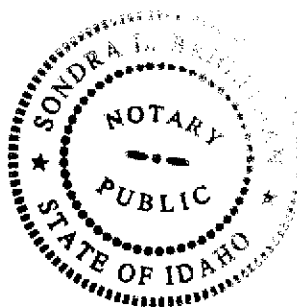
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/20/06

MICROFILMED

NOV 26 2003



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

August 27, 2003

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31752 and 63-31753

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 notice 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 09/22/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

NOV 26 2003

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

63-31752

CAMELS BACK APARTMENT ASSOCIATES LLC
817 W FRANKLIN ST
BOISE ID 83702

Point(s) of Diversion NESW S34 T04N R02E ADA County Source GROUND WATER

Use: DOMESTIC 03/01 To 11/15 0.13 CFS

Total Diversion: 0.13 CFS

Date Filed: 08/25/2003

Place Of Use: DOMESTIC

T04N R02E S34 NESW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 13 yards in Camels Back Apartments.
Water bearing zone to be appropriated is from 272 to 296 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 09/22/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on September 4 and 11, 2003.

MICROFILM

NOV 2 3 2003

RECEIVED

AUG 11 2003

WATER RESOURCES
WESTERN REGION

August 6, 2003

Park Lane Property Management
720 W Idaho
Boise, ID 83702
Attn: Joe

Re: Temperature measurement in Camels Back Apartments irrigation well

Dear Joe,

The annulus between the well casing and pump column in the Camels Back Apartment irrigation well is not accessible for a temperature probe without disassembling the discharge piping and lifting the pump up with a crane or pump rig. Consequently, it was not possible to obtain a bottom-hole temperature.

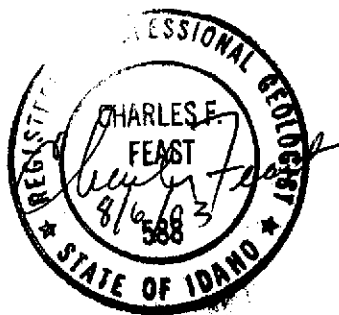
As requested by Park Lane Management, on August 5, 2003, I measured the maximum temperature inside the pump discharge column. The maximum down hole temperature was recorded using a maximum registering thermometer inside a weighted cage. The thermometer was lowered to the maximum depth and allowed to sit for several minutes. The pump discharge column was open to 106 feet. Two independent measurements were made. The recorded maximum temperatures from these tests were 69 and 70°F.

As a secondary check, the well was pumped briefly twice and the temperature was monitored. The temperature appeared to stabilize at 68°F although the pumping period was only about 1 minute for each test due to high pressure cutoff in the pressure tank.

I hope this information is sufficient for your purposes. Thank you for giving me the opportunity to assist Park Lane with this project.

Sincerely,

Charles Feast
Charles Feast, P.G.
Feast Geosciences, LLC



MICROFILMED

NOV 26 2003

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Richard B. Smith-Orin Givens
 Address 2417 Bogus Basin Road Boise
 Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Diameter of hole 10 inches Total depth 305 feet
 Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
.322 inches	8 inches	18' 6"	18' 6"
.250 inches	8 inches	18' 6"	272' 6"
.250 inches	5 inches	272' 6"	303' 1"
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
 Was a packer or seal used? ☐ Yes ☒ No
 Perforated? ☐ Yes ☒ No
 How perforated? ☐ Factory ☐ Knife ☐ Torch
 Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☒ Yes ☐ No
 Manufacturer's name Johnson
 Type stainless steel Model No. 405
 Diameter 8 Slot size 30 Set from 272' 6" to 280' 8"
 Diameter 5 Slot size 30 Set from 281' 4" to 296' 14"

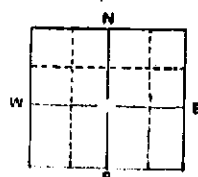
Gravel packed? ☒ Yes ☐ No Size of gravel # 8 sand
 Placed from 200 feet to 305 feet

Surface seal depth 20' Material used in seal ☐ Cement grout
☒ Puddling clay ☒ Well cuttings

Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Northridge Apts.

Subdivision Name _____

Vol. 100 _____

County Ada

N/E 1/4 S/W 1/4 Sec. 34 T. 4 N. R. 2 E. 10

7. WATER LEVEL

Static water level 31' feet below land surface
 Flowing? ☐ Yes ☒ No G.P.M. flow _____
 Temperature _____ ° F. Quality _____ Department of Water Resources
 Artesian closed-in pressure _____ p.s.i. Western Regional Office
 Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other _____

Discharge G.P.M.	Draw Down	Hours Pumped
<u>152</u>	<u>80</u>	<u>13</u>

static level to depth of 80' is very unstable, shows slow recovery rate

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	1	sandy topsoil		X
	1	3	light brown clay		X
	3	8	cemented sand & gravel		X
	8	32	loose brown sand		X
	32	67	light brown cemented sand		X
	67	88	dark brown cemented sand		X
	88		& streaks of clay		
	88	97	bluish brown cemented sand		X
	97	103	blue & quartz sand, slightly muddy		X
	103	150	dark blue sticky clay		X
	150	163	very fine muddy blue & black sand		X
	163	190	very muddy fine sand & clay		X
	190	209	dark blue sticky clay		X
	209	214	sandy blue clay		X
	214	253	dark blue sticky clay		X
	253	272	very sticky light blue clay		X
	272	274' 5"	medium to coarse quartz sand		X
	274' 5"	276	blue clay		X
	276	288	streaks of fine to coarse quartz sand & blue clay		X
	288	290	blue clay		X
	290	292	streaks of fine to coarse sand & blue clay		X
	292	293	blue clay		X
	293	298	streaks of fine to coarse quartz sand & blue clay		X
	298	307	blue clay		X

10.

Work started 1/12/77 finished 2/15/77

11. DRILLERS CERTIFICATION

Firm Name W.E. Stevens & Sons Firm No. 153

Address 3709 Hawthorne Drive Date 2/25/77

Signed by (Firm Official) _____
 and _____
 (Operator) Donald H. Stevens

MICROFILMED

NOV 26 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

Camel's Back Apartment Associates LLC
Attn: Ken Howell
817 W Franklin St
Boise ID 83702

Re: Application For Permit

Dear Applicants:

This office received your application for ground water use May 21, 2003. The existing point of diversion listed on the application is located in the Boise Front Ground Water Management Area, which was established June 15, 1987. Wells that are drilled greater than 300 feet deep are subject to the provisions of this Administrative Order. Because this well is 307 feet deep, a bottom hole temperature from the well must be submitted before processing can continue. Please contact a licensed well driller or water consultant with a temperature probe that can reach and accurately document the bottom hole temperature of the well. Local consultant sources that are capable of such a measurement include:

Ed Squires
Hydro Logic, Inc.
1002 W Franklin
Boise ID 83702
342-8369

Terry Scanlan
Scanlan Engineering
600 E Riverpark Ln
Boise ID 83706
383-4140

The yellow pages can provide you with a list of licensed well drillers.

Please submit the requested information within 30 days from the date of this letter. If I do not hear from you by July 6, 2003, we will void your application from our records. Please call me if you have any questions.

Sincerely,

Lori Graves
Sr. Water Resourced Agent

MICROFILMED

NOV 25 2003

Low

Notes

6/2/03
-JL

SEE 5/8/03 Enx, draft & notes.

*

Does not appear applicant covered all points in the earlier info provided to him.

Wants separate filing, is split/assignment of portion 63-12231 for Richard B. Smith (last appl. c. western B63 Monstera Hold drawn).

Could there > 300' = part of Base Front Ground.
Need "affirmative preliminary determination" & new use from existing well.

*

To do this, need info. temperature of well water.

(* Obtain that info from Applicant so ~~can~~ SEE if Appl. can be processed soonest.)

MICROFILMED

MAY 26 2003

Let me know once info source temp.

I forgot the Base Front Requirements when writing ~~I~~ with Ken Howell.

-JL

7. Diversion and use of water will be administered through the authority in Sections 42-237a.g., 42-311, 42-350 and 42-351, Idaho Code, until a water district can be formed.
8. IDWR will create a water district and appoint a watermaster upon entry of an interim decree in the Snake River Adjudication (or other adjudication) to measure and deliver water to the users.

B. Undeveloped and Partially Developed Permits

1. Permits to use the low temperature geothermal resource for which the full extent of authorized diversion rate, volume and beneficial use has not been diverted and beneficially used may not be further developed until IDWR determines from information submitted that further development will not:
 - a) Increase depletions from the aquifer,
 - b) Increase pumping lift or decrease pressure for existing senior users,
 - c) Reduce temperature to existing users causing systems operating at reasonable efficiency to no longer operate.

Permit holders may submit proposed mitigation approved by IDWR to accomplish a), b), and c).

Further development can only occur if specifically authorized by IDWR after review and approval of development plans and other applicable information.

2. Permits which do not use heat as a primary purpose will be cancelled.
3. ReInjection to the aquifer will be required unless determined by the Director to be unreasonable.
4. All systems will be required to use water and heat with a reasonable efficiency as determined by the Director.

C. Applications

1. Pending and future applications will be rejected unless information is provided by the applicant to demonstrate the use will not cause:
 - a) Additional depletion of the aquifer,
 - b) An increase in pumping lift or pressure reduction

Extract from 6/3/88 Boise Front ¹⁰⁻ gwma Mgmt. PLAN
MICROFILMED
NOV 26 2003

to existing users or undeveloped permit holders,

- c) Temperature to be reduced to present users or undeveloped permit holders below that necessary for a system operating at reasonable efficiency to operate.

Applicants may propose mitigation necessary to accomplish a), b), and c).

2. Protested applications will not be set for hearing unless the Director makes a preliminary determination that a), b) and c) are satisfied or acceptable mitigation has been proposed.
3. The applicant is responsible to provide all existing users and holders of undeveloped permits a copy of the application and supporting information upon request.
4. Applications which do not propose heat as the primary use will be rejected. Exceptions will be considered based upon the following factors:
 - a) ReInjection is proposed.
 - b) The system is designed to achieve reasonable efficiency.
 - c) Only non consumptive uses are proposed.
 - d) Water quality will not be impaired.
 - e) A reliable practical source of cold water does not exist.
5. Domestic uses (exempted from the filing of a water appropriation permit by Sec. 42-227, Idaho Code) will be authorized only after approval of a drilling prospectus submitted with the required drilling permit.

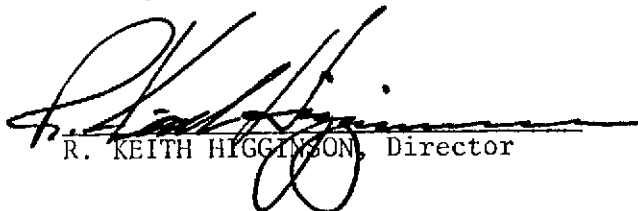
V. ADMINISTRATIVE ACTIONS REQUIRED TO IMPLEMENT OBJECTIVES

- A. Impose a moratorium pursuant to Section 42-1805(7), Idaho Code, and Rule 7 of the Water Appropriation rules on further development of undeveloped permits until IDWR determines further development is authorized.
- B. Require uniform monitoring equipment, data collection and reporting where possible.
- C. Require existing users to have systems evaluated by a qualified licensed engineer or geologist with a report to IDWR to confirm adequacy of system construction (including wells) to prevent waste and to use water and heat with reasonable efficiency as determined by the Director. The studies shall include an analysis of the

practicality and efficiency of reinjecting all or a portion of water diverted and retrofitting of existing systems. For systems which do not use or need the heat value of the resource, an analysis of the practicality of substituting a cold water source will be required.

- D. Issue administrative orders to enjoin unauthorized or excessive use and to require system reconstruction or repair and reinjection.
- E. Continue IDWR data collection efforts and seek funding to conduct studies to increase knowledge of aquifer, water, and heat resources.
- F. Issue administrative orders to amend licenses and permits within the BFGWMA which show "heating" as a use but which do not take water from the low temperature geothermal aquifer.
- G. Require a drilling prospectus to be submitted for review and approval with each drilling permit proposing to construct a well into the low temperature geothermal aquifer or which exceeds a 300 ft depth.
- H. Retain designation as a ground water management area rather than revise the designation to a critical ground water area. This will keep in place the authority to require instrumentation, monitoring, reporting and recordkeeping.
- I. Require applicants for water appropriation to furnish sufficient technical data and plans to allow a preliminary determination by the Director that water is available, that existing users will not be damaged, and that depletion of the aquifer will not be increased. Applications will not be advertised and protest hearings will not be scheduled until an affirmative preliminary determination is made by IDWR.
- J. Develop a complete inventory of wells constructed into the low temperature geothermal aquifer.

Signed this 3rd day of June, 1988 in Boise, Idaho.


R. KEITH HIGGINSON, Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE BOISE FRONT)
LOW TEMPERATURE GEOTHERMAL RESOURCE)
GROUND WATER MANAGEMENT AREA)

ORDER ESTABLISHING
A GROUND WATER
MANAGEMENT AREA

This matter having come before the Director of the Department of Water Resources as a result of declining water levels reported in the low temperature geothermal resource system, the Director Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. The Director of the Department of Water Resources has the responsibility to administer the ground water basins of the State to protect prior rights yet allow full economic development.
2. There is a growing concern that the present stage of permitted development of the low temperature geothermal resource system in the Boise Front Area may be approaching the conditions of a critical ground water area.
3. Two of the three major users of the thermal system came on line in the early 1980's.
4. Outstanding, approved permits allow for the additional development of more than 30 cubic feet per second from the low temperature geothermal resource system.
5. The early priority user of the thermal system has expressed concern over declines in production and recovery of their wells over the past few years.

*Establish mgmt.
AREA*

MICROFILMED

RECEIVED

JUN 13 1987

Department of Water Resources
Western Regional Office

6. A preliminary study performed by Boise State University on several wells in a portion of the low temperature geothermal resource system indicates that the resource may be limited and that significant declines in water levels in pumped and monitored wells within the system are occurring.

CONCLUSIONS OF LAW

1. Section 42-226, Idaho Code, declares all ground waters to be the property of the State, and charges the State with supervising the appropriation and allotment of the same so that early appropriation of underground water are protected in the maintenance of reasonable groundwater pumping levels.

2. In order to establish whether withdrawals from the low temperature geothermal resource system are exceeding the capacity of the system to provide an ongoing supply of water and to protect early appropriators, all existing wells and future wells that obtain water either from a depth greater than 300 feet and/or a temperature of 85°F within the area designated, must be monitored and controlled.

3. Section 42-233b, Idaho Code, authorizes the Director of the Idaho Department of Water Resources to designate areas as "groundwater management areas" to allow increased management of the ground water resources.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the following described area be included within and designated as the "Boise Front Low Temperature Geothermal Resource Ground Water Management Area" pursuant to provisions of Section 42-233b, Idaho Code:

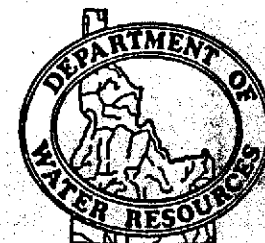
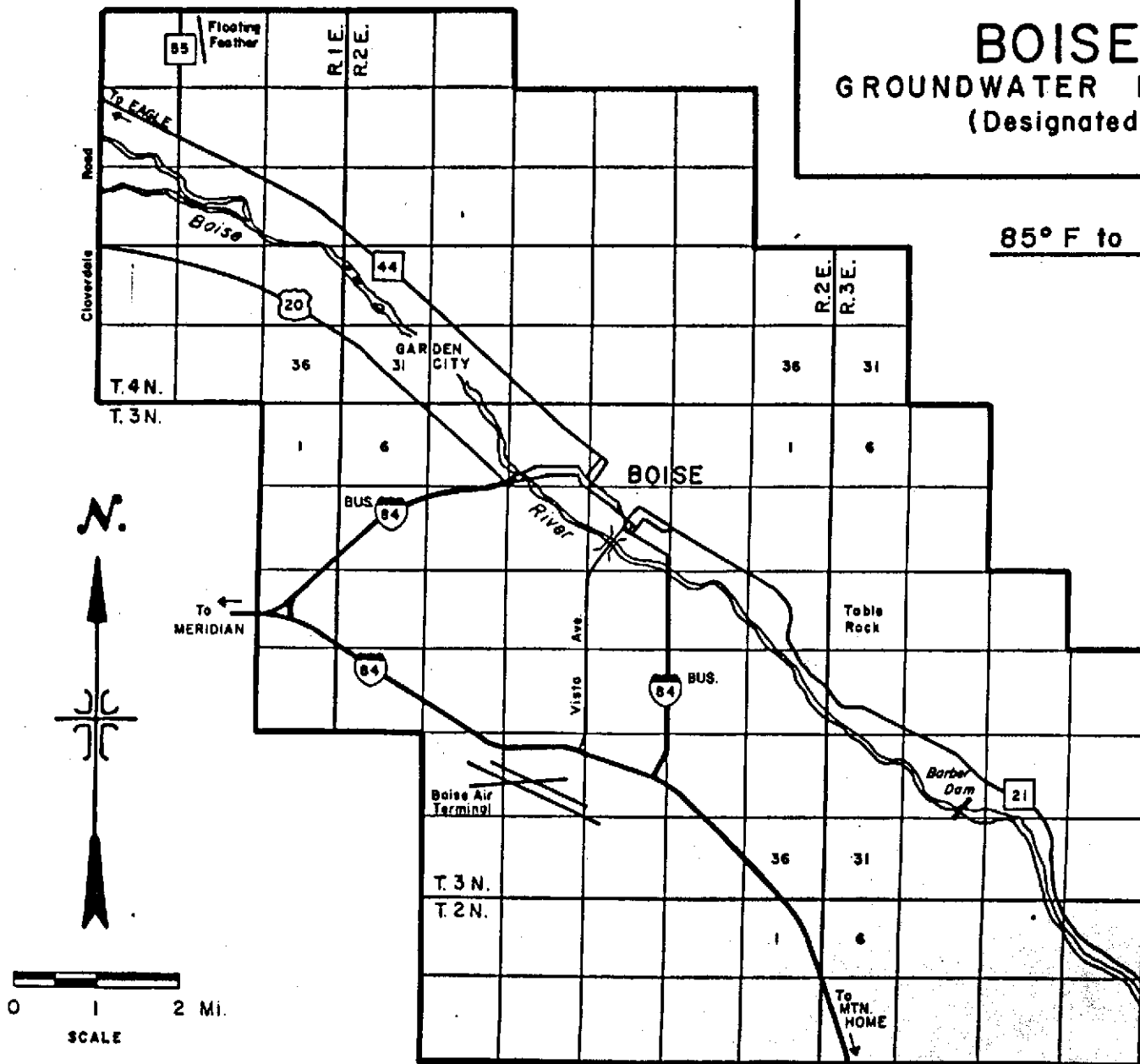
MICROFILMED

NOV 14 1980

BOISE FRONT GROUNDWATER MANAGEMENT AREA (Designated June 15, 1987)

85° F to 212° F Water

OR cold water $\geq 300'$





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 5/8/03

tel 345-3221
ext 27

TO: Ken Howell

FROM: Steve Latta

fax 342-1209

DOCUMENT DESCRIPTION: New Appl. for Permit.

Draft appl. partly completed.

"Request to Process" required.

Water bearing zone (id from well log) required - see Remarks.

Notes included.

Appl. form available: www.idwr.state.id.us

go to "Top Picks" at center of homepage to find forms,
look at water rights, then permits, then Appl. for Permit.

TOTAL PAGES SENT: 6 + COVER SHEET

CONTACT: _____

Re same well as 63.12231

MICROFILMED

APR 24 2003

Draft

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant _____ Phone _____
Mailing address _____
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 4N Range 2E Sec. 34, in the _____
NE 1/4, SW 1/4, Govt. Lot _____, B.M., Adk County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .13 for DOMESTIC 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .13 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 Existing Well, Pump
5 pipe lines
- b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- Existing* c. Proposed well diameter is 10 inches; proposed depth of well is 307 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 1977; Drilling firm STEVENS & SONS
Well was drilled for (well owner) Smith / GIVENS; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is _____ 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. LAWN IRRIGATION/LANDSCAPING FOR
13 multi-unit apartment buildings at
maximum 1/2 acre per building.
e. Other; describe fully. 6.5 acres x .02 cfs/acre = .13 cfs requested.

* SEE Remarks & Season of use

MICROFILMED

NOV 26 2003

MARK $\frac{1}{4}$ $\frac{1}{4}$ (s) where well will
 down with a D for domestic

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	
4N	2E	34																	

Total number of acres to be irrigated _____

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

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

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

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: SAME well as pending Application 63-12231. Probably a
portion of same use as that Application but seeking a
SEPARATE Application now for business REASONS
WATER bearing zone to be appropriated per 1977 well log
is 272 to 296 feet
IRRIGATION season of use requested for landscaping purposes.

13. 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.

Signature of Applicant (and title, if applicable) _____

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ # _____ Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

MICROFILMED

NOV 26 2003

Notes for Ken Howell

-FC 5/8/03

RESULTS
5/21/03:

- ? 1. if Applicant a company or partnership, provide names + titles of officers/partners.
- ? 2. confirm $\frac{1}{4}$ - $\frac{1}{4}$ location of well is correct in Appl. item 3 (listed same as Appl. 62-12231)
- ✓ 3. complete appl. item 7: 1, 2, 3, 4 or 5 years to develop + use system to full extent
- ✓ 4. complete appl. item 9 to show $\frac{1}{4}$ - $\frac{1}{4}$ location where use will occur.
- ✓ 5. complete appl. items 10 + 11.
- ? 6. Includes map showing well location + where water will be used, copy of 7 $\frac{1}{2}$ ' topog preferred. Map should contain legal descriptions in Appl. items 3 and 9.
- ✓ 7. Signature needs title if company or partnership.
- ✓ 8. "Request to Process" form needed. Most people choose (AST CEASERT) option in which nothing else is required now. This form not on Internet.
- ✓ 9. Fee = \$100⁰⁰

MICROFILMED

NOV 26 2003