

MICROFILMED
SEP 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
SEP 12 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-31658 Telephone No. (208) 377-3939
2. Name of Permit Holder(s): Capital Development Inc.
3. Mailing Address: 6200 N. Muker Place
City Boise State ID Zip 83713
4. Source of Water: Ground Water If **GROUNDWATER** (well), Date Drilled: mo. Apr. / yr. 2003
Well Driller: N/A - Shallow Well excavated, not drilled Drilling Permit Number: N/A
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 272 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.37 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes X or No _____
Has the measuring device been installed? Yes X or No _____
8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: David Yorgason Telephone Number: (208) 377-3939
Address: 6200 N. Muker Place Boise, ID 83713
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: David R. Yorgason V.P. Date: 7-16-03
(include your title if on behalf of company or organization)

MICROFILMED

NOV 26 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31658

Priority: January 30, 2003

Maximum Diversion Rate: 0.37 CFS

This is to certify, that CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713

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	0.37 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp 04N, Rge 01W, 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 01W 36							X	X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2004**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. 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.
6. 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.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
8. 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.

MICROFILMED

SEP 9 8 2003

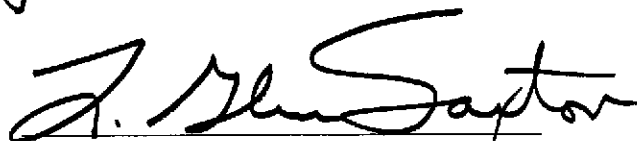
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31658

CONDITIONS OF APPROVAL

9. 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.
10. Domestic use is for lawn and garden irrigation associated with 272 homes.
11. Place of use is located within Lots 3-22, Blk. 5; Lots 1-6 and 8-25, Blk. 6; Lots 1-8 and 10-30, Blk. 7; and Lots 1-14 and 16-31, Blk. 8; Lots 1-4 and 6-13, Blk. 9; Lots 1-16 and 18-49, Blk. 10; Lots 1-13, Blk. 11; Lots 1-10, Blk. 12; Lots 1-5 and 7-11, Blk. 13; Lots 2-8, Blk. 14; Lots 2-46, Blk. 15; and Lots 1, 2 and 4-25, Blk. 16, Baldwin Park Subdivision.
12. Water bearing zone to be appropriated is 17 to 18 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of June, 2003


for
KARL J DREHER, Director

MICROFILMED

SEP 8 9 2013

FORM 202
12/99

RECEIVED

JAN 30 2003

WATER
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-31658

RECEIVED

MAY 22 2003

Department of Water Resources

1. Name of Applicant Capital Development Inc Phone 377-3937
 Mailing address 6200 N. Meeker Place, Boise, Id 83713
2. Source of water supply Groundwater which is a tributary of NA
3. Location of point of diversion is Township 4N Range 1W Sec. 36 In the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot NA, B.M., Ada County;
 additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.37 for See Item 8e purposes from 3/1 to 11/30 (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) 0.37 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 12" perforated pipe
- b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 5' inches; proposed depth of well is 18 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? NA; 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 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other, describe fully. Depotering groundwater under storm drain pond. This water will be used to supplement the surface water in the pressure irrigation system.

The pressure irrigation system will only operate 12 hours per day. During the other 12 hours per day, the entire 1.37 cfs (1.0 cfs is the surface water right) will recharge the groundwater.

MICROFILMED

SEP 02 2003

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	1W	36							40	40									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 1.0 cfs
surface water from Settlers Irrigation District.

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: All residential lots average less than
10,000 square feet.

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)

Received by [Signature] Date 11/30/03 Time 12:42 Preliminary check by [Signature]
 Fee \$ 250.00 Receipted by [Signature] # W030020 Date 11/30/03
 Publication prepared by AT Date 4-12-24-03 Published in THE IDAHO STATESMAN
 Publication approved AT Date 5-5-03

MICROFILMED

SEP 09 2003

SENT BY: IDWRWESTERN REGION;

334 2348;

MAR-10-03 3:31PM;

PAGE 2/2

REQUEST TO PROCESS

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

Name of Applicant

Capital Development

Mailing Address

6200 North Meeker PlaceBoise, Idaho 83713Application 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.

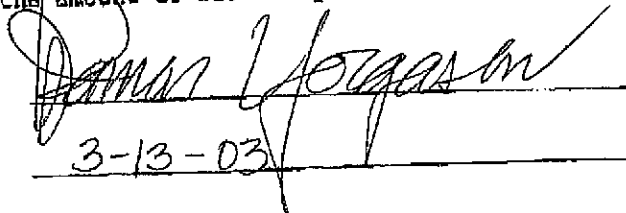
PROPOSE MITIGATION NOW

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.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

3-13-03

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-8082



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

November 10, 2003

CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-31658

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions, please contact the **Western** Regional Office of the department in Boise (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

NOV 26 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31658

Reviewed By: dgibson

Date: November 7, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W030020, C070881	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		09/12/2003
Date proof due	-	06/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	01/30/2003
New priority date	=	01/30/2003

Deficiencies of Actions Items

Acknowledge proof.



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 23, 2003

CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713

RE: Permit No. 63-31658

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

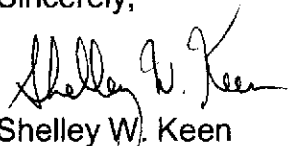
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened 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.

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.

MICROFILMED
SEP 09 2003

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: BRIGGS ENGINEERING INC

MICROFILMED
SEP 05 2003

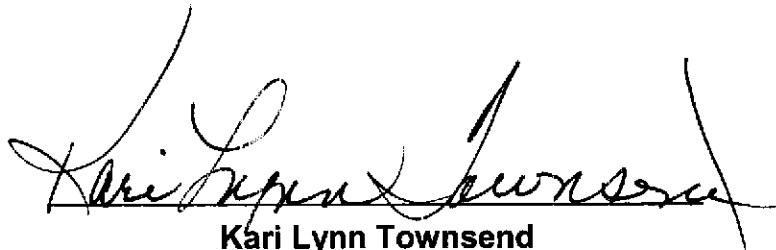
CERTIFICATE OF SERVICE

I hereby certify that on June 23, 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. 63-31658

**BRIGGS ENGINEERING INC
ATTN: STAN MCHUTCHISON
1800 W OVERLAND RD
BOISE ID 83705-3142**

**CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 01 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.

MICROFILMED
SEP 11 2003

MEMORANDUM

Date: June 18, 2003
To: Water Right File 63-31658
From: Sharla
Re: Supplemental Use

I contacted Stan McHutchison of Briggs Engineering concerning the description of proposed uses in item 8e of the application for permit. Mr. McHutchison clarified for me that their intentions are to simply pump ground water 12 hours a day to co-mingle with the 1.0 cfs they have from surface water to irrigate lawns.

Because this isn't a case of ground water being supplemental to surface water and only used when surface water supply is short or cut-off, condition 065 will be modified accordingly. Ground water will be diverted the entire season together with surface water.

MICROFILMED

SEP 05 2003

MAY 22 2003

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

Initial review by g

Date 3/24/03

Application # 63-31658

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
- ☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

y **ADVERTISE REMARKS (Yes or No)**

YES NO

- ☒ ☐ Overlapping place of use (Describe source and relationship to present application on next page)
- ☐ ☒ Overlapping point of diversion
- ☐ ☒ Critical groundwater area
- ☐ ☒ Ground water management area
- ☐ ☒ 1992 moratorium
- ☐ ☒ Surface water source, IDFG letter needed
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau
- ☐ ☒ E-mail to Dam Safety staff (for any storage)
- ☒ ☐ Mitigation plan Check any that apply
- ☐ ☐ Immediate = acceptable plan required and submitted
- ☐ ☒ Future = open areas, acceptance of condition of approval is in file
- ☐ ☒ 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 THE APPLICANT**

request to process plat map, list of officers, system description

Date Requested 2/14/03

Date Response Received 3/24/03

PROCESSINGAPPLICATION # 63-31658

YES NO

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

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

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 and paper recorded on application
☐ ☒ Final date for protest 5-5-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter

Recommended Date of Priority

1/30/03

Recommendation

☒ Approve☐ Deny

by

Barry S

Date

5/20/03**ADDITIONAL INFORMATION**☒ See attached proof report, note any Legal Notice Remarks &/or Comments☒ See attached shapefile



The Idaho Statesman

RECEIVED

APR 28 2003

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	855665	LEGAL NOTICE	\$115.00
Attention:	P.O. #	Run Dates	
SUE TAYLOR		APRIL 17, 24, 2003	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705		Number of Lines	
		2 X 32	
		Affidavit	Legal #
		1	16163

LEGAL NOTICE

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

CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713

63-31658

Point(s) of Diversion SWSWNW S36 T04N R01W ADA County Source GROUND WATER
Use: DOMESTIC 03/01 To 11/15 0.37 CFS
Total Diversion: 0.37 CFS
Date Filed: 01/30/2003

Place Of Use: DOMESTIC
T04N R01W S36 SWNW SENW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 274 yards in Baldwin Park #1 Subdivision.
Water bearing zone to be appropriated is from 17 to 18 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 05/05/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Pub. Apr. 17,24, 2003

16163

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: APRIL 17, 2003

ending issue of: APRIL 24, 2003

Janice Hildreth

STATE OF IDAHO)
)
) ss

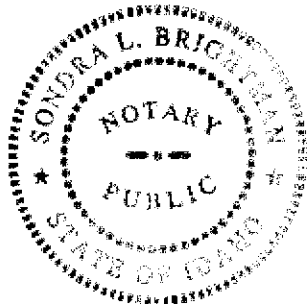
On this 24 day of APRIL in the year of 2003 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same

Sondra L. Brightman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/30/06

MICROFILMED

SEP 19 2003



BRIGGS ENGINEERING, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1800 West Overland Road
Boise, Idaho 83705 - 3142
Voice (208) 344-9700
Fax (208) 345-2950
stanm@briggs-engineering.com
www.briggs-engineering.com

January 29, 2003

RECEIVED

JAN 30 2003

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

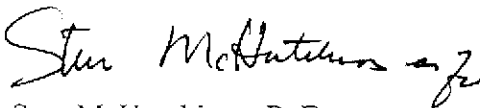
Re: Baldwin Park #1 Subdivision

Enclosed is a water right application and fee for 0.37 cfs of groundwater to supplement the 1.0 cfs of surface water right.

Please call me if you have any questions.

Sincerely,

BRIGGS ENGINEERING, Inc.



Stan McHutchison, P. E.
Project Manager

SLM:fc

Enclosures: 1. Application
2. Check for \$250.00

cc: Dave Yorgason

MICROFILMED

2003 01 30 10:00 AM

BRIGGS ENGINEERING, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1800 West Overland Road
Boise, Idaho 83705 - 3142
Voice (208) 344-9700
Fax (208) 345-2950
stanm@briggs-engineering.com
www.briggs-engineering.com

March 21, 2003

Ms. Lori Gravis
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Telephone: 334-2190

RECEIVED

MAR 24 2003

**WATER RESOURCES
WESTERN REGION**

Re: Baldwin Park #1 Subdivision

Dear Lori,

Enclosed for your use is a copy of the Request to Process from Capital Development Company for the project known as Baldwin Park #1. The corporate officers for Capital Development, Inc. are as follows:

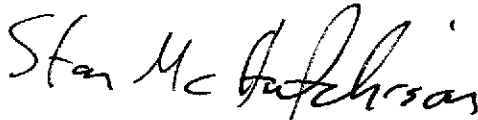
Ramon Yorgason, President,
Dave Yorgason, Vice President
Marilyn Yorgason, Secretary

Also enclosed is a copy of the preliminary plat of the entire Baldwin Park project.

Please call me if you have any questions.

Sincerely,

BRIGGS ENGINEERING, Inc.



Stan McHutchison, P. E.
Project Manager

SLM:fc

Enclosures: 1. Request to Proceed
2. Preliminary Plat

cc: Dave Yorgason

MICROFILMED

APR 9 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 09, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31568, 63-31656, 63 31658 and
Application for Transfer No. 70330

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find four 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 05/05/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 02 2003

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

63-31658

CAPITAL DEVELOPMENT INC
6200 N MEEKER PLACE
BOISE ID 83713

Point(s) of Diversion SWSWNW S36 T04N R01W ADA County Source GROUND WATER

Use: DOMESTIC 03/01 To 11/15 0.37 CFS

Total Diversion: 0.37 CFS

Date Filed: 01/30/2003

Place Of Use: DOMESTIC

T04N R01W S36 SWNW SENW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 274 yards in Baldwin Park #1 Subdivision.
Water bearing zone to be appropriated is from 17 to 18 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 05/05/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on April 17 and 24, 2003.

MICROFILMED

SEP 18 2003