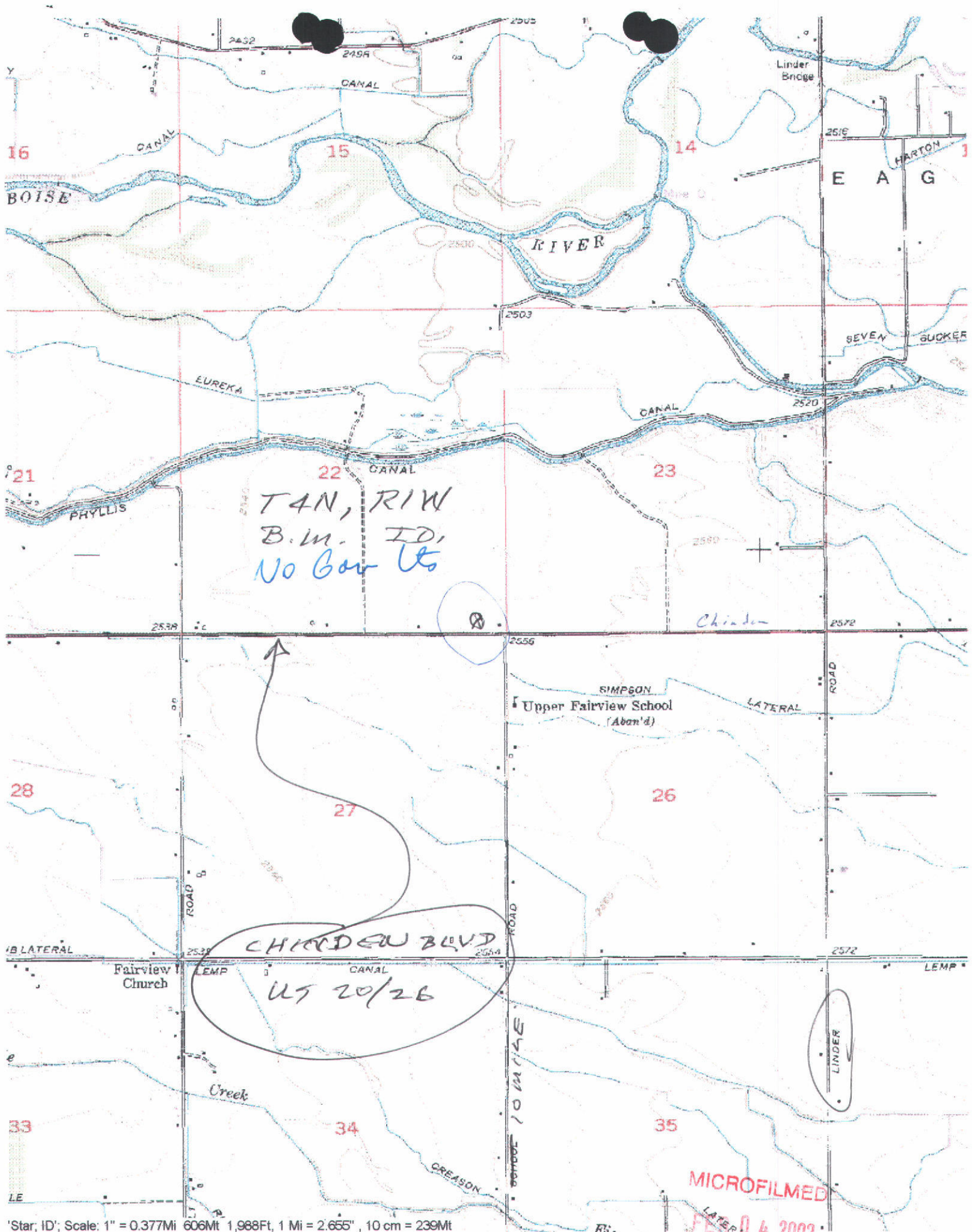
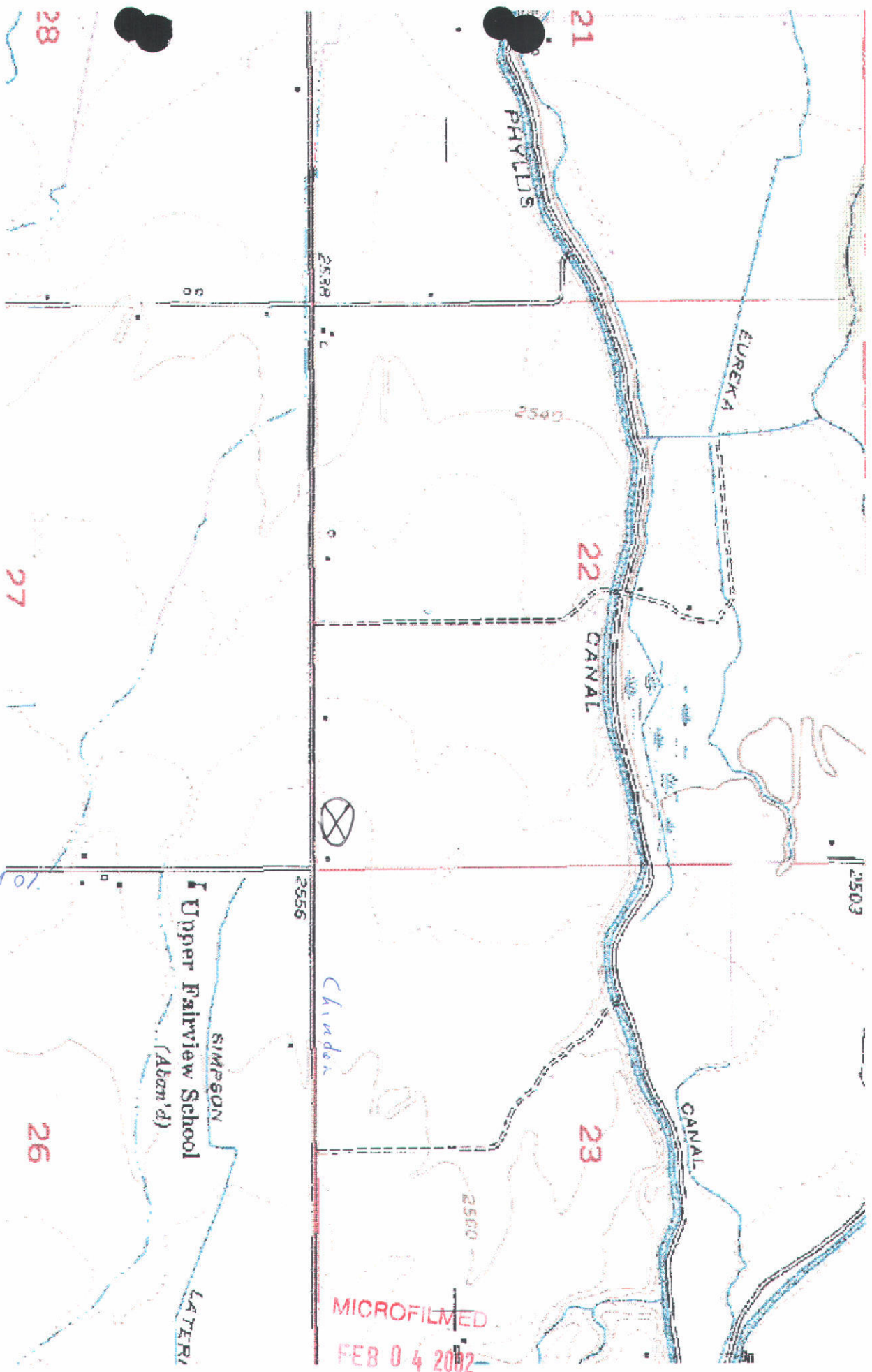




'Star, ID'; Scale: 1" = 0.377Mi 606Mt 1,988Ft, 1 Mi = 2.655' , 10 cm = 239Mt

MICROFILMED
FEB 04 2002



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Upper Fairview School
(Aban'd)

SIMPSON

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MICROFILMED
FEB 04 2002

Amt. of Fee \$ 50.00
Receipt No. 066118
Receipt By: [Signature]
Date Received: 12-3-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC - 3 2002

PROOF OF BENEFICIAL USE

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. 63-31314 Telephone No. _____

2. Name of Permit Holder(s): Westwing Estate Homeowners Assoc.

3. Mailing Address: 6712 N Double Eagle Meridian ID 83642

City _____ State _____ Zip _____

4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. 11 / yr. 02

Well Driller: HIDDLESTON DRILLING & PUMP Drilling Permit Number: #35

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: inversion to storage & fire protection

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 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?

Has the measuring device been installed?

Yes _____ or No ☒

Yes _____ or No ☒

8. Fee Enclosed: \$ 50.00 (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: Michael Bowler Telephone Number: 286-7438 or 869-7544

Address: 9505 N Broadwood Ln Eagle ID 83615

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: [Signature]
(include your title, if on behalf of company or organization)

Date: 12/03/02

MICROFILMED

DEC 3 1 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31314

Priority: 09/07/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that WESTWING HOMEOWNERS ASSN
C/O MRS DEVANES
6712 N DOUBLE EAGLE
MERIDIAN ID 83642

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	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp 04N, Rge 01W, 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	01W	22																	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2003.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Water shall not be diverted under this right except to fight or repel an existing fire.
5. Domestic use is for fire protection associated with 7 homes and does not include lawn, garden, landscape, or other types of irrigation.
6. Place of use is located within Lots 1-7, Blk. 1, Westwing Estates.
7. Water bearing zone to be appropriated is 50 to 250 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 26th day of December, 2001.


for KARL J DREHER, Director

MICROFILMED

APR 4 2002

John Bowler

622-9102

Dave Collins

344-4451

Ident. No. 63-31314

RECEIVED

DEC - 7 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant WESTWING HOME OWNERS ASSN. Phone (208) 887-3646
Mailing address MRS. DEVANES, PRES. 6712 N. DOUBLE EAGLE, MERIDIAN, ID 83642
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is Township 4N Range 1W Sec. 22, in the S.E. $\frac{1}{4}$,
S.E. $\frac{1}{4}$, Govt. Lot N/A, B.M., ADA County;
additional points of diversion if any: NONE
4. Water will be used for the following purposes:
Amount 0.04 CFS for DOMESTIC-FIRE purposes from JAN.01 to DEC.31 (both dates inclusive)
(cfs or acre-feet per annum) PROT
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) 0.04 CFS 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 WELL PUMP
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
 - c. Proposed well diameter is 4" inches; proposed depth of well is 150-250 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; 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. WILL BE USED AS SUPPLEMENTAL FIRE PROTECTION FOR 7 LOTS.
 - e. Other; describe fully. _____

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FEB 04 2002

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	1W	22																D	

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? N/A

b. Who owns the land to be irrigated or place of use? N/A

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: _____

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

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

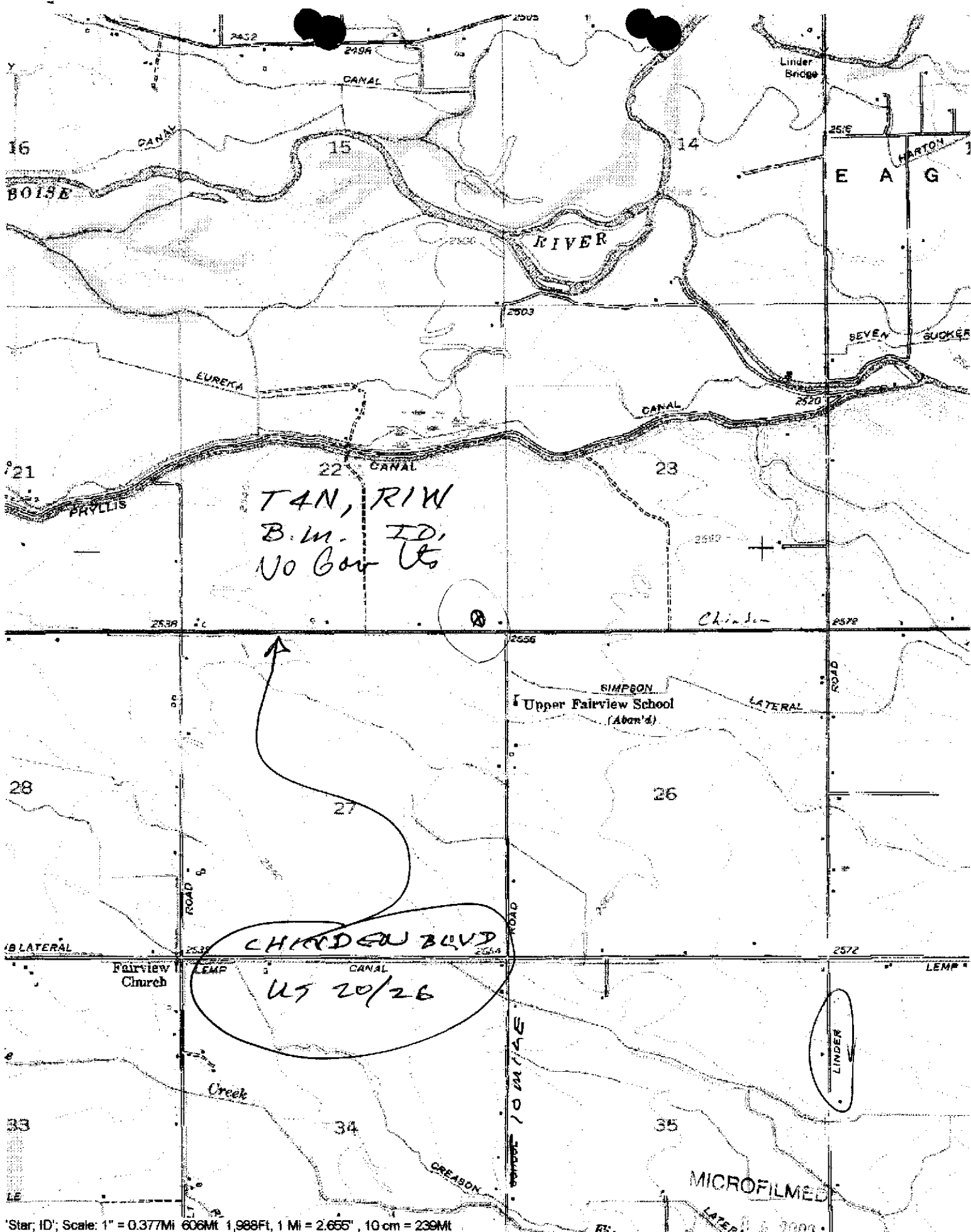
Michael W. B. [Signature]
Signature of Applicant (and title, if applicable)
Developer

MICROFILMED

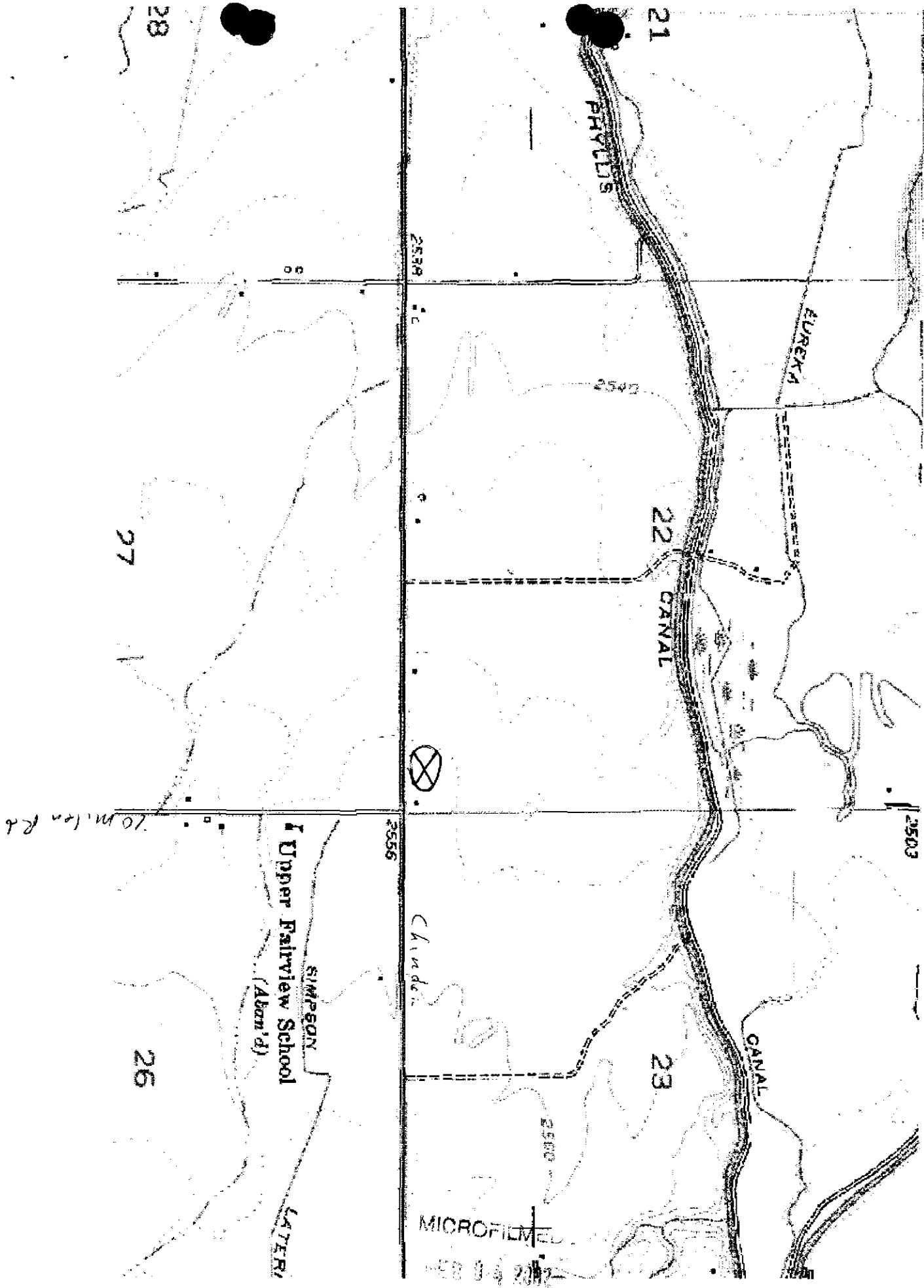
FEB 04 2002

Received by [Signature] Date 9-7-01 Time _____ Preliminary check by [Signature]
Fee \$ 100.00 Received by [Signature] # _____ Date 9-7-01
Publication prepared by [Signature] Date 11-15-01 Published in W028274
Publication approved [Signature] Date 12-5-01

THE IDAHO STATESMAN



'Star, ID'; Scale: 1" = 0.377Mi 606Mt 1,988Ft, 1 Mi = 2.655', 10 cm = 239Mt



Star ID: Scale: 1" = 0.242Mi 360Mi 1,280ft, 1 Mi = 4,124', 10 cm = 154Mi

Collins Engineering Co., Inc.
3350 Americana Terrace Ste. 120
Boise, Idaho 83706
(208) 344-4451

RECEIVED
NOV 05 2001
WATER RESOURCES
WESTERN REGION

TRANSMITTAL

TO: Idaho Dept. of Water Resources
Attn: Lori Grades

05 November 2001

From: Collins Engineering Co., Inc.
David M. Collins

Re: Westwing Estates

Included with this package are the following items:

1. 1 copy of the plat for the above-mentioned subdivision.

Please call us with any questions you have at 344-4451.
Thank you.

MICROFILMED
DEC 04 2002

NOTES

IRRIGATION RIGHTS

THIS SUBDIVISION IS SUBJECT TO IDAHO CODE 31-3805 AND IS WITHIN THE SETTLERS IRRIGATION DISTRICT. ALL LOTS ARE SUBJECT TO ALL EASEMENTS BY THE DISTRICT. PROVISIONS HAVE BEEN MADE TO DELIVER IRRIGATION WATER TO EACH INDIVIDUAL LOT IN THIS SUBDIVISION.

RESTRICTIVE COVENANTS

BUILDING AND OCCUPANCY SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE RESTRICTIVE COVENANTS AS FILED IN BOOK AT OF MISCELLANEOUS RECORDS OF ADA COUNTY, IDAHO. INSTRUMENT NUMBER

BUILDING SETBACKS

BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.

EASEMENTS

ALL LOTS HAVE A 12 FOOT WIDE EASEMENT CONTIGUOUS TO ALL STREETS AND EXTERIOR BOUNDARY FOR PUBLIC UTILITIES, DRAINAGE OR IRRIGATION PURPOSES. COMMON SIDE LOT LINES SHALL HAVE A 6 FOOT EASEMENT ON EACH LOT FOR NATURAL GAS AND TELEPHONE. ALL OTHER EASEMENTS ARE SHOWN.

RE-SUBDIVISION

ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

OPEN SPACE LOTS

LOTS 8, 9, 10 BLOCK 1 ARE DEED RESTRICTED LOTS AND MAY ONLY BE USED FOR OPEN SPACE AS DEFINED IN NON-FARM DEVELOPMENT SECTION OF THE ADA COUNTY CODE, SECTION 8-4B-7 AND IN THE PLANNED DEVELOPMENT PROVISIONS OF THE ADA COUNTY CODE FOUND IN TITLE 8, CHAPTER 9. THE DEED RESTRICTED LOTS MUST ALSO ONLY BE USED IN THE MANNER SPECIFIED IN THE CONDITIONS OF APPROVAL ISSUED BY ADA COUNTY'S DEPARTMENT OF DEVELOPMENT SERVICES. THESE LOTS MUST BE USED IN AFORESAID MANNER FOR A PERIOD OF NOT LESS THAN FIFTEEN (15) YEARS FROM THE RECORDING DATE OF 1995.

LOTS 8 & 9 IMPROVEMENTS BUILT THEREON.

THE PRIVATE ROAD (LOT 9) AND THE POND (LOT 8) ARE COMMON AREA FOR USE BY LOTS 1-7 AND ALL ASPECTS OF MAINTENANCE ARE TO BE SHARED IN COMMON BY THE OWNERS OF LOTS 1-7. THE IRRIGATION AND FIRE PROTECTION SYSTEM ARE TO BE MAINTAINED IN COMMON BY THE OWNERS OF LOTS 1-7.

SANITARY RESTRICTIONS

SANITARY RESTRICTIONS OF THIS PLAT ARE LIFTED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT, LISTING THE CONDITIONS OF APPROVAL.

MONUMENT CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT IS BEING RECORDED UNDER THE PROVISIONS OF IDAHO CODE 50-1331-1333 AND THAT ALL INTERIOR MONUMENTS MUST BE SET WITHIN ONE YEAR FROM THE RECORDING DATE OF THIS PLAT.

DAVID M. COLLINS, RE-15, 30

THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."

SOUTH 1/4 CORNER SEC. 22
FOUND STEEL REBAR AND ACCEPTED POSITION
C.P. & F. No. 7908155

C/L W. CHINDEN RD. (HIGHWAY 20)
P.O.B. INITIAL POINT
PK IN ROAD TO TIE INTO PROPERTY BOUNDARY
BASIS OF BEARINGS

WESTWING ESTATES

A PORTION OF THE S.E. 1/4 OF SECTION 22 T. 4N., R 1W., B.M., ADA COUNTY

A RURAL RESIDENTIAL SUBDIVISION

- COLLINS ENGINEERING Co. Inc., BOISE, IDAHO 1995 -

UNPLATTED

S 89°18'19" E
967.33'

UNPLATTED

1291.78'

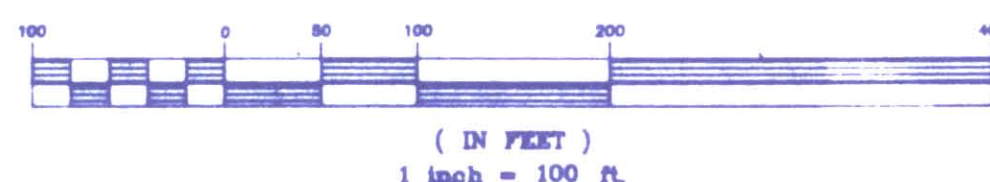
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	125.00'	145.21'	82.05'	137.18'	N 33°37'18" E	86°33'40"
C2	150.00'	174.28'	98.46'	164.82'	N 33°37'18" E	86°33'40"
C3	175.00'	203.30'	114.87'	192.06'	N 33°37'18" E	86°33'40"
C4	125.00'	145.21'	82.04'	137.18'	S 33°37'22" W	86°33'26"
C5	150.00'	174.25'	98.45'	164.81'	S 33°37'22" W	86°33'26"
C6	175.00'	184.70'	98.02'	158.69'	N 36°58'24" E	53°55'24"
C7	175.00'	38.59'	19.37'	38.51'	N 06°39'41" E	12°38'02"
C8	50.00'	142.59'	342.70'	98.95'	N 06°38'43" E	163°23'54"
C9	20.00'	25.82'	14.91'	23.90'	S 34°21'16" E	73°23'52"

LINE	DIRECTION	DISTANCE
L1	N 89°17'39" W	30.00'
L2	S 00°25'36" W	40.00'
L3	N 00°20'26" E	40.00'
L4	N 00°20'40" E	40.00'
L5	N 00°20'26" E	99.22'
L6	N 00°20'26" E	98.06'
L7	N 00°20'26" E	98.90'
L8	N 89°17'39" W	44.42'
L9	N 00°20'40" E	34.28'
L10	S 89°39'20" E	50.00'
L11	S 89°17'39" E	25.00'
L12	S 89°17'39" E	25.00'

LEGEND

- 5/8" x 30" DEFORMED REBAR WITH A PLASTIC CAP
- 1/2" x 24" DEFORMED REBAR WITH A PLASTIC CAP TO BE SET AFTER RECORDING THIS PLAT
- 5/8" x 30" DEFORMED REBAR w/ PLASTIC CAP TO BE SET AFTER RECORDING OF THIS PLAT
- LAND CORNER
- PK NAIL
- POINT NOT SET
- 2" x 36" GALVANIZED IRON PIPE - P.O.B. (INITIAL POINT) WITH 5/8" x 30" DEFORMED REBAR w/ PLASTIC CAP INSIDE
- LOT NUMBERS
- BLOCK NUMBER
- ROAD RIGHT-OF-WAY CENTER LINE
- EXTERIOR BOUNDARY
- LOT LINES
- EASEMENT LINE

GRAPHIC SCALE



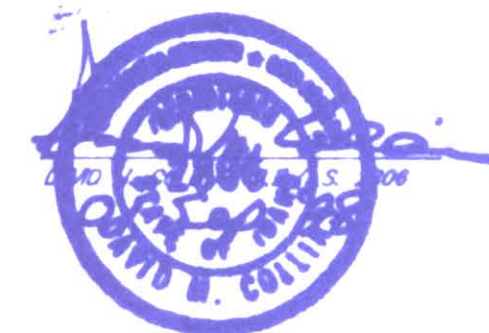
UNPLATTED SEE R.O.S. #800
ADA COUNTY RECORDERS OFFICE

PLAT COPY

OWNER OF ORIGINAL PLAT
MERLIN HENKEL, a single person.

MONUMENT CERTIFICATE

I, DAVID M. COLLINS, DO HEREBY CERTIFY THAT ALL INTERIOR MONUMENTS IN THIS SUBDIVISION WERE SET BY ME PRIOR TO 01 SEPTEMBER 1998 IN ACCORDANCE WITH IDAHO CODE 50-1331 THRU 50-1333. THE ORIGINAL PLAT WAS RECORDED AS INSTRUMENT NUMBER 85078725 AT 3 PM 19 OCTOBER 1995.



CERTIFICATE OF THE ADA COUNTY SURVEYOR

I, JOHN E. PRIESTER, DO HEREBY CERTIFY THAT I HAVE REVIEWED AND APPROVED THIS PLAT COPY



CERTIFICATE OF THE ADA COUNTY RECORDER

TIME 10:33 am DATE 11/2/98
BOOK 70 PAGE 7200
INSTRUMENT NUMBER 98105346
Reg. of David Collins

RECORDED
David Navarro
Ex-officio
SHEET 1 OF 1



FOUND AND ACCEPTED 2-1/2" BRASS CAP SET IN CONCRETE AND STAMPED AS POINT OF BEGINNING FOR SPURRING SUBDIVISION.
SECTION CORNER
FOUND ALUMINUM CAP C.P. & F. 7700817
ACCEPTED POSITION



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

December 18, 2002

WESTWING ESTATE HOMEOWNERS ASSN
6712 N DOUBLE EAGLE
MERIDIAN ID 83642

Re: Permit No. 63-31314

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 conduct a field examination to determine and confirm that the use being made meets the permitted beneficial use.

Upon review of your proof, I find that you paid a \$50 license examination fee. Since your total diversion rate is .02 cfs, the license exam fee is waived for a groundwater right. Therefore, I will request that \$50.00 be refunded to you. A check will be issued by the State of Idaho in approximately 7-10 business days and mailed to you under separate cover.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190. If you have any questions regarding the refund or the processing of this proof, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office
Fiscal

MICROFILMED

MAR 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31314

Reviewed By: dgibson

Date: December 17, 2002

	<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.:		W028274, C066118	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	12/03/2002
Date proof due	- 01/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 09/07/2001
New priority date	= 09/07/2001

Deficiencies of Actions Items

Acknowledge proof and return fee paid. Paid \$50.00 and they are exempt with 0.02 cfs from ground water.

October 31, 2002

WESTWING ESTATES HOMEOWNERS ASSN
C/O PAULA DEVANEY
6712 N DOUBLE EAGLE
MERIDIAN, ID 83642

PROOF DUE NOTICE

RE: PERMIT NO. 63-31314

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

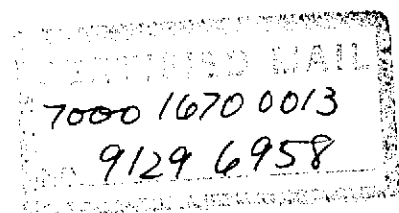
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
MAY 1 1 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

December 26, 2001

WESTWING HOMEOWNERS ASSN
C/O MRS DEVANES
6712 N DOUBLE EAGLE
MERIDIAN ID 83642

RE: Permit No. 63-31314

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.

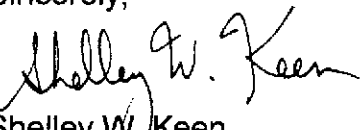
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

FPS U 4 2002

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on December 26, 2001 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. 63-31314

**WESTWING HOMEOWNERS ASSN
C/O MRS DEVANES
6712 N DOUBLE EAGLE
MERIDIAN ID 83642**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 9 4 2002**

**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).

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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.

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FEB 04 2002

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 12/10/01

No. 63-31314 Name: Westing H.O. Corp. Officers ✓ Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes TVGW Own Moratorium _____ _____ GWMA _____ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 12/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1/yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - ~~WB5 (2500 gpd)~~ - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON - (Per updated map) **IRR VOLUME/ACRE**

OTHER CONDITIONS/REMARKS W/ fire prot for Lots 1-7, Westing Estates.

COMMENTS Wb zone 50-250 ft. No storage assoc. w/ this.

January 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DEC - 7 2001

INITIAL REVIEW BY: Ly DATE: 11/5/01 APPLICATION: 63-31314REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, 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 corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:

☒ P/D☒ P/U

Y ADVERTISE REMARK(S)
(Reviewer identify which remarks)

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ 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

plat map, water bearing zone

Date Requested 11/5/01 Date Response Received 11/5/01

PROCESSING

APP. NO.

63-31314

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. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. 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 12-3-01
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter: standards

☒ See below for additional informationRecommended Date or Priority 9/7/01Recommended by: for CramerDate: 12/7/01ADDITIONAL INFORMATION:overlaps - different sources + users

The Idaho Statesman

RECEIVED

NOV 28 2001

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	562251	PERMIT NO. 63-31314	\$118.50
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		TT	NOVEMBER 15, 22, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 33 X 2
			Affidavit 1
			Legal # 11938

LEGAL NOTICE APPLICATION

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

63-31314

WESTWING HOMEOWNERS ASSN
MRS DEVANES PRESIDENT
6712 N DOUBLE EAGLE
MERIDIAN ID 83642

Points of Diversion SESE S22 T04N R01W ADA County Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 09/07/2001
Place Of Use: DOMESTIC
T04N R01W S22

Remark: Water bearing zone to be appropriated is from 50 to 250 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 12/03/2001. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

11938

Pub. Nov. 15, 22, 2001

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

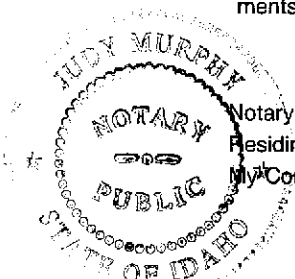
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: NOVEMBER 15, 2001
and ending with the issue of: NOVEMBER 22, 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 26 day of NOVEMBER in the year of 2001
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: 1/6/04

Judy Murphy
1/6/04

MICROFILMED
SEP 24 2002

November 08, 2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31301, 63-31310, 63-31314, 63-31339, 63-31340 and Notice of Extension of Time to Avoid Forfeiture of Water Right Nos. 63-4849 and 63-3162

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 affidavits and bill to this office before 12/03/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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FEB 04 2002

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KARL J DREHER, Director

Published in the Idaho Statesman on November 15 and 22, 2001

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FEB 04 2002