

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-07582

Priority: April 12, 1972

Maximum Diversion Rate: 0.40 CFS
Maximum Diversion Volume: 45.0 AF

It is hereby certified that EVANS WATER CORP
PO BOX 403
EAGLE ID 83616 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 12, 1972; and has
submitted Proof of Beneficial Use on June 24, 1977. An examination indicates that the works have a
diversion capacity of 0.4 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.40 CFS	45.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 10, Twp 04N, Rge 01E, B.M., ADA County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 10, Twp 04N, Rge 01E, 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	01E	10																		

CONDITIONS OF APPROVAL

1. Domestic use is for 37 homes and well lot.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot.
3. Place of use is located within Lots 1-6, Blk. 1; Lots 1-13, Blk. 2; Evans Subdivision No. 2 and Lots 1-12, Lots 15-19, Blk. 3; Evans Subdivision No. 3, and Beggrow home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 15TH day of OCTOBER, 2002.

Acting for

KARL J. DREHER
Director

MICHAEL M. LINDEN

FILED 17 2002

RECEIVED

OCT - 8 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 63-07582

Date of Priority: April 12, 1972

Maximum Diversion Rate: 0.40 CFS

Maximum Diversion Volume: 45.0 AF

Comes now EVANS WATER CORP
PO BOX 403

EAGLE ID 83616 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 63-07582, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.40 CFS	45.0 AF

LOCATION OF POINTS OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 04N, Rge 01E, B.M., ADA CountyGROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 04N, Rge 01E, B.M., ADA CountyPLACE 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 01E 10										X							

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 8th day of October, 2002.

Terry W. Loftus
(Signature & Title)
TERRY W. P. LOFTUS
SECRETARY/TREASURER

MICROFILMED
MAR 17 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-07582

Preliminary check by KW [#] 50.00 ^{FOR DEPARTMENT USE ONLY} Fee = 50.00 Receipted by JM # 0045047 Date 10-8-02

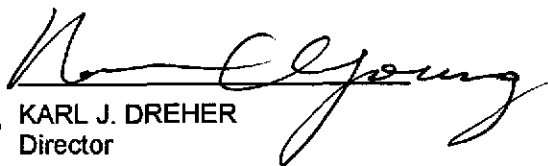
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-07582 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 37 homes and well lot.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot.
3. Place of use is located within Lots 1-6, Blk. 1; Lots 1-13, Blk. 2; Evans Subdivision No. 2 and Lots 1-12, Lots 15-19, Blk. 3; Evans Subdivision No. 3, and Beggrow home.

Witness my hand this 15TH day of OCTOBER, 2002.


Acting for **KARL J. DREHER**
Director

MICROFILMED

2002 11 7 2003

- BONDED EXPERT LOCKSMITH -
MEMBER OF THE NATIONAL LOCKSMITHS' S'N

BALDWIN LOCK & KEY

1103 IDAHO, BOISE, IDAHO

LOCKS REPAIRED - COMBINATIONS CHANGED
KEYS FITTED AND DUPLICATED
AUTOMOTIVE LOCK SERVICE - SERVICE CALLS

R. J. (BOB) BALDWIN

PHONE 345-2925

RES. 275-8882

9390463

T1 is your new safe combination

L-

R-

R-

L-

L-

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Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Western Regional Office

1. a) Name of Permit Holder Evans Water Corporation
b) Post Office Address R#1. 315 Rene Pl. Boise, Idaho 83702
2. Permit Number 63-7582
3. Date of Priority that you are prepared to establish 21 July 1972
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10
Township 4N, Range 1E Boise Meridian, Other points of diversion:
SE 1/4 SW 1/4 Sec. 10 Twp. 4N. Rng. 1E, BM
5. a) The amount of water and use to which the water has been applied:
Amount 1.44 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.44 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 6" in-line accumulative flow meter read periodically by board members.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N/A
b) Describe the agreement or understanding by which you take water from the works:
N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well No. 1: 10 HP submersible pump set in 10" cased well to 350ft. Well No. 2 7 1/2 HP submersible pump set in 10 & 12" cased well to 340 ft.
b) Describe the type and size of measuring device which you have installed at your point of diversion:
See 5(c)
c) Give well driller's name and address and the date the well was completed:
Well No. 1 Pete Roberts, Eagle Drilling Co. 1973
Well No. 2 Phipps & Son Drilling Co. 6/27/74
Well No. 1 Rehabilitated Sherl Chapman 8/75
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Domestic-----Evans Subdivision #2 & #3

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

Residential Irrigation

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-23-77

(Date)

R. J. Baldwin
(Signature)
Baldwin Water Corp.

State of Idaho)

County of Ada) ss.

On this 23rd day of June, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Donald L. Luning
Notary Public residing at Boise

My commission expires non expiring

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
JUN 24 1977
Department of Water Resources
Western Regional Office

I, Richard L. Evans, hereby assign to Evans Water Corporation
of Boise, Idaho (Rt. #1, 315 Rene Place)
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 63-7582
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 2nd day of June, 19 77.

Richard L. Evans
Permit Holder

Eligbeth Irene Evans
Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 2nd day of June, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Kurt L. Loney
Notary Public residing at Boise, Idaho

My commission expires:
nonexpiring

ASSIGNED TO: EVANS WATER CORP.

Identification No. 63-7582

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Richard L. Evans
post office address Route # 1, Boise, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 4 N
Range 1 E B.M. Ada County; additional points of diversion if any: _____
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Twp. 4 N, Rge. 1 E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.44 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.44 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled wells & electric pumps
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 3,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: E $\frac{1}{2}$ $\frac{1}{4}$ of SW $\frac{1}{4}$ $\frac{1}{4}$ of Section 10 Township 4 N
Range 1 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 72.
(5) If water is to be used for other purposes describe: _____
Domestic supply for Evans Acres #2 Sub Division

63 7582

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

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

NONE

9. 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_____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R1E

T4N



Scale: 2 inches equal 1 mile

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

Richard L. Evans
(Applicant)

63 7582

Received by KB Date 4-12-72 Time 4:00 pmPreliminary check by KB Fee \$ 35.00 unit # 8285Receipted by KB Date 4-12-72Publication prepared by CR Date 4-21-72Published in IDAHO STATESMANPublication dates 4-27 & 5-4-72Publication approved C.S. Date 5-31-72Priority reduced to 4/12/72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KHP D BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63 7582, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 21 day of July, 19 72.

L. Keith Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 63-7582 Name Richard L. Evans

Source Groundwater

Point of Diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 4N, R. 1E, B.M., Ada County

Quantity 1.44 Use Domestic Period Jan. 1 to Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter 8 Proposed Depth 100 Feet

Use 72 families for domestic purposes

Date Forwarded 4-24-72 Date Returned 4-24-72 Received by SL

COMMENTS: Water levels show very little fluctuation during
past four years (w.i.b.'s 5, 11, 18 & 24).

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: Install measuring device

INVESTIGATION By Paul M. Castellan Title W.R.I. - T

De KHF 6/23/72 Date April 25, 1972

63 7582

STATE OF IDAHO)
COUNTY OF ADA) ss.

Georgene Davis

, 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 regular edition of The Idaho Statesman for

Two consecutive insertions, beginning with the issue of May 4, 19 72, and ending with the issue of May 11, 19 72.

Georgene Davis
Subscribed and sworn to before me this 24th

day of May, 19 72.

Lana A. Young
Notary Public for Idaho, Residing at Boise, Idaho

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard L. Evans, Route No. 1, Boise, Idaho has, on April 12, 1972, submitted Application No. 63-7592 for a permit to appropriate 1.44 cubic feet per second of water from a ground water source by means of wells and pumps within the NE 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 10, T. 4N, R. 1E, B.M., Ada County to be used from Jan. 1 to Dec. 31 for domestic purposes for 72 families (Evans Acres No. 2 Subdivision) within the E 1/4 SW 1/4, Sec. 10, T. 4N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 22, 1972.

R. KEITH HIGGINSON
Director
Pub. May 4, 11, 1972.

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300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE IDAHO STATESMAN

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. of Water Administration
- Statehouse-Annex 2
- Boise, Idaho 83707

DATE	DESCRIPTION	LINES/TIMES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
MAY 11 72	APRIL 63 7582 Richard L. Evans	27L 2x	9.45			9.45
			I hereby certify that the above account is correct and that the services were actually rendered as charged and that we have not received payment therefor. Signed STATESMAN PRINTING CO. By <i>[Signature]</i>			

TERMS: NET 10 DAYS

THE IDAHO STATESMAN

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

62 7582

THE IDAHO STATESMAN

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. of Water Administration
- Spatchhouse-Annex 2
- Boise, Idaho 83707
-
-

DATE	DESCRIPTION	LINES/TIMES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
MAY 11 72	APRIL 63 7582 Richard L. Evans	27L 2x	9.45			9.45
I hereby certify that the above account is correct and just that services were actually rendered as charged and that we have not received payment therefor. Signed STATESMAN PRINTING CO. By <u>[Signature]</u>						

TERMS: NET 10 DAYS
THE IDAHO STATESMAN

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

63 7582



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 16, 2002

EVANS WATER CORP
PO BOX 403
EAGLE ID 83616

RE: License No. 63-7582 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

OCT 17 2002

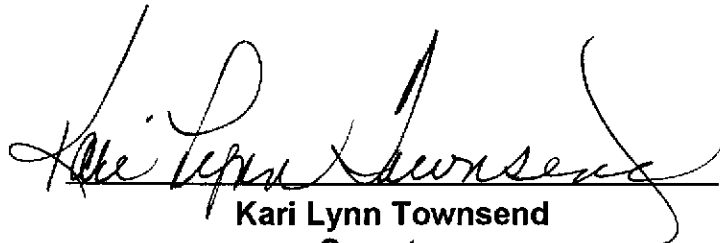
CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

63-7582

**EVANS WATER CORP
PO BOX 403
EAGLE ID 83616**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 17 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).

MAR 17 2003
MHC/ILMEC

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

MAR 17 2003

Comment Report

63-7582

1. kwalker 10/9/2002 Use of Water

Comment: When I reviewed this permit for licensing, I found the examiner had recommended use of water for 39 lots within Evans Subdivision #2 and #3. While preparing the license, I counted all the lots within the subdivision and found only 36 lots. I corresponded with Evans Water Corp and found that they also have use on their well lot and a second place called the Beggrow property. These two properties are not included on the subdivision plat attached to the exam but the location was identified by a representative of Evans Water Corp. This brought the proposed license up to 38 lots for domestic use and that is what is being recommended for licensing.

MICROFILMED

MAR 17 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 3, 2002

EVANS WATER CORP
PO BOX 403
EAGLE ID 83616

RE: Water Right Permit No. 63-07582

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Points of Diversion**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

2002 10 17

MEMORANDUM

TO: File 63-07582

FROM: KAY WALKER

RE: License Recommendations

Date: October 1, 2002

.....

I called Terry Loftus yesterday concerning use of water from the Farmer's Union. I was only able to leave a voice mail message. He called me back, and left a voice mail stating that they do not have access to the Farmer's Union water and that they use their wells for irrigation of the lawns in this subdivision.

MICROFILMED

OCT 1 2003

LICENSE REVIEW CHECKLIST

Permit No. 63-7582

Date: 9-12-02 Reviewer: Kay Walker

Change/OK

Name/Address

old address -

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

change - plk Shelley 10/2/02
W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

none

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.44 cfs
Fee Limit N/A cfs
Measured 0.40 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.40

Water Uses

ok Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.40 cfs 45.0 af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

~~Irrigation - overlap (R58-R61, R62-R65, R66-R69)~~
~~supp. Gw (WB7/065/104)~~
~~overlap spec combined rts (W35)~~
~~<1 acre (W31)~~
Domestic (W01/wb5/070/071/075)
~~Power (W42 or W43/025/027/R22 or R23)~~
~~Fish (042)~~
~~Fire (077)~~
~~Water Quality (106/R07)~~
~~Payette - (W22/047/27A)~~
~~Stockwater for US (R37)~~

37 homes @ 1.2 = 44.4
1 well lot @ 0.6 = 0.6
45.0

Volume Determination

0.4 cfs x 1.9835 x 365 days = 289.6 af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? yes-pending

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice P49 S06

RECEIVED

SEP 27 2002

Department of Water Resources

25 September 2002

Evans Water Corporation
P.O. Box 403
Eagle, Idaho 83616-0403

Kay Walker
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Permit No. 63-07582

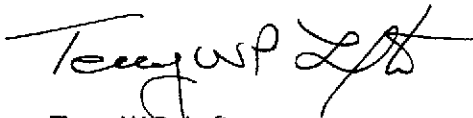
Dear Kay:

This memo is in response to your letter of 17 September 2002 requesting information concerning the properties served by the wells belonging to the Evans Water Corporation. I have attached to this letter a drawing showing the combined plats for Evans Acres Subdivisions No. 2 and No. 3 with the addition of the well property location and the Beggrow property. Both the well property and the Beggrow property are served by the Evans Water Corporation system.

I therefore request that the water right license you are preparing for Permit No. 63-07582 be modified to include the additional two lots (the well property lot and the Beggrow lot).

Thank-you for your interest and attention in this matter.

Respectfully Yours,



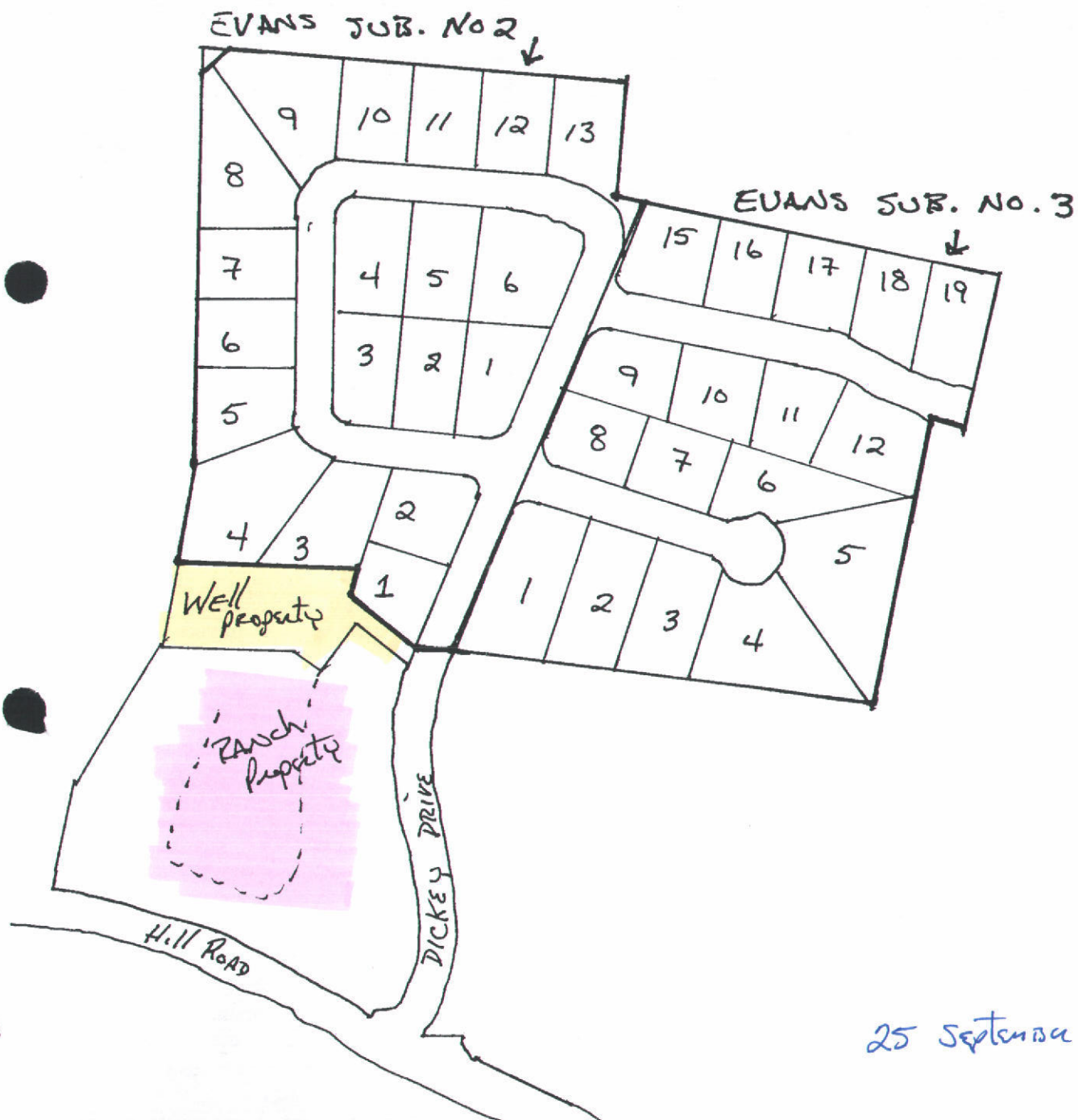
Terry W.P. Loftus
Secretary/Treasurer
Evans Water Corporation

Enclosures

MICROFILMED

MAR 17 2003

A portion of
The E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10 T4N, R1E



25 September 2002 17:00 MDT

WRC

MICROFILMED

MAR 17 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

September 17, 2002

EVANS WATER CORP
PO BOX 403
EAGLE ID 83616

RE: Permit No. 63-07582

Gentlemen:

Could you please send us a current subdivision plat for Evans Subdivisions No. 2 and No. 3? We are preparing a water right license for the above referenced permit and find that we can only account for 36 lots in this subdivision. The examiner recommended we include the "well" lot in the place of use, which may not be shown on the plat we have in our file. I have enclosed a copy of the plat that accompanied the field examination to our office, which shows the 36 lots we are preparing to license.

Please submit the current subdivision plat within the next 30 days or I will assume that you only wish to have 36 lots included in your license of this development. If you only have 36 lots using domestic water, please let me know and we will proceed with licensing the permit for 36 lots.

If you have any questions in regard to this matter, please do not hesitate to contact me at 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

MICROFILMED

MAR 17 2003

(939-0584)
Terry Loftus left
voice mail - subdivision
plat accurate except
does not show "well
lot" or farmhouse
that use water -
KW
9/26/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 29 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-07582

1. Owner: Evans Water Corp Phone No. _____

Current Address: PO Box 403, Eagle ID 83616

2. Accompanied by: _____ EXAM DATE : 4/21/1986

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02406 and Farmers Union Ditch Co. Rights

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SW	10	4N	1E	Ada	USGS Quad

2. Place(s) of Use:

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	10									D								

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1409 17 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED

Y Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		10			
		7.5			

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Rockwell Flow Meter			#1225142			

2. Measurements: 180 GPM

E. NARRATIVE/REMARKS/COMMENTS

Two wells supply internal water to 38 homes and external water to 39 lots via 3" mainline. P/U aka Evans Subdivision #2 and #3. SRBA claim has been filed on permit without any changes. A water system analysis was conducted by Sherl Chapman in 1979 and is included in the file. A Rockwell flow meter has been installed in the system to satisfy permit condition 001. In P/U search, surface water rights were also listed in the NESW in both allocations and SRBA review. Original exam did not mention overlaps.

Have conditions of permit approval been met? Y yes no

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MAR 17 2003

F. FLOW CALCULATIONS

___Y___ Additional Computation Sheets Attached

Measured Method:

180 gpm = .40 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

 $.4 \times 1.98 \times 365 = 289 \text{ afa}$ $38 \times 1.2 = 45.6 + .6 \text{ for well lot} = 46.2$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.40	46.2
Totals:			.40	46.2

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above X None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Lori Graves - Senior Agent

Field Examiner's Name Lori Graves Date 8/24/00

Reviewer _____ Date _____

SEAL

MICROFILMED

AUG 17 2003

63-7582

Permit No. _____

DATE	INITIALS	REMARKS
------	----------	---------

- ☒ Appointment letter mailed: _____
- ☒ Telephone call made: _____
(List Telephone No. used) _____
- ☒ Appointment scheduled for: 4/21/86 JP
(Date, time, location) _____

Date 4/21/1984 Accompanied by ERD BARKER Total Q measured 1806PM - 1400FS

If source is surface water, estimate total flow of source

Methods of measurement ROCKWELL FLOW METER Meets Permit requirements? YES
#1225142

ement calculations:

$0.40 \times 1.98 \times 365 = 289 \text{ AF/ANN.} > 38 \times 1.2 = 45.6$
1 LOT NOHMF = $\frac{.6}{46.2 \text{ AF/ANN.}}$

$180 \text{ GPM} \div 448.8 = .40 \text{ CFS.}$

[illegible]

System Description 2 Wells - #1 is 175' deep w/ SWL at 53.5' when pumping. Well #2 is 205' deep w/ SWL at 53'. 3" MAINLINE FROM #1 TO SYSTEM + #2 PUMPS INTO A 3" MAINLINE WHICH IS INTERCONNECTED

**Code with map on reverse side. Disregard code if only one.*

W/WELL #1 ~~APPROX.~~ APPROX. 2' FROM OUTLET INTO MAINLINE.

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
DOMESTIC - 38 HOMES W/LAWNS (39 LOTS)	0.40 CFS	46.2 AFA	1-1	12-31
WELL LOT IS ALSO IRRIGATED W/NO HOME.				

Total 0.40 CFS 46.2 AFA

Remarks

MICROFILMED

70-938

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: _____

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other _____

Examiner’s Signature _____

Checked by _____

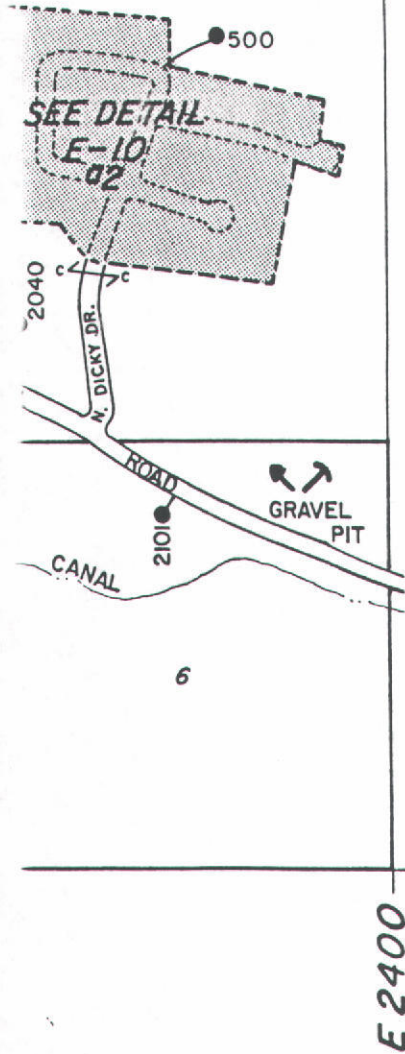
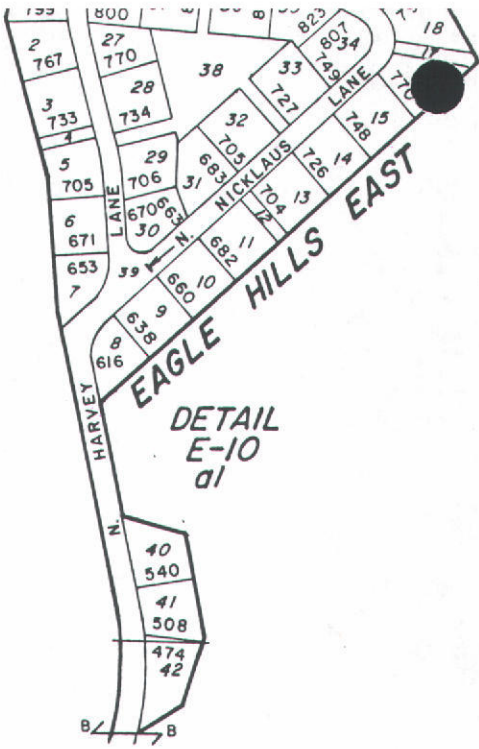
Approved by _____

Date _____

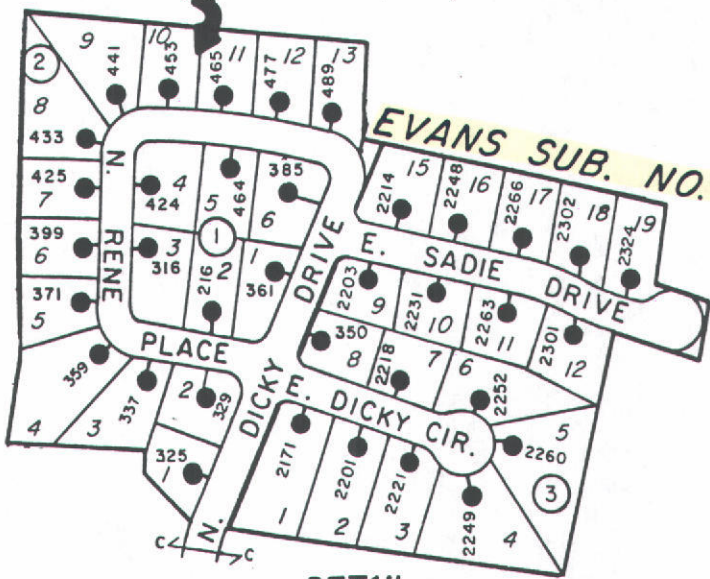
Date _____

Date _____

MICROFILMED
SEP 17 1983



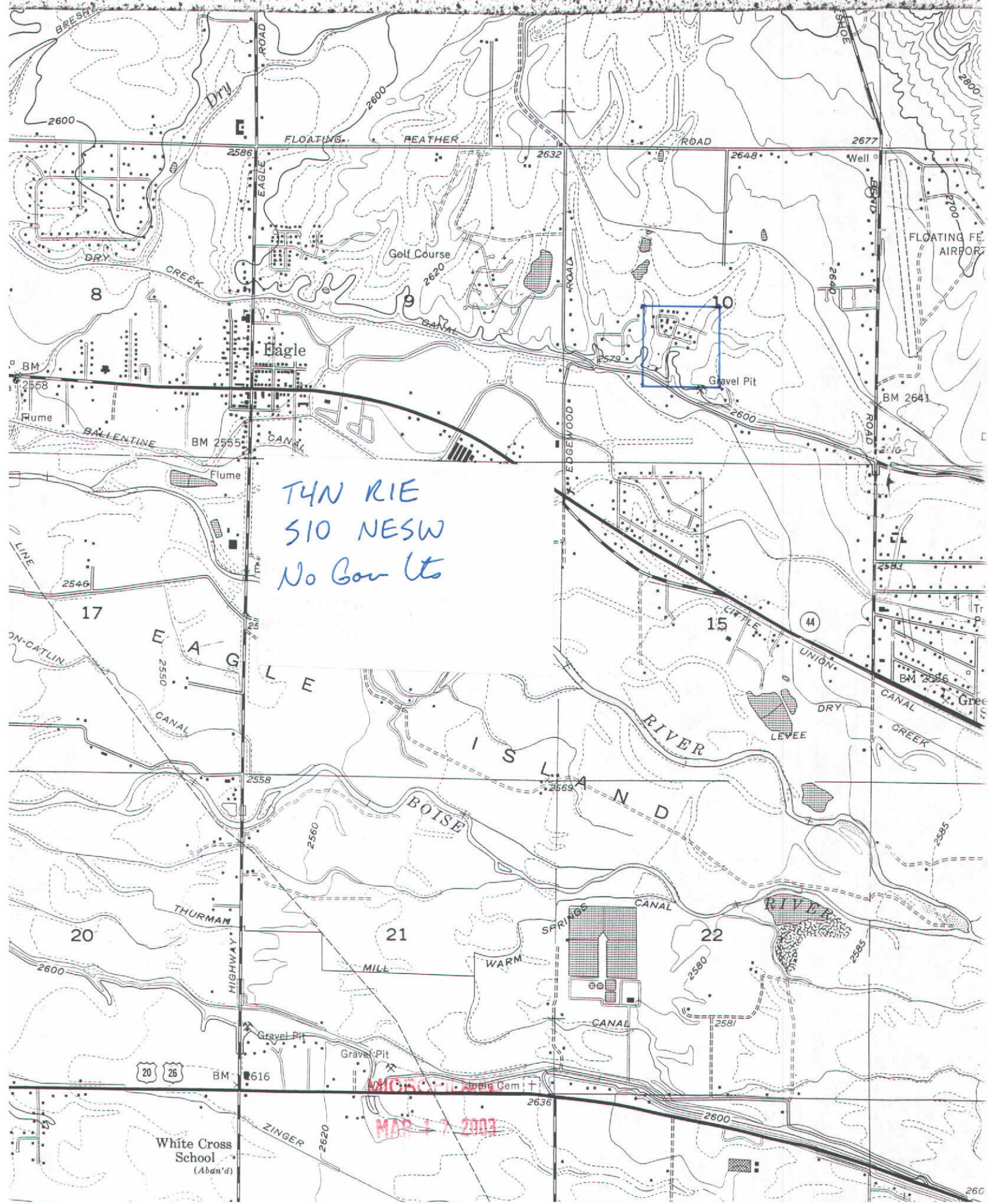
EVANS SUB. NO. 2



DETAIL E-10 a2

MICROFILMED
MAR 17 2003

E-10
a



T4N R1E
S10 NESW
No Gov Lts

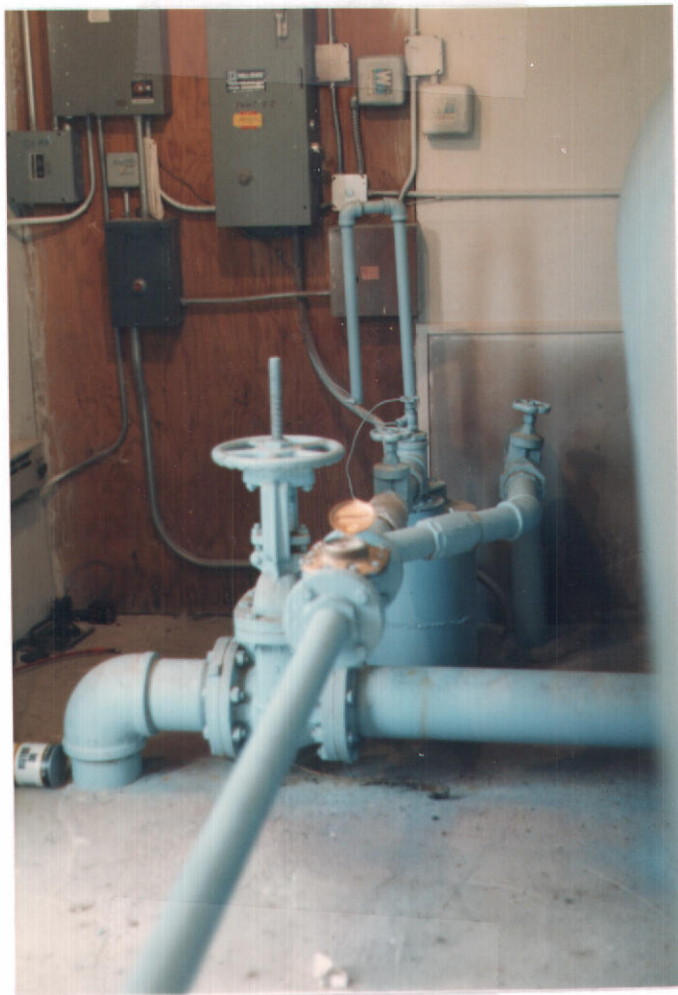
MAR 17 2003

White Cross School
(Aban'd)

Measuring
device →

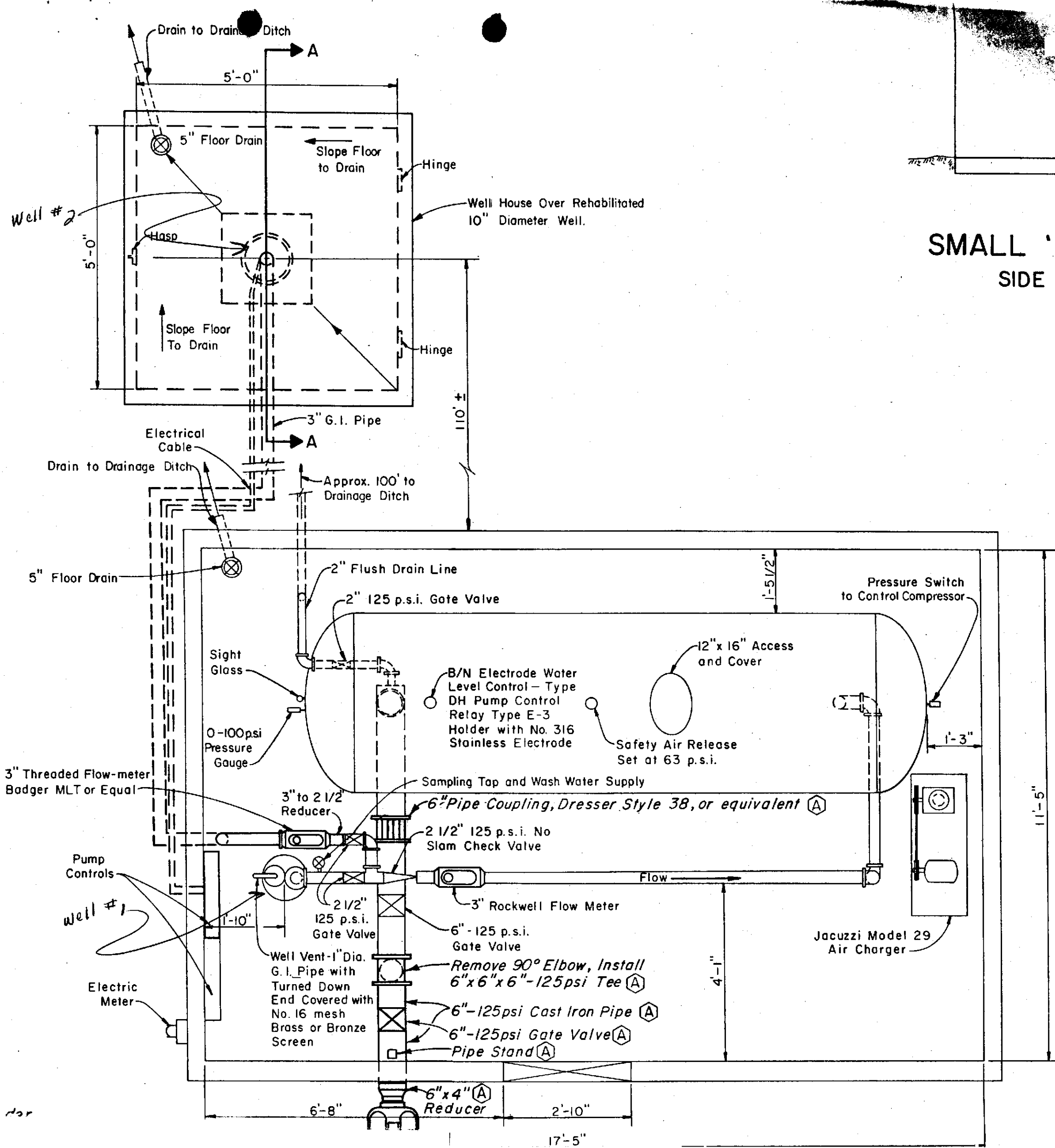


P/D's



MICROFILM

MAR 17 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

Mailing address:

Statehouse

Boise, Idaho 83720

A. KENNETH DUNN

Director

63-7582
EVANS WATER CORP.
RT. 1
315 RENE PL.
BOISE, ID 83702

April 17, 1986

CERTIFIED MAIL

138355

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

MAILED
MAR 17 2003

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

MAR 17 2000

July 6, 1977

Re: Permit No. 63-7582

Evans Water Corporation
Route 1, 315 Rene Place
Boise, Idaho 83702

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

RECEIVED
JUL 10 1977
BOISE

April 29, 1977

CERTIFIED MAIL

38416

Re: Permit No. 63-7582

Richard L. Evans
Route 1
Boise, Idaho 83702

Dear Mr. Evans:

One of the conditions of approval of your water Permit No. 63-7582 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



STEPHEN ALLRED

Director

CSA:jfr

Enc: Proof affidavit

C
July 21, 1972

Richard L. Evans
Route #1
Boise, Idaho

O
Dear Mr. Evans:

Enclosed is a copy of your approved Application for Permit No. 63-7582. We direct your attention to the conditions of approval as listed on the fourth page.

P
Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Y
Very truly yours

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures:

63 7582

May 3, 1972

Re: Applications for Permit No. 63-7582 - Richard L. Evans
63-7588 - Earl C. Barnard and/or Bernard F. Gratton

State of Idaho
Department of Health
Environmental Improvement Division
Statehouse Mail,
Boise, Idaho

ATTENTION: Vaughn Anderson

Dear Mr. Anderson:

We are enclosing copies of two applications that may be of interest to your agency.

Please review the applications and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a six week period and we are required to take final action shortly thereafter.

If we may be of any further assistance, please contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner
Western Division

DC:CS

Enc: copies of referenced applications for permit

63 7582

April 21, 1972

Re: B.L.M. Applications (3)	63-7585
Application No. 63-7582	63-7586
" " 63-7583	63-7589
" " 63-7584	

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CR

Enc: legal notices (7)

Bill Submitted
5-31-72
C.S.

63 7582

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard L. Evans, Route #1,

Boise, Idaho

has on April 12, 1972 submitted Application No. 63-7582

for a permit to appropriate 1.44 cubic feet per second ~~and for the purpose of~~

of water from a ground water source

by means of wells and pumps

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 4N, R. 1E, B.M., Ada County

to be used from Jan. 1 to Dec. 31

for domestic purposes for 72 families (Evans Acres #2 Subdivision)

within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 10, T. 4N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May ²⁷ 15, 1972.

R. KEITH HIGGINSON

Director

Published in the Idaho Statesman, Boise, Idaho

on April 27 May 4 and May ¹¹ 4, 1972

63 7582