

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31568

Priority: March 28, 2003

Maximum Diversion Rate: 0.11 CFS

This is to certify, that AUTUMN LEAF OWNERS ASSN INC
12361 W BOWMONT ST
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	01/01 to 12/31	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NE¼SE¼ Sec. 4, Twp 03N, 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	
03N	01E	4													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2008**.
2. Subject to all prior water rights.
3. Domestic use is for lawn irrigation for 24 homes.
4. Prior to diversion of water under this right, the right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of 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 domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. 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.
8. Place of use is located within Lots 2-9, Blk. 1 and Lots 2-17, Blk. 2; Autumn Leaf Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of June, 2003

MICROFILMED

SEP 09 2003

K. J. Dreher
for **KARL J DREHER, Director**

RECEIVED

JUN 11 2003

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MAY 22 2003

Department of Water Resources

Department of Water Resources

Ident. No. 63-31568

Page 1

RECEIVED

MAR 28 2003

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

AMENDED

SUPERCEDES
ORIGINAL
APPLICATION

1. Name: AUTUMN LEAF OWNERS ASSN
12361 W BOWMONT ST
BOISE ID 83713
(208)376-6168

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER

NE1/4SE1/4

Sec. 4, Twp 03N, Rge 01E, B.M.

ADA County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.11 CFS	

5. Total quantity to be appropriated is: 0.11 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: 4 INCH PUMP WITH VARIABLE SPEED MOTOR EXTENDS DOWN 20 FT. TIES INTO 3 INCH PIPE TO SUBDIVISION PERIMETER.

b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;

c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? 1995;
Drilling Firm SUBDIVISION CONTRACTOR;
Drilling Permit No. UNKOWN.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

Domestic use is for 24 yards within a subdivision at under 1/2 acre per home for a total of 3.6 acres.

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SEP 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
03N 01E 4	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X			06-06-03

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

The subdivision developer, Mike Tanner, must not have applied for appropriation of public waters. As this just came to our attention, we (the ALOA board of directors) are now completing/submitting the necessary paperwork and fee to be in compliance with the Dept of Water Resources for use of irrigation water. Water bearing zone is between 10 and 100 feet. A new well may be needed to meet minimum well construction standards per conversations with Dan Nelson.

11. Map of proposed point of diversion and place of use attached? ☐

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.

Jake Jacobs

03-25-03

Applicant

Received by DAN Date 1/23/2002 Time 3:00 Preliminary check by _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

Receipt No. C064893

Date: _____

Received by: _____

See original for receipt
information. DAN 1-23-2003

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SEP 03 2003

WELL

PLACE OF USE

T3N R1E S4

NO GOVIT
LOTS NESE
DAN
4-1-03

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SEP 09 2003

MASTER COPY

2569 p.7066

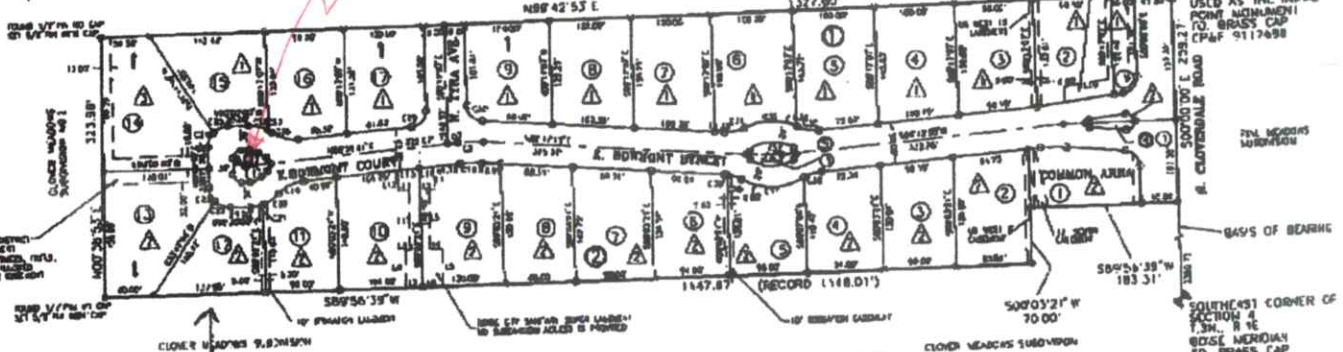
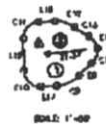
AUTUMN LEAF SUBDIVISION

A PORTION OF THE SE 1/4 OF SECTION 4, T. 3 N., R. 1 E., BOISE MERIDIAN
ADA COUNTY, IDAHO

While this is a photographic reproduction of a recorded plat, the Company assumes no liability for any errors or omissions in the plat. The Company expressly disclaims any liability for alleged loss or damage which may result from reliance upon this plat.

LEGEND

- REAR OF LOT
- BOUNDARY LINE
- LOT OR RIGHT OF WAY LINE
- CENTER LINE
- UTILITY EASEMENT FOR UTILITIES SHOWN
- 1/2" x 24" PIN SET WITH PLASTIC CAP
- 3/4" x 30" PIN SET WITH PLASTIC CAP
- ⊕ LAND CORNER
- ④ LOT NUMBER
- ① BLOCK NUMBER
- △ SOLAR LOT
- △ SHAD. RESTRICTED
- △ SOLAR LOT & SHAD. RESTRICTED



RE-SUBDIVISION

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

IRRIGATION RIGHTS

THIS SUBDIVISION IS WITHIN THE SAFFORD IRRIGATION DISTRICT. THE DEVELOPER HAS MADE PROVISION TO SUPPLY IRRIGATION WATER TO THE SUBDIVISION. LOTS EACH LOT WILL BE SUBJECT TO THE IRRIGATION DISTRICT'S WATER RIGHTS. THE SUBDIVISION WILL COMPLY WITH IRRIGATION CODE 31-1000.

RESTRICTIVE COVENANTS

RECORD AND OCCUPANCY SHALL COMPLY WITH THE STANDARDS ESTABLISHED BY THE RESTRICTIVE COVENANTS AS FILED IN THE RECORDS OF THE ADA COUNTY RECORDER.

BUILDING SETBACKS

BUILDING SETBACKS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION.

EASEMENTS

ALL LOTS HAVE A 12 FOOT WIDE EASEMENT LONGITUDE TO ALL STREETS AND REAR LOT LINES FOR PUBLIC UTILITY, DRAINAGE OR IRRIGATION PURPOSES. ALL STREET FRONTAGE SHALL HAVE A 12 FOOT STREET FRONT EASEMENT TO THE CITY OF BOISE. A STREET FRONT EASEMENT TO ADA COUNTY HIGHWAY DISTRICT. ALL OTHERS ARE SHOWN. A SEVEN EASEMENT IS GRANTED TO BOISE CITY OVER LOT 1, BLOCK 3, LOT 1, BLOCK 4, AND LOT 1, BLOCK 5. A SEVEN EASEMENT IS GRANTED TO BOISE CITY OVER LOT 1, BLOCK 1, BLOCK 2, BLOCK 3, BLOCK 4, BLOCK 5, BLOCK 6, BLOCK 7, BLOCK 8, BLOCK 9, BLOCK 10, BLOCK 11, BLOCK 12, BLOCK 13, BLOCK 14, BLOCK 15, BLOCK 16, BLOCK 17, BLOCK 18, BLOCK 19, BLOCK 20, BLOCK 21, BLOCK 22, BLOCK 23, BLOCK 24, BLOCK 25, BLOCK 26, BLOCK 27, BLOCK 28, BLOCK 29, BLOCK 30, BLOCK 31, BLOCK 32, BLOCK 33, BLOCK 34, BLOCK 35, BLOCK 36, BLOCK 37, BLOCK 38, BLOCK 39, BLOCK 40, BLOCK 41, BLOCK 42, BLOCK 43, BLOCK 44, BLOCK 45, BLOCK 46, BLOCK 47, BLOCK 48, BLOCK 49, BLOCK 50, BLOCK 51, BLOCK 52, BLOCK 53, BLOCK 54, BLOCK 55, BLOCK 56, BLOCK 57, BLOCK 58, BLOCK 59, BLOCK 60, BLOCK 61, BLOCK 62, BLOCK 63, BLOCK 64, BLOCK 65, BLOCK 66, BLOCK 67, BLOCK 68, BLOCK 69, BLOCK 70, BLOCK 71, BLOCK 72, BLOCK 73, BLOCK 74, BLOCK 75, BLOCK 76, BLOCK 77, BLOCK 78, BLOCK 79, BLOCK 80, BLOCK 81, BLOCK 82, BLOCK 83, BLOCK 84, BLOCK 85, BLOCK 86, BLOCK 87, BLOCK 88, BLOCK 89, BLOCK 90, BLOCK 91, BLOCK 92, BLOCK 93, BLOCK 94, BLOCK 95, BLOCK 96, BLOCK 97, BLOCK 98, BLOCK 99, BLOCK 100.

COMMON AREA

LOT 1, BLOCK 1, LOT 1, BLOCK 2, LOT 1, BLOCK 3, LOT 1, BLOCK 4, LOT 1, BLOCK 5, LOT 1, BLOCK 6, LOT 1, BLOCK 7, LOT 1, BLOCK 8, LOT 1, BLOCK 9, LOT 1, BLOCK 10, LOT 1, BLOCK 11, LOT 1, BLOCK 12, LOT 1, BLOCK 13, LOT 1, BLOCK 14, LOT 1, BLOCK 15, LOT 1, BLOCK 16, LOT 1, BLOCK 17, LOT 1, BLOCK 18, LOT 1, BLOCK 19, LOT 1, BLOCK 20, LOT 1, BLOCK 21, LOT 1, BLOCK 22, LOT 1, BLOCK 23, LOT 1, BLOCK 24, LOT 1, BLOCK 25, LOT 1, BLOCK 26, LOT 1, BLOCK 27, LOT 1, BLOCK 28, LOT 1, BLOCK 29, LOT 1, BLOCK 30, LOT 1, BLOCK 31, LOT 1, BLOCK 32, LOT 1, BLOCK 33, LOT 1, BLOCK 34, LOT 1, BLOCK 35, LOT 1, BLOCK 36, LOT 1, BLOCK 37, LOT 1, BLOCK 38, LOT 1, BLOCK 39, LOT 1, BLOCK 40, LOT 1, BLOCK 41, LOT 1, BLOCK 42, LOT 1, BLOCK 43, LOT 1, BLOCK 44, LOT 1, BLOCK 45, LOT 1, BLOCK 46, LOT 1, BLOCK 47, LOT 1, BLOCK 48, LOT 1, BLOCK 49, LOT 1, BLOCK 50, LOT 1, BLOCK 51, LOT 1, BLOCK 52, LOT 1, BLOCK 53, LOT 1, BLOCK 54, LOT 1, BLOCK 55, LOT 1, BLOCK 56, LOT 1, BLOCK 57, LOT 1, BLOCK 58, LOT 1, BLOCK 59, LOT 1, BLOCK 60, LOT 1, BLOCK 61, LOT 1, BLOCK 62, LOT 1, BLOCK 63, LOT 1, BLOCK 64, LOT 1, BLOCK 65, LOT 1, BLOCK 66, LOT 1, BLOCK 67, LOT 1, BLOCK 68, LOT 1, BLOCK 69, LOT 1, BLOCK 70, LOT 1, BLOCK 71, LOT 1, BLOCK 72, LOT 1, BLOCK 73, LOT 1, BLOCK 74, LOT 1, BLOCK 75, LOT 1, BLOCK 76, LOT 1, BLOCK 77, LOT 1, BLOCK 78, LOT 1, BLOCK 79, LOT 1, BLOCK 80, LOT 1, BLOCK 81, LOT 1, BLOCK 82, LOT 1, BLOCK 83, LOT 1, BLOCK 84, LOT 1, BLOCK 85, LOT 1, BLOCK 86, LOT 1, BLOCK 87, LOT 1, BLOCK 88, LOT 1, BLOCK 89, LOT 1, BLOCK 90, LOT 1, BLOCK 91, LOT 1, BLOCK 92, LOT 1, BLOCK 93, LOT 1, BLOCK 94, LOT 1, BLOCK 95, LOT 1, BLOCK 96, LOT 1, BLOCK 97, LOT 1, BLOCK 98, LOT 1, BLOCK 99, LOT 1, BLOCK 100.

AGRICULTURAL OPERATION

THIS DEVELOPMENT IS DESIGNATED AGRICULTURAL. ANY DEVELOPMENT OF THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION. ANY DEVELOPMENT OF THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION.

LOT ACCESS

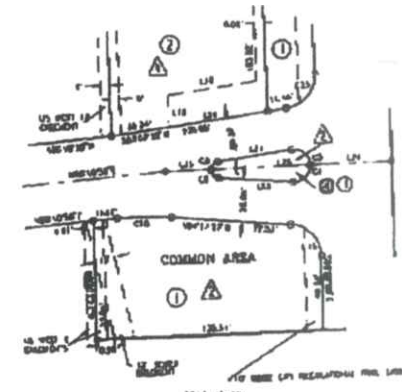
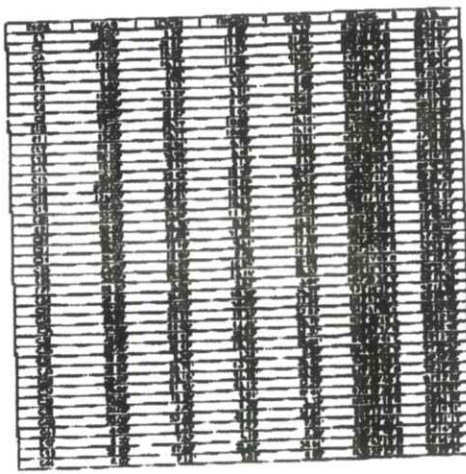
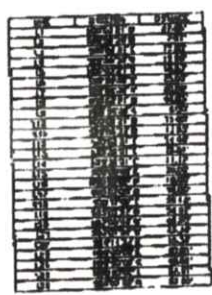
WHILE LOT ACCESS TO NORTH CLOVERDALE ROAD IS PROVIDED, ACCESS IS SPECIFICALLY RESERVED BY THE NEIGHBORHOOD AND BOISE CITY.

ANNEXATION

ANNEXATION TO THE CITY OF BOISE HAS BEEN REVIEWED AND THE CITY OF BOISE HAS AGREED TO ANNEX THIS SUBDIVISION AT ANY TIME.

FIRE DEPARTMENT

ALL OF BOISE CITY SHALL BE CONSIDERED AS BEING BACK TO BACK OF CLOVERDALE WITH A FOOT SETBACK LINE FROM THE REAR OF THE LOT. NO SETBACK SHALL BE SET BACK TO BACK OF CLOVERDALE.



GRAPHIC SCALE



1 inch = 100 feet



SHEET 1 OF 2

Record May 18, 1990

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SEP 19 2003

Autum Leaf Hott

1-23-03

Jake Jacobsen President

Glenda Jorgensen Sec.

Mark Sanders Treas.



Water Bearin zone 10- ¹⁰⁰~~20~~ FT.

May need TO DRILL a new Well.

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SEP 09 2003

Idaho Department of Water Resources Receipt

Receipt ID C064893

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	56103	1155


Signature Line (Dept. Representative)

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SEP 09 2003

Ident. No. 63-31568

70229

RECEIVED
OCT 03 2002
WATER RESOURCES
WESTERN REGION

ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
OCT - 2 2002

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Autumn Leaf Owners Association Phone 376-6168
Mailing address 12361 W. Bowmont St., Boise, ID 83713
2. Source of water supply groundwater (spring) which is a tributary of n/a
3. Location of point of diversion is Township 3N Range 1E Sec. 4, in the SE $\frac{1}{4}$,
NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot , B.M., Ada County;
additional points of diversion if any: N/A

4. Water will be used for the following purposes: Domestic
Amount 0.06.11 for irrigation purposes from Jan 1 to Dec 31 (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) 0.06.11 and/or (b) n/a
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 4" pump with variable speed motor, extends down 20 ft. Ties into 3" pipe to subdivision perimeter.
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 6" inches; proposed depth of well is 20 feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? 1995; Drilling firm Idaho Pump
Well was drilled for (well owner) Autumn Leaf Owners Assoc.; 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. 24 992 24 yards Homes, less than 1/2 acre/lot
for a total of 3.6 acres 992
e. Other; describe fully.

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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	
3N	1E	4	3.6																3.6

Total number of acres to be irrigated 3.6

10. Describe any other water rights used for the same purposes as described above. n/a united water for inhouse, Nampa Meridian Shares not available no head gate

11. a. Who owns the property at the point of diversion? Autumn Leaf Owners Association (ALOA)

b. Who owns the land to be irrigated or place of use? ALOA and 24 individual homeowners

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: n/a

12. Remarks:

The subdivision developer, Mike Tanner, must not have applied for appropriation of public waters. As this just came to our attention, we (the ALOA board of directors) are now completing/submitting the necessary paperwork and fee to be in compliance with the Dept. of Water Resources for use of irrigation water.

3. 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.

B. Michael Young, ALOA Treasurer
Signature of Applicant (and title, if applicable)

Received by J. Name Date 10-2-02 Time 10:35 A.M. Preliminary check by DAN
Fee \$ 100.00 Received by J. Name # C064893 Date 10-2-02
Publication prepared by J. Name Date 4-17-21-03 Published in THE IDAHO STATESMAN
Publication approved J. Name Date 5-5-03

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SEP 04 2003

REQUEST TO PROCESS

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

Name of Applicant

Autum Leaf Homeowners

Mailing Address

12361 W. Bowmont St.

Boise, ID 83713

Application No.
(if known)

6331568

☐ 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

James J. Jacobs

Date

01-31-03

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SEP 09 2003

**NOW
STARTING
RIGHT
SIDE OF
FILE**



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 17, 2003

AUTUMN LEAF OWNERS ASSN INC
12361 W BOWMONT ST
BOISE ID 83713

RE: Permit No. 63-31568

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

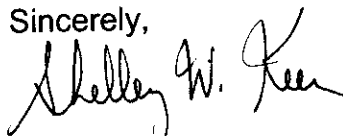
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened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

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SEP 09 2003

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

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

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SEP 9 9 2003

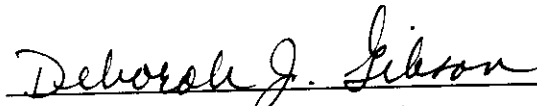
CERTIFICATE OF SERVICE

I hereby certify that on June 17, 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.

63-31568

**AUTUMN LEAF OWNERS ASSN INC
12361 W BOWMONT ST
BOISE ID 83713**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

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SEP 09 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

MEMORANDUM

TO: SHELLEY KEEN
FROM: DANIEL A. NELSON
DATE: 6/9/03
SUBJECT: APPLICATION FOR PERMIT 63-31568

RECEIVED
JUN 10 2003
Department of Water Resources

I contacted the applicant and he corrected the place of use. I spoke with Steve, and he agreed that we didn't need to re-advertise the correction.

I informed the applicant that the business entity search revealed that there corporation had been administratively dissolved in Oct. of 2001. The applicant informed me that they changed the addresses in the subdivision that year and the neglected to update their listing. He said he would contact them and get the corporation re-vitalized.

If you need anything else, please contact me.

MICROFILMED
SEP 03 2003

MEMORANDUM

DATE: May 29, 2003

TO: Dan Nelson

FROM: Shelley W. Keen *SWK*

RE: Place of Use on Application 63-31568

Thanks for offering to take another look at the place of use on Application 63-31568. It looks like it should be NE $\frac{1}{4}$ SE $\frac{1}{4}$, Se. 4, T3N, R1E, not NW $\frac{1}{4}$ SE $\frac{1}{4}$.

If you visit with the applicants, please remind them to file with the Secretary of State's office. Doing so will not be a pre-requisite for obtaining a permit, but it is still a good idea.

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JUN 11 2003



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

AUTUMN LEAF OWNERS ASSOCIATION, INC.

4503 E BOWMONT CT
MERIDIAN, ID 83642

Type of Business: CORPORATION, HOMEOWNERS ASSOCIATION

Status: ADMIN DISSOLVED, ADMIN DISSLV 05 Oct 2001

State of Origin: IDAHO

Date of 30 Jul 1997

Origination/Authorization:

Initial Registered Agent: RACHELLE CAHOON
4503 E BOWMONT CT
MERIDIAN, ID 83642

Organizational ID / Filing Number: C120361

**Number of Authorized Stock N/A
Shares:**

Date of Last Annual Report: 26 May 2000

Amendments:

Amendment 0 filed **30 Jul 1997** INCORPORATION

[View Document Online](#)
[Download \(TIFF format\)](#)

Annual Reports:

Report for year 1998 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1999 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 2000 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 2001 UNDELIVERABLE

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

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SEP 09 2003



STATE OF IDAHO
PETE T. CENARRUSA
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO OTHER ADDRESS ON FILE

PRESORTED
FIRST-CLASS
U.S. POSTAGE PAID
Boise, ID
PERMIT No. 1

RETURN SERVICE REQUESTED

IDAHO ANNUAL REPORT FORM C 120361

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

AUTUMN LEAF OWNERS ASSOCIATION, INC.
RACHELLE C CAPOON
4503 E BOWMONT CT
MERIDIAN, ID 83642

320414

23 0923/0085

MICROFILMED

SEP 09 2003

MEMORANDUM

TO: STATE OFFICE REVIEW STAFF

FROM: DANIEL A. NELSON

DATE: 5/21/03

SUBJECT: CONDITIONS FOR APPLICATION FOR PERMIT 63-31568

Permit 63-31568 was filed on an already existing system that was installed by the developer of the Autumn Leaf Subdivision. The homeowners discovered that the developer did not file the necessary applications and/or permits to construct a well and begin using the water for irrigation of their homes. They are currently working to correct the situation that the developer left them with, and file all of the needed paperwork.

As a result of this situation, the well was not constructed to well construction standards. Rob Whitney is currently investigating the situation to see if he can find the person that constructed the well, so the department can pursue legal action. Unfortunately, the current well is now the responsibility of the homeowners association.

We have contacted Jake Jacobsen, with the homeowner's association and informed him that he will either need to bring the current well up to well construction standards or drill a new well for the water use. Please see my 2/13/2003 letter to the homeowners association.

Therefore, we will need a condition that states the following:

Right holder shall not divert water for this application until they comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

I have modified condition 046 for the above condition, however, State Office staff may address this situation anyway they see fit as long as the applicant is not allowed to divert water under this permit until the well falls within department well drilling standards.

Gary Spackman, Rob Whitney, and I have determined that this is the best way to address this issue.

Priority date was advanced to 3/28/2003 when the amended application for permit was received, due to the increase in diversion rate from 0.06 cfs to 0.11 cfs.

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SEP 9 9 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31568

WATER RIGHT NUMBER: 63-31568

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AUTUMN LEAF OWNERS ASSN 12361 W BOWMONT ST BOISE, ID 83713 (208)376-6168

Priority Date: 10/02/2002

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.110 CFS	
	<u>Total Diversion:</u>	0.110 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 4,	Twp 03N,	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	
03N	01E	4																	

Conditions of Approval:Remarks:

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SEP 09 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31568

Comments:

1. dnelson 4/1/2003 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.

Domestic use is for 24 yards in Autumn Leaf Subdivision.

Water bearing zone to be appropriated is from 10 to 100 feet.

2. dnelson 4/1/2003 Comment/Analysis

Comment: This permit is to supply yard irrigation for 24 yards in Autumn Leaf Subdivision in which each yard is between 0.2 to 0.4 acres in size. The Home Owners Association have contacted our State Office staff that this type of domestic use can be accomplished. Therefore, there should not be a problem with the basin 63 processing hold. The only significant overlapping water rights for either the point of diversion or the place of use are Nampa Meridian Irrigation District shares. The association does hold shares in Nampa Meridian, but there is not a headgate or ditch to deliver their water to them. The well currently in use was not drilled to well drilling standards, and no well drilling permit or well log was submitted. In order to approve this permit, we will need to require that the well be constructed to well construction standards. Rob Whitney has already started an investigation on the construction of this well. Since, the well is not constructed properly, the homeowners association may need to drill a new well, instead of trying to upgrade the existing well poorly constructed well. Therefore, we should not limit this right to no new well construction, since it is likely they will need to drill a new well. The filing of this permit is an attempt to correct the mistakes of the contractor.

Dates and Other Information:

Application Received Date: 10/2/2002

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: The subdivision developer, Mike Tanner, must not have applied for appropriation of public waters. As this just came to our attention, we (the ALOA board of directors) are now completing/submitting the necessary paperwork and fee to be in compliance with the Dept of Water Resources for use of irrigation water. Water bearing zone is between 10 and 100 feet. A new well may be needed to meet minimum well construction standards per conversations with Dan Nelson.

Other Water Rights: United Water used for in-house use. Nampa Meridian irrigation shares, but they do not have a headgate.

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

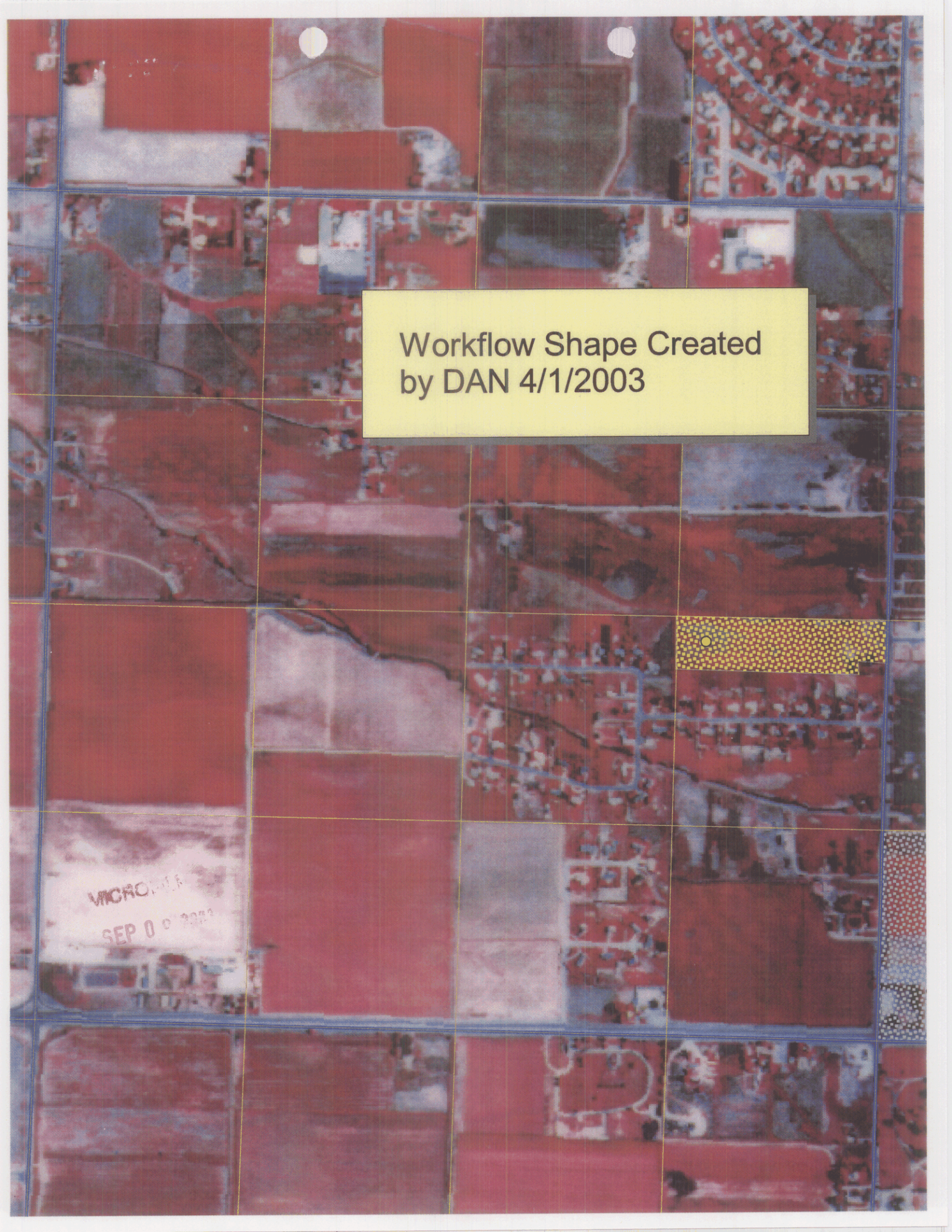
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SEP 04 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 63-31568

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SEP 09 2003

An aerial photograph of a landscape, possibly a coastal or agricultural area, with a grid overlay. The grid consists of thin blue lines forming a rectangular pattern. The background is a mix of red, brown, and grey tones, suggesting different land uses or vegetation. A yellow rectangular box is centered in the upper half of the image, containing text. In the bottom left corner, there is a white rectangular area with some faint, illegible text and a date stamp.

Workflow Shape Created
by DAN 4/1/2003

MICROMETER
SEP 0 0 2003

The Idaho Statesman

RECEIVED

APR 28 2003

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

WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	855663	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	16160

LEGAL NOTICE

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

63-31568

AUTUMN LEAF OWNERS ASSN
12361 W BOWMONT ST
BOISE ID 83713

Point(s) of Diversion NESE S4 T03N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.11 CFS
Total Diversion: 0.11 CFS
Date Filed: 10/02/2002
Place Of Use: DOMESTIC
T03N R01E S4 NWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is for 24 yards in Autumn Leaf Subdivision.

Water bearing zone to be appropriated is from 10 to 100 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

16160

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

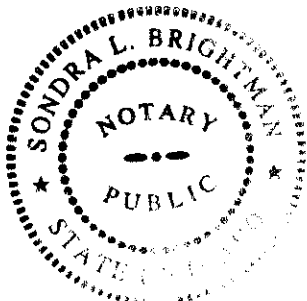
Janice Hildreth

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.

Sandra L. Brightman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06



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SEP 09 2003

Taylor, Sue

From: Taylor, Sue
Sent: Thursday, April 17, 2003 3:49 PM
To: 'Bob_Mallis@blm.gov'; 'srae@deq.state.id.us'; 'eleitzin@idfg.state.id.us'; 'sspencer@fs.fed.us'; 'dgruenhagen@idl.state.id.us'
Cc: Taylor, Sue
Subject: Applications for comment letters

April 17, 2003

Eric Leitzinger, IDFG
Bob Mallis, BLM
Steve Rae, DEQ
Steve Spencer, USFS
Dave Gruenhagen, IDL

Dear Sirs:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by May 7, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Taylor
ID Dept Water Resources

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SEP 09 2003

4/17/2003

3-03-01 Autumn Leaf Owners Ass.

Mike Tanner (Subdivision Developer)

Brighton Corporation
12426 W. Exploren
Boise ID, 83713

Office : 378-4000

home : 343-9617

cell? : 371-2112

RECEIVED

MAR 28 2003

WATER RESOURCES
WESTERN REGION

TO: Dan Nelson

03-25-03

Dan, attached is the signed amended permit application.

Above is the ~~new~~ current address of our Subdivision's developer, Mike Tanner.

I have not talk to Mike. But past correspondence has been poor. As when the subdivision was turned over to the Association, he refused any inquiries.

Any help you can render in this matter would be helpful.

Thank you, Jake Jacob

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SEP 09 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 13, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

AUTUM LEAF OWNERS ASSOCIATION
ATTN JAKE JACOBSEN
12361 W BOWMONT ST
BOISE ID 83713

RE: APPLICATION FOR PERMIT 63-31568

Dear Mr. Jacobsen:

I am writing this letter to go over the information that we discussed in our telephone conversation on 2/12/2003. In this conversation I informed you that we could continue to process your application for permit through the advertising stage. However, the application will be conditioned that the well must comply with the minimum well construction standards.

I have enclosed a copy of the Idaho Department of Water Resources rules for well construction standards. Pages 5 thru 11 describe the proper construction of a well. From our conversations, it is clear that the well that you use was not constructed to these standards. Therefore, you will need to repair your existing well or drill a new well to meet these standards.

From the letters our office has received from your organization through the Governor's Office, it seems as though you were planning to drill a new well in the future. This may be a good opportunity to have this well constructed properly.

We will also need to address the person or party that constructed this well without attaining the appropriate permits and adhering to the well construction standards. We would appreciate all the cooperation that you or your organization can give use to find the person that constructed this well. It is imperative that we contact this person and ensure that they won't do this again, and possibly get them to go in and bring your well up to the minimum standards.

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SEP 03 2003

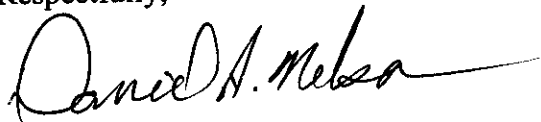
I have made the changes that we spoke about on the amended application for permit. I feel that you should review, and if you agree with the changes, sign this amendment to replace the existing amendment. It will make the application much clearer and you will be aware of the changes. Please review the changes and sign and return the application to our office. I made the following changes to the amended application:

Section 7 → Time to complete project was changed from 1 year to 5 years the maximum development period. The reason for this was to give you enough time if your organization needs to drill a new well. You will be able to complete the project earlier, but this will give you more time if needed.

Section 11 → The remarks were changed to include a new water-bearing zone of 10 to 100 ft. to reflect our discussion of possibly needing to deepen your well. I also included a sentence that you may need to construct a new well if the original well cannot be brought up to minimum well construction standards. This comment will allow you to drill a new well if needed.

If you have any questions or concerns please contact me at the above address.

Respectfully,



Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED
SEP 09 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

July 16, 2002

JIM RASMUSSEN
12549 W BOWMONT CT
BOISE ID 83713

- Included for reference

RE: Autumn Leaf Subdivision Water Supply

Dear Mr. Rasmussen:

The Department of Water Resources has received a copy of your letter to Governor Kempthorne regarding the community water system for the Autumn Leaf Subdivision. The purpose of this letter is to provide you with information to help you obtain the proper permits for the irrigation use associated with homes in the subdivision and to deepen the existing well from which water is to be diverted.

As we discussed during our phone conversation of July 15th, we could not identify a water right for the current use of ground water for irrigation in the subdivision. Although there is a processing hold on applications for new consumptive uses of water in the Boise River Basin due to ground water supply concerns, the Department is processing applications for domestic purposes within multiple ownership subdivisions provided each unit satisfies the criteria for exemption of requirement to file an application for permit. Each unit is limited to up to ½ acre of irrigation and water use up to 13,000 gallons per day. As discussed, the applicant in this case would be the Autumn Leaf Homeowners Association.

I have enclosed a water right application form and instructions for your use in this matter. A well drilling permit (also enclosed) to deepen the existing well can be processed once the application to appropriate water is approved.

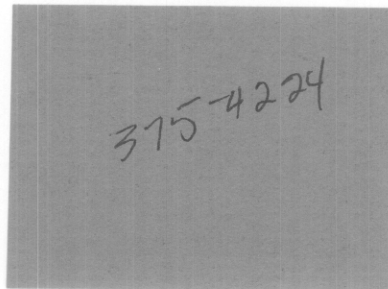
Please let me know if you have additional questions regarding this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permit Section

Enclosures

cc: Erika Meadows, Governor's Office
Gary Spackman, IDWR Western Region



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SEP 09 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

August 23, 2002

GLEND A JORGENSEN
AUTUMN LEAF OWNER'S ASSOCIATION
12423 W BOWMONT ST
BOISE ID 83713

RE: Autumn Leaf Subdivision Water Supply

Dear Ms. Jorgensen:

I have received your letter of August 20, 2002 regarding permitting for the well and water use associated with the Autumn Leaf Subdivision. You inquired about the limitations related to processing of water right permits for use in multiple ownership subdivisions in the Boise River basin. This limitation applies to individual lots; each lot is limited to not more than 1/2 acre of irrigation.

You also inquired about the permitting associated with deepening your existing water supply. The application form and fee (\$200) is the same whether you drill a new well or modify an existing supply source. It would be helpful to include information describing the existing conditions and the intended modifications to help clarify the application. Please contact our Ground Water Protection Section for additional information.

Please let me know if you have additional questions regarding this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permit Section

JP:klt

Included for reference

*-We are not applying to
deepen the well at this
time, but just filing the
permit for appropriation of
ground water.
Thanks.*

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SEP 09 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 09 2003

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

63-31568

AUTUMN LEAF OWNERS ASSN
12361 W BOWMONT ST
BOISE ID 83713

Point(s) of Diversion NESE S4 T03N R01E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.11 CFS

Total Diversion: 0.11 CFS

Date Filed: 10/02/2002

Place Of Use: DOMESTIC

T03N R01E S4 NWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 24 yards in Autumn Leaf Subdivision.
Water bearing zone to be appropriated is from 10 to 100 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.

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SEP 09 2003