

# HEARING EXHIBIT LIST - Applicant

IN THE MATTER OF APPLICATION FOR )  
 PERMIT TO APPROPRIATE WATER NO. )  
 63-32003, IN THE NAME OF MARLIN LAND )  
 OWNERS, LLC (formerly SHERFIRE )  
 PROPERTIES/JIM SHERVIK) )  
 \_\_\_\_\_ )

February 16, 2006

Conducted by Gary Spackman

| EXHIBIT<br>NUMBER | EXHIBIT DESCRIPTION                                              | STATUS OF EVIDENCE |          |
|-------------------|------------------------------------------------------------------|--------------------|----------|
|                   |                                                                  | INTRODUCED         | ADMITTED |
| 1                 | Application for permit 63-32003                                  |                    | ship     |
| 2                 | letter from DEQ                                                  |                    | ship     |
| 3                 | location map - Knignton Hills,<br>West River subdivisions        |                    | ship     |
| 4                 | location map - tower monitoring<br>wells                         |                    | ship     |
| 5                 | water levels in T2N R3W S6                                       |                    | ship     |
| 6                 | Drawdown calculations                                            |                    | ship     |
| 7                 | Drawdown calculations                                            |                    | ship     |
| 8                 | Drawdown calculations                                            |                    | ship     |
| 9                 | Drawdown calculations                                            |                    | ship     |
| 10                | letter from Development Services Dept<br>to Jim Shervik 7-1-2004 |                    | ship     |
| 11                | 7-1-2004 minutes - Canyon Co.<br>P#2                             |                    | ship     |
| 12                | letter from Nampa Hwy District 1<br>6-14-2004                    |                    | ship     |
| 13                | letter from D. Wynnkoop to J.R.<br>Leavitt 11-3-2005             |                    | ship     |
| 14                | letter from SW District Health<br>7-29-2005                      |                    | ship     |
| 15                | letter from Margins Rural Fire<br>District 12-16-2005            |                    | ship     |
|                   |                                                                  |                    |          |



RECEIVED

FORM 202  
12/99

OCT 15 2004

Ident. No. 63-32003

STATE OF IDAHO  
WATER RESOURCES DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant SHERFIRE PROPERTIES/JIM SHERVIK Phone 466-2500  
Mailing address 984 W. CORPORATE LANE, SUITE 201
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 2N Range 3W Sec. 6, in the SE ¼, SW ¼, SE ¼, Govt. Lot \_\_\_\_\_, B.M., CANYON County;  
additional points of diversion if any: NW, SE (WELL NO. 1 & WELL NO. 2 ARE INTERCONNECTED)
4. Water will be used for the following purposes:  
Amount .26 CFS for DOMESTIC 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) .26 CFS and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Describe type and size of devices used to divert water from the source \_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet  
c. Proposed well diameter is 8" inches; proposed depth of well is 500' JTK feet  
d. Is ground water with a temperature of greater than 85°F being sought? No  
e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_  
b. Stockwatering; list number and kind of livestock. \_\_\_\_\_  
c. Municipal; show name of municipality. \_\_\_\_\_  
d. Domestic; show number of households. 36  
e. Other; describe fully. \_\_\_\_\_

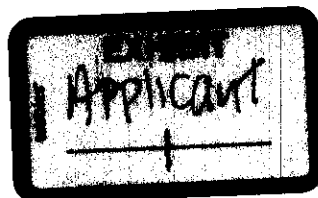


EXHIBIT 1

SCANNED  
FEB 17 2005

SCANNED  
MAY 17 2005

3. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 2N  | 3W  | 6   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 36     |
|     |     | 6   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | D  | D  | 78     |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. IRRIGATION WATER IS PROVIDED BY WILDER IRRIGATION DISTRICT.

11. a. Who owns the property at the point of diversion? SHERFIRE PROPERTIES / JIM SHERVIK

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

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

12. Remarks: WATER IS USED FOR INTERNAL DOMESTIC USE FOR THIRTY-SIX (36) HOMES ONLY. EXTERNAL DOMESTIC USE IS PROVIDED BY WILDER IRRIGATION DISTRICT WATER BEARING ZONE TO BE APPROPRIATED FROM 250 - 500 FEET.

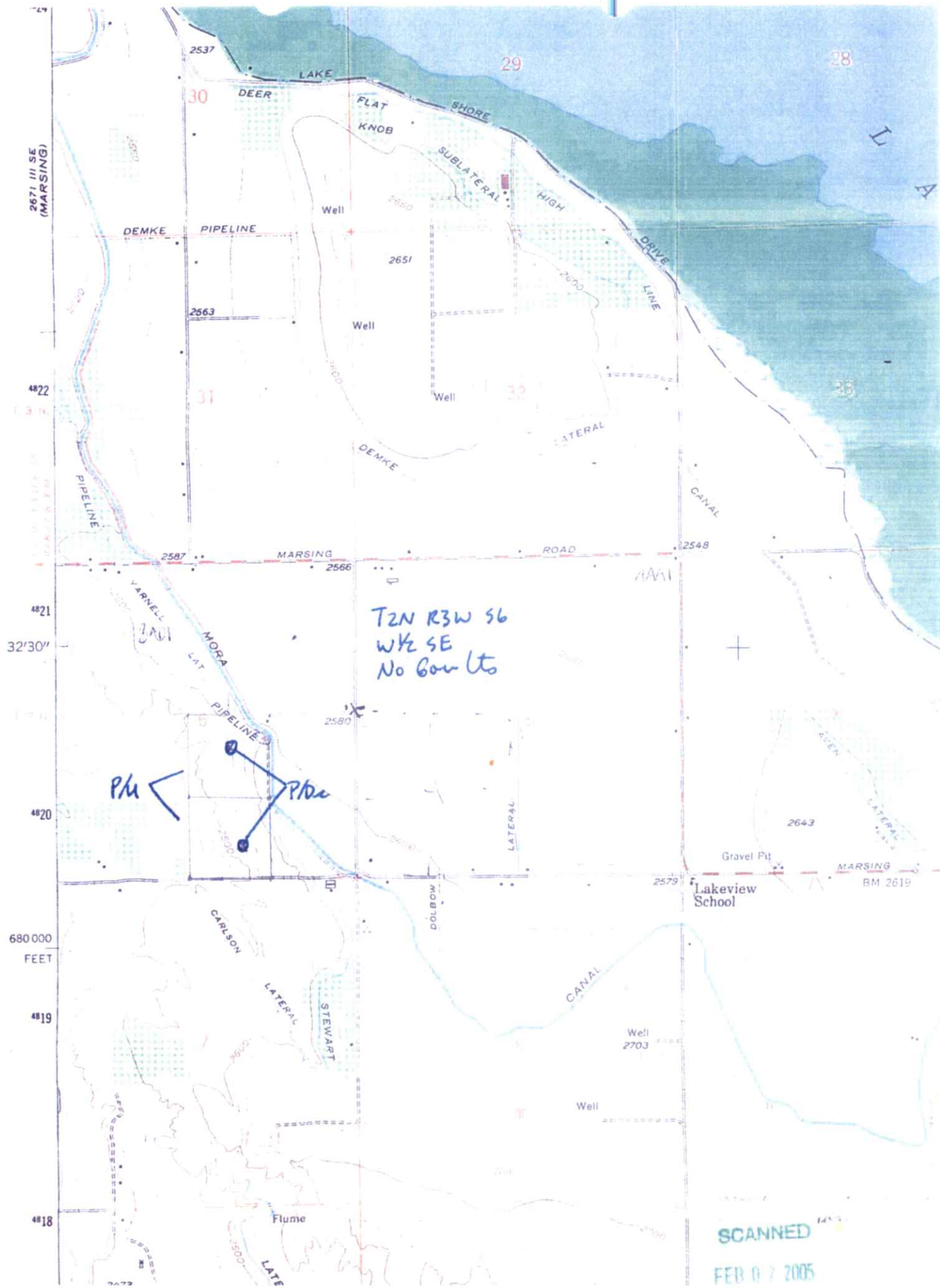
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable) Paul Larson

Received by DB Date 10-15-04 Time 12:30 PM Preliminary check by g  
 Fee \$ 250- Receipted by DB # 032311 Date 10-15-04  
 Publication prepared by ak Date 1-26-05 Published in PRESS TRIBUNE  
 Publication approved ak Date 2-17-05

SCANNED



SWSE S6 T2N R3W

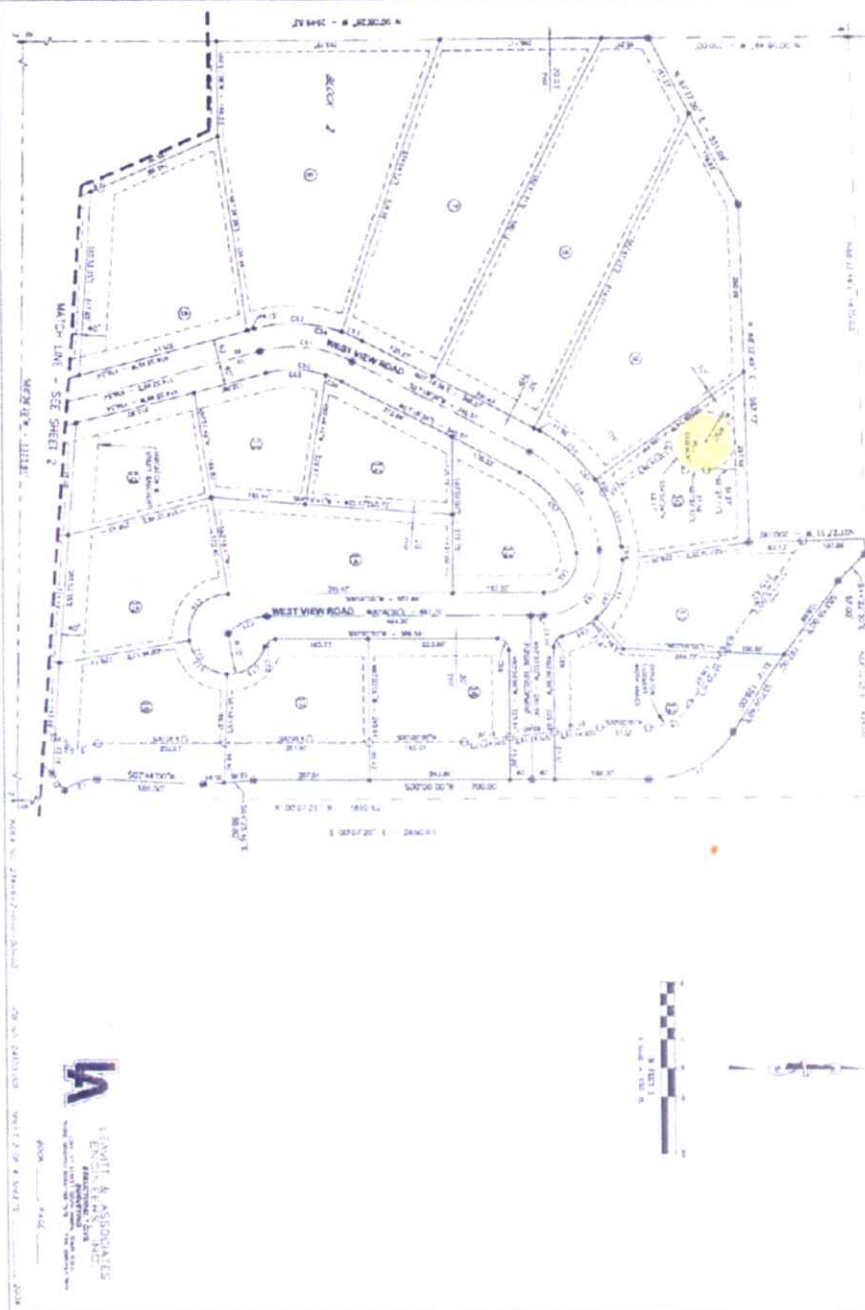


|                                                                                                                                                                                          |  |                                                                                                                                                                     |  |                                                                                                                                                                    |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>WEST RIVER SUBDIVISION</b><br>CANYON COUNTY, IDAHO<br>OWNER: SHERVOE PROPERTIES, JIM SHERVOE<br>884 W. CORPORATE LANE, SUITE 201<br>NAMPA, IDAHO 83651<br>PHONE 466-2500 FAX 466-8947 |  | <b>FINAL PLAT</b><br>JIM SHERVOE<br>OWNER: SHERVOE PROPERTIES, JIM SHERVOE<br>884 W. CORPORATE LANE, SUITE 201<br>NAMPA, IDAHO 83651<br>PHONE 466-2500 FAX 466-8947 |  | <b>LEAVITT &amp; ASSOCIATES ENGINEERS, INC.</b><br>STRUCTURAL * CIVIL SURVEYING<br>1000 N. 10TH ST. SUITE 100<br>NAMPA, IDAHO 83651<br>PHONE 466-2500 FAX 466-8947 |  |
| ISSUED FOR APPROVAL<br>DESCRIPTION:                                                                                                                                                      |  | FINAL PLAT.dwg<br>JRL<br>00/00/00                                                                                                                                   |  | SCANNED<br>FEB 11 / 2005                                                                                                                                           |  |

NW SE 36 T2N R3W

# WEST RIVER SUBDIVISION

PORTION OF THE WEST 1/2 OF THE SOUTHEAST 1/4  
OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE  
MERIDIAN, CANYON COUNTY, IDAHO  
- 2004 -



LEAVITT & ASSOCIATES  
ENGINEERS, INC.  
STRUCTURAL • CIVIL  
SURVEYING

|                                                                                                                                                                                                                                                                 |                                                                                               |                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| <p>WEST RIVER SUBDIVISION<br/>CANYON COUNTY, IDAHO</p> <p>OWNER: SHERIDAN PROPERTIES, JIM SHERIDAN<br/>984 W. CORPORATE LANE, SUITE 201<br/>NAMPA, IDAHO 83651<br/>PHONE: 466-2500, FAX: 466-8947</p> <p>ISSUED FOR APPROVAL</p> <p>DATE: 05/16/04 BY: D.A.</p> | <p>FINAL PLAT</p> <p>JIM SHERIDAN</p> <p>04/10/04 FINAL PLAT.DWG</p> <p>NGC D.A. 00:00:00</p> | <p>LEAVITT &amp; ASSOCIATES<br/>ENGINEERS, INC.<br/>STRUCTURAL • CIVIL<br/>SURVEYING</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|

SCANNED

FEB 11 2005



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

RECEIVED

MAR 08 2005

WATER RESOURCES  
WESTERN REGION

Dirk Kempthorne, Governor  
Toni Hardesty, Director

TSCPE-242005

March 7, 2005

Jim Shervik  
Sherfire Properties  
984 West Corporate Lane, Suite 201  
Nampa, Idaho 83651

RE: *West River Subdivision Water Distribution System*

Dear Mr. Shervik:

The plans and specifications for the subject project appear to meet state of Idaho standards, and are conditionally approved as noted below. We recommend that the District Health Department lift sanitary restrictions.

**I. Standard Conditions:**

- A. The standard conditions on the Department of Environmental Quality (DEQ) review stamp are part of this approval. Supporting reports or documents are considered to be part of the approved documents.
- B. No work may begin until a copy of this approval letter and the approved plans and specifications are delivered to and kept on the job site. Approval conditions must be met and you, as the project owner, must ensure that the contractor, inspecting, and certifying engineer are aware of these conditions.
- C. This approval will be voided if: 1) construction is not completed by March 7, 2006; 2) the project is improperly constructed, operated or maintained; or 3) the project fails to function as intended.
- D. Per the project documents, a professional engineer or construction inspector under the supervision of a professional engineer with Leavitt & Associates Engineers, Inc. shall provide construction inspection sufficient to ensure the project is built in substantial accordance with the approved plans. DEQ approval, prior to construction, is required for any substantial deviations from the approved plans and specifications. Verbal approvals, if any, shall be documented by the professional engineer in a cover letter submitted with the project record drawings.
- E. Within thirty (30) days after construction, the professional engineer shall provide DEQ with either: 1) record drawings with a cover letter as described in item I.D, or 2) a letter of certification stating that the project was installed in substantial accordance with the approved plans.

**II. Project Specific Conditions and Comments:**

- A. For this project, stormwater will discharge to infiltration trenches and a storm drainage pond (bioretention basin). Per requirements of the Idaho *Ground Water Quality Rule*, IDAPA 16.01.11.301: "... any activity with the potential to degrade the quality of an aquifer must be managed at least to maintain the existing groundwater quality through the use of Best Management Practices, or Best Practical Methods to the maximum extent practical." The stormwater disposal system proposed for this project could degrade

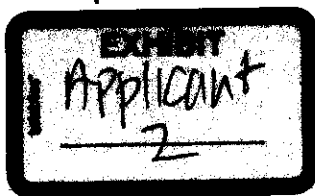


EXHIBIT 2

63-32003

groundwater quality and therefore shall conform, at a minimum, to the *Catalog of Storm Water Best Management Practices for Idaho Cities and Counties*, or equivalent.

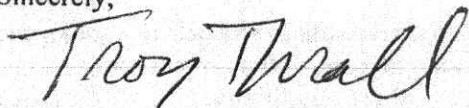
Construction and maintenance guidelines can be found at:

[http://www.deq.state.id.us/water/permits\\_forms/permitting/catalog\\_bmps.cfm](http://www.deq.state.id.us/water/permits_forms/permitting/catalog_bmps.cfm)

- B. It is apparent from Article III, Section V of the draft Declaration of Covenants, Conditions, and Restrictions, which was submitted separately, that the homeowner's association will be responsible for subsurface maintenance of the storm water treatment system. The Declaration of Covenants, Conditions, and Restrictions should consider the possibly large financial burden that could be unexpectedly placed on this type owner should groundwater pollution be attributed to these facilities. For your own protection, the Boise Regional office strongly recommends disclosure of these concerns to the home owners and potential buyers. Consequences for not properly maintaining the storm water facilities should also be addressed. We recommend that you review your final wording with your consultant and attorney.
- C. Your consultant, Mr. J. Reese Leavitt, indicated to me in a telephone conversation on March 3, 2005, that water meters will be installed as part of this project, and the meters will be certified to ANSI/NSF standard 61 per the requirements of IDAPA 550.01.08.550.02. The make and model number of the meters installed shall be shown in the as-built drawings.

Please contact me with any questions at 373-0175 or via e-mail at [tthrall@deq.idaho.gov](mailto:tthrall@deq.idaho.gov).

Sincerely,

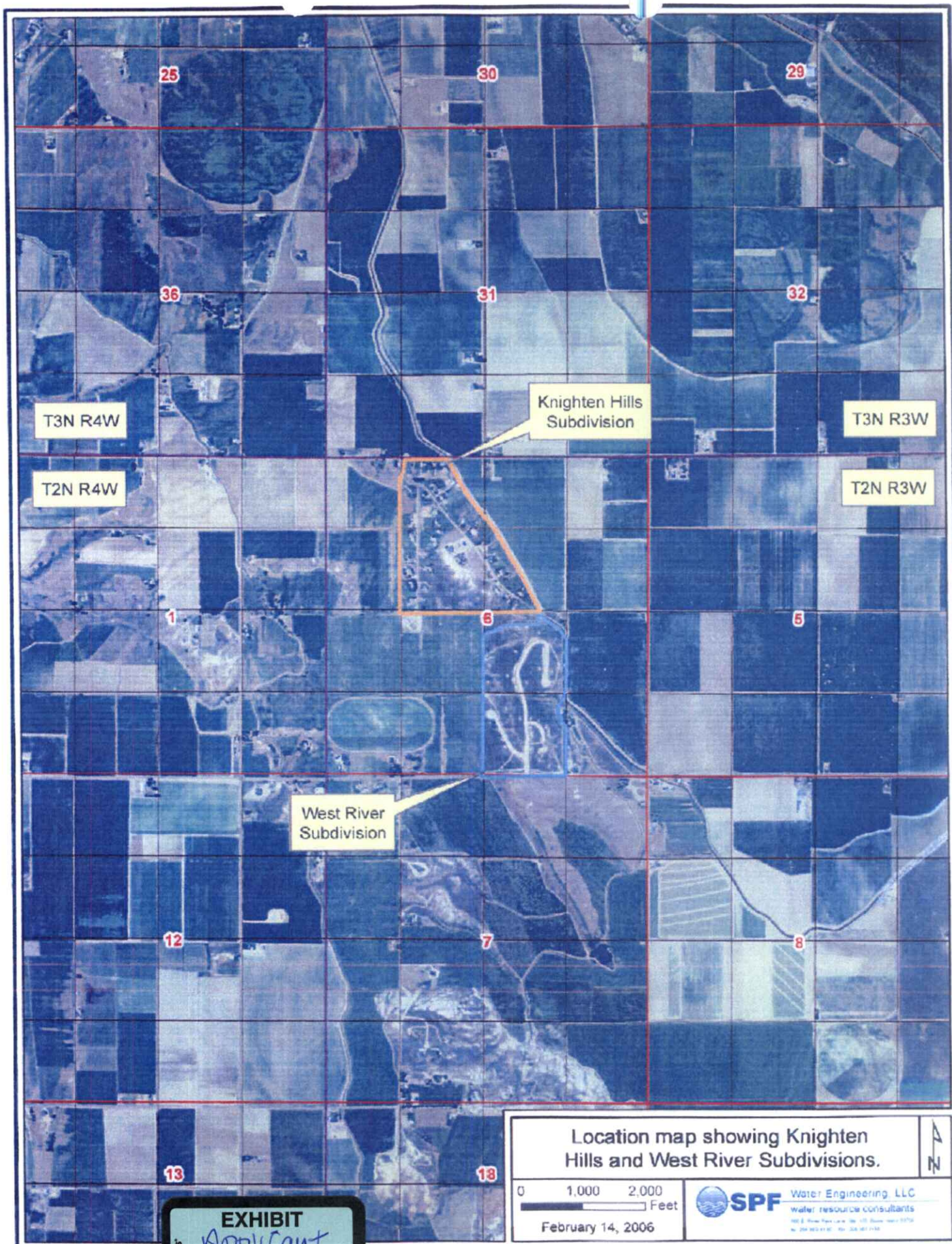


Troy Thrall, P.E.  
Staff Engineer

TT:sjt

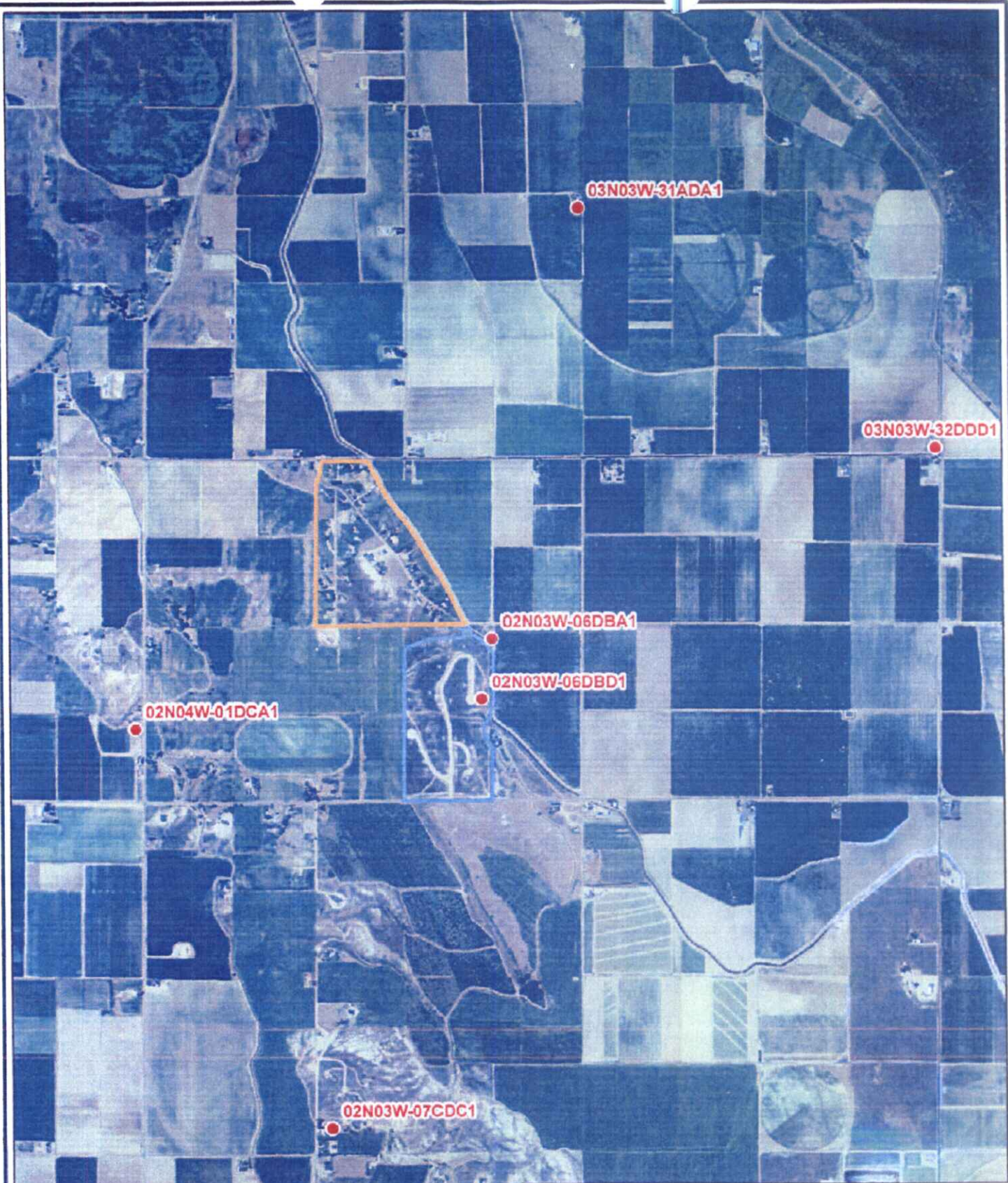
Enclosure: One Set of Approved Plans and Specifications

- C: J. Reese Leavitt, P.E., Leavitt & Associates Engineers, Inc. (w/ encl)  
Chas Ariss, P.E., DEQ-BRO (w/ encl)  
Mark Clough, P.E., DEQ-TS  
Steve Lester, IDWR-Western Regional Office  
TSCPE Reading File  
David Loper, Southwest District Health Department  
Bob Rawlings, Idaho Division of Building Safety, Plumbing Bureau, 1090 E. Water  
Tower Street, Meridian, Idaho 83642 (w/checklist, vicinity map)



tabbles  
**EXHIBIT**  
*Applicant*  
3

**EXHIBIT 3**



Approximate locations of IDWR  
ground water monitoring wells.

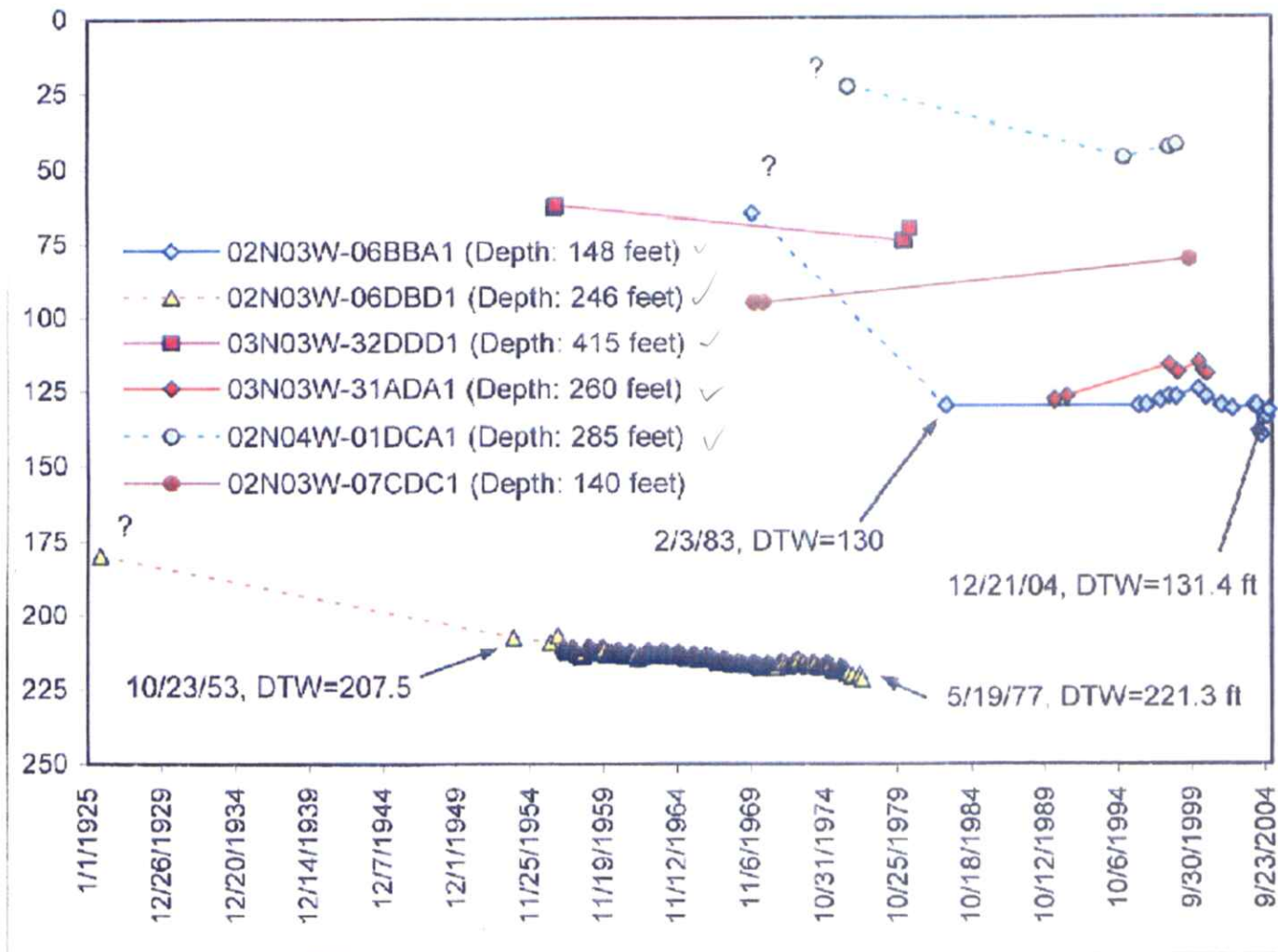
0 1,000 2,000  
Feet  
February 14, 2006



Water Engineering, LLC  
water resource consultants  
301 E. Main Street, Suite 100 • St. Joseph, MO 64501  
Tel: 270.363.4141 Fax: 270.363.4152



tabbies®  
**EXHIBIT**  
*Applicant*  
*4*



Water Levels in Township 2N, Range 3W, Section 6 (IDWR data).



## Drawdown calculations using the Theis equation

Q= 6 (gpm)  
 rad= 300 (feet)  
 T= 20,000 (gpd/ft)  
 S= 0.0005 (dimensionless)

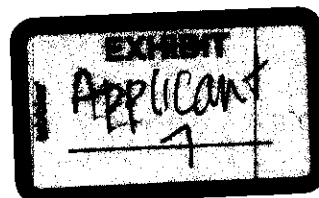
| time<br>(days) | time<br>(minutes) | Drawdown<br>(feet) |
|----------------|-------------------|--------------------|
| 0.01           | 14                | 0.02               |
| 0.1            | 144               | 0.09               |
| 0.2            | 288               | 0.11               |
| 0.4            | 576               | 0.14               |
| 0.8            | 1152              | 0.16               |
| 1.0            | 1440              | 0.17               |
| 2.0            | 2880              | 0.19               |
| 7.0            | 10080             | 0.24               |
| 14.0           | 20160             | 0.26               |
| 28.0           | 40320             | 0.28               |
| 60.0           | 86400             | 0.31               |
| 120.0          | 172800            | 0.33               |
| 180.0          | 259200            | 0.35               |
| 365.0          | 525600            | 0.37               |
| 3650.0         | 5256000           | 0.45               |



## Drawdown calculations using the Theis equation

Q= 6 (gpm)  
 rad= 2,000 (feet)  
 T= 20,000 (gpd/ft)  
 S= 0.0005 (dimensionless)

| time<br>(days) | time<br>(minutes) | Drawdown<br>(feet) |
|----------------|-------------------|--------------------|
| 0.01           | 14                | 0.00               |
| 0.1            | 144               | 0.00               |
| 0.2            | 288               | 0.01               |
| 0.4            | 576               | 0.02               |
| 0.8            | 1152              | 0.04               |
| 1.0            | 1440              | 0.04               |
| 2.0            | 2880              | 0.06               |
| 7.0            | 10080             | 0.11               |
| 14.0           | 20160             | 0.13               |
| 28.0           | 40320             | 0.15               |
| 60.0           | 86400             | 0.18               |
| 120.0          | 172800            | 0.20               |
| 180.0          | 259200            | 0.22               |
| 365.0          | 525600            | 0.24               |
| 3650.0         | 5256000           | 0.32               |



Drawdown calculations using the Theis equation

Q= 52 (gpm)  
 rad= 2,000 (feet)  
 T= 20,000 (gpd/ft)  
 S= 0.0005 (dimensionless)

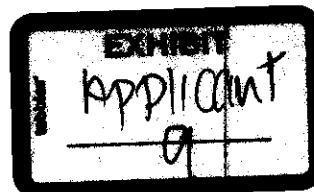
| time<br>(days) | time<br>(minutes) | Drawdown<br>(feet) |
|----------------|-------------------|--------------------|
| 0.01           | 14                | 0.00               |
| 0.1            | 144               | 0.01               |
| 0.2            | 288               | 0.07               |
| 0.4            | 576               | 0.18               |
| 0.8            | 1152              | 0.33               |
| 1.0            | 1440              | 0.38               |
| 2.0            | 2880              | 0.56               |
| 7.0            | 10080             | 0.92               |
| 14.0           | 20160             | 1.12               |
| 28.0           | 40320             | 1.32               |
| 60.0           | 86400             | 1.55               |
| 120.0          | 172800            | 1.75               |
| 180.0          | 259200            | 1.88               |
| 365.0          | 525600            | 2.09               |
| 3650.0         | 5256000           | 2.77               |



## Drawdown calculations using the Theis equation

Q= 52 (gpm)  
 rad= 300 (feet)  
 T= 20,000 (gpd/ft)  
 S= 0.0005 (dimensionless)

| time<br>(days) | time<br>(minutes) | Drawdown<br>(feet) |
|----------------|-------------------|--------------------|
| 0.01           | 14                | 0.20               |
| 0.1            | 144               | 0.78               |
| 0.2            | 288               | 0.98               |
| 0.4            | 576               | 1.19               |
| 0.8            | 1152              | 1.39               |
| 1.0            | 1440              | 1.46               |
| 2.0            | 2880              | 1.67               |
| 7.0            | 10080             | 2.04               |
| 14.0           | 20160             | 2.24               |
| 28.0           | 40320             | 2.45               |
| 60.0           | 86400             | 2.68               |
| 120.0          | 172800            | 2.88               |
| 180.0          | 259200            | 3.01               |
| 365.0          | 525600            | 3.22               |
| 3650.0         | 5256000           | 3.90               |





# Planning Services Department

1115 Albany Street · Caldwell, Idaho · 83605 · (208) 454-7458 · (208) 454-6633 Fax  
DSDInfo@Canyoncounty.org

July 1, 2004

West River Subdivision  
Sherfire Properties  
Jim Shervik  
984 W. Corporate Ln. Suite 201  
Nampa, ID 83651

Subject: FCO / Case # SD2002-95

Dear Mr. Shervik:

The following is the decision of the Planning & Zoning Commission on Case # SD2002-95, Preliminary Plat approval request heard before him on June 17, 2004.

The Commission approved case # SD2002-95.

Enclosed you will find the copy of the Findings of Facts along with the Order of Decision. This letter is your notice of the final order of decision of the Commission.

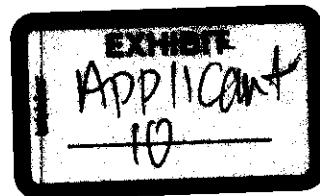
Should you have any questions, please feel free to contact Ashlea Thiel, Planner I, or me.

Sincerely,

A handwritten signature in cursive script that reads "Donna West".

Donna West  
Director/Staff

cc: Ashlea Thiel  
Susan Wildwood



Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of county ordinances.



BEFORE THE CANYON COUNTY  
PLANNING & ZONING COMMISSION

MINUTES FOR  
JULY 1, 2004

1<sup>ST</sup> FLOOR MEETING ROOM OF THE  
CANYON COUNTY COURTHOUSE  
7:00 P.M.

Subdivision  
Waivers  
Approve!

Grading  
(4)

COMMISSIONERS PRESENT:

JACK ATKESON, Chairman  
SHARI DODGE, Vice-Chairman  
DIANA WALLACE, Secretary  
HAROLD NEVILL  
HELEN WEITZ  
DEE BOWEN

STAFF MEMBERS & GUESTS PRESENT:

SCOTT SPEARS, Deputy Pros. Attorney  
BONNIE FORD-LE COMPTE, Planner III  
ASHLEA THIEL, Planner I  
KERI K. BLANKENSHIP, Recording Secretary

ITEM # 1: Chairman Atkeson called the meeting to order at 7:05 p.m. Commission members and staff were sworn in under oath.

OLD BUSINESS:

Item # 2 West River Subdivision

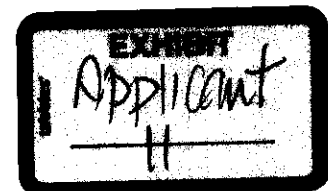
Case # SD2002-95

A request by Jim Shervik and Sherfire Properties for approval of a Grading Plan for West River Subdivision. Also, requested is approval of Waivers of subdivision improvements consisting of concrete curbs, gutters, sidewalks, and streetlights. This development is located on the north side of Locust Lane, approximately 1/4 mile west of the intersection of Cool Road and Locust Lane, Nampa, Idaho, in the SE 1/4 of Section 06, T2N, R3W, BM.

Ashlea Thiel reviewed the staff report and for the record.

WITNESSES SIGNED UP IN FAVOR: Jim Shervik.

WITNESSES TESTIFYING IN FAVOR: Jim Shervik.



NO NEUTRAL WITNESSES.

NO WITNESSES IN OPPOSITION.

**MOTION:** Commissioner Nevill moved, seconded by Commissioner Dodge, to close public testimony.

The motion carried unanimously.

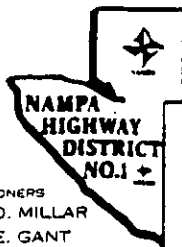
**A. GRADING PLAN**

**MOTION:** Commissioner Dodge moved, seconded by Commissioner Nevill, to recommend to the Board of County Commissioners that the Grading Plan be approved with the following conditions from Exhibit D.16 be included with the Final Grading Plan when it is presented with the Final Plat:

1. Please provide a geotechnical recommendation indicating the maximum allowed cut and fill slope for the proposed grading. Indicate if the constructed slope is dependant on the soil types encountered during construction. If the slope is dependant on soil types list the maximum allowed slope for each soil type anticipated.
2. Note 4 on the grading plan states that the cuts and fill shall be limited to a maximum of 4 feet within the building area. Please clarify the intent of this requirement, is it that 4 feet is from the existing grade or the elevation called out on the building area? It appears that some lots could have as much as 17 feet of elevation difference from the existing contour elevation to the building area elevation (lot 6 block 1).
3. Provide information on how drainage from upgrade lots will not impact downgrade lots. One example of this, as indicated in the contour information shows that lot 4 block 3 forms a gulley that drains through the building area of lot 2 block 3. Grading plan note 6 indicates storm drainage retention berms... to retain lot storm drainage on site. The grading plan legend and plan sheets indicate a berm for a drainage stop associated with the building area. Provide information as to how lot drainage, not associated with the building area, will be handled. (08-09-03(4)A2)
4. Provide finished grade or design elevations for the proposed pond facility located between lots 2, 4, 5, 6, of block 2.
5. Provide finished grade or design elevations for all drainage features. (08-09-03(4)A3) No exceptions noted.

The motion carried unanimously.

(5)



COMMISSIONERS  
BRYCE D. MILLAR  
RALPH E. GANT  
NORMAN C. RAMBO

# NAMPA HIGHWAY DISTRICT NO. 1

4507 12TH AVE. RD. HWY. 45

P.O. BOX 76

NAMPA, IDAHO 83653

(208) 467-6576

June 14, 2004

Joe Barton  
Riedesel & Associates, Inc.  
1311 E. Franklin Road, Suite 106  
Meridian, ID 83642

RE: West River Subdivision

To Whom It May Concern:

At the June 10<sup>th</sup> meeting, the Board of Commissioners of Nampa Highway District reviewed your letter dated May 27<sup>th</sup> in regards to West River Subdivision. The following items were approved as follows:

- ◆ Sheet 3/11-7/11: Variance approved on the following curves that do not meet NHD Standards minimum centerline radius for a crown section with a design speed of 25 mph;
  - ◆ C8 and C63 = 100 feet
  - ◆ C17, C24, C25, C35, C51, C58 and C76 = 231 feet
  - ◆ C42 and C71 = 96.52 feet
- ◆ General:
  - a.) Erosion control; The Board of Commissioners approved a two foot width of 2" minus drain rock in the barrow ditch.
  - b.) Section 304.05 minimum tangent length between curves of 50 feet. Roadway centerline curves, C28/C31 and C58/C63, variance granted.
  - c.) AASHTO Guide does not allow for local roads to intersect at angles less than 60°, variance granted.

In addition, the developer will be required to bring the extra dedicated right-of-way along Locust Lane up to subgrade level.

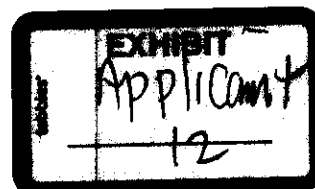
Please send a revised letter to Leavitt & Associates Engineers, Inc.

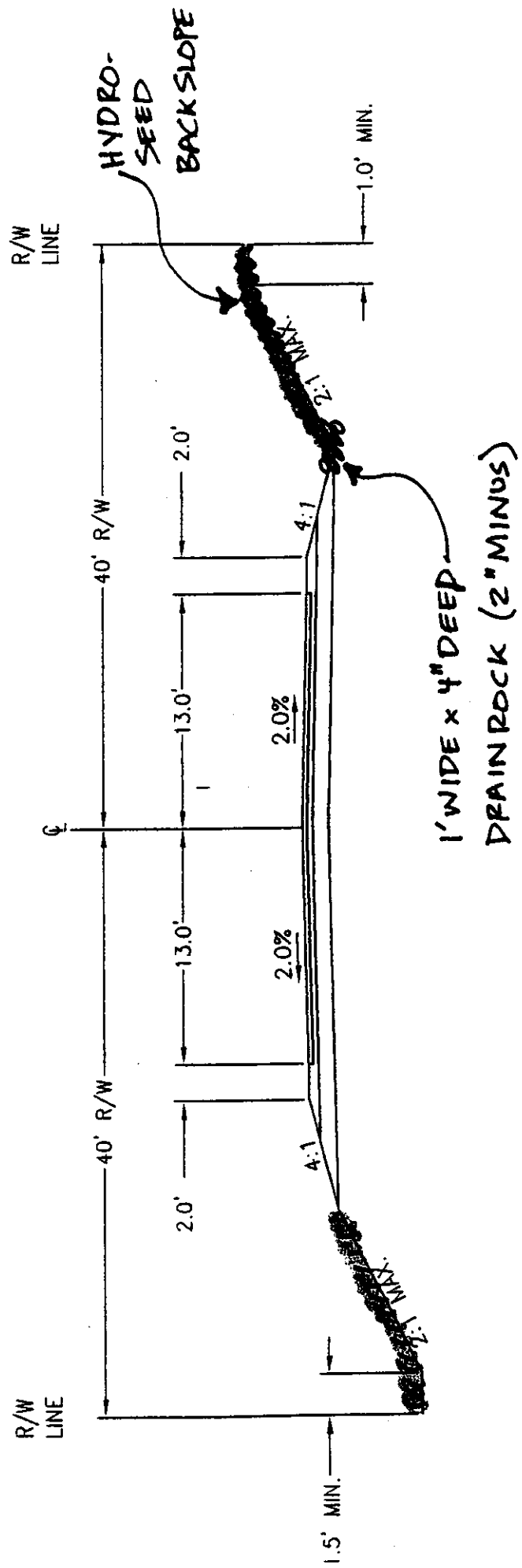
Sincerely,

F. James Buffington  
Director of Highways

FJB/cmm

variance.westriver.sub





5

**SHERER & WYNKOOP, LLP**

Stephen T. Sherer  
David E. Wynkoop  
Attorneys at Law

730 N. Main Street  
P.O. Box 31  
Meridian, Idaho 83680-2604

Phone 208-887-4800  
Fax 208-887-4865

November 3, 2005

J. Reese Leavitt, P.E./S.E.  
LEAVITT & ASSOCIATES ENGINEERS, INC.  
1324 1<sup>st</sup> St. South  
Nampa, Idaho 83651

*Re: West River Subdivision / License Agreement*

Dear Mr. Leavitt:

Please find enclosed a draft of the License Agreement for your review and consideration. As we previously discussed, it is preferred that privately owned and maintained water, sewer and irrigation facilities be located in the public right-of-way. The License Agreement terms and conditions are an attempt to ensure that such facilities will not have to be maintained, repaired or relocated at public expense.

By copy of this letter, I am also sending a copy of the draft License Agreement to Nampa Highway District staff for review and comment. After you and your client and the Nampa Highway District staff have had an opportunity to comment and communicate any proposed changes, I will prepare a final draft for signature by Mr. Shervik and by Nampa Highway District. Also conveyed to Nampa Highway District with their copy, are copies of the plat and other drawings from Mr. Leavitt. Please review the same for compliance with Nampa Highway District policies.

Please check with Mr. Shervik as to whether Sher Fire is a d/b/a or a corporation or some other legal entity.

Sincerely,

SHERER & WYNKOOP, LLP

David E. Wynkoop

DEW/jlm  
Enclosure

Cc: Nampa Highway District



FILE: SHERFIRE 04-5.001

AUG 03 2005 (6)



# Southwest District Health — TERRACON-BOISE

920 Main St. • Caldwell, Idaho 83605 • (208) 455-5300 • Fax (208) 454-7722

1008 E. Locust  
Emmett, ID 83617  
208/365-6371

824 S. Diamond  
Nampa, ID 83686  
208/442-2806

1155 3rd. Ave. N.  
Payette, ID 83661  
208/642-9321

46 W. Court St.  
Weiser, ID 83672  
208/549-2370

Administration  
455-5317

Environmental  
Health  
455-5400

Family Health  
455-5395

General Support  
455-5307

Nutrition and  
Health Promotion  
455-5343

July 29, 2005

James D. Shervik  
Shervik Properties  
984 West Corporate Lane, Suite 201  
Nampa, ID 83651

RE: West River Subdivision Nutrient Pathogen Study Approval

Dear Mr. Shervik:

Southwest District Health (SWDH) received your amended Level II Nutrient-Pathogen (N-P) study dated June 29, 2005, for West River Subdivision, Canyon County, Idaho. The N-P evaluation provides information that thirty-six (36) residential lots, with twenty-two (22) drain fields, would cause minimal impact to groundwater and surrounding beneficial uses. The study maintains the parameters required to meet the Level II N-P study requirements. SWDH concurs with the findings, and can conditionally approve thirty-six (36) lots upon successful completion of the Subdivision Engineering Report (SER) process. Please find the following conditions:

1. The lots will use individual septic systems that can achieve a 65% reduction in nitrogen (15.75 mg/l) per the approved N-P study.
2. The domestic water supply for West River Subdivision will be a Public Water Supply (PWS).
3. Due to the complexity of the site, additional site evaluation may be required. SWDH recommends a design conference be held prior to the SER submittal to discuss easements, shared drainfields, and pumping requirements.

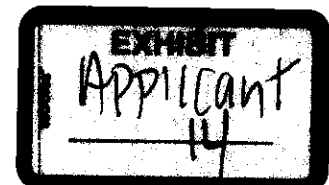
West River Subdivision can now move forward to the next stage of receiving approval by meeting the requirements of the SER. The SER and subsurface sewage disposal design must incorporate the findings of the approved N-P study. Once an approved SER is submitted to our office, SWDH can lift sanitary restrictions and issue subsurface sewage permits.

If you have questions, please call me at 455-5401, or via e-mail:  
[dloper@phd3.state.id.us](mailto:dloper@phd3.state.id.us).

Sincerely,

David M. Loper, REHS/RS  
Director, Environmental Health Services

cc: Tom Neace, P.G., IDEQ  
William H. Holder, P.E., Terracon, Inc.  
Brian Crawford, REHS/RS, Land Development Supervisor, SWDH  
Robert Parsons, REHS/RS, Land Development Senior, SWDH  
File copy



(7)

MARSING RURAL FIRE DISTRICT  
P. O. BOX 299  
MARSING, IDAHO 83639

Fire Commissioners  
Jerry Floyd  
Robert Malmberg  
Jim Bowers

December 16, 2005

Leavitt & Associates  
Engineers, Inc.  
1324 1<sup>st</sup> Street South  
Nampa, Idaho 83651

Dear Mr. Leavitt:

The Commissioners of the Marsing Rural Fire District received at their December meeting your proposal for the Water Storage Tanks (10,000 gal underground and 20,000 gal fire connection) for West River Subdivision. The Commissioners accepted this proposal but require that the 20,000 gallon storage tank be fitted with 6 inch firehose connections for necessary fire protection of this subdivision.

If there are any further developments or changes, please let the commissioners know.

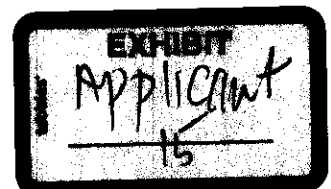
Sincerely,

Commissioners

Jerry Floyd

Robert Malmberg

Jim Bowers





STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
Hardesty, Director

ICPE-258/2004

September 30, 2004

Jim Shervik  
Sherfire Properties  
984 W. Corporate Lane, Suite 201  
Nampa, Idaho 83651

|                   |               |         |             |            |   |
|-------------------|---------------|---------|-------------|------------|---|
| Post-it® Fax Note | 7671          | Date    | 9/30/04     | # of pages | 2 |
| To                | Reese Leavitt | From    | Troy Thrall |            |   |
| Co./Dept.         |               | Co.     | DEQ         |            |   |
| Phone #           |               | Phone # |             |            |   |
| Fax #             | 208-463-9040  | Fax #   |             |            |   |

RE: West River Subdivision Well Site #1 and #2 Evaluation

Dear Mr. Shervik:

The well site evaluation for the subject project, submitted on July 29, 2004, appears to meet State of Idaho standards, and is conditionally approved as noted below:

**PROJECT SPECIFIC CONDITIONS and COMMENTS:**

1. This is an approval for the well sites only. Separate reviews are necessary for well construction, well house(s), piping, etc.
2. On September 17, 2004, I conducted field surveys of the proposed well sites to determine if the wells are likely to be classified as ground water under the direct influence (GWUDI) of surface water. I was accompanied by Reese Leavitt of Leavitt & Associates Engineers, Inc.
3. The well site evaluation submitted by your consultant indicates that the proposed well site for well #1 has adequate separation from potential contaminant sources, that there are no surface water sources within 500 feet, and that the aquifer that is being target is not likely to be classified as ground water under the direct influence (GWUDI) of surface water. Based on the information in the well site evaluation and the GWUDI field survey, further GWUDI evaluation will not be necessary.
4. The well site evaluation submitted by your consultant indicates that the proposed well site for well #2 has adequate separation from all potential contaminant sources, but that there is an unlined irrigation canal that is between 300 and 500 feet of the proposed well. Based on well logs from an adjacent subdivision, and the well log for a test well drilled on a lot in the subdivision, it appears that the water bearing formations are protected by multiple clay layers, with at least one being greater than 30 feet thick. Based on the information in the well site evaluation, the GWUDI field survey, and the well log data from the test well, further GWUDI evaluation will not be necessary, unless the well log for well #2 indicates that the well might be susceptible to influence from surface water.

Please call me with any questions at 373-0175 or contact me via e-mail at [tthrall@deq.state.id.us](mailto:tthrall@deq.state.id.us).

Sincerely,

*Troy Thrall*  
Troy Thrall, P.E.  
Drinking Water Engineer  
DEQ Technical Services



Jim Shervik  
September 30, 2004  
Page 2

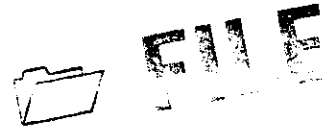
TAT:sjt

c: J. Reese Leavitt, P.E., Leavitt & Associates Engineers, Inc.  
Chas Ariss, DEQ-BRO  
Mark Clough, DEQ-TS  
Steve Lester, IDWR-Western Regional Office  
TSCPE Reading File  
Southwest District Health Department  
Source File # \_\_, Source File # \_\_ - Engineering, Reading File

04 105.201



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY



★  
(9)

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
Toni Hardesty, Director

TSCPE-242005

March 7, 2005

Jim Shervik  
Sherfire Properties  
984 West Corporate Lane, Suite 201  
Nampa, Idaho 83651

RE: *West River Subdivision Water Distribution System*

Dear Mr. Shervik:

The plans and specifications for the subject project appear to meet state of Idaho standards, and are conditionally approved as noted below. We recommend that the District Health Department lift sanitary restrictions.

**I. Standard Conditions:**

- A. The standard conditions on the Department of Environmental Quality (DEQ) review stamp are part of this approval. Supporting reports or documents are considered to be part of the approved documents.
- B. No work may begin until a copy of this approval letter and the approved plans and specifications are delivered to and kept on the job site. Approval conditions must be met and you, as the project owner, must ensure that the contractor, inspecting, and certifying engineer are aware of these conditions.
- C. This approval will be voided if: 1) construction is not completed by March 7, 2006; 2) the project is improperly constructed, operated or maintained; or 3) the project fails to function as intended.
- D. Per the project documents, a professional engineer or construction inspector under the supervision of a professional engineer with Leavitt & Associates Engineers, Inc. shall provide construction inspection sufficient to ensure the project is built in substantial accordance with the approved plans. DEQ approval, prior to construction, is required for any substantial deviations from the approved plans and specifications. Verbal approvals, if any, shall be documented by the professional engineer in a cover letter submitted with the project record drawings.
- E. Within thirty (30) days after construction, the professional engineer shall provide DEQ with either: 1) record drawings with a cover letter as described in item I.D, or 2) a letter of certification stating that the project was installed in substantial accordance with the approved plans.

**II. Project Specific Conditions and Comments:**

- A. For this project, stormwater will discharge to infiltration trenches and a storm drainage pond (bioretention basin). Per requirements of the Idaho *Ground Water Quality Rule*, IDAPA 16.01.11.301: "... any activity with the potential to degrade the quality of an aquifer must be managed at least to maintain the existing groundwater quality through the use of Best Management Practices, or Best Practical Methods to the maximum extent practical." The stormwater disposal system proposed for this project could degrade



LEAVITT & ASSOCIATES  
ENGINEERS, INC.

CIVIL - STRUCTURAL - SURVEYING - LAND DEVELOPMENT



(11)

December 12, 2005

Jerry Cereda  
11481 Eva Lane  
Caldwell, Idaho 83607



Reference: Letter of Understanding and Intent – Agreement, Rev. No. 1  
**Wastewater Overflow & Distribution (Disposal) System**  
West River Subdivision

Enclosed are sketches of the **Wastewater Overflow & Distribution (Disposal) System Conceptual Plan, Sheets 1 and 2** for your review. Also enclosed is a copy of the proposed **Gravity Pressure Irrigation System** calculations for West River Subdivision and additional **Irrigation Storage Pond Calculations**.

Available wastewater will vary from **0 to 27 inches** (0 to 240 gpm) according to the proposed calculations. West River will provide the available irrigation wastewater to Jerry Cereda. If one user does not use the system then 40 gallons per minute will be available. Ten percent (10%) of total flow or 24 gpm will be assumed available to fill the pond on a continuous basis. A pond 50 feet wide at the top by 40 feet wide at the bottom by 200 feet long by 6 feet deep will store 400,000 gallons. The pond will fill in 1.16 days (27.8 hours) if the entire 240 gpm is wasted. The pond will fill in 11.57 days if 24 gpm (10%) is wasted. The pond will fill in 1 week if 40 gpm is wasted.

The Wilder Irrigation District, Boise Project Board of Control – Lake Lowell Division will provide the supply inlet screen and pressure distribution box. West River Subdivision and Jerry Cereda respectively will provide the bubble screens to their respective irrigation system lines. West River will supply the overflow and overflow piping down to the property line between West River Subdivision and Jerry Cereda. West River Subdivision will construct a 10,000 square feet approximately 50 feet wide by 200 feet long by 6 feet deep irrigation pond on Jerry Cereda's property. Jerry Cereda will provide the wastewater disposal system on his property including the pump, electrical, and distribution system.



Subdivisions



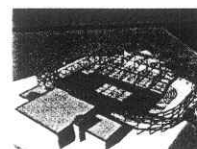
Auto

If this proposed system is acceptable, please sign and notarize the acceptance below and return one copy to our office. Two copies have been provided for your convenience.

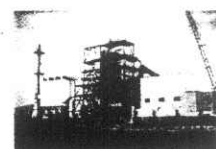


Hotels

Copies of this letter of understanding and intent have also been sent to Jim Shervik of West River Subdivision



Convention Centers



Industrial



ENGINEERING THE WORLD - LICENSED IN ALL 50 STATES

1324 1<sup>st</sup> Street South - Nampa, ID 83651 - (208) 463-0333 - Fax (208) 463-9040

Jerry Cereda

Re: Letter of Understanding and Intent - Agreement

**Wastewater Overflow & Distribution (Disposal) System**

West River Subdivision

December 12, 2005

Page 2 of 6

and Duane Casey of the Boise Project Board of Control for their review and acceptance. I need original signatures for recording purposes. Please call if you have any questions. Thank you.

Sincerely yours,



J. Reese Leavitt, P.E./S.E.

Enclosures: 1) *Wastewater Overflow & Distribution (Disposal) System*  
Conceptual Plan, Sheets 1 and 2  
2) *Gravity Pressure Irrigation System* calculations  
3) Irrigation Storage Pond Calculations

Copies: Jim Shervik w/ (1) enclosure  
Duane Casey Boise Project Board of Control -Lake Lowell  
Division w/ (1) enclosure

File: 04105.001

**ACCEPTANCE:**

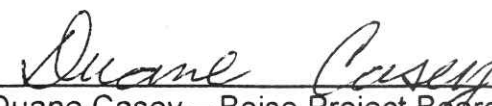
I have received, read, understand, and agree to the above "Letter of Understanding and Intent - Agreement, Rev. No. 1" and mutually authorize Jerry Cereda, West River Subdivision, Boise Project Board of Control, and *Leavitt & Associates Engineers, Inc.* to proceed with the work specified in this agreement.

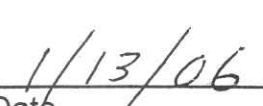
\_\_\_\_\_  
Jerry Cereda

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jim Shervik - West River Subdivision

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Duane Casey - Boise Project Board of Control

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
J. Reese Leavitt - Leavitt & Associates Engineers

\_\_\_\_\_  
Date