

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32219

Priority: August 04, 2005

Maximum Diversion Rate: 0.76 CFS

This is to certify, that SAGUARO CANYON SUBDIVISION HOMEOWNERS ASSN INC
4487 N DRESDEN PL STE 102
BOISE ID 83714

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	0.76 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30, Twp 04N, Rge 01E, B.M., ADA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 30									X			X		X	X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2011**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is from 120 to 200 feet.
6. Domestic use is for lawn irrigation for 187 homes.
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.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
9. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water for irrigation under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32219

11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 19th day of January, 2006.

Bary Spackman
for KARL J DREHER, Director

11/99

RECEIVED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 26 2005

WATER RESOURCES
WESTERN REGION

JAN 13 2006

DEPARTMENT OF
WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

Farwest, LLC (Marty Goldsmith, Member), hereby assigns to _____

Saguaro Canyon Subdivision Homeowners' Association, Inc. (Marty Goldsmith, President)

of, 4487 North Dresden Place, Suite 102, Boise, ID 83714, 208-388-0189
(Full Address) (Phone)

All my right, title, and interest in and to Application for Permit No. Submitted on Aug. 1, 2005.
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

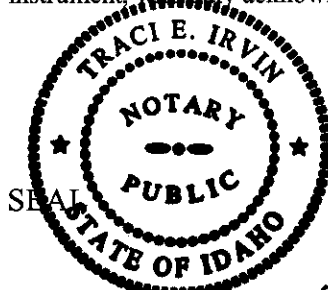
The following described portion of my right, title, and interest in and to Application for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 21st day of September, 20 05.

Marty Goldsmith
Applicant(s)

State of Idaho)
County of Ada)ss

On this 21st day of September, 20 05, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Traci E. Irvin
Notary Public residing at

Eagle, Idaho

My commission expires: 5/12/06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
AUG 04 2005
WATER RESOURCES
WESTERN REGION

1. Name of Applicant Farwest, LLC Phone (208) 388-0189
Mailing address 4487 North Dresden Place, Suite 102, Boise, ID 83714

2. Source of water supply Ground Water which is a tributary of
3. Location of point of diversion is Township 4N Range 1E Sec. 30, in the SW $\frac{1}{4}$, NE $\frac{1}{4}$,
Govt. Lot _____, B.M., Ada County; additional points of diversion if any:

4. Water will be used for the following purposes:
Amount 0.76 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) 0.76 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 15-hp pump in existing well - proposed
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
c. Proposed well diameter is 10 inches; proposed depth of well is 196 feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? Jan 2005; Drilling firm Riverside Inc.
Well was drilled for (well owner) Farwest, LLC; Drilling Permit No. 886651-827864

7. Time required for completion of works and application of water to proposed beneficial use is 5 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. 187
e. Other; describe fully.

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	30									D			D		D	D		

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. Shares in Settlers Irrigation District provide the primary supply of water for landscape irrigation. Water right 63-8718 is diverted from the same well, but is not used on lands described by this application.

- 11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: Water will be used for supplemental irrigation of 187 residential lots within the Saguaro Canyon Subdivision, including lots in Phases 1 through 3 and a portion of Phase 4. All lots are less than 1/2 acre in size. Maximum irrigated area is 38 acres. The expected water bearing zone is from 120 to 200 feet per well driller's report for drilling permit number 886651-827864.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Marty Holmstedt member
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 08/04/05 Time 11:00 Preliminary check by [Signature]
Fee \$ 250.00 Receipted by [Signature] # W033249 Date 08/04/05
Publication prepared by dk Date 12-15-22-05 Published in
Publication approved sk Date 1-4-06 THE IDAHO STATESMAN

Blue Valley
School (Aban'd)

T4N R1E Section 30

Point of Diversion

Phase 9

Phase 8

Phase 10

Phase 7

Phase 6

Phase 5

Phase 4

Phase 3

Phase 2

Phase 1

ROAD

2588

2600

63-32219

Legend

- Phase boundaries
- Irrigated Residential Lots

Saguaro Canyon Subdivision Residential Lots
included in Farwest LLC Application for Permit

0 250 500
Feet

7/6/2005

snk



Water Engineering, LLC
water resource consultants

600 E. River Park Lane, Ste. 105, Boise, Idaho 83706
tel: 208.363.4140 fax: 208.363.4156





Idaho Secretary of State Viewing Business Entity

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[[Get a certificate of existence for FARWEST L.L.C.](#)]

FARWEST L.L.C.

4487 N DRESDEN PL # 102
BOISE, ID 83714

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 01 Feb 2005

State of Origin: IDAHO

Date of 05 Apr 1995

Origination/Authorization:

Current Registered Agent: MARTY GOLDSMITH
4487 N DRESDEN PL # 102
BOISE, ID 83714

File Number: W1038

Date of Last Annual Report: 18 Feb 2005

Amendments:

Amendment filed 05 Apr 1995 ARTICLES OF
ORGANIZATION

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[format\)](#)

Amendment filed 06 Jan 1997 REINSTATEMENT

Amendment filed 16 Jun 1997 OTHER - ADD/DELETE
MEMBERS

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



Order No.: A0429756

WARRANTY DEED

FOR VALUE RECEIVED,

ROBERT C. RHEAD and MARLENE D. RHEAD, HUSBAND AND WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto

MARTY GOLDSMITH, AN UNMARRIED MAN

whose current address is 4487 N. DRESDEN PALCE BOISE, ID 83714

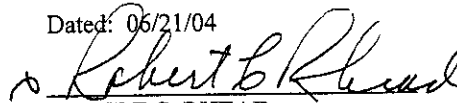
the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

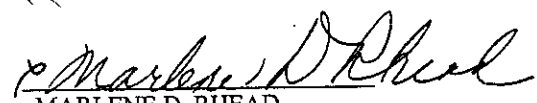
SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

RESERVING HOWEVER, a non-permanent easement for ingress and egress of vehicular traffic to the parcel that is specifically identified on Exhibit A as being excepted from the parcel conveyed (the "Excluded Parcel") on the existing driveway from E. McMillan Rd. to the Excluded Parcel that traverses a portion of the real property granted herein, or by such other reasonable and temporary course that will provide the Excluded Parcel with full ingress and egress access to E. McMillan Rd. Upon the construction of a public street providing full public access to the Excluded Parcel, the easement granted herein shall terminate and be of no further force and effect.

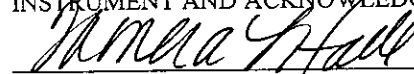
Dated: 06/21/04


ROBERT C. RHEAD


MARLENE D. RHEAD

STATE OF IDAHO
COUNTY OF ADA

ON THIS 18TH OF MAY, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, ROBERT C. RHEAD, MARLENE D. RHEAD, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.


TAMERA L. HOVDE
NOTARY PUBLIC
RESIDING AT: BOISE
MY COMMISSION EXPIRES:
12/02/09
(SEAL)

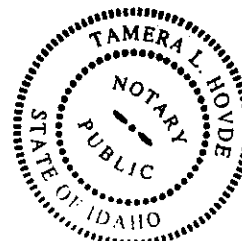


EXHIBIT "A"

The East Half of the East Half of the Southwest Quarter and the West Half of the West Half of the Southeast Quarter of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM

A parcel of land located in the South Half of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, being the proposed Lot 4, Block 3, SAGUARO CANYON SUBDIVISION NO. 1, being more particularly described as follows:

Commencing at the Southwest corner of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence
South 89°45'44" East along the South line of said Section 30, 2158.97 feet to a point; thence
North 0°14'16" East 297.44 feet to the Southwest corner of proposed Lot 4, Block 3, Saguaro Canyon Subdivision No. 1, the REAL POINT OF BEGINNING of this description; thence continuing around said proposed Lot 4 the following courses and distances; thence
North 0°29'56" East 154.11 feet to a point; thence
South 89°46'01" East 79.00 feet to a point; thence
South 80°28'04" East 43.31 feet to a point; thence
South 89°46'01" East 43.64 feet to a point; thence
South 32°09'17" East 60.85 feet to a point; thence
South 9°39'35" East 27.53 feet to a point; thence
South 69°06'25" East 80.11 feet to a point of curvature; thence along a curve to the right 21.06 feet, said curve having a radius of 312.50 feet, a central angle of 3°51'40", tangents of 10.53 feet, and a chord of 21.06 feet which bears South 39°06'36" West to a point; thence
North 69°06'25" West 62.12 feet to a point; thence
South 5°00'57" West 18.44 feet to a point; thence
South 47°44'47" West 59.70 feet to a point; thence
South 67°35'58" West 48.34 feet to a point; thence
South 23°37'18" West 17.46 feet to a point; thence
North 66°22'42" West 113.04 feet to a point of curvature; thence along a curve to the left 6.70 feet, said curve having a radius of 325.00 feet, a central angle of 1°10'55", tangents of 3.35 feet, and a chord of 6.70 feet which bears North 66°58'10" West to the REAL POINT OF BEGINNING.

Exhibit "A"

Legal Description

REQUEST TO PROCESS

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

RECEIVED

DEC 07 2005

WATER RESOURCES
WESTERN REGION

Name of Applicant Saguaro Canyon Subdivision Homeowners'
Association, Inc. (Marty Goldsmith, President)

Mailing Address 4487 North Dresden Place, Suite 102
Boise, ID 83714

Application No. (if known) _____

_____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

_____ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X 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

Marty Goldsmith

Date

11/29/05

Please return this form to:

Idaho Department of Water Resources Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 19, 2006

SAGUARO CANYON SUBDIVISION HOMEOWNERS ASSN INC
4487 N DRESDEN PL STE 102
BOISE ID 83714

RE: Permit No. 63-32219

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.

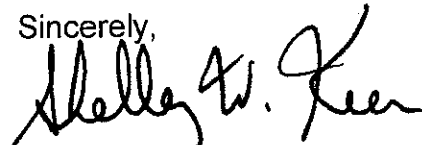
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

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 208-287-4947.

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

SWK:klf

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

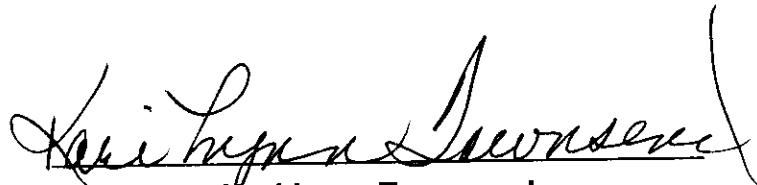
I hereby certify that on January 19, 2006 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-32219

**SAGUARO CANYON SUBDIVISION HOMEOWNERS ASSN INC
4487 N DRESDEN PL STE 102
BOISE ID 83714**

**SPF WATER ENGINEERING LLC
C/O SCOTT KING
600 E RIVER PARK LN STE 105
BOISE ID 83706**

A handwritten signature in black ink, reading "Kari Lynn Townsend". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the right.

**Kari Lynn Townsend
Secretary**

**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:

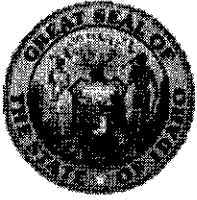
- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

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.



IDAHO SECRETARY OF STATE Search Results

Ben Ysursa, Secretary of State

Search Result Summary

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Search Results 1 through 1

(SAGUARO CANYON SUBDIVISION HOMEOWNERS' ASSOCIATION, INC. ... SAGUARO CANYON SUBDIVISION HOMEOWNERS' ASSOCIATION, INC.)

SAGUARO CANYON SUBDIVISION HOMEOWNERS' ASSOCIATION, INC. [View Details]

Organizational ID / Filing number: C157415
4487 N DRESDEN PL STE 102
BOISE, ID 83714

Filed 19 Nov 2004
CORPORATION
GOODSTANDING

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

pre-pub = Ø

OK w/ Settler's

post-pub = Ø

The Idaho Statesman

RECEIVED

DEC 27 2005

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

WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DT#	Identification	Amount:
047628	1401386	APPLICATION	\$113.50
Attention:	P.O. #	Run Dates	
SUE KREGER		DECEMBER 15, 22, 2005	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2X31
			Legal # 24216

LEGAL NOTICE

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

63-32219

SAGUARO CANYON SUBDIVISION HOMEOWNERS ASSN INC

4487 N DRESDEN PL STE 102

BOISE ID 83714

Point(s) of Diversion

SWNE S30 T04N R01E

ADA County Source

GROUND WATER

0.76 CFS

0.76 CFS

Use:

DOMESTIC 01/01 To 12/31

Total Diversion:

08/04/2005

Date Filed:

DOMESTIC

Place Of Use:

T04N R01E S30 NESW SESW NWSE SWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is for 187 yards in Saguro Canyon Subdivision.

Water bearing zone to be appropriated is from 120 to 200 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 01/03/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Dec. 15,22, 2005

24216

TINA BARTLETT 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)

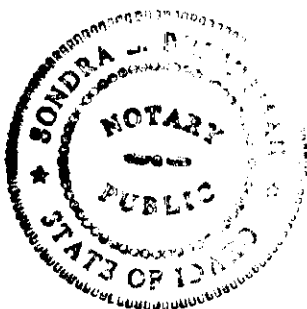
beginning issue of: DECEMBER 15, 2005
ending issue of: DECEMBER 22, 2005

Tina Bartlett

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 22 day of DECEMBER in the year of 2005 before me, a Notary Public, personally appeared before me TINA BARTLETT known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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



Graves, Lori

From: Lester, Steve
Sent: Thursday, December 15, 2005 8:09 AM
To: 'Terry Scanlan'
Cc: Graves, Lori
Subject: RE: Saguaro Canyon Water Right Application

Terry:

The change will not affect the legal notice so processing can continue uninterrupted assuming the same water bearing zone will be developed (120-200 ft.).

However, the application should be amended since it makes several references to the existing well (application items 6, 10 & 12). The application should be amended to state that a new well is proposed. Additional fee and re-advertising do not apply to this minor clarification, again assuming the same water bearing zone.

Please contact original staff reviewer Lori Graves to work on that.

Thanks.

Steve

-----Original Message-----

From: Terry Scanlan [mailto:TScanlan@spfwater.com]
Sent: Wednesday, December 14, 2005 5:30 PM
To: Lester, Steve
Cc: Scott King; Traci Cook
Subject: Saguaro Canyon Water Right Application

Steve -

The application for permit by Saguaro Canyon HOA (63-32219) proposed diversion from the same well as used by water right 63-8718. The well will be operated by Settlers Irrigation as part of the pressurized irrigation system for the Saguaro Canyon subdivision. Settlers has indicated to the applicant that they will not operate the well to supply both rights, suggesting that the applicant may have to move over a few feet (but within the same $\frac{1}{4}$ $\frac{1}{4}$) and drill a second well to supply 63-32219 only. There will be no change in the water right application other than this remark. It looks like the application is advertising on the 15th and 22nd of December. Is this change any problem?

Terry

12/15/2005

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

December 08, 2005

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-32219

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 notice 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 01/03/2006. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

63-32219

SAGUARO CANYON SUBDIVISION HOMEOWNERS ASSN INC
4487 N DRESDEN PL STE 102
BOISE ID 83714

Point(s) of Diversion SWNE S30 T04N R01E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.76 CFS

Total Diversion: 0.76 CFS

Date Filed: 08/04/2005

Place Of Use: DOMESTIC

T04N R01E S30 NESW SESW NWSE SWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 187 yards in Saguaro Canyon Subdivision.
Water bearing zone to be appropriated is from 120 to 200 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 01/03/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on December 15 and 22, 2005.



RECEIVED

SEP 26 2005

WATER RESOURCES
WESTERN REGION

September 23, 2005

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Water Right Application for Saguaro Canyon Subdivision

Dear Lori:

Enclosed for your action is an assignment of application for permit for the application that was submitted to your office on August 1 by Scott King. The application proposes 0.76 cfs for domestic purpose at Saguaro Canyon. The developer of the subdivision, Farwest LLC, is assigning the permit to Saguaro Canyon Subdivision Homeowners' Association, Inc. Marty Goldsmith has signed the assignment as Member of Farwest LLC. Mr. Goldsmith is also President of Saguaro Canyon Subdivision Homeowners' Association, Inc.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: Traci Cook – Farwest LLC
Brad Watson – Meridian Public Works Department



SPF Water Engineering, LLC
water resource consultants

RECEIVED

AUG 04 2005

WATER RESOURCES
WESTERN REGION

August 1, 2005

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Attn: Steve Lester

Subject: Farwest, LLC Application for Permit

Dear Mr. Lester,

On behalf of our client, Farwest, LLC., SPF Water Engineering is pleased to submit the enclosed application for permit. This application seeks to appropriate a maximum of 0.76 cfs for domestic use, providing supplemental irrigation for 187 residential lots within the Saguaro Canyon Subdivision. Shares in Settlers Irrigation District provide the primary supply of irrigation water. Water right 63-8718 is diverted from the same well as that proposed for this application, but it not used on the same lands as those identified herein. Also enclosed is a check for \$250 to cover application fees.

Please contact Terry Scanlan or me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

File: 310.0020