

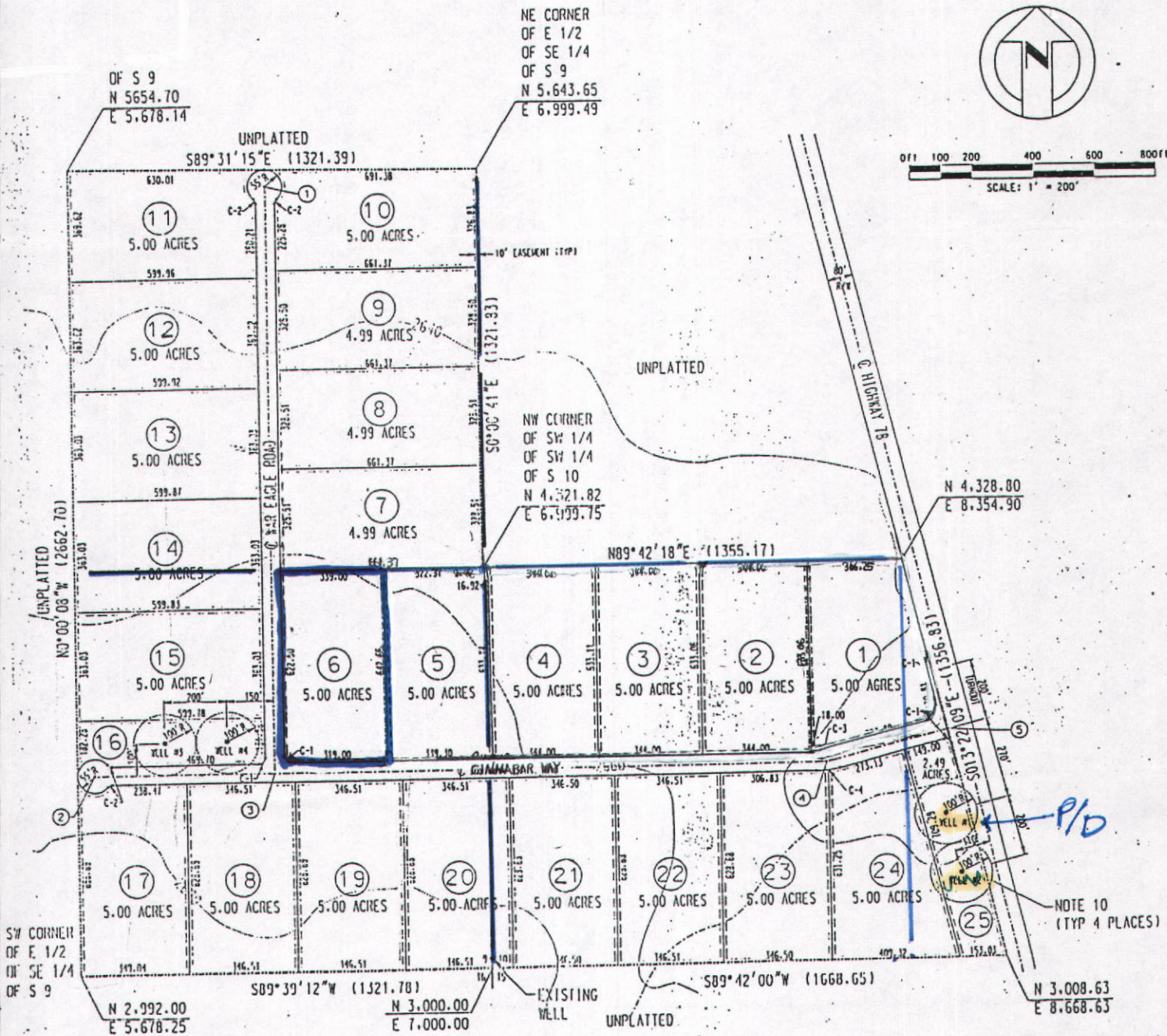


EAGLE VIEW ESTATES PRELIMINARY PLAT PLAN

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
SECTION 9 AND A PORTION OF THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2 S., R. 2 W., D.M.,
OWYHEE CO., IDAHO



0 100 200 400 600 800 FT
SCALE: 1" = 200'



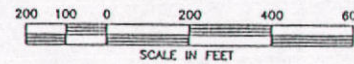
MICROFILMED

MAR 28 1995

EAGLE VIEW ESTATES

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
OF SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,
OWYHEE CO., IDAHO

1995



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRC
1	90°00'00"	20	31.42	28.28	20.00	S 31°37'52"W
2	88°52'29"	20	31.02	28.01	19.61	N 31°04'07"E
3	91°07'31"	20	31.81	28.58	20.40	N 58°55'53"W
4	14°11'39"	250	61.93	61.76	31.13	N 82°36'10"E
5	14°11'39"	280	69.37	69.19	34.88	N 82°36'10"E
6	6°50'21"	310	37.00	36.98	18.52	N 78°55'31"E
7	7°21'18"	310	39.79	39.77	19.92	N 88°01'21"E
8	90°17'20"	20	31.52	28.36	20.10	S 45°09'20"E
9	89°42'40"	20	31.32	28.21	19.90	N 44°50'40"E
10	48°11'23"	20	16.82	16.33	8.94	S 66°12'19"E
11	48°11'23"	20	16.82	16.33	8.94	S 65°36'19"W
12	138°29'15"	55	132.94	102.86	145.12	S 69°14'45"E
13	137°53'31"	55	132.37	102.66	142.88	S 68°56'36"W
14	48°11'23"	20	16.82	16.33	8.94	S 24°05'01"W
15	48°11'23"	20	16.82	16.33	8.94	N 24°06'22"W
16	138°40'48"	55	133.12	102.93	145.86	S 21°08'21"W
17	137°41'58"	55	132.18	102.59	142.16	N 20°40'16"W

LEGEND

- FOUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- BLOCK /
- LOT /



LANDMARK SURVEYING
4398 Sandy Ave. EWING, ID 83617 (208) 365 3801



ART SCHULTZ ENGINEERING
CIVIL/STRUCTURAL CONSULTANT
1104 W FINCH DRIVE
NANPA, IDAHO, 83651
(208) 463-0305

NOTES

- A PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL STREETS.
- A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL SIDE LOT LINES UNLESS OTHERWISE NOTED. SHOULD THE LOT LINES BE ADJUSTED, THE EASEMENT SHALL MOVE WITH THE ADJUSTMENT LOT LINE PROVIDED NO UTILITIES HAVE BEEN INSTALLED WITHIN THE LIMITS OF THE EASEMENT.
- A 30.00 FOOT ACCESS STRIP TO THE BUREAU OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS.
- LOT 4 BLOCK 2 AND LOT 9 BLK 3 ARE COMMUNITY WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

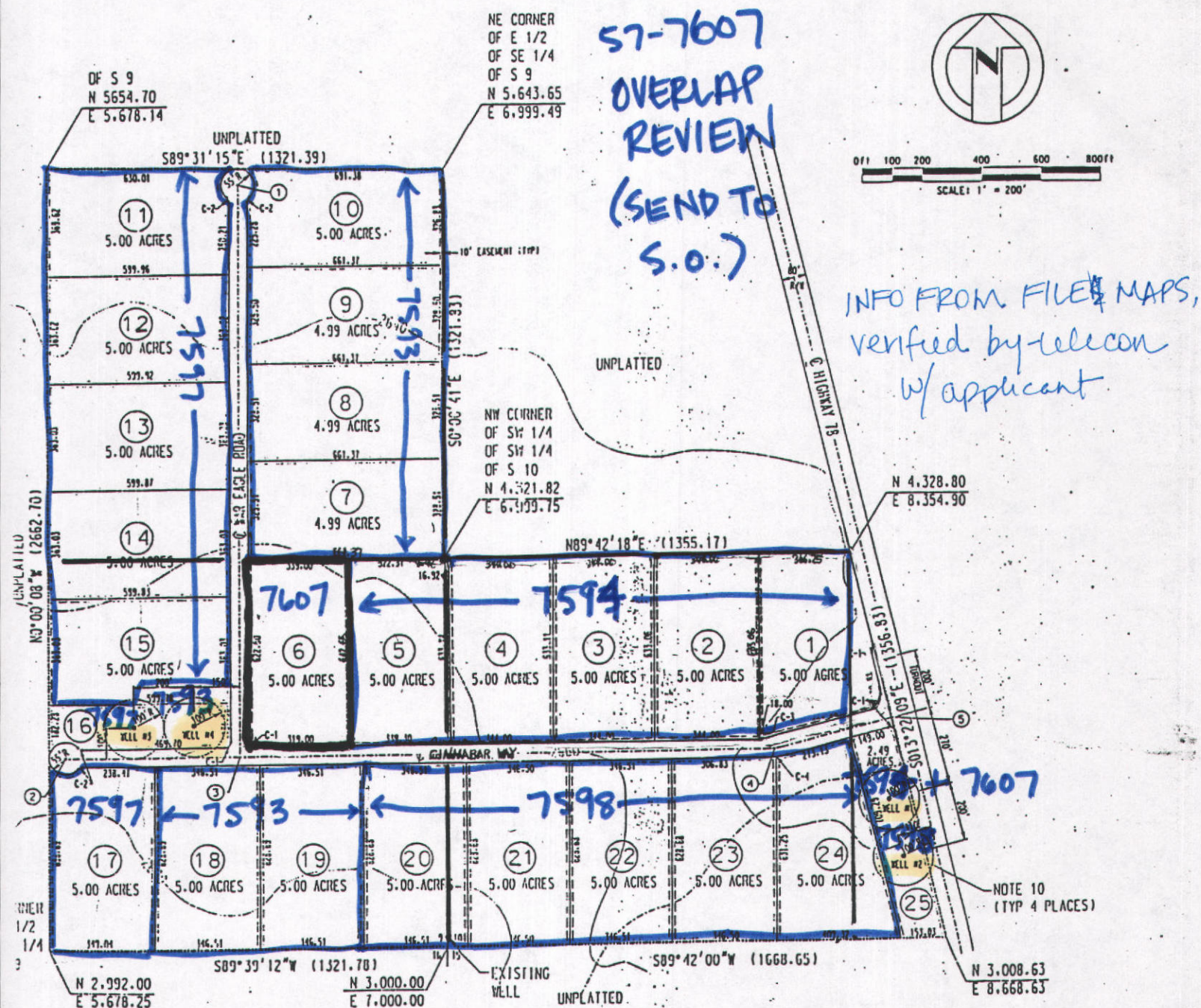
UNPLATTED

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S 1/2
O
FOUND 1/2" IRON PIN
C.P. & F. No. 214689

SITUATED IN THE E¹/₂ OF THE SE¹/₄ OF
SECTION 9 AND A PORTION OF THE S¹/₂ OF
THE SW¹/₄ OF SECTION 10 WESTERLY OF
HWY 78 T.2 S., R. 2 W., B.M..
OWYHEE CO., IDAHO



4 Separate Systems

MAR 28 1995

7/94

RECEIVED

MAY 13 1999

Department of Water Resources

For Office Use Only

\$25 Filing Fee

Receipt # 604543

Date 5/13/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

We, Alan Lindner, Debra Lindner, Charles S. Hightower, &/or Vicky L. Hightower,
hereby assign to Eagle View Estates Homeowners Association No. 1

of, HC 79 BOX 323 MELBA, ID 83641, phone: (208) 495-2809.

All our right, title, and interest in and to Permit No. 57-07607 to
appropriate the public waters of the State of Idaho.

Made this 4th day of May, 1997.

Alan Lindner
Alan Lindner

Debra Lindner
Debra Lindner

Charles S. Hightower
Charles S. Hightower

Vicky L. Hightower
Vicky L. Hightower

State of Idaho)
County of Camanche) ss

On this 4th day of May, 1997, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.



NICHOLAS K. FHLI
Notary Public (printed) residing at (town)

Nicholas K. FHLI
Signature of Notary Public

MICROFILMED

My commission expires: 11/31/2000

MAY 04 1999

7/94

For Office Use Only
 \$50 Fee Received by 50.00
 Date 12-2-99
 Receipt No. 2047314

RECEIVED

DEC 2 1999

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
 TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
 BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

DEC 02 1999

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 57-07607Name(s) of Permit Holder: EAGLE VIEW ESTATES HOMEOWNERS ASSOCIATION #1Mailing Address: HC 79 BOX 323, MELBA, ID 83641Date Proof is Due: 3-10-00Telephone No. 495-2809DEBRA LINDNER, TREAS

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

THE WELL IS DEVELOPED AND DOMESTIC WATER
IS IN USE.

Costing \$ 13,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

A WELL MUST BE DRILLED FOR IRRIGATION

Permit holder(s) request an extension to 3-10, 2005.

FEE: \$50.00

Debra S Lindner, authorized agent
 (Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 2004.

MICROFILMED

DEC 04 1999

Signed this 6th day of December, 19 99

J. Glen Saylor
 Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07607

Proposed Priority: December 27, 1994 **Maximum Diversion Rate:** 0.14 CFS

This is to certify, that **VICKI L HIGHTOWER**
DEBRA LINDNER
CHARLES S HIGHTOWER
ALAN LINDNER
HC 79 BOX 34X
MELBA ID 83641

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	0.10 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 10, Township 02S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	02W	9	SESE	5.0		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 2000**.
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 permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. Point of diversion is located within Lot 25, Eagle View Subdivision.
8. Place of use is located within Lot 6, Eagle View Subdivision.
9. Domestic use is for 1 home.

RECEIVED
MAR 28 1995

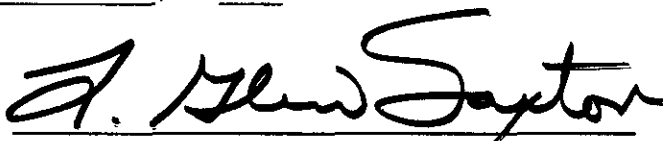
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07607

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

10th day of March, 1995



R. Keith Higginson, Director

for

RECEIVED
MAR 28 1995

RECEIVED

Form 202
RECEIVED
MAR 07 1995

DEC 27 1994
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No 59-7607

RECEIVED

DEC 28 1994

WATER RESOURCES
WESTERN REGION

Department of Water Resources

To appropriate the public waters of the State of Idaho

Hightower, Charles S. &/or Vicki L. Hightower &/or

1 Name of applicant Lindner, Alan &/or Lindner, Debra Phone 208/495-2809

Post office address HC 79, Box 34X, Melba ID 83641

2 Source of water supply Groundwater which is a tributary of _____

3 Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt Lot _____

Sec 10 Township 02S Range 02W B.M. Owyhee County; additional points of diversion if any _____

4. Water will be used for the following purposes

Amount 0.10 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (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)

5. Total quantity to be appropriated is (a) 0.14 and/or (b) _____
cubic feet per second acre feet per annum

6 Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc. Well with pumps.

b Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, period of year when water will be diverted to storage _____ to _____ inclusive

c Proposed well diameter is 10 inches; proposed depth of well is 350 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) _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 5* years (minimum 1 year).

*See note on item #12 Remarks.

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. 1 _____
- 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	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
02S	02W	09																5.0	5.0

Total number of acres to be irrigated 5.0

10. Describe any other water rights used for the same purposes as described above. _____
Same point of diversion as 57-07594 ~~and 57-07598~~; different place of use.

- 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: 1. Point of diversion is located within Lot 25, Eagle View Subdivision.
2. Place of use is located within Lot 6, Eagle View Subdivision.

NOTE: This application is to pick-up Lot 6 which was missed on application no 57-07594, and will be developed at the same time as 57-07593 ~~and~~ 57-07594, 57-07597, and ~~57-07598~~ -07598.

MAR 28 1995

See attached map.

MAR 28 1995

Albert S. Leiden
(Applicant)

Prepared by C.Z.

Received by cyf ^{western} Date 12/28/94 Time _____ Preliminary check by cyf
Fee \$ 50.00 Receipted by RT # C031891 Date 12-27-94
Publication prepared by St Date 1-11-95 Published in Boylee Avalanche
Publication approved St Date 2-6-95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 _____

c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

d The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit

e Other

MAR 28 1995

Memorandum

To: Water Right Files Nos. 57-7594 & 57-7607
From: Deborah Gibson
Date: May 6, 2004
Re: **Proof Due & Lapsed Eagle View Estates Homeowners
Assn. No. 1 files**

Approximately April 1, 2004, I received a message to return a call from Bill Klevenberg about mail he had received from the department regarding proof of beneficial use and lapse notice for water right permit no. 57-7607. Mr. Klevenberg felt that the notice was not for him. I returned his phone call, I believe it was April 8 and on April 9, 2004, he faxed me a copy of a well log regarding water right permit no. 57-7594. (Note: Permit No. 57-7594 lapsed on December 9, 2003. My notes are unclear if I informed Mr. Klevenberg about this status during the phone call on approximately April 9. However, in subsequent phone messages I did explain this.)

However, during my telephone conversation with Klevenberg, he gave me a phone number for Tim Simmonds, who is the president of Association No. 2. I contacted him about 57-7607 and he said it wasn't his. He directed me to Debbie Campbell, president for Association No. 3. I spoke to her, and she said it was in association no. 1. Again on April 14 and 20, I tried to reach Mr. Klevenberg, and was only able to leave detailed messages to call me regarding 57-7594 & 57-7607, and that they were lapsed and of no force or effect. I have had no response to my calls as of the date of this memo.

Therefore, I am returning the files to the vault. It is possible that when the regional office conducts the field exam, scheduled for this summer, the lapsed permits will be resolved. At this time, since I have not heard from Mr. Klevenberg, I believe he is uninterested in reinstatement.

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 5, 2004

EAGLE VIEW ESTATES HOMEOWNERS ASSN #1
HC 79 BOX 323
MELBA, ID 83641

LAPSE NOTICE

RE: PERMIT NO. 57-7607

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated December 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Gary Spackman

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 3/5/04
a copy of this notice was mailed
by registered mail, return receipt requested, to the
individual(s) named above.


December 31, 2003

EAGLE VIEW ESTATES HOMEOWNERS ASSN #1
HC 79 BOX 323
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-7607

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

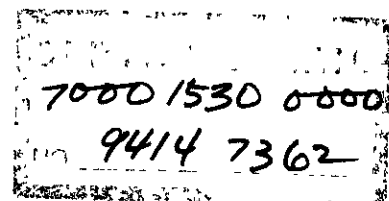
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07607 Reviewed by Jay Date 12-3-99

BASIC INFORMATION

12-2-99 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to march 1, 2004, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 3-1-2004
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

December 7, 1999

KARL J. DREHER
DIRECTOR

Eagle View Estates Homeowners Assn I
HC 79 Box 323
Melba ID 83641

RE: Permit No. 57-07607

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **March 1, 2004**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

DEC 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EAGLE VIEW ESTATES HOMEOWNERS ASSN #1
HC 79 BOX 323
MELBA ID 83641

RE: ASSIGNMENT OF PERMIT 57-07594/57-07607

Dear Permit Holder(s):

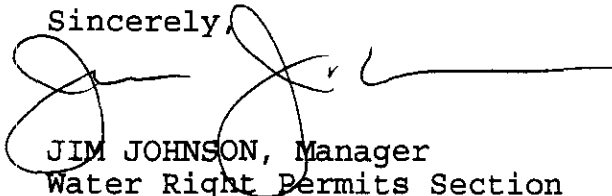
We acknowledge receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership. Computer generated reports are enclosed for your information.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify 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 to obtain the proper reporting form.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JUN 04 1999

INTER-DEPARTMENT MEMO — 1

FROM CINDY ZIMMERMAN

DATE 5/13/99
RECEIVED

TO FILES. 57-7593/7594/7597/7598/7607

MAY 13 1999

SUBJECT OFFICERS.

Department of Water Resources

The officers of Eagle View Estates Home Owners Assoc(s) are:

#

TODD COOPER - PRESIDENT

SANDY KITCHELL - ~~VICE~~ SECRETARY

CARL MONDRAGON - VICE

DEBRA LINDNER - TREASURER

Cindy Zimmerman
SIGNATURE

MICROFILMED

JUN 04 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

January 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBRA LINDNER
HC 79 BOX 34X
MELBA ID 83641

RE: Permit Nos. 57-07593/07594/07597/07598/07607

Dear Debra;

I recently received your correspondence of January 10, 1996 regarding the updated numbering of lots and blocks within Eagle View Estates Subdivision as identified on the final plat. I have added a copy of the correspondence to each of the files.

Thank you for keeping us updated and good luck on your development.

Respectfully,

A handwritten signature in cursive script that reads 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

JAN 30 1996

DEBRA LINDNER
HC 79 BOX 34X
MELBA, ID 83641
(208)495-2809
JANUARY 10, 1996

RECEIVED
JAN 16 1996
Department of Resources

IDWR
CINDY ZIMMERMAN
1301 NORTH ORCHARD
STATEHOUSE MAIL
BOISE, ID 83720

RE: WATER RIGHT PERMITS FOR EAGLE VIEW ESTATES SUBDIVISION

DEAR CINDY,

WHEN WE ORIGINALLY FILED FOR THE PERMITS FOR WATER RIGHTS FOR EAGLE VIEW ESTATES SUBDIVISION, THE LOT NUMBERS FOR THE SUBDIVISION WERE BASED ON THE PRELIMINARY PLAT. NOW THAT THE FINAL PLAT IS COMPLETE, EVERYTHING REMAINS THE SAME, EXCEPT FOR THE LOT NUMBERS. THE CHANGES ARE AS FOLLOWS:

PERMIT NO. 57-07593 FOR LOTS 7-10, 18-19 ARE NOW FOR BLOCK 1 LOTS 7-10, BLOCK 3 LOTS 2-3. THE WELL WILL BE LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07594 FOR LOTS 1-5 ARE NOW FOR BLOCK 1 LOTS 1-5. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

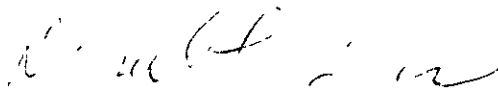
PERMIT NO. 57-07597 FOR LOTS 11-15 & 17 ARE NOW BLOCK 2 LOTS 1-5 & BLOCK 3 LOT 1. THE WELL IS LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07598 FOR LOTS 20-24 ARE NOW BLOCK 3 LOTS 4-8. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

PERMIT NO. 57-07607 FOR LOT 6 IS NOW BLOCK 1 LOT 6. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

ENCLOSED PLEASE FIND A COPY OF THE APPROVED FINAL PLAT. IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER, PLEASE CONTACT ME AT THE ABOVE ADDRESS OR PHONE NUMBER.

SINCERELY,



RECEIVED
JAN 30 1996

UNPLATTED

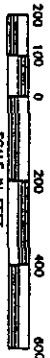
EAGLE VIEW ESTATES

PLAT SHOWING

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
OF SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78, T.2S., R.2W., B.M.

OWHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL STREETS.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL LOT LINES UNLESS OTHERWISE NOTED. SHOULD THE LOT LINES BE MOVED, THE EASEMENT SHALL REMAIN WITHIN THE LIMITS OF THE EASEMENT.
3. A 30' FOOT ACCESS STRIP TO THE REAR OF LAND ADJACENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EASEMENT VIEWS EMPLOYMENT AT THE END OF BOTH ROADS.
4. LOT 8 BLOCK 2 AND LOT 8 BLOCK 3 ARE CONSIDERED WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	AREA	CHORD BEARING
1	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
2	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
3	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
4	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
5	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
6	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
7	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
8	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
9	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
10	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
11	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
12	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
13	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
14	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
15	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
16	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E
17	90° 00' 00"	20.00	31.42	20.00	157.08	N 20° 00' 00" E

LEGEND

- ROUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 2" IRON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- BLOCK #
- LOT #



LANDMARK SURVEYING
1400 S. 10th St. Boise, ID 83702
(208) 463-0303



ART SCHULTZ ENGINEERING
CIVIL/STRUCTURAL CONSULTANT
1400 S. 10th St. Boise, ID 83702
(208) 463-0303



JAN 30 1996

Subdivision
renumbered



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 14, 1995

VICKI L HIGHTOWER
CHARLES S HIGHTOWER
DEBRA LINDNER
ALAN LINDNER
HC 79 BOX 34X
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07607

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MAR 28 1995

SK:rl

Enclosures

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 57-7607 Name: Hightower/Rindner Date: 3/8/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 6031891 Priority: _____ ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - 26A **(P17)**

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, **P99**
No WD permit? - 046-468 **(P23)** (post 7/1/87)
irr. in WD - **P05** (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District (~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-**P08** or 01M
- 0.2 cfs - 01H-**P01** or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-**P04**, NA
(02/03) - 007-**P07** (w/remark WB9), NA
Boise R (63) - 05A (if ~~WD~~), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-**P04** (Payette Lake), NA

USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 064(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-**P10**
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-**P18**; 17G(FERC) or 17M(FERC); 18B-**P09**
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-**P09** (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - **5** <SEE CONDITION CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

OTHER CONDITIONS: _____

STANDARD REMARKS: _____

BENEFICIAL USE DUE: - 3-1-199 2000
COMMENTS: _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: CJH DATE: 1/3/95 APPLICATION: 57-7607

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
None P/D
None P/U

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☐	Critical groundwater area:
☐	☐	Groundwater management area:
☐	☐	1992 moratorium
☐	☐	Copy to SCA staff (perennial stream, non-pump diversion):
☐	☐	Copy to Dam Safety staff (for any storage)
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION NO. 57-7607

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒ I.D. Health and Welfare
☐ ☒ I.D. Fish and Game
☐ ☒ I.D. Lands
☐ ☒ Adjudication Bureau

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Svc.
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☐ ☒ Publication dates and paper recorded on application:
☐ ☒ Protests received. Final date for protest 2-6-95
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached: Approve, Dnr
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: _____

26A (Allow 2 years), 46

☐ ☒ See below for additional information

Recommended Date or Priority 12/28/1994

Recommended by: Dnr Date 2/28/1995

STATE OFFICE REVIEW

☐ ☒ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

See attached overlap analysis + comments in database
57-7594 Same P/D, different P/U.

All others (57-7593, 7597, 7598) within same plat, but different
lots developed under separate wells. Area is being developed
in clusters of 5-6 homesites served by ^{one of four wells} a ~~single well~~.

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

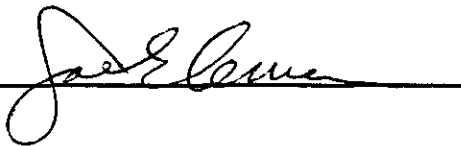
4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

January 18 & 25, 1995

Signed



Subscribed and sworn to me this 25th day of



Notary Public
MICHAEL J. BUELL

Comm

MAR 28 1995

NOTICE OF APPLICATION FOR WATER RIGHT

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

55-07459
US DEPT OF INTERIOR
BUREAU OF LAND
MANAGEMENT
3948 DEVELOPMENT AVE
BOISE, ID 83705
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec
35 T 09S R 02W in OWYHEE
County.
Use: DOMESTIC (.040 CFS)
STOCKWATER (.060 CFS)

WILDLIFE (.040 CFS)
Total Diversion: (.140 CFS)
Date Filed: 11/15/1994
In: OWYHEE County
T09S R02W S34 NENE
S35 NWNW

57-07606

TRAMMEL, REX
RT 1
PO BOX 1096A
HOMEDALE, ID 83628
Source: GROUNDWATER
Diversion Pt: NENW Sec 15 T
03N R 05W in OWYHEE
County.

Use: DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.060 CFS)
Date Filed: 12/28/1994
In: OWYHEE County
T03N R05W S15 NENW

57-07607

HIGHTOWER, CHARLES S
HIGHTOWER, VICKI L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641

Source: GROUNDWATER
Diversion Pt: SESW Sec 10 T
02S R 02W in OWYHEE
County.

Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.140 CFS)
Date Filed: 12/27/1994

In: OWYHEE County
T02S R02W S09 SESE
5.0 ACRES TOTAL

57-07608

TURNER, JOHN L
TURNER, JOYCE B
PO BOX 55
GREENLEAF, ID 836260055

Source: SPRING Tributary:
SNAKE RIVER
Diversion Pt: SESESE Sec 30
T 04N R 05W in OWYHEE
County.

Use: STOCKWATER (.250
CFS)
Total Diversion: (.250 CFS)
Date Filed: 1/4/1995

In: OWYHEE County
T04N R05W S29 Lot 5
(SWSW)
S30 SESE

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before FEBRUARY 6, 1995. The protestant must also send a copy of the protest to the applicant

R. KEITH HIGGINSON,
Director

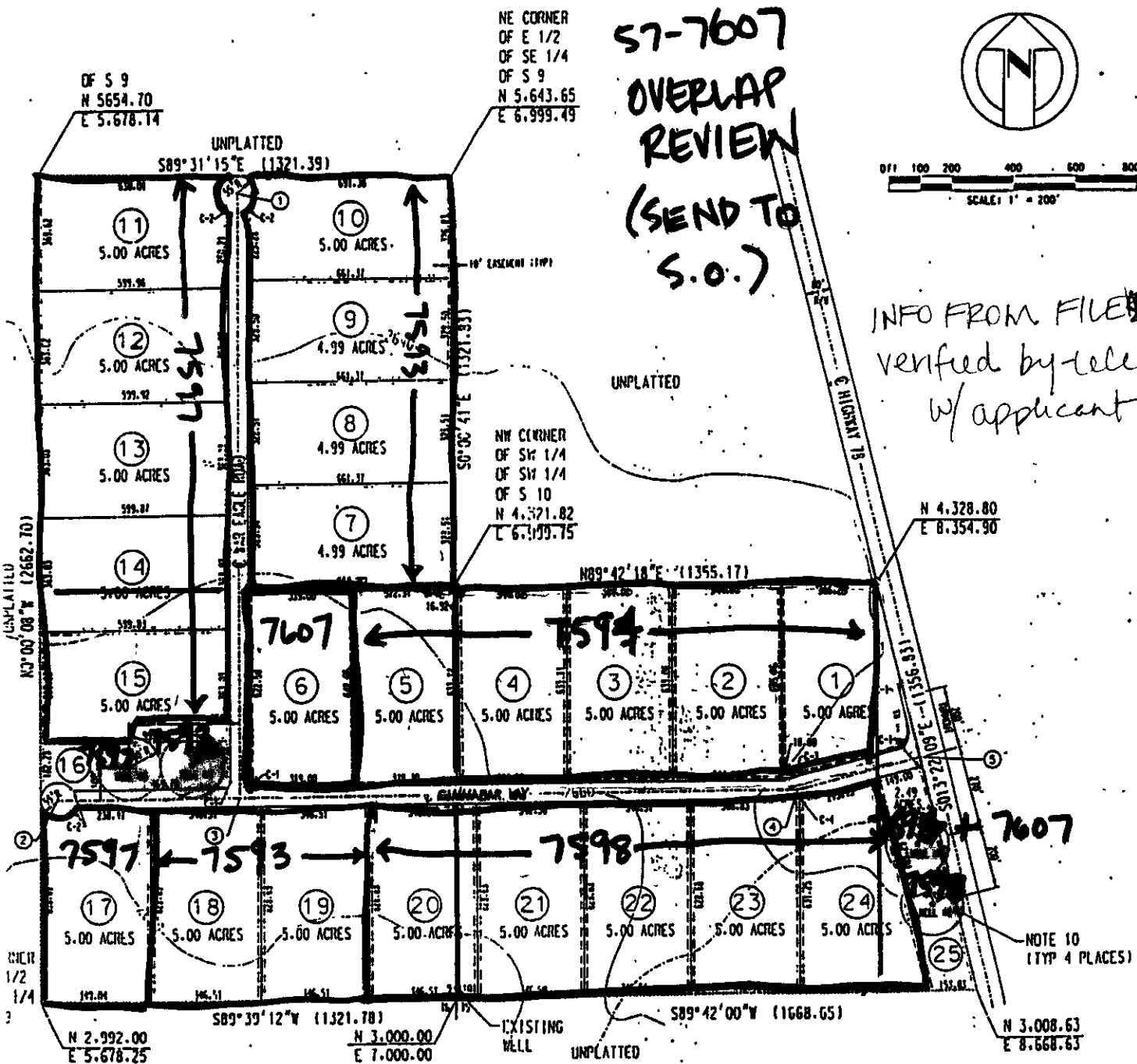
Publish on

SITUATED IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF
SECTION 9 AND A PORTION OF THE S $\frac{1}{2}$ OF
THE SW $\frac{1}{4}$ OF SECTION 10 WESTERLY OF
HWY 78 T.2 S., R. 2 W., B.M.,
ONYHEE CO., IDAHO

57-7607
OVERLAP
REVIEW
(SEND TO
S.O.)



INFO FROM FILE & MAPS,
verified by telecon
w/ applicant



4 Separate Systems

APR 28 1995

57-07607

HIGHTOWER, CHARLES S
HIGHTOWER, VICKI L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: SESW Sec 10 T 02S R 02W in OWYHEE County.

Use: IRRIGATION (.100 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.140 CFS)

Date Filed: 12/27/1994

In: OWYHEE County
 T02S R02W S09 SESE

5.0 ACRES TOTAL

MAY 28 1995