

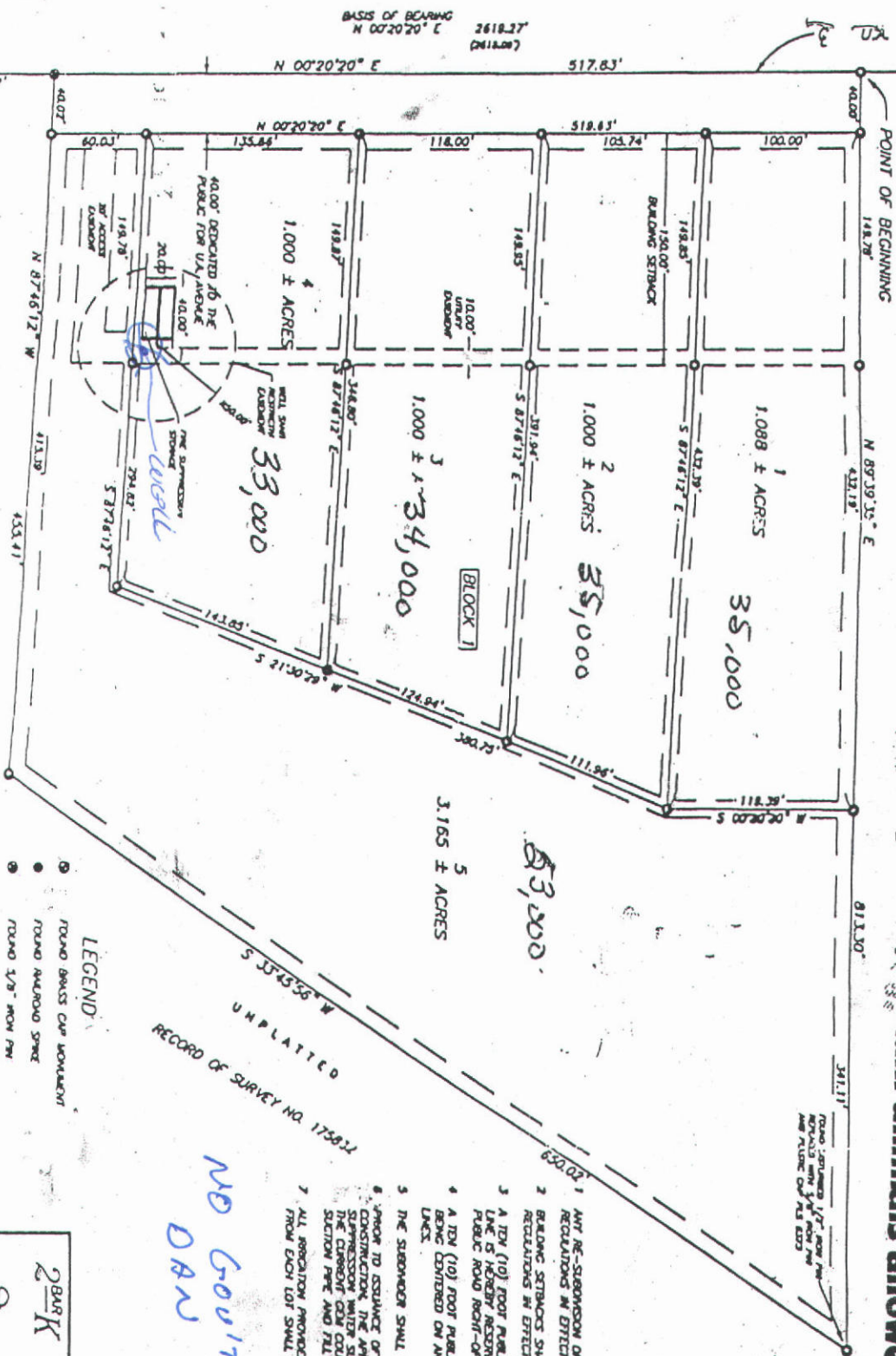
Call (208) 278-3441

STONE CREEK ESTATES SUBDIVISION

SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31
TOWNSHIP 7 NORTH, RANGE 1 WEST, BOISE MERIDIAN
GEM COUNTY, IDAHO
1999

**Natural Gas available, community well, irrigation water
also to each parcel, certain animals allowed.**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE
WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 31
TOWNSHIP 7 NORTH, RANGE 1 WEST, BOISE MERIDIAN
FOR RECORD OF SURVEY NO. 17582.
E.A. N 00°20'20" E



NOTES

1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
2. BUILDING SETBACKS SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF ISSUANCE OF THE BUILDING PERMITS.
3. A TEN (10) FOOT PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT, LINE IS HEREBY RESERVED ALONG THE SUBDIVISION BOUNDARY AND THE PUBLIC ROAD RIGHT-OF-WAY.
4. A TEN (10) FOOT PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT, LINE IS HEREBY RESERVED ALONG THE SUBDIVISION BOUNDARY AND THE PUBLIC ROAD RIGHT-OF-WAY.
5. THE SUBDIVISION SHALL COMPLY WITH SECTION 31-3005 OF IDAHO CODE.
6. PRIOR TO ISSUANCE OF A BUILDING PERMIT AND COMMENCEMENT OF BUILDING CONSTRUCTION, THE APPLICANT FOR BUILDING PERMITS SHALL PROVIDE THE SUBDIVISION WATER SUPPLY FOR EACH LOT AND THE SUBDIVISION WATER SUPPLY FOR EACH LOT AND THE SUBDIVISION WATER SUPPLY FOR EACH LOT AND THE SUBDIVISION WATER SUPPLY FOR EACH LOT.
7. ALL REGULATION PROVIDED TO THE LOTS HEREIN SHALL BE PERMITTED ALL DATA FROM EACH LOT SHALL BE CONTAINED ON SITE.



LEGEND

- ROUND BRASS CAP MONUMENT
- ROUND NAILROAD SPIKE
- ROUND 3/8" IRON PIN
- SET 3/8" IRON PIN W/ PLASTIC CAP - AS BUILT
- () DATA OF RECORD
- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT

200K LAND SURVEY

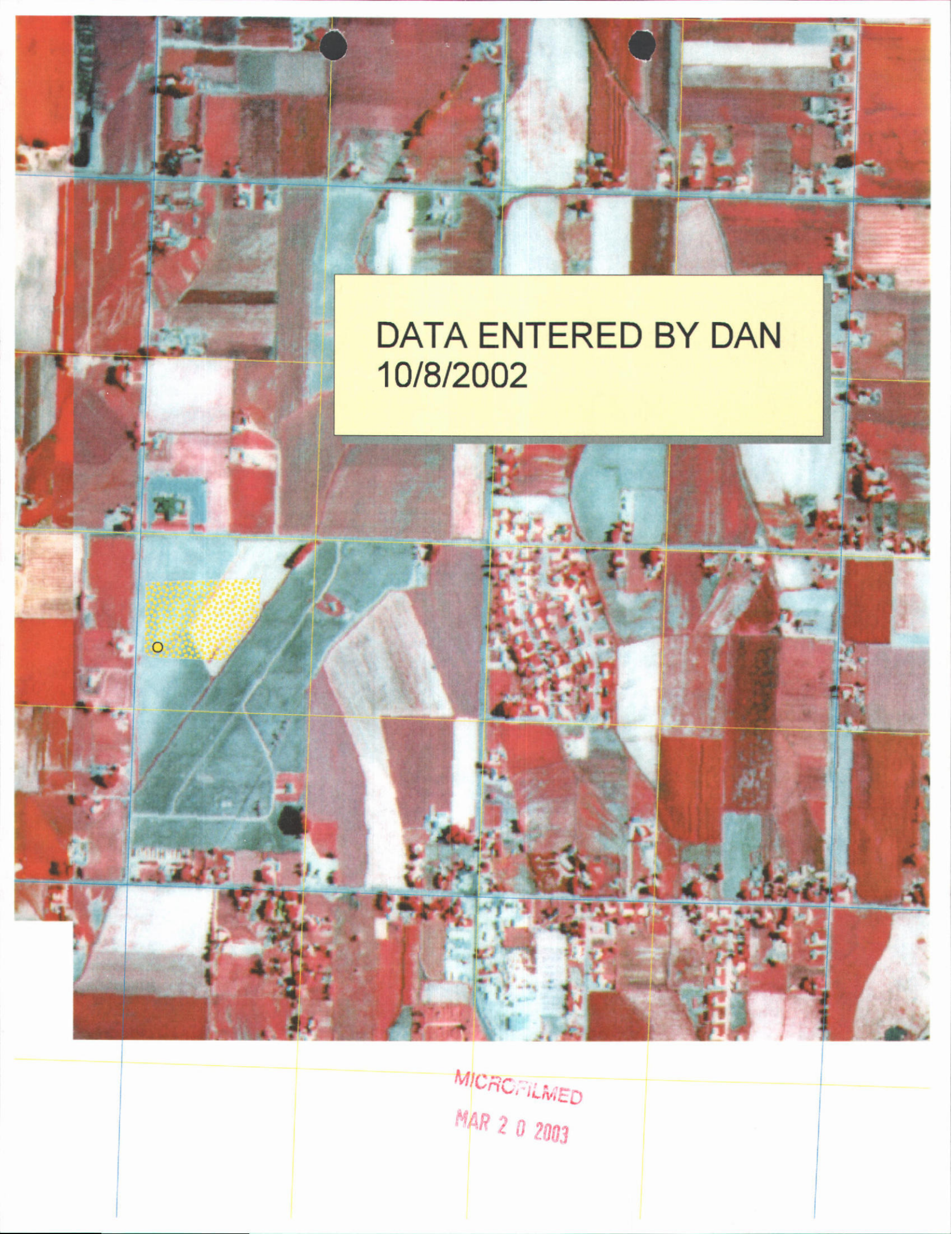


Fischer Land Surveying
204 W. Main Street
Emmett, Idaho 83617
(208) 365-4146 Fax: 365-4153
FOUNDER: J. KERNES, P.L.S. (6373)



NO GOV'T
DAN
LOTS 1-5

MICROFILMED
MAR 20 2003

An aerial photograph of a rural landscape, likely agricultural land, with a grid overlay. The image is divided into a grid of squares by thin yellow lines. The colors are predominantly red, white, and green, suggesting different types of land use or vegetation. A yellow rectangular box is located in the lower-left quadrant of the grid, containing a small black circle. A yellow rectangular box is also located in the upper-right quadrant of the grid, containing the text "DATA ENTERED BY DAN 10/8/2002".

DATA ENTERED BY DAN
10/8/2002

MICROFILMED
MAR 20 2003

~~Called LEFT MESSAGE~~

~~5-8-02 8:40~~

- 1.) Need LIST OF COMP OFFICERS
- 2.) ARE THEY GOING TO IRRIGATE LAWNS?
IF SO NEED
- 3.) Need PLAT MAP
- 4.) Need OVERLAP CHECK.
- 5.) Need REQUEST TO PROCESS.

MICROFILMED

MAR 20 2003

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

COMMENT
LETTER

Initial review by DAN Date _____ Application # 65

REQUIRED INFORMATION

- ? Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included) *Need list of corp officers*
- X Address
- X Source (See USGS Quad for names of water sources)
- ? Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- X County
- ? Quantity (Flow and/or Volume) *IRRIGATION? NEED MAP* Government Lots _____
- X Period of use _____ P/D _____
- ? Nature of proposed use (Include description of use) *will it include irrig?* _____ P/U _____
- X Description of diverting works
- ? Time required for beneficial use of water *Need time to complete project*
- ? Place of use or acres irrigated *Need map*
- X Map (Show T, R, S, QQ &/OR QQQ) " "
- X Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area) *Need sub plat*
- ? Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ? Correct fee paid *May need more if irrig.*

ADDITIONAL INFORMATION

Yes ADVERTISE REMARKS (Yes or No)

YES NO

- _____ Overlapping place of use (Describe source and relationship to present application on next page)
- _____ Overlapping point of diversion
- _____ X Critical groundwater area
- _____ X Ground water management area
- _____ X 1992 moratorium
- _____ X Surface water source, IDFG letter needed
- _____ X Protected river or minimum flow reach, notify water planning bureau
- _____ X E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- _____ X E-mail to Dam Safety staff (for any storage)
- X Mitigation plan Check any that apply
- _____ Immediate = acceptable plan required and submitted *Need Request to process form*
- _____ Future = open areas, acceptance of condition of approval is in file
- _____ X Send power requirement letter &/or fish farm requirement letter
- _____ X Power residency affidavit
- _____ X Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)
- _____ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

MICROFILMED

MAR 20 2003

Date Requested _____ Date Response Received _____

RECEIVED

OCT 23 2002

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Gem) SS.

ANTHONY M. CLARK
of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
October 16, 23, 2002

Anthony M. Clark

STATE OF IDAHO)
County of Gem)

On this 23rd day of October in the year of 2002 before me a Notary Public, personally appeared. Anthony M. Clark 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 acknowledge to me that she executed the same.

Notary Public for Idaho
Residing at Emmett
My Commission expires
February 1, 2005



MICROFILMED
MAR 20 2003

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

65-22712

STONECREEK HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH, ID 83655

Point(s) of Diversion NWSW S31 T07N R01W Gem County
Source: GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.11 CFS
Total Diversion 0.11 CFS

Date Filed: 08/08/2002
Place of Use: DOMESTIC
T07N R01W S31 NWSW

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

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 11/04/2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub: 10-16, 23, 2002

Legal Notice No. 4830
Published in the Messenger Index

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
65-22712 IN THE NAME OF)
STONECREEK ESTATES)
HOMEOWNERS ASSN.)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 1, 2003; and

WHEREAS, the Department notified the permit holder on September 30, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

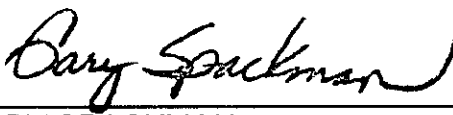
WHEREAS, the Department sent the permit holder a lapse notice on December 9, 2003, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on December 11, 2003.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-22712 is **REINSTATED** with an advance in priority to **August 18, 2002**.

DATED this 29th day of January, 2004.



GARY SPACKMAN

MICROFILMED
FEB 24 2004

FOR OFFICE USE ONLY
Amt of Fee \$ 50.00
Receipt No 071960
Receipt By PMR
Date Received 12-11-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
DEC 11 2003
Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have considered all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner

1 Permit No 65-22712 Telephone No (208) 278-3441

2 Name of Permit Holder(s) Stensrud ESTATES HOMEOWNERS ASSN

3 Mailing Address 4997 S.O. 4th Ave

City New Plymouth State ID Zip 83651

4 Source of Water GROUND WATER If GROUNDWATER (well), Date Drilled mo 3/27 / yr. 02

Well Driller George Post Drilling Permit Number. _____

5 Use(s) (as authorized by the water right permit)

Domestic (No. of households) 5 Stockwater (No. and type of stock): _____

Irrigation (No. of acres) _____ Other. _____

6 Total rate of diversion and/or volume for which proof is submitted: 0.11 cfs OR _____ acre-feet

7 Measuring Device Requirement (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No No
Has the measuring device been installed? Yes _____ or No _____

8 Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system

Name Dorwin Hillman Telephone Number (208) 278-3441

Address 4997 S.O. 4th Ave New Plymouth ID 83655

10 The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Dorwin Hillman Date Dec 12-03
(include your title, if on behalf of company or organization)

MICROFILMED

11 0 2 1 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22712

Priority August 08, 2002

Maximum Diversion Rate 0 11 CFS

This is to certify, that STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH ID 83655

has applied for a permit to appropriate water from

Source: GROUND WATER

and a permit is APPROVED for development of water as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0 11 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SW¼, Sec. 31, Twp 07N, Rge 01W, B M, GEM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE									
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 01W 31							X						

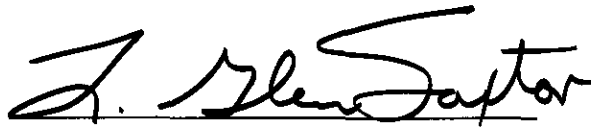
CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **December 01, 2003**.
- 2 Subject to all prior water rights
- 3 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code
- 4 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
- 5 Point of diversion is located within Lot 4, Stone Creek Estates Subdivision
- 6 Place of use is located within Lots 1-5, Stone Creek Estates Subdivision
- 7 Domestic use is for 5 homes and does not include lawn, garden, landscape, or other types of irrigation

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code Witness the signature of the Director, affixed at Boise, this 18th day of November, 20 02

MICROFILMED

NOV 21 2003


for KARL J DREHER, Director

RECEIVED

NOV 13 2002

Department of Water Resources

8-8-02

FORM 202
12/99Ident. No. 65-22712STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant STONACRISTAL STATE HOMEOWNERS ASSOC Phone 208) 278-3441
Mailing address 4997 S.B. 4TH AVE NEW RYMOUTH, ID 83655
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 7N Range 1W Sec. 31, in the _____
NW ¼, SW ¼, Govt. Lot _____, B.M., Gram County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.11 CFS 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)
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) 0.11 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 8" WIRE Q/100'
- 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 100 feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? 3-27-02; Drilling firm GRONKOWSKI DRILLING;
Well was drilled for (well owner) PESTROCK CONST. LLC; Drilling Permit No. ND
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. 5 HOMES - IN HOUSE USE ONLY
e. Other; describe fully. _____

MICROFILMED

MAR 20 2003

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	
7N	1W	31							X										

Total number of acres to be irrigated 140

10. Describe any other water rights used for the same purposes as described above. CANAL WATER FOR LAWN

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

12. Remarks: DARWIN HILLMAN OF BEDROCK CONST. LLC CAN SIGN ALL DOCUMENTS FOR SENECAVILLE ESTATES HOME OWNERS ASSOCIATION.

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.

Darwin Hillman - Pres
Signature of Applicant (and title, if applicable)

Received by DAN Date 8-8-02 Time 12:10 Preliminary check by 1
Fee \$ 9100.00 Received by DAN # W029566 Date 8-8-2002
Publication prepared by MT Date 10-16-02 Published in MT
Publication approved MT Date 11-4-02 MESSANGER INDEX

MICROFILMED
MAR 20 2003

REQUEST TO PROCESS

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

Name of Applicant

BLONKCRUILL ESTATES HOMEOWNERS ASSOC.

Mailing Address

4997 S.O. 4th AVE
Now Plymouth, ID 83655

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

 Steven Helman - Pres.

Date

Aug 8-02

Please return this form to:

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

MICROFILMED
MAR 20 2003

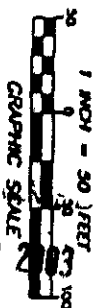
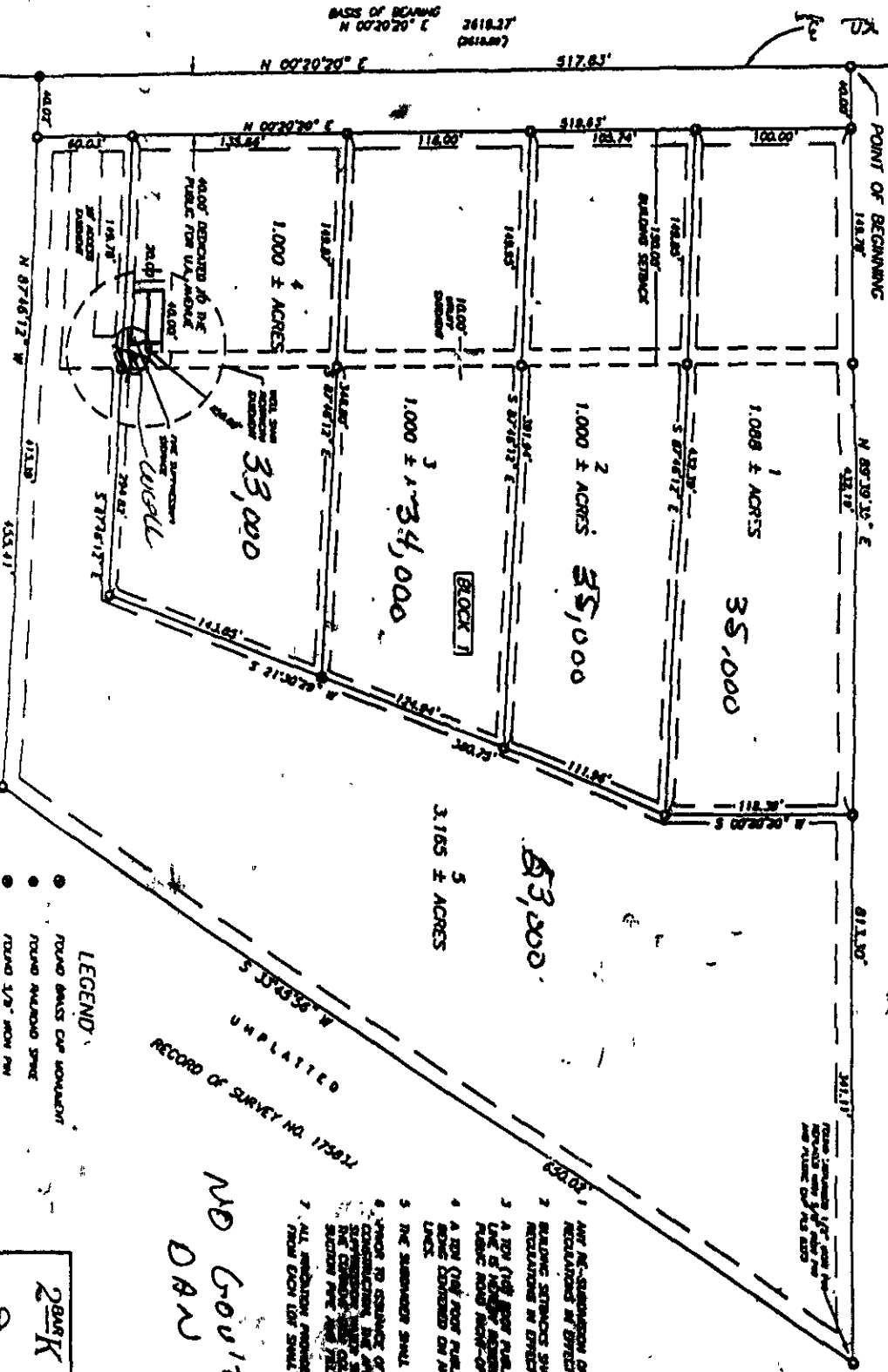
Call (208) 278-3441

STONE CREEK ESTATES SUBDIVISION

SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31
TOWNSHIP 7 NORTH, RANGE 1 WEST, BOISE MERIDIAN
GEM COUNTY, IDAHO
1999

CLASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE
NEXT LINE OF THE SOUTHWEST 1/4 OF SECTION 31
TOWNSHIP 7 NORTH, RANGE 1 WEST, BOISE MERIDIAN
FOR RECORD OF SURVEY NO. 17302.
T.B. N 00°20'20" E

**Natural Gas available, community well, irrigation water
also to each parcel, certain animals allowed.**



MOORE
APR 20



NO GOVT
DAN
LOTS 1-5

284K LAND SURVEY

Fischer Land Surveying
304 W. Main Street
Emmett, Idaho 83617
(208) 365-4148 Fax: 365-4143
FORREST J. KERNICK, P.L.S. (6023)

- ROUND BRASS CAP MONUMENT
- ROUND ALUMINUM SPIKE
- SET 3/8" IRON PIN W/ PLASTIC CAP - IS 6123
- () DATA OF RECORD
- SUBDIVISION BOUNDARY
- LOT LINE
- CATCHER

284K LAND SURVEY

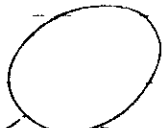
Fischer Land Surveying
304 W. Main Street
Emmett, Idaho 83617
(208) 365-4148 Fax: 365-4143
FORREST J. KERNICK, P.L.S. (6023)

Idaho State Surveyor
David L. Moore
1/1/01 E. REBECCA AVE

DARWIN HILLMAN - Pres

SHEILA HILLMAN - Sec

CORPORATE OFFICERS OF STONECROFT
ESTATES HOMEOWNERS ASSOC.


Darwin Hillman
Aug 8-02

MICROFILMED

MAR 20 2003

Idaho Department of Water Resources Receipt

Receipt ID W029566

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	62103	1155


Signature Line (Dept. Representative)

MICHAEL J. NELSON
MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2004

STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH ID 83655

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-22712

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

MICROFILMED
FEB 24 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 65-22712

Reviewed By: dgibson

Date: January 29, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W029566, C071960	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	12/11/2003
Date proof due	- 12/01/2003
Lapse notice sent	- 12/09/2003
No. of days late	= 10
Holiday allowance	+
Priority date	+ 08/08/2002
New priority date	= 08/18/2002

Deficiencies of Actions Items

Acknowledge proof.

Reinstate permit & advance priority.

December 9, 2003

STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH, ID 83655

LAPSE NOTICE

RE: PERMIT NO. 65-22712

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 September 20, 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
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 12/9/03
a copy of this notice was
deposited in the mail,
postage paid, at the
individual's address.
MICROFILMED
FEB 24 2004 

September 30, 2003

STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH, ID 83655

PROOF DUE NOTICE

RE: PERMIT NO. 65-22712

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 December 01, 2003. (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.

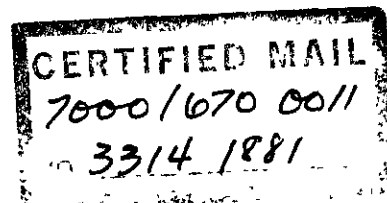
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



MICROFILMED
FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 19, 2002

STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH ID 83655

RE: Permit No. 65-22712

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

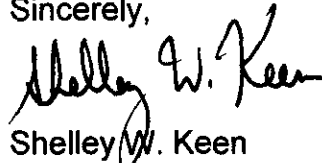
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened 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.

MICROFILMED
MAR 20 2003

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

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICRO. 11-11-11

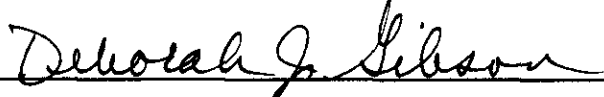
MAR 2 11 27 03

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2002 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. 65-22712

STONECREEK ESTATES HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH ID 83655



Deborah J. Gibson
Secretary

MICROFILMED

MAR 20 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

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MAR 20 2003

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: November 18, 2002
To: Water Right File 65-22712
From: dgibson
Re: Permit Review

I have reviewed this file for issuance of the permit, and found no additional information related to this matter other than what Dan Nelson has referred to in his comments and remarks.

MICROFILMED

MAR 20 2003

RECEIVED

NOV 13 2002

COMMENT
LETTERS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 10-8-02 Application # 65-22712

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the 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 (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
NO P/D
NO P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page) EMMETT IRRIG. DISTRICT.
- ☒ Overlapping point of diversion NO SIGNIFICANT OVERLAP FOR PID
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☐ Immediate = acceptable plan required and submitted
- ☒ Future = open areas, acceptance of condition of approval is in file
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (If YES, attach Large Diversion supplementary analysis sheet)
- ☒ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSINGAPPLICATION # 65-22712

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 NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐ ☒ I.D. Environmental Quality
☒ ☐ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

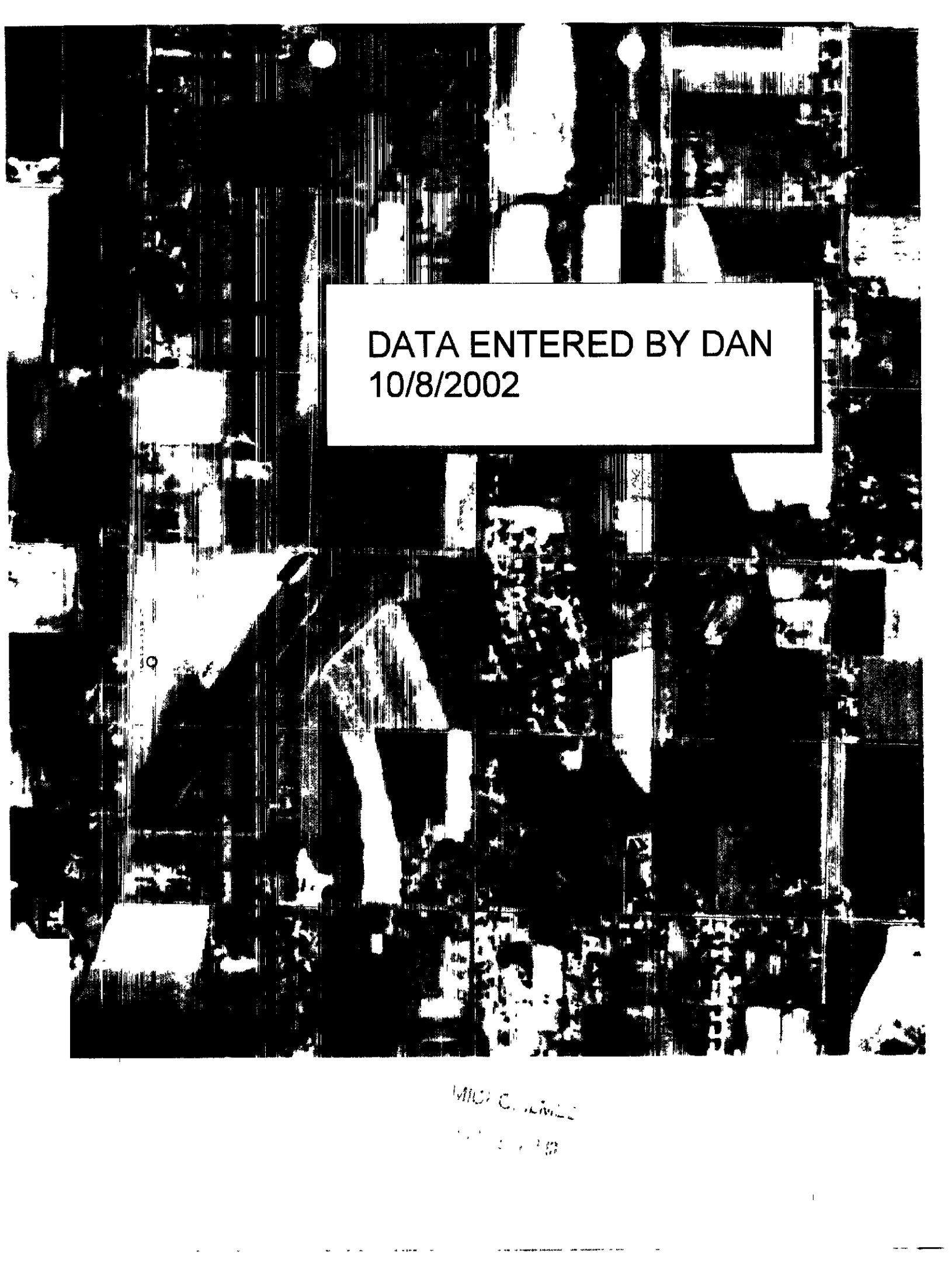
YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken _____
☒ ☐ Publication dates and paper recorded on application
☐ ☐ Final date for protest 11-4-02
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter

STANDARD CONDITION, well drilling Requirements
District Health conditions must be followed.
IN-HOUSE USE ONLY!

Recommended Date of Priority August 8, 2002Recommendation ☒ Approve ☐ Deny by Daniel A. Miska Date 11-12-02**ADDITIONAL INFORMATION**☒ See attached proof report, note any Legal Notice Remarks &/or Comments☒ See attached shapefile

This Application was filed AFTER a previous
Application was voided due to failure to
Respond. Copy of voided application attached



DATA ENTERED BY DAN
10/8/2002

MICHAEL C. JAMES

10/8/2002

MEMORANDUM

TO: SUE TAYOR

FROM: DANIEL A. NELSON

DATE: 6/17/02

SUBJECT: VOIDING APPLICATION FOR PERMIT FOR STONE CREEK
ESTATES HOMEOWNERS ASSOCIATION.

Sue, please void this application for permit. It has not been data entered into workflow and the applicant has not responded to correspondence and/or telephone calls. All you should need to do is mark it off APPS.LIST and send it back.

Thanks

Dan Nelson

New Application
Filed
8-8-02

MICROFILMED
MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 13, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STONE CREEK ESTATES HOMEOWNERS ASSOCIATION
4997 S 4TH AVE
NEW PLYMOUTH ID 83655

**RE: APPLICATION FOR PERMIT GROUNDWATER FOR
DOMESTIC USE**

Dear Applicant:

We received your application for permit on 3/29/2002. The processing of your application will be delayed until we receive the following information:

- 1.) List of Corporate or Homeowner Association Officers. Plat map showing the individual lots with the location of the well clearly marked on the map. This map should have the legal description of the property and estimated location of the property to the section.
- 2.) We will also need to know if the domestic use listed on the application is for in-house use only or if it is supposed to include the home's irrigation of lawns, gardens and landscaping. If you plan to irrigate you will need to include the irrigation use on the water right. If you do not plan to use the well for irrigation, you will need to inform us how this type of irrigation will be done.
- 3.) You will also need to complete the enclosed request to process form and return it to our office. Most folks in your area choose the third choice, since the other 2 choices are not needed in your area.

It may be in your best interest to schedule an appointment with me to go over the necessary information and make any changes necessary to the application. In order to process all of the applications in our office as efficiently as possible, I am required by Idaho Code § 42-204 to ask that this information be returned to my office within 30 days. Our office will be required to void the application for permit if this information is not returned. **Therefore, if the above information is not received by 6/14/2002 your applications for permit will be voided.** You will be able to re-file this application, but it will have a later priority date.

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

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

~~CONFIDENTIAL~~
5-8-02 9:40.

- 1.) Need List of COOP OFFICERS
- 2.) are they going to irrigate lawns?
IF SO Need
- 3.) Need Plat Map
- 4.) Need OVERLAP
CHECK.
- 5.) Need Request
TO PROCESS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

COMMENT
LETTER

Initial review by DAN Date _____ Application # 65

REQUIRED INFORMATION

- ? Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included) *Need list of corp officers*
- X Address
- X Source (See USGS Quad for names of water sources)
- ? Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- X County
- ? Quantity (Flow and/or Volume) *irrigation?* *Need map* Government Lots _____ P/D _____ P/U
- X Period of use
- ? Nature of proposed use (Include description of use) *will it include irrig?*
- X Description of diverting works
- ? Time required for beneficial use of water *Need time to complete project*
- ? Place of use or acres irrigated *Need map*
- X Map (Show T, R, S, QQ &/OR QQQ) " "
- X Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area) *Need sub plat*
- ? Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ? Correct fee paid *may need more if irrig.*

ADDITIONAL INFORMATION

~~ADVERTISE~~ REMARKS (Yes or No)

YES NO

- _____ Overlapping place of use (Describe source and relationship to present application on next page)
- _____ Overlapping point of diversion
- _____ X Critical groundwater area
- _____ X Ground water management area
- _____ X 1992 moratorium
- _____ X Surface water source, IDFG letter needed
- _____ X Protected river or minimum flow reach, notify water planning bureau
- _____ X E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
- _____ X E-mail to Dam Safety staff (for any storage)
- X Mitigation plan Check any that apply
- _____ Immediate = acceptable plan required and submitted *Need request to process form*
- _____ Future = open areas, acceptance of condition of approval is in file
- _____ X Send power requirement letter &/or fish farm requirement letter
- _____ X Power residency affidavit
- _____ X Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)
- _____ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APPLICATION # _____

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 NOTE IF E-MAIL COMMENT LETTER USED

YES NO

_____ ☒ I.D. Environmental Quality
☒ I.D. District Health
_____ ☒ I.D. Fish & Game
_____ ☒ I.D. Lands

YES NO

_____ ☒ US BLM
_____ ☒ US Forest Service
_____ ☒ Water Dist # _____
_____ ☒ Water Planning Bureau
_____ 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
_____ Final date for protest _____
_____ Protests received _____
_____ Recommendations attached _____
_____ Measuring device required _____
_____ Water delivered by water master? District # _____
_____ Special conditions of approval or cover letter _____

Recommended Date of Priority _____

Recommendation ☐ Approve ☐ Deny by _____ Date _____**ADDITIONAL INFORMATION**

_____ MICROFILMED
_____ MAR 20 2003

☐ See Attachment(s) ... always include application proof report

FORM 202
RECEIVED

MAR 29 2002

WATER RESOURCES
WESTERN REGION

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant STONEMARK ESTATES HOMEOWNERS ASSN Phone (208) 278-3441
Mailing address 4997 S.W. 4TH AVE NEW PLYMOUTH, ID 83655
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 7N Range 1W Sec. 31 in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Charm County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.11 CFS for DOMESTIC purposes from 11 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)
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) 0.11 CFS and/or (b) 3 ACP
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 2" WELL @ 100'
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter 2 inches; proposed depth of well is 100 feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? 3-27-02; Drilling firm GEORGE POST
Well was drilled for (well owner) STONEMARK ESTATES, LLC; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is _____ 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. 5 PERSONS
e. Other; describe fully. _____

MICROFILMED
MAR 29 2003

3. 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	
7N	1W	31														X			

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? APPLICANT

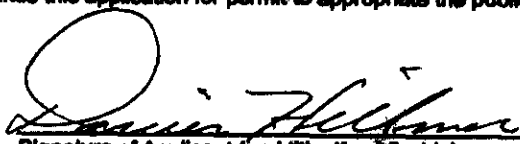
b. Who owns the land to be irrigated or place of use? APPLICANT

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: DARWIN HILMAN OF BEDROCK CONST. LLC CAN SIGN ALL DOCUMENTS FOR SHONICKS ESTATES HOMEOWNERS ASSOC.

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.


Signature of Applicant (and title, if applicable)

Received by C. Santen Date 3-29-02 Time _____ Preliminary check by _____
Fee \$ 100.00 Receipted by C. Santen # WA28944 Date 3-29-02
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

MICROFILM

MAR 20 2003

RECEIVED

OCT 23 2002

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
SS.)
County of Gem)

ANTHONY M. CLARK

of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years,
and not a party to the above entitled action.

2. That I am the Principal Clerk of the Messenger Index,
a weekly newspaper published in the City of Emmett in the
County of Gem, State of Idaho; that the said newspaper is
in general circulation in the said County of Gem, and in the
vicinity of Emmett, and has been uninterruptedly published
in said County during a period of fifty-two consecutive
weeks prior to the first publication of the notice, a copy
of which is hereto attached.

3. That the notice, of which the annexed is a printed copy,
was published in the newspaper two times in the regular and
entire issue of said paper, and was printed in the newspaper
proper, and not in a supplement.

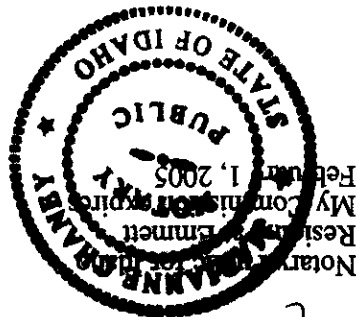
4. That said notice was published the following
October 16, 23, 2002

Anthony M. Clark

STATE OF IDAHO)
County of Gem)

On this 23rd day of October in the year of 2002 before me
a Notary Public, personally appeared, Anthony M. Clark
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
acknowledge to me that she executed the same.

Margaret Clary



MICROFILMED
MAR 20 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

CENTRAL DISTRICT HEALTH DEPT
707 N ARMSTRONG PL
BOISE ID 83704

Re: Application for Permit No. 65-22712 in the Name of Stonecreek Homeowners Association.

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee must be received in this office by November 4, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl: Copy of Application

MICROFILMED
MAR 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 11, 2002

Legal Notice Department
Messenger-Index
PO Box 577
Emmett ID 83617

RE: Application for Permit No. 65-22712

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 11/04/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

MAR 20 2003

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

65-22712

STONECREEK HOMEOWNERS ASSN
4997 S 4TH AVE
NEW PLYMOUTH ID 83655

Point(s) of Diversion NWSW S31 T07N R01W GEM County Source GROUND WATER

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

Total Diversion: 0.11 CFS

Date Filed: 08/08/2002

Place Of Use: DOMESTIC

T07N R01W S31 NWSW

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

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 11/04/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Messenger Index on October 16 and 23, 2002.

MICROFILMED

MAR 20 2003