

UNPLATTED (DANIEL & JUDY SURMEIER)

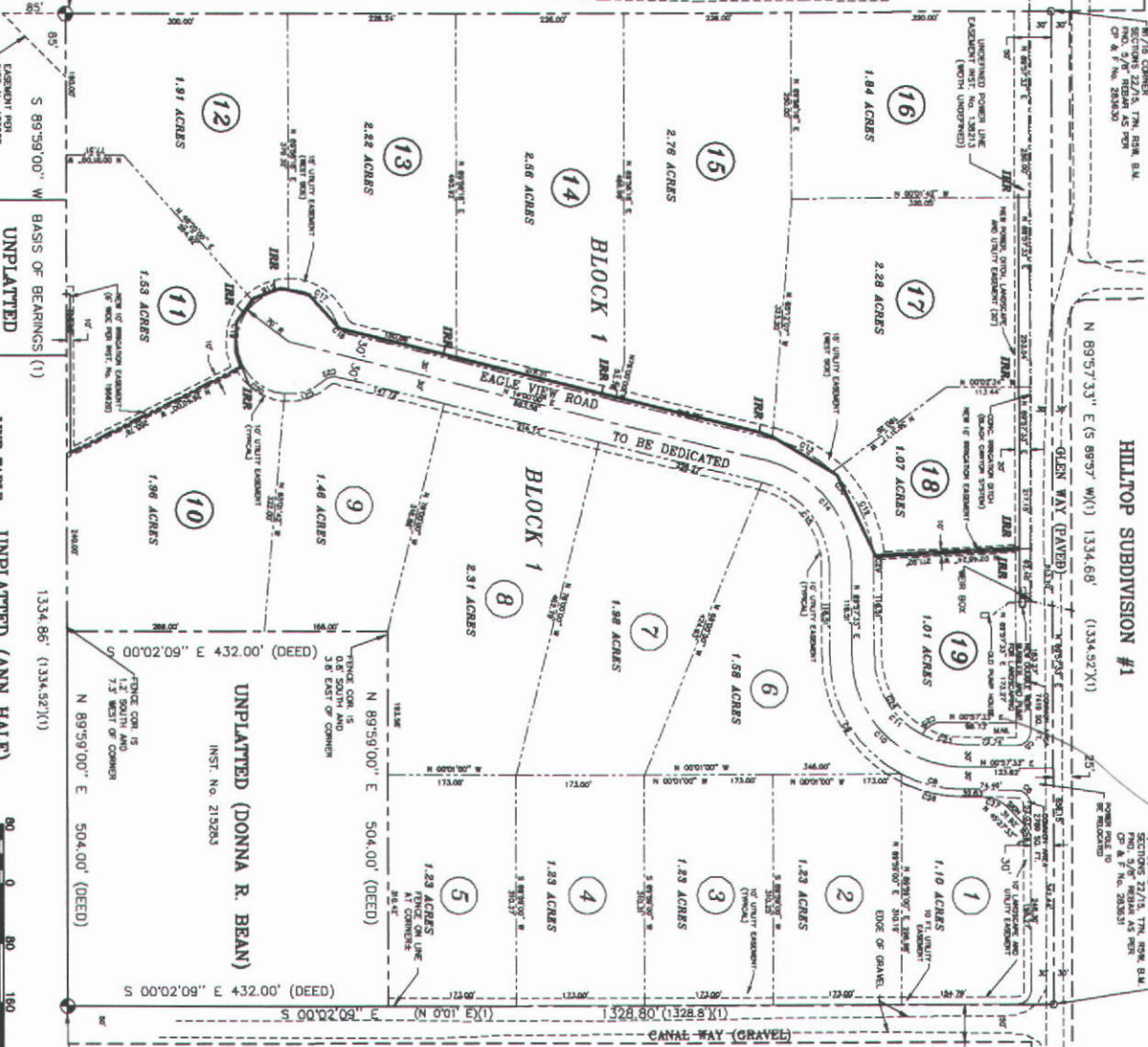
NW 1/4 CORNER
SECTION 22, T7N, R5W, B.M.
FIND. G.L.D. BRASS CAP MONUMENT
AS PER CP & F No. 283636

N 00°01'42" W (N 0°01' E)(1) 1328.24' (1329.24')(1)

UNPLATTED (ANN HALE)
BASIS OF BEARINGS (1)

LINE TABLE UNPLATTED (ANN HALE)
1334.86 (1334.92')(1)

SCALE: 1" = 80'
ALL DISTANCES SHOWN HERE ARE IN US FEET



1/4 CORNER
SECTION 22, T7N, R5W, B.M.
FIND. G.L.D. BRASS CAP MONUMENT
AS PER CP & F No. 283636

HILLTOP SUBDIVISION #1
N 89°57'33" E (S 89°57' W)(1) 1334.68' (1334.92')(1)

1/4 CORNER
SECTION 22, T7N, R5W, B.M.
FIND. G.L.D. BRASS CAP MONUMENT
AS PER CP & F No. 283636

Proposed Well Site

HILLTOP SUBDIVISION #2



SUBDIVISION FEATURES:

1. INDIVIDUAL WELLS - ONE WELL FOR EACH LOT
2. INDIVIDUAL SEPTIC SYSTEMS
3. BERM AND LANDSCAPING AT ENTRANCE, AND ALONG CLEN WAY
4. GRANTY ABIGICATION TO LOTS 10 THRU 19
5. EASY ACCESS TO U.S. 95 AND INTERSTATE 1-84
6. COMMUNITY MAILBOX WITH PULLOUT AT ENTRANCE
7. BOUNDED ON THE NORTH & EAST SIDES BY EXISTING COUNTY ROADS
8. LANDSCAPING AREAS TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION

OWNER/DEVELOPER

EAGLE VALLEY CONSTRUCTION, INC.
P.O. BOX 33, OREGON, OREGON
CONTACT: BRENT VALOIN (208) 452-8078

LEGAL DESCRIPTION:

SECTION 22, T7N, R5W, B.M.
FIND. G.L.D. BRASS CAP MONUMENT
AS PER CP & F No. 283636
CONTAINING 35.71 ACRES, MORE OR LESS

LEGEND

- SUBDIVISION BOUNDARY
- NEW LOT LINES
- EXISTING RIGHT-OF-WAY
- EXISTENT LINE
- OVERHEAD POWER

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MAR 20 2003



PRELIMINARY PLAT OF EAGLE VIEW ESTATES
WITHIN THE NE1/4NW1/4
SECTION 22, T7N, R5W, B.M.
PAYETTE COUNTY, IDAHO



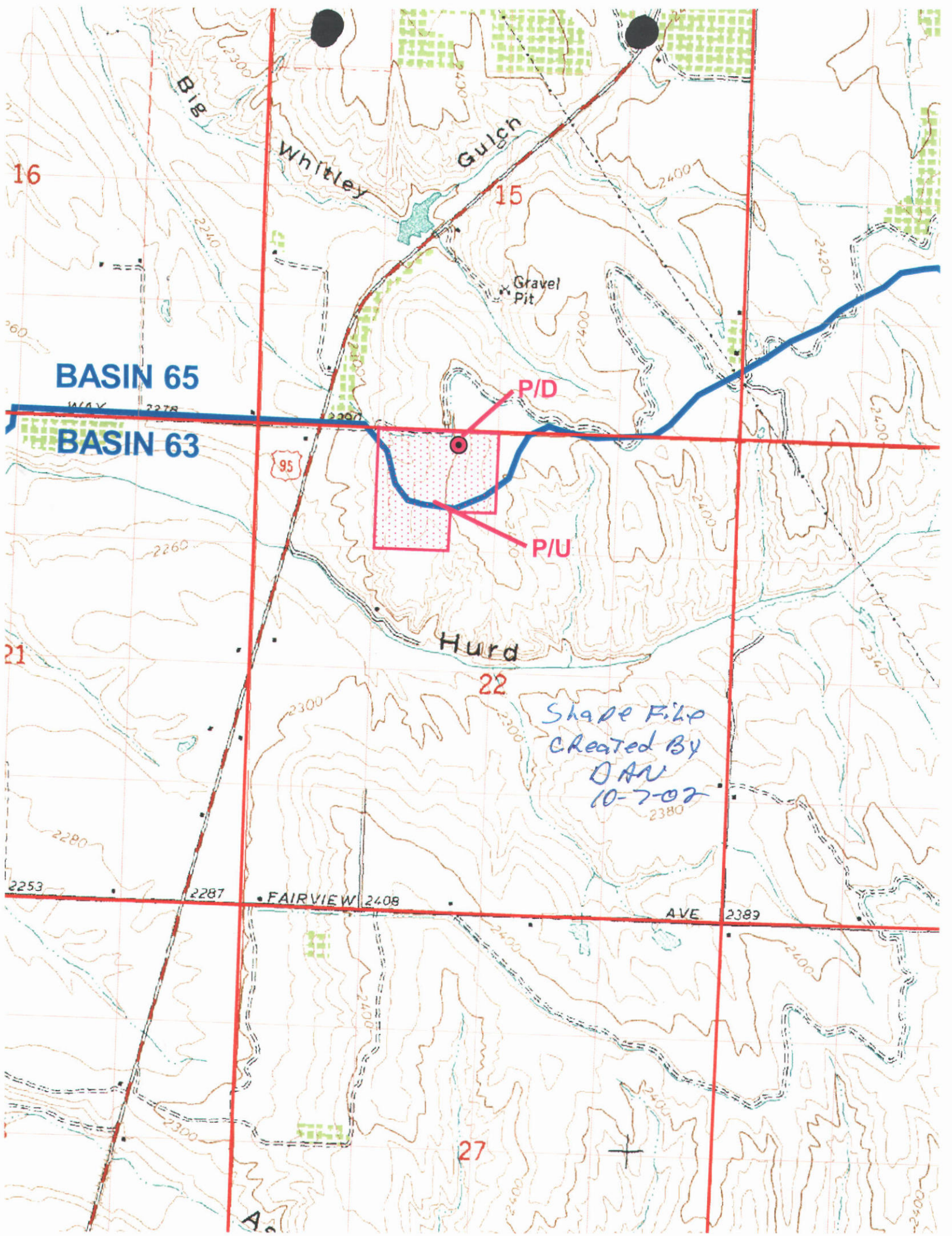
EDWARDS & CUMMINGS L.L.C.
CIVIL/STRUCTURAL ENGINEERING &
LAND SURVEYING, GPS SERVICES
150 S.E. 1ST AVE. SUITE 1 & 2 P.O. BOX 1480
TULSA, OKLA. 74101-1480
OFFICE: (918) 592-5511 FAX: (918) 592-5511
OFFICE: (918) 592-5511 FAX: (918) 592-5511
OFFICE: (918) 592-5511 FAX: (918) 592-5511

PRELIMINARY PLAT OF
EAGLE VIEW ESTATES
PAYETTE COUNTY, IDAHO
WITHIN THE NE1/4NW1/4
SECTION 22, T7N, R5W, B.M.

DATE	BY

Drawn by: ☐ RCH
Checked by: ☐ RCH
Approved by: ☐ RCH
DATE: 1/11/2001
JOB No.: C-20005
DWG No.: C-20005-001
BOOK:

Subdivision is located on 36-acre Parcel of land. Dan 10-7-02



Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESSE	NWSE	SWSE	SESE	Total
Permit	63-12026	DONNA R BEAN,	GROUND WATER	07N05W22																	5
Permit	63-12026	DONNA R BEAN,	GROUND WATER	07N05W22																	0
Claim	65-2900		TUNNEL NO 2 DRAIN	07N05W22			X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Permit	63-12111	DANNY CONE,	GROUND WATER	07N05W22	3																3
App	63-12371	JOHN M BORGE, WILLA D BORGE,	GROUND WATER	07N05W22	5																5
Claim	63-21945	E LOUISE BEAGLEY,	GROUND WATER	07N05W22						X											0
Claim	63-21945	E LOUISE BEAGLEY,	GROUND WATER	07N05W22						X											0
Right	63-29985	KENNETH L FEASENHISER,	GROUND WATER	07N05W22						X											0
Right	63-29985	BETHEL E FEASENHISER,	GROUND WATER	07N05W22						X											0
Right	63-29985	KENNETH L FEASENHISER,	GROUND WATER	07N05W22						X											0
Right	63-30022	TERESA TSCHIRGI, JUDITH	GROUND WATER	07N05W22								X									0
Right	63-30043	HEMSWORTH,	GROUND WATER	07N05W22								X									0
Right	63-30081	MELANIE B TRIBBLE, RANDY	GROUND WATER	07N05W22																	0
Right	63-30134	DWAYNE P RUMPEL, TERESA R	GROUND WATER	07N05W22															X		0
Right	63-30188	SCHEMET,	GROUND WATER	07N05W22								X									0
Right	63-30253	ERMA B SLEIGHT,	GROUND WATER	07N05W22								X									0
Right	63-30253	DEBBIE M DURHAM, NEAL O	GROUND WATER	07N05W22																	0
Right	63-30325	DURHAM,	GROUND WATER	07N05W22					X												0
Right	63-30325	SHARON R SMITH, CHERYL A	GROUND WATER	07N05W22																X	0
Right	63-30392	ELMER CUTLER, MILDRED	GROUND WATER	07N05W22																X	0
Right	63-30392	CUTLER,	GROUND WATER	07N05W22																X	0
Right	63-30392	ELMER CUTLER, MILDRED	GROUND WATER	07N05W22																X	0
Right	63-30414	JOHN M BORGE, WILLA D BORGE,	GROUND WATER	07N05W22	X																0
Right	63-3629	ERMA B SLEIGHT, RAYMOND F	WASTE WATER	07N05W22																	12
Right	63-3629	SLEIGHT,	WASTE WATER	07N05W22																	12
Claim	63-9736	LARRY P PARKES, KATHRYN	GROUND WATER	07N05W22																	26
Right	63-9736	CARNEFIX,	GROUND WATER	07N05W22																	26
Right	63-9736	KATHRYN CARNEFIX,	GROUND WATER	07N05W22																	26
Claim	63-9917	DAN SURMEIER, JUDY SURMEIER,	GROUND WATER	07N05W22						26											26
Right	63-9917	ESTATE OF WILLIAM V PARKER,	GROUND WATER	07N05W22						26											26
Right	65-13501	BENJAMIN ROBERTS,	GROUND WATER	07N05W22		1															1
Right	65-18548	WALDON E ISOM,	GROUND WATER	07N05W22																	0
Right	65-18548	WALDON E ISOM,	GROUND WATER	07N05W22																	0
Right	65-18548	WALDON E ISOM,	GROUND WATER	07N05W22																	0
Right	65-18551	WALDON E ISOM,	GROUND WATER	07N05W22																	0
Right	65-18551	WALDON E ISOM,	GROUND WATER	07N05W22																	0
Right	65-18554	JUDY SURMEIER, DAN SURMEIER,	GROUND WATER	07N05W22						X											0
Right	65-20644	NANCY E HART, KENNETH H	GROUND WATER	07N05W22		X															0
Right	65-21263	JUDITH A DURHAM, ROLAND F	GROUND WATER	07N05W22																	0
Right	65-21313	DURHAM,	GROUND WATER	07N05W22																	0
Right	65-21313	LLOYA HALE,	GROUND WATER	07N05W22							X										0
Right	65-21313	LLOYA HALE,	GROUND WATER	07N05W22							X										0
Right	65-22099	C DEAN PEABODY, RUTH	GROUND WATER	07N05W22																	0
Right	65-22099	PEABODY,	GROUND WATER	07N05W22																	0

P/D SEARCH FOR T7N R5W S22 NENW

Basin	Sequence	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Source Table
63	12026	4/16/1993	0.14	GROUND WATER	DOMESTIC, IRRIGATION	BEAN, DONNA R (Current)	wrWaterPermit

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22709

Priority October 07, 2002

Maximum Diversion Rate 0.99 CFS

This is to certify, that EAGLE VALLEY CONSTRUCTION
 PO BOX 33
 ONTARIO OR 97914

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	0.20 CFS
IRRIGATION	03/01 to 11/15	0.72 CFS
STOCKWATER	01/01 to 12/31	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp 07N, Rge 05W, B.M., PAYETTE County

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp 07N, Rge 05W, B.M., PAYETTE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 05W 22					X												

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 05W 22					36.0												36.0
Total Acres:																	36.0

PLACE OF USE: STOCKWATER same as Domestic

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **December 01, 2007**.
- 2 Subject to all prior water rights.
- 3 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 4 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

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State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22709

- 5 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right.
- 6 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above
- 7 After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department
- 8 Point of diversion is located within Lot 19, Eagle View Estates.
- 9 Place of use is located within Lots 1-19, Eagle View Estates.
- 10 Domestic use is for 19 homes and does not include lawn, garden, landscape, or other types of irrigation
- 11 Stockwater use is for 50 head of horses or cattle

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21st day of November, 2002


for KARL J DREHER, Director

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MAR 20 2003

RECEIVED

SEP 13 2002

WATER RESOURCES
WESTERN REGIONIdent No 65-22709

RECEIVED

NOV 15 2002

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of Applicant Eagle Valley Construction Phone 208-452-6078Mailing address P.O. Box 33 Ontario, OR 979142 Source of water supply Ground Water which is a tributary of Snake River3 Location of point of diversion is Township 7N Range 5W Sec 22, in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt Lot 2 Wells same location, B.M. Payette County;additional points of diversion if any 2 Wells same location

4 Water will be used for the following purposes.

Amount 0.2 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)(cfs or acre-feet per annum) stockwater purposes from 3/1 to 4/15 (both dates inclusive)Amount 0.782 for Irrigation purposes from 3/1 to 4/15 (both dates inclusive)(cfs or acre-feet per annum) stockwater purposes from 1/1 to 12/31 (both dates inclusive)Amount 0.109 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)(cfs or acre-feet per annum) purposes from to (both dates inclusive)Amount for purposes from to (both dates inclusive)(cfs or acre-feet per annum) purposes from to (both dates inclusive)5 Total quantity to be appropriated is (a) 0.912 0.99 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 Well with pressure
irrigation & drinking water for 19 homes.b Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feetc. Proposed well diameter is 8 inches; proposed depth of well is approx. 30 feetd Is ground water with a temperature of greater than 85°F being sought? noe If well is already drilled, when? yes, Drilling firm Treasure Valley DrillingWell was drilled for (well owner) Eagle Valley Const., Drilling Permit No. See attached7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

8 Description of proposed uses (if irrigation only, go to item 9)

a Hydropower, show total feet of head and proposed capacity in kW b Stockwatering, list number and kind of livestock Misc. horses or cows on back home sitec Municipal, show name of municipality approx. 50 horses and/or 50 cowsd Domestic, show number of households. 19 homese Other, describe fully

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MAY 20 2002

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	5W	22					36												40

Total number of acres to be irrigated 36. more or less

10 Describe any other water rights used for the same purposes as described above Surface irrigation
for 19 acres of the 36 acres. Black Canyon Irrigation Co

11 a Who owns the property at the point of diversion? Eagle Valley Construction
b Who owns the land to be irrigated or place of use? Eagle Valley Construction
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 _____

A new well will be drilled. The existing will be used for backup.

13 **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range (A photocopy of a USGS 7 5 minute topographic quadrangle map is preferred)

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

Brent Vayl
Signature of Applicant (and title, if applicable)

Received by KH Date 9/13/02 Time 11:33 Preliminary check by DAW
Fee \$ 250.00 Receipted by KH # W029707 Date 9/13/02
Publication prepared by AT Date 10-11-02 Published in _____
Publication approved AT Date 11-13-02 INDEPL. _____ ENTERPRISE

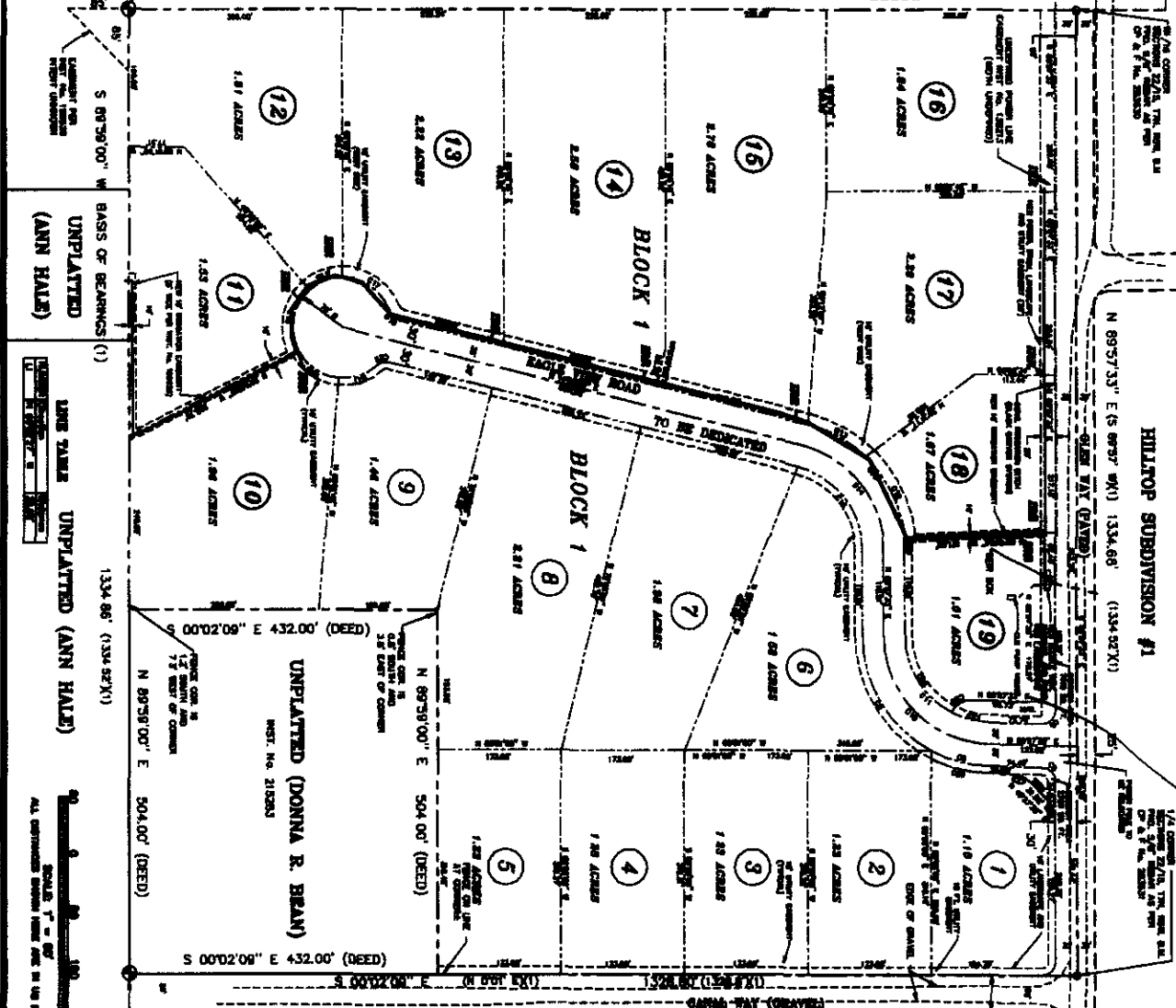
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NOV 16 2002

1/4 CORNER
SECTION 22, 7TH, RSW, B.M.
FIND G.L.D. BRASS CAP MONUMENT
AS PER OF & F No. 263539

UNPLATTED (DANIEL & JUDY SURMEIER)

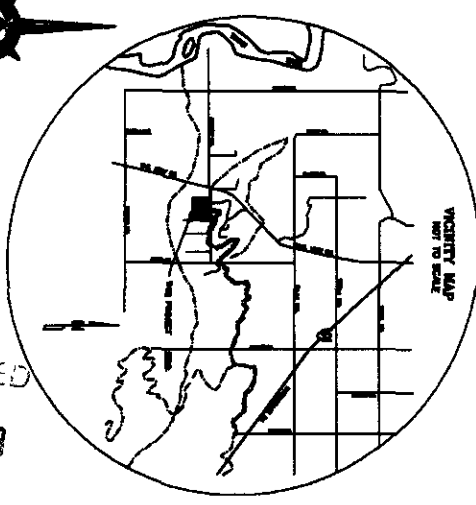
N 00°01'42" W (N 00°1' EX) 1328.24' (1328.24'X1)



Proposed Well Site

Subdivision is located on 36-acre parcel of land. Dan 10-7-02

HILLTOP SUBDIVISION #2



PRELIMINARY PLAT OF EAGLE VIEW ESTATES
WITHIN THE NE1/4NW1/4
SECTION 22, T7N, RSW, B.M.
PAYETTE COUNTY, IDAHO

RECEIVED
MAY 20 2003

SUBDIVISION FEATURES:

1. INDIVIDUAL WELLS - ONE WELL FOR EACH LOT
2. INDIVIDUAL SEPTIC SYSTEMS
3. BERM AND LANDSCAPING AT ENTRANCE, AND ALONG CLEN WAY
4. GRANTY INDEMNITY TO LOTS 10 THRU 19
5. EASY ACCESS TO U.S. 86 AND INTERSTATE 1-84
6. COMMUNITY WALKWAY WITH FALLOUT AT ENTRANCE
7. BOUNDED ON THE NORTH & EAST SIDES BY EXISTING COUNTY ROADS
8. LANDSCAPING AREAS TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION

OWNER/DEVELOPER

EAGLE VALLEY CONSTRUCTION, INC.
P.O. BOX 24, DRYDEN, IDAHO 83420
CONTACT: BRENT WILSON (208) 482-4078

LEGAL DESCRIPTION:

LAND IN SECTION 22, T7N, RSW, B.M. BEING A WEST 36-ACRE PARCEL, PAYETTE COUNTY, IDAHO, BEING THE SOUTH 428 FEET OF THE EAST 360 FEET.



PRELIMINARY PLAT OF
EAGLE VIEW ESTATES
PAYETTE COUNTY, IDAHO
WITHIN THE NE1/4NW1/4
SECTION 22, T7N, RSW, B.M.

NO.	DATE	DESCRIPTION
1	10-7-02	PRELIMINARY PLAT
2	10-7-02	PRELIMINARY PLAT
3	10-7-02	PRELIMINARY PLAT
4	10-7-02	PRELIMINARY PLAT
5	10-7-02	PRELIMINARY PLAT
6	10-7-02	PRELIMINARY PLAT
7	10-7-02	PRELIMINARY PLAT
8	10-7-02	PRELIMINARY PLAT
9	10-7-02	PRELIMINARY PLAT
10	10-7-02	PRELIMINARY PLAT
11	10-7-02	PRELIMINARY PLAT
12	10-7-02	PRELIMINARY PLAT
13	10-7-02	PRELIMINARY PLAT
14	10-7-02	PRELIMINARY PLAT
15	10-7-02	PRELIMINARY PLAT
16	10-7-02	PRELIMINARY PLAT
17	10-7-02	PRELIMINARY PLAT
18	10-7-02	PRELIMINARY PLAT
19	10-7-02	PRELIMINARY PLAT

NO.	DATE	DESCRIPTION
1	10-7-02	PRELIMINARY PLAT
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4	10-7-02	PRELIMINARY PLAT
5	10-7-02	PRELIMINARY PLAT
6	10-7-02	PRELIMINARY PLAT
7	10-7-02	PRELIMINARY PLAT
8	10-7-02	PRELIMINARY PLAT
9	10-7-02	PRELIMINARY PLAT
10	10-7-02	PRELIMINARY PLAT
11	10-7-02	PRELIMINARY PLAT
12	10-7-02	PRELIMINARY PLAT
13	10-7-02	PRELIMINARY PLAT
14	10-7-02	PRELIMINARY PLAT
15	10-7-02	PRELIMINARY PLAT
16	10-7-02	PRELIMINARY PLAT
17	10-7-02	PRELIMINARY PLAT
18	10-7-02	PRELIMINARY PLAT
19	10-7-02	PRELIMINARY PLAT

Form 236-7
11/97 JGE

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat. _____ Long. _____

1. WELL TAG NO. D 0019759

DRILLING PERMIT NO. _____

Other IDWR No. _____

2. OWNER:

Name Eagle Valley Construction

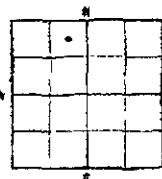
Address P.O. Box 33

City Ontario

State OREGON 97914

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location



Twp 7

North ☒

or

South ☐

Rge 5

East ☐

or

West ☒

Sec. 22

1/4

NE

1/4

Gov't Lot _____

County Polk

Long. _____

Address of Well Site Canal Rd.

City Parma

U. _____

Blk. _____

Sub. Name _____

4. USE:

☒ Domestic

☐ Municipal

☐ Monitor

☐ Irrigation

☐ Thermal

☐ Injection

☐ Other _____

5. TYPE OF WORK: check all that apply

(Replacement etc.)

☒ New Well

☐ Modify

☐ Abandonment

☐ Other _____

6. DRILL METHOD:

☒ Air Rotary

☐ Cable

☐ Mud Rotary

☐ Other _____

7. SEALING PROCEDURES:

Seal/Filter Pack		AMOUNT		METHOD
Material	From	To	Quantity	
Bentonite	0	18	400	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 312

Was drive shoe seal tested? ☒ Y ☐ N How? air

8. CASING/LINER:

Outer Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	312	250	steel	☒	☐	☒	☐
4 1/2	300	380	188	PVC	☐	☒	☒	☐

Length of Headpipe _____

Length of Tailpipe _____

9. PERFORATIONS/SCREENS:

☐ Perforations

Method _____

☐ Screens

Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
380	400	20		4 1/2	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

118 ft. below ground

Artesian pressure _____ lb

Depth flow encountered 380

ft. Describe access port or control

devices cap

11. WELL TESTS:

Yield gal./min	Drawdown	Pumping Level	Time
150	300	300	2 hr
30	140	140	4 hr

Water Temp 56

Bottom hole temp 56

Water Quality test or comments: _____

Depth first Water Encounter 148

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water
14	0	2	TOP SOIL	
14	2	4	HARD PAN	
14	4	18	BROWN SANDY CLAY	
10	18	30	BROWN SANDY CLAY	
10	30	48	TAN SANDY CLAY	
8	48	80	GRAVEL & SAND	
8	80	98	SAND & SMALL GRAVEL	
8	98	110	SMALL GRAVEL & SAND	
8	110	148	SAND	
8	148	154	BROKE TAN CLAY (1-2 GAL)	X
8	154	158	STICKY TAN CLAY	
8	158	175	TAN CLAY w/CRACKS(1-2 GAL)	X
8	175	197	BLUE CLAY	
8	197	207	SAND (20 GAL)	X
8	207	270	BROKEN BLUE SHALE	
8	270	280	SAND med. 15-20 (100 GAL)	X
8	280	311	SAND med. & peat size	
8	311	340	BROKEN STICKY CLAY (30 GAL)	X
8	340	352	BAKED CLAY	
8	352	354	BROKEN CLAY (30 GAL)	X
8	354	358	BAKED CLAY (20 GAL)	X
8	358	364	BROKEN CLAY	
8	364	380	BAKED CLAY	
8	380		BROKEN CLAY & SAND LAYERS	
		404	(100-150 GAL)	X

Completed Depth 380

(Measurable)

Date Started 4/2/2002

Completed 4/5/2002

13. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley Drilling

Firm No. 560

Firm Official _____

Date 4/8/2002

and

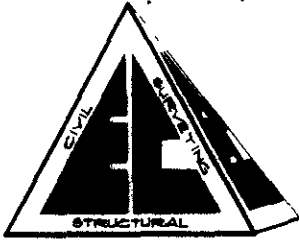
Driller or Operator _____

Date 4/8/2002

(Sign once if Firm Official & Operator)

MICROFILMED

MAR 20 2003



EDWARDS & CUMMINGS, LLC

CIVIL/STRUCTURAL/ELECTRICAL ENGINEERING

LAND SURVEYING*GPS SERVICES

156 SE 1st AVENUE, SUITE 1

ONTARIO, OREGON 97914

(541) 889-5411 Fax (541) 889-2074

TRANSMITTAL

Name ID Dept of Water Resources-Western Region
Attention _____
Address 2735 Airport Way
City Boise ST ID ZIP 83705

Date: 9/6/2002
Job No.: CI-02005

Project Description

Eagle Valley Estates

Received By _____
Date _____

We are sending you: ☒ Attached ☐ Under Separate Cover via: US Mail
the following items:

- ☐ Prints ☐ Specifications
☐ Report ☐ Calculations
☒ Other: Application for Permit

No. of Copies	No. of Pages	Description
1	4	Application for Permit to appropriate the Public Water of Idaho
1	1	Application Fee, Check # 1953

These items are transmitted for the reason specified below:

- ☒ For approval ☐ Approved as submitted
☐ For your use ☐ Approved as noted
☐ As requested ☐ Returned for corrections
☐ For bids due _____
☐ Other: _____

Notes/Remarks:

If you have any questions, please feel free to call us.

Copy to: File MICAC Signed: Dan K. Cummings

MAR 20 2003

6-74062-81
Corporate
Registry #
674062-81

ARTICLES OF INCORPORATION
OF
EAGLE VALLEY CONSTRUCTION, INC.

2/05/99 1:16 PM DOW 1957 \$5000

FILED

FEB 12 1999

OREGON
SECRETARY OF STATE

The understanding natural persons acting as incorporators of a corporation (The "Corporation") under the provisions of chapter 60 of the Oregon Revised Statutes, adopt the following Articles of Incorporation.

ARTICLE 1

NAME

The name of the corporation is: Eagle Valley Construction, Inc.

ARTICLE 2

PERIOD OF DURATION

The period of duration of the corporation is perpetual.

ARTICLE 3

PURPOSE

The purpose for which the corporation is organized is to engage in any lawful activity.

ARTICLE 4

AUTHORIZED SHARES AND ASSESSMENT OF SHARES

Section 4.01: Authorized Shares. The aggregate number of shares that the Corporation shall have the authority to issue is 10,000 shares of Capital Stock with no par value. The initial number shareholders shall be less than four (4).

Section 4.02: Assessment of Shares. The Capital Stock of the Corporation, after the amount of subscription price has been paid, shall not be subject to pay the debts of the Corporation, and no Capital Stock issued as fully paid up shall even be assessable or assessed.

Section 4.03: Denial of Preemptive Rights. No shareholder of the Corporation shall

020899 02907-1
1

5000

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2/15/99 2:10 2/10/99

Spring
2/12

have any preemptive or other right, by reason of his status as a shareholder, to acquire any unissued shares, treasury shares, or securities convertible into shares of the Capital Stock of the Corporation. This denial of preemptive rights shall, and is intended to, negate any rights which would otherwise be given to shareholders pursuant to any successor statute.

ARTICLE 5

PRINCIPAL OFFICE AND INITIAL RESIDENT AGENT

Section 5.01: Principal Office. The principal office of the Corporation is to be located in Malheur County, Oregon, P.O. Box 33, Ontario, OR 97914.

Section 5.02: Initial Registered Agent. The name of the initial registered agent of the Corporation,

is Brent J Vaughn, whose mailing address is

5570 QUINCE RD.
ONTARIO, OR.
97914

ARTICLE 6

DATA RESPECTING DIRECTORS

Section 6.01: Style of Governing Board. The members of the governing board of the Corporation shall be styled Directors.

Section 6.02: Initial Board of Directors. The initial Board of Directors shall consist of three members, who need not be residents of the State of Oregon or shareholders of the Corporation.

Section 6.03: Names and Addresses. The names and addresses of the persons who are to serve as Directors until the first annual meeting of the shareholders, or until their successors have been elected and qualified, are as follows:

<u>Name</u>	<u>Addresses</u>
Larry J. Vaughn	P.O. Box 33 Ontario, OR 97914
Mary Ann Vaughn	P.O. Box 33 Ontario, OR 97914

MICHAEL
MAY 20 2003

Brent J. Vaughn

P.O. Box 33
Ontario, OR 97914

Jeannie Vaughn

P.O. Box 33
Ontario, OR 97914

Section 6.04. Increase or Decrease of Directors. The number of Directors of the Corporation may be increased or decreased from time to time as shall be provided in the Bylaws of the Corporation.

Section 6.05: Pursuant to Chapter 60 of the Oregon Revised Statutes, the personal liability of the director or officer of the corporation or any of its shareholders for damages for breach of fiduciary duty as director or officer shall be limited. This limitation shall not include breaches brought about as the result of intentional misconduct, fraud or knowing violation of law, nor the payment of dividends in violation of the statutes on the part of any director or shareholder.

Further, the directors through the officers at the request of the shareholders may, so long as their actions are in compliance with the laws of the State of Oregon, promulgate such rules, directions and by-laws for the management of the business and the conduct of the affairs of the corporation that may create, define, limit or regulate the powers of the corporation or the rights, powers or duties of the directors and the stockholders or the holders of bonds as other obligations of the corporation or governing the distribution or division of the profits of the corporation.

The corporation may be authorized to purchase and maintain insurance or other financial arrangements on behalf of any person who is or was a director, shall be a director, officer, employer, agent of the corporation or is to serve at the request of the corporation, partnership, joint venture, trust or other enterprise for any liability asserted against him and liability and expenses incurred by him in his capacity as director, officer, employer, agent arising out of this status as such whether or not the corporation has the authority to indemnify him against such liability and expenses, except in the case of an individual director, employee, agent or officer who has been adjudged by a court of competent jurisdiction after exhaustion of all

MICN

MAR 20 2003

Appeals to be liable for intentional misconduct, fraud or knowing violation of the law.

This provision inures to the benefit of the heirs, executors, and administrators of any such person entitled to the benefit of who is in compliance with this section.

Section 6 06. Notices. Notices to the Corporation of any kind shall be addressed to.

Eagle Valley Construction Inc.
P.O. Box 33
Ontario OR 97914
Attn. Brent Vaughn

ARTICLE 7

DATA RESPECTING INCORPORATOR

The name and address of the incorporator of the Corporation is as follows:

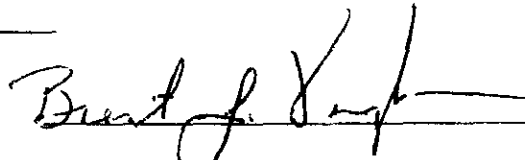
Names

Address

Brent Vaughn

P.O. Box 33
Ontario OR 97914
(208-452-6078)

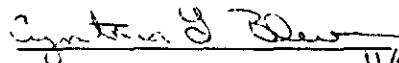
EXECUTED this 4 day of FEB

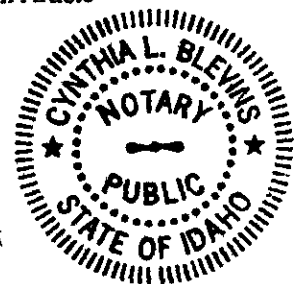

Brent J. Vaughn

STATE OF IDAHO)
) SS:
COUNTY OF PAYETTE)

I, the undersigned, a NOTARY PUBLIC duly commissioned to take acknowledgments and administer oaths in the State of Idaho, do hereby certify that on this day personally appeared before me Brent J. Vaughn who, being by me first duly sworn, declare that he is the incorporator referred to in Article 7 of the forgoing Articles of Incorporation and that he signed these Articles of Incorporation as incorporator of the Corporation and that the statements contained therein are true.

Witness my hand and Notarial Seal this 4 day of February 1999


Notary Public exp 11/23/2004



MICROFILMED
MAR 20 2003

CERTIFICATE OF ACCEPTANCE OF APPOINTMENT AS REGISTERED AGENT

In the matter of Eagle Valley Construction Inc. a corporation, I hereby certify that on the 4TH day of FEB, 1999, I accept the appointment as Registered Agent of the above - entitled corporation in accordance with Chapter 60, of the Oregon Revised Statutes.

In witness whereof, I have hereunto set my hand this 4TH day of FEB, 1999.

By: Brent J. Vaughn

Brent J. Vaughn

MIC...
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 Eagle Valley Construction, Inc
Mailing Address PO Box 33
Ontario, OR 97914
Application No. 65-22709
(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.

☒ 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

Burt V. [Signature]

President Eagle Valley Const Inc

Date

10-7-02

MIC:

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

November 22, 2002

EAGLE VALLEY CONSTRUCTION
PO BOX 33
ONTARIO OR 97914

RE: Permit No. 65-22709

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

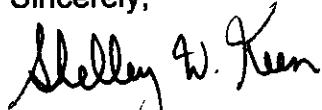
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened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

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,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED

MAR 20 2003

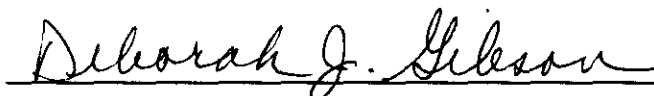
CERTIFICATE OF SERVICE

I hereby certify that on November 22, 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.

65-22709

**EAGLE VALLEY CONSTRUCTION
PO BOX 33
ONTARIO OR 97914**

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

**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.

MICROFILMED
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.

MICROFILMED
MAR 20 2003

MEMORANDUM

Date: November 20, 2002
To: Water Right File 65-22709
From: dgibson
Re: Permit Review

During my review of the application I questioned the amount of livestock the applicant said could be kept in the subdivision. The applicant noted "approx. 50 horses and/or 50 cows. That is an approximate maximum of 100 head of stock depending on how an individual wants to interpret it, on 36 acres in addition to homes and lawns/gardens. I believe that if someone wanted to read that as 100, that is too many animals in a confined area. So I am going to clarify the amount of animals by limiting to 50 head of horses or cattle

MICROFILMED

NOV 20 2003

COMMENT
LETTERS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 10-7-02 Application # 65-22709

REQUIRED INFORMATION

- Name (If applicant is a corporation or partnership, the names and addresses for the 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

RECEIVED
NOV 15 2002
DEPARTMENT OF WATER RESOURCES

ADDITIONAL INFORMATION

YES ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page) BLACK CANYON IRRIG. DIST. AND ONE OTHER INSIGNIFICANT
- ☒ Overlapping point of diversion NO SIGNIFICANT OVERLAP. RIGHT.
- ☒ 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 # 65-22709

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

046 121, Black Canyon water used first when available; Shall comply with all environmental and health laws & regulations, including those governing public water supply wells.

Recommended Date of Priority 10/7/02 (increased the proposed volume)Recommendation ☒ Approve ☐ Denyby Bay SDate 11/13/02**ADDITIONAL INFORMATION**☒ See attached proof report, note any Legal Notice Remarks &/or Comments☒ See attached shapefile

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22709

WATER RIGHT NUMBER: 65-22709

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE VALLEY CONSTRUCTION PO BOX 33 ONTARIO, OR 97914

Priority Date: 10/07/2002

Basis:

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.200 CFS	
IRRIGATION	03/01 to 11/15	0.720 CFS	
STOCKWATER	01/01 to 12/31	0.070 CFS	
	<u>Total Diversion:</u>	0.990 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 22, Twp 07N, Rge 05W, B.M.
PAYETTE County		
GROUND WATER	NE1/4NW1/4	Sec. 22, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	22					X												

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	22					36.0												36.0

Total Acres. 36

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE
-----	-----	-----	----	----	----	----

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22709

07N 05W 22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
					X												

Conditions of Approval:Remarks:Comments:

1. dnelson 10/7/2002 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 19 homes in Eagle View Estates Subdivision.

2. dnelson 10/7/2002 Comment/Analysis

Comment: This application is to supply water for domestic, stockwater, and irrigation uses for a new subdivision on 36 acres in the NENW 1/4 of section 22. This subdivision is known as Eagle View Estates. Black Canyon Irrigation District supplies water to 19 acres of this land. The wells will supply irrigation water to the remaining lands in the subdivision and supply supplemental water for the 19 acres covered by canal water. There are no other significant water rights. There are two wells located in the same 1/4 1/4 and one of those wells are already existing.

Dates and Other Information:

Application Received Date: 10/7/2002

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date: 11/4/2002

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: A new well will be drilled. The existing well will be used for a backup.

Other Water Rights: Black Canyon Irrigation District rights on 19 of the 36 acres.

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

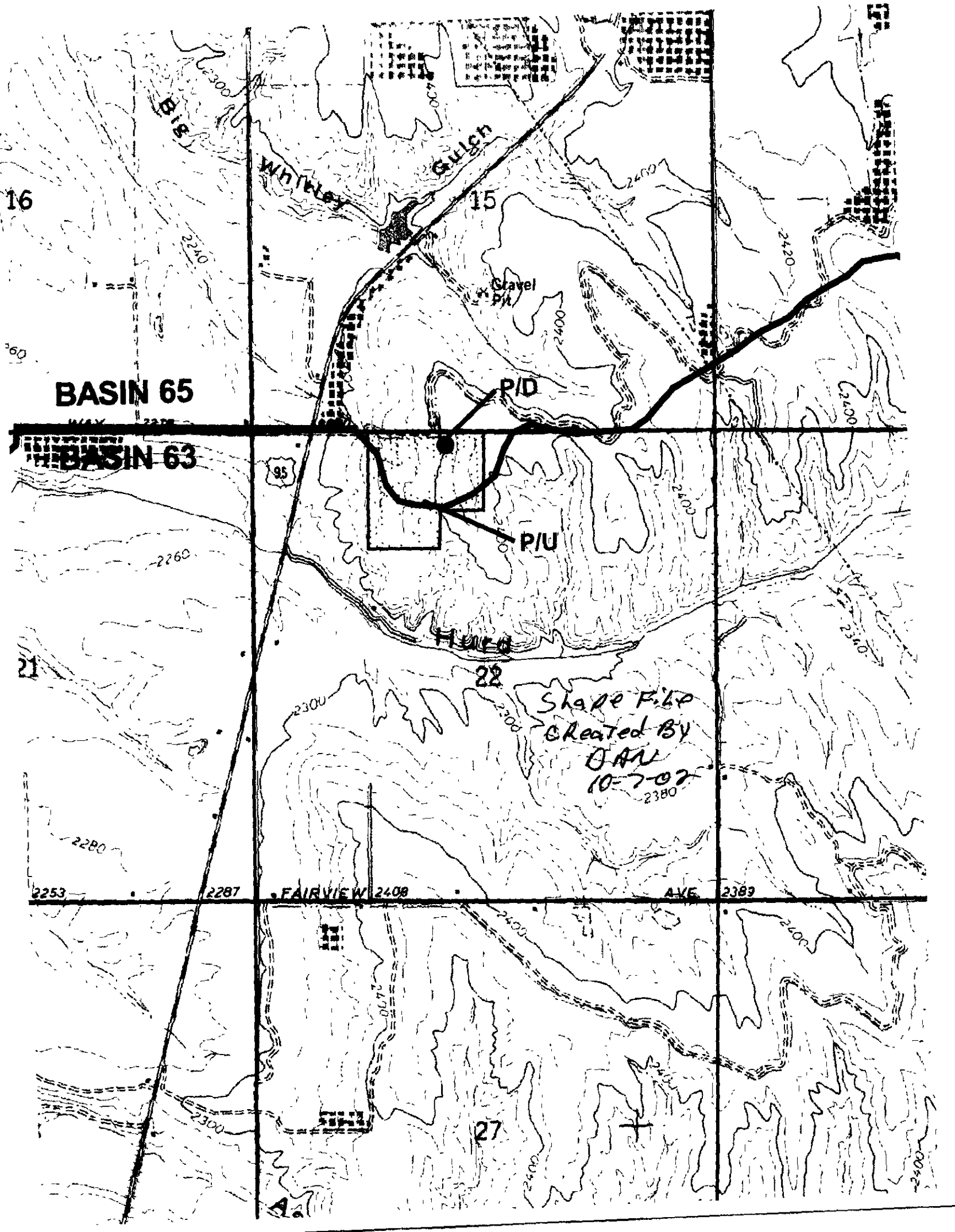
Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 65-22709



P/D SEARCH FOR T7N R5W S22 NENW

63	12026	4/16/1993	0.14	GROUND WATER	DOMESTIC, IRRIGATION	BEAN, DONNA R (Current)	wrWaterPermit
----	-------	-----------	------	--------------	-------------------------	-------------------------	---------------

APPLICATION FOR WATER RIGHT

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

65-22709 ✓ *at*

EAGLE VALLEY CONSTRUCTION

P.O. BOX 33

ONTARIO, OR 97914

Point(s) of Diversion NENW S22 T07N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion NENW S22 T07N R05W PAYETTE County Source GROUND WATER

Use: Irrigation 03/01 To 11/15 0.72 CFS

Use: STOCKWATER 01/01 To 12/31 0.07 CFS

Use: DOMESTIC 01/01 TO 12/31 0.2 CFS

Total Diversion: 0.99 CFS

Date Filed: 10/07/2002

Place Of Use: DOMESTIC

T07N R05W S22 NENW

Place Of Use: IRRIGATION

T07N R05W S22 NENW

Number of Acres 36

Place Of Use: STOCKWATER

T07N R05W S22 NENW

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

Domestic use is for 19 homes in Eagle View Estates Subdivision.

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 Way, 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

No. 422

Oct. 16, 23

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Application for Water Right
TITLE OF PUBLICATION

Department of Water Resource
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Viola M Hawkins, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Oct 16, 2002, and ending with the issue
of Oct 23, 2002.

STATE OF IDAHO
COUNTY OF

On this 24th day of Oct in the year of 2002, before me,
a Notary Public, personally appeared Viola Hawkins,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Mark J. Phinckart
Notary Public for Idaho
Residing at Payette, Idaho
My commission expires: 12-1-04

RECEIVED
NOV 12 2002
WATER RESOURCES
WESTERN REGION

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 35
Number of Insertions (2) two
35 Lines @ 2.38 \$ 83.30
35 Lines @ 2.04 \$ 71.40
TOTAL COST
WILL BE \$ 154.70

MICROFILMED
MAR 20 2003

Nº 422



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 15, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Permit No. 65-22709 in the Name of Eagle Valley Construction.

Dear Sir:

Enclosed is a copy of the above-referenced application, 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

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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 10, 2002

Legal Notice Department
Independent Enterprise
124 S MAIN
Payette ID 83661

RE: Application for Permit No. 65-22709

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

A handwritten signature in cursive script, appearing to read 'Sue', is written over a horizontal line.

Sue Taylor
Senior Secretary

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MAR 20 2003

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

65-22709

EAGLE VALLEY CONSTRUCTION
PO BOX 33
ONTARIO OR 97914

Point(s) of Diversion NENW S22 T07N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion NENW S22 T07N R05W PAYETTE County Source GROUND WATER

Use. IRRIGATION 03/01 To 11/15 0.72 CFS

Use: STOCKWATER 01/01 To 12/31 0.07 CFS

Use. DOMESTIC 01/01 To 12/31 0.2 CFS

Total Diversion: 0.99 CFS

Date Filed: 10/07/2002

Place Of Use: DOMESTIC

T07N R05W S22 NENW

Place Of Use: IRRIGATION

T07N R05W S22 NENW

Number of Acres 36

Place Of Use: STOCKWATER

T07N R05W S22 NENW

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 19 homes in Eagle View Estates Subdivision.

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

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