

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32011

Priority: July 08, 2004

Maximum Diversion Rate: 0.02 CFS

This is to certify, that DALLAS D PECK And/Or CYNTHIA KELLER PECK
4063 S MILL SITE AVE
BOISE ID 83716

have 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	0.02 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼NE¼SE¼ Sec. 12, Twp 03N, Rge 02E, B.M., ADA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 02E 12													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2007**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The permit holder or his agent shall monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction.
6. Domestic use is for external use for 1 home.
7. Point of diversion and place of use are located within Lot 4, Blk. 3, Nativa Terra Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of February, 2005.


For KARL J DREHER, Director

Ident. No. 63-32011

RECOMMENDED

WATER RESOURCES
WESTERN REGION
DE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

JAN 19 2000
Department of Water Resources

1. Name of Applicant Dallas D. Peck & Cynthia Keller-Peck Phone (208) 343-4878

Mailing address 4063 S. Mill Site Ave. Boise ID 83716

2. Source of water supply Natural Spring Ground water which is a tributary of Natural Sinks

23. Location of point of diversion is Township 3N Range 2E Sec. 12, in the NW ¼.

3. Location of point of diversion is: SENE 1/4, SE 1/4, Govt. Lot _____, B.M., _____ ADA County;
 additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 04.02 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) (cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (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) 04.02 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Piping to drain into
collecting tank

b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? N/A; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 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. One

e. Other; describe fully. _____

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	
3N	2E	12													D			D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant: Peck and Keller-Peck

b. Who owns the land to be irrigated or place of use? Applicant: Peck and Keller-Peck

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: See attached letter

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.

Cynthia Keller-Peck
Signature of Applicant (and title, if applicable)

Received by JFW Date 7/8/04 Time 2:00 PM Preliminary check by 6
Fee \$ 100.00 Received by JFW # W031954 Date 7/8/04
Publication prepared by sk Date 12-16-23-04 Published in THE IDAHO STATESMAN
Publication approved sk Date 1-6-05

W031954

JFW.

December 7, 2004

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

RE: Remarks Regarding Application for Permit

Dear DWR:

In January of 2004, we purchased property in the foothills of Boise (Ada County). At the time of the purchase we were told by the developers of a water source available in the upper (geographically speaking) corner of the lot. As we later found out, the developers had actually run across this water during excavation of a road (Strata Via) above our lot, and had put in a drainage system to collect the water. The ground water thus collected is routed via a six inch corrugated black pipe to the NE corner of our lot. The pipe comes to the surface and blind ends, where the water travels approximately 70 feet and is supposed to empty into a storm drain. Unfortunately, recent soil sampling of our lot, and at least one other lot down-grade of us, suggests that much of the water is traveling subsurface, rather than reaching the storm drain.

This has one serious implication regarding our being able to build on the lot we purchased. The soil in our subdivision contains "expanding clay" which when wet, expands. The presence of both excess water and expanding clay means that the City of Boise Hillside Review/Inspection Department requires extensive French drains and other water management features around foundations before building permits can be issued. Thus, this water is currently a "nuisance" to our lot and at least one other, and needs to be redirected.

Rather than build an expensive drainage system around our foundation, we would like to redirect the water at the pipe. Furthermore, we would like to put the water beneficial use. Hence, the reason for this application is to request a permit to collect the water and use it in a drip irrigation system for a small yard and garden (less than ½ acre).

This accomplishes several things. Foremost, it allows us to control the water flow, and thus removes the nuisance. Secondly, rather than using potable city water to irrigate our yard in the summer, we would utilize the untreated water.

Please note that the water bearing zone to be appropriated will be shallow, and estimated to be at 5-25 feet. If you have any questions regarding this application, please do not hesitate to call or email (see number and address below). Thank you for your consideration.

Sincerely,



Cynthia Keller-Peck
Dallas D. Peck
4063 S. Mill Site Ave.
Boise, ID 83716
(208) 343-4878
kellerpeckc@yahoo.com

REQUEST TO PROCESS

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

Name of Applicant

Dallas Peck and Cynthia Keller-Peck

Mailing Address

4063 S. Mill Site Ave

Boise, ID 83716

Application No.
(if known)

63-32011

☐ 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

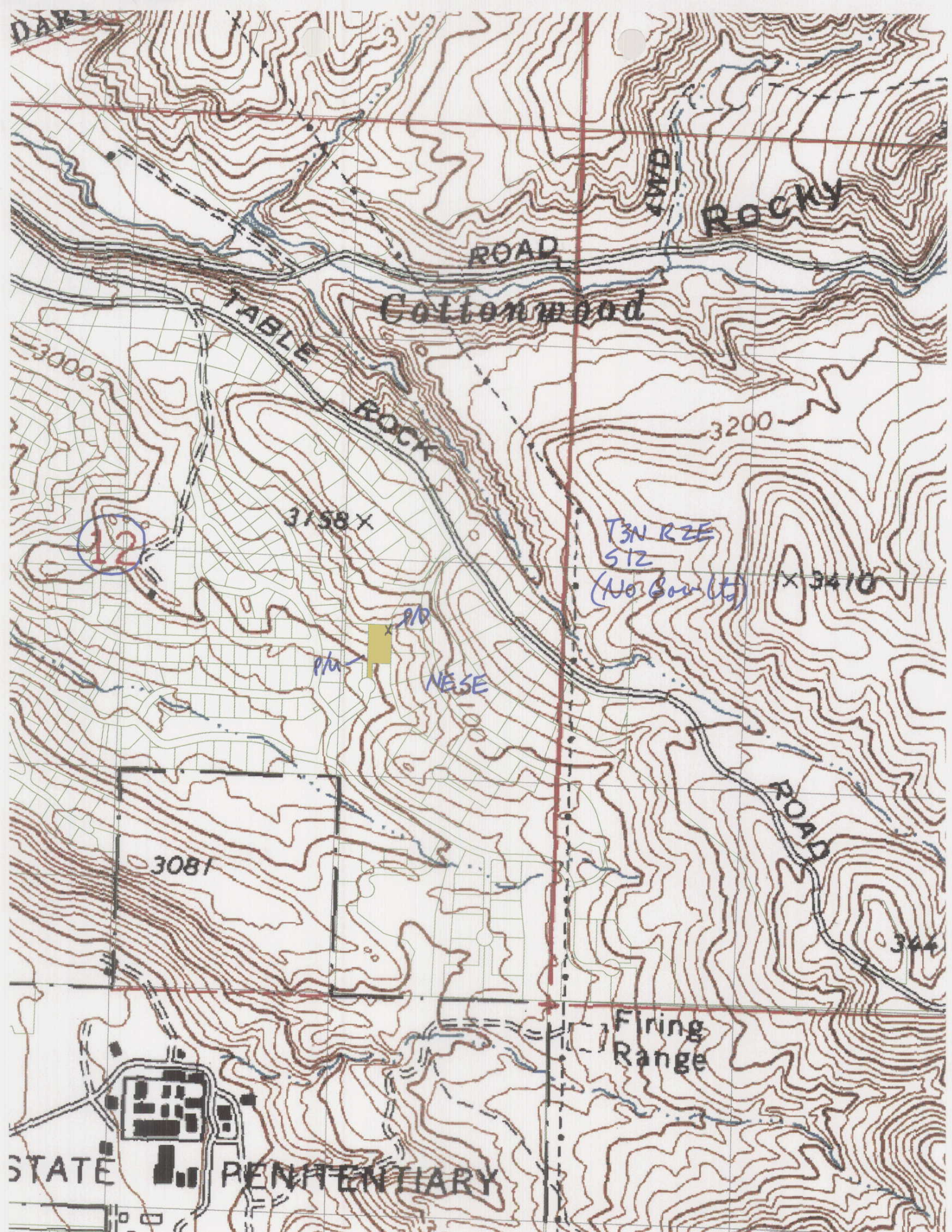
Cynthia Keller-Peck

Date

July 07, 2004

Please return this form to:

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



NWNESE 57 T3N R2E

BK. 79

P. 8359

PLAT COPY OF NATIVA TERRA SUBDIVISION A RESUBDIVISION OF LOT 12, BLOCK 3, THE CREST AT NORTHBRIDGE (PHASE III) AMENDED, A PORTION OF THE E 1/2, SECTION 12, T.3N., R.2E., B.M., AND A PORTION OF THE SW 1/4, SECTION 7, T.3N., R.3E., B.M., BOISE, ADA COUNTY, IDAHO

2002

MONUMENT CERTIFICATE

I, PATRICK A. TEALEY, HEREBY CERTIFY THAT ALL THE MONUMENTS FOR THIS SUBDIVISION WERE SET AS OF OCTOBER 27, 2000 IN ACCORDANCE WITH THE PROVISIONS OF IDAHO CODE 50-1331-1333. THE INITIAL PLAT WAS FILED AT THE OFFICE OF THE ADA COUNTY RECORDER IN BOOK 79 OF PLATS AT PAGES 8359 THRU 8362, INSTRUMENT NO. 99098922.

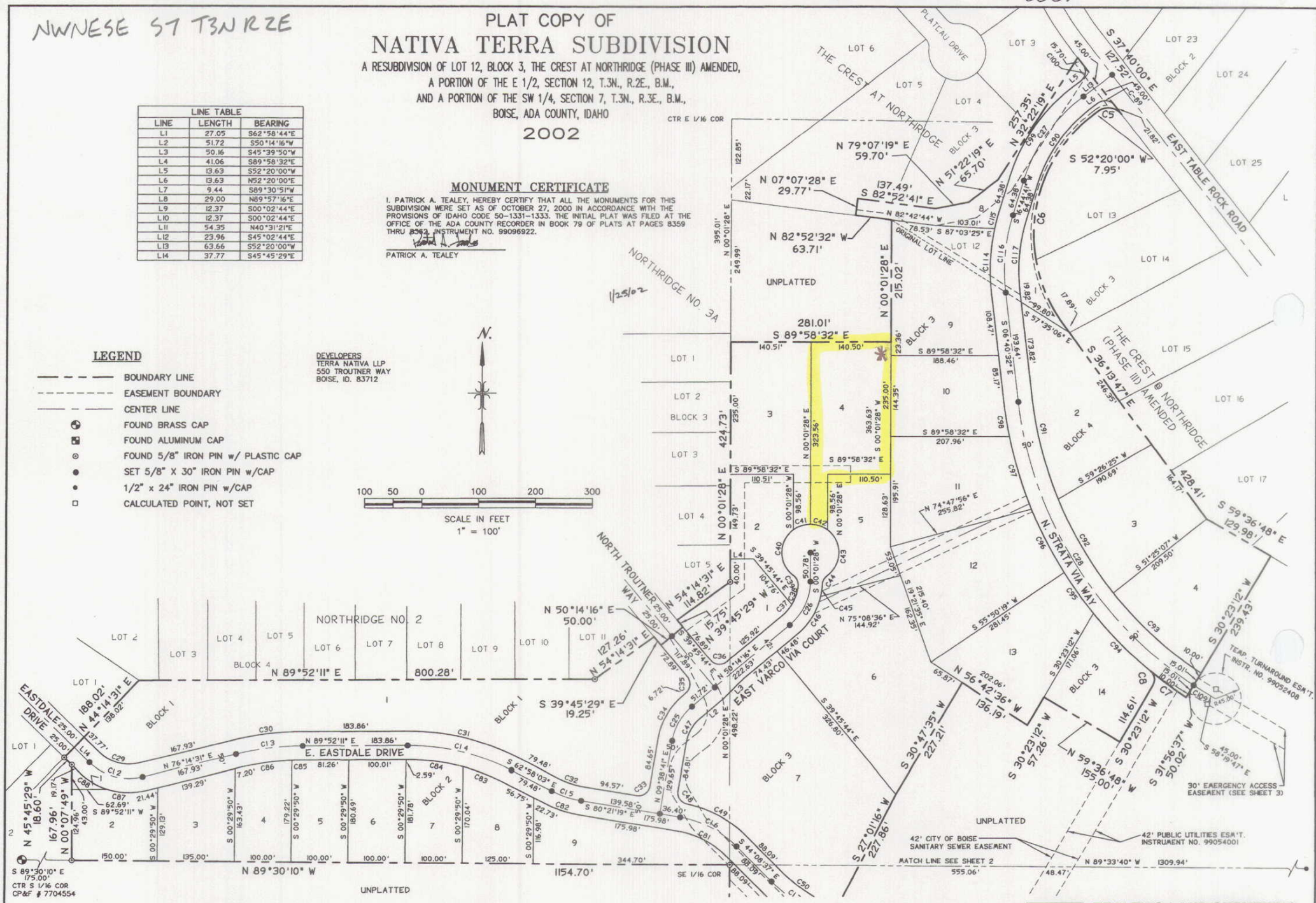
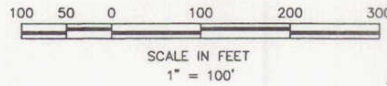
PATRICK A. TEALEY

LINE	LENGTH	BEARING
L1	27.05	S62°58'44"E
L2	51.72	S50°14'16"W
L3	50.16	S45°39'59"W
L4	41.06	S89°58'32"E
L5	13.63	S52°20'00"W
L6	13.63	N52°20'00"E
L7	9.44	S89°30'51"W
L8	29.00	N89°57'16"E
L9	12.37	S00°02'44"E
L10	12.37	S00°02'44"E
L11	54.35	N40°31'21"E
L12	23.96	S45°02'44"E
L13	63.66	S52°20'00"W
L14	37.77	S45°45'29"E

LEGEND

- BOUNDARY LINE
- - - EASEMENT BOUNDARY
- CENTER LINE
- ⊙ FOUND BRASS CAP
- ⊠ FOUND ALUMINUM CAP
- ⊙ FOUND 5/8" IRON PIN w/ PLASTIC CAP
- ⊙ SET 5/8" X 30" IRON PIN w/CAP
- 1/2" X 24" IRON PIN w/CAP
- CALCULATED POINT, NOT SET

DEVELOPERS
TERRA NATIVA LLP
550 TROUTNER WAY
BOISE, ID. 83712



TEALEY'S LAND SURVEYING

2501 BOGUS BASIN RD. • BOISE, IDAHO 83702
208-385-0636

Project No. 1890

Sheet 1 of 3

Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 9, 2005

DALLAS D PECK
CYNTHIA KELLER PECK
4063 S MILL SITE AVE
BOISE ID 83716

RE: Permit No. 63-32011

Permit Approval Notice

Dear Permit Holder:

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

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

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

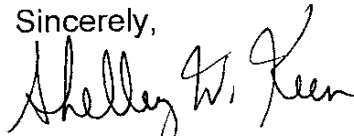
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

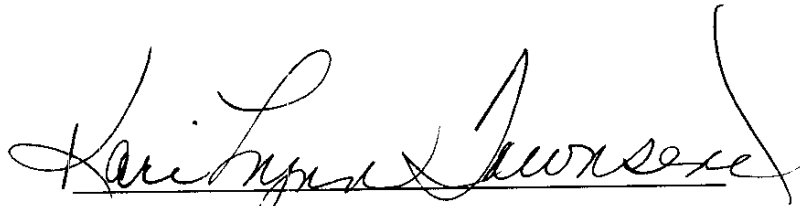
CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-32011

**CYNTHIA KELLER PECK
DALLAS D PECK
4063 S MILL SITE AVE
BOISE ID 83716**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Comment Report

63-32011

1. Igraves 12/7/2004 Comment/Analysis

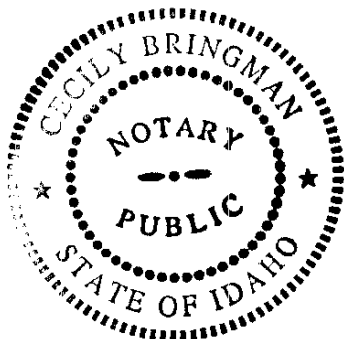
Comment: Applicants originally filed for a natural spring. As a result, applicants were told that their application could not be processed because the p/u and p/d were located above Star and the source was tributary to the Boise River. After discussing the source with the applicants, it was discovered that the water actually resulted from excavation of a major road in the subdivision located above applicants lot. Steve Lester authorized me to do a site visit 12/7/04 to confirm that the source was sub-surface rather than a natural spring flowing above ground. During my visit, I found no water flowing above or below the excavated road (aka Strata Via Road). As stated in applicants attached letter dated 12/7/04, they learned that the developer encountered ground water during the excavation of Strata Via Road. He then installed a buried collection system that directs the water to the NE corner of applicants property, where a six inch buried pipe surfaces and open discharges the resulting water. At that point the water free-flows and/or sinks through applicants lot. Based on my site visit, the information provided in the applicants letter appears accurate and the source can be clarified as ground water. Steve Lester agreed, enabling the processing of this amended application. Because the actual p/d is a buried collection system, Steve allowed applicants to describe the p/d as the location where the buried six inch pipe emerges on their property. The ground water will be used in a drip irrigation system for a small yard and garden. Municipal water will be used for internal domestic use. No other rights are used.

Please note that the tax lot layer in arc view was not corrected (off-centered) nor updated with the amended subdivision lots.

2. kwalker 1/21/2005 Permit Review

Comment: Application falls within Boise Front GWMA but this use should not be a problem. The water bearing zone to be appropriated is from 5 to 25 feet. Should not impact other rights in the area. Recommend approval.

WATER RESOURCES
WESTERN REGION



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

December 08, 2004

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Applications for Permit No. 63-32010 and 63-32011

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/03/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

63-32011

DALLAS D PECK
4063 S MILL SITE AVE
BOISE ID 83716
CYNTHIA KELLER PECK
4063 S MILL SITE AVE
BOISE ID 83716

Point(s) of Diversion NWNESE S12 T03N R02E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 07/08/2004

Place Of Use: DOMESTIC

T03N R02E S12 NESE

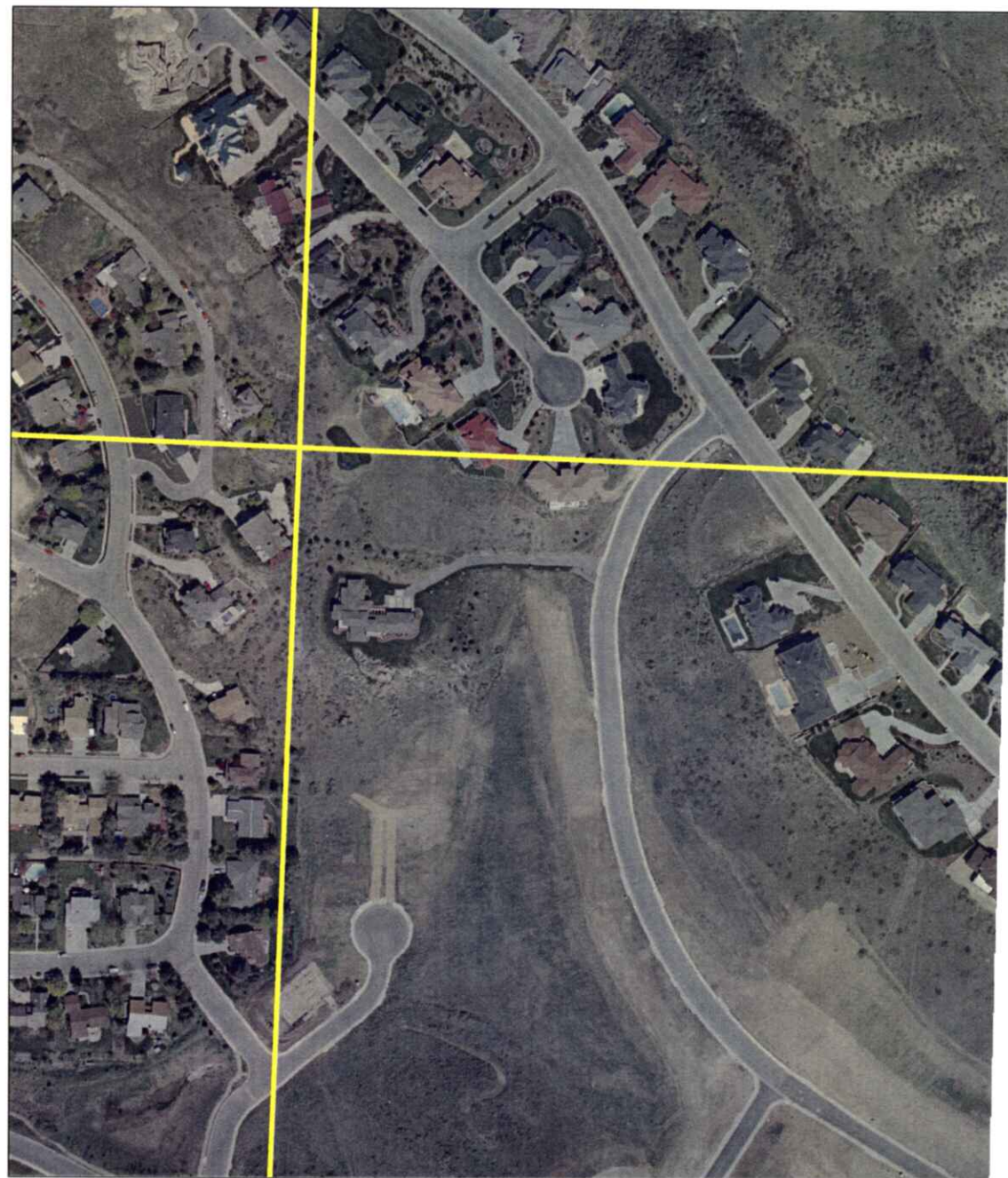
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/03/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

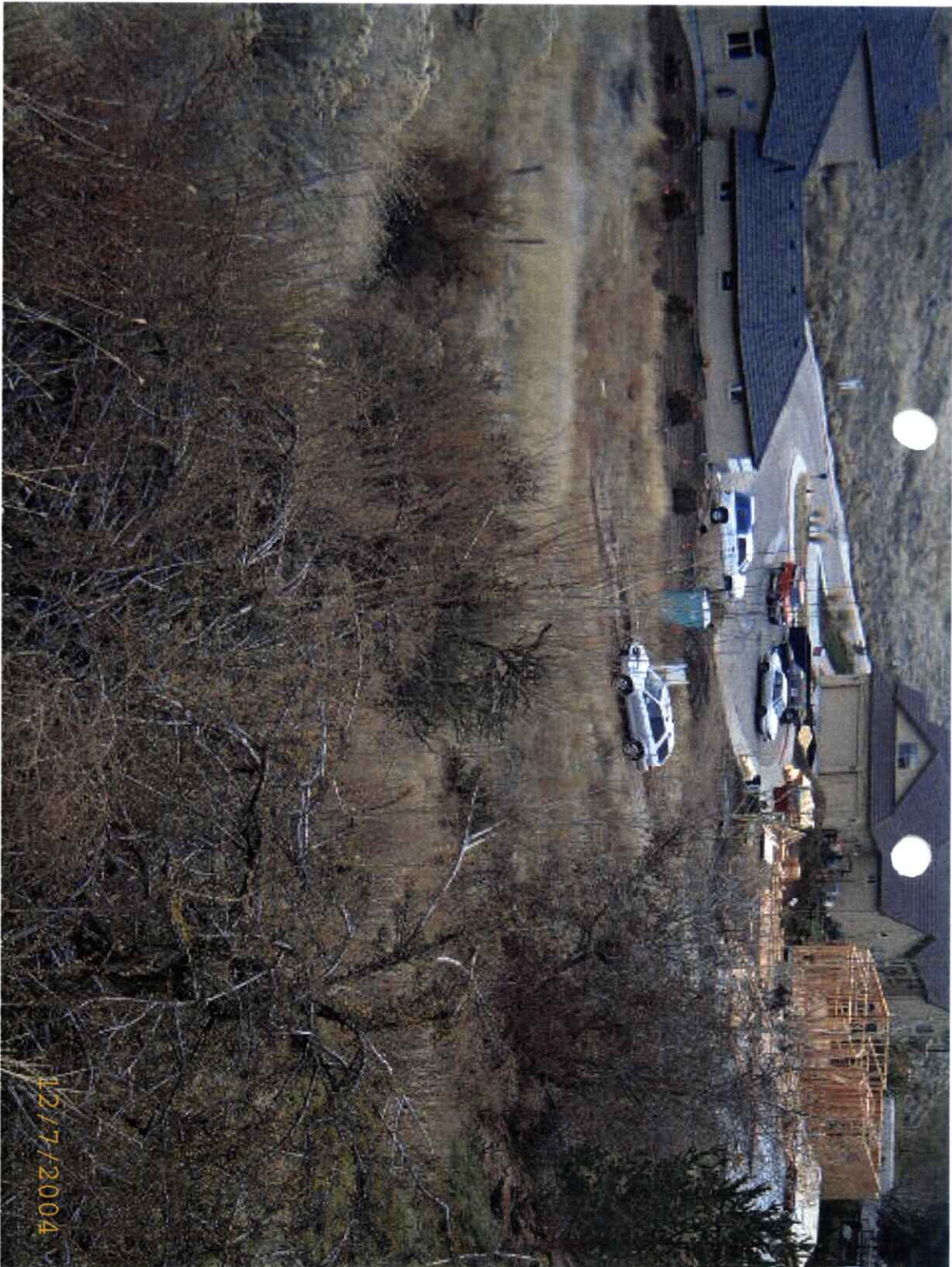
Published in the Idaho Statesman on December 16 and 23, 2004.

 **S3n2e.shp**
 **T03n02e.shp**



View1







12/7/2004



12/7/2004





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

November 5, 2004

Dallas Peck and Cynthia Keller-Peck
4063 S Mill Site Ave
Boise ID 83716

Re: Application for Permit

Dear Applicants:

Your application for permit to appropriate public water for a consumptive use was received on July 8, 2004. The consumptive use proposed is irrigation of your lawn and garden from a spring. Processing of the application must be delayed as explained in this letter.

Due to continued drought and to protect existing water rights and water supplies, the Idaho Department of Water Resources (IDWR) declared a moratorium in 1992 against approval of new consumptive uses of public water, regardless of source. The moratorium was lifted in 1995, but application processing was subsequently suspended pending technical data necessary to fully evaluate such applications. At this time, IDWR cannot estimate when processing of applications such as yours will resume. The situation is not expected to change in the foreseeable future.

Three options might be worth exploring as follows.

1. Transfer an existing valid water right from other property to your land. This would involve a private agreement between the buyer and seller plus an Application for Transfer of Water Right to be filed with and approved by IDWR.
2. Mitigate your proposed use by obtaining a valid water right from another owner and then abandoning that water right to mitigate your proposed use. This would include filing a Notice of Change in Water Right Ownership with IDWR together with written abandonment of that right.
3. Mitigate your proposed use with another type of mitigation plan approved by IDWR.

This office will hold your application and will resume processing as soon as possible based on the above considerations. Delays related to department actions do not affect the date of priority or seniority of an application. You will be informed of any changes with respect to your application.

11/5/2004

Page 2

IDWR forms and other information are available on the Internet at www.idwr.state.id.us
Please contact me at 208-334-2190 if you need more information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

July 7, 2004

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

RE: Remarks Regarding Application for Permit

Dear DWR:

In January of this year, we purchased property in the foothills of Boise (Ada County). At the time of purchase we were told by the developers of a small spring in the upper (geographically speaking) corner of the lot. It reaches the surface, travels approximately 30 feet and is supposed to empty into a storm drain. Unfortunately, recent soil sampling of our lot, and at least one other lot down-grade of us, suggests that much of the water is traveling subsurface, rather than reaching the storm drain.

This has one serious implication regarding our being able to build on the lot we purchased. The soil in our subdivision contains "expanding clay" which when wet, expands. The presence of both excess water and expanding clay means that the City of Boise Hillside Review/Inspection Department requires extensive French drains and other water management features around foundations before building permits can be issued. Thus, this water is currently a "nuisance" to our lot and at least one other, and needs to be redirected.

Rather than build an expensive drainage system around our foundation, we would like to redirect the water at the source. Furthermore, we would like to put the water beneficial use. Hence, the reason for this application is to request a permit to collect the water from the spring and use it in a drip irrigation system for a small yard and garden (less than ½ acre). It is our intention to design a system in such a way that any water beyond our needs (in the winter, for example), would be piped directly into a storm drain.

This accomplishes several things. Foremost, it allows us to control the water flow, and thus removes the nuisance. Secondly, rather than using potable city water to irrigate our yard in the summer, we would utilize the untreated spring water. Finally, we would redirect any water beyond our needs directly into the storm drains on our property.

If you have any questions regarding this application, please do not hesitate to call or email (see number and address below). Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Cynthia Keller-Peck". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Cynthia Keller-Peck
Dallas D. Peck
4063 S. Mill Site Ave.
Boise, ID 83716
(208) 343-4878
kellerpeck@yahoo.com