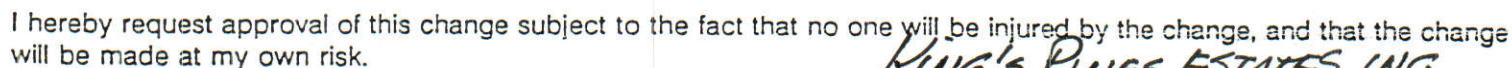


Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



KING'S PINES ESTATES, INC.
Franklin Brown

Permit Holder

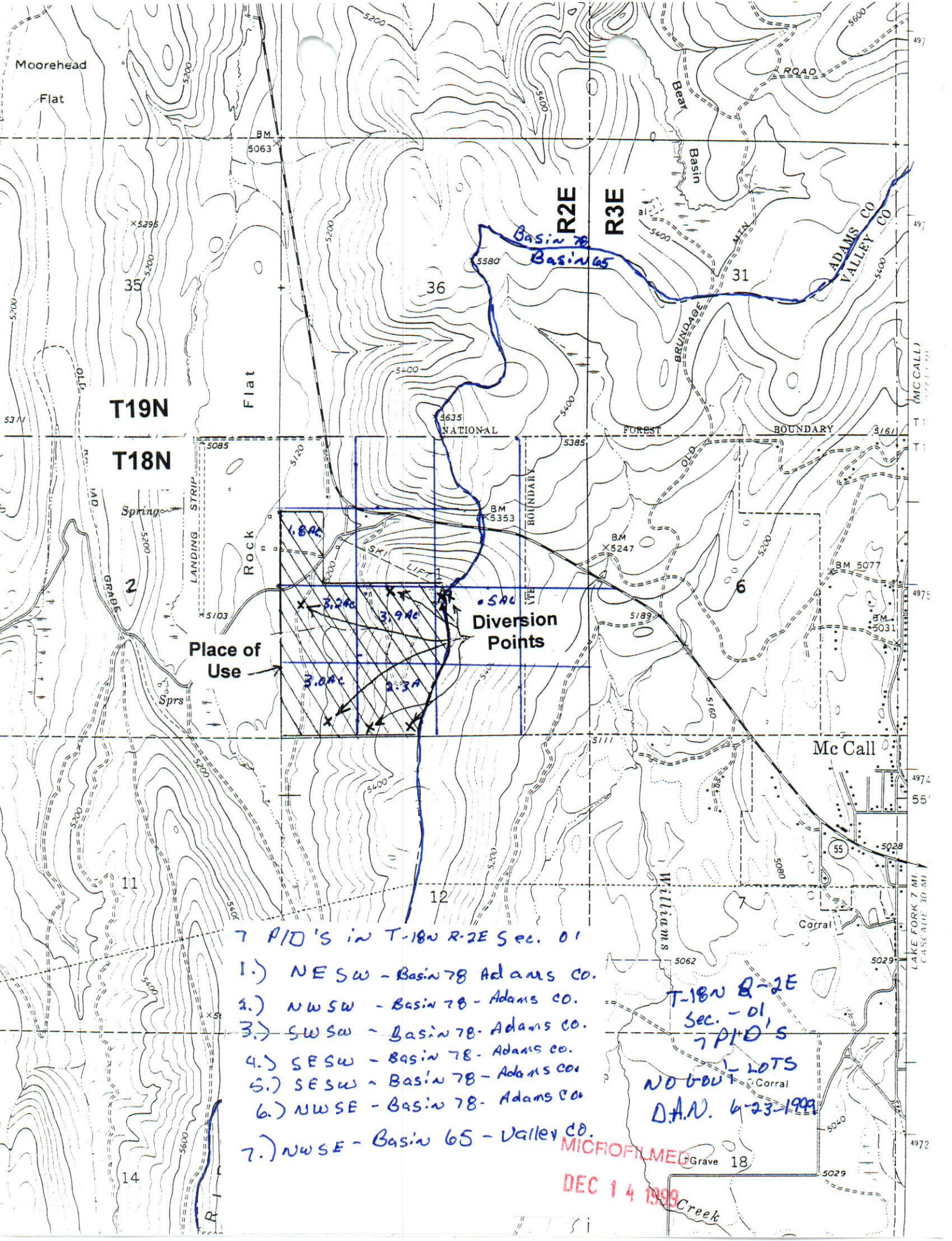
Preliminary check by DAN Publication prepared by ST Date 12-27-99
Published in Star News + The Record Publication dates 1-6-13-2000
1-20-00 km

I, _____, of the Department of Water Resources hereby

NOV 09 2000

Witness my hand this _____ day of _____, 19_____

SIGNATURE



T19N

T18N

R2E

R3E

Diversion Points

Place of Use

7 P/D'S in T-18N R-2E Sec. 01

- 1.) NESW - Basin 78 Adams Co.
- 2.) NWSW - Basin 78 - Adams Co.
- 3.) SWSW - Basin 78 - Adams Co.
- 4.) SESW - Basin 78 - Adams Co.
- 5.) SESE - Basin 78 - Adams Co.
- 6.) NWSE - Basin 78 - Adams Co.
- 7.) NWSE - Basin 65 - Valley Co.

T-18N R-2E
Sec. - 01
7 P/D'S

NO BOUNDARY LOTS
D.A.N. 4-23-1999

MICROFILMED

DEC 14 1999

MICROFILMED
DEC 14 1999

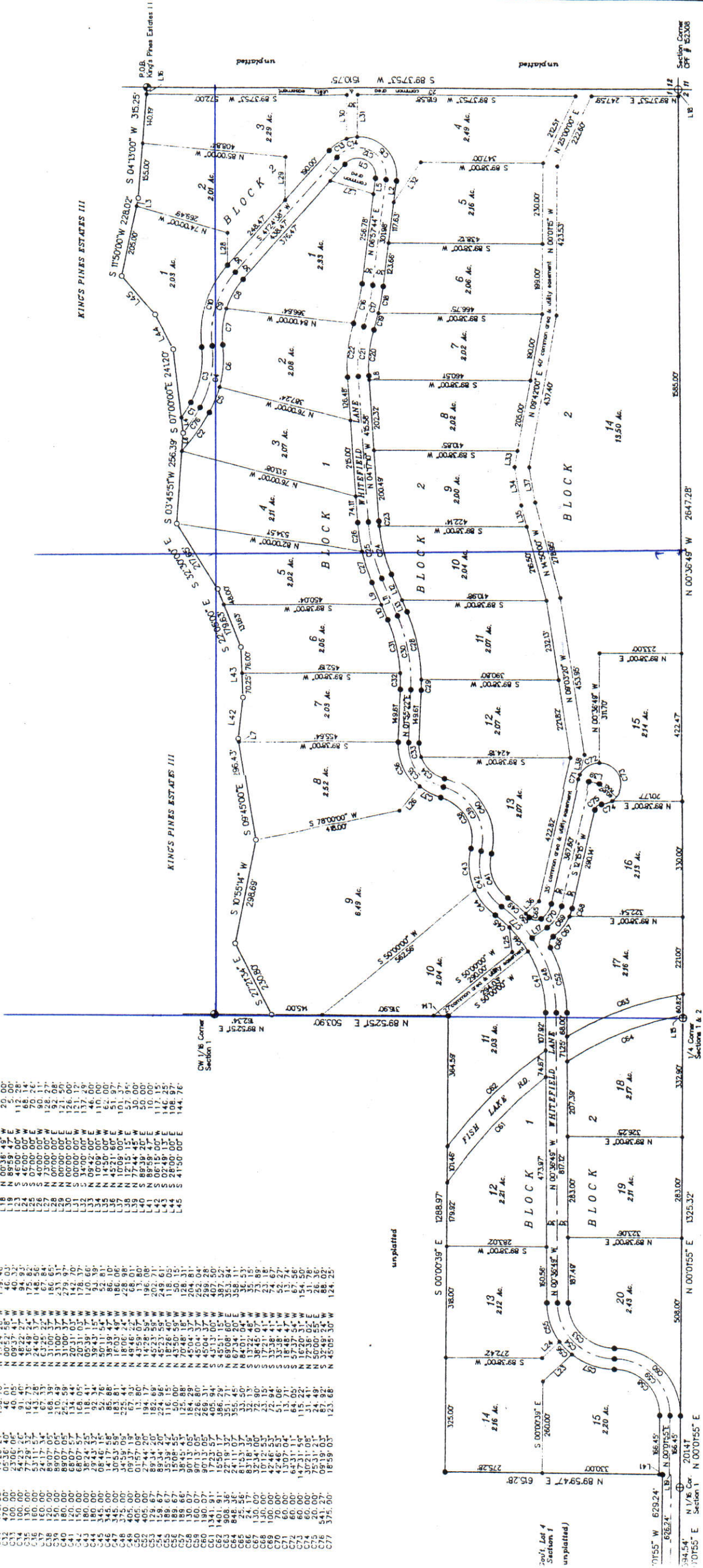
KING'S PINES ESTATES IV

situate in
SW4 and the W2 NE4 of Section 1,
T. 18 N., R. 2 E., B.M.,
Adams County, Idaho

LINE TABLE

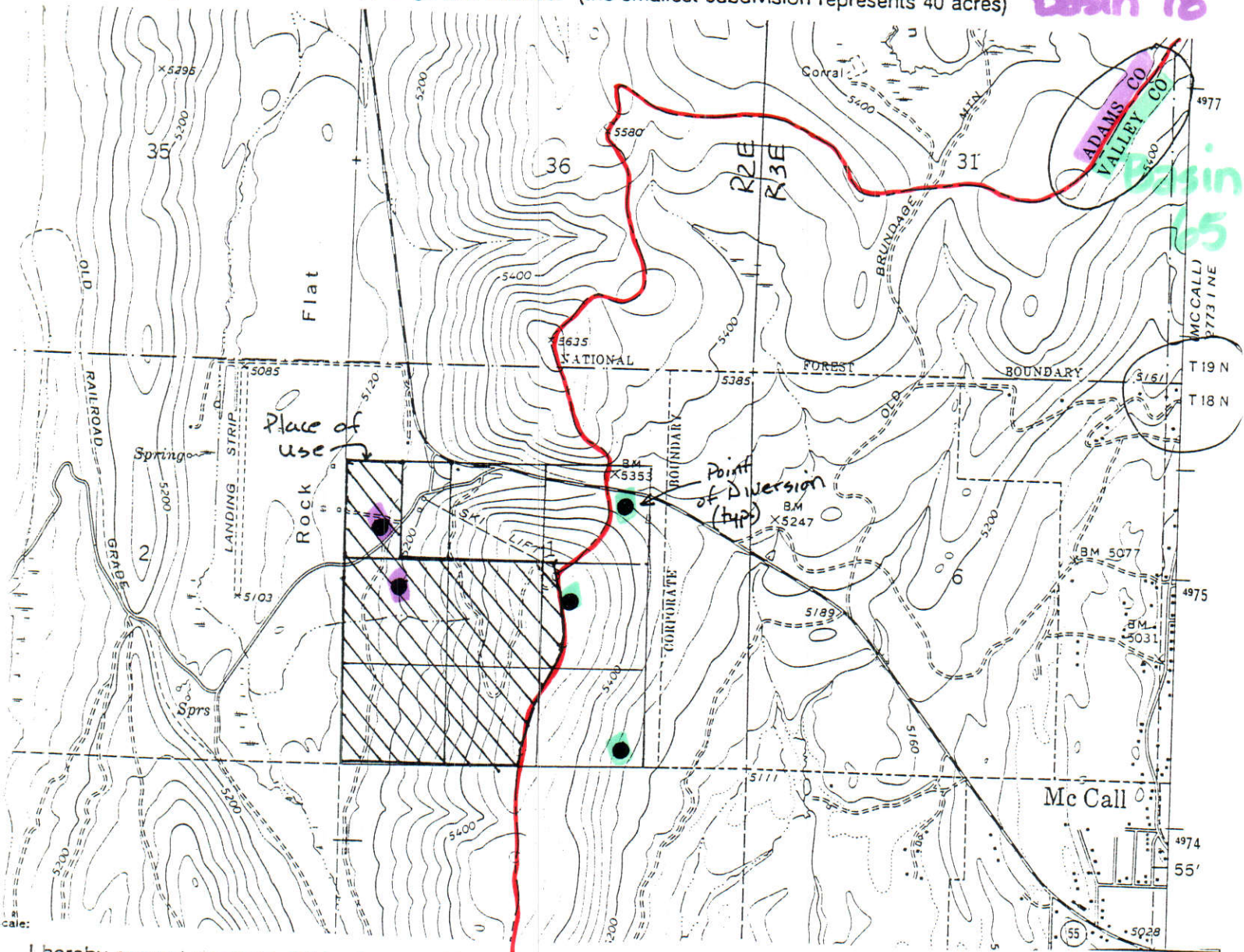
No.	Rad.	Delta	Chd.	Len.
C1	511.27	05°46'51"	310.37	51.58
C2	571.27	13°35'29"	345.57	135.51
C3	270.00	34°44'18"	161.21	163.70
C4	330.00	13°40'01"	210.91	191.89
C5	330.00	12°04'15"	120.68	128.56
C6	330.00	24°33'25"	101.30	102.08
C7	330.00	24°33'25"	98.15	97.37
C8	298.15	47°59'05"	172.50	244.30
C9	500.00	14°33'06"	95.52	127.02
C10	500.00	14°33'06"	95.52	127.02
C11	80.00	152°02'01"	152.82	203.23
C12	80.00	152°02'01"	152.82	203.23
C13	110.00	98°36'29"	166.80	59.07
C14	110.00	98°36'29"	166.80	59.07
C15	656.27	100°02'01"	120.03	120.18
C16	716.27	05°46'15"	47.75	47.76
C17	349.83	21°16'55"	129.94	129.94
C18	379.82	21°16'55"	140.27	141.08
C19	470.66	61°40'35"	151.75	152.32
C20	470.66	61°40'35"	151.75	152.32
C21	500.00	170°53'53"	140.28	140.60
C22	500.00	170°53'53"	140.28	140.60
C23	500.00	185°00'28"	103.68	104.42
C24	500.00	08°53'55"	82.08	82.16
C25	500.00	08°53'55"	82.08	82.16
C26	530.00	21°46'43"	206.25	206.25
C27	530.00	21°46'43"	206.25	206.25
C28	530.00	05°03'01"	416.87	218.60
C29	530.00	05°03'01"	416.87	218.60
C30	500.00	05°36'40"	192.00	192.00
C31	470.00	05°36'40"	40.32	40.32
C32	100.00	320°06'06"	40.05	40.32
C33	100.00	320°06'06"	40.05	40.32
C34	100.00	42°23'40"	91.40	94.93
C35	160.00	42°23'40"	143.78	175.82
C36	160.00	42°23'40"	143.78	175.82
C37	160.00	24°17'34"	168.39	167.84
C38	120.00	89°07'05"	36.49	36.49
C39	120.00	89°07'05"	36.49	36.49
C40	180.00	89°07'05"	52.04	67.84
C41	120.00	68°07'57"	134.44	142.44
C42	150.00	68°07'57"	168.05	178.37
C43	180.00	38°24'35"	118.41	120.66
C44	180.00	38°24'35"	118.41	120.66
C45	345.00	68°46'16"	52.76	52.76
C46	345.00	68°46'16"	52.76	52.76
C47	345.00	30°53'59"	183.81	228.98
C48	405.00	30°53'59"	225.44	285.08
C49	405.00	30°53'59"	225.44	285.08
C50	405.00	01°57'08"	13.80	13.80
C51	405.00	01°57'08"	13.80	13.80
C52	405.00	27°44'20"	194.17	196.08
C53	229.67	89°34'30"	182.68	202.71
C54	229.67	89°34'30"	182.68	202.71
C55	189.67	55°33'42"	176.95	202.71
C56	189.67	55°33'42"	176.95	202.71
C57	189.67	15°08'45"	125.88	125.88
C58	189.67	15°08'45"	125.88	125.88
C59	189.67	36°45'43"	160.45	160.45
C60	190.57	36°45'43"	160.45	160.45
C61	1341.91	172°33'37"	1723.37	1723.37
C62	1401.91	155°00'17"	1550.17	1550.17
C63	1401.91	155°00'17"	1550.17	1550.17
C64	848.36	24°11'07"	321.10	321.10
C65	25.56	81°53'37"	61.53	61.53
C66	24.17	81°53'37"	32.13	32.13
C67	130.00	72°15'39"	127.90	127.90
C68	130.00	72°15'39"	127.90	127.90
C69	100.00	42°46'53"	72.94	72.94
C70	70.00	42°46'53"	51.06	51.06
C71	60.00	42°46'53"	13.71	13.71
C72	60.00	42°46'53"	13.71	13.71
C73	60.00	14°31'59"	19.22	19.22
C74	20.00	30°21'08"	31.41	31.41
C75	20.00	30°21'08"	31.41	31.41
C76	20.00	30°21'08"	31.41	31.41
C77	375.60	16°39'01"	163.90	163.90

- LEGEND
- o FOUND 5/8" REBAR
 - SET 5/8" X 30" REBAR W/ PLASTIC CAP
 - o FOUND 1/2" REBAR
 - SET 1/2" X 24" REBAR W/ PLASTIC CAP
 - ⊕ FOUND BRASS CAP AS NOTED
 - ⊙ FOUND ALUMINUM CAP AS NOTED
- BEARINGS BASED ON STATE PLANE GRID
- 12 FT UTILITY EASEMENT ALONG ALL ROADS
- BUILDING SETBACKS
- 50 FT FROM ROAD CENTERLINE
20 FT FROM SIDE AND REAR LINES



Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Basin 78



I hereby request approval of this change subject to the fact that no one will be injured by the change and that the change

MICROFILMED
NOV 09 2000

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.ss

RECEIVED

FEB 03 2000

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 6, 2000 and ended January 13, 2000.

Carol J. Wright

Subscribed and sworn before me this the 28th day of January, 2000.
STATE OF IDAHO

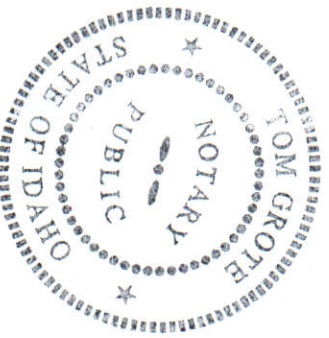
COUNTY OF VALLEY

}

On this 28th day of January, in the year of 2000, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho



NOTICE OF APPLICATION FOR
AMENDMENT OF WATER
Notice is given that KINGS PINES ESTATES, INC. of McCall, ID 83638 have applied to the Department of Water Resources to change

the points of diversions of the following water right in T18N R2E, Valley and Adams County pursuant to I.C. § 42-211:
Permit #78-07396, Groundwater, priority date 06/14/1999, for .69 cfs diverted from 7 wells in NESW, NWSW, SWSW, SESW, and NWSE. Used for Domestic use in 64 homes and 14.7 acres lawn irrigation in S1. Also known as blocks 1-3 King's Pines Estates III and blocks 1-2 King's Pines Estates IV.

PROPOSED AMENDMENT

Applicant wishes to change the points of diversions to 5 wells described as SWNE, NWSE, and SWSE in Valley county and SWNW and NWSW in Adams County. Remainder of right will remain the same.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before January 24, 2000. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director. 20c1/13

MICROFILMED
NOV 09 2000

LEGAL NOTICE ✓ km

NOTICE OF APPLICATION FOR AMENDMENT OF WATER

Notice is given that **KINGS PINES ESTATES, INC.** of McCall, ID 83638 have applied to the Department of Water Resources to change the points of diversions of the following water right in T18N R2E, Valley and Adams County pursuant to I.C. § 42-211:

Permit #78-07396, Groundwater, priority date 06/14/1999, for .69 cfs diverted from 7 wells in NESW, NWSW, SWSW, SESW, and NWSE. Used for Domestic use in 64 homes and 14.7 acres lawn irrigation in S1. Also known as blocks 1-3 King's Pines Estates III and blocks 1-2 in King's Pines Estates IV.

PROPOSED AMENDMENT

Applicant wishes to change the points of diversions to 5 wells described as SWNE, NWSE, and SWSE in Valley County and SWNW and NWSW in Adams County. Remainder of right will remain the same.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before January 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Adams County Record January 6 and 13, 2000.

MICROFILMED

NOV 03 2000

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

78-07396

Kings Pines Estates, Inc.

P.O. Box 704,

McCall, Idaho 83638.

Source: GROUNDWATER.

Diversion Pt: NESW Sec 1 T18N R 02E in
ADAMS County.

NWSW Sec 1 T18N R 02E in ADAMS
County.

SWSW Sec 1 T18N R 02E in ADAMS
County.

SESW Sec 1 T18N R 02E in ADAMS
County.

NWSE Sec 1 T18N R 02E in VALLEY
County.

Use: IRRIGATION (0.290 CFS).

DOMESTIC (0.400 CFS).

Total Diversion: (0.690 CFS).

Date Filed: 6/14/1999. I

n: ADAMS County. T18N R02E S01
SWNW NESW NWSW SWSW. I

n: VALLEY County. SESW NWSE.

14.7 ACRES TOTAL.

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

Domestic use is for 64 homes within King's
Pines Estates III and IV.

65-13885

McCarter, Donald C.,

McCarter, B. Kay,

1324 Candleridge Dr.,

Boise, ID 83712.

Source: PAYETTE LAKE.

Tributary: PAYETTE RIVER, NORTH
FORK.

Diversion Pt.: LOT 3 (NESW) Sec 35 T19N
R03E in VALLEY County.

Use: DOMESTIC (0.040 CFS).

Total Diversion: (0.040 CFS).

Date Filed: 6/9/1999.

In: VALLEY County.

T19N R03E S35 Lot 3 (NESW)

65-13892

KOCH, JONATHAN,

14050 Pioneer,

McCall, ID 83638.

Source: UNNAMED STREAM.

Tributary: LAKE FORK CREEK.

Diversion Pt: SESE Sec 27 T 18N R 03E in
VALLEY County.

Use: WILDLIFE STORAGE (2.00 AF)

Total Diversion: (2.00 AF).

Date Filed: 7/9/1999.

In: VALLEY County.

T18N R03E S27 SESE

Permits will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-203A, Idaho Code. Any
protest against the approval of this application
must be filed with the Director, Dept. of Water
Resources, Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a protest fee
of \$25.00 for each application on or before
August 23, 1999. The protestant must also send
a copy of the protest to the applicant.
Karl J. Dreher, Director 2tc/8/12

0760
7

RECEIVED
JUL 18 1999
WATER RESOURCES
DIVISION

MICROFILMED
DEC 14 1999

All Legal and Public Notices can
be seen at our Web site:
www.cyberhighway.net/~record

NOTICES OF PUBLIC INFORMATION

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08037

TAMARACK MILLS LLC, DBA EVERGREEN FOREST
DRAWER H
NEW MEADOWS, ID 83654

Source: GROUNDWATER

Diversion Pt: Lot 2 (SWNW) Sec 30 T 19N R 01E in ADAMS County.

Use: INDUSTRIAL (3.000 CFS)
Total Diversion: (3.000 CFS)

Date Filed: 7/28/1999

In: ADAMS County
T19N R01E S30 Lot 1 (NWNW) Lot 2 (SWNW) SENW

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

78-07396

KINGS PINES ESTATES INC
PO BOX 704
MCCALL, ID 83638

Source: GROUNDWATER

Diversion Pt: NESW Sec1 T 18N R 02E in ADAMS County
NWSW Sec 1 T 18N R 02E in ADAMS County
SWSW Sec 1 T 18N R 02E in ADAMS County
SESW Sec 1 T 18N R 02E in ADAMS County
NWSE Sec 1 T 18N R 02E in VALLEY County

Use: IRRIGATION (0.290 CFS)
DOMESTIC (0.400 CFS)
Total Diversion: (0.690 CFS)

Date Filed: 6/14/1999

In: ADAMS County
T18N R02E S01 SWNW NESW NWSW SWSW
In: VALLEY County SESW NWSE

14.7 ACRES TOTAL

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

Domestic use is for 64 homes within King's Pines Estates III and IV.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before AUGUST 23, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record August 5 and 12, 1999.

LEGAL NOTICE

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Budget for fiscal year 1999-2000
City of Council, Idaho

RECEIVED

AUG 23 1999

WATER RESOURCES
WESTERN REGION

Notice is hereby given that the City of Council, Idaho public hearing for the consideration of the proposed fiscal period October 1, 1999 to September 30, 2000 at Council, Idaho at 7:00 p.m. on August 10, 1999 hearing all interested persons may appear and state why said proposed budget should not be adopted.

PROPOSED EXPENDITURES:

The following is an estimate set forth in said proposed the total proposed expenditures and accruing indebted City of Council, Idaho for the fiscal period October 1, 1999 to September 30, 2000.

GENERAL FUND ----- \$ 1
STREET FUND ----- \$
WATER SERVICE FUND ----- \$
CAPITAL PROJECT FUND ----- \$
SPECIAL GRANT FUND ----- \$ 1

TOTAL PROPOSED EXPENDITURES: \$ 1,491,068

ESTIMATED REVENUES:

The estimated revenues for the City of Council, Idaho for the fiscal period October 1, 1999 - September 30, 2000

GENERAL FUND ----- \$
STREET FUND ----- \$
WATER SERVICE FUND ----- \$
CAPITAL PROJECTS FUND ----- \$
SPECIAL GRANT FUND ----- \$

TOTAL PROPOSED REVENUES: \$ 1,491,068.

Citizens are invited to attend the budget hearing 1999 at 7:00 pm and have the right to provide comments concerning the entire City budget. A copy in detail is available at City Hall during regular business hours.

Meeting to be held at 7:30 pm, August 10, 1999 final budget.
Gaye Carter
City Clerk

Published in the Adams County Record July 29 1999.

LEGAL NOTICE

MICROFILMED NOTICE OF PUBLIC HEARING

Budget for fiscal year 1999-2000
Adams County Recreation District

Notice is hereby given that the Adams County Recreation District will hold a public meeting on the proposed budget period October 1, 1999 to September 30, 2000 at Tuesday, August 17, 1999, at 6:00 p.m. in Council Chamber.

Proposed Expenditures:

Maintenance & Water - \$15
Construction - \$15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT
PERMIT NO. 78-07396

This is to certify, that KINGS PINES ESTATES INC

PO BOX 704

MC CALL ID 83638

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: June 14, 1999

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 10/31

0.29 CFS

DOMESTIC

01/01 to 12/31

0.40 CFS

Totals

0.69 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 1, Township 18N, Range 02E
VALLEY County

SWNW , Sec. 1, Township 18N, Range 02E

NWSW , Sec. 1, Township 18N, Range 02E
ADAMS County

NWSE , Sec. 1, Township 18N, Range 02E

SWSE , Sec. 1, Township 18N, Range 02E
VALLEY County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

18N 02E 1

SWNW 1.8

NESW 3.9

NWSW 3.2

SWSW 3

SESW 2.3

NWSE 0.5

14.7

Total number of acres irrigated:

14.7

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 2004.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

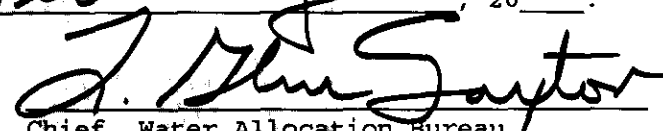
MICROFILMED
NOV 03 2000

PERMIT NO. 78-07396

CONDITIONS OF APPROVAL AND REMARKS

4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. Domestic use is for 64 homes and does not include lawn, garden, landscape, or other types of irrigation.
8. Place of use is located within Lots 1-18, Blk. 1; Lot 1-5, Blk. 2; Lots 1-6, Blk. 3; King's Pines Estates III, Lots 1-15, Blk. 1; and Lots 1-20, Blk. 2; King's Pines Estates IV.

Witness my hand this 11th day of February, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 09 2000

10/93

RECEIVED

DEC 3 1999

6 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Receipt No. 0047334
Received By gmk
Date 12-3-99

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

FEB - 9 2000

Applicant

King's Pines Estates, Inc.

Phone 208-634-7533

Department of Water Resources

Address

P.O. Box 704, McCall, ID 83638

I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 78-07396, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: X Change point of diversion Add point of diversion
 Change place of use Change nature of use Change period of use Other

1. Point of diversion: 1/4 SW 1/4 NW 1/4, Section 1, Township 18N, Range 2E, B.M.,

County of Adams. Other points of diversion SWNE, NWSE, and SWSE Sec 1 (Valley Co.)

NWSW Sec. 1 (Adams Co.)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated: No Change

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated =

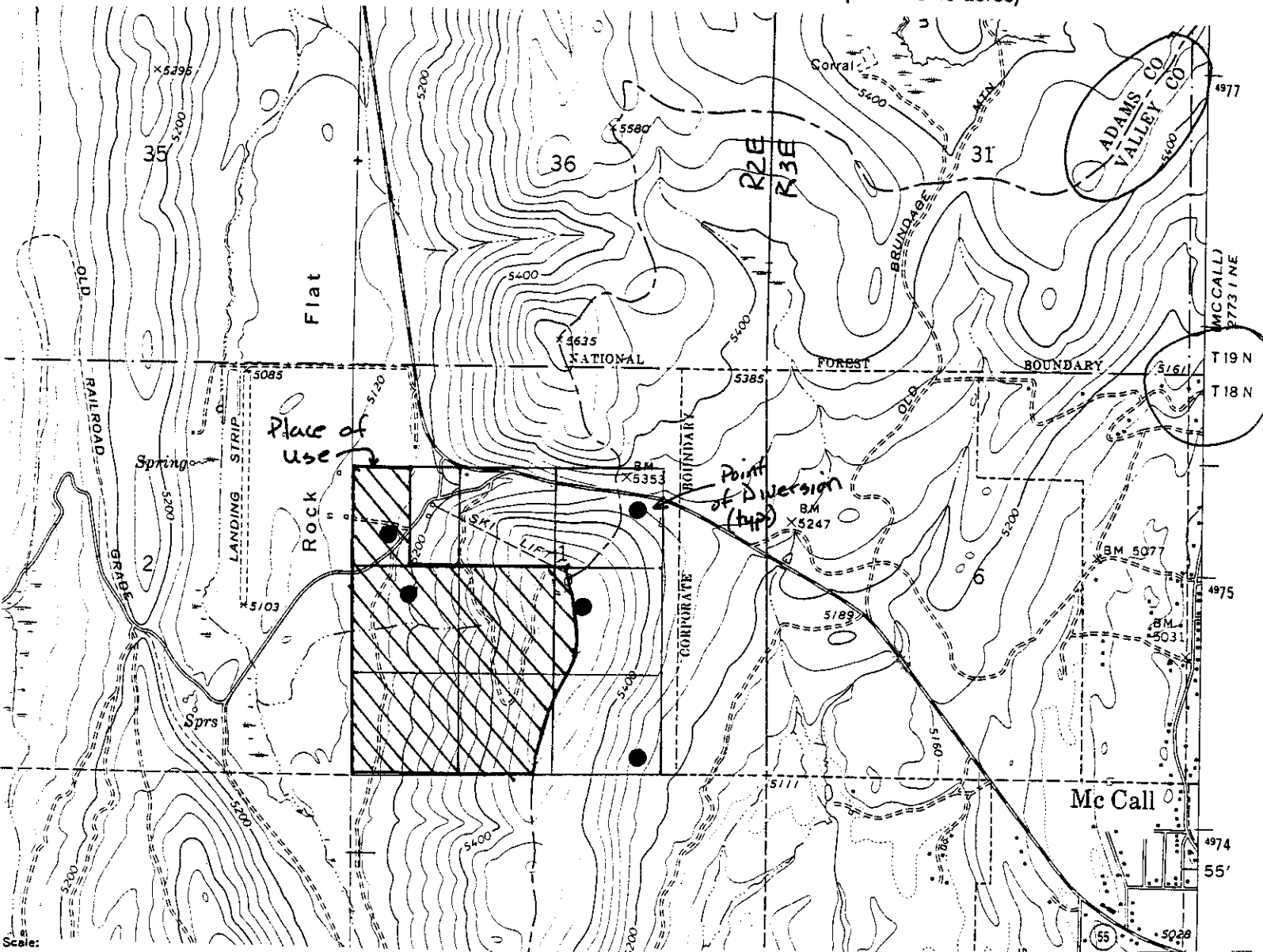
4. a. Who owns the property at the point of diversion? applicant
b. Who owns the land to be irrigated at the place of use? applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

MICROFILMED

NOV 03 2000

* Per Telephone conversation ON 12-16-99

Complete the following map by showing land and point of diversion as proposed in this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 1ST day of December, 19 99.

KING'S PINES ESTATES, INC.
Franklin Brown
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by DAN Publication prepared by AT Date 12-27-99
 Published in Star News & The Record Publication dates 1-6-13-2000
1-20-00 km

I, _____, of the Department of Water Resources hereby

MICROFILMED

NOV 09 2000

Witness my hand this _____ day of _____, 19 _____.

SIGNATURE

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 78-07396

Priority: June 14, 1999

Maximum Diversion Rate:

0.69 CFS

This is to certify, that **KINGS PINES ESTATES INC**

PO BOX 704

MC CALL ID 83638

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

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	0.29 CFS
DOMESTIC	01/01 to 12/31	0.40 CFS
	Totals	0.69 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 1, Township 18N, Range 02E
NWSW , Sec. 1, Township 18N, Range 02E
SWSW , Sec. 1, Township 18N, Range 02E
SESW , Sec. 1, Township 18N, Range 02E
ADAMS County
NWSE , Sec. 1, Township 18N, Range 02E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18N	02E	1	SWNW 1.8	NESW 3.9	NWSW 3.2	
			SWSW 3.0	SESW 2.3	NWSE 0.5	14.7

Total number of acres irrigated: 14.7

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2004**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

SUPERSEDED

MICROFILMED
DEC 14 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07396

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. 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.
8. Domestic use is for 64 homes and does not include lawn, garden, landscape, or other types of irrigation.
9. Two points of diversion are located within SESW and two points of diversion are located within NWSE, S1, T18N, R2E.
10. Place of use is located within Lots 1-18, Blk. 1; Lot 1-5, Blk. 2; Lots 1-6, Blk. 3; King's Pines Estates III, Lots 1-15, Blk. 1; and Lots 1-20, Blk. 2; King's Pines Estates IV.

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

24th day of September, 1999.

SUPERSEDED

Carl J. Dreher
Carl J. Dreher, Director

MICROFILMED
DEC 14 1999

dent. No. 78-07396

RECEIVED
SEP 16 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
JUN 14 1999

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

Department of Water Resources

1. Name of Applicant King's Pines Estates, Inc. Phone 208-634-7533
Mailing address P.O. Box 704, McCall, ID 83638
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is Township 18N Range 2E Sec. 1, in the _____ 1/4.
NE 1/4, SW 1/4, Govt. Lot _____, B.M., Adams County;
additional points of diversion if any: SESW (two wells), NWSE (Adams Co.), NWSE (Valley Co.),
NWSW, and SWSW.
4. Water will be used for the following purposes:
Amount 0.40 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.29 cfs for irrigation purposes from 4/15 to 10/15 (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) 0.69 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 up to 7 wells with submersible pumps, pipelines, and storage tanks
 - 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 500 to 900 feet
 - d. Is ground water with a temperature of greater than 85° F being sought? no
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 64 homes in King's Pines Estates III and IV
 - e. Other; describe fully. _____

* See changes per letter dated 6-25-99 from Scanlan Engineering.
DAN 7-2-99

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	2E	1							D		D	D	D	D		D			
									1.8 AC		3.9 AC	3.2 AC	3.0 AC	2.3 AC		0.5 AC			14.7 AC RES *

Total number of acres to be irrigated 14.7 Acres *

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

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: {Diversion rate based on peak hour demand calculated using DEQ
 COMMENTS criteria.

Applicant agrees to mitigate consumptive use
in the future as needed. DAV 7-2-99
Domestic use is for 64 homes in King's Pines Estates
III and IV DAV 7-2-99

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.)

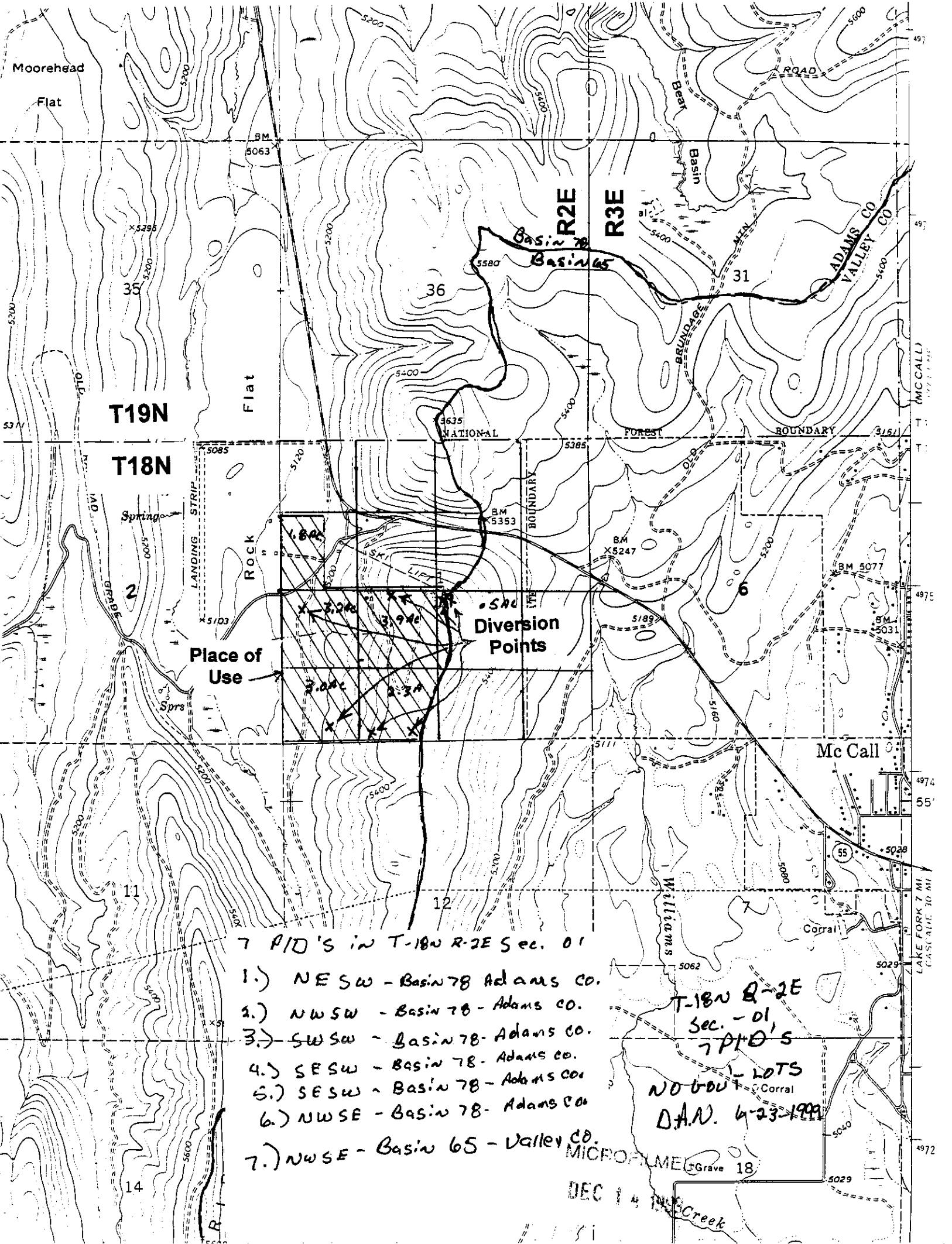
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
Frank Brown, President
 Signature of Applicant (and title, if applicable)

Received by KL Date 10/14/99 Time 11:13 Preliminary check by DAV
 Fee \$ 100.00 Receipted by KL # W025335 Date 10/14/99
 Publication prepared by KL Date 7-7-14-99 Published in The Rural & Home News
 Publication approved _____ Date 8-30-99

* See changes per letter from Scanlan Engineering Dated 6-25-99 and Fax Dated 7-1-99 from Scanlan Engineering.

DAV 7-1-99



7 PLO'S in T-18N R-2E Sec. 01

- 1.) NESW - Basin 78 Adams CO.
- 2.) NWSW - Basin 78 - Adams CO.
- 3.) SWSE - Basin 78 - Adams CO.
- 4.) SESW - Basin 78 - Adams CO.
- 5.) SESE - Basin 78 - Adams CO.
- 6.) NWSE - Basin 78 - Adams CO.
- 7.) NWSE - Basin 65 - Valley CO.

T-18N R-2E
Sec. - 01
7 PLO'S

NO BDU - LOTS
D.A.N. 4-23-1999

MICROFILMED

DEC 1 1999
Creek

KING'S PINES ESTATES III

OF PLATS

INST

situate in
SW4 and the W2 SE4 of Section 1,
T. 18 N., R. 2 E., B.M.,
Adams County, Idaho

LINE TABLE			LINE TABLE		
No.	Bearing	Len.	No.	Bearing	Len.
L1	S 64°03'00" W	47.23'	L24	N 21°27'15" E	10.09'
L2	S 64°03'00" W	47.23'	L25	N 00°22'07" W	28.62'
L3	S 64°03'00" W	47.23'	L26	N 35°00'00" W	98.00'
L4	S 64°03'00" W	47.23'	L27	N 11°51'47" E	122.99'
L5	S 64°03'00" W	47.23'	L28	N 71°18'30" W	72.64'
L6	S 64°03'00" W	47.23'	L29	S 13°18'17" W	101.28'
L7	S 64°03'00" W	47.23'	L30	S 17°31'32" E	118.12'
L8	S 64°03'00" W	47.23'	L31	S 43°48'11" E	123.08'
L9	S 64°03'00" W	47.23'	L32	N 88°52'51" E	76.00'
L10	S 64°03'00" W	47.23'	L33	N 08°33'00" W	68.75'
L11	S 64°03'00" W	47.23'	L34	N 08°33'00" W	52.30'
L12	S 64°03'00" W	47.23'	L35	N 08°33'00" W	75.81'
L13	S 64°03'00" W	47.23'	L36	N 08°33'00" W	81.02'
L14	S 64°03'00" W	47.23'	L37	S 04°00'00" W	18.72'
L15	S 64°03'00" W	47.23'	L38	N 60°28'40" E	129.70'
L16	S 64°03'00" W	47.23'	L39	S 15°15'00" W	20.73'
L17	S 64°03'00" W	47.23'			
L18	S 64°03'00" W	47.23'			
L19	S 64°03'00" W	47.23'			
L20	S 64°03'00" W	47.23'			
L21	S 64°03'00" W	47.23'			
L22	S 64°03'00" W	47.23'			
L23	S 64°03'00" W	47.23'			

LEGEND

- FOUND 5/8" REBAR
- SET 5/8" X 30" REBAR W/ PLAST
- FOUND 1/2" REBAR
- SET 1/2" X 24" REBAR W/ PLAST
- ⊙ FOUND MONUMENT AS NOTED

PERPETUAL WELL LOT EASEMENT

BUILDING ENVELOPE

1 LOT NUMBER
2.09 Ac. LOT ACREAGE

0 75 150 225 300

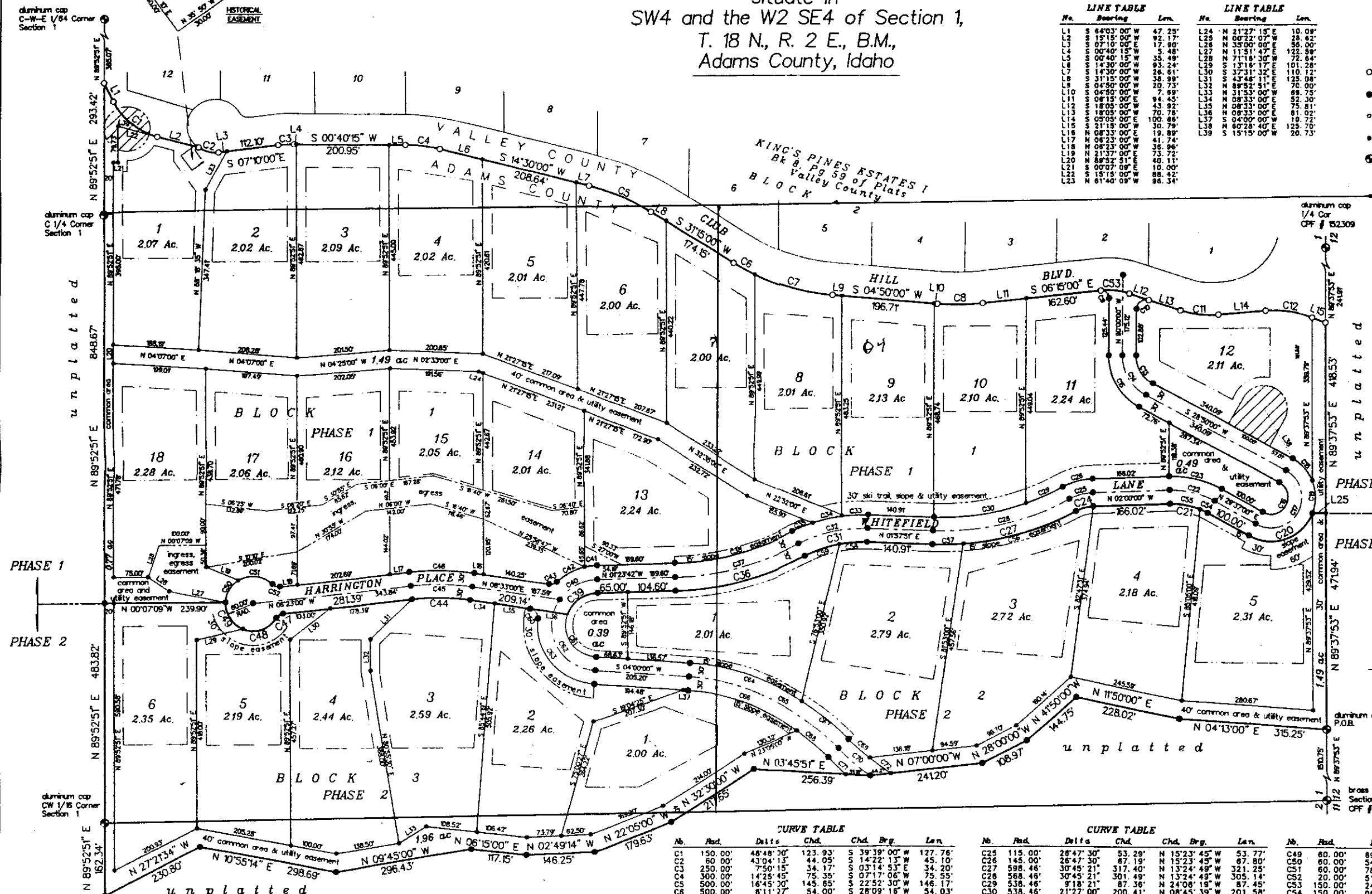
SCALE 1" = 150'

BEARINGS BASED ON STATE PLANE GRID

12 FT UTILITY EASEMENT ALONG ALL ROADS

BUILDING SETBACKS
SEE BUILDING ENVELOPES

KERR SURVEYING
1999



CURVE TABLE					CURVE TABLE					CURVE TABLE				
No.	Rad.	Delta	Chd.	Len.	No.	Rad.	Delta	Chd.	Len.	No.	Rad.	Delta	Chd.	Len.
C1	150.00'	48°48'30"	123.93'	39.39'	C25	115.00'	28°47'30"	53.29'	15.23'45" W	53.77'	C49	60.00'	89°46'01"	58.63'
C2	60.00'	43°04'13"	44.05'	14.22'13" W	C26	145.00'	26°47'30"	67.19'	N 15°23'45" W	67.80'	C50	60.00'	54°49'19"	55.24'
C3	250.00'	7°50'15"	34.17'	0.5134'53" E	C27	598.46'	30°45'21"	317.40'	N 13°24'49" W	321.25'	C51	60.00'	78°20'22"	75.79'
C4	300.00'	14°25'45"	75.35'	0.7171'00" W	C28	588.46'	30°45'21"	301.49'	N 13°24'49" W	305.14'	C52	20.00'	51°19'04"	17.32'
C5	500.00'	16°45'30"	145.65'	2.232'30" W	C29	538.46'	9°18'21"	87.36'	N 24°08'49" W	87.45'	C53	150.00'	24°20'00"	83.23'
C6	500.00'	8°11'27"	54.00'	0.2809'16" W	C30	538.46'	21°27'00"	200.41'	N 08°45'39" W	201.58'	C54	150.00'	06°52'05"	17.97'
C7	500.00'	20°13'13"	175.59'	1.436'46" W	C31	287.40'	29°19'40"	135.38'	N 12°41'59" W	136.87'	C55	150.00'	24°44'55"	84.29'
C8	500.00'	11°05'30"	96.57'	0.042'30" E	C32	297.40'	29°19'40"	150.57'	N 12°41'59" W	152.23'	C56	598.46'	24°27'45"	253.58'
C9	18.89'	96°00'28"	24.80'	0.4159'47" W	C33	327.40'	9°40'29"	55.22'	N 02°52'23" W	55.28'	C57	598.46'	06°17'36"	65.70'
C10	20.00'	108°05'30"	32.39'	0.3557'30" E	C34	327.40'	11°47'46"	67.29'	N 13°36'31" W	67.41'	C58	287.40'	12°32'30"	58.42'
C11	200.00'	23°12'30"	80.43'	0.631'00" W	C35	327.40'	7°51'25"	44.88'	N 23°26'06" W	44.90'	C59	287.40'	16°47'10"	78.06'
C12	225.00'	18°20'30"	102.50'	0.0805'00" W	C36	684.27'	25°58'07"	298.50'	N 14°22'45" W	301.07'	C60	20.00'	87°16'15"	27.60'
C13	70.00'	61°10'30"	71.23'	0.5925'00" W	C37	634.27'	25°58'07"	285.02'	N 14°22'45" W	287.48'	C61	20.00'	105°08'07"	111.17'
C14	100.00'	61°10'30"	101.76'	0.5925'00" W	C38	604.27'	25°58'07"	271.54'	N 14°22'45" W	273.88'	C62	100.00'	101°56'15"	155.36'
C15	130.00'	61°10'30"	132.29'	0.5925'00" W	C39	70.00'	89°28'14"	79.77'	N 38°07'49" W	84.87'	C63	130.00'	91°49'15"	186.75'
C16	38.77'	180°47'30"	73.54'	N 60°48'30" W	C40	100.00'	28°40'39"	91.85'	N 28°44'01" W	95.43'	C64	530.00'	28°57'30"	265.03'
C17	86.77'	180°47'30"	133.54'	N 60°48'30" W	C41	130.00'	11°39'53"	26.42'	N 07°13'38" W	26.47'	C65	500.00'	43°13'00"	368.28'
C18	98.77'	42°27'36"	70.08'	0.4837'02" W	C42	130.00'	30°08'36"	67.61'	N 28°07'43" W	68.39'	C66	470.00'	32°10'24"	260.48'
C19	98.77'	42°27'36"	70.08'	0.4837'02" W	C43	20.00'	51°45'10"	17.46'	N 17°19'35" W	18.07'	C67	530.00'	14°15'30"	131.55'
C20	98.77'	98°45'19"	146.90'	N 19°45'40" W	C44	477.17'	14°56'00"	124.02'	N 01°05'00" E	124.37'	C68	470.00'	11°02'36"	90.45'
C21	150.00'	24°44'55"	64.29'	N 10°22'27" E	C45	507.17'	14°56'00"	131.81'	N 01°05'00" E	132.19'	C69	511.27'	06°50'30"	60.95'
C22	180.00'	31°37'00"	114.42'	N 13°48'30" E	C46	537.17'	14°56'00"	139.61'	N 01°05'00" E	140.01'	C70	541.27'	09°44'06"	91.85'
C23	210.00'	26°47'10"	39.39'	N 15°23'45" W	C47	20.00'	51°45'10"	17.46'	N 17°19'35" W	18.07'	C71	511.27'	06°50'30"	60.95'
C24	85.00'	26°47'10"	39.39'	N 15°23'45" W	C48	60.00'	51°45'10"	17.46'	N 17°19'35" W	18.07'	C72	511.27'	06°50'30"	60.95'

No building or shelter which will require a water supply or a sewage disposal facility for people using the premises where such building or shelter is located shall be erected until written approval is first obtained from the State Board of Health, by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities or individual parcel water and/or sewage facilities

This plat is subject to compliance with I. C. Section 31-3805. No irrigation water shall be supplied to any lot hereon.

DEC 14 1999

CURVE TABLE

No.	Rad.	Delta	Chd.	Chd.	Len.
C1	511.27	05°46'51"	51.58	S 31°03'17" W	51.58
C2	571.27	13°35'29"	135.20	S 34°57'36" W	135.20
C3	270.00	34°44'18"	161.21	S 10°47'42" W	163.70
C4	300.00	34°44'18"	179.12	S 10°47'42" W	181.89
C5	130.00	13°40'03"	78.53	S 21°19'50" W	78.72
C6	330.00	21°04'15"	120.68	S 03°57'40" W	121.36
C7	238.15	24°33'29"	101.30	S 05°42'18" W	102.08
C8	238.15	21°25'36"	98.70	S 29°41'50" W	97.37
C9	268.15	47°59'05"	218.07	S 17°25'00" W	217.58
C10	298.15	47°59'05"	242.47	S 17°25'00" W	242.70
C11	50.00	145°31'06"	95.52	N 65°48'49" W	127.02
C12	80.00	145°31'06"	152.82	N 65°48'49" W	203.21
C13	110.00	31°02'43"	58.88	S 56°55'60" W	59.60
C14	110.00	15°53'54"	30.43	S 80°24'18" W	30.52
C15	110.00	98°36'29"	166.80	N 42°20'30" W	189.31
C16	656.27	10°02'01"	114.78	N 11°58'45" E	114.93
C17	686.27	10°02'01"	120.03	N 11°58'45" E	120.18
C18	716.27	03°48'13"	47.75	N 15°05'08" E	47.76
C19	716.27	03°48'13"	47.75	N 15°05'08" E	47.76
C20	149.82	21°16'55"	129.19	N 06°21'17" E	129.94
C21	379.82	21°16'55"	140.27	N 06°21'17" E	141.08
C22	409.82	21°16'55"	151.35	N 06°21'17" E	152.22
C23	470.00	01°40'35"	13.75	N 05°07'28" W	13.75
C24	470.00	17°09'53"	140.28	N 14°32'42" W	140.80
C25	500.00	18°50'28"	163.68	N 13°42'24" W	164.42
C26	500.00	08°53'55"	82.08	N 08°42'38" W	82.16
C27	530.00	09°53'33"	92.01	N 18°08'50" W	92.13
C28	530.00	21°46'43"	200.25	N 12°14'17" W	201.40
C29	530.00	03°16'18"	30.26	N 00°17'13" E	30.26
C30	500.00	25°03'01"	216.87	N 10°36'00" W	218.60
C31	470.00	19°26'21"	158.70	N 15°24'48" W	159.46
C32	470.00	05°36'40"	46.01	N 00°52'58" W	46.03
C33	100.00	23°06'06"	40.05	N 09°37'41" W	40.32
C34	100.00	54°23'26"	91.40	N 48°22'27" W	94.91
C35	130.00	77°29'32"	162.30	N 16°48'24" E	175.82
C36	160.00	53°11'57"	143.28	N 24°40'37" W	148.56
C37	160.00	24°17'34"	67.33	N 03°25'22" W	67.84
C38	120.00	89°07'05"	168.39	N 31°00'37" W	186.65
C39	150.00	89°07'05"	210.49	N 31°00'37" W	231.31
C40	180.00	89°07'05"	252.59	N 31°00'37" W	279.97
C41	120.00	68°07'57"	134.44	N 20°31'03" W	142.70
C42	150.00	68°07'57"	168.05	N 20°31'03" W	178.37
C43	180.00	38°24'25"	118.41	N 05°39'17" W	120.66
C44	180.00	29°43'37"	92.34	N 39°43'15" W	94.39
C45	345.00	08°46'15"	52.76	N 50°11'54" W	52.81
C46	345.00	14°17'58"	85.88	N 38°39'47" W	86.10
C47	345.00	30°53'59"	183.81	N 16°03'49" W	186.06
C48	375.00	34°59'09"	225.44	N 18°06'24" W	228.98
C49	405.00	09°37'19"	67.93	N 49°46'22" W	68.01
C50	405.00	01°57'09"	13.80	N 43°59'07" W	13.80
C51	405.00	09°37'19"	184.15	N 14°42'58" W	186.08
C52	128.67	89°34'20"	182.69	N 45°23'59" W	202.71
C53	159.67	89°34'20"	224.96	N 45°23'59" W	249.61
C54	188.67	35°39'42"	116.15	N 18°26'40" W	118.05
C55	188.67	15°08'55"	50.00	N 43°50'59" W	50.15
C56	189.68	38°45'43"	158.88	N 70°48'18" W	164.31
C57	130.07	90°13'05"	184.29	N 45°04'37" W	204.81
C58	160.07	90°13'05"	226.80	N 45°04'37" W	252.04
C59	190.07	90°13'05"	269.31	N 45°04'37" W	299.28
C60	140.91	22°19'32"	351.71	N 69°08'60" E	353.94
C61	908.36	24°11'07"	355.45	N 67°34'20" E	358.11
C62	848.36	24°11'07"	355.45	N 67°34'20" E	358.11
C63	24.17	83°18'36"	32.13	S 13°22'48" W	35.15
C64	130.00	32°34'00"	72.90	S 38°45'07" W	73.89
C65	130.00	10°12'53"	23.15	S 17°21'41" W	23.18
C66	100.00	42°48'53"	72.94	S 33°38'41" W	74.67
C67	70.00	42°48'53"	51.06	S 33°38'41" W	52.27
C68	60.00	13°07'04"	13.71	S 18°48'47" W	13.74
C69	60.00	64°31'11"	64.05	S 57°37'54" W	67.56
C70	60.00	147°31'58"	115.22	N 16°20'31" W	154.50
C71	60.00	30°21'08"	31.41	N 75°36'02" E	11.78
C72	20.00	75°31'21"	24.49	N 50°00'55" E	26.36
C73	541.27	09°19'03"	87.92	S 32°49'24" W	88.02
C74	375.00	18°59'03"	123.68	N 45°05'30" W	124.25

LINE TABLE

No.	Bearing	Len.
L1	S 41°24'38" W	62.00
L2	N 06°57'44" E	62.69
L3	S 11°50'00" W	23.02
L4	N 07°00'00" W	44.20
L5	N 06°57'44" E	45.20
L6	N 03°45'51" E	51.18
L7	S 09°45'00" E	9.06
L8	N 04°17'10" W	12.78
L9	N 23°07'39" W	68.87
L10	N 23°07'39" W	47.30
L11	N 23°07'39" W	116.18
L12	N 23°07'39" W	79.85
L13	N 23°07'39" W	36.33
L14	N 89°52'51" E	42.00
L15	N 00°36'49" W	8.00
L16	S 04°13'00" W	20.06
L17	N 54°24'02" E	51.34
L18	N 00°38'49" W	20.00
L19	N 89°59'47" E	5.00
L20	S 46°00'00" W	112.28
L21	S 46°00'00" W	68.14
L22	S 07°00'00" E	70.26
L23	S 46°00'00" W	90.11
L24	N 73°00'00" W	128.27
L25	N 00°00'00" E	92.08
L26	N 00°00'00" E	121.50
L27	N 00°00'00" E	126.00
L28	S 00°00'00" W	121.12
L29	S 14°00'00" W	137.29
L30	N 09°42'00" E	46.00
L31	N 10°00'00" W	110.00
L32	N 14°50'00" W	62.00
L33	N 45°21'60" E	51.97
L34	N 10°08'00" W	101.37
L35	N 12°15'15" E	27.95
L36	N 77°44'45" W	30.00
L37	S 89°39'20" E	50.00
L38	S 89°59'47" E	10.00
L39	S 08°15'13" E	117.15
L40	S 28°00'00" E	146.25
L41	S 41°50'00" E	108.97
L42	S 27°13'54" E	230.80
L43	S 10°55'14" W	298.69
L44	S 09°45'00" E	196.43
L45	S 27°13'54" E	230.80

KING'S PINES ESTATES IV

situate in
SW4 and the W2 NE4 of Section 1,
T. 18 N., R. 2 E., B.M.,
Adams County, Idaho

PRELIMINARY

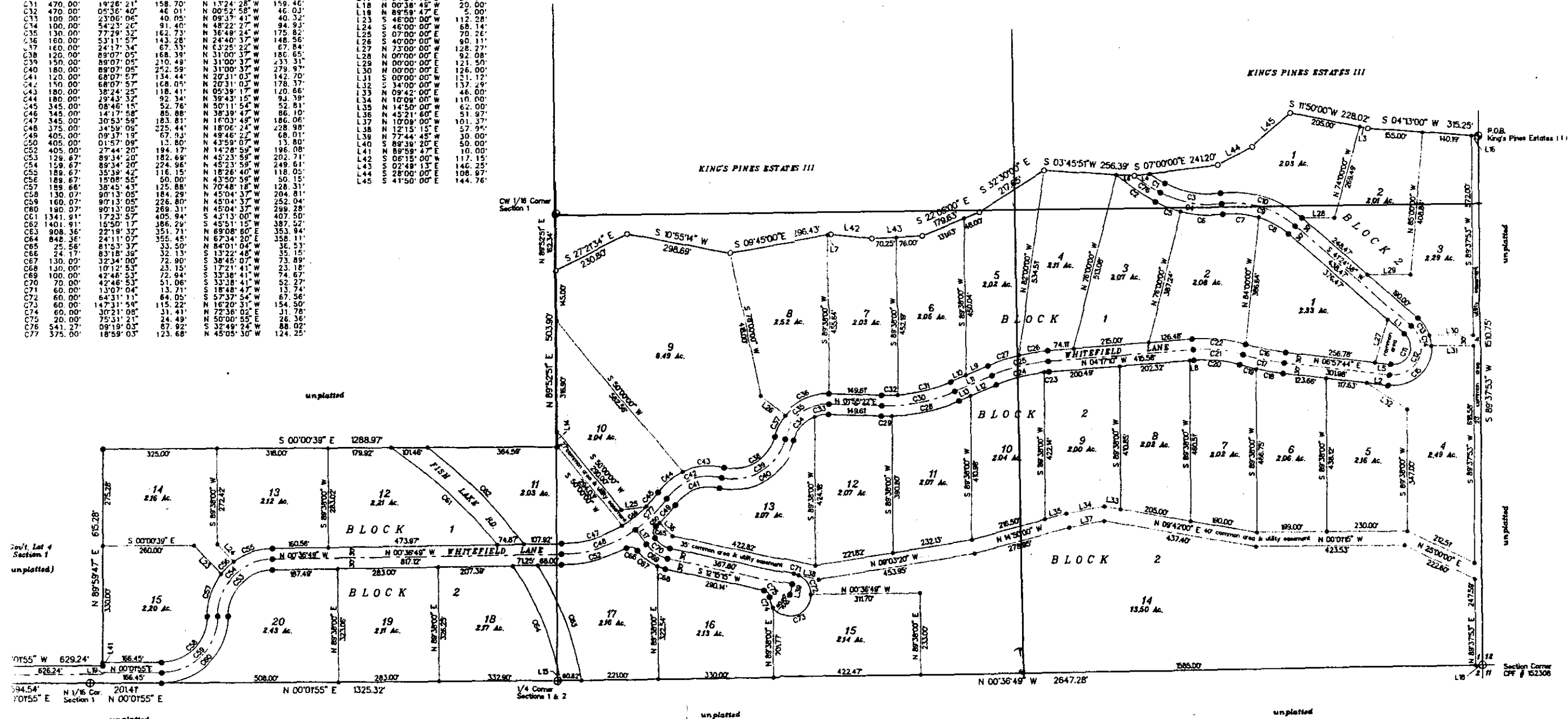
BEARINGS BASED ON
STATE PLANE GRID

12 FT UTILITY EASEMENT
ALONG ALL ROADS

BUILDING SETBACKS
50 FT FROM ROAD CENTERLINE
20 FT FROM SIDE AND REAR LINES

LEGEND

- FOUND 5/8" REBAR
- SET 5/8" X 30" REBAR W/ PLASTIC CAP
- FOUND 1/2" REBAR
- SET 1/2" X 24" REBAR W/ PLASTIC CAP
- ⊕ FOUND BRASS CAP AS NOTED
- ⊙ FOUND ALUMINUM CAP AS NOTED



No building or shelter which will require a water supply or a sewage disposal facility for people using the premises where such building or shelter is located shall be erected until written approval is first obtained from the State Board of Health, by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities or individual parcel water and/or sewage facilities

This plat is subject to compliance with I.C. Section 31-3805. No irrigation water shall be supplied to any lot hereon.

KERR SURVEYING

1999

0 100 200 300 400 500

SCALE 1" = 200'

SHEET 1 OF 2

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 07/29/99
Time: 11:55:48

Water Right Number: 78-07396

Comment Date: 7/ 2/1999 User ID: DNELSON

Subject: ADDITIONAL INFORMATION

This application is for a 64 home subdivision and 14.7 acres of irrigation known as the King's Pines Estates III and IV. There are 2 wells located in the SESW 1/4 of Section 1 and 2 wells located in the NWSE 1/4 of Section 1. One of the wells located in the NWSE is located in Adams County and the other is in Valley County. Scanlan Engineering stated that each of the 64 lots will be limited to 10,000 square feet of irrigation, due to system capacity limitations and estimated aquifer yields. The well located in Valley County is also located in Basin 65 and the rest of the wells are located in Basin 78. The water right number is listed as a Basin 78 water right eventhough there is one well in Basin 78.

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

MICROFILMED
DEC 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KINGS PINES ESTATES INC
PO BOX 704
MC CALL ID 83638-0704

RE: Permit 78-07396

Dear Permit Holder(s):

The Department of Water Resources (IDWR) has issued the enclosed Amendment of Permit approving your application to amend the water right referenced above. Please be sure to review every element of the Amendment of Permit, including the conditions of approval and remarks.

The Amendment of Permit is a **preliminary order** issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

If you have any questions regarding this matter, you may call me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

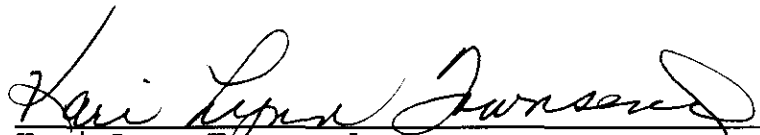
MICROFILMED
NOV 6 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of **February** foregoing
PRELIMINARY ORDER (Amendment of Permit) to the person(s) listed
below:

PERMIT 78-07396

**KINGS PINES ESTATES INC
PO BOX 704
MC CALL ID 83638-0704**


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 03 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

NOV 9 9 2002

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

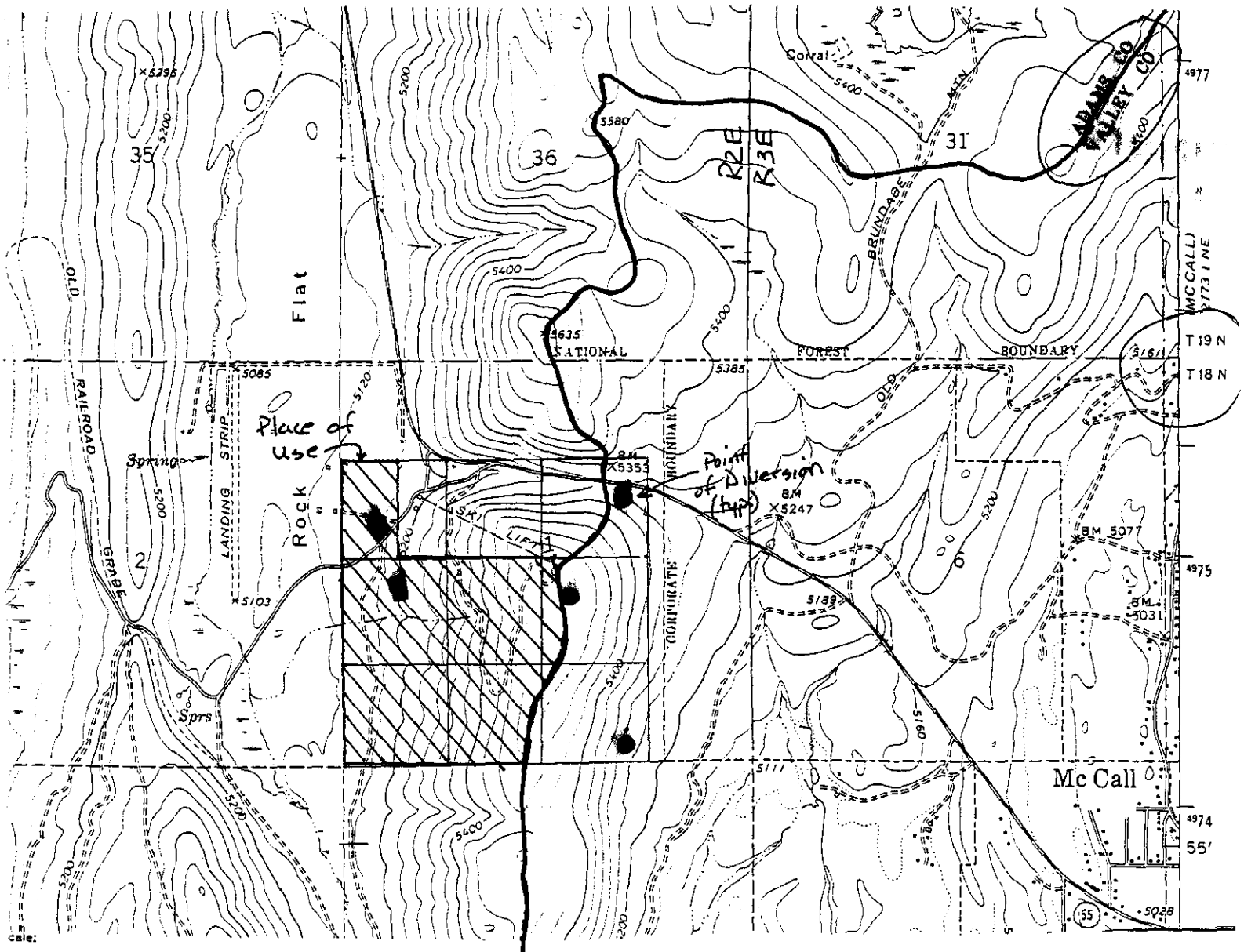
ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Box 78



I hereby request approval of this change subject to the fact that no one will be injured by the change and that the change...

M.C. 1000 M.C.

NOV 9 3 2000

AMENDMENT OF PERMIT REVIEW

Review Date 2/10/00

PERMIT NO. 78-07396 NAME Kings Pine Estates

TYPE: A = AMENDED E = CHANGE N/U I = CHANGE P/D & P/U
B = CHANGE P/D F = CHANGE Per/U J = ADD P/D & CHANGE P/U
C = ADD P/D G = OTHER
D = CHANGE P/U H = CHANGE P/D & + P/D

AREA OF CONCERN: s/c Mor gw ok GWMA Trust/Non-trust

PROOF OF B/U RECEIVED? Yes ☒ No Due < 6 months? Yes ☒ No

GROUNDWATER:

Drilling Permit No. _____;
Drilled _____

Swan Falls Flag N/A

Conditions of Approval: 046, 01M, R62, 121

Remarks/Comments D/64 homes (WBS)

P/U aka Lots 1-18, Blk 1; Lots 1-15, Blk 2; Lots 1-6, Blk 3;
Kings Pine Estate, III, Lots 1-15, Blk 1 and Lots 1-20 Blk 2,
" " " IV.

4/15-10/31 irr. season per road map

3 plds are Basin 65

2 plds are Basin 78

hold making any renumbering
changes until exam verifies
p/d locations

RECEIVED

FEB - 9 2000

Department of Water Resources

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED
NOV 9 1 2000

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

ST PC common

Right Number 78-07396 WP File Name King's Pines advertising (amendment)
Initial Review By: DAV Date 12-16-99
Applicant King's Pines Estates, Inc.
Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s)
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended elements.
N delay ☒ Amount, nature and period of use. If increased, delay date of priority.
P & A Perm. ☒ Ownership of point of diversion and place of use.
☒ Map. ☒ Signature-must be permit holder. ☐ Fee.
NO → ☐ Surface water source: IDFG letter needed; notify Water Planning Bureau if protected river or minimum flow reach.
NO → ☐ Existing water rights from the same source, amended p/d or p/u.
☐ Right number(s) _____
☒ Yes ☐ No Should amendment be advertised?
☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____
☒ Legal notice electronically transmitted to State Office. *perm*
☐ Additional analysis information attached.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. ☒ Amendment published correctly
☐ Protest processed.
☐ Comment letters to: _____
☐ Copy for region file: Always include application, staff analysis sheet, legal notice
List other items to copy _____
☒ Approve.
☐ Deny.

Conditions Standard conditions same
conditions as previous permit

By Daniel A. Nelson Date 2-7-2000

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 6, 2000 and ended January 13, 2000.

Carol J. Wright

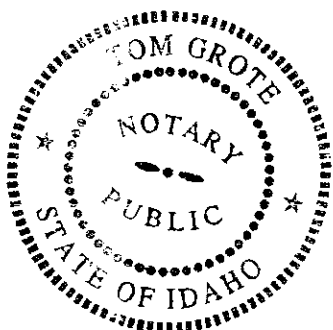
Subscribed and sworn before me this the 28th day of January, 2000.
STATE OF IDAHO

COUNTY OF VALLEY

On this 28th day of January, in the year of 2000, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho



RECEIVED

FEB 03 2000

NOTICE OF APPLICATION FOR AMENDMENT OF WATER

Notice is given that KINGS PINES ESTATES, INC. of McCall, ID 83638 have applied to the Department of Water Resources to change

the points of diversions of the following water right in T18N R2E, Valley and Adams County pursuant to I.C. § 42-211:

Permit #78-01594, Groundwater, priority date 06/14/1999, for 60 cfs diverted from 7 wells in NESW, ENE, SE, SWS, SWSW, and NWSE. Used for Domestic use in 64 homes and 14.7 acres lawn irrigation in S1. Also known as blocks 1-3 King's Pines Estates III and blocks 1-2 King's Pines Estates IV.

PROPOSED AMENDMENT

Applicant wishes to change the points of diversions to 5 wells described as SWNE, NWSE, and SWSE in Valley county and SWNW and NWSW in Adams County. Remainder of right will remain the same.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before January 24, 2000. The protestant must also send a copy of the protest to the applicant, Karl J. Dreher, Director. 2/1/13

RECORDED

NOV 11 2000

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON *DAN*

DATE: 12/16/99

RE: APPLICATION FOR AMENDMENT, RIGHT 78-07396

The amendment proposes to change the points of diversions to 5 wells described as SWNE, NWSE, and SWSE in Valley County and SWNW and NWSW in Adams County all wells are in T18N, R2E, and S1. Remainder of right will remain the same.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 2 pages and 0 attachments and was prepared Terry Scanlan of Scanlan Engineering.

Attached to this memo is a copy of the permit to appropriate water and attached maps and a conversation memo with Terry Scanlan dated 12/16/1999.

CURRENT RECORDS & PROPOSED CHANGE

An application for permit was filed on 6/14/1999 and the application was approved on 9/24/1999. This application was for in house use for 64 homes and irrigation for lawns totaling 14.7 acres. The points of diversion for this permit were described as 7 P/D's in T18N, R2E, and S1. They are more specifically described as 1 well in the NESW, 1 well in the NWSW, 1 well in the SWSW, 2 wells in the SESW, and 2 wells in the NESE. The amendment proposes to change the point of description to 5 wells described as SWNE, NWSE, and SWSE in Valley County and SWNW and NWSW in Adams County all wells are in T18N, R2E, and S1

VERIFICATION & OTHER ANALYSIS

In a telephone conversation with Mr. Scanlan on 12/16/1999, he informed me that they had already drilled the wells and attained enough water to cover the needs of the subdivision with the 5 wells listed. Mr. Scanlan filed the amendment to accurately describe the points of diversion on the application.

RECOMENDATIONS

I recommend that that the amendment be approved and the wells be listed as shown on the amendment. I recommend that the same conditions used for the original permit be used for the amended permit.

MICROFILMED

NOV 13 2009

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON *DAN*

DATE: 12/16/99

SUBJECT: KINGS ESTATES APPLICATION FOR AMENDMENT OF RIGHT 78-07396

On this date I spoke with Terry Scanlan of Scanlan Engineering concerning the application for amendment for permit 78-07396. In this conversation I confirmed that Mr. Scanlan is still the consultant for King's Pines Estates. I then asked if there multiple wells at each site marked on the map or if these sites were 1 well. Mr. Scanlan told me that each point on the map and legal description represented 1 well. He then told me that the wells had already been drilled and that they are producing adequate water for the water right. Mr. Scanlan also told me that the amendment was filed to have the permit reflect the actual wells.

After speaking with Mr. Scanlan I discovered that the point of diversion described on the application as the SENE should be listed as the SWNE or that map was incorrectly marked. I called Mr. Scanlan back and mentioned this to him. Mr. Scanlan refereed to his copy of the application and agreed that this was a mistake and that the point of diversion should be described as SWNE.

MICROFILMED

NOV 03 2000

STATE OF IDAHO)
)s.s
COUNTY OF ADAMS)

Nancy Lacey being duly sworn, deposes and says That she is the Principle Clerk of The Adams County Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Adams County Record.

for Two insertion(s) beginning with the issue of Jan. 6, 2000 and ending with the issue of Jan 13, 2000.

Nancy Lacey

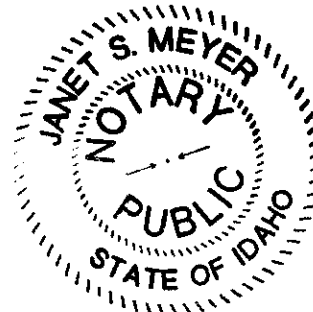
Subscribed and sworn to before me this

14th day of January, 2000

Janet S Meyer

Notary Public for Idaho, Residing at

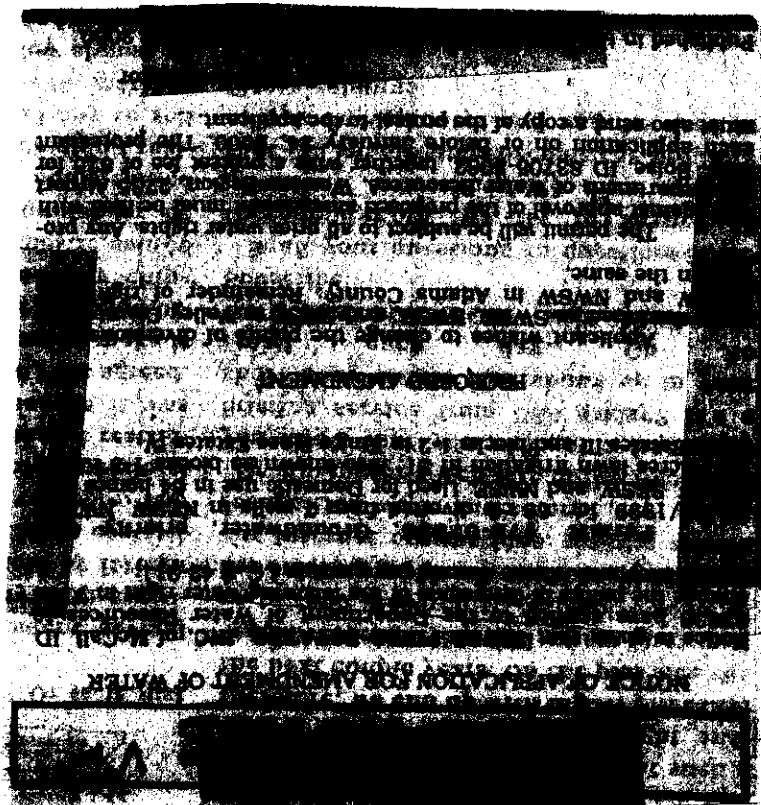
Council



MICROFILMED

NOV 05 2000

NOV 8 2005
MICROFILMED



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	:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian			

1. WELL TAG NO. D 0012235
DRILLING PERMIT NO. 65-99-W-0031-801
Other IDWR No. _____

2. OWNER:
Name KINGS PINES ESTATES, INC
Address P.O. Box 704
City MCCALL State ID Zip 83638

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N			
X			
S			

Twp. 18 North ☒ or South ☐
Rge. 2 East ☒ or West ☐
Sec. 1 1/4 SW 1/4 NW 1/4
Gov't Lot _____ County Adams
Lat: _____ Long: _____
Address of Well Site Fish Lake Rd
(Whitefield Lane) City MCCALL
(Give at least name of road + distance to road or landmark)

Lt. _____ Blk. _____ Sub. Name Kings Pines
ESTATES

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	Sacks or Pounds		
Bentonite	6 145	192 X5	Pour	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 146.25

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

8. CASING/LINER:

Diameter	From To	Gauge	Material	Casing	Liner	Welded	Threaded
8 7/8 - 1.5	146	322	Steel	☒	☐	☒	☐
6 3/8 - 9	350	21	PVC	☐	☒	☐	☒
				☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method SqW Slot
Screens Screen Type PVC

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
10	293	1/8x3	180	6 7/8	PVC	☐	☒
293	350	.00	12K	6 3/8	PVC	☐	☒
293	350	1/8x.5	480	6 3/8	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

153 ft. below ground Artesian pressure RECEIVED
Depth flow encountered _____ ft. Describe access port or _____
control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>250-300</u>	<u>N/A</u>	<u>350</u>	<u>10 hrs</u>
<u>190</u>			

Water Temp. 60.1 Bottom hole temp. 60.1
Water Quality test or comments: SLIGHTLY yellow odor 171

Depth first Water Encounter 171

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
16	0	3	Loose Rock & Soil		☒
16	3	8	Loose Rock		☒
15	8	11	Loose Rock		☒
15	11	19	Boulders		☒
15	19	22	Loose Broken Rock		☒
15	22	24	Boulder		☒
15	24	30	Rock & Clay		☒
	30	38.5	Hard Basalt		☒
	38.5	39.5	Fractured Basalt		☒
	39.5	63	Hard BLK BSlt		☒
15	63	66	SLIGHTLY Fract Brn BSlt		☒
	66	71	Brown BSlt w/ yellow clay		☒
	71	75	Hard BLK BSlt		☒
15	75	83	Fract or Soft BSlt		☒
	83	93	Fract BSlt		☒
	93	96	Hard BSlt		☒
15	96	130	SLIGHTLY Fract BSlt		☒
11	130	138	Semi Hard BSlt		☒
11	138	139	Fractured BSlt		☒
11	139	150	Hard BSlt		☒
	150	151	Fractured BSlt		☒
8.5	151	161	Hard BSlt		☒
	161	171	Broken BLK Rusty BSlt	1	
	171	243	Hard BLK Basalt		☒
	243	254	Fract Brn BSlt	3-5	
	254	257	Semi Hard BLK BSlt		☒
8.5	257	278	Hard BLK BSlt		☒
7.7	278	286	Hard BLK BSlt		☒
	286	287	Fract BLK BSlt	4	
	287	300	Hard BLK BSlt		☒
	300	301	SLIGHTLY Fractured		☒
	301	342	Hard BLK BSlt		☒
	342	348	Fractured BLK BSlt	20	

Completed Depth 475 (Measurable)
Date: Started 9-19-99 Completed 10-14-99

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 RDD, INC Firm No. 589

Firm Official [Signature] Date 11-14-99
MICROFILMED RECEIVED

Driller or Operator _____ Date NOV 24 1999
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

NOTICE OF APPLICATION FOR AMENDMENT OF WATER

Notice is given that **KINGS PINES ESTATES, INC.** of McCall, ID 83638 have applied to the Department of Water Resources to change the points of diversions of the following water right in T18N R2E, Valley and Adams County pursuant to I.C. § 42-211:

Permit # 78-07396, Groundwater, priority date 06/14/1999, for .69 cfs diverted from 7 wells in NESW, NWSW, SWSW, SESW, and NWSE. Used for Domestic use in 64 homes and 14.7 acres lawn irrigation in S1. Also known as blocks 1-3 King's Pines Estates III and blocks 1-2 in King's Pines Estates IV.

PROPOSED AMENDMENT

Applicant wishes to change the points of diversions to 5 wells described as SWNE, NWSE, and SWSE in Valley county and SWNW and NWSW in Adams County. Remainder of right will remain the same.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before January 24, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Star News in Valley County and The Record in Adams County on January 6 and 13, 2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1999

KINGS PINES ESTATES INC
PO BOX 704
MC CALL ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07396

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater 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 change of mailing address to the department within 120 days of the change. Failure

MICROFILMED
DEC 14 1999

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 reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

DEC 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of **September, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 78-07396

KINGS PINES ESTATES INC
PO BOX 704
MC CALL ID 83638


Kari Lynn Townsend
Secretary

RECORDED
DEC 14 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

DEC 14 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

DEC 14 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

by Curtis

No.: 78-07396 Name: KPE Inc Date: 9/17/99 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN: - No Yes: NO Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or W19 (Order)

2 counties'
papers

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

gm N/A

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P06 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP)

- *WB9

IN-STREAM DEVELOPMENT

- P52 (stream channel alteration)

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.20 cfs

- 01J-P08 (MD & LD)

≤ 0.20 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

STORAGE (✓ 3 compo.)

- 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

IRR ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER

- R37 (BLM/USFS); NA

MINING

- 054(req)-081-P10

FISH PROPAGATION

- 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING

- R07 (Injection well)

POWER

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area?

- 022, 075, 004 (+memo?)

Irr., GW supp. to SW?

- 102

DOMESTIC

Surface water

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

> 1 in rest. area

- 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO

- 058 (<85° GW temp only)

MITIGATION

- 120-121

42-248 AREA

- P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 2 pld in SW & 2 pld in NWSE

- 10/11/2004

- 1 pld in Valley Co. could be Basin 65 - wait until
field exam verifies, correction can be made
a time of licensing

W54

W60

WBS

W64 homes

1-18, Bk 1; 1-5, Bk 2;
1-6, Bk 3, KPE III
1-15, Bk 1; 1-20, Bk 2;
KPE IV

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

SEP 16 1999

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 6-23-99 APPLICATION: 78-07396

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County: 2 COUNTIES VALLEY CO. & ADAMS CO.
- ☒ 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. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

RECEIVED

SEP 16 1999

Department of Water Resources

Gov't. Lots:

NO P/D
NO P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

N/A. T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☒ ☐ 1992 moratorium: SALMON RIVER SURFACE WATER MORATORIUM. NOT APPLICABLE
THIS IS GROUND WATER.
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Bull trout impact area, IDFG letter needed
- ☐ ☒ 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

Request TO process FORM, subdivision plat map.

Date Requested 6-24-99 Date Response Received 6-30-99

PROCESSING

APP. NO. 78-07396

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. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

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

FINAL REGIONAL PROCESSING REVIEW:

YES NO

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

☒ ☐ Publication dates and paper recorded on application:
☐ ☐ Final date for protest 8-23-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 046 121 standard domestic requirements, public drinking water supply standards.

See below for additional information

Recommended Date or Priority 6/14/99Recommended by: DS Date: 9/14/99

ADDITIONAL INFORMATION:

There are overlapping water rights, but
none of them seem significant.

Comments - This application is ~~for~~ for a 64 home subdivision
14.7 acres of irrigation. There are 2 wells located in
SE SW 1/4 1/4 and 2 wells in the NW SE 1/4 1/4. The wells
in the NW SE are located in 2 counties (1 well in Adams CO.
and 1 well in Valley County). Terry Scanlon does
not believe the system will be able to produce the full 169 cfs
depending on aquifer yields.

RECEIVED

AUG 23 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
)S.S
COUNTY OF ADAMS)

Nancy Lakey being duly sworn, deposes and says That she is the Principle Clerk of The Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Record.

for two insertion(s) beginning with the
issue of August 5, 1999 and ending with the
issue of August 12, 1999.

Nancy Lakey

Subscribed and sworn to before me this 20th day of
August, 19 99

Ronnie A Fisk

Notary Public for Idaho, Residing at
647 School Ave.
Council, ID
My Commission Expires
11-21-2003

MICROFILMED
DEC 14 1999

Publisher's Affidavit of Publication

RECEIVED

AUG 18 1999

WATER RESOURCES
WESTERN REGION

MICROFILM
DEC 14 1999

STATE OF IDAHO }
County of Valley } .ss

RECEIVED
AUG 17 1999

over
→

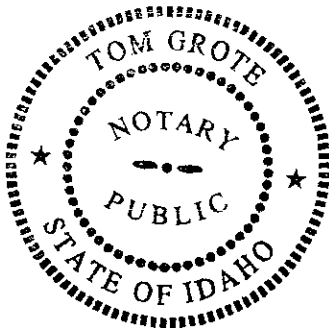
I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began August 5, 1999 and ended August 12, 1999.

Carol J. Wright

Subscribed and sworn before me this the 13th day of August, 1999.
STATE OF IDAHO

COUNTY OF VALLEY }
}

On this 13th day of August, in the year of 1999, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999

APPLICATION FOR

71-07590

King's Pine Estimation
P.O. Box 706
McCall, Idaho 83628
SPECIAL DISTRICT
DIVISION OF WATER RESOURCES
ADAMS County

NWSW Sec 1 T10N R 02E in ADAMS

County

SWSW Sec 1 T10N R 02E in ADAMS

County

SESW Sec 1 T10N R 02E in VALLEY

County

Use: IRRIGATION (0.290 CFS)

DOMESTIC (0.400 CFS)

Total Diversion: 0.690 CFS

Date Filed: 11/14/83

ADAMS County

SWSW Sec 1 T10N R 02E

ADAMS County

Use: IRRIGATION (0.290 CFS)

DOMESTIC (0.400 CFS)

Total Diversion: 0.690 CFS

Date Filed: 11/14/83

ADAMS County

SWSW Sec 1 T10N R 02E

ADAMS County

Use: IRRIGATION (0.290 CFS)

DOMESTIC (0.400 CFS)

Total Diversion: 0.690 CFS

Date Filed: 11/14/83

ADAMS County

SWSW Sec 1 T10N R 02E

ADAMS County

Use: IRRIGATION (0.290 CFS)

DOMESTIC (0.400 CFS)

Total Diversion: 0.690 CFS

Date Filed: 11/14/83

ADAMS County

SWSW Sec 1 T10N R 02E

ADAMS County

ONEC

Permits will be subject to all prior water rights. Projects may be submitted to the criteria of 8-1-83, 8-1-83, 8-1-83. Any project requiring the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2731 Airport Way, Boise, Idaho 83703 together with a project fee of \$25.00 for each application on or before a copy of the permit to the applicant.
Karl J. Dreher, Director 206-8412

MICROFILMED
DEC 14 1993

All Legal and Public Notices can
be seen at our Web site:
www.cyberhighway.net/~record

NOTICES OF PUBLIC INFORMATION

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08037

TAMARACK MILLS LLC, DBA EVERGREEN FOREST
DRAWER H
NEW MEADOWS, ID 83654

Source: GROUNDWATER

Diversion Pt: Lot 2 (SWNW) Sec 30 T 19N R 01E in ADAMS
County.

Use: INDUSTRIAL (3.000 CFS)
Total Diversion: (3.000 CFS)

Date Filed: 7/28/1999

In: ADAMS County
T19N R01E S30 Lot 1 (NWNW) Lot 2 (SWNW) SENW

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

78-07396

KINGS PINES ESTATES INC
PO BOX 704
MCCALL, ID 83638

Source: GROUNDWATER

Diversion Pt: NESW Sec 1 T 18N R 02E in ADAMS County
NWSW Sec 1 T 18N R 02E in ADAMS County
SWSW Sec 1 T 18N R 02E in ADAMS County
SESW Sec 1 T 18N R 02E in ADAMS County
NWSE Sec 1 T 18N R 02E in VALLEY County

Use: IRRIGATION (0.290 CFS)
DOMESTIC (0.400 CFS)
Total Diversion: (0.690 CFS)

Date Filed: 6/14/1999

In: ADAMS County
T18N R02E S01 SWNW NESW NWSW SWSW
In: VALLEY County SESW NWSE

14.7 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as
needed.
Domestic use is for 64 homes within King's Pines Estates III and IV.

Permits will be subject to all prior water rights. Protests may be
submitted based on the criteria of Sec. 42-203A, Idaho Code. Any
protest against the approval of this application must be filed with the
Director, Dept. of Water Resources, Western Region, 2735 Airport
Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for
each application on or before AUGUST 23, 1999. The protestant
must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record August 5 and 12, 1999.

LEGAL NOTICE

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Budget for fiscal year 1999-2000
City of Council, Idaho

RECEIVED

AUG 23 1999

WATER RESOURCES
WESTERN REGION

Notice is hereby given that the City of Council
public hearing for the consideration of the proposed
fiscal period October 1, 1999 to September 30, 2000
at Council, Idaho at 7:00 p.m. on August 17, 1999.
hearing all interested persons may appear and
any, why said proposed budget should not be approved.

PROPOSED EXPENDITURES:

The following is an estimate set forth in said
the total proposed expenditures and accruing
City of Council, Idaho for the fiscal period
September 30, 2000.

GENERAL FUND -----
STREET FUND -----
WATER SERVICE FUND -----
CAPITAL PROJECT FUND -----
SPECIAL GRANT FUND -----

TOTAL PROPOSED EXPENDITURES: \$ 1,491,068

ESTIMATED REVENUES:

The estimated revenues for the City of Council
fiscal period October 1, 1999 - September 30, 2000

GENERAL FUND -----
STREET FUND -----
WATER SERVICE FUND -----
CAPITAL PROJECTS FUND -----
SPECIAL GRANT FUND -----

TOTAL PROPOSED REVENUES: \$ 1,491,068

Citizens are invited to attend the budget hearing
1999 at 7:00 pm and have the right to provide
comments concerning the entire City budget.
in detail is available at City Hall during regular
business hours.

Meeting to be held at 7:30 pm, August 10,
final budget.
Gaye Carter
City Clerk

Published in the Adams County Record July 12,
1999.

LEGAL NOTICE

MICROFILMED NOTICE OF PUBLIC HEARING

Budget for fiscal year 1999-2000
Adams County Recreation District

Notice is hereby given that the Adams County
will hold a public meeting on the proposed budget
period October 1, 1999 to September 30, 2000
Tuesday, August 17, 1999, at 6:00 p.m. in Council
Chamber.

Proposed Expenditures:

Maintenance & Water -
Construction -



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

RECEIVED

AUG 20 1999

WATER RESOURCES
WESTERN REGION

1445 North Orchard • Boise, Idaho 83706-2239 • (208) 373-0550

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

August 19, 1999

Mr. Gary Spackman, Regional Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: *IDWR Application for Permit To Appropriate the Public Waters of the State of Idaho*
No. 78-07396-Proposed Public Water System Well for King's Pines Estates, Inc.

Dear Mr. Spackman:

Per *Idaho Code* § 39-118 and the associated *Idaho Rules for Public Drinking Water Systems*, all components of public water system construction, including wells, must be designed by an Idaho registered professional engineer (engineer) and approved by the Idaho Division of Environmental Quality (DEQ). Concurrent approvals are required from the Idaho Department of Water Resources (IDWR), but the two agencies work closely together to streamline the review process as much as possible.

I. GENERAL REVIEW AND APPROVAL PROCESS

The Boise Regional Office and the Idaho Department of Water Resources (IDWR) have a coordinated review procedure for public water system (PWS) well construction.

- A The engineer submits a well site evaluation to the Boise Regional Office verifying that the selected site is generally appropriate for a PWS based on ownership, minimum distance setbacks, proximity to possible sources of pollution, and proximity to surface water (canals, creeks, rivers, and ponds that contain water for more than 60 days per year). The well site evaluation includes standard information per DEQ checklists, plus any site specific information deemed appropriate by the consultant.
- B. After the Boise Regional Office approves the well site and engineering report, plans and specifications for well construction are submitted concurrently to the Boise Regional Office and the IDWR Western Regional Office for simultaneous review.
- C. The well may not be drilled until the applicant has received all of the following documents:
 - 1. an approved Permit To Appropriate Water from IDWR;
 - 2. an approved Drilling Permit from IDWR;
 - 3. a well site approval from DEQ; and
 - 4. a plan and specification approval letter from DEQ.

MICROFILMED

DEC 14 1999

(Items 1 and 4 will be provided on the same day by the respective agencies.)

Mr. Gary Spackman
August 19, 1999
Page 2

- D. A similar process is followed for the design, approval, and construction of any other structural components of the water system including the well house and associated equipment, distribution system and associated valving, storage tanks, etc. (IDWR is not involved in this part of the review.)
- E. Construction must be supervised by the engineer. The contract assuring this must be submitted with the plans and specifications for the well.
- F. A number of water quality contaminants must be tested by a certified laboratory and the results approved by DEQ before water can be served to the public. Contaminants that exceed maximum allowable levels must be treated prior to serving the public. Usually each well must be sampled individually, but depending on the system configuration and local geology, there may be exceptions. Contact this office for assistance.
- G. If more than twenty-five (25) connections will be served, then two sources are required. If two wells are provided, they must be either: a) located more than 500 feet apart to help prevent interference with each other, or b) test pumped simultaneously to verify pumping capacity.

II. PROJECT SPECIFIC COMMENTS:

- A. The confirming tests discussed above are required in all cases. At the present time we are not aware of the concerns for this area.
- B. The Idaho Division of Building Safety Plumbing Bureau will inspect portions of the system including water and sewer service lines and well house plumbing.

Please call me with any question at 373-0252, or via my E-mail at lpeterso@deq.state.id.us.

Sincerely,



Larry S Peterson, P.E.
Regional Manager - Engineering

MGM:cm: G:\MGM\FORM-LET\KINGPINE.LTR

cc: King's Pines Estates, Inc., Applicant
Mark Slifka, IDWR-SO
Source File#14, Source File#2

MICROFILMED

DEC 14 1999



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

August 2, 1999

ID DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Permit No. 78-07396 in the Name of King's Pines Estates, Inc.

Dear Sir:

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(s), your written protest along with the \$25.00 protest fee for each application must be received in this office by August 23, 1999.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

DEC 14 1999

TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT 78-07396 WHICH HAS WELLS IN TWO SEPARATE BASINS.

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 07/29/1999

PERSON CONTACTED: SHARLA CURTIS IDWR STATE OFFICE

PHONE: (208) 327-5452

MAILING ADDRESS: N/A

RE: NECESSITY OF TWO WATER RIGHTS FOR APPLICATION IN TWO BASINS

On this date I spoke with Sharla Curtis concerning the application for permit 78-07396. This application has multiple wells. All of the wells are located in Adams County and Basin 78 except for one well that is located in Valley County and Basin 65. I was asked by Steve Lester to determine if we would need 2 water rights to show the separate basins. Ms. Curtis informed me that we could process the application as one water right with a Basin 78 number, since this is where most of the wells are located. Ms. Curtis also stated that if the Department needed to have separate water rights it could be split at the state office at a later date.

MICROFILMED

DEC 14 1999

RECEIVED

JUN 30 1999

WATER RESOURCES
WESTERN REGION

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR APPLICATION TO BE PROCESSED

Name of Applicant King's Pines Estates, Inc.

Mailing Address P.O. Box 704

McCall, ID 83638

Application No. _____

Mitigation Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director, Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature Frank L. Brown

Date 6/28/99

Please return this form to:

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

MICROFILMED

DEC 14 1999

Confirmation sheet of actual place of use.

RECEIVED

JUL 02 1999

WATER RESOURCES
WESTERN REGION

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 and C for commercial) in the corresponding place of use below.

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	01							D 1.8 AC		D 3.9 AC	D 3.2 AC	D 3.0 AC	D 2.3 AC		D 0.5 AC			14.7 ACRES

BE IT KNOWN That the undersigned hereby has corrected the legal description and has relocated the actual place of use on the accompanying map to clarify the application for permit filed by King's Pine's Estates, Inc. to divert the waters of Idaho from groundwater on 10/13/1998.

Signature Terry M. Fearlan P.E. Title Engineering Consultant
Date 7/1/99

If signature not by applicant please indicate below relationship to owner.

FAX**Scanlan Engineering**600 East River Park Lane, # 105
Boise, Idaho 83706**Date:** July 1, 1999**Tel:** 208 383-4140**Fax:** 208 383-4156**To:** Dan Nelson**Fax No:** 334-2348**From:** Terry Scanlan**Reference:****Subject:** King's Pines Estates**No. of Pages:** 2
(including cover)

Dan -

Enclosed please find the signed confirmation sheet that you faxed to me this morning.
Thanks for your help. I will send a signed original by regular mail.

Terry

**If you do not receive all pages, or if there are any problems with this
transmission, please call at 208 383-4140**

MICROFILM
DEC 14 1999

Confirmation sheet of actual place of use.

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 and C for commercial) in the corresponding place of use below.

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	01							D 1.8 AC		D 3.9 AC	D 3.2 AC	D 3.0 AC	D 2.3 AC		D 0.5 AC			14.7 ACRES

BE IT KNOWN That the undersigned hereby has corrected the legal description and has relocated the actual place of use on the accompanying map to clarify the application for permit filed by King's Pine's Estates, Inc. to divert the waters of Idaho from groundwater on 10/13/1998.

Signature Terry A. Fearlan P.E. Title Engineering Consultant

Date 7/1/99

If signature not by applicant please indicate below relationship to owner.

**IDAHO DEPT OF
WATER RESOURCES**

Fax

To: SCANLAN ENGINEERING **From:** DANIEL A. NELSON
ATTN: TERRY SCANLAN

Fax: (208) 383-4156 **Pages:** 1 ^{DAN 7-1-99} 5 PAGES PLUS COVER PAGE

Phone: (208) 383-4140 **Date:** 07/01/99

Re: APPLICATION FOR PERMIT **CC:**
TO DIVERT GROUNDWATER
FOR KING'S PINES ESTATES

Urgent x **Review** x **Please Comment** x **Please Reply**

● **Comments:**

Enclosed you will find a place of use chart for the King's Pines Application for permit. You did not specify the number of acres for each $\frac{1}{4}$ $\frac{1}{4}$ section. I estimated these acres by counting the number of lots in each $\frac{1}{4}$ $\frac{1}{4}$ section and multiplying by 10,000 square feet and dividing by 43,560 to determine the acres (per your letter dated 6/25/1999). These acre amounts can be adjusted during the field exam if necessary, but the total amount of land irrigated will be limited to 14.7 acres. Please review this form very carefully and make sure everything is exactly how you want it. I believe we have everything in order and should not have any further problems. **If you find that everything is correct please sign the application and fax it back to our office at 334-2348 or mail it to the address below.**

IDAHO DEPARTMENT OF WATER RESOURCES

ATTN: DAN NELSON

2735 AIRPORT WAY

BOISE, ID 83705-5082

Thank you for your patience and cooperation.

ENCLOSURE

DEC 14 1999

Confirmation sheet of actual place of use.

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 and C for commercial) in the corresponding place of use below.

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	01							D 1.8 AC		D 3.9 AC	D 3.2 AC	D 3.0 AC	D 2.3 AC		D 0.5 AC			14.7 ACRES

BE IT KNOWN That the undersigned hereby has corrected the legal description and has relocated the actual place of use on the accompanying map to clarify the application for permit filed by King's Pine's Estates, Inc. to divert the waters of Idaho from groundwater on 10/13/1998.

Signature _____ Title _____

Date _____

If signature not by applicant please indicate below relationship to owner.

RECORDED
DEC 14 1999

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

JUN 28 1999

WATER RESOURCES
WESTERN REGION

June 25, 1999

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Water Right Application for King's Pines Estates, Inc.

Dear Dan:

Enclosed at your request are the preliminary plat maps for King's Pines Estates III and IV. There will be 29 lots in King's Pines III and 34 lots in King' Pines IV, for a total of 64 lots in the proposed development.

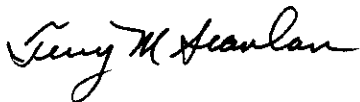
35 GMA 4/22/99

Per our discussions, please increase the requested diversion rate to 0.69 cfs for domestic use. The diversion rate is based on IDWR guidelines for in-home use at 64 homes (0.40 cfs) plus irrigation of 14.7 acres of irrigation at 0.02 cfs per acre (0.29 cfs). The 14.7-acre irrigated area assumes 64 lots with 10,000 square feet of irrigation per lot. Although we anticipate that the actual system capacity may be less than 0.69 cfs, we are applying for the maximum capacity in the event that high-yield aquifers are encountered.

I am forwarding a Request to Process form to Frank Brown for his signature.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan

Enclosures

Cc: Frank Brown

RECORDED

DEC 14 1999

TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT FOR KING'S PINES ESTATES, INC.

IDWR EMPLOYEE/AGENT: DAN NELSON DAN DATE: 06/24/1999

PERSON CONTACTED: TERRY SCANLAN - SCANLAN ENGINEERING

PHONE: (208)

MAILING ADDRESS:

RE: ADDITIONAL INFORMATION NEEDED TO COMPLETE PROCESSING FOR APPLICATION FOR PERMIT

On this date Terry Scanlan returned my telephone call to discuss the King's Pines Estates' application for permit. During this telephone call I informed Mr. Scanlan that we would need a subdivision plat map and request to process form before we could process application. I also informed Mr. Scanlan that our office could allow up to .40 cfs for in-house use plus irrigation of the lots. I told him that I was concerned that .36 cfs would not be adequate to supply in-house and irrigation use for 64 homes. Mr. Scanlan stated that he would check into this and return the information needed to verify the application.

If I do not receive the information by 7/7/9/1999 send a letter to Mr. Scanlan and the applicant.

UNRECORDED

DEC 14 1999



King's Pines Estates, Inc.

P.O. Box 704 McCall, Idaho 83638

RECEIVED

JUN 14 1999

WATER RESOURCES
WESTERN REGION

NOTE FROM THE DESK OF

Frank E. Brown

HOME: (208) 634-7533

June 11, 1999

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

Re: Water Right Application for King's Pines Estates, Inc.

Dear Sirs,

I have enclosed an Application for Permit for King's Pines Estates, Inc. in McCall. I have also enclosed the \$100.00 filing fee.

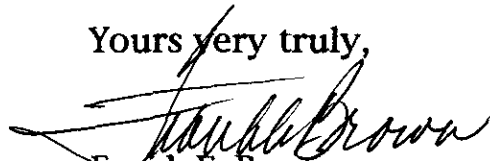
This application was prepared by Scanlan Engineering, Boise.

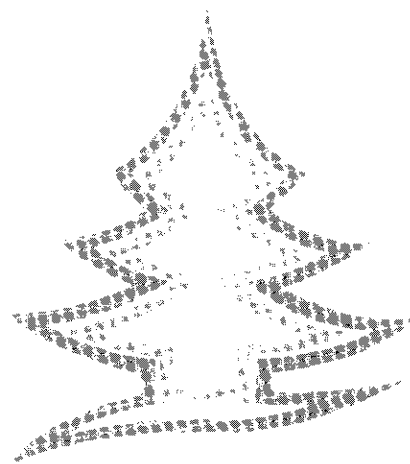
The officers of the Corporation are as follows:

Frank E. Brown, President
Warren H. Brown, Vice President
Judy A. Brown, Secretary/Treasurer

Please advise if this application is not complete.

Yours very truly,


Frank E. Brown
President



MICROFILMED

OFFICE: 208-634-7924  FAX: 208-634-8426

RESIDENCE PHONE & FAX: 208-634-7533

JUN 14 1999

78-07396

KINGS PINES ESTATES INC
PO BOX 704
MC CALL, ID 83638

Source: GROUNDWATER

Diversion Pt:	NESW	Sec 1	T 18N R 02E	in ADAMS County.
	NWSW	Sec 1	T 18N R 02E	in ADAMS County.
	SWSW	Sec 1	T 18N R 02E	in ADAMS County.
	SESW	Sec 1	T 18N R 02E	in ADAMS County.
	NWSE	Sec 1	T 18N R 02E	in VALLEY County.

Use: IRRIGATION	(	0.290 CFS)
DOMESTIC	(	0.400 CFS)
Total Diversion:	(	0.690 CFS)

Date Filed: 6/14/1999

In: ADAMS County				
T18N R02E S01	SWNW	NESW	NWSW	SWSW
In: VALLEY County	SESW	NWSE		

14.7 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 64 homes within King's Pines Estates III and IV.

RECEIVED
JUN 14 1999