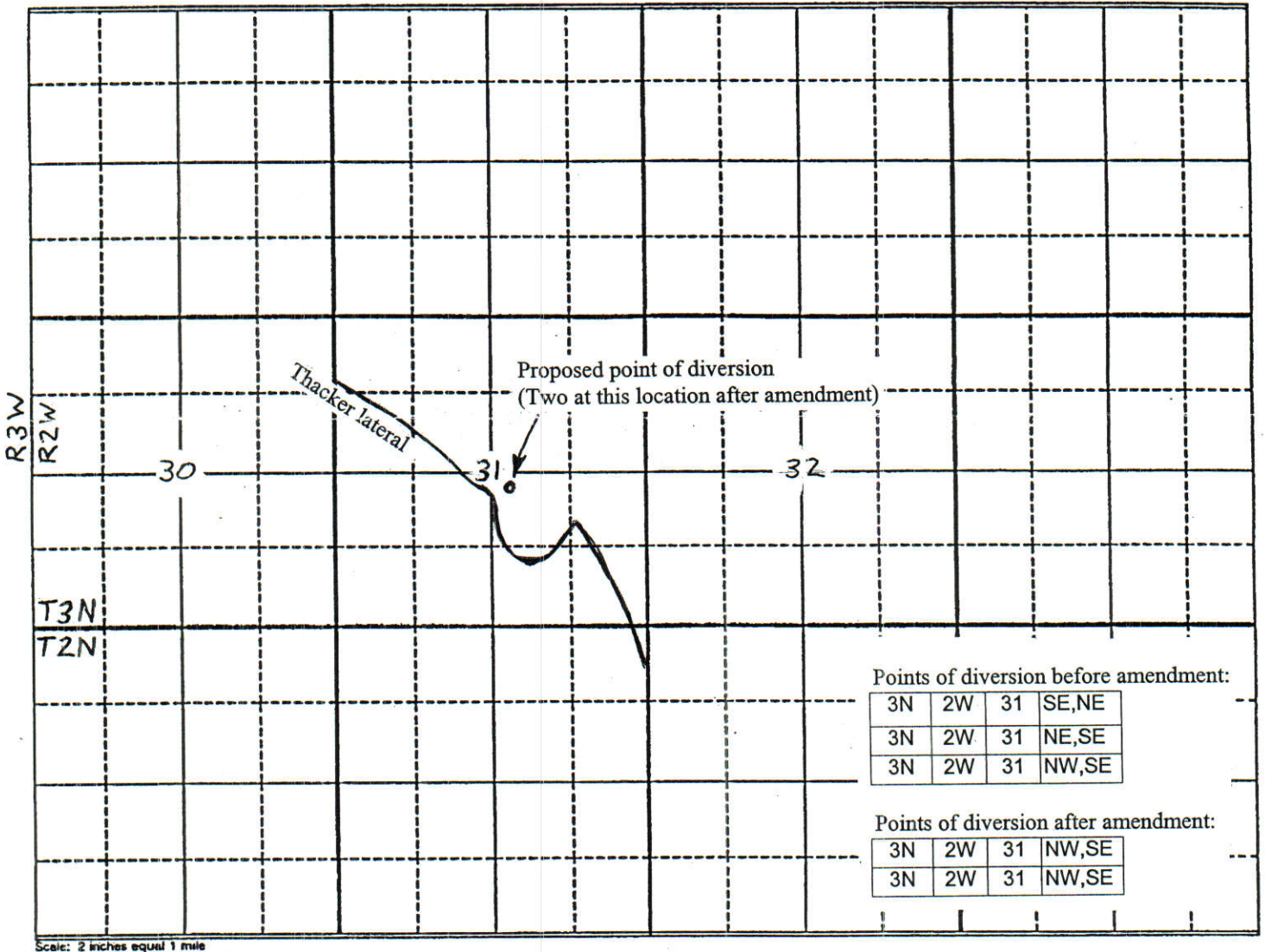


Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



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 14TH day of January, 2003. Roger D. Butts (For United Water Idaho)
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

I, _____, of the Department of Water Resources hereby

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

MICROFILMED

MAY 21 2003

SIGNATURE

-

S. 31 gov't lots in
w $\frac{1}{2}$ w $\frac{1}{2}$ only.
-JL 7/23/98

MICROFILMED
SEP 22 1998

E. Guier
United Water Idaho, Inc. (Applicant)

RECEIVED

JUL 30 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

Department of Water Resources

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

Permit No. 63-12463

Name(s) of Permit Holder: United Water Idaho Inc.

Mailing Address: 8248 W. Victory Rd. PO Box 190420 Boise ID 83719-0420

Date Proof is Due: Sept 1, 2003 Telephone No. 362-7358

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

There are two points of diversion, listed on the Permit.
Presently, one POD (20"-well) is in operation. A second
POD will be a 12"-well (redundant source for Carriage
Hill development). Costing \$ _____

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

The second POD has not been installed (although all
site approvals/Permits have been submitted) as it is not yet
needed. Construction of 2nd POD is anticipated within extension.

Permit holder(s) request an extension to Sept. 1, 2008.

FEE: \$50.00

Roger F. Feltus Hydrogeologist - United Water
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 2008. IT IS FURTHER ORDERED that the permit holder is not authorized to assign ownership of the permit to another party without prior approval of the department.

Signed this 4th day of August, 2003.

L. Glen Saxton
L. GLEN SAXTON, Administrator
Water Management Division

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 63-12463

Priority: June 25, 1998

Maximum Diversion Rate: 3.00 CFS

This is to certify, that UNITED WATER IDAHO INC
PO BOX 190420
BOISE ID 83719-0420

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	3.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 31, Twp 03N, Rge 02W, B.M. CANYON County
GROUND WATER	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 31, Twp 03N, Rge 02W, B.M. CANYON County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2003**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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. Place of use is within the service area of United Water Idaho as provided for under Idaho law. The place of use is generally described as within the city limits of Boise and the surrounding service area.
7. Water bearing zone to be appropriated is 250 to 500 feet.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of April, 2003.


for KARL J DREHER, Director

MICROFILMED

MAY 21 2003

(Internet)

SECRET

MAR 4 2003

Receipt No. W029991
 Received By KG
 Date 11/21/03

70468

RECEIVED

JAN 21 2003

**WATER RESOURCES
WESTERN REGION
Applicant**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant United Water Idaho Phone (208) 362-7358

Address 8248 W. Victory RD, P.O. Box 190420, Boise ID 83709

I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-12463, 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 NW 1/4 SE 1/4, Section 31, Township 3N, Range 2W, B.M.,
County of Canyon. Other points of diversion NW 1/4 SE 1/4 Sec 31 T3N, R2W

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.0 cfs for Municipal purposes from 1/1 to 12/31 (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: *Within the service area of United Water Idaho*

[illegible]

Total number of acres to be irrigated =

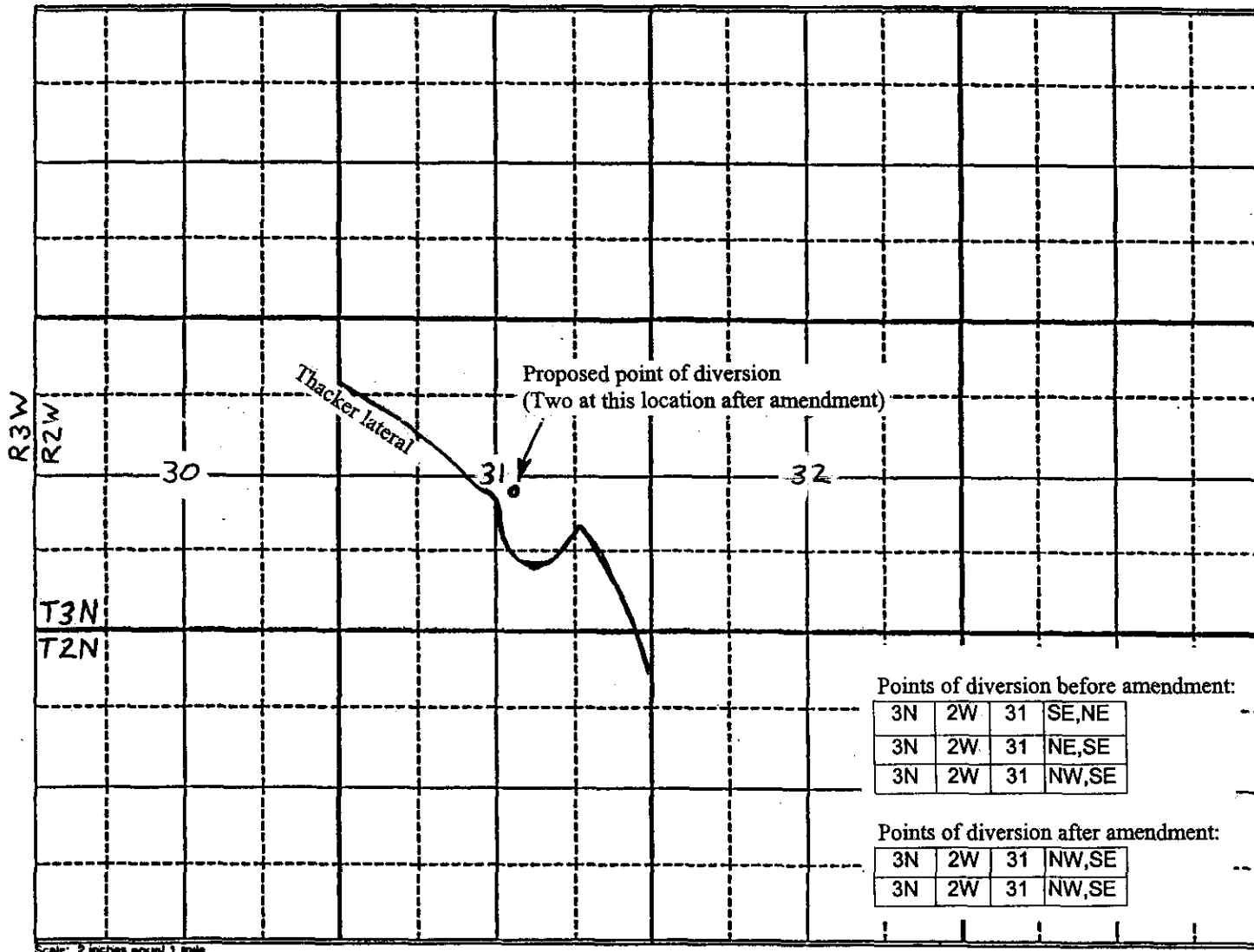
4. a. Who owns the property at the point of diversion? United Water Idaho
b. Who owns the land to be irrigated at the place of use? Customers of United Water Idaho
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

MICROFILMED

MAY 2 2003

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)



Points of diversion before amendment:

3N	2W	31	SE,NE
3N	2W	31	NE,SE
3N	2W	31	NW,SE

Points of diversion after amendment:

3N	2W	31	NW,SE
3N	2W	31	NW,SE

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 14TH day of January, 2003. Roger D. Dettus (For United Water Idaho)
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

I, _____, of the Department of Water Resources hereby

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

MICROFILMED

MAY 21 2003
SIGNATURE

United Water



United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208 362 1300
facsimile 208 362 1479

January 14, 2003

Steve Lester
Water Rights Supervisor
Idaho Dept. of Water Resources - Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED
JAN 21 2003
WATER RESOURCES
WESTERN REGION

Subject: Amendment to Permit 63-12463

Dear Steve,

It is anticipated that a back-up source of supply will soon be needed for United Water Idaho's water system supplying Carriage Hill Subdivision. A second well located adjacent to the existing well is proposed and would withdraw water from the same water-bearing zone. To this end UWID is applying to change the associated permit to show a point of diversion in the same tract as the existing well and remove two other points of diversion specified on the current permit.

Filing has recently been made (or soon will be made) with the Department to withdraw the points of diversion supplying UWID's non-contiguous water systems (such as Carriage Hill) from the Integrated Municipal Application Package, unlinking these from wells within UWID's main distribution system. Permit 63-12463 has previously passed the advertisement period with three points of diversion located in three different 40-acre tracts. Because of the counter-expansive nature of the amendment, UWID requests the Department to consider approving the application without the standard advertisement period.

Please find enclosed the Application for Amendment and check for \$50. I can be reached at 362-7358 if there are any concerns with this application.

Sincerely,

Roger Dittus
Hydrogeologist

MICROFILMED

MAY 21 2003

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12463

Proposed Priority: June 25, 1998 Maximum Diversion Rate: 3.00 CFS

This is to certify, that **UNITED WATER IDAHO INC**
8248 W VICTORY RD
BOISE ID 83709-4165

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>
MUNICIPAL	01/01 to 12/31	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 31, Township 03N, Range 02W
NESE , Sec. 31, Township 03N, Range 02W
NWSE , Sec. 31, Township 03N, Range 02W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 2003**.
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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Place of use is located within the service area of United Water Idaho.
8. Water bearing zone to be appropriated from 250 to 500 feet.

MICROFILMED
SEP 22 1998

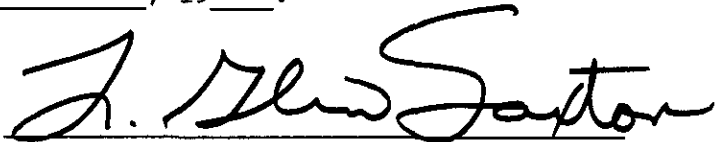
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12463

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

14 th day of September, 1978.



Karl J. Dreher, Director

for



MICROFILMED
SEP 22 1998

RECEIVED
JUN 25 1998

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

SEP 08 1998

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

1. Name of applicant United Water Idaho, Inc. Phone 362-7332

Post office address 8248 West Victory Rd. Boise, ID 83709-4165

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

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

Sec. 31 Township 3N Range 2W B.M. Canyon County; additional

points of diversion if any: NE1/4 of SE 1/4, and SE 1/4 of NE 1/4, Sec 31, T3N, R2W

4. Water will be used for the following purposes:

Amount 3.0 for Municipal purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 3.0 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 18-inch diameter wells with 8" mainlines. Proposed well completion zones between 250 and 500 feet below ground.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is 18 inches; proposed depth of well is 450 feet.

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

e. If well is already drilled, when? NA; Drilling firm NA;

Well was drilled for (well owner) NA

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

SEP 22 1998

+ per Applicant; resp

- fr 7/24/98

8. Description of proposed uses (if it .on only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwater; list number and kind of livestock. _____
- c. Municipal; show name of municipality. The evolving service area of UWID
- d. Domestic; show number of households. _____
- e. Other; describe fully. The Carriage Hill Subdivision

← Place in Comments

9. Description of place of use:

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

TWP	RANGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purpose as described above. _____

11. a. Who owns the property at the point of diversion? Derwyn and Grace Shank (See 12 below)

b. Who owns the land to be irrigated or place of use? Carriage Hill, LLC

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Not applicable to a municipal water right. Ownership of land has no bearing on UWID's service obligation.

MICROFILMED

COMMENTS

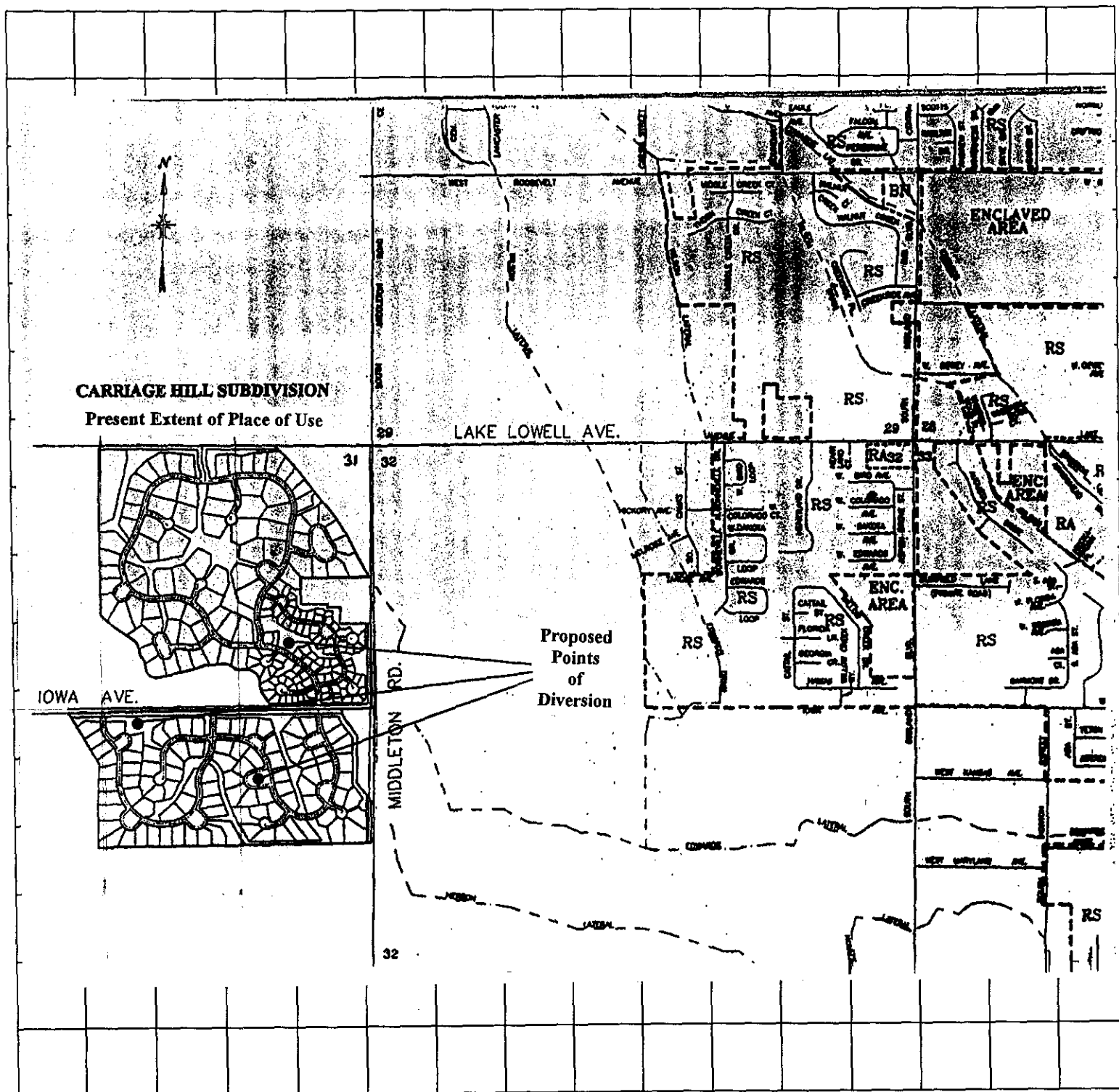
SEP 22 1998

12. Remarks: The Shanks own the land and are partners to the development project. CHI has an option agreement with the Shanks and CH, and its partner, Development Group, Inc, to purchase the project. They are entering into an agreement with UWID to own and operate their water system. Initial service will be to Carriage Hill Subd.

13. REMARKS: Applicant agrees to mitigate consumption use in the future as needed for proposed water bearing zone to be appropriated from 250 to 500 foot for use within Applicant's service area.

* & 7/27/98 per file intro.

13. Map of Proposed project: Show clearly the proposed point of diversion, place of use, section number, township and range number.



scale: 2 inches equal 1 mile.

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

S. 31 gov't lots in
W $\frac{1}{2}$ W $\frac{1}{2}$ only.
-gr 7/23/98

MICROFILMED
SEP 22 1998

E. Aguirre
(Applicant)
United Water Idaho, Inc

Received by KH Date 6/25/98 Time 1:52 Preliminary check by FL
Fee \$ 14000 Received by KH # W024064 Date 6/25/98
Publication prepared by ST Date 7-29-98 Published in Press-Tribune
Publication approved ST Date 8-26-98 8-6-13-98

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future right to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
SEP 22 1998

United Water



United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208-362-1300
facsimile 208-362-1479

President	William C. Linam	8248 W. Victory Rd. Boise, Idaho 83709
Vice President	John Turner	200 Old Hook Rd. Harrington Park, NJ 07640
	Benjamin M. Hepler	8248 W. Victory Rd. Boise, Idaho 83709
Treasurer	John J. Turner	200 Old Hook Rd. Harrington Park, NJ 07640
Secretary	Allen D. Shakley	200 Old Hook Rd. Harrington Park, NJ 07640
Assist. Secretary	Jeremiah Healy	8248 W. Victory Rd. Boise, Idaho 83709

MICROFILMED

SEP 22 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2003

UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE ID 83719-0420

RE: PERMIT NOS. 63-12452 and 63-12463

Dear Permit Holder:

I have enclosed copies of the approved requests for extension of time submitted in connection with the above referenced permits. The order extends the time within which to submit proof of beneficial use to **September 1, 2008**.

Please note that the department granted these extensions based on **due diligence**. It is important that you work diligently toward the completion of these projects during the construction period allowed since the department may not be able to grant additional extensions based on due diligence.

Please contact the department, if you have any questions regarding this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 63-12463

Reviewed By: dgibson

Date: August 1, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	W029991, C070218		Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	07/30/2003	New proof due date	09/01/2008
Date proof due	- 09/01/2003		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 06/25/1998		
New priority date	= 06/25/1998		

Action Taken

Acknowledge request and extend proof deadline to 9/1/2008.

June 30, 2003

UNITED WATER IDAHO INC
8248 VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420

PROOF DUE NOTICE

RE: PERMIT NO. 63-12463

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

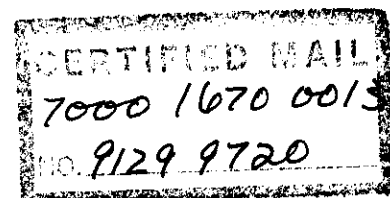
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2003

UNITED WATER IDAHO INC
PO BOX 190420
BOISE ID 83719-0420

RE: Permit No. 63-12463

Amendment of Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed amendment of permit approving your application to amend the permit referenced above. Please be sure to thoroughly review every element including the conditions of approval listed on your permit.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

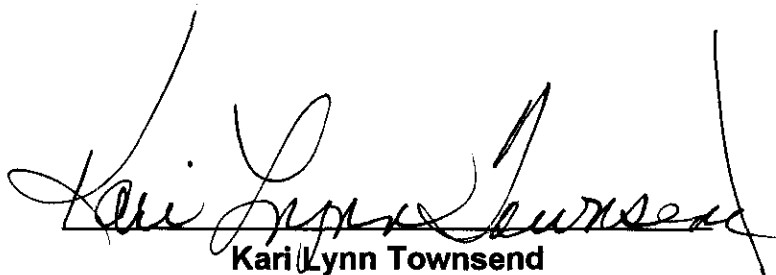
MAY 21 2003

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Amendment of Permit) to the person(s) listed below:

RE: WATER RIGHT PERMIT NO. 63-12463

**UNITED WATER IDAHO INC
PO BOX 190420
BOISE ID 83719-0420**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAY 21 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

MAY 21 2003

AMENDMENT OF PERMIT REVIEW

Review Date 4.15/03

PERMIT NO. 63-12463 NAME UWID

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: TV Mor GWMA Trust/Non-trust

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

GROUNDWATER:

Drilling Permit No. - - - - ;
Drilled

Swan Falls Flag

Conditions of Approval: 046, 004, 01m, 125

Remarks/Comments lit heavy zone 250 to 500 ft.

RECEIVED

MAR 14 2003

Department of Water Resources

Form 211a

December 2002

REVIEW CHECKLIST -- AMENDMENT OF PERMIT

Application i.d. # 70468 Permit # 63-12463
 Applicant United Water Idaho
 Reviewed by JR Data entry by JR Date 3/12/03
 Legal Notice: Word filename } N/A
 OR Use Workflow ad } N/A

Purpose of Amendment ☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change Period of use ☐ Change Nature of use ☐ Other (list)

CHECK:

delete NESE & SENG P/D.
add second p/d in NWSE.

N/A SRBA Claim filed. If Yes: ☐ Email sent to AJ Supervisor.

☒ Description of amended elements.

☒ Ownership of P/D and P/U and arrangement for access if not owned by applicant.

☒ Map showing P/D &/or P/U changes.

NO Should amendment be advertised? If Yes: ☒ \$50 paid (cannot advertise unless paid).

☒ Signature, must be permit holder. Include title if applicant is organization, partnership etc.

NONE Existing water rights from the same source for amended P/D &/or P/U?

Right No(s). _____

NO Should date of priority be delayed? If Yes, explain why & proposed new priority date.

☒ Comment Letters? If Yes, check below.

☐ IDFG for surface water ☐ Water District No. _____

☐ Water Planning Bureau for protected river or minimum flow reach --send copy of application instead of letter.

☒ Other, see attached mailing list.

N/A Review Memo, date = _____ or: use space below &/or on next page for additional review notes.

IDEQ does not need comment letter since well drilling appl process will automatically coordinate with IDEQ. Imap parties contacted since permit recently withdrawn from Imap. Legal notice unnecessary.
 Some water bearing zone to be used for #2 well.

-continued

FINAL REGIONAL PROCESSING REVIEW:

N/A Affidavit of publication received

1 Published correctly? _____ Re-publication required if published incorrectly?

1 Protests processed.

Watermaster comments received _____ (date).

 Other comment letters received?

Recommendation and Conditions of Approval: ✓ APPROVE DENY

Add "future mitigation" condition that should have been used in original approval. Correct typo in cond. #8 c web. zone (insert "is" in that sentence).

By FL Lister Date 3/12/03

Review Notes continued:

Site appears to be outside of any irrigation delivery organization service area so condition & use of surface water tract will not apply here.

Copy for Region WR file after recommendations & "file forwarded" items completed. Always include (check off to show copying completed):

✓ **Assessment**

N/A Legal Notice

✓ Review Checklist

N/A Review Memo (if present in file)

N/A Other, list:

File forwarded to SO

3-13-03
(initials & date)



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

February 21, 2003

To: Distribution List

Re: Application for Amendment of Permit No. 63-12463

Dear Interested Party:

As you know, United Water Idaho (UWI) moved to withdraw several water permits from the IMAP contested case. The permits to be withdrawn concern those linked to non-contiguous portions of UWI's total service area.

Water Permit No. 63-12463, serving the Carriage Hills Subdivision area in Canyon County, is one of those permits. UWI recently filed an application to amend this permit to reconfigure the points of diversion. Instead of three wells within three tracts, UWI would like to use two wells within one of the three tracts. The amendment application is the correct method for such a change.

The Idaho Department of Water Resources (IDWR) has determined the amendment application can be processed without publication of legal notice. Unresolved issues involving this permit remain within the scope of IMAP at this time. Due to these factors and your potential interest in this permit, IDWR is sending this letter regarding the new amendment application. Sending comment letters to interested parties is not an unusual practice for IDWR, even if publication of legal notices does not occur.

Enclosed is a copy of the current permit and the new amendment application. **Please provide written comments in this matter to IDWR Western Region by March 10, 2003. A lack of response will be construed as no objection to the amendment proposal.**

MICROFILMED

MAY 21 2003

Application for Amendment of Permit No. 63-12463

February 21, 2003

Page 2

Please contact me at 334-2190 at your convenience if you need more information in this regard.

Sincerely,



Steve Lester

Water Rights Supervisor

CC: **Roger Dittus**, United Water Idaho
 Peter Anderson, Hearing Officer for IMAP

Enclosures: Permit No. 63-12463
 Application for Amendment of Permit No. 63-12463
 Distribution List

MICROFILMED

MAY 21 2003

CHRISTOPHER H MEYERS
JOHN M MARSHALL
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701

E GAIL MC GARRY PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

KATHLEEN MARION CARR MSC-020
OFFICE OF THE FIELD SOLICITOR
US DEPT OF INTERIOR
550 W FORT ST MSC-020
BOISE ID 83724

ALBERT BARKER
BARKER ROSHOLT & SIMPSON
PO BOX 2139
BOISE ID 83701-2139

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701-2773

MATT J HOWARD
PO BOX 190012
BOISE ID 83719

BRUCE M SMITH
TAMMY A ZOKAN
MOORE SMITH BUXTON & TURCKE
225 N 9TH ST STE 420
BOISE ID 83702

SCOTT L CAMPBELL
MOFFATT THOMAS
PO BOX 829
BOISE ID 83701-0829

MATT WILDE
CITY OF BOISE
PO BOX 500
BOISE ID 83701-0500

JOSEPHINE P BEEMAN
BEEMAN & ASSOCIATES PC
409 W JEFFERSON
BOISE ID 83702

ROBERT W TALBOY
ELLSWORTH KALLAS & TALBOY
2402 W JEFFERSON ST
BOISE ID 83702

ED SQUIRES
HYDRO LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431

MICROFILMED

MAY 21 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 14, 1998

UNITED WATER IDAHO INC
8248 W VICTORY RD
BOISE ID 83709-4165

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12463

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.

MICROFILMED
SEP 22 1998

MICROFILMED

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 W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

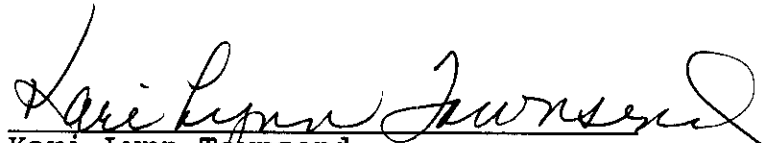
SEP 22 1998

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of **September, 1998**, 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. 63-12463

**UNITED WATER IDAHO INC
8248 W VICTORY RD
BOISE ID 83709-4165**


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 22 1998

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.

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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 63-12463 Name: UNID Date: 9/11/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

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

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

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - North / East / West
- ≤ 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

WMD Supplemental use

- > 0.24 cfs/5 acres - No MD
- ≤ 0.24 cfs/5 acres - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

- 046-P23
- 085
- P05 (new well location)

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

FISH & GAME CONTACTED:

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- Yes / No; RESPONSE: _____
- *WB9
- R04 (WD # _____)
- 01J-P08 (MD & LD)
- 01H-P01 (LD), 01P or No MD (in-stream stock)

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

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

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

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA
- 086, 087

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req)-081-P10
- 022, 075, 085 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
- 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 120

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

9/11/2003

United Water



United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488

United Water Idaho
Geosciences Department
telephone (208) 362-7332
facsimile (208) 362-3858

Fax

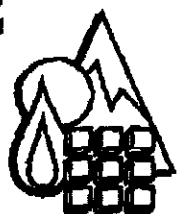
COVER SHEET

Date: 9-10, 1998.Time: 3:00 AM PMTo: Cindy Zimmerman at FAX: () 327-7866Company: IDWR at phone ()From: E. SquiresSubject: Carriage Hill 63-12463Number of pages including this cover sheet: 2 page(s).cc: Steve LesterDear Cindy

Please add this to the file
presently under consideration. Steve
had questions concerning this issue
which has just been resolved. Please
call with questions.

Ed

MICROFILMED
SEP 22 1998

**IDAHO
PUBLIC UTILITIES
COMMISSION***News*

for more information:
David Scott: (208) 334-0339
Fax: (208) 334-3762
e-mail: dscott@puc.state.id.us

September 4, 1998

COMMISSION APPROVES UWI NON-CONTIGUOUS EXPANSION RULES

Case No. UWI-W-98-1, Order No. 27718

The Idaho Public Utilities Commission has approved new rules and regulations for United Water Idaho that governs the company's expansion into areas non-contiguous to its existing service area.

United Water's new rules provide a standard agreement for the installation and/or operation of water systems requested by developers of single- and multiple-family residential developments.

"As a means of addressing the viability, operation and management problems that are faced by many small developer or homeowner association water systems and to capture the experience, benefits and economies of scale that larger viable and efficient water systems are capable of offering, (Commission) Staff supports the consolidation of small dispersed water systems either through physical connection or simply through ownership and management," reads the Commission's order.

The Commission staff functions as a separate party. Opinions and testimony by the staff should not be confused with findings and decisions of the commission, which are rendered in writing by a formal, signed order after consideration of the record of evidence and testimony presented by all witnesses.

The new rules do not apply to acquisitions of existing regulated water systems nor to commercial or industrial developments. United Water informed the Commission it does not intend to acquire systems located more than 30 miles from the company's operation center.

Petitions for reconsideration of the Commission's order must be submitted by Sept. 24.

###

MICROFILMED
SEP 22 1998

SEP 08 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

OK to
process for
municipal use

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: FL DATE: 7/27/98 APPLICATION: 63-12463

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.) *on file*
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ) *SERVICE AREA map for Canyon Co. not on file to date*
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid

Gov't. Lots:
N P/D
P/U

ADDITIONAL INFORMATION

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

N/A T FLAG CHANGED TO P FLAG

YES NO

N/A *municipal*
Overlapping place of use: (Describe source & relationship to present application on next page.)
☒ Overlapping point of diversion.
☒ Critical groundwater area:
☒ Groundwater management area: *limited muni w/in BS 63 guidelines*
☒ 1992 moratorium: *combined 3 remarks into 1 for brevity*
☒ Bull trout impact area
☒ 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.
N/A immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file. *for record 7/9/98*
☒ Send power requirement letter:
☒ Send 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

document ① future needs/planning horizon applicable or not?
② certified muni provider in Canyon Co. area?

Date Requested 7/23/98 Date Response Received _____

PROCESSING

APP. NO. 63-12463

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 8-24-98
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☐ ☐ Special conditions of approval or cover letter: 046 - Based on attached
memo from Phil Rassier - no other conditions recommended

See below for additional information

Recommended Date or Priority 6/25/98
Recommended by: Edney Date: 8/31/98

STATE OFFICE REVIEW _____

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION: NEW WELLS proposed.

FEW WELLS shown in AREA (URGENT) & NONE for municipal use.
NO "future needs" intent (7/24/98 tel conv with Ed Sykes).
Applicant to document service area certification (REVENUE not
aware of any new mini rights in Canyon County yet).
Looks OK assuming can show AW certifiol to be provided & Plan.

RECEIVED

AUG 24 1998

WATER RESOURCES
WESTERN REGION

MEMORANDUM

TO: Norman C. ^{N4}Young, Administrator, Water Management Division

FROM: Phillip J. Rassier, Deputy Attorney General ^{RJZ-}

RE: Applications for Amendment of United Water Idaho Permit Nos. 63-12043, 63-12138, and 63-12139

DATE: August 19, 1998

At your request, I have reviewed attorney Chris Meyer's letter of August 7, 1998, on behalf of United Water Idaho relating to the "Tenmile Ridge Water Rights." As described in Mr. Meyer's letter, ground water permit nos. 63-12043, 63-12138, 63-12139 were issued by the Department of Water Resources in 1993 and 1995 with "domestic use only" conditions in order to comply with the requirements of the Snake River Basin Moratorium then in effect. The Department formally lifted the moratorium in 1995, but has continued to hold most new applications for permit except where a strong public purpose is being served or where adequate mitigation or a non-consumptive water use is demonstrated.

On June 12, 1998, United Water filed applications to amend the referenced water right permits to remove the moratorium based conditions limiting the use of water to domestic purposes. The applications were advertised in accordance with the requirements of I.C. § 42-211 and no timely protests were filed. The Department may now approve the applications for amendment under the provisions of I.C. § 42-211, providing the change will not result in the diversion and use of more water than originally permitted; the rights of others will not be adversely affected by the change; and the change will not conflict with the local public interest.

The amendment of the permits as proposed by United Water will not change the municipal purpose of use, the authorized place of use, the point of diversion, or the authorized rate of diversion under the permits. The only change requested is removal of the conditions limiting the types of municipal uses that may be served with water diverted pursuant to the permits. Because the permits are still in the developmental stage, it is not necessary to consider the history of use under the permits as is commonly done when a fully perfected water right is transferred under the provisions of I.C. § 42-222. It, thus, appears that approval of the permit amendments as requested by United Water would be consistent with the decision criteria under I.C. § 42-211.

MICROFILMED
SEP 22 1998

CONVERSATION MEMORANDUM

DATE 7/24/98

FILE 63-12463

NAME OF PARTY Ed Igner

EMPLOYEE JE

"United Water"
"CARRIDGE HILL"

RE: _____

He will send reply to my 7/23 fax

For now

① per "future needs" intent.

② certified service area in process & Canyon
County location (s).

OK to process appl. but need some support
into service area before can ~~approve~~
approve. Received info 9/10/98. cz.

MICROFILMED
SEP 22 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12463

UNITED WATER IDAHO INC.
8248 W VICTORY RD
BOISE, IDA 83709-4165
Source: GROUNDWATER
Diversion Pt:

SENE Sec 31 T 03N R 02W in CANYON County.
NESE Sec 31 T 03N R 02W in CANYON County.
NWSE Sec 31 T 03N R 02W in CANYON County.

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

Date Filed: 6/25/1998

T R S00

Applicant agrees to mitigate consumptive use in the future as needed for proposed water bearing zone to be appropriated from 250 to 500 feet for use within applicant's service area.

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KARL J. DREHER, Director

August 6, 13, 1998

7482

RECEIVED

AUG 17 1998

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 22 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Roberson

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Twice

— in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
August 6 and 13, 1998

Carolyn Roberson

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 13th day of August
in the year of 1998 before me, a Notary
Public, personally appeared Carolyn Roberson
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he/she
executed the same.

MICROFILMED
SEP 22 1998

Janice Lee
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21ST, 2003

RECEIVED

AUG 17 1998

WATER RESOURCES
WESTERN REGION



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 1998

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

Re: Application for Permit No. 63-12463 in the Name of United Water Idaho 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 must be received in this office by August 24, 1998.

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
SEP 22 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7/23/98

TO: Ed Squires
United Water
fax 362-3858

FROM: Steve Lester

DOCUMENT DESCRIPTION: Ed - if you get reply to me (call,
fax, or write) by next Thursday 7/28, can get this
one in the Canyon County newspaper.

TOTAL PAGES SENT: 01 + COVER SHEET

Thanks,
-S

CONTACT: _____

MICROFILMED

SEP 22 1998

United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488

Dear Steve

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SEP 22 1998



DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 7/1/98

TO: Ed Squire
United Water
fax 362-1479FROM: Steve Lestg

_____DOCUMENT DESCRIPTION: U.W. App. for permit @ Carnegie Hills
Subd (3 wells): Need signed "Response form" &
process for New rights.

Thanks, -SL

TOTAL PAGES SENT: 01 + COVER SHEET

CONTACT: _____

RESPONSE FORM**COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED**

Name of Applicant

United Water Idaho

Mailing Address

8248 W. Victory Rd.Boise, ID 83707

Application No.

63-12463Carriage Hills

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

E. L. Linn

Date

7-9-1998

Please return this form to:

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

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SEP 22 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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FAX # (208) 334-2348

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FROM: Steve Lester

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Thanks, -SL

TOTAL PAGES SENT: 01 + COVER SHEET

CONTACT: _____

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SEP 22 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 29, 1998

Legal Notices Department
Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 24, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED
SEP 22 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

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SEP 22 1998

63-12463

UNITED WATER IDAHO INC
8248 W VICTORY RD
BOISE, ID 837094165

Source: GROUNDWATER

Diversion Pt:	SENE	Sec 31 T 03N R 02W in CANYON County.
	NESE	Sec 31 T 03N R 02W in CANYON County.
	NWSE	Sec 31 T 03N R 02W in CANYON County.

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

Date Filed: 6/25/1998

T R S00

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KARL J. DREHER, Director

Published: 8/ 6/1998 & 8/13/1998

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SEP 22 1998