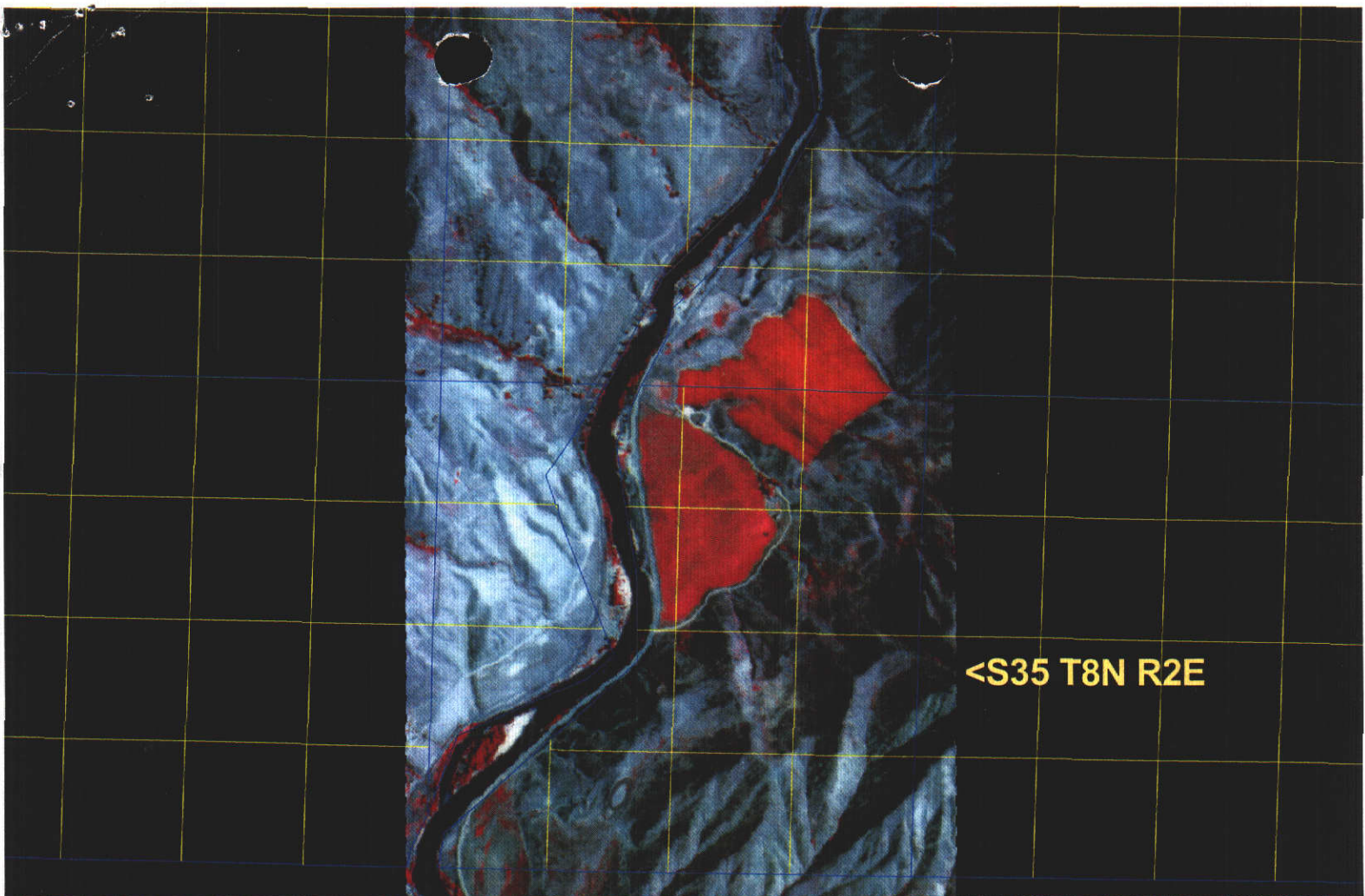




<S35 T8N R2E



<S2 T7N R2E

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31430

Priority: 02/14/2002

Maximum Diversion Rate: 0.23 CFS

This is to certify, that BROWN CONSTRUCTION And/Or
DAVID A HUNEMILLER
2715 IRONWOOD
NAMPA ID 83687

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 NW1/4NE1/4 Sec. 4, Twp 03N, Rge 02W, B.M. CANYON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 02W 4	X																
	L1																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before May 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.
5. 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.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. Domestic use is for 25 homes and does not include lawn, garden, landscape, or other types of irrigation.
8. Point of diversion is located within Lot 1, Blk. 1, Northside Estates Subdivision.
9. Place of use is located within Lots 1-14, Blk. 1 and Lots 1-12, Blk. 2, Northside Estates Subdivision.
10. Water bearing zone to be appropriated is 100 to 300 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of April, 2002.

MICROFILMED

Karl J Dreher
for KARL J DREHER, Director

FORM 202

1/96

Ident. No.

63-31430

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

APR 18 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Brown Construction +/or DAVID A. HICKMILLER Phone 941 1280
Post Office address 2715 IRONWOOD NAMPA 85687
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1
Sec. 4 Township 3N Range 2W B.M. CANYON County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .23 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .23 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is 12 inches; proposed depth of well is 300 feet.
d. Is ground water with a temperature of greater than 85°F being sought? N
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 25
e. Other; describe fully. _____

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APR 18 2002

9. Description of place of use:

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

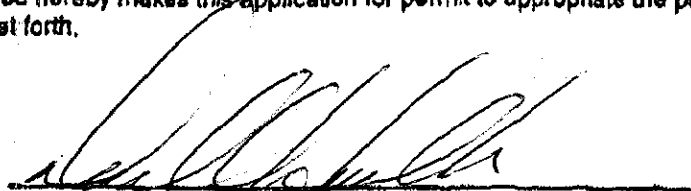
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	1/4	
3N	2W	4	D																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Irrigation District
water for external domestic use11. a. Who owns the property at the point of diversion? BROWN CONSTRUCTIONb. Who owns the land to be irrigated or place of use? "c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: PARTNERSHIP12. Remarks: Water bearing zone to be appropriated
is from 100 to 300 feet. Applicant
agrees to mitigate consumptive use in
the future as needed13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.


 (Applicant)

Received by ly Date 2/14/02 Time 1:30 Preliminary check by ly
 Fee \$ 250 Receipt by ly # W028748 Date 2/14/02
 Publication prepared by ST Date 2-7-14-02 Published in PRESS TRIBUNE
 Publication approved ST Date 4-2-02

MICROFILMED

JUL 10 2002

DAVID A. HUNEMILLER INC.**Pipe Excavation**2715 Ironwood
Nampa, ID 83687

David A. Hunemiller

941-1280

State of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT
FOR THE CONSTRUCTION OF A WELL**Drilling Permit No. 19658
Drilling Permit I.D. Tag
Water Right Permit No.
Injection Permit No.Northside Estates
870228-1/3562

(Please print)

DAVID HUNEMILLER

2. Mailing Address: 2715 IRONWOODCity: NAMPA State: ID Zip Code: 83687 Telephone: 941-12803. Proposed Well Location: Twp. 3N Rge. 2W Sec. 4 NW1/4 NE 1/4 NE 1/4Govt Lot No. _____ County CANYON Lat. _____ Long. _____Street Address of Well Site Corner of Utah + Northside City _____Lot, block and subdivision lt 1 Northside Estates Sub
Give at least name of road • Distance to Road or Landmark

4. Proposed Use of Well:

- ☒
- DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC:

☐ Irrigation☐ Municipal☐ Industrial☐ Stock☐ Test☒ Other25 homes
(Describe)

(Over 1,000 Head)

☐ INJECTION☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ ReplaceB. Proposed Casing Diameter 12" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

☒ 85°F or less☐ 85°F to 212°F☐ 212°F or more

(Cold Water Well)

(Low Temp. Geo. Well)

(Geothermal Well)

6. Construction Start Date: ASAP7. Anticipated Well Driller: Adams Pump + Drill Driller's Lic. No. 457

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: [Signature] Date 2/14/2002

Address (if different than owner): _____

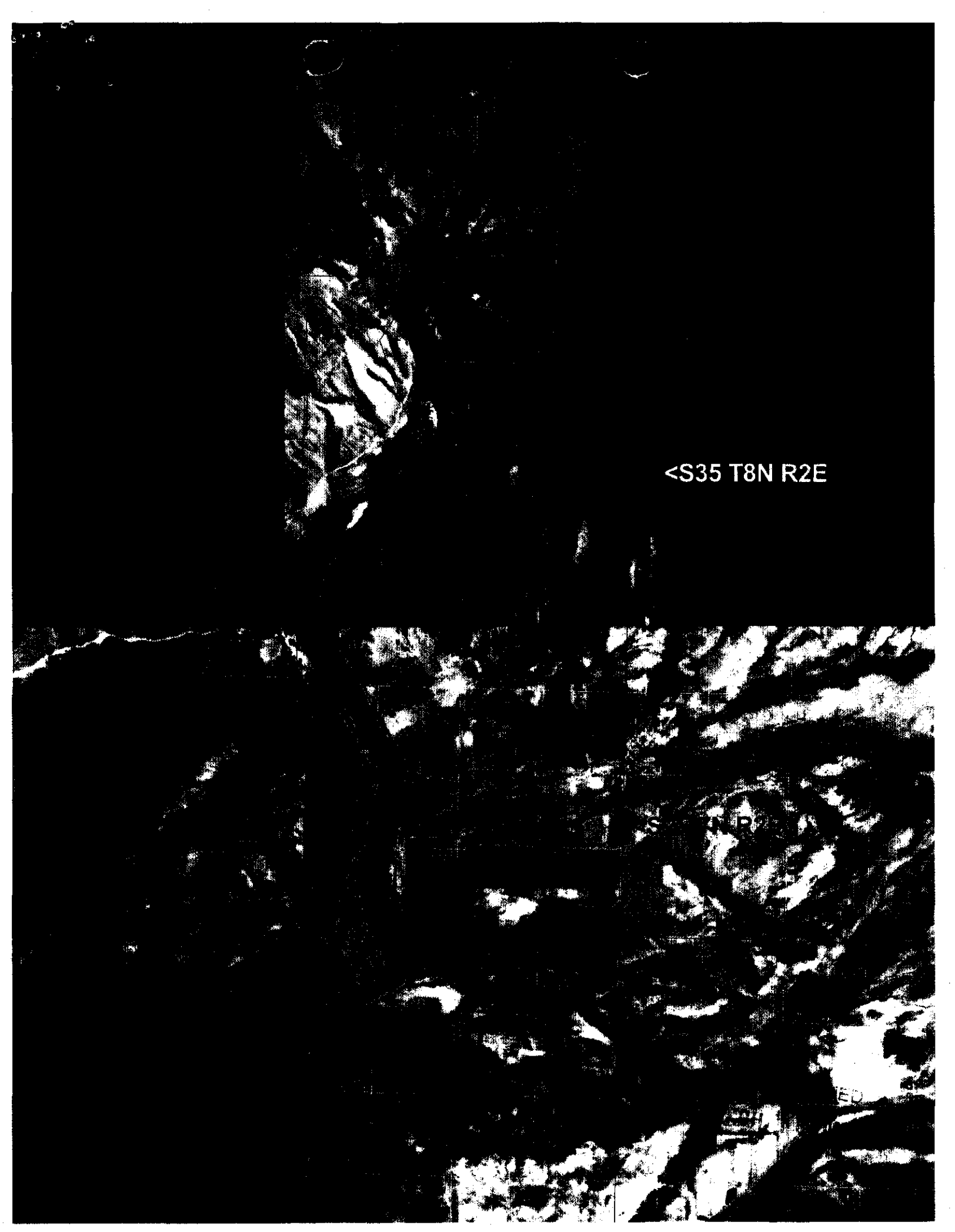
City: _____ State: _____ Zip Code: _____ Telephone: _____

Title: _____

(Owner, Firm Representative, Other)

MICROFILMED

JUL 10 2002

An aerial photograph of a rugged, mountainous terrain. The image is heavily shadowed, with bright highlights on the peaks and ridges. A grid overlay is visible across the lower half of the image. The text "<S35 T8N R2E" is printed in the upper right quadrant. The text "S 35" is visible in the lower right quadrant, and "T 8N" is visible in the lower right quadrant. The text "R 2E" is visible in the lower right quadrant.

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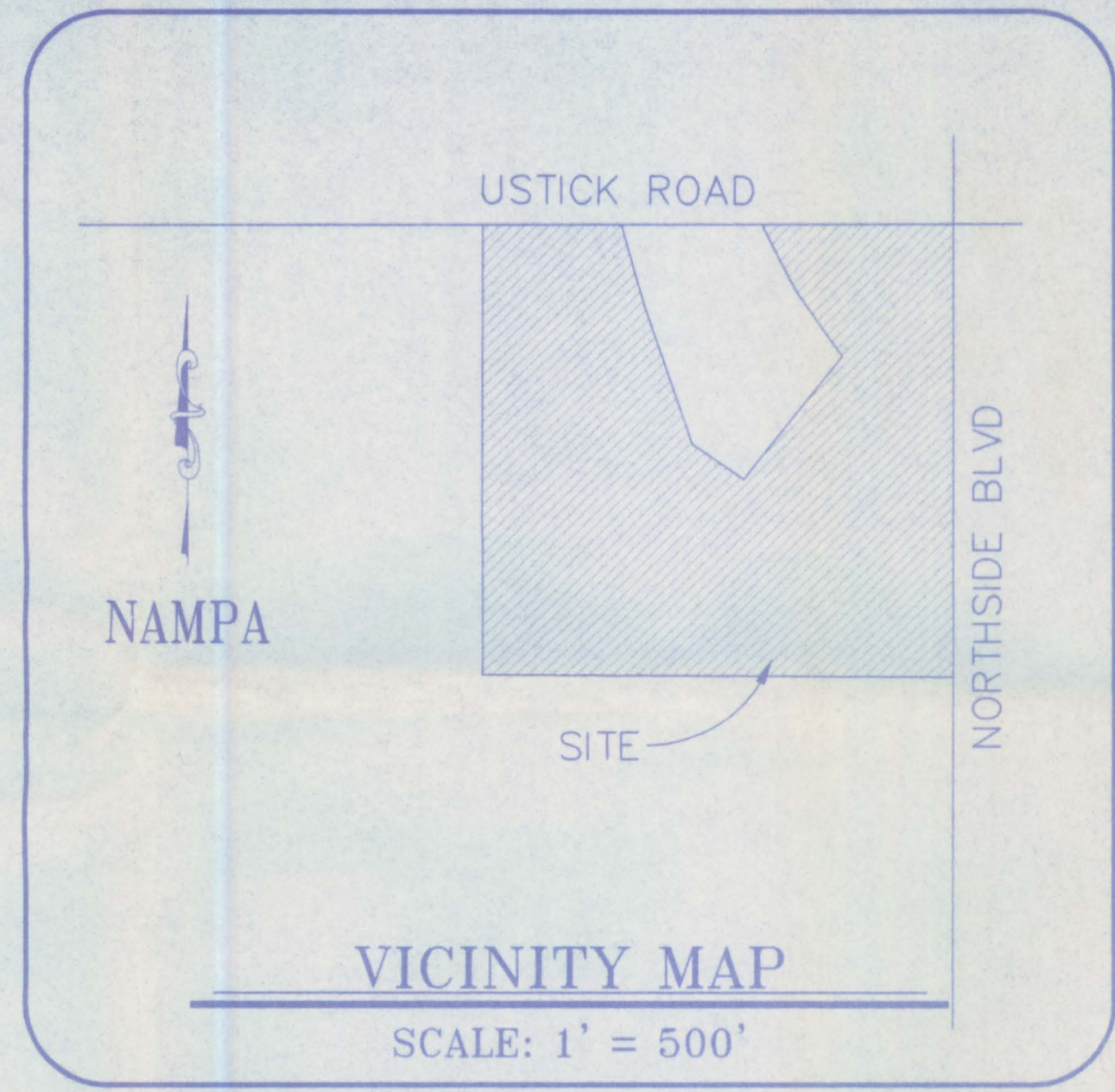
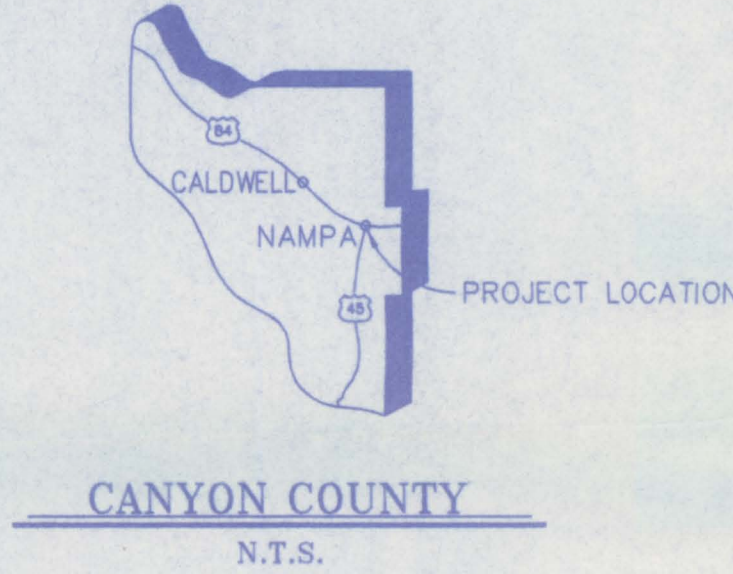
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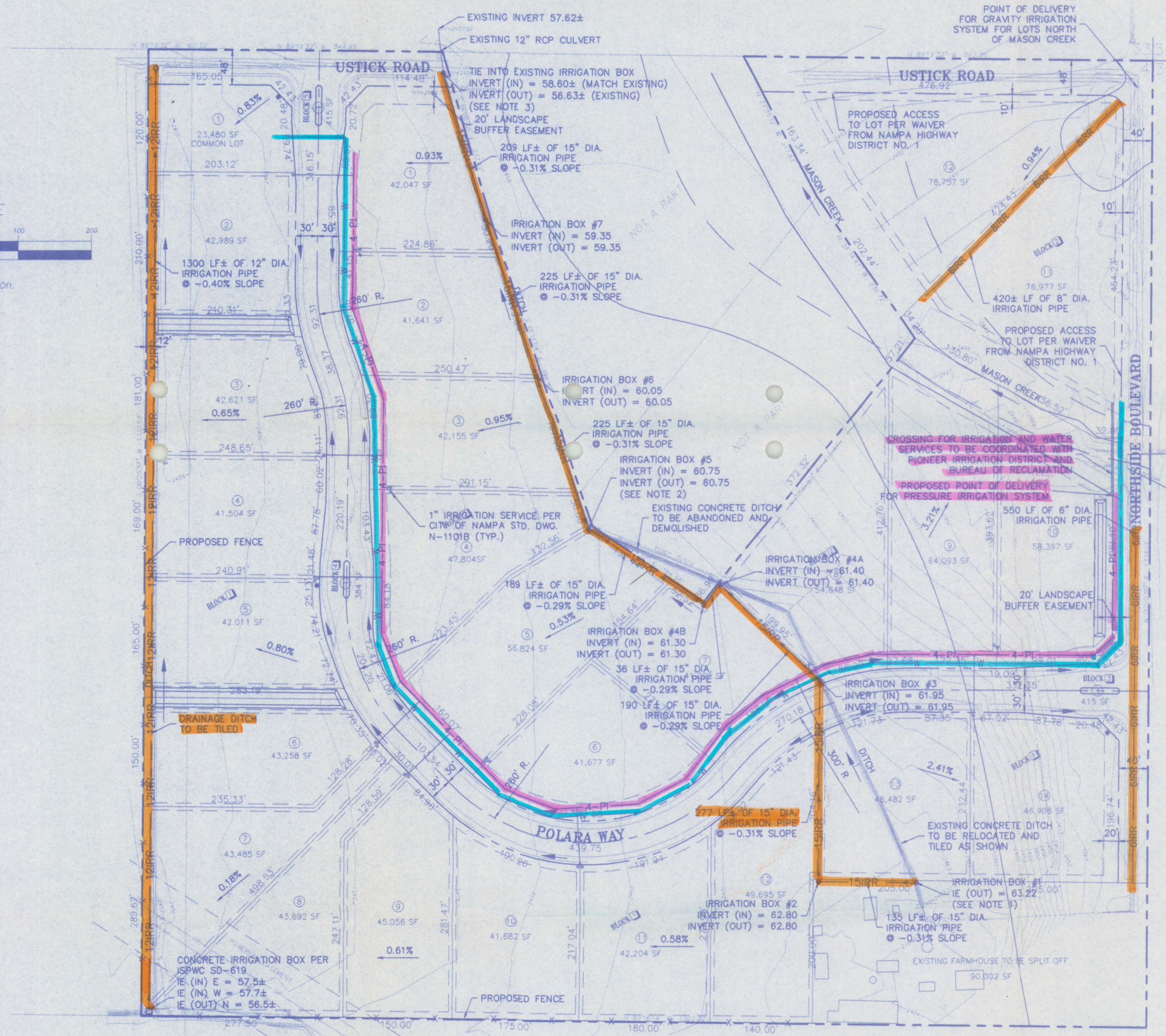
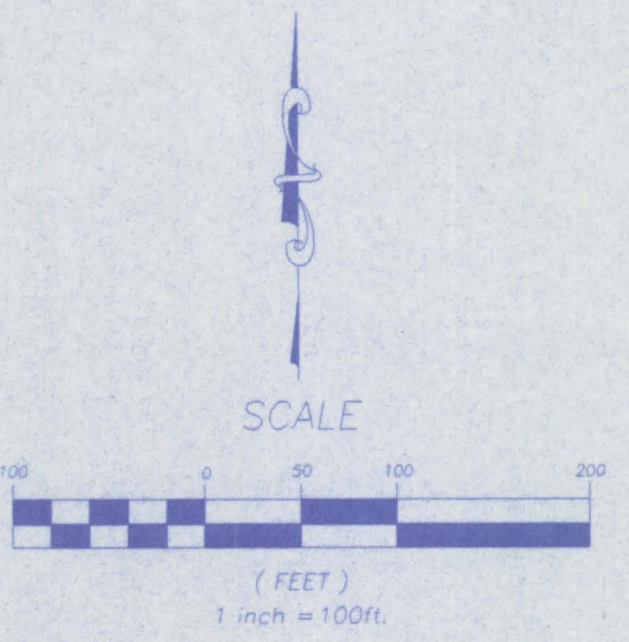
IRRIGATION PLAN SHOWING

NORTHSIDE ESTATES SUBDIVISION

A PORTION OF THE NE 1/4 AND NW 1/4, OF NE 1/4
OF SECTION 4, T.3N., R.2W., B.M.,
NAMPA, CANYON COUNTY, IDAHO



- LEGEND
- SUBDIVISION BOUNDARY LIMITS
 - ROAD RIGHT-OF-WAY
 - LOT LINE
 - CENTER LINE
 - GENERAL UTILITY, DRAINAGE, LANDSCAPE AND IRRIGATION EASEMENT LINE
 - 10' WIDE - ADJACENT TO STREETS (UNO)
 - 10' WIDE - ADJACENT TO REAR OF LOTS (UNO)
 - 5' SIDE - SIDE LOT LINES (UNO)
 - PROPOSED DITCH FLOWLINE
 - PROPOSED GRAVITY IRRIGATION LINE
 - PROPOSED PRESSURIZED IRRIGATION LINE
 - PROPOSED FENCE
 - 1' CONTOUR INTERVAL
 - LOT #
 - BLOCK #
 - PROPOSED STREET LIGHT



- NOTES:
- IRRIGATION BOX #1 WILL CONNECT TO THE EXISTING IRRIGATION BOX.
 - CONSTRUCT 15" WATERMAN HEADGATE ON NORTH AND EAST OF IRRIGATION BOX TO FACILITATE DIVERSION TO ADJACENT PROPERTY.
 - CONSTRUCT WATERMAN HEADGATE ON EAST SIDE OF IRRIGATION BOX TO FACILITATE MOVEMENT TO EXISTING GRAVITY LINE. COORDINATE HEADGATE SIZE AND ELEVATION WILL ADJACENT PROPERTY OWNER.
 - IRRIGATION BOXES SHALL BE AMCOR 30" CATCH BASINS WITH 24" MANHOLE COVER AND RIM UNLESS NOTED.
 - IRRIGATION BOXES #1 AND #5 SHALL BE A STANDARD IRRIGATION BOX PER ISPMC SD-619.

- GENERAL NOTES
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE 2000 EDITION OF THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPMC) AND ANY SUPPLEMENTAL SPECIFICATIONS FROM THE CITY OF NAMPA AND NAMPA HIGHWAY DISTRICT NO. 1.
 - SANITARY SEWER: INDIVIDUAL DRAIN FIELDS.
 - WATER SYSTEM: COMMUNITY WATER SYSTEM.
 - ALL SEPTIC SYSTEMS SHALL BE APPROVED BY THE SOUTHWEST DISTRICT HEALTH DEPARTMENT (SWHD), AND MUST BE SIZED IN ACCORDANCE WITH SWHD RULES AND REGULATIONS.
 - THE COMMUNITY WELL SITING AND COMMUNITY WATER SYSTEM DESIGN SHALL BE APPROVED BY THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ).
 - PRESSURIZED IRRIGATION WILL BE PROVIDED TO EACH LOT. THE HOMEOWNERS ASSOCIATION WILL OWN AND MAINTAIN THE PRESSURIZED IRRIGATION SYSTEM.
 - STORM WATER FROM THE SITE WILL BE MANAGED IN SWALES.
 - ALL SUBDIVISION STREETS WILL BE CONSTRUCTED PER NAMPA HIGHWAY DISTRICT NO. 1 STANDARDS UTILIZING THE TYPICAL SECTION SHOWN IN DETAIL 1 OF THIS PRELIMINARY PLAN. ALL STREETS WILL BE DEDICATED TO THE NAMPA HIGHWAY DISTRICT NO. 1. A PEDESTRIAN WALK WILL BE CONSTRUCTED ON THE WEST AND SOUTH SIDE OF POLARA WAY.
 - STORM DRAINAGE AND CONTINUATION OF FLOOD IRRIGATION DITCHES OR DRAINS, SHALL BE PROVIDED IN ACCORDANCE WITH CURRENT REQUIREMENTS OF THE IRRIGATION DISTRICT. THE IRRIGATION LATERAL THAT PASSES THROUGH THE SUBDIVISION AND SUPPLIES WATER TO PROPERTIES NORTH OF THE SUBDIVISION WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 - LOT 1 OF BLOCK 1 SHALL BE A COMMON LOT CONTAINING THE WELL FOR THE COMMUNITY WATER SYSTEM AND SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. LOT 1 OF BLOCK 3, LOT 1 OF BLOCK 4, AND LOT 1 OF BLOCK 5 SHALL BE COMMON LOTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND USED AS LANDSCAPE ISLANDS. ALL COMMONS LOTS SHALL HAVE BLANKET UTILITY, ACCESS AND LANDSCAPE EASEMENTS.
 - THE SUBDIVISION COAR'S SHALL CONTAIN LANGUAGE DESCRIBING A SETBACK FROM THE SOUTH AND WEST SIDES OF THE SUBDIVISION IN ORDER TO PROTECT FARMING AREAS AND THEIR RIGHT TO FARM.
 - TOPOGRAPHIC SURVEY BASED ON 1 FOOT CONTOURS.
 - STREET LIGHTS WILL BE LOCATED IN UTILITY EASEMENT AND WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

DEVELOPMENT DATA

ZONING:	AG
TOTAL LOTS:	29
BUILDABLE LOTS:	25
COMMON LOTS:	4
MINIMUM DEVELOPED LOT AREA:	41,039 S.F.
AVERAGE DEVELOPED LOT AREA:	48,745 S.F.
DEVELOPMENT AREA:	33.5 +/- ACRES
DENSITY:	0.75 LOTS/ACRE

FOR APPROVAL ONLY
NOT FOR CONSTRUCTION

NO.	BY	DATE	DESCRIPTION
A	LEW	07/23/01	ISSUE FOR APPROVAL
B	LEW	10/25/01	MODIFIED IRRIGATION TILING
C	LEW	04/04/02	MODIFIED PER OWNER

REVISIONS

SURVEYOR: Anderson-David & Associates, Inc.
Land Surveying Services
1401 Shoreline Drive
Boise, Idaho 83702
(208) 383-0088

OWNER/DEVELOPER: PREMIER GROUP
David A. Hunemiller
3313 West Cherry Lane #204
Meridian, Idaho 83642
(208) 941-3633

TREASURE VALLEY ENGINEERS, INC.
1117 CALDWELL BOULEVARD
NAMPA, IDAHO 83854
(208) 465-0300
FAX (208) 465-4391
EMAIL: tv@treasurevalleyeng.com
CIVIL/STRUCTURAL ENGINEERING
VISIT OUR WEBSITE: www.TreasureValleyEngineer.com

10077
STATE OF IDAHO
LAND SURVEYOR

TITLE: NORTHSIDE ESTATES SUBDIVISION IRRIGATION PLAN

DESIGNED BY: LEW
DRAWN BY: JTL
CHECKED BY: ALS

SCALE: AS NOTED

SHEET 1 OF 1



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 25, 2002

DAVID A HUNEMILLER
BROWN CONSTRUCTION
2715 IRONWOOD
NAMPA ID 83687

RE: Permit No. 63-31430

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

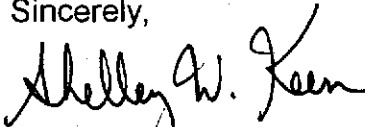
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APR 1 2 2002

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, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

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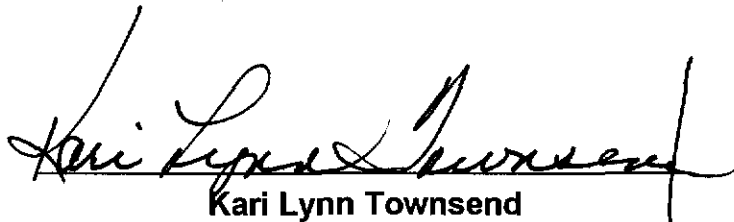
JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31430

DAVID A HUNEMILLER
BROWN CONSTRUCTION
2715 IRONWOOD
NAMPA ID 83687



Kari Lynn Townsend
Secretary

MICROFILMED

APR 30 2002

**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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 4/22/02

No. 63-31430 Name: Brown Crest Corp. Officers ✓ Ad ok ✓ Govt Lots ✓

AREA OF CONCERN: No/Yes TV Moratorium GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells	- 046
Basin 34	- 084 (if necessary)
WMD	- North/East/West
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 067
WMD	
Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

LOCATION:

Boise Front LoGeo Mitigation	- 058 (<85 GW) - 121	Paye Salm Weis
Trust	- 051(consumptive uses)	
Non-Trust	- 048 (consumptive uses or non-cons. > 1.0 cfs)	

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
 or 17M (not FERC regulated)
 025-027-R22-08A

~~SURFACE WATER:~~ (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD
 ≤ 0.20 cfs/others
 > 0.20 cfs

- R04 (WD# _____)
 - 01H, 01P or No MD
 - 01J

SPRINGS/SINK/ INACTIVE WD or ~~WD~~

≤ 0.24 cfs/5 acres	- No MD
>0.24 cfs/5 acres	- 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02/03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area	- 022,075
Int., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-122-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075 (no parks/common areas)
Int separate or none allowed	- WB5 (25)
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 5 / 01 / 2004

MISC CONDITIONS/REMARKS:

~~Protested~~	- 020-W19
Development Period	
> 1 yr	- 26A
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 106-R07

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59 Lot 1, Pk. 1
Subd lot desc (pu) - W60 Lots 1-14, Pk. 1, 1-12, Pk. 2
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single n/d intended - 076

IRRIGATION SEASON _____ • _____ (Per updated map) **IRR VOLUME/ACRE** _____

OTHER CONDITIONS/REMARKS WB zone = 100-300 ft.

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR 18 2002

Department of Water Resources

Initial review by ly Date 2/22/02 Application # 63-31430

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Government Lots

 P/D 41
 P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

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

corp officers

Date Requested 2/22/02 Date Response Received 2/22/02

PROCESSINGAPPLICATION # 63-

YES NO

- ☒ ☐ In form for advertising
☐ ☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

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

YES NO

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

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken _____

☒ ☐ Publication dates and paper recorded on application
☐ ☐ Final date for protest 3-28-02
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter

046, 121, In house use only

Recommended Date of Priority 2/14/02Recommendation ☒ Approve ☐ Deny by Gary S Date 4/16/02**ADDITIONAL INFORMATION**

p/u overlap: Irrigation water / Pioneer Irrig Dist

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Traci L. Griffin
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, 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 this 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 2 time(s) 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:
03/07/2002, 03/14/2002

STATE OF IDAHO)
County of Canyon)

On the 7 day of March in the year of 2002
before me, a Notary Public, personally appeared,
Traci L. Griffin,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa
My commission expires March 1, 2003

e0100285 04506613
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE

The following application has been
filed to amend Permit to Appropriate
Water

63-31430
BROWN CONSTRUCTION
C/O DAVID A HUNEMILLER
2715 IRONWOOD
NAMPA ID 83687
Point(s) of Diversion
L1 NWNENE
S4 T03N R02W
CANYON County
GROUND WATER
Source
Use: DOMESTIC
01/01 To 12/31

0.23 CFS

Total Diversion: 0.23 CFS
Date Filed: 02/14/2002
Place Of Use: DOMESTIC
T03N R02W S4
NENE Lot 1

Remark: Applicant agrees to miti-
gate consumptive use in the future
as needed.

Domestic use is for 25 homes
(and) (or) yards in North Estates
Subdivision.

Water bearing zone to be appropri-
ated is from 100 to 300 feet.

Permits will be subject to all prior
water rights. Protests may be sub-
mitted based on the criteria of Sec
42-211, Idaho Code.

Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resource,
Western Region, 2735 Airport Wy,
Boise ID 83705 together with a pro-
test fee of \$25.00 for each applica-
tion on or before 03/25/2002. The
protestant must also send a copy of
the protest to the applicant.

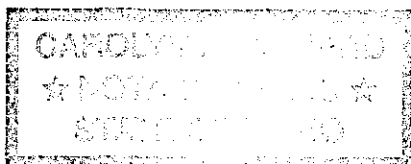
KARL J DREHER, Director
March 7, 14, 2002

04506613

RECEIVED

MAR 15 2002

WATER RESOURCES
WESTERN REGION



MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 28, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: Application for Water Right No. 63-31430 in the Name of Brown Construction.

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by March 25, 2002.

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

Sincerely,

Gary Spackman

GS:lm

Encl.

MICROFILMED

APR 13 2002



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 27, 2002

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Application for Permit No. 63-31423 and 63-31430

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 03/18/2002. Your cooperation is appreciated.

Sincerely

25

A handwritten signature in cursive script, appearing to read 'Sue', is written over the typed name Sue Taylor.

Sue Taylor
Senior Secretary

MICROFILMED

JUL 30 2002

The following application has been filed to amend Permit to Appropriate Water

63-31430

BROWN CONSTRUCTION
C/O DAVID A HUNEMILLER
2715 IRONWOOD
NAMPA ID 83687

Point(s) of Diversion L1 NWNENE S4 T03N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.23 CFS

Total Diversion: 0.23 CFS

Date Filed: 02/14/2002

Place Of Use: DOMESTIC

T03N R02W S4 NENE Lot 1

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

Domestic use is for 25 homes (and) (or) yards in North Estates Subdivision.

Water bearing zone to be appropriated is from 100 to 300 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/10/2002. The protestant must also send a copy of the protest to the applicant.

25

KARL J DREHER, Director

Published in the Press Tribune on March 7 and 14, 2002.

MICROFILMED

1991 10 2002