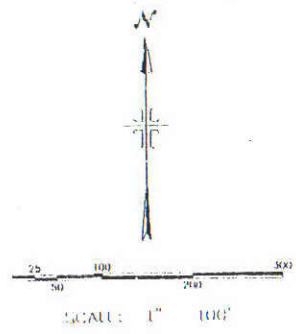


PLAT SHOWING
BRAMPTON SQUARE SUBDIVISION
 A SUBDIVISION
 LOCATED IN THE NW 1/4 OF THE SE 1/4, SECTION 21, T.3N., R.2E., B.M.,
 BOISE, ADA COUNTY, IDAHO
 1995
 HUBBLE ENGINEERING, INC.
 BOISE, IDAHO

*from Seattle
 2-21-96*

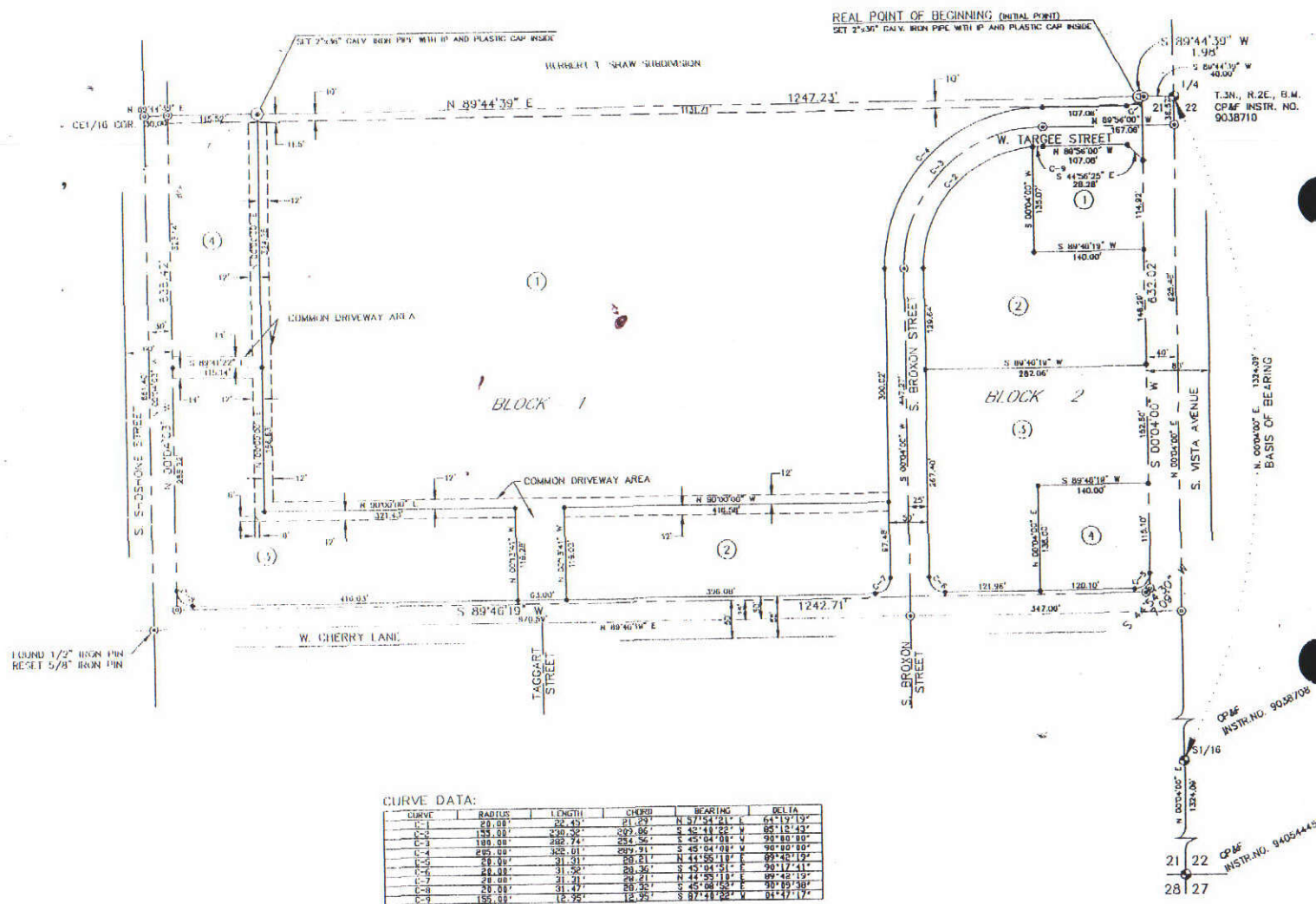


LEGEND

- FOUND ALUMINUM CAP
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP
- FOUND 5/8" IRON PIN, P.L.S. 4908
- FOUND 1/2" IRON PIN
- PROPERTY BOUNDARY
- PUBLIC UTILITIES, DRAINAGE AND REGULATION PLACEMENT OF FROM PROPERTY LINE
- HERE "S" OR "E" PLACEMENT OVER COMMON DRIVEWAY AREAS
- CENTERLINE
- LOT LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- (1-4) LOT NUMBER

NOTES

- 1) ALL LOT LINES CORNER TO A PUBLIC RIGHT-OF-WAY LINE HAVE A 10' FEET WIDE PERMANENT EASEMENT, DRAINAGE, REGULATION, AND USE CITY STREET LIGHT PLACEMENT.
- 2) THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE BOARD CODE SECTION 11.020, CONCERNING REGULATION WATERS.
- 3) ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE DATE OF RESUBDIVISION.
- 4) THE DEVELOPMENT OF THIS PROPERTY SHALL BE IN CONFORMANCE WITH CITY-OF-IDAHO, OR FILE WITH BOISE CITY.
- 5) A PERPETUAL RIGHT OF INGRESS AND EGRESS IS RESERVED OVER THE COMMON DRIVEWAY AREA SHOWN.
- 6) VEHICULAR ACCESS TO LOTS 1 AND 4, BLOCK 2 FROM VISTA AVE., CHERRY LANE OR TARGEET STREET, SHALL ONLY BE PROVIDED FROM CURB CUTS PROVIDED IN LOTS 2 AND 3, BLOCK 2.



CURVE DATA:

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C-1	28.00'	22.45'	21.00'	N 57° 34' 21" E	64° 19' 13"
C-2	133.00'	430.30'	232.00'	S 42° 48' 52" E	85° 12' 43"
C-3	180.00'	280.74'	254.56'	S 45° 04' 08" E	90° 00' 00"
C-4	605.00'	325.01'	299.91'	S 45° 04' 08" E	90° 00' 00"
C-5	28.00'	31.31'	28.21'	N 44° 55' 11" E	89° 45' 19"
C-6	28.00'	31.31'	28.21'	S 45° 04' 51" E	90° 17' 41"
C-7	28.00'	31.31'	28.21'	N 44° 55' 11" E	89° 45' 19"
C-8	28.00'	31.31'	28.21'	S 45° 04' 51" E	90° 17' 41"
C-9	130.00'	12.95'	12.95'	S 87° 48' 22" E	91° 47' 17"

DEVELOPER:
BOISE HOUSING CORPORATION
 BOISE, IDAHO
 94-100

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 FEB 04 2002
 EXHIBIT
 4

HERBERT T. SHAW SUBDIVISION
(BOOK 10, PAGE 539)

N. 89°44'39" E. 1133.68'

POINT OF BEGINNING

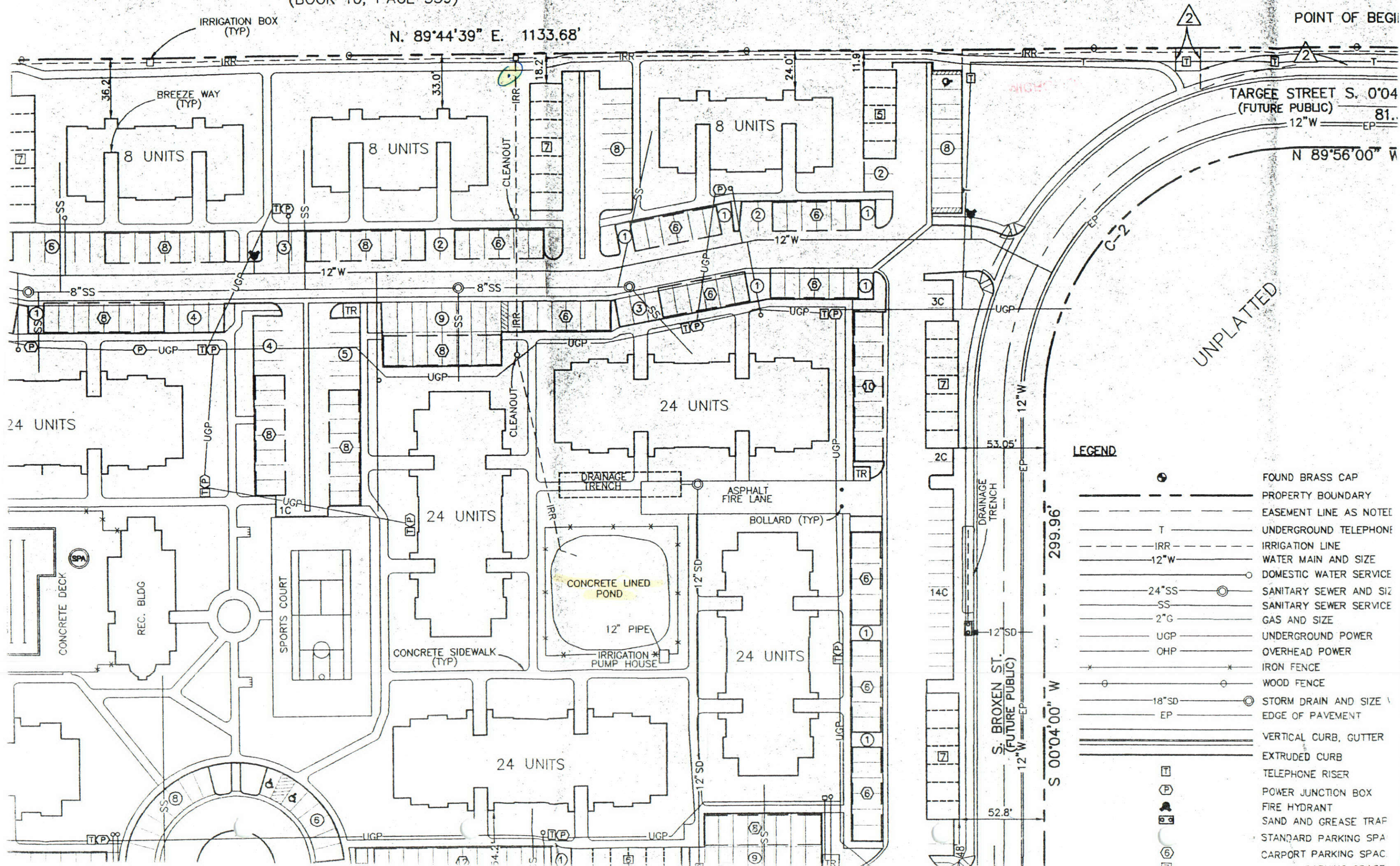
TARGE STREET S. 0°04' (FUTURE PUBLIC) 81.12"W

N 89°56'00" W

UNPLATTED

LEGEND

- FOUND BRASS CAP
- PROPERTY BOUNDARY
- EASEMENT LINE AS NOTED
- UNDERGROUND TELEPHONE
- IRRIGATION LINE
- 12"W WATER MAIN AND SIZE
- DOMESTIC WATER SERVICE
- 24"SS SANITARY SEWER AND SIZE
- SS SANITARY SEWER SERVICE
- 2"G GAS AND SIZE
- UGP UNDERGROUND POWER
- OHP OVERHEAD POWER
- IRON FENCE
- WOOD FENCE
- 18"SD STORM DRAIN AND SIZE
- EP EDGE OF PAVEMENT
- VERTICAL CURB, GUTTER
- EXTRUDED CURB
- TELEPHONE RISER
- POWER JUNCTION BOX
- FIRE HYDRANT
- SAND AND GREASE TRAP
- STANDARD PARKING SPA
- CARPORT PARKING SPAC



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31326

Priority: 11/19/2001

Maximum Diversion Rate: 0.15 CFS

This is to certify, that **BOISE HOUSING CORP**
PO BOX 108
BOISE ID 83701

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	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE 1/4 Sec. 21, Twp 3N, Rge 2E, B.M. ADA 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	02E	21														X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before February 1, 2007.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which 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 right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

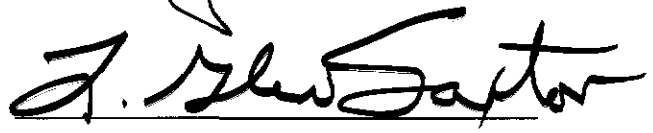
MICROFILMED

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31326

CONDITIONS OF APPROVAL

8. Domestic use is for landscape irrigation associated with the Herbert T. Shaw Subdivision. The total irrigation authorized under this right is limited to 5 acres.
9. Water bearing zone to be appropriated is 100 to 200 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 January, 20 02.


for **KARL J DREHER, Director**

MICROFILMED

2002 01 25

RECEIVED

SEP 28 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-31326

RECEIVED

JAN 18 2002

1. Name of Applicant Boise Housing Corporation Phone 343-6438
Mailing address P.O. Box 108, Boise, Idaho 83701

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is Township 3N Range 2E Sec. 21, in the NE $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot Ada County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Ans.
.15 Amount .364 cfs for DOMESTIC irrigation purposes from 3/1 9-15 to 11/15 10-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .15 .364 cfs and/or (b) 43.92
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well and pump (7.5 hp)

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

c. Proposed well diameter is 8" inches; proposed depth of well is 200' feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

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

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

7. Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year)

8. Description of proposed uses (If irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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SEP 28 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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2E	21				5									D				
						e													

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. New York Canal -

11. a. Who owns the property at the point of diversion? Boise Housing Corporation

b. Who owns the land to be irrigated or place of use? Boise Housing Corporation

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks:

Water bearing zone to be appropriated
is from 100 to 200 feet. Applicant
agrees to mitigate consumption use
in the future as needed.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

Fredric V. Shoemaker Attorney for Applicant

Received by FL Date 9/28/01 Time 11:00 Preliminary check by LS

* Fee \$ 100 Receipted by FL # W028383 Date 10/2/01

Publication prepared by AT Date 12-6-13-01 Published in

Publication approved LM Date 1-7-02 THE IDAHO STATESMAN

* Proposal Priority DATE = 10/2/01 per payment received then FL

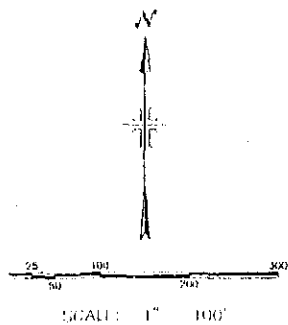
MICROFILMED

2002

PLAT SHOWING
BRAMPTON SQUARE SUBDIVISION
 A SUBDIVISION
 LOCATED IN THE NE1/4 OF THE SE1/4, SECTION 21, T.3N., R.2E., B.M.,
 BOISE, ADA COUNTY, IDAHO
 1995

• HUBBLE ENGINEERING, INC. •
 BOISE, IDAHO

*from Scott
 2-21-96*

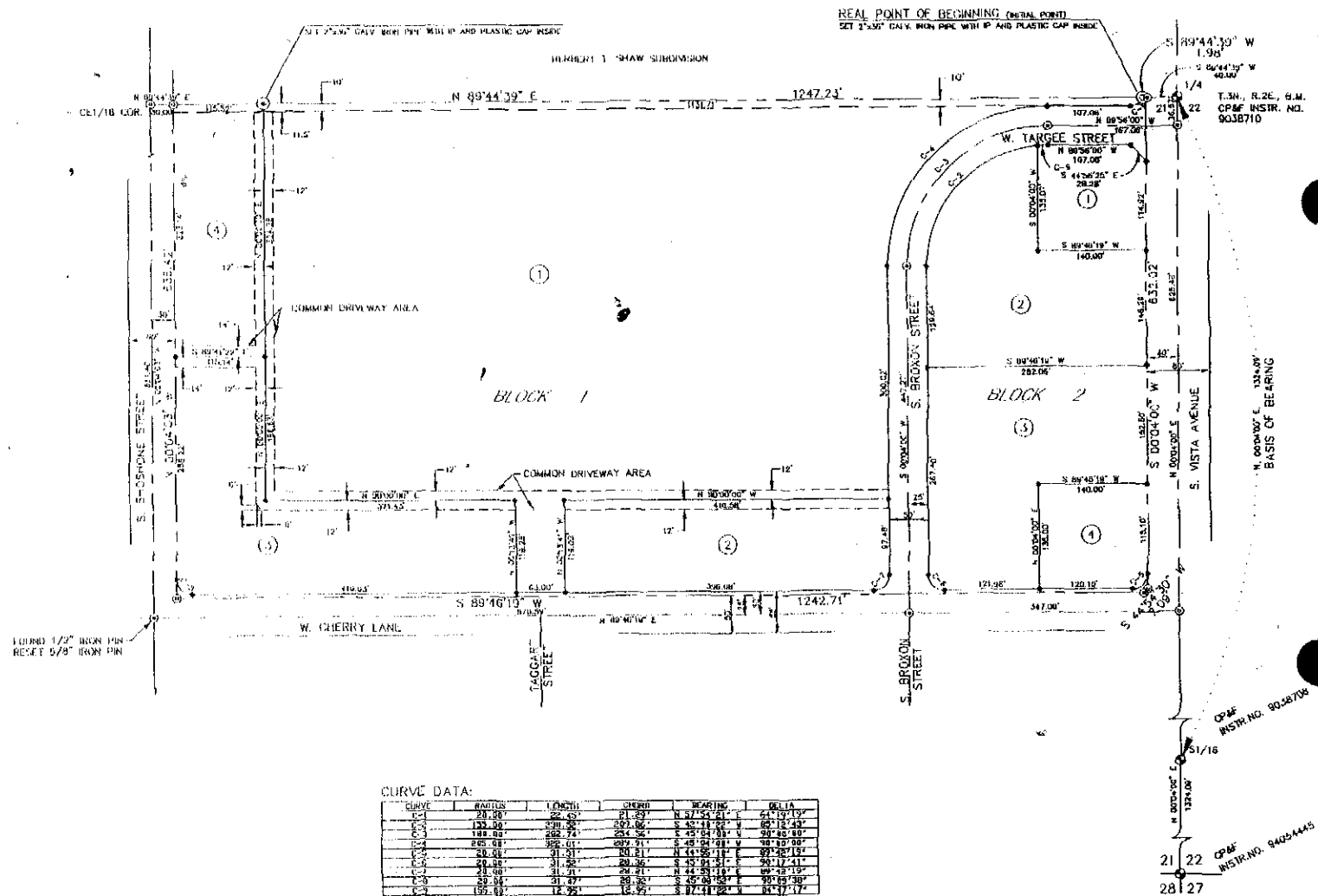


LEGEND

- ⑤ FOUND ALUMINUM CAP
- ⑥ SET 1/8" X 30" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP
- ④ FOUND 5/8" IRON PIN, PLS. 499H
- ② FOUND 1/2" IRON PIN
- PROPERTY BOUNDARY
- PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION EASEMENT TO COMMON PROPERTY LINE
- EGRESS/EGRESS EASEMENT OVER COMMON DRIVEWAY AREAS
- CENTERLINE
- LOT LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- (14) LOT NUMBER

NOTES

- 1) ALL LOT LINES SHOWN TO A FOUR DEGREE 15' 00" HAVE A 20' (20' FEET) MIN. PERMANENT EASEL UTILITIES, DRAINAGE, IRRIGATION, AND UTILITY CITY STREET LIGHT EASEMENT.
- 2) THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE BOARD CODE SECTION 17.04.010 CONCERNING DRAINAGE WATER.
- 3) ANY REQUIREMENT OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE DATE OF REVISION.
- 4) THE DEVELOPMENT OF THIS PROPERTY SHALL BE IN CONFORMANCE WITH CD-51-24, ON FILE WITH BOISE CITY.
- 5) A PERPETUAL RIGHT OF HORSE AND EQUESTRIAN IS RESERVED OVER THE COMMON DRIVEWAY AREA SHOWN.
- 6) VEHICULAR ACCESS TO LOTS 1 AND 4, BLOCK 2 FROM VISTA AVE., CHERRY LANE OR TARGET STREET, SHALL ONLY BE THROUGH FROM CHERRY LANE-PROVIDED IN LOTS 2 AND 3, BLOCK 2.

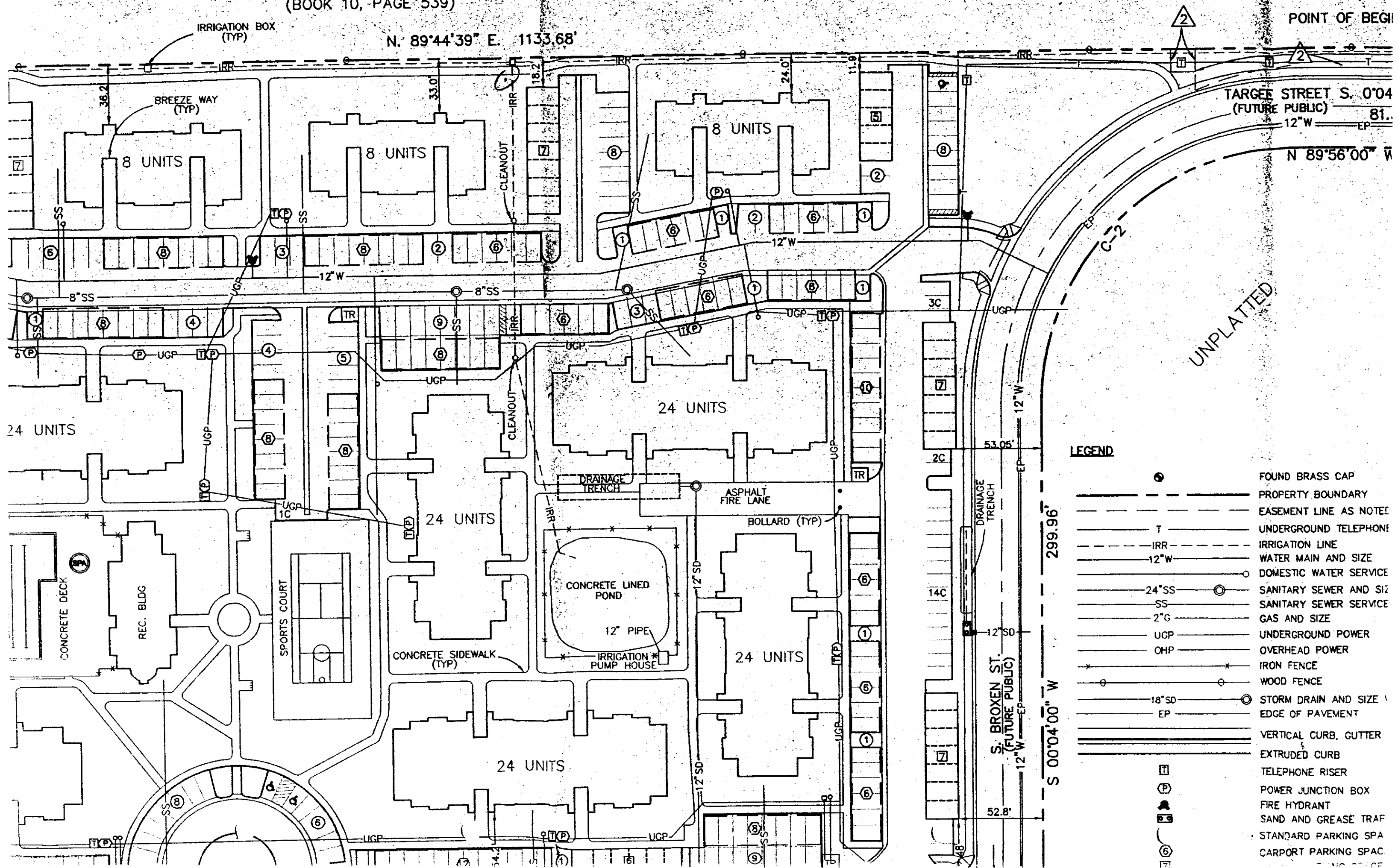


DEVELOPER:
 BOISE HOUSING CORPORATION
 BOISE, IDAHO
 94-100

EXHIBIT
 4

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 1998 4 2002

HERBERT T. SHAW SUBDIVISION
(BOOK 10, PAGE 539)



LEGEND

- FOUND BRASS CAP
- PROPERTY BOUNDARY
- EASEMENT LINE AS NOTED
- UNDERGROUND TELEPHONE
- IRRIGATION LINE
- WATER MAIN AND SIZE
- DOMESTIC WATER SERVICE
- SANITARY SEWER AND SIZE
- SANITARY SEWER SERVICE
- GAS AND SIZE
- UNDERGROUND POWER
- OVERHEAD POWER
- IRON FENCE
- WOOD FENCE
- STORM DRAIN AND SIZE
- EDGE OF PAVEMENT
- VERTICAL CURB, GUTTER
- EXTRUDED CURB
- TELEPHONE RISER
- POWER JUNCTION BOX
- FIRE HYDRANT
- SAND AND GREASE TRAP
- STANDARD PARKING SPACE
- CARPORIT PARKING SPACE

BOISE HOUSING CORPORATION

Board Members

<u>NAME</u>	<u>PHONE</u>	<u>ADDRESS</u>
Baker, Sara	377-2416	(Home Address) 8704 Ustick Road Boise, ID 83704
Bent, Chris	387-0060 383-9350 Home	(Home Address) 2419 Gekeler Lane Boise, ID 83706
Emerson, Craig	393-4585 393-4260 FAX	First Security Bank NW Dealer Wholesale Dept. 3033 Elder Street, 3rd Floor Boise, ID 83705
Hogland, Tim Vice-President	384-3800 384-3728 FAX	Building Dept., City Hall P.O. Box 500 Boise, ID 83701
Johnson, Stephanie	333-2039	AMRESKO Commercial Lending Corp. 412 E. Parkcenter Blvd. Boise, ID 83706
Jones, Jeff	384-3843 384-3753 FAX	City of Boise Planning & Development Services Dept. P.O. Box 500 Boise, ID 83701
McKeegan, Pat Secretary/Treasurer	322-3486 322-3487 FAX	McKeegan Architects 419 S. 8 th St., Ste B Boise, ID 83702
Shoemaker, Fred Attorney	344-7811 338-3290 FAX	Cosho, Humphrey, Greener & Welsh 815 Washington St. Boise, ID 83702
Tomlinson, Jim President	343-6438 338-1777 FAX	Tomlinson & Associates P.O. Box 108 Boise, ID 83701

MICROFILMED



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

January 25, 2002

BOISE HOUSING CORP
PO BOX 108
BOISE ID 83701

RE: Permit No. 63-31326

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.

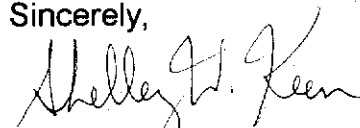
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FEB 6 2002

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,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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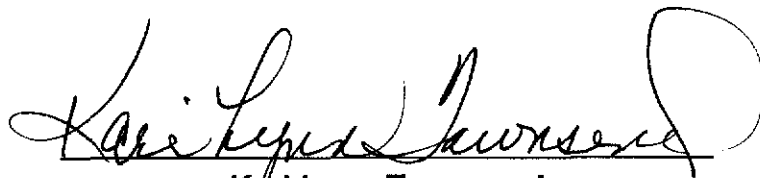
FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on January 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. 63-31326

**BOISE HOUSING CORP
PO BOX 108
BOISE ID 83701**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED
FEB 8 4 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 1/23/01

No. 63-31326 Name: Boise Housing Corp. 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 - 058 (<85 GW)
Mitigation - 121 - *initialed remark on app*
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

BENEFICIAL USE DUE: 2/01/2007

MISC CONDITIONS/REMARKS:

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

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
 > 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 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
In, GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
 - 27A (Payette R)
 > 1 in restricted area - 070-071-075 (no parks/common areas)
In separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
 i.e. D/convenience store)

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS WB zone 100 to 200 ft.

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

comment

INITIAL REVIEW BY: ly DATE: 11/19/01 APPLICATION: 63-31326

REQUIRED INFORMATION

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

RECEIVED

JAN 18 2002

Gov't. Lots:
☒ P/D
☒ P/U

Department of Water Resources

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

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☒ ☐ Critical groundwater area:
- ☒ ☐ Groundwater management area:
- ☒ ☐ 1992 moratorium:
- ☒ ☐ 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

appl clarification

Date Requested 11/19/01 Date Response Received 11/19/01

PROCESSING

APP. NO.

3-31326

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

YES NO

☒

I.D. Health & Welfare

☒

I.D. District Health

☒

I.D. Fish & Game

☒

I.D. Lands

☐

U.S. BLM

☒

U.S. 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 12-24-01

☒

Protests received.

☒

Recommendations attached:

☒

Measuring device required:

☒

Water delivered by water master? District #

☒

Special conditions of approval or cover letter:

conditions

supplemental

See below for additional information

Recommended Date or Priority

11/19/01

(see comment in database)

Recommended by:

Car Branner

Date:

11/15/02

ADDITIONAL INFORMATION:

1/4 overlap: New York Canal

The Idaho Statesman

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DEC 14 2001

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	a	Identification	Amount:
047628	573316	APPLICATION FOR PERMIT NO. 63-31326	\$167.92
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	DECEMBER 6, 13, 2001
DEPARTMENT OF WATER RESOURCE WESTERN REGION 2735 AIRPORT WAY BOISE, ID 83705			Number of Lines 31X3 Affidavit 1 Legal # 12088

LEGAL NOTICE NOTICE OF APPLICATION

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

63-31326

BOISE HOUSING CORPORATION

PO BOX 108
BOISE ID 83701

Point(s) of Diversion NESE
Use: DOMESTIC
Total Diversion: 0.15 CFS
Date Filed: 11/19/2001
Place Of Use: DOMESTIC
T03N R02E S21

S21 T03N R02E ADA County Source GROUND WATER
03/01 To 11/15 0.15 CFS

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Domestic use is for 5 acre yard landscaping in Herbert Shaw Subdivision.
Water bearing zone to be appropriated is from 100 to 200 feet.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER,
Director

Pub. Dec. 6.13, 2001

12088

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: DECEMBER 6, 2001
and ending with the issue of: DECEMBER 13, 2001

Janice Hildreth

STATE OF IDAHO)
)ss

COUNTY OF ADA

On this 13 day of DECEMBER in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 1/6/04



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DEC 14 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 30, 2001

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

Re: Application for Water Right No. 67-7878 in the Name of Little Weiser Irrigation District.
Application for Water Right No. 63-31326 in the Name of Boise Housing Corp.

Dear Sir:

Enclosed are copies of the above-referenced applications, which may be of interest to your agency. Please review the applications 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 December 24, 2001.

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

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl.

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NOV 30 2002

COSHO, HUMPHREY, GREENER & WELSH, P.A.

COUNSELORS AND ATTORNEYS AT LAW
CARNEGIE BUILDING
815 WEST WASHINGTON STREET
BOISE, IDAHO 83702

OFFICE ADMINISTRATOR

ALFA®
AMERICAN LAW FIRM
ASSOCIATION

FREDRIC V. SHOEMAKER

TELEPHONE (208) 344-7811
FACSIMILE (208) 338-3290
e-mail: fshoemaker@chgw.com

October 1, 2001

Department of Water Resources
Attn: Steve Lester
2735 Airport Way
Boise, Idaho 83705-5082

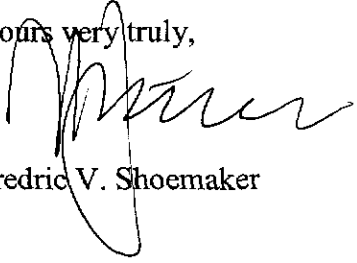
Re: Oak Park Apartments
CHGW File No. 8451-04

Dear Mr. Lester:

Per our telephone conversation, I am enclosing an additional check in the amount of \$100.00 for our previously submitted well drilling and water right applications.

Thank you.

Yours very truly,


Fredric V. Shoemaker

FVS/slb

Enclosure

*Add 1/4 Acre Review
needed -
suppl. landscaping use
e Oak Park Apts...
generally allow 1/2 Acre per
building in this situation.*

-SL

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OCT 02 2001

WATER RESOURCES
WESTERN REGION

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OCT 04 2001

COSHO, HUMPHREY, GREENER & WELSH, P.A.

COUNSELORS AND ATTORNEYS AT LAW
CARNEGIE BUILDING
815 WEST WASHINGTON STREET
BOISE, IDAHO 83702

OFFICE ADMINISTRATOR

ALFA*
AMERICAN LAW FIRM
ASSOCIATION

FREDRIC V. SHOEMAKER

TELEPHONE (208) 344-7811
FACSIMILE (208) 338-3290
e-mail: fshoemaker@chgw.com

September 26, 2001

Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Oak Park Apartments
CHGW File No. 8451-04

To Whom It May Concern:

Enclosed please find Application for Drilling Permit, Application for Permit, our check in the amount of \$200.00 and USGS topographical map showing the proposed point of diversion and place of use.

If you need any additional information or have any questions regarding this matter, please contact me.

Thank you for your prompt assistance in this matter.

Yours very truly,

Fredric V. Shoemaker

FVS/slb

Enclosures

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cc James R. Tomlinson w/encs.

\$200 → applied to d-p. appl.

9/28 call to Shoemaker - will get \$100 (max. -15 cts
in 5 acres) paid ASAP. Told him a slight delay
is processing while we work through the Apple
backlog. He's OK w/ that. -SL

63-31326

Point(s) of Diversion NESE S21 T03N R02E ADA County Source GROUND WATER

Total Diversion: 0.15 CFS

Place Of Use: DOMESTIC

T03N R02E S21 NESE

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KARL J DREHER, Director

Published in the Idaho Statesman on December 6 and 13, 2001

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APPENDIX

November 28, 2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 67-7878, 63-31329, 63-31354, 63-31326, 63-31324, and 63-31323
Application for Transfer No. 69547

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 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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NOV 29 2002