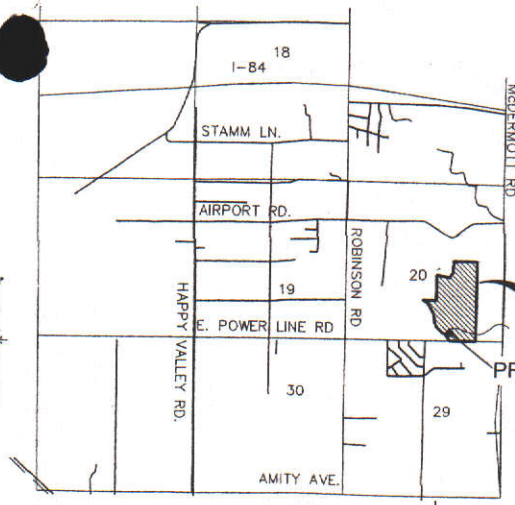
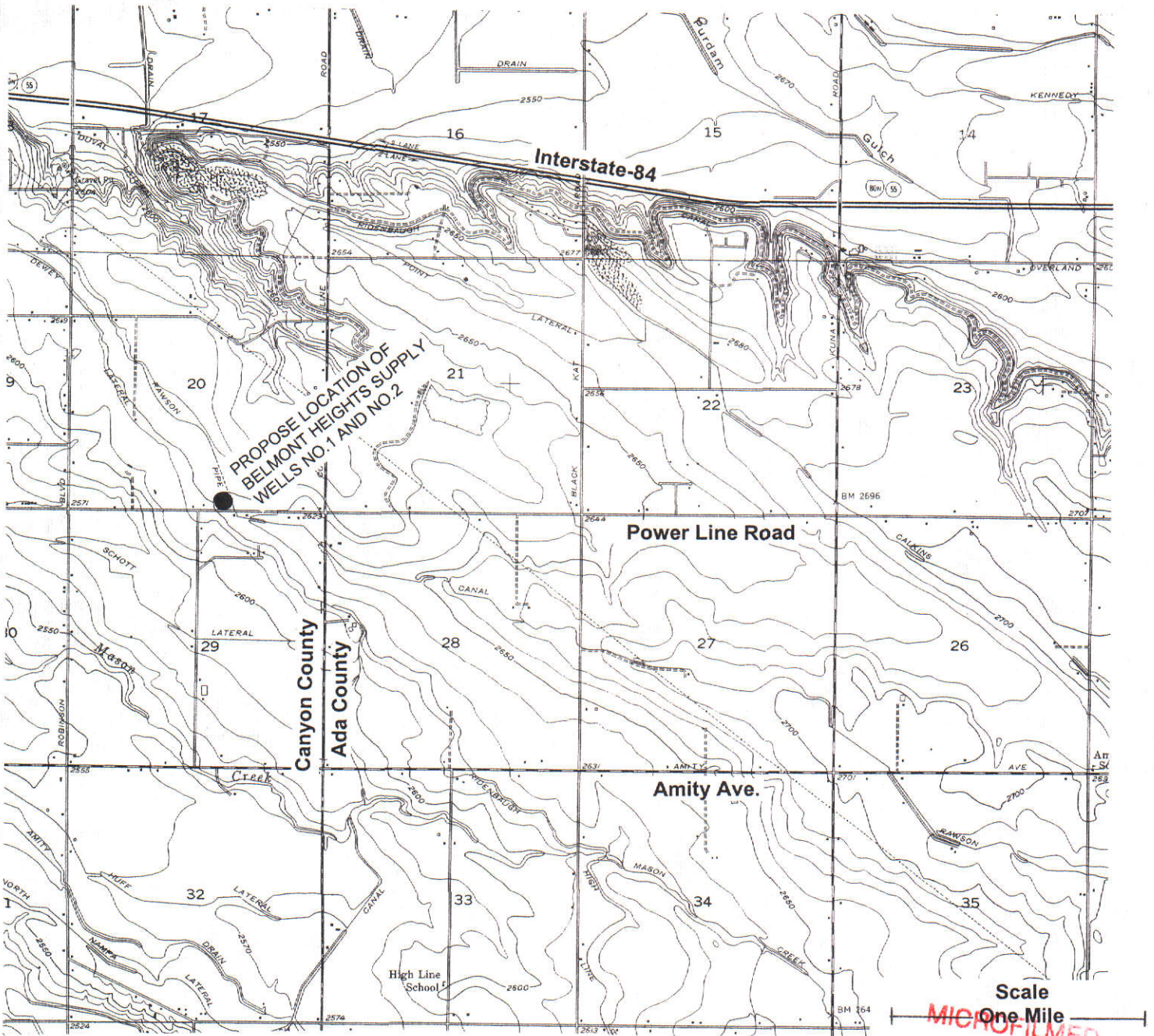


VICINITY MAP



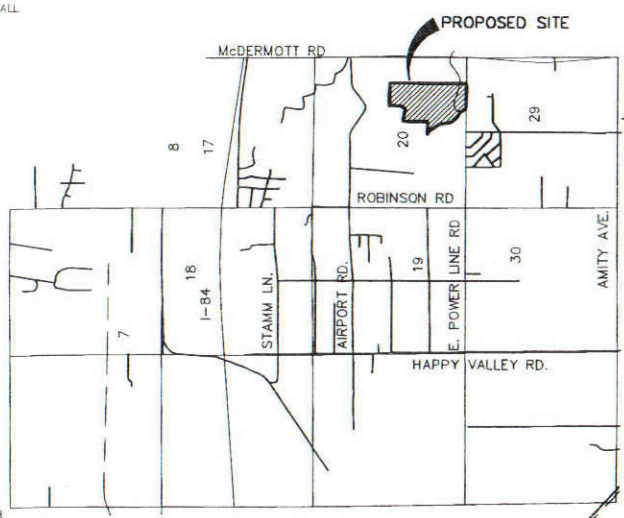
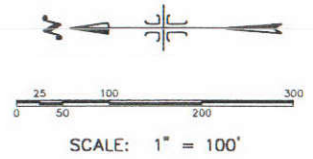
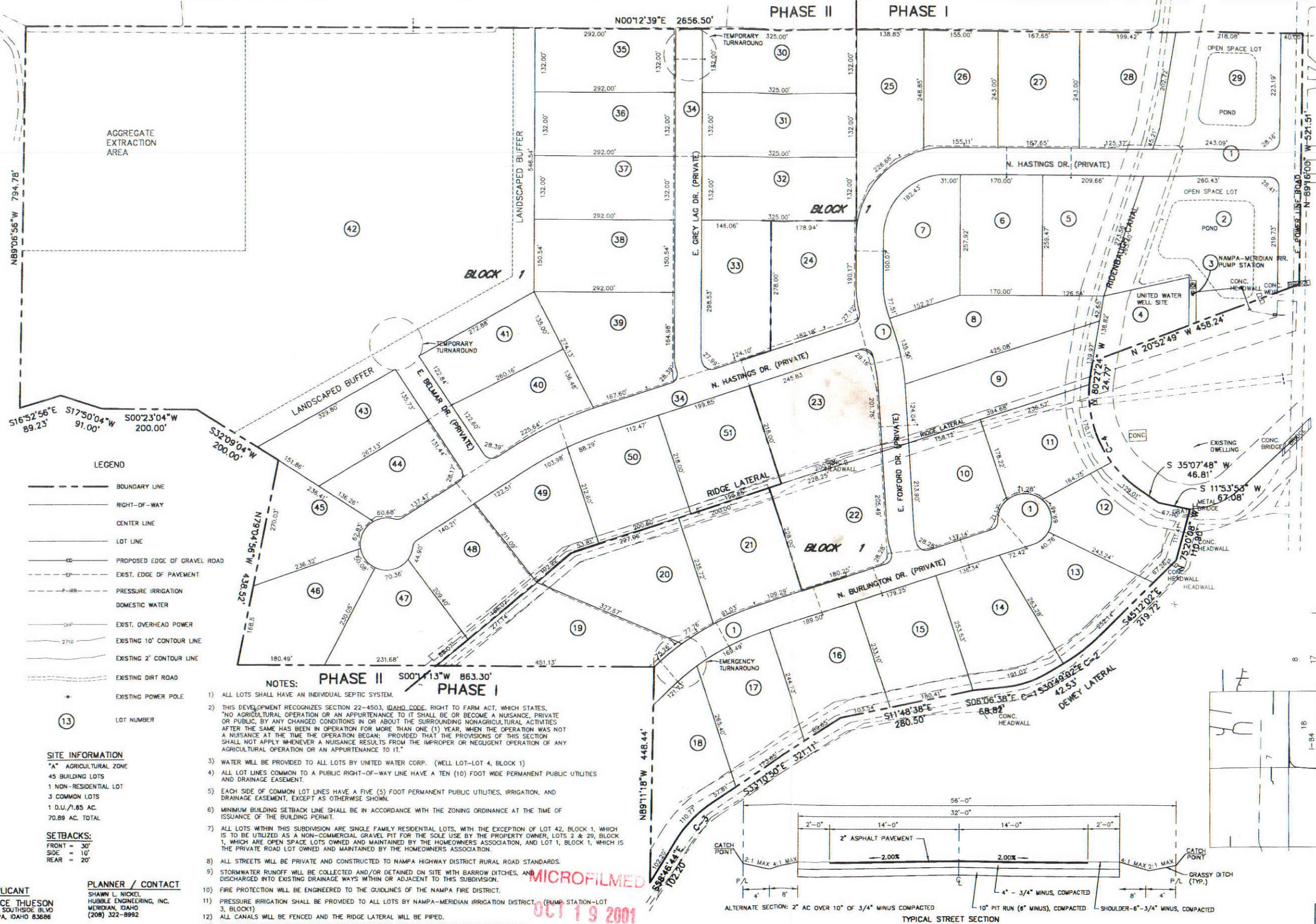
PROPOSED SUBDIVISION
BOUNDARY
PROPOSED WELL SITE

no Gov lts



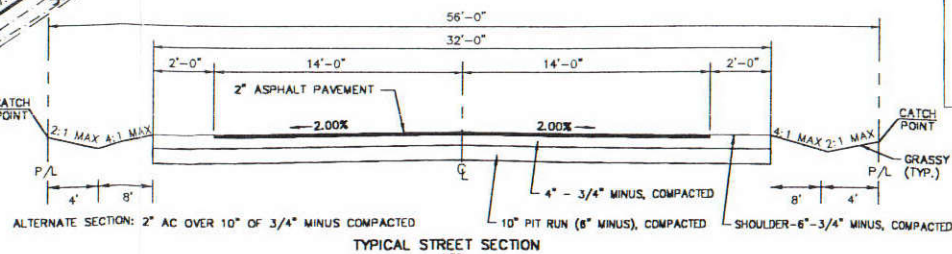
Map showing the proposed location of the Belmont Heights well site located in the SW $\frac{1}{4}$, of the SW $\frac{1}{4}$, of the SE $\frac{1}{4}$ of Section 20, Township 3N, range 1W.

Scale
One Mile
MICROFILMED
JUL 19 2001



THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH HUBBLE ENGINEERING, INC.

- NOTES:**
- 1) ALL LOTS SHALL HAVE AN INDIVIDUAL SEPTIC SYSTEM.
 - 2) THIS DEVELOPMENT RECOGNIZES SECTION 22-4503, IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN; PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT."
 - 3) WATER WILL BE PROVIDED TO ALL LOTS BY UNITED WATER CORP. (WELL LOT-LOT 4, BLOCK 1)
 - 4) ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY LINE HAVE A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITIES AND DRAINAGE EASEMENT.
 - 5) EACH SIDE OF COMMON LOT LINES HAVE A FIVE (5) FOOT PERMANENT PUBLIC UTILITIES, IRRIGATION, AND DRAINAGE EASEMENT, EXCEPT AS OTHERWISE SHOWN.
 - 6) MINIMUM BUILDING SETBACK LINE SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
 - 7) ALL LOTS WITHIN THIS SUBDIVISION ARE SINGLE FAMILY RESIDENTIAL LOTS, WITH THE EXCEPTION OF LOT 42, BLOCK 1, WHICH IS TO BE UTILIZED AS A NON-COMMERCIAL GRAVEL PIT FOR THE SOLE USE BY THE PROPERTY OWNER, LOTS 2 & 29, BLOCK 1, WHICH ARE OPEN SPACE LOTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION, AND LOT 1, BLOCK 1, WHICH IS THE PRIVATE ROAD LOT OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 - 8) ALL STREETS WILL BE PRIVATE AND CONSTRUCTED TO NAMPA HIGHWAY DISTRICT RURAL ROAD STANDARDS.
 - 9) STORMWATER RUNOFF WILL BE COLLECTED AND/OR DETAINED ON SITE WITH BARROW DITCHES, AND DISCHARGED INTO EXISTING DRAINAGE WAYS WITHIN OR ADJACENT TO THIS SUBDIVISION.
 - 10) FIRE PROTECTION WILL BE ENGINEERED TO THE GUIDELINES OF THE NAMPA FIRE DISTRICT.
 - 11) PRESSURE IRRIGATION SHALL BE PROVIDED TO ALL LOTS BY NAMPA-MERIDIAN IRRIGATION DISTRICT. (PUMP STATION-LOT 3, BLOCK1)
 - 12) ALL CANALS WILL BE FENCED AND THE RIDGE LATERAL WILL BE PIPED.
 - 13) TEMPORARY TURNAROUNDS WILL REVERT TO PROPERTY OWNERS AT TIME ROADS ARE EXTENDED.



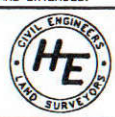
SITE INFORMATION
"A" AGRICULTURAL ZONE
45 BUILDING LOTS
1 NON-RESIDENTIAL LOT
3 COMMON LOTS
1 D.U./1.65 AC.
70.89 AC. TOTAL

SETBACKS:
FRONT = 30'
SIDE = 10'
REAR = 20'

APPLICANT
LANCE THUESON
1835 SOUTHWEST BLVD
NAMPA, IDAHO 83686

PLANNER / CONTACT
SHAWN L. NICKEL
HUBBLE ENGINEERING, INC.
MERIDIAN, IDAHO
(208) 322-8992

NO.	REVISIONS	BY	DATE
1	DESIGNED BY:		DATE:
2	DRAWN BY:		DATE:
3	CHECKED BY:		DATE:
4	APPROVED:		DATE:
5	CODING FILE:		DATE:
6	REV. CODING FILE:		DATE:



HUBBLE ENGINEERING, INC.
ENGINEERING-SURVEYING-PLANNING
701 S. ALLEN STREET
SUITE 102
MERIDIAN, IDAHO 83642
(208) 322-8992

BELMONT HEIGHTS SUBDIVISION

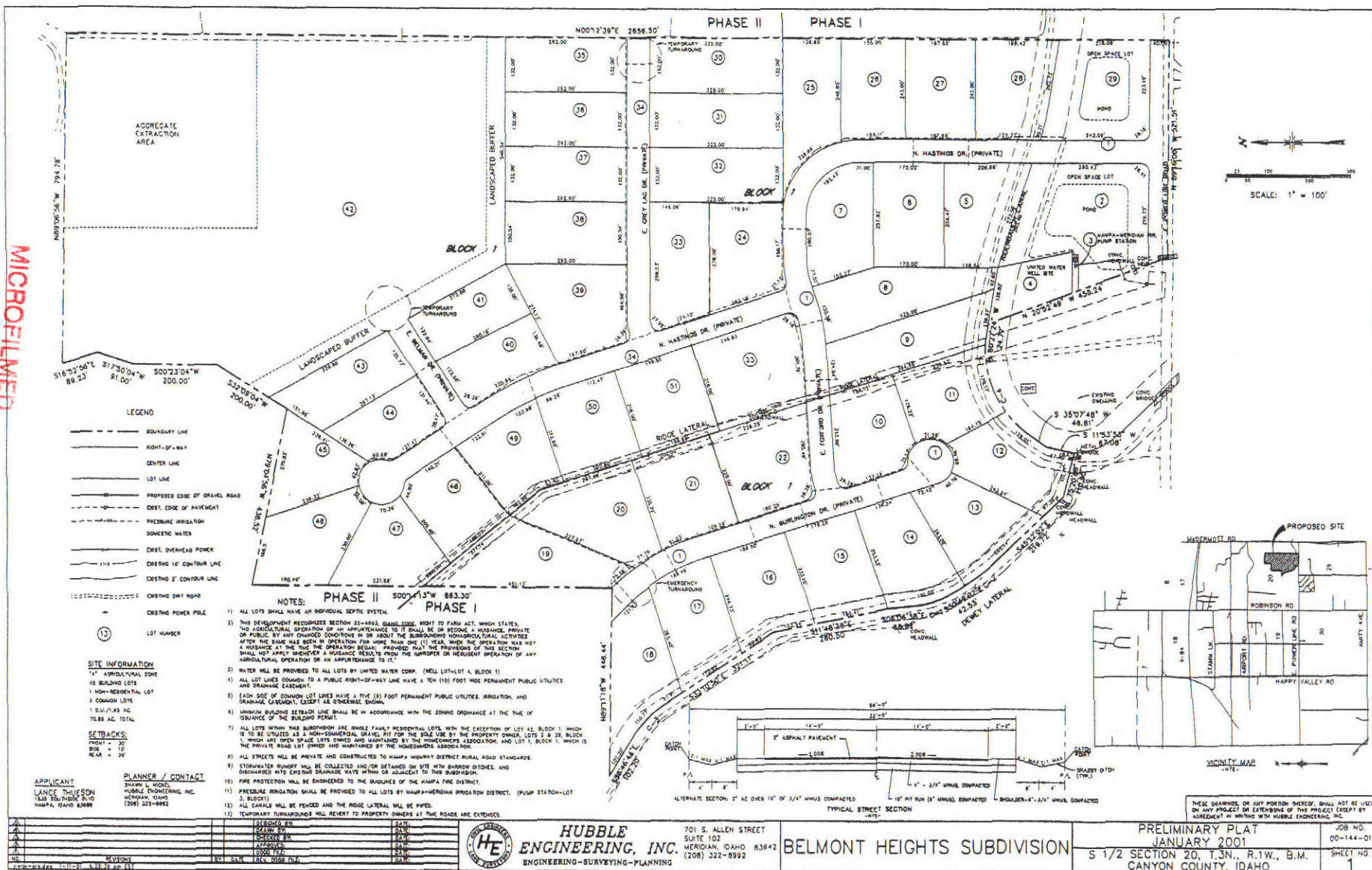
PRELIMINARY PLAT
JANUARY 2001
S 1/2 SECTION 20, T.3N., R.1W., B.M.
CANYON COUNTY, IDAHO

JOB NO.
00-144-01
SHEET NO.
1

OCT 19 2001

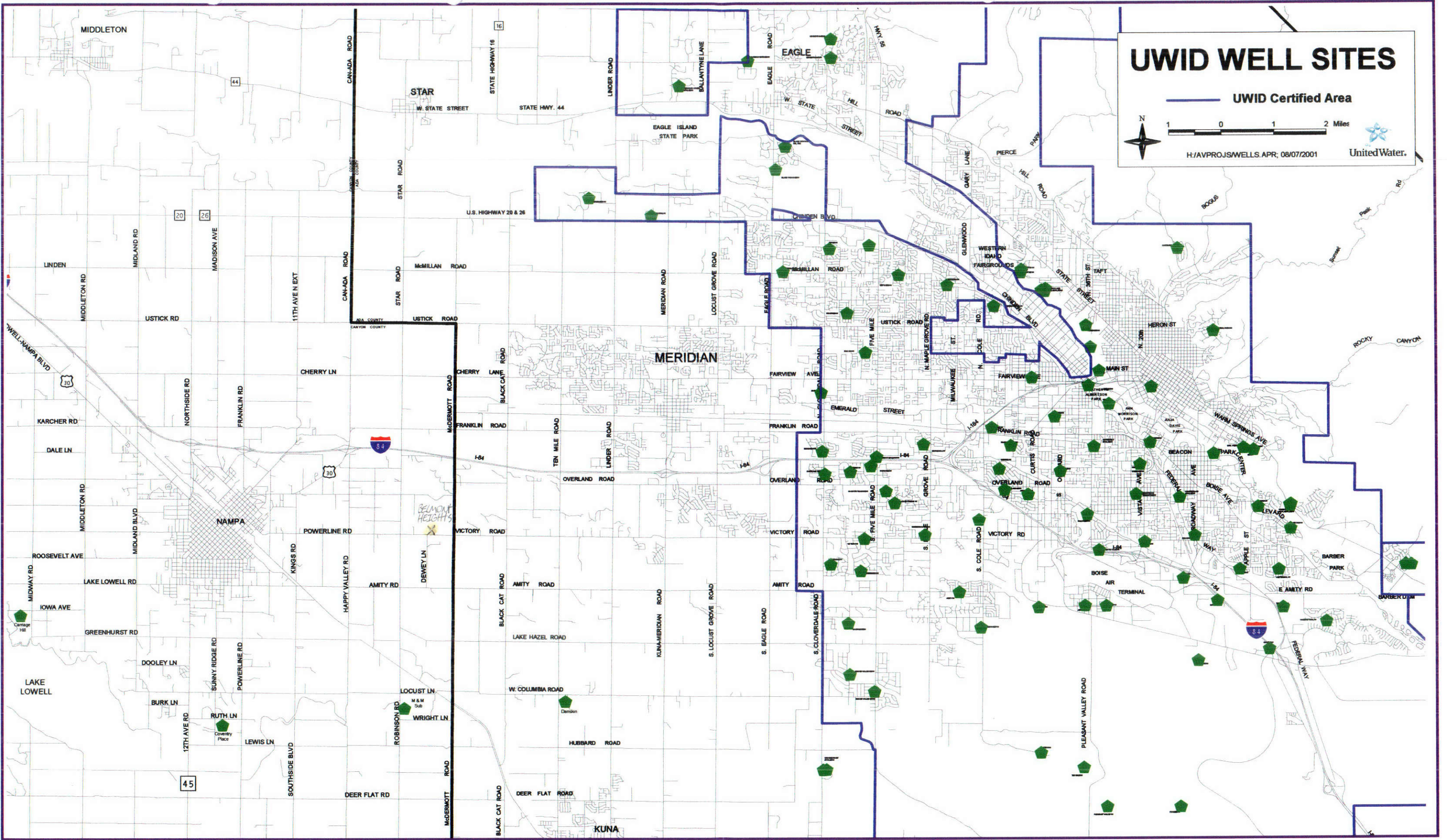
MICROFILMED

ATTACHMENT NO. 1

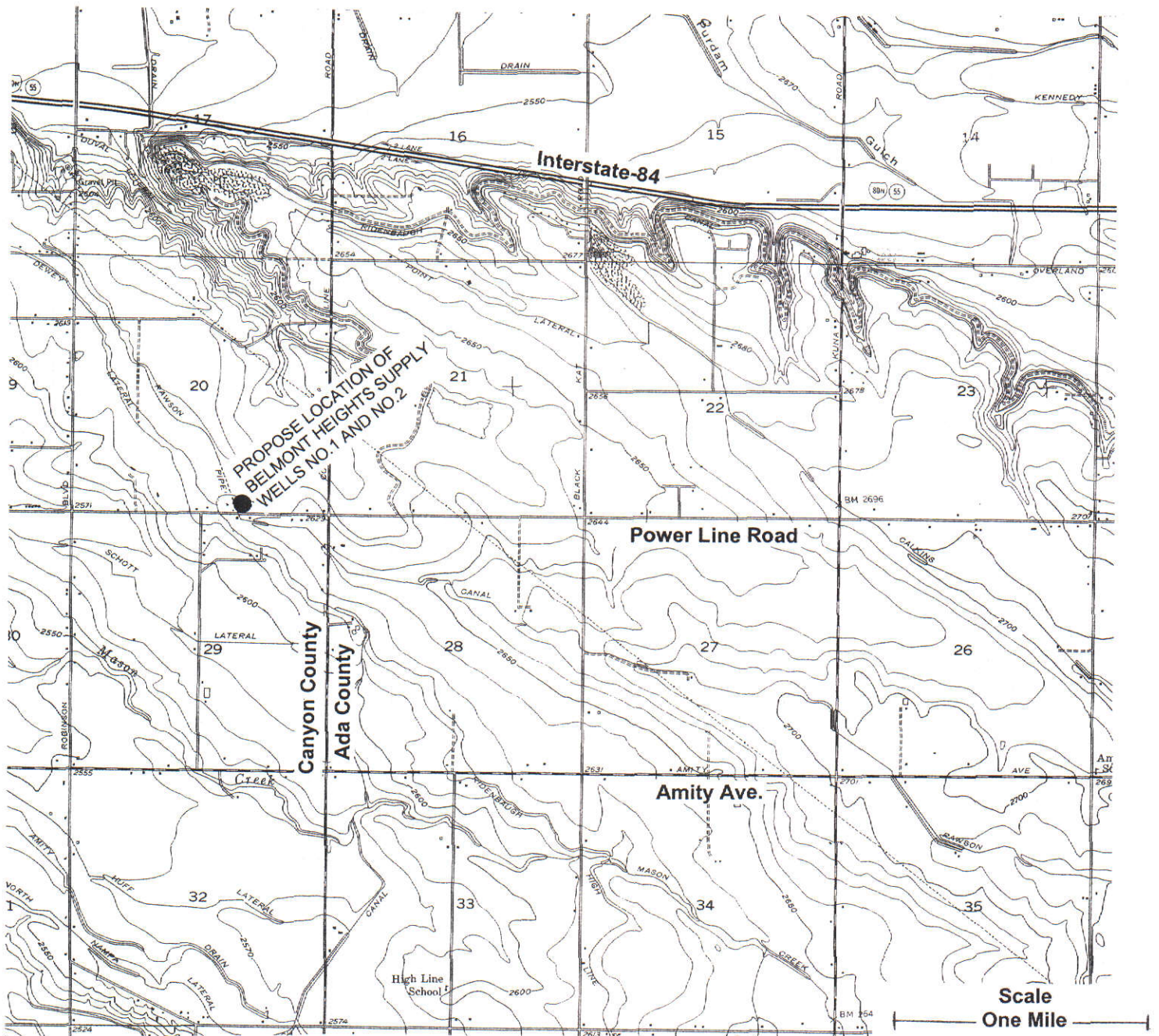
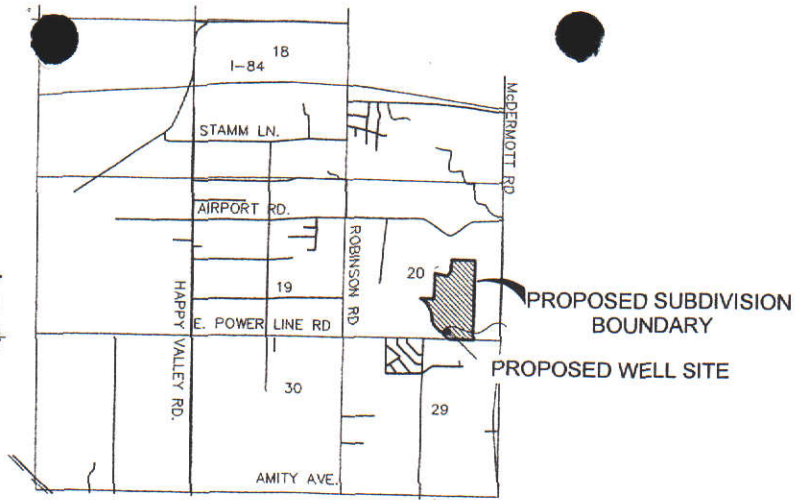


ATTACHMENT NO. 1

Non Contiguous Water System Map/Plan



VICINITY MAP



Scale
One Mile

Map showing the proposed location of the Belmont Heights well site located in the SE 1/4, of the SW 1/4, of the SE 1/4 of Section 20, Township 3N, range 1W.

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OCT 19 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31243

Priority: 05/14/2001

Maximum Diversion Rate: 2.60 CFS

This is to certify, that UNITED WATER IDAHO
8248 W VICTORY RD
PO BOX 7488
BOISE ID 837071488

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>
MUNICIPAL	01/01 to 12/31	2.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20, Twp 03N, Rge 01W, B.M. CANYON County
GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20, Twp 03N, Rge 01W, B.M. CANYON County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2006**.
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. 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. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Points of diversion are located within Lot 4, Blk. 1, Belmont Heights Subdivision, Phase I.

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State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31243

9. Place of use within the service area of United Water Idaho as provided for under Idaho Law. Place of use generally described as the city limits of Boise and the surrounding area.
10. Initial place of use is located within Lots 5-28, 30-33, 35-51, Blk. 1, Belmont Heights Subdivision, Phase I and Phase II.
11. Water bearing zone to be appropriated is 375 to 475 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 24th day of September, 2001.

Karl J. Dreher
for **KARL J DREHER, Director**

MICROFILMED

SEP 11 2001

RECEIVED

Ident. No.

63-31243

SEP 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant United Water Idaho Phone (208) 362-7358
Mailing address 8248 W. Victory Road PO Box 7488 83707
2. Source of water supply Groundwater which is a tributary of n/a
3. Location of point of diversion is Township 3N Range 1W Sec. 20 in the SE $\frac{1}{4}$,
SW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Canyon County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.6 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)
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) 2.6 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source well (see attached drawing of proposed well construction)
 - b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total
reservoir capacity n/a acre-feet
 - c. Proposed well diameter is 14 + 12 inches; proposed depth of well is 475 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? n/a; Drilling firm n/a;
Well was drilled for (well owner) n/a; Drilling Permit No. n/a
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - ☒ c. Municipal; show name of municipality. United Water Idaho
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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OCT 16 2001

ape

3. Description of place of use:

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

Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? United Water Idaho
- Who owns the land to be irrigated or place of use? Customers of United Water Idaho
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant is municipal water supplier

12. Remarks: Water from wells to be used in United Water Idaho's non-contiguous service area. There are two points of diversion proposed. A primary well and a back-up & fire protection well at the same location. Water bearing zone to be appropriated is from 375 to 475 feet.

- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

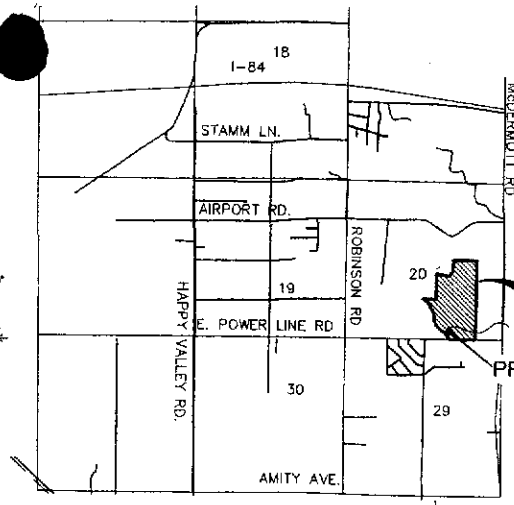
Roger P. Pittman, P.G.
Signature of Applicant (and title, if applicable)

Received by LM Date 5-14-01 Time 4:55 Preliminary check by LG
Fee \$ 140.00 Receipted by LM # W027753 Date 5-14-01
Publication prepared by AT Date 6-21-01 Published in AT Date 7-6-01 **PRESS TRIBUNE**
Publication approved _____

MICROFILMED

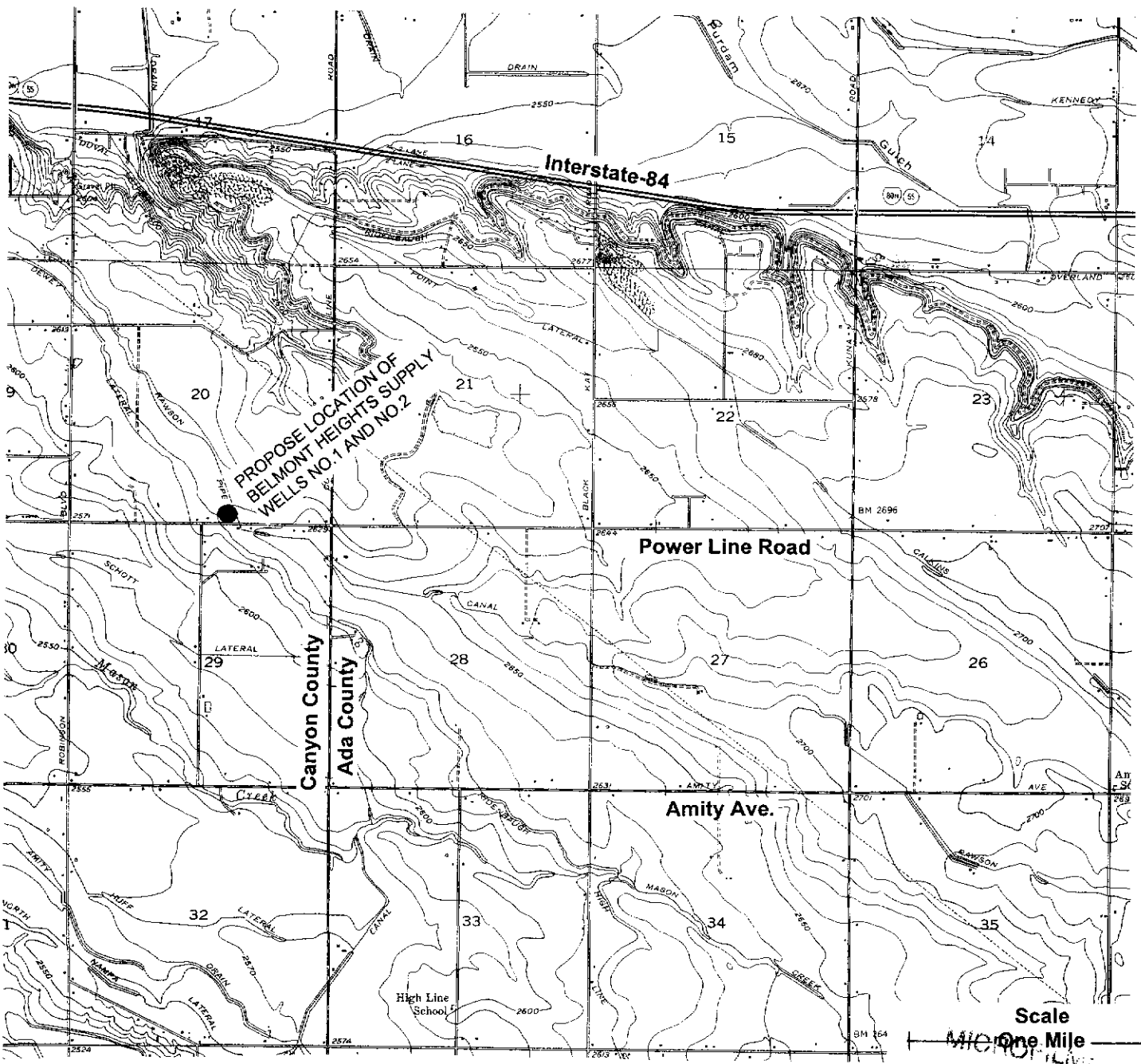
SEP 13 2001

VICINITY MAP



PROPOSED SUBDIVISION
BOUNDARY
PROPOSED WELL SITE

no Gov lts



Map showing the proposed location of the Belmont Heights well site located in the SW 1/4, of the SW 1/4, of the SE 1/4 of Section 20, Township 3N, range 1W.

Scale
One Mile
MICROFILM



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

September 26, 2001

UNITED WATER IDAHO
8248 W VICTORY RD
PO BOX 7488
BOISE ID 83707-1488

RE: Permit No. 63-31243

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.

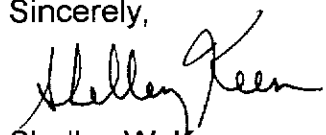
MICROFILMED

SEP 19 2001
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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:klr

Enclosure(s)

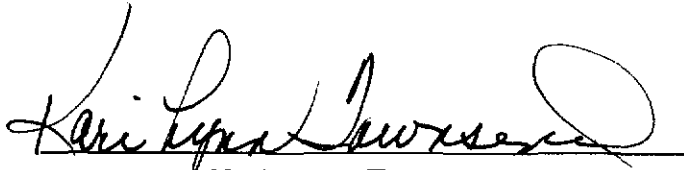
RECEIVED
OCT 13 2001

CERTIFICATE OF MAILING

I hereby certify that on September 26, 2001 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. 63-31243

**UNITED WATER IDAHO
8248 W VICTORY RD
PO BOX 7488
BOISE ID 83707-1488**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 13 2001

**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 9/10/01

No. 63-31243 Name: UWID Corp. Officers _____ Ad ok ☒ Govt Lots _____

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin ~~74~~ - 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

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (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)
STOCKWATER - 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: 10/01/2006

MISC CONDITIONS/REMARKS:

~~Protested~~ - 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 WD

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

RIVER BASINS: (SW special considerations)

Snow 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 - not used in TV area
Irr., GW supp to SW - 102
Future needs - 007-109 N/A
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
- 070-071-075 (no parks/common areas)
> 1 in restricted area - WB5
Irr separate or none allowed - 065-104
GW w/irrigation from SW evident - W03 (2500 gpd - meets domestic def
Moratorium approvable i.e. D/convenience store)

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59 lot 4, Blk 1, Belmont Heights Subd
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS with bearing zone 375-475 ft.

COMMENTS _____

RECEIVED

SEP 04 1998 BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION
UNITED WATER

IN THE MATTER OF THE APPLICATION OF)
UNITED WATER IDAHO INC. FOR)
APPROVAL OF PROPOSED RULES AND)
REGULATIONS GOVERNING NON-)
CONTIGUOUS EXPANSION.)

CASE NO. UWI-W-98-1 RECEIVED

SEP 11 2001

ORDER NO. 27718 Department of Water Resources

On May 28, 1998, United Water Idaho Inc. (United Water; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting approval of proposed rules and regulations governing non-contiguous expansion.

The Company reports that it has received many inquiries from land owners and subdividers in Canyon and Ada Counties to provide domestic water service to specific development parcels which are not contiguous to the Company's existing certificated service area.

The Company states that its existing rules and regulations include as Exhibit D, a Water Main Extension Agreement for development which is contiguous to the Company's existing Certificate service area. The proposed modification will add new Rules 78-82, regarding non-contiguous expansion, and Exhibit "F", a standard agreement for installation and/or operation of water systems requested by developers for non-contiguous parcels.

Commission Notices of Application and Modified Procedure in Case No. UWI-W-98-1 were issued on June 18, 1998. The Commission Staff was the only party to file comments. In reply to Staff comments and related discussions, the Company filed a Response and a Supplemental Response. Staff notes that the proposed rules provide a relatively simple and consistent means of evaluating acquisition of small, non-contiguous water systems. Staff supports the concept of standard rules and agreements. Staff supports the modifications to the proposed rules and agreement submitted and incorporated by the Company as revised rules (Rules 78-84) and revised Exhibit F in its filed responses to Staff comments.

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

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ORDER NO. 27718

of offering. Staff supports the consolidation of small dispersed water systems either through physical connection or simply through ownership and management.

It is recognized that the proposed rules would not apply to acquisition of a presently regulated water system operating under an existing Certificate of Public Convenience and Necessity. It is also recognized and Staff expects that United Water will acquire all potable sources of water used to serve the acquired systems, but will not acquire separate non-potable irrigation systems. The Company has further agreed that it does not intend to acquire systems located more than 30 miles from the Company's operation center.

In its analysis determining that \$800 per lot is an appropriate level of investment for source of supply, the Company has assumed an average annual revenue for a typical residential customer. Staff recommended and the Company agreed that the \$800 per lot amount and would be paid for source of supply is to be considered a payment cap, not a fixed amount that would automatically be paid in all cases. The per lot payments made by the Company would be based on the actual cost of source of supply. In addition, in those systems where water supply improvements must be made to bring the system up to satisfactory condition, it is understood that upgrade costs would be netted against the amount paid for the source of supply.

As recommended by Staff and agreed to by the Company, upgrades of distribution facilities would constitute an unusual condition that would be evaluated on a case-by-case basis. Staff notes that limiting Company investment to water supply facilities is consistent with the existing line extension rules that require all distribution facilities to be contributed.

Modifications submitted by the Company to its proposed rules and agreement can be generally described as follows:

- A new Rule 82 is inserted. The proposed rule provides clarification of notice that must be provided in instances where the non-contiguous water system that the Company proposes acquiring is providing water to existing customers.
- Prior proposed Rules 82 and 83 (a general reference to the applicability of existing rules relating to special facilities) are renumbered 83 and 84.
- Language pertaining to industrial subdivisions is deleted to comport with Staff's recommendation and the Company's agreement that the rules for non-contiguous expansion only apply to single and multiple family residential developments. Similarly, the Exhibit F agreement was amended to delete references to commercial developments.

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OCT 18 2001

- Exhibit F agreement amended to provide an expanded definition of "source of supply."
- Also provided in Exhibit F agreement is a provision for separate amendment to agreement outlining terms of acquisition should special facilities, upgrades or modifications be required or if the development is deemed by the Company to be unusual or burdened with special needs. (All amendments would be submitted for Commission review and require Commission approval.)

COMMISSION FINDINGS

The Commission has reviewed and considered the filings of record in Case No. UWI-W-98-1 including the comments of Commission Staff and the original and supplemental responses of United Water and related modifications. We continue to find it reasonable to process the Company's Application pursuant to Modified Procedure, i.e., by written submission rather than by hearing. Reference IDAPA 31.01.01.204.

The Commission finds the Staff proposed changes to the Company's underlying Application to be reasonable. The Commission finds the Company proposed Rules and Regulations Governing Non-contiguous Expansion (Rules 78-84) and the Residential or Multiple Family Housing Non-contiguous Water System Agreement (Exhibit F to Rule 83) as set out in its August 12, 1998 Supplemental Response to be reasonable and of benefit to the Company and those developers of non-contiguous parcels in uncertificated areas who may request water service. We find that the Company proposed modifications in its August 12, 1998, filing address and incorporate the changes recommended by Staff. We find it reasonable to approve the Application as modified.

The Commission directs that all non-standard agreements requiring amendment be submitted for Commission review and approval as part of the amended Certificate process. We specifically note that as amended, the non-contiguous rules are limited to residential developments, not commercial or industrial.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over this matter and over United Water Idaho Inc., a water utility, pursuant to the authority and power granted under Title 61 of the *Idaho Code* and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

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ORDER NO. 27718

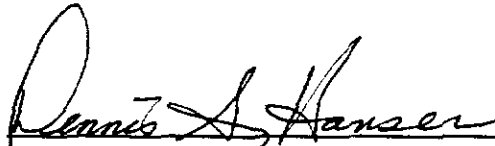
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ORDER

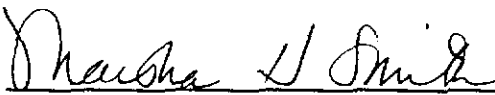
In consideration of the foregoing and as more particularly described and qualified above. IT IS HEREBY ORDERED and the Commission does hereby approve the United Water Idaho Inc. proposed Rules and Regulations Governing Non-contiguous Expansion (Rule 78-84) and the Residential or Multiple Housing Non-contiguous Water System Agreement (Exhibit F to Rule 83) for inclusion in the Company's filed tariffs.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

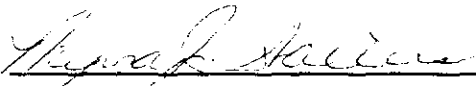
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this *3rd* day of September 1998.


DENNIS S. HANSEN, PRESIDENT


RALPH NELSON, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Myrna J. Walters
Commission Secretary

vid/O:UWI-W-98-1.sw2

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ORDER NO. 27718

OCT 13 2001 -4-

Benjamin Hepler

From: Scott David [DScott@puc.state.id.us]
Sent: Friday, September 04, 1998 7:30 PM
To: IPUC_PR@puclist.state.id.us
Subject: UWI

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.

For more information contact:

David Scott
208/334-0339
dscott@puc.state.id.us

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SEP 15 2001

United Water



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

August 10, 2001

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, ID 83706
Attention: Mr. Rob Whitney

Re: Belmont Heights, Canyon County, ID

Dear Rob:

As per our phone conversation earlier today, attached please find a copy of the "executed" Non Contiguous Water System Agreement between Mr. Lance Thueson and United Water Idaho. As part of this agreement and incorporated herein, is site location, vicinity map and legal description of the development.

I hope and trust this agreement will suffice in the issuance of the well drilling permit and water right application process. Please contact me immediately if you any specific questions or concerns regarding this project.

Sincerely,

Terry Abruzzese
Manager Business Development
United Water Idaho

Cc: Mr. Dan Brown, Manager of Engineering

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AUG 15 2001

Terrence J. Abruzzese

Business Development

United Water

8248 West Victory Road

Boise, ID 83707-4888

telephone 208 362 7344

facsimile 208 362 1479

cell 208 371 7832

terry.abruzzo@unitedwater.com



United Water®

COPY

**RESIDENTIAL OR MULTIPLE FAMILY HOUSING
NON-CONTIGUOUS WATER SYSTEM AGREEMENT**

C.E.A. No. _____

AGREEMENT between **UNITED WATER IDAHO INC.**, hereinafter called Company", its successors and assigns, and **THUESON CONSTRUCTION AND DEVELOPMENT**, hereinafter called "Owner", its successors and assigns.

WHEREAS, Owner has requested Company to expand its system as follows in accordance with the map or plan attached hereto as Attachment No. 1; and

WHEREAS, Company is willing to make such expansion upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Owner hereby applies to Company for said expansion of its system, and Company agrees to include said expansion upon the terms and conditions hereinafter set forth and in accordance with its Rules and Regulations.
2. For the purposes of this Agreement the term "Water Facilities" shall include without limitation:
 - (a) All property in connection with the operation and maintenance of the Water Facilities and the furnishing of water services including, without limitation, buildings, improvements, structures, equipment, wells, distribution lines, well lots, well houses, reservoirs, pumps, booster pumping stations, valves, pipes, water lines, meter boxes, machinery, inventory, surveys, maps, and supplies;
 - (b) All right, title and interest of Owner in and to all easement(s) and appurtenances existing and/or necessary for the maintenance and operation of the Water Facilities constructed or to be constructed to serve the project commonly known as **BELMONT HEIGHTS SUBDIVISION - PHASE I AND II**, (hereinafter called the "Project"), and any approved development of the property in connection with the Project (hereinafter called the "Property"), Source of Supply, which may include well(s), pumps, motors, control equipment, pneumatic storage facilities, or that particular property commonly referred to as "Source of Supply," and water and water rights and interests appurtenant to the Property; and
 - (c) All intangible property in connection with the operation and maintenance of the Water Facilities and the furnishing of water services including, without limitation, customer lists and records, customer deposits, well logs, maintenance records, tariffs and rules and regulations governing the rendering of service and extension of service to future development, franchises, permits and certificates. The term **"WATER FACILITIES"** does not include meters.
3. Company shall have the right to conduct, review and confirm, to the Company's satisfaction, test results in connection with any and all wells, soil tests, engineering tests, environmental surveys, plans and specifications and/or record drawings, and related studies of the Water Facilities deemed necessary by Company to determine the suitability, in Company's sole discretion, of the Water Facilities for expansion.

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Should an applicant propose a Development requiring special facilities, upgrades, modifications or, if the Development is deemed by the Company to be unusual or burdened with special needs, that existing water system will be looked at independently and the terms of the acquisition will be set forth in an amendment hereto.

4. Immediately after the execution of this Agreement, Owner shall diligently proceed to obtain all governmental approvals including, without limitation, all necessary permits, information, and consents required by the appropriate federal, state, or local governmental authorities, agencies, or officials to permit the construction, operation and maintenance of the Water Facilities. As soon as practicable, after receipt of such governmental approvals, Owner shall diligently proceed to construct the Water Facilities, as described, or to be described, in the Water Facilities plans and specifications prepared and sealed by a licensed professional engineer and reviewed and approved by the parties hereto. **The cost of obtaining all governmental approvals, the cost of such plans and specifications, and the cost of the construction of the Water Facilities shall be borne by Owner at Owner's sole cost and expense.** At the sole discretion of Company, inspection of the construction of the Water Facilities shall be conducted by Company. Based on proper advice and consideration, Company may alter the performance from strict adherence to such plans and specifications if based on job site experience, or if adherence to such plans and specifications becomes impractical or infeasible under the circumstances. Company shall be the sole judge as to the adequacy of the Water Facilities. The parties hereto shall cooperate fully with each other and all other parties in connection with each other's efforts hereunder.

5. The completely constructed and approved Water Facilities shall be contributed, transferred and conveyed to Company by Owner, at no cost to Company, through bill(s) of sale, warranty deed(s), easement(s) and/or other transferred documents reasonably acceptable to Company and as required and approved by, without limitation, the Idaho Department of Health and Welfare, Division of Environmental Quality, Idaho Department of Water Resources, and the Idaho Public Utilities Commission ("IPUC"), as applicable, on or before the earlier of: 1) the ____ day of _____, ____; or 2), the transfer of the first lot in the Project from Owner to the first-time buyer. Owner will obtain releases from all subcontractors, laborers, materialmen, suppliers, and any other parties furnishing materials or services in connection with the construction of the Water Facilities. Owner shall warrant to Company in writing that the Water Facilities has been constructed in accordance with the plans and specifications reviewed and approved by Company, and shall provide Company with as-built record drawings of the Water Facilities. Owner shall also warrant the Water Facilities against defects in construction for a period of one (1) year from execution of such warranty.

6. Owner shall contribute to Company upon the execution hereof the Water Facilities as described above, and shall also contribute overhead costs to Company such as supervision, engineering, accounting, legal expenses and the cost of obtaining any necessary governmental permits. The actual cost of contribution shall be referred to as the "contributed cost of facilities." The Source of Supply costs shall be referred to and be booked as an advance in aid of construction. All other costs shall be referred to, and be booked as, a contribution in aid of construction.

7. Upon conveyance of the Water Facilities to Company, Company shall be solely responsible for management, maintenance and operation of the Water Facilities. The parties agree that the Water Facilities and associated permits and licenses shall be managed and operated by Company in a manner, which is comparable to and consistent with Company's management and operation of its other water utility facilities within the State of Idaho. The parties further acknowledge that Company shall serve all residential customers as a public utility, subject to the jurisdiction of the IPUC.

8. Owner shall prepare and record (prior to the sale of any lot in the Project) perpetual restrictive covenants which include, without limitation, that the Water Facilities is or shall be owned and operated by Company. Company shall cooperate with Owner in the preparation of such restrictive covenants and shall have the right to approve such restrictive covenants prior to recordation. Such approval shall not be unreasonably withheld. Owner shall cause a notation to be made on any subdivision plat of the Project that states that the Water Facilities is or shall be owned and operated by Company.

9. If the Project is served by a non-potable irrigation System, appropriate back-flow prevention device(s) shall be required to be installed at no cost to Company. Owner shall prepare and record (prior to the sale of any lot in the Project) perpetual restrictive covenants which include, without limitation, that cross-connections are prohibited, and shall delegate to Company the right to inspect such non-potable irrigation system, enforce such restrictive covenants, and to remove any such cross-connections. Company shall cooperate with Owner in the preparation of such restrictive covenants and shall have the right to approve such restrictive covenants prior to recordation. Such approval shall not be unreasonably withheld.

10. An amount not to exceed **Eight Hundred Dollars (\$800.00)**, as more fully described on Attachment No.2 attached hereto, which is subject to modification as Adjusted Average Residential Revenue may change with future rate activity, shall be paid by Company to Owner as soon as practicable after each lot is connected to the Water Facilities, as payment for the Source of Supply; provided, however, such payment shall be made only once per lot, only to bona fide customers, and not in excess of the original documented advance of construction costs in connection with the Source of Supply. Provided, further, however, if the Project and/or the Property is served by an additional potable Source of Supply, where a portion of the Project's and/or Property's Source of Supply is provided by an entity in addition to Owner, the \$800 payment referred to in this paragraph shall be paid by Company to Owner and each other such provider of Source of Supply according to the percentage of contribution by Owner and each other such provider of Source of Supply. The percentage of contribution by Owner and each other such provider shall be established by Company and set forth in an amendment hereto.

11. All revenue generated by the Water Facilities shall be retained by Company as owner in compliance with all applicable rules and regulations of the IPUC. Charges applicable to the Water Facilities shall be the Company's tariff rates for existing customers as approved by the IPUC, which rates may be amended from time to time. Service shall be provided in compliance with all applicable rules and regulations of the IPUC.

- (a) If the Water Facilities include an existing, non-metered, flat rate system, and the costs for metering the Water Facilities cannot be justified by Company, the tariff rate shall be equal to the average revenue for the balance of company's residential customers.
- (b) If Company should determine that a flat rate customer is using water in excess of the average residential customer, the Company will provide a meter setting and meter. Customer will then pay Company's metered tariff rates as approved by the IPUC, which rates may be amended from time to time.
- (c) If a customer prefers to pay Company's approved metered tariff rates, the customer shall pay the installation and material costs associated with the installation of a meter setting.

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12. It is agreed by Owner that Owner will not build at any time hereafter on, in or over any easement for water pipes or appurtenances any structure, the construction or presence of which will endanger or render ineffective or difficult of access the water pipes or appurtenances of Company, or lay other pipes or conduits within two feet (2'), measured horizontally, from said water pipe except pipes crossing same at right angles in which latter case a minimum distance of six inches (6") shall be maintained between the pipes. No excavation or blasting shall be carried on which in any way endangers said water pipes. Provided, however, that should Owner wish to do so Owner may, at Owner's expense, provide a new location acceptable to Company for said water pipes and Company will then move said water pipes and appurtenances to the new location. The cost of moving and altering and any expenses incident thereto, shall be borne by Owner. It is further understood and agreed that in case of any damage by Owner or caused by neglect of Owner to the water pipes or their appurtenances, or other injuries to the property of Company in connection therewith, these facilities will be repaired and brought to proper grade by Company or Company's contractor at Owner's expense.

13. It is further mutually understood and agreed that the mains and appurtenances within the limits of the street, avenues, roads, ways or easement areas whether or not attached to or serving customers but constructed as part of the expansion shall be and remain the property of Company. Company shall have the right to extend any main installed by it pursuant to the terms of this Agreement in or to other lands, streets, or avenues without incurring any liability to Owner whatsoever.

14. Owner shall be reimbursed in connection with use of the Source of Supply by "late-comers," that is, bona fide customers who use the Source of the Supply and which customers own a lot or property other than a lot in the Project, whereby costs, not in excess of the original advance of construction costs in connection with the Source of Supply, may be reimbursed to Owner over a period of fifteen (15) years from the date of transfer of the Water Facilities. Owner shall not be entitled or receive any reimbursement after fifteen (15) years from the date of this Agreement.

15. For the purposes of this Agreement, a bona fide customer shall mean any person(s); firm, company, corporation, association, governmental unit or owner of property as guarantor furnished water service of a permanent nature by Owner.

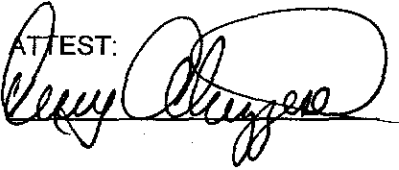
16. Each party shall be excused from further performance under this Agreement as a consequence of any delays or defaults in the performance of this Agreement unavoidably caused by the act of any governmental authority, the act of any public enemy, acts of God or the public enemy, nature, weather, war, war defense condition, strikes, walkouts or other causes beyond the control of the party whose performance is impaired.

17. The term of this Agreement shall be for fifteen (15) years from the date hereof.

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IN WITNESS WHEREOF, the parties hereto, having been duly authorized, have executed this Agreement this 1st day of AUGUST, 2001.

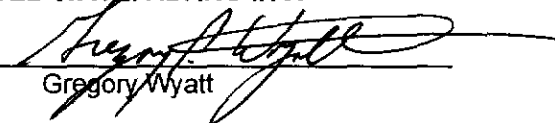
ATTEST:



COMPANY:

UNITED WATER IDAHO INC.

By:


Gregory Wyatt

Its:

President

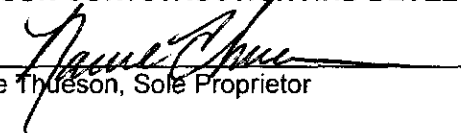
ATTEST:



OWNER:

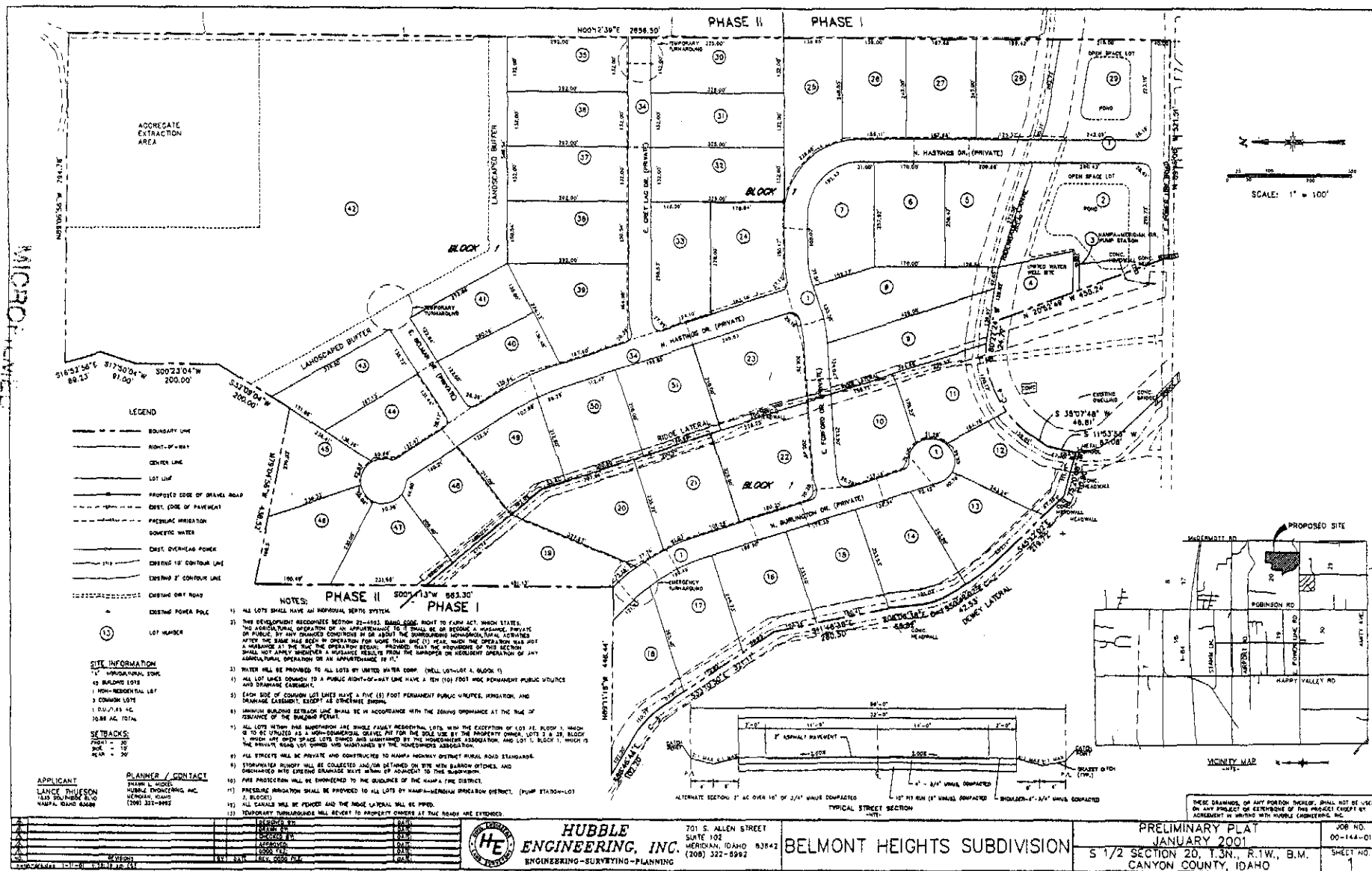
THUESON CONTSTRUCTION AND DEVELOPMENT

By:


Lance Thueson, Sole Proprietor

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OCT 13 2001



**Residential Or Multiple Family Housing
Non Contiguous Water System Agreement**

ATTACHMENT NO. 2

Breakdown of Costs

Rate Case UWI-W-00-1 Adjusted Average Residential Revenue

1. Investment	\$ 800.00
2. Revenue	332.07
3. Increase in Expenses	
O&M	166.70
Ad Valorem @ 1.23%	9.84
Depreciation @ 2.5%	20.00
Total Expenses	196.54
4. Income Before Income Taxes	135.54
5. Debt @ 53.13% of net investments	454.48
6. Interest on Debt	34.18
7. Taxable Income	101.36
8. Income Tax @ 40.20%	40.75
9. Net Income (line 7-line 8)	60.61
10. Income Available for Return	94.79
11. Return	11.85%

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SEP 13 2001

Project No. 0014401

February 26, 2001
Revised March 6, 2001

**DESCRIPTION FOR
BELMONT HEIGHTS SUBDIVISION
PHASE I**

A parcel of land located in the S1/2 of Section 20, T.3N., R.1W., B.M., Canyon County, Idaho more particularly described as follows:

Commencing at an aluminum cap monument marking the southeast corner of said Section 20 from which a brass cap monument marking the S1/4 corner of said Section 20 bears North 89°16'00" West, 2668.54 feet;

thence along the South boundary line of said Section 20 North 89°16'00" West, 1334.14 feet to a brass cap monument marking the E1/16 corner of said Section 20, said point also being the **REAL POINT OF BEGINNING**;

thence continuing along said South boundary line North 89°16'00" West, 521.51 feet;

thence leaving said South boundary line North 20°52'49" West, 458.24 feet to a point on the centerline of the Ridenbaugh Canal;

thence along said centerline the following 4 courses:

North 80°27'24" West, 24.77 feet to the beginning of a curve to the left;

thence along said curve 281.06 feet, said curve having a radius of 250.00 feet, a central angle of 64°24'48" and a long chord of 266.49 feet which bears South 67°20'12" West to the point of tangency;

thence South 35°07'48" West, 46.81 feet;

thence South 11°53'53" West, 67.08 feet to the point of intersection of the centerline of the Ridenbaugh Canal and the centerline of the Dewey Lateral;

thence along the centerline of the Dewey Lateral the following courses:

North 75°20'08" West, 110.90 feet;

thence North 45°12'02" West, 219.72 feet to the beginning of a curve to the right;

thence along said curve 100.41 feet, said curve having a radius of 400.00 feet, a central angle of 14°23'00" and a long chord of 100.15 feet which bears North 38°00'32" West to the point of tangency;

thence North 30°49'02" West, 42.53 feet to the beginning of a curve to the right;

thence along said curve 86.24 feet, said curve having a radius of 200.00 feet, a central angle of 24°42'24" and a long chord of 85.58 feet which bears North 18°27'50" West to the point of tangency;

thence North 06°06'38" West, 68.82 feet;

thence North $11^{\circ}48'38''$ West, 280.50 feet;

thence North $33^{\circ}10'50''$ West, 321.11 feet to the beginning of a curve to the left;

thence along said curve 111.69 feet, said curve having a radius of 250.00 feet, a central angle of $25^{\circ}35'54''$ and a long chord of 110.77 feet which bears North $45^{\circ}58'47''$ West to the point of tangency;

thence North $58^{\circ}46'44''$ West, 102.20 feet to a point on the East-West centerline of the southwest $\frac{1}{4}$ of said Section 20;

thence leaving the centerline of the said Dewey Lateral and along said East-West centerline South $89^{\circ}11'18''$ East, 448.44 feet to the C-S 1/16 corner of said Section 20;

thence along the North-South centerline of said Section 20 North $00^{\circ}14'13''$ East, 451.13 feet;

thence leaving said North-South centerline South $40^{\circ}13'12''$ East, 373.36 feet;

thence south $18^{\circ}12'18''$ East, 454.26 feet;

thence North $71^{\circ}47'42''$ East, 218.00 feet;

thence South $18^{\circ}12'18''$ East, 65.17 feet;

thence North $71^{\circ}47'42''$ East, 56.00 feet;

thence South $89^{\circ}47'21''$ East, 271.34 feet;

thence South $00^{\circ}12'39''$ West, 178.94 feet;

thence South $89^{\circ}47'21''$ East, 396.00 feet to a point on the North-South centerline of the southeast $\frac{1}{4}$ of said Section 20;

thence along said North-South centerline South $00^{\circ}12'39''$ West, 924.00 feet to the **REAL POINT OF BEGINNING**, containing 32.40 acres, more or less.

Prepared by:
Hubble Engineering Inc.

Gregory G. Carter P.L.S.

MICROFILMED

Project No. 0014401

February 26, 2001
Revised March 5, 2001
Revised June 11, 2001

**DESCRIPTION FOR
BELMONT HEIGHTS SUBDIVISION
PHASE II**

A parcel of land located in the SE1/4 of Section 20, T.3N., R.1W., B.M., Canyon County, Idaho more particularly described as follows:

Commencing at an aluminum cap monument marking the southeast corner of said Section 20 from which a brass cap monument marking the S1/4 corner of said Section 20 bears North 89°16'00" West, 2668.54 feet;

thence along the South boundary line of said Section 20 North 89°16'00" West, 1334.14 feet to a brass cap monument marking the E1/16 corner of said Section 20;

thence along the North-South centerline of the SE1/4 of said Section 20 North 00°12'39" East, 924.00 feet to the **REAL POINT OF BEGINNING**;

thence leaving said North-South centerline North 89°47'21" West, 396.00 feet;

thence North 00°12'39" East, 178.94 feet;

thence North 89°47'21" West, 271.34 feet;

thence South 71°47'42" West, 56.00 feet;

thence North 18°12'18" West, 65.17 feet;

thence South 71°47'42" West, 218.00 feet;

thence North 18°12'18" West, 454.26 feet;

thence North 40°13'12" West, 373.36 feet to a point on the North-South centerline of said Section 20;

thence along the North-South centerline of said Section 20 North 00°14'13" East, 412.17 feet;

thence leaving said North-South centerline South 79°04'56" East, 438.52 feet;

thence North 32°09'04" East, 200.00 feet;

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thence North 00°23'04" East, 200.00 feet;

thence North 17°50'04" East, 91.00 feet;

thence North 16°52'56" West, 89.23 feet to a point on the East-West centerline of said Section 20;

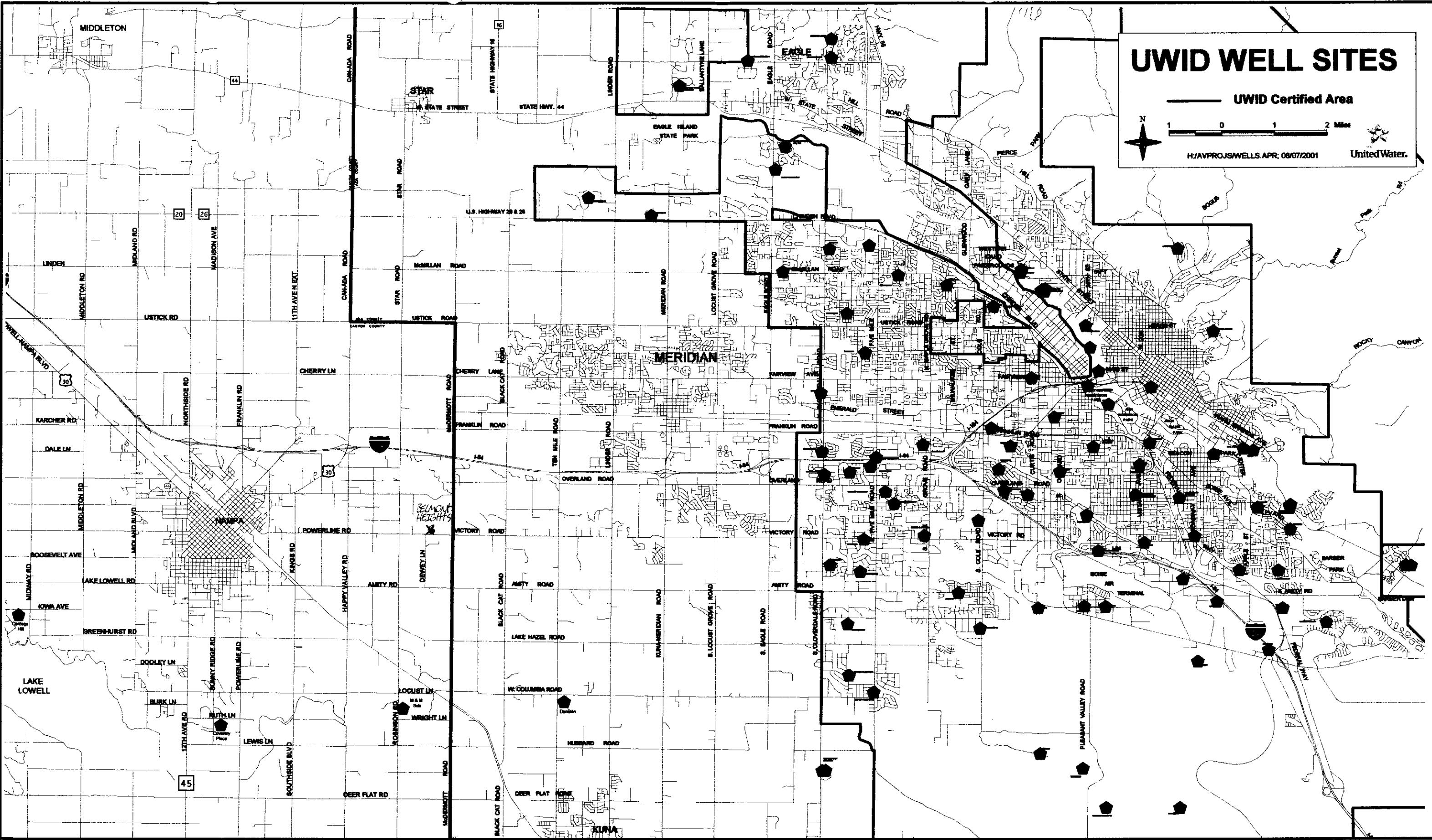
thence along said East-West centerline South 89°06'56" East, 794.78 feet to the C-E 1/16 corner of said Section 20;

thence along the North-South centerline of the SE1/4 of said Section 20 South 00°12'39" West, 1732.50 feet to the Real Point of Beginning, containing 39.54 acres, more or less.

Prepared by:
Hubble Engineering Inc.

Gregory G. Carter P.L.S.

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AUG 13 2001



UWID WELL SITES

— UWID Certified Area

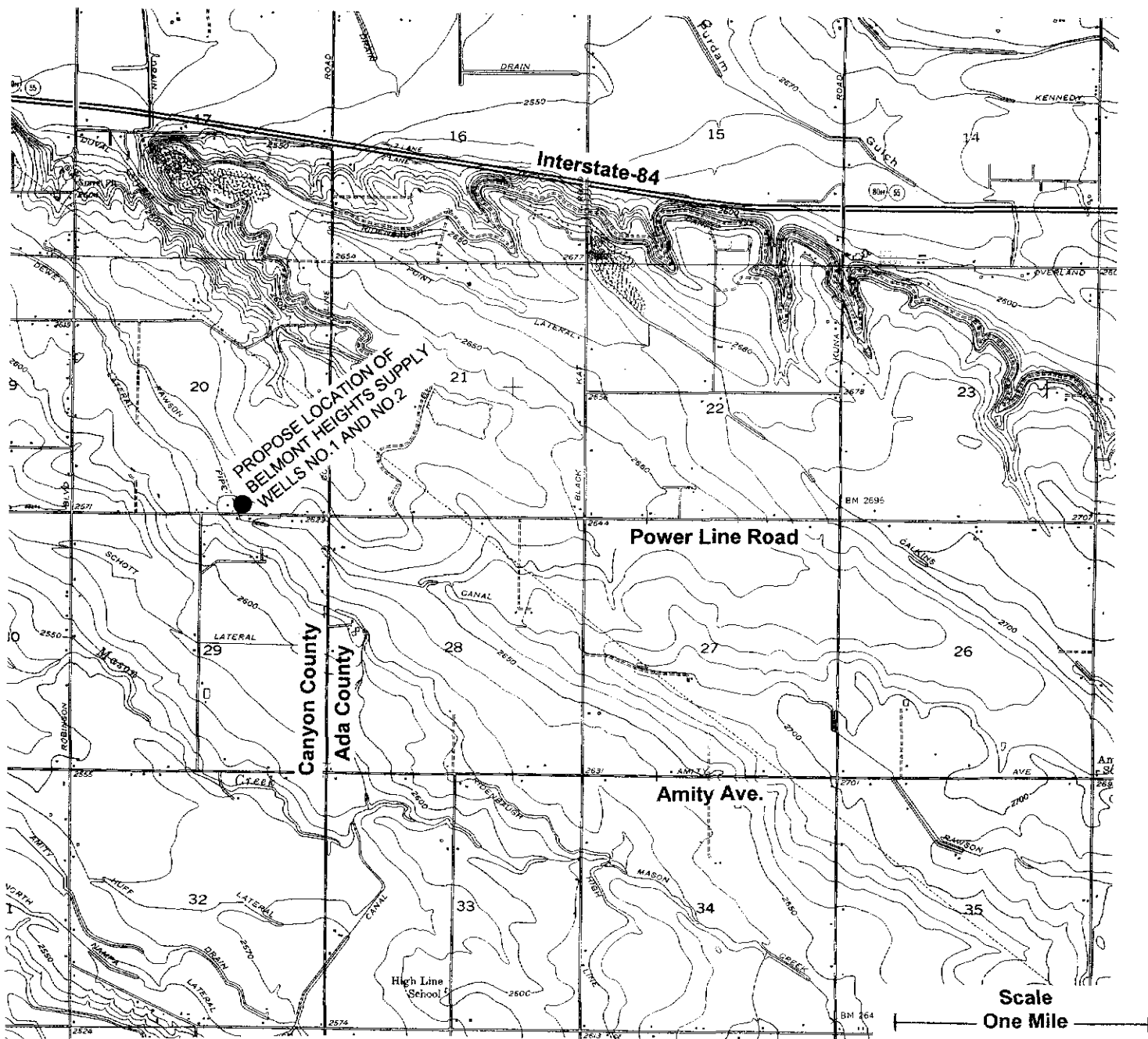
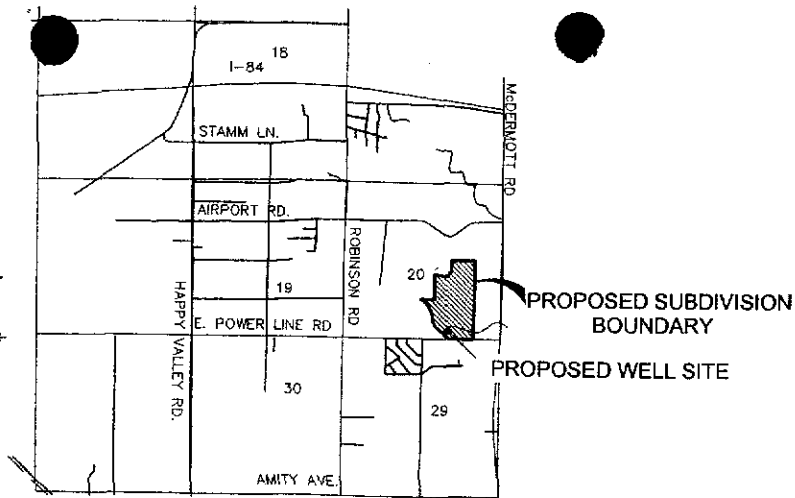
N

1 0 1 2 Miles

H:\AVPROJ\SWELLS.APR. 08/07/2001

United Water.

VICINITY MAP



Scale
One Mile

Map showing the proposed location of the Belmont Heights well site located in the SE $\frac{1}{4}$, of the SE $\frac{1}{4}$ of Section 20, Township 3N, range 1W.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

see pg 2 for comment letter

INITIAL REVIEW BY: lg DATE: 6/8/01 APPLICATION: 63-31243

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

SEP 11 2001

DEPARTMENT OF WATER RESOURCES

Gov't. Lots:

P/D

P/U

ADDITIONAL INFORMATION

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

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: exempt
- ☒ ☐ 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

water bearing zone, well info

Date Requested 6/8/01 Date Response Received 6/8/01

PROCESSING

APP. NO.

8-31243

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. # _____
☐ ☒ Water Planning Bureau
☒ ☐ Other Canyon County
Planning & Zoning

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 7-9-01

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 121,046, Prior to divert
water under this right, water right holder must submit documentation from POC
expressly approving the POC as part of the United Water Service Area.

See below for additional information

Recommended Date or Priority 5/14/01

Recommended by: Gay Date: 9/8/01

ADDITIONAL INFORMATION:

RECEIVED

JUN 29 2001

WATER RESOURCES
WESTERN REGION

e0100285 04504191
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE

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

63-31243
UNITED WATER IDAHO
8248 W VICTORY RD
PO BOX 7488
BOISE ID 837071488
Point(s) of Diversion SESWSE
S20 T03N R01W CANYON County
Source GROUND WATER
Point(s) of Diversion SESWSE
S20 T03N R01W CANYON County
Source GROUND WATER
Use: MUNICIPAL
01/01 To 12/31 2.6 CFS
Total Diversion: 2.6 CFS
Date Filed: 05/14/2001

Remark:

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

Municipal use is for applicants service area.

Water bearing zone to be appropriated is from 375 to number 475 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 07/09/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
June 21, 28, 2001

4191

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

County of Canyon)

SS.

Patrica D. Admire
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:

06/21/2001, 06/28/2001

Patrica D. Admire

STATE OF IDAHO)

County of Canyon)

On the 28th day of June in the year of 2001
before me, a Notary Public, personally appeared.
Patrica D. Admire,

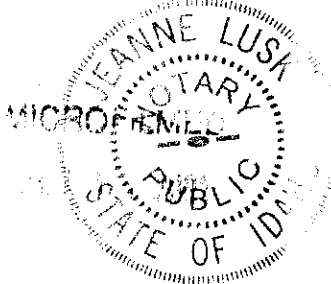
known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Jeanne Lusk

Notary Public for Idaho

Residing at Nampa

My commission expires June 21, 2003





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

June 13, 2001

CANYON COUNTY P & Z
1115 ALBANY ST
CALDWELL ID 83605

Re: Application for Water Right No. 63-31243 in the Name of United Water Idaho.

Dear Sir and/or Madam:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. 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 you desire 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 July 9, 2001.

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:lm

Encl: Copy of Application

MICROFILMED

JUN 15 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

June 13, 2001

KARL J. DREHER
Director

Legal Notice Department
Press-Tribune
PO Box 9399
Nampa ID 83652

RE: Application for Permit No. 63-31243

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 07/09/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

BY: [illegible]

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

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BOISE ID 837071488

Point(s) of Diversion SESWSE S20 T03N R01W CANYON County Source GROUND WATER

Point(s) of Diversion SESWSE S20 T03N R01W CANYON County Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 2.6 CFS

Total Diversion: 2.6 CFS

Date Filed: 05/14/2001

Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Municipal use is for applicants service area
Water bearing zone to be appropriated is from 375 to number 475 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 07/09/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on June 20 and 27, 2001.

21 28

MICROFILMED

2001 4 5 2PM

United Water



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

May 11, 2001

TO: Steve Lester
Water Rights Supervisor
Idaho Dept. of Water Resources - Western Region

FROM: Roger Dittus
United Water Idaho

SUBJECT: Belmont Heights Subdivision Application for Permit

Mr. Lester,

United Water Idaho is planning to own and operate the water system that will serve the new Belmont Heights subdivision in Canyon County. Belmont Heights is non-contiguous to UWID's main distribution system and will be located in the western half of the SE ¼ Section of Section 20, T3N, R1W. There will be 45 homes when the subdivision is completed. Block 1 of Belmont Heights has been platted as the well lot, and will contain two wells.

At this time UWID is submitting the Application for Permit to appropriate 2.6 cfs. Please find enclosed a check for \$540 to cover the Application for Permit as well an Application for Drilling permit for each well. UWID is submitting the Well Site Checklist and Well Site Evaluation to Idaho Department of Environmental Quality concurrently with the applications to IDWR.

Sincerely,

Roger Dittus

362-7358

MICROFILMED

APR 11 2002