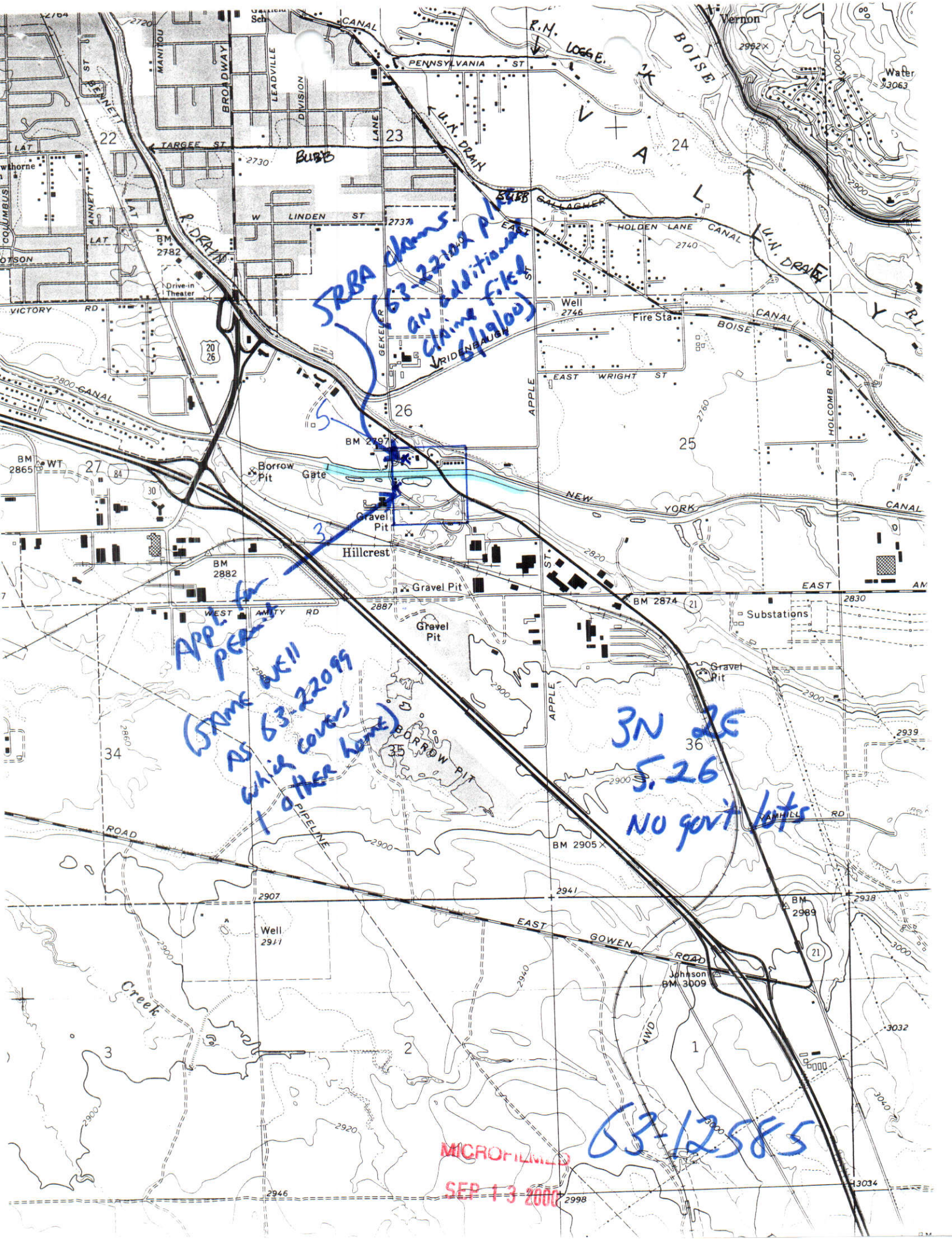




Amt. of Fee \$: 50.00
Receipt No: 0250225
Receipt By: S. H. H. H.
Date Received: 8.24.00

RECEIVED

AUG 24 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12585 Telephone No. 208-344-1141

2. Name of Permit Holder(s): Boise Project Board of Control

3. Mailing Address: 2465 Overland Road

City Boise State ID Zip 83705-3173

4. Source of Water: Ground water If **GROUNDWATER** (well), Date Drilled: mo. 12 / yr. 1967

Well Driller: NA Drilling Permit Number: NA - - - - -

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 + Shop Stockwater (No. and type of stock): _____

Irrigation (No. of acres): .50 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .08 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Phil Comegys Telephone Number: 208-342-5086

Address: 3910 Gekeler

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ken Henley (Project Manager) Date: Aug. 21, 2000
(include your title, if on behalf of company or organization)

MICROFILMED

SEP 13 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12585

Priority: May 1, 2000

Maximum Diversion Rate:

0.08 CFS

This is to certify, that **BOISE PROJECT BOARD OF CONTROL**
2465 OVERLAND RD
BOISE ID 83705

has applied for a permit to appropriate water from: **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	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 26, Township 03N, Range 02E
ADA County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 02E 26

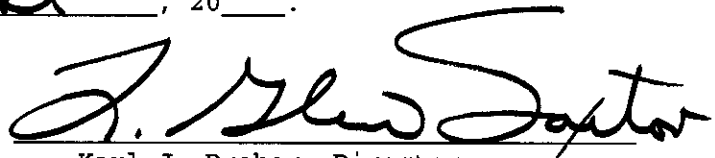
NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. Domestic use is for 1 home and a shop; each of these uses are limited to 13,000 gallons per day.

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

14th day of August, 2000



Karl J. Dreher, Director

for MICROFILMED

SEP 13 2000

RECEIVED

JUL 28 2000

FORM 202
Department of Water Resources
1/96

AMENDED
6-20-00
KH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

RECEIVED

MAY 02 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 1 - 2000

Department of Water Resources

1. Name of Applicant Boise Project Board of Control Phone 208-344-1141
Post Office address 2465 Overland Rd., Boise, ID 83705

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

3. Location of point of diversion is 1/4 of NW 1/4 of SE 1/4, Govt. Lot
Sec. 26 Township 3N Range 2E B.M. Ada County; additional points of
diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing system - pump & pipeline

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

c. Proposed well diameter is 6 inches; proposed depth of well is unknown feet.

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

e. If well is already drilled, when? 1964; Drilling firm unknown:
Well was drilled for (well owner) unknown

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

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

a. Hydropower; show total feet of head and proposed capacity if KW. _____

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

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 2 houses & 1 shop = 3 units

e. Other; describe fully. (includes .02 cfs for minor landscaping)

+ per d'base for (A)63-22099 MICROFILMED

SEP 13 2000

170103H

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2E	26														D			

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Boise Project Board of Control
- b. Who owns the land to be irrigated or place of use? Boise Project Board of Control
- c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: Well & water are south of canal.
Same well serves another place in decreed right
63-22099. Additional service in this application
was inadvertently overlooked when filing that claim.

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

MICROFILMED

SEP 13 2000

Ken Henley
 (Applicant)

Received by J. M. [Signature] Date 5-1-00 Time _____ Preliminary check by 82
 Fee \$ 50.00 Received by J. M. [Signature] # C048986 Date 5-1-00
 Publication prepared by [Signature] Date _____ Published in THE IDAHO STATESMAN
 Publication approved [Signature] Date 7-25-00

SRBA claims
(63-22102 P. 198)
an additional
claim filed
6/4/90

Apple for
Perry
(same well
as 63-22099
which covers
1 other hole)

3N 2E
5.26
NO govt lots

63-12585

MICROFILMED
SEP 13 2000

Ident. No. 63-12585

Comments: Date: 6/20/2000 User-ID: SLESTER

Subject: ADDITIONAL INFORMATION

See explanation memo of 6-20-2000 for overview.

APPLICANT'S INFORMATION: Well is same as 63-22099. Site is south of the canal.

IDWR'S INFORMATION: 1964 well and hookups. No well log found. Use allowable in Basin 63 limits. Use includes .06 cfs for internal and .02 cfs for minor external purposes.

MICROFILMED

SEP 13 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

September 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12585

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western Regional Office** of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
SEP 13 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-12585 Reviewed by D. Gibson Date 9/6/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

Correct Uses? Yes

Domestic & Irrigation (1/2 acre)

SOURCE OF WATER

No Surface water source

Yes Ground water source

Yes Drilling permit required?

No Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
No Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>8/24/00</u>	
Date proof due	<u>8/1/01</u>	-
No. of days late		=
Priority Date		+
New Priority Date		

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof

DATA ENTRY

New Address _____ Proof Made 8/24/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

00000000

Date:

Time: 8/24/2000

14:50:42

Received

From: BOISE PROJECT BRD CONTROL

Type of Payment	Program A cct	Amount
BENEFICIAL USE # 63-12585	56104 229 21 1155	50.00
CHECK 027573		
	Total \$	50.00

Region: STATE

Signature: J. C. Masi

MICROFILMED
SEP 13 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE ID 83705

PERMIT APPROVAL NOTICE

RE: PERMIT 63-12585

Dear Permit Holder(s)

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

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt
Enclosures

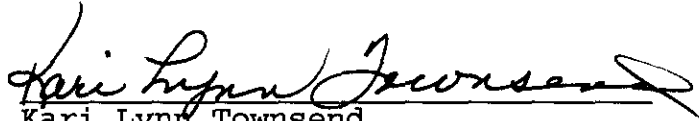
MICROFILMED
SEP 13 2000

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of **August, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 63-12585

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE ID 83705


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 13 2000

**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).

MICROFILMED

SEP 13 2000

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.

BENJAMIN WITTY
CHAIRMAN OF THE BOARD

PAUL WARRICK
VICE CHAIRMAN OF THE BOARD

KENNETH HENLEY
PROJECT MANAGER

PAUL J. DEVEAU
ASSISTANT PROJECT MANAGER

JUDITH A. JEMMETT
SECRETARY-TREASURER

ELVA FISCHER
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U. S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

August 10, 2000

State of Idaho
Dept. of Water Resources
1301 N Orchard St
Boise, ID 83706

Re: Water Right #6312585

To Whom It May Concern:

The following are authorized to sign documents on water right applications:

Benjamin Witty - Chairman of the Board
Paul Warrick - Vice-Chairman of the Board
Kenneth Henley - Project Manager
Paul J. Deveau - Asst. Project Manager
Judith A. Jemmett - Secretary-Treasurer
Elva Fischer - Asst. Secretary-Treasurer

If you have any question, please feel free to call (208)344-1141.

Sincerely,



Judith A. Jemmett
Secretary-Treasurer

MICROFILMED

SEP 13 2000

BENJAMIN WITTY
CHAIRMAN OF THE BOARD
PAUL WARRICK
VICE CHAIRMAN OF THE BOARD
KENNETH HENLEY
PROJECT MANAGER
PAUL J. DEVEAU
ASSISTANT PROJECT MANAGER
JUDITH A. JEMMETT
SECRETARY-TREASURER
ELVA FISCHER
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U. S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

August 10, 2000

State of Idaho
Dept. of Water Resources
1301 N Orchard St
Boise, ID 83706

COPY

Re: Water Right #6312585

To Whom It May Concern:

The following are authorized to sign documents on water right applications:

Benjamin Witty - Chairman of the Board
Paul Warrick - Vice-Chairman of the Board
Kenneth Henley - Project Manager
Paul J. Deveau - Asst. Project Manager
Judith A. Jemmett - Secretary-Treasurer
Elva Fischer - Asst. Secretary-Treasurer

If you have any question, please feel free to call (208)344-1141.

Sincerely,



Judith A. Jemmett
Secretary-Treasurer

MICROFILMED

SEP 13 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 7/28/00

No. 63-12585 Name: BPBdC Corp. Officers _____ Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes TVGW Moratorium Boise Front GWMA TRUST/NON-TRUST this app isn't hot water
study area

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

~~All wells~~ 046(P22)
Basin 34/ - 084 (if necessary)
Irr. w/in WD - **P05**
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
42-248 Area - **(P84)** 20s-70s, 81-86
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-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/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - **P16**
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - **P52**
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
DOMESTIC W01 (1 home and a shop)
~~Surface water~~ - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - ~~070-071-075~~ (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
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 mitigation isn't req'd, pre 1987 dev. doesn't matter

COMMENTS existing system still no reason to shorten proof due period or to use cond 06B.

PROCESSING

APP. NO. 3-12585

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 _____

FINAL REGIONAL PROCESSING REVIEW:

NO REPLY received by 7/25/00

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 7-20-99

☒ ☒ Protests received.☒ ☒ Recommendations attached:☒ ☒ Measuring device required:☒ ☒ Water delivered by water master? District # _____☒ ☒ Special conditions of approval or cover letter: _____

USE limited to pre-1987 development & does not authorize new well construction. This right when combined with right 63-22099 is limited to 2 homes, 1 shop, and landscaping not to exceed 1/2 acre per domestic unit.

☒ ☒ See below for additional informationRecommended Date or Priority 5-1-00Recommended by: JL Date: 7/25/00ADDITIONAL INFORMATION:

See 6/20/00 Explanation memo. Same well as decreed Right 63-22099 (D/I). No well log found, and water bearing zone is unknown for this 1964 well. Assumed OK to process in this case w/o water bearing zone information. OK to process within Rs. 63 limits since each individual unit will not exceed 42-111. However, Right 63-22099 plus 63-12585 might exceed 42-111 when combined.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 6/20/00 APPLICATION: 63-12585

REQUIRED INFORMATION

assumed already in dept. files

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) *plat N/A, ok per topo, 1964 development*
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid *refund being issued, \$50 fee paid ok*

RECEIVED
JUL 28 2000
Department of Water Resources

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

ADDITIONAL INFORMATION

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

N/A T FLAG CHANGED TO P FLAG

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
☒ ☐ Overlapping point of diversion.
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☒ ☐ 1992 moratorium: *but exempt per community well concept*
☐ ☒ 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.
☐ ☒ N/A 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

Date Requested Date Response Received

**LEGAL NOTICE
APPLICATION FOR WATER RIGHT**

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

BOISE PROJECT BOARD OF CONTROL
2445 OVERLAND RD
BOISE, ID 83705

63-12585 ✓

Source: GROUNDWATER

Diversion Pt:

NWSE Sec 26 T 03N R 02E In ADA County.

Use: DOMESTIC

Total Diversion:

{ 0.080 CFS
0.080 CFS

Date Filed: 5/1/2000

In: ADA County

T03N R02E S26

NWSE

Applicant agrees to mitigate consumptive use in the future as needed for an existing well, home, shop and landscaping.

63-12586

NELSON CONSTRUCTION CO
PO BOX 16550
4301 FEDERAL WAY
BOISE, ID 83713

Source: GROUNDWATER

Diversion Pt:

NESW

Sec 28 T 01N R 04E In ADA County

Use: INDUSTRIAL

Total Diversion:

{ 0.500 CFS
0.500 CFS

Date Filed: 6/13/2000

In: ADA County

T01N R04E S33

NWNW

Applicant requests use of an existing deep well for construction related to I84 from the vicinity of the Mayfield Exit to the Dito Creek Overpass west of Min. Home. Total use will be limited to 50 acre-feet from 5-1-2000 to 1-1-2001 when the proposed use will cease. Most of the use will occur at a concrete batch plant near the well.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JULY 24, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub. Jnl. 6,13, 2000

7713

MICROFILMED

SEP 13 2000

RECEIVED

JUL 17 2000

WATER RESOURCES
WESTERN REGION

The Idaho Statesman

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	284241	APPLICATION FOR WATER RIGHT	\$158.82
Ordered by:	P.O. #	Rate	Run Dates
		TT	JULY 6, 13, 2000
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705-5082			Number of Lines 49 X 2
			Affidavit 1
			Legal # 7713

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

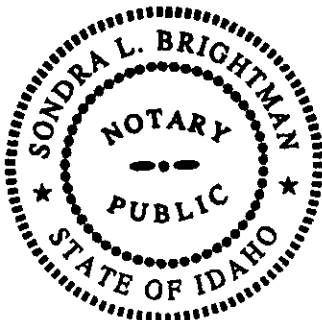
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JULY 6, 2000
and ending with the issue of: JULY 13, 2000

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 13 day of JULY in the year of 2000
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: 6/20/06

Sondra L. Brightman

MICROFILMED

JUL 17 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CENTRAL DISTRICT HEALTH DEPT
707 N ARMSTRONG PL
BOISE ID 83704

Re: Application for Permit No. 63-12585 in the Name of Boise Project Board of Control

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 24, 2000.

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

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman". The signature is written in a cursive, flowing style.

Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 13 2000

MEMORANDUM

TO: Files
FROM: Steve Lester *SL*
DATE: June 20, 2000

RE: Boise Project Board of Control Water Right & SRBA Filings

Ken Henley is the project manager. He filed 16 applications for permit on May 1, 2000. Each application described a well for a D/1 use. Initial review and discussions with Henley revealed that five wells were involved for existing "community uses" related to project operations.

Each well served some combination of homes, offices, shops and minor landscaping since well construction occurred. Each well was recorded in the SRBA as a D/1 use. Five partial decrees resulted. The Boise Project overlooked the additional units per well when originally filing the SRBA claims. Henley is concerned that each system does not become limited to just an exempted use, which is why the 16 applications were submitted.

Four of the wells and community uses occurred before 1963. Fourteen of the applications can be replaced with four beneficial use SRBA claims. The claims are "add-ons" to D/1 decreed rights. I assume that SRBA late fees do not apply to the oversight in filing on uses overlooked earlier in the process.

The fifth well was constructed in 1964. The community uses in this case do not qualify for a SRBA beneficial use claim. This well, located south of the canal in Section 26, serves a total of three units. But one home is already covered by 63-22099. Two applications for permit, each for .04 cfs to serve a single unit, were combined into one application for .08 cfs to serve two units. See today's amended application. The amended application does not increase the use originally shown in the two applications, and the priority date should remain as May 1, 2000. The application includes .06 cfs for D/2 internal use plus .02 cfs for up to 1/2 acre of landscaping.

Here is a tabular summary of the filings that replace the 16 applications. As noted, two applications were folded into one, while the other 14 were condensed into four additional SRBA claims.

Location	Use began	Total units	D/1 Decree	Need to cover	Fee
S. 26 north	1950	D/5	63-22102	D/4 via SRBA	\$60
S. 26 south	1964	D/3	63-22099	D/2 via APPL	\$50
S. 19	1948	D/6	63-23850	D/5 via SRBA	\$61
S. 17	1958	D/3	63-23851	D/2 via SRBA	\$56
S. 23	1948	D/4	63-23845	D/3 via SRBA	\$58

63-12585

Total fees paid in Receipt C048986	\$800
Apply to \$ SRBA Claims	\$235
Retain for Application for Permit	\$ 50
Issue Refund	\$515

MICROFILMED
SEP 13 2000

✓ Copies of this memo appear with the four new SRBA claims. A copy is forwarded to S.O. for the refund.

This SECURED
Form is
for file
REFERENCE -
SEE 6/24/00
memo.

JL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____
RECEIVED
WATER RESOURCES
WESTERN REGION

MAY 1 - 2000

Department of Water Resources

1. Name of Applicant Boise Project Board of Control Phone 208-344-1141
Post Office address 2465 Overland Rd., Boise, ID 83705
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is 1/4 of NW 1/4 of SE 1/4, Govt. Lot
Sec. 26 Township 3N Range 2E B.M. Ada County; additional points of
diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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) _____
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 if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality _____
 - d. Domestic; show number of households. One (1)
 - e. Other; describe fully. _____

MICROFILMED

2nd original now included SEP 1, 2000 amended version
of 6/20/00 (RE: 63-12585)

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2E	26														D			

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Boise Project Board of Control

b. Who owns the land to be irrigated or place of use? Boise Project Board of Control

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Ken Hanley
(Applicant)

MICROFILMED
SEP 13 2000

Received by J. Massi Date 5-1-00 Time _____ Preliminary check by _____
Fee \$ 58.00 Receipted by J. Massi # 0048986 Date 5-1-00
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Boise Project Board of Control
Mailing Address 2465 Overland Rd.
Boise ID 83705
Application No. 63-12585
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature Ken Henley
Date 6/20/2000

Please return this form to:

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

MICROFILMED

SEP 13 2000

SRBA PARTIAL DECREE 63-22099

Issued on 03-31-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	BOISE PROJECT BOARD OF CONTROL 2465 OVERLAND RD BOISE, ID 83705		
SOURCE:	GROUNDWATER		
QUANTITY:	0.04 CFS THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED GALLONS PER DAY.		
PRIORITY DATE:	01/01/1964		
POINT OF DIVERSION:	T03N R02E S26	NWSE	Within Ada County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Domestic	PERIOD OF USE 01-01 TO 12-31	QUANTI 0.04
PLACE OF USE:	Domestic T03N R02E S26	NWSE	Within Ada Co

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS N
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIC
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Return to SRBA Home Page

*this is the well south of canal; now filed
for add'l. lookups same well.*

MICROFILMED

SEP 13 2000

63-12585



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 28, 2000

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JULY 24, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 13 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

SEP 13 2000

63-12585

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND RD
BOISE, ID 83705

Source: GROUNDWATER

Diversion Pt: NWSE Sec 26 T 03N R 02E in ADA County.

Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)

Date Filed: 5/ 1/2000

In: ADA County
T03N R02E S26 NWSE

Applicant agrees to mitigate consumptive use in the future as needed for an existing well, home, shop and landscaping.

MICROFILMED

SEP 13 2000

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JULY 24, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 7/ 6/2000 & 7/13/2000

MICROFILMED

SEP 13 2000