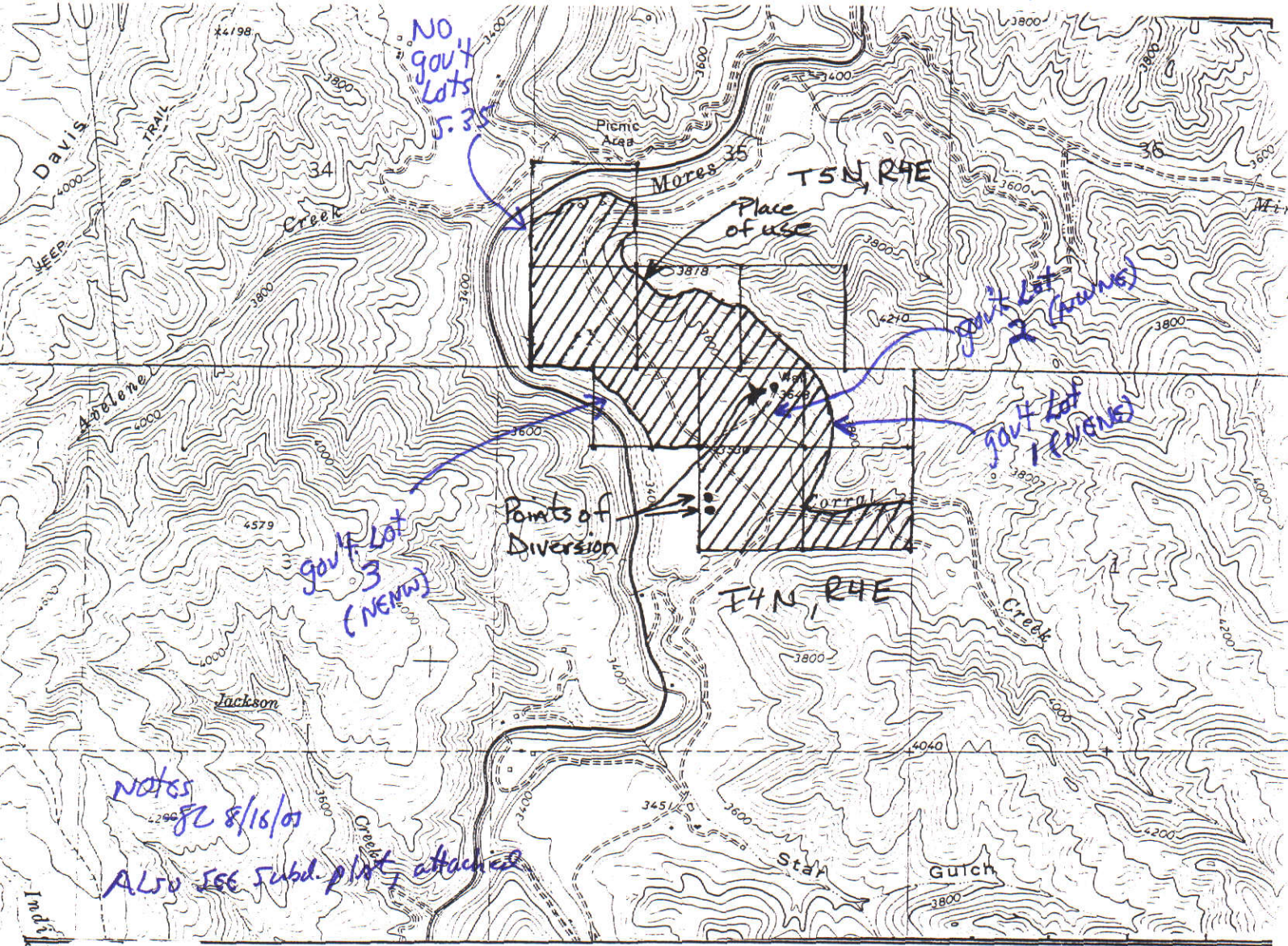


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 3rd day of July, 2001.

Osprey Land Company
By [Signature] President
Chapman Ranch LLC
By Barry Marcus, Managing Member

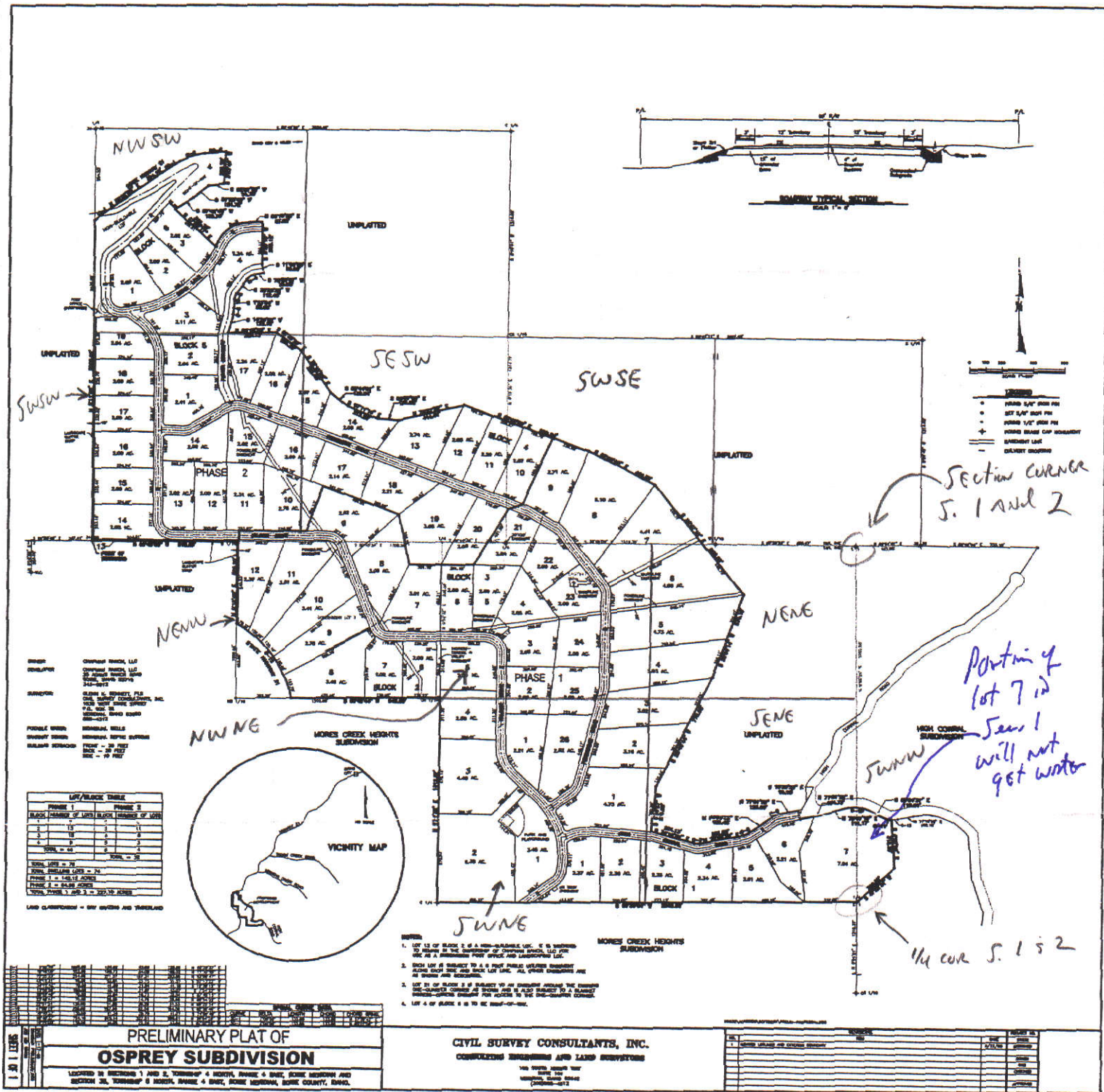
ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by [Signature] Publication prepared by _____ Date _____
Published in Idaho World Publication dates 9-5-12-01

I, _____, of the Department of Water Resources hereby

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

MICROFILMED
JAN 09 2002



1/4 1/4 LINES per survey info

-82 9/14/07

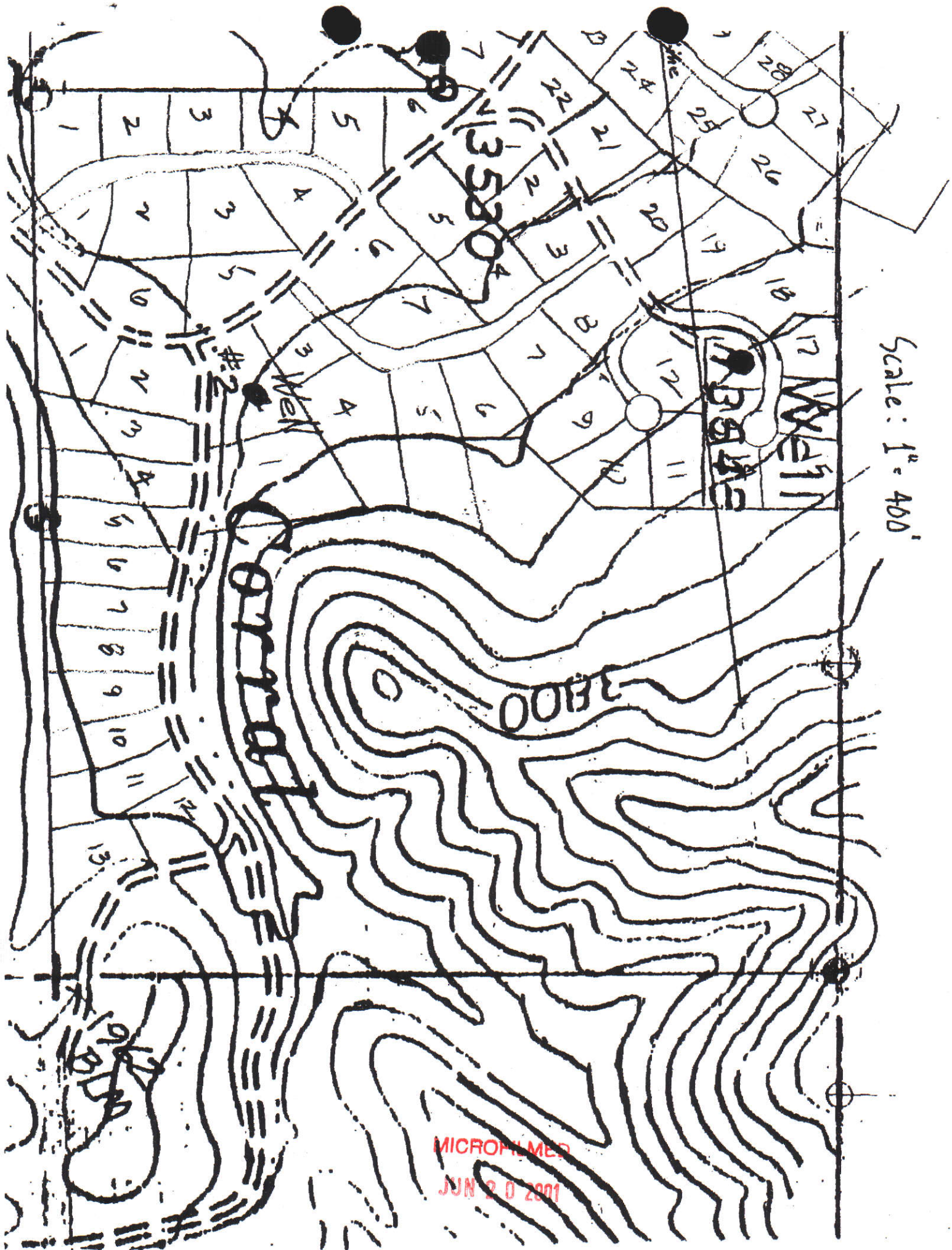
MICROFILMED

JAN 09 2002

Received 9/6/01 w/
consultant's 9/4/01 letter.

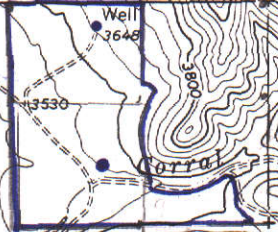
63-12537
Amendment

Scale: 1" = 400'



MICROFILMED
JUN 20 2001

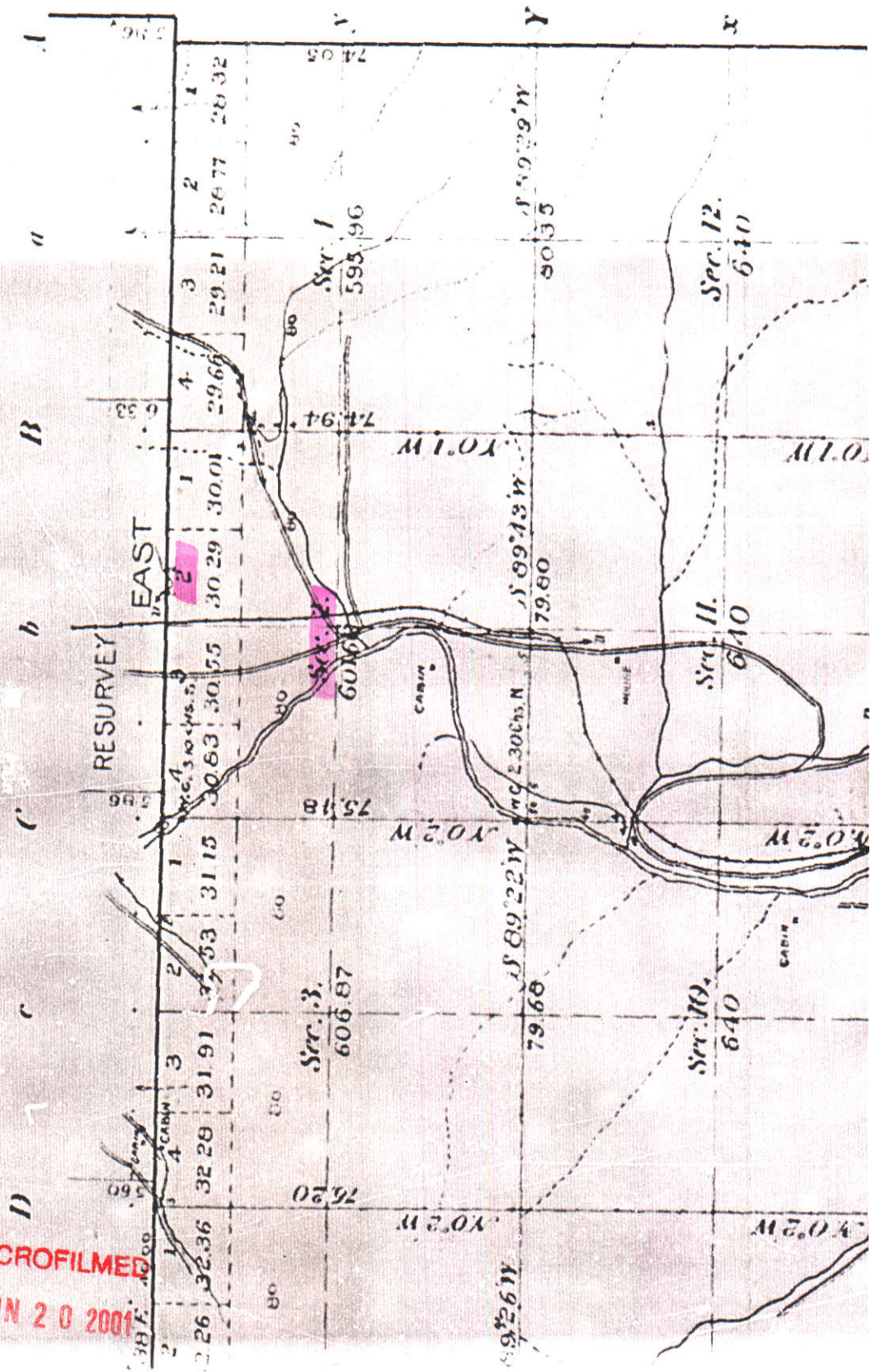
T4N R4E
Sec 2
P/D: NWNE 1/2
SWNE



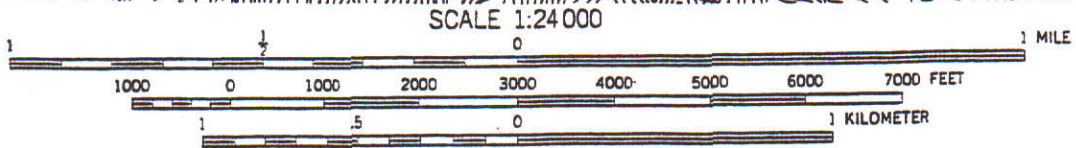
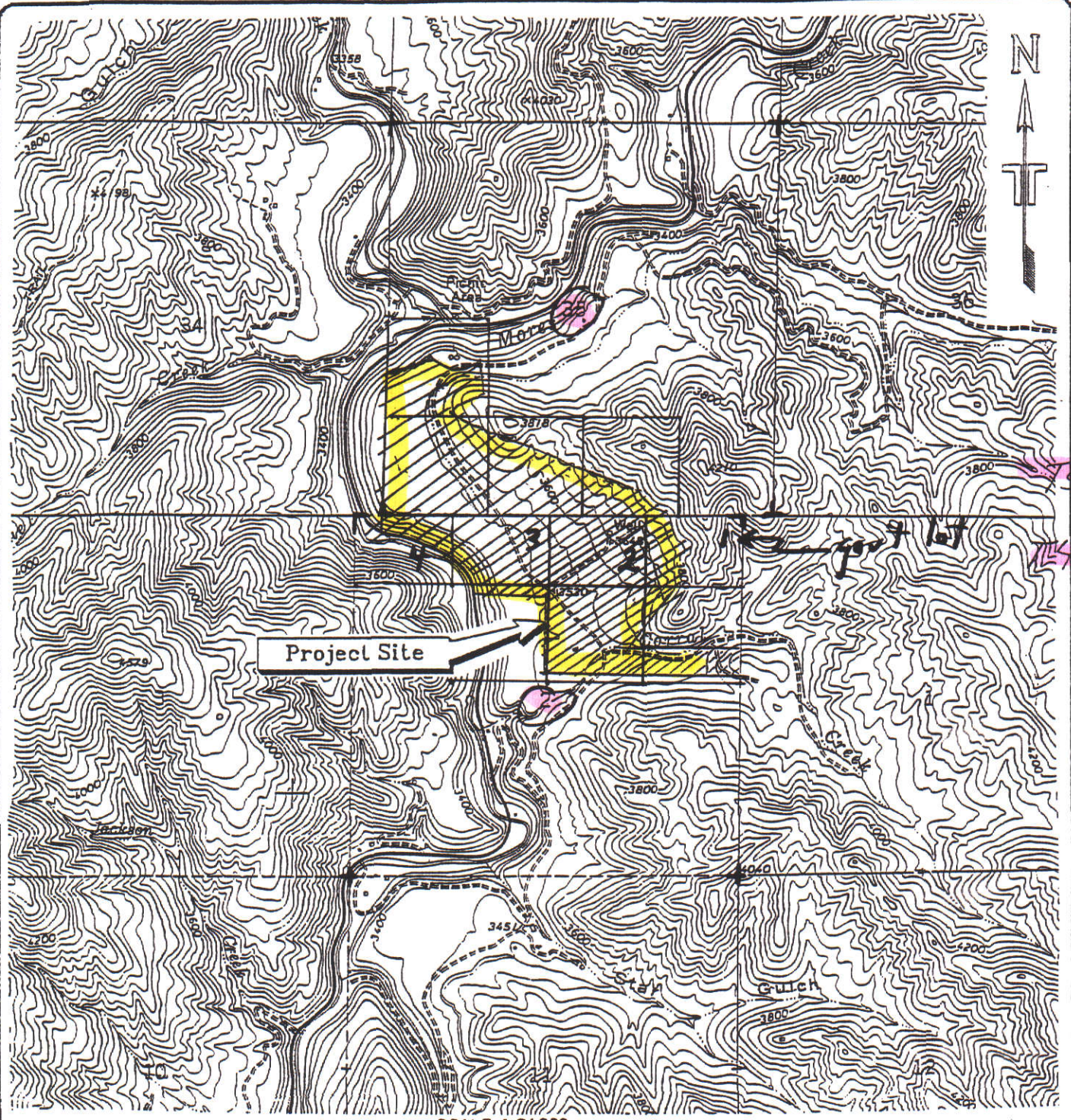
4 East of the Boise Meridian, Idaho

MICROFILMED
JUN 20 2001

Meanders of
Boise Course



Copy Table D 5.2 + 35



CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL

R4E

MICROFILMED

JUN 20 2001

FIGURE 1 - VICINITY MAP

Property Near Corral Creek East of Highway 21, Boise County, Idaho

JOB # 62997016

DATE: July 1999

DWG: fig1.doc

Terracon

OWNER: CHAPMAN RANCH, LLC
DEVELOPER: CHAPMAN RANCH, LLC
SURVEYOR: GLENN K. BARNETT, PLS.
POTABLE WATER: INDIVIDUAL WELLS
SEWAGE: INDIVIDUAL SEPTIC SYSTEMS
BUILDING SETBACKS: FRONT - 30 FEET, BACK - 20 FEET, SIDE - 10 FEET

LOT/BLOCK TABLE

PHASE 1		PHASE 2	
BLOCK	NUMBER OF LOTS	BLOCK	NUMBER OF LOTS
1	7	2	6
2	13	3	11
3	9	4	3
4	9	5	3
TOTAL	44	TOTAL	32

TOTAL LOTS = 77
 TOTAL UNPAID LOTS = 74
 PHASE 1 = 142.12 ACRES
 PHASE 2 = 84.88 ACRES
 TOTAL PHASE 1 AND 2 = 227.00 ACRES

LAND CLASSIFICATION: DRY GRASSLAND AND TIMBERLAND

NOTES:

- LOT 13 OF BLOCK 3 IS A NON-BUILDABLE LOT. IT IS INTENDED TO REMAIN IN THE OWNERSHIP OF CHAPMAN RANCH, LLC FOR USE AS A SUBDIVISION POST OFFICE AND LANDSCAPING LOT.
- EACH LOT IS SUBJECT TO A 6 FOOT PUBLIC UTILITIES EASEMENT ALONG EACH SIDE AND BACK LOT LINE. ALL OTHER EASEMENTS ARE AS SHOWN AND DESCRIBED.
- LOT 21 OF BLOCK 3 IS SUBJECT TO AN EASEMENT AROUND THE EXISTING ONE-QUARTER CORNER AS SHOWN AND IS ALSO SUBJECT TO A BLANKET EASEMENT—CONVEYED FOR ACCESS TO THE ONE-QUARTER CORNER.
- LOT 4 OF BLOCK 6 IS TO BE RIGHT-OF-WAY.

**PRELIMINARY PLAT OF
OSPREY SUBDIVISION**

LOCATED IN SECTIONS 1 AND 2, TOWNSHIP 4 NORTH, RANGE 4 EAST, BOISE MERIDIAN AND SECTION 35, TOWNSHIP 8 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO.

CIVIL SURVEY CONSULTANTS, INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 P.O. BOX 39
 1530 W. STATE STREET
 MERIDIAN, IDAHO 83680
 (208) 686-4312

REVISIONS

NO.	REVISION	DATE	PROJECT NO.
1	REVISED LINES AND EXISTING BOUNDARY	8/11/08	00000

CURRENT PRELIMINARY PLAT

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 63-12537

Priority: July 7, 1999

Maximum Diversion Rate: 0.93 CFS

This is to certify, that CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716

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

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.93 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW 1/4 NE 1/4	Sec. 2, Twp 04N, Rge 04E, B.M.	BOISE County
GROUND WATER	L2 NW 1/4 NE 1/4	Sec. 2, Twp 04N, Rge 04E, B.M.	BOISE County
GROUND WATER	SW 1/4 NE 1/4	Sec. 2, Twp 04N, Rge 04E, B.M.	BOISE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
04N	04E	2	X	X	X	X	X												
05N	04E	35	L1	L2			L3					X	X	X		X			

CONDITIONS OF APPROVAL

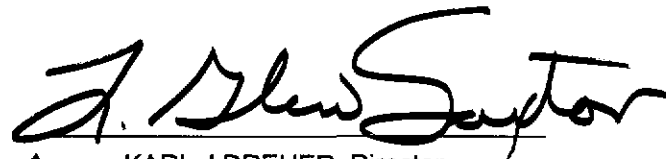
1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2006.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Project construction shall commence within one year from the date 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.
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. Water bearing zone to be appropriated is 100 to 400 feet.
7. Domestic use is for 60 homes and does not include lawn, garden, landscape, or other types of irrigation.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness

the signature of the Director, affixed at Boise, this 5th day of December,

2001.

MICROFILMED


for **KARL J DREHER, Director**

10/93

NOV 29 2001

Receipt No. 054687
Received By [Signature]
Date 7-9-01

RECEIVED
JUL - 6 2001
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED \$50

JUL - 6 2001
Department of Water Resources

Applicant Chapman Ranch LLC Phone 208-343-9912Address 25 Adams Ranch Road, Boise, ID 83716

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-12537, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: X Change point of diversion X Add point of diversion
X Change place of use Change nature of use Change period of use Other

1. Point of diversion: 1/4 NW 1/4 NE 1/4, Section 2, Township 4N, Range 4E, B.M.,
County of Boise Other points of diversion 2 points in the SW 1/4 NE 1/2, Section 2

gov't Lot 2

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

Amount 0.93 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4E	2	D ¹	D ²	D	D	D ³												
5N	4E	35										D	D	D			D		
			gov't Lot #																

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? applicant
b. Who owns the land to be irrigated at the place of use? applicant/homeowners - no irrigation
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

MICROFILMED

NOV 8 2002

Remarks - Application for Amendment of Permit No. 63-12537

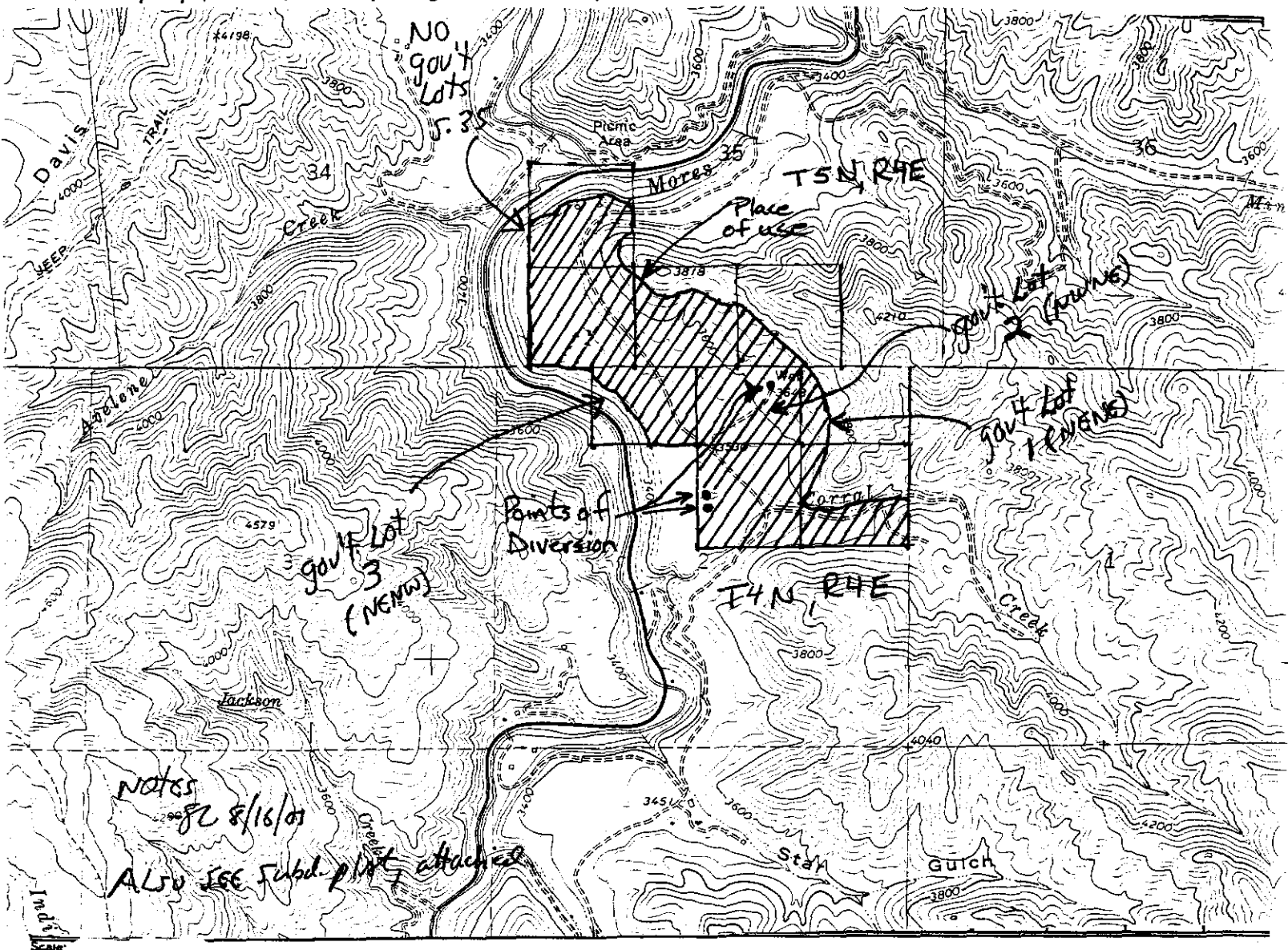
This application proposes amending the permit to (1) add a third point of diversion, (2) adjust location description of the first two points of diversion, and (3) correctly show the place of use. Proposed use (domestic use for 60 homes within Osprey Subdivision) is unchanged.

MICRO. 4.11.11

11/11/11

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 3rd day of July, 2001.

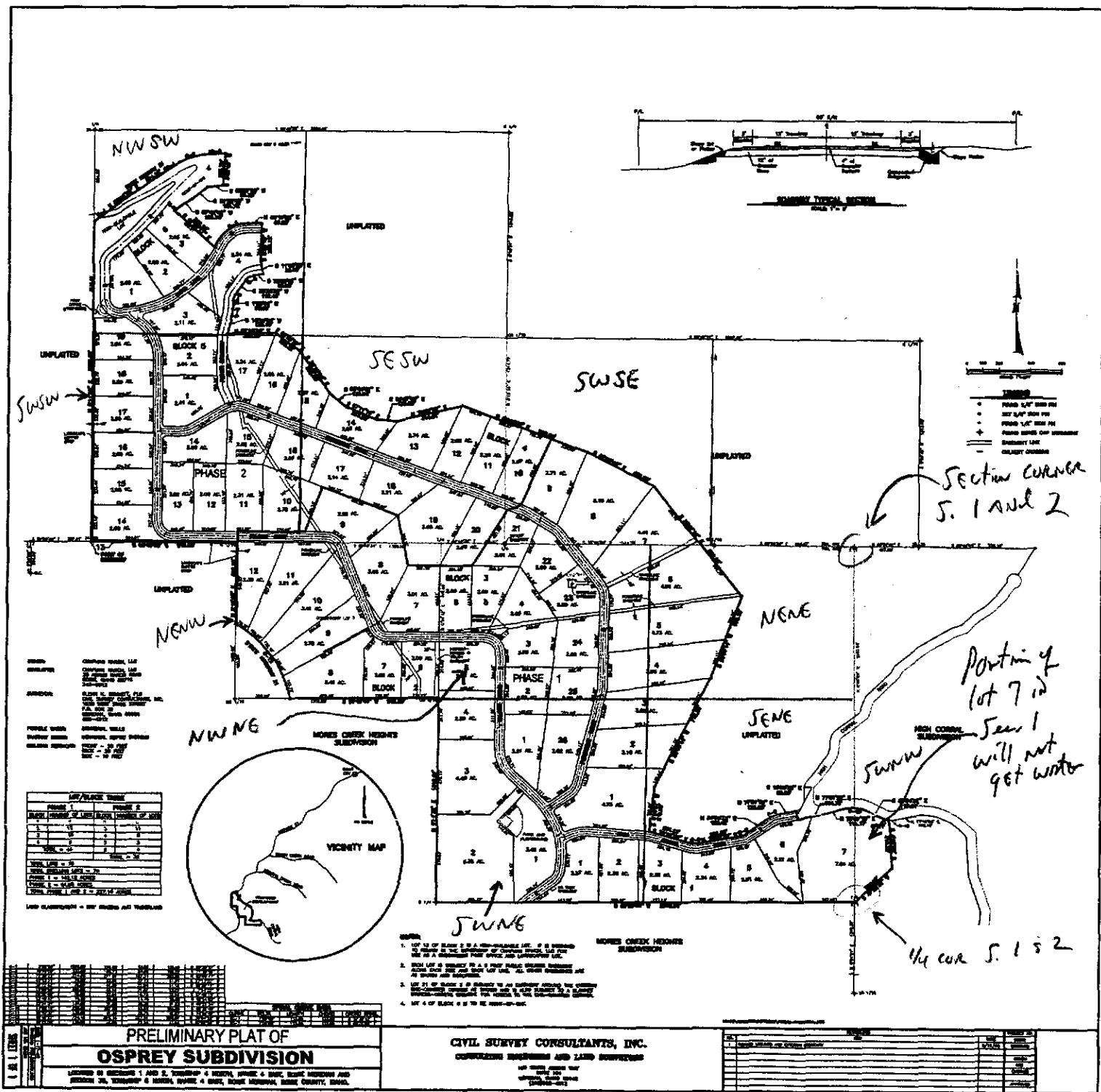
Osprey Land company
By [Signature] President
Chapman Ranch LLC
By Barry Marcher Managing Member

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by [Signature] Publication prepared by _____ Date _____
Published in Idaho World Publication dates 9-5-12-01

I, _____, of the Department of Water Resources hereby

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



1/4 1/4 Lines per survey info - 82 9/14/07

MICRONFILM

MAP 3 & 4

Received 9/6/01 w/
consultant's 9/4/01 letter.

63-12537
AMENDMENT

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12537

Priority: 07/07/1999

Maximum Diversion Rate: 0.93 CFS

This is to certify, that CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.93 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE 1/4 SW 1/4 NE 1/4	Sec. 2, Twp 04N, Rge 04E, B.M.	BOISE County
GROUND WATER	L2 NE 1/4 NW 1/4 NE 1/4	Sec. 2, Twp 04N, Rge 04E, B.M.	BOISE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04E 2		X	X	X													
		L2															

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before June 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. Domestic use is for 60 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. Water bearing zone to be appropriated is 100 to 400 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 15th day of June, 2001.

MICROFILMED

[Signature]
KARL J DREHER, Director

Ident. No. 63-12537

RECEIVED

JUN 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

JUL 07 1999

WATER RESOURCES
WESTERN REGION

Department of Water Resources

% Sandy Sims

861-3262 mob
343-9912 hm

1. Name of Applicant Chapman Ranch, LLC* Phone 343-9912 hm
Post Office address 25 Adams Ranch Road, Boise, ID 83716
2. Source of water supply Well which is a tributary of N/A
3. Location of point of diversion is NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot
Sec. 2 Township 4N Range 4E B.M. Boise County; additional points of
diversion if any: Well #2 - SE1/4 SW1/4 NE 1/4, Sec. 2, T.4N R.4E. B.M.
4. Water will be used for the following purposes:
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount .93 cfs 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)
5. Total quantity to be appropriated is (a) .93 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 wells, pumps and pipelines
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 10 inches; proposed depth of well is 400 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 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 if KW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households. 60 households each having 1/2 acre yards
e. Other; describe fully.

* Members of LLC: Horace Chapman, Sandy Sims, Craig Marcus and Barry Marcus

**The existing well was drilled in the 1950's. There is no well log. The second well will be drilled. The application for reconstruction of the existing well and use of both wells as a public water system is being filed with the Idaho DEQ.

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	
4N	4E	2	D	D	D	D													

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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: The 2 wells will supply 60 homes with 1/2 acre yards per home. The water bearing zone to be appropriated is from 100 TO 400 feet. See attached Dunnigan Creek quadrangle map and contour map showing lots.

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

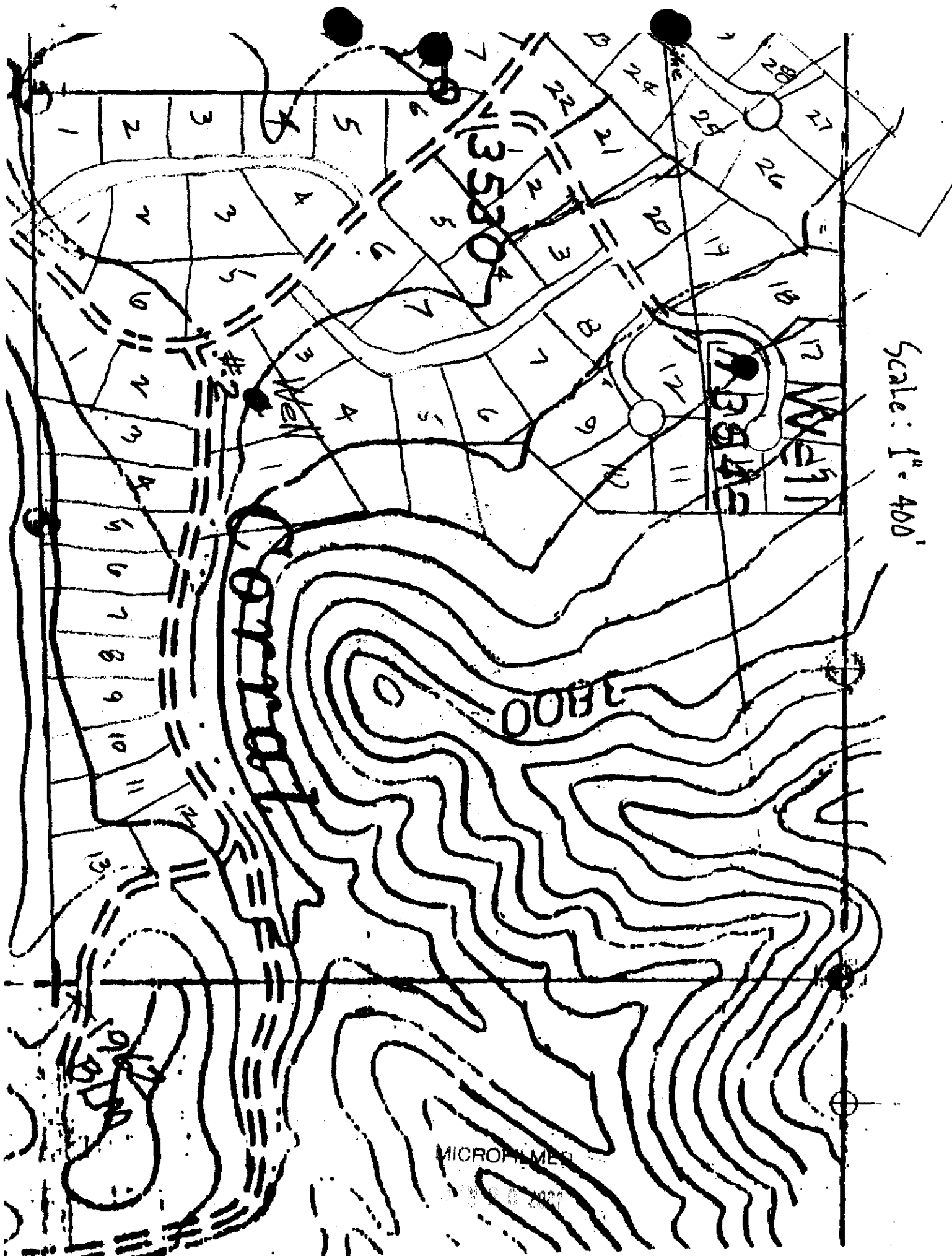
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

CHAPMAN RANCH, LLC

BY Barry Marcus
Managing Member (Applicant)

MICROFILMED

Received by g Date 7/7/99 Time 2 PM Preliminary check by g
Fee \$ 100 Receipted by g # W025426 Date 7/7/99
Publication prepared by g Date 8-18-99 Published in Idaho World
Publication approved: g Date 9-9-99



Comments: Date: 7/29/1999 User-ID: LGRAVES

Subject: REVIEW

Sandy Sims filed a plat map with the application, however the lots penciled in the upper west side overlapped into the NW qtr. Per Sandy's office visit 7/29/99, all the lots are located in the NE qtr. They had penciled the lots in too large, however the general design of the development is apparent and coincides with the topography of the area.

The well in the NWNE is existing and the well in the SWNE is proposed.

Applicant's letter dated 7/19/99 agrees to future mitigation. Please note that the location of the proposed well is very close to Corral Creek, which is tributary to the Boise River.

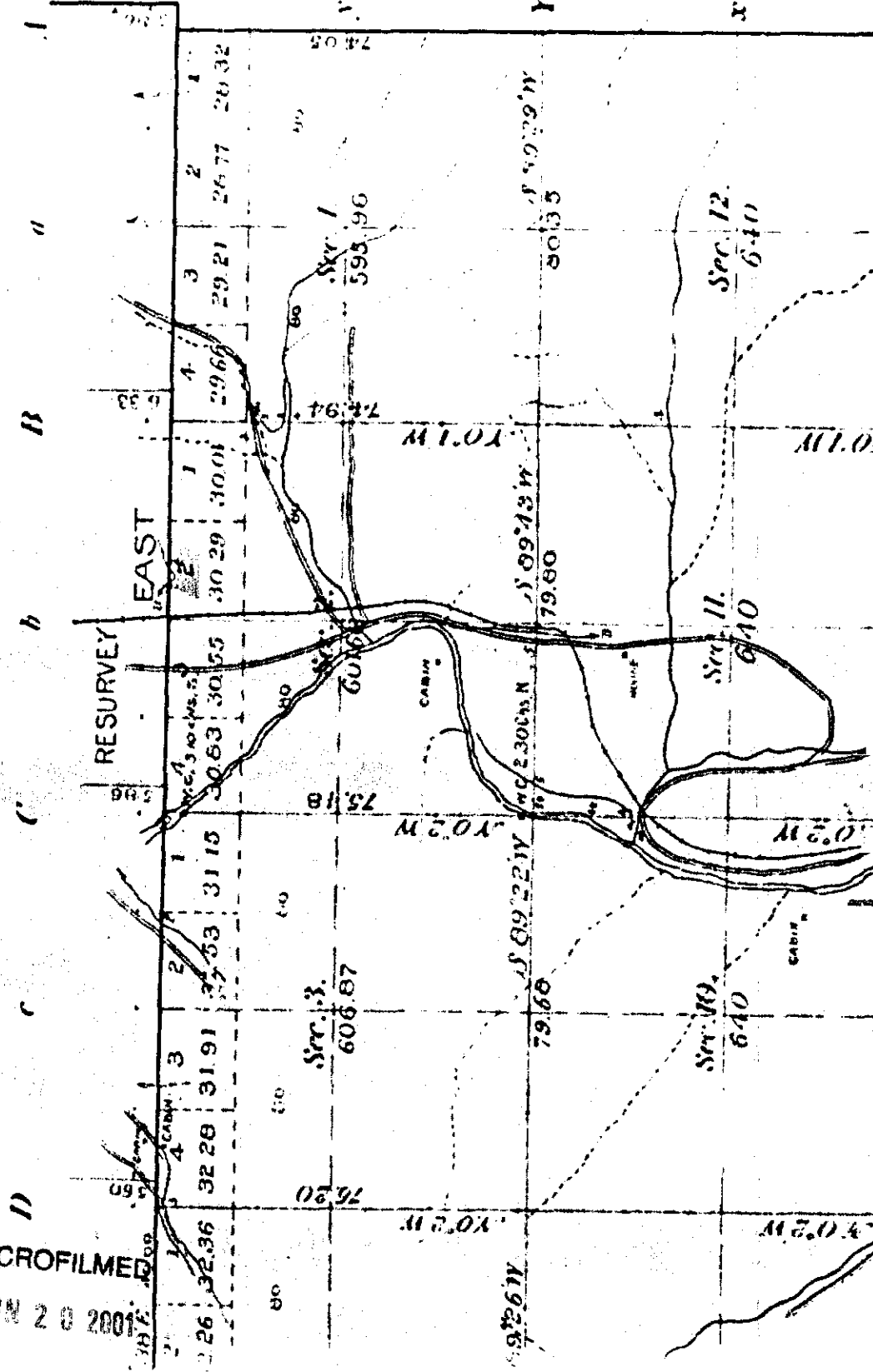
MICROFILMED

SEP 24 2009

A topographic map showing a hill with a well and a road. The well is located at an elevation of 7648 feet. The road is shown with a dashed line and a solid line. The hill has a peak elevation of 1008 feet. The map also shows a contour line at 10530 feet.

4 East of the Boise Meridian, Idaho

MICROFILMED
JUN 20 2001



Meanders of
Boise River



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

December 6, 2001

CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716

RE: Permit 63-12537

Dear Permit Holder(s):

The Department of Water Resources (IDWR) has issued the enclosed Amendment of Permit approving your application to amend the water right referenced above. Please be sure to review every element of the Amendment of Permit, including the conditions of approval and remarks.

The Amendment of 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.**

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 at <http://www.idwr.state.id.us> to obtain the proper reporting form.

If you have any questions regarding this matter, you may call me at 208-327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosures

MICROFILMED

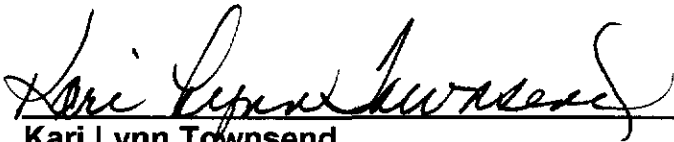
JAN 08 2002

CERTIFICATE OF MAILING

I hereby certify that on December 6, 2001 I mailed a true and correct copy, postage prepaid, of the forgoing **PRELIMINARY ORDER (Amendment of Permit)** to the person(s) listed below:

RE: AMENDMENT OF PERMIT 63-12537

**CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716**



**Kari Lynn Townsend
Secretary**

NOTED
JAN 3 11 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
JUN 8 1997

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.

MICHAEL
JUL 21 2002

AMENDMENT OF PERMIT REVIEW

Review Date 12/4/01

PERMIT NO. 63-12537 NAME Chapman Ranch

TYPE: A = AMENDED E = CHANGE N/U I = CHANGE P/D & P/U
B = CHANGE P/D F = CHANGE Per/U J = ADD P/D & CHANGE P/U
C = ADD P/D G = OTHER
D = CHANGE P/U H = CHANGE P/D & + P/D

AREA OF CONCERN: TV&W study area
____ Mor ____ GWMA Trust/Non-trust

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

GROUNDWATER:

Drilling Permit No. ____-____-____-____;
Drilled ____

Swan Falls Flag ____

Conditions of Approval: 046, CIM, 26A

Remarks/Comments WB zone 100-400 ft. D/60 (WBS)

IDWR WESTERN REGION
AMENDMENT OF PERMIT ANALYSIS SHEET

I.D. # 69345

RECEIVED

NOV 29 2001

Permit No. 63-12537 Applicant Chapman Ranch LLC
Reviewed by JL Data entry by JL Date 8/15/01
Legal Notice: Word filename Chapman
OR Use Workflow ad _____
Purpose of Amendment _____ Change P/D ☒ Add P/D _____ Increase Amount _____
☒ Change P/U _____ Other: _____

CHECK:

- ☒ Description of amended elements. *• gov't lot plat - see permit map*
- ☒ Ownership of P/D and P/U and arrangement for access if not owned by applicant. *• updated subdiv. plat requested 8/16/01, received 9/6/01*
- ☒ Map ☒ \$50 Fee.
- ☒ Signature, must be permit holder. Include title if applicant is an organization, partnership etc.
- ☒ Existing water rights from the same source for amended P/D or P/U?

Right No(s). NONE - no g.w. overlap except possible p/i wells.

yes Should amendment be advertised?

no Should date of priority be delayed? If yes, to what date? _____

yes Send comment Letters? Check any of the following to indicate "yes":

_____ IDFG for surface water _____ Water District No. _____

_____ Water Planning Bureau for protected river or minimum flow reach - reviewer should forward copy of application instead of sending a letter.

☒ Other, ~~see attached mailing list~~ = DEQ

N/A Additional analysis information attached. Date of the information is _____

- P/U boundary expanded but # homes & amount of water not changed
- Wants 2 wells SUNE & 1 well NUNE S. 2.
- Appears 1 well drilled so far for this WR per WO survey. Log shows w.b. zone 190'-260' (perforations) consistent with permit approval.
- Original permit appl. was not protested so only comment letter is to DEQ.
- Pending transfer for surface water irrigation 63-5332 for this subdivision.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received

☒ Published correctly? ☐ Re-publication required if published incorrectly?

N/A Protests processed.

N/A Watermaster comments received on date: _____

NONE Other comment letters received?

Recommendation and Conditions of Approval: ☒ APPROVE ☐ DENY

Keep existing conditions

By FL Lantz

Date 11/20/01

Copy for Region file after final recommendations are complete. Always include application, legal notice, staff analysis sheet, ~~and analysis memo (if applicable). List other items to copy:~~

but not attachments w/ staff analysis sheet

Lester, Steve

From: TMSCANLAN@aol.com
Sent: Friday, September 28, 2001 11:52 AM
To: slester@idwr.state.id.us
Subject: 63-12537 Permit Amendment

Steve -

I contacted Sandy Sims (Chapman Ranch LLC) regarding your question on Lot 7 of Block 1 Osprey Subdivision. The lot laps over into Section 1, but the amendment does not show place of use in Section 1. Sandy indicated that they are not going to be providing water to Lot 7. The lot is located at a higher elevation than the other lots, and can be more easily served by a single family domestic well. Therefore, no water will be supplied to Section 1 under 63-12537.

Terry

*NO use in Section 1 (includes part
of subdiv. lot 7) so p/u or amendment
appl. is ok
-JL*

MICROFILMED

SEP 28 2001

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

SEP 19 2001

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Sept 5, 2001 and ending with the issue of Sept 12, 2001.

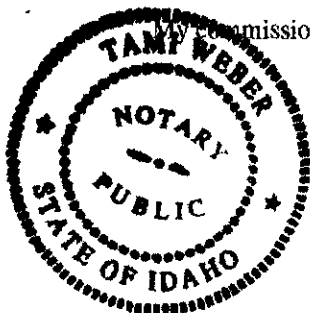
Deanna Stevenson

State of Idaho)
County of Boise)

On this 17 day of Sept in the year 2001, before me, a notary public, personally appeared Deanna Stevenson 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.

Tami Weber
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



NOTICE OF APPLICATION FOR AMENDMENT OF WATER RIGHT

CHAPMAN RANCH, LLC of 25 Adams Ranch Rd., Boise ID 83716 has applied to the Department of Water Resources to change the Point of Diversion and Place of Use pursuant to I.C. § 42-211 for the following water right in Boise County:

Permit #63-12537, ground water, priority 7-7-1999, 0.93 cfs diverted from 2 wells in Lot 2 (NWNE) and SWNE S2, T4N, R4E. Used for domestic purposes for 60 homes in Osprey Subdivision in NE ¼ S2. Irrigation use is not included for the homes. Water bearing zone appropriated by this permit is from 100 to 400 feet.

PROPOSED AMENDMENT

Add another well in SWNE S2 to provide 3 wells for the development. Change the place of use to include more land in the north part of S2 plus adjacent land in the south part of S35, T5N R4E. The 60 homes will be near Corral and Mores Creeks east of Hwy. 21. The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5062, together with a protest fee of \$25 for each application on or before September 24, 2001. The protestant must also send a copy of the protest to the applicant.
Kari J. Dreher, Director

Published in The Idaho World Sep-
tember 5 and 12, 2001

MICROFILMED

JAN 03 2002

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

SEP 06 2001

WATER RESOURCES
WESTERN REGION

September 4, 2001

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Amendment of Permit No 63-12537 (Chapman Ranch, LLC)

Dear Steve:

Enclosed is a copy of the current subdivision plat requested by your letter to Barry Marcus of August 16, 2001. Please contact me with any questions.

Sincerely,



Terry M. Scanlan

Enclosure

Cc: Barry Marcus

9/25/01 Terry will check portion of 1 lot in Twn 5 S. 1...
probably not active part of system proposed so
most likely will not have to re-advertise.
See attached plat. -JZ

MICHAEL L. L...
2/28/01

ok per
2/28/01 email
✓



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

September 5, 2001

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

Re: Application for Amendment of Permit No. 63-12537 Chapman Ranch, LLC
Application for Permit No. 63-31281 – City of Meridian
Application for Permit No. 63-31283 – City of Caldwell
Application for Permit No. 65-22622 – Horseshu Vue Ranch Water & Road

Dear Sir:

Enclosed are copies of the above-referenced applications that may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of these application(s), your written protest along with the \$25.00 protest fee must be received in this office by September 24, 2001.

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

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 16, 2001

CHAPMAN RANCH LLC
C/O BARRY MARCUS
737 N 7TH ST
BOISE ID 83702

Re: Application for Amendment of Permit No. 63-12537

Dear Mr. Marcus:

The above referenced application is being processed as requested by your letter of August 9, 2001. The legal notice will be posted in the *Idaho World* (Boise County) during the first two weeks of September. The protest deadline will be September 24, 2001.

Please provide a current subdivision plat reflecting the proposed place of use in Sections 2 and 35. An 8.5 by 11 inch plat is preferred if available. The plat should be submitted within thirty (30) days of the date of this letter to facilitate timely processing of the amendment. Thank you for your attention to this item.

Please contact me at 334-2190 if you need anything for the amendment process.

Sincerely,

Steve Lester
Water Rights Supervisor

MICHO...

SEP 12 2001

August 9, 2001
737 N. 7th Street
Boise, ID 83702

Steve Lester 
Water Right Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
AUG 10 2001
WATER RESOURCES
WESTERN REGION

Re: Application for Permit Amendment 63-12537
Chapman Ranch, LLC

Dear Mr. Lester:

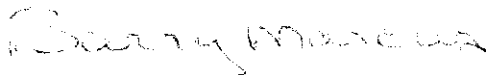
Chapman Ranch, LLC, filed an application for amendment of Permit 63-12537 in early July of this year. We understand from your subsequent conversations with our consultant, Terry Scanlan, that processing of applications is currently being delayed until fall unless there is a compelling reason.

We realize that your staff is busy with field season and drought issues. However, we would like to proceed with construction of wells for our project as soon as possible. We have lot owners who are waiting for the water system to be constructed so that they can begin building homes. Processing and approval of the permit amendment is necessary for DEQ approval and subsequent construction of the public water system. Therefore, we respectfully request that you proceed with processing as soon as possible.

Thank you for your assistance with this matter.

Sincerely,

CHAPMAN RANCH, LLC



Barry Marcus
Managing Member

MAIL

11/10/01

August 29, 2001

Legal Notice Department

Idaho World
PO Box 99
Garden Valley ID 83622

RE: Application to Amend Permit No. 63-12537

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 09/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

12/10/01

12/10/01

NOTICE OF APPLICATION FOR AMENDMENT OF WATER RIGHT

CHAPMAN RANCH LLC of 25 Adams Ranch Rd., Boise ID 83716 has applied to the Department of Water Resources to change the Point of Diversion and Place of Use pursuant to I.C. § 42-211 for the following water right in Boise County:

Permit #63-12537, ground water, priority 7-7-1999, 0.93 cfs diverted from 2 wells in Lot 2 (NWNE) and SWNE S2, T4N R4E. Used for domestic purposes for 60 homes in Osprey Subdivision in NE ¼ S2. Irrigation use is not included for the homes. Water bearing zone appropriated by this permit is from 100 to 400 feet.

PROPOSED AMENDMENT

Add another well in SWNE S2 to provide 3 wells for the development. Change the place of use to include more land in the north part of S2 plus adjacent land in the south part of S35, T5N R4E. The 60 homes will be near Corral and Mores Creeks east of Hwy 21.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before September 24, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published on September 5 and 12, 2001.

filed 8-29-01
AT

RECORDED
SEP 12 2001



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

June 15, 2001

CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716

RE: Permit No. 63-12537

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

JUN 20 2001

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,

for Kari Lynn Townsend
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

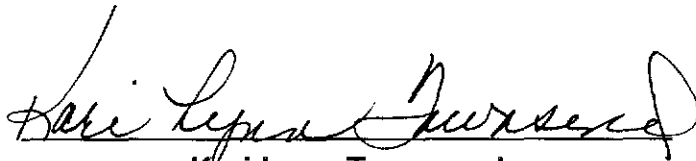
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on June 15, 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. 63-12537

**CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE ID 83716**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 21 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 6/12/01

No. 63-12537 Name: Chapman Ranch Corp. Officers ☒ Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes TV6W Moratorium study area dom/no in. ok GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)

Mitigation - 121

Trust - 051 (nonconsumptive uses) before use was chgd to inhouse only

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
FISH PROP - 029 (70's only)-007-042-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8

BENEFICIAL USE DUE: 6/10/2006

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(P01), 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)

Snake R (01) - W22, N/A

(02,03) - 007 (w/ remark WB9 if above Weiser)

Payette R (65) - W22, 047 (Payette Lake)

Salmon R (70's) - 029 (fish screens)

Weiser R (67) - 086-087

USES:

POWER - 17H or 17K (+uses)-17G (not under FERC)
or 17M (FERC regulated >25 cfs or 500hp)
08A-025-027-01N-106-W13 (if dewatering stream)

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

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

or none allowed - WB5 (60)

Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS

COMMENTS

Water bearing zone 100-400 ft.

Send copy to H+W

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: ly DATE: 7/28/99 APPLICATION: 63-12537

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.) *see bottom of pg 1 of appl*
- ☒ 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
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

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

to do 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: *exempt*
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Bull trout impact area, IDFG letter needed
- ☐ ☒ 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

mitigation + plat map

RECEIVED

JUN 12 2001

Department of Water Resources

Date Requested 7/20/99 Date Response Received 7/21/99

PROCESSING

APP. NO.

63-12537

YES NO

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

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☒ ☐ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 9-7-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 046, 121, In house use only

See below for additional information

Recommended Date or Priority _____

Recommended by: _____

Date: _____

ADDITIONAL INFORMATION:

overlaps: 63-05332 SENE separate source
for irrigation of some
of same acres used
for lawns in SWNE
.93 cfs PROPOSED = .60 cfs for external dom use
.33 cfs for internal dom use
60 homes and lawns (1/2 acre)

Chapman Ranch L.L.C.

737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595
TELEPHONE
(208) 342-2563
TELEFAX
(208) 342-2170

RECEIVED

APR 06 2001

WATER RESOURCES
WESTERN REGION

April 4, 2001

Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Application for Permit No. 63-12537 in the name of Chapman
Ranch, LLC

Dear Gary:

In response to your letter of January 22, 2001 to Sandy Sims, please proceed with processing of the above-referenced permit.

We understand that your request for additional information dated September 13, 1999 was based on concerns related to consumptive use of groundwater from aquifers that might be tributary to fully appropriated surface water streams in the area. The consumptive use would be associated with landscape irrigation. Chapman Ranch, LLC, is willing to have the proposed permit limited to in-home domestic use only in order to eliminate any consumptive groundwater use associated with landscape irrigation. We assume that such a condition will alleviate the Department's concern related to the impact of this application on surface water.

Very truly yours,

CHAPMAN RANCH L.L.C

By Barry Marcus
Barry Marcus, Managing Member

BM:da

MICROFILMED

APR 21 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

January 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SANDY H SIMMS
CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID 83702-5595

Re: Application for Water Right No. 63-12537 in the Name of Chapman Ranch, LLC

Dear Mr. Simms:

On September 13, 1999, I wrote you a letter about application for water right no. 63-12537 filed by Chapman Ranch, LLC. The letter requested additional information regarding the relationship of ground water proposed to be diverted for a subdivision development and nearby surface water streams. In connection with this letter there were several discussions with members of Chapman Ranch, LLC and consultants about the request for information. This office has not received any information following my letter. In addition, we received information that the lands proposed for development by Chapman Ranch, LLC are within a larger development called Osprey Subdivision. We also understand that some development has already occurred in Osprey Subdivision.

This letter is an inquiry regarding your further interest in pursuing application for water right no. 63-12537. If you have no further interest, please complete the enclosed withdrawal form and submit it for this office. If Chapman Ranch, LLC wants to pursue approval of application for water right no. 63-12537, the information requested by my previous letter in September, 1999 should be submitted with thirty (30) days of the date of this letter. Failure to submit the information will result in issuance of an order voiding the application.

Sincerely,


Gary Spackman

GS:st

CC: Chapman Ranch, LLC
25 Adams Ranch Rd
Boise ID 83716

Barry Marcus
737 N 7th St.
Boise ID 83702-5595

MICROFILMED

JUN 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 20, 2000

BOISE COUNTY PLANNING & ZONING
PO BOX BC
IDAHO CITY ID 83631

*faxed 9/20/00
since past 9/14
deadline but before
9/25 hearing*

RE: OSPREY SUBDIVISION FINAL PLAT, CHAPMAN RANCH LLC

Dear PLANNING AND ZONING:

The Idaho Department of Water Resources ("IDWR") offers the following comments on the above referenced project described by your recent letter. It appears that paragraphs noted below pertain to this situation.

X IDWR administers the Stream Protection Act requiring a SCA Permit for any work within the ordinary high water mark of a perennial stream. Such applications must be submitted sixty (60) days before any work is scheduled to start. IDWR is available to review preliminary plans and offer specific comments in this process.

X Any well drilling activity must occur under approved Well Drilling Permits issued by IDWR. Possible delays in approval of drilling permits will depend on water right analysis associated with the proposed drilling.

X A well can be drilled in Idaho for limited uses exempted from water right considerations if the well use will fall within the "domestic exclusion" clause defined by I.C. § 42-111. For example, a well for a single home and yard limited to one-half acre of irrigation can be drilled within the domestic exemption.

X A well protected by a valid water right can also be used for emergency fire protection needs without specific water right coverage that lists fire protection as a use. However, if a well will be drilled solely for fire protection use as needed, a water right must first be secured before IDWR can issue a well drilling permit. Allow at least six (6) weeks to process any water right filing, although applications in some areas may require more time than that.

X Generally, the use of surface and/or ground water for any purpose not already protected by an existing water right or not exempted from water right statutory requirements should first be reviewed by IDWR to determine if any water right action is necessary. Development of any new water delivery system, e.g. a community system, and/or a new use from an existing system generally requires an approved Water Right Permit(s) and/or approved changes to existing water rights to be issued by IDWR before any diversion of water can begin. Allow at least six (6) weeks to process any water right filing, although applications in some areas may require more time than that.

*Generic comment letter but specific notes added
re Osprey Subd. & Chapman Subd.
(63-12537)*

MICROFILMED

JUN 20 2001

X Water storage involving a pond, reservoir, or any other method of impoundment might require an IDWR Dam Safety Permit. This can also involve water right issues. Often, minor storage facilities are not regulated by IDWR dam safety programs, but the issue should be explored prior to construction of any water storage facility.

Highbank equipment may not be operated in the State of Idaho without a valid water right to divert water from the stream. A temporary water right can be requested by submitting an application for temporary approval with a plan of operation. The plan of operation must include details about location (map), holding pond size and location of the pond relative to the stream, return flows to the stream and how the pond will be reclaimed. In some cases a stream channel alteration permit may also be required. Temporary rights are valid for one 1/4-1/4 location during one season of operation. It is not a blanket water right for highbank operations within the entire state. Allow about 30 days to process this temporary water right as other state, federal and local agencies will be contacted for their comments.

X If the property includes any water rights and/or Snake River Basin Adjudication claims, any sale of property must include a valid change in ownership for the rights or portions thereof. The change in ownership must be recorded with IDWR pursuant to Idaho law. "Change in Ownership" forms are available from this office.

X Other information: See attached information
specific to this proposal.

Information regarding any of the above issues can be obtained by contacting this office. Please call 334-2190 to make an appointment at your convenience with the appropriate staff.

Sincerely,

Water Allocation Staff

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JUN 23 2001

**OSPREY SUBDIVISION
BY CHAPMAN RANCH LLC**

SL
IDWR NOTES by Steve Lester, September 20, 2000

1. Osprey Subdivision plan includes 76 lots (74 building lots) in portions of Section 2, T4N, R4E and Section 35, T5N, R4E.
2. Plan states that individual wells will be drilled for homes.
3. In IDWR terminology, such wells are "42-111" exempted domestic wells not requiring recorded water rights. Irrigation from such a well is limited to ½ acre associated with a home. Cannot use such wells to irrigate common areas, sports fields, parks etc.
4. Plan also implies or discusses that a community well(s) system might be built and that other wells (single-family domestic wells?) might be hooked to a community system. A community system would require water right approval by IDWR. Adding single-family wells to a community system would also require water right approval from IDWR.
5. Water right approval of a community well system could allow irrigation of yards (up to ½ acre per home) but not common areas or other non-yard sites.
6. Chapman Ranch LLC filed Application for Permit No. 63-12537 (see attached printout) in July 1999. The application has not been approved. Further IDWR consideration of the application awaits information from the applicant that the proposed ground water development will not adversely impact flows in the downstream surface water system, which is considered fully appropriated by existing water rights.
7. Application 63-12537 proposes two wells for 60 homes and yards in Chapman Ranch Subdivision located in parts of the NE ¼ of Section 2 (only part of the Osprey Subdivision description). If approved, use of that community system would be limited to those homes/yards described by 63-12537.
8. Irrigation from two surface water rights is described in portions of the Osprey Subdivision as follows:
 - Right no. 63-05332 from Corral Creek for 10 acres in SWNE Section 2
 - Right no. 63-05334 from Minneha Creek for 50 acres in W ½ SW ¼ Section 35
 - Use of these rights must occur within limits described by the rights
 - Both rights are in the name of Horace &/or Earl Chapman.

SUMMARY

No ground water rights for a community system have been approved in the site described by Osprey Subdivision plan. An application for a community system covering *all* of the land defined by Osprey Subdivision has not been filed. Two surface water rights for irrigation in portions of Osprey Subdivision are found.

MICROFILMED

SEP 20 2000

BOISE COUNTY PLANNING AND ZONING

P.O. Box BC
Idaho City, Idaho 83631

Phone (208) 392-2293

FAX (208) 392-~~400~~ 2259

RECEIVED

AUG 21 2000

AUGUST 18, 2000

WATER RESOURCES
WESTERN REGION



Steve
Gene W. B. H.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Boise County Board of Commissioners will conduct a public hearing concerning the referenced matter:

RE: OSPREY SUBDIVISION FINAL PLAT

Applicant: CHAPMAN RANCH LLC

Legal Description of Property: Section 2, 35 Township 4N & 5N Range 4E

General Location: BETWEEN MILE POST 27 & 28 OFF OF HIGHWAY 21 UP ON THE RIM

Proposed Use: SINGLE FAMILY RESIDENTIAL

Where: COMMISSIONERS CHAMBERS
420 MAIN STREET
IDAHO CITY, IDAHO 83631

Date: SEPTEMBER 25, 2000

Time: 1:30 P.M.

As required by Boise County Ordinance you are invited to comment concerning this matter. Comments may be made prior to the hearing date in written form. Written comments must be received by SEPTEMBER 14, 2000, in order to be included in the Staff Report. Oral comments will be accepted at the hearing.

Please send all comments to: Boise County Planning & Zoning Department
P.O. Box BC
Idaho City, Id 83631

Should you have any questions please contact this office at the above address or call 392-2293.

Sincerely,

Planning & Zoning Staff
enc.

MICROFILMED

JUN 20 2001

Corey Subd. D 5.2 + 35

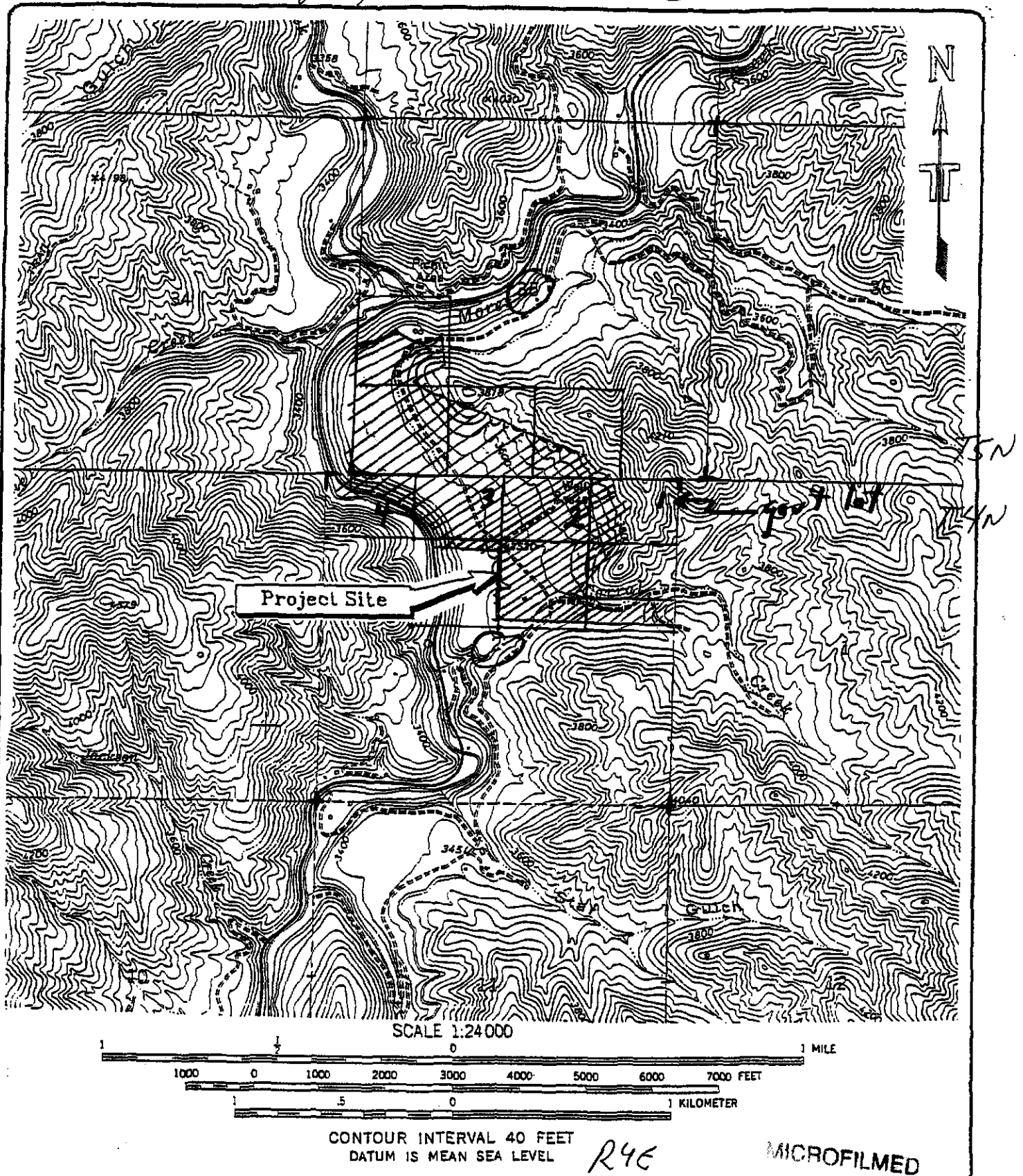


FIGURE 1 - VICINITY MAP

Property Near Corral Creek East of Highway 21, Boise County, Idaho

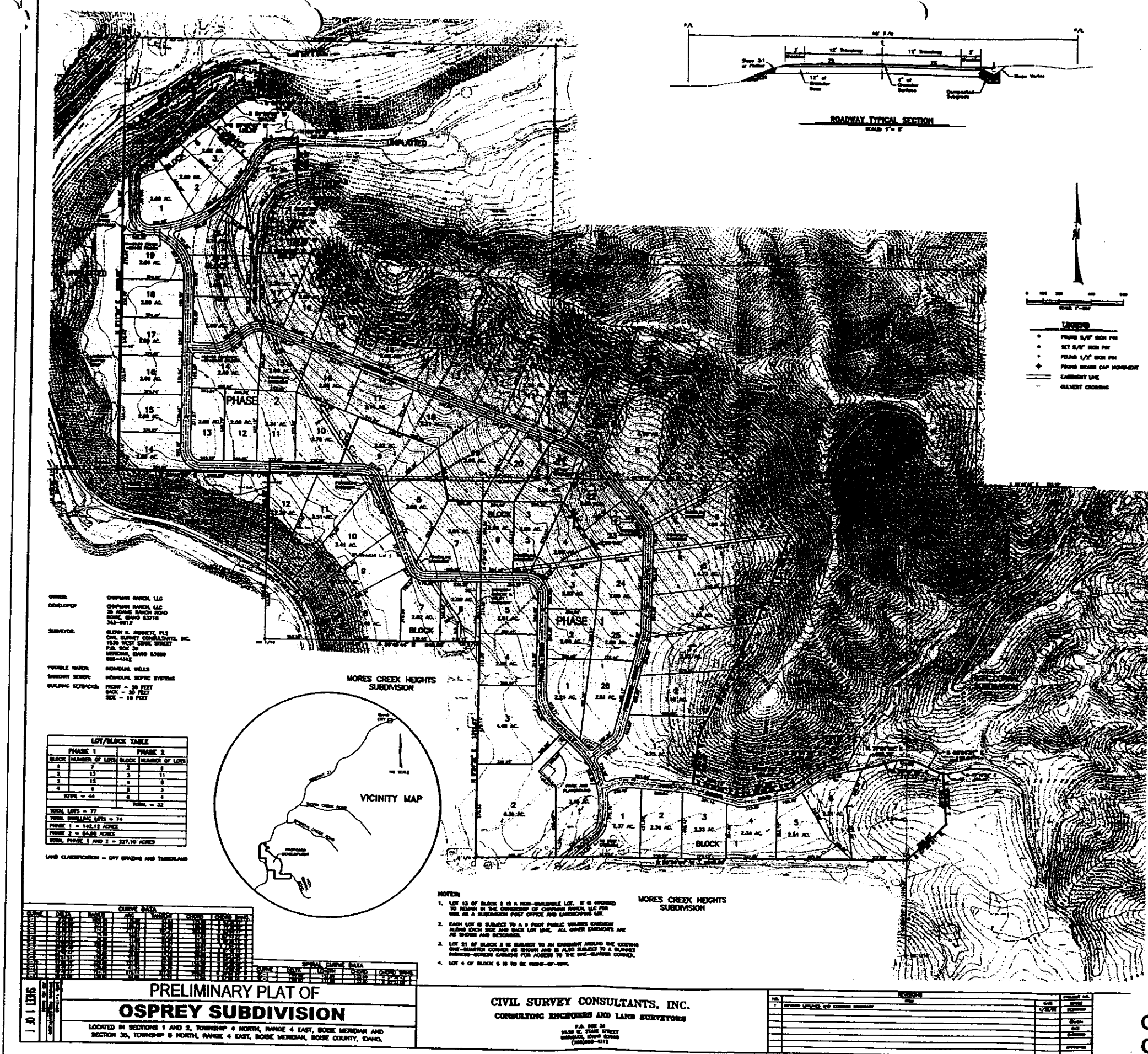
JOB # 62997016

DATE: July 1999

DWG: fig1.doc

Terracon

D:\99032\acadwg\softdesk\prelim-profiles3.dwg Mon Jun 26 13:44:21 2000



CURRENT PRELIMINARY PLAT OSPREY SUBDIVISION



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

September 13, 1999

KARL J. DREHER
DIRECTOR

SANDY H SIMS
CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID 83702-5595

Re: Application for Water Right No. 63-12537

Dear Ms. Sims:

I reviewed application for water right no. 63-12537. It proposes diversion of 0.93 cfs from ground water for domestic purposes. The application proposes to "supply 60 homes with 1/2 acre yards per home." It also states that the water bearing zone for two proposed wells is from 100 to 400 feet in depth.

For approximately 20 years, the Idaho Department of Water Resources (IDWR) has viewed the surface waters of the Boise River above Lucky Peak to be fully appropriated. As a result, IDWR has not approved new applications for consumptive use from surface water. While application for water right no. 63-12537 does not propose direct diversion of surface water, the proximity of proposed wells to Mores Creek and Corral Creek, and the comparative elevations of Mores Creek and the proposed well depths, raise concerns that the ground water sought to be appropriated is connected directly to the flows of Mores Creek and ultimately to waters of the Boise River that are fully appropriated.

Please consider this letter a request for an analysis of the relationship of the ground water sought to be appropriated with the surface water flows in Corral Creek, Mores Creek, and the Boise River in general. I will withhold action on the application until the analysis is submitted to IDWR.

Respectfully,

Gary Spackman

GS:st

CC: Terry Scanlan

BCC Steve Jester

MICROFILMED

SEP 20 1999

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

SEP 08 1999

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Aug 18, 1999 and ending with the issue of Aug 25, 1999.

Deanna Stevenson

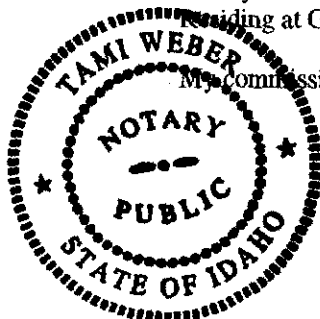
State of Idaho)
County of Boise)

On this 7 day of Sept in the year 1999, before me, a notary public, personally appeared Deanna Stevenson 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.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12537
CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE, ID 83716

Source: GROUNDWATER

Diversion Pt: LOT 2 (NENWNE) Sec 2 T 04N R 04E in BOISE County.
SESWNE Sec 2 T 04N R 04E in BOISE County.

Use: DOMESTIC (0.930 CFS)
Total Diversion: (0.930 CFS)

Date Filed: 7/7/1999

In: BOISE County
T04N R04E S02 Lot 2 (NWNE) SWNE SENE

An existing and a proposed well will supply 60 homes and yards in Chapman Ranch Subdivision. Water bearing zone to be appropriated is from 100 to 400 feet. Applicant agrees to mitigate consumptive use in the future as needed.

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 SEPTEMBER 7, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World August 18 and 25, 1999

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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

August 12, 1999

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

Re: Applications for Permit Nos. 63-12543 in the Name of the City of Nampa and 63-12537 in the Name of the Chapman Ranch, LLC

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by September 7, 1999.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 20 2000

CLAUDE V. MARCUS
CRAIG MARCUS
BARRY MARCUS*
GALE M. MERRICK
GARY L. MONTGOMERY
MICHAEL CHRISTIAN†
TRENT MARCUS
DANIEL R. HARDEE

LAW OFFICES
MARCUS, MERRICK & MONTGOMERY LLP
THE MARCUS LAW BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595

TELEPHONE
(208) 342-3563
TELEFAX
(208) 342-2170

*Also Admitted to the California State Bar
† Also Admitted to the Washington State Bar

July 19, 1999

RECEIVED
JUL 21 1999
WATER RESOURCES
WESTERN REGION

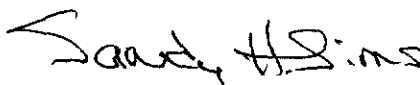
Idaho Department of Water Resources
Western Division
Attn: Gary Spackman
2735 Airport Way
Boise, Idaho 83705

Re: Chapman Ranch LLC/Water Right Permit No.63-12537

Dear Mr. Spackman:

Please be advised that the applicant will accept a condition of approval recognizing that the Department retains jurisdiction to require, by lawful written order, the release of purchased or leased natural flow or stored water in order to offset the depletion of lower Snake River flows that result from this appropriation, if such mitigation measures are lawfully determined to be necessary for salmon migration. The amount of the water required to be released into the Snake River or a tributary 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. The quantity of water required to be released will not exceed the amount authorized by the permit. The applicant will have the right to administrative and judicial review of any order requiring mitigation water to be provided pursuant to his permit condition according to the procedures provided by law, including Sec 42-1701A or chapter 52, title 67, Idaho Code. Applicant requests that the application be processed as soon as possible. Thank you for your attention to this matter.

Very truly yours,



Chapman Ranch LLC

By Managing Member

CRLLC:leg

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JUL 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Chapman Ranch, LLC
25 Adams Ranch Rd
Boise ID 83716

RE: APPLICATION FOR PERMIT 63-12537

Dear Applicants:

You have filed the above referenced application for permit to appropriate water for a consumptive use. If the appropriation is completed as described in the application, it may result in some reduction in flows in the Snake River. As you are undoubtedly aware, various actions are being taken throughout the Snake River and Columbia River Basins to protect endangered and threatened anadromous fish. These actions include the acquisition of water supplies to maintain or enhance streamflows during migration periods.

Federal funds are being used to obtain the rights to both natural flow and stored water to augment flows in order to meet flow targets in the Snake and Columbia Rivers. While the necessity and value of flow augmentation has not yet been established, the State of Idaho has cooperated with the other states in the Pacific Northwest and with federal agencies to allow limited flow augmentation on a trial basis while additional data are gathered to determine the most appropriate way to stabilize and enhance fish populations.

Under Idaho law, an application to appropriate water cannot be granted unless the six criteria listed in Section 42-203A, Idaho Code, are satisfied. One of these criterion is that the proposed use must be in the "local public interest" where the local public interest is defined as "the affairs of the people in the area directly affected by the proposed use." If granting an application to appropriate would reduce flows in the Snake River such that additional water would have to be secured from other sources for flow augmentation, it may be difficult to show that granting the application would be in the local public interest. As a result, the Idaho Department of Water Resources (IDWR) has delayed processing applications which, without mitigation, may deplete flows in the Snake River.

Proposed appropriations of water, such as that described in your application, may also have value with respect to the local public interest and should be given consideration, provided salmon recovery efforts would not be affected and the appropriation would not result in additional flow augmentation being required. Consequently, IDWR is processing applications to appropriate water when the applicant either:

- (1) can 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;

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JUN 23 1999

- (2) proposes adequate mitigation (or make-up water) as part of the proposed appropriation to offset anticipated depletions to flows in the Snake River during periods of anadromous fish migration; or
- (3) agrees to provide mitigation as needed in the future if it is determined that not mitigating depletions caused by the applicant's appropriation would result in additional water being required from other sources to augment flows during migration periods of anadromous fish.

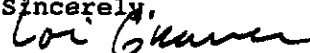
The purchase or rental of storage water, which can be used for flow augmentation, may be the most available form of mitigation that could be used for mitigation, should mitigation be necessary. Under alternative 3 above, mitigation is not required when the application is processed, but may be required in the future based upon a finding by IDWR that depletions to Snake River flows resulting from appropriations made under permits issued after January 1, 1998 have increased the amounts of water required from other sources to augment flows for migrating anadromous fish. This alternative would entail including the following condition of approval if the application for a permit to appropriate water is approved:

The Director retains jurisdiction over this permit and any subsequent license to require the right holder to provide purchased or leased water from natural flow or storage, or other mitigation acceptable to the Director, to offset depletion of Lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary 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 and any subsequent license.

For applications where one of the three conditions listed above is met, and the application is otherwise of proper form, IDWR will process the application. Alternatively, an applicant may choose to have IDWR continue to delay processing an application for permit until a later date. In that case, IDWR can hold your application pending changes in salmon recovery strategies, such as the potential elimination of flow augmentation requirements, and corresponding changes in IDWR policies. The priority date (seniority) of the proposed appropriation is protected for applications held because of IDWR policies. If you choose to have IDWR continue to hold your application at this time, you do not need to reply to this letter.

Also, the quad map submitted with the application did not completely list all 60 lots. Please submit an appropriate subdivision plat map for reference during application processing.

Please contact me if you have any questions about your application.

Sincerely,

Lori Graves
Water Agent

Enclosure

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JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 11, 1999

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

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 SEPTEMBER 7, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

AUG 20 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 20 2004

63-12537

CHAPMAN RANCH LLC
25 ADAMS RANCH RD
BOISE, ID 83716

Source: GROUNDWATER

Diversion Pt: LOT 2 (NENWNE) Sec 2 T 04N R 04E in BOISE County.
SESWE Sec 2 T 04N R 04E in BOISE County.

Use: DOMESTIC (0.930 CFS)
Total Diversion: (0.930 CFS)

Date Filed: 7/ 7/1999

In: BOISE County
T04N R04E S02 Lot 2 (NWNE) SWNE SENE

An existing and a proposed well will supply 60 homes and yards in Chapman Ranch Subdivision. Water bearing zone to be appropriated is from 100 to 400 feet. Applicant agrees to mitigate consumptive use in the future as needed.

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2002 2 14 2002

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 SEPTEMBER 7, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 8/18/1999 & 8/25/1999

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AUG 28 2001