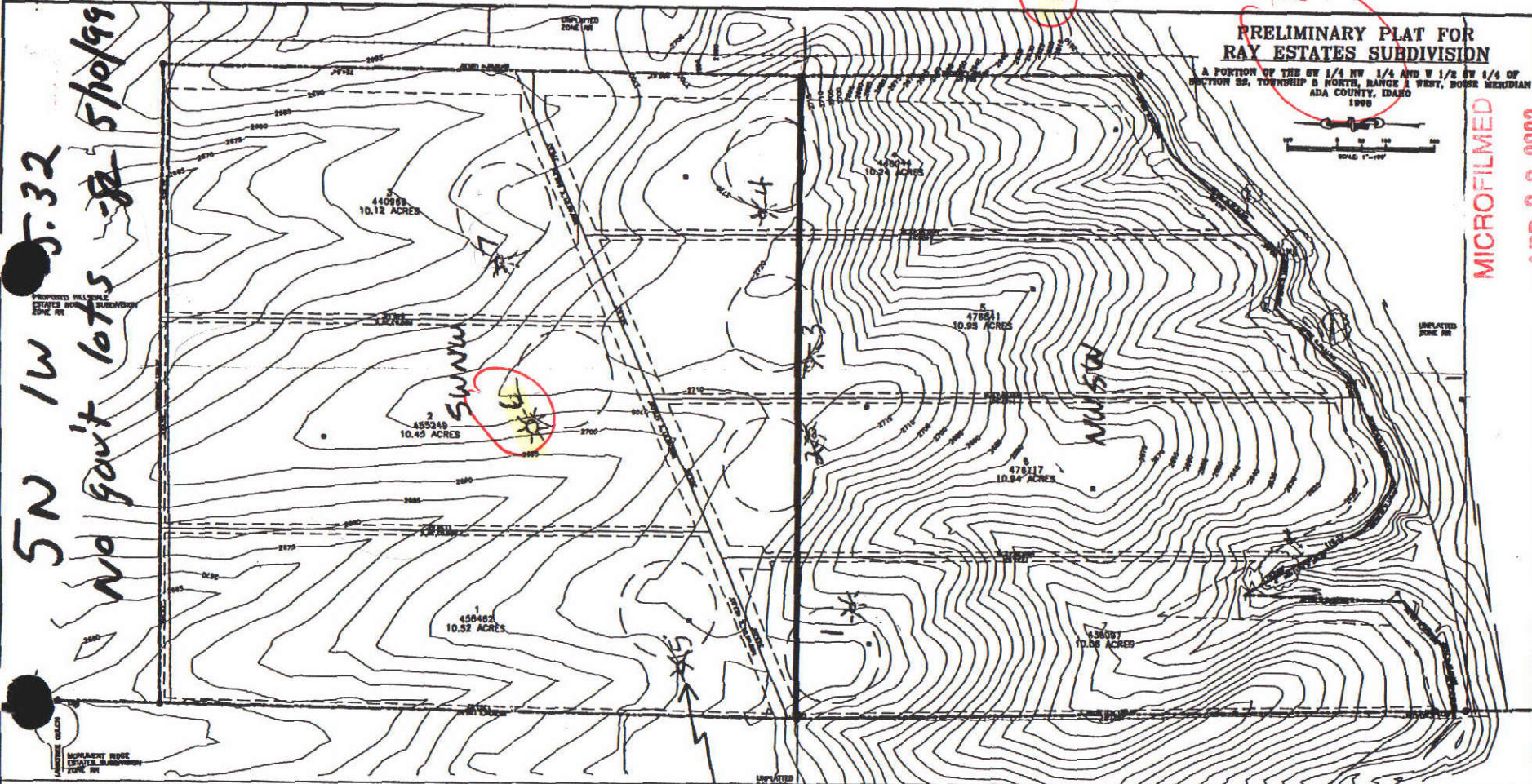


canal
Fannon River

Basin
63:

Well #1 -12525
Well #2 -12526
Well #3 -12527
Well #4 -12528
Well #5 -12529
Well #6 -12530
Well #7 -12531

Now is
Point
5/23/01
-R



**PRELIMINARY PLAT FOR
RAY ESTATES SUBDIVISION**

A PORTION OF THE SW 1/4 NW 1/4 AND W 1/2 SW 1/4 OF
SECTION 35, TOWNSHIP 8 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO
1999



MICROFILMED

APR 23 2002

PINNACLE
ENGINEERS, INC.
200 S. 10TH ST., SUITE 100
IDAHO FALLS, IDAHO 83402
(208) 342-7777

5N 1W 5.32
no govt lots - 5/10/99

GENERAL LEGEND

- | | | |
|---|--|--|
| --- (10') ---
--- (20') ---
--- (30') ---
--- (40') ---
--- (50') ---
--- (60') ---
--- (70') ---
--- (80') ---
--- (90') ---
--- (100') --- | EXISTING WATER LINE (PIPE SIZE)
EXISTING DRAINAGE DITCH
NEW DRAINAGE DITCH
NEW STORM DRAIN (PIPE SIZE)
NEW IRRIGATION LINE (PIPE SIZE)
NEW MINOR LINE (PIPE SIZE)
EXISTING EASE OF PAVEMENT
BOUNDARY LINE
ROADWAY CENTER LINE
ROADWAY EDGE-OF-WAY
EXISTENT BOUNDARY
THE LINE
WHEREIN LOT LINE
EXISTING CONTOUR
PEAK, GRADE, COUNTOUR
FOUND BRUSH CAP
FOUND ALUM CAP
FOUND 5/8" IRON PIN
FOUND 1/2" STEEL PIN
SET 1/4" IRON PIN 1/2" CAP
SET 1/2" IRON PIN 1/2" CAP
CALCULATED POINT | EXISTING WATER VALVE
PROPOSED WATER VALVE
EXISTING WATER WELL
EXISTING TELEPHONE JUNCTION BOX
EXISTING POWER CO. TRANSFORMER
EXISTING POWER POLE
EXISTING POWER POLE W/ GUY WIRE
EXISTING SHED/HOUSE
EXISTING DECIDUOUS TREE (CALIPER)
EXISTING CONIFEROUS TREE (CALIPER)
DIRECTION OF DRAINAGE FLOW
EXISTING ELEVATION |
|---|--|--|

OWNER
STING RAY
615 N. WINDY STREET
MESA, ARIZONA 86213
(505) 963-1272

DEVELOPER
NAME
ACREAGE
TOTAL - 32.33 ACRES
W/IN. BLVD LOT - 10 ACRES
W/IN. LOT TREATAGE - 100
W/IN. LOT DEPTH - 1230 FEET

SETBACK LINES
FRONT - 30'
SIDE - 30'
REAR - 30'
REAR - 30'
REAR - 30'
REAR - 30'
REAR - 30'
REAR - 30'

SEWAGE DISPOSAL
SEWAGE DISPOSAL
WATER SUPPLY
MAYNARD WELL

SCHOOL DISTRICT
BOISE

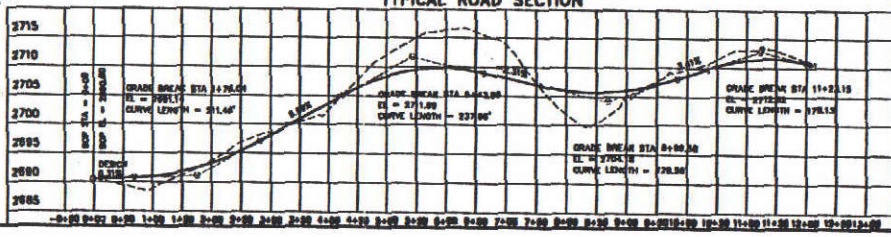
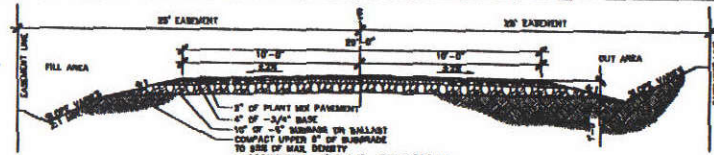
FIRE DISTRICT
STAR RANGERS FIRE DISTRICT

IRRIGATION DISTRICT
IRRI

CITY AREA OF IMPACT
NONE

ZONING
RURAL RESIDENTIAL (R1)

0' = proposed pld's
per applicants
1/4/99
letter



DATE
06-14-00
DRAWN BY
JLB
CHECKED BY
DAVID A. BERRY P.E.
PROJECT NO.
00003
SHEET

**RAY ESTATES SUBDIVISION
PRELIMINARY PLAT
IRVING RAY**

CHUKAR POINT SUBDIVISION

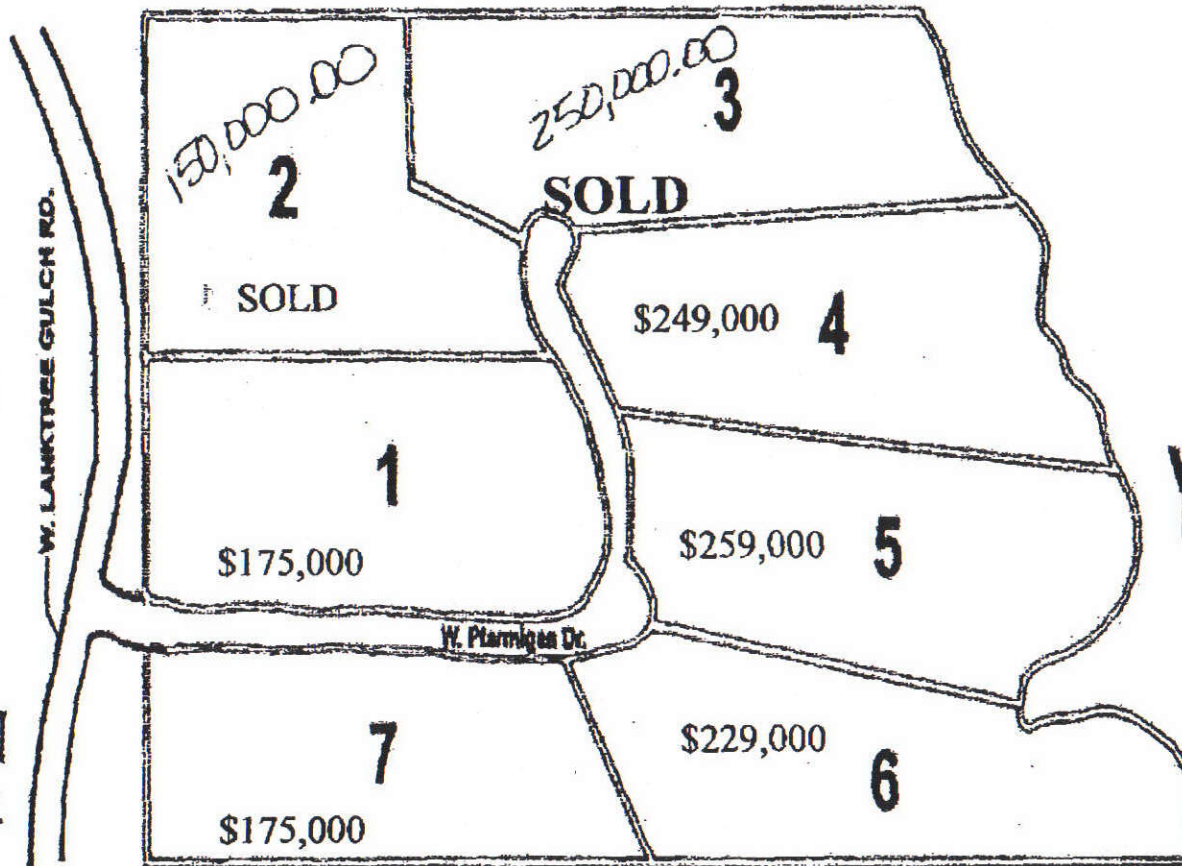
PANARAMIC VIEW OF THE TREASURE VALLEY

AUG 15 2002

MICROFILMED

**10
ACRE
LOTS**

**STETSON
HOMES, INC.**



**CALL TO
RESERVE
YOUR LOTS**

**Remington
REAL ESTATE**

STAN RAY 941-3222 or 939-7530
DOUG GULBRANDSEN 841-7106

JUN 13 2002 8:03AM

STETSON HOMES INC

NO. 4046

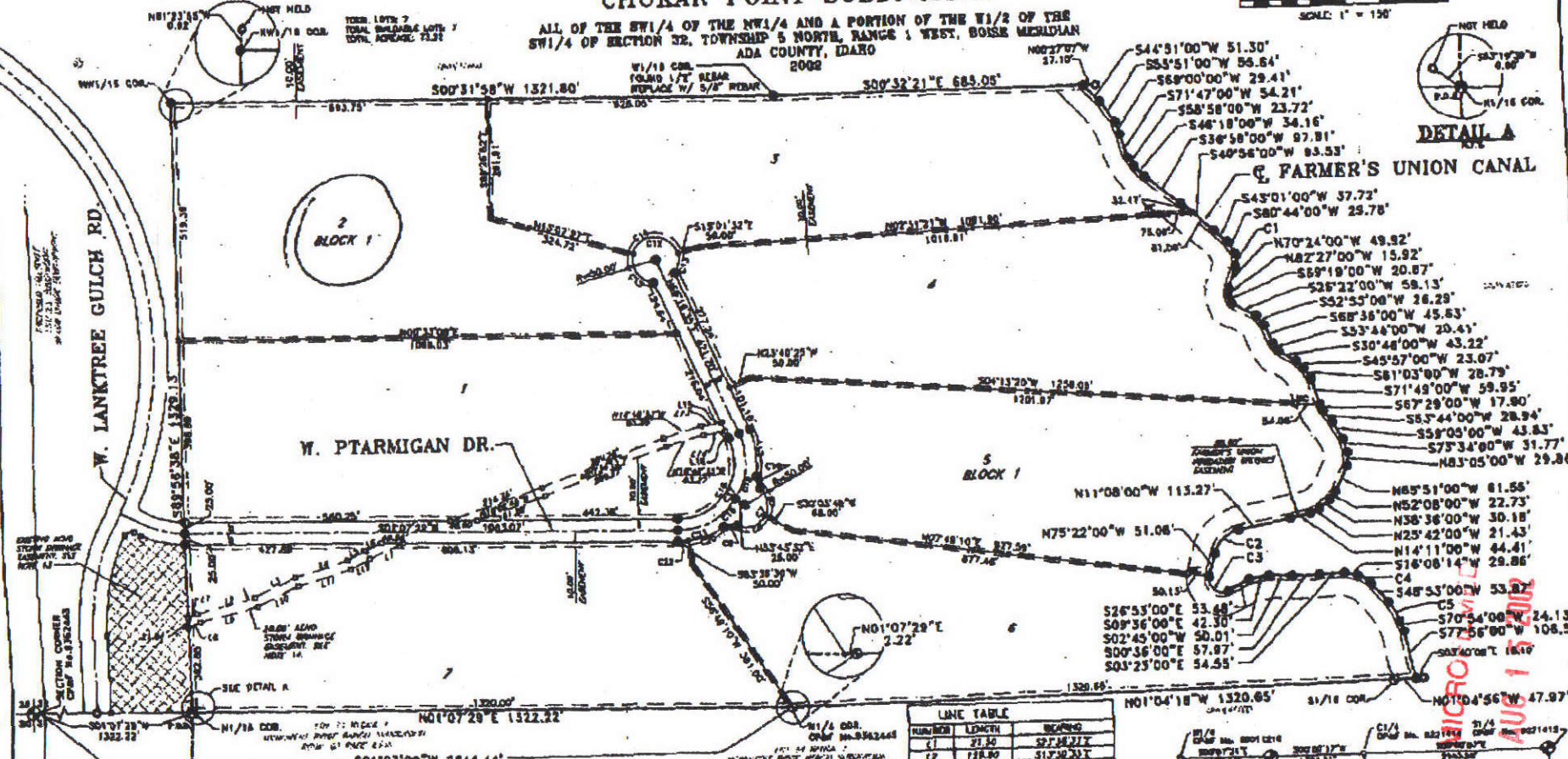
FINAL PLAT FOR CHUKAR POINT SUBDIVISION

ALL OF THE SW1/4 OF THE NW1/4 AND A PORTION OF THE W1/2 OF THE
SW1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO
2002



DETAIL A

FARMER'S UNION CANAL



NOTES:

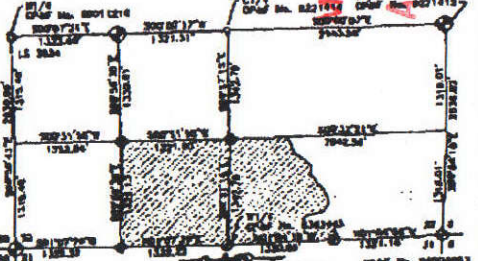
1. Any 1/2-inch feature of this plat shall comply with the applicable representation in effect at the time of the recording.
2. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
3. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
4. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
5. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
6. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
7. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
8. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
9. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.
10. The plat is subject to the provisions of the Idaho Code 31-2000 regarding irrigation water.

CURVE TABLE					
LINE	LENGTH	RADIUS	CHORD	CHORD BEG	CHORD END
C1	28.00	34.00	48.00	18.00	30.00
C2	75.00	75.00	100.00	45.00	75.00
C3	100.00	100.00	141.42	60.00	100.00
C4	100.00	100.00	141.42	60.00	100.00
C5	100.00	100.00	141.42	60.00	100.00
C6	100.00	100.00	141.42	60.00	100.00
C7	100.00	100.00	141.42	60.00	100.00
C8	100.00	100.00	141.42	60.00	100.00
C9	100.00	100.00	141.42	60.00	100.00
C10	100.00	100.00	141.42	60.00	100.00
C11	100.00	100.00	141.42	60.00	100.00
C12	100.00	100.00	141.42	60.00	100.00
C13	100.00	100.00	141.42	60.00	100.00
C14	100.00	100.00	141.42	60.00	100.00
C15	100.00	100.00	141.42	60.00	100.00
C16	100.00	100.00	141.42	60.00	100.00
C17	100.00	100.00	141.42	60.00	100.00
C18	100.00	100.00	141.42	60.00	100.00
C19	100.00	100.00	141.42	60.00	100.00
C20	100.00	100.00	141.42	60.00	100.00

LINE TABLE		
LINE	LENGTH	BEARING
C1	21.30	S71°34'21"E
C2	71.80	S17°30'21"E
C3	68.78	S74°1'58"E
C4	119.80	S18°16'24"E
C5	45.81	S72°0'24"E
C6	38.82	S72°0'24"E
C7	62.22	S21°12'44"E
C8	78.40	S78°34'37"E
C9	158.10	S12°34'37"E
C10	100.24	S21°12'44"E
C11	250.80	S78°34'37"E
C12	48.84	S72°0'24"E
C13	44.47	N07°18'58"W
C14	48.84	N07°18'58"W
C15	20.80	N07°18'58"W
C16	14.81	N07°18'58"W

LEGEND

- 1. BOUNDARY LINE
- 2. CHUKAR LINE
- 3. ROAD CENTER LINE
- 4. LOT LINE
- 5. THE LINE
- 6. POINT OF BEGINNING
- 7. FOUND GRAVE CAP
- 8. FOUND ALUMINUM CAP
- 9. FOUND S/W PLUMB
- 10. IS NOT UNLESS OTHERWISE NOTED
- 11. SET 5/4" 1/2" NODAL



SECTION DETAIL

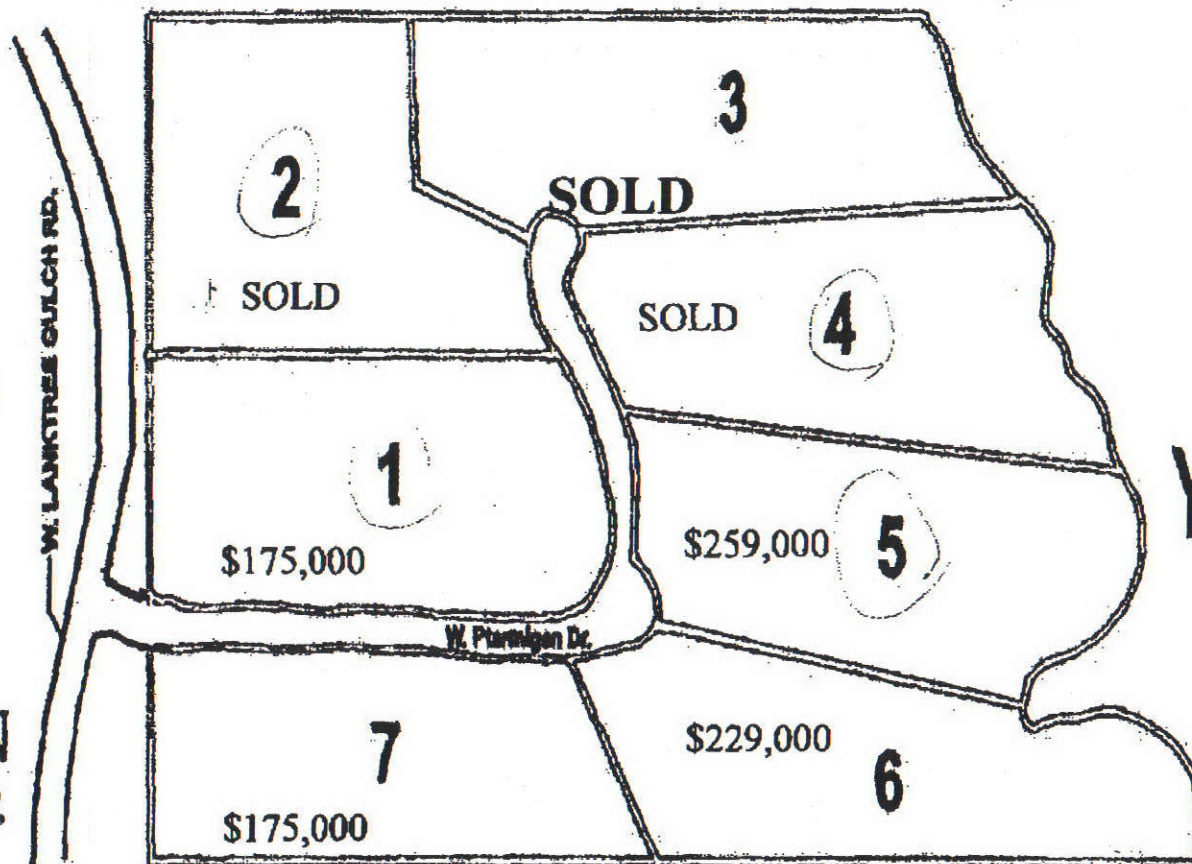
PINNACLE

CHUKAR POINT SUBDIVISION

PANARAMIC VIEW OF THE TREASURE VALLEY

10
ACRE
LOTS

MICROFILM
AUG 1 1992
STETSON
HOMES, INC.



CALL TO
RESERVE
YOUR LOTS

Remington
REAL ESTATE

STAN RAY 941-3222 or 939-7530

DOUG GULBRANDSEN 841-7106

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12530

Priority: 02/24/1999

Maximum Diversion Rate: 0.10 CFS

This is to certify, that IRVING J RAY
615 N WINDSOR
MESA AZ 85213

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>
IRRIGATION	3/01 to 11/15	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp 5N, Rge 1W, B.M. ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	32																	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2005.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The Director retains jurisdiction to require the right holder to provide additional 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.
7. As mitigation for the consumptive use of water under this right, the right holder shall annually lease 15.0 acre feet of storage water within Boise River storage facilities for release into the Boise River by the watermaster of Water District 63 throughout the irrigation season. The right holder is not authorized to divert water under this right each irrigation season until storage water is leased.

APPROVED
MAY 13 2000

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-12530

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. Water bearing zone to be appropriated is 380 to 430 feet.
10. Point of diversion and place of use is located within Lot 2, Ray Estates Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 29th day of March, 2002.


for KARL J DREHER, Director

MICROFILMED

APR 11 2002

Well #6

FORM 202
2/96

Ident. No. 63-12530

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

SEP - 7 2001

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant IRVING J. RAY Phone 602-962-1222
Mailing address 615 N. WINDSOR MESA AZ 85213
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 5N Range 1W Sec. 32, in the _____ 1/4,
SW 1/4, NW 1/4, Govt. Lot _____, B.M., ADA County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum *
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Well, pump,
sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6-8 inches; proposed depth of well is 439 per 7/23/01 tax
~300 feet
 - d. Is ground water with a temperature of greater than 85° F being sought? N
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

See 5/10/99 REVISION memo FOR Application changes

-82

*

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	
5N	1W	32							10										10

Total number of acres to be irrigated 10

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 enabling the applicant to make this filing:

12. Remarks: Applicant agrees to mitigate consumptive use in the future as needed. *

Comments: Processing delayed pending backlog reduction. *

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

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

[Signature]
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 2/24/99 Time 2:40 Preliminary check by [Signature]
 Fee \$ 5000 Receipted by [Signature] # W024448/W024832 Date 9/26/98
 Publication prepared by [Signature] Date 8-2-01 Published in THE IDAHO STATESMAN
 Publication approved [Signature] Date 8-20-01

* 5/10/99
Revision memo - [Signature]

APR 23 2002



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 18, 2002

STAN RAY
STETSON HOMES INC
333 W STATE ST
EAGLE ID 83616

RE: Water Appropriation Permits 63-12527 through 63-12530

Dear Mr. Ray:

I am responding to your June 13, 2002, request to rearrange the lots on which your water appropriation permits will be developed. As you requested in your May 10, 2002, letter, IDWR issued the following permits in the name of Irving J. Ray.

63-12527	Chukar Point Lot 5, Block 1	5 acres of irrigation
63-12528	Chukar Point Lot 4, Block 1	5 acres of irrigation
63-12529	Chukar Point Lot 1, Block 1	5 acres of irrigation
63-12530	Ray Estates Lot 2	5 acres of irrigation

According to your letter, you wish to rearrange the permits to cover ten acres on Chukar Point Lot 2, Block 1, five acres on Chukar Point Lot 3, Block 1, and five acres on Chukar Point Lot 4, Block 1.

Because you are not contemplating a change to Chukar Point Lot 4, Block 1, no action is necessary on Permit 63-12528.

On 63-12530 you are not contemplating a change other than the name change from Ray Estates Lot 2 to Chukar Point Lot 2, Block 1. I will place of copy of your letter in the water right file to show your intent, and next time IDWR takes official action on 63-12530, such as issuing a water right license, the lot name will be changed on the water right document.

Because the point of diversion and place of use for 63-12529 are in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S32, T5N, R1W, B.M., an amendment of permit is not required to develop the water use on Chukar Point Lot 2, Block 1. I will place of copy of your letter in the water right file to show your intent, and next time IDWR takes official action on 63-12529, such as issuing a water right license, the lot name will be changed on the water right document.

MICROFILMED

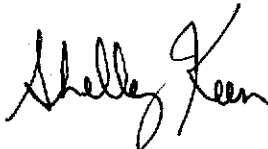
JUN 18 2002

Stan Ray
June 18, 2002
Page 2

As for changing 63-12527 to cover Chukar Point Lot 3, Block 1, an amendment is required if the point of diversion (well) will be within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S32, T5N, R1W, B.M., which corresponds to the northern half of the lot. Otherwise an amendment of permit is not required. I have enclosed an amendment application form for you.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,



Shelley Keen
Water Rights Supervisor

Enclosure

MICROFILMED

AUG 6 5 2002

RECEIVED

JUL 1 2002

Department of Water Resources

STETSON HOMES, INC.
CUSTOM HOME BUILDER

833 W. State St. Eagle, Idaho 83616
939-7530 fax: 939-7548

June 13, 2002

L. Glen Saxton, P.E.
Chief Water Allocation Bureau
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

RE: APPLICATION FOR PERMIT NOS. 63-12525 THROUGH 63-12531

Dear Mr. Saxton,

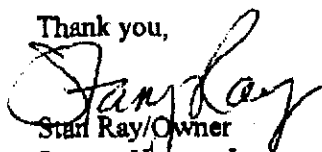
This letter is to correct the letter sent to you on May 10, 2002. We are changing the water allocations for the Chukar Point Subdivision. We have been approved for 4 applications at 5 acres irrigated and would like to allocate the water accordingly;

Chukar Point Lot 2, Block 1 - 10 acres irrigation rights - (2 applications of 5 acres each)
Chukar Point Lot 3, Block 1 5 acres irrigation rights
Chukar Point Lot 4 Block 1 5 acres irrigation rights

I hope this does not cause any problems. We have sold Lot 2 and they are requesting the entire 10 acres have the full water rights for that lot.

Please let me know if you have any questions.

Thank you,


Stan Ray/Owner
Stetson Homes, Inc.

MICROFILMED

JUL 1 2002

CHUKAR POINT SUBDIVISION

PANARAMIC VIEW OF THE TREASURE VALLEY

10
ACRE
LOTS

STETSON
HOMES, INC



CALL TO
RESERVE
YOUR LOTS

Remington
REAL ESTATE

STAN RAY 941-3222 or 939-7530
DOUG GULBRANDSEN 841-7106

MICROFILMED
JUN 17 2002

JUN 13 2002 8:00AM
STETSON HOMES INC

NO. 4042
F. 2

ALL OF THE SW1/4 OF THE NW1/4 AND A PORTION OF THE W1/2 OF THE
SW1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO

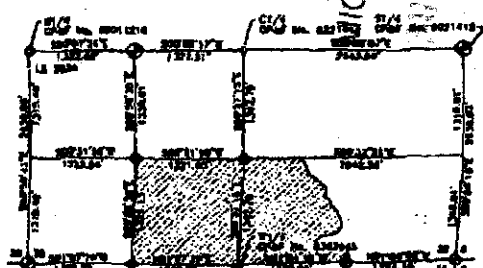


1. The provisions of this plan shall comply with the applicable regulations in effect at the time of the re-evaluation.
2. Building materials and equipment situated in the subdivision shall be in compliance with the applicable zoning regulations of this County.
3. The applicant shall obtain a permit from the State Code 31-200 concerning irrigation, water, and drainage.
4. A new lot (12) and additional lots to be added adjacent to the subdivision boundary and road shall at any time public utilities, and drainage.
5. The applicant shall be responsible for obtaining all necessary permits and for the construction, installation, and drainage system on owner. The applicant shall also provide the construction of land surface adjoining to each lot.
6. The applicant shall be responsible for obtaining all necessary permits from the Clatsop Clatskanie Health Department.
7. The applicant shall complete the subdivision on 28-1-1998 of the State code, right to farm act, which states "no subdivision or use of agricultural land in violation of the right to farm act or otherwise a reduction, either by order or by agreement, of the agricultural use of the land." The applicant shall be responsible for obtaining all necessary permits and for the construction of land surface adjoining to each lot.
8. The applicant shall be responsible for obtaining all necessary permits from the Clatsop Clatskanie Health Department.
9. The applicant shall complete the subdivision on 28-1-1998 of the State code, right to farm act, which states "no subdivision or use of agricultural land in violation of the right to farm act or otherwise a reduction, either by order or by agreement, of the agricultural use of the land." The applicant shall be responsible for obtaining all necessary permits and for the construction of land surface adjoining to each lot.
10. The applicant shall be responsible for obtaining all necessary permits from the Clatsop Clatskanie Health Department.

NUMBER	LENGTH	MEASUREMENT
11	19.10	SP-14-217
12	18.55	SP-17-201
13	18.55	SP-17-202
14	119.00	SP-18-1627
15	46.81	SP-19-1517
16	12.00	SP-21-1617
17	12.00	SP-21-1618
18	18.00	SP-22-1617
19	100.35	SP-23-1617
20	230.00	SP-24-1617
21	18.00	SP-25-1617
22	14.00	SP-26-1617
23	28.00	SP-27-1617
24	22.00	SP-28-1617
25	18.00	SP-29-1617

LEGEND

BOUNDARY LINE	
EXPANDED LINE	
NEAR CENTER LINE	
LEFT LINE	
THE LINE	



SECTION DETAIL

PINNACLE

STETSON HOMES, INC.
CUSTOM HOME BUILDER

333 W. State St. Eagle, Idaho 83616
939-7530 fax: 939-7548

May 10, 2002

L. Glen Saxton, P.E.
Chief Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

RE: APPLICATION FOR PERMIT NOS. 63-12525 THROUGH 63-12531

Dear Mr. Saxton,

This letter is in response to your letter December 21, 2000. In your correspondence with Mr. Hitchcock you stated that we had the flexibility to obtain approval for 4 applications if we reduced the acreage to be irrigated to 5 acres per application. We have reviewed this matter and we would like to proceed with the applications for the 4 following lots to be irrigated at 5 acres per application.

The lots that we would like to proceed with are:

Chukar Point Lot 1, Block 1

Chukar Point Lot 2, Block 1

Chukar Point Lot 4, Block 1

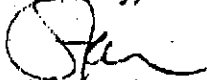
Chukar Point Lot 5, Block 1

See attached plat map of subdivision

Please let me know of your approval of these lots as soon as possible. We are anxious to resolve this matter.

Thank you for your time and patience concerning this matter.

Sincerely,



Stan Ray/Owner
Stetson Homes, Inc.

c: Micheal Hitchcock
Irving Ray

MICROFILMED

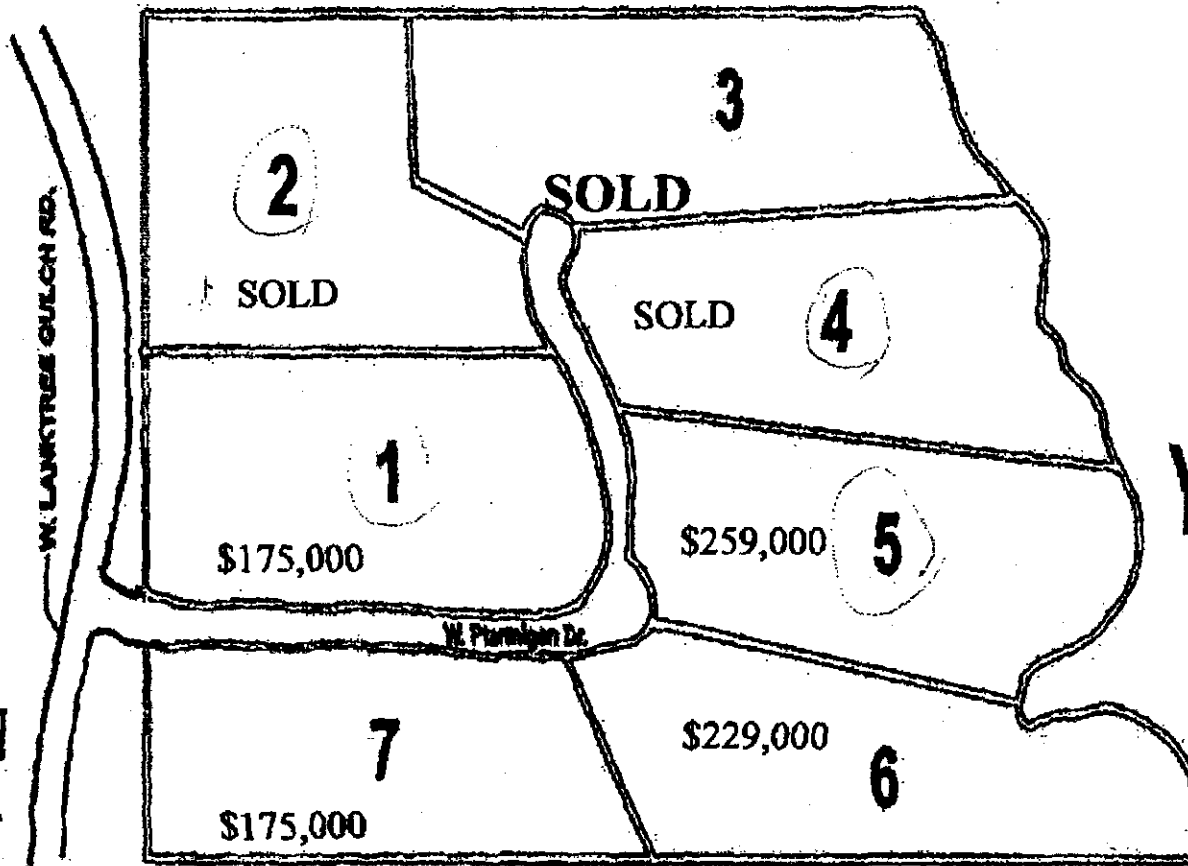
MAY 14 2002

CHUKAR POINT SUBDIVISION

PANARAMIC VIEW OF THE TREASURE VALLEY

10
ACRE
LOTS

STETSON
HOMES, INC.



CALL TO
RESERVE
YOUR LOTS

Remington
REAL ESTATE

STAN RAY 941-3222 or 939-7530
DOUG GULBRANDSEN 841-7106



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

March 29, 2002

IRVING J RAY
615 N WINDSOR
MESA AZ 85213

RE: Permit No. 63-12530

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.

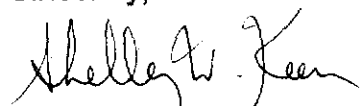
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

RECORDED

APR 2 2002

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

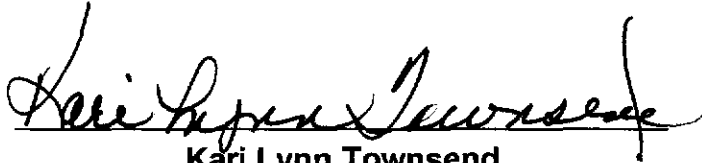
APR 23 2001

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-12530

**IRVING J RAY
615 N WINDSOR
MESA AZ 85213**


Kari Lynn Townsend
Secretary

MICROFILMED

APR 2 3 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 25, 2002

MICHAEL HITCHCOCK
615 N WINDSOR
MESA AZ 85213

Re: Applications for Permit Nos. 63-12525 thru 63-12531

Dear Mr. Hitchcock:

As we discussed on the telephone last week, here is the list of subdivision lots as they were entered into our computer system them under each of the water right applications referenced above.

Application for Permit No.	Lot No.
63-12525	7
63-12526	6
63-12527	5
63-12528	4
63-12529	1
63-12530	2
63-12531	3

I hope this information will be helpful for your future reference.

Application 63-12530 is now being prepared for permit approval for irrigation of 5 acres associated with Lot 2, per the reductions you requested in your letter of March 8. I hope to send the approval document next week.

If I can be of further assistance, please let me know.

Sincerely,

SHELLEY W. KEEN
Water Rights Supervisor

MICROFILMED

APR 13 2002

MEMORANDUM

To: File 63-12530

From: Sharla

Date: March 22, 2002

RE: Permit Approval

The application was originally filed for irrigation of 10 acres; per applicants request, the permit is being approved for 5 acres only. The rate of diversion is being adjusted accordingly.

Per correspondence in the file, the applicant has made arrangements for the leasing of 60 acre feet from storage water as mitigation for this application and six others. The 60 af is not sufficient for all 7 applications, at least not as they were originally filed for 10 acres of irrigation each. This application was reduced to 5 acres; if the other six are reduced in the same manner, the applicant will only need to lease about 30 additional af.

Per data from a report prepared by Allen & Brockway in 1983, the consumptive irrigation requirement per season in the Boise area is 2.9 af; the department is only requiring 3 af/acre to be mitigated under these applications. Thus the permit for this app will be conditioned requiring annual leasing of 15 af (5 ac X 3.0 af/ac) for mitigation.

MICRONUMER

APR 23 2002

Irving J Ray

615 North Windsor
Mesa, AZ 85213

RECEIVED

MAR 12 2002

Department of Water Resources

March 8, 2002

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Permit Applications 63-12525, Through 63-12531,

Dear Mr. Saxton:

Thank you for your response dated 22 February. Though we do not have a plan for all of the lots since we have not acquired additional water for mitigation for the remaining five sites, we would like to proceed in the following manner.

We would like to assign the applications to the lots. Application number 63-12525 would be assigned to lot number one (1) and then continue up to application 63-12531 for lot number seven (7).

We would like to proceed with the processing of application number 63-12526 (for lot number two (2)) in the amount sufficient to cover 5 acres instead of the 10 acres requested in the original application. We have identified a buyer for that lot and he has indicated that five acres is the maximum amount of acreage he would be interested in irrigating. Therefore we would like to revise that application to be for that amount.

We would like to defer to the future the processing and the amount to be allocated for the remaining permits. If there is anything additional we need to do or if you require additional information, please let me know. Thank you for your efforts.

Sincerely,

Michael Hitchcock

Michael Hitchcock
Chuckar Point Project Director

480 607-2611 phone
602 738-3143 mobile

MICROFILMED
APR 18 2002



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

February 22, 2002

Michael Hitchcock
615 North Windsor
Mesa, AZ 85213

RE: APPLICATION FOR PERMIT NOS. 63-12525 THROUGH 63-12531

Dear Mr. Hitchcock:

My last correspondence with you in connection with the above referenced pending applications filed in the name of Irving J. Ray was on December 21, 2001 after Mr. Ray visited this office. Has Mr. Ray yet determined how he would like to proceed with the applications? Please advise me within thirty (30) days.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

APR 11 2002



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 21, 2001

Michael Hitchcock
615 North Windsor
Mesa, AZ 85213

RE: APPLICATION FOR PERMIT NOS. 63-12525 THROUGH 63-12531

Dear Mr. Hitchcock:

I have reviewed your letter dated December 15, 2001 in connection with the above referenced applications. You have asked about flexibility in the approval process of applications for permit. Reductions to applications in rate, volume or amount of land to be irrigated are generally easy to make, if the applicant advises the department prior to the time a permit is issued and usually do not require an amendment of the application or a new notice as some changes require.

Mr. Ray has obtained sufficient mitigation for the approval of 2 of the applications if the acreage of the 2 applications remains at 10 acres. If the acreage to be irrigated is reduced to 5 acres per application, the mitigation is sufficient to approve 4 of the applications and so on.

The department will hold the 7 applications without action until Mr. Ray decides whether he wants to reduce the number of irrigated acres on the applications and in what amounts.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

NOTED
DEC 23 2001

Irving J Ray

615 North Windsor
Mesa, AZ 85213

RECEIVED

DEC 21 2001

Department of Water Resources

December 15, 2001

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Permit Applications 63-12525, Through 63-12531,

Dear Mr. Saxton:

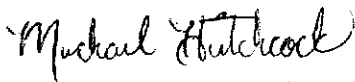
Thank you for your response dated 16 November. Irving is still actively pursuing additional water for mitigation for the remaining five sites.

I do have some additional questions. As I spoke with Irving about which of the lots to move forward with the applications on, several concerns arose. 1) Is there a way that the processing can continue and we are able to designate the specific lot number at a latter day, possibly even up to the time just prior to drilling the well? Since we do not have specific buyers identified, we do not know which lot our first buyers will want or even if they have any interest in irrigating their lot. 2) If a buyer wants to irrigate only a small portion of their lot, say 1-2 acres, is there a way we can change the application for that lot and then use the water we have secured toward one of the other applications? These lots have beautiful views, but some of the terrain will not easily be irrigated. At this time, we are still not sure how much of their property the owners will want to irrigate. Our original intent was to cover the entire area, but since we are finding it difficult to secure water, we may need to consider alternative plans.

I suppose all this can be summed up by saying I would like to know what type of flexibility there is in processing the applications. Can we alter the existing applications, or would we have to start all over again.

Thank you very much for your indulgence to our learning process. We very much appreciate your patience in working with us.

Sincerely,



Michael Hitchcock
Chuckar Point Project Director

480 607-2611 phone
602 738-3143 mobile

MICHAEL HITCHCOCK

DEC 21 2001

MEMORANDUM

To: Application for Permit Files 63-12525 through 63-12531
From: L. Glen Saxton 
RE: TELEPHONE CALL
Date: December 13, 2001

On this date, Erving Ray called me as a follow-up to his visit to this office on November 14, 2001. He advised that he is still in the process of trying to find stored water to use for mitigation of water use under the applications. He also advised that he would ask his son-in-law Michael Hitchcock to send a letter describing the status of their activities trying to find stored water for mitigation.

Mr. Ray also advised they prefer that the department not yet approve 2 of the 7 applications until they are further along in the plat approval/sale process so they can better determine which 2 of the 7 applications that they would like approved.

MICHO 12/13/01

DEC 13 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

November 16, 2001

Michael Hitchcock
615 North Windsor
Mesa, AZ 85213

RE: APPLICATION FOR PERMIT NOS. 63-12525 THROUGH 63-12531

Dear Mr. Hitchcock:

I have reviewed your letter dated November 11, 2001 in connection with the above referenced applications together with the attachment showing that you have secured 60 acre feet of stored water to be offered as mitigation each year for a 10-year period. This longer lease period allows the department to further consider approval of 2 of the 7 pending applications.

Mr. Ray visited this office on November 14, 2001 with a copy of your letter and met with me. I told Mr. Ray that he would need to identify which 2 of the 7 applications he wanted to be further considered for approval. Approval will be conditioned that the permit holder retains access to the mitigation water that will be released and used in a manner determined by the Boise River watermaster. Your mitigation plan does not need to show exactly how this water will be used to recharge ground water as I previously indicated to you in my September 18, 2001 letter.

In order for the department to consider action on the other 5 applications, Mr. Ray needs to obtain additional water for mitigation in the amount of about 3 acre feet per acre of land to be irrigated on each application. Mr. Ray said he is actively seeking to find and acquire additional water to be used for mitigation.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

MAILED 11/16/01

NOV 16 2001

Irving J Ray

615 North Windsor
Mesa, AZ 85213

RECEIVED

NOV 14 2001

Department of Water Resources

November 11, 2001

FILE COPY

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Appropriation Applications 63-12525, 63-12526, 63-12527, 63-12528, 63-12529, 63-12530, and 63-12531,

Dear Mr. Saxton:

Thank you for your response relative to the above mentioned applications. Relative to the concerns you have raised, I offer the following response.

1. Sixty acre-feet of storage water is not adequate mitigation for all seven applications. Sixty acre-feet is adequate mitigation for only two of the applications.

Response: Irving Ray and myself are currently in the process of securing the additional water required to address the needs for the five applications not covered. It is our desire that the applications for the two wells proceed at this time and we will provide the necessary documentation for the additional five applications in the near future.

2. How will the acquisition of storage water make up for the depletion of ground water? Most mitigation plans involving surface water offer some means of recharging the ground water through direct injection or seepage. Simply releasing water from storage does little for the conservation of ground water in the Treasure Valley.

Response: In our initial conversations with Mr. Norman Young, it was our understanding that the principle concern for the water usage was to support wildlife in areas downstream from the Treasure Valley area. Having the water seep back into the valley at the point directly south of the area we purpose for the irrigation wells is a very simple matter. The party we have secured the water from owns property adjacent to the proposed well sites and is willing to have the water seep back into the valley at numerous points there. If that is the preferred solution, I will gladly provide you with documentation in whatever format would suit you requirements.

3. The term of the lease for the mitigation water is only two years. What is your plan to mitigate water use after two years? IDWR is concerned that after two years, the new lot owners may be unable to obtain mitigation water and will, therefore, have to cease irrigating.

Response: Again, based upon our initial conversations with Mr. Norman Young, it was our belief that the moratorium on irrigation wells for the Treasure Valley area was of a limited time frame. Since the exact duration is unknown, the lease agreement for the mitigation water is for two years, with the option to renew the lease as needed following that period. We have spoken to the Fullers, and if needed, they are willing to reword the lease agreement to specifically cover a period of ten years and then provide the option to renew as needed. Please advise as to what IDWR requires relative to this concern.

WCS:JLN

Nov 23 2001

November 11, 2001

Irving is planning on being in the Boise area in the near future. He plans to visit you while he is there. If there is additional information needed or specific areas you would like for me to address in any way, please feel free to contact me. I will have the mitigation plan revised based upon your feedback. Thank you for time.

Sincerely,

Michael Hitchcock
Chuckar Point Project Director

480 607-2611 phone
602 738-3143 mobile

MICRO-ENCLOSURE

475 3 11 2001

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

We have agreed to lease a total of 60 acre-feet of storage water that we own in the Anderson and Arrowrock dams to Irving J Ray. The Lease will commence on 1 October 2001 and continue for ten (10) years. It will be renewable after that time on a year-to-year basis as needed by Irving J Ray.

Howard G. Fuller

Howard G. Fuller

Elsie M. Fuller

Elsie M. Fuller

Date: 11-12-01

Date: 10-12-01

MICROFILMED

SEP 28 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

September 18, 2001

IRVING J RAY
615 N WINDSOR
MESA AZ 85213

RE: Water Appropriation Applications 63-12525, 63-12526, 63-12527, 63-12528, 63-12529,
63-12530 and 63-12531

Dear Mr. Ray:

The Department of Water Resources is reviewing the seven applications you submitted for new irrigation water rights in the Treasure Valley. Each of the applications proposes the irrigation of a 10-acre parcel from ground water. As you know, IDWR is not currently processing applications for new consumptive uses of ground water in the Treasure Valley unless the applicant provides a plan for mitigating the ground water depletion proposed in the application. Evapotranspiration in the Treasure Valley can result in the consumption of up to 3.5 acre-feet per acre of irrigated pasture. As shown on the enclosed data sheet, the irrigation requirement (evapotranspiration minus effective precipitation) is approximately 887 mm, or 2.9 feet, per season in the Boise area. Approval of each of your 10-acre applications could result in an annual depletion of 29 acre-feet, or 203 acre-feet for all seven applications. So far, you have offered 60 acre-feet of storage water, which you have leased for two years, to mitigate for the depletion of ground water proposed in the seven applications. Therefore, IDWR has the following three concerns about your mitigation proposal.

- Sixty acre-feet of storage water is not adequate mitigation for all seven applications. Sixty acre-feet is adequate mitigation for only two of the applications.
- How will the acquisition of storage water make up for the depletion of ground water? Most mitigation plans involving surface water offer some means for recharging the ground water through direct injection or seepage. Simply releasing water from storage does little for the conservation of ground water in the Treasure Valley.
- The term of the lease for the mitigation water is only two years. What is your plan to mitigate water use after two years? IDWR is concerned that after two years the new lot owners may be unable to obtain mitigation water and will, therefore, have to cease irrigating.

You may wish to consult with an irrigation expert or other qualified professional to further refine your mitigation proposal. Meanwhile, IDWR will hold your applications for 60 days to allow you

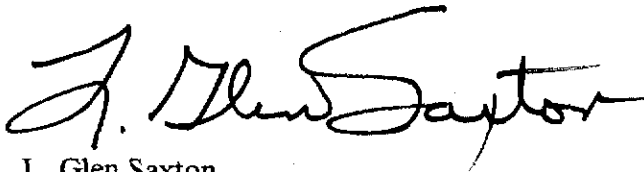
MICROFILMED

Irving J. Ray
September 18, 2001
Page 2

time to address these issues. If you do not respond within 60 days, IDWR will void the applications pursuant to §42-204, *Idaho Code*.

If you have any questions, please feel free to contact me at 208-327-7955 or Shelley Keen at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. Glen Saxton
Chief, Water Allocation Bureau

c: Michael Hitchcock
IDWR -- Gary Spackman
IDWR -- Norm Young
IDWR -- Shelley Keen

Reviewed by Sharla Curtis on 9/10/01

No. 05-12530 Name: Raf Corp. Officers N/A Ad ok ✓ Govt Lots

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

GROUNDWATER: ($\sqrt{\text{Flow Chart}}$)

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

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

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)
Mitigation	- 121

Trust	- 051 (consumptive uses)	✓
Non-Trust	- 048-049 (consumptive uses or non-cons. > 1.0 cfs)	

USES:

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

SURFACE WATER: (✓Flow Chart)

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

PLANNING REVIEW/RESPONSE

WD ~~-R04 (WD# _____)~~
 ≤ 0.20 cfs/others ~~- 01H, 01P or No MD~~
 > 0.20 cfs ~~- 01J~~

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

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

RIVER BASINS: (SW special considerations)

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

USES:

MUNICIPAL

Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PRO	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075(no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 4 / 01 / 2005

MISC CONDITIONS/REMARKS:

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

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.8

OTHER CONDITIONS/REMARKS

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

~~Re 63 delay~~ OK
~~DO NOT ADVISE~~
63-12525-12530
65-12530

INITIAL REVIEW BY: SL DATE: 5/10/99 APPLICATION: 63-12525-12530
7/24/01

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid - SEE 5/10/99 Refund

RECEIVED

SEP - 7 2001

Gov't. Lots:

N P/D
P/U

Department of Water Resources

ADDITIONAL INFORMATION

YES NO
Processing delayed
pending backlog
Reduction. " OK T FLAG CHANGED TO P FLAG
Comment added
typically: water bearing zone & future mitig.
just before advertising

SEE NEXT page - 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: OK "Delay letter" sent 5/10/99
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

Water bearing zone to be appropriated - obtain once processing resumes.

Date Requested _____ Date Response Received _____

* See 63-12525 for details

PROCESSING

APP. NO. 63-12530

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. ~~DO NOT SEND UNLESS~~YES NOYES NO~~Advertising occurs~~

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

☐ ☒ 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 8-20-01

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: SEE 63-12525, SAME conditions

See below for additional information

Recommended Date or Priority 2-24-1999

Recommended by: PLDate: 9/5/01

ADDITIONAL INFORMATION:

7 wells, each for 10 acres filed as 7 Apps.:

63-12525 (well #1) ... 63-12531 (well #7).

Apps. 63-12525 - 12528 are for lands in SWNW & NWSW S.32;

the rest are all in SWNW S.32.

The only overlap is PL for 9 ac. in NWSW Q4,

63-02406 Drain. Dist. water.

Originally filed all of this as 1 Appl., 1 well, 70 acres (63-12472).

That earlier # was reused for proposal N/A to these 7 Apps.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2120

FAX (208) 334-2348

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-12530

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WATER RIGHT NUMBER: 63-12530

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IRVING J RAY 615 N WINDSOR MESA, AZ 85213

Priority Date: 02/24/1999

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 32, Twp 05N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T05N R01W S32 SWNW 10.0

Total Acres: 10

Conditions of Approval:

Remarks:

1. General APPLICANT AGREES TO MITIGATE CONSUMPTIVE USE IN THE FUTURE AS NEEDED.^^

Comments:

1. slester 7/24/2001 Notes
Comment: See 63-12525 for details.
2. slester 7/24/2001 1:42:30 PM Legal Notice Remarks
Comment: Water bearing zone to be appropriated is from 380 to 430 feet.
Mitigation is proposed for consumptive use in Chukar Point Subdivision.

yes?

Dates and Other Information:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

IDAHO DEPARTMENT OF WATER RESOURCES

Dates and Other Information:

Application Received Date: 2/24/1999
Application Denied Date:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Application Type: New Appropriation
Applicant Remarks:
Other Water Rights: None
Time to Complete Works: 3
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: True

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

The Idaho Statesman

RECEIVED

AUG 14 2001

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	498600	APPLICATION FOR PERMIT - 63-12530	\$118.50
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		TT	AUGUST 2, 9, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 33 X2
			Affidavit 1
			Legal # 11064

LEGAL NOTICE

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

63-12530

IRVING J RAY
615 N WINDSOR
MESA AZ 85213

Point(s) of Diversion SWNW S32 T05N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.2 CFS 0.2 CFS

Date Filed: 02/24/1999

Place of Use: IRRIGATION SWNW
T05N R01W S32
Number of Acres 10

Remark: Water bearing zone to be appropriated is from 380 to 430 feet
Mitigation is proposed for consumptive use in Chukar Point Subdivision.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 08/20/2001. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Pub. Aug. 2, 9, 2001

11064

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

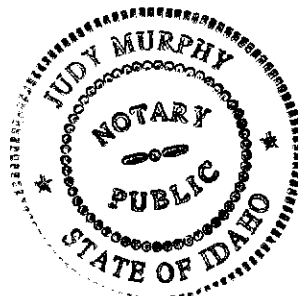
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: AUGUST 2, 2001
and ending with the issue of: AUGUST 9, 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 9 day of AUGUST in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: ~~Boise~~ *Boise*, Idaho
My Commission expires: 1/6/04

Judy Murphy

NOT RECORDED

AUG 15 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

July 19, 2001

MICHAEL HITCHCOCK
C/O IRVING J RAY
615 N WINDSOR
MESA AZ 85213

*Re: Application for Permit Nos. 63-12525 through 63-12531
for Chukar Point Subdivision*

Dear Mr. Hitchcock:

I am writing to follow up on our telephone conversation of July 2, 2001 regarding the above referenced applications. We discussed additional information necessary for application processing to continue.

You indicated you could supply the information soon. Please note the following items with respect to processing the seven applications for the proposed subdivision.

1. The *water bearing zone to be appropriated* should be identified. This information is required before the applications can be published in the legal notices of the local newspaper.
2. A *current subdivision plat for Chukar Point* should be submitted. The plat can be supplied later in the application process and will not delay publication of the filings in the newspaper. An 8.5 x 11 inch plat would be ideal but other sizes are fine.

Please submit the above requested information within thirty (30) days of the date of this letter. If the information is not timely submitted, the applications will be removed from the records of this agency. Thank you for your attention to these matters, and please call me at 208-334-2190 if I can provide any help.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED

APR 23 2004

REVISION MEMO

Date 5/10/99
Applicant 63-12525 through 63-12530
- or - File #
Reviewer Steve Lester

Application for:

☒ Permit ☐ Amendment of Permit
☐ Transfer ☐ Extension of Time (forfeiture)
☐ Exchange

Basis for revision:

☒ IDWR standards and/or map
☒ phone call with applicant, dated: 11/20/98
☒ letter from applicant, dated: 1/4/99
☒ office visit by applicant, dated: 2/24/99
☐ other, dated: MICROFILMED
APP 2: 200

Additional notes: 9/25/98: filed appl for a well, 70 acres given # of
63-12472 (later used # for non-related appl. so n/a to this
situation). By 2/24/99, replaced appl. with 7 appls, each
for 1 well for 10 acres. Additional fees paid 2/24/99.
Priority for all is 2/24/99. Plat map with QC line
per 2/24/99 office visit. "Request to process" ~~can~~ can
be used for all apps. per original form completed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 10, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IRVING J RAY
615 N WINDSOR
MESA AZ 85213

RE: SEVEN APPLICATIONS FOR PERMIT

Dear Mr. Ray:

You recently replaced one application for permit to appropriate ground water for a consumptive use with seven similar applications. The similar filings involve separate wells to irrigate ten acres per well, all in Ada County. Application processing must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992 concerning water right applications proposing new consumptive uses of public water, regardless of source. The moratorium was lifted in May 1995, but application processing was subsequently suspended until technical data are available from the Treasure Valley Hydrologic Study now underway.

This office will hold your application and will resume processing as soon as possible based on the above considerations. Applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of an application.

You paid \$360 in filing fees for this situation. The fee for this situation is \$350. A \$10 refund will be sent to you under separate cover sometime soon.

Please contact me at 334-2190 if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED
JUN 15 1999

MEMORANDUM

TO: DEBBIE ALLEN

FROM: STEVE LESTER *SL*

DATE: MAY 10, 1999

RE: REFUND

The applicant filed 7 applications and paid \$360 via 2 payments. The total fee was \$350.

Please complete the following based on the above information. The receipt numbers are identified for your convenience.

ACTION - Issue \$10 refund
REASON - Overpayment
RECEIPT - W024448 and W024832
MAIL TO - Irving J. Ray
615 N. Windsor
Mesa AZ 85213
(tel. 602-962-1222)

c: Application Files (7)

MICROFILMED

APR 28 1999

2/24/1999

RAY, IRVING

APPLICATION FOR PERMIT

62103

229 21 1155

240.00

CHECK

1014

\$

240.00

Region: WESTERN

Signature: _____

Paid \$120 9/25/98
\$240 2/24/99
\$360

Owed 7 x \$50 = \$350

Retained \$10

-52

W024448

9/25/1998

RAY, IRVING

APP FOR PERMIT NO. 63-12472

62103

229 21 1155

120.00

CHECK

1051

\$

120.00

Region: WESTERN

Signature: _____

MICROFILMED

SEP 25 1998

January 4, 1999

Irving J. Ray
615 N. Windsor
Mesa, AZ 85213

RECEIVED

JAN 06 1999

WATER RESOURCES
WESTERN REGION

Lori Grace
Water Resources
2735 Airport Way
Boise, ID 83705

Dear Lori,

I am enclosing a plat of 7 lots in a subdivision just north of Star, Idaho. I had talked to Jan in your office several times and made an application for one large pump. This transpired in the early Fall.

In trying to formulate covenants and regulations for the lots and water delivery, I realized that a simpler water saving and delivery system was necessary. This would be solved by drilling a smaller well at each site to supply the lot with both irrigation and house water.

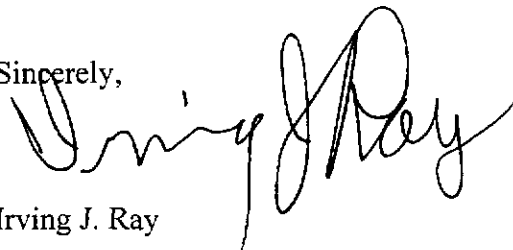
With this system it would allow each person to choose the time and place they want to sprinkle or run their drip systems. The 70 acre ft. allotted to the subdivision would be divided by the 7 lots. This would equal about 100 gpm to each lot. Each person could sprinkle 5-8 acres with their own lines laid in the size and shape they want.

The house site would be marked on the plot plan. The well will be drilled close to each house so that a fire water line, with connector, will act as a fire hydrant for each house. This will allow a fire truck to have water available in an emergency.

The advantages of individual pumps are: it will cost less to irrigate, it is more convenient to irrigate when they desire, it will use less water, and offer added safety. It will also greatly decrease any problems with water use among the subdivision.

I hope you will be able to see this change from 1 large well to 7 smaller individual wells as a positive one.

Sincerely,



Irving J. Ray

P.S. I have marked in red, possible sites for wells. The round circles are possible home sites.

MICHO...

JAN 6 1999

REQUEST TO PROCESS

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

Name of Applicant

IRVING J. RAY

Mailing Address

615 N WINDSOR

MESA, AZ 85213

Application No.
(if known)

~~63~~ 12472

*

 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

Irving J Ray

Date

9-25-98

Please return this form to:

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

MICHAEL

566 5/10/99 Revision memo

-JR

*

July 25, 2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-12525, 63-12526, 63-12527, 63-12528, 63-12529, 63-12530, and
63-12531

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find seven legal notices 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 08/20/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICHAEL L. FELL

2001 JUL 25 AM 11

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

63-12530

IRVING J RAY
615 N WINDSOR
MESA AZ 85213

Point(s) of Diversion SWNW

S32 T05N R01W ADA County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 02/24/1999

Place Of Use: IRRIGATION

T05N R01W S32 SWNW

Number of Acres 10

Remark: Water bearing zone to be appropriated is from 380 to 430 feet.
Mitigation is proposed for consumptive use in Chukar Point Subdivision.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 08/20/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on August 2 and 9, 2001.

MICHAEL

Aug 21 2001