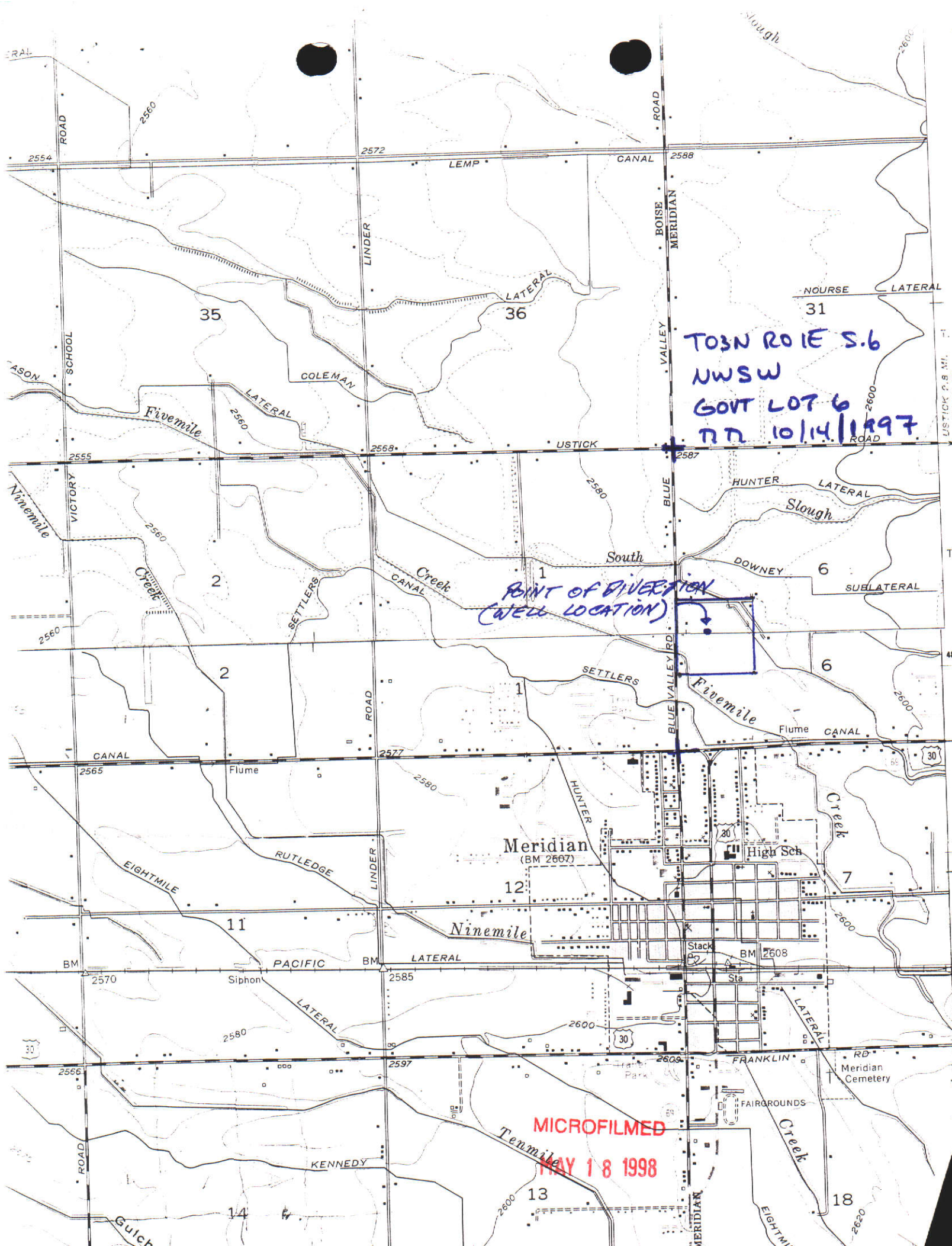
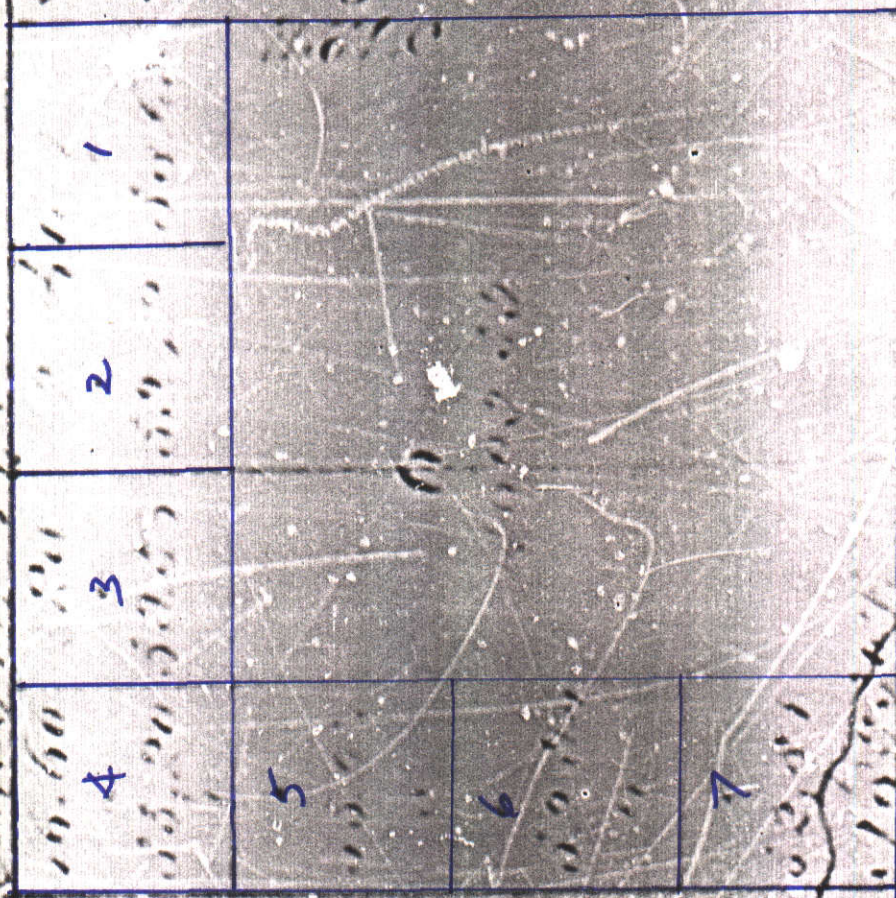




GOUT PLAT (1867)
T03N R01E S-6
LOT 6 NWSW



MICROFILMED
MAY 18 1998

02/04/1998

Bob Angell

Tr. Wicvccr

Domestic use is for apartment complex grounds

Both permits are for the same property + use



B

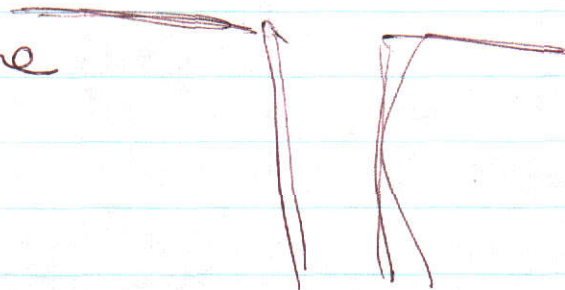
Water bearing zone

125 FT

Set Bowls @

80'

60' - 100'



Supplemental to Nampa-Meridian Irrigation
No city water for landscaping
Totally separate system from internal use

LIST of PARTNERS

Sole General Partner CENTURIAN PROPERTIES, L.L.C.
3 Members of LLC (ALSO MANAGERS)
Robert R. Angell
Larry D. Stevens
Thomas C. Mannschreck

MICROFILMED

MAY 18 1998

Form No. 217
12/99FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0048055
Receipt By: DM
Date Received: 2-8-00STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

- Permit No. 103-12431 Telephone No. 208-887-1916
 - Name of Permit Holder(s): Aspen Hills Limited Partnership
 - Mailing Address: 1108 N. 9th Ste. 250
City Boise State ID Zip 83702
 - Source of Water: Ground If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 99
a. Well Driller: Phlips Drilling Permit Number: 362-9355
 - Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 3 Other: _____
 - Total rate of diversion and/or volume for which proof is submitted: 0.09 cfs OR _____ acre feet
 - Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
 - Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
 - Person to contact to accompany the Department representative during field examination of the water system.
Name: Maxine Hall Johnson Telephone Number: 887-1916
Address: 300 296 E. James Ct #204 Meridian 83642
 - The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder: R. Michael Murchison Date: 2-8-00
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 20 2000

MAY 2 1999

For Office Use Only
\$50 Fee Receipted by 11111.com
Date 5/20/99
Receipt No. 6045503

RECEIVED

MAY 20 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

**REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12431

Name(s) of Permit Holder: Aspen Hills Limited Partnerships

Mailing Address: P.O. Box 7248 Boise Idaho 83707-1248

Date Proof is Due: 4/1/1999 Telephone No. 208-345-9000-212

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Permit Holder was not notified by certified mail of the expiration of the permit to appropriate water

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

See attachment - JLY 7-20-99

Permit holder(s) request an extension to July 1,, 1999

FEE: \$50.00

Robert R Angell
(Signature)*

**If other than permit holder, Power of Attorney must be supplied.*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **April 1, 2000.**

IT IS FURTHER ORDERED that the permit is REINSTATED with no advance in priority.

Signed this 20th day of July, 19 99

L. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12431

Proposed Priority: September 25, 1997 Maximum Diversion Rate: 0.09 CFS

This is to certify, that ASPEN HILLS LIMITED PARTNERSHIP

PO BOX 7248

BOISE ID 83707-1248

has applied for a permit to appropriate water from: GROUNDWATER

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	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWSW), Sec. 6, Township 03N, Range 01E
ADA County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 01E 6 Lot 6(NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1999.
2. Subject to all prior water rights.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of 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.
7. Domestic use is for exterior use at Aspen Hills Apartments.
8. The irrigation occurring under this domestic use shall not exceed 3.0-acres.
9. Water bearing zone to be appropriated is 60 to 100 feet.

MICROFILMED

MAY 1 1998

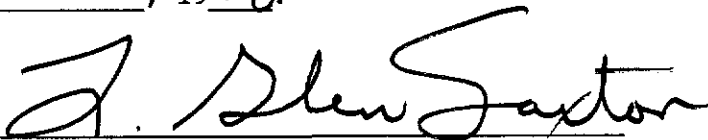
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12431

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

20th day of March, 1998.


for Karl J. Dreher, Director



MICROFILMED

MAY 18 1998

RECEIVED

MAR 18 1998

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 25 1997

WATER RESOURCES
WESTERN REGION

1. Name of Applicant ASPEN HILLS LIMITED PARTNERSHIP Phone 345-9000
Mailing address P O BOX 7248, BOISE, IDAHO 83707-1248
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 3N Range 1E Sec. 6, in the NW 1/4, SW 1/4, _____ 1/4, Govt. Lot _____, B.M., ADA County;
additional points of diversion if any: NONE
4. Water will be used for the following purposes:
Amount 0.0883 . 09 ^{*} for IRRIGATION * DOM 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) 0.0883 . 09 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 (5 HP) AND
BURIED PVC PIPE.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NO; 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 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity 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. SUPPLEMENTAL IRRIGATION OF COMMON AREA AROUND APARTMENT COMPLEX

* DOM use - IRR associated with residences. 10/14/1997 RTT

* See item 5. Rounded up - .03 CFS per acre for the approximately 3 acres
of IRR. 10/14/1997 RTT

MICROFILMED

MAY 18 1998

9. Description of place of use:

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	6										X							2.76

Total number of acres to be irrigated 2.76

10. Describe any other water rights used for the same purposes as described above. NAMPA-MERIDIAN IRRIGATION
DISTRICT SHARES

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: _____

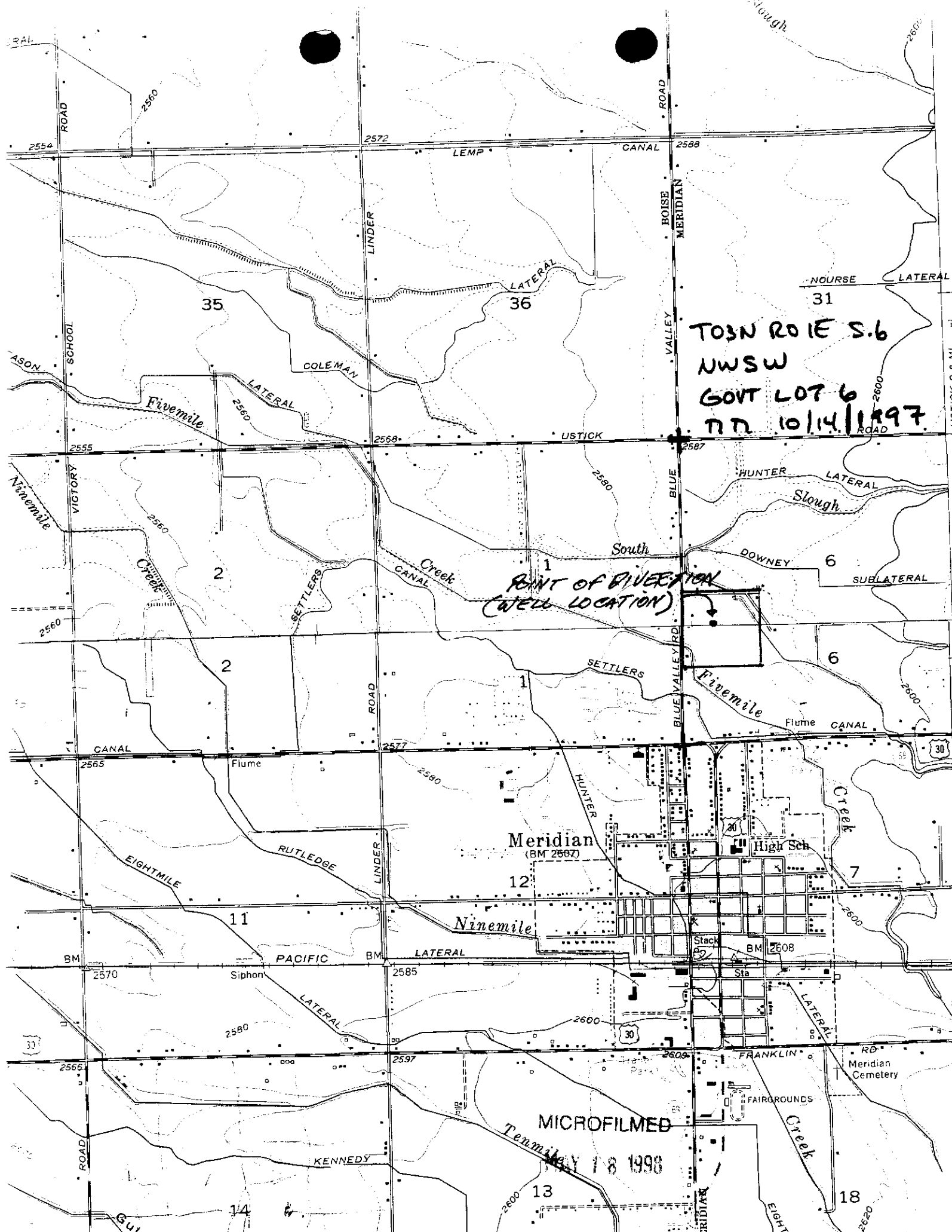
12. Remarks: FOR USE AT ASPEN HILLS APARTMENTS

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.

Robert R. Angell **MICROFILMED**
 Signature of Applicant (and title, if applicable) **MAY 18 1998**
General Partner

Received by K6 Date 9/25/97 Time 9:49 Preliminary check by nn
 Fee \$ 500 Receipted by K6 # W023097 Date 9/25/97
 Publication prepared by ST Date 2/11/98 Published in Id. Statismen 2/19+26/98
 Publication approved ST Date 3/10/98



TOSN RO IE S.6
NWSW
GOVT LOT 6
DD 10/14/1997

POINT OF DIRECTION
(WELL LOCATION)

Meridian
(BM 2607)

MICROFILMED

MAY 18 1993

DORADO DEVELOPMENT COMPANY, INC.

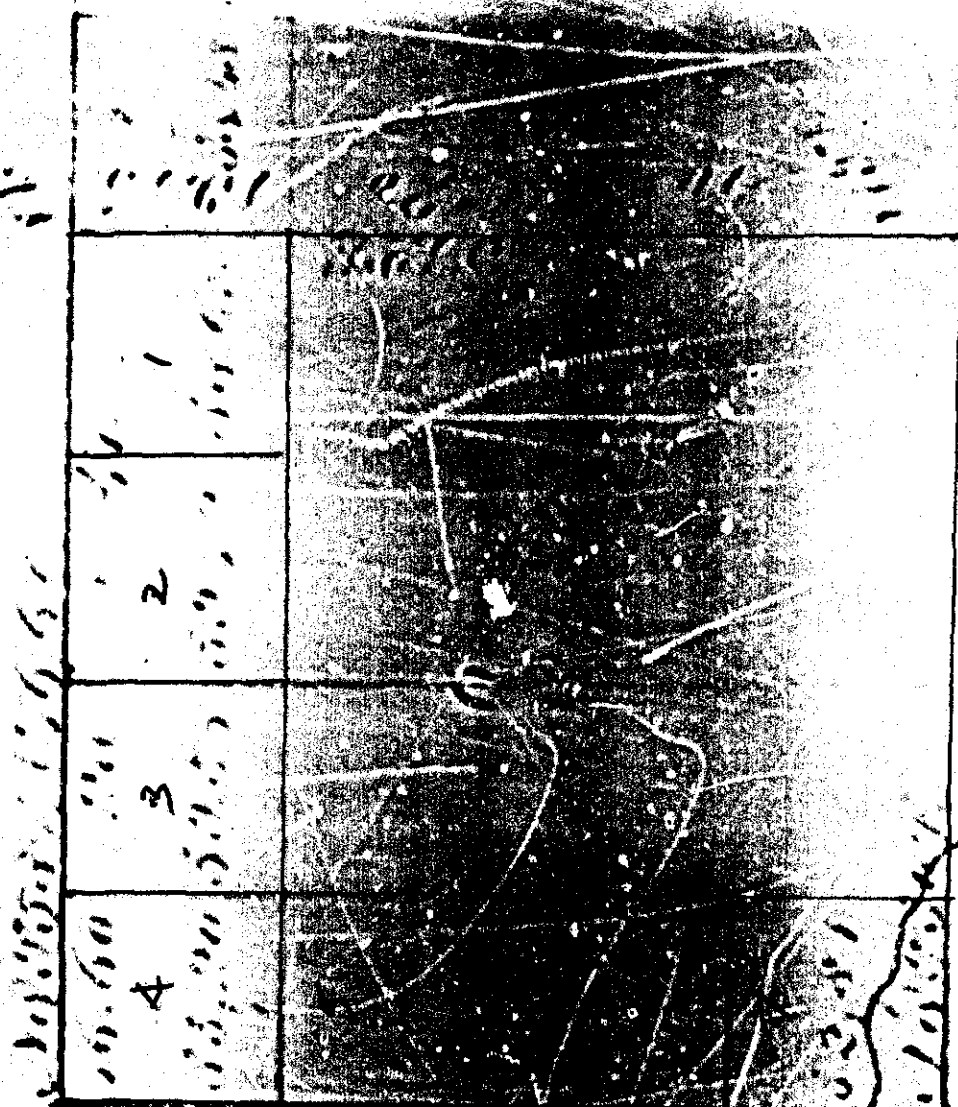
ROBERT R. ANGELL
PRESIDENT

Tel (208) 363-0115
Fax (208) 367-0139

100 N. 9th St., Suite 200
Boise, Idaho 83702

MICROFILMED
MAY 18 1998

GOVT PLAT (1867)
T03N R01E S-6
LOT 6 NWSW





IN REPLY REFER TO:

SRA-6115
WTR-4.00

United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office
214 Broadway Avenue
Boise, Idaho 83702-7298

Karp
RECEIVED

AUG 10 2000

Department of Water Resources

August 9, 2000

Mr. William Nichols
White, Peterson, Pruss, Morrow & Gigray, PA
Attorneys at Law
104 Ninth Avenue South
Nampa ID 86353-0247

Subject: Successor in Interest to Cascade Reservoir Storage Contract No. 14-06-100-7761,
MC Shelley Trust to Shelley Acres Homeowners' Association

Dear Mr. Nichols:

Enclosed for your records is a fully executed copy of the contract document recognizing the Shelley Acres Homeowners' Association as the successor in interest to the subject contract (previously with the MC Shelley Trust). Thank you for your assistance in completing this matter.

Should you have any questions, please contact Claudia Coleman at the above address (code SRA-6115) or telephone (208) 334-9850.

Sincerely,


For Jerrold D. Gregg
Area Manager

Enclosure

cc: Director
Idaho State Department of Water
Resources
1301 North Orchard
Boise, ID 83706
(w/copy of encl)

Mr. Mark Limbaugh
Watermaster
102 N. Main Street
Payette ID 83661
(w/copy of encl)

~~data~~ W.A

Don Safety probably does not
have an interest - The dam is
still owned by USOR. Needs
to be filed in the Cascade
Water Right license file.

W.A

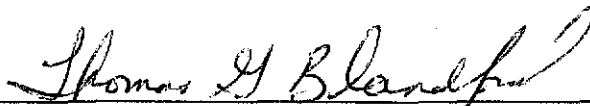
RECOGNITION OF SUCCESSOR IN INTEREST TO CONTRACT
FOR CASCADE RESERVOIR STORAGE

WHEREAS, the United States of America entered into a contract on August 29, 1973, Contract No. 14-06-100-7761, with Harvey N. and Selmah M. Gatfield for use of stored water accruing to 0.120 percent of the 525,000 acre-feet of "remaining capacity" of Cascade Reservoir, which percentage shall, so long as Cascade Reservoir has a total active capacity of 646,461 acre-feet, be treated as the equivalent of 627 acre-feet, on lands owned by the Contractor and described in the contract; and

WHEREAS, all rights, title, and interest in Contract No. 14-06-100-7761 were subsequently assigned to the MC Shelley Family Trust on October 30, 1994; and

WHEREAS, an authorized representative for the Shelley Acres Homeowners' Association states that the Shelley Acres Homeowners' Association is a legal entity representing the owners of the land to which water was to be provided under said contract and requests that it be recognized as the successor in interest to this contract (at mailing address c/o Tom Blandford, 9800 North, Highway 52, Horseshoe Bend, ID 83629);

NOW, THEREFORE, all right, title, and interest in Contract No. 14-06-100-7761, dated August 29, 1973, is hereby recognized to be held by the Shelley Acres Homeowners' Association. This contract action is effective only with the approval of the Contracting Officer as provided in Article 19 of said August 29, 1973, contract.

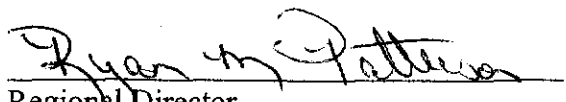


Authorized Representative of Shelley Acres Homeowners' Association

6 - 23 - 00

Date

The above request to be recognized as the successor in interest to this contract is hereby approved:

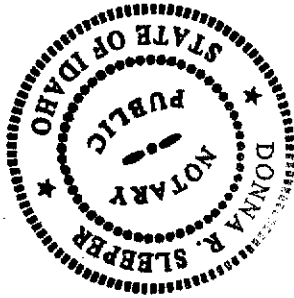
 for the
Regional Director
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise ID 83706-1234

STATE OF IDAHO)

County of Ada : SS

On this 23rd day of June, 19 2000, before me, a notary public, personally appeared Thomas G. Blanford, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed this contract document as his free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of the Shelley Acres Homeowners' Association.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

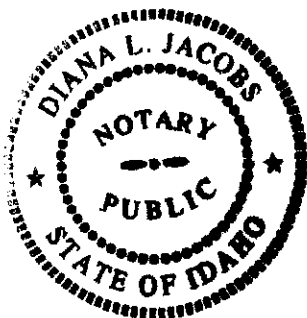
Donna R. Sleeper
Notary Public in and for the
State of IDAHO
Residing at: Boise Idaho
My commission expires: 8/9/2000

STATE OF IDAHO)

County of Ada : SS

On this 27 day of July, 19 2000, personally appeared before me Ryan M. Patterson, to me known to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Diana L. Jacobs
Notary Public in and for the
State of IDAHO
Residing at: Boise
My commission expires: 5-22-06



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ASPEN HILLS LIMITED PARTNERSHIP
168 N 9TH STE 250
BOISE ID 83702

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12431

Dear Permit Holder:

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

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

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

Sincerely,

Deborah Drew-Ellis
Administrative Asst. I, Water Allocations

c: IDWR - Regional Office

MICROFILMED

MAR 20 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12431 Reviewed by dee Date 3/6/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
No Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irrigation/Domestic

Correct Uses? OK

SOURCE OF WATER

No Surface water source

Yes Ground water source

No Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

No Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

/ - / = / + /

DEFICIENCIES OR ACTION ITEMS

Update address & enter proof made date.
acknow proof recit

DATA ENTRY

New Address yes - 168 N 9th Ste 250
Boise ID. 83702
Phone 887-1916

Proof Made 2/8/2000

3/6/00
dee

Mar 20 2000

Summit Real Estate Services
168 N. 9th Street, Suite 250
Boise, ID 83702
208-338-1000
208-338-9699 Fax

TO:

Glen Saxton

FROM:

Carrie Jocke

FAX #:

827-7866

DATE:

2-8-00

NUMBER OF PAGES:

2

NOTES:

Phipps has the permit number.
I could not reach them.

Thanks for your help.

CJ

MICROFILMED

MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 31, 2000

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 837071248

RECEIVED

PROOF DUE NOTICE

RE: PERMIT NO. 63-12431

FEB - 8 2000

Dear Permit Holder:

Department of Water Resources

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

Enclosures

For Glen
CM 2/4/00

MICROFILMED

FEB 20 2000

C046108

7/26/1999

ASPEN HILLS APARTMENTS

DRILLING APPLICATION	54116	229 21 1205	200.00
----------------------	-------	-------------	--------

CHECK	1471	\$	200.00
-------	------	----	--------

Region: STATE

Signature: _____

MICROFILMED

MAR 20 2000

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only			
Inspected by			
Twp	Rge	Sec	
1/4	1/4	1/4	
Lat: : :	Long: : :		
☒ Air	☐ Flowing Artesian		

1. WELL TAG NO. D0009950
 DRILLING PERMIT NO. 63-99-W 0595-000
 Other IDWR No. _____

2. OWNER: WR 63-12431
ASpen H. 15
 Name _____
 Address P.O. Box 7248
 City Boise State ID Zip 83767

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>3</u>		North ☒ or South ☐
W		Rge. <u>1</u>		East ☒ or West ☐
E		Sec. <u>6</u>		1/4 NW 1/4 SW 1/4
S		Gov't Lot _____		County <u>Ada</u>
		Lat: : :		Long: : :
		Address of Well Site <u>300 E James LT</u>		City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. _____ Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT (Sacks or Pounds)	METHOD
Material	From	To		
Bentonite	4	18	10	Temp Case 12" 18' 18"

Was drive shoe used? ☒ N ☐ Shoe Depth(s) 58

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	1	58	250	Steel	☒	☐	☒	☐

Length of Headpipe 5' Length of Tailpipe 0"

9. PERFORATIONS/SCREENS

Perforations _____

Method _____

Screens

Screen Type _____

From	To	Slot Size	Number	Diameter	Material
58	68	20"		6"	SS

Casing ☐ Liner ☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE

4 ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe access port or control devices: N/A

11. WELL TESTS:

☐ Pump ☐ Bailer

Yield gal./min.	Drawdown	Pumping Level	Time
90	—	40	4:45

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: N/A

Depth first Water Encounter 18

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12"	0	4	Tap Soil		
12"	4	13	Soil		
12"	13	18	Gravel	☒	
8"	18	36	Gravel	☒	
1	36	52	Sand & Gravel	☒	
1	52	58	Clay		
1	58	58	Clay		
1	58	68	Sand	☒	

RECEIVED

SEP 16 1999

Department of Water Resources

RECEIVED

SEP 13 1999

WATER RESOURCES
WESTERN REGION

Completed _____ Depth _____ (Measurable)
 Date: Started 8-8-99 Completed 8-16-99

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name PH:PPS Drilling Firm No. 311

Firm Official Wesley A. Ruff Date 9-12-99

and Driller or Operator atp bays Date 8/18/99

(Sign once if Firm Official & Operator)

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 63-12431 Reviewed by [Signature] Date 7/20/99

BASIC INFORMATION

5-20-99 Date stamp received

yes Extension received timely

yes Fee received and receipted

yes Name and signature same as permit

NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to April 1, 2000, on basis of due diligence.
Reinstate w/no advance in priority.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____

Change Proof Due Date 4-1-2000

Change Priority Date ✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Aspen Hills Limited Partnership
PO Box 7248
Boise ID 83707-1248

RE: Permit No. 63-12431

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **April 1, 2000**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension request was received after the proof due date, it was necessary to reinstate the permit. However, the department has reason to believe you did not receive the proof due notice as required in Section 42-204, Idaho Code. Therefore, the permit was reinstated with no advance in the priority date.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

AUG 09 1999


**COLLIERS
INTERNATIONAL**

475 South Capitol Blvd., Suite 300
Boise, Idaho 83702
P.O. Box 7248
Boise, Idaho 83707-1248
Telephone: 208.345.9000
Facsimile: 208.343.3124
www.colliers.com

July 19, 1999

*State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098
Glen Saxton*

RE: Extension of the Permit To Appropriate Water #63-12431

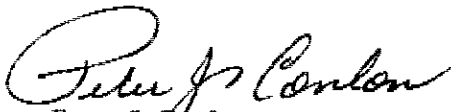
Dear Mr. Saxton

Regarding the extension of our permit, the question was asked what work was completed or was in process prior to April 1, 1999.

During the months prior to April 1, 1999 Aspen Hills Limited Partnership relocated sprinkler main lines, installed low voltage control wiring, installed a 220 volt 60 amp electrical service, contacted Dig Line, and was in negotiation with Hiddleson Well Drilling on the exact start date for drilling. We received no official notification that the permit was ready to expire. I also notice a 5 month difference between the official issuance of the Permit [September 25, 1997] and the cover letter sent along with the Permit [March 20, 1998]

If we could obtain an extension to the above Permit we could have the well drilled and in operation within 21 working days.

Thank you for your consideration in this matter


*Peter J. Conlon
Director of Maintenance
Colliers International*



Colliers Paragon Inc.
Complete Commercial Real Estate Services Since 1898
More than 300 Offices in 44 Countries Worldwide

RECEIVED
AUG 04 1999

MEMORANDUM

To: File 63-12431
From: L. Glen Saxton 
RE: TELEPHONE CALL - PERMIT NO. 63-12431
Date: June 7, 1999

On this date, Harvey Beaver (mobile phone 375-4043-727417) called concerning the status of the extension of time request the permit holder submitted to the department on May 20, 1999.

I located the file and advised Beaver that the extension request was not complete and further advised him of the needed information. He said they would respond in writing.

63-12431

JUN 22 1999

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 6, 1999

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 837071248

LAPSE NOTICE

RE: PERMIT NO. 63-12431

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1999. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

RECEIVED
MAY 11 1999

CERTIFICATION OF MAILING

I hereby certify that on 5/6/99
~~a copy~~ an original of this document was
deposited in the United States Mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

January 31, 1999

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 837071248

PROOF DUE NOTICE

RE: PERMIT NO. 63-12431

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

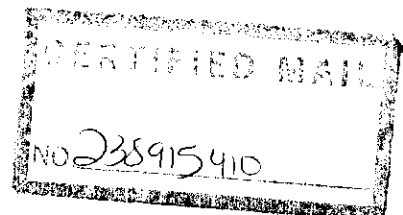
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAILED
AUG 09 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 20, 1998

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 83707-1248

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12431

Dear Permit Holder:

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

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

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

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

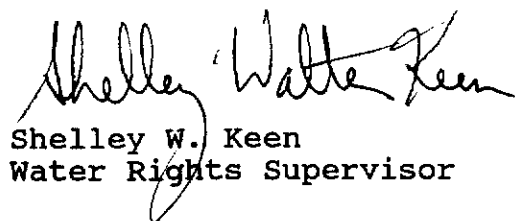
MICROFILMED

MAY 18 1998

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

MAY 18 1996

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12431

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 83707-1248


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 18 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

MAY 18 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

MAY 18 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 63-1243 Name: Aspen Hills LP Date: 3/19/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN:- No/Yes: BRD Mor / _____ GWMA / Trust / Non-trust**PROTESTED:**

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. _____ - _____ - _____ - _____, P99

irr. in WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- ~~074-079~~ *modify*

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:- MIT 041**STANDARD REMARKS:**- 0660/Aspen Hills Apt.**BENEFICIAL USE DUE:**- 4/1/1999**COMMENTS:**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 18 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: TD DATE: 10/14/1997 APPLICATION: 63-12431

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) Adjusted - rounded to nearest .01 CFS. Gov't. Lots:
- ☒ Period of use: TD 10/14/1997 LOT 6 P/D
- ☒ Nature of proposed use: (Include description of use) Corrected LOT 6 P/U
- ☒ Description of diverting works: 10/14/1997
- ☒ 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)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

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

N/A T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium: "Domestic" exemption TD 10/14/1997
- ☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ Copy to Dam Safety staff: (for any storage)
- ☐ ☐ Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
- ☐ ☒ Send power requirement letter:
- ☐ ☒ Send 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

10/14/1997: Request water bearing zone to be appropriated from applicant.

10/17/1997: Request info (wb zone, officers, etc) from applicant. left voice mail

for Michael Marchesi, property manager. TD

DATE REQUESTED

No response info submitted

SEE APP. "COMMENTS" - 8/2/10/98

11/5/98 TD

PROCESSING

APP. NO. 63-12431

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:

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 3-9-98
☐ ☒ Protests received.
☐ ☒ Resolution of protest recorded on application:
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: Irrigation under this domestic right shall not exceed 3.0 acres. Domestic use is for 120 apartment units in 8 buildings. Water bearing zone is 60-100 feet. 041, 065, R52

See below for additional information

Recommended Date or Priority 9/25/97Recommended by: Gary SDate: 3/16/98STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

10/14/1997: As per plat, 8 buildings with a total of 120 living units (120 Families).

Overlup (low) is Nampa-Theridian (surface) water. This well will be supplemental to surface water.

63-12398 may be a duplicate filing. DD

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12431 ✓
ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE, ID 83707-1248

Source: GROUNDWATER
Diversion Pt: LOT 6 (NWSW) Sec 6 T 03N R 01E in ADA County.
Use: DOMESTIC (0.090 CFS)
Total Diversion: (0.090 CFS)
Date Filed: 9/25/1997
In: ADA County
T 03N R 01E S 06 Lot 6 (NWSW)
Water bearing zone to be appropriated is 60 to 100 feet.

63-12432

UNITED WATER IDAHO
PO BOX 7488
BOISE, ID 83707-1488

Source: GROUNDWATER
Diversion Pt: LOT 5 (NWSW) Sec 16 T 04N R 01E in ADA County.
LOT 4 (NWNW) Sec 21 T 04N R 01E in ADA County.
Use: MUNICIPAL (4.500 CFS)
Total Diversion: (4.500 CFS)
Date Filed: 1/30/1998
T R S 00

Water bearing zone to be appropriated from two existing wells is from 231 to 305 feet in well #1 and from 243 to 335 feet in well #2, to be used in UWI's service area.

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 on or before MARCH 9, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. February 19, 26, 1998

9690

RECEIVED

MAR 02 1998

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAY 18 1998

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$120.00

Account Number/Trans. #	Identification		
047628	NOTICE OF APPLICATION FOR WATER RIGHT		
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	FEBRUARY 19, 26, 1998
STATE OF IDAHO - WESTERN REGION DEPARTMENT OF WATER RESOURCES 2735 AIRPORT WAY BOISE, IDAHO 83705		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	9690

RECEIVED

MAR 02 1998

WATER RESOURCES
WESTERN REGION

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

FEBRUARY 19, 1998

and ending with the issue of

FEBRUARY 26, 1998

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 26TH day of FEBRUARY in the year of 1998, before me, a Notary Public, personally appeared 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.

Janice Madie

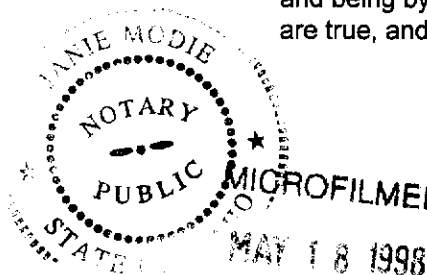
Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

5703



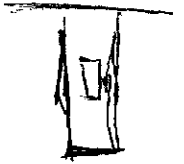
02/04/1998

Bob Angell

Tr. Nicoletti

Domestic use is for apartment complex grounds

Both permits are for the same property + use



B

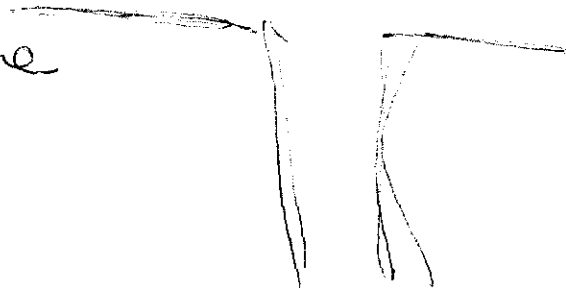
Water bearing zone

125 FT

Set Boulders @

80°

60' - 100'



Supplemental to Nampa-Meridian Irrigation
No city water for landscaping
Totally separate system from internal use

LIST of PARTNERS

Sole General Partner CENTURIAN PROPERTIES, L.L.C.
3 Members of LLC (Also Managers)
Robert R. Angell
Larry D. Stevens
Thomas C. Manischreck

WATERFALL

WATERFALL

10/17/1997

Aspen Hills LTD Partnership

Michael Marcase - Property Mgr

10/28/1997

342 0568

left msg for Mr. Marcase

Marcase

12/31/1997 342-0568

10:35 No answer

345-9000

10:35 left voice mail message

Duplicate filing? 63-12398?

Processing to resume soon?

1/5/1998

Send letter of Intent to void

order

1/15/1998: left msg w/ M. Marchese

1/20/1998: Mr. Angell (363-0115) not available.

1/28/1998: left msg w/ M. Marchese (345-9000). Will

hold appl. until we hear from him

M. Marchese returned msg. Mr. Angell now
handling application details

2/4/1998: Appt w/ Mr. Angell 2:00 pm

MICROFILMED

MAY 18 1998

ROBERT R. ANGELL

RECEIVED

JAN 21 1998

WATER RESOURCES
WESTERN REGION

January 16, 1998

**Mr. Gary Spackman
State of Idaho
Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082**

Dear Mr. Spackman,

I am in receipt of your letter of January 8, 1998 regarding my well water application with regards to the Aspen Hills Apartments, of which I am the general partner.

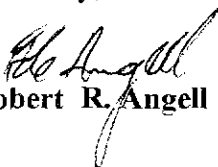
The correct permit is the one that I personally filed with your department on September 25th, 1997.

I did receive the letter from Maria Minicucci in early November, 1997, and have been working towards obtaining the information requested. Unfortunately, the geological information must be obtained from a well driller familiar with the Meridian area. That has been the holdup. However, this application is very much current and I do not want to relinquish the same.

I do expect to receive the information necessary to complete this application within the next 30 days and see no reason why my application should be voided. These things take time and I am doing my best to comply.

Please advise.

Sincerely,


Robert R. Angell



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 83707-1248

Re: Application for Permit

Dear Applicant:

NOTICE OF PENDING ORDER VOIDING APPLICATION FOR PERMIT

On September 25, 1997, Aspen Hills Limited Partnership filed with the Department of Water Resources an application for permit to provide water for irrigation use located within Sec. 6, T03N, R01E, B.M., in Ada County.

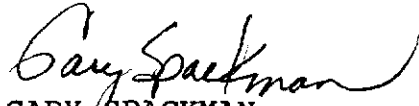
The department corresponded with you on October 31, 1997, requesting additional information regarding the proposed water bearing zone of the well. This information is necessary to continue processing of the application. The requested information has not been received by this office.

Additionally, in the Spring of 1997 I assisted an employee of Aspen Hills with an application for permit (no. 63-12398) which may be a duplicate of the new application. Enclosed is a report which summarizes application no. 63-12398. Please review this report to determine if the use described is the same use as shown on the new application.

Because the requested information was not submitted, this letter requests that you withdraw your application for permit or explain why the Department should not void your application.

If you fail to respond to this inquiry within thirty (30) days from the date of this letter, the Department will void your application. The application will be voided because you have not provided the necessary information needed to analyze the application.

Sincerely,

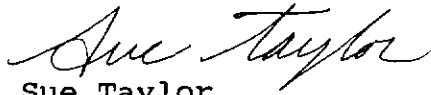

GARY SPACKMAN

GS:mm

Enclosure

I hereby certify that on this 9th day of January, 1998,
I sent the original copy of this letter, postage prepaid, to the
person and address listed above.

Sincerely,

A handwritten signature in cursive script that reads "Sue Taylor". The signature is fluid and elegant, with the first and last names clearly distinguishable.

Sue Taylor
Secretary



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

October 31, 1997

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE ID 83707-1248

RE: Application for Permit

To Whom It May Concern:

This office has received your Application for Permit for the use of ground water for external use at Aspen Hills Apartments. Additional information is required before we can process the Application.

The first and most important piece of information is the water bearing zone from which you propose to appropriate water. You may want to consult with your well driller to determine this information. Also, IDWR has well logs which are available for your review. These logs provide data on wells drilled in your area. Well logs are available for research during our regular office hours.

IDWR cannot process your Application without your determination of the water bearing zone of the proposed well. Please submit this information at your earliest convenience.

Additionally, IDWR requires a list of the partners of Aspen Hills Limited Partnership.

IDWR can advertise your Application once we receive information about the water bearing zone of the well. The list of partners is not required for advertising, but must be submitted before IDWR will issue the Permit.

If no response to this letter is received within 30 days, it will be assumed that you do not wish to proceed with your Application. In that case IDWR will initiate the process to void the application and refund your money.

Please do not hesitate to contact me if you have any questions or need additional information.

Post-it* Fax Note	7671	Date	11/12/97	# of pages	1
To	Michael	From	MMINICUCCI		
Co./Dept.		Co.	IDWR		
Phone #		Phone #	334 2266 X112		
Fax #	342 0568	Fax #	334 2348		

Sincerely,

Maria Minicucci
Senior Water Agent

MICROFILMED

MAY 10 1998

DORADO DEVELOPMENT COMPANY

P. O. Box 7248
Boise, ID 83707-1248

(208) 345-9000
Fax: 345-6321

September 23, 1997

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Application For Permit

Dear Sir/Madam,

Enclosed please find the completed Application for Permit for a supplemental irrigation well to be drilled on the site of the Aspen Hills Apartments in Meridian, Idaho.

Presently, the primary source of irrigation water is that which was purchased with the property when it was farm land, derived from the Nampa-Meridian Irrigation District.

It is the intent of the Aspen Hills Limited Partnership, the legal entity owning the apartment property, to supplement this irregular and erratic source of water with an irrigation well.

The site of the Aspen Hills Apartments is 6.66 acres of which approximately 3.90 acres are improved in buildings, roadways and sidewalks with the balance of 2.76 acres being landscaped with grass, trees and plants.

It is our understanding that this would work out to approximately .0883 CFS or about 40 gallons per minute and it is this amount of water that we are requesting under this application.

I am enclosing a copy of the site plan with the shaded areas indicating those that are landscaped and irrigated.

Lastly, we are enclosing a check in the amount of \$50.00 as required.

Please contact me if you require any further information or have any questions.

Thank you for your assistance.

Sincerely,


Robert R. Angell

General Partner
Enclosures

63-12431

ASPEN HILLS LIMITED PARTNERSHIP
PO BOX 7248
BOISE, ID 837071248

Source: GROUNDWATER

Diversion Pt: LOT 6 (NWSW) Sec 6 T 03N R 01E in ADA County.

Use: DOMESTIC	(	0.090 CFS)
Total Diversion:	(	0.090 CFS)

Date Filed: 9/25/1997

In: ADA County
T03N R01E S06 Lot 6(NWSW)

Water bearing zone to be appropriated is 60 to 100 feet.

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0020077

Date: 9/25/1997
Time: 09:39:52

Received
From: ASPEN HILLS APARTMENTS

Type of Payment	Program A cct	Amount
APPLICATION FOR PERMIT	62103 229 21 1155	50.00
CHECK 797		
	Total	\$ 50.00

Region: WESTERN

Signature: Kathy Galt

RECEIVED
SEP 28 1997