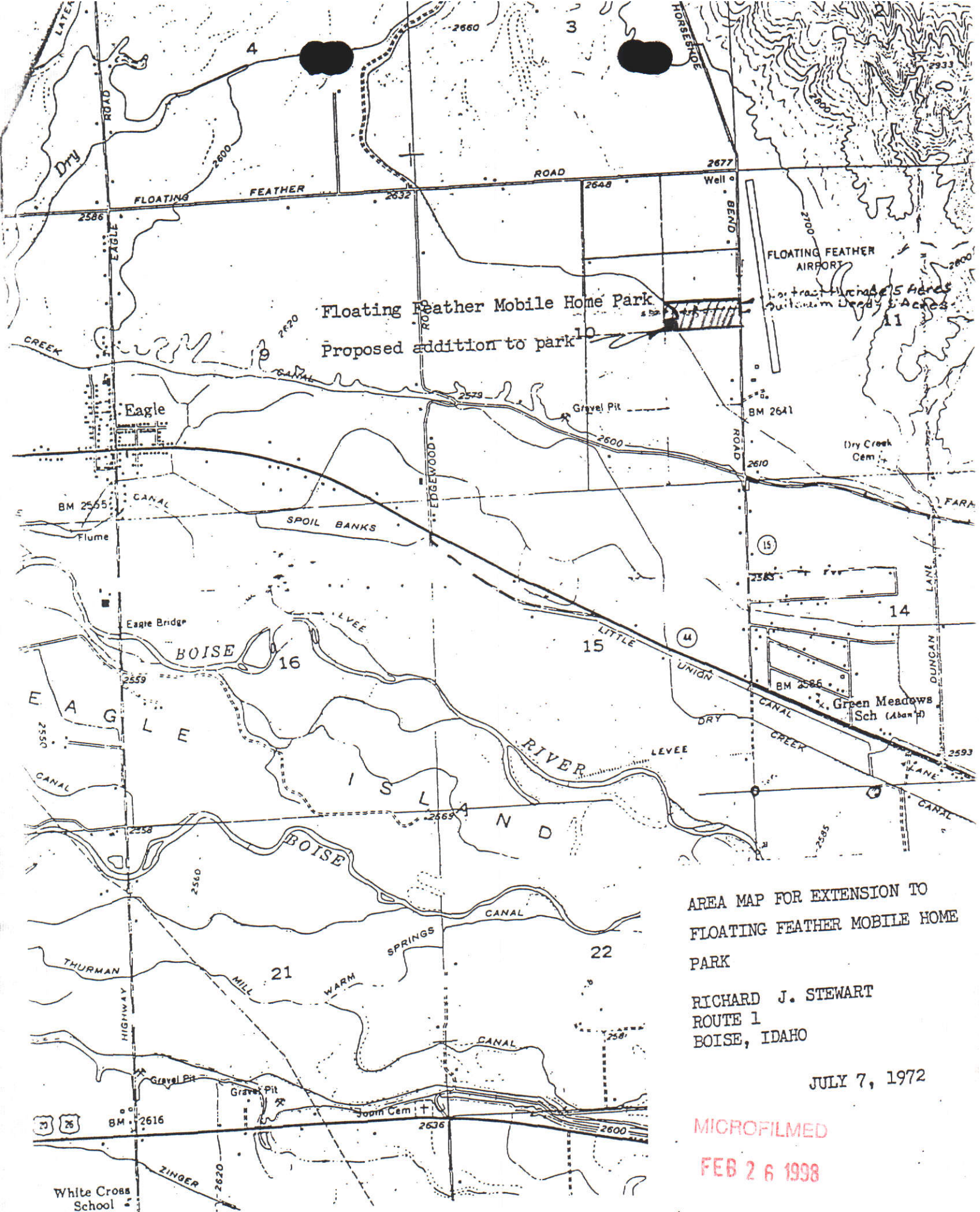




AREA MAP FOR EXTENSION TO
FLOATING FEATHER MOBILE HOME
PARK

RICHARD J. STEWART
ROUTE 1
BOISE, IDAHO

JULY 7, 1972

MICROFILMED

FEB 26 1998

FLOATING FEATHER M/H PARK

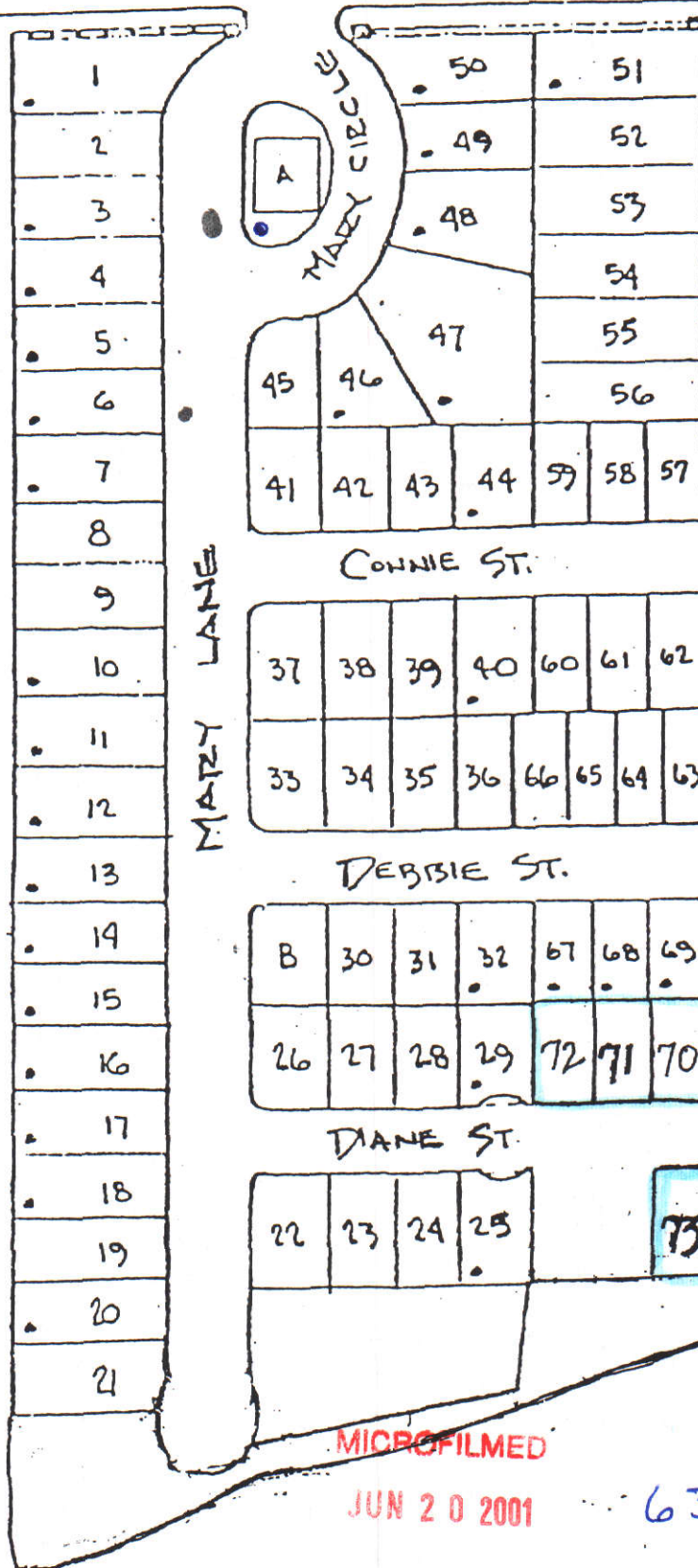
June 1, 2000



10601 HORSESHOE BEND RD.

BOISE, ID

83703



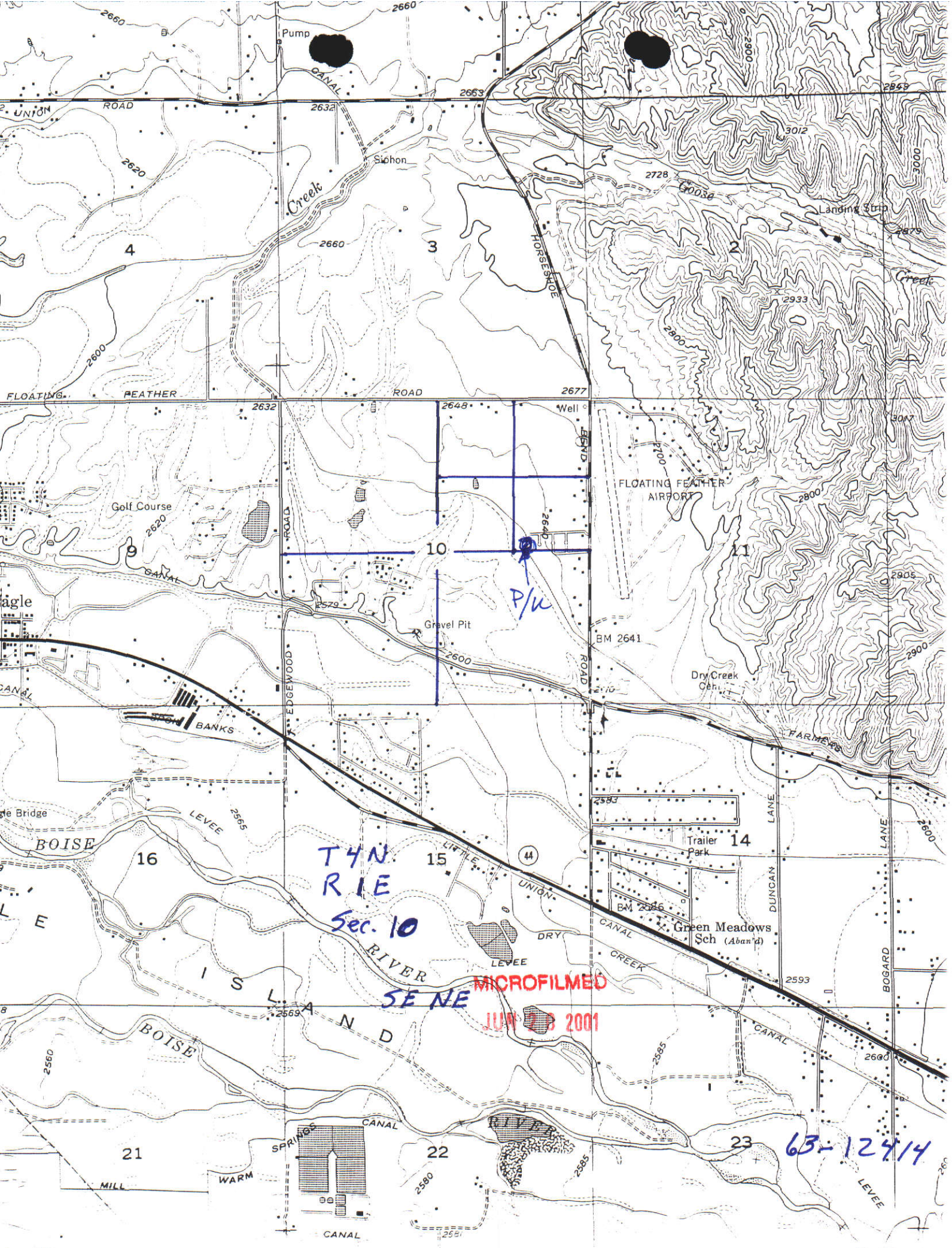
A OFFICE
B. REC HALL
• DOUBLE WIDE

POU

MICROFILMED

JUN 20 2001

63-12414





P/u



P/u

MICROFILMED
JUN 20 2001

63-12414



P/u



P/u

MICROFILMED
JUN 20 2001

63-12414

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12414

Priority: September 08, 1997

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 6.0 AF

It is hereby certified that FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10601 HORSESHOE BEND RD
BOISE ID 83703 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 08, 1997; and has
submitted Proof of Beneficial Use on November 15, 1999. An examination indicates that the works have
a diversion capacity of 0.57 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
0.12 CFS

**ANNUAL
DIVERSION VOLUME**
6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE 1/4 NE 1/4	Sec. 10, Twp 04N, Rge 01E, B.M., ADA County
GROUND WATER	SE 1/4 NE 1/4	Sec. 10, Twp 04N, Rge 01E, B.M., ADA County
GROUND WATER	SE 1/4 NE 1/4	Sec. 10, Twp 04N, Rge 01E, B.M., ADA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	10				X													

CONDITIONS OF APPROVAL

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. Points of diversion are located within Lots 2, 53, and office lot in Floating Feather Mobile Home Park.

MICROFILMED

JAN 2 1999

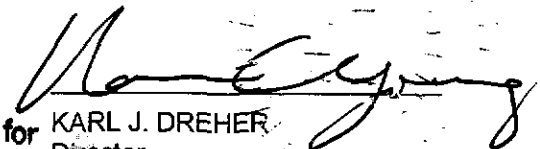
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12414

4. Place of use is located within Lots 70-74, Floating Feather Mobile Home Park.
5. Domestic use is for 5 homes.
6. Rights 63-07530 and 63-11105 are also diverted through the points of diversion described above.
7. Rights 63-07530, 63-11105 and 63-12414 when combined shall not exceed a total diversion rate of 0.57 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6TH day of JUNE, 2001.


Acting for **KARL J. DREHER**
Director

MICROFILMED

JUN 28 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 63-12414 IN THE NAME OF)
FLOATING FEATHER RENTAL CO.)
_____)

ORDER

This matter having come before the Department of Water Resources (Department) as a result of a request to waive certain condition of approval on a permit to appropriate water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On December 22, 1997, the Department issued Permit 63-12414 (permit) to Floating Feather Rental Company (permit holder) with a condition of approval requiring the use of the full allotment of appurtenant surface water rights in conjunction with ground water diverted for irrigation use under the right and to only divert ground water for irrigation use under the right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. On May 4, 2001, the Department received a request from the permit holder to remove the surface water requirement. The permit holder stated that to its knowledge, surface water has not been used for many years for irrigation purposes and the permit holder does not recall ever being billed for use of surface water.

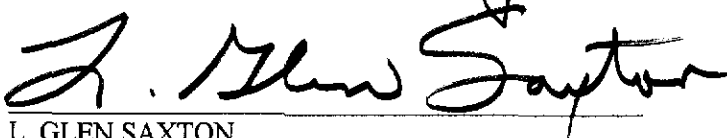
CONCLUSIONS OF LAW

1. The right holder has two previously licensed water rights from ground water for domestic, irrigation and commercial purposes. The previous licenses were silent in regard to the use of surface water rights.
2. Department personnel have contacted the Boise Valley Irrigation Ditch Company and confirmed that the permit holder does not receive water for this property.
3. The Department should waive the requirement of use of the full allotment of appurtenant surface water rights.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the condition of approval requiring the use of appurtenant surface water rights is **WAIVED**.

Dated this 8th day of May, 2001.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUN 20 2001

NOV 16 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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 who has been appointed by the department.

1. Permit No. 63-12414 Telephone No. 939-0308

2. Name(s) of Permit Holder(s): FLOATING FEATHER RENTAL CO.

3. Mailing Address: 10601 HORSESHOE BEND RD. BOISE, ID 83703

4. Source of Water: EXISTING If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 5 Stockwater (No. and type of stock):

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

6. Total rate of diversion and/or volume for which proof is submitted: 0.12 cfs OR acre feet

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

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

Measuring Device: Is a measuring device required? Yes or No

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: EILEEN SEWIT Telephone Number: 939-0308

Address: 10601 HORSESHOE Bend RD Boise ID 83703

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

Signature of permit holder: Eileen Acatt, Manager Date: 11-12-99
(include your title, if on behalf of company or organization)

10/14 SPOKE WITH KERILYNA

JAN 28 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12414

Proposed Priority: September 8, 1997 Maximum Diversion Rate: 0.12 CFS

This is to certify, that **FLOATING FEATHER RENTAL CO**
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE ID 83704

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	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 10, Township 04N, Range 01E
ADA County

PLACE OF USE: DOMESTIC
TWN RGE SEC
04N 01E 10 SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1999.
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. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation use under this right and shall only divert groundwater for irrigation use under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This right shall not be used for irrigation use if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. Three points of diversion are located within SENE, S10, T04N, R01E.

FILED
SEP 16 1997

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 63-12414

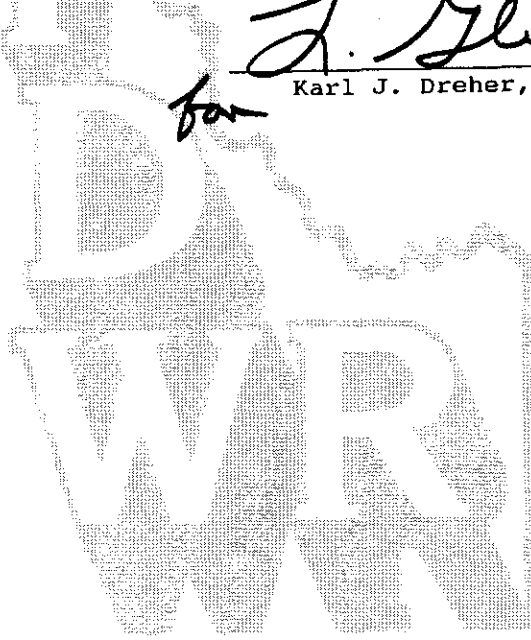
CONDITIONS OF APPROVAL AND REMARKS

10. Points of diversion are located within Lots 2, 53, and office lot in Floating Feather Mobile Home Park.
11. Places of use are located within Lots 70-74 in Floating Feather Mobile Home Park.
12. Domestic use is for 5 homes.
13. Water bearing zone to be appropriated is 50 to 150 feet.

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

22nd day of December, 1997.

Karl J. Dreher
for Karl J. Dreher, Director



RECORDED

DEC 18 1997

Ident. No. 63-12414

RECEIVED

SEP - 9 1997

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Floating Feathers Rental Co.

RECEIVED

SEP 08 1997

Department of Water Resources

1. Name of Applicant Leon Scott Phone 343-5541
Mailing address 10315 Country Squire Lane Boise, Id 83704
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is Township 4 N Range 1 E Sec. 10, in the SE 1/4, NE 1/4, Govt. Lot _____, B.M., Ada County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.12 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 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) 0.12 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source 3 wells with a 4000 gal hydro-pneumatic pressure tank (#1-80 gpm, #2-550 GPM, #3-150 GPM)
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85° F being sought? _____
- e. If well is already drilled, when? see attached; 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 2 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. 5
- e. Other; describe fully. _____

* per Leon Scott telecon 10/13/97. He is sending list of partners.
(received & attached)

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	
4	1	10				0													

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Floating Feather Rental Co
- b. Who owns the land to be irrigated or place of use? Floating Feather Rental Co.
- 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: _____

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.

Chris M. Seatt

 Signature of Applicant (and title, if applicable)

Received by SO Date 9/8/97 Time 2:07 PM Preliminary check by 6

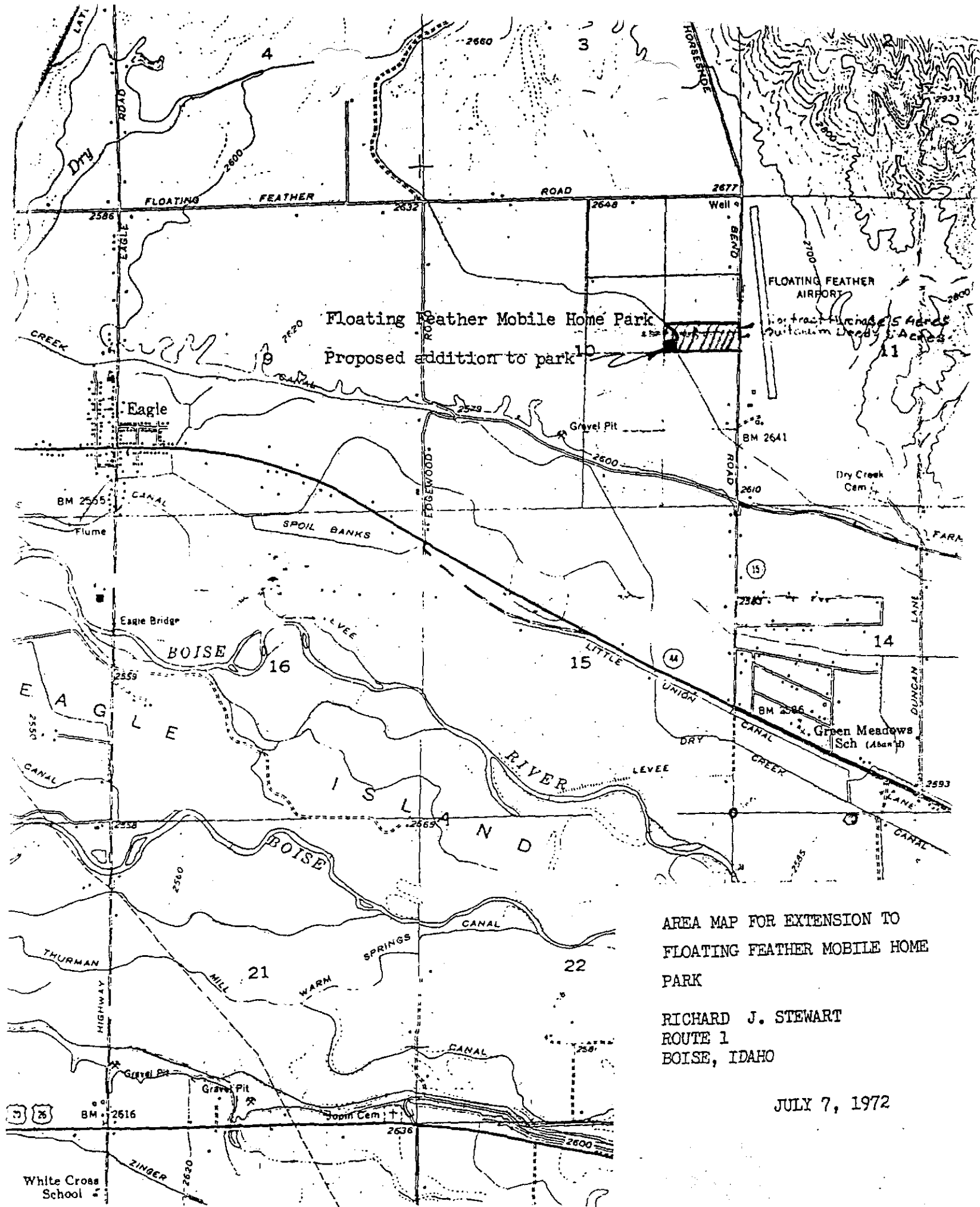
Fee \$ 50 Received by LS # CD-445-77 Date 9/8/97

Publication prepared by ST Date 10-29-97 Published in Idaho Times 11-04-97

Publication approved ST Date 12-8-97

- 6-a No. 1 Well, 5 HP, 2 1/2" Disch. Subm. pump set at 80' in 6"x138' Well, W.S. at 49';
No. 2 Well, 10 HP, 4" Disch. Subm. pump set at 90' in 10"x138' Well, W.S. at 49';
No. 3 Well, 5 HP, 2 1/2" Disch. Subm. pump set at 130' in 6"x142' Well, W.S. at 80';
6" to 1 1/4" Dia. Distribution pipe mains; 750 Gal Hydro-Pressure Tank.
- 6-e No. 1 Well, Russel Cowe, Aug. 1966;
No. 2 Well, Harvey Stone, Oct. 1970;
No. 3 Well, Hugh Hardin, Sept. 1963, was cleaned out and new pump set during summer of 1976.

RECEIVED
FEB 16 1973



AREA MAP FOR EXTENSION TO
FLOATING FEATHER MOBILE HOME
PARK

RICHARD J. STEWART
ROUTE 1
BOISE, IDAHO

JULY 7, 1972

Comments: Date: 9/29/1997 User-ID: LGRAVES

Subject: MISC.

Floating Feather Mobile Home Park and the 3 wells are covered with license 63-07530 for 50 units and license 63-11105 for another 19 units, 1 office, and 1.5 acres irrigation. System capacity was calculated at .57 cfs. 5 additional units are proposed and limited to use within domestic guidelines. The water bearing zone was determined from well depth and pumping level information submitted by Leon Scott, which slightly differs from the well information documented in the L63-11105 field report. No well logs were found. Partners include Leon Scott, Manager, Ann Scott, John Wates, Larry Kissler, Elmer Merle, Quinton Homer, John Marria, and John Radenmacher. A plat map specifying the 5 additional units was requested 10/9/1997.

FLOATING FEATHER RENTAL PARTNERS.

ANN SCOTT - Managing Partner

JOHN WAGES

LARRY KISSLER

ELMER MEALE

QUINTON HOMER

JOHN MARRIA

JOHN RADEMACHER

10-3-97



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 7, 2001

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10601 HORSESHOE BEND RD
BOISE ID 83703

RE: License No. 63-12414 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

JUN 20 2001

SWK:klt

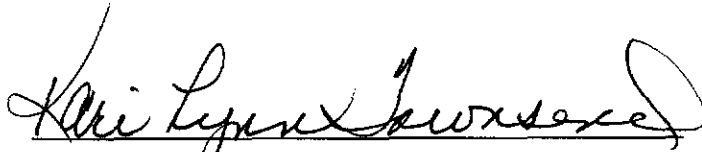
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on June 7, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 63-12414

**FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10601 HORSESHOE BEND RD
BOISE ID 83703**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 28 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
JUN 20 2001

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

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

May 8, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10601 HORSESHOE BEND RD
BOISE ID 83703

RE: Preliminary Order in the Matter of Permit 63-12414

Dear Permit Holder(s):

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

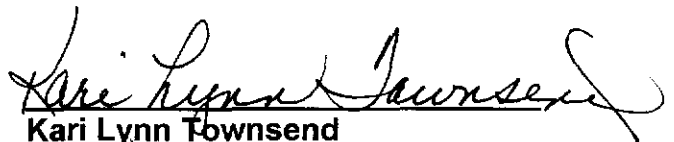
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of **May, 2001**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit 63-12414

**FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10601 HORSESHOE BEND RD
BOISE ID 83703**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 20 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED

JUN 2 11 2601

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.

Memorandum

To: File 63-12414

From: Kay Walker 

RE: Use of surface water

Date: May 8, 2001

.....

I have looked at the shape file created by SRBA staff for the Boise Valley Irrigation Ditch Company and found that the shape includes the property where this water right is located. I then contacted the ditch company and asked them if the permit holder had any shares in their ditch. They found no records of the permit holder as holding shares in their records.

MICROFILMED

JUN 21 2001

RECEIVED

MAY - 4 2001

Department of Water Resources

Floating Feather Mobile Home Park
10601 Horseshoe Bend Road
Boise, Idaho 83703
208-939-0308

April 30, 2001

Kay Walker
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Permit No. 63-12414

Dear Kay:

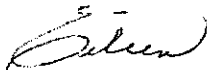
This letter is in response to your April 24th letter.

We request a conditional removal of number 7 (which is highlighted on our letter) in regard to this permit.

To our knowledge this permit has not been used in many years for irrigation purposes. Also, we can't remember ever being billed by the Boise Valley Irrigation Company for this water use.

We appreciate you considering this request. If you have any questions please give us a call.

Sincerely,


Eileen Scott,
Manager

MICROFILMED
JUN 21 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

April 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FLOATING FEATHER RENTAL CO.
10601 HORSESHOE BEND RD
BOISE ID 83703

RE: Permit No. 63-12414

Dear Permit Holder:

We are reviewing the above referenced permit for licensing purposes and find we need more information in regard to your water use. Enclosed, for your convenience, is a copy of Permit 63-12414.

Please note that condition No. 7 on your permit requires the following:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation use under this right and shall only divert groundwater for irrigation use under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Our examiner noted on his field report that your property is within the boundaries of the Boise Valley Irrigation Company. However, he was told at the time of his examination that surface water is not used for irrigation. Before we can issue a license for this water right, we need to know how you comply with the above condition of your water right.

Please submit any documentation that you have in regard to compliance with this condition of your permit within thirty (30) days of the date of this letter. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

MICROFILMED

LICENSE REVIEW CHECKLIST

Permit No. 63-12414

Date: 4-23-01

Reviewer: Kay Walker

Change/OK

Name/Address ☒

Source ☒

Point of Diversion: ☒

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use ☒

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed ☒ Profile reports printed ☒

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.12 cfs

Fee Limit

Measured

Theoretical 0.57 cfs

Recommended Total Diversion Rate 0.12

Season of Use per new Standards

Water Uses

Change (P46)

Irrigation cfs af

Stockwater cfs af

Domestic 0.12 cfs 6.0 af

cfs af

cfs af

Total 0.12 cfs 6.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (W187/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

$0.57 \times 1.9835 \times 365 = 413 \text{ AF}$ > all rts combined will not exceed this amt.

Additional Conditions

☒ Watermaster Control

☒ GW Measurement/Measuring Device

☒ Other

☒ Trust R55 - remove 051)

☒ Non-trust (048/049)

GW Dist? ☒

Water Msmt. Dist? ☒

Crit. GWMA? ☒

GWMA? ☒

Government Lots? ☒

Advance Priority? ☒ yes

☒ no

If yes, explain why below.

SRBA Claim?

Not req'd.

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

see exam in 63-11105 for specifics on wells, i.e. depth, size, capacities

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-7530

Owner Type Name and Address
 Current Owner WALTON R FARMER
 C/O GLENN FARMER
 6106 PIERCE PARK LN
 BOISE, ID 83702

Original Owner RICHARD J STEWART

Priority Date: 12/07/1971
 Basis: License
 Status: Active

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.33 CFS	60 AFA	
Total Diversion			0.33 CFS	60 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENE Sec. 10 Township 04N Range 01E ADA County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01E	10		SENE										

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:

1. General 3 P/D IN SENE, S10, T4N, R1E.

Dates:

Licensed Date: 09/13/1979
 Decreed Date:
 Permit Proof Due Date:
 Permit Proof Made Date:
 Permit Approved Date:
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Application Received Date:
 Protest Deadline Date:
 Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-11105

Owner Type Name and Address
 Current Owner FLOATING FEATHER RENTAL CO
 10601 HORSESHOE BEND RD
 BOISE, ID 83703
 (208)939-0308

Priority Date: 02/04/1992
 Basis: License
 Status: Active

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.05 CFS	6.8 AFA	
COMMERCIAL	1/01	12/31	0.2 CFS	12 AFA	
Total Diversion			0.25 CFS	18.8 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENE Sec. 10 Township 04N Range 01E ADA County

Licensed Diversion Capacity: 0.57

IRRIGATION Use:
 Acre Limit: 1.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01E	10		SENE	1.5									

Place of Use Legal Description: COMMERCIAL same as IRRIGATION

Total Acres: 1.5

Conditions of Approval:

1. R27 This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

1. General The total combined rate of diversion under this right and Right No. 63-07530 shall not exceed .57 cfs.
 Three points of diversion are located within SENE, S10, T04N, R01E.
 Place of use is located within the Floating Feather Mobile Home Park.
 Commercial use is for 19 mobile home units and an office.

Dates:

Licensed Date: 08/17/1993
Decreed Date:
Permit Proof Due Date: 6/1/91
Permit Proof Made Date: 2/4/92
Permit Approved Date: 5/24/90
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 08/21/1989
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s): C010013
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

AUG -3 2000

A. GENERAL INFORMATION

Permit No. 63-12414

1. Owner: Floating Feature Rental Co.

Phone No. 208-939-0308

Current Address: 10601 Horseshoe Bend Rd., Boise, ID 83703

2. Accompanied by: Eileen Scott EXAM DATE: 6-1-2000

Address: 10601 Horseshoe Bend Rd. Phone No. 208-939-0308

Relationship to Permit Holder: Manager

3. Source: Groundwater

*showed he:
Floating Feather*

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-07530 and 63-11105

2. Other water rights with the same point of diversion: 63-07530 and 63-11105

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	10	04N	01E	ADA	USGS TOPO MAP / PREVIOUS EXAMS

2. Place(s) of Use:

Indicate Method of Determination USGS TOPO MAP

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	10				D													

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JUN 20 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

 X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

 Aerial Photo Attached (required for irrigation of 10+ acres).

 * Photo of Diversion and System Attached

* See Field exam for water right 63-11105

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
See Field Exam for water right 63-11105					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
See Field Exam for water right 63-11105						

2. **Measurements:** NONE – See field exam for water right 63-11105

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JUN 28 2001

E. NARRATIVE/REMARKS/COMMENTS

The place of use and point of diversion are in the Floating Feather Mobile Home Park. The mobile home park is located in the SENE of Section 10, Township 04N, Range 01E. This permit allows for 5 additional homes (Lots 70-74). The five additional lots have been added and are currently occupied. The diversion system has not changed since it was examined in 1992 when 19 units were added under 63-11105. The other 50 units are covered by license 63-07530.

The place of use is within the boundaries of the Boise Valley Irrigation Company. However surface water is not used for irrigation or any other purposes. It is unclear if surface water has been used in the past for irrigation purposes. The manager of the mobile home park confirmed that no surface water is currently being used and was not certain if it was used in the past.

The capacity of the system as shown in the field exam for 63-11105 is 0.57 cfs. The combined diversion rate for water rights 63-07530 and 63-11105 is 0.57 cfs. The system has not changed since the last field exam of the mobile home park. The system capacity limits the amount of water that can be diverted.

It is recommended that this permit be licensed with a condition limiting the combined diversion rate of 63-07530, 63-11105, and 63-12414 to 0.57 cfs.

MICROFILMED

Have conditions of permit approval been met? ☒ yes ☐ no

JUN 20 2001

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

No measurements were taken. See field exams for water right 63-11105.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses: Domestic Use

Volume required

$$1.2 \text{ AFA per unit} \times 5 \text{ units} = 6.0 \text{ AFA}$$

Volume diverted

$$0.12 \text{ cfs} \times 365 \times 1.9835 = 86.9 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic	1/1	12/31	0.12	6.0
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			0.12 cfs	6.0 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

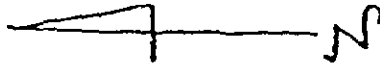
Richard D. Hansen – Field Examiner

Field Examiner's Name Richard D. Hansen Date 5/8/00 **MICROFILMED**Reviewer _____ Date 5/18/2000

SEAL

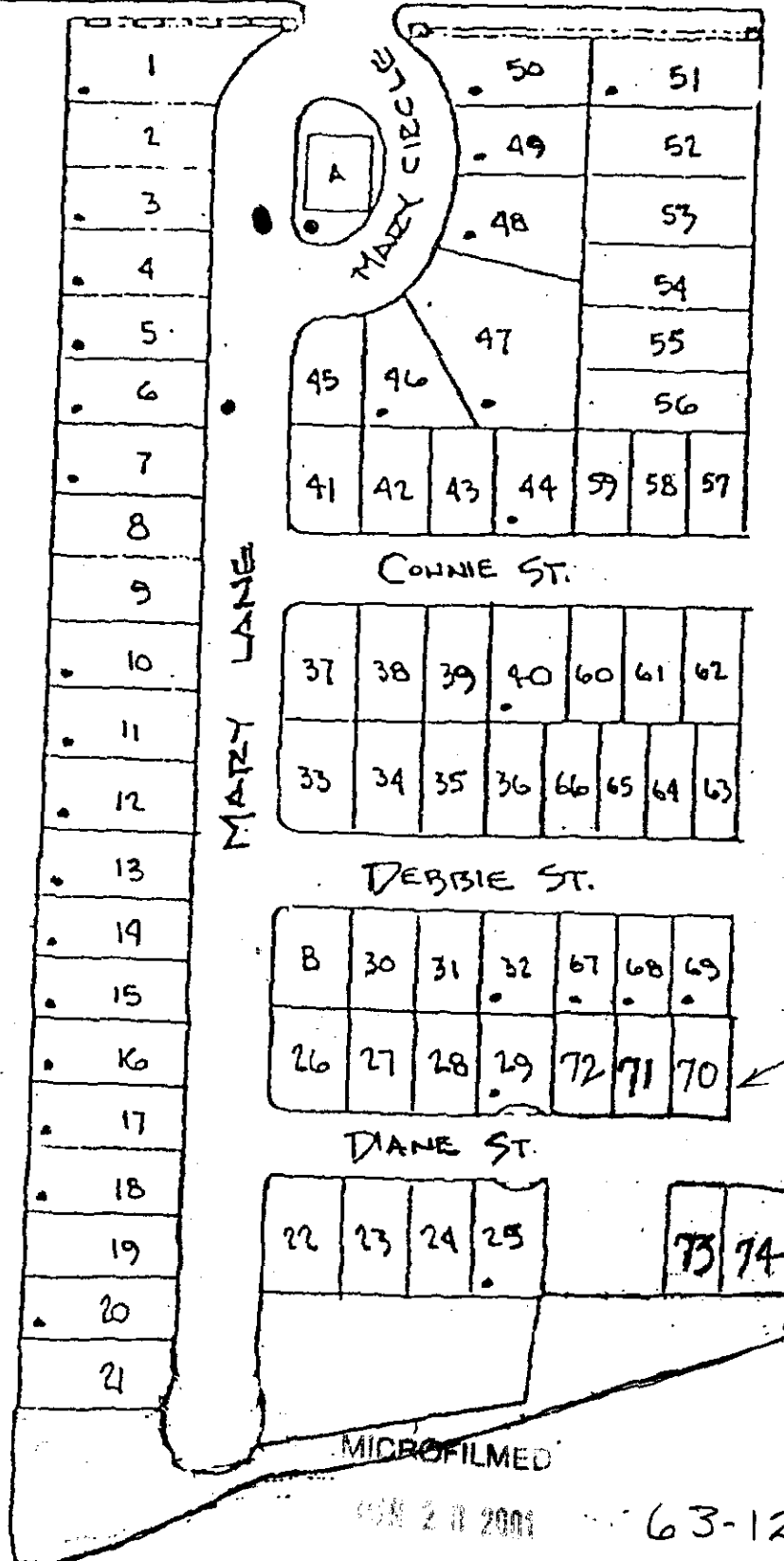
FLOATING FEATHER M/H PARK

JUNE 1, 2000



10601 HORSESHOE BEND RD.

BOISE, ID 83703



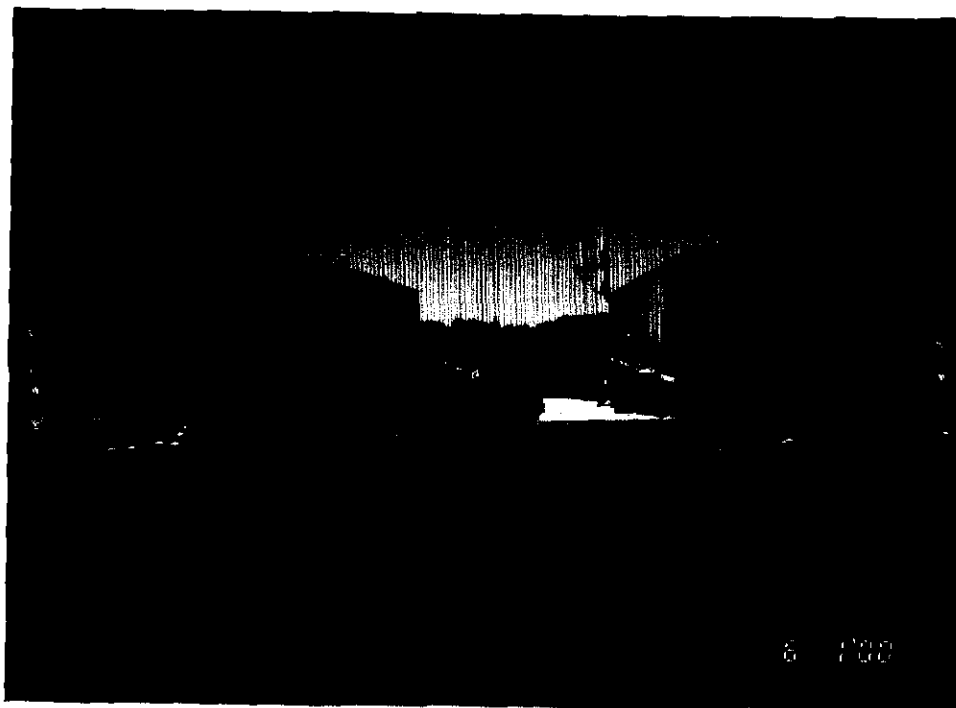
A OFFICE
B. REC HALL
• DOUBLE WIDE

POU

JUN 2 11 2000

63-12414





P/u

6 100



P/u

6 100

MICROFILMED

JUN 2 1981

63-12414



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

December 22, 1999

Floating Feather Rental Co
10601 Horseshoe Bend Rd
Boise ID 83703

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12414

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,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 28 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12414 Reviewed by [Signature] Date 12-20-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
NO Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
NO Drilling permit required? pc 87
1 Copy in the file? Drilling Permit No.
1 Amount paid for permit Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
NO Required?
1 Installed?
1 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address 10601 Horseshoe Bend Rd. Proof Made 11-15-99
Boise 83703

September 30, 1999

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE ID 83704

PROOF DUE NOTICE

RE: PERMIT NO. 63-12414

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 December 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.

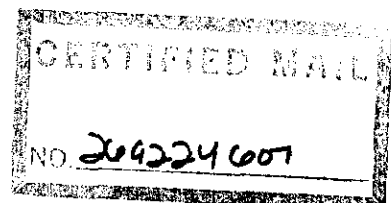
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 28 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 1997

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE ID 83704

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12414

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.

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 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.

FEB 7 6 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 typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
FEB 16 1997

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of December, 1997, 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. 63-12414

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE ID 83704


Kari Lynn Townsend
Secretary

FILED
FEB 2 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.

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.

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 63-12414 Name: Floating Feather Date: 12/17/97 Ad OK? ✓ / Gvmt Lts: ✓

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

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

SYSTEM COMPLETED:

1 year/no proof
>1 year

- P16
- 26A-P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

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

WMD >0.24 cfs/5 acres
Supplemental use
≤ 0.24 cfs/5 acres

- 01M (report when notified)
- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- No MD

DRILLING PERMIT:

2 Existing wells

Included w/permit

No drilling permit? 1 new well
irr. in WD

- NA (pre 7/1/87; ✓ WDQ3)
- Permit No. _____, P99
- 046-46B-P23 (post 7/1/87)
- 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)

Pumped >0.20 cfs

- R04 (WD # _____)-01J-P08 (MD)
- 01H-P01 (LD & MD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

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

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

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

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R(70's)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stock

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req)-081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)

OWNERSHIP:**OTHER CONDITIONS:****STANDARD REMARKS:**

- _____
- _____
- ④ W01/5 ② W59/LT2, S34 free lot. ③ W60/LT 70-74
④ W32/3/ SENE SID TO 4 NR 6 E.

BENEFICIAL USE DUE:

- 12/1/999

COMMENTS:

- Corp off.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

DEC 12 1997

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: lg DATE: 9/29/97 APPLICATION: 63-12414

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)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

☒ ADVERTISE REMARK(S)

(Reviewer identify which remarks)

☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☐ Critical groundwater area:
- ☐ ☐ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☐ ☒ 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

list of partners 10/3/97, sub Plat 10/9/97

DATE REQUESTED

☒ ADDITIONAL INFORMATION ON REVERSE SIDE:

received 10/3/97

PROCESSING

APP. NO.

63-12414

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

☒

Adjudication Bureau

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:

☒

Protests received. Final date for protest 11-24-97

☒

Protest dates, 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: 070, 071, 075

See below for additional information

Recommended Date or Priority 9/8/97

Recommended by: Gary S

Date: 12/10/97

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION:

overlaps: 63-11105 - lic for 19 units, office + 1.5 ac

63-07530 - lic for 50 units

69 total units licensed, same

3 well systems, .57 cfs capacity

(see 63-11105 field exam)

The Idaho Statesman

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

LEGAL ADVERTISING INVOICE

Amount Due

\$47.88

Account Number/Trans. #		Identification	
047628		NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	NOVEMBER 6, 13, 1997
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES WESTERN REGION 2735 AIRPORT WAY BOISE, ID 83705-5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	8958

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:

63-12414

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE, ID 83704

Source: GROUNDWATER
Diversion Pt: SENE Sec 10 T 04N R 01E
in ADA County

Use: DOMESTIC { 0.120 CFS)
Total Diversion: { 0.120 CFS)
Date Filed: 9/9/1997
In: ADA County
T04N R01E S10 SENE

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 NOVEMBER 24, 1997. The protestant must also send a copy of the protest to the applicant.

Pub. November 6 & 13, 1997

8958

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

NOVEMBER 6, 1997

and ending with the issue of

NOVEMBER 13, 1997

Janice Hildreth

STATE OF IDAHO)

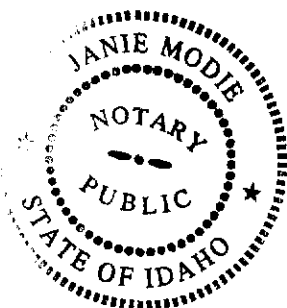
ss.

COUNTY OF ADA)

RECEIVED

NOV 19 1997

WATER RESOURCES
WESTERN REGION



On this 13TH day of NOVEMBER in the year of 1997, 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.

Janie Modie
Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

5/03

RECEIVED
FEB 26 1998



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

November 5, 1997

ENVIRONMENTAL HEALTH
CENTRAL DISTRICT HEALTH DEPT
707 N ARMSTRONG PL
BOISE ID 83704

Re: Application for Permit No. 63-12414 in the Name of Floating
Feather Rental Co.

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by November 24, 1997, with the required \$25 protest fee.

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

Sincerely,


Gary Spackman

GS:st

Enclosure(s):

MICROFILMED
FEB 2 8 1997

B & A ENGINEERS, INC.
CONSULTING ENGINEERS, PLANNERS, SURVEYORS
5505 FRANKLIN ROAD, BOISE, IDAHO 83705
208-343-3381
FAX: 342-5792

LETTER OF TRANSMITTAL

DATE <u>10-28-97</u>	JOB NO.
ATTENTION <u>Lori Graves</u>	
RE: <u>Floating Feather Mobile</u> <u>Home Park</u>	

TO Water Resources
Western Office

RECEIVED

OCT 28 1997

WATER RESOURCES
WESTERN REGION

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
<u>1</u>	<u>10-28-97</u>		<u>Combined drawing of two phases</u>

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval

☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution

☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints

☐ For review and comment ☐ _____

☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: Earl Ehlen

63-12414

FLOATING FEATHER RENTAL CO
C/O LEON SCOTT
10315 COUNTRY SQUIRE LN
BOISE, ID 83704

Source: GROUNDWATER

Diversion Pt: SENE Sec 10 T 04N R 01E in ADA County.

Use: DOMESTIC	(	0.120 CFS)
Total Diversion:	(	0.120 CFS)

Date Filed: 9/ 9/1997

In: ADA County
T04N R01E S10 SENE