

T.4 N.R.1 E., B.M.
SECTION 8

Note:
Coordinates shown are project datum, based upon
the Idaho State Plane Coordinate System, West
Zone, N.A.D. 1927, 1980 Ada County Adjustment.
Divide coordinates shown by the C.A.F. of
1,000,162,499 to obtain grid values, bearings are
grid bearings, distances are ground distances.

Subtract $\Delta\alpha$ from grid azimuth to
arrive at Geodetic Azimuth.

AREA OF PROPOSED MITIGATION POND

63-12136
NENW Sec 17
highlighted area
(new roadway)
shows
disturbed area
See also 63-12137

*EXISTING R/W NOT INCLUDED
IN TOTAL ASSESSED ACREAGE FIGURE

W. OF EAGLE RD ↑

PROPOSED EAGLE ALT. ROUTE ROADWAY

E. OF EAGLE RD ↓

T.4 N.R.1 E., B.M.
SECTION 16

T.4 N.R.1 E., B.M.
SECTION 15

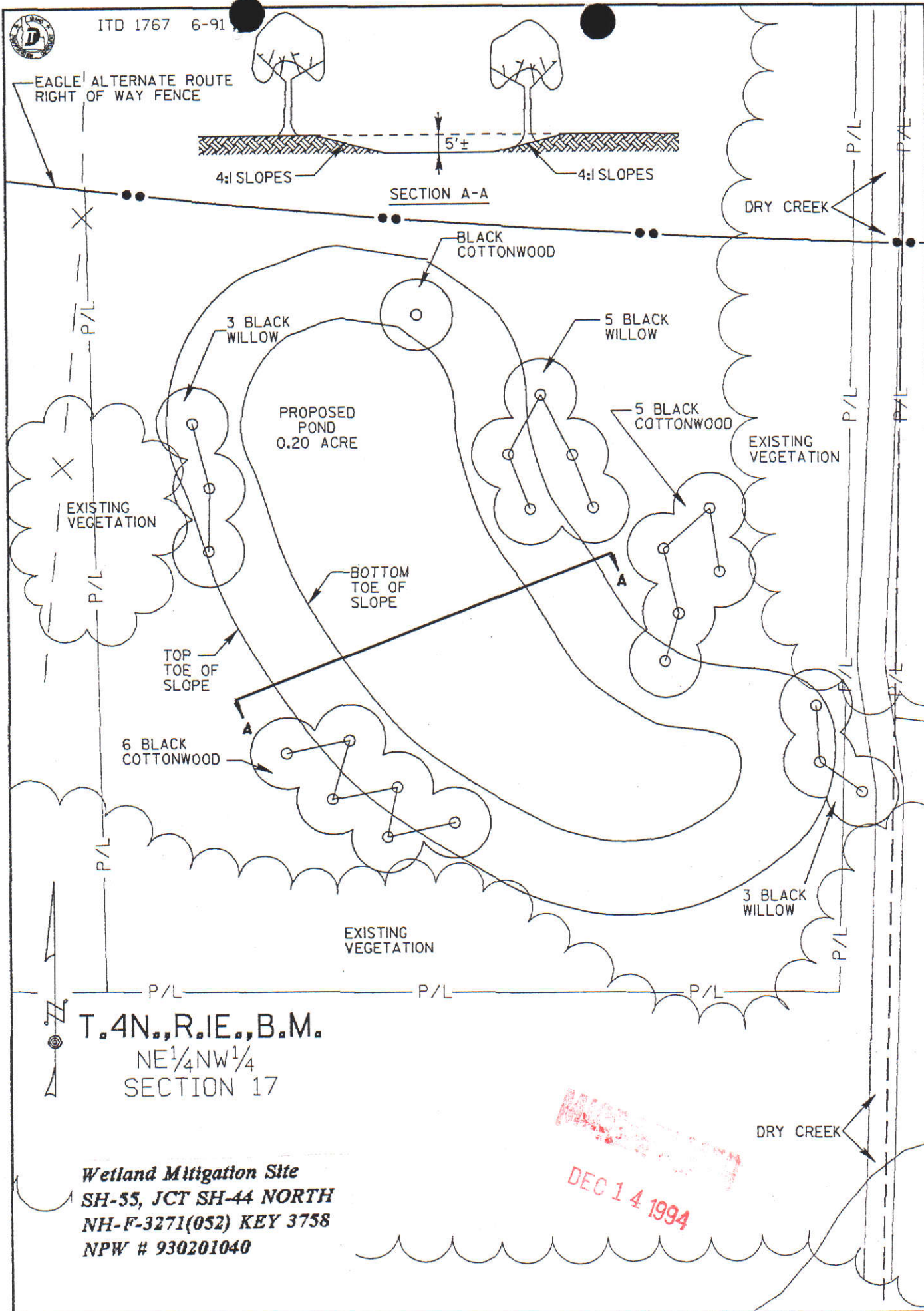
EAGLE ALTERNATE ROUTE
STP-F-3271(033) KEY
2027





ITD 1767 6-91

EAGLE ALTERNATE ROUTE
RIGHT OF WAY FENCE

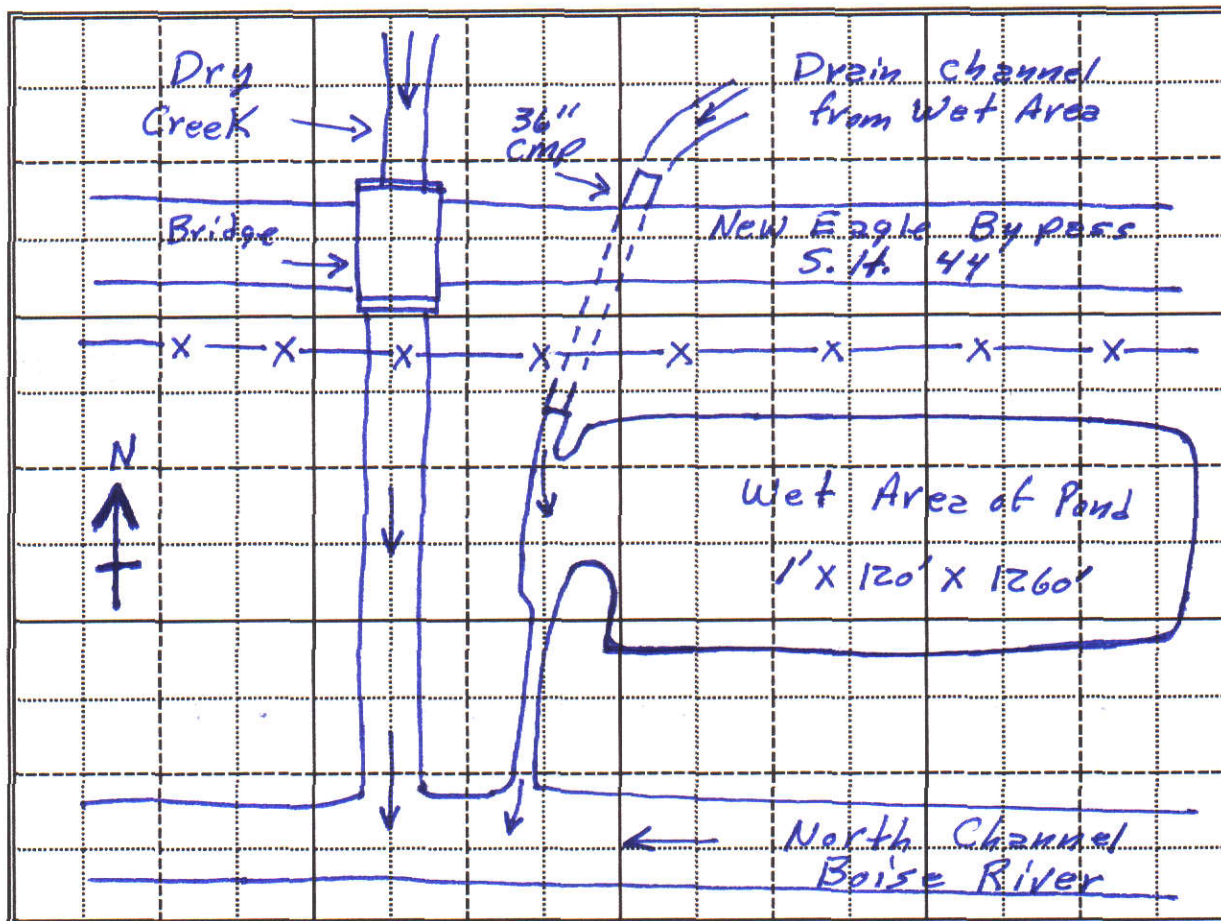


T.4N.,R.1E.,B.M.
NE¹/₄NW¹/₄
SECTION 17

Wetland Mitigation Site
SH-55, JCT SH-44 NORTH
NH-F-3271(052) KEY 3758
NPW # 930201040

DEC 14 1994

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



Scale: 1" = No Scale

☒ 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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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

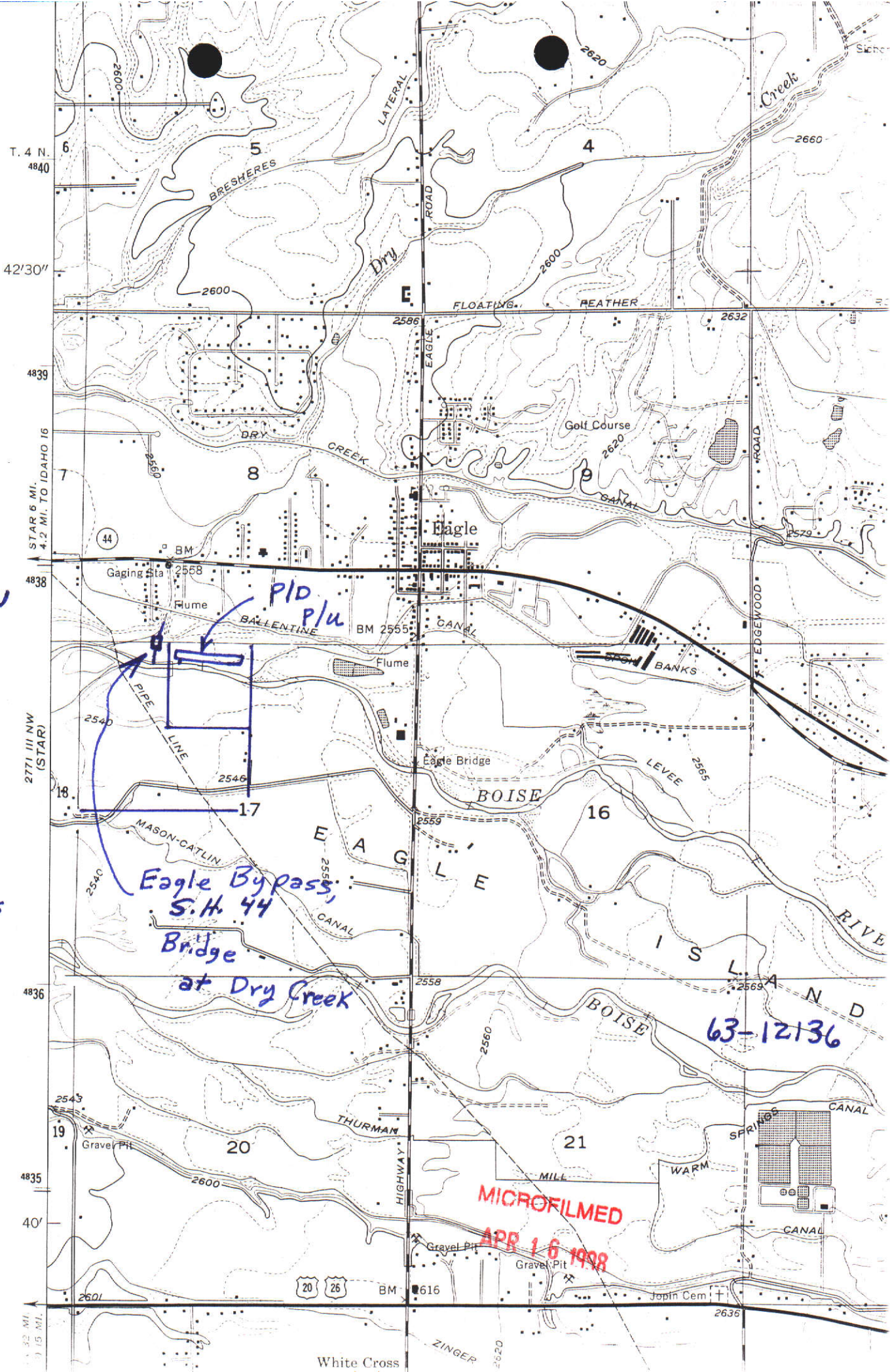
2. Measurements: None

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APR 16 1998

T4N
R1E
Sec 17
NENW

No
Gov.
Lots





P/D
P/u
Wildlife
Pond in
background.
Dry Creek
in fore-
ground;
S.H. 44,
Eagle
Bypass,
on left.

View
Looking
East



P/D
P/u
Wildlife
Pond.
Eagle
Bypass,
S.H. 44,
on right.
View
Looking
West.

MICROFILMED

APR 16 1998

63-12136

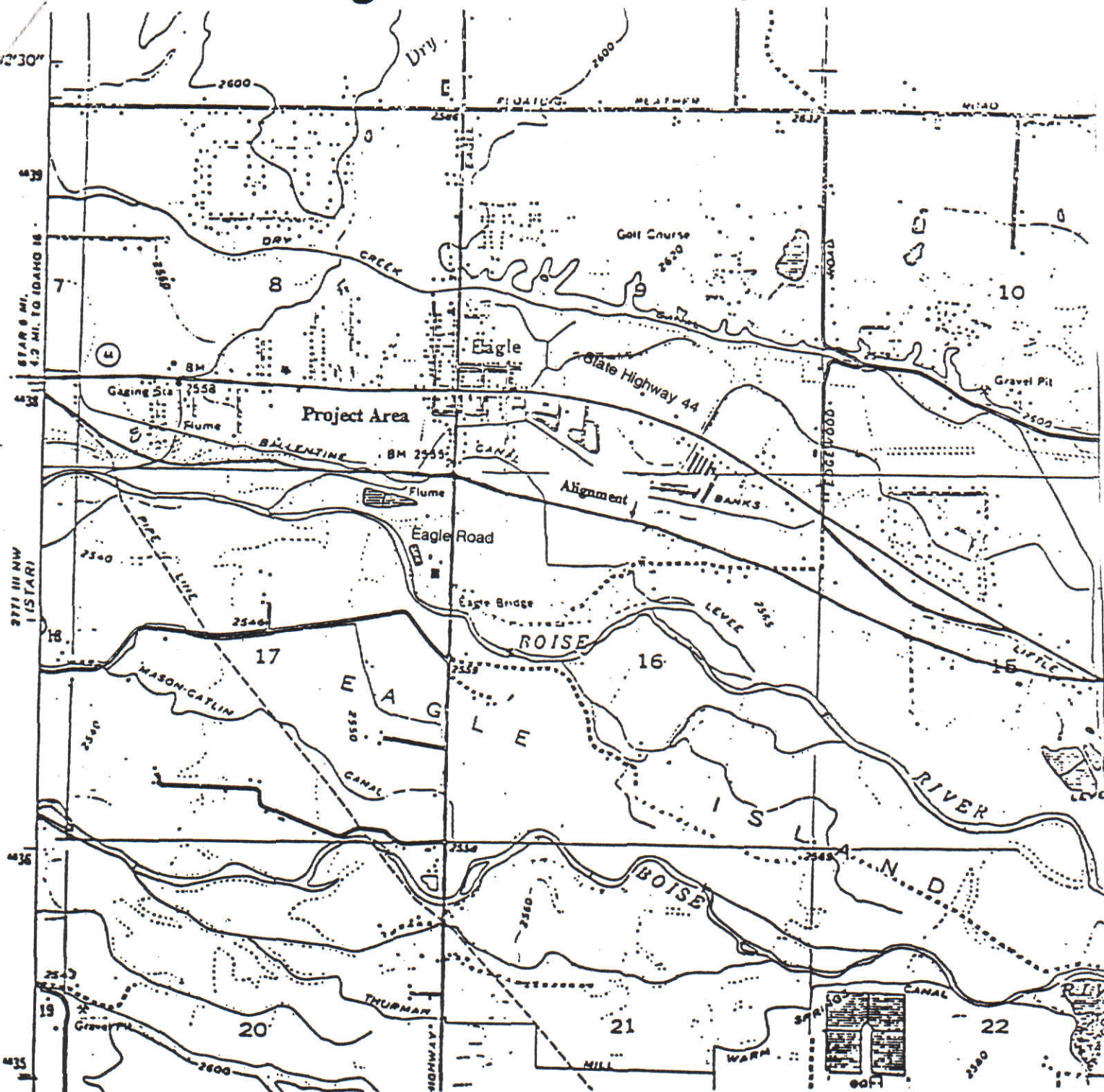


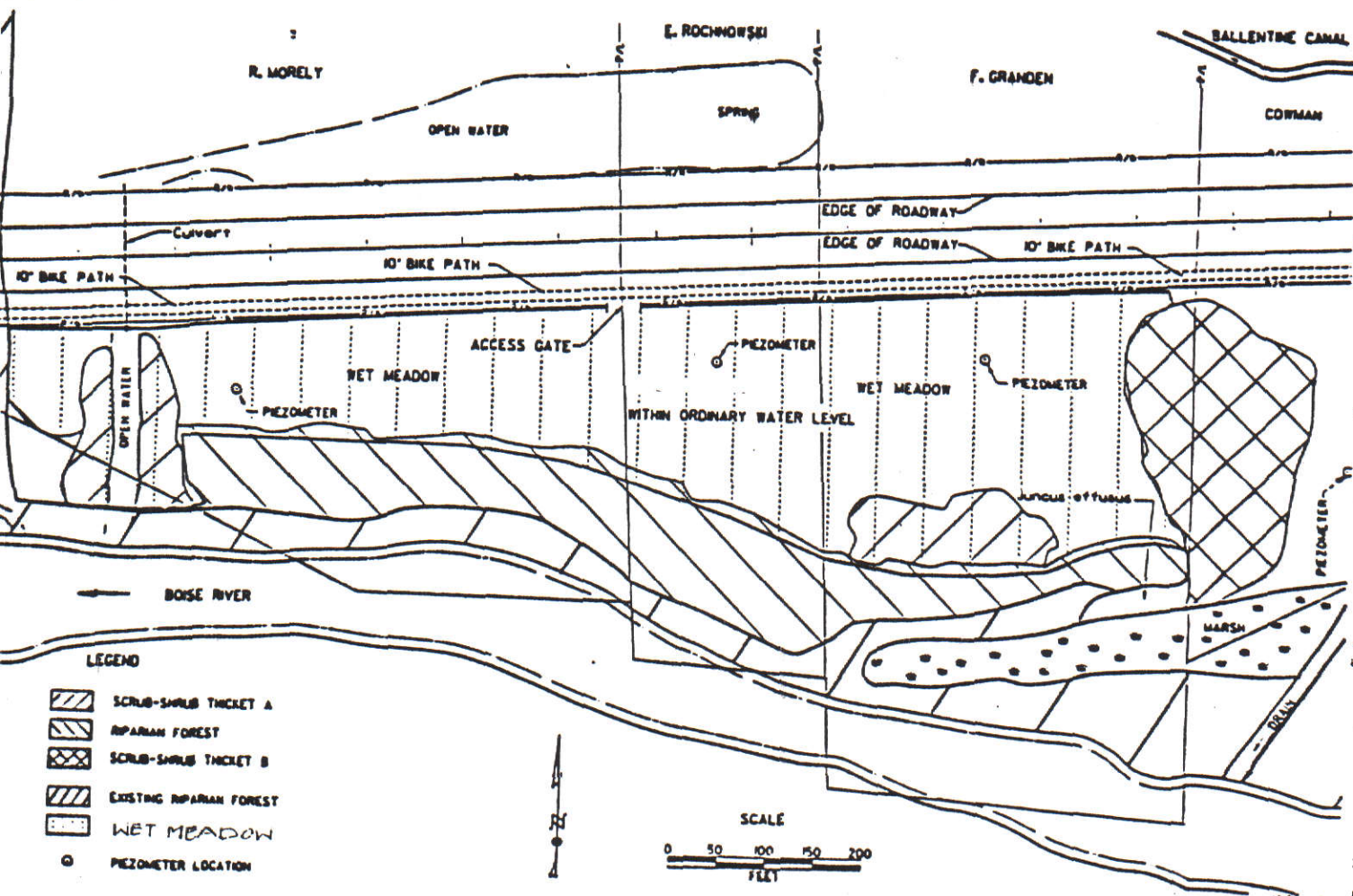
Figure 1. Location of proposed alternate project near Eagle, Idaho.

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DEC 14 1994



DEC 14 1994



Map of mitigation site.

DEC 14 1994

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 63-12136

Priority: August 21, 1994

Maximum Storage Volume:

1.0 AF

This is to certify, that STATE OF IDAHO

DEPT OF TRANSPORTATION

PO BOX 8028

BOISE ID 83707-8028

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 18, 1994; and has submitted Proof of Beneficial Use on December 4, 1996. An examination indicates that the works have a storage capacity of 1.300 af of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 17, Township 04N, Range 01E
ADA County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

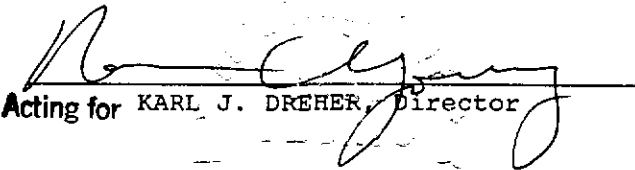
04N 01E 17

NENW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Water stored under this right is subject to fluctuations of the water table related to the flow of the Boise River and to diversions under prior groundwater rights. In no way does this right guarantee the maintenance of any particular groundwater level.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 10TH day of April, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-12136)
)
IN THE NAME OF STATE OF IDAHO DEPARTMENT OF) **ORDER OF**
TRANSPORTATION) **REINSTATEMENT**
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1996; and,

WHEREAS, the Department notified the permit holder on September 30, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department sent the permit holder a lapse notice on December 6, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 4, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-12136 is **REINSTATED** with an advance in priority to August 21, 1994.

DATED this 9th day of December, 1996.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

DEC 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 04 1996

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 who has been appointed by the department.

1. Permit No. 63-12136 Telephone No. 208/334-8300

2. Name(s) of Permit Holder(s): IDAHO TRANSPORTATION DEPARTMENT

3. Mailing Address: P.O. BOX 8028, BOISE, ID 83707-8028

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

a. Well Driller: N.A. 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): Stockwater (No. and type of stock):

Irrigation (No. of acres): Other: WILDLIFE STORAGE

6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 1.0 acre feet

ANNUALLY

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

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

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

Has the measuring device been installed? Yes or No X

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

Has the measurement port been installed? Yes or No X

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

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

Name: WILLIAM J. NANCE Telephone Number: 208/459-7429

Address: CALDWELL RESIDENCY

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: [Signature] Date: 12-2-96
(Include your title, if on behalf of company or organization)

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DEC 22 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12136

Proposed Priority: August 18, 1994

Maximum Storage Volume:

1.0 AF

This is to certify, that **STATE OF IDAHO**
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707-8028

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>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 17, Township 04N, Range 01E
ADA County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

04N 01E 17

NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1996**.
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. Water shall not be diverted under this right until an easement or right-of-way with the owner of the drain is filed with the Department of Water Resources.
5. This permit authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.

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

21st day of November, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

DEC 14 1994

RECEIVED

OCT 21 1994

Ident. No. 63-12136

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: STATE OF IDAHO 208-334-8335
Address: DEPARTMENT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENW Sec. 17, Township 04N, Range 01E
ADA County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------------|-------|-------|-----|------|------|
| WILDLIFE STORAGE | 01/01 | 12/31 | | | 1.00 |
5. Total quantity to be appropriated is:
CFS (and/or) 1.00 AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
POND AND SEEPAGE WATER.
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).
8. Place of Use: WILDLIFE STORAGE

TWN RGE SEC
04N 01E 17

NENW

DEC 14 1994

9. 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.

10. Remarks:

Objectives are to provide open-water ponds with emergent hydrophytes and scrub-shrub areas with cottonwoods. Ponds are to provide sediment retention, wildlife habitat, groundwater recharge nutrient removal and passive recreation. Applicant seeks exemption from the Snake River Basin Moratorium for use existing prior to November, 1987.

11. Map of proposed point of diversion and place of use attached? []

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

DEC 14 1994

T.4 N.R.1 E., B.M.
SECTION 8

Note:
Coordinates shown are project datum, based upon
the Idaho State Plane Coordinate System, West
Zone, N.A.D. 1927, 1980 Ada County Adjustment.
Divide coordinates shown by the C.A.F. of
1,000,624.99 to obtain grid values, bearings are
grid bearings, distances are ground distances.

Subtract $\Delta\alpha$ from grid azimuth to
arrive at Geodetic Azimuth.

AREA OF PROPOSED MITIGATION POND

63-12136
NENW Sec 17
highlighted area
(new roadway) shows
disturbed area
See also 63-12137

SECTION 9
SW $\frac{1}{4}$ SW $\frac{1}{4}$

*EXISTING R/W NOT INCLUDED
IN TOTAL ASSESSED ACREAGE FIGURE

W. OF EAGLE RD ↑

PROPOSED EAGLE ALT. ROUTE ROADWAY

E. OF EAGLE RD

T.4 N.R.1 E., B.M.
SECTION 16

T.4 N.R.1 E., B.M.
SECTION 15

EAGLE ALTERNATE ROUTE
STP-F-3271 (033) KEY
2027

STATE STREET (EXISTING STATE HIGHWAY 44)

fee = \$50.00

Form 202
10/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-12136

RECEIVED

AUG 18 1994

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant IDAHO TRANSPORTATION DEPT Phone 334 8335
Post office address PO BOX 8028 BOISE ID 83707
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NW 1/4 of NW 1/4 of _____ Govt. Lot _____
Sec. 17 Township 4N Range 1E B.M. ADA County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1 for WILDLIFE STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 1.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. .2 acre x 5' (max) pond excavation
will fill w/ Seepage water
 - b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

DEC 14 1994

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. Wetlands Mitigation. See remarks.

Mitigated area is that previously wetted area which has been disturbed by construction of Eagle Alternate route. See map.

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	17					W												

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? 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: Objectives are to provide open-water ponds with emergent hydrophytes & scrub-shrub areas with cottonwoods. Ponds are to provide sediment retention, wildlife habitat, groundwater recharge, nutrient removal & passive recreation.

See attached

DEC 14 1981

Application for permit to appropriate the public waters of

Lennis Clark ENV. PLANNER
(Applicant) TITLE

Received by VR Date 8-18-94 Time 1:00 pm Preliminary check by _____
Fee \$ 50- Receipted by VR # W017941 Date 8-18-94
Publication prepared by ST Date 8-24-94 Published in Id. Statesman
Publication approved ST Date 9-19-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

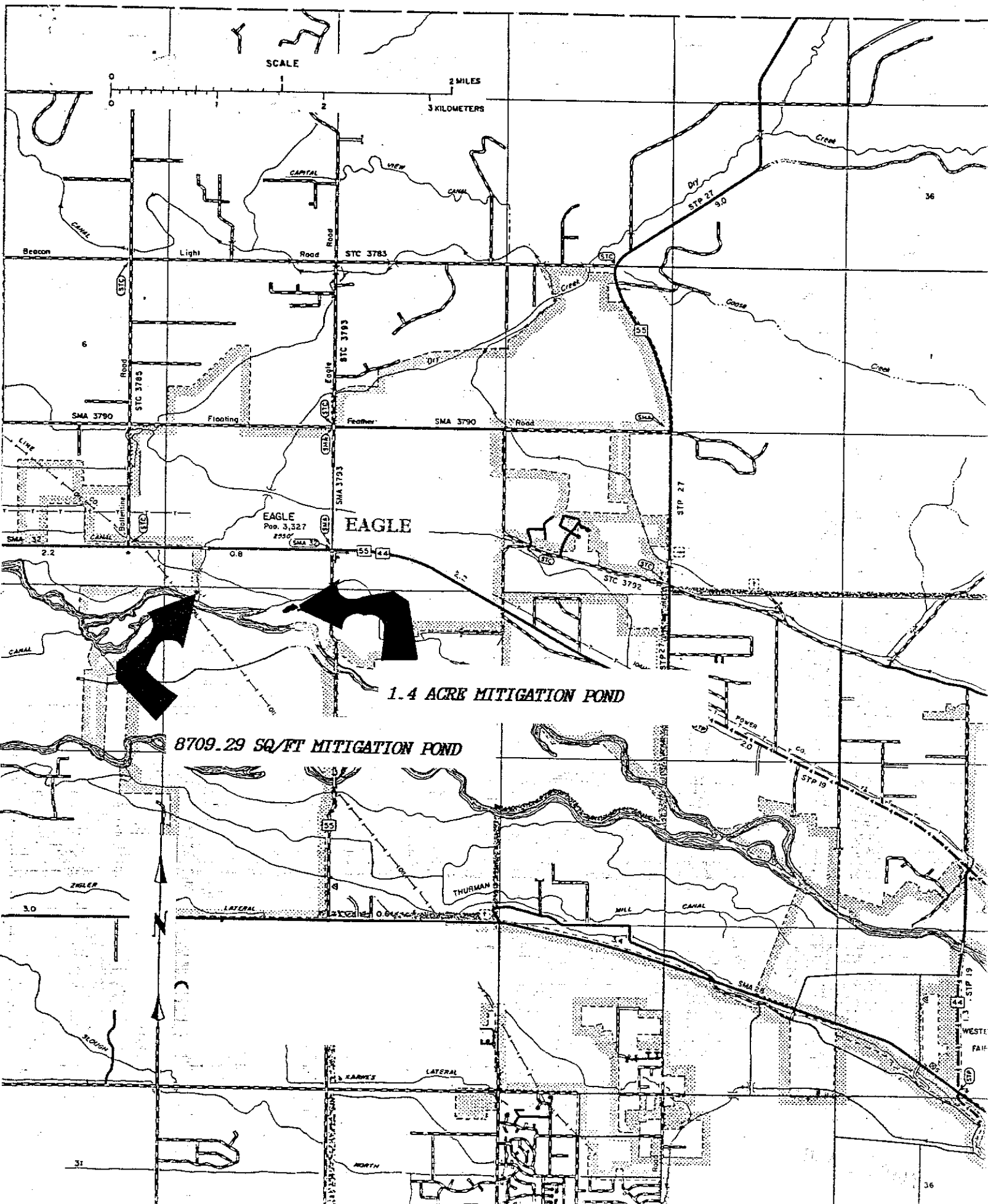
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

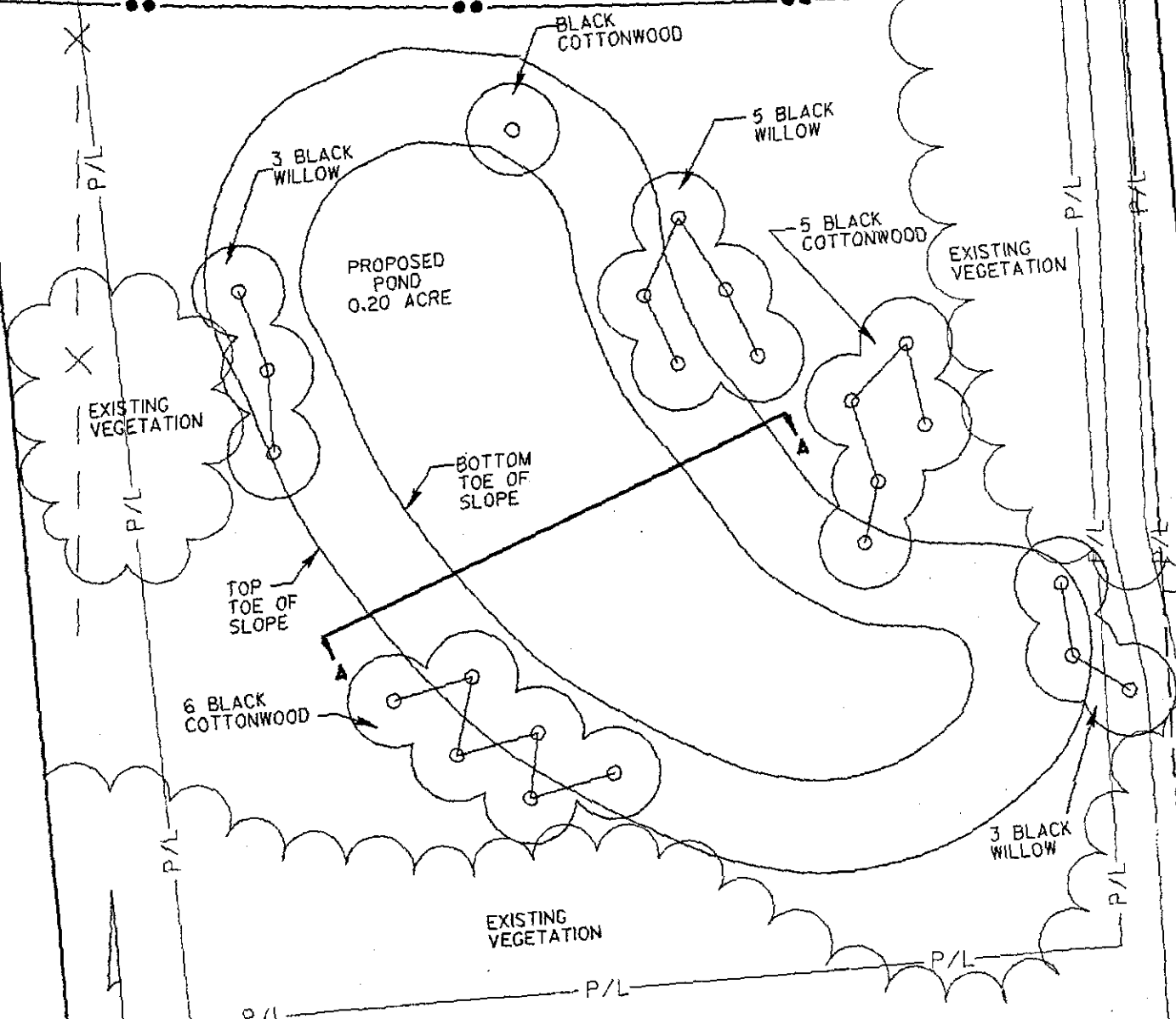
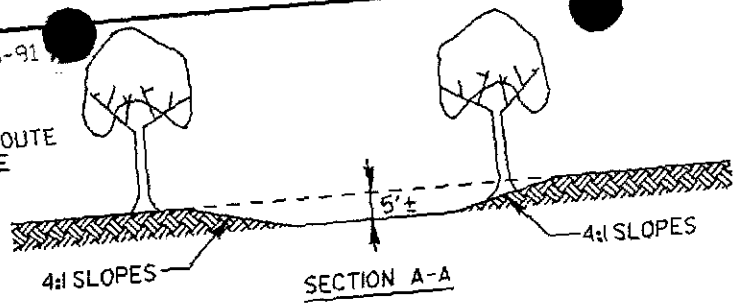
DEC 14 1994





ITD 1767 6-91

EAGLE ALTERNATE ROUTE
RIGHT OF WAY FENCE



T.4N., R.1E., B.M.
NE¹/₄NW¹/₄
SECTION 17

Wetland Mitigation Site
SH-55, JCT SH-44 NORTH
NH-F-3271(052) KEY 3758
NPW # 930201040

10/1/91
10/1/91



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

April 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707-8028

RE: WATER RIGHT NO. 63-12136

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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 the 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.

MICROFILMED

APR 16 1992

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.

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 and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

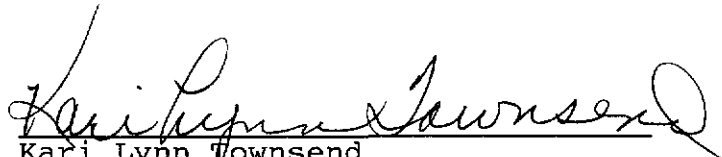
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12136

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707-8028


Kari Lynn Townsend
Secretary

APR 15 1998
MICROFILMED

APR 16 1998

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 63-12436 Name: Id. D&T Date: 4/8/98 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
		✓	
SOURCE		✓	Clarify source <u>gw (not well)</u>
			Prelim. Order to Void- Source change.
P/D		✓	Amendment Needed? Addn'l 1/4? <u>Legal</u> <u>P39</u>
			Same 1/4? <u>W32</u> <u>P36</u>
			Overlap(s) _____
P/U		✓	Amendment Needed? _____ <u>P41</u>
			Overlap(s) _____
			(Gov't use special ¶s) _____ *P/D & P/U Amend? <u>P37</u>
RATE			Permit/proof fee limits <u>1.0 AF</u> / <u>4.0 AF</u>
			Measured Quantity = _____ cfs Theoretical Quantity = _____ cfs
			(HP) $\frac{8.8 \times 0.70 \times}{+ (2.31 \times)} =$ _____ cfs
			Recommended capacity _____ cfs
			Recommended rate _____ cfs
VOLUME		✓	Season: (<u>1</u>) <u>1/1 - 12/31</u> = <u>365</u> days
			Calculations: <u>pond 1260' x 120' x 1' x .4 = 1.4*</u>
			<u>*VOLUME LIMITED BY PERMIT!</u>
			Flow limit: _____ cfs x _____ days/yr. x 1.9835 = _____ AF
		✓	Recommended volume <u>1.0</u> AF
USES		✓	Same Nature of Use? _____ <u>P46</u>
			Amendment Needed? _____
REMARKS			Multiple p/d's in same 1/4? Use W32 _____
			<u>Evap losses inactive</u>
CONDITIONS			Measuring Device (R43) or Lockable Controlling Works (R02) _____
			Watermaster Control (R04) - WD # _____
			Irrigation rate/annual volume overlap _____
			GW irrigation replaces surface water (050) _____
			GW irrigation supplements surface water (065) _____
			Water Quality _____
			Other _____
PRIORITY	App Rcd	<u>8/18/94</u>	Due <u>12/1/96</u> Rcd <u>12/4/96</u>
	Receipt#	<u>0037111</u>	Fee OK? Yes/No <u>\$50.00</u>
	Order to Reinstate Needed?	<u>No</u>	Done? <u>12/9/96</u> Advanced to: <u>8/21/94</u>
	Priority	<u>8/21/94</u>	Examined <u>5/6/97</u>
COMMENTS:	<u>license as permitted</u>		

USE	CFS	VOLUME
<u>WL Storage</u>	<u>(NA)</u>	<u>1.0</u>
<u>TOTAL</u>	<u>(NA)</u>	<u>1.0</u>

SRBA Overlap none
Adjustment Memo _____
LICENSE
#1 AMEND: _____/P38
#2 AMEND: (R)P42/(C)P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 08 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12136

1. Owner: State of Idaho
Department of Transportation Phone No. (208) 334-8300

Current Address: P.O. Box 8028, Boise, ID 83707-8028

2. Accompanied by: Bill Nance & Dennis Clark EXAM DATE: 5-6-97

Address: Same (District 3) Phone No. (208) 334-8335

Relationship to Permit Holder: Employees of Dept. of Transportation

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	17	4N	1E	Ada	Site Visit, Map

2. Place(s) of Use:

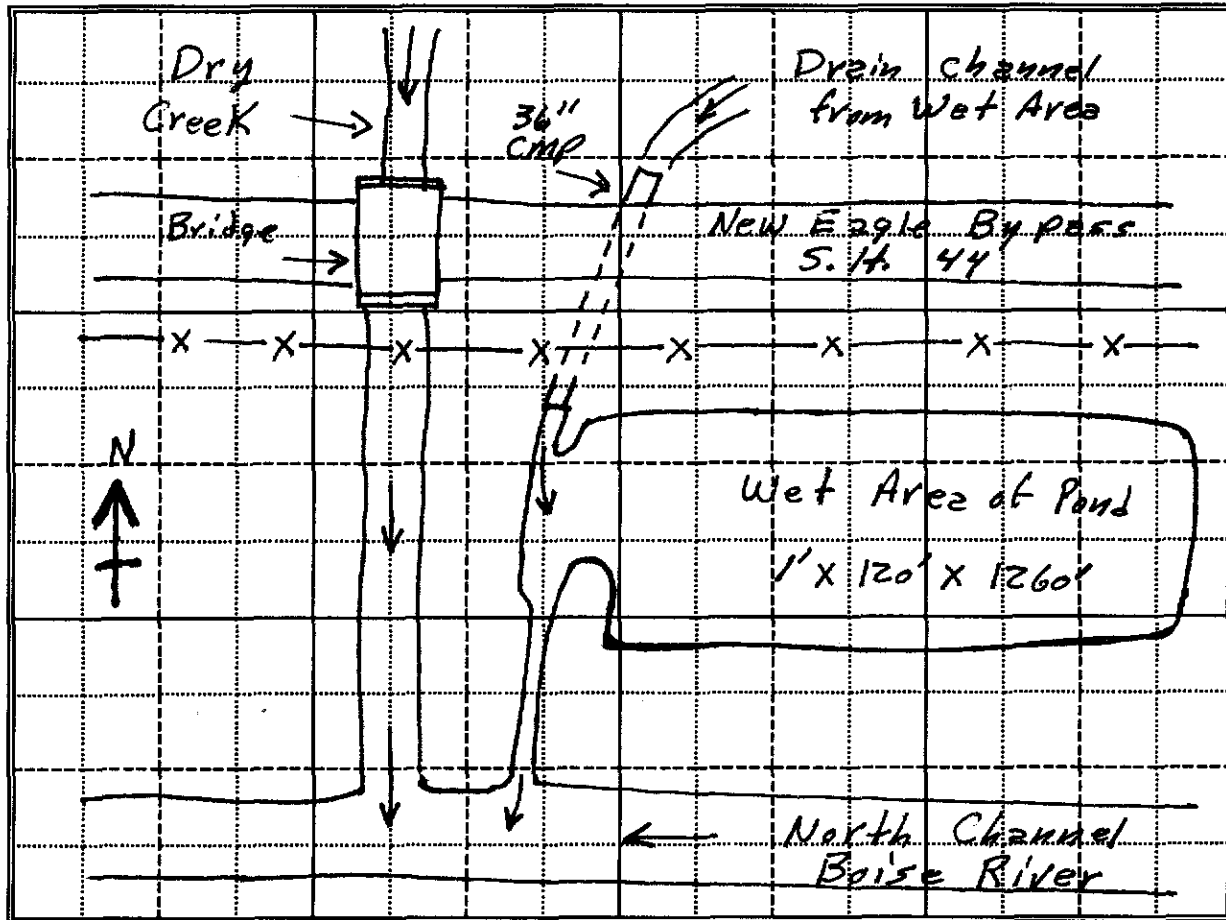
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	17					W												

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APR 18 1998

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



Scale: 1" = No Scale

☒ 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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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

2. Measurements: None

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APR 16 1998



P/D
P/u
Wildlife
Pond in
background.
Dry Creek
in fore-
ground;
S.H. 44,
Eagle
Bypass,
on left.

View
Looking
East



P/D
P/u
Wildlife
Pond.
Eagle
Bypass,
S.H. 44,
on right.

View
Looking
West.

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APR 16 1948

63-12136

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for one wild life pond located adjacent to the south boundary of the new Eagle Bypass, ~~the~~ State Highway 44, and just East of the Dry Creek channel. The permit, with attached design drawing, shows the pond was to be constructed just to the west of the Dry Creek channel, but it's location was later changed to the East side. The Dry Creek channel was also re-aligned from the highway bridge to the North Channel of the Boise River.
2. The overall dimensions of the wet area of the pond is 1' x 120' x 1260', with about 50% of this area having ponded water in it. The source of the water is from bottom seepage, and seepage water from the North side of the highway which is conveyed to the pond by a 36" CMP pipe culvert under the highway.
3. The pond was built as wildlife mitigation for wetlands needed for the new highway.
4. Item (condition) 4 in the permit may not apply as there is no drain involved for this pond other than the 36" CMP constructed under the highway.

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

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APR 16 1998

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

on stream storage - seepage inflow to pond -
no diversion rate identified other
than the 36" cmg culvert.

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: *Wildlife Pond.*

$$\text{Vol. of pond} = (1') (120') (1260') (50\%) / (66)(66)(12) \\ = \underline{1.7 \text{ AF}} \quad \text{Allow } \underline{1.0 \text{ AF}} \text{ in permit}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Wildlife Storage</i>	<i>01/01</i>	<i>12/31</i>		<i>1.0 AF</i>
Totals:				<i>1.0 AF</i>

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. AUTHENTICATIONField Examiner's Name *Don Tomich* Date *1-6-98*

Reviewer _____ Date _____

SEAL

 MICROFILMED
 APR 16 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 9, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707-8028

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12136

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating your permit since proof was submitted after the proof due date of December 1, 1996. Please note that the priority date has been advanced to August 21, 1994.

Section 42-248, Idaho Code, which became affective 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. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Region

MICROFILMED

DEC 22 1996

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.

RECEIVED

DEC 18 1960

December 6, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 837078028

LAPSE NOTICE

RE: PERMIT NO. 63-12136

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 September 30, 1996. 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

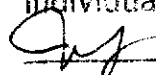
Enclosures

MICROFILMED

DEC 22 1996

CERTIFICATION OF MAILING

I hereby certify that on 12/6/96
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



September 30, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 837078028

PROOF DUE NOTICE

RE: PERMIT NO. 63-12136

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, 1996. (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.

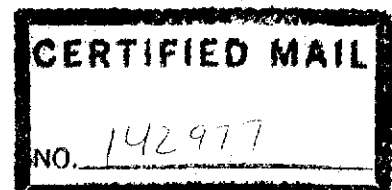
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
DEC 22 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 21, 1994

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707-8028

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12136

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Sincerely,

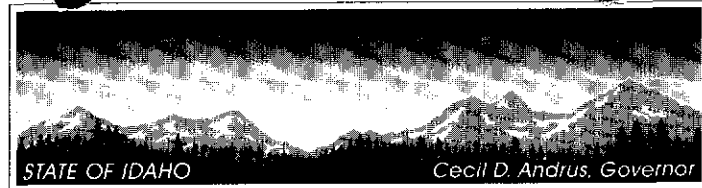
A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

DEC 14 1994



TRANSPORTATION DEPARTMENT
DISTRICT 3 • P.O. BOX 8028 • BOISE, ID • 83707-2028 • 208/334-8300

RECEIVED

OCT 11 1994

October 6, 1994

Cindy Hodges
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Cindy Hodges:

Here is the information as requested in your letter dated September 28, 1994. I have included calculations of actual acres disturbed by the new roadway, and the number of presently wetted acres which will be covered by construction. In addition I have enclosed a plan sheet of the area identifying location of these areas and contract limit lines.

Thank you for your time and consideration on this matter. If I can be of further assistance in providing information please contact me.

Sincerely,

DENNIS

Dennis Clark
Senior Environmental Planner

DC:gv

Enclosure

OK
DR

DEC 14 1994

October 6, 1994

PROJECT NUMBER: STP-F-FR-3271(033) KEY 2027

PROJECT NAME: Eagle Alternate Route

RE: Appropriating public waters; description of wetted areas destroyed vs. created.

The Eagle Alternate route involves the construction of a 4.3 mile segment of highway south of Eagle, Idaho (Figure 1). The proposed highway will connect with State Highway 44 on the west and east sides of Eagle and intersect State Highway 55 to the south of Eagle. The approximate width of the highway from toe to toe is nearly equal to the width of the right-of-way which is 150'. The new highway will disturb or cover 65 acres of land. Out of the total 65 acres, 42 acres of wetted land will be covered by highway fill (see attachment A). The 42 acres include the following lands:

- 3.4 acres of wet meadow: grazed meadow, ponds.
- 0.7 acres of forested wetland: grazed.
- 37.9 acres of irrigated land: farmland, and grazed pasture.

In addition to the highway right-of-way the Idaho Transportation Department would acquire approximately 37 acres (see attachment A) to mitigate for project impacts. Areas not being considered as 'wetted area' are those that are not irrigated which support minimal amounts of natural vegetation (ie. areas disturbed by construction that will be reseeded for soil stability such as highway shoulders). The 37 acres consist of the following lands (see attachment B):

- 8.3 acres of wet meadow: grazed meadow.
- 12 acres of riparian forest: forested wetland.
- 0.5 acres of open water: not present in summer.
- 15.2 acres of upland: scrub-shrub thicket, grazed upland.

1
OCT 14 1994

A total of 9.6 acres of this 37 acres will be developed as ponds, wetlands and other types of habitat (see attachment C). The habitat enhancement would include:

- 4.6 acres of wet meadow: currently 2.3 acres grazed meadow, 2.3 grazed uplands.
- 1.6 acres of scrub-shrub thicket: currently grazed pasture lands.
- 2.1 acres of riparian forest: currently grazed.
- 1.3 acres of wetland pond: currently 1.1 acres barren land, .20 acres grazed pasture.

63-12136 & 12137

Total subject land taken out of production: 42.0 acres.

Total subject land being altered: 9.6 acres.

✓
These totals represent a 23 percent replacement of wetted area which would provide no increase of consumptive losses to the Boise River system.

Eagle Alternate Route

STP-F-FR-3271(033) KEY 2027

2 24 1986

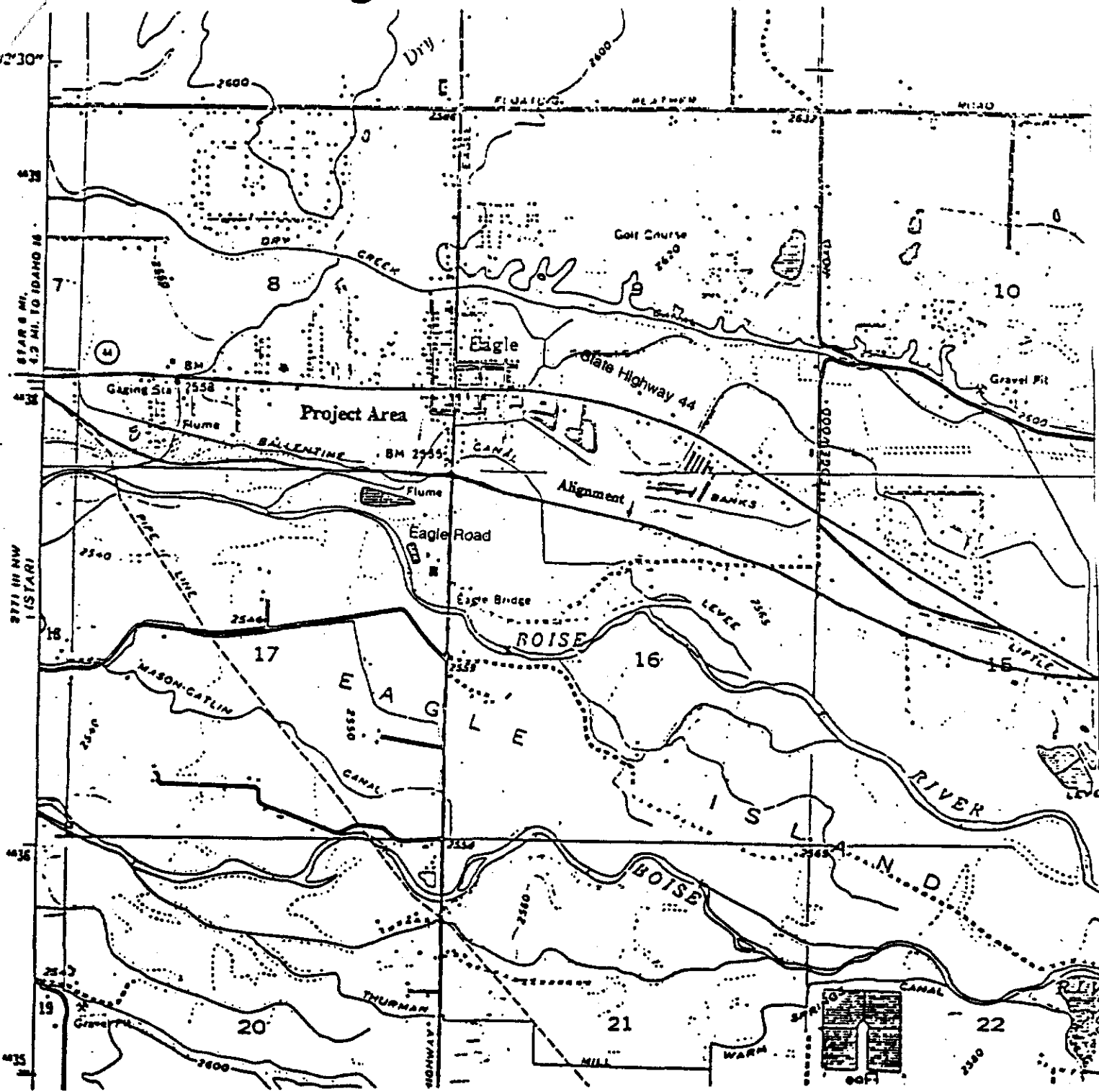
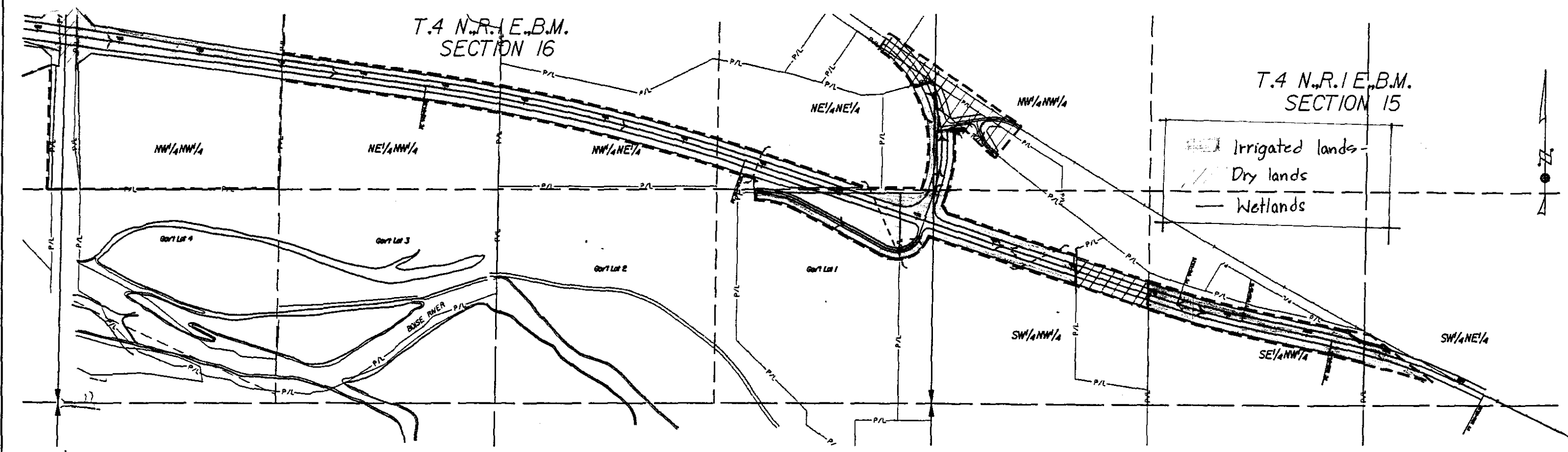
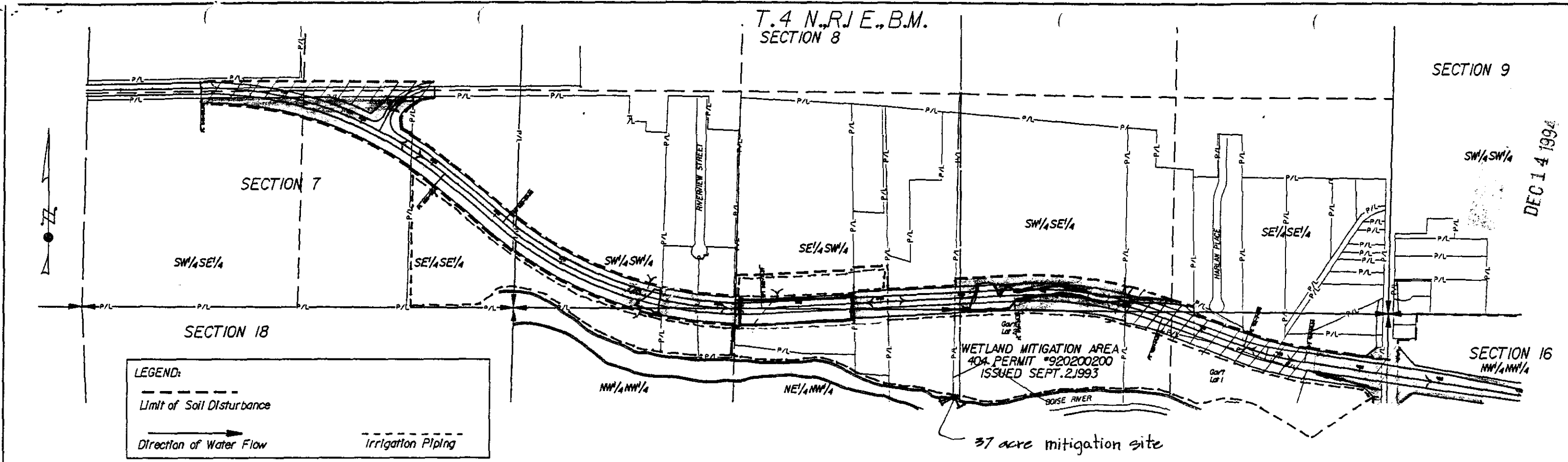
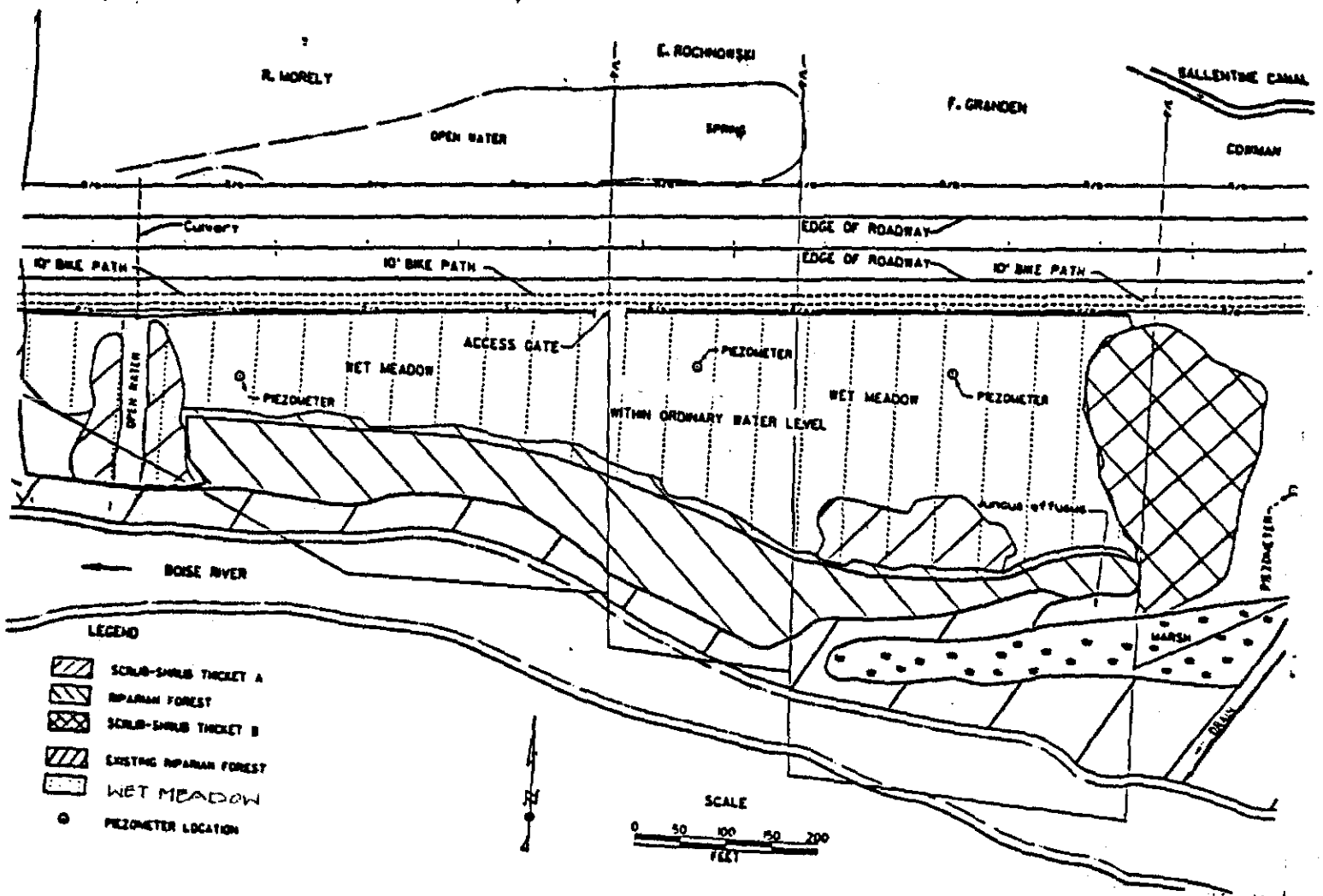


Figure 1. Location of proposed alternate project near Eagle, Idaho.

DEC 14 1994



REVISIONS				DESIGNED HICKMAN, L.	SCALES SHOWN ARE FOR 22" X 34" PRINTS ONLY CADD FILE NO. 2027DSWP.DGN	IDaho TRANSPORTATION DEPARTMENT DISTRICT 3	FEDERAL AID PROJECT NO. STP-F-327(K033)	SWPP PLAN SHEET EAGLE ALTERNATE ROUTE SWPP SITE PLAN	FORM CATALOG NO. 26-0184007 COUNTY ADA KEY NUMBER 2027 SHEET OF
NO.	DATE	BY	DESCRIPTION						
1				DESIGN CHECKED ELVIN, R.					
2				DETAILED BONGIORNO, J.					
3				DWG. CHECKED HICKMAN, L.	DRAWING DATE: 9/93				



Map of mitigation site.

DEC 14 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 28, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DENNIS CLARK
IDAHO DEPARTMENT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707

RE: Eagle Alternate Route Mitigation Plan

Dear Dennis:

Thank you again for the submittal of the maps showing the area under this project. I discussed the maps with Dave Tuthill, our Regional Manager, to see if they satisfied our needs.

Mr. Tuthill advised that a complete description of the mitigation plan should include a calculation of actual acres disturbed by the new roadway, and the number and location (by QQ section) of those acres which are presently wetted area which will be dried up during construction. Wetted area may be considered as either irrigated land or boggy/marshy areas which support natural vegetation. Also included should be description/sizes of any easements retained and whether or not the easement area is included in the mitigation proposal.

Because of the current moratorium on new consumptive water rights, IDWR is concerned that there is not a net increase in wetted area developed which would increase consumptive losses to the Boise River system. For each surface acre of wetted area developed as mitigation pond, one acre of previously wetted area must be shown to be dried up or taken out of production. For purposes of the water right application, this exchange must be accountable at a 1:1 ratio, even though Fish and Game ratio requirements may differ.

Thank you for your continued assistance in providing information. Please contact me or Mr. Tuthill if you have questions.

Sincerely,

Cindy Hodges
Cindy Hodges
Sr. Water Resource Agent

RECEIVED

SEP 14 1994

RECEIVED

SEP 12 1994

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman
P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$192.00

Account Number 04762800		Identification Idaho Dept. of Water Resources, Western Region Notice of Application for Water Right	
Ordered By R. Keith Higginson	P.O. Number	Rate NT	Run Dates September 1 & 8, 1994
Idaho Dept. of Water Resources, Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 8384

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:

63-12137

STATE OF IDAHO
DEPARTMENT OF TRANSPORTATION
PO BOX 8028
BOISE, ID 83707

Source: UNNAMED DRAIN Tributary: BOISE RIVER
Diversion Pt: LOT 1 (NWNENE) Sec 17 T04N R01E in ADA County.
Use: WILDLIFE STORAGE (4.00 AF)
Total Diversion: (4.00 AF)

Date Filed: 8/4/1994

In: ADA County

T04N R01E S17 Lot 1 (NENE) Lot 2 (NWNENE)

Applicant seeks exemption from the Snake River Moratorium for use existing prior to November, 1987.

63-12136 ✓

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE, ID 83707

Source: GROUNDWATER
Diversion Pt: NENW Sec 17 T04N R01E in ADA County.
Use: WILDLIFE STORAGE (1.00 AF)
Total Diversion: (1.00 AF)

Date Filed: 8/18/1994

In: ADA County

T04N R01E S17 NENW

Applicant seeks exemption from the Snake River Moratorium for use existing prior to November, 1987.

63-12138

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707

Source: GROUNDWATER
Diversion Pt: NENE Sec 17 T02N R02E in ADA County.
Use: MUNICIPAL (3.900 CFS)
Total Diversion: (3.900 CFS)

Date Filed: 8/19/1994

Place of use is within the city limits of Boise.

Applicant seeks limited municipal use exempted from Snake River Moratorium and will use an existing well.

63-12139

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707

Source: GROUNDWATER
Diversion Pt: NENW Sec 21 T02N R02E in ADA County.
Use: MUNICIPAL (4.900 CFS)
Total Diversion: (4.900 CFS)

Date Filed: 8/19/1994

Place of use is within the city limits of Boise.

Applicant seeks limited municipal use exempted from Snake River Moratorium and will use an existing well.

63-12140

BOISE WATER CORPORATION
PO BOX 7488
BOISE, ID 83707

Source: GROUNDWATER
Diversion Pt: SWSW Sec 28 T04N R01E in ADA County.
Use: MUNICIPAL (3.500 CFS)
Total Diversion: (3.500 CFS)

Date Filed: 8/22/1994

Place of use is within the city limits of Boise.

Applicant seeks limited municipal use exempted from Snake River Moratorium and will use an existing well.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before SEPTEMBER 19, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, Director

8384

Pub. Sept. 1 & 8, 1994

LINDA PORTER

, 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 ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of September 1, 1994

and ending with the issue of September 8, 1994

Linda Porter

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 8th day of SEPTEMBER in the year of 1994, before me, a Notary Public, personally appeared LINDA PORTER, 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: 5/97



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 24, 1994

LEE SISCO
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-12136 and 63-12137 in
the Name of State of Idaho, Department of Transportation

Dear Mr. Sisco:

Enclosed is a copy of the above referenced application for water
right.

Please review the application and return any comments you might
have within two weeks. If you have questions or need
information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'David R. Tuthill, Jr.'.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application

DEC 14 1994



TRANSPORTATION DEPARTMENT
DISTRICT 3 • P.O. BOX 8028 • BOISE, ID • 83707-2028 • 208/334-8300

RECEIVED
AUG 04 1994
WATER RESOURCES
WESTERN REGION

August 3, 1994

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

RE: Project # Eagle Alternate Route STP-F-3271(033) KEY 2027

An Application for Permit to appropriate the public waters of the State of Idaho is attached. This application is for water that will be consumed through evaporation from two ponds which are to be constructed as mitigation measures for wetlands disturbed by construction of the Eagle Alternate Route highway project.

If we can provide additional information please contact this office at 334-8335.

DENNIS

DENNIS CLARK
Environmental Planner

Enclosures

DEC 14 1994

Timothy J. Gass

NOV 09 1962

Elbert E. Gass
of Counsel

Leo Hickman
Idaho Transportation Department
P.O. Box 8028
Boise, ID 83707-2028

Re: Eagle Alternate Route

Dear Mr. Hickman,

CITY	DISTRICT III	ACT	HHFD
	DIST. ENGINEER		
	Asst. Dist. Engr. (D)		1
	Asst. Dist. Engr. (D)		1
	Location		
	Environmental		
	Atmospheric		
	Drift of Wind		
	Hydro		
	Sea Buoyage		
	ASST. DIST. ENGR. (D)		
	LED. Training, Training		
	Research & D.C.		
	Monitoring		
	Spay		
	Water Research		
	Water Supply		
	DIST. B.O.C. TECH.		
	Supply Org. Insp.		
	Records, Insp.		
	Data Processing		
	In Supervisors		
	All Employees		
	F.I.I.'s		

This letter confirms the position of Drainage District No. 2 as indicated to you at the board meeting on November 2, 1992, at which you, Mr. Greg Bond, and Mr. Bob Rohrer of the Idaho Transportation Department were present.

At that time the Board granted you preliminary approval for your Eagle Connector project and you indicated that final approval was not going to be needed for at least six to eight months from the date of the meeting. In addition, the Board notified you that the main channel of the pond should be close to the northern edge so that the District can maintain, clean, and otherwise take care of the flow back into its ditch. Also, the District requires a fifty (50') foot easement from the center of your channel extending north and stated that no sedimentation box would be needed where the pond flowed into the District's drainage ditch on the west end of your project.

Also, you promised that the whole project would be on grade from the point where District's ditch ends on the eastern edge of your project until the water flows back into the District's drainage ditch on the west end of your project.

Finally, you must provide a payment of \$125 for the preparation of the Agreement between the Idaho Transportation Department and the District as well as \$3 per page for recording of said Agreement at the Ada County Recorder's Office. Until such time as an Agreement is entered between yourselves and the District, no construction can begin on the project.

If you have any questions or comments regarding the foregoing, or if the foregoing does not comport with your understanding of the proceedings before the Board on November 2, 1992, please notify me in writing within ten (10) days of the date of this letter or I will presume the foregoing to be true and correct.

Sincerely,

Timothy J. Gass
Attorney for the District

TJG/k1m

1994

63-12136

STATE OF IDAHO
DEPARTMENT OF TRANSPORTATION
PO BOX 8028
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: NENW Sec 17 T 04N R 01E in ADA County.

Use: WILDLIFE STORAGE (1.00 AF)
Total Diversion: (1.00 AF)

Date Filed: 8/18/1994

In: ADA County
T04N R01E S17 NENW

Applicant seeks exemption from the Snake River Moratorium for use
existing prior to November, 1987.

DEC 14 1994